

# Town of Surfside Regular Town Commission Meeting AGENDA Tuesday, March 12, 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
- 1G. Presentation of \$1.00 Salary to the Mayor and the Members of the Town Commission

#### 2. Quasi-Judicial Hearings

Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker 's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Town Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Town Commission will not consider your comments in its final deliberation. Please also disclose any ex-parte communications you may have had with any members of the Town Commission. Town Commission members must also do the same.

2A. 9250 Bay Drive - Waiver of Plat - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING WAIVER OF PLAT NO. D-25025 APPROVED BY THE PLAT COMMITTEE OF MIAMI-DADE COUNTY, FLORIDA, FOR THE PROPERTIES LOCATED AT 9250 BAY DRIVE, SURFSIDE, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachment A: Plat Letter

Attachment B: Survey for Waiver of Plat

Attachment C: Letter of Intent - Waiver of Plat Attachment D: County Departmental Memos

Attachment E: County Plat Committee Approval 1-5-24

Resolution Approving and Accepting Waiver of Plat - 9250 Bay Drive

Exhibit A - Waiver of Plat Survey.pdf

#### 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 February 13, 2024 Town Commission Meeting Minutes.pdf
- **3B.** Board and Committee Minutes Sandra N. McCready, MMC, Town Clerk January 18, 2024 Planning and Zoning Board Meeting Minutes.pdf January 22, 2024 Parks and Recreation Committee Meeting Minutes.pdf February 5, 2024 Tourist Board Meeting Minutes.pdf
- 3C. Resolution authorizing Mutual Aid Agreement between the Town of Medley Police Department and the Town of Surfside Police Department Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE TOWN OF MEDLEY; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Police Mutual Aid with Medley Exhibit A - Town of Surfside and Town of Medley Mutual Aid Agreement 2024

3D. Resolution Authorizing Mutual Aid Agreement between the Village of Biscayne Park Police Department and the Town of Surfside Police Department - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Police Mutual Aid with Biscayne Park Exhibit A - Village of Biscayne Park Mutual Aid Agreement

- **3E.** Colorectal Cancer Awareness Month Proclamation Shlomo Danzinger, Mayor Colorectal Cancer Awareness March 2024.pdf
  Colorectal Cancer Awareness Request March 2024.pdf
- **3F. FY 2024 Budget Amendment Resolution No.4** Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE FISCAL YEAR 2024 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Budget Amendment No. 4
Attachment A - FY 2024 Budget Amendment No. 4

4. Ordinances

#### **Second Reading**

4A1. 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 2nd read

**4A2.** 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 2nd reading

#### First Reading

#### 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. RFQ 2023-06 Continuing Professional Architectural, Engineering, Landscape Architectural, Surveying, Mapping and Additional Professional Services - Hector Gomez, Town Manager

RESOLUTION SELECTING VARIOUS CONSULTANTS PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 2023-06 FOR PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, AND/OR SURVEYING AND MAPPING SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE CONTINUING SERVICES CONTRACTS WITH THE TOP FOUR RANKED QUALIFIED FIRMS FOR EACH CATEGORY FOR AWARD OF SUCH CONTRACTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

Resolution Selecting Various CCNA Consultants Pursuant to RFQ 2023-06

5B. 96th Street Park Construction Project Management and Owner Representation Services - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SECOND REVISION TO THE SCOPE OF SERVICES AND FEES FOR CONSTRUCTION MANAGEMENT AND OWNER REPRESENTATION SERVICES FOR THE 96TH STREET PARK PROJECT PURSUANT TO AN APPROVED PROJECT AGREEMENT WITH 300 ENGINEERING GROUP, LLC; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Second Revision to 96th Street Park Scope and Fees - 300 Engineering

Attachment A - 300 Engineering Group Proposal

5C. Approval of Change Orders and Expenditure Authorization for 96th Street Park Project - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING CHANGE ORDER NO. 5 TO THE CONTRACT FOR CONSTRUCTION WITH LUNACON ENGINEERING GROUP, CORP. FOR THE 96TH STREET PARK PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER TO THE CONTRACT FOR CONSTRUCTION AND EXPEND FUNDS PURSUANT THERETO; RATIFYING ADDITIONAL CHANGE ORDER REQUESTS TO CHANGE ORDER NOS. 3 AND 4 TO THE CONTRACT FOR CONSTRUCTION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving CO 5 to 96th Street Park Project; Ratifying Changes to CO 3 and 4

Exhibit A - Change Order 3

Exhibit B - Change Order 4

Exhibit C - Change Order 5

**5D.** Request for Additional Design Services: Surfside 96th Street Park - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING ADDITIONAL CONSTRUCTION PHASE DESIGN AND ARCHITECTURAL SERVICES FROM SAVINO & MILLER DESIGN STUDIO, P.A. PURSUANT TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE 96TH STREET PARK PROJECT; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Proposal forAdditional Services 96th Street Park - Savino Miller - Kayak

Attachment A - Additional Design & Architectural Services

5E. 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.

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

5F. A Resolution Calling a Special Election for the Purpose of Submitting to the Electorate a Proposed Charter Amendment Prohibiting Development and Construction of any Structures Within Point Lake, North Canal and South Canal, Except for Certain Marine Structures Accessory to Waterfront Single-Family Homes - Shlomo Danzinger, Mayor

RESOLUTION CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE A PROPOSED AMENDMENT TO THE TOWN CHARTER ARTICLE I, SECTION 4 - "GENERAL POWERS OF TOWN; POWERS NOT DEEMED EXCLUSIVE". AS PRESENTED IN A BALLOT QUESTION ON AN AMENDMENT TO THE TOWN CHARTER PROHIBITING DEVELOPMENT AND CONSTRUCTION OF ANY STRUCTURES WITHIN POINT LAKE, NORTH CANAL AND SOUTH CANAL, EXCEPT FOR CERTAIN MARINE STRUCTURES ACCESSORY TO WATERFRONT SINGLE-FAMILY HOMES; PROVIDING REQUISITE BALLOT LANGUAGE AND CHARTER AMENDMENT TEXT FOR SUBMISSION TO THE ELECTORATE: PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF THE MIAMI-DADE COUNTY SUPERVISOR OF THE **ELECTIONS** FOR SPECIAL **ELECTION:** PROVIDING **AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.** 

Reso Special Election Charter Amendment Section 4 Prohibitting Development within Point Lake

5G. Resolution Calling a Special Election for a Voter Referendum Approving Issuance of Revenue Bond for Abbott Avenue Stormwater Improvements Project - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE A BOND REFERENDUM REGARDING THE ISSUANCE OF

REVENUE BONDS OR NOTE BY THE TOWN OF SURFSIDE IN AN AMOUNT NOT TO EXCEED TEN MILLION (\$10,000,000.00) DOLLARS FOR THE PURPOSE OF CONSTRUCTING THE ABBOTT AVENUE STORMWATER IMPROVEMENTS PROJECT; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH REFERENDUM; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Reso Special Election Bond Referendum Abbott Ave Stormwater Improvements

- 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 March 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
- 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.



#### **MEMORANDUM**

ITEM NO. 2A.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

**Subject:** 9250 Bay Drive - Waiver of Plat

Town Administration recommends approval of this application for plat waiver as the property meets the minimums set forth in the Town's Code of Ordinances.

9250 Bay Drive is located in the H30A zoning district which limits the use of properties to detached single-family homes, per sec. 90-41. The minimum lot size for this zoning district is 8,000 SF and the minimum lot width is 50 feet, per sec. 90-49. Zoning code section 90-2 defines lot width as "The horizontal distance between the side lot lines measured at the required front yard line and parallel to the front street line or measured at the street line if no front yard is required."

The property survey for 9250 Bay Drive demonstrates 101.22 linear feet as the property width at the front street line. The survey states that parcel "A" is 10,004 SF and parcel "B" is 10,277 SF. See **Attachment A** for the plat letter prepared by the Town Planner.

Miami-Dade County Property Appraiser lists the property's lot size as 17,550 SF. This number is an estimate used for tax calculations. The property survey is signed and sealed by a licensed surveyor and is the appropriate reference document. See **Attachment B** for the Property Survey.

The Miami-Dade County Plat Committee met on January 5, 2024, and approved Waiver of Plat No. D-25025 to formally acknowledge the modification of the Lots. In order to finalize Waiver of Plat No. D-25025, Miami-Dade County now requires the Town Commission to approve and accept the Waiver of Plat. Town Planner has issued a memorandum attached to this agenda item recommending approval of the Waiver of Plat. See **Attachments C, D and E**.

In consideration of these conditions and the Zoning Code, Town Administration has no objection to division of this property into two parcels provided that division is done so as equally as possible, and each lot complies with the minimum lot area and lot width requirements.

Attachment A: Plat Letter

Attachment B: Survey for Waiver of Plat

Attachment C: Letter of Intent - Waiver of Plat

Attachment D: County Departmental Memos

Attachment E: County Plat Committee Approval 1-5-24

Resolution Approving and Accepting Waiver of Plat - 9250 Bay Drive

Exhibit A - Waiver of Plat Survey.pdf



October 2<sup>nd</sup>, 2023

Graham Penn Bercow Radell Fernandez Larkin + Tapanes 200 S. Biscayne Blvd., Suite 300 Miami, FL 33131

RE: 9250 Bay Drive

Dear Mr. Penn,

Per your request, the following information is provided relative to 9250 Bay Drive and the Town of Surfside Zoning Code.

9250 Bay Drive is located in the H30A zoning district which limits the use of properties to detached single-family homes, per sec. 90-41. The minimum lot size for this zoning district is 8,000 SF and the minimum lot width is 50 feet, per sec. 90-49. Zoning code section 90-2 defines lot width as "The horizontal distance between the side lot lines measured at the required front yard line and parallel to the front street line or measured at the street line if no front yard is required."

The property survey for 9259 Bay Drive demonstrates 101.22 linear feet as the property width at the front street line. Miami-Dade County Property Appraiser lists the property's lot size as 17,550 SF.

In consideration of these conditions and the Zoning Code, Town Administration has no objection to division of this property into two parcels provided that division is done so as equally as possible and each lot complies with the minimum lot area and lot width requirements.

Please contact me if you have any questions or concerns.

Sincerely,

udith Frankel, AICP

Town Planner

9293 Harding Avenue Surfside, FL 33154

Cell: 786-498-2110

cc: Hector Gomez, Town Manager
Lillian Arango, Town Attorney
Tony Recio, Zoning Attorney
Marisol Vargas, Building Department Supervisor
Sandra McCready, Town Clerk

23084

## WAIVER OF PLAT MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

#### SURVEYOR'S NOTES:

SECTION 1) DATE OF FIELD SURVEY:

1. The date of completion of the field work of the Boundary Survey was on August 9th, 2023.

#### SECTION 2) LEGAL DESCRIPTION:

### PARENT TRACT:

Lot 7 and the South 40.00 Feet of Lot 8, in Block 17, of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 20,281 Square Feet, more or less, by Calculations.

#### CUT-OUT PARCEL A:

Lot 8, LESS the North 10 feet thereof AND the North 5 feet of Lot 7, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida. Containing 10,004 Square Feet, more or less, by Calculations.

## CUT-OUT PARCEL B:

Lot 7, LESS the North 5 feet thereof, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 10,277 Square Feet, more or less, by Calculations.

## Property Address and Tax Folio Number:

#### 9250 Bay Drive,

Surfside, Florida 33154 Folio No. 14-2235-006-2900

## SECTION 3) ACCURACY:

The accuracy obtained by field measurement methods and office calculations of closed geometric figures meets and exceeds the Minimum Technical Standards requirement for this Type of Survey as defined in Rule 5J-17.051, Florida Administrative Code.

Elevations of well identified features as depicted on the Survey Map were measured to an estimated vertical position accuracy of 1/100 of a foot on hard surfaces and 1/10 of a foot on ground surfaces.

Well identified features as depicted on the Survey Map were measured to an estimated horizontal position accuracy of 1/10 of a foot.

This Map of Survey is intended to be displayed at a scale of 1" = 20' or smaller.

## SECTION 4) SOURCES OF DATA:

Bearings as shown hereon are based upon the Center Line of Bay Drive with an assumed bearing of S24°06'56"E, said line to be considered a well established and monumented line.

This property appears to be located in Flood Zone "AE" with a Base Flood Elevation being 8.0 feet, as per Federal Emergency Management Agency (FEMA) Community Number 120659 (Town of Surfside), Map Panel No. 12086C0144, Suffix L, Map Revised Date: September 11, 2009.

Legal Description was furnished by client.

Warranty Deed, dated May 18th, 2022, recorded in Official Records Book 33192, Page 1546, Miami-Dade County Records.

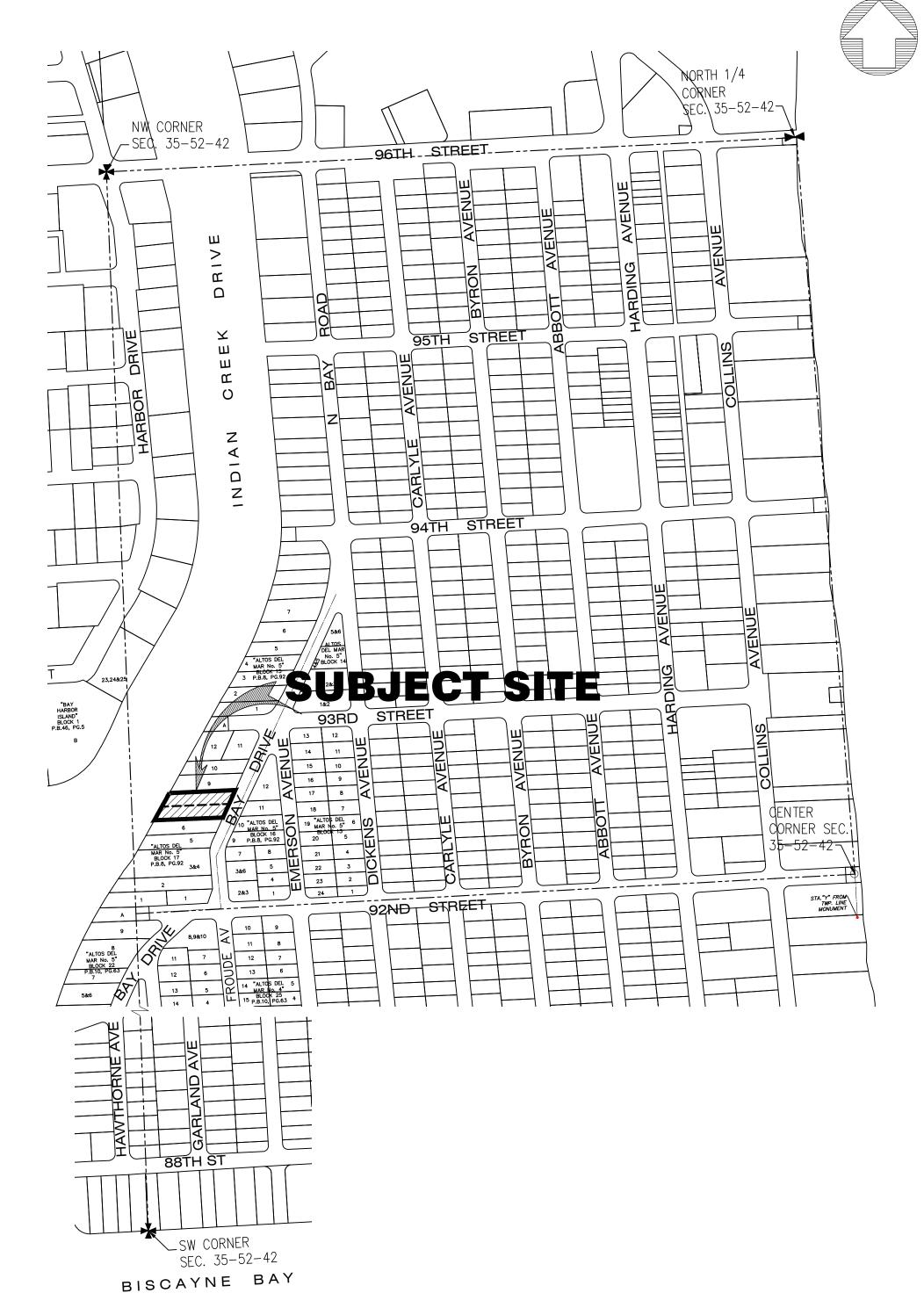
Plat of "ALTOS DEL MAR No. 5", recorded in Plat Book 8, Page 92, Miami-Dade County Records.

Elevations as shown hereon are based on the National Geodetic Vertical Datum of 1929, as per Miami-Dade County's Benchmark Number S-243, Elevation 11.77 feet.

## **SECTION 5) LIMITATIONS:**

As to the determination of tree, palm and planting species falls outside the purview of the land surveying practice, all information with respect to same is hereby presented for informational purposes only.

Since no other information were furnished other than that is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the Subject Property that are not shown on the Survey Map that may be found in the Public Records of Miami-Dade County.



## **LOCATION MAP**

THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA SCALE: 1" = 300'

## **NOTICE:**

This Document is not full and complete without all pages. (Total of Three (3) pages)

The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual that may appear in the public records of this

No excavation or determination was made as to how the Subject Property is served by utilities.

No improvements were located, other than those shown. No underground foundations, improvements and/or utilities were located or shown hereon.

#### SECTION 6) CLIENT INFORMATION:

SEVENTH STREET DEVELOPMENT GROUP 1860 Flatbush Avenue Brooklyn, New York 11210 Contact: N/A Phone: 718-703-7007

#### SECTION 7) UTILITY SERVICES TO BE PROVIDED TO PROPOSED DEVELOPMENT:

ELECTRIC: Florida Power & Light Company TELEPHONE: AT&T, Inc., Comcast TV-CABLE: ATT-Uverse, Comcast POTABLE WATER: Miami-Dade Water & Sewer Department SANITARY SEWER: Miami-Dade Water & Sewer Department

## SECTION 8) DEVELOPMENT INFORMATION:

ZONING DATA: Current Zoning Designation: LU-10 (Single Family) Proposed Zoning: Existing Land Use: One Single Family Building Number of Blocks: 1Number of Lots: 2 Proposed Use: One Single Family Residence on each Lot Note: All existing improvements to be demolished.

## SECTION 9) MIAMI-DADE COUNTY FLOOD CRITERIA:

Flood Criteria: 8.5 Feet ± (NGVD 29)

## SECTION 10) CONTACT INFORMATION:

HADONNE CORP. Attention: Mariela Alvarez 1985 NW 88th Court, Suite 101 Doral, Florida 33172 Phone No. 305-266-1188 E-mail: platting@hadonne.com

## SECTION 11) SURVEYOR'S CERTIFICATE:

I hereby certify that this "Boundary and Topographic Survey" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Boundary and Topographic Survey" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

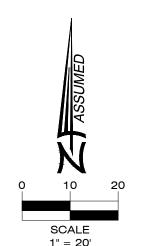
Abraham Hadad, PSM For the Firm Registered Surveyor and Mapper LS6006 State of Florida **HADONNE CORP.**, a Florida Corporation Florida Certificate of Authorization Number LB7097 1985 NW 88th Court, Suite 101 Doral, Florida 33172 Phone: 305.266.1188 Fax: 305.207.6845

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

QA/QC BY: J.S.

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

BAY



<u>LEGEN</u>	
SYMBOL	DESCRIPTION
•	FOUND IRON REBAR
$\odot$	FOUND IRON PIPE WITH CAP
PL	PROPERTY LINE
R/W	RIGHT-OF-WAY
CBS	CONCRETE BLOCK STUCCO
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
PB	PLAT BOOK
PG	PAGE
F.N.D.	FOUND NAIL & DISK
<b>√</b> 7) <b>→</b>	NUMBER OF PARKING SPACES
S.I.P.	SET IRON PIPE
T.O.P.	TOP OF PIPE
SWK	SIDEWALK
P.O.B.	POINT OF BEGINNING
N.T.S.	NOT TO SCALE
T.B.M.	TEMPORARY BENCH MARK
F.F.E.	FINISH FLOOR ELEVATION
S.I.R.	
	SET IRON REBAR
F.D.H.	FOUND DRILL HOLE
F.I.P.	FOUND IRON PIPE
F.I.R.	FOUND IRON REBAR
<u> </u>	BENCHMARK
× 8.38	EXISTING ELEVATION
₿	TREE
icv	PALM TREE
icv	IRRIGATION CONTROL VALVE
T1	TREE NUMBER
CB1	UTILITY STRUCTURE NUMBER
	CATCH BASIN
Ε	ELECTRIC UTILITY BOX
W	WATER METER
⟨w⟩	WATER VALVE
<u>©</u>	SANITARY SEWER CLEAN OUT
S	SANITARY SEWER MANHOLE
<b>(</b> S <b>)</b>	SANITARY SEWER VALVE
MH	MANHOLE UNKNOWN
(D)	DRAINAGE MANHOLE
(GM)	GREASE TRAP MANHOLE
-6-	FIRE DEPT. CONNECTOR
<u> </u>	GAS METER
Т	TELECOMMUNICATIONS BOX
<b>**</b>	MONITORING WELL
∀ FH	FIRE HYDRANT
¤	LIGHT POST
CHOI TOTAL	BACK-FLOW PREVENTER
	GUARDRAIL
$\leftarrow$	GUY ANCHOR
<b>\\</b>	POST
-0-	SIGN
Ē.	MAILBOX
	FPL TRANSFORMER
<u> </u>	SIGNAL MAST ARM
$\oplus$	INTERCOM BOX
<u>,                                     </u>	CONCRETE UTILITY POLE
	WOOD UTILITY POLE
— // —— // —	CHAIN-LINK ROLLING GATE
,, ,, =	CHAIN-LINK SWING GATE
0 0 0	FENCE OTHER
J J J	
	IRON WING GATE
xxx	CHAIN-LINK FENCE
	CHAIN-LINK SWING GATE
<i>                 </i>	FENCE OTHER
—— PL ———	PROPERTY LINE

PROPERTY LINE

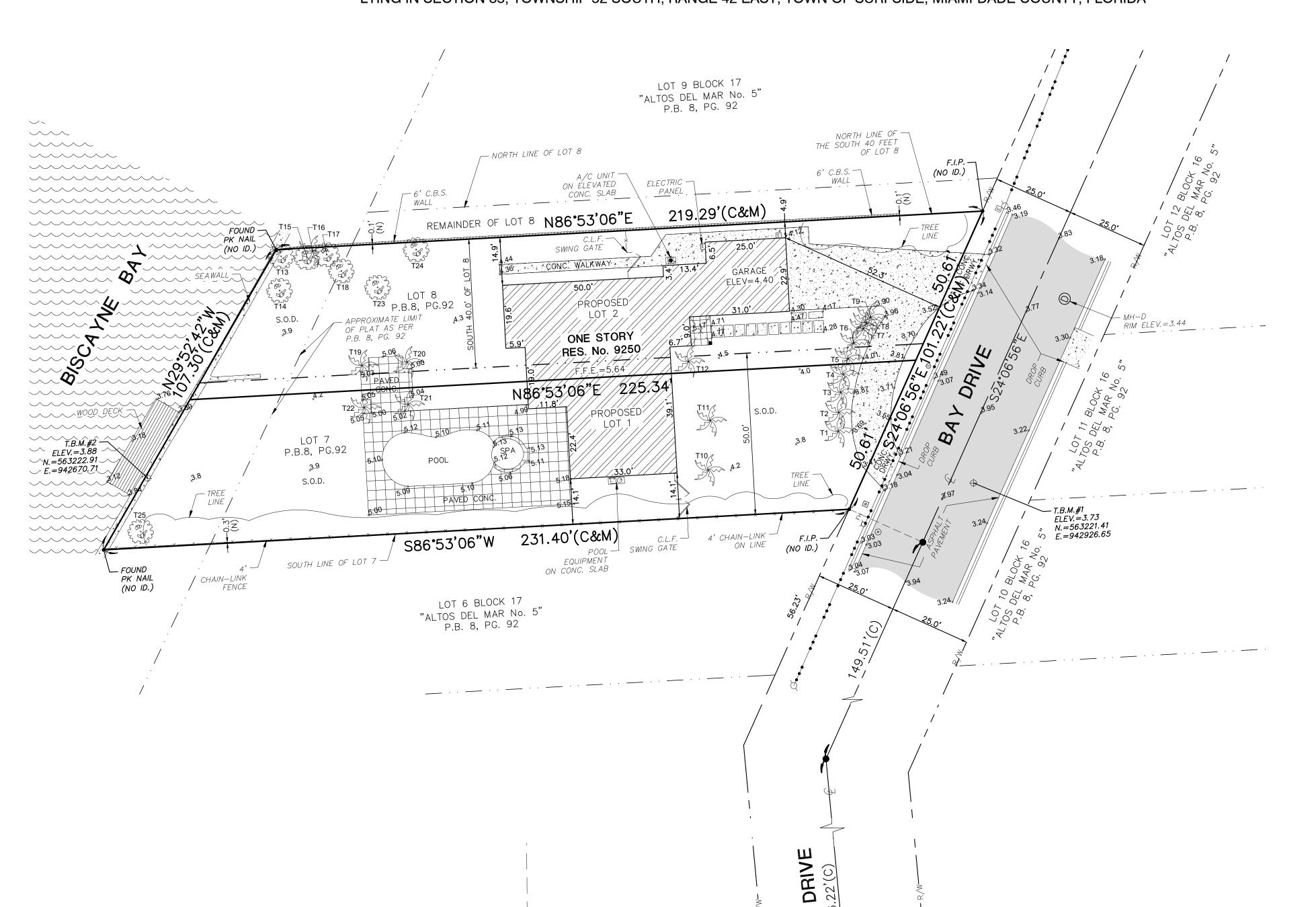
-- EASEMENT LINE

BUILDING HATCH

OOOOO HANDICAP TACTILE STRIP

OVERHEAD UTILITY LINE

CONCRETE



— SW CORNER SEC.35-54-42 AS PER INDIAN CREEK

SOUTH LINE OF SEC.35-54-42

GOLF CLUB ISLAND P.B.34, PG.33

TWP. 52 S.-R.42 E.

### TREE TABLE

TREE No	COMMON NAME	DIAMETER	HEIGHT	CANOPY
T1	Palm (2 Trunks)	6	15	6
T2	Palm (2 Trunks)	6	20	6
T3	Palm (2 Trunks)	6	20	6
T4	Palm (2 Trunks)	6	20	6
T5	Palm (2 Trunks)	6	20	6
T6	Palm (2 Trunks)	6	15	6
T7	Palm (2 Trunks)	6	15	6
T8	Palm (2 Trunks)	6	20	6
T9	Palm	6	15	6
T10	Palm (2 Trunks)	6	15	6
T11	Palm	18	30	15
T12	Palm (3 Trunks)	6	20	6
T13	Coco	12	20	20
T14	Coco	14	30	15
T15	Coco	12	10	8
T16	Palm (3 Trunks)	4	15	6
T17	Coco	12	25	20
T18	Coco	12	10	8
T19	Palm	10	30	10
T20	Palm	6	20	10
T21	Palm	8	25	10
T22	Palm	10	30	15
T23	Tree-Unknown	30	40	50
T24	Coco	12	15	15
T25	Coco	12	15	15

NOTICE:
This Document is not full and complete without all pages.
(Total of Three (3) pages)

3D LASER SCANNING UTILITY COORDINATION SUBSURFACE UTILITY ENGIN F: +1(305)207-6845 · W: www.ha

UTILITY ( SUBSUR FI 33172 · P: +1(305)266-1188 · F: +1(305)

1985 NW 88th Court, Suite 101 · Doral, FI 33172 · P:

H H H 1985 NW 88th C

SEVENTH STREET DEVELOPMENT GROUP
of
9250 BAY DRIVE, SURFSIDE, FLORIDA 33154

PLAT COMMITTEE'S COMMENTS ON 10–23–2023 6. 7. 7. 8. 9. 9.

FILE

DRAWN BY:

M.M.

R.I.

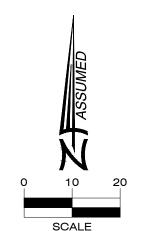
QA/QC BY:

J.S.

J.S. Job No.: 23084

## WAIVER OF PLAT MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA



**LEGEND** 

R/W

CBS

SYMBOL DESCRIPTION

S.I.P. SET IRON PIPE T.O.P. TOP OF PIPE SWK SIDEWALK

P.O.B. POINT OF BEGINNING

T.B.M. TEMPORARY BENCH MARK

F.F.E. FINISH FLOOR ELEVATION

N.T.S. NOT TO SCALE

S.I.R. SET IRON REBAR

F.D.H. FOUND DRILL HOLE

F.I.P. | FOUND IRON PIPE F.I.R. FOUND IRON REBAR

> BENCHMARK EXISTING ELEVATION

PALM TREE

TREE NUMBER

CATCH BASIN

GAS METER

LIGHT POST CHINE IN BACK-FLOW PREVENTER GUARDRAII

MAILBOX

SIGNAL MAST ARM

//////////////////// CBS WALL

FENCE\_OTHER

// // // FENCE OTHER PROPERTY LINE RIGHT-WAY LINE

\_\_\_ STM \_\_\_\_ STM \_\_\_ X-UTL-DRAIN

GRAVEL

FPL TRANSFORMER

CONCRETE UTILITY POLE WOOD UTILITY POLE

CHAIN-LINK SWING GATE

CHAIN-LINK SWING GATE

INTERCOM BOX

// --- // - CHAIN-LINK ROLLING GATE

EASEMENT LINE

BUILDING HATCH

ASPHALT PAVEMENT COCOC HANDICAP TACTILE STRIP

CONCRETE

OVERHEAD UTILITY LINE

SIGN

MONITORING WELL FIRE HYDRANT

IRRIGATION CONTROL VALVE

UTILITY STRUCTURE NUMBER

SANITARY SEWER CLEAN OUT SANITARY SEWER MANHOLE SANITARY SEWER VALVE MANHOLE UNKNOWN DRAINAGE MANHOLE GREASE TRAP MANHOLE FIRE DEPT. CONNECTOR

ELECTRIC UTILITY BOX WATER METER WATER VALVE

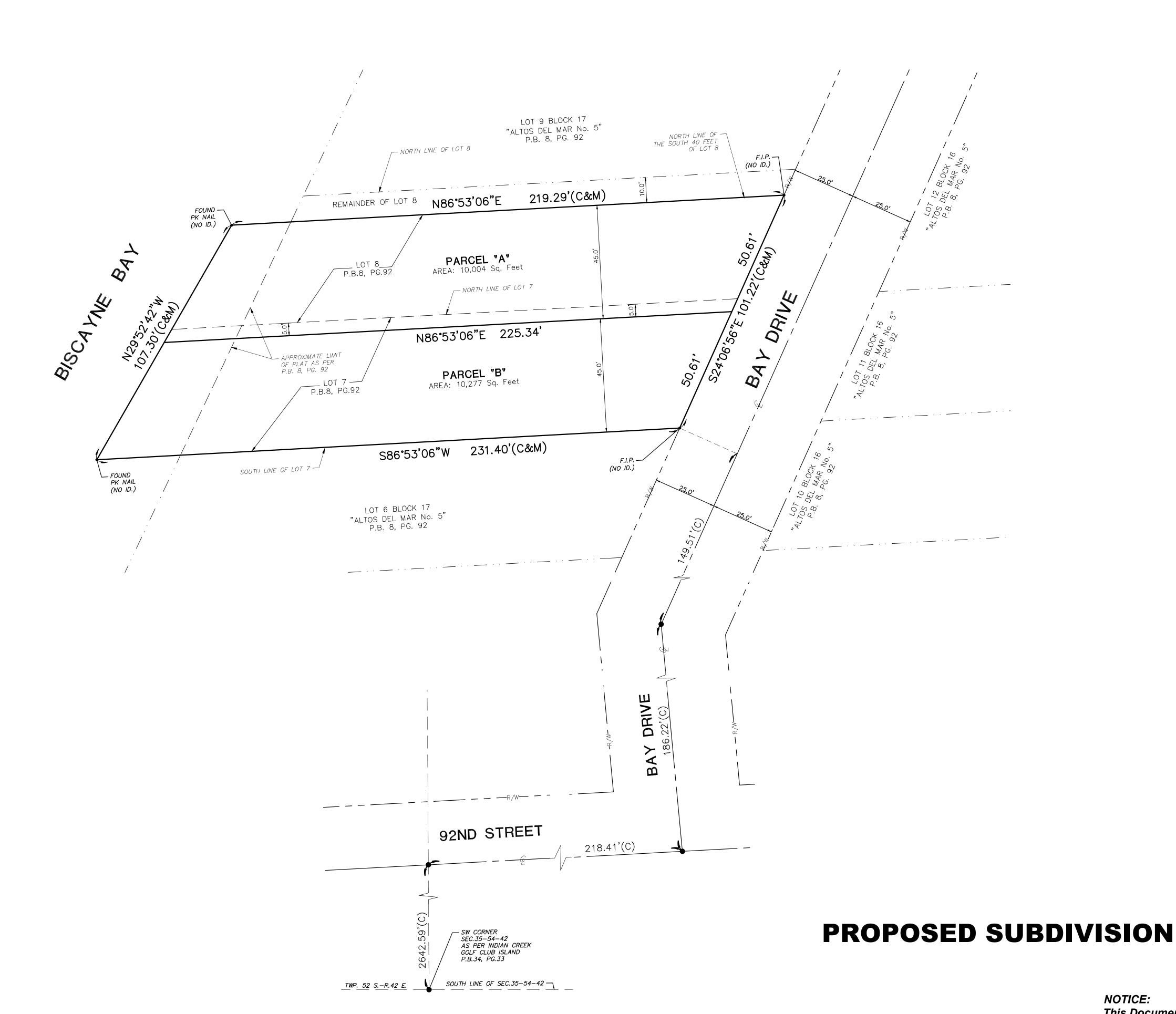
FOUND IRON REBAR

FOUND NAIL & DISK NUMBER OF PARKING SPACES

CONCRETE BLOCK STUCCO NATIONAL GEODETIC VERTICAL DATUM

PROPERTY LINE

RIGHT-OF-WAY



Field Book: FILE M.M.

R.I. QA/QC BY: J.S.

23084

NOTICE:

(Total of Three (3) pages)

This Document is not full and complete without all pages.



200 S. Biscayne Boulevard Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6229 office 305.377.6222 fax gpenn@brzoninglaw.com February 15, 2024

#### VIA ELECTRONIC FILING

Judith Frankel
Town Planner
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154

Re: Waiver of Plat/Lot Division for 9250 Bay Drive Surfside, Florida.

Dear Ms. Frankel:

Our firm represents Samuel Sontag and Rivkah Sontag-Tepler, (the "Owners"), the owners of 9250 Bay Drive (the "Property"). Please consider this letter the letter of intent supporting a request for the Town's approval of a lot division for the site to create two code-compliant building sites.

As you will note from the attached materials, Miami-Dade County has approved a "waiver of plat" application for the Property. The instant application seeks the Town's approval prior to the recordation of the waiver of plat.

<u>Property.</u> The Property is an oversized 20,281 square foot assemblage located on the west side of Bay Drive in the H30A zoning district. The site consists of one platted lot and the southern forty (40) feet of a second platted lot.

Judith Frankel Town Planner Town of Surfside Page 2

As you know, the minimum lot size in the H30A district is 8,000 square feet. The Property is therefore more than twice the minimum lot size in the district.

Resulting Lots. Per the direction in the Town's October 2, 2023 letter (attached), the Owner has proposed two lots that both exceed fifty (50) feet in frontage and are generally the same size (10,004 square feet and 10,277 square feet). Both lots exceed the minimum lot size in the H30A district and are similar in size to the adjacent lots to the north and south.

<u>County Approval.</u> On January 5, 2024, the County's Plat Committee issued its formal approval of the proposed "waiver of plat," conditioned on, among other things, the Town's approval of the instant request. The County's approval is attached.

Conclusion. We believe the instant request is consistent with the Town Code and we respectfully request approval. We look forward to your recommendation on our application. If you have any questions or comments, please call me at 305-377-6229.



#### **Department of Environmental Resources Management**

Environmental Resources Management 701 NW 1st Court 4th Floor Miami, Florida 33136-3912 T 305-372-6764 F 305-372-6543

miamidade.gov

Date: 11/16/2023

**To:** Platting and Traffic Review Section

Department of Regulatory and Economic Resources

Re: Waiver of Plat, Number: D-25025-Review #2

Subdivision: 9250 BAY BSD II LLC Agenda Date: 11/17/2023

**RECOMMENDATION: Overall Approved** 

This office has reviewed the referenced WAIVER OF PLAT and recommends the following:

Office of Code Coordination and Public Hearings: (Approved)

Voice: 305-372-6764, Fax: 305-372-6543

As per Section 24-43.2(10) of the Code of Miami-Dade County (the Code), the proposed subdivision shall connect to the abutting utility water lines. This office has no objection to the approval of this waiver of plat.

As per Section 24-43.1(7) of the Code, the proposed subdivision shall connect to the abutting utility sewer lines. This office has no objection to the approval of this waiver of plat.

Concurrency Issued by the Municipality.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the new USEPA/FDEP Consent Decree (Case: No. 1:12-cv-24400-FAM, effective December 6, 2013). Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

For additional information please contact <a href="mailto:lngrid.Guerrero@miamidade.gov">lngrid.Guerrero@miamidade.gov</a>.

Water Control (Approved)

Voice: 305-372-6681, Fax: 305-372-6489

Project Area: 0.47 Acres

County Flood Criteria: + 8.5 ft. N.G.V.D. FEMA Flood Zone & Flood Elevation: AE-8



Site shall be filled in a manner so as to prevent the flooding of adjacent properties. Interceptor swales shall be constructed on-site with no encroachment over adjacent properties.

Please contact Kaheill S. Whittaker of the DERM Water Control Section at (305) 372-6967 or via email <a href="https://whittaker.gov">whittk@miamidade.gov</a> for further assistance.

#### **Coastal Resources (Approved)**

Voice: 305-372-6575

The subject application must comply with the Code, and Miami Dade County's Manatee Protection Plan (MPP). The waiver of plat prepared by Abraham Hadad, P.S.M., does not propose any work in, on, or upon coastal waters and no work requiring a Class I Permit is authorized by this approval. The applicant is advised that a Class I permit shall be required prior to commencement of any work in, on, over or upon tidal waters, coastal wetlands, or work to cut, trim, or alter mangrove trees, dredge, or remove/place fill material from/within tidal waters.

The applicant is advised that the West Indian Manatee (*Trichechus manatus*) may gain access to tidal waters adjacent to the subject property. Manatees have been injured or killed by entrapment in existing culverts and in roadway/culvert construction projects in Miami-Dade County. The Miami Dade County Manatee Protection Plan (MPP) requires that all new or replacement culverts and outfalls accessible to manatees be designed to prevent entrapment of or injury to manatees. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed to cause no injury to manatees, and to prevent manatees from entering the outfalls or culverts, including during construction.

In addition, permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. The applicant is responsible for contacting these agencies.

The applicant may contact the Coastal Resources Section at (305) 372-6575 or dermcr@miamidade.gov for any questions regarding their permitting procedures and requirements.

For additional information please contact Jennifer. Snell@miamidade.gov.

#### Trees (Approved) Voice: 305-372-6574

While an aerial review of the subject property indicates the presence of tree resources, it does not appear that the Waiver of Plat, prepared by Abraham Hadad, P.S.M., will result in the removal of these tree resources. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of Sections 24-49.2 and 24-49.4 of the Code, including the specimen tree requirements.

In accordance with Section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Please contact Jackelyn Alberdi at <u>Jackelyn.Alberdi@miamidade.gov</u> for additional information or concerns regarding this review.

If you have any questions regarding elements of this review, please contact the appropriate office using the provided contact phone number or email.

Sincerely,

Lisa M. Spadafina, RER Assistant Director

Division of Environmental Resources Management Regulatory and Economic Resources Department

## MIAMI DADE COUNTY PLAT COMMITTEE NOTICE OF ACTION

Plat No: D - 25025 - 3 - N.O.

STR1: 35 52 42 Municipality: SURFSIDE

Zoning: District: 4

Name: SAMUEL SONTAG AND RIVKAH SONTAG-

**TEPLER** 

Location by Streets: 93 ST & BAY DRIVE

Owner: SAMUEL SONTAG AND RIVKAH SONTAG-TEPLER,

1820 AVENUE M - SUITE 601

BROOKLYN, NY 11230 Phone: 347-268-4770

Surveyor: HADONNE CORPORATION

P.O.BOX 226246

DORAL, FL 33222 Phone: 3052661188

This is to advise you that on Friday, January 5, 2024 the Dade County Plat Committee reviewed the above plat and that the same was:

 Recommended for approval subject to conditions indicated on attached action copy.  Approved as an extension of time, subject to previous requirements and:
Deferred for reasons indicated below: Denied for the reasons indicated below:

NoticeOfAction 1/5/2024 10:20:58 AM

#### NOTICE OF ACTION MUNICIPALITY

DATE: January 5, 2024

OWNER: SAMUEL SONTAG AND RIVKAH SONTAG-TEPLER

This is to inform you that the Waiver of Plat D-25025 was reviewed and approved by the Miami-Dade County Plat Committee on January 5, 2024

To record this Waiver of Plat in the Public Records of Miami-Dade County, Florida, the following items must be complied within sixty (60) days of approval, otherwise, the Waiver of Plat will be rescinded:

- Certified copy of the City resolution approving waiver of plat.
- Opinion of title in the Miami-Dade County format. If owner is an LLC, LLLP, LP, LTD., or any other limited organization, opinion of title must state who can sign on its behalf.
- Tax memo for year 2023 (contact our office for memo and instructions)
- A reduced signed and sealed copy of the waiver of plat (8 1/2 X 11)
- Signed and sealed legal description of overall parcel encompassed by the waiver of plat. The legal description document must also include the description(s) of the new parcel(s) being created (8 1/2 X 11) with the following certification:

#### SURVEYOR'S CERTIFICATION

I certify that the attached Waiver of Plat, and legal descriptions associated therewith, comply with all applicable requirements of Chapter 28, Subdivision Code of Miami-Dade County, Florida

Certified thisday of _	, A. D., 20
<b>Professional Surveyor and</b>	Mapper No
State of Florida	
"Company name"	
"Company address"	
Certificate of authorization	ı No.

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING WAIVER OF PLAT NO. D-25025 APPROVED BY THE PLAT COMMITTEE OF MIAMI-DADE COUNTY, FLORIDA, FOR THE PROPERTIES LOCATED AT 9250 BAY DRIVE, SURFSIDE, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Samuel Sontag and Rivkah Sontag-Tepler ("Owners") own the properties located at 9250 Bay Drive, Surfside, Florida ("Property"), totaling approximately 20,281 square feet of lot area; and

WHEREAS, the Property is comprised of Lot 7 and the southern forty (40) feet of Lot 8, Block 17, of the Altos del Mar No. 5 Plat, recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida (the "Lots"); and

WHEREAS, Section 90-49 of the Town Code provides that properties zoned within the H30A zoning district must have a minimum lot width of 50 feet and a minimum lot area of 8,000 square feet; and

WHEREAS, the Lots depicted in the Waiver of Plat survey, attached hereto as Exhibit "A," exceed the lot width and lot area requirements of the H30A district; and

WHEREAS, the Miami-Dade County Plat Committee met on January 5, 2024, and approved Waiver of Plat No. D-25025 to formally acknowledge the modification of the Lots; and

WHEREAS, in order to finalize Waiver of Plat No. D-25025, Miami-Dade County now requires the Town Commission to approve and accept the Waiver of Plat; and

WHEREAS, the Town Planner has issued a memorandum attached to this agenda item recommending approval of the Waiver of Plat; and

WHEREAS, on March 12, 2024, the Town Commission, held a duly noticed quasi-judicial public hearing to review the Waiver of Plat, hear from its professional staff, the Owners, and members of the public, and consider the Waiver of Plat's consistency with the Town Code and Comprehensive Plan, and the substantial competent evidence presented at the hearing; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO THE OWNERS, ITS SUCCESSORS AND/OR ASSIGNS, AS FOLLOWS:

#### Section 1. Recitals and Findings of Fact.

- a. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.
- b. The Town Commission further finds that the Waiver of Plat is in compliance with the requirements of the Town Code and is consistent with the Town's Comprehensive Plan.
- <u>Section 2.</u> <u>Waiver of Plat Approval.</u> Waiver of Plat No. D-25025, approved by the Plat Committee of Miami-Dade County, Florida, pursuant to Section 28-4 of the Miami-Dade County Code, is hereby approved and accepted.
- Section 3. Severability. In the event any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no way affect the remaining portions of this Resolution, which shall remain full force and effect.
- **Section 4. Effective Date.** This Resolution shall become effective immediately upon adoption.

