



Town of Surfside
Special Town Commission Meeting
MINUTES
June 28, 2022
5:30 PM
Commission Chambers

1. Opening

1.A Call to Order

Mayor Danzinger called the meeting to order at 5:36 p.m.

1.B 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 Nelly Velasquez.

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

1.C Pledge of Allegiance

Chief Torres provided the pledge of allegiance.

2. Mayor, Commission and Staff Communication

Mayor Danzinger provided the rules of decorum and process of the meeting and stated that this is a limited public forum. The discussions for tonight's meeting are to stick to tonight's agenda items. He provided the different Town Code sections that pertain to decorum and Robert's Rules.

2.A Business District Parking Alternatives - Andrew Hyatt, Town Manager

Staff requests the Town Commission to review current and alternative parking systems for the Abbott Ave and and 94 St parking lots, then provide guidance.

Mayor Danzinger provided an introduction of the item.

A motion was made by Vice Mayor Rose, seconded by Commissioner Landsman for discussion purposes.

The following individuals from the public spoke on the item:

Randy Rose stated that he does have a problem with the parking but not the rates and possibly putting a garage.

George Kousoulas spoke regarding the Abbott lot being full and the analytics of when the parking lot gets full.

Jeffrey Platt agrees with Mr. Kousoulas and possibly restricting construction parking on the lots and limit the hours of parking would help.

Clara Diaz Leal suggested raising the rates and the problem lies that individuals park and work at the restaurants.

Gerardo Vildostegui spoke regarding the parking issue and have a market rate for parking. He suggested the Commission reconsider the residents parking for free at the Abbott lot.

Eliana Salzhauer spoke regarding having ample parking and the right type of parking which is what they currently have. She stated that they need to be conscious of the environment.

Victoria Saife stated that a lot of construction workers and Publix workers are parking on the streets for free. She suggested to research more the issue and what is actually causing the parking issue.

Ben Jacobson spoke regarding the issue with the parking which has been discussed at the Tourist Board meetings. He spoke regarding the rates not being competitive and take the current lots into SMART lots.

Diana Gonzalez spoke regarding raising the rates.

Horace Henderson spoke regarding parking and what they should not do is build a garage.

Oliver Sanchez spoke regarding parking rates and it being more friendly for the elderly that are not tech savvy.

Vice Mayor Rose is comfortable with the \$2.00 rate and would not like to raise it more until they hear from the Town Planner and the Town Manager. He is comfortable with where they are now and wait to hear from DVAC.

Commissioner Landsman stated that studies take too long and their commitment is to help the community and they can relook at this in the future after they have more data. He also responded to Mr. Henderson's comments regarding a parking garage and nothing has been discussed regarding a parking garage.

Mayor Danzinger closed public comment.

Mayor Danzinger spoke regarding the possibility of raising the rates and the parking tickets are controlled by the County. He suggested raising the rates as well as raising it on the weekends.

Vice Mayor Rose asked if this is for a SMART system. He stated that he will not be raising rates for residents but agrees with raising the rates for the public. He spoke regarding the validation system and believes they should do the study suggested by Mr. Kousoulas and that information would be very helpful.

Mayor Danzinger stated that there is an item that will discuss SMART parking and today it is about raising the rate by \$1.00.

Commissioner Landsman stated that during the campaign the issue has been parking. He stated that the parking has been a conversation for the last 6 years. He stated that today it is about rates. He spoke regarding raising the rates in order not to incentivize individuals from staying in the parking. His recommendation to increase the prices of all the lots to market and is an advocate of doubling the rates to \$4.00 and \$6.00 an hour. He stated that something has to be done today to help the Town. He spoke regarding alternative methods of traveling.

Mayor Danzinger spoke regarding the rates the City of Miami Beach has on their lots.

Commissioner Meischeid spoke regarding the time she was Chair of DVAC and the study.

