



**Town of Surfside
Regular Town Commission Meeting
MINUTES
March 9, 2021
7 p.m.**

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 7:01 p.m.

B. Roll Call of Members

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez, and Commissioner Charles Kesl.

Absent: Commissioner Eliana Salzhauer

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango and Building Official James McGuinness.

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

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

Mayor Burkett deferred item 9D (Excessive Homeless Contribution made by the Former Commission) to the next meeting.

E. Community Notes – Mayor Charles W. Burkett

Vice Mayor Paul asked for a moment of silence for resident Moshe Behar who passed away.

Commissioner Velasquez wanted to make sure that FPL was at the meeting for their item.

F. Senator Jason Pizzo - Mayor Charles W. Burkett

Town Manager Hyatt stated that Senator Pizzo had a conflict and will joining the

meeting shortly.

Senator Pizzo stated that the Governor announced a \$1 million dollar recovery plan and what our proportionate share would be and it is for infrastructure. He spoke regarding the Airbnb bill coming up and regarding the upcoming resolution on the increase of vaccines and encourages everyone that is vulnerable or needs to be vaccinated to get vaccinated and he will assist in any way.

Mayor Burkett asked regarding infrastructure and possibly raising the homes and if they can get funding to do something like that.

Senator Pizzo stated that the infrastructure plan is to remove septic tanks and spoke regarding DEP and what they find is important and if there are more federal or state matching dollars for lifting homes as well as undergrounding then they can be mindful to take the funding available. He spoke regarding utilities and a link he sent to the Town Clerk to forward to the elected officials.

Vice Mayor Paul asked regarding SB226.

Senator Pizzo spoke regarding his own concerns with SB226 and the Airbnb bill and stated that the Town has a good matching situation and shows local commitment.

Commissioner Kesl asked if there are any thoughts about tapping the federal government or DEP for some of these water treatments.

Senator Pizzo stated that they should expect funding from the federal government and DEP.

Mayor Burkett asked Senator Pizzo regarding the septic tanks and the Bay if that is an issue.

Senator Pizzo addressed the comment made by Mayor Burkett and stated that is currently an issue.

Mayor Burkett thanked Senator Pizzo for coming and for the update.

G. Presentation of the \$1.00 Salary to the Mayor and the Members of the Town Commission – Andrew Hyatt, Town Manager

Town Manager Hyatt presented the Commission with their annual salary check.

Town Manager Hyatt introduced the new Building Official James McGuinness and welcomed him to the Town of Surfside.

Building Official McGuinness thanked the Town of Surfside and is looking forward to working with the residents and elected officials of the Town.

H. FPL Update - Andrew Hyatt, Town Manager

Town Manager Hyatt introduced the item and the FPL representatives.

Christopher Ferreira, FPL Representative, presented the undergrounding of power lines. He provided clarification of the different programs FPL offers. He stated that there are two different programs they will be discussing tonight. There is the storm protection plan which is part of FPL's initiative to harden and strengthen the electric grid as they have been doing for the last 15 years and as part of that protection plan there is a component called the lateral hardening/undergrounding program. He stated that it is important to note that all lateral lines are not every powerline that you see out on the street. They are broken up into two different categories, which are on their distribution system, which are feeder lines and lateral lines. Currently the Town of Surfside's feeder to lateral ratio is about is a little bit more than 50% of the lines are feeder lines and about a little less than 50% of the lines are lateral lines. Under this program that has been approved, FPL not only does hardening, we harden and replace electric poles either with stronger concrete poles or stronger wood poles. They also do vegetation management, pole inspections as well as other programs they have to harden the system. He stated that this program has been going on for a while, recently there was a change and before the program's cost were recovered through their base rate recently, starting this year, the program cost was changed to what is called a recovery clause. He stated that what is important to note is that there is no fund, grant or surcharge that is being applied to Town of Surfside customers for overhead/underground conversion of powerlines. The way the recovery clause works is that FPL incurs cost for doing these improvements to the electric grid and then they have to go to the Florida Public Service Commission to recover the expenses for these costs and recover the cost through the recovery clause. He stated that is important to mention and stated that is the Storm Protection Plan. He then spoke regarding the Overhead/Underground Conversion Program which is what the Town of Surfside has been currently been working on with FPL. This program can take feeders and laterals, which is what the Town has asked FPL to design, which is designing all the feeders and laterals within Town limits and underground them. In this program there is also coordination with other utility carriers that are on the power poles such as AT&T, Comcast, Atlantic Broadband, other communication carriers that are attached there as well. Under that program, the Town requests FPL to put together a ballpark estimate which is approximately \$6.7 million dollars for the electrical facilities to be converted underground and they can work with the Town to match different aspects of the project. The Storm Protection Plan currently with the criteria that is put in, the undergrounding portion is currently in a pilot phase through the end of 2022. They have worked and put together a long-term plan to look at their entire system to see what laterals will be

