



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

**November 14, 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 6:07 p.m.

1B. Roll Call of Members

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

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

Absent: Commissioner Marianne Meisheid

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

1C. Pledge of Allegiance

Acting Chief Marciante provided the pledge of allegiance.

1D. Mayor and Commission Remark - Mayor Shlomo Danzinger

Mayor Danzinger welcomed everyone present and those watching at home. He congratulated the Town on the recent referendum with the results of the recommendations of the Charter Review Board. He spoke regarding the new additions to the chambers with some audio/visual and microphones.

Commissioner Landsman welcomed all in the chambers and those watching from home. He thanked everyone that attended the rally in support of Israel. He spoke regarding the special election on the charter questions and was happy to see the turnout. He wished everyone a Happy Thanksgiving.

Commissioner Velasquez welcomed everyone present and they did have an amazing election on November 7th.

Vice Mayor Rose thanked everyone for being here and thanked Jose Feliz for the upgrade to the chambers and the Public Works staff for the hard work they have been doing. He spoke regarding the pocket park on 92nd Street and a great job done. He thanked the Police Department and Parks and Recreation Department for attending the event and those residents that came out and voted. He stated that Commissioner Velasquez did not vote. He did a public records request to the elections department, and she did not vote. He stated if she had voted she would have committed voter fraud. There you can see what truth and government is. He stated that a lot of information will be coming out.

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

Town Manager Gomez spoke regarding the walk on item due to a clerical error. He would like it immediately after the consent agenda as 3K and would like to pull item 3K (Approving and Authorizing the Purchase of Four (4) 2023 Police Vehicles and Equipment Budgeted for Fiscal Year 2024) as a standalone item as it pertains to the police vehicles, and it will allow them to sell the surplus vehicles.

A motion was made by Vice Mayor Rose to pull item 3K (Approving and Authorizing the Purchase of Four (4) 2023 Police Vehicles and Equipment Budgeted for Fiscal Year 2024) out of consent and adding a walk on item to be heard after item 3K (Approving and Authorizing the Purchase of Four (4) 2023 Police Vehicles and Equipment Budgeted for Fiscal Year 2024), seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

A motion was made by Commissioner Landsman to move item 9C (Consideration for Town of Surfside donation to Magen David Adom, Israeli's National Services) to be heard after 1G (Presentation of the 2023 Public Pension Standards Award for Funding and Administration), seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

A motion was made by Commissioner Velasquez to pull item 3I (Sky Elements, LLC 4th of July Drone Show Contract and Expenditure Approval) from consent. The motion died for lack of a second.

Town Manager Gomez advised Commissioner Velasquez she does not have to pull the item to ask a question. He stated she can ask the question during consent.

Mayor Danzinger requested to add a walk on item as a discussion item to find out the status of the ongoing investigation regarding complaints against Commissioner Velasquez made by several town employees for harassment and intimidation by an elected official. This is something that they need to address or they will open the Town up for liability to be incurred by the Town and he would like an update. He wants to add it after consent after the item by the Town Manager.

Commissioner Velasquez stated that they are desperate. She stated whatever they want is fine with her and that is the face of desperation. She stated they are on their way out and she will give them their last kiss.

A motion was made by Mayor Danzinger to add an item (Update on Independent Investigation against Commissioner Nelly Velasquez) to be heard after consent after the new item, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

1F. Community Notes - Mayor Shlomo Danzinger

Mayor Danzinger provided a summary of events and an update which includes a fund raiser for Ruth K. Broad to renovate their library. He recognized the Town staff anniversaries.

Mayor Danzinger provided the decorum statement and asked for the public and commission to abide by the decorum statement.

Ben Jacobson, Vice Chair of the Tourist Board, went over last night's meeting and provided an update on the events.

Mayor Danzinger thanked Public Works Director Randy Stokes for the hard work they always do and what they did the other night with a broken pipe.

A motion was made by Mayor Danzinger to direct the Town Manager to give Randy Stokes and each of the team members that worked that night a \$100.00 gift card, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

Town Manager Gomez thanked Public Works Director Stokes and his team for their hard work.

Mayor Danzinger spoke regarding the upcoming activities and events.

Acting Chief Marciante spoke regarding an event at Town Hall where they will be collecting nonperishable food and gently used clothing for a non-profit organization.

1G. Presentation of the 2023 Public Pension Standards Award for Funding and Administration - Hector Gomez, Town Manager

Town Manager Gomez introduced the item and provided an overview of the award and those involved in this Pension Board and what they handle. He presented the award to the Pension Board.

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.

Mayor Danzinger opened the floor for public comments.

The following individuals from the public spoke on all consent agenda items:

Eliana Salzhauer spoke regarding the Drone Show which is item 3I (Sky Elements, LLC 4th of July Drone Show Contract and Expenditure Approval) and spoke against the money being spent on this.

Jeffrey Platt spoke about the fireworks and misspending of funds.

A motion was made by Vice Mayor Rose for a 5 minute recess at 6:56 p.m., seconded by Commissioner Landsman.

The meeting resumed at 7:04 p.m.

Town Clerk McCready called the roll with the following members present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose, Commissioner Fred Landsman and Commissioner Nelly Velasquez.

Absent: Commissioner Meischeid.

Mayor Danzinger closed the floor for public comments.

Mayor Danzinger stated that he removed a resident from the commission chambers due to repeated profanity. He stated that this Town is in good financial stability and the drone show is covered by Tourist Funds and all other municipalities thanked them.

