



**Town of Surfside  
Regular Town Commission Meeting  
AGENDA  
September 14, 2021  
7 p.m.**

**1. Opening**

**A. Call to Order**

**B. Roll Call of Members**

**C. Mayor and Commission Remarks – Mayor Charles W. Burkett**

**D. Agenda and Order of Business Additions, deletions and linkages**

**E. Community Notes – Mayor Charles W. Burkett**

**F. Presentation of Certified Municipal Clerk Designation (CMC) to Deputy Town Clerk Evelyn Herbello by FACC South District Director Elizabeth Garcia-Beckford – Andrew Hyatt, Town Manager**

**G. Appointment to Boards and Committees – Sandra N. McCready, Town Clerk**

- **Planning and Zoning Board – Commissioner Salzhauer**
- **Planning and Zoning Board – At-Large**
- **Pension Board – At-Large**
- **Personnel Appeals Board – Mayor Burkett**
- **Personnel Appeals Board – Commissioner Kesl**
- **Personnel Appeals Board – Commissioner Salzhauer**
- **Personnel Appeals Board – Commissioner Velasquez**

**2. Quasi-Judicial Hearings – N/A**

**3. Consent Agenda (Set for approximately 7:30 p.m.)** *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. They will be recognized to speak prior to the approval of the consent agenda.*

- A. Minutes** – Sandra N. McCready, MMC, Town Clerk (Pages 1-81)
- March 2, 2021 Special Commission Meeting Minutes
  - April 20, 2021 Zoning Code Workshop Meeting Minutes
  - May 26, 2021 Zoning Code Workshop Meeting Minutes
  - June 22, 2021 Zoning Code Workshop Meeting Minutes
  - August 10, 2021 Regular Town Commission Meeting Minutes
- \*B. Town Manager’s Report** – Andrew Hyatt, Town Manager (Pages 82-96)
- \*C. Town Attorney’s Report** – Weiss Serota, Town Attorney (Pages 97-108)
- D. Committee Reports** - Andrew Hyatt, Town Manager (Pages 109-143)
- June 3, 2021 Budget Advisory Committee Meeting Minutes
  - June 21, 2021 Parks and Recreation Committee Meeting
  - August 5, 2021 Planning and Zoning Board Meeting Minutes
- E. Approval of the American Rescue Plan Act (ARPA) coronavirus Local Fiscal Recovery Fund Agreement** – Andrew Hyatt, Town Manager (Pages 144-173)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING AN ALLOCATION OF \$2,830,324 IN CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FROM THE U.S. DEPARTMENT OF TREASURY UNDER THE AMERICAN RESCUE PLAN ACT; APPROVING AN AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUND AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- F. Memorandum of Understanding between of the Town of Surfside, the Village of Bal Harbour, and the Town of Bay Harbor Islands for a School Resource Officer at Ruth K. Broad K-8 Center School** - Andrew Hyatt, Town Manager (Pages 174-181)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE, FLORIDA, THE VILLAGE OF BAL HARBOUR, FLORIDA, AND THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, 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**

**G. Health Insurance Renewal – Andrew Hyatt, Town Manager (Pages 182-291)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING EMPLOYEE HEALTH BENEFITS CONTRACTS FOR FISCAL YEAR 2021/2022 WITH CIGNA FOR EMPLOYEE HEALTH INSURANCE AND DENTAL AND VISION COVERAGE, MUTUAL OF OMAHA FOR LIFE AND DISABILITY INSURANCE, AND AMERIFLEX FOR FLEXIBLE SPENDING ARRANGEMENT (FSA) BENEFIT SERVICES, HEALTH REIMBURSEMENT AGREEMENT (HRA) SERVICES, AND COBRA ADMINISTRATION; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENTS WITH CIGNA, MUTUAL OF OMAHA, AND AMERIFLEX FOR THE RESPECTIVE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H. Community Development Block Grant – Mitigation – Stormwater Grant – Andrew Hyatt, Town Manager (Pages 292-354)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$107,500 COMMUNITY DEVELOPMENT BLOCK GRANT – MITIGATION PROGRAM (CDBG-MIT) FROM THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) TO DEVELOP A DRAINAGE IMPROVEMENT PLAN FOR THE TOWN'S STORMWATER SYSTEM; APPROVING A FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION PROGRAM (CDBG-MIT) SUBRECIPIENT AGREEMENT WITH THE DEO; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**I. Pelican Harbor Seabird Station Sponsorship Request – Andrew Hyatt, Town Manager (Pages 355-408)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A DONATION TO THE PELICAN HARBOR SEABIRD STATION IN SUPPORT AND SPONSORSHIP OF THEIR PROGRAMS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**4. Ordinances**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Reading Ordinances**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Approval of All-Way Stop Control Warranty Study for 88<sup>th</sup> Street - Andrew Hyatt, Town Manager (Pages 409-416)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PURCHASE ORDER TO THE CORRADINO GROUP, INC. TO PERFORM TRAFFIC ENGINEERING SERVICES FOR THE 88<sup>TH</sup> STREET CORRIDOR MULTIWAY STOP WARRANT STUDY PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. 96<sup>th</sup> Street Park Design-Savino Miller – Andrew Hyatt, Town Manager (Pages 417-421)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE FINAL DESIGN DEVELOPMENT PLANS FOR THE 96<sup>TH</sup> STREET PARK PROJECT PREPARED BY SAVINO & MILLER DESIGN STUDIO, P.A.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**6. Good and Welfare/ Public Comments from Residents**

*(Set for approximately 8:15 p.m.)*

*Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.*

**7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

- A. Ending Option to Contribute to Parking Fund in Lieu of having Required Parking in Building Plans** – Commissioner Charles Kesl (Pages 422-427)
- B. Demolition by Neglect** - Mayor Charles W. Burkett (Pages 428-430)
- C. Excessive Homeless Contribution made by the Former Commission** - Mayor Charles W. Burkett (Pages 431-438)
- D. Lowering of Property Taxes and Water Bills – Staff Report** – Andrew Hyatt, Town Manager (Page 439)
- E. Climate Environmental Collective Revised** - Vice Mayor Tina Paul (Pages 440-442)
- F. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer (Pages 443-448)
- G. Community Center Pool Deck Lighting - Staff Report** – Andrew Hyatt, Town Manager (Pages 449-450)
- H. Community Center Second Floor – Staff Report** - Andrew Hyatt, Town Manager (Page 451)
- I. Amend Tourist Board Ordinance** – Commissioner Nelly Velasquez (Page 452)
- J. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett (Pages 453-475)
- K. Cone of Silence/Secrecy** – Mayor Charles W. Burkett (Page 476)
- L. License Plate Readers** – Mayor Charles W. Burkett (Page 477)
- M. Cancel Culture in Surfside** - Mayor Charles W. Burkett (Pages 478-484)
- N. Permit Process** - Mayor Charles W. Burkett (Pages 485-496)
- O. High Water Bill** – Mayor Charles W. Burkett (Pages 497-498)
- P. Increased Commercial Airliner Flights over Surfside** - Mayor Charles W. Burkett (Page 499)
- Q. Purchase of Electric Vehicles** - Mayor Charles W. Burkett (Page 500)
- R. One-way automatic gate at 96<sup>th</sup> Street and Bay Drive** - Mayor Charles W. Burkett (Page 501)
- S. Draconian Fines for Residents** - Mayor Charles W. Burkett (Pages 502-508)
- T. Surfside’s Brand Name, Miami’s Uptown Beach Town** – Mayor Charles W. Burkett (Page 509)
- U. Daylight Plane Requirement for New Construction** – Commissioner Charles Kesl (Pages 510-512)
- V. Six Month Performance Evaluation of Town Manager Andrew Hyatt** - Mayor Charles W. Burkett (Pages 513-514)

- W. Abandoned Sports Equipment on Streets, Unmarked Unattended –**  
Commissioner Charles Kesl (Pages 515-516)
- X. EpiPen -** Commissioner Eliana Salzhauer (Pages 517-520)
- Y. Private Security Service –** Mayor Charles W. Burkett (Page 521)
- Z. Champlain South: “Don’t Wait...Accelerate!” Action Plan & Changes  
Necessary to Prevent Another Catastrophe –** Commissioner Eliana  
Salzhauer (Pages 522-551)
- AA. Remote Participation by Commissioners –** Commissioner Charles Kesl  
(Page 552)
- BB. Champlain Tower South Memorial Wall and Permanent Memorial –**  
Vice Mayor Tina Paul (Pages 553-560)
- CC. Zoning Code Text Amendment -** Vice Mayor Tina Paul (Pages 561-573)

## 10. Adjournment

Respectfully submitted,

Andrew Hyatt  
Town Manager

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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](http://www.townofsufsidefl.gov).

TWO OR MORE MEMBERS OF OTHER 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.