PASS	ED AND ADOPT	ED this _	day of	, 2024.	
Motion By: Second By:		<u></u>			
FINAL VOTE ON A Commissioner Fred Commissioner Mari Commissioner Nelly Vice Mayor Jeffrey Mayor Shlomo Dan	l Landsman anne Meischeid / Velasquez Rose				
ATTEST:			Shlomo Da	nzinger, Mayor	
Sandra McCready, Town Clerk  APPROVED AS TO AND BENEFIT OF	FORM AND LE			E	
Weiss Serota Helfm Town Attorney	nan Cole & Bierm	nan, P.L.			
STATE OF FLORIC	,				
I, Sandra McCread the above and fore by the Town Comm	going is a true and	d correct	copy of Resol	ution No. 2024	adopted
Issued:					
Sandra McMcready Town Clerk	, MMC				

## EXHIBIT "A" WAIVER OF PLAT SURVEY

23084

WAIVER OF PLAT
MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

#### SURVEYOR'S NOTES:

SECTION 1) DATE OF FIELD SURVEY:

1. The date of completion of the field work of the Boundary Survey was on  $\frac{\text{August 9th,}}{\text{2023.}}$ 

#### SECTION 2) LEGAL DESCRIPTION:

#### PARENT TRACT:

Lot 7 and the South 40.00 Feet of Lot 8, in Block 17, of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 20,281 Square Feet, more or less, by Calculations.

#### CUT-OUT PARCEL A:

Lot 8, LESS the North 10 feet thereof AND the North 5 feet of Lot 7, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 10,004 Square Feet, more or less, by Calculations.

## CUT-OUT PARCEL B:

Lot 7, LESS the North 5 feet thereof, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 10,277 Square Feet, more or less, by Calculations.

## Property Address and Tax Folio Number:

#### 9250 Bay Drive,

Surfside, Florida 33154 Folio No. 14-2235-006-2900

## SECTION 3) ACCURACY:

The accuracy obtained by field measurement methods and office calculations of closed geometric figures meets and exceeds the Minimum Technical Standards requirement for this Type of Survey as defined in Rule 5J-17.051, Florida Administrative Code.

Elevations of well identified features as depicted on the Survey Map were measured to an estimated vertical position accuracy of 1/100 of a foot on hard surfaces and 1/10 of a foot on ground surfaces.

Well identified features as depicted on the Survey Map were measured to an estimated horizontal position accuracy of 1/10 of a foot.

This Map of Survey is intended to be displayed at a scale of 1" = 20' or smaller.

## SECTION 4) SOURCES OF DATA:

Bearings as shown hereon are based upon the Center Line of Bay Drive with an assumed bearing of S24°06'56"E, said line to be considered a well established and monumented line.

This property appears to be located in Flood Zone "AE" with a Base Flood Elevation being 8.0 feet, as per Federal Emergency Management Agency (FEMA) Community Number 120659 (Town of Surfside), Map Panel No. 12086C0144, Suffix L, Map Revised Date: September 11, 2009.

Legal Description was furnished by client.

Warranty Deed, dated May 18th, 2022, recorded in Official Records Book 33192, Page 1546, Miami-Dade County Records.

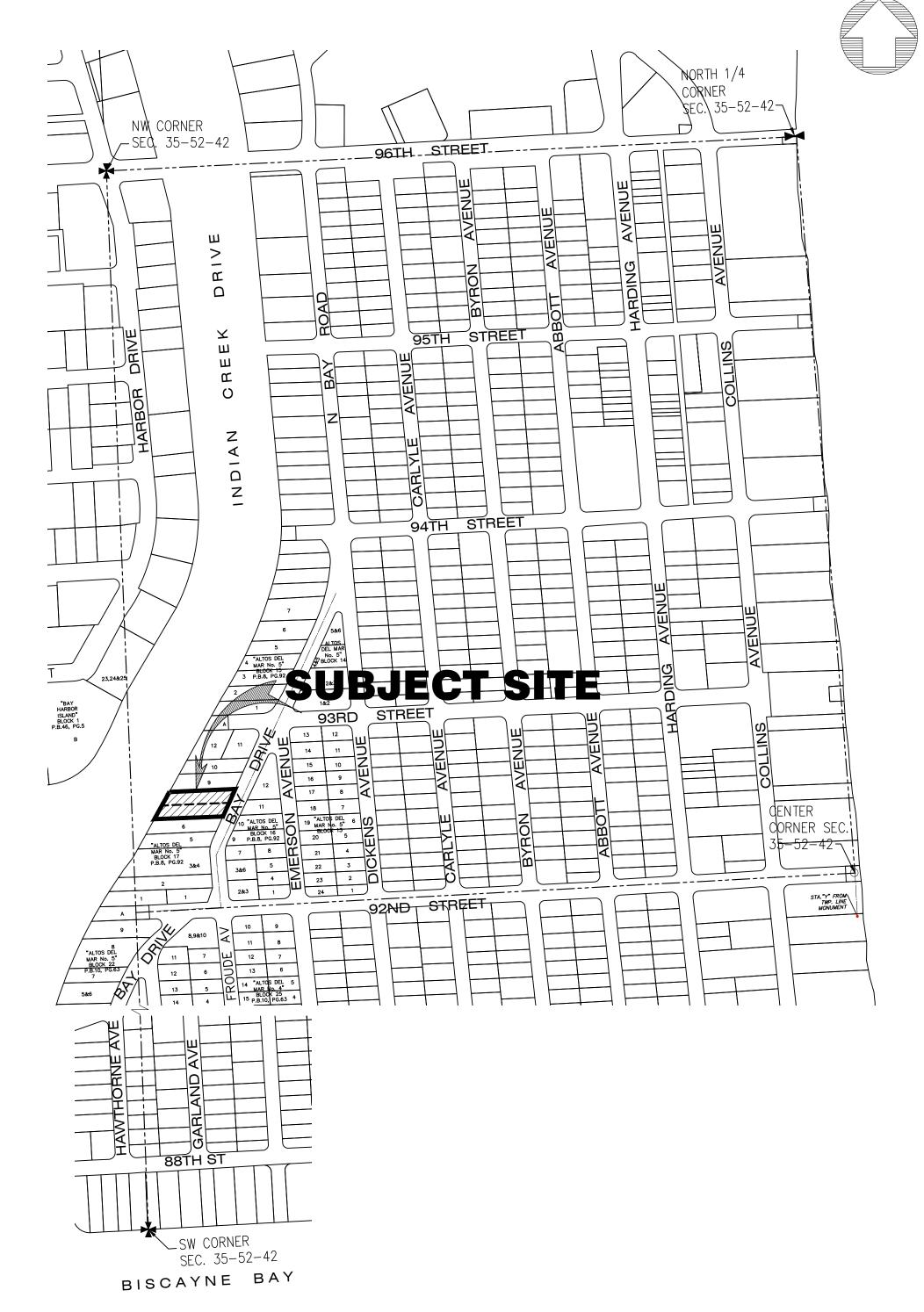
Plat of "ALTOS DEL MAR No. 5", recorded in Plat Book 8, Page 92, Miami-Dade County Records.

Elevations as shown hereon are based on the National Geodetic Vertical Datum of 1929, as per Miami-Dade County's Benchmark Number S-243, Elevation 11.77 feet.

## SECTION 5) LIMITATIONS:

As to the determination of tree, palm and planting species falls outside the purview of the land surveying practice, all information with respect to same is hereby presented for informational purposes only.

Since no other information were furnished other than that is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the Subject Property that are not shown on the Survey Map that may be found in the Public Records of Miami-Dade County.



## **LOCATION MAP**

THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE,

MIAMI-DADE COUNTY, FLORIDA

SCALE: 1" = 300'

## NOTICE:

This Document is not full and complete without all pages. (Total of Three (3) pages)

The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual that may appear in the public records of this County.

No excavation or determination was made as to how the Subject Property is served by utilities.

No improvements were located, other than those shown. No underground foundations, improvements and/or utilities were located or shown hereon.

#### SECTION 6) CLIENT INFORMATION:

SEVENTH STREET DEVELOPMENT GROUP 1860 Flatbush Avenue Brooklyn, New York 11210 Contact: N/A Phone: 718-703-7007

#### SECTION 7) UTILITY SERVICES TO BE PROVIDED TO PROPOSED DEVELOPMENT:

ELECTRIC: Florida Power & Light Company
TELEPHONE: AT&T, Inc., Comcast
TV-CABLE: ATT-Uverse, Comcast
POTABLE WATER: Miami-Dade Water & Sewer Department
SANITARY SEWER: Miami-Dade Water & Sewer Department

## SECTION 8) DEVELOPMENT INFORMATION:

ZONING DATA:
Current Zoning Designation: LU-10 (Single Family)
Proposed Zoning:
Existing Land Use: One Single Family Building
Number of Blocks: 1
Number of Lots: 2
Proposed Use: One Single Family Residence on each Lot
Note: All existing improvements to be demolished.

## SECTION 9) MIAMI-DADE COUNTY FLOOD CRITERIA:

Flood Criteria: 8.5 Feet ± (NGVD 29)

## SECTION 10) CONTACT INFORMATION:

HADONNE CORP.
Attention: Mariela Alvarez
1985 NW 88th Court, Suite 101
Doral, Florida 33172
Phone No. 305-266-1188
E-mail: platting@hadonne.com

## SECTION 11) SURVEYOR'S CERTIFICATE:

I hereby certify that this "Boundary and Topographic Survey" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Boundary and Topographic Survey" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

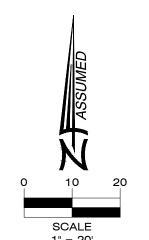
Abraham Hadad, PSM
For the Firm
Registered Surveyor and Mapper LS6006
State of Florida
HADONNE CORP., a Florida Corporation
Florida Certificate of Authorization Number LB7097
1985 NW 88th Court, Suite 101
Doral, Florida 33172
Phone: 305.266.1188
Fax: 305.207.6845

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

DRIVI (22'(C)

BAY



	DESCRIPTION
	DESCRIPTION
	FOUND IRON REBAR
<u> </u>	FOUND IRON PIPE WITH CAP
PL D /W	PROPERTY LINE
R/W	RIGHT-OF-WAY
CBS	CONCRETE BLOCK STUCCO
N.G.V.D. PB	NATIONAL GEODETIC VERTICAL DAT
	PLAT BOOK
PG F.N.D.	PAGE
7 -	FOUND NAIL & DISK
S.I.P.	NUMBER OF PARKING SPACES
T.O.P.	SET IRON PIPE  TOP OF PIPE
SWK	
P.O.B.	SIDEWALK POINT OF BEGINNING
N.T.S.	
T.B.M.	NOT TO SCALE
	TEMPORARY BENCH MARK
F.F.E.	FINISH FLOOR ELEVATION
S.I.R.	SET IRON REBAR
F.D.H.	FOUND DRILL HOLE
F.I.P.	FOUND IRON PIPE
F.I.R.	FOUND IRON REBAR
•	BENCHMARK
×9.38	EXISTING ELEVATION
<u> </u>	TREE
*	PALM TREE
icv M	IRRIGATION CONTROL VALVE
T1	TREE NUMBER
CB1 /	UTILITY STRUCTURE NUMBER
	CATCH BASIN
E	ELECTRIC UTILITY BOX
W	WATER METER
<u> </u>	WATER VALVE
(0)	SANITARY SEWER CLEAN OUT
<u> </u>	SANITARY SEWER MANHOLE
<u>(S)</u>	SANITARY SEWER VALVE
MH	MANHOLE UNKNOWN
<u> </u>	DRAINAGE MANHOLE
<u> </u>	GREASE TRAP MANHOLE
	FIRE DEPT. CONNECTOR
<u> </u>	GAS METER
<u></u>	TELECOMMUNICATIONS BOX
 FH	MONITORING WELL FIRE HYDRANT
Ø	LIGHT POST
CHALLIAND	
CHOLLIGID	BACK-FLOW PREVENTER
	GUN ANGLIOR
<u> </u>	GUY ANCHOR
<u></u>	POST
<u> </u>	SIGN
- F	MAILBOX
~	FPL TRANSFORMER
	SIGNAL MAST ARM
$\longrightarrow$	INTERCOM BOX
$\longrightarrow$	CONCRETE UTILITY POLE
<u> </u>	WOOD UTILITY POLE
////	CHAIN-LINK ROLLING GATE
	CHAIN-LINK SWING GATE
0 0 0 0	FENCE_OTHER
	IRON WING GATE
	CHAIN-LINK FENCE
xxx	CHAIN-LINK TENCE
X — X — X	CHAIN-LINK SWING GATE
	CHAIN-LINK SWING GATE

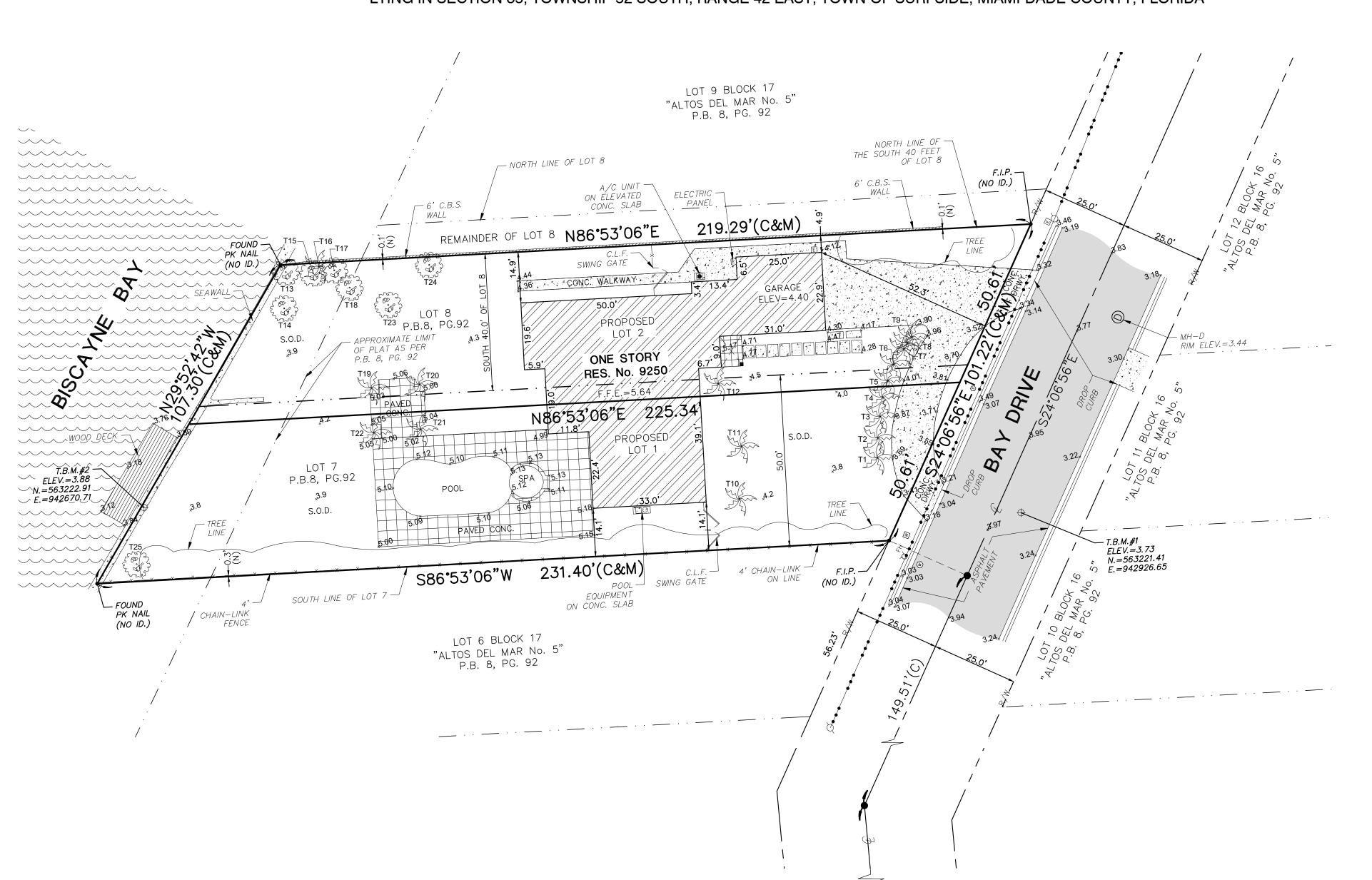
-- EASEMENT LINE

BUILDING HATCH

SOOO HANDICAP TACTILE STRIP

OVERHEAD UTILITY LINE

CONCRETE



— SW CORNER SEC.35-54-42 AS PER INDIAN CREEK

GOLF CLUB ISLAND P.B.34, PG.33

TWP. 52 S.-R.42 E.

### TREE TABLE

TREE No	COMMON NAME	DIAMETER	HEIGHT	CANOPY
T1	Palm (2 Trunks)	6	15	6
T2	Palm (2 Trunks)	6	20	6
T3	Palm (2 Trunks)	6	20	6
T4	Palm (2 Trunks)	6	20	6
T5	Palm (2 Trunks)	6	20	6
T6	Palm (2 Trunks)	6	15	6
T7	Palm (2 Trunks)	6	15	6
T8	Palm (2 Trunks)	6	20	6
T9	Palm	6	15	6
T10	Palm (2 Trunks)	6	15	6
T11	Palm	18	30	<b>1</b> 5
T12	Palm (3 Trunks)	6	20	6
T13	Coco	12	20	20
T14	Coco	14	30	<b>1</b> 5
T15	Coco	12	10	8
T16	Palm (3 Trunks)	4	15	6
T17	Coco	12	25	20
T18	Coco	12	10	8
T19	Palm	10	30	10
T20	Palm	6	20	10
T21	Palm	8	25	10
T22	Palm	10	30	15
T23	Tree-Unknown	30	40	50
T24	Coco	12	15	<b>1</b> 5
T25	Coco	12	15	15

ADDRESSING PLAT COMMITTEE'S C

M.M.
TECH BY:
R.I.

QA/QC BY:
J.S.

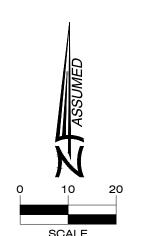
ield Book:

FILE

This Document is not full and complete without all pages.
(Total of Three (3) pages)

NOTICE:

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA



**LEGEND** 

R/W

CBS

SYMBOL DESCRIPTION

S.I.P. SET IRON PIPE
T.O.P. TOP OF PIPE
SWK SIDEWALK

P.O.B. POINT OF BEGINNING

T.B.M. TEMPORARY BENCH MARK

F.F.E. FINISH FLOOR ELEVATION

N.T.S. NOT TO SCALE

S.I.R. SET IRON REBAR

F.D.H. FOUND DRILL HOLE

F.I.P. FOUND IRON PIPE
F.I.R. FOUND IRON REBAR

BENCHMARK

EXISTING ELEVATION

PALM TREE

TREE NUMBER

CATCH BASIN

GAS METER

LIGHT POST

CITIE STIP BACK-FLOW PREVENTER

GUARDRAII

MAILBOX

SIGNAL MAST ARM

//////////////////// CBS WALL

FENCE\_OTHER

PL PROPERTY LINE
RIGHT-WAY LINE

\_\_\_ STM \_\_\_\_ STM \_\_\_ X-UTL-DRAIN

GRAVEL

FPL TRANSFORMER

CONCRETE UTILITY POLE
WOOD UTILITY POLE

CHAIN-LINK SWING GATE

CHAIN-LINK SWING GATE

INTERCOM BOX

// --- // - CHAIN-LINK ROLLING GATE

EASEMENT LINE

BUILDING HATCH

ASPHALT PAVEMENT

OOOOO HANDICAP TACTILE STRIP

CONCRETE

OVERHEAD UTILITY LINE

SIGN

MONITORING WELL
FIRE HYDRANT

IRRIGATION CONTROL VALVE

UTILITY STRUCTURE NUMBER

SANITARY SEWER CLEAN OUT
SANITARY SEWER MANHOLE
SANITARY SEWER VALVE
MANHOLE UNKNOWN
DRAINAGE MANHOLE
GREASE TRAP MANHOLE
FIRE DEPT. CONNECTOR

ELECTRIC UTILITY BOX
WATER METER
WATER VALVE

FOUND IRON REBAR

F.N.D. FOUND NAIL & DISK

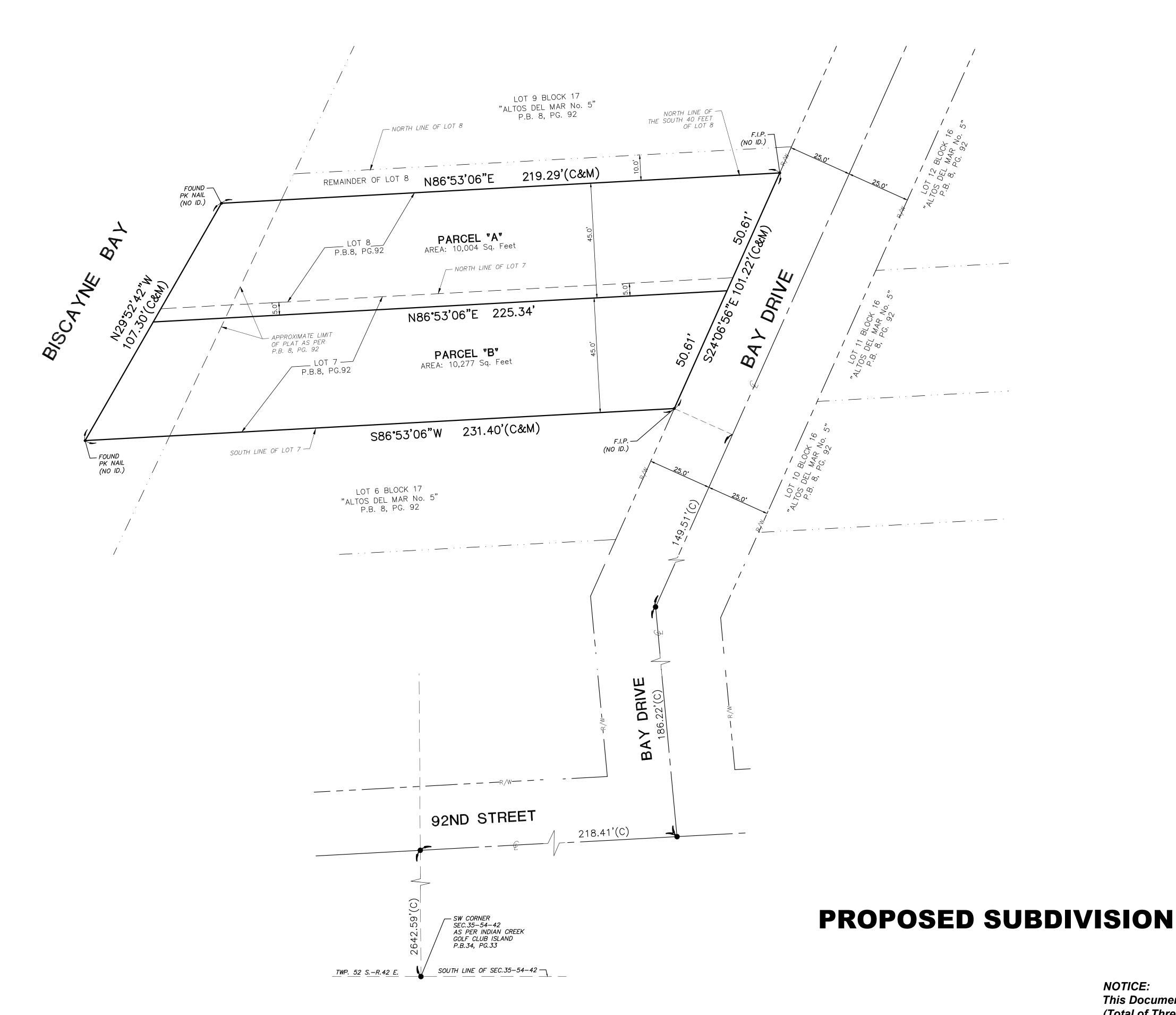
NUMBER OF PARKING SPACES

CONCRETE BLOCK STUCCO

NATIONAL GEODETIC VERTICAL DATUM

PROPERTY LINE

RIGHT-OF-WAY



## Court, Suite 101 · Doral, FI 33172 · P: +1(305)266-1

**H** 1985 NW 88th C

for SEVENTH STREET DEVELOPMENT GROUP

of Of SEVENDE SURFSIDE, FLORIDA 3315,

PLAT COMMITTEE'S COMMENTS ON 10–23–2023 6.
7.
8.

FILE

DRAWN BY:

M.M.

TECH BY:

TECH BY:
R.I.

QA/QC BY:
J.S.

Job No.: 23084

3/3

NOTICE:
This Document is not full and complete without all pages.
(Total of Three (3) pages)



# Town of Surfside Regular Town Commission Meeting MINUTES February 13, 2024 6:00 PM

Commission Chambers - 9293 Harding Avenue Surfside, FI 33154

#### 1. Opening

#### 1A. Call to Order

Mayor Danzinger called the meeting to order at 6:10 pm.

#### 1B. Roll Call of Members

Town Clerk McCready called the roll with the following members present.

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose, Commissioner Fred Landsman, Commissioner Marianne Meischeid and Commissioner Nelly Velasquez.

Also Present: Town Attorney Lillian Arango, Town Attorney Tony Recio, and Town Manager Hector Gomez.

#### 1C. Pledge of Allegiance

Chief Marciante led the pledge of allegiance.

#### **1D. Mayor and Commission Remark** - Mayor Shlomo Danzinger

The Mayor and the Commission welcomed everyone in the Chambers and gave some opening statements.

Commissioner Meischeid gave a brief summary of her visit to Miami-Dade Days in Tallahassee.

Commissioner Velasquez and Vice Mayor Rose spoke about the new candidate forum.

Vice Mayor Rose provided a copy of a text message from former Commissioner Salzhauer for the record.

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

Vice Mayor Rose made a motion to move item 5F (Establishment of the Surfside Youth Council) after item 2 (Quasi-Judicial Hearings) and pulled item 3C (Installation of Safety Roadway Feature with Landscaping and Security Components at Hawthorne Avenue and 88th Street) from the consent agenda. Commissioner Landsman seconded the motion and all voted in favor.

Commissioner Meischeid made a motion to pull item 3D (Town Hall and Police Department Improvement Project) from the consent agenda and hear it after item 3C (Installation of Safety Roadway Feature with Landscaping and Security Components at Hawthorne Avenue and 88th Street). The motion received a second from Commissioner Velasquez and all voted in favor.

Commissioner Velasquez made a motion to link items 9B (Update - Abbott Avenue Town Stormwater Improvements ) and 9C (Stormwater Masterplan and Abbott Avenue Drainage) and move them after item 3C (Installation of Safety Roadway Feature with Landscaping and Security Components at Hawthorne Avenue and 88th Street). The motion received a second from Commissioner Meischeid and all voted in favor.

#### **1F.** Community Notes - Mayor Shlomo Danzinger

Mayor Danzinger provided his community notes and introduced State Representative Basabe.

State Representative Basabe spoke about how he loves Surfside and he loves attending the Town's community events. He further spoke about the accomplishments that he and Mayor Danzinger have made in Tallahassee.

He spoke about one of his interns that has spoken throughout his district and requested for those sending out emails and campaigning against him to please stop. He stated that his intern is a high school student. He stated that if anyone has any issues with the work that is happening, to please keep their battles with him.

He further spoke about the Live Local Act and stated that he was one of the cosponsors of the bill and he is very upset about it. He stated that the League of Cities requested his support for this bill. He said that they are working on tweaking the language on the Live Local Act bill. He believes that this bill is something that was voted on for the State as a whole and it was voted unanimously but moving forward he encouraged everyone to get involved.

Mayor Danzinger thanked State Representative Basabe for all his hard work in obtaining funds for the Town of Surfside, including funds for the CTS investigation, walkability, watermain infrastructure and other projects that affect all the residents in town.

#### 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.

A motion was made by Vice Mayor Rose to approve the consent agenda, seconded by Commissioner Landsman. The motion carried with a 4-0. Commissioner Velasquez was absent from the Dais.

#### **3A.** Approval of Minutes - Sandra N. McCready, MMC, Town Clerk

Approved on Consent.

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

Approved on Consent.

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

Town Administration is seeking the Town Commission approval to install a new traffic roadway feature with safety components at the intersection of 88th Street and Hawthorne Avenue with a not to exceed construction cost of \$40,000.00.

This item was pulled from consent and heard after item 5F (Establishment of the Surfside Youth Council).

Town Clerk McCready read the title of the resolution.

Town Manager Gomez introduced the item to the Town Commission.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Landsman.

Vice Mayor Rose opened the floor to public comments and the following members of the public spoke:

Mark Blumstein spoke against the item. He has lived on Hawthorne Avenue for years and has no idea why this is on the agenda. He doesn't believe this project is necessary and should wait till the traffic study is finalized.

George Kousoulas spoke and provided ideas on how the project can be done better with complete drawings as 88th Street is a very narrow street. He also stated that it shows poor judgment to bury the item under the consent agenda.

Randi MacBride asked how many residents that neighbor that section were contacted regarding this item that go through that intersection. She is worried about the signage that is being proposed that does not affect visibility.

Todd Weintraub spoke on the item and stated that this may be a benefit for the citizens of Biscaya and the project should wait until the traffic study is completed.

Mel Schlesser spoke in favor of the item as it will be an enhancement. He stated that Biscaya Drive is different because its an island and it needs a traffic calming device. He is in favor of any project that will benefit and enhance the Town like a license plate reader to avoid crime.

David Lombardi spoke in favor of the item. He stated that a license plate reader and the traffic calming device will be very helpful to avoid speeders.

Kevin Seknigi spoke in favor of the item and stated that roundabouts are a proven way to calm traffic. His car was stolen and thanks to the amazing police work being done he recuperated his vehicle.

Eliana Salzhauer spoke against the item. She believes that the Town needs more police patrolling. She stated that the fire trucks may not even be able to go through the subject area. She stated that putting more concrete on the streets is not the solution.

Jordan Wachtel spoke in favor as he believes that putting these traffic calming devices will bring down speeders. He believe that roundabouts should be place on every street.

Deborah Wecselman spoke in favor and believes that some kind of traffic calming device has to be placed as you are unable to see when you are curving. She thinks that Biscaya is a very dangerous street.

Jonathan Horn spoke in favor of the item and believes this traffic calming device will help all the residents in Biscaya.

Commissioner Landsman agreed that the item should have not been on consent, and he is glad that it was pulled to discuss it. He stated that the County at some point will require the Town to remove the illegal stop signs in place. He asked the Town manager if Miami-Dade Rescue or emergency vehicles will be able to use the intersection if this traffic calming device is installed.

Town Manager Gomez responded affirmatively, and he further stated that even our

sanitation vehicles which are bigger will be able to use the intersection and the installation will be in accordance with Miami-Dade County standards.

Commissioner Meischeid stated that several residents brought this item to her attention and it concerns her that the Biscaya resident had a meeting about this item and no Hawthorne neighbor was included in the meeting. She believes that they need a more comprehensive work and collect data before they spent \$40,000. She stated that 88th street is a narrow street and she is concerned that more work needs to be completed. She further stated that she is not inclined to vote for this item.

Commissioner Velaquez stated that she is a big supporter of roundabouts and would love to have them all over Town. However, a traffic study has not been completed and the traffic situation is all over Town. Commissioner Velasquez inquire about the Town wide traffic study.

Town Manager Gomez stated that the study is completed but that they are still finalizing details within the report and working with some diagrams that they want to be properly referenced.

Commissioner Velasquez stated that she would have liked to see that study prior to discussing this item and believes this item should be deferred to the incoming Commission.

Vice Mayor Rose stated that since all the illegal stop signs have to come out, the Town will have to place some type of roundabout or other traffic calming devices. He would like to see one-way streets, streets painted white to encourage walkability. He would love to soft gate the Town. He believes that this is an option and the first roundabout of many that could be installed in the Town. He supports the Public Works staff completing this project. He believes that this is a very dangerous area as there is a blind spot.

Mayor Danzinger asked some technical questions of the Town Manager related to the proposed area. He stated that the Town Commission does not have anything to do with the placement of the items. He further explained that the Town Commission receives the agendas at the same time as the public and he did not believe that it was fair for the members of the public to blame the Town Commission for the item being placed on the consent agenda. He further stated that this item is in line with this Commission's initiatives of improving walkability, our cut through traffic, improving pedestrian safety and placing LPR and different mitigating devices throughout town.

The motion carried with a 3-2 vote with Commissioner Meischeid and Commissioner Velasquez voting in opposition.

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

Town Administration is seeking Town Commission approval to expend a not to exceed total of \$165,000 towards renovation improvements within the Town Commission Chambers and respective public areas as well as within the Town Police Department and authorizing the Town Manager to contract for said services with Di OBRA Development Group.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item to the Town Commission.

Vice Mayor Rose made a motion to approve. The motion received a second from Commissioner Landsman.

The following members of the public spoke on the item:

Eliana Salzhauer was called but not present.

Mark Blumstein spoke about the upgrades to the Chambers and that this project was not competitively bid and that the lower bidder had a company that went bankrupt and maybe a better choice is to have another company to complete the work.

Geraldo Vildostegui echoed Mr. Blumstein's comments and added that makes sense to split the project and take care of what really needs to be changed. The Chambers looks ok to him and he did not see a specific design and believes that the chambers is an iconic space.

George Kousoulas spoke about the qualification of the lowest bidder and the idea of bifurcating the project. He asked who was the designer for the renovation of the Chambers, as he has not seen any renderings or design for the upgrades.

Mandyf Davanpour stated that the Chambers can use some new tiles and paint as the Chambers looks a lot like the 1970's.

This item was placed on hold to take on Good and Welfare required to be heard at 8:15 p.m.

Commissioner Landsman supports the item if the Town Manager believes to be a need for renovations in Town Hall.

Commissioner Meischeid stated that she would like to see the design of the Commission Chambers prior to approving the work. She is concerned about the lowest bidder having filed for bankruptcy in the past.

Town Manager Gomez addressed some of Commissioner Meischeid's concerns related to the lowest bidder. He further spoke about the administration's intentions and left it to the Town Commission if they want to change the proposed upgrades.

Commissioner Velasquez stated that she had an opportunity to walk Town Hall and

she does believe the Police Department needs renovations. She does not support changing the Dais but does support changing the carpet because it looks very unpleasant. She would support the item without the Dais remodel portion of it.

Town Manager Gomez explained that they would like to add an interview room to the police department so that residents can feel more comfortable when meeting with a police officer which now occurs in the lobby in front of the bathrooms and it is not professional.

Vice Mayor Rose stated that the dais should be renovated. Something that the renovation would do is to allow the Clerk to access the upper portion of the dais instead of going around and through the back every time she needs to access the Dais.

Mayor Danzinger spoke about the reasons why this item was in consent and it is because this item was already discussed previously. This item is on the agenda just to approve the expenditures.

The motion carried 3-1 with Commissioner Meischeid voting in opposition. Commissioner Velasquez was absent from the Dais.

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

The Town Administration recommends Town Commission to ratify the acceptance and approval of a grant agreement with FDEP for the Town of Surfside Dune Restoration Project.

Approved on Consent.

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

#### 4. Ordinances

A motion was made by Mayor Danzinger to move item 4A4 before 4A1. Commissioner Landsman seconded the motion and carried 4-0 with Commissioner Velasquez absent from the Dais.

#### **Second Reading**

#### 4A1. Code Amendment for Outdoor Lighting in the Single-Family Residential

**Districts** - Hector Gomez, Town Manager

Town Administration recommends that the Town Commission review the second reading ordinance pertaining to outdoor lighting in the single-family residential area and adopt with any further policy direction agreed upon.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Meischeid.

Mayor Danzinger opened up the floor to public comments.

Eliana Salzhauer spoke in favor of the item. She suggested to add some language to encourage people to turn lights off during the day.

George Kousoulas spoke in favor of the item and about LED lighting.

No one else wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

Commissioner Landsman stated that he supports this item.

Commissioner Meischeid stated that she is not really clear on what's being amended but would like this ordinance to be adopted as presented.

Commissioner Velasquez asked for some clarifications regarding the color of the lights.

There was some discussion related to permanent or temporary lighting.

Mayor Danzinger would like to have line 87 added back into the ordinance. Vice Mayor Rose and Commissioner Meischeid are ok with the amendment.

The motion carried with a 5-0 vote.

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

## **4A2.** Permit Fees for Condominium Recertification and Special Assessments - Hector Gomez, Town Manager

Town administration recommends adopting the proposed Code change of Section 14-29 and adopting subsection (k).

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the ordinance on second

reading, seconded by Commissioner Meischeid.

Mayor Danzinger opened up the floor to public comments.

The following individuals from the public spoke:

Charles Burkett stated that they should waive the fees.

George Kousoulas recommended a 50% reduction.

Eliana Salzhauer stated that these are the favors to be delivered to residents.

Tina Paul spoke in favor of the item and believes that they should approve the most reduction possible in the permit fees.

No one else wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

Commissioner Landsman believes that if the reduction can be higher, he is open to it. He proposed a 30% reduction.

Commissioner Meischeid stated that the Town already waives permit fees for bigger developments. The Town should have an interest in not displacing the condominium residents. She further recommended a 50% reduction.

Commissioner Velasquez stated that she believes it should be a 50% reduction of the permit fee and pleaded Commissioner Landsman to vote in favor of this reduction.

Vice Mayor Rose stated that you are unable to use Tourism funds towards permit fees. He further stated that 20% is the most fiscally responsible percentage. He encouraged everyone to watch the condo forum held by the Mayor and Senator Pizzo.

Mayor Danzinger echoed the Vice Mayor statement. He stated that they have to be fiscally responsible and that the administration recommended a 20% as the 5-year forecast has not been completed. He suggested to revisit this item again after the 5-year forecast has been concluded.

Commissioner Meischeid stated that there will be a lot of monies coming into the Town from all the new developments and she stands by her proposed 50%.

Commissioner Landsman asked the motion maker to consider a 30% reduction and revisit this item at a later time.

Town Manager Gomez gave a brief explanation to the Town Commission related to the proposed percentage.

Building Official McGuinness stated that he supports a 30% reduction.

Vice Mayor Rose amended his motion to increase the reduction to 30%. Commissioner Meischeid seconded the amendment to the motion and the motion carried with a 5-0 vote.

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

Town Administration recommends the implementation of explicit requirements for onsite stormwater retention through drainage planning and retaining wall structures when appropriate.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item and explained the recommendation made by the Planning and Zoning Board.

A motion was made by Vice Mayor Rose to approve the ordinance with the recommendation to measure the height from the front of the curb. The motion received a second from Commissioner Landsman.

Mayor Danzinger opened up the floor to public comments.

The following individuals from the public spoke:

Eliana Salzhauer spoke on the item.

George Kousoulas spoke of the limit that there is currently in place and what is allowed.

No one else wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

Commissioner Landsman stated that it was intended to keep water within one's property. He believes that they should start somewhere.

Commissioner Meischeid stated that currently you are allowed a six-foot wall and new homeowners are raising their homes/yard and are affecting their neighbors. She believes that the ordinance needs more work.

Commissioner Velasquez stated why homeowners are raising their homes. She doesn't believe this is the right way to regulate the problem. She stated that she doesn't support the item the way it's written.

Vice Mayor Rose stated that this came due to an ambiguity in the Town Code and provided a background as to how this item got on the agenda.

The motion carried with a 3-2 vote with Commissioner Meischeid and Commissioner Velasquez voting in opposition.

Ordinance On-Site Retention of Stormwater and Retention Wall Standards

### **4A4.** Code Amendment for Submerged Lands and Pointe Lake Development - Hector Gomez, Town Manager

Town Administration recommends approval of this ordinance in order to clarify the prohibitions on development in Point Lake and Biscayne Bay for the protection of adjacent properties, the general public and marine life.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item.

A motion was made by Commissioner Landsman to approve the ordinance on second reading, seconded by Vice Mayor Rose.

Mayor Danzinger opened up the floor to public comments.

The following individuals from the public spoke:

Kevin Seknigi spoke in favor of adopting the ordinance.

Saul Rossen asked the Town Commission to vote no on any development on Pointe Lake.

Mel Schlesser stated that no development should take place on Pointe Lake and wishes for a 5-0 vote.

Charles Burkett supports the item and no development should take place.

No one else wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

Commissioner Velasquez stated that she has always supported Pointe Lake and she fully supports this item.

Vice Mayor Rose stated that he fully supports this item.

Commissioner Meischeid stated that she also supports this item.

Commissioner Landsman spoke about the submerged land that it is owned by a private citizen. He stated that he also supports the item.

The motion carried with a 5-0 vote.

The commission took a 5 minute break at 9:33 p.m.

The meeting resumed at 9:50 p.m.

Ordinance No Development on Point Lake

### First Reading

**4B1. Amending Section 90-74. - "Temporary Signs"** - Hector Gomez, Town Manager

Town Administration recommends that the Town Commission discuss the proposed changes and to approve with changes (if any) to move forward for second reading.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading, seconded by Commissioner Landsman.

Mayor Danzinger opened up the floor to public comments.

No one wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

The motion carried with a 5-0 vote.

Ord Amend Sec. 90-74 Temporary Real Estate Signs

### **4B2. Roof Replacement Materials in the Single-Family Residential Area** - Hector Gomez, Town Manager

Town Administration recommends approval of this ordinance to allow homeowners to re-roof with their existing roofing material.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item.

A motion was made by Commissioner Landsman to approve the ordinance on first reading, seconded by Commissioner Meischeid.

Mayor Danzinger opened up the floor to public comments.

No one else wishing to speak, Mayor Danzinger closed the public hearing portion of this item.

Building Official McGuiness addressed a question from Commissioner Velasquez related to the flat roof slope requirements per the Florida Building Code.

The motion carried with a 5-0 vote.

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.

Vice Mayor Rose made a motion to extend the meeting one hour at 11:00pm. The motion received a second from Commissioner Landsman and all voted in favor.

Mayor Danzinger opened up the floor to public comments for this section of the agenda.

The following members of the public spoke:

Eliana Salzhauer spoke about an installed sidewalk in Town and how the Town Manager does not have the expenditure authority. She also spoke about item 5H (Request for Information on Mayor Danzinger's Trip to Dubai in October 2022). She explained public records law to the Town Commission and how she has requested the records related to his Dubai trip. She stated that the fact that he met with someone and talked about town business makes it a public record.

George Kousoulas spoke about the concrete sidewalks and believes that they should see a sample. He also spoke about item 5H (Request for Information on Mayor Danzinger's Trip to Dubai in October 2022) related to the mayor's trip to Dubai and how he has to provide records. He added that he was asked to make the connection and how the "fixer" got involved. He was not involved passed a couple of text messages.

Vice Mayor Rose asked for a point of information and asked Mr. Kousoulas if he was a lobbyist.

Mr. Kousoulas replied "No".

Vice Mayor Rose stated that he was asked by the Town previously to register as a lobbyist and he did not register.

Mr. Kousoulas stated that he had the check with him and that he will pay it right now. However, he asked who his client is because he does not have a client.

Tina Paul spoke about item 5H (Request for Information on Mayor Danzinger's Trip to Dubai in October 2022), she stated that the public has the right to know about any and all town business conducted in another country and that this may be why the Town Code was misinterpreted in a letter dated August 24, 2021 when Town Planner Walter Keller verified the land use and zoning prior to its purchase. She also spoke about the 10% and 10 feet setbacks related to the Champlain Towers South.

Gerardo Vildostegui spoke about the Champlain Towers and how it is hallowed ground and there are still unfound human remains there and how everything related to the property is under a cloud due to the Mayor's refusal to make clear his conversation with Dubai representatives. He stated that if Ben Jacobson was part of the meeting, the commission has the right to know. He further spoke about Florida Statutes 119 in regards to public records.

Joshua Epstein spoke about item 5H (Request for Information on Mayor Danzinger's Trip

to Dubai in October 2022), and asked the Mayor to state if he will release the records of his trip in the next 48 hours.

David Karp spoke about item 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) and 5H (Request for Information on Mayor Danzinger's Trip to Dubai in October 2022) and how some items are being twisted for political reasons.

