

Town of Surfside Regular Town Commission Meeting AGENDA Tuesday, February 13, 2024 6:00 PM

Commission Chambers - 9293 Harding Avenue Surfside, FI 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
- 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, MMC, Town Clerk January 9, 2024 Special Town Commission Meeting-Quasi-Judicial Hearing Minutes
 January 9, 2024 Regular Town Commission Minutes
- **3B. Board and Committee Reports/Minutes** Sandra N. McCready, MMC, Town Clerk

November 16, 2023 Regular Planning and Zoning Board Meeting Minutes November 30, 2023 Regular Planning and Zoning Board Meeting Minutes December 4, 2023 Tourist Board Meeting Minutes December 18, 2023 Parks and Recreation Committee Meeting Minutes January 8, 2024 Tourist Board Meeting Minutes.pdf

3C. Installation of Safety Roadway Feature with Landscaping and Security Components at Hawthorne Avenue and 88th Street - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$40,000 FOR THE INSTALLATION OF SAFETY ROADWAY FEATURES WITH LANDSCAPING AND SECURITY COMPONENTS AT THE INTERSECTION OF HAWTHORNE AVENUE AND 88TH STREET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A - Schematic

Resolution - Authorizing Expenditure of Funds - 88th and Hawthorne Security and Safety Project

Attachment A - Estimate of Probable Cost

3D. Town Hall and Police Department Improvement Project - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A CONTRACT FOR CONSTRUCTION WITH DI OBRA DEVELOPMENT GROUP CORP. FOR THE TOWN HALL AND POLICE DEPARTMENT IMPROVEMENT PROJECT; AUTHORIZING EXPENDITURE OF FUNDS; FINDING THAT THE WORK IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS CONTRACT FOR A TOWN FACILITY IMPROVEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A - Lunacon Construction Group Proposal

Attachment B - Di Obra Proposal

Attachment C - ANC Builders, Inc. Proposal

Resolution Approving Contract and Expenditure for Town Hall and Police

Department Improvement Project

Exhibit A - Construction Contract - Di Obra Development Group Corp - Town Hall and Police Department Improvements

3E. Ratification, Approval and Acceptance of Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) for the Town of Surfside Dune Restoration Project - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AND APPROVING THE GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM GRANT FOR THE TOWN DUNE RESTORATION PROJECT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A - FDEP Beach Funding Grant Agreement
Resolution Ratifying Acceptance of FDEP Grant For Dune Restoration Project

4. Ordinances

Second Reading

4A1. Code Amendment for Outdoor Lighting in the Single-Family Residential Districts - 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 90-62 – "OUTDOOR LIGHTING" TO PROVIDE OUTDOOR LIGHTING REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL DWELLINGS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR

CONFLICTS: AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance Amending Section 90-62 Outdoor Lighting for Single-Family Dwellings

4A2. Permit Fees for Condominium Recertification and Special Assessments - 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 CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE II, "BUILDING CODE," SECTION 14-29, "PERMIT FEES," TO PROVIDE FOR A 20% REDUCTION OF BUILDING PERMIT FEES FOR ANY CONSTRUCTION ACTIVITY RELATING TO CONDOMINIUM BUILDING RECERTIFICATION OR ANY NECESSARY STRUCTURAL AND/OR LIFE SAFETY REPAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance - Permit Fees for Condominium - Business Impact Estimate Ordinance Amending Sec.14-29 Permit Fees for Building Recertification

4A3. Stormwater Retention and Drainage 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 DIVISION 2. - STORMWATER MANAGEMENT REQUIREMENTS, OF ARTICLE II. - STORMWATER DRAINAGE MANAGEMENT" OF CHAPTER 34 - "ENVIRONMENT" PROVIDING FOR STORMWATER RETENTION ON-SITE FOR ALL NEW SINGLE-FAMILY HOMES; AMENDING SECTION 90-56 - "FENCES, WALLS AND HEDGES" TO ESTABLISH RETENTION WALL STANDARDS FOR NEW SINGLE-FAMILY HOMES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance On-Site Retention of Stormwater and Retention Wall Standards

