



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES**

**June 14, 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 7:13 p.m..

**1B. Roll Call of Members**

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

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose, Commissioner Marianne Meischeid and Commissioner Fred Landsman.

Absent: Commissioner Velasquez.

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

**1C. Pledge of Allegiance**

Florida State Senator Jason Pizzo provided the pledge of allegiance.

**1D. Mayor and Commission Remarks**

Mayor Danzinger thanked everyone here and spoke regarding the Memorial Day Event. He spoke regarding the June 24 Champlain Tower event. He spoke regarding the nationally celebrated events of Juneteenth.

Commissioner Landsman spoke regarding hurricane season and thanked all the police officers.

Commissioner Meischeid spoke regarding the last Surfside events and thanked the Town Attorneys.

Vice Mayor Rose spoke regarding Pride Month and thanked all the Town staff for their hard work.

Mayor Danzinger reminded the public to fill out a speaker card and explained that the public comments will take place at one time. He asked the public to refrain from yelling at the Commission and reminded everyone about the decorum statement.

#### **1E. Agenda and Order of Business**

A motion was made Vice Mayor Rose to move item 1H (Legislative Update by Senator Jason Pizzo) after item 1E (Agenda and Order of Business), seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

The Town Manager requested to add on an item (Surfside Remembrance Event Authorization to Expend) to be heard right after item 9K (Update on Improving Walkability and Pedestrian Safety within Residential Area), which will be heard next.

A motion was made by Vice Mayor Rose to add on an item (Surfside Remembrance Event Authorization to Expend) to be heard right after item 9K (Update on Improving Walkability and Pedestrian Safety within Residential Area), which will be heard next, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

#### **1F. Presentation of Police Officers of the Year 2021. - Andrew Hyatt, Town Manager**

Chief Torres provided an overview and presented the award to the officers that were the first responders at the Champlain Tower South building collapse.

#### **1G. CTS Update**

Town Manager Hyatt introduced Allyn Kilsheimer to give the update.

Allyn Kilsheimer provided an update on the Champlain Tower South testing. He spoke regarding the meetings with NIST. He stated that they will be running out of funds and will need additional funds to continue the work.

Commissioner Landsman asked regarding the amount of additional funding they are looking for.

Mr. Kilsheimer stated that they are not sure how much until they see the work they still need have to do.

Commissioner Meisheid asked if he has done any more work on the offsite.

Mr. Kilsheimer stated that he is still working with NIST and provided a summary of what needs to be done.

#### **1H. Legislative Update by Senator Jason Pizzo - Andrew Hyatt, Town Manager**

Florida State Senator Jason Pizzo thanked everyone and provided a legislative update.

Vice Mayor Rose thanked Senator Pizzo.

Commissioner Meischeid thanked Senator Pizzo.

Commissioner Landsman thanked Senator Pizzo.

Mayor Danzinger thanked Senator Pizzo and has been able to see the work he has done.

Senator Pizzo thanked everyone and is here for whatever they need.

**1I. Legislative Update by Town Lobbyist - Andrew Hyatt, Town Manager**

Jonathan Kilmer, Town Lobbyist, Converge Public Strategies, provided the legislative update. He spoke regarding the State budget. He provided an update on the senate bills.

Mayor Danzinger asked if there will be recuperation on attorney's fees. He asked regarding the CTS memorial and if there is a possibility for additional funding for that project.

Mr. Kilmer stated that possibly there could be. He stated that they want to see that they are obligated to use the funds for the memorial and for it to not be 2 years out. He stated that they could do it.

[Town of Surfside Leg Update Memo.pdf](#)

**2. Quasi-Judicial Hearings**

**3. Consent Agenda**

A motion was made by Vice Mayor Rose to approve the consent agenda, seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**3A. Approval of Minutes - Sandra N. McCreedy, MMC - Town Clerk**

Town Clerk McCreedy read the change to the minutes on the dock item and read the correct motion into the record.

Approved on Consent.

[2022-05-10 Town Commission Meeting Minutes.pdf](#)

**3B. Committee Reports/Minutes**

Approved on Consent.

[2022-04-28 Planning and Zoning Board Meeting Minutes.pdf](#)

[2022-02-28 Parks and Recreation Committee Meeting Minutes.pdf](#)

**3C. Town of Surfside Title VI Program Plan Re-adoption - Andrew Hyatt, Town**

Manager

Town Administration recommends the Town Commission to approve the re-adoption of the Title VI Program Plan resolution in order to be compliant with federal requirements.

Approved on Consent.

[Reso Adopt Title VI Plan.docx](#)

[Title VI Program Plan.RTF](#)

**3D. Adoption of Town of Surfside Fund Balance Policy** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the Fund Balance Policy.

Approved on Consent.