undergrounded with the criteria approved by the Public Service Commission and currently the laterals currently in the Town of Surfside are scheduled for 10 plus years out from today. Under the Overhead/Underground conversion Program, the Town has more discretion as to the timeline from the moment the project has commenced and put into motion, the project timeline is about 3-4 years.

Mayor Burkett asked that based upon what he is hearing Mr. Ferreira say is that half the lines will go underground and half the lines will remain above ground, and if that is what they are proposing, that is unacceptable. He stated that what they want in the residential area is that they want all of it underground.

Commissioner Velasquez stated that if FPL would pay for it then it would be half, if the Town paid for it then all of it would be underground.

Chanda Young, FPL Representative, spoke regarding the project they have been working on with Paul Abbott on the feeder and lateral lines and what the next step would be on the project. She also stated that no part of the storm protection plan undergrounds feeders.

Commissioner Velasquez thanked FPL representatives and wanted clarification regarding if the residents are already paying for this in their utility fees. She noted that the information was incorrect and wanted clarification from FPL.

Mayor Burkett asked if there is any circumstance where FPL would have paid to place the lines underground and he stated that potentially there is a program that would do that.

Christopher Ferreira, FPL Representative, answered the question by Mayor Burkett and stated that FPL has to justify the cost and pass it on to the customer. He stated that they pay for the hardening program and initiatives and it will be in the recovery clause. He stated that the program is in a pilot program until 2022.

Mayor Burkett asked if any of the residents are paying into the clause.

Mr. Ferreira stated that over the last 15 years, as well as the next round of hardening, those expenses are incurred by FPL. They then go to the Florida Public Service Commission and present the cost to them and they also have to justify the cost. Those costs are then passed on to customers to be paid back. All 5.6 million FPL customers from North Florida to South Florida, pay for the hardening of programs and initiatives. These were before included in their base rate and moving forward they will be in a recovery clause, which is a separate portion or discussion they had with the Public Service Commission. The lateral undergrounding program will only cover the lateral lines.

Further discussion took place among the Commission and FPL regarding payment of expansion into the fund and who is responsible for making the

payments for the overhead/underground conversion and stormwater plan.

Paul Abbott, HPF Associates and consultant for the Town, spoke regarding the FPL project. He spoke regarding the status of the project and the credit being discussed.

Commissioner Kesl asked regarding the hardening of lateral project and when it will be scheduled for Surfside.

Mr. Abbott gave them a projected time frame 2037 for the start of the project.

Ray Lozano, FPL Representative, confirmed Mr. Abbott's 2037 projected time frame.

Mr. Ferreira clarified the information and components of the lateral project and programs that assist FPL customers.

Ray Lozano, FPL Representative addressed the question and outages over 10 years. He also stated that based on the objective criteria from the Public Service Commission that they use to evaluate which laterals are going to be worked on next based on worst performing ones and on, the Town of Surfside/Normandy laterals are not scheduled around that timeframe as stated by Mr. Abbott, 10 plus years out. They look at outages due to hurricanes, vegetation and subset lateral outages over the last 10 years.

Commissioner Kesl asked if going forward if the overgrounding/undergrounding project is not adopted by the regulatory committee what if the guiding principles change and they might have to be doing this again. He if the technology and parameters would change and who would be responsible for the cost if they have to do infrastructure again.

Mr. Ferreira stated they follow the standards of the National Electric Code and they cannot speak on how the standards would change in the future. Once the system is built and turned over to FPL, any adjustments and improvements are made by FPL.

