



**Town of Surfside
Regular Town Commission Meeting
MINUTES
May 9, 2023
6:00 PM**

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

1. Opening

1A. Call to Order

Mayor Danzinger called the meeting to order at 6:02 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 Marianne Meisheid, Commissioner Nelly Velasquez and Commissioner Fred Landsman.

Also Present: Town Manager Hector Gomez, Town Attorney Lillian Arango and Town Attorney Tony Recio.

1C. Pledge of Allegiance

State Representative Fabian Basabe provided the pledge of allegiance.

1D. Mayor and Commission Remarks

Mayor Danzinger recognized State Representative Fabian Basabe and former Vice Mayor Frank MacBride. He also read the decorum statement into the record and reminded the public and fellow commissioners. He addressed something that a resident did at a Planning and Zoning Board Meeting regarding misinformation she stated she read on NextDoor and the Town Attorney that the Town has four story homes that she read on NextDoor. He stated that regardless of how many times the Town Attorney explained it and the resident did not listen. He encouraged everyone to reach out to the elected officials and town administration with any questions and not go by what is written on NextDoor. He wished everyone a Happy Mother's Day.

Commissioner Meisheid spoke regarding the equipment at the street ends and thanked Parks and Recreation Department staff for an amazing Earth Day event.

Commissioner Landsman spoke regarding the events that have taken place and the

reopening of the Hawthorne Tot Lot coming up and thanked everyone for attending.

Commissioner Velasquez thanked everyone for participating in their meetings. She commented on the statement made by the Mayor and it is three stories although it states it is an understory and it was never sent to the voters. She spoke regarding the Hawthorne Tot Lot and it looks amazing and hopefully the 96th Street Park will be finished soon.

Mayor Danzinger recognized former Mayor Eli Tourgeman.

Vice Mayor Rose wished happy mother's day to all the mother's out there. He thanked Parks and Recreation Department staff and Public Works Department staff for all their work. He spoke regarding the beach equipment and the beach chairs is a huge success. He stated what you read and see what is written on NextDoor is not accurate.

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

Mayor Danzinger would like to move item 9B (Synthetic Turf in the Zoning Code) before item 3 (Consent Agenda).

A motion was made by Commissioner Landsman to move item 9B (Synthetic Turf in the Zoning Code) before item 3 (Consent Agenda), seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose Move item 3F (Surfside Heroes Appreciation Month) out of consent to be heard under item 5 (Resolutions and Proclamations), seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

Mayor Danzinger requested a walk item by State Representative Basabe to give a legislative update as item 1F (Community Notes).

A motion was made by Commissioner Landsman to add a legislative update by State Representative Basabe as item 1G (Legislative Update by State Representative Fabian Basabe), seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Mayor Danzinger requested a walk on item to approve and present a proclamation regarding gun violence to be heard before item 2 (Quasi-Judicial Hearings).

A motion was made by Commissioner Meisheid to approve walking on an item regarding gun violence and to be heard before item 2 (Quasi-Judicial Hearings), seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to add item 5D (Resolution amending the Commission Travel Policy), seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

1F. Community Notes - Shlomo Danzinger, Mayor

Mayor Danzinger spoke regarding a social media policy and platform that the Town of Surfside has started and encouraged the public to subscribe. He spoke regarding the improved events by the Tourist Board. He provided an update of the upcoming events that will be taking place. He congratulated employees that have celebrated work anniversaries with the Town. He spoke regarding having the Chairs of the different Board and Committees to come and give an update on their specific boards at our Commission meetings.

Chair Eli Tourgeman, Tourist Board, clarified that all the funding that is used for the tourist board events is 100% used from the Tourist Fund and not the Town's general fund. He provided an overview and update on the Tourist Board events and budget.

Chair Retta Logan, Parks and Recreation Committee, provided an overview and update of the projects and events as it pertains to the Parks and Recreation Committee.

Mayor Danzinger stated that they did a great job with the Hawthorne Tot Lot and encouraged everyone to come to the May 15th Parks and Recreation Committee Meeting.

