



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

Tuesday, August 13, 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. Proclamation Presentation to Miami-Dade County Mayor Daniella Levine Cava - Vice Mayor Tina Paul
[Miami-Dade County Mayor Daniella Levine Cava](#)
[Proclamation Daniella Levine Cava](#)

1H. Appointment of Boards and Committee Members - Sandra N. McCreedy, 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. McCreedy, Town Clerk
[July 8, 2024 Special Town Commission Meeting Minutes](#)
[July 9, 2024 Special Town Commission Meeting Minutes](#)
[July 9, 2024 Regular Town Commission Meeting Minutes](#)
[July 23, 2024 Special Town Commission Meeting Minutes](#)

3B. Boards and Committees Meeting Minutes - Sandra McCreedy, MMC, Town Clerk
[June 26, 2024 Special Planning and Zoning Board Meeting Minutes](#)
[June 27, 2024 Planning and Zoning Board Meeting Minutes](#)

3C. Approval of Florida Department of Transportation Grant to Provide On-Demand Services via Freebee - Mark Blumstein, Interim Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A PUBLIC TRANSPORTATION GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Accepting FDOT Grant for Freebee - Aug 2024](#)
[FDOT Public Transportation Grant Agreement](#)

4. Ordinances

Second Reading

4A1. Amending Town Code Section 90-79 - Restricted and Prohibited Parking - Mark Blumstein, Interim Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 90 "ZONING" OF THE CODE OF ORDINANCES, TO REGULATE UNDERGROUND PARKING IN THE TOWN; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance - Amending Chapter 90-Regulat Underground Parking - Aug 2024](#)

4A2. Amend Ordinance for Public Participation at Town Commission Meetings - 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 2-206 "PUBLIC PARTICIPATION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance - Public Participation - Second Reading - Aug 2024](#)

4A3. Ordinance Amending Section 14-29 "Permit Fees" of Town Code - Mark Blumstein, Interim Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 14-29, "PERMIT FEES" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADJUST THE FEES; PROVIDING FOR CODIFICATION AND INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance - Permit Fees - Second Reading](#)
[Ordinance - Permit Fees - Appx A](#)

4A4. Ordinance Amending Section 90-73 "Monument Signs" of Town Code - Mark Blumstein, Interim Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 90-73 OF ARTICLE VI. – “SIGNS”, CHAPTER 90 OF THE TOWN CODE, TO AMEND MONUMENT SIGNS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

[Ordinance - Amending Sec 90-73 Monument Signs - Aug 2024.docx](#)

First Reading

- 4B1. Ordinance Amending Division 2 – Stormwater Management Requirements, of Article II – Stormwater Drainage Management of Chapter 34 – Environment and Amending Section 90-56 Fences, Walls and Hedges. - 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 DIVISION 2. - STORMWATER MANAGEMENT REQUIREMENTS, OF ARTICLE II. – STORMWATER DRAINAGE MANAGEMENT” OF CHAPTER 34 – “ENVIRONMENT” PROVIDING FOR STORMWATER RETENTION ON-SITE FOR ALL NEW SINGLE-FAMILY HOMES; AMENDING SECTION 90-56 – “FENCES, WALLS AND HEDGES” TO ESTABLISH RETENTION WALL STANDARDS FOR NEW SINGLE-FAMILY HOMES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Chapter 34 and Section 90-56](#)

- 4B2. Ordinance Amending Section 90-47 - Yards Generally, Allowable Projections; Section 90-48 - Modification of Side and Rear Yard Regulations; Section 90-54 - Accessory Buildings and Structures in the H30A and H30B Districts; and 90-67.3 - Rooftop Mechanical Equipment in H30A and H30B Districts. - Mark Blumstein, Interim Town Attorney**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ORDINANCE NOS. 2014-1615, 2021-1716, 2022-1724, 2022-1730, 2023-1735, 2023-1746, 2023-1752, AND 2023-1758A WHICH AMENDED SECTIONS 90-45 “SETBACKS”, 90-47 “YARDS GENERALLY, ALLOWABLE PROJECTIONS”, 90-48 “MODIFICATION OF SIDE AND REAR YARD REGULATIONS”, 90-49 – LOT STANDARDS, 90-54 “ACCESSORY BUILDINGS AND STRUCTURES IN THE H30A AND H30B DISTRICTS, AND 90-67.3 “ROOFTOP MECHANICAL EQUIPMENT IN H30A AND H30B DISTRICTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Sections 90-45, 90-47, 90-48, 90-49, 90-54 and 90-67.3 of Town Code.docx](#)

5. Resolutions and Proclamations

If the public wishes to speak on any matters in this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak at the beginning of this section.

