



**Town of Surfside
Regular Town Commission Meeting
AGENDA**

Tuesday, March 14, 2023

7:00 PM

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

Rule 6.06 (a)3 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit community-based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and any person who only appears as a representative of a neighborhood, homeowners or condominium association without compensation for the appearance, whether direct or indirect or contingent, to express support of or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once this capacity has been reached, people will be asked to watch the meeting from the first floor.

1. **Opening**
 - 1A. **Call to Order**
 - 1B. **Roll Call of Members**
 - 1C. **Pledge of Allegiance**
 - 1D. **Mayor and Commission Remarks** - Mayor Shlomo Danzinger
 - 1E. **Agenda and Order of Business** Additions, deletions and linkages
 - 1F. **Community Notes** - Mayor Shlomo Danzinger
 - 1G. **Presentation of \$1.00 Salary to the Mayor, Vice Mayor and the Members of the Town Commission** - Acting Town Manager Hector Gomez
2. **Quasi-Judicial Hearings**
3. **Consent Agenda**

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.

- 3A. **Approval of Minutes** - Town Clerk Sandra N. McCreedy, MMC
[February 14, 2023 Special Town Commission Meeting Minutes.pdf](#)
[February 14, 2023 Regular Town Commission Meeting Minutes.pdf](#)
- 3B. **Surplus of Two Public Works Municipal Vehicles** - Acting Town Manager Hector Gomez

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING AS SURPLUS PROPERTY TWO VEHICLES OF THE TOWN OF SURFSIDE PUBLIC WORKS DEPARTMENT; AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE SALE OR DISPOSITION OF THE SURPLUS VEHICLES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.
[Resolution Declaring PW Dept Vehicles Surplus Property](#)
- 3C. **Resolution Expressing Support for the victims of the Earthquakes in Turkey and Syria that took place on February 6, 2023.** - Commissioner Marianne Meischeid

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, IN SUPPORT OF THE EARTHQUAKE VICTIMS IN TURKEY AND SYRIA; RECOGNIZING THE WORK OF HUMANITARIAN AID, RESCUE

WORKERS, AND CIVILIAN VOLUNTEERS ON THE GROUND; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Supporting Earthquake Victims in Turkey and Syria.docx](#)

- 3D. Town Commission Chambers Audio/Video Equipment Upgrade Purchase through Piggyback of National Contract The Interlocal Purchasing System (TIPS) - Acting Town Manager Hector Gomez**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE OF AUDIOVISUAL SOFTWARE, HARDWARE, AND RELATED PROFESSIONAL INSTALLATION AND MAINTENANCE SERVICES FOR THE TOWN COMMISSION CHAMBERS AND CONTROL ROOM FROM AVI-SPL, INC. UTILIZING THE TERMS, CONDITIONS, AND PRICING OF THE INTERLOCAL PURCHASING SYSTEM (TIPS) CONTRACT NO. 200904; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - "AVIS SPL TIPS Extended Pricing Discount"](#)

[Resolution Approving Purchase from AVI-SPL for Audiovisual Software Hardware.DOCX](#)

[Cover Agreement -TIPS Contract - AVI-SPL Audiovisual Software Hardware and Support Services.pdf](#)

- 3E. FY 2023 Budget Amendment Resolution No. 5 - Hector Gomez, Acting Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 5 FOR THE FISCAL YEAR 2023 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Budget Amendment No.5](#)

[Attachment A - FY2023 Budget Amendment No. 5.pdf](#)

4. Ordinances

Second Reading

- 4A1. Ordinance Amending Seawall Height - Acting Town Manager Hector Gomez**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTIONS 90-60 "CONSTRUCTION NEXT TO SEA WALLS" AND 90-63 "MISCELLANEOUS ELEVATIONS FOR SEA WALLS, AND GROINS" OF CHAPTER 90, "ZONING," OF THE TOWN CODE TO MODIFY THE MINIMUM ELEVATION OF SEA WALLS AND ESTABLISH OTHER CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - Zoning Code Sections on Seawall Heights.docx](#)

[Attachment B - Regional Seawall Height Comparison Report by Nova Consulting Ordinance Seawall Heights](#)

First Reading

- 4B1. Accessory Structures in Waterfront Lots in the H30A Zoning District** - Acting Town Manager Hector Gomez

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-48.3 OF SECTION 90-48. -- “MODIFICATION OF SIDE AND REAR YARD REGULATIONS” TO CLARIFY APPLICABILITY OF WATERFRONT SETBACKS; AND SECTION 90-54.1 OF SECTION 90-54. – “MODIFICATION OF SIDE AND REAR YARD REGULATIONS” TO ADDRESS BUILDINGS AND STRUCTURES WITHIN THE WATERFRONT SETBACK AREA FOR H30A PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending 90-48.3 and 90-54.1 Accessory Structures Waterfront Lots H30A.DOCX](#)