Vice Mayor Rose stated to the public not to park at the Hawthorne Tot Lot area that is painted with yellow stripes. He stated that is not a parking spot and you will be ticketed if you park there.

Chair Carolyn Baumel, Planning and Zoning Board, provided an overview and update of the projects coming before the Board. She stated that the Board is there to look at the designs and must go by the Design Review Guidelines.

Commissioner Landsman thanked the Planning and Zoning Board and stated that Commissioner Meisheid, Vice Mayor Rose and Mayor Danzinger as well as himself as the liaison attend the meeting and thanked them.

Mayor Danzinger stated that the Chair for the Charter Review is running late and he will bring him up when he arrives.

Chair Ben Jacobson, Charter Review Board, provided an overview of what the Board has been doing and what is coming in the future.

Mayor Danzinger asked Chair Jacobson to explain the charter review process.

Chair Jacobson explained what the process of the Charter Review Board is and it is up to the Commission to decide and approve what the Commission decides to put on the ballot.

1G.) Legislative Update by State Representative Fabian Basabe

State Representative Fabian Basabe introduced himself and provided a legislative update. He spoke regarding the appropriations.

Mayor Danzinger spoke regarding the Abbott Avenue Drainage.

Mayor Danzinger and the Commission thanked State Representative Fabian Basabe for coming and providing an overview.

1H.) Gun Violence Proclamation

Soray Cruz, introduced the item and spoke regarding June 2nd being Gun Violence Awareness Day.

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

Mayor Danzinger spoke regarding an incident that took place at Flannigan's which was an accidental discharge. He presented the proclamation to Ms. Cruz.

2. Quasi-Judicial Hearings

3. Consent Agenda

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.

A motion was made by Vice Mayor Rose to approve the consent agenda minus item 3D (FY2023 Budget Amendment Resolution No. 7), seconded by Commissioner Landsman. The motion carried with 5-0 vote.

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

Approved on consent.

[April 17, 2023 Special Town Commission Meeting Minutes.pdf](#)

[April 18, 2023 Regular Town Commission Meeting Minutes.pdf](#)

3B. Board and Committee Reports/Minutes - Sandra N. McCready, Town Clerk

Approved on consent.

[February 27, 2023 Parks and Recreation Committee Meeting Minutes.pdf](#)

[March 8, 2023 Charter Review Board Meeting Minutes.pdf](#)

[March 30, 2023 Planning and Zoning Board Meeting Minutes.pdf](#)

[April 3, 2023 Tourist Board Meeting Minutes.pdf](#)

3C. Approving and Authorizing the Purchase of One 2023 Kubota RTV X900G-A Utility 4WD Vehicle from Ridge Equipment Co. In An Amount Not To Exceed

\$21,605 Utilizing the Pricing of the Florida Sheriffs Association Contract No. FSA 20-EQU18.0 as part of the Community Service Aid Program Implementation

- Hector Gomez, Town Manager

Town administration is seeking Town Commission approval to piggyback Florida Sheriff's Association Bid # FSA 20-EQU18.0 with Ridge Equipment Co. as shown in Exhibit A to the resolution - "Ridge Equipment Proposal dated May 1, 2023" and authorization to expend a total of \$21,605 towards the purchase of a 2023 Kubota RTV X900-G-A Utility 4WD Vehicle.

Approved on consent.

[Attachment A - FSA Terms Conditions Contract.pdf](#)

[Resolution Authorizing Approving 2023 RTV Vehicle Purchase - Sheriff Association.DOCX](#)

[Exhibit A - "Ridge Equipment Proposal dated 5-1-23"](#)

3D. FY 2023 Budget Amendment Resolution No. 7 - Hector Gomez, Acting Town Manager

Town Administration recommends approval of this resolution.