A motion was made by Commissioner Landsman to approve the consent agenda, seconded by Vice Mayor Rose.

Commissioner Velasquez asked if this is the same company that did the drone show this year and if they did due process to find a company that does this and bring an appropriate show to Town. She stated she got a lot of complaints from residents.

Town Manager Gomez asked Parks and Recreation Director Tim Milian to address the questions.

Parks and Recreation Director Milian addressed the comments made and last year was the first year doing the drone show. He stated that they did get great feedback and they did receive 3 quotes and explained the process they followed. He stated that this company is being used by Bal Harbour and Miami Beach. He stated they went with the lowest bidder.

The motion carried with a 4-0 vote.

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

Approved on consent.

[October 10, 2023 Regular Town Commission Meeting Minutes.pdf](#)

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

Approved on consent.

[2023-08-31 Special Planning and Zoning Board Meeting Minutes.pdf](#)

3C Approval of 2023 Meeting Calendar - Sandra N. McCready, MMC, Town Clerk

Approved on consent.

[2024 Agenda Deadline Dates.xlsx](#)

3D. Contract Agreement with Deco Bike for Bicycle Rental Services in Public Spaces - Hector Gomez, Town Manager

Town administration recommends the approval of an amendment to the Deco Bike Agreement that provides bicycle sharing and ridership services within the Town's Right of Way. The amendment is for an additional three-year term.

Approved on consent.

[Attachment A - Deco Bike, LLC Concession Agreement](#)

[Attachment B - Ridership Data in 2023](#)

[Attachment C - Sole Source Justification](#)

[Resolution Approving A Second Amendment To A Deco-Bike Agreement](#)

[Redlined - Second Amendment to Deco Bike Agreement](#)

3E. Ratification, Approval and Acceptance of Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) for a Town of Surfside Comprehensive Vulnerability Assessment and Town Hall Adaptation Plan - Hector Gomez, Town Manager

The Town Administration recommends Town Commission to ratify the acceptance and approval of a grant agreement with FDEP for the Town of Surfside Comprehensive Vulnerability Assessment and Town Hall Adaptation Plan.

Approved on consent.

[Resolution Ratifying Acceptance of FDEP Grant and Execution of Grant Agreement - Vulnerability Assessment.DOCX](#)

[Exhibit A - Town of Surfside Comprehensive Vulnerability Assessment and Adaptation Plan](#)

3F. Authorization to Expend Towards Youth Soccer Recreational Programming for Fiscal Year 2024 - Hector Gomez, Town Manager

Town Administration is requesting approval to enter into an Agreement with Alves Sports Group, for a total of \$55,000 for youth soccer programming services

fiscal year 2024 as approved in the adopted FY 2024 Town budget.

Approved on consent.

[Attachment A - 23/24 Alves Sports Youth Agreement](#)

[Resolution Approving Youth Soccer Agreement With Alves Sports Group.DOCX](#)

3G. Authorization to Expend Towards Tennis Center Recreational Programming for Fiscal Year 2024 - Hector Gomez, Town Manager

Town Administration is requesting approval of the Agreement with GM Sports for youth tennis services in an amount not to exceed \$50,000 per FY 2024 adopted budget.

Approved on consent.

[Attachment A - 23/24 GM Tennis agreement](#)

[Resolution Approving Youth Tennis Agreement With GM Sports Tennis.DOCX](#)

3H. Parks and Recreation Special Event Vendor, Premier Bounce N Slide Party Rentals, LLC Contract and Expenditure Approval - Hector Gomez, Town Manager

Town Administration is seeking Town Commission authorization to expend up to \$92,000 in fiscal year 2024 and to contract with Premier Bounce N Slide Party Rentals for Parks and Recreation events. The funds were approved in the 2024 adopted budget.

Approved on consent.

[Resolution Approving Agreement with Premier Bounce N Slide Party Rentals LLC - FY 2023-2024](#)

[Attachment A - Premier Bounce N Slide LLC Contract](#)

3I. Sky Elements, LLC 4th of July Drone Show Contract and Expenditure Approval - Hector Gomez, Town Manager

Town Administration is seeking Town Commission approval to enter into a three-year agreement with Sky Element for a 4th of July drone light show and to expend up to \$65,000.00 in FY 2024 for said show which was budgeted as part of the 2024 adopted budget.

Commissioner Velasquez had a few questions that were addressed.

Approved on consent.

[Resolution Approving Sky Element for July 4th Drone Show.DOCX](#)

[Exhibit A-Sky Element drone show proposal.pdf](#)

[Exhibit B-Sky Element 3 year agreement.docx](#)

[Exhibit A-Scope of Service to the Agreement-Sky Element drone show proposal.pdf](#)

3J. Community Development Block Grant Urban County Qualification - Hector Gomez, Town Manager

Town administration is recommending the Town Commission approve an urban qualification cooperation agreement for the Miami Dade County Community Development Block Grant and home investments partnership program for fiscal year 2024, 2025 and 2026.

Approved on consent.

[Resolution - MD County CDBG Program for FY 2024-2026](#)

[Exhibit A - "Town of Surfside Agreement"](#)

3K. Approving and Authorizing the Purchase of Four (4) 2023 Police Vehicles and Equipment Budgeted for Fiscal Year 2024 - Hector Gomez, Town Manager

Town Administration is seeking Town Commission approve to authorize the purchase of the vehicles from Legacy Ford as set forth in the resolution.

Item was pulled from consent.

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

Town Manager Gomez provided some information on the item and the reason why they pulled the item was because they need to also add the language for the selling of the (10) surplus vehicles.