[Resolution Adopting a Fund Balance Policy.DOCX](#)

[Fund Balance Policy - 2022.pdf](#)

[Fund Balance Implementation FY 2022.pdf](#)

**3E. Approval to Execute FPL Binding Estimate Agreement** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the resolution to approve execution of the agreement with FPL Binding Cost Estimate in the amount of \$4,874,370.

Approved on Consent.

[Resolution Approving FPL Binding Estimate Agreement.DOCX](#)

[BCE Cvr ltr Town of Surfside 9-21.pdf](#)

[TOS - Binding Cost Estimate and GAF Phase 1.pdf](#)

[TOS - Binding Cost Estimate and GAF Phase 2.pdf](#)

[TOS - Binding Cost Estimate and GAF Phase 3.pdf](#)

[FPL Undergrounding Map.pdf](#)

**3F. Digitization and Storage of Documents: GRM Proposal and Service Agreement** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the resolution to execute an agreement with GRM Information Management Services of Miami LLC for digitization of files in an amount up to \$250,000 and for the storage and management of physical documents in an amount up to \$15,000 per fiscal year.

Approved on Consent.

[Resolution Approving Agreement with GRM for Document Storage.DOCX](#)

[GRM Agreement for Document Storage.PDF](#)

**3G. Town Hall Front Office Lobby Remodel** - Andrew Hyatt, Town Manager

Town Administration recommends the approval of a contract with RMB General

Contractors and the authorization to expend in the amount of \$323,471 for the remodeling of the Town Hall Front Desk area.

Approved on Consent.

[Resolution Approving Contractor And Authorizing Expenditure of Funds for Town Hall Remodel Project.DOCX](#)

[Contract for Construction - Bldg Dept Interior Remodel V4.DOC](#)

[FINAL AMENDED FLOOR PLAN DRAFT 5.0 2-23-2022.pdf](#)

[FINAL ELECTRICAL PLAN 3.5 FOR OFFICE REMODEL 2-23-2022.pdf](#)

[REVISED PROPOSAL-RMB Contractors-Front Office Remodel - 20220511 - RMB.pdf](#)

**3H. Town of Surfside Social Media Policy - Revised - Andrew Hyatt, Town Manager**

Town Administration recommends approval of the revised Social Media Policy.

Approved on Consent.

[Resolution Amending Social Media Policy TA v1.DOCX](#)

[Revisions to Social Media Policy 2022-6-6.docx](#)

**3I. Authorization to Proceed with Award and Contracting for Engineering Services with Kimley-Horn and Associates, Inc. as a Result of Request for Qualifications (RFQ No. 2022-02), CDBG-MIT Town-wide Drainage Improvement and Flood Hazard Mitigation Plan - Andrew Hyatt, Town Manager**

Town Administration recommends the awarding of contract based on Evaluation Committee recommendation for RFQ No. 2022-02, CDBG-MIT Town-wide Drainage Improvement and Flood Hazard Mitigation Plan, to Kimley-Horn and Associates, Inc. in the not to exceed amount of \$255,000.

Approved on Consent.

[Resolution Approving PSA with Kimley-Horn - Drainage Improvement and Flood Hazard Mitigation Project.DOCX](#)

[DEO Approved Contract Agreement](#)

[Kimley Horn Proposal](#)

[Kimley Horn Agreement-Final](#)

**3J. Authorization to Award Disaster Debris Monitoring Services to Whitt O' Brien's per RFP 2022-01 Disaster Debris Monitoring Evaluation Committee Recommendation - Andrew Hyatt, Town Manager**

Town Administration recommends awarding Disaster Debris Monitoring Services contract to Whitt O' Brien's for a period of 8 years, unless terminated earlier by the Town.

Approved on Consent.

[Resolution Selecting and Awarding Contract to Witt O'Brien's LLC for Disaster Debris Monitoring Services.DOCX](#)

[Disaster Debris Monitoring Contract - Witt O Briens.PDF](#)

**3K. Surfside Farmer's Market Extension** - Andrew Hyatt, Town Manager

Town Administration recommends approval of 12-month extension to the Surfside Farmer's Market agreement.

Approved on Consent.

[Resolution Approving Second Amendment to Wavey Acai Bowls LLC Agreement - Farmers Market.DOCX](#)

[Second Amendment to Wavey Acai Bowls LLC Agreement - Farmers Market.DOC](#)

**3L. FY 2022 Budget Amendment Resolution No. 6** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the budget amendment.

Approved on Consent.

[Resolution Approving Budget Amendment No 6 for FY 2022.DOCX](#)

[FY 2022 Budget Amendment No. 6.pdf](#)

**4. Ordinances**

**Second Reading**

**4A1. Nonhabitable Understory** - Commissioner Marianne Meisheid

Consider and adopt an ordinance at second reading to amend the zoning code to allow a nonhabitable understory in low-rise residential areas.

