



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

Tuesday, November 12, 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

1H. Key to the Town Approval - Vice Mayor Paul

[Keneth C. Griffin - Key to the Town - 12th Annual Best Practices Conference 2024](#)
[Kenneth C Griffin bio](#)

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 24, 2024 Special Town Commission Meeting Minutes](#)

[October 7, 2024 Joint Town Commission and Planning and Zoning Board Workshop Meeting Minutes](#)

[October 7, 2024 Special Town Commission Meeting Minutes](#)

[October 8, 2024 Special Town Commission Meeting Minutes - Quasi-Judicial Hearing](#)

[October 8, 2024 Regular Town Commission Meeting Minutes](#)

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

[September 9, 2024 Resor Tax Board Meeting Minutes](#)

[September 25, 2024 Planning and Zoning Board Meeting Minutes](#)

3C. Approval of 2025 Meeting Calendar - Sandra N. McCready, MMC, Town Clerk

[2025 Agenda Deadline Dates](#)

3D. Public Works Department Fee Schedule - Peter Jankowski, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A PUBLIC WORKS DEPARTMENT FEE SCHEDULE FOR PERMITS AND RELATED SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - Public Works Fees](#)

3E. Approving Agreement with Chrome Engineering, Inc. - Mark Blumstein, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CHROME ENGINEERING, INC., FOR STRUCTURAL PLAN REVIEW SERVICES; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - Chrome Engineering](#)

[Agreement - Chrome Engineering](#)

3F. Vendors for Recurring Use by the Town - Mark Blumstein, Esq., Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING THE USE OF LISTED VENDORS BY THE TOWN MANAGER; AFFIRMING THE TOWN MANAGER'S AUTHORITY UNDER SECTION 3-6; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Ratifying the Use of the Listed Vendors](#)

[Exhibit A - Active Recurring Vendor List](#)

4. Ordinances

Second Reading

First Reading

4A1. 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](#)

4A2. Provisions for the Demolition of Properties - Commissioner Gerardo Vildostegui

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY

AMENDING SECTION 90 ARTICLE IV – “DISTRICT REGULATIONS” TO CREATE SECTION 90-49.6; “PROVISIONS FOR THE DEMOLITION OF DETACHED, SINGLE-FAMILY HOMES, DUPLEXES, DWELLINGS, AND TOWNHOUSES IN THE H30A, H30B, H30C AND H40 ZONING DISTRICTS;” CREATING SECTION 90-49.6, PROVIDING FOR FINES, APPEALS, ENFORCEMENT; SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance - Demolition](#)

4A3. Sustainability and Resiliency Ordinance - Vice Mayor Tina Paul

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING ARTICLE V – “DESIGN STANDARDS” TO CREATE SECTION 90-50.1 “SUSTAINABILITY AND RESILIENCY;” PROVIDING FOR ESTABLISHING REQUIREMENTS FOR GREEN BUILDING CERTIFICATION AS A REQUIREMENT DURING ZONING REVIEW OF NEW PROJECTS (“ELIGIBLE PROJECT(S)”); ESTABLISHING A SUSTAINABILITY FEE PROGRAM FOR PROJECTS THAT DO NOT ACHIEVE THE REQUIRED GREEN BUILDING CERTIFICATION LEVEL; AUTHORIZING PROPERTY OWNERS AND DEVELOPERS TO PAY A SUSTAINABILITY FEE, OR, IN THE ALTERNATIVE, POST A BOND, IN THE AMOUNT OF FIVE PERCENT (5%) OF THE TOTAL CONSTRUCTION COST FOR THE ELIGIBLE PROJECT(S), INTO THE TOWN'S SUSTAINABILITY FUND, WHICH BOND OR FUNDS ARE REIMBURSABLE TO THE PROPERTY OWNER OR DEVELOPER PURSUANT TO THE LEVEL OF GREEN BUILDING COMPLIANCE ACHIEVED BY THE "ELIGIBLE PROJECT"; ESTABLISHING A SUSTAINABILITY AND RESILIENCY FUND FOR THE DEPOSIT OF THE SUSTAINABILITY FEES GENERATED THROUGH THE SUSTAINABILITY FEE PROGRAM, AND PROVIDING THE USES FOR SAID FEES DEPOSITED IN THE SUSTAINABILITY AND RESILIENCY FUND; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance -Sustainability and Resiliency](#)