A motion was made by Vice Mayor Rose to approve the resolution as amended, seconded by Commissioner Landsman.

The motion carried with a 4-0 vote.

[Exhibit A - Legacy Ford - four \(4\) Police Vehicles](#)

[Exhibit B - HG2 Emergency Lighting - Equipment](#)

[Exhibit C - One \(1\) Vehicle radio - Surfside Police Dept. - \(1\) APX6500](#)

[Mobiles_101923](#)

[Attachment A - Email Garber Ford](#)

[Attachment B - FSA23-VEL31.0](#)

[Resolution Approving Purchase of Police Vehicles Lighting And Radio 2023 - Legacy Ford.DOCX](#)

3L. Approval to Expend up to \$75,000 for Continued Grant Administration and Project Management Support Services through In Alignment Consulting - Town Manager Hector Gomez

Town Administration is seeking Town Commission approval to expend up to \$75,000 for fiscal year 2024 for In Alignment Consulting services.

Approved on consent.

[Resolution Approve Second Amendment - In Alignment Consulting - FY 2023](#)

[24.DOCX](#)

[Second Amendment to PSA - In Alignment - FY 2023 24.DOCX](#)

3M. Authorization to Purchase a Taekeuchi Track Skid Steer from ALTA Equipment Company through 2023 Florida Sheriff Bid Pricing - Hector Gomez, Town Manager

Town administration is seeking Town Commission approval for a purchase of a Taekeuchi Track Skid Steer with the purchase being made through ALTA Equipment Company, through the Florida Sheriff's Bid in an amount not to exceed \$80,000.00. The item was approved as part of the 2024 adopted fiscal year budget.

Approved on consent.

[Attachment A - Equipment Cost and Specifications](#)

[Resolution Approving Purchase of PW Track Loader from ALT.DOCX](#)

3N. Approving and Authorizing the Purchase of Nine (9) Motorola Police Radios for the Parking Enforcement Officers - Hector Gomez, Town Manager

To approve the purchase of the nine (9) Motorola Police Radios for the Parking Enforcement Officers. The item was budgeted as part of the 2024 adopted fiscal year budget.

Approved on consent.

[Resolution Approving Purchase of Handheld Radios - Motorola - County Contract.DOCX](#)

[Exhibit A - Piggyback Agreement - Motorola Solutions - Handheld Radios for Parking Enforcement - 2023.DOCX](#)

[Exhibit B - \(9\) Motorola Radios - QUOTE](#)

3O. Banking Extension Agreement with Truist Bank for Treasury Banking Services - Hector Gomez, Town Manager

Town Administration recommends approval of the resolution authorizing execution of the attached agreement with Truist Bank for Town banking services.

Approved on consent.

[Attachment A - Polk State College Contract Extension 2023 Executed](#)

[Attachment B - Suntrust Treasury Management Existing Agreement - 2019](#)

[Resolution Approving Banking Extension Agreement with Truist Bank - Banking Services.DOCX](#)

[Attachment A - Truist Contract Extension 2023](#)

3P. Design Review and Zoning Fee Schedule - Hector Gomez, Town Manager

Town Administration recommends approval of the Resolution to adopt the fee schedule proposed in **Attachment A - Fee Schedule**.

Approved on consent.

[Resolution Adopting Planning and Zoning Fee Schedule.DOCX](#)

[Attachment A - Proposed Fee Structure](#)

3Q. Authorization to Expend towards Curb Installation and Landscape Removal pertaining to Downtown Walkability Project - Hector Gomez, Town Manager

Town administration is requesting to expend up to \$88,000 towards Downtown Walkability Project for the installation of concrete curb in existing parking areas and partial removal of some landscaping at various areas. The work will be performed by Town of Surfside Public Works Department in conjunct with material purchase of concrete at market rate with corresponding finishing labor work.

Approved on consent.

[Attachment A - Downtown Walkability Cost Estimate.pdf](#)

[Attachment B- Downtown Walkability Curb Construction Drawings.pdf](#)

[Attachment C - Concrete Rates](#)

[Resolution Authorizing Expenditure of Funds - Downtown Walkability Project Curb Install & Landscape Renewal](#)

[Attachment A - Downtown Walkability Cost Estimate.pdf](#)

3R.) Budget Amendment

This item was heard after item 3K (Approving and Authorizing the Purchase of Four (4) 2023 Police Vehicles and Equipment Budgeted for Fiscal Year 2024) that was pulled from consent.

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

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

Town Manager Gomez stated there was a clerical error in the previous budget amendment and provided the correct information.

A motion was made by Vice Mayor Rose, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

4. Ordinances

Second Reading

4A1. Ordinance Amending Citizen Presentation Rules - Hector Gomez, Town Manager

Consider the proposed ordinance on second reading. No changes occurred during first reading.

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

Town Manager Gomez provided an overview of the item and provided what was added.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

Gerardo Vildostegui stated free speech is very important and spoke against the item.
Eliana Salzhauer spoke against the item.

Mayor Danzinger closed the floor to public comments.

Commissioner Velasquez is against this item and suggested removing this item.

Vice Mayor Rose stated this is a good rule to put in place and free speech is not being taken away because they can speak on any item they would like to speak on.