Ben Jacobson spoke about item 5H (Request for Information on Mayor Danzinger's Trip to Dubai in October 2022) and stated that Dubai is a beautiful City, with beautiful people and great camel rides and stated that maybe everyone should go and investigate everyone's personal lives.

#### **5A. PUBLIC HEARING**

### Affordable Housing - Section 166.0451, Florida Statutes

- Hector Gomez, Town Manager

Town Administration recommends that the Town Commission adopt a resolution which acknowledges the Town of Surfside has no Town owned inventory that would be appropriate for affordable housing and as required in Section 166.0451, Florida Statutes.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

Vice Mayor Rose opened the public hearing and the following members of the public spoke:

Eliana Salzhauer spoke on the item and stated that there are missing properties. George Kousoulas believes that the report is incomplete.

No one else wishing to speak, Vice Mayor Rose closed the public hearing portion of this item.

Town Manager Gomez spoke and clarified concerns from the public speakers related to the list provided.

Town Attorney Recio addressed some questions posed by Commissioner Velasquez related to properties mentioned by the public speakers. He further stated that Section 166.0451, Florida Statutes has to do with surplus land program. He further stated that the resolution clearly states that the Town does not have any surplus land that it is suitable for affordable housing.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

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

Staff recommends a motion to approve a resolution to authorize the Interlocal Agreement between Miami-Dade County and the Town of Surfside for the acceptance of \$250,000 in funds towards the design of the Surfside Memorial and Memorial artwork.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

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

The Town Administration recommends Town Commission to ratify the acceptance and approval of a grant agreement with FDEM for funding pertaining to the Surfside Champlain Towers South investigation.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

A motion was made by Commissioner Landsman to approve the resolution, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

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

Town Administration is seeking the Town Commission adopt the sidewalk specification to be incorporated into the Public Works Manual.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Landsman.

Commissioner Landsman stated that he really likes the design.

Commissioner Meischeid asked if the color will continue to fade.

Town Manager Gomez stated that the sidewalk will fade some more but it will not be completely gray.

Commissioner Velasquez stated that she is confused as to what the Town Manager is looking for.

Town Manager Gomez stated that he would like to apply this design as the standard.

Maoyr Danzinger thanked the Town Manager for this initiative and for thinking outside the box.

The motion carried with a 5-0 vote.

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

Town Administration is seeking recommendation from Town Commission for the selection of the 4th of July Firework Show for year 2024.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item to the Town Commission. He requested Parks and Recreation Director Milian to come up to the podium and speak about the different options.

A motion was made by Vice Mayor Rose to approve the resolution without a barge, seconded by Commissioner Landsman.

Some discussion took place amongst the members of the commission related to the different options.

The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to extend the meeting for an hour, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

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

Town administration is recommending the Town Commission approve a resolution that creates the Surfside Youth Counsel as a Town Manager Committee.

This item was heard after item 2 (Quasi-Judicial Hearings).

Town Clerk McCready read the title of the resolution into the record.

Lucia Lecour spoke and presented the item and thanked Mayor Danzinger, Commissioner Meischeid, Parks and Recreation Director Milian and Town Manager Gomez for all their help and stated she is looking forward to continue her work in the upcoming months.

Commissioner Landsman thanked Ms. Lecour for stepping up to take on this responsibility.

Commissioner Meischeid also thanked Ms. Lecour for bringing this to her attention.

Commissioner Velasquez stated that this is a great initiative and wonderful to involve the youth in government and thanked Ms. Lecour for her efforts.

Vice Mayor Rose stated that this will be fun as an introduction to politics.

A motion was made by Mayor Danzinger to approve the resolution, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Resolution Establishing Youth Council Committee (Fact-Finding)

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

The Town Administration recommends that the Town Commission approve a budget not-to-exceed \$40,000 with Sariol Redero, Inc. for Phase One of sidewalk improvements on Bay Drive, from 96th Street to 95th Street.

A motion was made by Vice Mayor Rose to extend the meeting 1 hour at 12:00 a.m. (February 14, 2024), seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to ratify Phase I, move forward with Phase II (purple area not to exceed \$50,000). He also stated that he would like to implement a resident's gate for Phase III, seconded by Mayor Danzinger.

Town Manager Gomez addressed questions posed by members of the Town Commission.

The motion carried with a 3-2 vote with Commissioner Meischeid and Commissioner Velasquez voting in opposition.

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

For the Town Commission to find that this resolution is in the best interest and welfare of the Town and its residents.

Town Clerk McCready read the title of the resolution into the record.

Commissioner Meischeid introduced the item.

A motion was made by Commissioner Meischeid to approve the resolution, seconded by Commissioner Velasquez.

Commissioner Landsman stated that he does not believe it is their duty as a Commission to compel the Mayor and it is up to the State or the County if they want to follow up after all the complaints.

Commissioner Velasquez stated that the Mayor has answered the question but has not provided the records. She further stated that he should provide records/receipts of who paid for the trip. She believes it is incorrect for him to go and speak to a developer months prior of the approval of a project.

Vice Mayor Rose stated that Commissioner Meischeid reads George Kousoulas' notes and that she votes in favor if he is a paid consultant, she votes for it and if he is not, she will not vote for it. He said that Commissioner Meischeid has been seen at dinners with Mr. Kousoulas who is a consultant and there is public information and private information. He believes that Commissioner Meischeid should provide her records.

Commissioner Meischeid called a point of order.

Mayor Danzinger overruled Commissioner Meischeid's request and stated that Vice Mayor Rose is speaking on the item.

Commissioner Meischeid requested an answer from the Town Attorney and stated that Vice Mayor Rose is off point. She stated that this item is about the Mayor and note her. Commissioner Meischeid asked him that if he wishes to bring a resolution for her receipts to bring it forward next meeting.

There was some conversation that was unable to be transcribed as the members of

the Town Commission were talking over each other and all the microphones were not on.

Town Attorney Arango stated that she is unable to address the Town Commission with all the screaming. She further stated that it is impossible to transact business or give advise under these circumstances.

Commissioner Velasquez stated that the Town Attorney never answers and never provides advice.

Town Attorney Arango responded that she answered the question ten times but Commissioner Velasquez just does not like her answer and it is crystal clear.

Town Attorney Arango asked the Mayor for the floor and stated that Commissioner Meischeid intended to make a Call to Order not a Point of Order. She further explained that the Mayor ruled on the Point of Order and she can appeal to the Town Commission to override the Mayor and it will be done by a majority vote.

Town Attorney Arango provided the rule to Commissioner Velasquez for her review.

Mayor Danzinger spoke about all the efforts that were taken after being elected into office related to the Champlain Towers South. He spoke about what this commission did and their priorities. Mayor Danzinger stated that when he took office, there was no plan for the first anniversary event for the loss of the 98 lives just three months prior to it. He worked nights and weekends to coordinate a week long of events for the families, friends, first responders and everyone affected by this catastrophe. He stated that he has filed all gift disclosures required and expenses in accordance with the law and has provided every document related to the public portion of the trip. He further stated that this resolution comes forward 16 months after the trip but just 6 weeks prior to an election and it is clear what this is about.

Mayor Danzinger proposed an amendment to the resolution to reflect that they are entitled to all public records in accordance with Florida Statutes 119. Commissioner Meischeid did not accept the amendment proposed by Mayor Danzinger.

Commissioner Meischeid stated that the language was part of the resolution.

Mayor Danzinger responded that it was not specific and that the way it was written, she was asking for personal records.

Commissioner Meischeid first agreed and immediately declined the amendment.

The motion failed with a 2-3 vote with Commissioner Landsman, Vice Mayor Rose and Mayor Danzinger voting in opposition.

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

Town Administration is seeking Town Commission approval to expend \$107,733 for the materials and installation of three phase wiring and pad-mounted transformer for 96th Street Park. Additionally, Town Administration is seeking authorization to grant FPL an Easement for accessibility to the transformer.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Commissioner Velasquez left the meeting at 12:36 a.m. (February 14, 2024).

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

Town Administration is seeking Town Commission approval to formally recognize the vacating of municipal roadway Bay Drive Bend between Harding Avenue and Collins Avenue to property address 8750 Collins Avenue.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item and requested deferral of this item to the March 12, 2024 Town Commission meeting.

A motion was made by Commissioner Landsman to approve the resolution, seconded by Mayor Danzinger. The motion carried with a 3-0 vote with Commissioner Velasquez and Vice Mayor Rose absent.

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.

The following members of the public spoke on the item:

George Kousoulas spoke about cleaning the language related to the 10 feet, 10% related to setbacks. He also spoke about the expenditures of the Tourist Board and how they have expended one million dollars on special events this year versus about \$300,000 last

year.

Eliana Salzhauer spoke about her mailbox and the mailers she is receiving in her mailbox from "One Surfside". She further spoke about the PAC, how it was started and how is he is paying for the flyers supporting Mayor Danzinger, Jeff Rose, Fred Landsman, David Forbes and Jared Brunnabend.

Gerardo Vildostegui would like to know about the state of the negotiations to acquire the driveway access onto the block of 88th Steet between Collins and the Ocean (8801 Collins Avenue). He further spoke about the Live Local Act and his opinion of what State Representative Basabe stated earlier. He believes that the excuse given by him is unacceptable and that someone has to call him out on it. He not only voted for the bill, but he was one of the co-introducers of the bill and he needs to understand how the bill he co-introduced will affect the Town he stated he loves so much.

Joshua Epstein asked if the Town Mayor would release his Dubai records.

Mayor Danzinger explained that the item is on the agenda and this portion of the meeting is for items not on the agenda.

Mr. Epstein continued and persisted asking the Mayor for his records to be released.

Mayor Danzinger continued to state that the item is on the agenda and that this portion is for items not listed on the official agenda.

Jeffrey Platt spoke about the lounge chairs behind the community center on the beach. He further stated that if there is another beach renourishment, the Town needs to be careful as to how they will access the beach as 88th street is now closed. He further spoke about antisemitism and extremist.

Charles Burkett spoke about the police and what happened with a previous speaker. He spoke about an incident that happened while he was campaigning earlier this week with Commissioner Velasquez and pulled by a police officer in a police car with very dark tints. The police officer stated that he/she didn't see them. He believes that the police need to drive around more often, and that having police cars with dark tints should not be allowed in Surfside as it sends out the wrong message. He further spoke about the Mayor saying something to that same police officer.

Jeff Zomper asked the question he submitted to the Women League of Voter to ask the candidates. He read the following question into the record " Having attended the recent town webinar on undergrounding of utilities, it is apparent that the cost of this project will be significantly higher than originally projected and significantly higher than the \$40 million

bond issue approved by referendum. If the actual cost, before interest payments, is \$60 million, which I believe is a conservative estimate, will you: 1) vote to go forward with the project, without raising the bond amount, even if that drains the town of reserves 2) vote to not go forward with the project 3) vote for a town-wide referendum vote on whether to proceed with the project. If #3 above, what would your recommendation be to the voters as to proceed with the project or not?"

Ben Jacobson spoke about the Commission forum that took place and what some of the candidates stated related to the possibility or the desire to shutting down the Community Center.

Mandyf Davanpour thanked the Commission for the Family fun Day event. She stated that the Commission has done a good job and to stay focused. She further spoke about the statement that people are saying of closing the Community Center for a couple of years and that is not a good idea for families with young children.

Deborah Cimadevilla thanked Commissioner Velasquez and everything she has done. She also spoke about how she feels about Mayor Danzinger and Vice Mayor Rose.

Randi MacBride spoke about the attention to detail that should be taken related to items when they are placed on the agenda. She further spoke about the minutes and what happened during the last meeting related to Commissioner Meischeid and her being antisemitic. She spoke about an email that she received from the Mayor and his response when she emailed him.

Mark Blumstein spoke about the comments that were made related to the Community Center. He stated that the foundation of the Community Center was built to hold more than what is currently holding. It was meant to hold at least 2 stories but the Town couldn't afford to construct two stories because it wasn't fiscally responsible at the time.

David Karp commended the Mayor for abiding to the rules of decorum for not only the residents but also for the Commission. He commended the Town Commission members for the time served.

Gila Unger stated that she does not hear enough about the work that elected officials do for their community. She stated that she appreciates the work that they do for \$1 a year. She further spoke about the need for democracy in Town.

The members of the Town Commission addressed the comments made by the residents.

### 7. Town Manager and Town Attorney Reports

**7A.** Town Manager's Report - Hector Gomez, Town Manager

Town Manager Gomez introduced the item and provided an overview of the Town Manager's Report.

A motion was made by Commissioner Landsman to approve the Town Manager's Report, seconded by Commissioner Meischeid. The motion carried with a 3-0 with Commissioner Velasquez and Vice Mayor absent.

2024 February Town Manager's Report

### **7B.** Town Attorney's Report - Lilian Arango, Town Attorney

Town Attorney Arango introduced the item and provided an overview of the Town Attorney's Report and pending litigations.

A motion was made by Vice Mayor Rose to approve the Town Attorney's Report, seconded by Commissioner Landsman. The motion carried with a 4-0 with Commissioner Velasquez absent.

Town Attorney's Report

#### 8. Unfinished Business and New Business

### 9. Mayor, Commission and Staff Communications

### 9A. Investigation Report Findings - Hector Gomez, Town Manager

For the Town Commission to discuss and recommend.

A motion was made by Vice Mayor Rose for purposes of discussion, seconded by Commissioner Meischeid.

The following members of the public spoke on this item:

George Kousoulas stated that the report came back substantially vindicating Commissioner Velasquez. He further stated that the main complaints were unsubstantiated. The only substantiated claim was the one where Commissioner Velasquez revealed the identity of the complainant.

Eliana Salzhauer believes that it is important that everyone reads the reports and that the findings are that Commissioner Velasquez did nothing wrong. She spoke about how the two female members of the Town Commission are treated on the dais and how they succeeded because Commissioner Meischeid is not running for reelection. That this investigation showed that Commissioner Velasquez did exactly what she is supposed to do which is to stand for herself.

Mayor Danzinger spoke about the process and how the Town lost two great employees. The report found that she did violate ethics and found to be insulting to staff.

A motion was made by Mayor Danzinger to recommend sensitivity training paid by her own dollars and till such time, all interaction with Town Staff should be directed through the Town Manager as he sees fit. Also for the Town to forward the report to the Miami-Dade County Ethics and the State of Florida Ethics Commission, seconded by Vice Mayor Rose.

Commissioner Landsman stated that there are guidelines and it is not for them to dictate punishment and believes it is appropriate to forward the report to the County and State. He believes sensitivity training is appropriate and it is the right steps.

Commissioner Meischeid stated that there has been a vendetta since the beginning of her term. She spoke about the findings of the report. She stated that it is time to put this behind them and move forward. She added that it is her understanding that the Chief of Police left for health reasons and not because of Commissioner Velasquez.

Vice Mayor Rose stated that he wished this item was never discussed but it was brought to them. He believes that the motion for sensitivity training and forwarding the report is appropriate. He further stated that town employees need to know that if anything like this happens they need to know that they will be investigated.

The motion carried with a 3-1 with Commissioner Meischeid voting in opposition and Commissioner Velasquez absent.

### **9B.** Update - Abbott Avenue Town Stormwater Improvements - Hector Gomez, Town Manager

Town Manager to provide an update on Abbott Avenue Stormwater Improvements project. Refer to Attachment "A" - Memo from Keith regarding the Project.

Items 9B (Update-Abbott Avenue Town Stormwater Improvements) and 9C (Stormwater Masterplan and Abbott Avenue Drainage) were linked.

Town Manager Gomez introduced the item to the Town Commission and explained the process that the Town Administration has been through related to the two solicitation regarding to Abbott Avenue.

Matthew Brooks, Project Manager from Keith Engineering provided an update.

The following members of the public spoke on this item:

George Kousoulas believes that this item is premature and believes that it should be pushed to a later date.

Eliana Salzhauer was called but was not present.

Deborah Cimadevilla spoke about the devastating flooding on Abbott Avenue and the entire Town. She stated that the Mayor and the Vice Mayor never wanted to complete this project because the previous Commission was the one that initiated it.

Commissioner Landsman agrees that this has been going on for years and years. He stated that the Town is a barrier island, and it will always flood, you may be able to mitigate it, but it will flood. The problem that they are encountering is funding. He

spoke about the possibility of going to the residents and putting a referendum on the ballot to pay for this project, borrow the funds from the reserves as construction never comes under budget.

Commissioner Meischeid stated that in the last two years they have worked on this but believes this item should be deferred to the next commission.

Commissioner Velasquez stated that they have been here for a long time trying to get this done. She spoke about the timeline of the RFP process. She also spoke about the different other projects the Town is involved in. She believes that instead of a tennis center, town hall remodeling or other projects, they should be thinking about fixing this problem at any cost. She spoke about the ballot question that was put in the November election and stated that it was probably to build a parking garage and not to fix this flooding problem.

Vice Mayor Rose stated that he is in support of this project and believes that this should be put out as a revenue bond referendum and ask the residents. He believes that it is fiscally irresponsible to empty the Towns bank account to pay for this because it will be almost half of the reserve fund.

Mayor Danzinger provided a history of the timeline related to this project. He stated that there are appropriation requests in Tallahassee for this project. It is not fiscally responsible to deplete the General Fund.

Amotion was made by Vice Mayor Rose to bring to the voters a revenue bond referendum for up to \$10 million in November 2024 to pay for this project.

Commissioner Landsman asked the motion maker if it is possible to ask the Finance Director to do an analysis to determine the feasibility of borrowing from the reserve fund to make up the difference and get this project started.

Finance Director Collazo spoke on the item and offered to do an in-depth analysis if the Town Commission wishes and bring it back to them.

Members of the Town Commission posted different questions that were addressed by the Finance Director accordingly.

Commissioner Landsman seconded the motion.

Commissioner Velasquez asked questions related to the reserve funds and the total funds that went into that fund this year.

Commissioner Meischeid asked questions related to the payment in lieu of building permit fees.

Building Official McGuiness stated that generally the permit fees are 2% of the building evaluation (value of construction value to build it). He further stated that the last project (new building) value was approximately \$300,000,000.

Commissioner Velasquez asked questions related to the unrestricted funds and if

those funds can be unrestricted to use for this project.

Finance Director Collazo walked the Town Commission through the different funds.

Town Clerk McCready requested that the motion be amended to reflect that the approval is contingent of the approval of the Miami-Dade County Supervisor of Election to hold a special election on November 2024.

The motion maker and seconder were in agreement.

The motion carried with a 4-1 vote with Commissioner Meischeid voting in opposition.

#### Attachment A - Memo from Keith

### 9C. Stormwater Masterplan and Abbott Avenue Drainage - Vice Mayor Rose

For the Town Commission to bring a referendum to the residents for a revenue bond to borrow \$8 to \$10 million for the Town to be able to fund this much needed infrastructure project.

This item was linked to item 9B (Update-Abbott Avenue Town Stormwater Improvements) and heard under said item.

### 10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Vice Mayor Rose to adjourn the meeting at 12:50 a.m. (February 14, 2024), seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Accepted this day of	, 2024.
Mayor Shlomo Danzinger	
Attest:	
Sandra N. McCready, MMC	



# Town of Surfside Planning and Zoning Board Meeting MINUTES January 18, 2024 6:00 PM

**Town Commission Chambers** 

#### 1. Call to Order/Roll Call

Chair Baumel called the meeting to order at 6:05 p.m.

Former Deputy Clerk Herbello called the roll with the following members present:

Present: Chair Carolyn Baumel, Vice Chair David Forbes, Board Member Ruben Bravo, Board Member Lindsey Lecour and Alternate Board Member Andrew Bales.

Absent: Board Member Jonathan Edderai

Also Present: Town Attorney Tony Recio, Town Planner Judith Frankel, Consultant Town Planner Walter Keller, and Building Official James McGuinness.

#### 2. Town Commission Liaison Report

Commissioner Fred Landsman provided his Commission Liaison Report.

### 3. Approval of Minutes

3.A November 16, 2023 Special Planning and Zoning Board Meeting Minutes and November 30, 2023 Planning and Zoning Board Meeting Minutes - Sandra N. McCready, Town Clerk

A motion was made by Board Member Lecour to approve the November 16, 2023 Special Planning and Zoning Board Meeting Minutes and the November 30, 2023 Planning and Zoning Board Meeting Minutes, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

November 16, 2023 Special Planning and Zoning Board Meeting Minutes.pdf November 30, 2023 Planning and Zoning Board Meeting Minutes.pdf

### 4. Ordinances

**4.A Stormwater Retention and Drainage in H30A and H30B** - Hector Gomez, Town Manager

Town Administration recommends the implementation of explicit requirements for onsite stormwater retention through drainage planning and retaining wall structures when appropriate.

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel provided a presentation and explanation of the ordinance and staff recommendations.

Building Official McGuinness provided his staff recommendations as follows: Please amend Sec. 90-56 1.B as stated: a. Line 157 remove the word stuccoed, after the words finished on all sides and add the words to the satisfaction of the Town Planner.

Board Member Bravo left the meeting at 6:50 p.m.

Alternate Board Member Bales asked regarding the cap.

Board Member Lecour asked regarding the code and the abutting properties.

Town Planner Frankel addressed the comments made.

Vice Chair Forbes left the meeting at 6:52 p.m.

Discussion took place among the Board and staff regarding the specifics of the ordinance, possible zoning code changes, questions regarding the pavers, the finishes to the walls and surfaces as well as the standards required.

Town Attorney Recio and Town Planner Frankel addressed all the comments and questions asked by the Board Members.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:

George Kousoulas

Laurie Swedroe suggested staying with what they have now and gave her explanation.

Chair Baumel closed the floor to public comments.

Alternate Board Member Bales asked what it would do to the flood plain if they pulled back the wall and would the stormwater system be able to handle it.

Building Official McGuinness addressed the comment made by Alternate Board Member Bales.

Town Attorney Recio stated they have not had that requirement however this ordinance, lines 77-81 imposes a requirement on single family homes to maintain all the water on their property.

After a lengthy discussion by the Board Members and staff regarding the ordinance, recommended changes to the code to include maintaining stormwater on the property, the following motion was made.

A motion was made by Alternate Board Member Bales to recommend to the Town Commission to approve the ordinance as written on second reading with all staff recommendations to include: Lines 150-151 recommendation as to where the wall is built from "maximum height of six feet measured from the existing grade of the abutting property but in no event higher than "\_\_\_\_\_" feet (to be filled in by staff) from the crown of road; staff to define a maximum height from a fixed reference point; line 157 delete "stuccoed and" with "finished on all sides to the satisfaction of the building official"; line 77-83 add engineering field check of stormwater retention before CO, seconded by Board Member Lecour. The motion carried with a 3-0 vote with Vice Chair Forbes and Board Member Bravo absent.

The meeting recessed at 7:44 p.m.

The meeting resumed at 7:52 p.m.

Former Deputy Clerk Herbello called the roll with the following members present: Chair Carolyn Baumel, Board Member Lindsey Lecour and Alternate Board Member Andrew Bales. Absent were Vice Chair David Forbes and Board Member Ruben Bravo.

Ordinance On-Site Retention of Stormwater and Retention Wall Standards

### 4.B Code Amendment for Submerged Lands and Pointe Lake Development - Hector Gomez, Town Manager

Town Administration recommends approval of this ordinance in order to clarify the prohibitions on development in Point Lake and Biscayne Bay for the protection of adjacent properties, the general public and marine life.

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel introduced the item and provided an overview of the ordinance and staff recommendations.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Board Member Lecour thanked the Town for addressing these ugly problems and asked if the folio shows correctly on Miami Dade County Property Appraiser.

Town Planner Frankel stated the Miami Dade County Property Appraiser does not have the ability to set our zoning.

Town Attorney Recio stated the lake does not have a zone itself.

Board Member Lecour asked if they could create a category for the zoning of that lake.

Town Attorney Recio explained that they could, while they are cleaning up the comprehensive plan, put it in the plan.

Board Member Lecour wants to close any loopholes.

Town Attorney Recio explained this ordinance is to clarify the regulations on this lake and what they are stating is to address the ownership issue. He stated the ownership issue is its own issue between private properties and the Town cannot get involved in that dispute.

Chair Baumel asked if the homes are protected from the owner of the submerged lands.

Board Member Lecour spoke regarding what took place with the owner of the submerged lands and the history.

Discussion took place among the Board Members and staff regarding the owner of the submerged lands, the issues at hand and the reason for this ordinance with its specifics.

A motion was made by Alternate Board Member Bales to recommend to the Town Commission to approve the ordinance as written on second reading with staff recommendations, seconded by Board Member Lecour. The motion carried with a 3-0 vote with Vice Chair Forbes and Board Member Bravo absent.

Ordinance No Development on Point Lake

### 4.C Code Amendment for Outdoor Lighting in the Single-Family Residential Districts - Hector Gomez, Town Manager

Town Administration recommends that the Planning and Zoning Board review this ordinance to modify Section 90-62 Outdoor Lighting of the Town Code to addresses the specific requirements of the single-family districts.

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel provided an overview of the ordinance and staff recommendations.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke: George Kousoulas

Chair Baumel closed the floor to public comments.

Chair Baumel asked if the ordinance addresses the color of lights and provided

examples of Christmas and Hanukkah lights and at times individuals put colored lights when a bulb goes out.

Alternate Board Member Bales asked if it regulates the intensity of the light.

Town Attorney Recio stated this ordinance does not address color of lights or intensity of the light.

Board Member Lecour stated she agrees with the color of the lights, and they should keep it white in the exterior. She asked if they could enforce this ordinance on the new homes that are currently already built and in violation of this ordinance.

Town Attorney Recio stated they would have to set up a process to avoid someone challenging it if they do it retroactively.

Board Member Lecour stated to leave it to the neighbor to go to the Town if they have an issue with the lighting of a neighbor's home.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance as written on second reading to include the limitation of fixed lighting on the exterior of the house to only white light in the exterior, seconded by Alternate Board Member Bales. The motion carried with a 3-0 vote with Vice Chair Forbes and Board Member Bravo absent.

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

### 5. Applications

Consensus was reached from the Board Members to hear all the applications before the ordinances.

Town Attorney Recio opened the floor to public comment for anyone that would like to speak on any of the items that are being approved as consent (items 5A (9455 Harding Avenue), 5B (9561 Harding Avenue), 5C (9485 Harding Avenue), 5D (9501 Harding Avenue a/k/a 225 95th Street and 5E (9040 Abbott Avenue).

There were no public speakers.

A motion was made by Board Member Lecour to approve as Consent items 5A, 5B, 5C, 5D and 5E with staff recommendations, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

Town Attorney Recio read his quasi-judicial statement into the record.

Former Deputy Clerk Herbello swore in all the members of the public and applicants that will be speaking tonight on all applications.

Town Attorney Recio asked Former Deputy Clerk Herbello if all applicable applications

met notice requirements.

Former Deputy Clerk Herbello confirmed notice requirements were met.

Town Attorney Recio polled the members of the Board for any ex-parte communication.

Chair Baumel spoke with Laurie Swedroe and Mr. Shapiro on their application, item 5F (9260 Carlyle Avenue).

No other members of the board had any ex-parte communications with any of the applicants.

5.A 9455 Harding Avenue - Wall Sign - Judith Frankel AICP, Town Planner

Staff recommends approval with the following conditions:

- All illumination must be white.
- All exposed raceways must be painted to match finish of wall face of the building.

Approved as consent with staff recommendations.

9455 Harding application and plans

5.B 9561 Harding Avenue - Wall Sign - Judith Frankel AICP, Town Planner

Staff recommends approval with the following conditions:

- The size of the sign must be reduced from 28 SF to a maximum of 25 SF.
- The sign must be off set from the facade wall a minimum of one quarter inch to a maximum of two inches to permit rainwater to flow down the face of the wall. This should be indicated on the plans.
- All illumination must be white.

Approved as consent with staff recommendations.

9561 Harding application and plans.pdf

**5.C 9485 Harding Avenue - Wall Sign** - Judith Frankel AICP, Town Planner

Town Administration recommends approval with the following conditions:

All illumination must be white.

Approved as consent with staff recommendations.

9485 Harding sign application and plan.pdf

**5.D 9501 Harding Avenue (aka 225 95th Street) - Wall Sign** - Judith Frankel AICP, Town Planner

Staff recommends approval with the following conditions:

- The sign be off set from the facade wall a minimum of one quarter inch to a maximum of two inches to permit rainwater to flow down the face of the wall. This should be indicated on the plans.
- All illumination must be white.

Approved as consent with staff recommendations.

9501 Harding application and plans.pdf

### 5.E 9040 Abbott Avenue- Additions, Facade Alterations and Window openings - Judith Frankel AICP. Town Planner

Staff finds this application for a front addition, two rear additions, façade changes and new window openings meets the zoning code. The Planning and Zoning Board should determine whether the new additions, front façade alterations and new windows are "consistent with and in conformance with the design guidelines set forth in the Town Code".

Staff recommends approval with the following conditions:

- Sheet A-2 notes that windows and doors will be tinted. The design guidelines require that "glass may be clear or lightly tinted but should never be darkly tinted or should never have a reflective finish."
- The proposed driveway must provide for two on-site parking spaces.
- Landscaping information must be provided for the space in front of the garage door wall. This may be a planter.
- The converted garage space must have a FFE equaling the existing FFE for the home.
- The proposed pool must be permitted separately. Pervious lot coverage will be verified at permitting.

Approved as consent with staff recommendations to include Building Official McGuinness' recommendations as follows: 1. An elevation certificate shall be required at the time of building permitting to certify the existing finish floor elevation of the structure; 2. A FEMA 50% Rule Analysis will be performed at time of building permitting using the Miami-Dade County Tax Appraiser's valuation unless a professional appraisal is provided.

Attachment A: Images and Zoning Tables 9040 Abbott Agenda Packet.pdf

### **5.F 9260 Carlyle Avenue - New Single-Family Home** - Judith Frankel AICP, Town Planner

Staff finds this application for a new single-family home meets the zoning code. The Planning and Zoning Board should determine whether the new home is "consistent with and in conformance with the design guidelines set forth in the Town Code". Staff recommends approval with the following conditions:

 The plant species table must be expanded to note the Florida Friendly status of each species.

- Applicant to provide average setback calculations per ordinance no. 2023-1752.
- Applicant to provide full manufacturer's specifications for wood-like deck and basketball court to confirm permeability and correct pervious area calculation.
- A Florida Building Code compatible retaining wall is required in areas with a raised grade level. Permitting plans must note existing and proposed grade, wall construction details and overall height. A drainage plan will also be required.

Town Planner Frankel introduced the item and provided a presentation and overview of the application with staff recommendations.

Laurie Swedroe, applicant provided an overview of the project.

Board Member Lecour asked regarding the decking and turf work into the pervious area.

Ms. Swedroe stated it would be 100% pervious and the wood decking is only considered 50%.

Town Planner Frankel stated that synthetic turf is considered 100%. She continued providing an overview of the project.

Chair Baumel thanked them for such a great project.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke: George Kousoulas spoke regarding the elevations and the presence of a gable.

Chair Baumel closed the floor to public comments.

Building Official McGuinness provided his staff recommendations as follows: 1. Provide elevation certification for the proposed structure and the elevation of lowest floor at the garage in feet NGVD; and 2. Provide flood vents (hydrostatic reliefs) at garage at a rate of 1 square inch of net opening to 100 square feet of floor area vented, with a minimum of two vents per enclosed area located on opposing walls.

A motion was made by Alternate Board Member Bales to approve the application with staff recommendations, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

Attachment A: Images and Tables 9260 Carlyle Ave Application 9260 Carlyle Ave Plans Package 9260 Carlyle-Survey

5.G 8927 Harding Avenue - New Single-Family House - Judith Frankel AICP, Town Planner Staff finds this application for a new single-family home complies with the zoning code. The Planning and Zoning Board should determine whether the new home is "consistent with and in conformance with the design guidelines set forth in the Town Code". Staff recommends approval with the following conditions:

- Applicant to provide neighbor's grade to ascertain allowable wall/fence height. Height of rear yard wall/fence to be verified at time of permitting.
- A site drainage plan is required to demonstrate the maintenance of stormwater on site.

Town Planner Frankel introduced the item and provided a presentation and overview of the application with staff recommendations.

Building Official McGuinness provided his staff recommendations as follows: 1. Plans are based on the incorrect version of the Florida Building Code. The 2023 FBC 8th edition went into effect on January 1, 2024. Please amend the plans and all future submittals accordingly; 2. Provide an elevation certificate for the proposed principal and accessory structures and provide elevation marks at each floor level on the floor plans in feet NGVD; 3. The plans indicate potential occupied areas in the accessory structure below design flood elevation 10'-0" NGVD. All occupied areas must be above DFE; and 4. Provide flood vents (hydrostatic reliefs) at garage and all enclosed areas below DFE at a rate of 1 square inch of net opening to 100 square feet of floor area vented, with a minimum of two vents per enclosed area located on opposing walls.

Yefim Massarsky, architect provided an overview of the project and addressed the staff recommendations provided.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Board Member Lecour stated she is confused with the zoning code and would like to know why we have no footprint limit on lots like these.

Town Planner Frankel addressed the comments made and explained how it applies to a lot like this.

Board Member Lecour asked regarding the side setback of the property.

Town Planner Frankel addressed the comments made and stated it was due to the accessory structure.

Chair Baumel asked if it changes its designation on the Miami Dade County Property Appraiser.

Town Planner Frankel stated it does not.

Discussion continued among the Board Members regarding the zoning code as it relates to this type of property and lot size as well as the design of the home.

Town Attorney Recio stated it will remain zoned as an H30C.

A motion was made by Vice Chair Forbes to approve the application with staff recommendations, seconded by Alternate Board Member Bales. The motion carried with a 5-0 vote.

Attachment A: Images and Tables.pdf

8927 Harding Ave-Tree Survey

8927 Harding Ave - Site Plan Application.pdf

8927 HARDING AVE - Plans Package

8927 Harding Ave Landscape Plan

### 6. Next Meeting Date

6.A Next Meeting: February 29, 2024 at 6:00 p.m. - Sandra N. McCready, Town Clerk

Former Deputy Clerk Herbello advised the Board Members of their next meeting being on February 29, 2024 at 6:00 p.m.

Consensus was reached by the Board to hold the meeting on that date and time.

### 7. Discussion Items

### 7.A Design Review Guidelines - Judith Frankel, AICP, Town Planner

A motion was made by Board Member Lecour to defer this item to the February 29, 2024 Planning and Zoning Board Meeting, seconded by Alternate Board Member Bales. The motion carried with a 3-0 vote with Vice Chair Forbes and Board Member Bravo absent.

Town Attorney Recio explained that the Design Review Guidelines will be adopted by the Commission via a resolution and not an ordinance.

Board Member Lecour requested to have the draft of the design review guidelines sent to the Board Members prior to the meeting.

### 7.B Comprehensive Plan and EAR Update - Judith Frankel, Town Planner

Consultant Town Planner Keller provided an overview of the item and provided his suggestions and update.

Alternate Board Member Bales asked regarding parking including structure.

Consultant Town Planner Keller stated there are no changes to the parking nor the requirements that go with those sites. He went over the housing element. He went over the recreation and open space element.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:

George Kousoulas stated the housing section is fascinating. He spoke regarding future land use and planning.

Chair Baumel closed the floor to public comments.

Alternate Board Member Bales asked who sets up the criteria.

Consultant Town Planner Keller stated it is the State and there is a section in the Florida Statutes that dictates what needs to be in the comprehensive plan.

Discussion among the Board Members took place regarding the topics addressed by Consultant Town Planner Keller and what can be addressed to include parking and what the Comprehensive Plan covers.

#### 8. Board Member Comments

Chair Baumel wanted to make a statement and thanked Evelyn Herbello (former Deputy Town Clerk for the Town of Surfside) for being here and her leaving is a sign of what is happening in Surfside and our loss is someone else's gain. She read the following statement into the record: "First my background: I am not new to Surfside or Miami Beach. I was born & raised here - I am the third generation - My family arrived in the early 1930's building some of the first Hotels on Miami Beach. Mt Sinai Hospital was founded by a group of men looking for a place for the Jewish Physician to be allowed to practice - my grandfather, Leonard Wien Sr was apart of that group of men who purchased Carl Fisher's Nautilus Hotel and Mt Sinai Hospital was born and continues to flourish today. I have been licensed in real estate since 1994. Real estate, architecture, renovation & development is not new to me. In fact, my home purchases in Surfside began before the Pandemic, before the past Mayor & Commission was elected.

The Planning and Zoning Board collectively is a volunteer, appointed position by the current Mayor & Commissioners. We are not paid. We all have our primary residences in Surfside and It is unmistakably clear that we love our town and we only want the best for our residents. There is nothing illegal about owning, designing & developing real estate here or anywhere and being a PZ board member. There is no advantage financially nor a real estate gain in this volunteer position. We are chosen because of our background, education, experiences and alignment of having our community improve in a positive way that allows existing and new owners (residential & commercial) to come in and have their real estate land & property values improved and not become tired and depreciate.

It is stated on the Town of Surfside's site that the "Planning and zoning plays a key role in the look and feel of Surfside's streets, buildings, houses, and businesses." That is what we do. This is what happened: Tina Paul was Vice-Mayor in the prior commission and she appointed me where I sat as a Planning & Zoning board member Alternate and had voting privileges when needed. It is funny how a person selectively omits the truth of how current Commissioner Fred Landsman and back than the Vice-Chair of Planning & Zoning board member Landsman was appointed by the untruthful former Mayor Charles Burkett III.

Here's the problem: There is a Former Mayor, a current Commissioner and former Commissioners that insist on lying publicly and in print -

Former Surfside Mayor Charles Burkett III You are both destructive & selfish You are a darkness that gives no light to our community. Every word you speak, write, text or publicize through social media networks is filled with poison and lies. Your conspiracy theory concoctions are evil, insidious, hurtful and mean.

Your selfishness has brought people into your world that is filled with your own desire for political gains through your efforts to promote destruction and hatred.

As we were told by Dr Martin Luther King: "Every person must decide whether they walk in the light of creative altruism or in the darkness of destructive selfishness."

### 9. Adjournment

There being no further business to discuss before the Board, a motion was made by Board Member Lecour to adjourn the meeting at 8:44 p.m., seconded by Alternate Board Member Bales. The motion carried with a 3-0 vote with Vice Chair Forbes and Board Member Bravo absent.

Accepted this 29 day of February, 2024.

Chair Carolyn Baumel

Attest:

Sandra N. McCready, MPA, MMC

Town Clerk



## Town of Surfside Parks and Recreation Committee MINUTES January 22, 2024 5:30 PM

Manny Crawford Conference Room, Town Hall, 2nd Floor

### 1. Call to Order/Roll Call

Chair Logan called the meeting to order at 5:35 p.m.

Former Deputy Clerk Herbello called the roll with the following members present:

Present: Chair Retta Logan, Vice Chair Frank MacBride, Committee Member Marta Olchyk, and Committee Member Christopher Cook.

Absent: Committee Member Becky Manuel.

Also Present: Parks and Recreation Director Tim Milian.

#### 2. Agenda and Order of Business

#### 3. Approval of Minutes

### 3.A December 18, 2023 Parks and Recreation Committee Meeting Minutes - Sandra N. McCready, Town Clerk

A motion was made by Vice Chair MacBride to approve the December 18, 2023 Parks and Recreation Committee Meeting Minutes, seconded by Committee Member Olchyk. The motion carried with a 4-0 vote.

December 18, 2023 Parks and Recreation Committee Meeting Minutes.pdf

#### 4. Discussion Items

#### 4.A 96th Street Park Update

Parks and Recreation Director Milian provided an update on the item. He stated that they are still looking at a March opening date and possibly opening the multi-purpose room mid February. He stated they had a bump in the road in the playground. He stated the structure on the top of the jelly fish fell and it was custom made in Germany but they are getting the piece to fix it. He stated the field will be ready before the playground equipment.

Minutes
Parks and Recreation Committee
Monday, January 22, 2024

Chair Logan asked if there is a door to come in.

Parks and Recreation Director Milian stated it will be fenced off and the building will be the last thing to be done and explained what the steps will be taken. He also stated that the basketball courts will be the last thing done. He stated it will be completed towards the end of the soccer session. He stated that once the playground is closer to being completed, he will set up a field trip for the committee.

### 4.B Community Center Maintenance/Repairs update

Parks and Recreation Director Milian provided an update on the item. He stated that all 3 areas are complete and done in February and they will be closing the pool from February 20-23 in order to start spring cleaning and chlorinating the pool. He spoke regarding the community center repairs and the air conditioning units are all in place. He spoke regarding what took place during the July 4th event when the air conditioning units broke and this was a needed repair.

Committee Member Olchyk asked regarding some grates broken on the deck.

Parks and Recreation Director Milian stated they will be fixing those and they will send out an email regarding the repairs in February.

### 4.C Family Funday Update

Parks and Recreation Director Milian provided an update on the item. He stated it will take place this Sunday from 1:00 p.m. to 4:00 p.m. outside Town Hall and next year it will take place at 96th Street Park. He stated it has grown to a point that they cannot have it in the Community Center.

#### 4.D Winter Programs Update

Parks and Recreation Director Milian provided an update on the item. He stated he has been speaking with YMCA and they are doing a great job. They had moderate numbers during Kids Day Off and they had 21 kids attend. They are getting ready to open registration for the Spring Camp. He stated that the YMCA is very excited with the park opening up.

Chair Logan asked if he heard that Miami Dade County schools are having them train the teachers for CPR.

Vice Chair MacBride spoke regarding staff members being trained but at the time of having to put it to use they tend to not react appropriately.

Chair Logan asked if we have ever thought about doing it.

Parks and Recreation Director Milian stated that they do and they have the Police Department doing the training.

#### 5. Public Comments

Minutes
Parks and Recreation Committee
Monday, January 22, 2024

Chair Logan opened the floor to public comments.

There were no public speakers.

Chair Logan closed the floor to public comments.

### 6. Next Meeting Date

6.A Next Meeting Date: Tuesday, February 20, 2024 at 5:30 p.m. (Due to February 19, 2024 being a Holiday) - Tim Milian, Parks and Recreation Director

Former Deputy Clerk Herbello advised the Committee Members of their next meeting being February 20, 2024 due to February 19, 2024 being a holiday.

Consensus was reached to hold the next meeting on February 20, 2024 at 5:30 p.m. Committee Member Cook will not be present due to being out of town for work.

### 7. Adjournment

There being no further business to discuss before the Committee, a motion was made by Committee Member Olchyk to adjourn the meeting at 5:45 p.m., seconded by Vice Chair MacBride. The motion carried with a 4-0 vote.

Accepted this 20 day of to her only

Chair Retta Logan

Attest:

Sandra N. McCready, M.

Town Clerk



Town of Surfside Tourist Board MINUTES February 5, 2024 5:30 PM

**Town Commission Chambers** 

#### 1. Call to Order/Roll Call

Chair Tourgeman called the meeting to order at 5:34 p.m.

Former Deputy Town Clerk Herbello called the roll with the following members present:

Present: Chair Eli Tourgeman, Vice Chair Ben Jacobson, Board Member Diana Gonzalez and Board Member David Karp.

Absent: Board Member Ezequiel Singer

Also Present: Town Manager Hector Gomez, Commission Liaison Mayor Shlomo Danzinger and Town Attorney Daniella Cimo.

Chair Tourgeman welcomed staff and the public that were present.

### 2. Agenda and Order of Business

### 3. Town Commission Liaison Report

Commission Liaison Mayor Danzinger provided his Commission Liaison Report.

### 4. Public Comments

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

### 5. Approval of Minutes

5.A January 8, 2024 Tourist Board Meeting Minutes - Sandra N. McCready, Town Clerk

A motion was made by Vice Chair Jacobson to approve the January 8, 2024 Tourist
Minutes
Tourist Board
Monday, February 5, 2024

Board Meeting Minutes, seconded by Board Member Karp. The motion carried with a 4-0 vote.

January 8, 2024 Tourist Board Meeting Minutes

### 6. Resort Tax Collection and Vacancies Report

### **6.A February Vacancies and Resort Tax Report** - Frank Trigueros, Tourism and Communications Director

Tourism and Communications Director Trigueros provided the February Vacancies and Resort Tax Report. He stated the report is from the same data from last month and he went over the months of August and September and how they performed in the previous years and 2021. He stated they saw a slight decrease in accommodations, and they are up in the food and beverage side. He stated it will be interesting to see if they could pick some of these up and to keep in mind the Marriott was offline due to renovations, but they are open again. He spoke regarding the businesses and some pop ups that have taken place in some of the current businesses. He went over some new businesses that opened up and some closures.

