



**Town of Surfside**  
**Regular Town Commission Meeting**  
**MINUTES**  
**April 13, 2021**  
**7 p.m.**

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 7:38 p.m.

**B. Roll Call of Members**

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

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

Mayor Burkett clarified that the time allotted to speakers for discussion items have been reduced from three minutes. He stated that everyone gets to speak for three minutes in good and welfare and he at times does reduce the speaking time to one minute due to the number of speakers that want to participate.

Commissioner Salzhauer stated that citizens should have time to speak and all the speakers should have three minutes to speak. She stated that this is protected under the current code. She spoke regarding a health situation in her family and residents will not stand for their speaking time to be limited. She stated that they are entitled to three minutes or longer if the Commission allows them to speak for longer than three minutes.

Commissioner Kesl believes that one minute is appropriate for discussion items and tied them to opening democracy once they get back to Town Hall. He spoke regarding having hybrid meetings and moving forward. He does believe when they have greater participation there will be a bigger pressure on time and would like to get through the discussion items. He supports three minutes for

resolutions and ordinances and he is not threatened about having one minute for himself and discussion items. He stated that if there is an ethics violation, they can prove him wrong.

A motion was made by Commissioner Kesl for the Town Manager to continue to integrate smart goals and his quality control item. The motion died for lack of second.

Commissioner Velasquez stated that she has never had a problem with any resident discussing any item and it is important to her for all residents to speak. There is a time and place for each specific item and the resident should stay on topic.

Vice Mayor Paul stated that this is about mutual respect for everyone. She stated that during her time on the Commission it was three minutes and that is what they expect now and would like to keep it at that time. She would like for item 9E (FPL Solar Together) to be removed from the agenda and given to the Town Manager to have under him.

Mayor Burkett stated that they have not had the type of explosions in the past when Commissioner Salzhauer has not been in attendance and would like to keep this respectful.

Commissioner Salzhauer stated that she will keep it respectful. She stated that last meeting went smoothly because nobody tried speaking up. She stated that by her trying to have him correct the record is not a negative thing but it is to make sure to state the record and have the comments accurate.

Mayor Burkett stated that the three-minute rule exists unless it is very crowded and realistically, they promised to have the meetings end at 11:00 pm and his job is to run productive and effective meetings.

Commissioner Velasquez asked if they can defer Commissioner Kesl's item on quality control to the next meeting.

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

A motion was made by Commissioner Kesl move item 9HH (Parking and Other Traffic Solutions in the Business District to Support Local Businesses) and item 9II (Ending Option to Contribute to Parking Fund in Lieu of Having Required Parking in Building Plans) up on the agenda after item 9A (Amending Town Code Section 2-205 Conduct of Meetings; Agenda), seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

A motion was made by Commissioner Salzhauer to have Town Manager Hyatt discuss the purchase of land for parks, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

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

**F. Legislative Update – Mario Bailey**

Mario Bailey, lobbyist, gave the legislative appropriation update.

Mayor Burkett asked if he was a lobbyist and if he worked for Fausto Gomez' company.

Assistant Town Manager Greene stated that there was a merger and the bills still come in as Fausto Gomez' company.

Vice Mayor Paul asked Mr. Bailey regarding the erosion of home rule that addresses some of the house and senate bills. There were two, HB1 and HB263. She spoke regarding HB64 and asked for any updates on those.

Mr. Bailey gave Vice Mayor Paul an update on those bills and stated that they are working with the league of cities on these bills. He also explained the different bills.

Mayor Burkett asked Mr. Bailey to email a copy of HB1 to the Town Manager so he can distribute it to the Commission.

Mayor Burkett asked Mr. Bailey to elaborate on HB263 and HB64.

Mr. Bailey stated that he will follow up with an email it relates to the specifics to all the bills and he has been working with the league and stated that the league is opposed to them.

Vice Mayor Paul read into the record the description of HB263 and HB64.

Mayor Burkett asked Vice Mayor Paul what the intention of the bill is.

Mr. Bailey addressed the question by Mayor Burkett.

Mayor Burkett asked Mr. Bailey to get all the information to the elected officials.

Commissioner Salzhauer left the meeting at 8:10 p.m.

