



**Town of Surfside
Regular Town Commission Meeting
MINUTES
April 12, 2022
7:00 PM**

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

1. Opening

1A. Call to Order -

Mayor Danzinger called the meeting to order at 8:15 p.m.

1B. Roll Call of Members -

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

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose, Commissioner Nelly Velasquez, Commissioner Marianne Meisheid and Commissioner Fred Landsman.

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango and Town Attorney Tony Recio.

1C. Pledge of Allegiance -

Chief Torres provided the pledge of allegiance.

1D. Mayor and Commission Remarks - Mayor Shlomo Danzinger

Mayor Danzinger provided the rules of decorum and Robert's Rules of Order. He explained the time limit for speakers. He thanked the residents for voting and they are here for the benefit of the Town. He recognized former Mayor Charles Burkett.

Commissioner Velasquez thanked the residents that participated.

Commissioner Landsman thanked the community and asked them to continue to be involved.

Commissioner Meischeid thanked everyone as well and is excited to be here and serve with this new team.

Vice Mayor Rose thanked everyone for coming and those that voted and participated in the election. He stated that this Commission represents everyone and would encourage everyone to participate. He thanked his wife for her support.

Mayor Danzinger recognized the passing of Stephen Cypen and read Mr. Cypen's biography.

1E. Agenda and Order of Business Additions, deletions and linkages -

A motion was made by Commissioner Velasquez to withdraw item 9N (Discussion Repeal Plastic Ordinance) from the agenda in order to do more research since what she wanted to do is to amend the ordinance and not repeal it, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Mayor Danzinger stated that he believes they are two different items as it pertains to the walkability item and street safety.

Town Attorney Arango stated that they are two separate items and code provisions.

A motion was made by Vice Mayor Rose to link item 5A (Authorizing Additional Expenditure of Legal Fees and Costs to Special Counsel -Appeal of the Federal Aviation Administration's South Central Florida Metroplex Project) and item 9C (Jet Engine Noise Over Surfside 24 Hours a Day Update), seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Mayor Danzinger passed the gavel and made a motion to walk on an item for a proclamation for Education and Sharing Day, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Mayor Danzinger passed the gavel and made a motion to bring up item 9E (Improving Walkability and Pedestrian Safety within the Residential Area) and item 9H (Traffic Calming Solutions Within the Residential Area) to the beginning before item 9A (Amending the Town's Purchasing Code (Chapter 3), seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

A motion was made by Commissioner Velasquez to move item 9K (Amendment to Section 86-2 of Town Code to Allow Fishing at (Bay) Street Ends) to be heard after item 9H (Traffic Calming Solutions Within the Residential Area), seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

1F. Municipal Clerks Week Proclamation Approval and Presentation – Mayor Shlomo Danzinger

Mayor Danzinger thanked Town Clerk McCready and Deputy Town Clerk Herbello and Assistant Priscilla Krutules for their hard work.

Commissioner Velasquez thanked Town Clerk McCready and Deputy Town Clerk Herbello and Assistant Priscilla Krutules for their hard work.

Vice Mayor Rose thanked the Clerks for all their hard work.

Commissioner Meischeid thanked the Clerks for all their hard work.

Commissioner Landsman thanked the Clerks for all their hard work.

Town Attorney Hyatt thanked the Clerks for all their hard work.

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

[2022-03-23 Mayor Danzinger - Municipal Clerk Week.pdf](#)
[2022 Clerk Week Proclamation.pdf](#)

1G. CTS Update - Andrew Hyatt, Town Manager

Allyn Kilsheimer provided an update on the Champlain Tower South testing progress.

Commissioner Meischeid asked regarding the progress of the offsite testing.

Mr. Kilsheimer stated that they had 3 days and stated you will need at least a month with at least a dozen people working on it. They have some information.

Commissioner Landsman asked when he believes testing would be done in order to have a preliminary report.

Mr. Kilsheimer would hope that by this coming Winter.

Mayor Danzinger thanked Mr. Kilsheimer and would like an update on the CTS memorial, event and signage from the Town Manager.

Town Manager Hyatt stated that he received some quotes on the signage and gave an update on the styles. He stated that they had a meeting with a couple of the family members and volunteers to organize the event and the next meeting will be Wednesday, April 27, 2022 at 7:00 p.m. The event will take place on June 24, 2022 and there will be a private event for the family members prior to the public

one. He spoke regarding the budget process for the design and presentation for the permanent memorial. He also stated that the committee will sunset once the event is completed.