4A4. Code Amendment for Submerged Lands and Pointe Lake Development - 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 SECTIONS 14-102 AND 14-103, OF DIVISION 3. – "INDIAN CREEK BULKHEAD LINES", OF ARTICLE IV. – "BULKHEAD LINES", OF CHAPTER 14 – "BUILDINGS AND BUILDING REGULATIONS", AMENDING SECTION 90-60.3 OF THE CODE, AND CREATING SECTION 90-60.6 OF THE CODE, TO EXPRESSLY PROHIBIT DEVELOPMENT AND CONSTRUCTION OF ANY STRUCTURES WITHIN POINT LAKE, EXCEPT FOR MARINE STRUCTURES PERMITTED BY THE CODE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance No Development on Point Lake

4B1. Amending Section 90-74. - "Temporary Signs" - 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 90-74. – TEMPORARY SIGNS" TO REMOVE SUBSECTION (3) LIMITATION ON REAL ESTATE SIGNS PERTAINING TO COLOR AND LOGO; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ord Amend Sec. 90-74 Temporary Real Estate Signs

4B2. Roof Replacement Materials in the Single-Family Residential Area - 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 14-31 – "REQUIRED ROOFING MATERIALS" AND SECTION 90-50.1 – "ARCHITECTURE" OF SECTION 90-50. – "ARCHITECTURE AND ROOF DECKS" TO CLARIFY REQUIREMENTS AND ALLOW RE-ROOFS AND REPLACEMENTS WITH THE SAME EXISTING MATERIAL WITHOUT DESIGN REVIEW APPROVAL BY THE PLANNING AND ZONING BOARD; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ord Amend 14-31 and 90-50.1 of Code Re-Roof Replacement with Same Materials

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. PUBLIC HEARING

Affordable Housing - Section 166.0451, Florida Statutes - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONFIRMING THAT NO TOWN-OWNED PROPERTY IS SUITABLE FOR USE AS AFFORDABLE HOUSING PURSUANT TO SECTION 166.0451, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Confirming Town Property Affordable Housing List Attachment A - Live Local Town Inventory Affordable Housing Letter

5B. Interlocal Agreement between Miami-Dade County and the Town of Surfside for the Design of the Surfside Memorial Park - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY TO ALLOW THE TOWN TO ACCEPT FUNDS IN THE AMOUNT OF

\$250,000, TO DESIGN THE SURFSIDE MEMORIAL AND MEMORIAL ARTWORK; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving MDC ILA for Surfside Memorial Park Project - Miami-Dade Rescue Plan Funds

Exhibit A - Interlocal Agreement between MDC and TS for Design of Memorial.pdf

5C. Ratification, Approval and Acceptance of Grant Agreement with the State of Florida Division of Emergency Management (FDEM) for the Completion of the Surfside Champlain Towers South (CTS) Investigation - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING THE ACCEPTANCE OF A FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) STATE-FUNDED GRANT FOR THE COMPLETION OF THE SURFSIDE CHAMPLAIN TOWERS SOUTH INVESTIGATION, AND THE EXECUTION OF A GRANT AGREEMENT RELATING TO THE GRANT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Ratifying FDEM Grant for Completion of Champlain Towers South (CTS) Investigation

Attachment A - FDEM Grant Agreement for CTS Investigation

5D. Concrete Sidewalk Specifications within the Town of Surfside Boundaries - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ADOPTING "SURFSIDE SAND" CONCRETE SIDEWALK SPECIFICATIONS FOR THE TOWN AND INCORPORATING THE SPECIFICATIONS IN THE PUBLIC WORKS MANUAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Adopting Concrete Sidewalk Specifications Surfside Sand

Exhibit A - Surfside Sand

Exhibit B - Specifications

5E. Zambelli Fireworks, 4th of July Firework Show Selection and Expenditure Approval - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING [PROPOSAL A WITH OPTION 1 OR 2] OR [PROPOSAL B] FROM ZAMBELLI FIREWORKS MANUFACTURING CO. FOR ENHANCED FIREWORKS DISPLAY SERVICES FOR THE TOWN'S 2024 FOURTH OF JULY EVENT; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE ANY NECESSARY AGREEMENTS FOR THE SERVICES; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING PROCEDURES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