**2. Quasi-Judicial Hearings – N/A**

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

A motion was made by Commissioner Kesl to approve the consent agenda minus the March 9, 2021 Regular Town Commission Meeting Minutes in order to amend those minutes elaborating on the FPL item having them be more specific due to statements that were made that were incorrect and the February 4, 2021 as amended in order for Commissioner Kesl to have time to review the minutes, seconded by Commissioner Velasquez. The 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
- March 9, 2021 Regular Town Commission Meeting Minutes
- March 23, 2021 Visioning Budget Workshop Minutes

Approved on consent minus the February 4, 2021 Zoning Workshop Meeting Minutes and the March 9, 2021 Regular Town Commission Meeting Minutes.

**\*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**

- December 15, 2020 Downtown Vision Advisory Committee Meeting Minutes
- February 17, 2021 Budget Advisory Committee Meeting Minutes
- February 25, 2021 Planning and Zoning Board Meeting Minutes

Approved on consent.

**E. Authorizing Additional Expenditure of Funds - GM Tennis – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING ADDITIONAL EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$10,500 TO EXPAND THE YOUTH TENNIS PROGRAM OPERATED BY GM SPORTS TENNIS, LLC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**F. Mutual Aid Agreement between the Town of Surfside Police Department and the Florida Department of Children and Families – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES FOR THE SHARING OF FLORIDA CRIMINAL HISTORY AND LOCAL CRIMINAL HISTORY INFORMATION FOR CHILD PROTECTIVE INVESTIGATIONS AND EMERGENCY CHILD PLACEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**G. Adopting a Proclamation - Arbor Day – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE ADOPTING A PROCLAMATION HONORING THE IMPORTANCE OF TREES FOR THE TOWN OF SURFSIDE'S COMMUNITY AND ENVIRONMENT AND ENCOURAGING THE PLANTING OF TREES; PROCLAIMING APRIL 26, 2021 IN THE TOWN OF SURFSIDE AS "ARBOR DAY"; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**H. Authorizing the Expenditure for the FAA Appeal – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING ADDITIONAL EXPENDITURE OF FUNDS TO SPECIAL COUNSEL, LEECH TISHMAN FUSCALDO & LAMPL, IN CONNECTION WITH THE APPEAL OF THE FEDERAL AVIATION ADMINISTRATION'S (FAA'S) SOUTH CENTRAL FLORIDA METROPLEX PROJECT (METROPLEX), FOR LEGAL FEES AND CONSULTANT'S SERVICES FOR PHASE 1 METROPLEX FLIGHT PROCEDURE ASSESSMENT; 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. 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 McCreedy read the resolution title into the record.

Mayor Burkett stated that their debates do not get personal and at times it is tough but they take care of business and the meetings are moving forward. He stated that it is refreshing how smooth, pleasant and productive the meetings are without the interruptions.

The following individuals from the public spoke:

Joshua Epstein  
Horace Henderson

Mayor Burkett stated for the record that Mr. Epstein is Commissioner Salzhauer's teenage son.

Commissioner Kesl stated that this is something that is necessary and that it is good to have checks and balances on behavior and it is good for everyone.

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.

**B. Resolution Approving First Amendment to the Agreement with Zambelli Fireworks Manufacturing Co. for 2021 Fourth of July Fireworks – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH ZAMBELLI FIREWORKS MANUFACTURING CO. FOR 2021 FOURTH OF JULY FIREWORKS SHOW SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the resolution title into the record.

Commissioner Salzhauer came back to the meeting at 8:24 p.m.

Commissioner Salzhauer stated that her son is in the hospital with his doctors and the team. She spoke regarding Surfside being the only community talking about fireworks when we are still with this pandemic and doubling the cost and stated that they are not being fiscally responsible.

Commissioner Salzhauer left the meeting at 8:27 p.m.

Commissioner Kesl stated that he spoke to the Town Manager and the issues stated by Commissioner Salzhauer and stated that this is if they lift the ban. He spoke regarding having the thirty-day notice to pull out and have no penalty. He spoke regarding the increase of price and having additional time is equivalent to what the penalty would have been last year and the vendor worked with the Town. He stated that he even spoke to the Town Manager of possibly having it without public gathering and everyone seeing the fireworks from their homes.

Vice Mayor Paul stated that she cannot support this expansion due to the pandemic and if the County allows the fireworks, she would like to do it in a more modest version. She asked where this came about to expand the fireworks during COVID.

Town Manager Hyatt asked Commissioner Velasquez to expand on the question.