A motion was made by Vice Mayor Rose to adopt the resolution minus item 1 of the budget amendment, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

[Resolution Approving Budget Amendment No. 7.DOCX](#)

[FY2023 Budget Amendment No. 7.pdf](#)

3E. Approving and Authorizing the Purchase of One 2023 GMC Terrain AWD Vehicle from Alan Jay Fleet Sales In An Amount Not To Exceed \$28,952.00 Utilizing the Pricing of the City of Tallahassee Agreement No. 5179 as part of the Community Service Aid Program Implementation

- Hector Gomez, Town Manager

Town administration is seeking Town Commission approval to piggyback contract between the City of Tallahassee Contract with Alan Jay Fleet Sales as shown in Attachment A - "Alan Jay Fleet Award Letter for Comp. Bidding City of Tallahassee Piggyback" and authorization to expend a total of \$28,952.00 towards the purchase of a 2023 GMC Terrain vehicle.

Approved on consent.

[Resolution Authorizing Approving 2023 Alan Jay GMC Vehicle Purchase.DOCX](#)

[Attachment A - "Alan Jay Fleet Award Letter for Comp. Bidding City of Tallahassee Piggyback"](#)

[Attachment B - Alan Jay Fleet Sales Quote 2023 GMC Terrain SLE AWD.pdf](#)

[Attachment C - Alan Jay Fleet Award Letter for Comp. Bidding City of Tallahassee Piggyback](#)

3F. Surfside Heroes Appreciation Month - Shlomo Danzinger, Mayor

To adopt a proclamation 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.

Moved to be heard under item 5 (Resolutions/Proclamations).

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

[CTS Proclamation Application 2023.pdf](#)

[Resolution No. 2022-2892-CTS First Responders-Family-Friends-June 24 Day.pdf](#)

[Surfside Heroes Proclamation 11x14 2023.pdf](#)

4. Ordinances

Second Reading

4A1. Pension Ordinance Addressing Housekeeping Items and Technical Corrections - Hector Gomez, Town Manager

It is requested that the Commission approve the proposed Pension Ordinance on second reading. . The outside professionals employed by the Pension Board are available to answer any questions.

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

Town Manager Gomez introduced the item.

Town Attorney Arango explained the changes that were made.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

A motion was made by Commissioner Landsman to approve the ordinance on second reading, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

[Pension Ordinance.DOCX](#)

[Attachment A - Actuarial Impact Statement - May 2023.pdf](#)

4A2. Amendment of Election Qualifying Dates Due to the March 19, 2024 Presidential Preference Primary - Sandra N. McCready, MMC, Town Clerk

Town Administration recommends approval of this ordinance on second reading to adhere to the State's and Miami-Dade County's 2024 Election Schedule.

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

Town Manager Gomez introduced the item.

Town Clerk McCready explained what the ordinance entails and we will be piggybacking off the Miami Dade County elections and we must adhere to those regulations.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

[Attachment A - Miami-Dade County Ballot Issue Deadlines - 2024.pdf](#)
[Ordinance Amending Qualifying Dates.docx](#)

4A3. Zoning Code Correction: Front Setback Standards - Hector Gomez, Town Manager

Staff recommends that the ordinance be approved on second reading to provide that a minimum of 50 percent of the front yard setback area will be landscaped.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened up the floor to public comments.

The following individual from the public spoke:
George Kousoulas suggested changes to the ordinance.

Mayor Danzinger closed the floor to public comments.

Vice Mayor Rose spoke regarding the different impacts that will exist.

Town Manager Gomez addressed the comments made and as it pertains to the artificial turf.

Mayor Danzinger spoke regarding the different ideas and the permeable material that can be used.

Commissioner Velasquez spoke regarding boulders being counted towards the permeable material.

Town Planner Frankel addressed the comments made by the Commission.

Town Attorney Arango stated that you need a date certain to avoid re-advertisement.

A motion was made by Vice Mayor Rose to table the item, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

A motion was made by _____ to approve the ordinance on second reading, seconded by _____. The motion carried with a _____ vote.