- 5A. Resolution Approving Bond Counsel for Undergrounding Project - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE ENGAGEMENT OF “BOND COUNSEL” FOR THE UNDERGROUNDING PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving SPB or BMO as Bond Counsel for Undergrounding Project Engagement Letter -Squire Patton Boggs LLP](#)
[Resolution - Bond Counsel - Bryant Miller Olive Proposal](#)
[Resolution - Bond Counsel - Bryant Miller Olive Proposal - PP](#)

- 5B. Resolution approving Financial Advisors for Undergrounding Project - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE ENGAGEMENT OF “FINANCIAL ADVISORS” FOR THE UNDERGROUNDING PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving PFM Financial Advisors for Undergrounding Project PFM Financial Advisors LLC Engagement Letter - Town of Surfside FL](#)

- 5C. Intersection of 96th Street and Harding Avenue - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, FINDING THAT THE INTERSECTION OF 96ST STREET AND HARDING AVENUE SHOULD REMAIN WITHOUT A SOUTH CROSSWALK AND REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) NOT REINSTALL A CROSSWALK AT THE SOUTH SIDE OF SAID INTERSECTION; PROVIDING FOR TRANSMITTAL OF RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

[2022-09-13 Meeting Minutes Excerpt](#)
[Resolution - Crosswalk - FDOT](#)

- 5D. Resolution Acknowledging the Transfer of Witt O'Brien's, LLC to Goodwyn Mills Cawood, LLC for the Town's Disaster Debris Monitoring Services - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AKNOWLEDGING THE TRANSFER OF WITT O'BRIEN'S, LLC TO GOODWYN MILLS CAWOOD, LLC FOR THE TOWN'S DISASTER DEBRIS MONITORING SERVICES; AND ENTERING INTO A NOVATION AGREEMENT WITH GOODWYN MILLS CAWOOD, LLC; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - Goodwyn Mills Cawood LLC
Town of Surfside FL WOB Assignment](#)

- 5E. Resolution Approving Memorandum of Understanding (MOU) with 9300 Collins Owner, LLC. - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH 9300 COLLINS OWNER, LLC REGARDING A MODIFIED PROJECT PROPOSAL FOR THE PROPERTY AT 9300 COLLINS AVENUE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - 9300 Collins MOU](#)

- 5F. Zoning in Progress - Mark Blumstein, Interim Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING ZONING IN PROGRESS FOR PREPARATION OF AMENDMENTS TO CHAPTER 90 "ZONING" OF THE TOWN CODE OF ORDINANCES, APPLICABLE TO ALL APPLICATIONS ON PROPERTIES LOCATED IN H30A and H30B ZONING DISTRICTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - Zoning in Progress](#)

- 5G. School Resource Officer for School Year 2024/2025 - Enrique Doce, Acting Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE, THE VILLAGE OF BAL HARBOUR, AND THE TOWN OF BAY HARBOR ISLANDS, TO FUND THE COST OF A SCHOOL RESOURCE OFFICER FOR THE RUTH K. BROAD K-8 CENTER SCHOOL; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving MOU for School Resource Officer
2024 School Resource Officer SRO MOU Bay Harbor Bal Harbour Surfside 2024-25](#)

- 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 - Enrique Doce, Acting Town Manager
[2024 August Town Manager's Report](#)
[Citi Bike Station Location - Hawthorne Tot Lot](#)
[Citi Bike Station Location - Publix](#)
[Citi Bike Station Location - Resident Inn Marriot1](#)
[Citi Bike Station Location - 96 Street Park](#)

7B. Town Attorney's Report - Mark Blumstein, Interim Town Attorney
[TA Report - August 13, 2024](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Indian Creek Village Proposed Sewer Connection Agreement - Mayor Charles W. Burkett
[Sewer Connection Agreement between Surfside ICV \(July 2024\)](#)

9B. Construction and other Disruptive Operations Occurring in the Town - Vice Mayor Tina Paul

9C. Community Center Snack Bar Concession Follow Up. - Mark Blumstein, Interim Town Attorney

9D. Promoting Golf Carts as a Mode of Transportation in and Around Town - Commissioner Gerardo Vildostegui

9E. Town Personnel Policies and Procedures Manual - Mark Blumstein, Interim Town Attorney
[Personnel policies and procedures manual](#)

9F. Amending the Town's Travel Policy for Commissioners - Commissioner Gerardo Vildostegui

9G. Town Pension Board and Police Section 185 Fund - Mark Blumstein, Interim Town Attorney

10. Adjournment

Respectfully submitted,

Enrique Doce,
Acting 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.