A motion was made by Commissioner Landsman effective immediately to double the rate from \$2.00 to \$4.00 and from \$3.00 to \$6.00 on all lots in Surfside. The motion died for lack of a second.

A motion was made by Vice Mayor Rose to raise the rates from \$2.00 to \$3.00 and \$3.00 to \$4.00, seconded by Commissioner Landsman. The motion carried with a 3-1 vote with Commissioner Meischeid voting in opposition and Commissioner Velasquez absent.

[2022 - Parking Rates Surrounding Municipalities - Variable Rate Analysis.docx](#)

2.B Discussion Regarding 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.

Mayor Danzinger introduced the item and reduce the time from 3 minutes to 2 minutes.

Vice Mayor Rose agrees to hear from everyone and there is a lot of misinformation out there and is fine with 2 minutes per speaker and have thorough conversation among them. He stated that he is glad that they have a good turnout.

Commissioner Landsman is fine with the 3 minutes and the only caveat is that there are several people that have the same opinion and if you agree with other speakers they then do not have to use their 3 minutes. He reiterated that they have not discussed this and they need to have time to discuss and make a decision.

Commissioner Meischeid agrees with Commissioner Landsman and would be more comfortable with 3 minutes.

Mayor Danzinger opened public comments.

Vice Mayor Rose introduced the item and stated that there are good things in the ordinance and others that could cause lawsuits. He stated that the charter was voted on and there will be no storage on the beach and no vehicles on the beach. He spoke regarding what is private property, beach property, Town property and County property.

A motion was made by Vice Mayor Rose, seconded by Commissioner Meischeid for purposes of discussion.

A motion was made by Vice Mayor Rose to move forward with the item, seconded by Commissioner Meischeid.

The following individuals from the public spoke:

Diana Gonzalez stated that they need to store the chairs and clarify how the new

decisions would work.

Mike Weiss spoke regarding looking out for the citizens and how the beaches will be used in the future.

Ironia Vistoya spoke regarding not being in agreement with what is being proposed.

Soledad Crawnsnor spoke regarding the overcrowded chairs and garbage on the beach.

Joshua Epstein spoke regarding leaving more space for the residents and does not understand presetting.

Mariana Ferola spoke against the beach chairs and spoke regarding the turtle nesting in Town and protecting the beach.

Benny Rubenstein spoke against the beach chairs.

Freddy Geroni spoke against the beach chairs and wants the environment to be priority.

Marla Burski spoke against the beach chairs on the beach.

Moru Abrudsky spoke on the item.

Julie Low spoke against the beach chairs and suggested a having a referendum.

Horace Henderson spoke against the beach chairs.

Victoria Saife spoke against the beach chairs and spoke regarding emails from 2016 through 2019.

Eliana Salzhauer spoke against the beach chairs and changes to the ordinance.

Jeffrey Platt spoke against the beach chair ordinance.

Phyllis Shamus spoke against the beach chair ordinance.

Andres Sockolof spoke against the beach chair ordinance.

Clara Diaz Leal spoke against the beach chair ordinance.

Oliver Sanchez spoke against the beach chair ordinance.

Paul O'Malley spoke against the beach chair ordinance.

David Epstein spoke against the beach chair ordinance.

Mariana Ferola spoke against the beach chair ordinance.

Shannon Gallagher spoke against the beach chair ordinance.

Min Sanchez spoke against the beach chair ordinance and putting it to a referendum.

Marina Sarabia spoke against the beach chair ordinance.

Carolina Angarita spoke regarding the beach chair ordinance, increase the number of preset and the safety of the employees.

Emil Temeltas spoke against the beach chair ordinance.

Arlene Weiss spoke against the beach chair ordinance.

Camilo Pino spoke against the beach chair ordinance and storage structure and suggested having a referendum.

Bruno Lopez spoke against the beach chair ordinance and the issues related to the lawsuits.

Charlotte Al-Sahli spoke against the beach chair ordinance.