Vice Mayor Paul asked Mr. Abbott if he has looked into conduits put underground in 2013 and if they have an assessment as far as to receiving a credit.

Mr. Abbott responded to Vice Mayor Paul's question and stated that they prepared the cost estimate and he spoke regarding the conduits that were placed in the intersections.

Vice Mayor Paul asked if it is accurate that there aren't any plans for Surfside for the next 10 years.

Mr. Ferreira stated that once the analysis was done, the criteria was approved as a regulating criteria.

The following individuals from the public spoke on the item:
Jeff Rose asked regarding reimbursement or credits from FPL for the overhead/underground conversion.
Debbie Cimadevilla
Joshua Epstein

Mr. Ferreira addressed the comment made by Jeff Rose and stated that there is no reimbursement.

Ms. Young stated that the credit associated with the conversion is part of the program and it is not related with the clause and there is no mechanism for a credit associated with the clause.

Commissioner Velasquez spoke regarding the feeders being the responsibility of the Town to pay and that the only ones being undergrounding are the laterals.

Mayor Burkett asked for clarity to the residents what the difference is between feeders and laterals.

Ms. Young explained what are feeders and what lines are laterals.

FPL Representatives gave a synopsis of what and where the feeder lines are located at and where the lateral lines are.

Mayor Burkett stated that they would like to place the entire Town underground.

Further discussion took place among the Commission regarding the credits and what are feeder lines and lateral lines.

Vice Mayor Paul asked FPL regarding how the Town could recuperate their credit once FPL takes over the equipment.

Ms. Young stated that there is a cost for installation, removing overhead, depreciation value for removal of facilities, credit associated if they would build the system at today's standards and those credits are applied on the front end and whatever you pay would be the balance.

Mayor Burkett stated that the credit would be at a reduced price at the onset.

Commissioner Kesl asked what does it take to have the cost of a real plan and not a ballpark figure.

Mr. Abbott stated that is what they are working on now and will incorporate into a

plan and then they will have a full and complete cost estimate in the next several months.

Mr. Abbott addressed the comment made by Debbie Cimadevilla and stated that the plan will address directional boring and open trench to minimize disruption to the residents.

Assistant Town Manager Greene responded regarding the question on the FEMA grant and stated that the Town did apply for the grant and he spoke with a representative that worked with North Bay Village regarding that program and FEMA changed their requirements and FEMA is no longer providing that grant program.

Mayor Burkett asked for Assistant Town Manager Greene to speak with a FEMA representative to see if they can apply for a similar grant.

Mayor Burkett thanked FPL Representatives and Paul Abbott, HPF Associates and consultant for the Town.

2. Quasi-Judicial Hearings

3. Consent Agenda (*Set for approximately 7:30 p.m.*)

A motion was made by Commissioner Kesl to approve the consent agenda minus the minutes, seconded by Commissioner Velasquez. Motion carried with a 4-0 vote with Commissioner Salzhauer absent.

- A. Minutes** – Sandra N. McCreedy, MMC, Town Clerk
- February 4, 2021 Zoning Workshop Meeting Minutes
 - February 9, 2021 Regular Town Commission Meeting Minutes
 - February 18, 2021 Zoning Workshop Meeting Minutes
 - February 23, 2021 Special Town Commission Meeting Minutes

Consensus was reached to defer the minutes to be at the next Commission meeting agenda.

***B. Town Manager's Report** – Andrew Hyatt, Town Manager

Approved on consent.

***C. Town Attorney's Report** – Weiss Serota, Town Attorney

Approved on consent.

D. Committee Reports - Andrew Hyatt, Town Manager

- January 4, 2021 Tourist Board Meeting Minutes
- January 19, 2021 Budget Advisory Committee Meeting Minutes
- January 21, 2021 Special Planning and Zoning Board Meeting Minutes
- January 25, 2021 Parks and Recreation Committee Meeting Minutes
- January 28, 2021 Planning and Zoning Board Meeting Minutes
- February 11, 2021 Planning and Zoning Board Meeting Minutes

Approved on consent.