[Attachment A - Front Yard Restrictions](#)

[Ordinance Amending Sec. 90-61 - Setback Paving Standards - SR 4-28-23.docx](#)

4A4. Zoning Code Correction - Roof Deck Stairway Height - Hector Gomez, Town Manager

Staff recommends approval of the ordinance as presented, as it is in the Town's interest to resolve the conflict regarding rooftop elements in favor of the Florida Building Code.

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

Town Manager Gomez introduced the item and explained this was another zoning ambiguity and explained the changes.

Town Attorney Recio provided an overview and explained the changes being made and read the new language.

Mayor Danzinger left the dais.

Vice Mayor Rose opened up the floor to public comments.

There were no public speakers.

Vice Mayor Rose closed the floor to public comments.

A motion was made by Commissioner Meischeid to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Mayor Danzinger absent from the dais.

[Attachment A - Roof Stair Stairs Limitations in the Zoning Code](#)

[Ordinance Amending Sec. 90-50.2 Roof Deck Provisions - SR 4-28-23.docx](#)

4A5. Stormwater Management Regulatory Mechanism for Enforcement - Hector Gomez, Town Manager

For the Town Commission to adopt the ordinance on second reading, as modified,

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

Mayor Danzinger returned to the dais.

Town Manager Gomez introduced the item.

Town Attorney Arango provided the changes on page 212, line 551 and 557 and read the changes.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.
[Ordinance Stormwater Compliance.DOCX](#)

First Reading

4B1. Zoning Code Correction - Balcony Projections - Hector Gomez, Town Manager

Staff recommends approval of this ordinance to clarify the zoning code language and relocate the balcony requirement to the applicable section of the code.

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

Town Manager Gomez introduced the item.

Town Attorney Recio provided an overview of the item and they are resolving it where it makes sense.

Mayor Danzinger opened up the floor to public comments.

The following individual from the public spoke:
George Kousoulas spoke regarding the item.

Mayor Danzinger closed the floor to public comments.

Commissioner Meischeid asked Town Attorney Recio what he thought regarding Mr. Kousoulas' recommendation.

Town Attorney Recio stated that there were 2 things Mr. Kousoulas proposed and read what he proposed. He stated that part is a great clarification, and the other part is a policy decision and provided his concern which is the title of the ordinance. He stated that they would then have to come back for first reading with a new title.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading as written with the changes suggested by Mr. Kousoulas, seconded by Commissioner Meischeid.

Vice Mayor Rose rescinded his motion and Commissioner Meischeid rescinded her second.

A motion was made by Vice Mayor Rose to table the item till later tonight, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

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

Town Attorney Arango stated the change they can make without having to change the title of the ordinance and read the change into the record which was to remove the word "that", change the word "apply" to "applied" and remove the word "only".

A motion was made by Vice Mayor Rose to approve the ordinance with the change stated by Town Attorney Arango which is to add on line 51 the following after side setback to insert "including the modified side setback", remove lines 52 and 53, and remove the word "that", change the word "apply" to "applied" and remove the word "only", seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Ordinance - Balcony Overhangs, H120.docx](#)

4B2. Zoning Code Correction - Design Requirements for Front Yard Fences and Gates - Hector Gomez, Town Manager

Staff recommends approval of this ordinance in order to clarify the acceptable design of front yard fences and gates in single-family zoning districts and to allow for the compatibility of another ordinance removing front yard fences, gates and walls from Planning and Zoning Board review.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

Mayor Danzinger provided his comments on the item and possibly adding some language to expedite the item and giving the Town Planner certain authority to approve without having to go before the Planning and Zoning Board.

Town Manager Gomez addressed the comments made by the Commission.

Town Planner Frankel addressed the comments made by the Commission and Town Manager.

Mayor Danzinger addressed the comments made by the Town Planner and Town Manager and the way it is written seems too loose.

Further discussion took place among the Commission and staff regarding the specifics of this item and what should be going before the Planning and Zoning Board.