Chair Tourgeman asked regarding the collections.

Town Manager Gomez spoke regarding the Hamsa Hamsa contract which is the concession stand at the Community Center. He stated that this contract was terminated and there will be a current vacancy in the concession stand and the Town Commission will determine how to proceed. He gave an overview of the history with that vendor.

Chair Tourgeman confirmed it is not operating currently.

Town Manager Gomez stated it is not operating and they are within their 30 days to take their equipment.

Chair Tourgeman stated that history has dictated that the concession stand at the Community Center never worked out and it has not been a money-making business and spoke regarding possibly using tourist funds to assist/subsidizing and attracting a good tenant.

Town Manager Gomez stated that this is not the first business that has not been successful at the location and provided an explanation.

Discussion continued among the board members and staff regarding possible ways of getting that spot open and funded in order to be successful as well as possibly adding vending machines.

Chair Tourgeman asked if there is a list of the vacancies in the business district.

Tourism and Communications Director Trigueros stated it is part of the agenda packet.

Board Member Karp asked who the owner is of a specific building and if they own the

whole block or different buildings.

Tourism and Communications Director Trigueros stated he would have to obtain that information for him, but some are individual owners.

Chair Tourgeman responded to the question by Board Member Karp.

Discussion took place among the Board Members and staff regarding the requirements on opening up a business.

Attachment A - February Resort Tax and Vacancies Report

### 7. Discussion Items

7.A 2024 Third Thursdays Series - First Event Recap - Frank Trigueros, Tourism & Communications Director

Tourism and Communications Director Trigueros introduced the item.

Alan Andai provided a recap of the 2024 Third Thursdays Series and over 400-500 guests came out to participate.

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

Chair Tourgeman asked if there was plenty of food.

Mr. Andai stated there was food.

Vice Chair Jacobson asked if they used all the funds.

Mr. Andai stated they did.

Chair Tourgeman asked if there was any way to have warmers to keep the food warm.

Mr. Andai stated they can look into that.

Vice Chair Jacobson suggested having someone cooking the pizza live.

Board Member Gonzalez asked regarding the extra funds and asked if it is usual that the employees divide the food amongst themselves and if there is enough food.

Chair Tourgeman stated he thinks that is fine as long as there is plenty of food and variety of menu for the guests. He suggested having a variety of food. He suggested having the dog adoption at the events as well and possible animals.

Mr. Andai spoke regarding the food and stated this event, depending on the weather,

you can have 500-1,000 people showing up but they do their best to provide enough food during the event. He said he will speak to his contacts and see what animals they can bring.

Vice Chair Jacobson suggested for the restaurants that attend have the name and address of their restaurant and the sign for kosher food. He spoke suggesting rolling this back to 5 pm.

Mr. Andai stated that they do have signs up but will try and make it bigger. He stated that there is a parking closure and every year they lose setup time. He stated they might be able to do a 5:30 p.m.

Tourism and Communications Director Trigueros stated that they worked out internally and moving forward the lot will be cleared the night before.

Further discussion among the Board members and staff took place regarding the time of the event and some residents complained regarding the event being too early.

Attachment A - Third Thursday Classic Rock Photos

## 7.B 2024 Music on the Beach Series - First Event Recap - Frank Trigueros, Tourism & Communications Director

Tourism and Communications Director Trigueros introduced the item.

Alan Andai provided a recap of the event.

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

Mayor Danzinger stated it was a great event and well attended.

Discussion among the Board Members took place regarding the event. Attachment A - Music on the Beach Photos

# 7.C 2024 Surfstreet Saturdays - First Event Recap - Frank Trigueros, Tourism & Communications Director

Tourism and Communications Director Trigueros introduced the item.

Bruce Oros and Noemi Lopez, ACT Production, provided a recap of the event.

Chair Tourgeman spoke regarding the title of the event and he would like to see a more exciting title for the event.

Board member Gonzalez is fine with the title of the event.

Discussion took place among the Board Members and ACT Productions to come up with a better name and they will work with Tourism and Communications Director Trigueros on that.

Vice Chair Jacobson stated that he attended the event, and he did not see any red flags, but you they were missing an activation area when you walk in.

Mr. Oros, ACT Productions responded to the comments made and they will enhance the entrance experience.

Chair Tourgeman asked when their next event would be.

Mr. Oros stated it would be March 2nd.

Chair Tourgeman stated that the election is March 19 and after that election the new commission will be appointing new members.

Vice Chair Jacobson spoke regarding the barricades and who are the owners.

Tourism and Communications Director Trigueros stated it belongs to the Parks and Recreation Department and they will coordinate to make sure they have them on both sides for the children.

Ms. Lopez, ACT Productions spoke regarding having more ideas moving forward.

Chair Tourgeman opened the floor to public comments.

The following individual from the public spoke:
Michelle Arambula was very disappointed with the event on Saturday.

Chair Tourgeman closed the floor to public comments.

Chair Tourgeman thanked the public speaker for her comments and responded to her comments.

# **7.D** The Mentalist, 'Master of the Mind' Show – ACT Productions - Frank Trigueros, Tourism & Communications Director

Tourism and Communications Director Trigueros introduced the item.

Bruce Oros and Noemi Lopez, ACT Productions, provided an overview and update of the event and the budget for this event. They stated they have a sponsorship with the Grand Beach to hold the event there and all they would have to pay is for food and beverage and they will be allowed to bring a Kosher vendor into the building. The Grand Beach would like to know how many seats could be allocated to their hotel guests that way they could get the venue for free and they will help with the PR of the event.

Vice Chair Jacobson was not aware that the Grand Beach had a room that will hold 300 people. He asked if they were wanting to hold both events inside.

Ms. Lopez stated that they would only be using one and remove the outdoor one.

Mr. Oros stated that the only thing they are looking at is the children factor and having the children sit 45 minutes, so this is catered for older children.

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

Board Member Gonzalez thought this would be something different and suggested this being a special show and how would it be advertised for it to be successful.

Board Member Karp likes everything planned but has concerns due to the cap of people and there could be backlash.

Vice Chair Jacobson stated that if you are paying that amount of money it needs to be available to more people.

Chair Tourgeman agrees. He stated the event is a great event but still cannot digest to use tourist tax dollars for one hour. He likes the event not the price.

Mr. Oros stated you cannot look at it just as a show and there could be pictures taken and autographs. He stated it could be pre and post. He stated this is an event that they have to register for.

Further discussion among the Board Members and ACT Productions took place regarding the event and the cost of the event and possibly the hotels hosting this type of event and selling tickets.

Vice Chair Jacobson suggested coming up with an amount we can provide and have them go out and obtain sponsorship to cover the difference.

Chair Tourgeman provided examples.

Vice Chair Jacobson stated that the event is for March 8.

Chair Tourgeman proposed \$22,000.

Vice Chair Jacobson feels comfortable with that amount.

A motion was made by Vice Chair Jacobson to approve the event for an amount of \$22,000 for March 17, 2024 starting at 7:00 p.m. at the Grand Beach, seconded by Board Member Gonzalez. The motion carried with a 4-0 vote.

Attachment A - Guy Mentalist Special Event Presentation

## **7.E Do the Dunes Competition - Plastic Fisherman Event** - Frank Trigueros, Tourism & Communications Director

Tourism and Communications Director Trigueros introduced the item. He also stated that Public Works Department has an employee that cleans up the dunes.

Rodrigo Butori, Plastic Fisherman, provided a presentation and recap of the project as well as the upcoming projects.

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

Chair Tourgeman asked how widespread is this event.

Mr. Butori stated it is global and this event is different from cleanup day and explained what the project is.

Chair Tourgeman asked Town Manager Gomez if he sees a value to this event.

Town Manager Gomez stated that he would not like the event before June 24 because it would not be in good taste. He explained that June 24th was a very somber day for the Town and suggested having the event another date. He stated there is a value in this if done correctly but he does not know much about this vendor, and you will require several permits for this event. He asked if they could vet this more through him. He stated that the vendor must file for permits with the State.

Chair Tourgeman thanked the Town Manager for his observation on the date provided.

Board Member Gonzalez asked if the Town does this work, then why hire this vendor.

Chair Tourgeman stated it is a great exposure, but they would need Mr. Butori to work in conjunction with the Town Manager.

Mr. Butori stated this is an education awareness program.

Further discussion took place among the Board Members and staff regarding this awareness program, the specifics of the program, possible dates for the event, making sure all permits are obtained and tying it into the dune resiliency.

A motion was made by Board Member Gonzalez to approve the program in the amount of \$11,400 and being contingent to all permits being obtained and a date will be forthcoming, seconded by Vice Chair Jacobson. The motion carried with a 4-0 vote.

Attachment A - Plastic Fisherman Do the Dunes Competition

## 7.F Branded Surfside Turtle Sculptures - Hector Gomez, Town Manager

Town Manager Gomez provided an overview of the item. He spoke regarding possibly having a few turtles in stock without having to give away the current turtles. He explained that they will be giving the City of Hialeah, as a Sister City, a turtle and they will be giving us a Flamingo.

Tourism and Communications Director Trigueros provided a cost estimate of what the cost for the turtles would be.

Chair Tourgeman opened the floor to public comments.

There were no public speakers.

Chair Tourgeman closed the floor to public comments.

Town Manager Gomez stated that they are looking at adding more turtles to the Town.

Chair Tourgeman stated that he would like to see a turtle at the corner of 95th Street and Harding Avenue. He suggests using one of the turtles in that area.

A motion was made by Board Member Karp to approve a total of \$8,400 for the purchase of four (4) turtles to have in stock to include placing one on 95th Street and Harding Avenue, one in the business district, one to the City of Hialeah and one in stock, seconded by Vice Chair Jacobson. The motion carried with a 4-0 vote.

Attachment A - Turtle Mold

## 8. Next Meeting

8.A Next Meeting: March 4, 2024 at 5:30 p.m. - Sandra N. McCready, Town Clerk

Former Deputy Town Clerk Herbello advised the Board of the next meeting on March 4, 2024 at 5:30 p.m.

Consensus was reached by the Board Members to hold the next meeting on March 4, 2024.

## 8.B) Board Member Comments

Chair Tourgeman would like to see an update on the Surfside signage on the entry of Byron Avenue and Collins Avenue.

Town Manager Gomez asked Tourism and Communications Director Trigueros for an update.

Tourism and Communications Director Trigueros stated that he is working with the Public Works Department to see if they could move it and they stated they can relocate it and they will now reengage the vendor.

Town Manager Gomez stated that he will provide a timeline for this item.

Tourism and Communications Director Trigueros stated he will circle back with the vendor.

Chair Tourgeman stated this has been going on for months and that is why he is asking.

Town Manager Gomez agrees, and it will be his priority.

Board Member Karp thanked Cindy Reyes for the clear bags.

Chair Tourgeman stated that he did not see the art festival on the agenda and Bay Harbour does not have the Tourist Tax dollars we have, and they did a pretty large art festival. He asked where they are at with the art festival in Surfside.

Tourism and Communications Director Trigueros stated they already approved it with ACT Productions.

Town Manager Gomez asked Tourism and Communications Director Trigueros to have ACT Productions come back and give an update at the next meeting.

Vice Chair Jacobson requested for the Board Members to receive a calendar of the events upcoming.

Chair Tourgeman asked regarding obtaining possible sponsors in order to have a well-defined art festival.

Tourism and Communications Director Trigueros stated it was approved for March 24th.

Chair Tourgeman asked if they have vendors for the events.

Tourism and Communications Director Trigueros stated that ACT is working on this but he does not have the details yet.

Vice Chair Jacobson asked if any other buildings have done the ADA Accessible mats.

Town Manager Gomez stated that they have not had any other buildings interested and the funding for that project is the issue. He stated that they will put an item on the March agenda for funding.

Chair Tourgeman stated that they once had Canada Week and they used to have sponsors and explained what that event entailed.

## 9. Adjournment

There being no further business to discuss before the Board, a motion was made by Vice Chair Jacobson to adjourn the meeting at 7:43 p.m., seconded by Board Member Gonzalez. The motion carried with a 4-0 vote.

Accepted this	4	day of	March	, 2024.
/ toooptou tino		aay oi		,

Eli Tourgeman, Chair

Attest:

Sandra N. McCready, MPA, MMC Town Clerk



## **MEMORANDUM**

ITEM NO. 3C.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Resolution authorizing Mutual Aid Agreement between the Town of

Medley Police Department and the Town of Surfside Police Department

Town Administration recommends approval of the Resolution authorizing the Mutual Aid Agreement between the Town of Medley and the Town of Surfside Police Department.

It is the responsibility of the Town of Medley and the Town of Surfside to ensure the public safety of their citizens by providing adequate police service to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities. The Mutual Aid Agreement specifies the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations.

The Town of Surfside Police Department has mutual aid agreements with many Miami-Dade County law enforcement agencies. The Town of Surfside and the Town of Medley are located in a way that it is advantageous to receive and extend mutual aid in the form of law enforcement services and resources. The new Mutual Aid Agreement between the Town of Surfside Police Department and the Town of Medley Police Department will be in effect from the date of signing and shall continue in full force and effect for four years. The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the Town of Medley Police Department.

Resolution Approving Police Mutual Aid with Medley

Exhibit A - Town of Surfside and Town of Medley Mutual Aid Agreement 2024

## RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE TOWN OF MEDLEY; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** the Town of Surfside (the "Town") is responsible for ensuring the public safety of its citizens by providing adequate levels of police services to address any unforeseeable routine or emergency situations; and

**WHEREAS,** there may be natural or manmade disasters, emergencies, and other major law enforcement problems that may cross jurisdictional boundaries; and

WHEREAS, the Florida Mutual Aid Act, Part I, Chapter 23, Florida Statutes, authorizes municipalities to enter into mutual aid agreements for the rendering of law enforcement assistance across jurisdictional boundaries; and

WHEREAS, the Town Commission wishes to approve the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the Town and the Town of Medley, in substantially the form attached hereto as Exhibit "A" (the "Agreement"), which will provide the citizens of the Town with assurances of adequate levels of law enforcement services; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals Adopted.</u> That the above-stated recitals are hereby adopted and confirmed.

<u>Section 2.</u> Approval. That the Town Commission hereby approves the Agreement in substantially the same form attached hereto as Exhibit "A."

Section 3. Authorization and Implementation. That the Town Manager and Chief of Police are authorized to execute the Agreement, attached hereto as Exhibit "A," subject to the approval of the Town Manager and Town Attorney as to form, content, and legal sufficiency. The Town Manager and Chief of Police are hereby further authorized to do all necessary things to implement the Agreement and the purposes of this Resolution, including the execution of any renewal or subsequent agreements with the Town of Medley.

<u>Section 4.</u> <u>Effective Date.</u> That this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on this 12th day of March, 2024.

Motion By:	
Second By:	
FINAL VOTE ON ADOPTION: Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeff Rose Mayor Shlomo Danzinger	
	Shlomo Danzinger, Mayor
	Shiomo Danzinger, Mayor
ATTEST:	
Sandra McCready, MMC	
Town Clerk	

# APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

Weiss Serota Helfman Cole & Bierman, P.L. Town Attorney

# COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN

# THE TOWN OF MEDLEY, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA

This Voluntary Cooperation and Operational Assistance Mutual Aid Agreement is made as of this \_\_\_\_\_ day of \_\_\_\_\_\_, 2024, by and between the TOWN OF MEDLEY, FLORIDA, a Florida municipal corporation, having its principal office at 7777 NW 72 Avenue, Medley, Florida 33166, and the TOWN OF SURFSIDE, FLORIDA, a Florida municipal corporation having its principal office at 9293 Harding Avenue, Surfside, Florida 33154, and states as follows:

WHEREAS, it is the responsibility of the governments of the Town of Medley, Florida, and the Town of Surfside, Florida, to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Town of Medley Police Department or the Town of Surfside Police Department; and

WHEREAS, the Town of Medley and the Town of Surfside are so located in relation to each other that it is in the best interest and advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

(1) Continuing, multi-jurisdictional criminal activity, so as to protect the public peace and safety, and preserve the lives and property of the people; and

- (2) Intensive situations including, but not limited to, natural or manmade disasters or emergencies as defined under Section 252.34, Florida Statutes; and
- (3) Joint provision of certain law enforcement services specified herein and allowed pursuant to Florida Statute 166.0495; and

WHEREAS, the Town of Medley and the Town of Surfside have the authority under The Mutual Aid Act, Chapter 23, Part I, Florida Statutes, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering of assistance in a law enforcement emergency.

**NOW, THEREFORE, BE IT KNOWN,** that the Town of Medley, a political subdivision of the State of Florida, and the Town of Surfside a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions.

#### SECTION 1: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may provide voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The nature of the law enforcement assistance to be rendered shall include but not be limited to:

a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for

- example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.
- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.
- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors and boating infractions.
- d. Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for investigations of homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.

Prior to any officer taking enforcement action pursuant to paragraphs (a) through (e) above, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. If the agency having normal jurisdiction responds to the scene the assisting agency's officer may turn the situation over to them and offer any assistance requested including, but not limited to, a follow-up written report documenting the event and the actions taken.

These provisions are not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life-threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

#### SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

- 1. Joint multi-jurisdictional criminal investigations.
- 2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes.
- 3. Any natural, technological or manmade disaster.
- 4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
- 5. Terrorist activities including, but not limited to, acts of sabotage.
- 6. Escapes from, or disturbances within, prisoner processing facilities.
- 7. Hostage and barricaded subject situations, and aircraft piracy.
- 8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
- 9. Enemy attack.
- 10. Transportation of evidence requiring security.

- 11. Major events, e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
- 12. Security and escort duties for dignitaries.
- 13. Incidents requiring utilization of specialized units; e.g., underwater recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene and police information.
- 14. Emergency situations in which one agency cannot perform its functional objective.
- 15. Joint training in areas of mutual need.
- 16. Joint multi-jurisdictional marine interdiction operations.
- 17. Off-duty special events.
- 18. DUI Checkpoints.

#### SECTION III: PROCEDURE FOR REQUESTING OPERATIONAL ASSISTANCE

- Mutual aid requested or rendered will be approved by the Chief of Police, or designee.
   The Chief of Police, or designee, of the agency whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.
- 2. The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.
- 3. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor on the scene.
- 4. Communications instructions should be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.
- 5. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or Chief of Police involved.

#### SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

#### a. COMMAND:

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

#### b. CONFLICTS:

Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standing operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

#### c. HANDLING COMPLAINTS:

Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the Chief of Police or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain at a minimum:

- 1. The identity of the complainant;
- 2. An address where the complaining party can be contacted;
- 3. The specific allegation; and
- 4. The identity of the employees accused without regard as to agency affiliation.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

#### SECTION V: LIABILITY

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions or conduct of such party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable.

#### SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- a. Employees of the Town of Medley and the Town of Surfside when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127 (1), Fla. Stat. (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.
- b. Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.
- c. The political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

- d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of) the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.
- e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this mutual aid agreement. This section applies to paid, volunteer, reserve and auxiliary employees.
- f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

#### SECTION VII: FORFEITURES

It is recognized that during the course of the operation of this agreement, property subject to forfeiture under Sections 932.701- 932.707, Florida Statutes, known as the "Florida Contraband Forfeiture Act," may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant of the provisions of the "Florida Contraband Forfeiture Act."

#### SECTION VIII: INSURANCE

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an

amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

#### SECTION IX: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until \_\_\_\_\_\_\_\_, 2028. Under no circumstances may this agreement be renewed, amended or extended except in writing.

#### SECTION X: CANCELLATION

Either party may cancel its participation in this agreement upon delivery of written notice to the other political subdivision.

**IN WITNESS WHEREOF,** the parties hereto cause to these presents to be signed on the date first written above.

ROBERTO MARTELL	SHLOMO DANZINGER		
Town Mayor			
Town of Medley, Florida	Town Mayor Town of Surfside, Florida		
Date:	Date:		
ATTEST:	ATTEST:		
VICTORIA MARTINEZ	SANDRA N. MCCREADY, MPA, MMC		
Town Clerk	Town Clerk		
Town of Medley, Florida	Town of Surfside, Florida		
APPROVED AS TO FORM AND	APPROVED AS TO FORM AND		
LEGAL SUFFICIENCY:	LEGAL SUFFICIENCY:		
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.	WEISS SEROTA HELFMAN COLE & BIERMAN, P.I		
Town Attorney	Town Attorney		
Town of Medley, Florida	Town of Surfside, Florida		

JEANETTE SAID-JINETE

Town of Medley, Florida

Chief of Police

AGREED AND ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ANTONIO MARCIANTE

Town of Surfside, Florida

Chief of Police



## **MEMORANDUM**

ITEM NO. 3D.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Resolution Authorizing Mutual Aid Agreement between the Village of

Biscayne Park Police Department and the Town of Surfside Police

**Department** 

Town Administration recommends approval of the Resolution authorizing the Mutual Aid Agreement between the Village of Biscayne Park and the Town of Surfside Police Department.

It is the responsibility of the Village of Biscayne Park and the Town of Surfside to ensure the public safety of their citizens by providing adequate police service to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities. The Mutual Aid Agreement specifies the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations.

The Town of Surfside Police Department has mutual aid agreements with many Miami-Dade County law enforcement agencies. The Town of Surfside and the Village of Biscayne Park are located in a way that it is advantageous to receive and extend mutual aid in the form of law enforcement services and resources. The new Mutual Aid Agreement between the Town of Surfside Police Department and the Village of Biscayne Park Police Department will be in effect from the date of signing and shall continue in full force and effect for five years. The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the Village of Biscayne Park Police Department.

Resolution Approving Police Mutual Aid with Biscayne Park

Exhibit A - Village of Biscayne Park Mutual Aid Agreement

## RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR **AUTHORIZATION**; PROVIDING FOR **IMPLEMENTATION:** AND PROVIDING FOR AN **EFFECTIVE DATE.** 

**WHEREAS**, the Town of Surfside (the "Town") is responsible for ensuring the public safety of its citizens by providing adequate levels of police services to address any unforeseeable routine or emergency situations; and

**WHEREAS,** there may be natural or manmade disasters, emergencies, and other major law enforcement problems that may cross jurisdictional boundaries; and

WHEREAS, the Florida Mutual Aid Act, Part I, Chapter 23, Florida Statutes, authorizes municipalities to enter into mutual aid agreements for the rendering of law enforcement assistance across jurisdictional boundaries; and

WHEREAS, the Town Commission wishes to approve the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the Town and the Village of Biscayne Park, in substantially the form attached hereto as Exhibit "A" (the "Agreement"), which will provide the citizens of the Town with assurances of adequate levels of law enforcement services; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** That the above-stated recitals are hereby adopted and confirmed.

<u>Section 2.</u> Approval. That the Town Commission hereby approves the Agreement in substantially the same form attached hereto as Exhibit "A."

Section 3. Authorization and Implementation. That the Town Manager and Chief of Police are authorized to execute the Agreement, attached hereto as Exhibit "A," subject to the approval of the Town Manager and Town Attorney as to form, content, and legal sufficiency. The Town Manager and Chief of Police are hereby further authorized to do all necessary things to implement the Agreement and the purposes of this Resolution, including the execution of any renewal or subsequent agreements with the Village of Biscayne Park.

<u>Section 4.</u> <u>Effective Date.</u> That this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on this 12th day of March, 2024.

Shlomo Danzinger, Mayor

Sandra McCready, MMC Town Clerk

# APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

Weiss Serota Helfman Cole & Bierman, P.L. Town Attorney

# COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE VILLAGE OF VILLAGE OF BISCAYNE DARK ELOPIDA AND THE TOWN OF

PARK, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA

**WHEREAS**, it is the responsibility of the governments of the Village of Biscayne Park, Florida, and the Town of Surfside, Florida, to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, under Florida Statutes Section 23.121(1) there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Village of Biscayne Park Police Department and the Town of Surfside; and

**WHEREAS**, it is in the best interest and advantage of the Village of Biscayne Park and the Town of Surfside to receive and extend mutual aid to each other in the form of law enforcement services and resources to adequately respond to:

- (1) Continuing, multi-jurisdiction law enforcement problems, so as to protect the public peace and safety and preserve the lives and property of the people; and
- (2) Intensive situations including, but not limited to, emergencies as defined under Section 252.34, Florida Statutes; and
- (3) Joint provision of certain law enforcement services specified herein and allowed pursuant to Section 166.0495, Florida Statutes; and

WHEREAS, the Village of Biscayne Park and the Town of Surfside have the authority under Section 23.12, Florida Statutes, et seq., the Florida Mutual Aid Act, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering or assistance in a law enforcement emergency.
- (3) Permits the provision of operational assistance to meet a request for assistance due to a civil disturbance or other emergency as defined in Section 252.34, Florida Statutes: and
- (4) Permits routine traffic patrol along boundary roads of neighboring jurisdictions pursuant to Section 23.1225 Florida Statutes.

**NOW, THEREFORE, BE IT KNOWN,** that the Village of Biscayne Park, a political subdivision of the State of Florida, and the Town of Surfside, a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions.

#### SECTION 1: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may provide voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The nature of the law enforcement assistance to be rendered shall include but not be limited to:

a Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Village of Biscayne Park and the Town of Surfside for felony and misdemeanor arrests, made pursuant to the laws of arrest, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business.

- outside of his or her jurisdiction, for example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.
- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Village of Biscayne Park and the Town of Surfside for arrests, made pursuant to the laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.
- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Village of Biscayne Park and the Town of Surfside for arrests, made pursuant to the law of arrest, for felonies, misdemeanors, and boating infractions.
- d Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Village of Biscayne Park and the Town of Surfside for any investigation of a felony, including, but not limited to: homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, financial crimes, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.

f. Joint enforcement of all state laws and county ordinances Village ordinances of the Village of Biscayne Park and the Town of Surfside and the exercise of arrest powers when a crime of violence or felony of any nature occurs in the presence of any sworn law enforcement officer, within the jurisdictional boundaries of either party.

Prior to any officer taking enforcement action pursuant to paragraphs (a) through (g) above, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. If the agency having normal jurisdiction responds to the scene, the assisting agency's officer may turn the situation over to them and offer any assistance requested including, but not limited to, a follow-up written report documenting the event and the actions taken.

These provisions are not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address exigent, critical, life-threatening, or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

#### SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

- 1. Joint multi-jurisdictional criminal investigations;
- 2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes;

- 3. Any natural, technological, or manmade disaster;
- 4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures;
- 5. Any act of terrorism as defined in Section 775.30, Florida Statutes;
- 6. Escapes from, or disturbances within, prisoner processing facilities;
- 7. Hostage, active shooter and barricaded subject situations and aircraft piracy;
- 8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits. and missing person calls;
- 9. Enemy attack;
- 10. Transportation of evidence requiring security;
- 11. Major events, including but not limited to, sporting events, concerts, parades, fairs, festivals, conventions and any National Special Security Event (NSSE) as designated by the United States Department of Homeland Security;
- 12. Security and escort duties for dignitaries;
- 13. Incidents requiring utilization of specialized units, including but not limited to, underwater, recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene, and police information;
- 14. Emergency situations in which one agency cannot perform its functional objective;
- 15. Joint training in areas of mutual need;
- 16. Joint multi-jurisdictional marine interdiction operations; and
- 17. Off-duty special events;

#### 18. DUI Checkpoints.

#### SECTION III: PROCEDURE FOR REQUESTING OEPARTIONAL ASSISTANCE

- 1. Mutual aid requested or rendered shall be approved by the Chief of Police, or designee. The Chief of Police, or designee, of the agency whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.
- 2. The Chief of Police, or designee, in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.
- 3. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor on the scene.
- 4. Communications instructions will be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.
- 5. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or Chief of Police involved.

#### SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

#### a. **COMMAND**:

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

#### b. **CONFLICTS**:

Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standing operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

#### c. HANDLING COMPLAINTS:

Whenever there is cause to believe that a complaint has arisen as a result of cooperative effort as it may pertain to this agreement, the Chief of Police or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain at a minimum:

- 1. The identity of the complainant;
- 2. An address where the complaining party can be contacted;
- 3. The specific allegation; and
- 4. The identity of the employees accused without regard as to agency affiliation.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

#### **SECTION V: LIABILITY**

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions or conduct of such party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions and limitations of Section 768.28, Florida Statutes, where applicable.

#### SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- a. Employees of the Village of Biscayne Park and the Town of Surfside, when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127(1), Florida Statutes (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.
- b. Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.

- c. The political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.
- d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of) the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.
- e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree. manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provision of this mutual aid agreement. This section applies to paid, volunteer, reserve, part time and auxiliary employees.
- f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

#### **SECTION VII: FORFEITURES**

In the event an agency seizes any real property, vessel, motor vehicle, aircraft, currency or other property pursuant to the Florida Contraband Forfeiture Act during the performance of this agreement, the agency requesting assistance in the case of requested operational assistance and the seizing agency in the case of voluntary cooperation shall be responsible for maintaining any forfeiture action pursuant to Chapter 932, Florida Statutes. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property in accordance with Chapter 932, Florida Statutes, to include, but not be limited to, the complete discretion to bring the action or dismiss the action.

b. All proceeds from forfeited property as a result of or in accordance with this agreement shall be equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant of the provisions of the Florida Contraband Forfeiture Act., less the costs and attorney's fees associated with the forfeiture action.

#### **SECTION VIII: INSURANCE**

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

#### **SECTION IX: EFFECTIVE DATE**

This agreement shall take effect upon full execution and approval by the hereinafter named officials and shall continue in full force and effect for five years after it takes effect.

Under no circumstances may this agreement be renewed, amended or extended except in writing.

#### **SECTION X: CANCELLATION**

Either party may cancel its participation in this agreement upon sixty (60) days written notice to the other political subdivision. Cancellation will be at the discretion of any political subdivision to this mutual aid agreement.

**IN WITNESS WHEREOF,** the parties hereto cause to these presents to be signed on the date first written above.

AGREED AND ACKNOWLEDGED this	day of
FOR VILLAGE OF BISCAYNE PARK:	FOR TOWN OF SURFSIDE:
Chris Truitt	Hector Gomez
Village Manager	Town Manager
Village of Biscayne Park	Town of Surfside
Date:	Date:
ATTEST:	ATTEST:
Pamela Latimore, MMC Village Clerk	Sandra N. McCready, MMC Town Clerk
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Nabors Giblin & Nickerson Village Attorney	Weiss Serota Helfman Cole & Bierman, P.I. Town Attorney
Luis Cabrera Chief of Police	Antonio Marciante Chief of Police



#### **MEMORANDUM**

ITEM NO. 3E.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Shlomo Danzinger, Mayor

**Date:** March 12, 2024

**Subject:** Colorectal Cancer Awareness Month Proclamation

For the commission to approve a proclamation for Colorectal Cancer Awareness Month

Colorectal cancer stands as the second-leading cause of cancer-related deaths in the United States, impacting both men and women. It is a disease that, with timely screening, can be prevented; however, one in three eligible Americans is currently overdue for screening.

Recognizing the urgency and importance of early detection, I am seeking to designate March 2024 as Colorectal Cancer Awareness Month in Surfside, and urge all residents to join hands in raising awareness, advancing education, and prioritizing timely screenings. Together, let us combat colorectal cancer and contribute to fostering a healthier and more resilient community for all.

Colorectal Cancer Awareness - March 2024.pdf

Colorectal Cancer Awareness - Request - March 2024.pdf



- Whereas, colorectal cancer is the second-leading cause of cancer deaths in the United States among men and women combined; AND
- Whereas, colorectal cancer is one of the few cancers that can be prevented with timely screening, but 1 in 3 eligible Americans are not up to date on screening; AND
- Whereas, colorectal cancer is estimated to by the number one cancer killer for those ages 20-49 by 2030; AND
- Whereas, Black Americans are 20% more likely to be diagnosed with colorectal cancer and about 40% more likely to die from the disease than other groups; AND
- Whereas, colorectal cancer is expected to account for 11% of cancer deaths among Hispanic men and 9% of cancer deaths for Hispanic women; AND
- Whereas, screening colonoscopy rates have still not returned to pre-COVID-19 levels; AND
- Whereas, the national goal established by the National Colorectal Cancer Roundtable is to strive to increase timely colorectal cancer screening rates to 80 percent in every community for all Americans eligible for screening; AND
- Whereas, observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to increase awareness and offer education on the importance of early detection and screening of colorectal cancer.
- therefore I, Shlomo Danzinger, Mayor of the Town of Surfside, Florida, do hereby proclaim March 2024, as:

## Colorectal Cancer Awareness Month

and urge all residents to join in raising awareness, promoting education, and encouraging timely screening to combat colorectal cancer, fostering a healthier community for all.

Signed by my hand at Surfside Town Hall on this the 12<sup>th</sup> day of March 2024.

Shlomo Danzinger, Mayor Town of Surfside



## TOWN OF SURFSIDE

# PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN REQUEST FORM

OFFICE OF THE TOWN CLERK

ate of Request:	02/06/2024
ame of Requestor:	Commissioner Michael Stern
rganization:	Fight CRC FightCRC.org
ddress:	20730 NE 30 Place, Aventura FL 33180
none / E-Mail:	michael@sternbloom.com
ame of Individual / Orgar	nization to be honored:
/lichael Stern /Fight Cl	RC
itle for Proclamation or C	Sertificate:
Coloreectal Cancer Aw	areness Month
ate of Recognition:	03/12/2024
ee attached proclomatio	mmission Meeting in (month / year)
	nmission Meeting in (month / year)  following event TBD (Please attach even
ee attached proclomation  ocument is to be:  Presented at a Core  Presented at the information to the	nmission Meeting in (month / year)  following event TBD (Please attach even
ee attached proclomation  ocument is to be:  Presented at a Core  Presented at the information to the	nmission Meeting in (month / year)  following event TBD (Please attach even request form)
ee attached proclomation  ocument is to be:  Presented at a Core Presented at the information to the  Picked up by	nmission Meeting in (month / year)  following event TBD (Please attach even request form)  on (date)
ocument is to be:  Presented at a Cor Presented at the information to the Picked up by	following event TBD (Please attach even request form)  on (date)  Administrative Use Only
ocument is to be:  Presented at a Cor Presented at the information to the Picked up by	mmission Meeting in
Presented at the information to the  Proclamation  Proclamation  Proclamation  Proclamation  Approved: YesNo	following event TBD (Please attach even request form)  on (date)  Administrative Use Only  Certificate Key Coin  If no, state reason:
ee attached proclomatic  ocument is to be:  Presented at a Cor Presented at the information to the Picked up by  Proclamation  Approved: Yes No Approved Date:	following event TBD (Please attach even request form)  on (date)  Administrative Use Only  Certificate Key Coin



#### **MEMORANDUM**

ITEM NO. 3F.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: FY 2024 Budget Amendment Resolution No.4

Town Administration recommends approval of Budget Amendment Resolution Number 4.

The State of Florida, the Charter of the Town of Surfside, and sound financial management practices require monitoring of the Town's budgetary condition. Budget requirements include maintaining a balanced budget and a prohibition against entering into encumbrances for which there is not sufficient appropriation.

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 2024 annual budget and to recognize changes in revenues and expenditures that differ from the adopted budget.

The attached document represents the amendment that ensures compliance with State law, Town Charter, and sound financial management practices.

Staff has reviewed FY 2024 actual revenues and expenditures and recommends a change to the FY 2024 annual budget as follows:

#### **GENERAL FUND (Attachment A)**

The General Fund is being amended to:

- 1. Appropriate \$589,384 of current year reserves for a transfer to the Capital Projects Fund for:
- a. 96<sup>th</sup> Street Park Reconstruction project additional needs and change orders \$450,434;
- b. Replacement funding of \$108,960 for three projects originally funded with Capital Project Fund interest income: Fund Dune Resiliency (\$45,000), Commission Chamber AVI equipment upgrade (\$48,000), and Fire Alarm Upgrade (\$15,960);
  - c. CTS Memorial Park additional optional services \$30,000.

#### **CAPITAL PROJECTS FUND (Attachment A)**

The Capital Projects Fund is being amended to:

- 1. Record a transfer of \$589,394 from the General Fund and appropriate those funds for:
  - a. 96<sup>th</sup> Street Park Reconstruction project additional needs and change orders;
- b. Replacement funding of \$108,960 for three projects originally funded with Capital Project Fund interest income: Fund Dune Resiliency (\$45,000), Commission Chamber AVI equipment upgrade (\$48,000), and Fire Alarm Upgrade (\$15,960);
  - c. CTS Memorial Park additional optional services \$30,000.

#### **TOURIST RESORT FUND (Attachment A)**

The Tourist Resort Fund is being amended to:

<ol> <li>Appropriate \$38,536 of current year reserves to purchase the balance of Turtle Friendly Solar Bollards Phase Three along the hardpack.</li> </ol>
MUNICIPAL TRANSFPORTATION FUND (Attachment A)

The Municipal Transportation Fund is being amended to:

1. Appropriate \$50,000 of current year reserves for Phase Two 95<sup>th</sup> Sidewalk Improvements.

#### **BUILDING FUND (Attachment A)**

The Building Fund is being amended to:

1. Appropriate \$28,500 of current year reserves for staff training for customer self-service program implementation.

#### **FLEET MANAGEMENT FUND (Attachment A)**

The Fleet Management Fund is being amended to:

1. Appropriate \$12,536 of current year reserves for the balance of lighting and equipment for Public Safety vehicles.

Resolution Approving Budget Amendment No. 4

Attachment A - FY 2024 Budget Amendment No. 4

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE FISCAL YEAR 2024 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 26, 2023, the Town of Surfside (the "Town") Commission adopted Resolution No. 2023-3028 approving the budget for Fiscal Year 2024 and establishing revenues and appropriations for the Town; and

WHEREAS, the General Fund is being amended to appropriate \$589,384 of current year reserves for a transfer to the Capital Projects Fund, and the Capital Projects Fund is being amended to record the transfer for: (a) 96<sup>th</sup> Street Park Reconstruction project additional needs and change orders \$450,434; (b) replacement funding of \$108,960 for three projects originally funded with Capital Project Fund interest income, consisting of Fund Dune Resiliency (\$45,000), Commission Chamber AVI equipment upgrade (\$48,000), and Fire Alarm Upgrade (\$15,960); and (c) CTS Memorial Park additional optional services \$30,000, as detailed in Attachment "A" attached hereto; and

WHEREAS, the Tourist Resort Fund is being amended to appropriate \$38,536 of current year reserves to purchase the balance of the Turtle Friendly Solar Bollards Phase Three along the hardpack, as detailed in Attachment "A" attached hereto; and

WHEREAS, the Municipal Transportation Fund is being amended to appropriate \$50,000 of current year reserves for Phase Two of 95<sup>th</sup> Sidewalk Improvements, as detailed in Attachment "A" attached hereto; and

WHEREAS, the Building Fund is being amended to appropriate \$28,500 of current year reserves for staff training for customer self-service program implementation, as detailed in Attachment "A" attached hereto; and

WHEREAS, the Fleet Management Fund is being amended to appropriate \$12,536 of current year reserves for the balance of lighting and equipment for Public Safety vehicles, as detailed in Attachment "A" attached hereto; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

**Section 1.** Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approving Amended Budget; Budget Amendment No. 4. The Town Commission approves the 2024 fiscal year budget amendment provided for in Attachment "A" attached hereto.

**Section 3.** Implementation. The Town Manager and/or his designee are directed to take any and all action necessary to accomplish the Budget amendment and the purposes of this Resolution.

<u>Section 4.</u> <u>Effective Date.</u> This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this \_\_ day of March, 2024.

Motion By:	
Second By:	

FINAL VOTE ON ADOPTION: Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger	
	Shlomo Danzinger, Mayor
ATTEST:	
Sandra McCready, MMC Town Clerk	
APPROVED AS TO FORM AND LEG AND BENEFIT OF THE TOWN OF SU	
Weiss Serota Helfman Cole & Bierman Town Attorney	n, P.L.

#### TOWN OF SURFSIDE BUDGET AMENDMENT ATTACHMENT A

Fiscal Year 2023/2024 3/12/2024

BA No. 4

Fund Nos. 001 General Fund 107 Municipal Transportation Fund

301 Capital Projects Fund 150 Building Fund

102 Tourist Resort Fund 501 Fleet Management Fund

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
GENERAL FUND	Account Description	- Justingation	Daaget	Increase	Decrease	Duaget
EXPENDITURES						
001-7900-590-99-10	Return to Reserves	Transfer to Capital Improvement Projects Fund for 96th Street Park project additional needs:	\$1,814,858		\$450,434	\$1,364,424
		Additional services Construction     Management and Owner Representation -     Revision 2 \$94,560				
		• FPL underground electric facility to service park \$107,734				
		Change Orders (net) \$148,260				
001-7900-581-91-30	Transfers Out-Capital Projects Fund	Additional design services \$99,880	\$2,385,450	\$450,434		\$2,835,884
001-7900-590-99-10	Return to Reserves	Transfer to Capital Improvement Projects Fund to replace funding for projects originally funded with Capital Improvement Projects Fund interest income. The interest income was recorded in General Fund.	\$1,364,424		\$108,960	\$1,255,464
		<ul> <li>Dune Resiliency \$45,000</li> <li>Commission Chambers AVI equipment grade \$48,000</li> </ul>				
001-7900-581-91-30	Transfers Out-Capital Projects Fund	• Fire Alarm Upgrade \$15,960	\$2,835,884	\$108,960		\$2,944,844
001-7900-590-99-10	Return to Reserves	Transfer to Capital Improvement Projects Fund for CTS Memorial Park additional	\$1,255,464		\$ 30,000	\$1,225,464
001-7900-581-91-30	Transfers Out-Capital Projects Fund	optional services Reso No. 2024-3253	\$2,944,844	\$ 30,000		\$2,974,844
TOTAL	GENERAL FUND EXPENDITURES			\$589,394	\$589,394	

CAPITAL PROJECT	S FUND					
REVENUES						
301-590-381-01-00	Transfers In-General Fund	Transfer from General Fund for 96th Street Park Project additional needs	\$2,385,450	\$450,434		\$2,835,884
301-590-381-01-00	Transfers In-General Fund	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade	\$2,835,884	\$ 108,960		\$2,944,844
301-590-381-01-00	Transfers In-General Fund	Transfer from General Fund for CTS Memorial Park project additional optional services Reso No. 2024-3253	\$2,944,844	\$ 30,000		\$2,974,844
TOTAL	CAPITAL PROJECTS FUND RE	VENUES		\$ 589,394	\$ -	

		Original/				
		Adjusted			Α	djusted
Account Description	Justification	Budget	Increase	Decrease	E	Budget
UND						
Sth Stroot Park Poconstruction	Appropriate funding for 96th Street Park	¢ 5 100 000	¢ 450 424		¢Ε	,639,456
TO Street Fair Neconstruction		\$5,169,022	φ430,434		φυ	,039,430
	Resiliency, Commission Chamber AV					
eturn to Reserves		\$ -	\$108,960		\$	108,960
	'' '					
ΓS Memorial Park	Reso No. 2024-3253	\$ 250,000	\$ 30,000		\$	280,000
APITAL PROJECTS FUND EXPE	NDITURES		\$ 589 394	\$ -		
	15.1.0.1.20		<b>+</b> 000,00 .	<b>.</b>	l	
		1				
<u>1D</u>						
	Appropriate funding to purchase balance	\$ 93,191		\$ 38,536	\$	54,655
		\$ -	\$ 38.536		\$	38,536
' '	<u> </u>	Ψ -			Ψ	30,330
DURIST RESORT FUND EXPEND	ITURES		\$ 38,536	\$ 38,536		
RTATION FUND						
eturn to Reserves	Appropriate funding for Phase Two 95th	\$ 85,757		\$ 50,000	\$	35,757
apital Outlay - Infrastructure	St. Sidewalk Improvements Reso No. 2024-3267	\$ 40,000	\$ 50,000		\$	90,000
-	JND EXPENDITURES		\$ 50.000	\$ 50.000		
			,,	,,		
	1					
	Appropriate funding for staff training					
propriated Fund Balance	needs	\$ 822,113	\$ 28,500		\$	850,613
JILDING FUND REVENUES			\$ 28,500	\$ -		
	Staff training for customer self service	•	Φ 00 500		_	00 500
					\$	28,500
rofessional Services	progam implentation	\$ -	\$ 28,500	_		
ofessional Services UILDING FUND EXPENDITURES	progam implentation	\$ -	\$ 28,500 \$ 28,500	\$ -		
	progam implentation	\$ -		\$ -		
	progam implentation	-		\$ -		
UILDING FUND EXPENDITURES	progam implentation	\$ -		\$ -		
UILDING FUND EXPENDITURES	progam implentation	5 -		\$ -		
UILDING FUND EXPENDITURES FUND	progam implentation				\$	94.540
FUND  pontingency Reserve - R&R		\$ 107,076		\$ -	\$	94,540
UILDING FUND EXPENDITURES FUND	Appropriate funding for balance of lighting & equipment for Public Safety vehicles	\$ 107,076			·	94,540
	eturn to Reserves apital Outlay - Machinery & quipment  OURIST RESORT FUND EXPEND  RTATION FUND  eturn to Reserves apital Outlay - Infrastructure	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade Appropriate funding for CTS Memorial Park project additional optional services Reso No. 2024-3253  APITAL PROJECTS FUND EXPENDITURES  ND  eturn to Reserves apital Outlay - Machinery & further along the Hardpack  DURIST RESORT FUND EXPENDITURES  RTATION FUND  eturn to Reserves apital Outlay - Infrastructure  Appropriate funding to purchase balance of Turtle Friendly Solar Bollards Phase Three along the Hardpack  DURIST RESORT FUND EXPENDITURES  RTATION FUND  eturn to Reserves apital Outlay - Infrastructure  Appropriate funding for Phase Two 95th St. Sidewalk Improvements Reso No. 2024-3267  UNICIPAL TRANSPORTATION FUND EXPENDITURES  Appropriate funding for staff training needs	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade Appropriate funding for CTS Memorial Park project additional optional services Reso No. 2024-3253  **250,000  **38,000  **39,191  **30,191  **	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade Appropriate funding for CTS Memorial Park project additional optional services Reso No. 2024-3253  \$ 250,000 \$ 30,000  APITAL PROJECTS FUND EXPENDITURES  \$ 588,394  ND  eturn to Reserves Appropriate funding to purchase balance apital Outlay - Machinery & of Turtle Friendly Solar Bollards Phase Three along the Hardpack  \$ 38,536  DURIST RESORT FUND EXPENDITURES  \$ 38,536  RTATION FUND  eturn to Reserves Appropriate funding for Phase Two 95th St. Sidewalk Improvements Reso No. 2024-3267  \$ 40,000 \$ 50,000  UNICIPAL TRANSPORTATION FUND EXPENDITURES  \$ 38,536	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade Appropriate funding for CTS Memorial Park project additional optional services Reso No. 2024-3253  APITAL PROJECTS FUND EXPENDITURES  S589,394  Appropriate funding to purchase balance apital Outlay - Machinery & of Turtle Friendly Solar Bollards Phase Three along the Hardpack  CDURIST RESORT FUND EXPENDITURES  Appropriate funding for Phase Two 95th St. Sidewalk Improvements Reso No. 2024-3267  Appropriate funding for Staff training needs  Appropriate funding for staff training needs  Appropriate funding for staff training needs  Appropriate funding for staff training needs	Replacement funding for Dune Resiliency, Commission Chamber AV Upgrade and Fire Alarm Upgrade Appropriate funding for CTS Memorial Park project additional optional services Reso No. 2024-3253  APITAL PROJECTS FUND EXPENDITURES  S589,394  Appropriate funding to purchase balance of Turtle Friendly Solar Bollards Phase quipment Three along the Hardpack  PUNIST RESORT FUND EXPENDITURES  Appropriate funding for Phase Two 95th St. Sidewalk Improvements Reso No. 2024-3267  Appropriate funding for staff training propriated Fund Balance  Appropriate funding for staff training needs  Appropriate funding for staff training needs  \$ 250,000 \$ 30,000 \$  \$ 250,000 \$ 30,000 \$  \$ 250,000 \$ 50,000 \$  \$ 38,536 \$ 38,536 \$  \$ 38,536



#### **MEMORANDUM**

ITEM NO. 4A1.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Amending Section 90-74. - "Temporary Signs"

Town Administration recommends that the Town Commission discuss the proposed changes and to approve with changes (if any) to move forward for second reading.