E. Limousine of South Florida, Inc. Municipal Bus Services Renewal – Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE FOURTH AMENDMENT TO THE AGREEMENT WITH LIMOUSINES OF SOUTH FLORIDA, INC. FOR MUNICIPAL BUS SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FOURTH AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

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. Community Digital Signs Authorization to Expend – Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING DON BELL SIGNS LLC, FOR THE INSTALLATION AND MAINTENANCE OF TWO COMMUNITY DIGITAL SIGNS; FINDING THAT THE WORK IS EXEMPT FROM COMPETITIVE

BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENT(S) FOR SUCH WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the Resolution into the record.

A motion was made by Commissioner Velasquez to approve the Resolution, seconded by Vice Mayor Paul.

Commissioner Kesl stated that he cannot support this because it is not sustainable nor resilient.

Vice Mayor Paul addressed the comments made by Commissioner Kesl.

Commissioner Velasquez stated that the sign will be giving information for the residents including COVID and vaccination information and does not understand what the comment Commissioner Kesl made regarding sustainability meant.

Mayor Burkett stated that he believes it is a brilliant idea and feels that they need signage and believes it needs a little more elevation of what it will look like. He stated that he likes it in the parking lot and the Community Center but does believe it needs a little more work and would like an additional 30 days.

Commissioner Velasquez stated that there are several cities that have that type of sign.

Assistant Town Manager Greene spoke regarding how the sign would be updated and software options and it is remotely updatable. He also gave an example of what signs are permissible and the parameters.

Mayor Burkett stated that he wants to see the architectural look on the wall of the sign.

Commissioner Kesl stated that the timeliness of it is important and the messaging being legal and stated that this is a common issue and concern and his concern is the access and sustainability of the system.

Mayor Burkett stated that if we stop paying the vendor, we will not be able to get software updates. He does believe that they need a little more tweaking and place it on the next agenda as the first item.

Commissioner Velasquez asked Mayor Burkett what exactly he wants to see regarding this item on the next agenda.

Mayor Burkett stated that with respect to the sign for the Community Center, they know where it is being placed but the one by Publix it is unclear where it will be located and what it will look like.

Vice Mayor Paul stated that she did have two reservations that has to do with the landscaping and the removal of the bushes and if they will be replacing those bushes or putting them back. The other issue is the location of the sign by the Community Center and is curious how that one will look and feels it is a bit set back and might not be seen properly.

The previous motion was withdrawn by Commissioner Velasquez and Vice Mayor Paul.

The following individual from the public spoke:
Joshua Epstein

A motion was made by Commissioner Velasquez to defer the item to the April 13, 2021 meeting, seconded by Commissioner Kesl. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

B. RFP 2020-03 Construction of Point Lake Subaqueous Water Main Crossing, RFP # 2020-03 Project Awarding - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING THE BID AND AWARDING A CONTRACT TO DAVID MANCINI & SONS, INC. FOR CONSTRUCTION OF THE POINT LAKE CANAL SUBAQUEOUS WATER MAIN CROSSING TO BISCAYA ISLAND; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR THE WORK IN ACCORDANCE WITH THE BID AND RFP NO. 2020-03; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the Resolution into the record.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

C. FY 2021 Budget Amendment Resolution No. 6 - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 6 TO THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR

IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the Resolution into the record.

A motion was made by Commissioner Velasquez to approve the Resolution, seconded by Commissioner Kesl. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

D. Resolution Adopting a Civility Pledge by Town Officials – Vice Mayor Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A CIVILITY PLEDGE FOR ELECTED OFFICIALS ENGAGED IN PUBLIC DISCOURSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the Resolution into the record.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Kesl.

Commissioner Velasquez asked to move this item for the next Commission meeting in order for the entire Commission to be present regulating criterion since it concerns all of them and the one Commissioner that is disruptive and disrespectful is not at the meeting.

The motion was withdrawn by Vice Mayor Paul and Commissioner Kesl.

Commissioner Kesl stated that if the Commissioner that was not present today is not be present at the next meeting they would be in the same scenario.

The following individual spoke on the item:
Joshua Epstein

A motion was made by Vice Mayor Paul to defer the item to the April 13, 2021 meeting, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

E. Resolution Urging Governor Ron DeSantis to Increase Vaccine Allocations for Miami-Dade County – Vice Mayor Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING GOVERNOR DESANTIS TO INCREASE COVID-19 VACCINE ALLOCATIONS TO MIAMI-DADE COUNTY IN ORDER FOR THE TOWN AND OTHER LOCAL GOVERNMENTS IN MIAMI-

DADE COUNTY TO MEET VACCINE DEMAND AMONG VULNERABLE COMMUNITY MEMBERS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the Resolution into the record.

