



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

**Tuesday, May 14, 2024
7:00 PM**

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

Rule 6.06 (a)3 Agenda. The good and welfare portion of the agenda is set for 8:15 p.m.

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

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

1. Opening

1A. Call to Order

1B. Roll Call of Members

1C. Pledge of Allegiance

1D. Mayor and Commission Remarks - Mayor Charles W. Burkett

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

1F. Community Notes - Mayor Charles W. Burkett

1G. Municipal Clerks Week - Mayor Charles W. Burkett

[Municipal Clerks Week 2024 Request Form](#)

[Proclamation Municipal Clerks Week 2024](#)

1H. Appointment of Boards and Committee Members - Sandra N. McCready, MMC,
Town Clerk

2. Quasi-Judicial Hearings

3. Consent Agenda

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

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

[March 26, 2024 Town Commission Workshop Meeting Minutes](#)

[April 2, 2024 Town Commission Workshop Meeting Minutes](#)

[April 9, 2024 Special Town Commission Meeting Minutes](#)

[April 9, 2024 Town Commission Meeting Minutes](#)

3B. Board and Committee Meeting Minutes - Sandra McCready, MMC., Town Clerk

[February 29, 2024 Planning and Zoning Board Meeting Minutes](#)

[March 4, 2024 Tourist Board Meeting Minutes](#)

3C. Certification of Surfside General Municipal Elections held March 19, 2024 -

Sandra N. McCready, MMC, Town Clerk

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE,
FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF
SURFSIDE GENERAL MUNICIPAL ELECTIONS HELD ON MARCH 19, 2024**

**FOR THE ELECTION OF THE MAYOR AND FOUR COMMISSIONERS;
PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE
DATE.**

[Resolution Certifying Town General Elections](#)

[Certification Letter - Surfside General Municipal 03.19.24](#)

[Results Official EL45 03.29.24 -Surfside 03.19.24 Signed](#)

4. Ordinances

Second Reading

First Reading

4B1. Ordinance Amending Section 90-41 "Regulated Uses" by Providing Exemptions to Drug Stores - Mark Blumstein, Interim Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", BY PROVIDING DRUG STORES EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

[90-41 Regulated Uses - Drug Stores](#)

4B2. Ordinance Amending the Resort Tax Powers and Duties and filing requirements. - Mark Blumstein, Interim Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 70-124 AND 7-126, OF DIVISION 2.—"RESORT TAX BOARD", OF ARTICLE IV.—"RESORT TAX", CHAPTER 70 OF THE TOWN CODE, TO AMEND THE POWER AND DUTIES AND DELETE ANY REQUIREMENT FOR SPECIFIC, MINIMUM ALLOCATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Powers and Duties Resort Tax Board](#)

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. Approval of the Interim Town Manager Agreement - Mayor Charles W. Burkett

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE EMPLOYMENT AGREEMENT OF MARISOL VARGAS AS INTERIM TOWN MANAGER PURSUANT TO THE EMPLOYMENT AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR

AN EFFECTIVE DATE.

[Reso - Interim Town Manager](#)

[Marisol Vargas - Interim Town Manager Agreement](#)

- 5B. Approving a Resolution Creating a Community Relations Board -**
Commissioner Gerardo Vildostegui

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

[Reso Comm Relations Board - ver3.docx](#)

- 5C. Approval of the Intergovernmental Agency Agreement with Miami-Dade County to Perform Traffic Engineering Functions -** Mark Blumstein, Interim Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY RELATING TO TRAFFIC ENGINEERING FUNCTIONS ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.

[Reso - Intergovernmental Agency Agreement](#)

[Town of Surfside Intergovernmental Agreement - Traffic Engineering Functions](#)

[Exhibit A - Detail Sheets](#)

- 5D. Nurse Enhancement Initiative for School Year 2024-2025 -** Mark Blumstein, Interim Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AMENDMENT NO. 7 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE, THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, TOWN OF BAY HARBOR ISLANDS, BAL HARBOUR VILLAGE, AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC. TO FUND A NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2024/2025 FOR RUTH K. BROAD BAY HARBOR K-8 CENTER; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

[Reso Approving MOU - Amend. No. 7 to MOU School Nurse Initiative 24-25](#)

[Nurse Enhancement Initiative Behavioral Health Services Summary Report and Expanded Services Update](#)

[Nurse Amend No. 7 Municipalities 24-25 \(Form Approved\)](#)

- 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 -** Marisol Vargas, Interim Town Manager

[May Town Manager's Report](#)

7B. Town Attorney's Report - Mark Blumstein, Interim Town Attorney
[Town Attorney Report - May 14 2024](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. CTS/KCE and Memorial Updates - Mark Blumstein, Interim Town Attorney
[KCE Structural Engineers, P.C. Agreement](#)
[KCE Structural Engineers-Collapse of Champlain Towers South-Tasks 1 2 and 3](#)
[Addendum to Agreement for Infrastructure Monitoring Services between Schnabel Engineering LLC and KCE Structural Engineer, PC.](#)

9B. Discussion on Chapter 3 "Purchasing" related to the Town Manager's Expending Authority - Commissioner Nelly Velasquez
[Attachment "A" - Ordinance No. 2020-1708 Purchasing Code](#)

9C. Recognition of LGBT Pride Month in June - Commissioner Gerardo Vildostegui

9D. Discussion of Sec. 66-7 Ban on Gas-Powered Leaf-Blowers and of the Related Public-Education Campaign and "Warning Period" - Commissioner Gerardo Vildostegui
[Leaf Blower flyer](#)

9E. Ballot Question regarding Food & Beverage Tax (1 percent Homeless and Domestic Violence tax) - Vice Mayor Tina Paul
[Miami Dade County Resolution R-214-19](#)
[Statutes & Constitution View Statutes Online Sunshine](#)
[Which states have the highest and lowest rates of homelessness](#)
[Letter to Mayor Burkett-Surfside 01-13-21](#)

9F. Sustainability Initiatives for the Town to Implement. - Vice Mayor Tina Paul
[What is Ecotourism and Why It Matters in 2024](#)

9G. On-Street Parking - Mayor Charles W. Burkett
[Biscaya Island Illegal Parking](#)
[Section 14-28](#)
[FL Statute 316.008](#)

9H. Code of Ethics - Commissioner Nelly Velasquez
[ARTICLE VII. - Code of Ethics](#)

10. Adjournment

Respectfully submitted,

Marisol Vargas, MPA.
Interim 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.townofsufsidefl.gov.

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

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