Mayor Danzinger addressed a comment made by Commissioner Velasquez and it says up to 3 minutes and addressed the incorrect information being stated. He stated that no one's free speech is being taken away. He continued explaining what this ordinance will do and what it is meant to do.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 3-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Amending Sec. 2-206 Re Citizens Presentations - Second Reading](#)

4A2. Amending Sec. 14-28. - Issuance of Building Permits and Amending Sec. 62-1. - Garage Sales to Simplify Town Permitting Requirements for Non-Essential Permits - Hector Gomez, Town Manager

Town administration recommends adopting the proposed Code change of Section 14-28 and Section 62-1.

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

Town Manager Gomez provided an overview of the item.

Town Attorney Arango provided the language added regarding roof repairs that starts on line 38.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading as is with the addition made by the Town Attorney, seconded by Commissioner Landsman.

Mayor Danzinger provided an explanation of the ordinance and the specifics as it pertains to minor roof repairs.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

The motion carried with a 4-0 vote.

[Ordinance Amending Section 14-28 and 62-1 Relating to Low Value Building Permits and Garage Sales](#)

4A3. Amending Chapter 72 of the Town Code to Address Utilities Lines Undergrounding for Future Communication Improvements - Hector Gomez, Town Manager

Town administration is recommending the Town Code be amended to incorporate new definitions in Chapter 72 in order to further differentiate communication lines. Additionally, Town administration is recommending Town Code changes in order to make it requirement for communication provider to underground all future communication lines within the Town boundaries. This item was discussed by the Town Commission during the October 2023 General Town Commission meeting. There are no changes as presented during second reading.

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

Town Manager Gomez provided an overview of the item.

Mayor Danzinger provided a synopsis of the item and what this ordinance will do for the Town.

Mayor Danzinger opened 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 Landsman. The motion carried with a 4-0 vote.

[Ordinance Business Impact Estimate Template.pdf](#)

[Ordinance Amending Ch. 72 Telecommunications Right-of-Way Ordinance for Undergrounding](#)

4A4. Update to Water Shortage Regulations Section of the Town Code to be Consistent with Miami-Dade County and South Florida Water Management District - Hector Gomez, Town Manager

Town Administration recommends approval of the proposed ordinance to be consistent with Miami-Dade County Code and in compliance with South Florida Water Management District (SFWMD) based on their letter dated July 20, 2023. Refer to **Attachment A** - *South Florida Water Management District Letter dated July 20, 2023*.

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

Town Manager Gomez provided an overview of the item.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman.

Mayor Danzinger provided an explanation of the ordinance.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

The motion carried with a 4-0 vote.

[Attachment A - SFWMD Letter dated July 20 2023](#)

[Attachment B - Sec. 32.8.2 - Permanent year round landscape irrigation restrictions Ordinance Water Use Regulations - 2nd Reading TAv2.DOCX](#)

4A5. Creation of New Capital Improvement Projects Chapter within the Town Code
- Hector Gomez, Town Manager

The Town Administration recommends adoption of the proposed ordinance which creates a new Capital Improvement Projects Chapter within the Town Code. The item is consistent to how it was presented in first reading during the October 2023 General Town Commission meeting.

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

Town Manager Gomez provided an overview of the item.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman.

Mayor Danzinger stated this position will save the Town a significant amount of money.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:
Eliana Salzhauer spoke against the item.

Mayor Danzinger closed the floor to public comments.

Commissioner Velasquez asked if there is a salary in this resolution.

Town Manager Gomez stated it was included in the budget which was approved during the budget cycle.

Mayor Danzinger stated the salary was already approved in the budget cycle.

Town Manager Gomez stated he believes it is between \$120,000 to \$145,000 which is the same level of a director.

Mayor Danzinger stated this will save the Town money because it is bringing this position in house.

Vice Mayor Rose asked for him to give one example as what it is costing paying a project manager for the 96th Street park and how much it would save the Town if we would have the person inhouse.

Town Manager Gomez addressed the comments made and provided the savings the Town would experience and the value of this position.

Commissioner Landsman spoke regarding a comment made by a public speaker, and this is a way of controlling the savings and having this position that will save the Town revenues.

The motion carried with a 4-0 vote.

[Ordinance Creating Capital Improvement Projects Department](#)

First Reading

4B1. Code Amendment for Outdoor Lighting in the Single-Family Residential Districts - Hector Gomez, Town Manager

Town Administration recommends that the Town Commission review this ordinance to modify Section 90-62 Outdoor Lighting of the Town Code to addresses the specific requirements of the single-family districts.

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

Town Manager Gomez provided an overview of the item.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading, seconded by Commissioner Landsman.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:
Eliana Salzhauer spoke in favor of the ordinance.

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman stated this seems overbearing and asked if Code Enforcement has a way of determining the lumens and can it be enforced.

Town Manager Gomez stated it is included as part of the template and explained the

process and currently they do not have equipment for measurement. He stated that they created a standard and buy fixtures based on the criteria.

Vice Mayor Rose stated that Rose Construction is his company. He stated that Commissioner Meischeid is not here but the maximum lumens per fixture is a problem and explained why that would be. He spoke regarding the issue on the sides of the homes when they are putting high hats. He stated strip lighting is not an issue and that can be controlled. He stated that there are a few items that could be fixed and the details of it aren't 100% and he has a problem with this ordinance as written.

Mayor Danzinger stated what he is seeing is an overstep in government and a lot of things have not been thought through and went over some of his concerns and comments.

Commissioner Velasquez asked if this is for existing properties or for new properties.

Town Manager Gomez stated he is leaving it to the Commission on how to proceed. He stated this is for those moving forward.

Commissioner Velasquez stated that it should be for existing and future properties.