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

Mayor Danzinger reminded the public regarding public comment.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Gerardo Vildostegui spoke regarding the legality of the ordinance.

William Arthur spoke in support of the ordinance.

Eliana Salzhauer spoke against the ordinance.

George Kousoulas spoke in support of the ordinance.

Mayor Danzinger closed public comment.

A motion was made by Commissioner Meisheid to approve the ordinance, seconded by Vice Mayor Rose.

Commissioner Meisheid asked for the Town Attorney to explain the specifics.

Town Attorney Arango stated that this is not an attempt to gas light, gloss or circumvent the charter. She stated that this ordinance does not violate the charter as

defined in the 2004 Code and asked Town Attorney Recio to explain the analysis.

Town Attorney Recio went through the analysis as it pertains to the allegations made. He explained what the 2004 code explains and read the definition into the record. He explained what Section 3(b) reads in the code and what it reads in the 2004 and 2008 codes. He spoke regarding the Planning and Zoning Board recommendations as stated in the ordinance whereas.

Vice Mayor Rose asked if this changes the height from where it is measured.

Town Attorney Recio stated that it does not change the height.

Commissioner Landsman asked what was the vote from Planning and Zoning Board.

Town Attorney Recio stated the vote was a 4-1 vote and read the recommendations made by the Planning and Zoning Board.

Commissioner Landsman asked if they are currently recommendations.

Town Attorney Recio stated that they are recommendations.

Commissioner Landsman asked if the motion maker would consider the recommendations made.

Commissioner Meischeid stated she recommends approval without the 2% change.

Commissioner Landsman stated that the recommendations from Planning and Zoning Board was that the concept of the understory is to add air and space and believes that there are concerns of some awkward usage.

Mayor Danzinger stated that this is something that the Planning and Zoning Board recommended. He stated that the previous Commission was going to pay homeowners to raise their homes. He stated that this adds more permeable space which assist in flooding and is a good solution.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[EXHIBIT A.docx](#)

[Photo 8950 Irving UnderstoryFront.pdf](#)

[Photo 8950 Irving Understory Light Air.pdf](#)

[Ordinance Re Nonhabitable Understory - Second Reading with PZB - 5-26-22.pdf](#)

## First Reading

### **4B1 First Reading: Ordinance Amending Section 54-78 of Code - Prohibited Noises** - Shlomo Danzinger, Mayor

To adopt the first reading of the ordinance change as drafted by the town attorneys amending section 54-78 of code - Prohibited Noises as discussed in the May 10, 2022 commission meeting.

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

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke against the item.

George Kousoulas

Mayor Danzinger stated this is not about noise but it is allowing people to do their lawn on the weekend. He stated that orthodox Jewish residents cannot do lawn work on Saturdays. He explained what this ordinance entails. This ordinance will be a noise reduction for some and allow those to be able to do it on Sundays.

A motion was made by Commissioner Meischeid to approve the ordinance, seconded by Vice Mayor Rose.

Commissioner Landsman stated that many people misunderstand and misrepresent this ordinance and this will not affect the community at large. This gives flexibility, options and choices.

Vice Mayor Rose thanked Mayor Danzinger for explaining the ordinance and this is for personal use and not commercial landscapers.

Mayor Danzinger suggested for everyone to not listen to what is written online.

Town Attorney Arango stated that if they want to allow leaf blowers, there are other sections that need to be amended for those two provisions.

Mayor Danzinger stated that he is fine with that and stated that they work on two strokes and is fine removing it from those sections.

Vice Mayor Rose also agrees with the Mayor.

Commissioner Landsman asked if they make the changes to those parts of the code will it allow the commercial landscapers to use them.

Town Attorney Arango stated that they can remove it or only allow for residential use. She stated that they would need to bring back another ordinance with the removal of those sections.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Prohibited Noises Ordinance.docx](#)

**4B2. Amending the Town of Surfside Code of Ordinances by Amending Section 90-57. - "Marine Structures", to Amend Regulations for Construction of Docks, Pier and Moorings on Waterfront Lots. - Fred Landsman, Commissioner**

Request approval of this ordinance on first reading in order to move forward on second reading. Also, attached is an alternate proposed ordinance for consideration.



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

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke against the ordinance.

Shannon Gallagher spoke against the ordinance.

Gerardo Vildostegui spoke against the ordinance and feels strongly about this ordinance and public space being given away.

Joshua Epstein spoke against the ordinance.

Jeffrey Platt spoke against the ordinance.

George Kousoulas spoke in favor of the ordinance.

Mayor Danzinger closed public comment.

Commissioner Landsman appreciates the comments made but not the insinuations and spoke regarding his conversations with Town Attorney Recio.