Commissioner Velasquez stated that July 4<sup>th</sup> is a very important date for those that fought for our freedom. She stated that the fireworks go very high in the sky and people can see it from their homes. The reason why she suggested expanding the time is because they did not have the fireworks last year and it represents honoring those that died for our freedom.

Town Manager Hyatt stated that the funds come from the Tourist Fund.

The following individuals spoke regarding the item:

Joshua Epstein  
Horace Henderson  
Deborah Cimadevilla

Mayor Burkett spoke regarding honoring our fallen heroes and supports this item.

Commissioner Kesl spoke regarding a scenario on crowd control.

Further discussion took place regarding the cost of the fireworks.

Commissioner Salzhauer came back to the meeting at 8:40 p.m.

Commissioner Kesl spoke about spending the original amount.

Commissioner Velasquez stated that they have enough funding for the increased amount.

Commissioner Kesl would like the support from Vice Mayor Paul.

Commissioner Velasquez stated that if they are basing it on savings and being fiscally responsible. She stated that last year they did not have the fireworks and they saved that amount.

Vice Mayor Paul proposed to the Town Manager to use the funds to giveaway LED arm bands to residents that would benefit dog walkers and she supports the fireworks but feels that it is not the year to go extravagant.

Commissioner Salzhauer commented on spending additional funds in this economic climate.

Further discussion took place regarding the cost for the fireworks and possible reduction in said cost.

A motion was made by Commissioner Velasquez to approve the resolution as amended for the lower amount, seconded by Commissioner Kesl. The motion carried with a 4-1 vote with Commissioner Salzhauer voting in opposition.



**C. Retainer Recommendations for Engineering Services Pertaining to Utilities, Stormwater and Geographical Information Systems (GIS) – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KEITH AND ASSOCIATES, INC. FOR STORMWATER ENGINEERING RETAINER SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the resolution title into the record.

Assistant Town Manager Greene introduced the item.

Vice Mayor Paul asked regarding the cost and the scope. She asked regarding the Nova contract and if there are any additional scope of services expected and investigative studies.

Assistant Town Manager Greene addressed the questions made by Vice Mayor Paul.

Public Works Director Stokes commented on questions made by Vice Mayor Paul.

Vice Mayor Paul asked regarding the survey not included by Kimley Horne. She asked if staff is happy with multiple contracts/companies instead of one contract/company.

Public Works Director Stokes stated that they have the survey.

Assistant Town Manager Greene stated that each one has a specific detailed task that they will handle.

Commissioner Velasquez wanted to make sure that the company tasked with the Abbott Avenue drainage issue will come up with a solution quickly.

Commissioner Kesl spoke regarding drainage, sea level rise and they have more firms that have specialization areas.

Commissioner Salzhauer stated that it is good that they have different firms with different expertise levels.

Mayor Burkett spoke regarding the flooding problem and the reality of the situation is that everything has to go up and what the engineers will find is that moving the water up but will not stop the initial flooding going into the houses. He spoke regarding raising homes and looking at a specific house and possibly raising that home up.

The following individuals spoke on the item:

Jeff Rose

Joshua Epstein

Vice Mayor Paul stated that these are for engineering services that replace the Calvin Giordano service contracts and not about the flooding issue.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Kesl. The motion carried with a 5-0 vote.

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH NOVA CONSULTING, INC. FOR UTILITIES ENGINEERING RETAINER SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the resolution title into the record.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Kesl. The motion carried with a 5-0 vote.

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR GEOGRAPHIC INFORMATION SYSTEMS (GIS) RETAINER SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the resolution title into the record.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

**D. Resolution Authorization to Expend for Undergrounding Design Coordination Services – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR UTILITY UNDERGROUNDING SERVICES FOR PHASE I PREPARATION OF UTILITY COORDINATION PLANS PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCreedy read the resolution title into the record.

Vice Mayor Paul spoke regarding previous resolutions and the funding approved in those resolutions and the ballot questions. She stated that this item needs to be deferred because ATT and Hotwire are not included in this estimate and the amount will increase. She asked why 92<sup>nd</sup> to 96<sup>th</sup> Street was excluded in the scope and if that is a typo or is that the scope presented to them.

Assistant Town Manager Greene stated that he will ask Paul Abbott who is the consultant for the Town.

Paul Abbott, Town Consultant, stated that the KCI proposal covers the area west of Harding and it is a matter of clarification. He spoke regarding taking all the engineering documents and making them all one.