A motion was made by Commissioner Landsman to approve the ordinance on first reading, seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Sec. 90-56. Fences walls and hedges.docx](#)

[Ord Amend Section 90-56 Fences, Walls and Gates.docx](#)

4B3. Zoning Code Correction - Garage Conversion Criteria - Hector Gomez, Town Manager

Staff recommends approval of this ordinance in order to clarify the acceptable design of garage conversions in single-family zoning districts and to allow for the compatibility of another ordinance removing front garage conversions from Planning and Zoning Board review.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

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

[Ordinance - Garage Conversions.docx](#)

[Zoning Code with section highlighted](#)

4B4. Zoning Code Correction - Applicability of Planning and Zoning Board Review
- Hector Gomez, Town Manager

Staff recommends removing the following property alterations from Planning and Zoning Board review. If approved, these additional items would be added to Sec. 90-19.7 and reviewed for compatibility with the zoning code by staff only:

- Front Yard Fences and gates
- Garage Conversions
- Carports
- Window Signs in SD-B40
- Business District SD-B40 Awnings
- Wall Opening (window and door) changes on existing homes not visible from a public right-of-way

- Rear Yard Pools
- Rear Yard Decks
- Rooftop Mechanical Equipment
- Ground-level mechanical not visible from a public right-of-way

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

Town Manager Gomez introduced the item.

Town Attorney Recio provided the clarification of the underlining from line 58-68 and stated that the language should all be underlined which indicates it is new language.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

Commissioner Velasquez asked where is the ambiguity.

Town Manager Gomez stated there is no ambiguity it was brought up in January.

A motion was made by Commissioner Landsman to approve the ordinance on first reading as written with the change of underlining the new language on lines 58-68, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

[Sec. 90-19. Single family and two family development review process.docx](#)
[Ordinance - Applicability of PZB Review.docx](#)

5. Resolutions and Proclamations

If the public wishes to speak on any matters in this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak at the beginning of this section.

5A. Water Meter System Badger Utility Encoders Phase II Conversion Implementation - Hector Gomez, Town Manager

Town administration is seeking Town Commission approval for a purchase of Badger utility encoders for Phase II and authorization to amend existing contract with Badger Meter and expend a not to exceed amount of \$100,127.50 for Purchase. The procurement is being made per Town Code section 3-13 as the product is sole source due to it being the only product compatible with the Town water metering hardware.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

Commissioner Velasquez asked if they come with batteries and if there is any way to get some that are hardwired.

Town Manager Gomez stated they do have batteries and they are cellular based and explained how they work. He stated that hardwired and electrical feed on a meter box could present some issues and the concern that they have live electricity and the flooding in town.

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

[Resolution Approving Phase II Cellular Water Meter Plan and First Amendment to PSA with Badger Meter, Inc..DOCX](#)

[Exhibit A - Badger Meter Proposal Dated April 20, 2023"](#)

[Exhibit B - First Amendment - Badger Meter for Phase II Water Encoder Work.DOCX](#)

5B. Memorandum of Understanding between the Town of Surfside and the Fraternal Order of Police (FOP) Local 135 to be Consistent with the Ordinance under Agenda Item 4A1 - "Pension Ordinance Addressing Housekeeping Items and Technical Corrections". - Hector Gomez, Town Manager

It is recommended that the Town Commission approve and ratify the attached Memorandum of Understanding (MOU) between the Town and the Fraternal Order of Police (FOP) Local 135.

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

Town Manager Gomez introduced the item and stated this item is similar to item 5C (Memorandum of Understanding Between the Town of Surfside and the American Federation of State, County, and Municipal Employees (AFSCME) Council 79 to be Consistent with the Ordinance under Agenda Item 4A1 - "Pension Ordinance Addressing Housekeeping Items and Technical Corrections"). He stated that tonight adopted item 4A1 (Pension Ordinance Addressing Housekeeping Items and Technical Corrections).