A motion was made by Commissioner Landsman to approve the ordinance to include: Maximum Projection of Lots on Biscayne Bay and Indian Creek. For any lot with water frontage on Biscayne Bay or Indian Creek, a marine structure may be constructed to project into the waterway by no more than the lesser of 10% of the width of the adjacent waterway or 35 feet maximum within Indian Creek, 45 feet maximum within Biscayne Bay; additional limitations on marine structures for lots on Biscayne Bay and Indian Creek. The maximum width of projections of marine structures shall be set back at least 10 feet from the waterward extension of any property line of the subject lot, be in compliance with DERM and Florida Department of Environmental Protection determine that environmental resources allow for a dock platform greater than 8 feet in width adjacent to the sea wall, any portion of a marine structure that projects more than 15 feet from the sea wall shall be limited to a finger pier no more than 8 feet in width; DERM and Florida Department of Environmental Protection determine that environmental resources do not allow for a dock platform wider than 8 feet adjacent to the sea wall, a dock platform of up to 30 feet in width by 15 feet in depth may be constructed within 25 feet of the sea wall, seconded by Commissioner Meischeid.

Commissioner Landsman stated that the world is not coming to an end like statements made by some individuals. He addressed comments regarding access to the waterways.

Commissioner Meischeid agrees with Commissioner Landsman and she spoke regarding Point Lake and is in agreement with the ordinance.

Vice Mayor Rose stated that he is a general contractor and not a dock builder. He stated that the permit for the dock was in place prior to him being elected. He disclosed conversations he had with former Commissioner Salzhauer. He stated that she went to him and asked him to find buyers for her home and to split her lot to build two homes. He spoke regarding the docks on 88th Street. He stated that he is fine with the 10% of the waterways. He understands the 45 feet. He is comfortable with the 8 foot finger pier.

Mayor Danzinger stated that 35 foot docks were always allowed. He spoke regarding Point Lake and what DERM requires. He provided his opinion on the item and asked regarding how many docks have been required.

Town Attorney Recio stated that they can look into that with DERM.

Mayor Danzinger stated that many stick out more than 10% and they are allowing people to build beyond the seagrass.

Vice Mayor Rose spoke regarding going down to 45 feet and having street ends to have kayak launch.

Mayor Danzinger spoke regarding opening up the street ends for fishing and kayak launch and can the residents have access.

Commissioner Meischeid stated that she was fine with the numbers provided by Commissioner Landsman.

Commissioner Landsman addressed the comments made by Mayor Danzinger and Vice Mayor Rose.

Town Attorney Arango requested confirmation of the motion that was made.

Town Attorney Recio explained what the section involving the platform means.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Ordinance Amending Section 90-57 Marine Structures - 1st Reading TAv2.DOCX](#)

[Ordinance Amending Section 90-57 Marine Structures Alternate Landsman Proposal - 1st Reading TAv2.DOCX](#)

**4B3. 24 Inch Setback Encroachment Clarification** - Jeffrey Rose, Vice Mayor

To approve this item on first reading and move it forward for second reading.

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

A motion was made by Vice Mayor Rose to approve the ordinance, seconded by Commissioner Meischeid.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke against the ordinance.

Shannon Gallagher spoke against the ordinance.

Jeffrey Platt spoke against the ordinance.

George Kousoulas spoke in favor of the ordinance.

Mayor Danzinger closed public comment.

Vice Mayor Rose introduced the item and provided an overview.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.  
[Ord Amending Section 90-47 - Yards Allowable Projections 1st Reading TA v2.DOCX](#)

## 5. Resolutions and Proclamations

### 5A. Proclamation: Surfside Heroes Appreciation Month - Shlomo Danzinger, Mayor

To pass a resolution recognizing and honoring the many organizations who played a pivotal role in the aftermath of the tragic collapse of the Surfside condos on June 24, 2021.

Mayor Danzinger introduced the item and read the proclamation.

A motion was made by Vice Mayor Rose to move the proclamation forward, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[CTS Proclamation Application.pdf](#)

[Surfside Heroes Proclamation.pdf](#)

### 5B. June 24th - Surfside Champlain Towers South Remembrance Day - Shlomo Danzinger, Mayor

To adopt a resolution to commemorate and honor the name June 24<sup>th</sup> as Surfside Champlain Towers South Remembrance Day.

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

Mayor Danzinger introduced the item and passed the gavel.

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

Vice Mayor Rose opened public comment.

The following individuals spoke on the item:  
Eliana Salzhauer

Vice Mayor Rose closed public comment.

Mayor Danzinger addressed the comments made regarding reaching out to the residents to volunteer and the residents wanted to volunteer at the event and have the residents involved.

