



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

**Tuesday, June 13, 2023
6:00 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 Remark - Mayor Shlomo Danzinger

1E. Agenda and Order of Business Additions, deletions and linkages

1F. Community Notes - Mayor Shlomo Danzinger

1G. Legislative Update by Senator Shevrin D. Jones - Shlomo Danzinger, Mayor

1H. Proclamation Presentation for Surfside Heroes Appreciation Month - Shlomo Danzinger, Mayor
[Surfside Heroes Proclamation.pdf](#)

1I. Approve and Present Proclamation - Code Enforcement Officers' Appreciation Week - Shlomo Danzinger, Mayor
[Code Enforcement Officers Appreciation Week - Request - June 2023.pdf](#)
[Code Enforcement Officers Appreciation Week - June 2023.pdf](#)

1J. Approve and Present Proclamation - National Teachers Appreciation Week - Shlomo Danzinger, Mayor
[Teachers Appreciation Week - Request - May 2023.pdf](#)
[Teachers Appreciation Week - May 2023.pdf](#)

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. Town Commission Meeting Minutes - Sandra N. McCready, Town Clerk
[May 9, 2023 Regular Town Commission Meeting Minutes.pdf](#)
[May 10, 2023 Special Town Commission Meeting Minutes.pdf](#)
[May 17, 2023 Special Town Commission Meeting Minutes.pdf](#)

3B. Board and Committee Reports/Minutes - Sandra N. McCready, Town Clerk
[2023-04-04 Pension Board Meeting Minutes.pdf](#)
[2023-04-17 Parks and Recreation Committee Meeting Minutes.pdf](#)
[2023-04-19 Charter Review Board Meeting Minutes.pdf](#)

4. Ordinances

Second Reading

- 4A1. Zoning Code Correction - Applicability of Planning and Zoning Board Review**
Hector Gomez Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-19.7 OF SECTION 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT REVIEW PROCESS” TO MODIFY THE LIST OF APPLICATIONS EXEMPTED FROM PLANNING AND ZONING BOARD REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance_Re_Applicability_of_PZB_Review_-_SR.docx](#)

- 4A2. Zoning Code Correction - Garage Conversion Criteria** - Hector Gomez Town Manager

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. – “ARCHITECTURE AND ROOF DECKS” TO MODIFY REQUIREMENTS FOR GARAGE CONVERSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance_Re_Garage_Conversions_SR.docx](#)

- 4A3. Zoning Code Correction - Design Requirements for Front Yard Fences and Gates** - Hector Gomez Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES” TO MODIFY APPROVAL PROCEDURE AND REQUIREMENTS FOR FENCES AND WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Sec. 90-56. Fences walls and hedges.docx](#)

[Ord_Amend_Section_90-56_Fences__Walls_and_Gates_SR.docx](#)

- 4A4. Zoning Code Correction - Balcony Projections** - Hector Gomez Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-47 “YARDS GENERALLY, ALLOWABLE PROJECTIONS” TO CLARIFY BALCONY OVERHANG LIMITATIONS APPLIED TO INCLINED SIDE SETBACKS IN H120; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance_Re_Balcony_Overhangs__H120_SR.docx](#)

First Reading

4B1. Synthetic Turf - Hector Gomez Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING ARTICLE VIII "LANDSCAPE REQUIREMENTS" OF CHAPTER 90, TO ADDRESS SYNTHETIC TURF, SPECIFICALLY SECTIONS 90-85.2 "DEFINITIONS"; 90-87 "INSTALLATION OF LANDSCAPING AND IRRIGATION"; 90-90.1 "FLORIDA FRIENDLY"; AND 90-95 "SINGLE-FAMILY H30A AND H30B DISTRICT LANDSCAPE REQUIREMENTS"; FURTHER PROVIDING REQUIREMENTS FOR PROPERTIES WITH PREVIOUSLY INSTALLED SYNTHETIC TURF; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Synthetic Turf .DOCX](#)

[Attachment A: Synthetic Grass Code Cases since 2017](#)

[Attachment B: Open Code Cases](#)

[Attachment C: ROW Synthetic Turf Detail](#)

4B2. Zoning Code Amendment: Restaurants in H120 as an Accessory Use - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41 "REGULATED USES" TO ALLOW A RESTAURANT ACCESSORY TO A MULTIFAMILY USE IN THE H120 DISTRICT AS A CONDITIONAL USE SUBJECT TO REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending H120 Uses to Add Restaurant](#)

[Attachment A: Current Zoning Code Regulated Uses by District](#)

4B3. Creation of Chapter 76 "Public Rights-of-way" in the Town Code of Ordinances - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY CREATING A NEW CHAPTER 76 "PUBLIC RIGHTS-OF-WAY" TO ESTABLISH RULES AND REGULATIONS TO MANAGE THE PLACEMENT AND MAINTENANCE OF NON-UTILITY FACILITIES, IMPROVEMENTS, AND ENCROACHMENTS WITHIN PUBLIC RIGHTS-OF-WAY; AMENDING SECTION 90-56.11 OF SECTION 90-56 "FENCES, WALLS, AND HEDGES" TO DELETE REGULATIONS FOR FENCES, WALLS, HEDGES, PLANT MATERIALS, AND IMPROVEMENTS WITHIN THE RIGHT-OF-WAY IN ORDER TO CONSOLIDATE THEM IN THE NEW CHAPTER 76; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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. Authorization to Contract with Kimley-Horn and Associates, Inc. (Kimley-Horn) for the Project Agreement for Design Services pertaining to Surfside Boulevard Beautification Project from Bay Drive to Harding Avenue - Hector Gomez, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PROPOSAL AND PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE SURFSIDE BOULEVARD BEAUTIFICATION PROJECT FROM BAY DRIVE TO HARDING AVENUE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approve Proposal & Project Agreement with Kimley Horn - Surfside Blvd. Improvements](#)

[Exhibit A - Kimley-Horn Proposal dated 5/17/2023](#)

[Exhibit B - Kimley-Horn - Project Agreement - Surfside Boulevard Beautification Project.DOCX](#)

- 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, Town Manager**
[June 2023 Town Manager's Report.pdf](#)

- 7B. Town Attorney's Report - Town Attorney Lillian Arango**
[Town Attorney's Report.DOCX](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- 9A. Champlain Towers South Investigation and Appropriation Update - Shlomo Danzinger, Mayor**

- 9B. Downtown Walkability and Improvements Design Phase Update - Hector Gomez, Town Manager**

- 9C. Abbott Avenue Stormwater Improvement Project Update - Abbott Avenue**

Stormwater Improvement Project Update
[Attachment A - "Bid Opening"](#)

- 9D. Recommendation from the Tourist Board for the Installation of SURFSIDE Word Monument at Town Hall as a Tourism Enhancement Feature** - Town Manager Hector Gomez
[Exhibit A - Surfside Display Renderings.pdf](#)
[Exhibit B - Surfside Letters Materials, Elevation.pdf](#)
[Exhibit C - Surfside Letters Proposal.pdf](#)
- 9E. Wells for In-Ground Pools** - Vice Mayor Jeffrey Rose
- 9F. Business District Service Fee / Gratuity Notification** - Commissioner Fred Landsman

10. Adjournment

Respectfully submitted,

Hector R. Gomez
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.