Commissioner Kesl gave a background on the item and stated that there are still individuals on the list waiting to receive the vaccine.

Vice Mayor Paul stated that the consensus was to have one voice from all municipalities and county and it was initiated by the League for support and gave statistics on the number of allocated vaccines that were received.

The following individual spoke on the item:
Joshua Epstein

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Kesl. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

**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.

The following individuals from the public spoke:

Jeff Rose spoke regarding the new park and the payback of the seawalls and a portion could be paid back for a kayak launch.

Tim Loper spoke regarding the kayak launch and speeding in the community and a slow street that the City of Miami has done. He spoke regarding the Tennis Center and an accident that a car ran into an electric pole and the pole is bent over and who needs to be made aware of the pole so it can be fixed.

Marianne Meischeid spoke regarding the signage at the beach entrance and commented on recent experiences and the signs are incoherent with too much information to process and should promote compliance.

Joshua Epstein stated that they should remove the Commission section of the Gazette and the disinformation that is placed on the Gazette.

George Kousoulas spoke regarding the signage and it is an art and some are attractive but too much information and too many signs.

Stephen Schott spoke regarding walkability and children safety.

Leah Rose spoke regarding mask wearing and the walking path is very unbearable and crowded and people not wearing masks.

Robert Lisman spoke regarding the Gazette and they do not want their tax payer dollars for politicians using the Gazette. He stated that the comments made by Commissioner Kesl regarding the software for the sign is spot on. He stated that

the embarrassment and dishonesty is Mayor Burkett and Commissioner Velasquez and stated that everyone has the right to free speech.

Horace Henderson stated that he likes the Gazette the way it is.

Diana Gonzalez stated that nobody should be offending any of the elected officials and everyone needs to be respectful.

Debbie Cimadevilla spoke regarding being respectful and callers being degrading and thanked everyone. She spoke regarding 90th and Harding Avenue and the dangerous curb and try to reach out to FDOT to see what can be done about that curb.

Mayor Burkett stated that Public Works Director Stokes will take care of the bent electric pole and will contact FPL.

Vice Mayor Paul stated that she has spoken to Town Manager Hyatt regarding the signs and asked for clear visual signs to be placed.

Vice Mayor Paul stated that she would like to reconsider passing the civility resolution tonight.

Commissioner Kesl stated that he likes that they moved to one minute for all items and three minutes for good and welfare. He addressed the comments made by the public speakers and the technology and signage comment made. He spoke regarding code enforcement on Sundays. He spoke regarding civility within the Town meetings and that they are there to do the people's business.

Commissioner Velasquez stated that she agrees with the comments made regarding the signs and they should take a look at them. She spoke regarding the reservations of the Tennis Courts and that they should be only for residents. She spoke regarding civility and she wasn't elected to have someone insult her because she doesn't come to insult anyone. She stated that she is here to do Town business and will not allow anyone to insult her.

Mayor Burkett commented on the signs that were put in the middle of the street were great and hopefully people will slow down and has noticed the traffic on Collins and Harding is considerably slower. He stated that they will continue to write tickets for speeding. He thanked Town Manager Hyatt and Assistant Town Manager Greene for the work they are doing. He spoke regarding not outsourcing our facilities to nonresidents. He addressed the nasty comments made by several speakers. He stated that the civility issue is very important and when the four of them are present at the meetings the meetings flow, function and are respectful.

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. COVID-19 Task Force Update – Commissioner Charles Kesl

Commissioner Kesl gave an update on the Task Force and thanked Staff and the Commission for stepping up with the consistent messaging regarding COVID.

Town Manager Hyatt thanked Town Attorney Arango and Human Resources Director Slate-McCloud for her assistance and stated that they have been approved to be a site for COVID vaccines and they will be for those who qualify in the Town for both residents and employees that meet the criteria. They will know in 2-3 days the location and elements needed.

Commissioner Velasquez thanked Town Manager Hyatt for doing this.