Rodrigo Butori spoke against the beach chair ordinance.

Judy Martinez spoke against the beach chair ordinance and to keep the ordinance as it is and not make any changes and protect the turtles.

Eva Kaman spoke against the beach chair ordinance and the ordinance in existence now works fine.

Laurent Laor spoke against the beach chair ordinance.

Yolanda Gonzalez spoke against the beach chair ordinance and requested not to make changes to the existing ordinance.

Alicia Krasner spoke against the beach chair ordinance.

Meir Cosiol spoke on the item.

Ben Jacobson spoke regarding that there is no request to close the beach but a small change and in support of the changes.

Carla Demier spoke against the beach chair ordinance.

George Kousoulas spoke regarding the item.

Randi Rose spoke in favor of the changes to the ordinance.

Mayor Danzinger closed public comment.

A motion was made by Vice Mayor Rose to have a five (5) minute recess at 8:02 p.m., seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

The meeting resumed at 8:14 p.m. and Town Clerk McCready called the roll with Mayor Danzinger, Vice Mayor Rose, Commissioner Meisheid and Commissioner Landsman present with Commissioner Velasquez absent.

Mayor Danzinger spoke regarding adjusting the beach chairs and changes need to be done. He spoke regarding what the hotels mean to this Town and over a decade ago this Town was a poor town and they had to fire half of the police force. The hotels bring revenue to the Town and tourist dollars. He stated that they are the partners to our Town. The beach is public property and it belongs to everyone. He spoke regarding it not being fair for the elderly to be carrying chairs to the beach. He also stated that the turtles lay the eggs at night and the beach is empty at that time.

Vice Mayor Rose stated that the last referendum, there will be no storage or overnight storage or electric vehicles on the beach. They will not be having lifeguards bringing the chairs or building something to hold the chairs. He stated that the feedback they got was that the residents want chairs and umbrellas and not have to carrying them to the beach. He stated that he appreciates the emails they received but this conversation has to be had. He stated that what he wants to speak about and gave a general overview. He does not want to change the box. The premier seats are for residents that want to bring beach chairs or towels and it is for anyone to use, he does not want to change the box whatsoever. He discussed who owns the hard pack. He stated that during the summer the chairs should be gone by dusk. He clarified information regarding the presetting, storage area and have some clarity on that section. He provided his input and suggestions.

Town Attorney Arango stated that the hard pack is privately owned and the Town has acquired a couple of easements.

Vice Mayor Rose stated that he is fine with the size of the box.

Town Attorney Arango asked if he is referring to the beach chair allocation.

Vice Mayor Rose stated yes.

Town Attorney Arango stated that it is on file with the Town Clerk and it varies depending on the property and there are limits and setbacks on the box and explained what those were.

Mayor Danzinger asked for clarification on the area of the box and street ends.

Town Attorney Arango addressed the questions by Mayor Danzinger.

Mayor Danzinger asked Code Compliance Manager Santos-Alborna if the 15 feet is enough.

Code Compliance Manager Santos-Alborna stated it is.

Commissioner Meischeid stated that it works.

Commissioner Landsman stated that he is fine with the box and has no reason to increase the box.

Vice Mayor Rose spoke regarding the staging area which is an 8 x 8 and has no height limit on staging area and would like to put a limit on the height. He stated to max out a 4 1/2 feet high and have per 100 linear feet one staging area capping it at 4 1/2 feet height.

Commissioner Landsman stated that one staging area is enough and he will be fine with increasing the staging area to 10 x 10 and limitation of the amount of chairs they can have for staging. He stated that he would have more consideration for more chairs for the community center for the residents. He is not in favor of two staging areas.

Vice Mayor Rose explained how he wanted to make it consistent.

Commissioner Landsman stated carving out an area for staging. He is supportive to increase the staging area to 10 x 10 and a few more chairs in that staging to 15 chairs from 10 chairs. He stated that some chairs are smaller than others. He will not support two staging areas or more per property depending on the size of the property.