Vice Mayor Rose asked if this is for a retrofit to an existing home and he believes it should be all.

Mayor Danzinger stated he is not an expert on this either and spoke regarding the item and believes it is impossible to enforce.

Vice Mayor Rose provided some suggestions to this ordinance.

Further discussion took place among the Commission regarding the item and the complexity of this item and provided suggestions.

The motion fails with a 0-4 vote.

[Ordinance Amending Section 90-62 Outdoor Lighting for Single-Family Dwellings.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. PUBLIC HEARING ITEM

On Demand Transit Services Through FREEBEE Ride Share

- Hector Gomez, Town Manager

Town administration recommends the discontinuation of the current shuttle service providing last mile service and implementing an on-demand transit service through

FREEBEE in its place. The recommendation is to commence with one on-demand 6 passenger electric vehicle commencing within the first half of the fiscal year and the addition of a second vehicle commencing the second half of the fiscal year.

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

Town Manager Gomez provided an overview of the item.

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

Gus Doyle, FREEBEE provided an overview of the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:
Eliana Salzhauer spoke on the item.

Mayor Danzinger closed the floor to public comments.

Mayor Danzinger spoke regarding the item and the seniors are very excited about the project.

Commissioner Landsman thanked the Town Manager and grant writer for obtaining the funding for this item.

Commissioner Velasquez supports this item.

Vice Mayor Rose supports this item and hopes it connects with other cities.

Mayor Danzinger stated there is also a number for the seniors to call and provided what this program will do.

The motion carried with a 4-0 vote.

[Resolution Accepting Public Comments and Providing Comment Period - On-Demand Transit.DOCX](#)

[Attachment A - Public Notice](#)

[Attachment B - Proof of Advertisement](#)

5B. Resolution in Support of SB 172 in Support of Veteran Housing -
Commissioner Marianne Meischeid

Seeking Town Commission support to submit a resolution in support of SB 172 to be provided to our Town Lobbyist to support in the 2024 Legislative Session.

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

Town Manager Gomez provided an overview of the item.

Commissioner Velasquez left the meeting at 8:59 p.m.

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

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

The motion carried with a 3-0 vote.

[Resolution Urging FL Legislature to Adopt SB 172 Re Verification of Eligibility for Veterans Property Tax Exemption](#)

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:

Victor May spoke regarding the public and communication.

Gerardo Vildostegui spoke regarding good government and what the search procedure would be for the filling of the position of police chief. He spoke regarding the Town gym and the residents not being able to use it and then the commissioners should not be allowed to use it. He spoke regarding the Mayor's security forum the night before the November 7th election.

Eliana Salzhauer spoke regarding the results of the election of November 7th.

Ben Jacobson spoke regarding the events and the beach chairs are full and it has been a great addition. He stated that it was interesting that one commissioner did not vote and of course if you don't live here why vote here, you don't want to go to jail.

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman responded to the comments made by the public.

Commissioner Velasquez responded to the comments made by the public. She agrees there should be a search for a new police chief but that should be done when the new commission comes in. She encourage everyone to come and vote.

Vice Mayor Rose responded to the comments made by the public. He stated that the Eden hotel was approved by 2 commissions ago. He stated that they did do a search for candidates for town manager and all 5 commissioners unanimously approved hiring Hector Gomez and he is very qualified. He spoke regarding a gym for residents which will be at the Tennis Center.

After multiple interruptions by Commissioner Velasquez, Vice Mayor Rose continued with his comments.

Vice Mayor Rose stated it is interesting how some keep saying to listen to the poll numbers and the poll numbers showed that Charles Burkett was voted out of office twice. He stated that Ms. Salzhauer was voted out of office as well. He stated that the items on the ballot was not about us as commissioners and it was brought up by the Charter Review Board. He stated he and his wife voted differently on the ballot questions so that is no indication of them as a commissioner. He stated there were people out there that wanted to make it seem it was about the candidates. He stated they will still continue to do their job in governing.

Mayor Danzinger responded to the comments made by the public. He spoke regarding the upcoming projects. He stated that one of the speakers stated that they have a Commissioner that screams and yells about rules and did not vote and that is because, as they have said twenty times, she does not live in town.

Commissioner Velasquez stated that she did vote.

Vice Mayor Rose asked for a point of information and asked Commissioner Velasquez if she is saying on the record that she voted in the November 7, 2023 election.

Commissioner Velasquez stated "of course I did".

Vice Mayor Rose stated he was sorry for the interruption. He stated that they talked about truth in government and there is a public records request that he has in writing and it is for Commissioner Velasquez' voting history and it states that she did not vote on November 7, 2023.

Commissioner Velasquez stated that they can say whatever they want.

Vice Mayor Rose stated to Commissioner Velasquez that she just lied to the residents and thanked her for violating truth in government.

Vice Mayor Rose entered into the record for evidence the Voting History Report of Commissioner Velasquez from the Miami Dade County Elections Department where it shows that she did not vote in the November 7, 2023 election even though she stated on the record that she did vote.

Commissioner Velasquez stated to go ahead.

Mayor Danzinger addressed the comments made about him going to Tallahassee, Fl. He stated that he goes to represent the Town.

A motion was made by Vice Mayor Rose at 8:42 p.m. for a 5 minute recess, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

The meeting resumed at 8:48 p.m.

Town Clerk McCready called the roll and the following members were present:

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

Absent: Commissioner Meischeid absent and Commissioner Velasquez absent from the dais.

Commissioner Velasquez arrived back to the dais at 8:49 p.m.