At the Town Commission meeting held on January 9, 2024, the Town Commission directed Town Administration to present an ordinance amending Section 90-74. – "Temporary Signs" of the Code to remove subsection (3) which limits the color of real estate signs to black and white and trademark logo and symbols. The proposed ordinance eliminates the current restrictive color, artistic and graphical requirements for real estate signs.

This ordinance was approved by the Town Commission without changes at first reading on February 13th, 2024. The Planning and Zoning Board voted (5-0) to recommend approval of this ordinance at their February 29th, 2024 meeting.

Ord Amend Sec. 90-74 Temporary Real Estate Signs 2nd read

#### ORDINANCE NO. 2024 - \_\_\_\_\_

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.

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities with the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, the Town Commission of the Town of Surfside ("Town") finds it periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures to maintain consistency with state law, to implement municipal goals and objectives, to clarify regulations and address specific issues and needs that may arise; and

WHEREAS, the Town Commission desires to amend Section 90-74. – "Temporary Signs" of the Code to remove the limitations in subsection (3) on real estate signs providing for black and white signs and inclusion of a trademark logo or symbols; and

WHEREAS, at a regular meeting of the Town Commission held on January 16, 2024, the Town Commission directed the Town Attorney to present an ordinance amending Section 90-74. – "Temporary Signs" of the Code to remove subsection (3) limiting the color of real estate signs to black and white and eliminating the current restrictive color, artistic and graphical requirements for real estate signs; and

**WHEREAS**, the Town Commission held its first public hearing on February 13, 2024, and having complied with the notice requirements in the Florida Statutes, recommended approval of the proposed amendments to the Code; and

WHEREAS, the Planning and Zoning Board, serving as the local planning agency for the Town, held its hearing on the proposed amendment to the Code on February 29,

osed
ublic
2024
erest
5.000
THE
are
f the
e 12 ig.
ost the shall be

<sup>&</sup>lt;sup>1</sup>Coding: Strikethrough words are deletions to the existing words. <u>Underlined words</u> are additions to the existing words. Changes between first and second reading are indicated with <u>highlighted</u> deuble strikethrough and <u>double underline</u>.

53 54	(3) All real estate signs shall be black and white and may include a trademarked logo or symbol.
55	(43) Sign shall be constructed of rigid, weather proof materials.
56	(54) Sign shall not be lighted or illuminated in any manner.
57 58	(65) Sign shall be removed within seven days of a lot, building, residence or tenant space being leased, rented or sold.
59	* * *
60 61 62 63	<u>Section 3.</u> <u>Severability.</u> If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.
64 65 66 67 68	Section 4. Inclusion in the Code. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.
69 70	<u>Section 5.</u> <u>Conflicts.</u> Any and all ordinances and resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.
71 72 73	Section 6. Effective Date. This ordinance shall become effective upon adoption on second reading.
74	PASSED on first reading on theday of, 2024.
75	PASSED AND ADOPTED on second reading on theday of, 2024.
76 77 78 79 80	First Reading:  Motion by:  Second by:
81 82 83 84	Second Reading:  Motion by: Second by:
85 86 87 88	FINAL VOTE ON ADOPTION  Commissioner Fred Landsman
JU	

Commissioner Marianne Meischeid	
Commissioner Nelly Velasquez	
Vice Mayor Jeff Rose	
Mayor Shlomo Danzinger	
•	
	Shlomo Danzinger, Mayor
ATTEST:	
Sandra N. McCready, MMC	
Town Clerk	
APPROVED AS TO FORM AND LEGAL	
AND BENEFIT OF THE TOWN OF SUR	FSIDE ONLY:
Weiss Serota Helfman Cole & Bierman, F	P.L.
Town Attorney	



#### **MEMORANDUM**

ITEM NO. 4A2.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Roof Replacement Materials in the Single-Family Residential Area

Town Administration recommends approval of this ordinance to allow homeowners to re-roof with their existing roofing material.

The intent of this ordinance is to clarify requirements and streamline and simplify the process for re-roofs and replacements with the same existing material, as a straight change out with the same material, without the necessity of design review by the Planning and Zoning Board. On January 9th 2024 the Town Commission directed Town Administration to present an ordinance that would allow existing homes to be re-roofed with their existing materials. A home's roof is one of its most importance defenses in case of a storm or other wind event. Re-roofing is a costly renovation that can be required by insurance companies. In an effort to reduce barriers for homeowners, this ordinance will no longer require review by the Planning and Zoning Board for the replacement of existing roofs. New houses and additions would still be required to utilize clay tile, white concrete tile, colored cement tile or architecturally embellished metal.

The Planning and Zoning Board reviewed the ordinance at their February 29th, 2024 meeting and voted (5-0) to recommend approval of this ordinance.

Ord Amend 14-31 and 90-50.1 of Code Re-Roof Replacement with Same Materials 2nd reading

#### ORDINANCE NO. 2024 - \_\_\_\_\_

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

1

3

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities with the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

4 5

6

7

8

WHEREAS, the Town Commission of the Town of Surfside ("Town") finds it periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures to maintain consistency with state law, to implement municipal goals and objectives, to clarify regulations and address specific issues and needs that may arise; and

9 10

11

12

13

14

WHEREAS, the Town Commission desires to amend Sections 14-31 "Required Roofing Materials" and Section 90-50.1 – "Architecture" of Section 90-50. – "Architecture and Roof Decks" to clarify requirements and streamline and simplify the process for reroofs and replacements with the same existing material, as a straight change out with the same material, without the necessity of design review by the Planning and Zoning Board; and

1516

17

18

19

WHEREAS, at a regular meeting of the Town Commission held on January 16, 2024, the Town Commission directed the Town Attorney to present an ordinance amending the Code to allow for re-roofs and replacement without design review before the Planning and Zoning Board; and

20	WHEREAS, the Town Commission held its first public hearing on February 13,
21	2024, and having complied with the notice requirements in the Florida Statutes,
22	recommended approval of the proposed amendments to the Code; and
23	WHEREAS, the Planning and Zoning Board, serving as the local planning agency
24	for the Town, held its hearing on the proposed amendment to the Code on February 29,
25	2024, with due public notice and input, and recommended approval of the proposed
26	amendments to the Code; and
27	WHEREAS, the Town Commission has conducted a second duly noticed public
28	hearing on these Code amendments as required by law on, 2024
29	and further finds the proposed changes to the Code are necessary and in the best interest
30	of the Town.
31 32 33	NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA¹:
34 35	<u>Section 1.</u> <u>Recitals.</u> The above Recitals are true and correct and are incorporated herein by this reference:
36 37	<u>Section 2.</u> <u>Town Code Amended</u> . Section 14-31 "Required Roofing Materials" of the Town Code is hereby amended as follows:
38	Sec. 14-31 Required roofing materials.
39 10	(a) Except as otherwise specifically provided in this section, all roofs and mansard facias shall be constructed of or replaced with the following materials:
11	(1) Clay tile;
12	(2) White concrete tile;
13 14 15	(3) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board;
16	(4) Architecturally Embellished Metal.
17 18	(5) Other Building Code approved roof materials if granted design review approval by the planning and zoning board.

<sup>&</sup>lt;sup>1</sup> Coding: Strikethrough words are deletions to the existing words. <u>Underlined words</u> are additions to the existing words. Changes between first and second reading are indicated with <u>highlighted</u> deuble strikethrough and <u>double underline</u>.

- (6) Re-roofing or replacement of the roof with the same or existing material shall be allowed and shall not require design review approval by the planning and zoning board. All new single-family homes or additions to existing homes shall comply with the permitted or required roofing materials and all applicable sections of the Florida Building Code(s).
- (b) Flat Low slope roofs with a minimum pitch of 2% (1/4 inch per foot) are permitted on additions to existing pitched roof structures, provided:
  - The roof required by this section is not practical, as determined by the town manager;
  - (2) The addition shall not exceed 15 percent of the ground area of the pitched roof section of the existing buildings or a maximum of 500 square feet, whichever is greater (with any existing flat roof sections counting against allowable new area);
  - (3) The addition is not visible from the front elevation of a building on an interior lot or is not visible from the front or side elevations on a corner lot.
- (c) All existing roofs having an incline of less than two inches per foot shall have covering of built-up roofing material, and gravel, or thermoplastic single ply membrane (TPO), or fiberglass and shall require the approval of the planning and zoning board as being harmonious with other buildings in the area.
- (d) Unless otherwise provided by resolution, any person, persons, firm or corporation violating any of the provisions of this section, shall, upon conviction thereof, be punished by a fine not to exceed the maximum penalty as determined by Florida Statute. Each day that a violation is permitted to exist shall constitute a separate offense.
- 71 <u>Section 3.</u> <u>Town Code Amended.</u> Section 90-50.1 "Architecture" of Section 72 90-50. "Architecture and Roof Decks" of the Town Code is hereby amended as follows:
- 73 Sec. 90-50. Architecture and roof decks.
- 74 90-50.1 *Architecture*.

- (1) Elevation and facade articulation variations.
  - a. The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two buildings on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:
    - 1. Length, width and massing of the structure;

83	2. Number of stories;
84	3. Facade materials;
85	4. Porches and other similar articulation of the front facade;
86	5. Number and location of doors and windows; and
87	6. Roof style and pitch.
88 89	(2) In the H30C, H40 and H120 districts: when more than one building is provided, buildings shall be designed in such a way that they are not monotonous.
90 91 92 93	(3) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades per story.
94 95 96	(4) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.
97	(5) Roof materials are limited as follows:
98	a. Clay tile; or
99	b. White concrete tile; or
100 101 102	<ul> <li>Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is granted design review approval by the planning and zoning board;</li> </ul>
103	d. Architecturally embellished metal; or
104 105	<ul> <li>e. Other Florida Building Code approved roof material(s) if granted design review approval by the planning and zoning board.</li> </ul>
106 107 108 109 110	f. Re-roofing or replacement of the roof with the same or existing material shall be allowed and shall not require design review approval by the planning and zoning board. All new single-family homes or additions to existing homes shall comply with the permitted or required roofing materials and all applicable sections of the Florida Building Code(s).
111 112	(6) Garage facades. Attached garages located at the front of a single-family home shall not exceed 50 percent of the overall length of the facade.
113	(7) Converting single-family attached garages. When an attached garage is

converted for any other use, the garage door or doors may be replaced by a solid exterior

114

wall and access to the former garage area must be provided from the main premises, in addition to any other permitted access. At least one window shall be provided. If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping. It is intended hereby to prohibit and prevent any violation of the single-family classification and to minimize the burden upon the administrative forces of the town in policing and enforcing the provisions hereof. Changes to the appearance of the residence shall not constitute a change prohibited by the "home office" provision of this Code. If the exterior door of the garage conversion is no longer level with grade, stairs may be installed and the exterior door must be accordingly corrected to comply with the Florida Building Code. The stairs shall be permitted to encroach no more than 24 inches into the side or rear setbacks.

- (8) Notwithstanding the foregoing, some of the architecture provisions in this section, while specific to zoning districts H30A and H30B, may also be applicable to single family homes in other zoning districts.
- (9) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the building department. All other colors may be accent colors. A paint swatch shall be submitted to the building department for approval by the town manager or designee. The planning and zoning board shall make a design determination in cases of uncertainty.

<u>Section 4.</u> <u>Severability.</u> If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

<u>Section 5.</u> <u>Inclusion in the Code</u>. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 6. Conflicts.** Any and all ordinances and resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

<u>Section 7.</u> <u>Effective Date.</u> This ordinance shall become effective upon adoption on second reading.

PASSED on first reading on the \_\_\_\_\_day of \_\_\_\_\_\_, 2024.

PASSED AND ADOPTED on second	reading on theday of	, 202
First Reading:		
Motion by:		
Second by:		
Second Reading:		
Motion by:		
Second by:		
FINAL VOTE ON ADOPTION		
Commissioner Fred Landsman		
Commissioner Marianne Meischeid		
Commissioner Nelly Velasquez		
Vice Mayor Jeff Rose		
Mayor Shlomo Danzinger		
	-	
	Shlomo Danzinger, Mayor	
ATTEST:		
Sandra N. McCready, MMC		
Town Clerk		
TOWIT CIETA		
APPROVED AS TO FORM AND LEGALI	TY FOR THE LISE	
AND BENEFIT OF THE TOWN OF SURF		
, and bendering in the round of both		
Weiss Serota Helfman Cole & Bierman, P	.1 .	
Town Attorney	· <b>-</b> ·	



#### **MEMORANDUM**

ITEM NO. 5A.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: RFQ 2023-06 Continuing Professional Architectural, Engineering,

Landscape Architectural, Surveying, Mapping and Additional Professional

**Services** 

Town Administration is seeking Town Commission approval to select the top ranked qualified consultants in each category of services and authorize the Town Manager to negotiate continuing services contracts with the top four qualified firms in each category (Architectural, Engineering Services, Land Surveying Services, Other Services), with final approval and award of the contracts by the Town Commission.

The Town of Surfside advertised RFQ 2023-06 to expand its pool of professional service providers in the fields of Architecture, Engineering, Landscape Surveying, Mapping, and Other Services. This effort not only sought additional firms but also broadened the range of services offered, addressing the Town's growing needs.

Professional services are awarded through a procurement process that begins with a request for qualifications. Subsequently, negotiations are conducted under the Florida Consultants' Competitive Negotiation Act (CCNA) to establish contracts tailored to specific scopes of work. Maintaining a pool of pre-qualified firms enables the Town to expedite services, enhancing responsiveness to both taxpayers and Town requirements.

A total of 21 firms responded to RFQ 2023-06, leading to the formation of an evaluation committee tasked with reviewing the qualifications of these firms. Each firm was evaluated and ranked based on the services they proposed, and the comprehensive rankings for each category can be found in **Attachment A** - *Final Ranking Sheet*.

Following a review and ranking of the firms, the Town Administration recommends retaining the top four highest-scoring firms in each category of services and authorizing the Town Manager to negotiate continuing services contracts with each consultant. These firms will be part of the Town pool of professional services. Contracts for the approved firms will be presented to the Town Commission for approval at a later time.

Resolution Selecting Various CCNA Consultants Pursuant to RFQ 2023-06

Attachment A - Final Ranking Sheet

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING VARIOUS PURSUANT TO REQUEST CONSULTANTS QUALIFICATIONS NO. 2023-06 FOR PROFESSIONAL ARCHITECTURAL. ENGINEERING. LANDSCAPE ARCHITECTURAL, AND/OR SURVEYING AND MAPPING SERVICES; AUTHORIZING THE TOWN MANAGER TO **NEGOTIATE CONTINUING SERVICES CONTRACTS WITH** THE TOP FOUR RANKED QUALIFIED FIRMS FOR EACH CATEGORY FOR AWARD OF SUCH CONTRACTS; PROVIDING FOR IMPLEMENTATION: AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 287.055, Florida Statutes ("CCNA"), on October 11, 2023, the Town of Surfside ("Town") issued Request for Qualifications No. 2023-06 (the "RFQ") seeking continuing professional architectural, engineering, landscape architectural, and/or surveying and mapping services ("Services"); and

WHEREAS, twenty-one sealed responses were received by the RFQ deadline; and

WHEREAS, an Evaluation Committee evaluated and ranked the qualified firms in each category of Services proposed in the order set forth in Exhibit "A" attached hereto and incorporated herein (collectively, the "Consultants"); and

WHEREAS, the Town Manager recommends that the Town Commission select the four top-ranked Consultants in each category of services as listed on Exhibit "A"; and

WHEREAS, the Town Commission desires to select the four top-ranked Consultants in each category listed on Exhibit "A" and authorize the Town Manager to negotiate continuing services contracts with each of the four top-ranked Consultants in each category; and

WHEREAS, the Town Commission finds that it is in the best interest of the Town to proceed as indicated in this Resolution and authorize negotiations with the qualified firms in order to enter into continuing services contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals.</u> Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

<u>Section 2.</u> <u>Selection of Consultants.</u> The Town Commission hereby selects the four top-ranked Consultants in each category listed on Exhibit "A" to provide the Services.

<u>Section 3.</u> <u>Authorization.</u> The Town Manager is hereby authorized to negotiate continuing services contracts with each of the four top-ranked Consultants in each category, as set forth in Exhibit "A," including a scope of services and fees for the Services, with final approval and award of the contracts by the Town Commission.

<u>Section 4.</u> <u>Implementation.</u> The Town Manager and Town Officials are authorized to take any and all necessary action to implement the purposes of this Resolution.

<u>Section 5.</u> <u>Effective Date.</u> This Resolution shall be effective immediately upon adoption.

	PASSED AND ADO	PTED this 12th day of March, 2024.
Motion By: Second By:		· ·
FINAL VOTE ON Commissioner Fr		
	arianne Meischeid	

Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger			
	Shlomo Danzinger, Mayor		
ATTEST:			
Sandra McCready, MMC Town Clerk			
APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:			
Weiss Serota Helfman Cole & Bi Town Attorney	erman, P.L.		

## EXHIBIT "A"

#### **FINAL RANKINGS**



RFQ 2023-06 CONTINUING PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, SURVEYING AND MAPPING SERVICES

## FINAL RANKINGS

## **Architectural Services**

R.E. Chisholm Architects	293
Keith Engineering	280
Kimley-Horn	278
Calvin, Giordano and Associates, Inc	276
CPZ Architects, Inc	273
Bruno-Elias Ramos -BEA Architects	270
Corradino Group	270
Berenblum Busch Architects (BBA)	268
McHarry Associates	267
Langan Engineering	261
Conemco Engineering	175



RFQ 2023-06 CONTINUING PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, SURVEYING AND MAPPING SERVICES

## FINAL RANKINGS

## **Engineering Services**

Calvin, Giordano and Associates, Inc	297
Kimley Horn	294
Keith Engineering	291
Caltran Engineering Group	288
Conemco Engineering	288
ECT	287
Langan Engineering	283
Corradino Group	281
SGM Engineering	281
Hadonne	270
Reina Engineering	216



RFQ 2023-06 CONTINUING PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, SURVEYING AND MAPPING SERVICES

## FINAL RANKINGS

## **Land Surveying Services**

Hadonne	295
WGI, Inc	279
J. Bonfill and Associates	275
Longitude Surveyors, LLC	271
Langan Engineering	265
Conemco Engineering	260
Keith Engineering	255
Corradino Group	234
Calvin, Giordano and Associates, Inc	190



RFQ 2023-06 CONTINUING PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, SURVEYING AND MAPPING SERVICES

## FINAL RANKINGS

#### **Other Services**

Calvin, Giordano and Associates, Inc	290
Nova Consulting, Inc	283
Conemco	276
Corradino Group	263
R.E. Chisholm Architects	195
Keith Engineering	179
McHarry Associates	174
Bruno-Elias Ramos -BEA Architects	164
ECT	163



## **MEMORANDUM**

ITEM NO. 5B.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: 96th Street Park Construction Project Management and Owner

**Representation Services** 

Town Administration is seeking Town Commission approval to allocate and expend \$94,559.20 for additional fees associated with construction project management and owner representation services for the 96th Street Park project.

The current budget allocated for the 96th Street Park Construction Management and Owner Representation services provided by 300 Engineering Group, LLC, is over its limit. Despite ongoing construction efforts, the project has encountered delays attributed to supply chain disruptions affecting the delivery of essential materials; construction delays affiliated with contractor; and FPL timeliness to energize. Additionally, the contractor has submitted a substantial amount of Requests for Information (RFIs) and Change Order Requests (CORs) that need to be properly managed, reviewed and agreed upon which has caused for additional project management costs.

To address these challenges and ensure the project progresses smoothly and efficiently, additional services are being requested from 300 Engineering Group. These services are essential to maintain timely coordination with FPL for the completion of 3-phase power, manage extended contract timelines through additional coordination and meetings, and enhance tracking of CORs and maintenance of RFIs and Submittal logs. For a comprehensive breakdown of the requested services and associated fees, please refer to **Attachment A - 300 Engineering Group Proposal**.

Resolution Approving Second Revision to 96th Street Park Scope and Fees - 300 Engineering

Attachment A - 300 Engineering Group Proposal

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SECOND REVISION TO THE SCOPE OF SERVICES AND FEES FOR CONSTRUCTION MANAGEMENT AND OWNER REPRESENTATION SERVICES FOR THE 96TH STREET PARK PROJECT PURSUANT TO AN APPROVED PROJECT AGREEMENT WITH 300 ENGINEERING GROUP, LLC; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 287.055, Florida Statutes (the Consultants' Competitive Negotiation Act), the Town of Surfside (the "Town") has retained the services of 300 Engineering Group, P.A. (the "Consultant") for professional engineering services in accordance with the Request for Qualifications (RFQ) No. 2020-06 and the ensuing Continuing Services Agreement for such services executed by the parties on February 16, 2021 (the "CSA"); and

WHEREAS, on November 15, 2022, the Town adopted Resolution No. 2022- 2952 approving a Project Agreement ("Agreement") with the Consultant pursuant to the CSA for Construction Management and Owner Representation Services ("Services") for the 96th Street Park Project ("Project"); and

WHEREAS, on September 12, 2023, the Town Commission adopted a resolution approving a first revision to the scope of services and fees to provide the Services for the Project in the amount of \$76,275 due to construction delays related to supply chain disruptions, delays in material delivery, severe storms, delayed responses, and completion from FPL, and documented project delays; and

WHEREAS, the Consultant has proposed a second revision to the scope of services and fees for the Project, as detailed in the proposal attached hereto as

Attachment "A" ("Additional Services Revision"), for the provision of additional Services relating to additional FPL 3-phase power needs for the Project, documentation control coordination, qualify control inspections, and pay application reviews caused by Project delays in the amount of \$94,559.20; and

WHEREAS, the Additional Services Revision, attached hereto as Exhibit "A," provides for an updated and revised scope of services, as well as additional fees for the Services; and

**WHEREAS**, the Town Commission wishes to approve the Additional Services Revision and authorize the expenditure of such funds; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals.</u> Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval of Second Revision to Scope of Services and Fees.

The Additional Services Revision, as detailed in the Consultant's Proposal, attached hereto as Exhibit "A," is hereby approved.

Section 3. Authorization. The Town Manager is hereby authorized to execute any necessary agreements or amendments to the Project Agreement with the Consultant for the Additional Services Revision, subject to final approval by the Town Manager and Town Attorney as to form, content, and legal sufficiency. The Town Manager is authorized to expend funds for the Additional Services Revision.

Section 4.	Implementation.	The	Town	Manag	er and	Town	Officials	are
authorized to take a	any and all necess	sary a	ction t	o imple	ment th	ne purp	oses of	this
Resolution.								
Section 5.	Effective Date. Th	is Res	olution	shall be	effectiv	ve imme	ediately ι	noqu
adoption.								
PASSED AND	ADOPTED this 12t	h day o	of Marc	h, 2024				
Motion By: Second By:		- -						
FINAL VOTE ON AD	OOPTION:							
Commissioner Fred Commissioner Maria Commissioner Nelly Vice Mayor Jeffrey R Mayor Shlomo Danz	nne Meischeid Velasquez lose		- - - -					
			Shlon	no Danz	zinger, N	Mayor		
ATTEST:								
Sandra McCready, N Town Clerk	MMC	-						
APPROVED AS TO AND BENEFIT OF T								
Weiss Serota Helfma	an Cole & Bierman,	_ P.L.						



February 7, 2024

Hector Gomez Town Manager **Town of Surfside** 9293 Harding Avenue Surfside, FL 33154

Re: RFQ No. 2020-06 – 96<sup>th</sup> Street Park Construction Management and Owner Representation Services – Revision 2

As mentioned previously, the updated budget for the 96th Street Park Construction Management and Owner Representation Services is nearing its capacity. We are submitting this request to expand the budget to allow us to continue to serve through the anticipated completion date.

The Contractor continues to experience delays in the construction progress. Currently, there have been delays in the procurement of the storefronts and windows, glass railings, fencing, Playground equipment installation, and overall building finishes. In addition, we continue to experience delays in the completion of the primary electrical service from FPL, which also affects the installation of the elevator for the building.

The additional Scope of Services are identified for the following tasks:

- 100: Project Management Services & Coordination Meetings
  - Additional coordination and follow-up with FPL for 3-phase power needs to the Park.
  - Additional coordination and meetings due to extended Contract Time.
- 200: Documentation Control Coordination
  - Additional tracking of Change Order Request submitted by the Contractor.
  - Additional maintenance of RFI and Submittal logs.
- 300: Quality Control & Quality Assurance
  - o Re-initiate the quality control inspections for a term of 6 weeks.
- 500: Pay Applications Review
  - Additional pay application reviews due to delays in the Project's construction.
  - Review and recommend approval of Change Order Requests to the Town.
  - o Document Change Orders for approval by Town Council.
  - Maintain Change Order Log.
  - Review and approval of updates to the Construction Schedule, and recommendations on the Construction Schedule's for recovery within the Contract Time. Review possible Construction Schedule sequencing errors and request revisions to Contractor to meet the Contract Time.

The additional services related to Revision 2 will be performed on a Time & Materials fee basis as per Contract "Article 3 – Compensation" in the amount of \$94,559.20. Please refer to "Appendix B" of the attached revised Scope of Services for the overall breakdown of the anticipated expenditures.

If there are any questions, please do not hesitate to contact us.

Sincerely,

Paola Davalos, PE, ENV SP Senior Project Manager

Cc: Rodolfo E. Remon, MS, ENV SP / 300 Engineering Ricardo Escobar, PE, CGC / 300 Engineering



#### **Town of Surfside**

# 96th Street Park Construction Management and Owner Representation Services Task # 4 - Revision 2 Proposed Fee Schedule Appendix B

		Project Manager	Senior Construction Manager	Project Engineer	Senior Construction Inspector	Total Hours	Total Amount
	Rate, \$/Hr	\$194.00	\$200.00	\$140.00	\$135.00		
Task							
	Project Management & Coordination Meetings	0	173	17	0	191	\$37,064.80
200	Document Control Coordination	0	0	52	0	52	\$7,274.40
300	Quality Control & Quality Assurance	0	0	0	240	240	\$32,400.00
400	Safety Inspections	0	0	0	0	0	\$0.00
	, ,						
500	Pay Application Reviews	0	87	0	0	87	\$17,320.00
	Total (Hours)		260	69	240	569	
	Sub-Total Labor Fee						\$94,059.20
	ODC's (Mileage, Reproduction & Reimbursable)						\$500.00
	Sub-Total Labor Fee/ODC						\$94,559.20
	Total Project Cost (Labor/ODC)		45.00/	10.1=0/	10.170/	100.000	\$94,559.20
	% Utilization		45.65%	12.17%	42.17%	100.00%	
	Total (\$)	\$0.00	\$51,960.00	\$9,699.20	\$32,400.00		\$94,559.20



## **MEMORANDUM**

ITEM NO. 5C.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Approval of Change Orders and Expenditure Authorization for 96th Street

Park Project

The Town Administration is seeking ratification of additive Change Orders #3 and #4 with Lunacon for the 96th Street Park Construction, along with authorization to expend up to \$183,511.39 for additive Change Order #5, which incorporates 17 additional days to address design changes and weather-related delays.

As construction progresses for the Town's newest park, unforeseen conditions and evolving project requirements have necessitated additional change orders. Lunacon's continued involvement remains essential to the project's completion. Therefore, the ratification of change orders #3 and #4, along with the additional funding allocation for change order #5 in the amount of \$183,511.39, are necessary to allow the contractor to continue their contractual services for the Town. Change order #5 extends the timeline by 17 days, providing crucial flexibility to accommodate the newly identified project needs as well as supplements days lost due to weather delays. Notably, the largest portion of this amount arises from COR 26, which includes additional costs for glass railings to comply with a County Fire Permit Inspection requirement. Glass railings were a crucial design element as it allows for full opacity of water front from balcony level as directed during design meetings. Refer to Attachment A - Change Order 3, Attachment B - Change Order 4, and Attachment C - Change Order 5 for additional information relating to the breakdown of the CORs.

Resolution Approving CO 5 to 96th Street Park Project; Ratifying Changes to CO 3 and 4

Exhibit A - Change Order 3

Exhibit B - Change Order 4

Exhibit C - Change Order 5

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING CHANGE ORDER NO. 5 TO THE CONTRACT FOR CONSTRUCTION WITH LUNACON ENGINEERING GROUP, CORP. FOR THE 96<sup>TH</sup> STREET PARK PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER TO THE CONTRACT FOR CONSTRUCTION AND EXPEND FUNDS PURSUANT THERETO; RATIFYING ADDITIONAL CHANGE ORDER REQUESTS TO CHANGE ORDER NOS. 3 AND 4 TO THE CONTRACT FOR CONSTRUCTION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 15, 2022, the Town of Surfside ("Town") Commission adopted Resolution No. 2022-2951, selecting Lunacon Engineering Group, Corp. (the "Contractor") for the construction of the Town's 96<sup>th</sup> Street Park Project (the "Project") pursuant to RFP No. 2022-05 and awarding the Contractor a contract for construction of the Project (the "Contract"); and

WHEREAS, Change Order No. 5, attached hereto as Exhibit "A" ("CO No.5"), contains additional change order requests relating to the construction of the Project in the amount of \$183,511.39; and

WHEREAS, on October 10, 2023, the Town Commission adopted Resolution No. 2023-3214, approving change order requests for Change Order No. 3 ("CO No. 3"); and

WHEREAS, the Town has since accepted additional change order requests to the scope of CO No. 3 in an additional amount of \$2,321.58, as set forth in Exhibit "B" attached hereto (the "Revised CO No. 3"); and

WHEREAS, on December 12, 2023, the Town Commission adopted Resolution No. 2023-3242, approving a change order request to Change Order No. 4 ("CO No. 4"); and

WHEREAS, the Town has since accepted additional change order requests to the scope of CO No. 4, attached hereto as Exhibit "C," in the amount of \$18,625.88 ("Revised CO No. 4"); and

WHEREAS, the Town Commission desires to approve CO No. 5, in substantially the form attached hereto as Exhibit "A," in the amount of \$183,511.39, and ratify Revised CO No. 3 and Revised CO No. 4, in substantially the forms attached hereto as Exhibit "B" and "C," respectively; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals Adopted.</u> That the above-stated recitals are hereby adopted and confirmed.

Section 2. Approval of Change Order No. 5; Authorization. The Town Commission hereby approves CO No. 5, in substantially the form attached hereto as Exhibit "A," in the amount of \$183,511.39. The Town Manager is authorized to enter into CO No. 5, subject to the approval of the Town Manager and Town Attorney as to form, content, and legal sufficiency, and expend funds pursuant thereto.

Section 3. Ratification of Revised Change Orders No. 3 and 4. The Town Commission hereby ratifies and approves Revised CO No. 3 and Revised CO No. 4

attached hereto as Exhibits "B" and "C," respectively, and authorizes the expenditure of
funds pursuant thereto.
<u>Section 4.</u> <u>Implementation.</u> The Town Manager and Town Officials are
authorized to take any and all necessary action to implement the change order to the
Contract, and the purposes of this Resolution.
Section 5. Effective Date. That this Resolution shall become effective
immediately upon adoption.
PASSED AND ADOPTED on this day of March, 2024.
Motion By: Second By:  FINAL VOTE ON ADOPTION:
Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger
Shlomo Danzinger, Mayor
ATTEST:
Sandra McCready, MMC Town Clerk
APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:
Weiss Serota Helfman Cole & Bierman, P.L. Town Attorney



Contract Title: Construction of the Town of Surfside 96th Street Park	Contract No.: RFP 2022-05
Contractor: Lunacon Engineering Group, Corp.	Change Order No.: 003
Commencement Date: 01/17/2023	Original Substantial Completion Date: 12/18/2023
Revised Substantial Completion Date (prior to this change): 12/29/2023	Extension(s) of Time Previously Approved: 11 days
Revised Substantial Completion Date (including this change): 1/9/2024	

The Contractor and the Town hereby agree to modify the Contract as follows:

tem No.	Description of Change	Contract	Price	Contract Time	
88. 97.8		Increase	Decrease	Increase	Decrease
1	Owner Direct Purchase Program for Fitness Equipment Materials (Pay Item Affected: 100-103)	=	(\$ 14,881.49)		-
2	COR #3 for the design changes required by the Building Department associated with Plan Revisions 2, 3 & 4	\$207,406.12	-	10	-
3	COR #4 for the haunches on the architectural facing panels	\$7,129.44	-	-	•
4	COR #5 for relocation tree #21	\$1,338.82	-	1 <del>-</del> 21	-
5	COR #7 for Electrical Gear Revision	\$982.76	175	-	-
6	Additional time due to weather delays (8/31/2023 to 10/31/2023)	-	-	1	-
	Total Changes to Contract	\$216,857.14	(\$ 14,881.49)	11	-

Reason for Change: Increase of contract time and cost due to the items listed.

Summary of Contract Amount		
Original Contract Amount	\$ 7,744,207.00	
Change Orders Previously Approved	(\$ 930,261.14)	
Adjusted Contract Value Prior to this Change Order	\$ 6,813,945.86	
Cost of Changes in this Change Order	\$ 201,975.65	
Adjusted Contract Amount Including this Change	\$ 7,015,921.51	
Percentage Increase this Change Order	2.61%	
Total Percent Increase to Date	-9.40%	
Extension of Time Allowed by this Change -	11 calendar days.	

This change order is hereby incorporated into and becomes a part of the Contract.

Accepted By Contractor:	Date:	11/20/2023
Name (print name of signatory):Emilio Criado	Title:	President
Accepted By Department Director:	Date: _	
Tim Milian, Parks & Recreation Dir	rector	
Accepted By Town Manager:	Date:	
Town Manager Hector Gomez, P.E.		



Contract Title: Construction of the Town of Surfside 96th Street Park	Contract No.: RFP 2022-05
Contractor: Lunacon Engineering Group, Corp.	Change Order No.: 004
Commencement Date: 01/17/2023	Original Substantial Completion Date: 12/18/2023
Revised Substantial Completion Date (prior to this change): 1/9/2024	Extension(s) of Time Previously Approved: 22 days
Revised Substantial Completion Date (including this change): 1/14/2024	

The Contractor and the Town hereby agree to modify the Contract as follows:

Item No.	Description of Change	Contract	Price	Contract	Time
		Increase	Decrease	Increase	Decrease
1	COR #09 – Directional Boring for FPL Service	\$33,470.58	-	-	-
2	COR #11 for Additional Drinking Fountain	\$6,280.81	-	-	-
3	COR #12 for Concrete Roof Curb (Alternative A)	\$12,345.07	-	-	-
4	Additional time due to weather delays (11/1/2023 to 12/21/2023)	-	-	5	-
	Total Changes to Contract	\$52,096.46	-	5	-

Reason for Change: Increase of contract time and cost due to the items listed.

Summary of Contract Amount		
Original Contract Amount	\$ 7,744,207.00	
Change Orders Previously Approved	(\$ 728,285.49)	
Adjusted Contract Value Prior to this Change Order	\$ 7,015,921.51	
Cost of Changes in this Change Order	\$ 52,096.46	
Adjusted Contract Amount Including this Change	\$ 7,068,017.97	
Percentage Increase this Change Order	0.74%	
Total Percent Increase to Date	-8.73%	
Extension of Time Allowed by this Change -	5 calendar days.	

This change order is hereby incorporated into and becomes a part of the Contract.

Accepted By Contractor:Name (print name of signatory):Emilio Criado		President	
Name (print name of signatory). <u>Emino Criado</u>	Title.	resident	
Accepted By Department Director:	Date: _		
Tim Milian, Parks & Recreation Dire	ctor		
Accepted By Town Manager:	Date:		
Town Manager Hector Gomez, P.F.			



Contract Title: Construction of the Town of Surfside 96th Street Park	Contract No.: RFP 2022-05
Contractor: Lunacon Engineering Group, Corp.	Change Order No.: 005
Commencement Date: 01/17/2023	Original Substantial Completion Date: 12/18/2023
Revised Substantial Completion Date (prior to this change): 1/14/2024	Extension(s) of Time Previously Approved: 40 days
Revised Substantial Completion Date (including this change): 1/31/2024	

The Contractor and the Town hereby agree to modify the Contract as follows:

Item No.	Description of Item	Contract 1	Price (	(\$)	<b>Contract Time (days)</b>		
item No.	Description of Item	Increase	De	crease	Increase	Decrease	
1	COR #13 - Proposed Additional Cost for Exterior & Interior Break Metal	\$ 11,847.27	\$	-	3	0	
2	COR #14 - Proposed Additional Cost for Exterior Concrete Curb	\$ 6,426.35	\$	-	0	0	
3	COR #15 - Proposed Additional Cost due to Drawing Revision #5	\$ 7,460.40	\$	-	0	0	
4	COR #16 - Proposed Additional Cost for Conduits in Lightning Protection	\$ 2,833.40	\$	-	0	0	
5	COR #17 - Proposed Additional Cost Due to Revised Door Schedule Due to Revision 5 Drawings	\$ 5,317.87	\$	-	0	0	
6	COR #20 - Proposed Additional Cost for Upgrade of Fabrics	\$ 1,204.94	\$	-	0	0	
7	COR #21 - Proposed Additional Cost Due Direction Regarding Step Light Fixture and Lighting Type for GF and 2F Stairs	\$ 1,611.05	\$	-	0	0	
8	COR #22 - Proposed Additional Cost on Aluminum Fences and Gates per Revision on Drawings	\$ 29,178.97	\$	-	0	0	
9	COR #23 - Proposed Additional Cost for Circular Window Based on RFI # 73	\$ 1,944.65	\$	-	0	0	
10	COR #25 - Proposed Additional Cost Due to Framing and Sheathing at Stairwell Concrete Beam	\$ 1,591.55	\$	-	0	0	
11	COR #26 - Proposed Additional Cost for Glass Railings	\$ 85,687.36	\$	-	13	0	
12	COR #27 - FPL Easement and Title Search	\$ 1,896.67	\$	-	0	0	
13	COR #28 - Additional Cost for Landscape Work Due to Revision 6 Drawings	\$ 1,125.95	\$	-	0	0	
14	COR #29 - Proposed Additional Costs for Secondary Service Cables	\$ 25,384.96	\$	-	0	0	
15	Additional time due to weather delays (12/28/2023 to 2/22/2024	\$ -	\$	-	1	0	
	Total Changes to Contract	\$ 183,511.39	\$	-	17	0	



Reason for Change: Increase of contract time and cost due to the items listed.

Summary of Contract Amount				
Original Contract Amount	\$ 7,744,207.00			
Change Orders Previously Approved	\$ (676,189.03)			
Adjusted Contract Value Prior to this Change Order	\$ 7,068,017.97			
Cost of Changes in this Change Order	\$ 183,511.39			
Adjusted Contract Amount Including this Change	\$ 7,251,529.36			
Percentage Increase this Change Order	2.37%			
Total Percent Increase to Date	-6.36%			
Extension of Time Allowed by this Change	17			

This change order is hereby incorporated into and becomes a part of the Contract.		
Accepted by Contractor:	Date:	
Name (print name of signatory): Emilio Criado	Title:	
Accepted by Department Director:	Date:	
Tim Milian, Parks & Recreation Director		
Accepted by Town Manager:	Date:	
Town Manager Hector Gomez, P.E.		

Page 2 of 2 158



## **MEMORANDUM**

ITEM NO. 5D.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Request for Additional Design Services: Surfside 96th Street Park

The Town Administration seeks Town Commission approval to allocate \$99,880 for additional Design and Architectural services for the 96th Street Park Construction Project.

The construction phase of the 96th Street Park project is currently underway and has experienced unforeseen complications, necessitating an extension of the timeline. These challenges have primarily stemmed from unexpected construction issues and the need for revisions to drawings. As a result, additional design and architectural services are required to ensure that all necessary revisions and coordination tasks are effectively addressed within the extended timeframe. Furthermore, the involvement of Coastal Systems International, the civil engineering firm responsible for the kayak launch and park, remains essential. The kayak launch component of the project has encountered unexpected hurdles, including the need for additional permitting coordination, plan revisions, and heightened construction administration due to alterations in existing site conditions. To provide a comprehensive breakdown of the requested fees for these additional services, please refer to **Attachment A - Additional Design & Architectural Services**.

Resolution Approving Proposal forAdditional Services 96th Street Park - Savino Miller - Kayak

Attachment A - Additional Design & Architectural Services

#### RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE SURFSIDE, TOWN OF FLORIDA, APPROVING ADDITIONAL CONSTRUCTION PHASE DESIGN AND ARCHITECTURAL SERVICES FROM SAVINO & MILLER DESIGN STUDIO, P.A. **PURSUANT** TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE 96<sup>TH</sup> STREET PARK PROJECT; **AUTHORIZING** THE EXPENDITURE **PROVIDING** FOR OF FUNDS; IMPLEMENTATION: **PROVIDING** AN AND **FOR** EFFECTIVE DATE.