Resolution Approving Zambelli Fireworks Display For July 4 2024 Attachment A - Zambelli 4th of July firework with barge proposal Attachment B - Zambelli 4th of July firework without barge proposal **5F. Establishment of the Surfside Youth Council** - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING THE SURFSIDE YOUTH COUNCIL; ADOPTING THE COUNCIL'S CHARTER AND ORGANIZATIONAL STRUCTURE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Establishing Youth Council Committee (Fact-Finding)

5G. 96th Street Park Sidewalk Extension Using Municipal Transportation Fund (CITT) - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A CONTRACT FOR CONSTRUCTION WITH SARIOL REDERO INC. FOR PHASE ONE OF THE BAY DRIVE AND 96TH STREET TO 95TH STREET SIDEWALK IMPROVEMENTS PROJECT; AUTHORIZING EXPENDITURE OF FUNDS; FINDING THAT THE PROJECT IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS CONTRACT FOR PUBLIC IMPROVEMENTS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A - Drawing

Attachment B - Proposals

Reso Approving Quote and Construction Contract - Sariol Redero - Bay Drive Sidewalk Project

Exhibit A - Contractor's Quote

Construction Contract - Sariol Redero - Ph 1 Bay Drive 95th 96th Street Project

5H. Request for Information on Mayor Danzinger's Trip to Dubai in October 2022.

- Commissioner Marianne Meischeid

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REQUIRING MAYOR DANZINGER TO PROVIDE ALL RECORDS OF RECEIPTS, CONTRIBUTIONS, DONATIONS, EXPENSES, AND MEETING RECORDS RELATED TO HIS VISIT IN DUBAI WITH THE CHAIRMAN OF DAMAC, HUSSEIN SAJWANI; AND PROVIDING FOR AN EFFECTIVE DATE. Resolution - Request for Information on Mayor Danzinger's Trip to Dubai in October 2022.

5I. FPL Underground Electric Facility to Service 96th Street Park and Easement Authorization - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$107,733 TO FLORIDA POWER & LIGHT (FPL) FOR ELECTRICAL UTILITY FACILITIES TO SERVICE 96TH STREET PARK; APPROVING AND AUTHORIZING THE GRANTING OF AN EASEMENT TO FPL ON A PORTION OF THE 96TH STREET PARK FOR ELECTRICAL UTILITY FACILITIES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN

EFFECTIVE DATE.

Attachment A - Picture of Work

Attachment B - Scope of Work and Correspondence with FPL

Resolution - Authorizing Expenditure of Funds - FPL Electrical Facilities and

Easement 96th St Park

Attachment A - FPL Invoice

Attachment B - Easement Information

5J. Abandonment and Vacation of a Portion of Right-of-Way Known as "Bay Drive Bend" Between Harding Avenue and Collins Avenue - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONFIRMING THE ABANDONMENT AND VACATION OF A PORTION OF RIGHT-OF OF-WAY KNOWN AS "BAY DRIVE BEND" BETWEEN HARDING AVENUE AND COLLINS AVENUE, AS SHOWN ON THE PLAT OF "SECOND AMENDED PLAT OF NORMANDY BEACH" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN ATTACHMENTS "A" AND "B"; PROVIDING FOR IMPLEMENTATION; RECORDING AND TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A - 8750 Collins Avenue Appraiser Summary Report Resolution - Confirming Vacation of Right-of- Way Bay Drive Bend Attachment A - Vacate Sketch (Non Surveyor)

- 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 2024 February Town Manager's Report
 - **7B.** Town Attorney's Report Lilian Arango, Town Attorney Town Attorney's Report
- 8. Unfinished Business and New Business
- 9. Mayor, Commission and Staff Communications
 - **9A.** Investigation Report Findings Hector Gomez, Town Manager
 - 9B. Update Abbott Avenue Town Stormwater Improvements Hector Gomez, Town Manager Attachment A - Memo from Keith
 - 9C. Stormwater Masterplan and Abbott Avenue Drainage Vice Mayor Rose
- 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.