7. Town Manager and Town Attorney Reports

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

Town Manager Gomez provided a summary of his Town Manager's Report.

A motion was made by Vice Mayor Rose to approve the Town Manager's Report, seconded by Commissioner Landsman. The motion carried with a 3-0 vote.

[2023-11 November Town Manager's Report](#)

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

Town Attorney Arango provided a summary of her Town Attorney's Report.

A motion was made by Vice Mayor Rose to approve the Town Attorney's Report, seconded by Commissioner Landsman. The motion carried with a 3-0 vote.

[Town Attorney Report Nov. 2023.DOCX](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Permit Fees for Condominium Recertification and Special Assessments - Commissioner Meischeid

Develop permit fees specific to condominium re-certification and special assessment that are not the same as applied for new construction in order to mitigate the increased cost of condominium re-certification and special assessments.

A motion was made by Vice Mayor Rose to defer the item, seconded by Commissioner Landsman. The motion carried with a 3-0 vote.

9B. Retaining Walls in H30A and H30B - Jeffrey Rose, Vice Mayor

It is recommended to address retaining walls in the Zoning Code as a category of walls separate from the code sections 90-56 - Fences, Walls and Hedges.

Vice Mayor Rose introduced the item, and stated that this item is to see how they want to address retaining walls.

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

Commissioner Landsman spoke regarding this issue and what they are looking to do here is to have retaining walls that go into the ground that will keep the water in the property.

Mayor Danzinger stated he is a bit torn with this item and provided his input.

Vice Mayor Rose stated it is not enforcing retaining walls. He explained the difference between legacy homes and new homes and the issue comes if you put in a retaining wall and explained what would happen.

Further discussion took place among the commission and staff regarding the details of this item, pool elevations as well as how to address it in the future.

A motion was made by Vice Mayor Rose to bring back a discussion item on the two points discussed, seconded by Commissioner Landsman. The motion carried with a 3-0 vote.

[Attachment A: Miami Beach Code on Retaining Walls](#)

9C. Consideration for Town of Surfside donation to Magen David Adom, Israeli's National Services - Commissioner Fred Landsman

For the Town Commission to make a pledge to support the Israel's national emergency medical system as they are playing a critical role in saving lives.

This item was moved up to be heard before item 3 (Consent Agenda).

Commissioner Landsman introduced the item and provided an overview of this organization.

David Lombardi provided an overview of the item.

Mayor Danzinger opened the floor for public comments.

The following individual from the public spoke:
Eliana Salzhauer

Mayor Danzinger closed the floor for public comments.

Commissioner Landsman spoke regarding a possible donation and the amount that would be adequate. He asked the Town Manager if the line item available is \$22,000.

Town Manager Gomez addressed the comment made and the amount available to be used.

Commissioner Landsman stated they should not use the entire budget line for this and would suggest \$10,000.

Vice Mayor Rose stated he was going to suggest \$20,000 for everything they have done for the Town.

Commissioner Velasquez stated they also have the library at Ruth K Broad and they should look at a donation to that school and she would agree to \$10,000.

A motion as made by Commissioner Velasquez to give \$20,500 to Ruth K. Broad. She adjusted her motion to \$17,000 for Ruth K. Broad and \$5,000 for this organization (Israeli's National Services). The motion died for lack of a second.

Town Manager Gomez made a clarification.

Mayor Danzinger stated that the goal is \$30,000 so \$15,000 would suffice.

Discussion took place among the commission regarding the donation to this organization and the amount of the donation.

A motion was made by Commissioner Landsman to donate to this organization \$10,000, seconded by Vice Mayor Rose.

Mayor Danzinger stated that 2 months ago they donated to Ruth K. Broad and it is selfish for Commissioner Velasquez to hijack this item. He stated that Surfside is tied into the people of Israel with what took place in Israel. He spoke regarding the Mexican team which was composed of Israelis.

The motion carried with 4-0 vote.

[Magen David Adom - Not-For-Profit Organizations Form \(11-22-19\).pdf](#)

[IRS-letter-confirming-501c3-status-for-AFMDA.pdf](#)

[FL Tax Exempt Cert.pdf](#)

[2021-990-AFMDA-Public-Disclosure.pdf](#)

[The Town of Surfside.pdf](#)

9D. Regulation/Prohibitions on Camping on Public and Private Property - Shlomo Danzinger, Mayor

The City of Miami Beach recently fortified the safety and well-being of its residents and visitors by amending Chapter 70 of the City Code, specifically Article II titled "Public Places," under Section 70-45, which now prohibits camping.

The Town Commission should consider enacting regulations to oversee and restrict specific activities or behaviors in public areas that obstruct access, jeopardize safety, or infringe upon the public's rights to freely utilize these spaces for their intended purposes. This is essential for safeguarding the health, safety, and well-being of both Town residents and visitors.

Mayor Danzinger introduced the item and provided pictures as to what is currently taking place. He stated it is important to enact legislation to prohibit what is happening.

A motion was made by Vice Mayor Rose to move forward to create an ordinance, seconded by Commissioner Landsman.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:
Ben Jacobson spoke in favor of the item.

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman asked the Town Attorney if they feel comfortable drafting this ordinance.

Town Attorney Arango spoke regarding Miami Beach's ordinance and explained how they would move forward with drafting this ordinance and they will meet the criteria.

The motion carried with a 3-0 vote.

