



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

**Tuesday, August 8, 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. Presentation of the FY 2022 Annual Comprehensive Financial Report *(Verbal)*  
- Hector Gomez, Town Manager

1H. Honorary Mayor Award - Shlomo Danzinger, Mayor  
[Photo](#)

1I. Citizens Presentation by Charles W. Burkett - Sponsored by Commissioner Velasquez - Commissioner Nelly Velasquez  
[Residents Speech Rights & Powers of the Town Commission related to speakers.docx](#)

## 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 - Sandra N. McCready, MPA, MMC, Town Clerk  
[July 11, 2023 Special Town Commission Meeting Minutes.pdf](#)  
[July 11, 2023 Regular Town Commission Meeting Minutes.pdf](#)  
[July 25, 2023 Special Town Commission Meeting Minutes.pdf](#)

3B. Board and Committee Reports/Minutes - Sandra N. McCready, MPA, MMC, Town Clerk  
[June 5, 2023 Tourist Board Meeting Minutes](#)  
[June 30, 2023 Police Pension 185 Meeting Minutes](#)

3C. Authorizing the Town Manager to Execute the Interlocal Agreement with Miami-Dade County in Order to Reestablish the Distribution Formula Currently Being Used to Distribute Local Option Fuel Tax Proceeds between the County and Town of Surfside for the 30-year Period Including January 1, 2024,

through December 31, 2053 - Hector Gomez, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AMENDED AND RESTATED INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY RELATING TO THE REESTABLISHMENT AND DISTRIBUTION OF THE SIX-CENT LOCAL OPTION GAS TAX; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution Approving ILA For Six-Cent Gas Tax](#)

[MDC Resolution Approving Amended and Restated ILA - Local Gas Tax](#)

[Exhibit A - Proposed Interlocal Agreement](#)

**3D. Commercial Recycling Material Lists & Commercial Recycling Rate Adjustment - Hector Gomez, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ADOPTING A MULTI-YEAR COMMERCIAL RECYCLING RATES SCHEDULE EFFECTIVE OCTOBER 1, 2023 FOR FISCAL YEARS 2024 TO 2028; APPROVING A RECYCLABLE MATERIALS LIST; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Attachment A - 2023 Solid Waste Rate Study](#)

[Resolution Adopting Commercial Recycling Rates FY 2024 to 2028 and Recyclable Materials List](#)

[Exhibit A - Proposed Recycling Rates Table](#)

[Exhibit B - Recyclable Materials List](#)

**3E. Authorization to Purchase a Stormwater Pump from Xylem Water Solutions USA Inc. - Hector Gomez, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE PURCHASE OF A FLYGT CP 3531 STORMWATER PUMP FROM VENDOR XYLEM WATER SOLUTIONS USA, INC.; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTIONS 3-13(6) and (7)F OF THE TOWN CODE AS EQUIPMENT AVAILABLE FROM A SOLE SOURCE AND AS A PUBLIC WORKS OR UTILITIES PURCHASE OF EQUIPMENT RELATED TO TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PURCHASE ORDER AND/OR OTHER AGREEMENT FOR SUCH PURCHASE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution Approving Purchase of Stormwater Pump from Xylem](#)

[Exhibit A - "Xylem Water Solutions Pump Quote"](#)

**Second Reading**

**4A1 Pension Ordinance Implementing 2022-2025 Collective Bargaining Agreement with Fraternal Order of Police (FOP) State Lodge 135 - Hector Gomez, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2. – ADMINISTRATION, ARTICLE V. – EMPLOYEE BENEFITS, DIVISION 2. - PENSION PLAN, OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; SPECIFICALLY, AMENDING SECTION 2-171 OF THE TOWN CODE TO INCLUDE SHIFT DIFFERENTIAL AND UP TO 75 HOURS OF OVERTIME AS PENSIONABLE FOR POLICE OFFICERS AND COMMUNICATIONS OPERATORS; AMENDING SECTION 2-187 OF THE TOWN CODE REGARDING THE USE OF PREMIUM TAX REVEUNE; AND AMENDING SECTION 2-193 OF THE TOWN CODE EXTENDING THE MAXIMUM PERIOD OF PARTICIPATION IN THE DROP PLAN FOR POLICE OFFICERS AND COMMUNICATIONS OPERATORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Attachment A-Actuarial Impact Statement  
Pension Ordinance FOP CBA](#)

### **First Reading**

#### **4B1. Smoke Shops as Conditional Use in SD-B40 - 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 CHANGE THE LIST OF RETAIL AND GENERAL COMMERCIAL USES TO ALLOW SMOKE SHOPS AS A CONDITIONAL USE IN THE SD-B40 ZONING DISTRICT, DIFFERENTIATING SUCH USES FROM CIGARS AND TOBACCO LOUNGES, AND PROVIDING FOR RELATED REGULATIONS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amending 90-41 to Allow Smoke Shop in CU in SD-B40](#)