Vice Mayor Rose thanked the Mayor for doing this.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.  
[Resolution Surfside Champlain Towers South Remembrance Day.docx](#)

**5C. New High School for Surfside and Neighboring Communities** - Vice Mayor  
Jeff Rose

For the town commission to adopt the resolution to work with the Miami Dade County School Board and Neighboring Communities in support of a new high school for Surfside and Neighboring Communities, including Golden Beach, Sunny Isles Beach, Bay Harbor Islands, Bal Harbour and the Village of Indian Creek

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

Vice Mayor Rose introduced the item and discussed the need for a high school closer to Town.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Mayor Danzinger.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke regarding the way the high school system works and with a new school it takes away funding from other schools.

Jeffrey Platt spoke against the item.

Joshua Epstein spoke against the item.

Gerardo Vildostegui

Walter Norkin spoke in favor of the idea to continue exploring the option.

Mandy Davodpour spoke in favor of the item.

Mayor Danzinger closed public comment.

Vice Mayor Rose spoke regarding the item and bringing together the community and diversity is very important.

Commissioner Landsman appreciates the options and choices and it is important to provide that to everyone. He stated that they do have exceptional charter schools in Dade County and this is a resolution to explore.

Commissioner Meischeid is in favor of this item.

Mayor Danzinger stated that it is not taking away resources since Miami Beach High School is overcrowded. He spoke regarding his conversations with neighboring municipalities and they were very excited about exploring this with their elected officials.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.  
[Resolution Expressing Support For New High School.DOCX](#)

**Surfside Remembrance Event Authorization to Expend**

Town Manager Hyatt provided an overview of the item that requires additional authorization to expend these funds. He stated that they are asking for approval of \$95,000 and these funds will be reimbursed through different philanthropist organizations.

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

Mayor Danzinger spoke regarding the resolution.

Frank Trigueros provided an explanation of the item and the requested funds.

Mayor Danzinger wanted to clarify that these funds will be covered by different organizations.

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

## **6. Good and Welfare**

Mayor Danzinger opened Good and Welfare.

The following individuals from the public spoke:

Eliana Salzhauer spoke regarding leaf blowers and the environment.

Bob Fisher spoke regarding houses removing the landscaping and debris on the streets.

How will the police protect the schools.

Jeffrey Platt spoke regarding understory and development in Town.

Joshua Epstein spoke regarding the Pride flag not being flown in Town and privatizing public land.

Victoria Saife spoke against the docks and conflict of interests.

Phillip Zyne thanked the Commission and Town employees for beautifying the beach area.

Judy Martinez spoke regarding the interests of the hotel owners and beach chairs.

Shannon Gallagher spoke regarding Hillcrest and pedestrian safety.

Mayor Danzinger reiterated the decorum statement as stated in the front page of the agenda and if they insist in creating chaos they will be removed and there are legal precedence.

George Kousoulas spoke regarding discussion items and believes the Mayor did a right thing in having the public cluster all their comments to all discussion items and suggested extending it to 4 or 5 minutes instead of 3 minutes.

Gerardo Vildostegui spoke regarding their limit to speak on items not on the agenda on Good and Welfare.

Mayor Danzinger closed Good and Welfare.

Commissioner Landsman thanked the public for their thoughts and encouraged more of

the public to come out and speak and share their thoughts. He stated that they should come with options and have a discussion and not state it is my way or the highway. He stated that they are open and want to listen.

Commissioner Meischeid responded to the comments made by the public. She stated it is a matter of respect and if she is disrespected from the beginning it will shut her down. She does try to get back to everyone. She asked Chief Torres regarding protecting the schools.

Chief Torres stated that they do not have any public schools in Surfside and that most of the children go to Ruth K. Broad which is outside Surfside. He stated that the Town pays a portion for the School Resource Officer that is at the school at all times. He stated that due to the recent events, they increased patrol in that school.

Commissioner Meischeid stated that she will look into the flag.

Vice Mayor Rose spoke regarding street ends and the flag. He spoke regarding decorum and this Commission ran on the decorum. He stated that the meeting is going smooth because there is decorum. He stated that what they are doing here is what the residents do want. He stated that they listen to all the residents. He stated all the ethics opinions stating he does not have a conflict and spoke regarding the inaccurate statements made on NextDoor.

Mayor Danzinger spoke regarding comments made by the public. He addressed the comments made regarding the Pride flag and he was informed by the Town Attorney's regarding issues other places had with flying the Pride flag. He spoke regarding bars on windows and those have been grandfathered in. He spoke regarding the comments made about beach chairs being out of hands. He stated that they were elected to be productive.

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

### **7A. Town Manager's Report - Andrew Hyatt, Town Manager**

Town Manager Hyatt provided an overview of the Town Manager's Report. He spoke regarding Miami Dade County School system contacting the Town regarding placing a new school. He continued with his overview of the Town Manager's Report including the specifics of the June 24 event. He provided the inspection and permit report from the Building Department. He spoke regarding the County's recertification process.