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

A motion was made by Commissioner Meisheid to approve the resolution,

seconded by Commissioner Landsman. The motion carried with a 5-0 vote.
[Reso Approving MOU with FOP Retirement Benefits.DOCX](#)
[Exhibit A - FOP - MOU April 2023.pdf](#)

5C. Memorandum of Understanding Between the Town of Surfside and the American Federation of State, County, and Municipal Employees (AFSCME) Council 79 to be Consistent with the Ordinance under Agenda Item 4A1 - "Pension Ordinance Addressing Housekeeping Items and Technical Corrections" - Hector Gomez, Town Manager

It is recommended that the Town Commission approve and ratify the attached Memorandum of Understanding (MOU) between the Town and American Federation of State, County, and Municipal Employees (AFSCME) Council 79.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened up the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

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

[Reso Approving MOU with AFSCME Retirement Benefits.DOCX](#)
[Exhibit A - AFSCME MOU.pdf](#)

5D.) Resolution Amending Commission Travel Policy

Mayor Danzinger introduced the item and stated the approved expenses in the resolution and there are other organizations that would benefit the Town and to modify to add the National Conferences of Mayor.

Commissioner Velasquez stated that he is asking to make the changes to the resolution and she has not seen the resolution.

Town Attorney Arango stated that they can bring a resolution to ratify adding the National Conferences of Mayor.

A motion was made by Vice Mayor Rose to approve the expense for the National Conferences of Mayor and bring back a resolution ratifying and amending the Town Travel Policy, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

6. Good and Welfare (Set for approximately 8:15 p.m.)
Public comments for subjects or items not on the agenda.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

Rodrigo Bottori spoke regarding plastic fisherman and thanked the Town and Tourist Board for supporting the event. He suggested trash bins at the end of the street ends.

George Kousoulas talked about special commission meetings and mentioned that they are difficult to schedule which make it difficult for the commissioners and the public.

Frank MacBride thanked Parks and Recreation Director Milian on the Hawthorne Tot Lot and the exercise equipment. He spoke regarding the cones and the stripes for no parking. He spoke regarding speeding scooters. He spoke regarding losing personnel like a Code Enforcement Officer for \$10,000 to Miami Springs and we should look at paying the employees better. He spoke regarding stop signs being blocked by cars and trucks parked in front of the stop signs. He spoke regarding teacher appreciation week and to recognize the beach teachers with a proclamation.

Marissa Jacobson spoke regarding the Town needing to step up and provide survival swimming lessons for children. She encouraged the Town to hire a company to provide survival swimming lessons for children.

Mayor Danzinger closed the floor to public comments.

Mayor Danzinger addressed the comments made by the public and likes the ideas of the trash bins.

Vice Mayor Rose thanked the public speakers and addressed the comments made by the public.

Commissioner Landsman addressed the comments made by the public.

Commissioner Meischeid addressed the comments made by the public.

Commissioner Velasquez addressed the comments made by the public.

7. Town Manager and Town Attorney Reports

7A. Town Manager's Report - Hector Gomez, Town Manager

Town Manager Gomez provided the Town Manager's Report.

Commissioner Landsman asked if Mr. Kilsheimer has had any communication with NIST.

Town Manager Gomez addressed the comment made by Commissioner Landsman and they did have a call with NIST and they will have some information released on June 15th.

Town Attorney Recio provided an update and gave the prerequisites and all the onsite materials have been sent to Mr. Kilsheimer and are being tested and the

offsite materials is still being worked on with NIST.

A motion was made by Vice Mayor Rose to approve the Town Manager's Report, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

[2023-05 May Town Manager's Report.pdf](#)

7B. Town Attorney's Report - Town Attorney Lillian Arango

Town Attorney Arango provided the Town Attorney's Report as well as the litigation update on the cases which includes the Solimar case, Shannon Gallagher and Victor May case.

A motion was made by Vice Mayor Rose to approve the Town Attorney's Report, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

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

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Capital Improvement Project Department - Hector Gomez, Town Manager

Town Manager is seeking Town Commission approval to commence the process to create the new Capital Improvement Project (CIP) Department.