[Ordinance-Amend Section 70-45 Camping Prohibited to Comply with Joel v City of Orlando.pdf](#)

[Camping Resolution.docx](#)

9E. Zoning Code Amendment - Commissioner Marianne Meischeid

Amend Section 90-48.5(2) in H120 to eliminate ambiguity in the language.

Mayor Danzinger explained the item and this item has been explained multiple times and this should not be coming forward for political reasons.

A motion was made by Mayor Danzinger to not approve this item, seconded by Commissioner Landsman.

Commissioner Landsman agrees to move forward and let it be the way it currently is.

Mayor Danzinger stated that the Town Attorneys and Town Planners have explained this over and over again.

The motion carried with a 3-0 vote.

Vice Mayor Rose stated that their community service aid started and is doing an

excellent work.

9F.) Update on Investigation Against Commissioner Velasquez

This item was heard after item 3 (Consent Agenda)

Mayor Danzinger asked regarding an update on the ongoing investigation pertaining to Commissioner Velasquez. He stated that they have two (2) formal complaints that are being investigated by a third party, which was approved by the Commission at the last meeting. I know that there have been investigations ongoing and it is his understanding that this item has stalled due to Commissioner Velasquez cancelling three (3) of her interviews.

Commissioner Velasquez stated "truth in government" Mayor it has not been three (3).

Mayor Danzinger continued and stated that it is his understanding that three (3) times the Commissioner has not responded. He stated that they need to first of all, they are worried about liability for the Town. He stated they have two formal complaints about harassment and abuse by an elected official. He stated it is their intention as per their last meeting to get this going. He would like to know what the next steps would be.

Town Manager Gomez stated that during their briefing the Mayor asked for an update and he provided him with some information. He stated that the investigation is almost complete and all parties have been interviewed except for one and they are currently scheduling that last interview.

Mayor Danzinger asked at what point do they conclude this investigation and move on.

Town Manager Gomez stated that the process is the handbook and the procedure brought forth for you to approve the investigation. He stated that the investigation they requested is ongoing and if they seek to make any requests towards the investigation it is the will of this commission but ultimately we are in the process of scheduling the last interview and would allow for that attempt to occur.

Commissioner Velasquez asked what is the rush.

Mayor Danzinger stated that the rush is if they do not conclude the investigation, they are holding the Town liable for a lawsuit.

Commissioner Velasquez stated no you are not and asked the Mayor to stop lying to people and residents.

Mayor Danzinger asked Commissioner Velasquez what part of this is a lie.

Commissioner Velasquez stated that they will be getting sued.

Mayor Danzinger asked her what her argument is about the two (2) employees of the Town of Surfside that filed formal complaints against you.

Commissioner Velasquez stated that they are formal complaints that are lies.

Mayor Danzinger stated the complaints are regarding a hostile work environment and harassment and they have to address it.

Commissioner Velasquez stated what hostile work environment and asked the Mayor to stop lying.

Mayor Danzinger stated to Commissioner Velasquez that he is not the one that went after Town staff.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:

Eliana Salzhauer spoke against the item and stated that HR matters need to be handled by HR and not discussed up here. She stated that one of the complaints was ludicrous which was the one that was filed regarding calling the police chief fat. She continued stating the specifics of the complaints and mentioned the complaint filed by the clerks as well as the location of the incident stating that everyone saw what happened in the hallway. She further provided the specifics of the complaint filed by the police chief.

Mayor Danzinger interrupted Ms. Salzhauer and advised her that the contents of the complaints are confidential and are not to be discussed up here. He stated he does not understand how she got the information about the complaints.

Eliana Salzhauer continued with her comments stating it happened at a meeting therefore it is not confidential and continued to provide the specifics of the complaints filed. She stated that they all saw the fight between the clerks and everything that happened in the back room.

Mayor Danzinger again reminded her that the information is confidential.

Mayor Danzinger closed the floor to public comments.

Mayor Danzinger asked Commissioner Velasquez to please cooperate with this investigation.

10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Vice Mayor Rose to adjourn the meeting at 9:24 p.m., seconded by Commissioner Landsman. The motion carried with a 3-0 vote.

Accepted this ____ day of _____, 2023.