Vice Mayor Rose asked regarding the signage if the Town Manager will send out the information.

Town Manager Hyatt stated that they set up an email address for the families and they will provide more information.

1H. Miami Dade County League of Cities Delegate and Alternate Delegate Designation - Sandra N. McCreedy, Town Clerk

Mayor Danzinger nominated himself as the delegate for the Miami Dade County League of Cities and Vice Mayor Rose as the alternate delegate.

Commissioner Velasquez asked if the nomination supposed to go for a vote of the Commission.

Town Attorney Arango stated she is not aware of any rules that state it must go for a vote and this is within the Mayor's purview.

Commissioner Velasquez is not in agreement and stated that it should be a vote of the entire Commission.

Mayor Danzinger passed the gavel and made a motion to nominate himself as the delegate for the Miami Dade County League of Cities, seconded by Vice Mayor Rose. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

Mayor Danzinger passed the gavel and made a motion to nominate Vice Mayor Rose as the alternate delegate, seconded by Commissioner Landsman. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

1I. Board, Committee and Commission Liaison Appointments - Sandra N. McCreedy, Town Clerk

- **Planning and Zoning Board** (Each member of the Commission has one appointment and two appointments at-large)
- **Tourist Board** (Each member of the Commission has one appointment and all members must be ratified by the Town Commission)
- **Parks and Recreation Committee** (Each member of the Commission has one appointment)
- **Pension Board** (Town Commission has two appointments at-large)
- **Police Officers Trust** (Town Commission has two appointments at-large)

- **Downtown Vision Advisory Committee** (Each member of the Commission has one appointment)
- **Personnel Appeals Board** (Each member of the Commission has one appointment)
- **Budget Committee** (Each member of the Commission has one appointment)

Commissioner Velasquez appointed Eli Tourgeman for the Tourist Board.

Commissioner Meischeid appointed Ezequiel Singer to the Tourist Board.

Commissioner Landsman appointed Ben Jacobson to the Tourist Board.

Vice Mayor Rose appointed Diana Gonzalez to the Tourist Board.

Mayor Danzinger appointed Lisa Herman to the Tourist Board.

A motion was made by Vice Mayor Rose to ratify all the appointments made to the Tourist Board, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Commissioner Landsman appointed Carolyn Baumel to the Planning and Zoning Board.

Commissioner Meischeid appointed Judith Frankel to the Planning and Zoning Board.

Commissioner Velasquez appointed Ruben Bravo to the Planning and Zoning Board.

Vice Mayor Rose appointed David Forbes to the Planning and Zoning Board.

Mayor Danzinger appointed Jonathan Edderai to the Planning and Zoning Board.

A motion was made by Vice Mayor Rose to appoint at large Michael Szfranski as alternate number 1 to the Planning and Zoning Board, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

A motion was made by Commissioner Meischeid to appoint at large Grace Rais as alternate number 2 to the Planning and Zoning Board, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

A motion was made by Commissioner Meischeid to appoint Valentine Whitaker to the Pension Board, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to appoint Jonathan Jordan to the Police Officer's Trust, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

A motion was made by Commissioner Velasquez to appoint Mareni Starre to the Police Officer's Trust, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

Mayor Danzinger asked Assistant Town Manager Greene regarding the Budget Advisory Committee. He spoke regarding the committees and boards in place. He stated that they had the budget committee and stated that he had a conversation with a previous committee member and the budget committee is not an actionable committee. He asked if the Commission is interested in continuing with this Committee.

Commissioner Velasquez asked if he is requesting to eliminate this committee and there should be resident input and all these committees are to give the residents input.

Assistant Town Manager Greene stated that there are 5 public hearings for the public to speak at and the vision is that of the Commission and resident input is considered by the Commission. He spoke regarding quorum issues with the Budget Advisory Committee and it has always been a Town Manager's committee like Downtown Vision Advisory Committee (DVAC). He stated that these two committees, which are not in the charter, have the purview of being under the Town Manager.

Commissioner Velasquez asked if these meetings could be held via zoom.

Assistant Town Manager Greene stated that the committees must meet in person.

Town Attorney Arango stated that she would have to check to see if those two committees could be done via zoom.

The following individual from the public spoke:

Eliana Salzhauer

A motion was made by Vice Mayor Rose to abolish the Budget Committee and have the Downtown Vision Advisory Committee (DVAC) be a Town Manager Committee, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

Mayor Danzinger would like to appoint himself as the Tourist Board Liaison, Commissioner Landsman as the Planning and Zoning Board Liaison, and Vice Mayor Rose as the Parks and Recreation Board liaison.

2. Quasi-Judicial Hearings

3. Consent Agenda

A motion was made by Vice Mayor Rose to approve the consent agenda, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

3A. Minutes - Sandra N. McCready, Town Clerk

Approved on consent.

[2022-03-08 Regular Town Commission Meeting Minutes.pdf](#)

[2022-02-23 Joint Town Commission and Planning and Zoning Board Meeting Minutes.pdf](#)

[2022-03-29 Special Town Commission Meeting Minutes.pdf](#)

3B. Town Manager's Report - Andrew Hyatt, Town Manager

Approved on consent.

[Town Manager's Report.pdf](#)

3C. Town Attorney Report - Lilian Arango, Town Attorney

Approved on consent.

[Town Attorney's Report.DOCX](#)

3D. Committee Reports - Sandra N. McCready, Town Clerk

Approved on consent.

[2022-01-03 Tourist Board Meeting Minutes.pdf](#)

[2022-02-07 Tourist Board Meeting Minutes.pdf](#)

[2022-02-23 Joint Town Commission and Planning and Zoning Board Meeting Minutes.pdf](#)

[2022-02-24 Planning and Zoning Board Meeting Minutes.pdf](#)

3E. Resolution Amending Resolution No. 2021-2827 to Revise Fiscal Year 2022 Police Forfeiture Expenditures - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING RESOLUTION NO. 2021-2827 TO REVISE THE FISCAL YEAR 2022 POLICE FORFEITURE FUND EXPENDITURES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends a motion to approve a Resolution authorizing an amendment to Resolution No. 21-2827 adopted on November 9, 2021 to revise the police forfeiture expenditures for Fiscal Year 2022, including the approval of the

expenditure of \$79,533.33 from the Police Forfeiture Fund to support crime prevention initiatives and materials, promotional activities, community-based programs, an SRO, special police equipment, reports, audits and bank fees.

Approved on consent.

[Reso Amending Reso 21-2827 Police Forfeiture Funds.docx](#)

3F. Arbor Day Proclamation/Resolution Approval - 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 29, 2022, IN THE TOWN OF SURFSIDE AS "ARBOR DAY"; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends approval of Resolution and Proclamation

Approved on consent.

[Proclamation Request Form.doc Resolution - Proclamation Arbor Day 2022.DOC](#)

3G. Town Shuttle Contract Extension - Andrew Hyatt, Town Manager

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

Town Administration recommends that the Town extend the agreement with Limousines of South Florida, Inc. to avoid any disruption of service as the Town transitions to a new shuttle service.

Approved on consent.

[Reso Approving Fifth Amendment Renewal - Limousines of S. FL.docx](#) [Fifth Amendment Renewal - Limousines of South Florida TA v1.doc](#)

3H. Certification of Surfside General and Special Municipal Elections held March 15, 2022 - Sandra N. McCreedy, Town Clerk

RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF

SURFSIDE GENERAL AND SPECIAL MUNICIPAL ELECTIONS HELD ON MARCH 15, 2022 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS AND FIVE REFERENDUM/BALLOT QUESTIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends that the Town Commission adopt the Resolution.

Approved on consent.

[Resolution Certifying Town General and Special Elections.pdf 2022 Official Results and Certification.pdf](#)

3I. Authorizing the Purchase of Police Laptops - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING AND APPROVING THE QUOTE FROM CDW GOVERNMENT, LLC FOR THE PURCHASE OF THIRTY-SEVEN (37) FULLY-INTEGRATED POLICE MOBILE LAPTOP COMPUTERS IN AN AMOUNT NOT TO EXCEED \$113,309.17 BY UTILIZING THE TERMS AND CONDITIONS OF THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES CONTRACT NO. 43211500-WSCA-15-ACS; FINDING THAT THE PURCHASE OF THE POLICE MOBILE LAPTOP COMPUTERS ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER FOR THE POLICE MOBILE LAPTOP COMPUTERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends Commission approval for the purchase from CDW Government, LLC for the Purchase of Thirty-Seven (37) Fully Integrated Police Mobile Laptop Computers in an Amount Not to Exceed \$ 113,309.17 by Utilizing the Terms and Conditions of the Florida Department of Management Services Contract No. 43211500-WSCA-15-ACS.

Approved on consent.

[Reso Approving Purchase of Police Laptops.docx Laptop Quote.pdf](#)

3J. Authorization to Expend on Video Surveillance and Recording Camera System - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE AND INSTALLATION OF VIDEO SURVEILLANCE AND RECORDING CAMERA SYSTEM EQUIPMENT FOR TOWN HALL FROM STREAMLINE VOICE & DATA INC.; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF

THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITY REPLACEMENT WORK; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PURCHASE ORDER AND/OR OTHER AGREEMENTS AS MAY BE APPROVED BY THE TOWN MANAGER AND TOWN ATTORNEY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends a motion to approve the resolution to authorize the expenditure of \$28,394.00 with StreamLine Voice & Data for an upgraded video surveillance and recording camera system to be installed in the Town Hall and Police Department area.

Approved on consent.

[Surfside Camera Estimate.pdf](#)

[Resolution Approving Purchase of Video Surveillance and Recording Camera System.DOCX](#)

3K. Approval of Laserfiche Cloud Agreement - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE OF LASERFICHE CLOUD HOSTING SERVICES FROM MCCI, LLC TO MAKE PUBLIC RECORDS READILY ACCESSIBLE THROUGH THE CLOUD; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTIONS 3-13(2) AND 3-13(7)j. OF THE TOWN CODE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A MASTER SERVICES AGREEMENT FOR THE SERVICES WITH MCCI, LLC; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends approval of the resolution authorizing execution of the attached agreement and to expend required funds.

Approved on consent.

[Reso Laserfiche CCloud Services.docx](#)
[Quotation/Proposal- Town of Surfside.pdf](#)

3L. FY 2022 Budget Amendment Resolution No. 4 - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE FISCAL YEAR 2022 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Administration recommends approval of the budget amendment.

Approved on consent.

[FY2022 Budget Amendment No. 4 TCM 04122022.pdf](#) [Budget Amendment No. 4.DOCX](#)

4. Ordinances Second Reading

4.A.1 Memo in Support of Ordinance Amending Scope of 24 Inch Setback Encroachment - Former Commissioner Eliana Salzhauer (First Reading occurred on March 8, 2022)

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", SPECIFICALLY SUB-SECTION 90-47.1 TO RESTRICT PROJECTIONS FOR CERTAIN ARCHITECTURAL ELEMENTS AND TO PROHIBIT COMBINING ALLOWED ENCROACHMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Amend Zoning code to reflect the impact of the recent text amendment that removed the requirement of a wedding-cake design in the H-120 district by adopting this (2nd Reading) Ordinance Amending Scope of 24 Inch Setback Encroachment.

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

The following individuals from the public spoke:

Eliana Salzhauer spoke regarding the item and explained what the ordinance entails. George Kousoulas spoke regarding comments made by the public as it pertains to the balcony projections.

Shannon Gallagher stated that Vice Mayor Rose should recuse himself since he has an interest in Champlain Towers South and spoke regarding the projection of the balcony of the Hillcrest.

Vice Mayor Rose asked Town Attorney Recio to provide clarification on the language.

Town Attorney Recio clarified the code and the language and explained the ordinance. He stated that if you want to move forward with something within the title you can but if the title has to change you have to start from scratch.

Commissioner Meischeid asked if they could accept this with modifications.

Town Attorney Recio stated that not tonight, they would have to come back with a new ordinance in first reading. He explained what the options the Commission has with this item as it pertains to the modifications.

Town Attorney Arango stated that the title does not allow combining the elements.

Mayor Danzinger spoke regarding the language and prior language the Planning and Zoning Board made.

Vice Mayor Rose explained the language from the Planning and Zoning Board.

Commissioner Landsman addressed the comments made by the public speakers and stated that it was not well thought through and to come back with a properly worded ordinance.

Mayor Danzinger closed public comments.

A motion was made by Vice Mayor Rose to reject the ordinance as written and have the Planning and Zoning Board look at the language at their next meeting, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

[Second Reading Ordinance - 24 inch.docx](#)

4.A.2 Anti-Semitism Flyer - Former Mayor Burkett (First Reading occurred on March 8, 2022)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 54-2. - "CONSIDERATION OF ANTI-SEMITISM AND HATE CRIMES IN ENFORCING LAWS", TO STRENGTHEN AND AMEND THE DEFINITION AND EXAMPLES OF ANTI-SEMITISM THAT MAY BE CONSIDERED IN THE EVALUATION OF EVIDENCE OF ANTI-SEMITISM IN ENFORCING LAWS, INCLUDING EXAMPLES OF ANTI-SEMITISM RELATED TO ISRAEL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

Support victimized Surfside's and others victimized by similar flyers by adopting the attached ordinance.