A motion was made by Vice Mayor Rose to approve the Town Manager's Report, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Town Managers Report.pdf](#)

### **7B. Town Attorney's Report - Lillian Arango, Town Attorney**

Town Attorney Arango provided an overview of the report and the litigation update. She also spoke regarding the FAA lawsuit.

Mayor Danzinger asked regarding the Grand Beach litigation.

Town Attorney Arango spoke regarding the shade session.

Vice Mayor Rose asked if they are supposed to speak about what is discussed in the shade sessions because he has seen emails going around and he is concerned with members of this Commission releasing information.

Town Attorney Arango stated that pursuant to Florida Statutes it states that the information discussed in shade sessions are priveleged information. She stated that the information is not to be disseminated and put out there and if it is happening, what is being discussed falls under attorney client privilege and it could bring issues with the Court.

Vice Mayor Rose polled the Commission to see if anyone spoke with the members of the public and disseminated any information that was unauthorized to be released.

Commissioner Landsman stated he did not release any priveleged information.

Commissioner Meischeid stated she did not release any priveleged information.

Mayor Danzinger stated he did not release any priveleged information.

Town Attorney Arango stated she did not release any priveleged information.

Vice Mayor Rose stated he did not release any priveleged information.

Assistant Town Manager Greene stated he did not release any priveleged information.

A motion was made by Commissioner Landsman to approve the Town Attorney's Report, seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Town Attorneys Report.pdf](#)

## **8. Unfinished Business and New Business**

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

Mayor Danzinger opened public comments.

The following individuals from the public spoke

Gerardo Vildostegui spoke on all the discussion items.

Jeffrey Platt spoke on all the discussion items.

Eliana Salzhauer spoke on all the discussion items.

Shannon Gallagher spoke on all the discussion items.

Phillip Zyne spoke on all the discussion items.  
Joshua Epstein spoke on all the discussion items.  
Mandyf Davendour spoke on all the discussion items.  
Camilo Pino spoke on all the discussion items.  
George Kousoulas spoke on all the discussion.  
Dalit Teshuba spoke on all the discussion items.  
Jeffrey Zomper spoke on all the discussion items.

A motion was made by Vice Mayor Rose at 10:57 p.m. to extend the meeting for 30 minutes, seconded by Mayor Danzinger. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Mayor Danzinger closed public comments.

**9A. Dogs on the Beach - Commissioner Marianne Meisheid**

Have the Town Manager develop a better strategy, including: better signs, a sensible fines fee structure, and a policy for compliance.

Commissioner Meisheid introduced the item and requested better signage and policy for the signage. She stated that the suggested action is to have the Town Manager provide better signage and a policy for compliance. She would like to step up compliance and stick to a fine schedule.

Commissioner Landsman stated that they need to do more and explore what is available.

Vice Mayor Rose agrees with Commissioner Landsman and keeping the dogs off the beach.

Mayor Danzinger spoke regarding some residents requesting more signage. He stated that it is important to come up with the proper signage and language.

Town Manager Hyatt stated that he has spoken with Code Enforcement and they are working on a fine schedule and they will continue working on the signage.

A motion was made by Commissioner Meisheid to direct the Town Manager to come back with a plan on the signage, fees and policy for the July meeting, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Dog Signage A.jpg](#)

[Dog Signage B.jpg](#)

[Dog Signage C.jpg](#)

**9B. Special Meetings before Regularly Scheduled Monthly Meetings - Vice Mayor**



Jeff Rose

For the commission to have special meetings before the regularly scheduled meetings for the remainder of 2022 from 5:00 p.m.-6:30 p.m.

Vice Mayor Rose introduced the item and stated instead of extending the meetings he suggested starting the discussion items at 5:00 p.m. and then hear the rest of the items at the regular scheduled time.

A motion was made by Vice Mayor Rose to have special meetings at 5:30 p.m. to 7:00 p.m. to speak on the discussion items for the rest of the year once the budget workshops are done, seconded by Mayor Danzinger.

Assistant Town Manager Greene spoke regarding the opportunity to have these earlier meetings.

Commissioner Landsman provided his input.

Commissioner Meisheid suggested 5:30 p.m. instead of 5:00 p.m.

Vice Mayor Rose stated he could do mornings or 5:30 p.m. and they want to get through the agenda. Vice Mayor Rose suggested at 5:30 p.m. starting in August.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9C. Beach Chairs and Umbrellas at the Community Center - Vice Mayor Jeff Rose**

For the town commission to move forward as discussed during the budget workshop with beach chairs and umbrellas at the community center.

A motion was made by Vice Mayor Rose to extend the meeting 30 minutes at 11:30 p.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

A motion was made by Vice Mayor Rose to move forward with the budget and Town staff moving forward with this and implement this by August, seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9D. New Tennis Center, Resident Gym, Rooftop Pickle Ball Court - Vice Mayor Jeff Rose**

For the town commission to move forward with the new tennis center and resident gym as discussed during the budget workshop

Vice Mayor Rose introduced the item and looking for an RFQ to get with a design firm to move this forward.

A motion was made by Vice Mayor Rose to move forward and start the process with the RFQ and bring back to the Commission within the next 3 months, seconded by Commissioner Meisheid.

Town Attorney Arango requested clarification that the Commission's desire is to move forward with drafting the RFQ.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9E. Tot Lot Upgrades - Jeff Rose, Vice Mayor**

For the Town Commission to move forward with the tot lot upgrades as discussed during the budget workshop.

Vice Mayor Rose provided an overview of the item.

A motion was made by Vice Mayor Rose to move forward with the tot lot updates with everything except for the restroom and move forward with all the items as discussed in the Budget Workshop, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9F. 50% Lot Coverage for 1-Story Homes - Shlomo Danzinger, Mayor**

To modify the Town Code to allow for 50% lot coverage for 1-story homes (not to exceed any existing setbacks), and to stipulate in the code; if a homeowner who has built above the 40% lot coverage wishes to build a second floor, the homeowner must remove the excess square footage from the first floor, bringing the total lot coverage to a maximum of 40%, when building a second floor (to be limited to the standard 80% of the 40%).

Mayor Danzinger provided an overview and background of the item. He stated that he hopes people preserve what they have and add on to it instead of demolishing the home.

A motion was made by Vice Mayor Rose to modify the Town Code to allow 50% lot coverage for 1-story homes (not to exceed any setbacks) and to stipulate in the code; if a homeowner who has built above the 40% lot coverage wishes to build a second floor, the homeowner must remove the excess square footage from the first floor, bringing the total lot coverage to a maximum of 40%, when building a second floor (to be limited to the standard 80% of the 40%) and maximum height of 22 feet from grade for single floor, seconded by Commissioner Landsman.

Commissioner Landsman spoke regarding the Planning and Zoning Board and allowing residents to have options and they won't feel compelled to build a two story home. He asked for Assistant Town Attorney Recio to come back with specifics including setbacks.

Commissioner Meischeid agrees with this item and limiting the setbacks.

Vice Mayor Rose stated that this does not change the lot coverage or permeability.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9G. Residential Safety: Turtle-Friendly Lighting on the Beach - Shlomo Danzinger, Mayor**

To direct the Town Manager to install lighting on the beach path for pedestrian safety. Lighting will have to comply with turtle friendly requirements.

Mayor Danzinger introduced the item and there are safety issues on how dark the paths are at night. He would like for it to be more friendly and safe. He would like to come back at the July meeting with some options.

A motion was made by Vice Mayor Rose to bring forward some items on the walking path, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9H. Planning and Zoning Board Recommendations to Town Commission; May 26, 2022 PZB Meeting. - Fred Landsman, Commissioner**

Consider direction to the Town Planner and Town Attorney to bring back an ordinance to implement these recommendations.

Commissioner Landsman provided a summary of the item.

A motion was made by Commissioner Landsman to increase Florida friendly landscaping requirement from 20% to 40% for single family homes and multi-family homes, seconded by Vice Mayor Rose.

Town Attorney Arango asked if it is strictly in the residential district.

Commissioner Landsman stated for it to apply Town wide and asked Town Attorney Recio if it could be done in the multi-family district.

Town Attorney Recio stated that they can do it for residential district and will look to see if it is already in the multi-family district.

Mayor Danzinger stated that the homeowners should have more options and not restrict it to Florida friendly only.

The motion carried with a 3-1 vote with Mayor Danzinger voting in opposition and Commissioner Velasquez absent.

Commissioner Landsman introduced the second portion of this item that entails mechanical equipment. He would like to make it within 10 feet, current equipment including coverage for visibility and baffling that will allow not to be seen or heard; he would like to add the same requirements of baffling and visibility, which includes the need for the equipment to be covered to roof top mechanicals, seconded by Vice Mayor Rose.

Mayor Danzinger asked if he has to replace his air conditioning unit if he has to do the same thing.

Commissioner Landsman stated that it is for new construction and not replacement. He stated if it is on the roof top it would need replacement it has to meet the visibility and baffling requirements.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9I. Discussion Re Beach Furniture Ordinance - Vice Mayor Jeff Rose**

The operational limits imposed by the Ordinance should be reviewed to ensure they better balance the need for public access and enjoyment of the beach with the operational requirements of oceanfront property owners or beach furniture operators that cater to visitors and residents alike.