#### **4B2. Harding Avenue Front Yard Paving Allowance - 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 90-61, “PAVING IN FRONT AND REAR YARDS IN H30 AND H40 DISTRICTS”, BY AMENDING THE FRONT YARD PAVING ALLOWANCE FOR PROPERTIES FRONTING HARDING AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amending 90-61 Harding Avenue Front Yard Paving Allowance](#)

#### **4B3. Carport Allowances in H30A and H30B - 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 AND RE-TITLING SECTION 90-58, “CARPORT CANOPIES”, TO MODIFY THE REGULATIONS FOR CARPORTS; PROVIDING FOR INCLUSION**

**IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amending Sec. 90-58 Carport Canopies](#)

- 4B4. Recycling Ordinances Changes due to Market Conditions** - 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 66-36 "RECYCLING", OF DIVISION 1. – "GENERALLY," OF ARTICLE II. – "COLLECTION AND DISPOSAL", OF CHAPTER 66 – "SOLID WASTE", INCLUDING PROVIDING FOR MANDATORY RECYCLING, PROVIDING FOR RECYCLING RATES AND FEES TO BE ESTABLISHED BY RESOLUTION, AND TO UPDATE AND DEFINE RECYCLABLE MATERIALS TO BE ESTABLISHED BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Ordinance Amending Sec. 66-36 Recycling Attachment A - Recyclable Items](#)

**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. Resolution Approving a Donation to the Holocaust Heroes Worldwide organization from the Legislative "Grants/Aids" fund account** - Shlomo Danzinger, Mayor

[Holocaust Heroes Worldwide Not-For-Profit Organizations Form](#)

[Attachment A - Other Grants & Aid - 001-1000-511-83-00](#)

[Attachment B - HHW Organizational Case Statement - July 2023](#)

[Attachment C - HHW Services to other communities and organizations](#)

[Attachment D - HHW Sunbiz Status 7-10-23](#)

[Attachment E - HHW Florida Certificate of Standing](#)

[Resolution Approving Donation to Holocaust Heroes World Wide](#)

- 5B. Approval of Cloud Services Agreement with Liftoff, LLC for Use and Subscription to Microsoft Office 365** - Hector Gomez, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A QUOTE FOR THE PURCHASE OF ADDITIONAL MICROSOFT OFFICE 365 G3 AND RELATED CLOUD-BASED SOFTWARE LICENSES FROM LIFTOFF LLC; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTIONS 3-13(2) AND 3-13(7)J. OF THE TOWN CODE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A CUSTOMER TERMS FOR CLOUD SERVICES AGREEMENT FOR THE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution Approving Purchase of Microsoft Office 365 Licenses from Liffort v3.DOCX](#)  
[Exhibit A - Liffort Quote and Customer Terms for Cloud Services Agreement](#)

**5C. FY 2023 Budget Amendment Resolution No. 9** - Hector Gomez, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 9 FOR THE FISCAL YEAR 2023 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution Approving Budget Amendment No. 9](#)  
[Attachment A - FY2023 Budget Amendment No. 9](#)

**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  
[2023 August Town Manager's Report](#)

**7B. Town Attorney's Report**  
[Town Attorney Report - August 2023.DOCX](#)

**8. Unfinished Business and New Business**

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

**9A. Storefront Facade Improvement Grant Program** - Commissioner Marianne Meisheid  
[Exhibit A - Storefront Facade Improvement Grant Program.pdf](#)

**9B. Amendment to Section 90-41 Regulated Uses of the Town Code** - Commissioner Fred Landsman

**9C. Collins Avenue Monument Sign** - Hector Gomez, Town Manager  
[Attachment A - Don Bell Updated Surfside Deck.pdf](#)  
[Attachment B - Collins Avenue Mock Ups](#)  
[Attachment C - Monument Sign Don Bell Quote](#)

**9D. Review Chapter 70 of the Town Code as it Relates to the Resort Tax Board a.k.a. "Tourist Board"** - Commissioner Marianne Meisheid  
[Resort Tax Board Discussion Proposed Language.docx](#)

**9E. Outdoor Lighting in Single-Family Residential Zone** - Commissioner Marianne Meisheid  
[Outdoor Lighting Proposed Language.docx](#)

**9F. Clarify the Correct Interpretation of Sections 90-45 and 90-48.5(2)** - Commissioner Nelly Velasquez

**10. Adjournment**

Respectfully submitted,

Hector R. Gomez  
Town Manager

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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.townofsufsidefl.gov](http://www.townofsufsidefl.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.