Town Clerk McCready read the title into the record.

A motion was made by Commissioner Velasquez to approve the ordinance on second reading, seconded by Commissioner Meischeid.

The following individuals from the public spoke:

Eliana Salzhauer
Gerardo Vildostegui
Charles Burkett

Mayor Danzinger closed public comments.

Mayor Danzinger provided his comments on the item and explained hate crime and the language was approved by federal agencies.

The motion carried with a 5-0 vote.

[Ordinance Amending Section 54-2 Anti-Semitism.pdf](#)

First Reading

5. Resolutions and Proclamations

5A. Authorizing Additional Expenditure of Legal Fees and Costs to Special Counsel - Appeal of the Federal Aviation Administration's South Central Florida Metroplex Project - Lillian Arango, Town Attorney

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, FOR LEGAL FEES AND COSTS, IN CONNECTION WITH THE APPEAL OF THE FEDERAL AVIATION ADMINISTRATION'S (FAA'S) SOUTH CENTRAL FLORIDA METROPLEX PROJECT (METROPLEX); PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approve the Resolution authorizing additional expenditure of legal fees and costs to Special Counsel in connection with the appeal of the FAA's Metroplex project.

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

Mayor Danzinger stated that this item is linked to item 9C.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Meischeid.

Commissioner Velasquez stated that Mayor Burkett had provided this item when he was Mayor and he would like to speak on the item.

Mayor Burkett provided a summary of the item and explained the issues the Town residents experienced with the problems with the FAA and the changes to flight paths.

The following individual from the public spoke:

Eliana Salzhauer

Town Attorney Arango explained the item and the funding needed to continue.

Mayor Danzinger asked for clarification what the initial approval by the previous commission was.

Town Attorney Arango stated that it was to retain special counsel and pay the retainer fee and explained the different resolutions that were passed, and the amounts requested. She stated to date there has been approximately \$131,000. They are estimated additional funds needed.

Mayor Danzinger spoke regarding parameters and limitations.

Town Attorney Arango stated that she will advise special counsel that this amount is to finish the oral arguments. The funds are to conclude the appeal process.

Mayor Danzinger stated that this will be for the oral arguments.

Mr. Burkett stated that it is to finish the appeal and the brief is over 2,000 pages long.

Vice Mayor Rose spoke regarding conversations he had with Mayor Burkett and that this is a problem and agrees with Mayor Danzinger.

Commissioner Velasquez stated that she believes this is something that we need to spend the money on and it is a quality of life issue.

Commissioner Meischeid agrees that they need to finish it till the end.

Commissioner Landsman agrees to see this to the conclusion.

Town Attorney Arango stated that this is for the legal process.

Mayor Danzinger wants to have a cap on it.

The motion carried with a 5-0.

A motion was made by Vice Mayor Rose to extend the meeting to 11:30 p.m., seconded by Commissioner Landsman. The motion carried with a 5-0.

[Reso Authorizing Additional Legal Fees and Costs to Special Counsel - FAA Metroplex Appeal.docx](#)

Proclamation Education -

Mayor Danzinger read the proclamation into the record and made the presentation.

6. Good and Welfare

The following individuals from the public spoke:

Jennifer Rotker spoke regarding why she likes Surfside and what makes it special.

Eliana Salzhauer spoke regarding the plastic straws back on the table and requested them to take environmental protection seriously.

Shannon Gallagher spoke regarding the previous item on the quasi judicial agenda. Carolyn Baumel congratulated all the members and spoke regarding the ordinance of the dock extension. She requested to revisit the DERM requirements as it pertains to dock extensions. She also spoke regarding how Code Enforcement's behavior towards the residents are.

Bruce Faulkner spoke regarding plastics in the ocean. Horace Henderson spoke regarding the Hillcrest project.

George Kousoulas spoke regarding the zoning code and design guidelines.

Mandyf Davenport asked the Commission to focus on what is important to the residents.

Ben Jacobson congratulated the new Town Commission and spoke regarding plastic straws.

Geraldo Vildostegui congratulated the Commission and was impressed with the campaign with civility and provided a suggestion and spoke regarding the Mayor's introductory statement. He spoke regarding the plastic straws.

Bob Fisher spoke regarding the memorial site and if anything was done to check for Indian artifacts.

Jeffrey Platt spoke regarding different items.

A motion was made by Commissioner Velasquez to continue with Good and Welfare, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

Philip Zyne congratulated the Commission and spoke regarding the enhancement of the beach path and the beach itself.