Vice Mayor Rose suggested to cap the staging area at 2 maximum.

Commissioner Meischeid agrees with Vice Mayor Rose.

Vice Mayor Rose spoke regarding the initial pre-stage area and the community center area and discussed the calculation and how many chairs would be at the community center for the Town residents. He stated that 100 feet would be 20 preset chairs.

Commissioner Landsman stated that if they change this ordinance it will be across the border to all properties. He stated that there are 23 condominium buildings and filled with residents and they should have access. He stated that his belief with preset is to have some chairs out in the morning before the heat of the day and they will be occupied when the residents or guests want to use them. He discussed what the staging area is used for and it is done before the heat of the day. He is not comfortable with a significant amount of presets and he came up with 5 or possibly 10 per property.

Vice Mayor Rose stated that he came up with the number per linear footage per property to make it fair.

Commissioner Landsman stated that this needs to be made where code enforcement could enforce it and can easily see. He is comfortable with a modest preset number.

Vice Mayor Rose stated that he is good with .2 per 100 linear feet.

Commissioner Meischeid spoke regarding the preset and believes that they need to keep into consideration the operators and would be comfortable with what the Vice Mayor stated.

Mayor Danzinger stated that the percentage should be the way to go with it because it depends on the size of the properties and the formula would not impede the residents sitting on the beach.

Vice Mayor Rose stated that the front is always reserved for the residents and explained how the box works and it is tied with the water line.

Commissioner Meischeid spoke regarding the photos she took this weekend and provided copies to the members of the commission.

Mayor Danzinger stated to the public that he understands it is a hot item and stated that it is more than the 40 that are just in the room and reiterated the decorum to the public.

All members of the Commission agreed to the .2 per 100 linear feet with Commissioner Landsman voting in opposition and Commissioner Velasquez absent.

Vice Mayor Rose spoke regarding electric vehicles, hydraulics and maximum of 5 mph only on the hard pack and not allowed on the beach.

Mayor Danzinger is fine with a push cart and he is not in support of a ride on vehicle.

Commissioner Landsman stated in moderation and the one device is one similar to the one the airport uses for luggage. He stated that they need to have less and not have a type of vehicle that is driven.

Commissioner Meischeid stated that she has seen the hardship the workers experience. She is fine with an electric vehicle even if it goes 3 mph only on the hard pack.

Vice Mayor Rose clarified it is only on the hard pack.

Vice Mayor Rose wants to reflect the times for the seasons and would suggest to dusk.

Mayor Danzinger stated he is fine with dusk.

Commissioner Meischeid suggested sunrise to sunset.

Vice Mayor Rose is fine with sunrise to sunset.

Mayor Danzinger is comfortable with sunrise to sunset.

Commissioner Landsman is more concerned with the number of chairs and is fine with the time.

Consensus was reached for sunrise to sunset with Commissioner Velasquez absent.

Vice Mayor Rose spoke regarding logistics of the tents being set up and the staging tent area for the chairs provided by the Town. He asked if they want to use the tent for water bottles and towels or the chairs. He stated that they need to have something in the ordinance to identify who will be providing the water and there should be a sense of responsibility to be able to enforce where the liter is coming from.

Mayor Danzinger asked then to add to the code branding on the water bottles of the hotels in order to enforce the littering.

Commissioner Landsman stated that it exists today the tents for water and towel service. He does not think a couple of feet will make a difference and bringing it closer to the beach will create more clutter and is not in favor of that and our code enforcement should not be looking out for who the bottle belongs to.

Mayor Danzinger asked Commissioner Landsman if he does not want to enforce litter.

Commissioner Landsman stated that he just does not believe they should have branded water bottles.

Commissioner Meischeid spoke regarding the handout she provided and believes it is the responsibility of the beach attendant to make sure there is no litter. She does not believe there needs to be any changes in that section.