Town Manager Gomez provided an overview of the item and the specifics of this request.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:
George Kousoulas

Mayor Danzinger closed the floor to public comments.

Mayor Danzinger asked what would happen 5 or 10 years from now and asked if he sees this being a department that can be sustained.

Town Manager Gomez stated that all capital improvement projects are a 5-year process and provided a summary.

Mayor Danzinger thanked Town Manager Gomez and staff.

Vice Mayor Rose thanked Town Manager Gomez for bringing this forward and mentioned the projects.

Commissioner Velasquez spoke regarding the projects and cost of the projects.

A motion was made by Vice Mayor Rose to approve the Capital Improvement Project Department, seconded by Commissioner Landsman. The motion carried with a 5-0

vote.

A motion was made by Vice Mayor Rose to cancel the regularly scheduled 5:30 p.m. meetings and start the regular meeting at 6:00 p.m. next month, seconded by Commissioner Meischeid. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

9B. Synthetic Turf in the Zoning Code - Hector Gomez, Town Manager

Suggested Action: Staff requests that the Town Commission provide direction on the potential expansion of the allowance for synthetic turf under the zoning code. The following are points of potential conflict with the zoning code that require direction:

- Compatibility with the Florida Friendly Landscaping requirements
- Compatibility with other landscape requirements (e.g. number of required trees and shrubs per lot)
- Use in H120 zoning district, especially east of the Bulkhead Line. Current Code requires all areas east of the Ocean Bulkhead Line to be landscaped with only native dune species.
- Use in H30C and H40 zoning districts
- Use in Town-owned Right-of-way
- Permitting and Inspection process to ensure permeability and quality of synthetic turf
- Process to address current non-compliant properties

Staff Recommendations:

If the Town Commission desires a greater allowance for synthetic turf in the rear and side yards of a property, staff recommends allowing the turf to be counted towards the minimum pervious lot coverage but not the other minimum landscaping requirements.

If the Town Commission desires a greater allowance for synthetic turf in the front or secondary frontage of a property, staff recommends allowing the turf to be counted towards the minimum pervious lot coverage but not the other minimum landscaping requirements and requiring a barrier (i.e. hedges) where the synthetic turf abuts natural materials.

Staff also recommends requiring additional drainage systems in the right-of-way areas in front of properties where synthetic turf is present. A drain-field constructed in conjunction with artificial turf would be beneficial to the Town's drainage stormwater management system. This would consist of 4 ft drain field filled with 57 rock and covered in filter fabric. This condition would allow for synthetic turf to be in the right-of-way while providing for additional stormwater capacity to reduce street flooding.

Staff recommends requiring properties with existing non-permitted synthetic turf to complete the permitting and inspection process to ensure design and permeability standards are met. This may mean that some existing synthetic turf may need to be removed depending on what Code changes the Town Commission approves. The Town will seek to enter into a compliance agreement with each impacted property.

Moved to be heard after item 3 (Consent Agenda).

Town Manager Gomez introduced the item.

Mayor Danzinger stated that they will be separating it from backyard and front yard.

A motion was made by Vice Mayor Rose for purposes of discussion, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Town Planner Frankel provided an overview of the item and a presentation providing some clarity and will request direction from the Commission.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

George Kousoulas stated this is a tricky issue and stated that there should be areas not allowed like the bulkhead line.

Diana Gonzalez spoke regarding the item and the issue she has been dealing with since 2016. She has synthetic turf and needs it due to her allergies.

Jared Margolis spoke regarding the item and stated his artificial turf drains better than grass.

David Forbes stated that the Surf Club is constantly replacing the grass and since they have changed it to artificial turf they have had no issues, no bugs or animals. He stated if they can do it in their major areas why can't some of the residents with a smaller piece of yard put it in their home. He believes on the sides and backyards they should be able to put artificial turf.

Mayor Danzinger closed the floor to public comments.

Vice Mayor Rose stated that it should be allowed on the side and rear. He spoke regarding following the manufacturer's instructions and specifications.