Paul O'Malley spoke regarding the environment and beach cleanup.

Debbie Cimadevilla congratulated the new Commission and knows they will do a great job. Joshua Epstein stated that he has faith in all of them and spoke regarding the plastic straws.

Commissioner Velasquez clarified what her intention was with the plastic straws, which was not to bring back plastic straws but to find other things that they can use instead of paper straws.

Mayor Danzinger closed good and welfare.

7. Town Manager and Town Attorney Reports

Commissioner Velasquez would like to have the Town Manager Report and the Town Attorney Report to be provided verbally.

Town Manager Hyatt stated that he has staff here to provide any information needed. He also stated that he has always been prepared to provide a verbal summary if asked.

Town Attorney Arango stated that the code states that the documents still need to stay on the agenda and she can provide a verbal update if needed.

Mayor Danzinger stated it would be to provide highlights not the entire report.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

The following individuals from the public spoke as per the Mayor's request for the public to speak on all discussion items with an allotted 3 minutes to speak.

Eliana Salzhauer provided her opinion regarding all discussion items. Gerardo Vildostegui provided his opinion regarding all discussion items. Charles Burkett spoke regarding flyers.

Mayor Danzinger explained to the public that these are strictly discussion items and they would come back on the agenda and the public will have time to speak on the items again.

Daniel Gielchinsky provided his opinion on all discussion items. He spoke regarding gratitude and for their service. He also spoke regarding Autism month.

Ben Jacobson provided his opinion on all discussion items and the Town Manager's contract. He spoke providing good salaries to all employees.

Judith Frankel spoke regarding understory and other discussion items. George Kousoulas spoke regarding artificial turf and understory.

Jennifer Rotker provided her opinion on understory and fishing at the street ends. Judy Martinez provided her opinion on several discussion items.

Monica Otano spoke regarding fishing at the bay.

Rodrigo Butoni provided his opinion on the discussion items including fishing at the street ends.

Jeffrey Platt spoke regarding dogs pooping and the owners not picking up after their pets.

Mayor Danzinger closed public comments.

9A. Amending the Town's Purchasing code (Chapter 3) - Commissioner Nelly Velasquez

I am requesting that the Town's purchasing code (Chapter 3) be amended to the original form prior to November 12, 2019 commission meeting with the original \$8,500 Town Managers purchasing power.

The item was not discussed and will be deferred to the next meeting.

[Ordinance No. 2020-1708 Purchasing Code.pdf](#)

9B. Amend Tourist Board Ordinance - Commissioner Nelly Velasquez

Amend current Tourist Board Ordinance

The item was not discussed and will be deferred to the next meeting.

9C. Jet Engine Noise Over Surfside 24 Hours a Day Update. - Commissioner Nelly Velasquez

Provide an update on the status of the legal action and former Mayor Burkett's progress on redirecting the constant parade of commercial jet flights over Surfside. Continue working to restore the flight path that existed for decades, which will restore the tranquility which has been destroyed by the constant overflights.

Item was linked to item 5A (Authorizing Additional Expenditure of Legal Fees and Costs to Special Counsel - Appeal of the Federal Aviation Administration's South Central Florida Metroplex Project) and heard.

9D. Undergrounding Process - Andrew Hyatt, Town Manager

Town Administration is seeking guidance to move forward on the Town undergrounding project.

Assistant Town Manager Greene provided an update on the undergrounding process with KCI and Paul Abbott. He provided the three things that make sense.

Commissioner Velasquez asked regarding engaging with bond counsel.

Town Manager Hyatt suggested to have the Commission provide direction to the Town Manager to work on the process.

A motion was made by Commissioner Velasquez to accept Assistant Town Manager Greene's recommendations as provided in the commission communication to include discussion with ATT, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to extend the meeting until 12:00 a.m., seconded by Mayor Danzinger. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

A motion was made by Commissioner Meisheid to hear item 9J (Understories) to be heard next, seconded Vice Mayor Rose. The motion carried with a 5-0 vote.

9E. Improving Walkability and Pedestrian Safety within the Residential Area - Mayor Shlomo Danzinger

For the commission to deliberate and conclude on a course of action of improving the walkability and pedestrian safety within the residential streets of Surfside, and to direct the town manager to report back at the next scheduled commission meeting with an implementation timeframe and associated costs based upon the recommendations of the commission.

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to direct the Town Manager to come back at the next town commission meeting to provide an implementation timeframe and associated costs, seconded by Commissioner Landsman. The motion carried with 5-0 vote.

Mayor Danzinger provided an explanation of the item.

Commissioner Meischeid asked if it would make sense to do a workshop to get the residents input along with Public Works Director Gomez to get an understanding of the plan.

Mayor Danzinger stated that this came before the Commission about three years ago and explained the process and this would give a start.

Commissioner Landsman stated that actions speak louder than words and he knows that the prior commission studied it, and nothing got done. He asked Town Manager Hyatt that whoever gives the information to come up with some improvements and get this done and what can be done short term without needing the approval from the County or FDOT.

Commissioner Velasquez asked if he is proposing doing one-way streets. She stated that if her proposal is to do one-way streets, you need to do a survey for the residents and community input.

Mayor Danzinger stated that there will be another discussion regarding one-way streets.

Vice Mayor Rose stated that at one point they studied painting the streets green and white. He suggested that painting the streets white in the interim and what will the Town look like once undergrounding takes place. It is important to have the test trial before they tear the streets out.

[bike-path-sample.jpg](#)

9F. Town Manager's Contract - Vice-Mayor Jeff Rose

To direct the Town Attorney to work with Mayor Danzinger on a new contract.

A motion was made by Vice Mayor Rose would like to move this item to be heard after item 9H (Traffic Calming Solutions within the Residential Area), seconded by Commissioner Meisheid. The motion carried with 5-0.

A motion was made by Vice Mayor Rose to work with Town Attorney Arango to work on a contract for the Town Manager to include salary, seconded Commissioner Velasquez. The motion carried with a 5-0 vote.

Vice Mayor Rose thanked Town Manager Hyatt for his work.

Town Attorney Arango stated that they need more direction as to term and compensation.

Vice Mayor Rose stated that he would like a term on the contract and compensation.

Town Manager Hyatt explained that he could be let go at any time and literally it is a day to day and he is fine either way.

Town Attorney Arango stated that she does not think that term needs to be there.

A motion was made by Vice Mayor Rose to extend the meeting for an additional 15 minutes (until 11:45 p.m.), seconded Commissioner Velasquez. The motion carried with a 5-0 vote.

A motion was made by Commissioner Velasquez to move item 9D (Undergrounding Process) to be heard next, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

9G. Town Gazette - Mayor Shlomo Danzinger

To direct the Town Manager to establish a policy to manage the Town Gazette as an administrative publication, free from any messages from the Town Commission.

Mayor Danzinger passed the gavel and made the below motion.

A motion was made by Mayor Danzinger to move item 9G (Town Gazette), seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Mayor Danzinger explained the item and would like to have the Town Manager establish a policy to manage the Town Gazette.

A motion was made by Commissioner Meisheid to direct the Town Manager to establish a policy to manage the Town Gazette, seconded by Vice Mayor Rose. The motion carried with a 3-2 vote with Commissioner Velasquez and Commissioner Landsman voting in opposition.

Commissioner Landsman stated that the Town Gazette was being used by elected officials for political purposes.

Mayor Danzinger stated that the gazette was putting individuals against each other and leaving it on would continue to perpetuate a divisive environment.

Commissioner Velasquez disagrees and stated that it is a form that the Commission uses to get information out to the residents.

Mayor Danzinger stated that the Commission gave directive to the Town Manager to have a section dedicated to each one of them on the gazette.

Commissioner Velasquez continued discussing the gazette and suggested putting parameters on what is being placed and only allow improvements being made.

Mayor Danzinger stated that he did read the commission corner, and this is about making sure not to be divisive.

9H. Traffic Calming Solutions within the Residential Area - Mayor Shlomo Danzinger

For the commission to discuss possible solutions and consider methods as advised and brought forth by the Town Manager and Public Works Department. To direct the Town Manager to put into motion solutions as determined by the committee in an effort to discourage speeders and outside commuters from cutting through our residential streets.

A motion was made by Vice Mayor Rose to come back with solutions, consider methods and bring back this item in the May meeting, seconded by Commissioner Meisheid. The motion carried with a 5-0.

Commissioner Landsman provided his input on the item.

9I. Amendment to Section 54-78 - Prohibited Noises - Mayor Shlomo Danzinger

To amend Town Code Section 54-78 - Prohibited Noises - to specifically allow for residents to utilize devices such as lawns mowers, hedge clippers, and other mechanical devices for personal lawncare on Sundays and Saturdays, between the hours of 10 AM - 6 PM. Commercial contractors, such as landscapers, will be prohibited from utilizing these devices on Saturday and Sunday.