Mayor Danzinger stated that the branding is good for the hotels and also good to keep each building accountable and protection for them.

Vice Mayor Rose stated that he just does not want to leave it up in the air.

Mayor Danzinger is in favor of holding them accountable for the littering. He stated that serving food and drinks on the beach will come at a cost.

Vice Mayor Rose stated that they need to hold the buildings accountable.

Code Compliance Manager Sanchez-Alborna stated as the ordinance states the beach attendants are responsible to clean the box several times a day and they will receive a citation if they do not clean up.

Vice Mayor Rose would also like to see the fines higher from \$200 to \$500.

Code Compliance Manager Sanchez-Alborna gave the violation fees as it pertains to the code.

Commissioner Landsman asked if the condominium buildings do not have an operator who gets fined.

Code Compliance Manager Sanchez-Alborna stated it would be the owner who violated the ordinance.

Vice Mayor Rose spoke regarding incentivizing everyone to play by the rules and increase the fines and not receiving the renewals.

Mayor Danzinger asked if it is only for liter.

Code Compliance Manager Sanchez-Alborna said for any violation.

Mayor Danzinger stated that he is in agreement with the operator losing their license after their 3rd violation.

Code Compliance Manager Sanchez-Alborna explained the process of the notice of violations.

Commissioner Meischeid asked if they apply for a license or permit.

Code Compliance Manager Sanchez-Alborna stated it is a permit and they have to apply on a yearly basis and provide their documentation.

Commissioner Meischeid asked if there is something in the code if they have a certain amount of violations they cannot get the permit.

Code Compliance Manager Sanchez-Alborna addressed the comments made.

Further discussion took place among the Commission and Code Compliance Manager Sanchez-Alborna regarding the violation and fine process.

Mayor Danzinger spoke regarding the fines and suspensions on the permits.

Code Compliance Manager Sanchez-Alborna stated that currently it is on a year by year basis and they require liability insurance.

Town Attorney Arango stated that is because the insurance and indemnification has to be done on a yearly basis.

Code Compliance Manager Sanchez-Alborna stated that the fines are dictated by Florida Statutes and they are at the maximum allowed. She stated that they are required to have a survey on file and possibly having the survey redone every five years, the indemnification agreement, operations plan, payment and insurance.

Mayor Danzinger asked if she sees a benefit in them having to reapply .

Code Compliance Manager Sanchez-Alborna stated that having them apply by August is fine.

Commissioner Landsman stated that they should come in every year to apply and provide the required documentation.

Code Compliance Manager Sanchez-Alborna stated that they prefer yearly.

Further discussion took place among the Commission regarding this portion and having the proper documentation on a yearly basis.

Mayor Danzinger asked Jeffrey Platt and Eliana Salzhauer to stop disrupting the meeting and advised them this is their last warning before being removed from the meeting.

Commissioner Meischeid stated that she is in favor of yearly permits.

Consensus was reached to leave the fines as they are and the suspension of the permits and the contract term for a year.

Vice Mayor Rose spoke regarding not restricting the beach operation chairs.

Mayor Danzinger asked if this comes with a charge.

Vice Mayor Rose stated that we should not be saying that they cannot give free chairs to the residents.

Commissioner Landsman asked how they can know who is in that chair. He spoke regarding if one of the condominiums restricting who can use the chair. If you are a resident and you can use it then it is fine without going over the maximum amount of chairs.

Consensus was reached on this portion of the ordinance.

Vice Mayor Rose spoke regarding beach chairs behind the community center and what is the ratio per 100 feet.

Commissioner Meischeid spoke regarding not having to count chairs if they are in the box.

Mayor Danzinger stated that they are not talking about preset but the individuals sitting in the chair. He does not understand why you are limiting that and what do you do when you hit 401.

Commissioner Meischeid agrees and it needs to stay within the box.

Vice Mayor Rose stated that the ones that bring a towel and the community center is

still within the preset.