Vice Mayor Paul spoke regarding corrections and why it is not the whole town. She read several changes of the report that are inaccurate.

Further discussion took place regarding the limits within Town, what areas it encompasses as well as the specifics of the plans and cost estimate.

Commissioner Salzhauer stated that she agrees with deferring this item because there is not enough information.

Mayor Burkett spoke about the comment made by Commissioner Salzhauer stating that they do not read the contract in the agenda packet.

Commissioner Velasquez stated that she is very interested in getting the powerlines undergrounded. She does not agree with spending this kind of money until they have a fairly close and accurate estimate as to how much this is going to cost.

Commissioner Kesl commented on the cost and the fact that the plans will have to be consolidated into a master set and suggested looking at other towns to see how they did their conversions.

Further discussion took place regarding the item and the plans with different options available.

Commissioner Velasquez stated that they should have been told from day one when hiring Mr. Abbott that this was the situation and feels they are being hijacked. She stated that they have to figure out how this will get paid since this is what was approved and does not want to spend another \$300,000 to determine what needs to get fixed and not sideline them midway through the project.

Vice Mayor Paul stated that Mr. Abbott is doing his job and they will need to pay this money to know what it will look like. She spoke regarding the ballot questions. She stated that the residents have to decide if they want to continue with the project with the extra cost and it is not Mr. Abbott's fault.

Commissioner Kesl stated that they do need to understand what the big picture and component will be.

The following individuals from the public spoke:

Debbie Cimadevilla  
Jeff Rose  
Joshua Epstein  
Horace Henderson

Mr. Abbott addressed the question by Ms. Cimadevilla regarding the project and collaboration.

Commissioner Salzhauer stated that they have to pay all utilities to get cost estimate designs.

Commissioner Velasquez stated that she feels that this is not something that she would agree to as of right now because they can come back and receive a ballpark figure of how much this project is going to cost, how much it would cost to borrow the money, how long it will take to pay it back and what the monthly payments would be. She stated this should go before the residents again.

Commissioner Kesl gave some suggestions moving forward like having a company that has done this work before and would charge less. He is not comfortable or familiar with the greater context.

Vice Mayor Paul stated that the way to move forward is to provide a cost to see if the residents want to move forward with this.

Mayor Burkett commented on the money to be spent and the voters want to place their utilities underground and he believes that those that are trying to trip this up will be held accountable. He suggested for Mr. Abbott to go out and get a cost to place the powerlines underground.

Vice Mayor Paul answered Mr. Rose's question and would not like to have to go back to a ballot question and perhaps the Town Manager could put together a survey for the residents to see if they want the Town to expend that money.

Commissioner Velasquez stated that they need to get a ballpark figure.

Commissioner Kesl stated that the ballot question was done months in advance and the ballpark figure is not that far off and does not believe it has to go to a ballot question again. He stated that he is not comfortable if it comes in at \$30 million.

Commissioner Salzhauer stated that the residents complain about high water bills and it is due to the prior Commission borrowing so much money. She stated that they need to get the real number before spending the money.

Mayor Burkett asked Mr. Abbott to give the Commission their best option.

Mr. Abbott stated that the money they are debating about spending tonight they will spend it regardless at one point and time.

Mayor Burkett stated that their first obligation is to come up with some options.

Mr. Abbott stated that the first thing to get is their first cost estimate from FPL.

Mayor Burkett asked how can they put the numbers together effectively.

Mr. Abbott addressed the comments made by Mayor Burkett which involves combining a cost estimate.

Mayor Burkett asked if he can give a range on the cost estimate that he will provide.

Mr. Abbott stated that it will be within as close as an option which would be within 25%. He stated that once he receives the FPL data, he will provide the cost estimate.

Mayor Burkett asked what would the time frame be for the Commission to get the cost estimate.

Mr. Abbott stated that the FPL cost estimate dictates the actual project cost.

A motion was made by Commissioner Velasquez to extend the meeting for 10 minutes, seconded by Vice Mayor Paul. The motion carried with a 5-0 vote.

Assistant Town Manager Greene stated if they could get the budget amendment resolution for Atlantic Broadband approved tonight.

Mayor Burkett asked for Mr. Abbott to negotiate the best deal as it entails Atlantic Broadband.

A motion was made by Vice Mayor Paul to defer this item, and the resolution subject to the correction, seconded by Commissioner Salzhauer. The motion carried with a 4-1 vote with Mayor Burkett voting in opposition.

**E. Budget Amendment – Undergrounding Design Coordination Services and Design for Undergrounding of non-FPL Utilities – Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 7 TO THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the resolution title into the record.

Assistant Town Manager Greene introduced the item.

Vice Mayor Paul stated that this should be deferred because the cost on Atlantic Broadband was not disclosed to the residents. She stated that in order to proceed they need to know if the residents want to proceed with these costs.

Mr. Abbott stated that he cannot answer that question because he was not involved during that time. He stated that he cannot validate \$18 million dollars.

Commissioner Kesl stated that everyone agrees that FPL is the dog wagging her tail.

Commissioner Salzhauer suggested deferring this item as well in order to wait and see if the residents want to spend this amount of money. She also asked

Mr. Abbott if the laterals were done correctly.

Mr. Abbott spoke regarding the utility conversion project.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Mayor Burkett. The motion carried with a 3-2 vote with Vice Mayor Paul and Commissioner Salzhauer voting in opposition.

**F. Urging Resolution in Support of Home Rule – Vice Mayor Tina Paul**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE AND GOVERNOR RON DESANTIS TO SUPPORT HOME RULE FOR LOCAL MUNICIPALITIES AND COUNTIES, AND REJECT 2021 LEGISLATION THAT ERODES LOCAL GOVERNMENT HOME RULE AUTHORITY; AUTHORIZING THE TOWN CLERK TO TRANSMIT THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

The item was not discussed and will be withdrawn due to timeliness.

**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:

Joshua Epstein spoke regarding the fireworks and misleading information.

Jeff Rose thanked Commissioner Kesl for his virtual office hours and spoke regarding the new toppers on the beach.

Debbie Cimadevilla agrees with the one-minute time limit on agenda items.

Nicole Travis Loper spoke regarding the 96<sup>th</sup> Street Park design and a kayak launch. She spoke regarding a cyclist being hit by a car on 88<sup>th</sup> Street and Harding.

Tim Travis-Loper spoke regarding the tennis center.

Horace Henderson thanked the Commission on the work they are doing in the Town.

Jeffrey Platt asked what Commissioner Velasquez' real name is because it is different on Facebook.

George Kousoulas spoke regarding the budget workshop and a sketch he proposed at the Downtown Vision Advisory Committee (DVAC) meeting and what would an expanded sidewalk would look like.

Mayor Burkett stated that there are no ethics violations he received from the ethics board.

Commissioner Salzhauer came back to the meeting at 9:00 p.m.

Commissioner Velasquez addressed Mr. Travis-Loper's question on the cost of the kayak launch.

Commissioner Kesl stated that during Good and Welfare civility is important while describing their issue and personally thanked Nicole Travis Loper, Tim Loper and Debbie Cimadevilla. He spoke regarding protecting the private beach and not restricting 96<sup>th</sup> Street Park as well as the kayak launch.

Vice Mayor Paul thanked all the speakers and stated that she is surprised that the park design did not include the kayak launch and would like to see it incorporated in the design plan. She stated that they need to be careful with the seawall and it should be done the right way. She stated that she did not know that a cyclist was hit today and they do need to keep their streets safer. She spoke regarding having a painted bike lane. She stated that she is ready to hold in person meetings.

Town Manager Hyatt asked if they would like to have Savino and Miller to include the kayak launch in their design. It was not included in the scope of work when it was sent out to Savino and Miller.

Commissioner Salzhauer stated that she would like to stay with good and welfare. She stated that the residents deserve to be heard and have three minutes to speak. She stated that she is disappointed with how it has changed. She stated that every Commissioner should have the opportunity to address the comments made by the public speakers in good and welfare.

Commissioner Velasquez thanked all the residents that participated in good and welfare and would like to hear testimony from residents that have been cut off because the only one that has been cut off because he gets off the topic is Mr. Joshua Epstein, which is Commissioner Salzhauer's 14-year-old son.

A motion was made by Commissioner Velasquez to direct the Town Manager to include the kayak launch to the 96<sup>th</sup> Street Park design proposal, seconded by Commissioner Kesl. The motion carried with a 4-1 vote with Commissioner Salzhauer voting in opposition.