The item was not discussed and will be deferred to the next meeting.

9J. Understories - Commissioner Marianne Meischeid

Bring back a text amendment for first reading before the Town Commission.

A motion was made by Commissioner Meischeid to bring back a text amendment as stated in the agenda and exclude item 3 as written in H30C and H40C before the Town Commission for first reading, seconded by Commissioner Landsman. The motion carried with 4-1 with Commissioner Velasquez voting in opposition.

Commissioner Meischeid provided a background on the item.

Mayor Danzinger asked regarding H30A and H30B, H30C and H40 and asked Mr. Kousoulas what would be the difference.

George Kousoulas explained the difference between them.

Town Attorney Recio explained understory as it pertains to to the code.

Commissioner Velasquez stated that this is not in the Charter and anybody can change it.

Town Attorney Arango asked Commissioner Velasquez to allow Town Attorney Recio to answer her question politely.

Town Attorney Recio explained that the charter does not specify the number of stories.

Mr. Kousoulas continued explaining that this is to make things align.

Commissioner Landsman spoke regarding the concerns about larger homes being built that are rectangular and asked the Town Attorney to come back with some creative alternatives that can give our Town more open pervious areas.

Commissioner Velasquez stated that she is fine with this if you are only putting one story on top, but she does not agree putting two additional stories and that Vice Mayor Rose might have a conflict.

Vice Mayor Rose stated that he spoke with Town Attorney Arango regarding a possible conflict and he received an opinion that stated he did not have a conflict.

Town Attorney Arango stated that Town Attorney Meyers did provide an opinion and stated that Vice Mayor Rose does not have a conflict and is able to speak on the item.

Vice Mayor Rose spoke regarding the understory and any height change needs to go to the voters.

Commissioner Velasquez asked if there is 30 feet.

Town Attorney Arango stated to the Town Attorney Recio not to continue answering the question because he is not being heard and respected.

Mayor Danzinger asked Town Attorney Recio to please continue explaining.

Town Attorney Recio explained the 30 feet and you cannot exceed the height that was in place in 2004.

A motion was made by Vice Mayor Rose to extend the meeting 15 minutes, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

Mayor Danzinger clarified the original motion and the amendment.

Commissioner Landsman explained that the Planning and Zoning Board does review and approve items.

[Understory Text Amendment Draft.docx](#)

9K. Amendment to Section 86-2 of Town Code to Allow Fishing at (Bay) Street Ends - Mayor Shlomo Danzinger

For the Commission to direct the Town Attorney to prepare an amendment to Section 86-2 (Prohibition on Fishing) of the Town Code to allow fishing at the Bay (Street Ends) and other public property as feasible (excluding the beach) from dawn to dusk, in order to provide Town residents and the public access to the water for fishing and recreational use. Once the Town Code is amended, to further direct the Town Manager to remove the "no fishing" signs located at the Bay (Street Ends) in accordance with the new ordinance. To amend any other sections of the Town Code, if necessary, to accomplish the aforementioned direction.

The item was not discussed and will be deferred to the next meeting.

["No Fishing" Sign.jpg](#)

9L. Discussion Amend Leaf Blower Ordinance - Commissioner Nelly Velasquez

To permit the use of gasoline leaf blowers.

The item was not discussed and will be deferred to the next meeting.

9M. Discussion Amend Synthetic Turf Ordinance - Commissioner Nelly Velasquez

To remove permit requirements and other items.

The item was not discussed and will be deferred to the next meeting.

9N. Discussion Repeal Plastic Ordinance - Commissioner Nelly Velasquez

Paper goods destroy trees. Cutting trees is worse for the environment than properly recycling plastic.

Item was withdrawn by Commissioner Velasquez.

9O. Dog on Leashes Ordinance - Commissioner Nelly Velasquez

To enforce the dog leash ordinance to include the entire town.

The item was not discussed and will be deferred to the next meeting.

10. Adjournment

A motion was made by Commissioner Velasquez to adjourn the meeting. The motion died for lack of a second.


A motion was made by Commissioner Velasquez to adjourn the meeting. The motion died for lack of a second.

A motion was made by Vice Mayor Rose to adjourn the meeting at 12:30 a.m., seconded by Mayor Danzinger. The motion carried with a 5-0 vote.

Respectfully submitted,

Accepted this 10th day of May, 2022

Attest:



Sandra McCready, MPA, MMC
Town Clerk



Shlomo Danzinger, Mayor