- 4B2. Zoning Code Correction: Definitions of "Setback" and "Yard"** - Acting Town Manager Hector Gomez

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - “DEFINITIONS”, BY AMENDING THE DEFINITIONS OF “SETBACK” AND “YARD” TO REFLECT THAT THEY ARE SYNONYMOUS AND EQUIVALENT TERMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amend 90-2 \(Defintions\) Setback and Yard.DOCX](#)

- 4B3. Zoning Code Correction: Deletion of references to Gross Density and Gross Lot Area.** - Acting Town Manager Hector Gomez

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - “DEFINITIONS” BY AMENDING THE DEFINITION OF “DENSITY” TO DELETE THE REFERENCE TO “GROSS” ACRE; AMENDING SECTION 90-45.1. - “AGGREGATION OF LOTS” TO DELETE THE REFERENCE TO “GROSS” DENSITY; AND AMENDING SECTION 90-86.2 OF SECTION 90-86. – “LANDSCAPE PERMIT PLANS” TO DELETE THE REFERENCE TO “GROSS” ACREAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - Gross Acre in the Zoning Code Ordinance to Amend Delete reference to Gross](#)

- 4B4. Zoning Code Correction - Roof Deck Stairway Height** - Acting Town Manager Hector Gomez

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY

AMENDING SECTION 90-50.2 “ROOF DECKS PROVISIONS” OF SECTION 90-50. -- “ARCHITECTURE AND ROOF DECKS” TO CLARIFY THE ALLOWABLE HEIGHT FOR STAIRWAY RAILINGS FOR ACCESS TO THE ROOF OF SINGLE FAMILY RESIDENTIAL PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Roof_Stair_Stairs_Limitations in the Zoning Code Ordinance_Re_Roof_Deck_Railings.docx](#)

4B5. Obstruction of Public Right-Of-Way Prohibited

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES CHAPTER 54, “OFFENSES AND MISCELLANEOUS PROVISIONS,” ARTICLE III, “OFFENSES INVOLVING PUBLIC PEACE AND ORDER,” BY ADDING SECTION 54-65, “Obstruction of PUBLIC RIGHT-OF-WAY PROHIBITED”; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Obstruction of Public Right of Way](#)

4B6. Ordinance - Public Urination and Defecation Prohibited - Legal Department

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING chapter 54, “OFFENSES AND MISCELLANEOUS PROVISIONS,” ARTICLE III, “OFFENSES INVOLVING PUBLIC PEACE AND ORDER,” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES, BY ADDING SECTION 54-66, “PUBLIC URINATION AND DEFECATION PROHIBITED;” PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Public Urination and Defecation Prohibited.doc](#)

5. Resolutions and Proclamations

If the public wishes to speak on any matters in this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak at the beginning of this section.

5A. Professional Services for Dune Resiliency and Beautification Project - Acting Town Manager Hector Gomez

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES, FOR DESIGN AND PERMITTING SERVICES RELATED TO THE DUNE RESILIENCY AND BEAUTIFICATION PROJECT; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Project Agreement with Kimley-Horn - Dune Resiliency](#)

Beautification Project
Exhibit A - Kimley-Horn - Project Agreement - Dune Beautification and Resiliency
Project
Scope of Services - Proposal.pdf

- 5B. **Consultant for Grant and Related Contract Project Administration** - Acting
Town Manager Hector Gomez

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH IN ALIGNMENT CONSULTING, LLC FOR GRANT ADMINISTRATION AND CONSULTING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving First Amendment to In Alignment Consulting Agreement](#)
[Exhibit A - First Amendment to In Alignment Agreement](#)

- 5C. **Resolution Strongly Opposing a Proposal for Cashless Bail, Allowing for Criminals to be Released on Their Own Recognizance** - Shlomo Danzinger,
Mayor

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, STRONGLY OPPOSING CASHLESS BAIL REFORM ALLOWING ARRESTEES TO BE RELEASED ON THEIR OWN RECOGNIZANCE (ROR); PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Opposing Cashless Bail](#)

6. **Good and Welfare (Set for approximately 8:15 p.m.)**
Public comments for subjects or items not on the agenda.

7. **Town Manager and Town Attorney Reports**

- 7A. **Town Manager's Report** - Hector Gomez, Acting Town Manager
[Town Manager's Report - March 2023.pdf](#)

- 7B. **Town Attorney's Report** - Town Attorney Lillian Arango
[Town Attorney Report - March 14, 2023](#)

8. **Unfinished Business and New Business**

9. **Mayor, Commission and Staff Communications**

- 9A. **Town Manager Recruitment Process - Review of Resumes and Interview Process Steps** - Acting Town Manager Hector Gomez
[Attachment A - "Town Manager Recruitment Ranking Sheet to Short List"](#)

10. **Adjournment**

Respectfully submitted,

Hector R. Gomez
Acting Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsurfsidefl.gov.

TWO OR MORE MEMBERS OF THE TOWN COMMISSION AND/OR TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.