Commissioner Landsman stated that the box is sizable and they need to have a number of how many chairs. He stated that anyone can bring a towel and sit down. They are talking about the maximum amount of how many chairs are allowed and he is not in agreement with increasing the density of the box.

Mayor Danzinger stated that they are talking about the amount of residents not the amount of chairs and does not seem fair to that resident. He stated that another resident could bring their own chair. He stated that the box is not filling it with chairs but with people.

Further discussion took place among the Commission regarding the amount of chairs and the box as it pertains to this section.

Vice Mayor Rose is not comfortable leaving only 64 chairs behind the Community Center and he can agree to allow whatever fits in the box.

Vice Mayor Rose spoke regarding how to handle the empty chairs and when do you start refilling the chairs and what is the idea on how to handle the Town's operations on how it would look like.

Commissioner Meischeid asked Code Compliance Manager Sanchez-Alborna how it is handled now.

Code Compliance Manager Sanchez-Alborna explained how it is working and it is hard to enforce when some of them go upstairs to have lunch and it is challenging. She stated that no operator will put more preset chairs than needed because it is a lot of work.

Vice Mayor Rose reiterated what was discussed which was beach chair furniture still prohibited, remove every day the chairs, storage boxes still prohibited and no electric vehicles on the beach.

Mayor Danzinger recessed the meeting at 9:29 p.m.

Mayor Danzinger called the meeting to order at 9:35 p.m.

Town Clerk McCready called the meeting to order and all were present with Commissioner Velasquez absent.

Commissioner Meischeid stated that the beach attendants should be constantly made aware and make sure that they are looking out for litter.

Mayor Danzinger asked how they are enforcing it currently.

Code Compliance Manager Sanchez-Alborna stated it is challenging and at the end of the day it will be easier to have something in the ordinance to have the attendants to check several times to make sure it is cleaned up.

Vice Mayor Rose stated that is why he suggested having branding because if there is litter outside the box then who will take accountability for the litter.

Commissioner Landsman stated that he does not believe they have a trash problem and the property owner should be responsible for that section of their beach.

Mayor Danzinger stated that they are good with that and summarized what has been discussed.

1. No changes to the box. The box stays with whatever is currently in the ordinance.
2. 4 1/2 feet maximum height limit and 1 storage area per 100 linear feet.
3. preset is .2 per 100 linear feet.
4. vehicles hand carts, electric hand carts and electric golf carts up to 3 mph maximum on the hard pack.
5. logistics - sunrise to sunset; not increasing fines or extending permits for 3 years, provide chairs for the public in cooperation with the condos.
6. no limitations on the chairs and working with what is in the box.
7. liters - property to maintain property at all times all day as needed and building having cooperation with other buildings.

Vice Mayor Rose stated that they did not change the beach storage and no electric vehicles on the beach.

A motion was made by Vice Mayor Rose to move forward with an ordinance on first reading with the stated changes, seconded by Commissioner Meisheid. The motion carried with a 3-1 with Commissioner Landsman voting in opposition and Commissioner Velasquez absent.

[Current Code Sec. 86-26.docx](#)

[Ordinance No. 2020-1714 Beach Furniture.pdf](#)

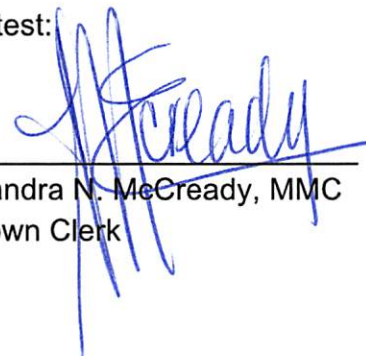
3. Adjournment

A motion was made by Vice Mayor Rose, seconded by Commissioner Landsman to adjourn the meeting at 9:47 p.m.

Accepted this 12th day of July, 2022.



Shlomo Danzinger, Mayor

Attest:


Sandra N. McCreedy, MMC
Town Clerk