Commissioner Velasquez stated that they need to resolve the issue with more police presence on Collins Avenue and Harding Avenue to give out tickets for speeding and double parking.

Commissioner Salzhauer spoke regarding the kayak launch design and that it was separate because they do not own the seawall as of yet.



**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. Amending Town Code Section 2-205 Conduct of Meetings; Agenda – Mayor Charles W. Burkett**

Item deferred to next meeting.

**B. Demolition by Neglect - Mayor Charles W. Burkett**

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

**E. FPL Solar Together - Vice Mayor Tina Paul**

Item was removed at the beginning of the meeting to be handled by the Town Manager.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

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

Item deferred to next meeting.

- N. **Amend Tourist Board Ordinance – Commissioner Nelly Velasquez**

Item deferred to next meeting.

- O. **Legally Defective Charter Amendment Vote in 2012 – Mayor Charles W. Burkett**

Item deferred to next meeting.

- P. **Traffic Control Devices on 88<sup>th</sup> & Hawthorne Avenue – Commissioner Eliana Salzhauer**

Item deferred to next meeting.

- Q. **Cone of Silence/Secrecy – Mayor Charles Burkett**

Item deferred to next meeting.

- R. **License Plate Readers – Mayor Charles W. Burkett**

Item deferred to next meeting.

**S. Cancel Culture in Surfside - Mayor Charles W. Burkett**

Item deferred to next meeting.

**T. Permit Process - Mayor Charles W. Burkett**

Item deferred to next meeting.

**U. High Water Bill – Mayor Charles Burkett**

Item deferred to next meeting.

**V. Zoning Code Timetable - Mayor Charles Burkett**

Item deferred to next meeting.

**W. Kayak Survey Results – Andrew Hyatt, Town Manager**

Item deferred to next meeting.

**X. Zoning in Progress – Mayor Charles Burkett**

Item deferred to next meeting.

**Y. Motorized Bikes on the Hardpack - Mayor Charles Burkett**

Item deferred to next meeting.

**Z. Increased Commercial Airliner Flights over Surfside - Mayor Charles Burkett**

Item deferred to next meeting.

**AA. Install a lighted, pedestrian controlled, high visibility crosswalk at 90<sup>th</sup> Street and Harding Avenue - Mayor Charles Burkett**

Item deferred to next meeting.

**BB. Purchase of Electric Vehicles - Mayor Charles Burkett**

Item deferred to next meeting.

**CC. One-way automatic gate at 96<sup>th</sup> Street and Bay Drive - Mayor Charles Burkett**

Item deferred to next meeting.

**DD. Dramatically raise the price of the remaining spaces on Harding Avenue to encourage the usage of our larger parking lots for stays over 15 minutes. Charge \$1 for each 15-minute stay, which would be the only option - Mayor Charles Burkett**

Item deferred to next meeting.

**EE. Pickup and drop off zones for each block at its center, on both sides, on Harding Avenue - Mayor Charles Burkett**

Item deferred to next meeting.

**FF. Draconian Fines for Residents - Mayor Charles Burkett**

Item deferred to next meeting.

**GG. Surfside's Brand Name, Miami's Uptown Beach Town – Mayor Charles Burkett**

Item deferred to next meeting.

**HH. Parking and Other Traffic Solutions in the Business District to Support Local Businesses – Commissioner Charles Kesl**

Item deferred to next meeting.

**II. Ending Option to Contribute to Parking Fund in Lieu of Having Required Parking in Building Plans – Commissioner Charles Kesl**

Item deferred to next meeting.

**JJ. Daylight Plane Requirement for New Construction – Commissioner Charles Kesl**

Item deferred to next meeting.

**Staff Reports**

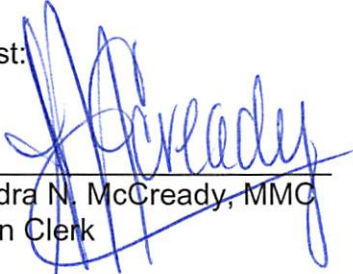
**A. Purchase of Land for Parks – Commissioner Nelly Velasquez**


**10. Adjournment**

A motion was made by Commissioner Kesl to adjourn the meeting at 11:11 p.m. without objection, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Accepted this 11 day of May, 2021.

Attest:

  
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Sandra N. McCreedy, MMC  
Town Clerk

  
\_\_\_\_\_  
Charles W. Burkett, Mayor