WHEREAS, on January 31, 2020, the Town of Surfside ("Town") issued Request for Qualifications No. 2020-02 (the "RFQ") requesting qualifications from firms experienced and qualified to provide design and architectural services (the "Services") for the 96th Street Park Project (the "Project'); and

WHEREAS, on January 14, 2021, the Town Commission adopted Resolution No. 2021-2815, approving an agreement with Savino & Miller Design Studio, P.A. (the "Consultant") to provide the Services for the Project pursuant to the RFQ, and the parties entered into a Professional Services Agreement dated February 12, 2021, for the Project (the "Agreement"); and

WHEREAS, on November 15, 2022, the Town Commission adopted Resolution No. 2022-2951, selecting and awarding a contract for construction for the Project to Lunacon Engineering Group, Corp.; and

WHEREAS, the Town requires additional Services from the Consultant for the construction phase of the Project due to unexpected construction issues and the need to revise existing drawings for the Project, including the kayak launch component of the Project (the "Additional Services"); and

WHEREAS, in accordance with the provisions of the Agreement, the Consultant has agreed to provide the Additional Services, with a scope of services and fees in an amount not to exceed \$99,880, as set forth in the Consultant's Proposal attached hereto as Exhibit "A,"; and

WHEREAS, the Town Commission wishes to approve the Additional Services, consistent with the terms and conditions of the Agreement and the Consultant's Proposal attached hereto as Exhibit "A," and authorize the expenditure of funds in an amount not to exceed \$99,880; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals.</u> Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval of Additional Services and Contractor's Proposal. The Additional Services are hereby approved, consistent with the terms and conditions of the Agreement and the Consultant's Proposal attached hereto as Exhibit "A."

Section 3. Authorization; Expenditure of Funds. The Town Manager is hereby authorized to expend funds for the Additional Services in an amount not to exceed \$99,880, consistent with the terms and conditions of the Agreement and the Consultant's Proposal attached hereto as Exhibit "A."

Section 4. Implementation. The Town Manager and Town Officials are authorized to take any and all necessary action to implement the Additional Services and the purposes of this Resolution. **Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption. PASSED AND ADOPTED this 12th day of March, 2024. Motion By: \_\_\_\_\_ Second By: FINAL VOTE ON ADOPTION: Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger Shlomo Danzinger, Mayor ATTEST: Sandra McCready, MMC Town Clerk APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

Town Attorney

Weiss Serota Helfman Cole & Bierman, P.L.



February 15, 2024

Mr. Hector Gomez, Town Manager 9293 Harding Avenue Town of Surfside, Florida 33154

CC: Ricardo Escobar

RE: Surfside 96<sup>th</sup> St Park – Additional Design / Architectural Services

Dear Mr. Gomez,

The Design / Architectural Services team for Surfside 96<sup>th</sup> St Park is requesting Additional Professional Service Fees for the ongoing Construction Phase of the Project due to an extended schedule, unforeseen construction complications and required drawing revisions.

As Prime Consultant and Landscape Architect, Savino Miller Design Studio is requesting additional professional service fees to continue our involvement in the Construction Phase of the project until the end of May 2024, an additional four months beyond the contracted substantial completion date. This timeframe assumes the inclusion of post construction closeout and LEED / SITES Commissioning. We are also requesting fees related to drawing revisions and coordination of the revised maintenance entry, when the SE sports field light was not installed in the incorrect location by the GC.

The Project Architect, William Lane Architecture, is requesting additional professional service fees for unforeseen construction complications and to continue their involvement for an additional four months beyond the contracted substantial completion date. See attached letter for additional details.

The Civil Engineer, Coastal Systems International, is also requesting additional professional service fees to continue their involvement in the Construction Phase of the Kayak Launch and Park. The kayak launch has required unanticipated additional permitting coordination, plan revision and construction administration due to changes initiated by the GC and existing site conditions. Civil has also revised their plans for the maintenance entry and were asked by the Town to assess the damage to the drain field during construction and recommend the extent of restoration to be performed by the GC. See attached letter for additional details.

The Structural Engineer, Wood/O'Donnell & Naccarto, and the Mechanical, Electrical and Plumbing Engineer, Louis J. Aguirre and Assoc, are also requesting additional fee for continued construction administration during the extended construction period.

## **DESIGN / ARCHITECTURAL SERVICE FEES**

Savino Miller Design Studio (Prime)	\$ 33,720
William Lane Architect	\$ 38,280
Coastal Systems International (Civil)	\$ 21,800
Wood/O'Donnell & Naccarto (Structural)	\$ 4,080
Louis J. Aguirre & Assoc. (MEP)	\$ 2,000

TOTAL: \$ 99,880

AGREED	TO AND	ACCEP	ΓED BY:
--------	--------	-------	---------

Barry	R. Miller, ASLA	Hector Gomez, Town Manager
Jarry	N. Willer, ASEA	riccioi domez, rown manage

Savino & Miller Design Studio Town of Surfside

<u>2-15-2024</u>
Date Date

	SAVINO MILLER DESIGN STUDIO	Principal	Project Manager	CAD / Draftsperson	Admin. Asst. / Tech. Asst. / Clerical	TOTAL HOURS PER TASK	Subtotal		TOTALS	TASK % OF TOTAL FEES
	(MAINTENANCE ENTRY REVISION & CA)									
Task 1	Revised maintenance entry plans									
		_	_							
	Coordination & Mtgs (Civil, Public Works, GC)	1	4			5	\$	860		
	Plan revisions	1	2	4		7	\$	860		
Task 2	Additional Construction Administration until end of May 2024 (includes LEED & SITES Commission Period)	40	140	10			\$	32,000		
Staff	Rate (\$/hr.)	<b>42</b> 9,240	<b>146</b> 23,360	<b>14</b> 1,120	0 _	202	\$	33,720		0.00%
Principal	220	27.40%	69.28%	3.32%	0.00%			100%		
Project Manager	160									
Senior Associate	140									
Associate	110									
CAD / Draftsperson	80									
Admin. Asst. / Tech. Asst. / Clerical	60									

## 96th Street Park Design/Architectural Services (Construction Phase)

To: Barry Miller
Savino & Miller Design Studio
12345 NE 6<sup>th</sup> Avenue, Suite A
North Miami, FL 33161

Date: February 14th, 2024

Barry,

In reviewing our time to date for the Construction Phase for the Surfside Community Park, the processing of the Submittals, RFI's and Change Orders have needed more time by our office than originally estimated.

Attached is a spreadsheet that enumerates this additional time and associated value.

An itemization of specific tasks that have involved particular attention is described below.

Included is an estimate of future construction administration services to be provided due to the extended work schedule for completion of the project.

#### **Processing of Shop Drawings and Submittals:**

Additional time was provided for the coordination and review of the submittals. The fee allocated time for 40 submittals for their review and coordination. This has increased to 98 submittal reviews.

Listed below are submittals that required work beyond the estimated time:

- Oratso Submittals (Original Subcontractor for Storefront, Louvers, Doors and Railings)
  - Coordination with G.C. and Subcontractor for development of shop drawings. The associated work involved meetings, e-mail correspondence, drawing markups and the review of several iterations of submittals.
  - o Submittals reviewed:
    - Review and markup of (3) submittals for Louvers
    - Review and markup of (3) submittals for Storefronts and Windows
    - Review and markup of submittal for Railings
- R&S Company Submittals (New Subcontractor for Storefront, Doors and Railings)
  - Coordination with G.C. and Subcontractor for development of shop drawings. The associated work involved meetings, e-mail correspondence, drawing markups and the review of several iterations of submittals.
  - Submittals reviewed:
    - Review and markup of (2) submittals for Storefronts and Windows
    - Review and markup of submittal for (2) Railings
- Master Fabricators (New Subcontractor for Louvers)
  - Coordination with G.C. and Subcontractor for development of shop drawings. The associated work involved meetings, e-mail correspondence, drawing markups and the review of two iterations of submittals.
  - o Submittals reviewed:

Page 1

#### william lane architect inc

Review and markup of (2) submittals for Louvers

#### **Requests for Information/Field Conditions:**

Additional fees for RFI's and Field Conditions due to additional time required on the items below:

- RFI #17: Oolite stone veneer brick pattern
  - Coordination with G.C., Stone supplier and design team for selection of stone based on finish, availability, and installation pattern. Work entailed meetings, review of several samples and e-mail correspondence.
- RFI #40: Detailed drawings of the handrail with LED lighting
  - Coordination with G.C., Electrical Contractor, Lighting Supplier, and design team to provide alternate for handrail lighting fixture. Work entailed site meetings, field sketches, and e-mail correspondence.
- RFI #45: Coiling door locking mechanism
  - Coordination with G.C. and coiling door fabricator for requested emergency controls for roll up door.
- RFI #46: Pre-cast Concrete Relief Tile
  - Coordination with G.C. and Pre-cast Tile Fabricator for development of shop drawings based on tile geometry. Work entailed virtual meetings, sketches, review of (3) shop drawing iterations and e-mail correspondence.
- RFI #47: Clarification regarding terrazzo floor finish
  - Coordination with G.C., Owner and Terrazzo Installer for preparation of sample based on selected aggregates and subsequent selection of slip-resistant finish per input from the Town. Work entailed virtual meetings, review of samples, and e-mail correspondence. Review of this item is ongoing as of 02/14.
- RFI #64: Query regarding glass specification/tint color/u-values based on drawings and specifications
  - Coordination with G.C., Storefront manufacturer and LEED team to determine values for glass. Work entailed meetings, sample requests, sample review and email correspondence.
- RFI #75: Direction regarding the step light fixture
  - Coordination with G.C., Electrical Contractor, Lighting Supplier to determine installation of Type M lights at west stair. Work entailed site meetings, field sketches and e-mail correspondence.

#### **Review of Change Orders:**

Additional time was required for the review of change orders issued by the Contractor. The work entailed markups, meetings, and correspondence with the Town project manager.

#### Additional Construction Administration services for 3 months (March, April and May 2024):

Additional time will be required for future construction administration on the project based on the extension of the project schedule.

#### **Total Construction Administration Services Request: \$38,280**

The attached fee schedule summarizes time and costs associated with the Construction Administration Scope of Work as described above.

Page 2

**Surfside Community Park - Contract Fee for Construction Administration Services** 

	Architect	PM	Designer	Total
CONSTRUCTION ADMINISTRATION SERVICES				
Bidding and Contract Award (1 mtg)	3	0	0	\$600
Pre-construction Conference (1 mtg)	3	0	0	\$600
Site Visits (20 visits)	30	20	0	\$9,200
Bi-Weekly Construction Meetings (18 meetings)	28	28	0	\$10,080
Requests for Information (estimated 40 rfi's)	20	40	20	\$12,800
Processing of Shop Drawings and Submittals (estimated 40 submittals)	20	40	20	\$12,800
Project Closeout	8	16	0	\$4,160
Total Hours	112	144	40	
Hourly Rate	\$200	\$160	\$120	
Total Cost	\$22,400	\$23,040	\$4,800	\$50,240

Surfside Community Park - Construction Administration Services to date

	Architect	PM	Designer	Total
CONSTRUCTION ADMINISTRATION SERVICES TO DATE				
Requests for Information (47 rfi's)	50.25	91.5	0	\$24,690
Processing of Shop Drawings and Submittals (98 submittal responses)	61.75	130.75	0	\$33,270
Project Closeout	0	0	0	\$0
ESTIMATED CONSTRUCTION ADMINISTRATION SERVICES TO PROJECT COMPLETION				
Requests for Information (10 rfi's)	10	20	0	\$5,200
Processing of Shop Drawings and Submittals (3)	4	10	0	\$2,400
Project Closeout	12	16	0	\$4,960
Total Hours	112	222.25	0	
Hourly Rate	\$200	\$160	\$120	
Total Cost	\$22,400	\$35,560	\$0	\$70,520

Surfside Community Park - Construction Administration Additional Service Request

			Total
CONSTRUCTION ADMINISTRATION SERVICES TO DATE			\$70,520
PROPOSED MONTHLY CONSTRUCTION ADMINISTRATION FEE (3 MONTHS)			\$18,000
CONSTRUCTION ADMINISTRATION CONTRACT FEE		-	\$50,240
TOTAL CONSTRUCTION ADMINISTRATION ADDITIONAL SERVICE REQUEST			\$38,280



#### COASTAL SYSTEMS INTERNATIONAL, INC.

464 South Dixie Highway • Coral Gables, Florida 33146 Tel: 305-661-3655 • Fax: 305-661-1914

www.coastalsystemsint.com

396900-A5R1

February 13, 2024

Ms. Kelly Hitzing
SAVINO & MILLER DESIGN STUDIO
12345 NE 6th Avenue
North Miami, FL 33161

Via E-mail: <u>kelly@savinomiller.com</u>

RE: KAYAK LAUNCH SERVICES FOR THE PROPOSED 96<sup>th</sup> Street Park, Town of Surfside, Miami-Dade County, Florida

Dear Ms. Hitzing:

Pursuant to recent discussions referenced to the proposed site restoration of the drain field, the relocation of the light poles, additional site visits and additional to construction administration. Coastal Systems International, Inc. (Coastal Systems) would like to provide this addendum for additional scope of services.

The following work task, numbered sequentially from our existing contract, outlines the scope of services to be provided by Coastal Systems for Savino & Miller Design Studio (Client):

#### PART 10 – ADDITIONAL ENGINEERING SERVICES

- a. Sport Field Restoration: Coastal Systems will provide services to modify the drainage plan and details with the change of land use over the sport field, and damaged by the site construction equipment and parking. The modification will also include the South driveway relocation design caused by the light pole installed in the incorrect location.
- **b. Site Civil Construction Administration:** Coastal Systems will provide additional engineering services to extend the construction administration for the site civil. The construction administration services will include site visits, virtual meetings, and respond to additional RFIs and submittals.
- **c. Kayak Floating Dock Construction Administration**: Coastal Systems will provide additional engineering services to extend the construction administration for services referenced for the kayak floating dock installation and the construction of the access platform. The construction administration services will include site visits, virtual meetings, and respond to RFIs and submittals.

396900-A5R1 Ms. Kelly Hitzing February 13, 2024 Page 2

#### **GENERAL**

This contract is subject to the original agreement "General Agreement Terms and Conditions" and is valid to be executed for sixty (60) days. Coastal Systems will invoice the Client each month on a percent complete basis for lump sum tasks and on an hourly basis for hourly tasks pursuant to the approved "Rate Schedule". Expenses will be invoiced separately pursuant to the approved "Rate Schedule".

We look forward to continuing to work with you through successful implementation of this Project. If you wish us to perform the services described above, please sign this agreement and return a signed copy to us, which will serve as our Authorization to Proceed. Should you have any questions or require additional information, please feel free to contact me at (305) 669-6236 or <a href="mailto:rhsasso@coastalsystemsint.com">rhsasso@coastalsystemsint.com</a>, or Mr. Orestes Betancourt at (305) 669-6258 or <a href="mailto:obetancourt@coastalsystemsint.com">obetancourt@coastalsystemsint.com</a>.

Sincerely,

COASTAL SYSTEMS INTERNATIONAL, INC.

		R. Harvey Sasso, P.E. President
IGNED:	SAVINO & MILLER DESIGN STUDIO	DATE
RINT:		
	NAME	TITLE

ob:jao

Enclosure



396900-A5R1 Ms. Kelly Hitzing February 13, 2024 Page 3

TABLE 1-A5
SUMMARY OF COSTS FOR CIVIL ENGINEERING ADDITIONAL SERVICES
96TH STREET PARK, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

DESCRIPTION	TYPE	FEES		
Part 10. Additional Engineering Services				
a. Sport Field Restoration	Lump Sum	\$9,100		
b. Site Civil Construction Administration	Lump Sum	\$3,100		
c. Kayak Floating Dock Construction Administration	Lump Sum	\$8,500		
	Subtotal:	\$20,700		
	SUBTOTAL:	\$20,700		
Estimated Standard Expenses:				
GRAND TOTAL:				





## **MEMORANDUM**

ITEM NO. 5E.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Abandonment and Vacation of a Portion of Right-of-Way Known as "Bay

**Drive Bend" Between Harding Avenue and Collins Avenue** 

Town Administration is seeking Town Commission approval to formally recognize the vacating of municipal roadway Bay Drive Bend between Harding Avenue and Collins Avenue to property address 8750 Collins Avenue.

As part of the creation of Veterans Park and the Tennis Center, the Town vacated a non-used roadway known as Bay Drive Bend to the Tennis Center property in order to create more land for open space. The Town's formal way of vacating is by resolution which the Town is seeking to accomplish through this agenda item. Refer to **Attachment A to the resolution** - Tennis Center Topographic Survey and **Attachment B to the resolution** - 8750 Collins Avenue Appraiser Summary Report for supplemental information.

The Town has retained a professional surveyor (MARLIN Engineering, Inc.) to draft an official sketch and description of the roadway being vacated.

Resolution - Confirming Vacation of Right of Way Bay Drive Bend

Attachment A - Vacate Sketch (Non Surveyor)

Attachment B - 8750 Collins Avenue Appraiser Summary Report

#### **RESOLUTION NO. 2024-**

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.

WHEREAS, the Town of Surfside ("Town") currently owns Veterans Park/Surfside Tennis Center located at 8750 Collins Avenue, which is comprised of: (i) the parcel legally described as Lots 1-5 of Block 4A, of the Second Amended Plat of Normandy Beach, recorded in Plat Book 16, Page 44, of the Public Records of Miami-Dade County, Florida ("Plat"), with a Folio Identification No. of 14-2235-005-0500 ("Tennis Parcel"); (ii) the unnumbered triangular parcel lying west of Block 4 and east of Block 4A of the Plat, with a Folio Identification No. of 14-2235-005-4190 ("Town Parcel"); and (iii) the previously vacated portion of the public right-of-way shown on the Plat and known as "Bay Drive Bend" between Harding Avenue and Collins Avenue ("Right-of-Way"), which Right-of-Way area is shown and delineated in red on the Survey attached hereto as Attachment "A" with a legal description and sketch attached as Attachment "B" (collectively, the Tennis Center, the Town Parcel and the Right-of-Way referred to as the "Park"); and

WHEREAS, the Town now seeks to confirm the previous vacation and abandonment of the Right-of-Way; and

WHEREAS, the Town Commission hereby confirms its past and current use of the Right-of-Way as part of the Park, and confirms that the Right-of-Way has not been is use and is no longer needed as a right-of-way by the Town or the public, and that it is in the best interests of the Town to confirm the abandonment and vacation of the Right-of-Way; and

WHEREAS, the Town Commission further finds that the Town owns and is in current use of the Tennis Parcel and the Town Parcel, adjacent to the Right-of-Way, and there are no other adjacent parcels or property owners affected or impacted by the proposed vacation and abandonment of the Right-of-Way; and

WHEREAS, public notice was provided in accordance with law, and the Town Commission has determined that the confirmation of the abandonment and vacation of the Right-of-Way is in the best interests of the Town and will not be detrimental to the public health, safety and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

**Section 1. Recitals.** The above recitals are true, correct, and incorporated herein by this reference.

<u>Section 2.</u> <u>Confirmation of Abandonment and Vacation of Right-of-</u>
<u>Way.</u> The Town Commission hereby confirms the vacation and abandonment of the Right-of-Way, as depicted in Attachment "A", with a legal description and sketch attached as Attachment "B."

<u>Dade County, Florida; Transmittal.</u> The Town Manager is hereby authorized to take any and all action necessary to accomplish the vacation and abandonment of the Right-of-Way, including filing a certified copy of this Resolution with the Miami-Dade County Clerk of the Circuit Court, recording this Resolution in the Public Records of Miami-Dade County, Florida, as well as transmittal to the Miami-Dade County Property Appraiser.

<u>Section 4.</u> <u>Effective Date.</u> This Resolution shall become effective immediately upon its adoption.

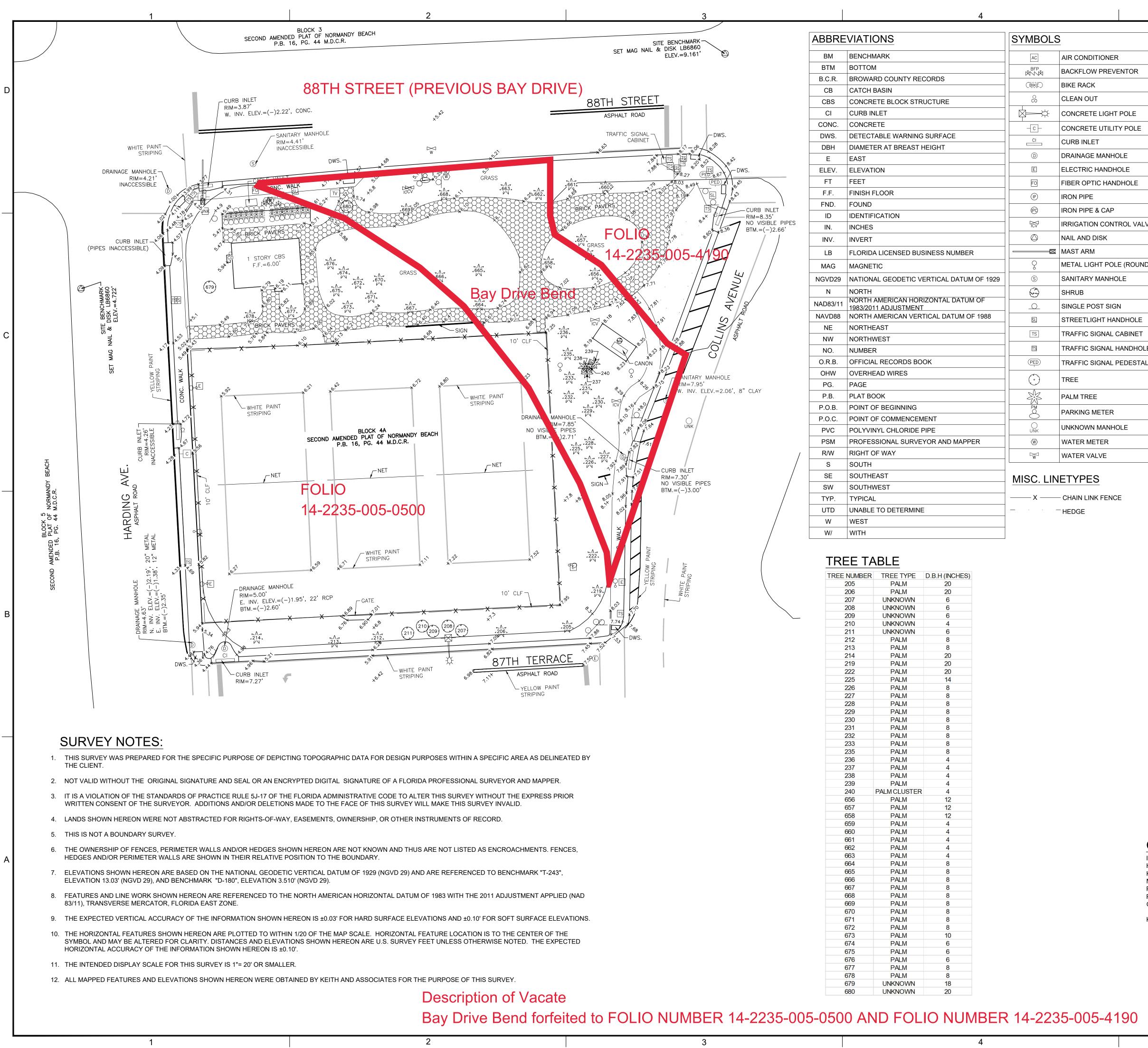
PASSED AND ADOPTED this 12th day of March, 2024.

Mation D.

MOUOTI Dy.	
Second By:	
FINAL VOTE ON ADOPTION: Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger	
	Shlomo Danzinger, Mayor
ATTEST:	
Sandra McCroady, MMC	
Sandra McCready, MMC Town Clerk	

## APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

Weiss Serota Helfman Cole & Bierman, P.L. Town Attorney



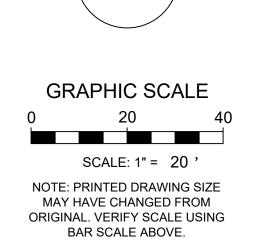
	4			
ABBRE	VIATIONS	SYMBOLS	<u> </u>	
BM	BENCHMARK	AC	AIR CONDITIONER	
ВТМ	ВОТТОМ			-
B.C.R.	BROWARD COUNTY RECORDS	BFP KNA	BACKFLOW PREVENTOR	
СВ	CATCH BASIN	(BÎĶĒ)	BIKE RACK	
CBS	CONCRETE BLOCK STRUCTURE	co	CLEAN OUT	
CI	CURB INLET		CONCRETE LIGHT POLE	
CONC.	CONCRETE	-C-	CONCRETE UTILITY POLE	-
DWS.	DETECTABLE WARNING SURFACE			-
DBH	DIAMETER AT BREAST HEIGHT	CI	CURB INLET	
E	EAST	D	DRAINAGE MANHOLE	
ELEV.	ELEVATION	E	ELECTRIC HANDHOLE	
FT	FEET	FO	FIBER OPTIC HANDHOLE	
F.F.	FINISH FLOOR	(P)	IRON PIPE	
FND.	FOUND	(PC)	IRON PIPE & CAP	
ID	IDENTIFICATION			PROJECT
IN.	INCHES		IRRIGATION CONTROL VALVE	SITE
INV.	INVERT		NAIL AND DISK	
LB	FLORIDA LICENSED BUSINESS NUMBER		MAST ARM	
MAG	MAGNETIC	9	METAL LIGHT POLE (ROUND)	
NGVD29	NATIONAL GEODETIC VERTICAL DATUM OF 1929	(\$)	SANITARY MANHOLE	
N	NORTH		SHRUB	† <b> </b>
NAD83/11	NORTH AMERICAN HORIZONTAL DATUM OF		SINGLE POST SIGN	
NAVD88	1983/2011 ADJUSTMENT NORTH AMERICAN VERTICAL DATUM OF 1988			-
NE	NORTHEAST		STREETLIGHT HANDHOLE	_ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
NW	NORTHWEST	TS	TRAFFIC SIGNAL CABINET	LO
NO.	NUMBER	TS	TRAFFIC SIGNAL HANDHOLE	
O.R.B.	OFFICIAL RECORDS BOOK	PED	TRAFFIC SIGNAL PEDESTAL	
OHW	OVERHEAD WIRES			-
PG.	PAGE		TREE	
P.B.	PLAT BOOK	Z.Z	PALM TREE	
P.O.B.	POINT OF BEGINNING	PM	PARKING METER	-
P.O.C.	POINT OF COMMENCEMENT			_
PVC	POLYVINYL CHLORIDE PIPE	UNK	UNKNOWN MANHOLE	
PSM	PROFESSIONAL SURVEYOR AND MAPPER	<w></w>	WATER METER	
R/W	RIGHT OF WAY	₩	WATER VALVE	
S	SOUTH		I	_
SE	SOUTHEAST	MISC. LIN	IETYPES	
SW	SOUTHWEST		<u></u>	
TYP.	TYPICAL	X	- CHAIN LINK FENCE	
UTD	UNABLE TO DETERMINE		- HEDGE	
W	WEST			
W/	WITH			

88TH ST. 87TH TERR. 85TH ST. TION SKETCH (NOT TO SCALE)

Florida Engineering Business License: CA7928 Florida Surveyor and Mapper Business License: LB6860 Florida Landscape Architecture Business License: LC26000457 **REVISIONS** NO. DESCRIPTION

DATE

DATE: 02/06/23 DRAWN BY: CHECKED BY THG 1023, 107 FIELD BOOK:



## LAND DESCRIPTION:

A PORTION OF OF BLOCK 4A, SECOND AMENDED PLAT OF NORMANDY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 16, PAGE 44, MIAMI-DADE COUNTY RECORDS.

ALL OF THE DESCRIBED LAND HEREON LYING IN THE CITY OF SURFSIDE, MIAMI-DADE COUNTY FLORIDA .

TOWN OF SURFSIDE **TENNIS CENTER** 

## **CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON FEBRUARY 06, 2023 MEETS THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.

TIMOTHY H. GRAY PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION, PSM 6604 (FOR THE FIRM)

SHEET TITLE

TOPOGRAPHIC SURVEY

SHEET 1 OF 1

13215.00 NUMBER



## OFFICE OF THE PROPERTY APPRAISER

SALES INFORMATION

## Summary Report

Generated On: 01/22/2024

PROPERTY INFORMATION				
Folio	14-2235-005-0500			
Property Address	0 , FL			
Owner	TOWN OF SURFSIDE			
Mailing Address	9293 HARDING AVE SURFSIDE, FL 33154-3009			
Primary Zone	3900 MULTI-FAMILY - 38-62 U/A			
Primary Land Use	8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL			
Beds / Baths /Half	0/0/0			
Floors	0			
Living Units	0			
Actual Area	0 Sq.Ft			
Living Area	0 Sq.Ft			
Adjusted Area	0 Sq.Ft			
Lot Size	27,482 Sq.Ft			
Year Built	0			

ASSESSMENT INFORMATION			
Year	2023	2022	2021
Land Value	\$3,435,250	\$3,435,250	\$3,435,250
<b>Building Value</b>	\$0	\$0	\$0
Extra Feature Value	\$0	\$0	\$0
Market Value	\$3,435,250	\$3,435,250	\$3,435,250
Assessed Value	\$2,494,835	\$2,268,032	\$2,061,848

BENEFITS INFORM	ATION			
Benefit	Туре	2023	2022	2021
Non- Homestead Cap	Assessment Reduction	\$940,415 \$1	,167,218 \$1,	373,402
Municipal	Exemption	\$2,494,835 \$2	,268,032 \$2,	061,848



TAXABLE VALUE INFORMATION					
Year	2023	2022	2021		
COUNTY					
<b>Exemption Value</b>	\$2,494,835	\$2,268,032	\$2,061,848		
Taxable Value	\$0	\$0	\$0		
SCHOOL BOARD					
<b>Exemption Value</b>	\$3,435,250	\$3,435,250	\$3,435,250		
Taxable Value	\$0	\$0	\$0		
CITY					
<b>Exemption Value</b>	\$2,494,835	\$2,268,032	\$2,061,848		
Taxable Value	\$0	\$0	\$0		
REGIONAL					
<b>Exemption Value</b>	\$2,494,835	\$2,268,032	\$2,061,848		
Taxable Value	\$0	\$0	\$0		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).	Previous Sale	Price	OR Book- Page	Qualification Description
SHORT LEGAL DESCRIPTION				
PB 16-44				
SECOND AMD PLAT OF NORMANDY BEACH				
LOTS 1 THRU 5 BLK 4-A				
LOT SIZE 27482 SQUARE FEET				

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <a href="http://www.miamidade.gov/info/disclaimer.asp">http://www.miamidade.gov/info/disclaimer.asp</a>



## **MEMORANDUM**

ITEM NO. 5F.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Shlomo Danzinger, Mayor

**Date:** March 12, 2024

Subject: A Resolution Calling a Special Election for the Purpose of Submitting to

the Electorate a Proposed Charter Amendment Prohibiting Development and Construction of any Structures Within Point Lake, North Canal and South Canal, Except for Certain Marine Structures Accessory to

**Waterfront Single-Family Homes** 

To seek approval from the Town Commission for the resolution, authorizing a special election for the purpose of a Charter amendment ballot question in the November 2024 Miami-Dade County elections, aimed at amending Surfside's Charter. The proposed amendment seeks to explicitly prohibit the development and construction of any structures within Point Lake, North Canal and South Canal, except for marine structures used for private recreational or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an upland waterfront single-family home on lots abutting Point Lake, North Canal and South Canal. The Charter amendment seeks to preserve the nature and character of Point Lake as a recreational waterway for the benefit of residents, safeguard the adjacent waterfront properties, ensure the public welfare, and protect marine life.

Pursuant to the Commission's direction at the February 13, 2024 Meeting, I am requesting approval of a Resolution which would call for a special election for the purpose of amending the Surfside Charter to prohibit development on Point Lake.

Reso Special Election Charter Amendment Section 4 Prohibitting Development within Point Lake

# RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON NOVEMBER 2024, FOR THE PURPOSE 5. SUBMITTING TO THE ELECTORATE A PROPOSED AMENDMENT TO THE TOWN CHARTER ARTICLE I. SECTION 4 - "GENERAL POWERS OF TOWN: POWERS NOT DEEMED EXCLUSIVE", AS PRESENTED **BALLOT QUESTION ON AN AMENDMENT TO THE TOWN CHARTER PROHIBITING DEVELOPMENT** CONSTRUCTION OF ANY STRUCTURES WITHIN POINT LAKE, NORTH CANAL AND SOUTH CANAL, EXCEPT FOR CERTAIN MARINE STRUCTURES ACCESSORY TO WATERFRONT SINGLE-FAMILY HOMES; PROVIDING REQUISITE BALLOT LANGUAGE AND **CHARTER** SUBMISSION TO AMENDMENT TEXT FOR **ELECTORATE**; **PROVIDING FOR THE TOWN CLERK TO** UTILIZE THE SERVICES OF THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 97.1 of the Town Charter of the Town of Surfside ("Town") referencing Section 6.03 of Article 6 of the Home Rule Charter for Miami-Dade County provides the manner in which charter amendments shall be proposed; and

**WHEREAS**, the Town of Surfside ("Town") Commission recognizes the importance of balancing development while preserving quality of life for residents, and preserving the nature and character of Point Lake as a recreational waterway for the use and benefit of property owners along Point Lake and the public, and to protect and preserve marine life in the waterway; and

WHEREAS, the Town Commission wishes to seek the approval of the electors by a ballot question referendum concerning an amendment to Article I, Section 4 of the Charter "General Powers of the Town; Powers not Deemed Exclusive" to prohibit the development and construction of any structures within Point Lake, the North Canal and South Canal, except for marine structures used for private recreational or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an

upland waterfront single-family home on lots abutting Point Lake, North Canal and South Canal; and

WHEREAS, in accordance with provisions of the Town Charter and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the Town of Surfside, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 5, 2024, for the purpose of submitting to the electorate the proposed referendum ballot language concerning an amendment to Article I, Section 4 of the Charter "General Powers of the Town; Powers not Deemed Exclusive" to prohibit the development and construction of any structures within Point Lake, North Canal and South Canal, except for marine structures used for private recreational or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an upland waterfront single-family home on lots abutting Point Lake, North Canal and South Canal; and

WHEREAS, that the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with acceptance of the certification of the results of said Special Election to be performed by the Town Commission. The official returns shall be furnished to the Town Clerk as soon as the ballots from the precinct have been tabulated and in accordance with Section 26-12 of the Town Code and applicable laws; and

WHEREAS, the voting precinct in the Town for said Special Election which has been established by the proper and appropriate Miami-Dade County Election Officials is located at Surfside Town Hall, 9293 Harding Avenue, Surfside, Florida 33154. All Town electors shall vote at this polling place for this Special Election; and

WHEREAS, not less than thirty (30) days' notice of the adoption of this Resolution and of its provisions calling this Special Election shall be given by publication in the Miami Herald, a newspaper of general circulation in Surfside, Miami-Dade County, Florida. Such publication shall be made once in the fifth week before the election and once in the third

week before the election in accordance with the provisions of Section 100.342, Florida Statutes, and the Town Code; and

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Special Election Called; Notice of Election. That a special election is hereby called, to be held on Tuesday, November 5, 2024, to present to the qualified electors of the Town of Surfside, the ballot question provided in this Resolution. Notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in the Miami Herald, a newspaper of general circulation in Surfside, Miami-Dade County, Florida, at least thirty (30) days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, September 29, 2024), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, October 13, 2024), and shall be in substantially the following form:

# "THE TOWN OF SURFSIDE, FLORIDA

# NOTICE OF CHARTER AMENDMENT REFERENDUM SPECIAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2024-\_\_\_\_ ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN"), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD

WITHIN THE TOWN ON TUESDAY, NOVEMBER 5, 2024, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT QUESTION SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN:

# AMENDMENT PROHIBITING DEVELOPMENT AND CONSTRUCTION OF STRUCTURES WITHIN POINT LAKE

Shall the Charter be amended to prohibit any structure within Point Lake, North Canal and South Canal, except for marine structures used for private recreational or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an upland waterfront single-family home on lots abutting Point Lake, North Canal and South Canal?

YES	[	]
NO	[	]

The polling place for the Special Election shall be the Surfside Town Hall located at 9293 Harding Avenue, Surfside, Florida 33154. All Town electors who are timely registered shall be eligible to vote. The enabling Resolution, including the charter amendment ballot question are available at the Office of the Town Clerk, located at the Surfside Town Hall.

Sandra McCready, MMC, Town Clerk"

Section 3. Form of Ballot; Ballot Question. That the official ballot to be used in the Special Election to be held on Tuesday, November 5, 2024, as hereby called, shall be in substantially the following form, to-wit:

#### "OFFICIAL BALLOT

# AMENDMENT PROHIBITING DEVELOPMENT AND CONSTRUCTION OF STRUCTURES WITHIN POINT LAKE

Shall the Charter be amended to prohibit any structure within Point Lake, North Canal and South Canal, except for marine structures used for private recreational

or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an upland waterfront single-family home on lots abutting Point Lake, North Canal and South Canal?

YES [ ] NO [ ] "

Section 4. Balloting. That balloting shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. on election day at the regular polling place for Town elections. Vote-by-mail ballots and early voting shall be provided as authorized by law. All qualified Town electors who are timely registered in accordance with law shall be entitled to vote.

Section 5. Charter Amendment Text; Effectiveness. The text of the proposed Charter amendment (the "Charter Amendment") is set forth in Exhibit "A", which is attached hereto and incorporated herein. The Charter Amendment shall become effective if the majority of the qualified electors of the Town voting on the Charter Amendment vote for its adoption, and it shall be considered adopted and effective upon the certification of the Special Election results. Following the adoption of the Charter Amendment, the Town Clerk shall file the adopted Charter Amendment with the Clerk of the Circuit Court of Miami- Dade County, Florida.

Services of Miami-Dade County Supervisor of Elections. Copies of this Resolution providing for the special election referendum are on file in the Office of the Town Clerk located at 9293 Harding Avenue, Surfside, Florida and are available for public inspection during regular business hours. Furthermore, the Town Clerk is authorized to utilize the services of Miami-Dade County Supervisor of Elections for any assistance required in the administration of the election. The Town shall pay all expenses for conducting this Special

Election and will pay such expenses to Miami-Dade County upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

<u>Section 7.</u> <u>Authorization of Town Officials.</u> The Town Manager, Town Attorney and Town Clerk are hereby authorized to take all steps necessary to complete the execution and implementation of the terms and purposes of this Resolution, and the Special Election Referendum if adopted and effective.

**Section 8. Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED th	is day of, 2024.
Motion By:Second By:	
FINAL VOTE ON ADOPTION: Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger	
ATTEST:	Shlomo Danzinger, Mayor
Sandra McCready, MMC Town Clerk	
APPROVED AS TO FORM AND LEGAL AND BENEFIT OF THE TOWN OF SURI	
Weiss Serota Helfman Cole & Bierman, F Town Attorney	P.L.

#### **EXHIBIT "A"**

#### TEXT OF PROPOSED CHARTER AMENDMENT OF THE TOWN OF SURFSIDE<sup>1</sup>

#### TOWN OF SURFSIDE CHARTER

\* \* \*

# AMENDMENT PROHIBITING DEVELOPMENT AND CONSTRUCTION OF STRUCTURES WITHIN POINT LAKE

The Town of Surfside Charter Article I, Section 4 - "General powers of town; Powers not deemed exclusive" is hereby amended to read as indicated below, with additions to existing Charter text being shown in <u>underline</u>; and deletions from existing Charter text being shown in <u>strikethrough</u>.

# Sec. 4. – General powers of town; Powers not deemed excusive.

The town shall have all the powers granted to municipal corporations and to towns by the constitution and general laws of the state, together with all the implied powers necessary to carry into execution all the powers granted. The town may acquire property within or without its corporate limits for any town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise or lease. The Town shall not sell, lease for a term in excess of three years or exchange any Town-owned real property, unless such sale, lease or exchange is approved by at least four (4) members of the Town Commission and a minimum of 60% of the Town electors voting at a regularly scheduled general election or special election of the voters of the Town on such proposed sale, lease or exchange of Town-owned real property. This restriction shall not apply to existing leases entered into prior to the effective date of this provision, nor shall it apply to any utility, easements or rights-of-way. Except as prohibited by the constitution of this state or restricted in this Charter, the town shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the town shall have and may exercise all powers which, under the constitution of this state, it would be competent for this Charter specifically to enumerate.

The density, intensity, and height of development and structures within the Town of Surfside shall not exceed the maximum allowable units per acre, floor area ratios or the maximum allowable building heights in stories and feet that are set out in the Town of Surfside Comprehensive Plan or the Code of the Town of Surfside, whichever provisions are most restrictive, which were in effect in 2004. Lot area of lots shall only include the

<sup>&</sup>lt;sup>1</sup>Proposed additions to existing Town Charter text are indicated by <u>underlining</u>; proposed deletions from existing Town Charter text are indicated by <u>strikethrough</u>.

area or acreage within the lot lines of a lot, except that for properties east of Collins Avenue lot area shall be limited to the area bounded by the north, south and west lot lines and the Bulkhead Line on the east (not the Erosion Control Line). Height for properties east of Collins Avenue shall be measured from the elevation determined by the Florida Department of Environmental Protection for the first floor as of 2004 of +16.63 NAVD. such that the maximum height of 120 feet to the structured roof shall not exceed +136.63 NAVD. This amendment to the Town of Surfside Charter shall not be repealed, revised, amended, or superseded unless repeal, revision, amendment, or superseding provisions are placed on the ballot at a regularly scheduled election of the Town of Surfside and approved by a minimum 60% vote of the electors of the Town of Surfside.

The development, installation, construction or maintenance of any structure is prohibited within Point Lake, North Canal and South Canal, except for marine structures used for private recreational or leisure purposes, that are permitted in the Town Code and are accessory and subordinate to an upland waterfront single-family home on lots abutting Point Lake, North Canal or South Canal.



# **MEMORANDUM**

ITEM NO. 5G.

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Hector Gomez, Town Manager

**Date:** March 12, 2024

Subject: Resolution Calling a Special Election for a Voter Referendum Approving

Issuance of Revenue Bond for Abbott Avenue Stormwater Improvements

**Project** 

For the Town Commission to approve the attached resolution.

The Town Commission at the February 2024 Town Commission meeting directed the Town Attorney to prepare a bond referendum and resolution to take to the Town electors to fund Abbott Avenue Stormwater Improvement projects through the issuance of a revenue bond not to exceed \$10,000,000.

