



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

Tuesday, October 8, 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.

****The above Rule only applies to Regular Town Commission Meetings.***

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. 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, Town Clerk

[September 10, 2024 Special Town Commission Meeting Minutes - Budget Hearing](#)

[September 10, 2024 Regular Town Commission Meeting Minutes](#)

[September 24, 2024 Special Town Commission Meeting Minutes - Budget Hearing](#)

3B. Boards and Committees Meeting Minutes - Sandra N. McCready, MMC, Town Clerk

[May 20, 2024 Parks and Recreation Committee Meeting Minutes](#)

[July 24, 2024 Planning and Zoning Board Meeting Minutes](#)

[August 5, 2024 Resort Tax Board Meeting Minutes](#)

[August 15, 2024 Community Relations Board Meeting Minutes](#)

[August 28, 2024 Planning and Zoning Board Design Guidelines Workshop Meeting Minutes](#)

[September 6, 2024 Planning and Zoning Board Meeting Minutes](#)

3C. Agreement Renewal for Beach Furniture Service Operation Between the Town of Surfside and Beach Time Max, LLC - Mark Blumstein, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN EXTENSION OF THE AGREEMENT WITH BEACH

TIME MAX, LLC FOR BEACH FURNITURE SERVICE OPERATIONS AT THE COMMUNITY CENTER; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE EXTENSION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Reso - Beach Time Max LLC - Sep 2024](#)

3D. Resolution Amending Town's Travel Policy for Town Commission - Commissioner Gerardo Vildostegui

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING A TRAVEL, TRANSPORTATION AND MEAL POLICY FOR TOWN OFFICIALS AND EMPLOYEES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - Travel Policy - Oct 2024.docx](#)
[Travel Policy](#)

3E. Town Website Server Hosting and Support

- Peter Jankowski, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH SMOOTH FUSION, INC., TO PROVIDE WEBSITE HOSTING SERVICES AND SPECIALTY SUPPORT AND MAINTENANCE; FINDING THAT THE SERVICES DO NOT REQUIRE OR ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO TOWN CODE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - Smooth Fusion Executive Briefing](#)
[Resolution - Smooth Fusion, Inc.](#)
[Smooth Fusion Town of Surfside Agreement](#)
[Exhibit B - Website Hosting and Support Town of Surfside Proposal](#)

4. Ordinances

Second Reading

4A1. 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, 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 - Second Reading Final](#)

4A2.

Ordinance Amending Section 90-2 "Definitions" to Revise the Definition for "Lot Coverage".

- Mark Blumstein, 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 90-2. – “DEFINITIONS” TO REVISE THE DEFINITION FOR “LOT COVERAGE” TO DECREASE THE MAXIMUM LOT COVERAGE ALLOWED IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Section 90-2 - Post P&Z](#)

4A3. 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, 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 - Second Reading](#)

First Reading

4B1. Ordinance Amending Short Term Rentals - Commissioner Gerardo Vildostegui

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ORDINANCE NOS. 2011-1573, 2013-1600 and 2014-1620 WHICH PERTAIN TO SECTION 90-41.1 et seq. “SHORT TERM RENTALS”;

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

[Ordinance Amending Sections 90-41.1](#)

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.

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 - Peter M. Jankowski, Town Manager
[October Town Manager's Report](#)

7B. Town Attorney's Report - Mark Blumstein, Interim Town Attorney
[TA Report -October 8, 2024](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Legislative Priorities - Mark Blumstein, Town Attorney
[Legislative Priorities FY2024](#)

9B. Ordinance to Regulate Sand Removal or Digging - Vice Mayor Tina Paul
[Attachment "A" - Sand hole deaths Why they happen, how often and how to stay safe](#)
[Attachment "B" - Lauderdale-by-the-Sea prohibits digging deep sand holes Miami Herald](#)
[Attachment "C" - Lauderdale by the Sea Ordinance](#)

9C. Limiting Speculative Demolitions - Commissioner Gerardo Vildostegui

9D. Parking-Protected Bicycle Lane in the Harding Avenue Business District - Commissioner Gerardo Vildostegui
[Parking protected bike lane](#)

9E. Alzheimer's Walk and Donation - Commissioner Ruben A. Coto

9F. Sister Cities - Mayor Charles W. Burkett

9G. Traffic Control Measures

- Roundabouts - Commissioner Velasquez
 - Gate Arms - Commissioner Velasquez
 - Byron Avenue Town Entrance - Commissioner Vildostegui
- Mark Blumstein, Town Attorney

[Picture](#)

9H. Enterprise Leasing for Police Vehicles - Peter Jankowski, Town Manager

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

9J. Special Election Discussion on Zoning Code Amendments - Commissioner Ruben Coto

10. Adjournment

Respectfully submitted,

Peter Jankowski,
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.townofsidesidefl.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.