A motion was made by Vice Mayor Rose to approve new installation of artificial synthetic grass on the rear and side of the yard following the manufacturers specifications, minimum drainage requirement, for it to count towards permeability and pervious area permits must be pulled, seconded by Commissioner Landsman.

Commissioner Velasquez supports this and agrees with the Vice Mayor.

Vice Mayor Rose addressed some of the homes on the presentation and what would be allowed. He spoke regarding adding hedges and provided his idea for the front. He stated this is moving forward for new installations.

Commissioner Velasquez spoke regarding the comment made by Vice Mayor Rose.

Commissioner Landsman stated that this is for new installations and new permits. He stated the hedges is a good idea. He will be fine that the right of way be a separate strip in case they have to do anything on the right of way they can do the work needed. It could be synthetic but must be a separate strip in the event it has to be removed.

Commissioner Meischeid will support the synthetic material in front but without adding hedges.

Mayor Danzinger spoke regarding the public right of way and if the owner puts it in knowing that the Town has to come in and dig it up, they should still be responsible for replacing it. He spoke regarding the hedges, and there should be options and choices. He spoke regarding the percentage of synthetic turf allowed and there should be compliments of live landscaping.

Town Manager Gomez addressed the comments made regarding the right of way as it relates to public works.

Commissioner Velasquez agrees that it should be the responsibility of the homeowner to replace whatever the Town has to tear up on the right of way.

Public Works Director Stokes addressed the questions and comments regarding the right of way and the possibility of having to dig in the event they have to do any work on drainage.

Further discussion took place among the Commission and staff regarding the material on the right of way and whose responsibility it would be to replace the material in the event the Town has to do any work and specifications on how the turf is to be installed.

A motion was made by Vice Mayor Rose to allow synthetic turf in the front of the home by using manufacturer's specifications, minimum drainage, and obtain permit from the Town; if in the right of way, pull Public Works permit and require appropriate covenant/agreement from homeowner; if not in the right of way, provide for separation with a landscape buffer such as a hedge, or fence/wall to differentiate between living material and turf with a buffer or with grass in the swale, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

Code Enforcement Director Santos-Alborna addressed the properties that currently have artificial turf. She stated that these regulations were already in place and they started enforcing them in 2017. She provided an overview of the history of the code and properties that are in violation.

Mayor Danzinger asked what the life span is on the turf.

Town Manager Gomez stated it depends on the manufacturer.

Vice Mayor Rose stated he is supportive of grandfathering these properties in but they need to prove they have proper drainage.

Commissioner Meischeid would like to see accountability and following rules of landscape percentage and who determines when they need to change it.

Commissioner Landsman stated that they need to have some language to determine if the homeowner has drainage and if they have them rip everything up and replace

it, that is not grandfathering them in.

Commissioner Velasquez also stated that once they have to change it they need to comply with the new rules and provisions.

Town Planner Frankel stated that it would be beneficial to put a date of the grandfathering.

Town Manager Gomez stated that the latest case he believes was in April.

Code Enforcement Director Santos-Alborna stated the most recent case was in April. She stated it is currently very difficult to comply with the code and obtain the permits.

A motion was made by Commissioner Landsman effective today, May 9, 2023, any property previously having installed front yard synthetic grass is grandfathered and can be left alone with the requirement to come into the Town and sign a Right of Way Encroachment Agreement and obtain a Right of Way Permit and must be replaced as suggested by manufacturers specifications and per the code; those properties have 90 days from adoption of the second reading of the ordinance to come in and obtain the permit, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Code Enforcement Director Santos-Alborna clarified the 15 properties that currently exist.

[Attachment A - Code Compliance Synthetic Turf Cases](#)

[Attachment B - Zoning Code Section on Synthetic Turf.docx](#)

[Attachment C - Code Compliance Synthetic Turf case photos](#)

10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Commissioner Landsman to adjourn the meeting at 10:07 p.m., seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Accepted this _____ day of _____, 2023.

Shlomo Danzinger, Mayor

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk