



**Town of Surfside  
Regular Town Commission Meeting  
AGENDA  
October 12, 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. Appointment to Boards and Committees – Sandra N. McCreedy, 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**
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  - G. Undergrounding Update Presentation – Andrew Hyatt, Town Manager {Verbal}**
- 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. McCreedy, MMC, Town Clerk (Pages 1-41)**

- June 25, 2021 Emergency Town Commission Meeting Minutes  
Zoning Code Workshop
- September 13, 2021 Special Town Commission – First Budget Hearing  
Meeting Minutes
- September 14, 2021 Regular Town Commission Meeting Minutes
- September 23, 2021 Special Commission Meeting Minutes
- September 30, 2021 Special Town Commission – Final Budget Hearing  
Meeting Minutes

**\*B. Town Manager’s Report – Andrew Hyatt, Town Manager (Pages 42 – 56)**

**\*C. Town Attorney’s Report – Weiss Serota, Town Attorney (Pages 57-69)**

**D. Committee Reports - Andrew Hyatt, Town Manager (Pages 70-106)**

- March 18, 2021 Downtown Vision Advisory Committee Meeting Minutes
- August 2, 2021 Tourist Board Meeting Minutes
- August 26, 2021 Planning and Zoning Board Meeting Minutes

**E. Town of Surfside Fiscal Year 2022 Grants - Andrew Hyatt, Town Manager  
(Pages 107-110)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE SUBMISSION OF GRANT APPLICATIONS FOR TOWN PROJECTS BETWEEN OCTOBER 1, 2021 AND SEPTEMBER 30, 2022; SUBJECT TO AND PENDING FINAL ACCEPTANCE OF AWARDED FUNDS AND APPROVAL OF GRANT AGREEMENTS BY THE TOWN COMMISSION, PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. Champlain Towers South Collapse Federally Funded Subaward and Grant Agreement - Andrew Hyatt, Town Manager (Pages 111-168)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT (DIVISION), AND THE TOWN OF SURFSIDE FOR A FEDERAL GRANT AWARD PROJECT FROM THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), RELATED TO THE CHAMPLAIN TOWERS SOUTH (CTS) BUILDING COLLAPSE; ACCEPTING THE AWARD OF ALL GRANT FUNDING FROM THE DIVISION AND FEMA; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**G. Sanitation Sewer Evaluation Survey (SSES) Smoke Testing Third Cycle  
Phase I - Andrew Hyatt, Town Manager (Pages 169-185)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH 300 ENGINEERING GROUP, P.A. FOR A SANITATION SEWER EVALUATION SURVEY AND SMOKE TESTING SERVICES FOR THE TOWN'S SANITARY SEWER SYSTEM, PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE EXPENDITURE OF FUNDS; 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 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

- 1. Ordinance to Amend Side Setback in H120 District – Tony Recio, Town Attorney (Pages 186-192)**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-47, "YARDS GENERALLY, ALLOWABLE PROJECTIONS" AND SECTION 90-48 "MODIFICATION OF SIDE AND REAR YARD REGULATIONS" TO PROVIDE ALTERNATIVE SIDE SETBACK REQUIREMENTS IN THE H120 DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**5. Resolutions and Proclamations**

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



**A. Champlain Towers South Collapse Investigation – Destructive Testing -**  
Andrew Hyatt, Town Manager (Pages 193-196)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING EXPENDITURE OF FUNDS TO KCE STRUCTURAL ENGINEERS PC FOR TASK 2 ENGINEERING ANALYSIS TO DETERMINE THE CAUSE OF THE CHAMPLAIN TOWERS SOUTH (CTS) BUILDING COLLAPSE AND DESTRUCTIVE TESTING NOT TO EXCEED THE AMOUNT OF \$1,500,000.00; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Budget Amendment - Andrew Hyatt, Town Manager (Pages 197-200)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2022 BUDGET; 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. Champlain Tower South Memorial Wall and Permanent Memorial – Vice Mayor Tina Paul (Pages 201-213)**

**B. Ending Option to Contribute to Parking Fund in Lieu of having Required Parking in Building Plans – Commissioner Charles Kesl (Pages 213-215)**

**C. Demolition by Neglect - Mayor Charles W. Burkett (Pages 216-218)**

**D. Excessive Homeless Contribution made by the Former Commission - Mayor Charles W. Burkett (Pages 219-226)**

**E. Lowering of Property Taxes and Water Bills – Staff Report – Andrew Hyatt, Town Manager (Page 227)**

**F. Climate Environmental Collective Revised - Vice Mayor Tina Paul (Pages**

228-230)

- G. **Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer (Pages 231-236)
- H. **Community Center Pool Deck Lighting - Staff Report** – Andrew Hyatt, Town Manager (Pages 237-238)
- I. **Community Center Second Floor – Staff Report** - Andrew Hyatt, Town Manager (Page 239)
- J. **Amend Tourist Board Ordinance** – Commissioner Nelly Velasquez (Page 240)
- K. **Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett (Pages 241-268)
- L. **Cone of Silence/Secrecy** – Mayor Charles W. Burkett (Page 269)
- M. **License Plate Readers** – Mayor Charles W. Burkett (Page 270)
- N. **Cancel Culture in Surfside** - Mayor Charles W. Burkett (Pages 271-277)
- O. **Permit Process** - Mayor Charles W. Burkett (Pages 278-289)
- P. **High Water Bill** – Mayor Charles W. Burkett (Pages 290-291)
- Q. **Increased Commercial Airliner Flights over Surfside** - Mayor Charles W. Burkett (Page 292)
- R. **Purchase of Electric Vehicles** - Mayor Charles W. Burkett (Page 293)
- S. **One-way automatic gate at 96<sup>th</sup> Street and Bay Drive** - Mayor Charles W. Burkett (Page 294)
- T. **Draconian Fines for Residents** - Mayor Charles W. Burkett (Pages 295-301)
- U. **Surfside's Brand Name, Miami's Uptown Beach Town** – Mayor Charles W. Burkett (Page 302)
- V. **Daylight Plane Requirement for New Construction** – Commissioner Charles Kesl (Pages 303-305)
- W. **Abandoned Sports Equipment on Streets, Unmarked Unattended** – Commissioner Charles Kesl (Pages 306-307)
- X. **Epinephrine Auto-Injectors (EpiPen) Policy Discussion** - Commissioner Eliana Salzhauer (Pages 308-311)
- Y. **Private Security Service** – Mayor Charles W. Burkett (Page 312)
- Z. **Champlain South: “Don’t Wait...Accelerate!” Action Plan & Changes Necessary to Prevent Another Catastrophe** – Commissioner Eliana Salzhauer (Pages 313-342)
- AA. **Remote Participation by Commissioners** – Commissioner Charles Kesl (Page 343)
- BB. **Raising Houses in Surfside to Make our Town more Resilient and Sustainable** – Mayor Charles W. Burkett (Pages 344-385)
- CC. **Champlain South Memorial Park at 88th Street End** – Commissioner Eliana Salzhauer (Pages 386-392)
- DD. **Police Chief Search** - Commissioner Eliana Salzhauer (Page 393)
- EE. **Budget Meeting Fiasco** - Commissioner Eliana Salzhauer (Page 394)
- FF. **Amending the Town’s Purchasing Code (Chapter 3)** – Commissioner Nelly Velasquez (Pages 395-407)



## 10. Adjournment

Respectfully submitted,

  
for 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.townofsurfsidefl.gov](http://www.townofsurfsidefl.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.