Vice Mayor Paul spoke regarding the outreach done by Town Manager Hyatt for residents to get appointments for vaccines and thanked staff for their assistance. She spoke regarding the walking path and thanked the Police Department and Code Enforcement.

Mayor Burkett stated that the former Commission did not allow residents to speak on every item and stated that was one thing he changed. He spoke regarding the mask mandate and enforcement.

The following individual from the public spoke:
Joshua Epstein on enforcing the mask mandate.

Mayor Burkett stated that the statistics are important and wearing a mask is a good idea. He gave some statistics as of March 5, 2021. He thanked Town Manager Hyatt and staff for all the work they are doing.

Commissioner Velasquez spoke regarding the letter from the Miami-Dade County Mayor and if they continue in the right direction, she will be removing the curfew and hopefully some day we will get over this horrible time.

Vice Mayor Paul stated that she was on the former Commission for 4 years and they always allowed residents to speak on all topics they were sometimes asked to stay on topic.

Mayor Burkett stated that he was interrupted and shut down several times by the former Commission.

B. Amending Town Code Section 2-205 Conduct of Meetings; Agenda –

Mayor Charles W. Burkett

Mayor Burkett introduced the item and spoke regarding page 173 and stated that he wanted residents to have more options to speak and stated the change he made. He spoke regarding the changes to the decorum rules on page 175. He stated that his intention is for everyone to look at this and he intends to look at putting this language in final form and bringing it at the next meeting for approval.

Commissioner Kesl stated that he reviewed the Mayor's edits and agrees with them and has additional suggestions that will allow them to be more efficient and spoke regarding the one minute time limit for speakers. He would propose a breakdown of the agenda and have a timeline. He stated that another idea is that the presentation be five minutes; Commission comments on items to be three minutes and discussion items two minutes. He stated leaving good and welfare at three minutes. He likes the fact that the Town Attorney is in control when there is point of order or if we need her to call on them if they are off point and brings point of order. He stated that they are at their best to put principles above personality and professionalism and civility should apply to elected officials. He stated a limit of the number of discussion items and resolutions per commission member that they can place on the agenda.

Mayor Burkett stated that he will circulate the list and each member of the Commission can give their comments.

Town Clerk McCready stated that the agenda is time stamped for each item and it is an approximate time and wanted to bring it up to them and there is a limit of how many resolutions a member of the commission can place on the agenda.

Vice Mayor Paul spoke regarding the procedure for meetings and the several revisions that have already been made. She stated that she will be happy to look at this clean version because it is still a little confusing. She asked Town Attorney Arango if the current code is more in line with the County.

Town Attorney Arango stated that they did make some changes to these rules but if the Commission would like to make more changes they can do so as long as it falls within the line of the law. She also stated that they follow Robert's Rule as well.

Mayor Burkett commented on the public speaker cards and he made changes to the registration of speakers.

The following individuals from the public spoke:

Joshua Epstein

Diana Gonzalez

Alicia Boymelgreen asked when they will be having in person meetings and if they will continue via zoom, they should have something on decorum.

Mayor Burkett closed public comments.

C. Demolition by Neglect - Mayor Charles W. Burkett

Mayor Burkett introduced the item and the art deco building and would not like to see the building being demolished by neglect and believes there should be an ordinance addressing this. He stated that there is a Miami Beach draft and would like to bring it back at the next meeting and hoping to add to the zoning code.

Vice Mayor Paul stated that she was emailing with Town Attorney Recio this week and stated that there was a house that was demolished and would like to have added to the zoning code that a property cannot be demolished without obtaining a building permit first.

Mayor Burkett spoke regarding the intention for historic designation and it is for older buildings and they are looking to improve the language and possibly have a process of slowing down the demolition of the property.

Vice Mayor Paul stated that another issue is that it looks blighted as well.

Mayor Burkett requested to have this back on the agenda at the next meeting in order to have a draft of the demolition by neglect.

Town Clerk McCready asked if item 9B (Amending Town Code Section 2-205 Conduct of Meetings; Agenda) and item 9C (Demolition by Neglect) if they are bringing those items back as a discussion item or an ordinance.

Mayor Burkett stated to bring them back as a discussion item.

Town Clerk McCready stated that in order for an ordinance to be placed on the agenda the majority of the Commission must approve to have the ordinance placed on the agenda as per the Code.