Specifically, the following areas of the Ordinance should be considered:

1. Address the number of pre-set beach furniture each morning to ensure access to beachgoers from oceanfront properties. Currently, the Ordinance permits five (5) chairs to be pre-set per beach furniture operator, regardless of size of the beachfront property. Consideration may be given to increasing the number of pre-set beach furniture based on lineal footage or each beach furniture operator's beach frontage.
2. Address the operational realities of beach furniture staging, including numbers, worker safety, and daily transport of beach furniture. Currently, the Ordinance permits a beach furniture operator a staging area of 8' by 8 located 15 feet seaward of the vegetation line of the dune for as-needed on-demand distribution to beach users, limited to 10 chairs. Consideration may be given to increasing the size of the staging areas for beach furniture, as well as the permitted number of beach furniture that may be staged and ready for location on the beach. Also, to be addressed is the storage and transportation of beach furniture and towels by beach furniture operators, including consideration of a tent-like storage structure or table for shade for employees and storage and distribution of towels, to be removed at the end of each day. Consideration should also be given to allowing beach furniture operators to use a battery operated cart or similar vehicle for transportation of beach furniture.
3. Improve efficiency of code compliance efforts, by limiting total beach furniture for each beach furniture operator based on area of beach frontage rather than strict formulas.
4. Clarify or revise those areas where beach furniture can be placed in front of a beach operator's property to better ensure accessibility, compliance and improve monitoring.
5. Since compliance will be easier to monitor, increase fines for non-compliance and provide for suspension of permit for repeated noncompliance.
6. Consider beach furniture permit timeframes of 3-5 years, subject to compliance with applicable regulations and the Ordinance.

Balancing public and private needs in addressing the above issues should go a long way towards ensuring Surfside remains a top-notch tourist destination while providing all residents safe and convenient access to the beach. In addition, a better balance of measures is expected to moot the pending lawsuit or at least reduce the incentive for the Grand Beach Hotel to continue with it.

A motion was made by Vice Mayor Rose to extend the meeting 30 minutes at 11:56 p.m., seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Vice Mayor Rose introduced the item and stated that they will not do anything that violates their own code. He spoke regarding the original language of the ordinance and the lawsuits that came about. He explained what this item is trying to accomplish. This is to clean up the language and the litigation.

Mayor Danzinger suggested putting forward a motion to have a separate meeting to discuss this item.

Town Attorney Recio stated it could be done in different ways and one possibly would be calling a special meeting to go one by one.

Commissioner Meisheid asked if it could be done in a workshop.

Commissioner Landsman stated in a workshop you cannot make a motion or vote. He stated in a meeting they could adopt a motion to move it forward.

Mayor Danzinger suggested a special meeting to go one by one.

A motion was made by Vice Mayor Rose to schedule the special meeting on June 28, 2022 at 5:30 p.m., seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

A motion was made by Vice Mayor Rose to move forward with a 5:30 p.m. special meeting to address the ordinance language prior to the July Commission Meeting, seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9J. Parking Rates in Surfside Municipal Parking Lots - Shlomo Danzinger, Mayor**

For the town to adjust and raise the parking rates within town to be competitive with Bal Harbour.

Mayor Danzinger introduced the item.

Chief Torres provided the parking rates for the lots in Town as well as the cost for the citation.

Discussion took place regarding the fines and cost of parking and what is allowed to be done.

Mayor Danzinger requested for Chief Torres to get the information.

A motion was made by Vice Mayor Rose to add this item to the June 28, 2022 Special Commission Meeting, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

**9K. Update on Improving Walkability and Pedestrian Safety within Residential Area - Andrew Hyatt, Town Manager**

Mayor Danzinger provided an introduction on the item and provided the history of the item.

Town Manager Hyatt provided a summary of the item and what the improvements would be.

Public Works Director Gomez provided an overview of the project and will bring the study back in July through Corradino Group.

Mayor Danzinger asked regarding alternatives on traffic calming devices. He stated that this is a primary concern and stated that the residents do see the value of sacrificing one thing in order to protect their family.

Vice Mayor Rose stated this is the perfect time to do this study before tearing up the ground for the undergrounding.

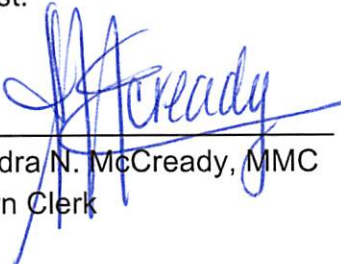
**10. Adjournment**

A motion was made by Commissioner Landsman to adjourn the meeting at 12:13 a.m. (June 15, 2022).

Accepted this 12<sup>th</sup> day of July, 2022.

  
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Shlomo Danzinger, Mayor

Attest:

  
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Sandra N. McCready, MMC  
Town Clerk