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 2024-02 Construction Manager At Risk Selection (CMAR) - Peter Jankowski, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING AND AWARDING A CONTRACT FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES TO THE WHITING-TURNER CONTRACTING COMPANY, PURSUANT TO RFQ. NO. 2024-02; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE TERMS AND

CONDITIONS FOR THE OVERHEAD/UNDERGROUND CONVERSION PROGRAM FOR AREA 3-NORTH PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Bid Opening List 10-01-2024 RFQ 2024-01 Utilities Undergrounding \(CMAR\)](#)
[Reso Awarding Contract for RFQ 2024-02 - CMAR for Undergrounding Project](#)
[CMAR Contract Phase Draft](#)

5B. Memorandum of Understanding for 9250 Bay Drive - Mark Blumstein, Esq. Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH RIVKAH SONTAG AND SAMUEL S. SONTAG REGARDING A UNITY OF TITLE, EXTENSION OF SITE PLAN APPROVAL AND WITHDRAWAL OF 2024 SITE PLAN APPLICATION FOR THE PROPERTY AT 9250 BAY DRIVE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution - 9250 Bay Dr MOU](#)
[MOU -- 9250 Bay - Final](#)

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 Jankowski, Town Manager
[November Town Manager's Report](#)

7B. Town Attorney Report - Mark Blumstein, Town Attorney

[Town Attorney Report](#)
[TA Report -November 12, 2024](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Legislative Priorities - Mark Blumstein, Town Attorney
[Legislative Priorities FY2024](#)
[Sustainability and Resiliency Member - Proposed Legislative Priorities](#)
[Sustainability and Resiliency Member - State Legislative Priorities](#)
[Sustainability and Resiliency Member - State Legislative Priorities](#)

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. Parking-Protected Bicycle Lane in the Harding Avenue Business District** - Commissioner Gerardo Vildostegui
[Parking protected bike lane](#)
- 9D. Sister Cities** - Mayor Charles W. Burkett
- 9E. Traffic Control Measures**
- Roundabouts - Commissioner Nelly Velasquez
 - Gate Arms - Commissioner Nelly Velasquez
- [Picture](#)
- 9F. Byron Avenue Town Entrance** - Commissioner Gerardo Vildostegui
- 9G. Special Election Discussion on Zoning Code Amendments** - Commissioner Ruben A. Coto
- 9H. Town Manager's Contract** - Mayor Charles W. Burkett
- 9I. Discussion on Naming Town Parks** - Mayor Charles W. Burkett
[Ordinance 2007-1489 - Naming of Town Property](#)
[Resolution 2024-3248 - Flamingo Park](#)
- 9J. Purchase of 9333 Harding Avenue** - Mayor Charles W. Burkett
[AS IS Contract - Nov 8 2024](#)
[AS IS Contract - Nov 8 2024 - LB Discl](#)
[AS IS Contract - Nov 8 2024 - Lead Pamphlet](#)
[AS IS Contract - Nov 8 2024 - Flood Discl](#)
- 9K. Downtown Sidewalk Sandblasting** - Peter Jankowski, Town Manager
[Problast of South Florida - Attachment A](#)
[Dustless Blasting Florida - Attachment B](#)
- 9L. Shade of the Hard Pack** - Commissioner Nelly Velasquez
[Bal Harbor image1](#)
[Bal Harbor image2](#)
[Bal Harbor image3](#)
[Surfside image1](#)
[Surfside image2](#)
[Surfside image3](#)

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.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.