Town Attorney Arango stated that it could be a discussion item with another draft of proposed ordinance not a first reading of an ordinance.

Commissioner Kesl asked what is lacking in the existing code that they can't enforce safety concerns on an existing property.

Commissioner Velasquez stated that her concern is the safety of the residents and the house possibly collapsing on the resident and an empty lot gives more safety to the resident. She spoke regarding the building that was set to be preserved and they have not done that as of yet.

Town Attorney Arango stated that they need to look at this together with our property standard ordinances on how people need to maintain their properties and that property standards are in place.

Commissioner Velasquez stated that her neighbor was getting fines from the Town and got his permit to demolish and the house was an accident waiting to happen. She stated that she believes that they should give better direction to the Design Review Board on what style they are looking for.

Mayor Burkett asked Building Official McGuinness if he wanted to opine on any standards the Town currently has.

Building Official McGuinness spoke regarding past experience on this subject.

Mayor Burkett stated that they do have design guidelines and are being incorporated into the new code and that is something the Planning and Zoning Board needs to look at as well and design guidelines.

Vice Mayor Paul stated that a perfect example is regarding a house on Emerson. She stated that this house was left derelict and there was no fence around it with many openings and there are safety standards to be followed. She stated that she reported it to Code because it was a hazard. Now they are currently doing a great job renovating that home.

The following individuals spoke on the item:

Joshua Epstein
Jeff Rose

Mayor Burkett requested to bring this item back at the next meeting.

**D. Excessive Homeless Contribution made by the Former Commission -
Mayor Charles W. Burkett**

Item deferred to April 13 2021 meeting.

E. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett

Mayor Burkett introduced the item and does not believe there should be a charge for the decals and that the rules need to be revised. He is working with staff regarding utilizing a parking lot and using a tram to bring people to the business district from the parking lot.

Commissioner Velasquez agrees that residents should not be charged to park in Town.

Commissioner Kesl spoke regarding the Town being behind with technology and there are solutions that can be made.

Vice Mayor Paul stated that it is good that you only pay \$10 a year and it works well and serves the residents. She stated that possibly making it free for seniors. She doesn't know why they have to make it free for everyone.

Commissioner Velasquez spoke regarding residents receiving tickets.

Mayor Burkett addressed the comments made by Commissioner Velasquez regarding the parking tickets and spoke regarding bringing the community together and encourage them to participate. He spoke regarding electric carts.

Commissioner Kesl stated that he would gladly do it if it is tied into a park by plate format.

Mayor Burkett stated that it first starts as a motion from the Commission for hassle free parking.

Commissioner Velasquez asked how much something like that would cost for these types of digital programs. She also asked if people would have to register more than once.

Vice Mayor Paul stated that the \$10 for the decal is an administrative cost for producing the decal. She stated that what she would like to see the renewal process easier.

Mayor Burkett stated that he would like to make it free and then the second step would be making it hassle free.

Commissioner Velasquez suggested doing it online and possibly scanning in your registration. She agrees with it being free.

Commissioner Kesl suggested bike registration being free as well.

The following individual from the public spoke:
Joshua Epstein

A motion was made by Commissioner Velasquez to make bike registration and parking free, seconded by Commissioner Kesl. The motion carried with a 3-1 vote with Vice Mayor Paul voting in opposition and Commissioner Salzhauer absent.

F. Short-Term Rentals – Mayor Charles W. Burkett

Mayor Burkett introduced the item and stated that he had residents calling him to complain because of the process and wanted to address the rules and regulations in place for short term rentals and asked Town Attorney Arango to give the Commission the rules and overview of short-term rental in Surfside.

Town Attorney Arango gave the Commission an overview of the short-term rental rules in Surfside.

Commissioner Kesl spoke regarding this item and that it is in agreement with this item.

Vice Mayor Paul spoke regarding short term rentals and the preemptions proposed by the State and would not touch this, and enforcement is tricky.

Code Enforcement Manager Santos-Alborna addressed the short-term rental enforcement and it is hard to prove that the individuals staying there are renting.

Commissioner Velasquez asked what the enforcement is and rules for single family home short-term rentals and do we get more complaints for homes or condominiums.

Code Enforcement Manager Santos-Alborna addressed the question by Commissioner Velasquez and stated that this issue is currently under control.