Reso Special Election Bond Referendum Abbott Ave Stormwater Improvements

# RESOLUTION NO. 2024-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A TOWN OF SURFSIDE SPECIAL ELECTION TO BE HELD ON **NOVEMBER 5, 2024 FOR THE PURPOSE OF SUBMITTING** THE **ELECTORATE** A **BOND** REFERENDUM REGARDING THE ISSUANCE OF REVENUE BONDS OR NOTE BY THE TOWN OF SURFSIDE IN AN AMOUNT NOT TO EXCEED TEN MILLION (\$10,000,000.00) DOLLARS FOR THE PURPOSE OF CONSTRUCTING THE ABBOTT AVENUE STORMWATER IMPROVEMENTS PROJECT: PROVIDING FOR PUBLICATION OF NOTICE OF SUCH **REFERENDUM: PROVIDING REQUISITE** LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Surfside ("Town") currently imposes a stormwater utility fee (the "Stormwater Fee") pursuant to Section 34-75 of the Town Code of Ordinances (the "Code") which is used exclusively to pay the costs for planning, financing, constructing, operating and maintaining the Town's stormwater management system (the "System"); and

**WHEREAS,** as part of the System, it has been determined that a certain residential area of the Town from Abbott Avenue to Bay Drive along 91<sup>st</sup> Street and 92 Street experience significant flooding during rainfall events, thereby necessitating roadway drainage improvements to mitigate the flooding condition (the "Abbott Avenue Stormwater Improvements Project"); and

WHEREAS, the Town engaged an engineering firm to design the improvements and issued two (2) separate Invitations to Bid for the Abbott Avenue Stormwater Improvements Project, with both solicitation resulting in bids well exceeding the Town's construction cost estimate and budget for the work, and which solicitations were cancelled by the Town due to lack of budgeted funding; and

**WHEREAS,** due to the increasing cost of construction, the Town finds it necessary to issue revenue bonds or a note payable from the Stormwater Fee, in order to provide for the financing of the construction of the Abbott Avenue Stormwater Improvements Project; and

**WHEREAS**, under general law and Section 83 of the Town Charter, except as may be required by Section 93(e) of the Town Charter, voter approval for bonds or other debt obligations issued as revenue bonds payable from Stormwater Fees is not required; and

WHEREAS, Section 93(e) of the Town Charter provides for limitations on indebtedness incurred by the Town, specifically that any indebtedness incurred exceeding 15% of the Town's average annual property tax revenue for the preceding five years, which is not fully repayable within seven years shall require, in addition to other things, approval by referendum of the Town electors by majority vote; and

**WHEREAS,** fifteen percent of the Town's average annual property tax revenue for the preceding five years is approximately \$1,850,000.00, and the proposed indebtedness to be incurred with respect to the Abbott Avenue Stormwater Improvements Project is approximately \$10,000,000; and

WHEREAS, the Town Commission wishes to seek the approval of the electors by holding a bond referendum for the issuance of revenue bonds or note in an amount not to exceed Ten Million (\$10,000,000) Dollars for the purpose of financing the costs of construction of the Abbott Avenue Stormwater Improvements Project (the "Project"), to be payable from the Stormwater Fees and/or other available non-ad valorem revenues of the Town; and

**WHEREAS**, in accordance with provisions of the Charter of the Town and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the Town of Surfside, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 5, 2024 for the purpose of submitting to the electorate the proposed bond referendum ballot question regarding issuance of revenue bonds or note for financing the costs of the Project as set forth herein; and

WHEREAS, not less than thirty (30) days' notice of the adoption of this Resolution and of its provisions calling for a referendum shall be given by publication in the Miami Herald, a newspaper of general circulation in Surfside, Miami-Dade County, Florida. Such publication shall be made once in the fifth week before the election and once in the third week before the election in accordance with the provisions of Section 100.342, Florida Statutes, and the Town Charter and Code; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

# NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Special Election Called; Notice of Election. That a special election is hereby called, to be held on Tuesday, November 5, 2024, to hold a bond referendum and present to the qualified electors of the Town, the ballot question provided in this Resolution. Notice of said election and referendum shall be published in accordance with Section 100.342, Florida Statutes, in the Miami Herald, a newspaper of general circulation in Surfside, Miami-Dade County, Florida. at least thirty (30) days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, September 29, 2024), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, October 13, 2024), and shall be in substantially the following form:

#### "THE TOWN OF SURFSIDE, FLORIDA

#### NOTICE OF REVENUE BOND REFERENDUM

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. \_\_\_\_ ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN"), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, NOVEMBER 5, 2024, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING BOND REFERENDUM SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN FOR APPROVAL OR REJECTION:

# BOND REFERENDUM ABBOTT AVENUE STORMWATER IMPROVEMENTS PROJECT

Shall the Town issue revenue bonds or note not exceeding \$10 million dollars, maturing not later than 30 years from their issuance dates, bearing interest not exceeding the maximum allowable by law, payable from stormwater utility fees and/or other available non-ad valorem revenues, for the purpose of financing the costs of the Abbott Avenue Stormwater Improvements Project?

FOR REVENUE BONDS AGAINST REVENUE BONDS

The polling place for the Special Election shall be the Surfside Town Hall located at 9293 Harding Avenue, Surfside, Florida 33154 and any other polling places provided for the Town election. All Town electors who are timely registered shall be eligible to vote. The enabling Resolution, including the ballot question are available at the Office of the Town Clerk, located at the Surfside Town Hall.

Sandra McCready, MMC, Town Clerk"

Section 3. **Intent to Issue Bonds.** Subject to a referendum as required by the Town Charter and as provided for herein and pursuant to subsequent proceedings of the Town, the Town intends to enact an ordinance to authorize the issuance of revenue bonds or note in an aggregate principal amount not exceeding \$10 million dollars issuable as tax-exempt and/or taxable bonds, maturing at such time or times not exceeding thirty (30) years from their date or dates of issuance and bearing interest at a rate or rates not exceeding the legal maximum rate of interest, in each case as shall be determined by ordinance or resolution of the Town as required by the Town Charter and State law prior to the time of sale thereof (the "Bonds"). Such Bonds, if issued, shall be payable from stormwater fees and/or other available non-ad valorem revenues. The Bonds will be issued for the purpose of providing funds to finance the costs of the Abbott Avenue Stormwater Improvements Project.

Section 4. Calling of Bond Referendum. The Town Commission does hereby call a bond referendum election pursuant to Article VII, Section 12 of the Constitution of the State of Florida, and Florida Statutes Section 100.211, to be conducted by special election in accordance with Florida Statutes Chapter 101 and the requirements of the Supervisor of Elections of MiamiDade County ("Supervisor"), for the purpose of determining whether the qualified electors of the Town approve the issuance of the Bonds to finance the costs of the Project. In accordance with the Constitution and the laws of the State of Florida, all qualified electors of the Town shall be entitled and permitted to vote in the referendum. The Town Clerk and Town Attorney are hereby directed and empowered to do such things as may be necessary and proper in accordance with the laws of the Town and the laws of the State of Florida to provide for such election on the proposition herein contemplated.

**Section 5. Form of Ballot; Ballot Question.** The form of ballot and question for the referendum shall be substantially as follows:

# "BOND REFERENDUM ABBOTT AVENUE STORMWATER IMPROVEMENTS PROJECT

Shall the Town issue revenue bonds or note not exceeding \$10 million dollars, maturing not later than 30 years from their issuance dates, bearing interest not exceeding the maximum allowable by law, payable from stormwater utility fees and/or other available non-ad valorem revenues, for the purpose of financing the costs of the Abbott Avenue Stormwater Improvement Project?

 FOR REVENUE BONDS
 AGAINST REVENUE BONDS"

The form of the ballot to be used in this bond referendum and its preparation shall be in compliance with all statutory requirements relating to the use of mechanical or other approved voting machines or devices.

Section 6. Conduct of Referendum. That the referendum shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. on election day at the regular polling place for Town elections. Vote-by-mail ballots and early voting shall be provided as authorized by law. All qualified Town electors who are timely registered in accordance with law shall be entitled to vote. The marked ballots shall be returned to the Supervisor, who shall deliver the same to the Miami-

Dade County Canvassing Board for canvassing in the manner provided by applicable law. Said returns shall be certified to the Town Commission, which shall declare the results thereof and record the same in its minutes along with the number of qualified electors of the Town who voted at the Referendum on the question proposed and the number of votes cast for and against approval of the Bonds. The Town Commission shall certify the results of said Referendum to the Florida Department of State and/or other applicable entity in the manner provided by applicable law.

Section 7. Available for Public Inspection; Town Clerk to Utilize the Services of Miami-Dade County Supervisor of Elections. Copies of this Resolution providing for the referendum are on file in the Office of the Town Clerk located at 9293 Harding Avenue, Surfside, Florida and are available for public inspection during regular business hours. Furthermore, the Town Clerk is authorized to utilize the services of Miami-Dade County Supervisor of Elections for any assistance required in the administration of the referendum. The Town shall pay all expenses for conducting the special election and referendum and will pay such expenses to Miami-Dade County upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

Section 8. Bond Authorization. If a majority of the votes cast by qualified electors of the Town at the referendum approves the ballot question concerning the Project, the Town shall be authorized, but not obligated, to issue the Bonds in the manner provided herein. The Bonds, at a future date or dates, may be issued all at one time or in part from time to time as the Town Commission may in its discretion thereafter determine by subsequent ordinance or resolution in accordance with the Town Charter and State law.

<u>Section 9.</u> <u>Authorization of Town Officials.</u> The Town Manager, Town Attorney and Town Clerk are hereby authorized to take all steps necessary to complete the execution and

implementation of the terms and purposes of this Resolution, and the Special Election Referendum if adopted and effective.

**Section 10. Effective Date.** This Resolution shall be effective immediately upon its adoption.

Moved By:	
FINAL VOTE ON ADOPTION Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Vice Mayor Jeffrey Rose Mayor Shlomo Danzinger	Shlomo Danzinger, Mayor
ATTEST:	
Sandra McCready, MMC, Town Clerk  APPROVED AS TO FORM AND LEGAL FOR THE RELIANCE OF THE TOWN (	
Town Attorney	



# TOWN MANAGER'S REPORT March 12, 2024

#### I. TOWN DEPARTMENTS

# **Building Department**

**A.** The Town of Surfside has received the digital Demolition Permit Application from Damac Properties Co. LLC to remove the rest of the structure formerly known as Champlain Towers South located at 8777 Collins Avenue. The only parts of the previous structure which remain are the foundation, the lowest garage floor slab and other elements of the underground parking garage. This application will be reviewed in depth by multiple staff directors to achieve full compliance with the following controlling documents:

- Resolution No. 23-Z-3209 Site Plan Approval and Conditions
- Ordinance No. 2022-1720 Construction Sites Ordinance
- Town of Surfside Development Order Review Checklist
- **B.** The Building Department has received from FEMA the final determination on the request of the owners of 8777 Collins Ave., via a L.O.M.R., approving the Preliminary Flood Map revision which removes the AE Zone from its current encroachment onto the property. The property is now entirely with the X Zone effective April 18, 2024, due to this flood map update and revision.
- **C.** Building Department permit and inspection numbers as of February 23, 2024, are as follows:
  - Building Permits issued 76
  - Inspections performed 220
  - Lien search 22
  - TCOs/COs/CCs issued 2

# **Code Compliance Division**

**A.** As of February 26, 2024, the total number of open cases being managed is 196. Of these cases, 97 are actively working towards compliance; five cases are on-hold;

20 cases are in the Special Master hearing queue; five cases are in post-hearing status; 19 code cases have been issued liens and remain unpaid; 50 code cases have service liens and remain unpaid. All properties with unpaid liens are sent reminder letters twice a year.

- **B.** The Code Compliance staff has conducted approximately 94 inspections from January 30, 2024, to February 26, 2024.
- **C.** The Division presented 11 cases to the Code Compliance Special Master Hearing on February 21, 2024.
- **D.** Collected Civil Penalty Fines Unresolved cases accrue fines until the code violation is resolved. After the violation is corrected, the property owner is notified to remit the fine amount due, reach a settlement agreement with the Town, or request a Mitigation of Fines Hearing.

The following is a summary by fiscal year of the fine amounts collected by the Town:

- FY24: As of February 26, 2024, 37 cases have paid/settled for a total monetary collection of \$55,434.00.
- FY23: As of September 30, 2023, 100 cases paid/settled for a total monetary collection of \$\$90,417.61.
- **E.** The Code Compliance Division has assisted the Finance Department by conducting 23 Code lien searches for the month of February 2024.
- **F.** The Code Compliance Division continues to assist the Town Clerk's Office with public records requests.

# Community Services/Tourism & Public Communications Department

- **A. Surfstreet Saturdays Debuts** Last month the Tourist Board debuted a new Saturday block party event series, *Surfstreet Saturdays*. Produced by ACT Productions, the event offers complimentary food and beverages for attendees as well as live music entertainment and activities for the whole family. The second event is scheduled for Saturday, March 2.
- **B. New Events Scheduled for March** The Tourist Board's 2024 event series will add two new events this month: SURF, FOOD, FEST on Thursday, March 7 with The Wavey Group which currently works on the Surfside Farmers Market. The event will include a robust lineup of food trucks while also giving local restaurants the opportunity to showcase their food. Music and arts & crafts will also be available. Later this month,

the Board will present the Surfside Street Art Festival on Sunday, March 24. Expect a myriad of art vendors as well as creative displays and engaging competitions.

- **C. Promoting New Town Businesses** Tourism and Communications is connecting with two new Town businesses to create featured content for communications channels including eblasts and social media. Businesses include Zohar's Gelato at 9543 Harding Ave. and Naamah Sushi at 9509 Harding Ave.
- **D. Traffic Text Alerts** Tourism and Communications is using text-based alerts more frequently in an effort to provide fast notifications through additional mediums. Residents can sign up anonymously by texting Surfside to 888-777.
- **E. Monthly Content Volume** Tourism and Communications is busy creating content for the Town for a variety of different mediums throughout the month. In addition to producing the monthly Gazette and Tourist Board agendas, the team sent out 25 eblasts during the month of February and 14 posts across social media.

#### **Human Resources**

Human Resources continues to provide support and assistance to the Town Administration, departments and staff in relation to a variety of items/services to include:

- **A. AFSCME** AFSCME filed a renewal application with the Public Employer Relations Commission (PERC) due to having less than 60% dues paying members. The application was processed. A hearing officer recommended the case to be transferred to elections, where the majority of those who vote will determine whether or not, the union is recertified. We are currently awaiting on the election date information.
- **B. EEOC** Received a notice of charge of discrimination filed by a former Parks and Recreation employee. HR is assisting the Florida League of Cities with the response.
- **C. Staff Training** In collaboration with the City of North Miami and the Town of Bay Harbor Islands facilitated a Supervision in Government Training 8 modules series, for new supervisors.
- **D.** Positions Filled Police Officer, Accountant / Procurement Coordinator (PT) and Recreation Leader I (PT).
- **E. Risk Management** HR submitted liability related claims and responded to adjuster questions.

- **F.** Interviews conducted Communications Operator and Capital Improvement Projects Director.
- **G.** Background/Offer/New Hire Orientation Prepared offer of employment letters for Capital Improvement Projects Director and Communications Operator. Conducted/coordinated background investigations, pre-employment physicals, and psychological evaluations when applicable. Facilitated the employment orientation for new hires; conducted level 2 background screening (AHCA) of Parks and Recreation new hires and program instructors as needed.
- **H. Safety and Wellness Initiatives** Facilitated an employee Valentine's Day event in coordination and sponsorship of the Surfside Civic Association. Provided staff with information regarding the Town's Employee Assistance Program, weekly webinars and classes for mental health support, nutrition, fitness, support groups, community health initiatives and exercise classes.

## Finance Department

Monthly Budget to Actual Summary as of January 31, 2023 – Attachment "A"

# Parks and Recreation Department

- **A. Facilities/Hours of operation** Parks and Recreation continues to assist in the oversight of construction of 96<sup>th</sup> Street Park and the design of the new Tennis Recreation Center. P&R oversees the following facilities: The Community Center, Tennis Center, the Beach Lifeguard Tower, Hawthorne Tot Lot, and the Dog Park. The Tennis Center continues to operate with court reservations during prime hours. Hours for the pickleball programing are in place. Hours have been adjusted to maximize tennis and pickleball hours. The pool continues to operate with lap swimming registrations during all hours of operation. Pool hours continue to be adjusted month to month to maximize daylight hours. Pool hours are from 7:00 a.m. to 7:30 p.m. for the month of March and the Lifeguard Tower from 9:00 a.m. to 5:00 p.m.
- **B. YMCA After School Programming** After-school is run weekly from 1:50 p.m. to 6:00 p.m. at the Community Center. Additionally, the Kids Day Off Program continues to run successfully with numbers increasing for each program day.
  - **C. YMCA Spring Camp** Registration is currently open for Spring Camp.
- **D.** Spring Programing Registration for the Spring session is underway, and programs are set to begin the week of March 5, 2024. All Aquatics programs are set to

restart in this upcoming spring session. This includes Tiny Bubbles and all swim lessons level 1 - 3.

- **E.** Events The 16<sup>th</sup> Annual Winter 5k Run/Walk was held Sunday, February 25 at the Community Center and beach hard pack. We had a great turnout with over 180 participants. It was one of our most well attended races.
- **F. Senior Trips & Brunches** The trip to the Botanical Gardens in February was a success! Over 35 seniors attended the event. The Senior Brunch on February 16 was one of the biggest yet this year with over 40 seniors that attended and the feedback was great as we had both kosher and non-kosher items available. Our next senior trip is scheduled for Wednesday, March 27, we are headed back to the Gable stages to watch "The Lehman Trilogy." Next Senior Brunch is scheduled for Friday, March 15.
- **G.** Beach Chair Service Beach Chair Service continues to be very popular with Surfside residents. The hours of operation for the month of March are 9:00 a.m. 5:00 p.m. Beach Time Max at this time will adjust on day-to-day basis and as needed if more than 2 chairs per family can be provided. The service continues to operate as scheduled. The new chairs are now in operation.

# Planning Department

Development Application Process (2012 – Present) – Attachment "B"

# Police Department

# A. Police Department Statistics (February 1 – February 22, 2024)

- Traffic Citations 274
- Parking Citations 986
- Arrests 1
- Dispatch Events 832
- Incident/Crime Reports 48

## **B. Police Events/Community Outreach**

- The SurfStreet Saturdays Block Party is March 2, 2024, at 93<sup>rd</sup> Street between Collins and Harding Avenues. The Police Department will assist the Tourist Board with traffic control, street closures and pedestrian safety from 1:00 p.m. to 10:00 p.m.
- The Surfside Farmers Market is March 3, 2024, at the 96<sup>th</sup> Street Beach Entrance and the Hard Pack from 9:30 a.m. to 3:30 p.m. The Police Department will assist with traffic

- control during set up and breakdown, security during the event, and ensuring pedestrian safety from 7:00 a.m. to 5:00 p.m.
- The Police Department coordinated for the Parks and Recreation Teen Scene Program a Marine Patrol class on March 7, 2024 from 5:00 p.m. to 7:00 p.m. at the Indian Creek Police Department. Bal Harbour and Sunny Isles Beach Police Departments will be participating along with Officer Jose Valino as a member of the Police Department's Auxiliary Marine Patrol Unit.
- The Surfside Police Department will host three community blood drives from 10:00 a.m. 5:00 p.m. on the following dates and locations:
  - March 6, 2024 -Town Hall municipal parking lot
  - March 16, 2024 94<sup>th</sup> Street municipal parking lot
  - March 24, 2024 Town Hall municipal parking lot
- The Miami-Dade County Association of Chiefs of Police (MDCACP) is hosting their 3<sup>rd</sup> Annual Law Enforcement Women's Empowerment Lunch and Learn Forum on March 13, 2024 from 11:00 a.m. to 4:00 p.m. at the Rusty Pelican. Sergeant Marian Cruz will attend the event.
- The K9s For Warriors in conjunction with Chewy.com are hosting a K9 Veterans Day Presentation on March 13, 2024 at 1:00 p.m. at the Chewy Headquarters in Plantation. Chief Antonio Marciante and Officer Mike will attend this event.
- Music on the Beach, hosted by the Tourist Board, will be held on March 10, 2024, from 2:00 p.m. to 4:00 p.m. at 9300 Collins Avenue (on the beach). The Police Department will assist with traffic control during set up and breakdown, security during the event, and ensuring pedestrian safety.
- The Town of Surfside's Third Thursday event is March 21, 2024, from 6:00 p.m. to 9:00 p.m. in the 200 block of 93<sup>rd</sup> Street. The Police Department will assist with traffic control during set up and breakdown, security during the event, and ensuring pedestrian safety from 1:00 p.m. to 10:30 p.m.
- o The monthly Coffee with the Cops March 28, 2024, at 10:00 a.m. at Starbucks.
- Surfside, Aventura, Bay Harbor Islands and Sunny Isles Beach Police Departments will host a Multi-Agency Collection Day (electronics recycling, Shred-a-Thon and DEA Drug Takeback) on March 30, 2024 at Bill Bird Marina (Haulover Park) from 10:00 a.m. to 2:00 p.m.

# II. SEE CLICK FIX REPORT

Requests filtered by request category that have been created 02/01/2024 - 02/29/2024

Request Category	Created in period	Closed in period	Average days to close
Beach Issue	2	1	1
Code Compliance (Safety Concern)	1	1	0.1
Code Compliance (Violation)	4	4	0.2
Drainage/Flooding (PW)	0	0	
Hawthorne Tot-Lot (P & R)	2	0	
Other	2	0	
Police (Safety Concern)	0	0	
Beach Patrol	0	0	
Parking Issue	1	1	7
Construction Issues	1	0	
Dead Animal	1	0	

# III. TOWN PROJECTS

Projects Detail Sheets - Attachment "C"

Respectfully submitted by:

Hector Gomez, Town Manager

#### TOWN OF SURFSIDE, FLORIDA MONTHLY BUDGET TO ACTUAL SUMMARY FISCAL YEAR 2024

#### As of JANUARY 31, 2024 33% OF YEAR EXPIRED (BENCHMARK)

Agenda Item# Page 1 of 3

#### 3/12/2024

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
GENERAL FUND - 001			
REVENUE	\$ 15,193,752	\$20,389,626	75%
EXPENDITURES	6,098,699	\$20,389,626	30%
Net Change in Fund Balance	\$ 9,095,053	, ,,,,,,,,	
Fund Balance-September 30, 2023 (Unaudited)	18,071,829 <b>A</b>		
Fund Balance-January 31, 2024 (Reserves)	\$ 27,166,882 <b>B</b>		
TOURIST RESORT FUND - 102			
REVENUE	\$ 1,978,553	\$5,269,057	38%
EXPENDITURES	2,158,729	\$5,269,057	41%
Net Change in Fund Balance	\$ (180,176)		
Fund Balance-September 30, 2023 (Unaudited)	7,231,674 C		
Fund Balance-January 31, 2024 (Reserves)	\$ 7,051,498 <b>D</b>		
POLICE FORFEITURE FUND - 105			
REVENUE	\$ -	\$55,308	0%
EXPENDITURES	\$ 5,478	\$55,308	10%
Net Change in Fund Balance	\$ (5,478)		
Fund Balance-September 30, 2023 (Unaudited) Fund Balance-January 31, 2024 (Reserves)	125,863 \$ 120,385		
Tuttu Balance-Salidary 51, 2024 (Neserves)	Ψ 120,303		
TRANSPORTATION SURTAX FUND - 107			
REVENUE	\$ 46,163	\$338,126	14%
EXPENDITURES	\$ 209,025	\$338,126	62%
Net Change in Fund Balance	\$ (162,862)		
Fund Balance-September 30, 2023 (Unaudited) Fund Balance-January 31, 2024 (Reserves)	\$ 567,333 \$ 404,471		
ruliu balance-January 51, 2024 (Reserves)	\$ 404,471		
BUILDING FUND - 150			
REVENUE	\$ 432,764	\$1,294,213	
EXPENDITURES	601,316	\$1,294,213	46%
Net Change in Fund Balance Fund Balance-September 30, 2023 (Unaudited)	\$ (168,552) 2,963,482		
Fund Balance-January 31, 2024 (Reserves)	\$ 2,794,930		
Turid Balance-varidary 51, 2024 (Nescrees)	Ψ 2,754,300		
CAPITAL PROJECTS FUND - 301			,
REVENUE	\$ -	\$10,476,167	0%
EXPENDITURES	6,968,558	\$10,476,167	67%
Net Change in Fund Balance Fund Balance-September 30, 2023 (Unaudited)	\$ (6,968,558) 8,340,476		
Fund Balance-September 30, 2023 (Onaudited) Fund Balance-January 31, 2024 (Reserves)	8,349,476 \$ 1,380,918		
i und Dalance-January J., 2024 (Neserves)	Ψ 1,300,810		

#### NOTES:

- 1) Many revenues for January 2024 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.
- 2) Expenditures include payments and encumbrances. An encumbrance is a reservation of a budget appropriation to ensure that there is sufficient funding available to pay for a specific obligation.
- A The total fund balance of \$18,071,829 includes \$8,721,494 committed for operations & maintenance, hurricane/natural disaster, budget stabilization and capital. The balance of \$9,350,335 is unassigned fund balance (reserves).
- **B** Includes \$9,471,791 committed for operations & maintenance, hurricane/natural disaster, budget stabilization, and capital. The balance of \$17,695,091 is unassigned fund balance (reserves).
- C The total fund balance of \$7,231,674 includes \$849,846 committed for hurricane/natural disaster, budget stabilization, and capital. The balance of \$6,381,828 is unassigned fund balance (reserves).
- D Includes \$985,816 committed for hurricane/natural disaster, budget stabilization, and capital. The balance of \$5,434,502 is unassigned fund balance (reserves).

		Page	2 of 3
PROPRIETARY FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
WATER & SEWER FUND - 401 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2023 (Unaudited) Unrestricted Net Position-January 31, 2024 (Reserves)	\$ 1,310,949 1,554,380 \$ (243,431) (350,162) \$ (593,593)	\$4,480,808 \$4,480,808	29% 35%
MUNICIPAL PARKING FUND - 402 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2023 (Unaudited) Unrestricted Net Position-January 31, 2024 (Reserves)	\$ 624,537 648,835 \$ (24,298) 3,239,589 \$ 3,215,291	\$1,721,119 \$1,721,119	36% 38%
SOLID WASTE FUND - 403 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2023 (Unaudited) Unrestricted Net Position-January 31, 2024 (Reserves)	\$ 791,466 758,469 \$ 32,997 (56,952) \$ (23,955)	\$2,061,293 \$2,061,293	38% 37%
STORMWATER FUND - 404 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2023 (Unaudited) Unrestricted Net Position-January 31, 2024 (Reserves)	\$ 332,013 470,010 \$ (137,997) 3,123,948 \$ 2,985,951	\$1,930,000 \$1,930,000	17% 24%
FLEET MANAGEMENT FUND - 501 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2023 (Unaudited) Unrestricted Net Position-January 31, 2024 (Reserves)	\$ 303,756 1,003,989 \$ (700,233) 1,313,289 \$ 613,056	\$1,236,390 \$1,236,390	25% 81%

Andria Mairi
Andria Meiri, Budget Officer

Hector Gomez, Town Manager

# Town of Surfside Net Funds Historical Balances Period 2020 - January 2024

FUND	9/30/2020	9/30/2021	9/30/2022	9/30/2023	1/31/2024	CAGR (a)
General	\$ 18,286,748	\$ 21,091,150	\$ 17,599,304	\$ 18,071,829	\$ 27,166,882	-0.4%
Tourist Resort	2,109,658	4,264,457	6,766,124	7,231,674	7,051,498	50.8%
Police Forfeiture	168,289	221,034	176,457	125,863	120,385	-9.2%
Transportation Surtax	442,856	569,453	625,174	567,333	404,471	8.6%
Building	1,991,388	1,904,548	3,079,893	2,963,482	2,794,930	14.2%
Capital Projects	4,899,128	5,894,823	12,354,395	8,349,476	1,380,918	19.4%
Water & Sewer	(1,733,610)	(1,389,877)	(491,258)	(350,162)	(593,593)	70.4%
Municipal Parking	1,293,993	1,657,883	2,284,812	3,239,589	3,215,291	35.8%
Solid Waste	219,615	(271,836)	(18,214)	(56,952)	(23,955)	-163.8%
Stormwater	3,205,050	3,581,622	3,447,087	3,123,948	2,985,951	-0.9%
Fleet Management	825,468	1,091,020	1,349,961	1,313,289	613,056	16.7%
Total	\$ 31,708,583	\$ 38,614,277	\$ 47,173,735	\$ 44,579,369	\$ 45,115,834	12.0%

<sup>(</sup>a) - CAGR stands for Compound Average Growth Rate, and is a useful measure of growth over multiple time periods. It represents the growth rate of a Fund Balance from the initial time value to the ending balance if you assume that the fund has been compounding over a time period. Time period presented 9/30/2020 to 9/30/2023.

		DEVELOPME	ENT APPLICA	DEVELOPMENT APPLICATION PROCESS (2013 - PRESENT)	2 - DRESENT)				
	=			THOM I MOCKED (EQ.	THEORINI)				
			Den	Density/Intensity	Variances		Buil	Building Permit	
Application Date Location	Project Description	Zoning Process	Allowed	Approved	Requested	Received A	Application No.	Status	Status
Orginal submittal: 7/13/2012 Site plan amendment: 4/16/16 9011 Collins Avenue	Orginal submittai: 7/13/2012 Surf Club - restoration of the famous surf club Ste plan amendment: 4/16/16 historic structure and for the construction of 9011 Collins Avenue new improvements	DRG - 7/31/2012, 8/23/12, site plan amendment: 5/16/16, 8/4/16, 3/9/17, 5/11/17 pg. 2. Onginal site plan: 9/27/12, site plan amendment: 8/31/17 rtc - Original site plan: 10/15/12, site plan amendment: 10/10/17 site plan: 10/15/12, site plan amendment: 10/10/17 site plan Ext -	762 units	257 units	None	None	13-727	panssi	Fort Partners has indicated a desire to obtain a final CO and Landscape inspection Landscape proyed needs to be resolved. A landscape inspection was performed and comments were provided by the Town Planner on November 5, 2021. Once the comments are addressed a final inspection will be required. Awaiting CO
7/20/2012 9450 Collins Ave	The Shul - New multiuse glass atrium and adjoining learning center (3 stories)	DNG - 2/11/13, 3/27/13, 7/9/13 P82 - 2/27/14 TC - 10/28/14 Site Plan Ext -	3 story expans	3 story expansion of 8,558.9 square feet	None	None	14-509	panssi	Work is well underway as permitted in three phases: Phase I is the new school which is currently substantally complete and operating with a TCO as Phase I. Phase II is the multi-use glass artium. Phase III is the remodel of the old section of the building.
8/12/2015 12/23/20 9/20/23 Site Plan Amendment 9133 Collins Ave & 9149 Collins Ave	Sid Clab I. Redevicionent of grooting with much clamby recident by operation of safety abunder. Instructure Redection of selecting behavior. Instructure Redection of developing units and bools constructure. Redection of operating units and bools constructure Redevice to copyal undergroup device part operation structure and 2002/2003 to remove better developed restructure at 2002/2003 to remove but the telement and admit of 2002/2003 to remove but the construction of underground garage rown moved back to its original location.	DRG -94/15, 3/9/17, 9/17/17, 2/9/11 TC -2/13/2018, 4/17/11, 4/29/11 TC -2/13/2018, 4/13/12, 4/29/11 TC -2/13/2018, 4/13/21, 4/29/11 TC -2/13/2018, 4/13/21, 4/29/11 TG -2/13/2018, 4/13/21, 4/29/11 TG Pale nExt Size Plan Extension of Exponence of Exponen	199 units	Site Plan Amendment 23 apartments, O hotel rooms and 7 caretaker quarters	None	None	20-536	Permit Issued	Construction of new 12 story condominium is fully underway: Core shell building completed April 2023. Now performing custom interfor completions of units and common areas.
Orginal submittal: 2/11/2016 Revised submittal: 5/31/181 9300 CO 9380, 9372, 9364, 9348, 9340, improve 9322, 9318, 9300 Collins Ave Ibuilding (see Page 2)	9300 Colins Ave - denolition of all existing improvements, construction of 3-story building	DRG - Original submittal: 3/10/16, 4/27/16 Revised submittal: 6/27/18, 8/28/18, 11/1/18 PS 24-0 roginal approval: 1/18/16 Revised approval: 11/29/18 TC - Original approval: 11/10/16, Approved/27/26/19 Ste Plan Ext - Request submitted to extend approval due to emergency dedaration (Hurr. Original Approval and 17 Stes extendions - Permit Due Date 2/4/24. New Request submitted to extend approval due to emergency dedarations in the man and subtropical Storm Nicole) - New Permit Due Date 19/2/24.	250 units	Request is for 205 units	None	None	21-1412BC	Foundation-Only Permit ready to issue SUBSEQUENTLY ABANDONED BY APPLICANT.	Foundation-Only Permit Application has been abandoned in lieu of ownership change of property. New project design is underway. Must be a mixed use structure.
5/4/2016 8955 Collins Ave	Residential Condominiums	DRG - 6/20/16, 7/27/16 P8Z - 10/27/16 11/10/16 TC - 11/20/2016 Site Plan Ext -	110 units	16 units	None	None	16-602	lssued	The Town Planner signed off on the Landscape Plan on June 17, 2022. Public Works Department is working to resolve a couple of issues so that the Building Department can issue a permanent CO.
3/14/22 9309 - 9317 Collins Ave	99 Ocean - Demolition of 2 existing 3 story buildings and construction of 12 story condominium building with 27 dwelling units.	DRG - 8/23/22 P8Z - 8/15/22 TC - 11/29/22 Site Plan Ext filed 11/27/23	58 Units	27 units	None	None		Pending demolition of two existing buildings. Applied for on-site management trailer	Pending Demolition of Two Existing Condominium Buildings.
5/19/2017 4/1/22 8995 Collins Ave	Surf House - site plan approval for expansion to extra multi-farmity building deemed to extra feet and the starthetchrailly significant per Sec. 99.33(3) of the Town Code.	DRG - 6/19/17, 8/24/17, 9/28/17, May 2022  P&Z - 2/22/18, 4/26/18, 5/31/18, approved on 10/27/19  to existing multi-family building deemed  TC - 2.1/10/19  the Town Code.  TC - Approved Site Plan Amendment - P& Z approval May 26, 2022  TC - Approved Site Plan Amendment - P& Z approval May 26, 2022	99 units	Resolution # 19-2661 approved by Town Commission on December 10, 2019 for 12 stories, 34 units and 72 parking spaces.	Original application requested 3 alrances, final application did not include any Variances.  Site Plan Amendment.  Site Plan Amendment.  Units, Other intenor, exterior and construction revisions.	None		Demo permit (retaining NW corner) is sued; Temp. Corst. Fencing issued; No Building Permit applied for yet. Revising Landscaping Plan and driveway.	Planning and Zoning Board recommended approval of Site Plan Areaforest with reduction to Submiss and interior and exertion revalonce on May 26, 2022. Town Commission approved Site Plan Ameriment on May 16, 2022. Town Commission approved Site Plan Ameriment on March 16, 2022. Food and pool defor may remain in historic location with repairs as necessary due to the Architecturally Significrat status of the site. September 2023 wortcal demolition of structure is complete except 1st story NW corner to be saved by design.
Orginal Submittal: 1/06/2015 Revised submittals: 8/01/2016, 12/23/2016, 03/09/2018, 10/29/2018 9/25/2020 Harding Avenue (See page 2)	18 multi-family units	DRG - 01/22/15, 08/18/16. 01/23/17, 03/23/18, 11/29/2018 Neeting Pending, 72/25/11 P82 - 01/31/19 P82 recommended approval (Requires P82 Recondsider) 2/75/21 P82 Denied Plan TTC - Denied by the Commission (requires reconsideration by TC), TT Approx 2/75/21 Site Plan Ext -	33 units	Current request is for 18 units. Town Planner, and Rocenmended approval, P&Z recommended denial	1 requested: Section 90-82. – Off- section of grequirements (Loading Space Ste). Not Required in 2021 Plan	Not needed in 2021 request		Has not applied for permit; after 5/26/23 the site plan is null and void since no permit has been applied for.	iste Plan Approval 5/26/21; Per Sec. 90-20.3 after 24 months from the date the final step plan is approved a building permit for a principal building has not been issued and remains in effect, the principal building is the plan shall be null and void.

			Б	VELOPMENT APPLIC	DEVELOPMENT APPLICATION PROCESS (2012 - PRESENT), Cont.				
Application Date			Densi	Density/Intensity	Variances		В	Building Permit	
Location	Project Description	Zoning Process	Allowed	Approved	Requested	Received	Application No.	Status	Status
7/3/2019 9580 Abbott Ave	Young Israel Variance Request to eliminate landscaping to provide for a handicapped accessible ramp	DRG - N/A PRZ - 8/39/2019 TC - 10/29/39 Site Plan Ext -			1 requested: eliminate landscaping along the north side of the building	None		Complete	Construction of ramp complete
1/7/2020 8926 Collins Avenue	DRG - N/A Arte request to have FPL vault encroach into Pa2 - 1/30/20 landscape buffer.  TC - 2/11/20 Site Plan Ext -	DRG - N/A PRZ - 1,130/20 TC - 2,11,120 Site Plan Ext -			Lands cape buffer	Approved		Complete	This parcel on the west side of Collins Avenue was also inspected along with the residential component on the east side of Collins Avenue. See discussion on first page speadsheet.
11/18/2021 9165 Collins Ave (formerly the Hillcrest) now Surfclub Residences North	Site Plan approval to develop an 11 story, 14 DRG - 1/14/22 - Vha Zoom - Approvad Pro nint NP Beg. 1/25/22 - Veberred to 2/24/222 RBZ - 1/14/22 Caving District to the north side of the RBZ - 1/24/22. Recommended approval Seaway and south side of the Carlisle  TC - Site Plan Approval received 4/12/22.	Site Plan approval to develop an 11 story, 14   DRG -1/14/12 - Via Zoom - Approved Proceeding to P & Z unit MF Big WH 33 parking spaces in P P & Z 2/12/21 - Deferred to 2/24/12/28/MIG PH 12/20 Zoning birdit on the north side of the P & Z 2/24/22 - Recommended approval Seaway and south side of the Carlisle.	58 units	Proposing 14 units	None	None		Demolition of Hillcrest is complete. Applied for Foundation-Only Permit.	Piled recommended on January 42, 2022 proceeding to R&2 or January 23, 2022. Aldre discussion, R&2 decided to centinue the Rem to the Feldwary 42, 2022. R&2 recommended approval at the February 24, 2022 meeting. TC approved Site Plan on 42.22. Feldward 2022 proceeding and provided Site Plan Man 24.22. Feldward Site Plan Man 24.22. Fel
4/27/2022 8809 Harding Avenue	Site Plan Appiration for 8 Townhouse Units	Dr66 - September 27th:2022 P822 - September 29, 2022 TC - Set for 11/29/22	33 Units	Proposing 8 units	None. Prelimnary review comments were prepared at the request of the Applicant. Actual Sie Plan submission for September 29 th P. & Z.			Applied for permit 1/27/23, under review at present. Unity of Title and ROW Dedication to be finalized. FPL transformer location identified, no variance needed.	Applied for permit 1/27/23. Site Plan Application received 4/27/22. Applicant requested preliminary review under review at present. Unity prior to proceeding to formal Site Plan Review. Resubmission for 9/29/22 P & Z with ORG on 9/27/22. Resuperved site plan with addition of 29/27/22. Resuperved site plan with additional transfer or the plant is personal and approved at 11/29/27 T meeting. Application for Building Permit is pending applicant's response to plan dentifical, no variance needed.
10/1/2016, 5/6/21, 9/1/22 9116 Harding Ave (AKA 303 Suriside Blvd.)	303 Surfside - 4 Townhouses (2018) 303 Surfside - 6 Townhouses (2021) and (2022)	DNG -11/2/16,27/17,5/18/17,6/21118.0 P&Z-6/21/18,6/71,10/21/22 TC -4/14/2018 New approval 2/14/23 Site Plan Ext -	6 units Due to 15% reduction for 6 units aggregation	6 units	None	None	23-5066	in Review	Submitted plans on 9/1/22 and were reviewed at the P&Z on 12/15/22 with a DRG held on 10/17/22. Concerns with density at the site; pulled from 10/27/22 P&Z agenda. Density issues resolved 11/28/22 furtis allowed. Approved at 12/15/22 P&Z. Approved by TC on February 14th, 2023.
12/15/22 9100 Collins - Market Hall	Part of Surf Club complex - Office space for hotel staff, office, flushess center for hotel guests, market hall (café and market), underground parking and roof top termis court.	DNG-10/17/22 P 022-12//5/22 TC-2/14/2023	68 units	No residential	None	None		las not applied for permit yet	Has not applied for permit yet Approved by P&Z at 12/15/72 meeting. Approved by TC on February 14th, 2023.
8/29/2022 200 96th Street	Surf Harbor, LLC.  3 story Office Building with at grade parking garage. Application for new construction of a 3-story office bidg, including parking garage at grade and roof deck (15,790 SF of office space)	Dr6 - Teb PRZ-7ED TC - TED Project would need ability to use the Parking Trust Fund Project would need ability to use the Parking Trust Fund			Wil require Zoning Change			No Building Permit appication filed to date.	Application, plans and check submitted for 3 story Office Building. Proposed plans require possible Land Use Plan Amendment and rezoning. Site will need access to the Parking to comply with parking superiments. Discussions underway to determine needed activities in order to process application. Lawyers discussed plans with Mayor, Commissionser and Town Staff. Aim to seek Zoning change.
6/12/2023 8777 Collins Avenue	Site Plan Application proposing 52 unit multi- <b>paz.</b> s/8/2023 family building to 1977/23	DRG - 8/9/2023 P &Z - 8/31/2023 TC - 9/27/23 Approved with conditions	207 Units	52 Units proposed	None	None		Building Permit not filed.	Application, plans and check submitted on June 12th, 2023. Two design options presented, one stempts to meet current code. The other will meet an ordinance change, colly the second plan was presented to R&Z. FEMA Man Change, Approval or Petiminary Maps to go into effect prior to Building Permit submittal. Otherwise on underground parking garage allowed on single use building per FEMA. Approved by Town Commission with condition of FDOT approval for Collins Avenue Loading Dock.
Latest Submittal 8/2 2/2023 8851 Harding Avenue	8 townhome units	DRC - 9/15/2023  \$2. 9/28/20  TC - 11/14/2023 Approved  Site Plan Ext -	33 units	Current request is for 8 units	None	None	23-5091	In Review	Sie requires unity of title prior to permitting.
10/16/2023 9300 Collins Avenue	Site Plan Application proposing 87 unit multi- <b>DRG</b> -11/16/2023 family rental building, undergro und gange P <b>P8Z</b> -11/39/2023 and synagogue TC - 1/9/2023	ркс -11/16/2023 Pe2-11/30/2023 TC -1/9/2023	103 Residential Units	87 Units proposed	None	None			Approved at Town Commission and RLUPA relief granted



## **Project Detail Sheet**

# **Downtown Walkability Improvements**



# **Current Project Phase**

Design phase

Limited permitting for uses.

## **Project Contact Information**

Department Planning
Director Judith Frankel

Engineer of Record Marlin Engineering, Inc.

Architect of Record N/A

**Funding** 

Total Study Cost \$50,000

Design and Implementation \$120,000

strategy cost\*

\* Approved by Resolution at Dec. 13 Town Commission meeting

Additional \$20,000 budgeted to account for Phase I permitting

# Scope

The 2 blocks of Harding Avenue from 94th Street to 96th Street provide the entrance to the Town for those arriving from the north. It is also the commercial hub for residents and is visited by vehicles, pedestrians and bicyclists. The corridor carries through traffic traveling south along busy A1A. An evaluation of the feasibility of providing wider sidewalks in this section of Harding Avenue to support safety, provide a more walkable experience for shoppers and slow vehicle speeds has been conducted. Marlin Engineering presented findings to the Town Commission in September 2022.

#### **Project Timeline**

Refer to attached schedule.

#### **Project Update**

Town obtained permit from the Florida Department of Transportation (FDOT). Town staff will present an update at the March Town Commission meeting.

Tow	Town of Surfside	Down	itown Walka	Downtown Walkability-Harding Avenue	Avenue MARLIN Engineering Project Manager: Walter Keller, PE	ngineering Keller, PE
□ ←	Task Name Kickoff MEETING	Duration 1 day	Start Mon 4/10/23	Finish Apr 23/ay ' Mon 4/10/23 Kickoff	λρr '2¼ay '2¼un '2⅓ug '2ಽep '2ఏct '2⅓ov '2১ec '2⅓an '2≮eb '2¼ar '2Ąpr '2¼an '2↓un '2↓ul '2գug '2ጵep '2ስct '2ຝov '2ጶec '2幼an '2ϵeb '2ルa	∂ес '2√an '2≮eb '2Иa
7	CONCEPT DEVOLOMPMENT PHASE	45 days	Fri 5/5/23	Thu 7/6/23 EPT DEVOLOMPMENT PI	OLOMPMENT PHASE	
က	PREPARE CONCEPT PLANS	20 days	Fri 5/5/23	Thu 6/1/23	- PREPARE CONCEPT PLANS	
4	PUBLIC OUTREACH/ MEETING	1 day	Tue 6/6/23	Tue 6/6/23	H-PUBLIC OUTREACH/MEETING	
2	MEETING WITH COMMISSION	1 day	Wed 6/14/23	Wed 6/14/23	▼ MEETING WITH COMMISSION	
9	INITIAL UTILITY CONTACT (SEND PLANS TO UAOS)	5 days	Fri 6/2/23	Thu 6/8/23	TINITIAL UTILITY CONTACT (SEND PLANS TO UAOs)	
7	RECEIVE UTILITY MARKUPS	20 days	Fri 6/9/23	Thu 7/6/23	RECEIVE UTILITY MARKUPS	
∞	90% DESIGN PHASE	153 days	Fri 12/1/23	Tue 7/2/24	90% DESIGN PHASE	
0	PREPARE 90% PLANS	80 days	Fri 12/1/23	Thu 3/21/24	PREPARE 90% PLANS	
10	MARLIN QA/QC 90% PLANS REVIEW	5 days	Fri 3/22/24	Thu 3/28/24	MARLIN QA/QC 90% PLANS REVIEW	
<del>-</del>	SUBMIT 90% PLANS	1 day	Fri 3/29/24	Fri 3/29/24	SUBMIT 90% PLANS	
12	CITY REVIEW 90% PLANS	10 days	Mon 4/1/24	Fri 4/12/24	CITY REVIEW 90% PLANS	
13	RESPOND TO 90% COMMENTS	10 days	Mon 4/15/24	Fri 4/26/24	RESPOND TO 90% COMMENTS	
Printec Page 1	Printed 12/1/23 Printed 12/1/23 Critical Task Inactive Task Milestone Allestone		■ Inactive Summary  Manual Task  Duration-only	iary	□       Manual Summary       □       Finish-only       □         ■       Start-only       □	

Finish Law Colon
Tue 7/2/24
Fri 5/10/24
Fri 5/17/24
Mon 5/20/24
Mon 6/17/24  Mon 6/17/24  SUBMIT PLANS FOR FDOT PERMIT
Tue 7/2/24
Mon 7/1/24  Mon 7/1/24  RESPOND TO FDOT COMMENTS
Tue 7/2/24  Submit Final Plans
Tue



#### 96th Street Park



# **Current Project Phase**

Construction phase

# **Project Contact Information**

Department Parks and Recreation

Director Architect of Record Project

Management General
Contractor

Tim Milian Savino Miller Design 300 Engineering Lunacon Construction

Funding \$7,800,000

Contract Amount contracted\*

costs included.