Commissioner Kesl asked if they can change the bylaws.

Code Enforcement Manager Santos-Alborna stated that they have to comply with the Town's code and which is more restrictive.

G. Quality Control & Quality Assurance – Commissioner Charles Kesl

Commissioner Kesl introduced the item and spoke regarding the measure of success for each project and adding measurement of success. He also provided a presentation.

Vice Mayor Paul thanked Commissioner Kesl for his presentation.

H. Increase Lighting Plan – Staff Report – Andrew Hyatt, Town Manager

Public Works Director Stokes introduced the item. He stated that the Commission requested a survey and they extended the survey response to 90 days and they completed the task. His recommendation for any extra lighting from this point on would be held off until the undergrounding because the lights currently there are connected to the poles that will be removed.

Mayor Burkett stated that he knew that Public Works Director Stokes was working on it because there were some on his block that were out.

Commissioner Velasquez stated that she would like a copy of the report. She stated that she is happy to see that these lights have been put up.

Vice Mayor Paul stated that she would also like a copy of that report and check to see if some residents would like more lights on their block.

Commissioner Velasquez stated that there is a street off of Carlyle and 90th that the block is very lit and looks very nice.

I. Lowering of Property Taxes and Water Bills – Staff Report – Andrew Hyatt, Town Manager

Item deferred to the next meeting.

J. FPL Solar Together - Vice Mayor Tina Paul

Item deferred to the next meeting.

K. Climate Environmental Collective Revised - Vice Mayor Tina Paul

Item deferred to the next meeting.

L. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission – Mayor Charles W. Burkett

Item deferred to the next meeting.

M. Amending Town Code Section 2-237 Business Relationships – Commissioner Eliana Salzhauer

Item deferred to the next meeting.

N. Community Center Pool Deck Lighting - Staff Report – Andrew Hyatt, Town Manager

Item deferred to the next meeting.

O. Community Center Second Floor – Staff Report - Andrew Hyatt, Town Manager

Item deferred to the next meeting.

P. Designated (Painted) Walking Areas in the Residential District- Staff Report – Andrew Hyatt, Town Manager

Item deferred to the next meeting.

Q. Alternative Kayak Launches in Addition to the 96th Street Park – Mayor Charles W. Burkett

Item deferred to the next meeting.

R. Stormwater Masterplan - Staff Report – Andrew Hyatt, Town Manager

Item deferred to the next meeting.

S. Amend Tourist Board Ordinance – Commissioner Nelly Velasquez

Item deferred to the next meeting.

T. Legally Defective Charter Amendment Vote in 2012 – Mayor Charles W. Burkett

Item deferred to the next meeting.

U. Traffic Control Devices on 88th & Hawthorne Avenue – Commissioner Eliana Salzhauer

Item deferred to the next meeting.

V. Cone of Silence/Secrecy – Mayor Charles Burkett

Item deferred to the next meeting.

W. License Plate Readers – Mayor Charles W. Burkett

Item deferred to the next meeting.

X. Cancel Culture in Surfside - Mayor Charles W. Burkett

Item deferred to the next meeting.

Y. Permit Process - Mayor Charles W. Burkett

Item deferred to the next meeting.

Z. High Water Bill – Mayor Charles Burkett

Item deferred to the next meeting.

AA. Zoning Code Timetable - Mayor Charles Burkett

Item deferred to the next meeting.

BB. Kayak Survey Results – Andrew Hyatt, Town Manager

Item deferred to the next meeting.

CC. Zoning in Progress – Mayor Charles Burkett

Item deferred to the next meeting.

DD. Motorized Bikes on the Hardpack - Mayor Charles Burkett

Item deferred to the next meeting.

EE. Increased Commercial Airliner Flights over Surfside - Mayor Charles Burkett

Item deferred to the next meeting.

Staff Reports


A. Purchase of Land for Parks – Commissioner Nelly Velasquez

10. Adjournment

A motion was made by Commissioner Kesl to adjourn the meeting without objection at 11:00 pm. The motion received a second from Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Salzhauer absent.

Accepted this 11 day of May, 2021.

Attest:



Sandra N. McCready, MMC
Town Clerk



Charles W. Burkett, Mayor