Budget Approval Date

September 28, 2022

Commission Authorization to Expend Date \*Refer to Change Order Memo dated Feb. 29, 2024 for additional construction November 15, 2022

## Scope

The project is a full park re-development with a 2-story multi-use structure, an artificial turf field, and play ground area. A kayak launch component has also been incorporated.

# **Project Timeline**

Refer to the attached schedule.

#### **Project Update**

The park will be opened in phases:

Phase I - Multi-purpose field (green space)

Phase II - Playground, picnic area

Phase III - Basketball court, multi-purpose building, kayak launch

	Status		Duration			%	ŀ	٨	
Surfside 96th Street Park Monthly Update -January2024		ľ	431 28-Feb-23 A	10-May-24	62-	76.95%		10-May	10-May-24, Surfside 96th Stre
			431 28-Feb-23 A		62-	76.95%		10-May	10-May-24, Milestone
			32 08-Apr-24		6/-	%0		10-May	10-May-24, General Milestone
Apply for CO Inspection	Not Started	Þ	0 08-Apr-24		6/-	%0		◆ Apply for CO Inspection	pection
Inspector on Site	Not Started	<u>&gt;</u>	0 09-Apr-24		-79	%0		◆ Inspector on Site	
pletion		<u>&gt;</u>	0	10-Apr-24	-79	%0		◆ Substantial Completion	pletion
Project Final Completion	Not Started	>	0	10-May-24	-79	%0		◆ Project	Project Final Completion
Change Order			46 14-Feb-24	08-Apr-24	89-	%0	l	▼ 08-Apr-24, Change Order	ge Order
1			46 14-Feb-24	08-Apr-24	-68	<mark>%0</mark>		▼ 08-Apr-24, Change Order #2	ge Order #21
Step Light - Stairs Lighting Revision	Not Started		46 14-Feb-24	08-Apr-24	89-	%0			
CO#21 Approved	Not Started	<u>&gt;</u>	0	14-Feb-24	89-	%0	<ul><li>O</li><li>◆</li></ul>	► CO#21 Approved	
		ı	431 28-Feb-23 A		-79	76.95%		10-May	10-May-24, Focus Areas
l to Substantial Completion			300 28-Feb-23 A		-78	77.51%			
ration	Not Started		30 10-Apr-24		-79	%0			
Material Deliveries			22		99-	26.07%		▼ 21-Mar-24, Procurement / Material Deliveries	t / Material Deliveries
Procurement and Purchase Orders					99-	35%		▼ 15-Mar-24, Procurement and Purchase Orders	and Purchase Orders
		ı	56 22-Jan-24 A		99-	35%		▼ 15-Mar-24, 2-Storey Building Construction	ing Construction
Procurement of Materials and Purchase Order for Glass Railing	In Progress	Σ	56 22-Jan-24 A		99-	35%		Procurement of Materials and Purchase Order for	and Purchase Order for C
			5 15-Mar-24	21-Mar-24	99-	%0			
			5 15-Mar-24	21-Mar-24	99-	<mark>%0</mark>		▼ 21-Mar-24, 2-Storey Building Construction	Iding Construction
veries for Glass Railing	Not Started	Σ	5 15-Mar-24	21-Mar-24	99-	%0		Mater	lass Railing
			15 21-Mar-24	08-Apr-24	99-	%0		▼	nation
Community Building			15 21-Mar-24	08-Apr-24	99-	%0		▼ 08-Apr-24, Community Building	nunity Building
			15 21-Mar-24	08-Apr-24	99-	<mark>%0</mark>		▼ 08-Apr-24, Interior Works	yr Works
			9 21-Mar-24	01-Apr-24	99	%0		VI Apr-24, Ground Level	Level
Architectural Finishes الانت الأراضية			9 21-Mar-24	01-Apr-24	99	%0		01-Apr-24, Architectural Finishe	ural Finishes
<ul><li>::</li></ul>			9 Z1-Mar-24	01-Apr-24	00	%0		O1 Apr 24, Misc Wolks	ırks
Alumini m Grand Rail Installation	Not Started		21-Mar-24	26-Mar-24	99	%0		Aliminium Gram Reil Installation	Jedanies Installation
	+	> [	4 2 I-IVIGI-24	20-IVIAI-24	၃ မ	%0			
nd Gate		<b>&gt;</b>	3 21-Mar-24	25-Mar-24	99	%0	1	Aluminium Screen Wall and Gate	l and Gate
Glass Railing Installation	Not Started	>	6 25-Mar-24	01-Apr-24	99-	%0		Glass Railing Installation	ation
			8 29-Mar-24	08-Apr-24	99-	%0		▼ V8-Apr-24, 2nd Level	evel
Architectural Finishes			8 29-Mar-24	08-Apr-24	99-	%0		▼ ▼ 08-Apr-24, Architectural Finishes	ectural Finishes
				08-Apr-24	99-	%0		▼ ▼ 08-Apr-24, Misc Works	Norks
			8 29-Mar-24	08-Apr-24	99-	<b>%0</b>		▼▼ 08-Apr-24, Other Specialties	Specialties
Aluminium Guard Rail Installation	Not Started	<b>&gt;</b>	7 29-Mar-24	06-Apr-24	99-	%0		Aluminium Guard Rail Installation	Rail Installation
Glass Railing Installation	Not Started	>	4 03-Apr-24	08-Apr-24	99-	%0		☐ Glass Railing Installation	tallation
oning and Punchout	-		30 10-Apr-24	10-May-24	-79	%0		10-May	10-May-24, Testing/Commissid
list	Not Started	<b>&gt;</b>	5 10-Apr-24	15-Apr-24	-79	%0		■ Creation of Punchlist	nchlist
1. D. 1917 - 1917		Σ		10-May-24	-79	%0		Comple	Completion of Punchlist Rectif



# **Tennis and Recreation Center Project**



# **Current Project Phase**

Design and Engineering

# **Project Contact Information**

Department Parks and Recreation

Engineer of Record\*

Architect of Record\*

The Corradino Group
William Lane Architect

## **Funding**

Total Budgeted \$2,045,000

Budget Approval Date September 28, 2022

Commission Authorization November 2022 to Expend Date Commission Meeting

#### Scope

Design and build a 2-story Tennis and Recreation Center facility where the current Tennis center is located. The project is to include a roof level pickleball courts, community gymnasium with equipment, office space and flex space for community programming.

# **Project Timeline**

Refer to attached schedule.

# **Project Update**

Town staff is reviewing the design development plans.

<sup>\* -</sup> Additional funding will be required at a later date.

						MOM	THS	<b>MONTHS FROM NTP</b>	NTP													
	Task Name	1#	2	3	4	2	9		8	6	10	11	12	13	14	15	91	17	18	19	20	21
xisting Cond	1 Existing Conditions- Topo Surveying Services		:									8	COMPLETED	0								
xisting Con	Existing Conditions- Geotechnical Services			:									COMPLETED	ЕТЕР								
rchitectura	Architectural Design- Phase 1 Concept Plan					:								COMP	COMPLETED							
rchitectura	Architectural Design- Phase 2 Schematic Design							*							СОМР	COMPLETED						
ublic Outr	Public Outreach and Commission Approval							#		#	*					Ö	COMPLETED	Q				
rchitectura	Architectural Design- Phase 3 Design Development														*							
rchitectura	Architectural Design- Phase 4 Construction Documents																			:		
MEP Design Services	Services																					
tructural E	Structural Engineering Design Services																					
ivil Engine	Civil Engineering Design Services and Permitting																					*
Order was is	#Purchase Order was issued on 12/19/2022.																					



# **Town-wide Traffic Study**

#### **Picture**



## **Current Project Phase**

Final edits

## **Project Contact Information**

Department Public Works
Director Randy Stokes
Engineer of Record The Corradino Group

Architect of Record N/A

Project Management The Corradino Group

# **Funding**

Total Budgeted \$204,500

FY22 Budget Amd. No. 7

Budget Approval Date

Commission Authorization to Expend Date

July 12, 2022

#### Scope

An objective of the Town Commission and Town Administration is to increase traffic calming throughout the Town and increase pedestrian safety. The previous Town-wide traffic study was performed in 2012 and it warranted various safety features to be installed. For example, the majority of the speed control traffic bumps and traffic roundabouts were a result of recommendations from the 2012 traffic study. It is recommended to update the traffic study every ten years in order to capture new conditions as a result of changes in population growth and development. The Corradino Group has previously provided traffic engineering services to the Town and was retained for negotiations in order to provide a scope of services for a Town-wide traffic study.

#### **Project Timeline**

Refer to attached schedule.

#### **Project Update**

Scheduled to be finalized early March 2024.

				MOM	THS F	<b>MONTHS FROM NTP</b>	d L									
Task	Task Name	1	2	3	4	2	9	7	8	6	10	11	12	13	14	15
1	Traffic Data Collection			*												
2	Traffic Data Collection- Supplemental					*										
3	Traffic Operational Analysis														*	
4	Traffic Calming Analysis											*				
2	Safety Review														*	
9	Traffic Calming Improvement Plan															* *
7	Community Outreach Meeting														*	
8	Traffic Study Technical Memorandum															*
* Purchas	* Purchase Order was issued on 08/05/2022. NTP month one is September 2022 when	22 when the	traffic dat	the traffic data collection commenced	commence	þ										



# 91st Street - "Surfside Boulevard" Beautification Project

#### **Picture**



#### **Current Project Phase**

Schematic Phase

#### **Project Contact Information**

Department Public Works
Director Randy Stokes
Engineer of Record Kimley-Horn
Architect of Record
Project Management

#### **Funding**

Total Budgeted \$1,050,000 (construction)
Budget Approval Date

Commission Authorization to Expend Date September 28, 2022

#### Scope

Through various sources, the Town has obtained funds with the intent to beautify the current 91<sup>st</sup> Street also known as Surfside Boulevard. The project beautification scope of services is to be determined but will follow after major utilities project occur in the area.

#### **Project Timeline**

Refer to attached schedule.

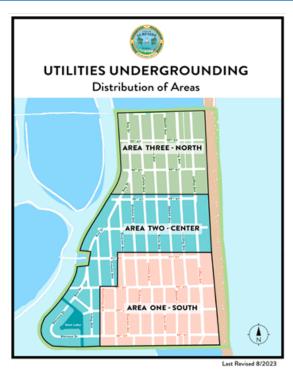
#### **Project Update**

Kimley-Horn design schematics were presented at the January 2024 Town Commission meeting. Option 2 was selected. Kimley Horn is submitting for traffic review to the Miami-Dade County. The submittal is for 60% design. Refer to attached schedule.

		Surf	side 91s	t Ave Be	eautifica	tion					
Task	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24
Task 2 -Schematic Design Review and Selection											
Task 3 -Presentation to Commission (Pending on Commission Schedule)											
Task 4 - 60% Design Plans (Evening Parking Count to be performed during 60% Design Phase)											
Task 5 -Permitting											
Task 6 - Final Plans and Documents											
Task 7 - Bidding Assistance											



#### Town-Wide Utilities Undergrounding Project



#### **Current Project Phase**

**Engineering and Design Phase** 

#### **Project Contact Information**

Department Public Works
Director Randy Stokes
Engineer of Record Kimley-Horn

Architect of Record N/A

Project Management Kimley-Horn

#### **Funding**

Total Budgeted\* \$37,178,512 Budget Approval Date\*\* Varies

Commission Authorization Various agreements have to Expend Date been approved to date

#### Scope

The project consists of the undergrounding all current above ground utilities throughout Town. These utilities include electrical mains, feeders, communications and residential drop connections. The project debt issuance was approved through voter referendum during the 2022 General Elections.

#### **Project Timeline**

Refer to attached schedule.

#### **Project Update**

Kimley-Horn received the survey for Area 3 – North, and have begun to develop the Construction Plans, which are anticipated to be completed in the July/August 2024 timeframe. Additionally, Town is currently working on procurement documents for Construction Manager at Risk (CMAR). Refer to attached timeline.

<sup>\*</sup> Budget figure is based on Surfside Executive Summary estimate (2021)

<sup>\*\*</sup> Various agreements have been approved to date.

Easement Acquisition

				Are	a 1 - South					
Feb-26	Mar-26	Apr-26	May-26	Jun-26	Jul-26	Aug-26	Sep-26	Oct-26	Nov-26	Dec-20
Jtility Provide	r Coordinatio	on								
Data Collection	n		17						76	
asement Acq	uisition									
1		C	onstruction I	Ocuments						
i i			-				Permitting A	ssistance		
					30 3				Bid Phase Serv	ices
Nov-24 Doo lity Provider Coo ta Collection tement Acquisition	= =	Feb-25	Mar-25 Apr	-25 May-25	Jun-25	Jul-25 A	ug-25 Scp-25	Oct-25	Nov-25 Dec-25	Jan-
		Construction Do	cuments							T
			T .	_ I I	Perr	nitting Assista	nce			
	→					Т	7	T T		
1				<u> </u>		Ī	I ·	Ì I	8id Phase S	Services
.77	1				Ì	Ī	I	Ī	Bid Phase S	Services
			<u></u>	Ar	ea 3 - North	Ī	I and a second	l I	Bid Phase 9	Services
Nov-23	Dec-23	Jan-24	Feb-24 M	-	ea 3 - North			.24 Aug-	•	
Nov-23	<del></del>	Jan-24	Feb-24 M	-	ea 3 - North		in-24 Jul	-24 Aug-	•	Oct

Permitting Assistance

Bid Phase Services

Construction Documents



# **Abbott Avenue Drainage Improvements**

# Picture STOP SIGN STREET SIGN MH SD STREET SIGN STREET ST

#### **Current Project Phase**

**Procurement Phase** 

#### **Project Contact Information**

Department Public Works
Director Randy Stokes
Engineer of Record Keith Engineering

Architect of Record NA
Project Management NA

#### **Funding**

Total Budgeted\* \$3,850,000

Budget Approval Date September 28, 2022

Commission Authorization to Expend Date

Expend Date will seek authorization to expend upon

awarding work to contractor

TBD - Administration

\* - Construction and CEI budget aW

Scope

The construction will entail the addition of one new pump station with respective force main in order to alleviate flooding on Abbott Avenue from 90<sup>th</sup> Street to 94<sup>th</sup> Street.

Project Timeline*	Phase Start	Phase End
Engineering and Design	August 2023	October 2023
Permitting	Done	Done
Procurement (est.)	TBD	TBD
NTP for Construction (est.)	TBD	TBD
Construction (est.) Based on	TBD	TBD
redesign		

#### **Project Update**

An update was presented to the Town Commission and it has been decided to bring back for the March Commission meeting a resolution calling a special election for a voter referendum approving issuance of revenue bond for Abbott Avenue Stormwater Improvement Project. Proposals from ITB exceeded Town budget.



#### **Collins Avenue Water Main Design and Permitting**

#### **Picture**



#### **Current Project Phase**

Design Phase

#### **Project Contact Information**

Department Public Works
Director Randy Stokes
Engineer of Record Nova Consulting

Architect of Record N/A

Project Management Nova Consulting

#### **Funding**

Total Budgeted Budget Approval Date \$340,206 (Design) September 28, 2022

Commission Authorization to Expend Date

August 9, 2022

#### Scope

The current undersized water main on Collins Avenue is past its use life and requires upsizing with replacement. The Town sought and obtained a grant for design services for the project. The water main currently services all the facilities along the Collins Avenue corridor.

#### **Project Timeline**

Refer to attached schedule.

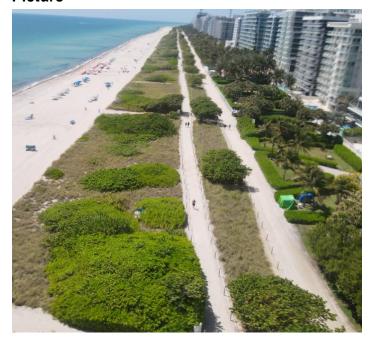
#### **Project Update**

Projects is in 60% design phase. Town submitted an appropriation request to the State.



# **Dune Resiliency and Beautification Project**

#### **Picture**



#### **Current Project Phase**

Design/Permitting Phase

#### **Project Contact Information**

Department Public Works Randy Stokes Director **Engineer of Record** Kimley-Horn TBD

Architect of Record

**Project Management** Public Works

#### **Funding**

Total Budgeted \$72,000

Budget Approval Date September 28,2022

Commission Authorization

**TBD** to Expend Date

#### Scope

The Commission tasked Town administration to promote both dune beautification and resiliency improvements. Town administration is seeking engineering and design services in order to meet the objective in a manner that is Florida Friendly and promotes the natural plant diversity of the dunes.

#### **Project Timeline**

Refer to attached schedule.

#### **Project Update**

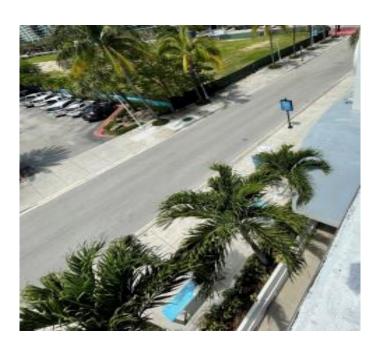
Town is pursuing another Florida Department of Environmental Protection (FDEP) grant to assist with funding. Town is in the process of permitting.

# **Dune Resiliency and Beautification Project Schedule**

Task	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Task 1 - Kickoff Meeting															
Task 2 - Topographic Survey															
Task 3 - Construction Plans															
30% Plan preparation															
60% Plan preparation															
Final Plan preparation															
Task 4 - Permit Coordination															
Project Coordination															



#### 93rd Street 200 Block Paver Beautification Project



#### **Current Project Phase**

**Design Procurement Phase** 

#### **Project Contact Information**

Department Public Works
Director Randy Stokes

Engineer of Record N/A
Architect of Record N/A

#### **Funding**

Total Budgeted \$400,000 Budget Approval Date

Commission Authorization to Expend Date N/A

#### Scope

93rd Street is the hub for all Town Hall and Community Center events. Town Commission has commissioned staff with enhancing the 93rd Street corridor between Harding Avenue & Collins Avenue with pavers and hardscape improvements.

Project Timeline	Phase Start	Phase End
Design Procurement	January 2024	January 2024
Design	TBD	TBD
Cosntruction	TBD	TBD

#### **Project Update**

Town Administration will task 9300 Development to commence design phase per development order.



# **Town Hall Improvements (Commission Chambers and Police Department)**

#### **Current Project Phase**



**Procurement Document Composition** 

#### **Project Contact Information**

Department Public Works/Police Dept Director R. Stokes/A. Marciante

Engineer of Record N/A
Architect of Record N/A

#### **Funding**

Total Budgeted \$1 Budget Approval Date

\$165,000

Commission Authorization

to Expend Date

February 13, 2024

#### Scope

The Town of Surfside Commission Chambers located at 9293 Harding Avenue is highly utilized for various Town meetings. The Commission Chambers is in need of an upgrade to include replacing carpeting, chairs, lighting, amongst other items. Remodel, replace flooring and update sections of the Police Department. The Police Department Communications section is more than 15 years old and in need of replacement. The project scope includes: remodel Communications room; convert a portion of the Communications room into Sergeants office space for four work stations (from three) to alleviate overcrowding; remodel existing sergeants office space into a interview room to provide a private setting for officers to use during interviews of both suspects and victims. The Police Department has private setting to interview victims and suspects; replace the linoleum flooring throughout the police department and the upstairs training room; remodel kitchen area.

Project Timeline	Phase Start	Phase End
Procurement	TBD	TBD
Contract	TBD	TBD
Construction	TBD	TBD

#### **Project Update**

At its February meeting, the Town Commission approved the requested upgrades. Town staff is working with vendors.



## **Parking Lot Security Cameras**



### **Current Project Phase**

**Procurement Phase** 

#### **Project Contact Information**

Department Finance/IT Director Jose Feliz

Engineer of Record AT&I Security Systems

Architect of Record N/A

#### **Funding**

Total Budgeted \$80,000 Budget Approval Date

Commission Authorization to Expend Date

January 2024

#### Scope

Security updates consisting of surveillance cameras and Cloud services at various parking lots.

Project Timeline	Phase Start	Phase End
Procurement	December 2023	January 2024
Implementation	TBD	TBD

#### **Project Update**

Town Commission approved a resolution which authorizes to expand on video surveillance and recording camera system for parking lots located at Town Hall Lot and 94th Street Lot. Equipment has been ordered.



#### **Surfside Memorial**



#### **Current Project Phase**

Design Phase

#### **Project Contact Information**

Department Town Manager's Office

Director Hector Gomez

Engineer of Record N/A
Architect of Record N/A

#### **Funding**

 Total Budget
 \$2,500,000

 Design
 \$248,000

\*All funding from grants and appropriations

#### Scope

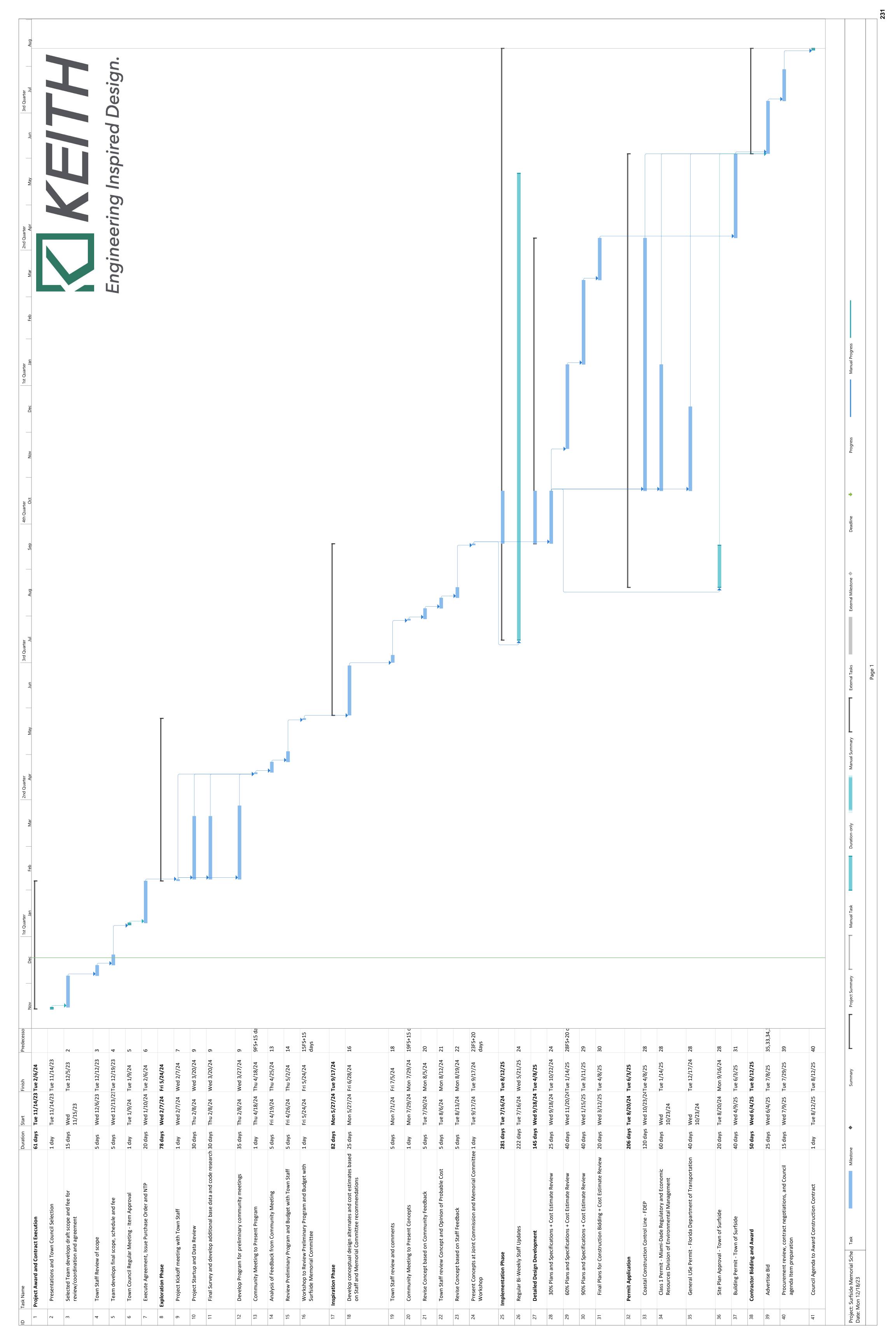
The Town is seeking to create the Surfside Memorial to honor and remember the lives lost in the tragic event that occurred on June 24, 2021, when the CTS Building collapsed. The Surfside Memorial will serve as a permanent remembrance of the immense loss suffered by the Surfside community and will offer a place for families, friends, and visitors to reflect, understand the truth of that day, and find solace through the peace and serenity conveyed through this site.

#### **Project Timeline**

Refer to attached schedule.

#### **Project Update**

Town Commission at its January 2024 Commission meeting approved the design team to start designing the Surfside Memorial. Design is expected to begin in March 2024 with a 15 month design schedule (see attached).





#### **TOWN OF SURFSIDE**

Office of the Town Attorney
MUNICIPAL BUILDING
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154-3009
Telephone (305) 993-1065

TO: Mayor and Town Commission

FROM: Lillian M. Arango and Tony Recio, Town Attorney

Weiss Serota Helfman Cole & Bierman, P.L.

CC: Hector Gomez, Town Manager

**DATE:** March 5, 2024

SUBJECT: Office of the Town Attorney Report for March 12, 2024 Regular

**Commission Meeting** 

This Firm attended/prepared and/or rendered advice for the following Commission meetings and workshops, public meetings and workshops, and Board and Committee meetings during the past month:

February 5, 2024 – Tourist Board Meeting February 13, 2024 – Regular Town Commission Meeting February 29, 2024 – Planning and Zoning Board Meeting

Members of the firm assisted with the agendas and drafted the resolutions and ordinances where necessary for the above noted meetings, in addition to drafting or assisting with the preparation of a number of the communications and reviewing, revising and, as appropriate, negotiating the legal requirements of the relative contracts, agreements and supporting documents.

Various members of the Firm have and continue to assist the Town in the aftermath of the CTS Collapse, including ongoing causation investigations at the CTS Site and off-site facilities, and interaction with KCE Engineering (Allyn Kilsheimer) and NIST representatives. Efforts also include legal assistance with a CTS memorial site.

#### **Commission Support:**

Attorneys of the firm have continued to work with the members of the Town Commission, and Board and Committee members, to provide Ethics guidance and opinions, including Sunshine Law and Public Records, and address concerns and research specific issues and legislative and policy initiatives, and are always available, either in the office or by phone or email. We appreciate your support as we continue our sixth year of service and work in implementing the Mayor and Town Commission's policy directives.

#### **Staff Support:**

Members of the Firm continue to assist the Town administration and staff, as well assist boards and committees, with application review, contract and agreement review; preparation of ordinances as directed by the Commission; procurement and purchasing, various solicitations for Town services and providers (RFQs and RFPs) and agreements; IT related agreements; Parks & Recreation Department contracts and services; Tourist Board purchases and agreements; Code enforcement and interpretation, and attendance at Special Master Hearings upon request; beach furniture operator permits and administration; ethics issues and complaints; police funding, matters and agreements, forfeiture, public records and complaints; building permit and enforcement issues; public records and media requests; litigation representation and support, subpoenas, oversight and case management; Town Code interpretation and application; labor, employment and pension matters; assistance with implementation of the AFSCME Florida Council 79 for Town civilian employees; collective bargaining negotiations and agreement with the FOP; Town Manager recruitment process and employment agreement; EEOC complaints: ethics complaints and inquiries; various procurements and service provider contracts for Town Departments and the Tourist Board; Zoning Code clarifications and ordinances; and implementation of utilities undergrounding project.

#### **Key Issues and Action Items:**

The workload has been diverse and has included specific issue support to every department. Key issues and action items since the commencement of Fiscal Year 2023/2024 have included:

October 2023:

Resolution Approving and Accepting a State-Funded Grant Agreement With The Florida Department Of Commerce (FDOC) For The Downtown Alleyway Surfside Project.

- Resolution Approving Budget Amendment No. 1 For the Fiscal Year 2024 Budget.
- Resolution Approving a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with The City of Sweetwater.
- Resolution Approving an Amendment to The Project Agreement with The Corradino Group, Inc. For Additional Professional Engineering Building Design and Permitting Services for The Tennis Recreation Center Building Improvement Project.
- Resolution Approving a Project Agreement with Kimley-Horn and Associates, Inc. For Utilities Undergrounding Design and Engineering Services Pursuant to The Continuing Services Agreement for Professional Engineering Services.
- Ordinance Adopting Chapter 73, "Capital Improvement Projects," Providing for A Definition of Town "Capital Improvement Projects"; And Establishing the Method For Planning, Budgeting, And Implementing Such Projects.
- Ordinance Amending Article VI. "Water Shortage Regulations" Of Chapter 78 "Utilities," of the Town's Code of Ordinances to Incorporate Applicable Miami-Dade
  County Permanent Year-Round Landscape Irrigation Restrictions And Provide For
  Enforcement By The Town.
- Ordinance Amending Section 2-206 "Public Participation" Relating to Citizens Presentations.
- Ordinance Amending Chapter 72 "Telecommunications", Section 72-28 "Definitions," Section 72-31 "Placement or Maintenance of A Communications Facility In Public Rights-Of-Way", And Section 72-35 "Existing Communications Facilities In Public Rights-Of-Way" To Require Undergrounding Of All New Communications Lines Within The Town's Boundaries.

#### November 2023:

- Resolution Approving Second Amendment to The Concession Agreement with Deco Bike, LLC, And Agreement Providing for Renewal Of The Agreement
- Resolution Ratifying the Acceptance of a Florida Department Of Environmental Protection Resilient Florida Grant For The Town Comprehensive Vulnerability Assessment And Adaptation Plan Resolution And Agreement With Alves Sports Groups LLC For The Town's Youth Soccer Program For FY 2023/2024
- Resolution And Agreement with GM Sports Tennis, LLC For the Town's Youth Tennis Program for FY 2023/2024
- Resolution And Agreement with Premier Bounce N Slide Party Rentals LLC For the Town's Park and Recreation Special Events for FY 2023/2024
- Resolution And Agreement with Sky Elements, LLC For 4<sup>th</sup> Of July Drone Show Services
- Resolution And Franchise Agreement with TECO People Gas
- Resolution Approving and Authorizing the Purchase of Four (4) 2023 Ford Police Interceptor Utility Vehicles Together with Emergency Lighting Equipment and Radio Equipment For The Police Vehicles

- Resolution Approving and Authorizing the Purchase of a Takeuchi Tl12V2-R Compact Track Loader and Auxiliary Items From Alta Construction Equipment Florida, LLC
- Resolution Approving and Authorizing the Purchase of Nine (9) Motorola Police Radios for The Police Department
- Resolution Approving a Banking Extension Agreement with Truist Bank For Depository And Treasury Services
- Resolution Adopting a Planning and Zoning Fee Schedule For Design Review And Related Services
- Resolution Approving and Authorizing the Expenditure of Funds For The Downtown Walkability Project, Curb Installation And Landscape Renewal
- Resolution Approving the Town's Election to Participate and The Execution Of The Urban Qualification Cooperation Agreement For The Miami-Dade County Community Development Block Grant (CDBG) And Home Investment Partnerships Program Funds For Fiscal Years 2024, 2025, And 2026
- Ordinance Amending Section 90-62 "Outdoor Lighting" To Provide Outdoor Lighting Regulations for Single-Family Residential Dwellings
- Resolution Accepting Public Hearing Comments Relating to The Establishment of An On-Demand Transit Services to Replace the Existing Town Shuttle Servicers And Use Of Transportation Surtax Proceeds For The Service
- Resolution Urging the Florida Legislature to Adopt SB 172, Related to Establishing A Property Tax Exemption Or Discount Eligibility Verification Procedure For Certain Disabled Veterans And Surviving Spouses Before Purchasing Property
- Resolution [Approving/Denying] Site Plan Application to Permit Development of Property Located At 8851 And 8873 Harding Avenue, Surfside, Florida, For A Multifamily Residential Development Consisting of Eight (8) Dwelling Units And 17 Parking Spaces
- Resolution Selecting Keith & Associates, Inc. For Design of The Surfside Memorial Pursuant to Request For Qualifications (RFQ) No. 2023-02 And Request For Proposals (RFP) No. 2023-04; Authorizing The Town Manager To Negotiate An Agreement For the Services

#### December 2023:

- Resolution Approving a Natural Gas Franchise Agreement with Peoples Gas System, Inc; Authorizing Peoples Gas to Use The Public Rights-Of-Way
- Resolution Approving an Agreement with CRS Max Consultants, Inc. For Flood Insurance Community Rating System Consultant Services
- Resolution Certifying and Declaring the Results Of The Town Special Municipal Elections Held On November 7, 2023 For The Election Of Five Referendum/Ballot Questions
- Resolution Approving Budget Amendment No. 2 For the Fiscal Year 2024 Budget

- Resolution Approving Change Order Request No. 9 Providing For An Increase In The Contract Price For FPL Electrical Service To 96th Street Park, Related To The Contract For Construction With Lunacon Engineering Group, Corp. For The 96th Street Park Project
- Resolution Approving a Master Maintenance Memorandum Of Agreement With The Florida Department Of Transportation (FDOT) For Beautification And Sidewalk Improvement Projects On State Roads And Rights-Of-Way Within The Town
- Resolution Approving an Agreement With Beefree, LLC D/B/A Freebee For On-Demand Transportation Services Utilizing The Terms And Conditions Of The City Of Sunrise Standard Contract No. C 21-04-05-MS
- Ordinance Amending Section 70-41 "Local Business Tax Schedule" And Section 70-42 "Business Not Named In Schedule" To Increase Local Business Tax Rates
- Ordinance Amending Chapter 54, "Offenses and Miscellaneous Provisions," Article III, "Offenses Involving Public Peace and Order," By Adding Section 54-67 Entitled "Camping Prohibited"

#### January 2024:

- Resolution Approving Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with The City of Hialeah
- Resolution Approving Purchase and Installation of Video Surveillance Equipment, Recording Camera Systems, And Related Software Subscription Licenses from Streamline Voice & Data, Inc. For The Parking Lots Located on Harding Avenue
- Resolution Approving an Agreement with Keith & Associates, Inc. For Design Services Related to The Surfside Memorial Pursuant to Request For Qualification No. 2023-02 And Request For Proposals No. 2023-04
- Resolution Approving Budget Amendment No. 3
- Resolution Approving an Interlocal Agreement with Miami-Dade County For On-Demand Transportation Services
- Resolution Approving and Selecting a Conceptual Design Plan [Concept A Or Concept B] For the Surfside Boulevard Beautification Project
- Resolution Establishing Sister City Agreement with The City of Hialeah, Florida, To Promote Educational, Informational, Cultural, And Economic Exchanges
- Ordinance Amending Section 70-41 "Local Business Tax Schedule" And Section 70-42 "Business Not Named In Schedule" To Increase Local Business Tax Rates
- Ordinance Amending Chapter 54, "Offenses and Miscellaneous Provisions," Article III, "Offenses Involving Public Peace And Order," By Adding Section 54-67 Entitled "Camping Prohibited"
- Ordinance 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
- Ordinance 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

#### February 2024:

- Resolution 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
- Resolution And Contract for Construction With Di Obra Development Group Corp.
   For The Town Hall and Police Department Improvement Project
- Resolution And Grant Agreement with the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program Grant For The Town Dune Restoration Project
- Resolution 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 And 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
- Resolution 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
- Resolution Approving and Adopting "Surfside Sand" Concrete Sidewalk Specifications For The Town And Incorporating The Specifications In The Public Works Manual
- Resolution 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 Service
- Resolution Establishing the Surfside Youth Council; Adopting The Council's Charter And Organizational Structure
- Resolution Approving an Amount Not To Exceed \$40,000 For Sariol Redero, Inc.
  To Perform Phase One Sidewalk Improvements on Bay Drive From 96th Street To
  95th Street, To Improve Connectivity And Pedestrian Safety In The Town
- Resolution 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
- Resolution Confirming the Abandonment And Vacation of a Portion of Right-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"

#### March 2024:

- Resolution Approving a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement With the Town of Medley
- Resolution Approving a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement With the Village of Biscayne Park
- Resolution Approving Budget Amendment No. 4
- Resolution Selecting Various Consultants Pursuant to Request for Qualifications No. 2023-06 for Professional Architectural, Engineering, Landscape Architectural, and/or Surveying And Mapping Services; Authorizing The Town Manager To Negotiate Continuing Services Contracts With the Top Four Ranked Qualified Firms for Each Category for Award of Such Contracts
- Resolution Approving a Second Revision to the Scope of Services and Fees for Construction Management and Owner Representation Services for the 96th Street Park Project Pursuant to an Approved Project Agreement with 300 Engineering Group, LLC
- Resolution Approving Change Order No. 5 to Contract For Construction With Lunacon Engineering Group, Corp. for 96th Street Park Project; Authorizing Town Manager to Execute the Change Order to the Contract for Construction and Expend Funds Pursuant Thereto; Ratifying Additional Change Order Requests To Change Order Nos. 3 And 4 to the Contract For Construction
- Resolution Approving Additional Construction Phase Design and Architectural Services from Savino & Miller Design Studio, P.A. Pursuant to the Professional Services Agreement for 96th Street Park Project; Authorizing the Expenditure of Funds
- Resolution Calling For a Town of Surfside Special Election to Be Held on November 5, 2024 for the Purpose of Submitting to the Electorate a Bond Referendum Regarding the Issuance of Revenue Bonds or Note by the Town of Surfside in an Amount not to Exceed Ten Million (\$10,000,000.00) Dollars for the Purpose of Constructing the Abbott Avenue Stormwater Improvements Project; Providing for Publication of Notice of Such Referendum; Providing Requisite Ballot

- Language for Submission to the Electorate; Providing for the Town Clerk to Utilize the Services of Miami-Dade County Supervisor of Elections for the Special Election
- Resolution Calling for a Town of Surfside Special Election to Be Held on November 5, 2024, for the Purpose of Submitting to the Electorate a Proposed Amendment to the Town Charter Article I, Section 4 "General Powers of Town; Powers Not Deemed Exclusive", As Presented in a Ballot Question on an Amendment to the Town Charter Prohibiting Development and Construction of Any Structures Within Point Lake, North Canal And South Canal, Except for Certain Marine Structures Accessory to Waterfront Single-Family Homes; Providing Requisite Ballot Language and Charter Amendment Text for Submission to the Electorate; Providing for the Town Clerk to Utilize the Services of the Miami-Dade County Supervisor of Elections for the Special Election

New or supplemental information is provided for the following litigation/cases:

Solimar Condominium Association, Inc. v. Town of Surfside, Case No. 3D23-1572 in the Third District Court of Appeal. On August 30, 2023, Solimar filed a Notice of Appeal of the Final Judgment Order (from the underlying trial court Case No. 2019-025481-CA-01 in the Circuit Court 11<sup>th</sup> Judicial Circuit, Miami-Dade County, Florida) in the Third District Court of Appeal. The Town filed a Notice of Appearance on September 20, 2023. The initial brief has been served and the Town's answer brief deadline has been extended and is due on March 15, 2024.

Schnabel Engineering, LLC, Plaintiff, v. KCE Structural Engineers, P.L. and Town of Surfside, Defendants, Case No. CL23-7597, Henrico County Circuit Court, Virginia. A lawsuit by Schnabel Engineering was served on KCE Structural Engineers on November 28, 2023. Pursuant to the agreement between the Town and KCE for the CTS collapse investigative services, the Town agreed to defend, indemnify, and hold KCE harmless from any and all claims, expenses and damages not caused by KCE's sole negligence arising from or alleged to arise from the performance or nonperformance of services by KCE, including other Town consultants and KCE's subconsultants. At the request of the Town in June, 2021 and immediately after the CTS collapse, KCE engaged Schnabel Engineering to provide services, provided the Town first provided prior written authorization to Schnabel and COSMO (Italian Space Agency) to perform the services. On December 12, 2023, the Town Commission authorized the retention of attorneys in Virginia to respond to the lawsuit, which response was originally due on December 19, 2023. On December 28, 2023, the Viginia Court entered a Consent Order extending the time to respond to the Complaint until February 29, 2024. Mediation is set for March 27, 2024, and the response to the complaint was extended to April 30, 2024.

Information on other pending litigation matters, including matters handled by the FMIT appointed defense counsel, has or will be provided individually to members of the Town Commission, as needed or requested.

#### **Special Matters:**

Continued assessment of the impacts of new case law and legislation from Federal, State and County, challenging local home rule authority and analysis of legislation proposed in the 2023 Florida Legislative Session. Preparation and establishment of the Town's legislative priorities for the 2024 Legislative Session; Matters which we will continue to work on and anticipate in the upcoming months include: monitoring of NIST's investigations as to the cause of the CTS collapse; CTS memorial site/park and 88th Street closure to vehicular traffic; public records requests; ethics complaints, inquiries and opinions; implementation of various policy directives from the Mayor and Town Commissioners: Design/engineering and construction for the Tennis Recreational Center: Contract for construction and administration of for 96th Street Park construction; implementation and purchase of solar ballards lighting for hardpack (phase II); continued review and monitoring of all Development Orders and approvals; police matters and mutual aid and other agreements; various procurements and service or provider agreements for Town improvements, equipment, facilities and programs, including sewer regulatory services; Dune Resiliency and Beautification, Collins Avenue Water Main Design and Permitting, Stormwater Masterplan, Transportation Masterplan; Commission Chambers Audio/Visual Upgrades; Tourist Board Programs and Events Vendors; Upgrades to Zoning Code Design Standards; Zoning Code ordinances; Ordinance Regulation Public Rights-of-Way and R/W Encroachment Agreement; continued assistance with implementation of AFSCME Florida Council 79 Union for Town civilian employees; Revised Invitation to Bid and Contract negotiations for the Abbott Avenue Drainage Improvements Project, including grant funding; implementation and funding for Surfside Boulevard improvement; implementation of undergrounding of utilities project, bond financing, and alley and easement issues; implementation of walkability initiatives and traffic directives; grant funding and implementation of CTS Memorial Site, including assistance with RFQ and RFP for design of CTS Memorial Site; implementation of Charter Ballot Questions and Election; updates to telecommunications ordinance; People's Gas System (TECO) Franchise Agreement renewal; MOU with Indian Creek Village for Sewer Facilities; RFQ for CCNA specialized engineering services; Selection of Firm for Surfside Memorial Design Services and negotiation of agreement; RFP for stormwater maintenance services; RFP for Insurance Services; RFQ/RFP for Utility Undergrounding Project; Charter Amendment Regarding Point Lake; Revenue Bond Referendum for Abbott Avenue Stormwater Improvement Project; and Implementation of On-Demand Transit Services, including an Interlocal Agreement with Miami-Dade County for on-demand transit services, and an agreement for such services with Freebee.