Shlomo Danzinger, Mayor

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk

Christina White

Supervisor of Elections

Miami-Dade County, FL

Date 11/14/2023

Time 09:01 AM

Voting History Report

Voter ID 124060599 Velasquez, Luz N

<u>Election</u>	<u>AddressLine2</u>	<u>Election Date</u>	<u>Voted</u>
813	North Miami Run-Off Election	Jun/01/2021	Not Eligible
812	Coral Gables Run-Off Election	Apr/27/2021	Not Eligible
811	South Miami Special Election	Apr/20/2021	Not Eligible
810	Sweetwater General Muni and Spec	May/11/2021	Not Eligible
809	North Miami Regular Election	May/11/2021	Not Eligible
808	Coral Gables General Biennial Elec	Apr/13/2021	Not Eligible
807	Miami Shores Village Council Elec	Apr/13/2021	Not Eligible
806	Bay Harbor Islands General Election	Apr/06/2021	
805	Aventura Special Election	Apr/27/2021	Not Eligible
804	Miami Springs General Election	Apr/06/2021	Not Eligible
803	Medley Special Election	Mar/02/2021	Not Eligible
802	El Portal Special Election	Feb/16/2021	
801	Cocoplum Phase I Street Light STD	Feb/16/2021	Not Eligible
800	North Miami Annexation Special Elec	Jan/26/2021	Not Eligible
799	Bal Harbour Village Spec Election	Jan/26/2021	Not Eligible
798	Doral Run-Off Election	Dec/08/2020	Not Eligible
797	Palmetto Bay Run-Off Election	Dec/01/2020	Not Eligible
796	Cutler Bay Run-Off Election	Dec/01/2020	Not Eligible
795	North Miami Beach Run-Off Election	Nov/17/2020	Not Eligible
794	2020 General Election	Nov/03/2020	Voted Early
793	2020 Primary Election	Aug/18/2020	Did not vote
792	Bay Harbor Islands General Election	May/05/2020	
791	Bay Harbor Islands General Election	Apr/07/2020	
790	El Portal Special Election	Apr/07/2020	
789	Florida City Run-Off Election	Feb/18/2020	Not Eligible
788	South Miami General and Special	Feb/11/2020	Not Eligible
787	Florida City Biannual Election	Jan/28/2020	Not Eligible
786	2020 Pres Preference Primary	Mar/17/2020	Voted Early
785	Biscayne Park Special Election	Jan/07/2020	Not Eligible
784	Miami Beach Run-Off Election	Nov/19/2019	Not Eligible
783	Miami Run-Off Election	Nov/19/2019	Not Eligible
782	Hialeah General Election	Nov/19/2019	Not Eligible
781	Sec Guard/Light STD Elections	Dec/17/2019	Not Eligible
780	Miami Beach Gen and Spec Elections	Nov/05/2019	Not Eligible
779	Miami General Municipal Election	Nov/05/2019	Not Eligible
778	Homestead General Election	Nov/05/2019	Not Eligible
777	Hialeah Primary and Special Elec	Nov/05/2019	Not Eligible
776	Homestead Primary Election	Oct/01/2019	Not Eligible
775	Virginia Gardens Municipal Election	Sep/10/2019	Not Eligible
774	Sweetwater Run-Off Election	May/28/2019	Not Eligible
773	North Miami Run-Off Election	Jun/04/2019	Not Eligible
772	Miami Shores Village Counc Run-Off	Apr/30/2019	Not Eligible
771	Coral Gables Run-Off Election	Apr/23/2019	Not Eligible
770	Sweetwater General Muni and Spec	May/14/2019	Not Eligible
769	North Miami Regular and Special	May/14/2019	Not Eligible
768	Miami Shores Village Council Elec	Apr/09/2019	Not Eligible
767	Coral Gables General Biennial Elec	Apr/09/2019	Not Eligible
766	Miami Springs General Election	Apr/02/2019	
765	El Portal Special Election	Apr/02/2019	Not Eligible
764	Bay Harbor Islands General Election	Apr/02/2019	
763	Pinecrest Special Election	Mar/26/2019	Not Eligible
762	Golden Beach General Election	Feb/19/2019	Not Eligible

Christina White

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761	2018 Sec Guard/Light STD Elections	Dec/11/2018	Not Eligible
760	Doral Run-Off Election	Dec/11/2018	Not Eligible
759	Sunny Isles Beach Run-Off Election	Dec/04/2018	Not Eligible
758	North Miami Beach Run-Off Election	Nov/20/2018	Not Eligible
757	Cutler Bay Run-Off Election	Nov/20/2018	Not Eligible
756	2018 General Election	Nov/06/2018	Voted
755	Special Run-Off Election-CC Dist 5	Jun/19/2018	Not Eligible
754	Special Election-County Comm Dist 5	May/22/2018	Not Eligible
753	Cutler Bay Special Election	Jun/05/2018	Not Eligible
752	2018 Special General - HD 114	May/01/2018	Not Eligible
751	North Miami Special Election	May/01/2018	Not Eligible
750	Florida City Annexation Special	May/01/2018	Not Eligible
749	West Miami Municipal Election	Apr/10/2018	
748	Bay Harbor Islands General Election	Apr/10/2018	Not Eligible
747	2018 Primary Election	Aug/28/2018	Did not vote
746	Surfside General Municipal and Spec	Mar/20/2018	Voted
745	Indian Creek General Election	Feb/16/2018	
744	South Miami General Election	Feb/13/2018	Not Eligible
743	Florida City Biannual Election	Jan/23/2018	Not Eligible
742	2018 Sec Guard/Maint STD Elections	Jan/23/2018	Not Eligible
741	2018 Special Primary - House 114	Feb/20/2018	Not Eligible
740	Miami Run-Off Election	Nov/21/2017	Not Eligible
739	EShore/EShore 1st Add Sec Grd STD E	Dec/05/2017	Not Eligible
738	Miami Beach Gen and Spec Election	Nov/07/2017	Not Eligible
737	Miami General Municipal Election	Nov/07/2017	Not Eligible
736	Homestead General Election	Nov/07/2017	Not Eligible
735	Hialeah Primary and Special Elec	Nov/07/2017	Not Eligible
734	Homestead Primary Election	Oct/03/2017	Not Eligible
733	Virginia Gardens Municipal Election	Sep/26/2017	Not Eligible
732	2017 Special Election	Sep/26/2017	Not Eligible
731	2017 Special Primary Election	Jul/25/2017	Not Eligible
730	Coral Gables Run-Off Election	Apr/25/2017	Not Eligible
729	North Miami Regular Election	May/09/2017	Not Eligible
728	Sweetwater General Municipal Elec	May/09/2017	Not Eligible
727	Biscayne Beach Sec Guard STD Elec	May/17/2017	Not Eligible
726	Miami Shores Village Council Elec	Apr/18/2017	Not Eligible
725	Coral Gables Gen Biennial Election	Apr/11/2017	Not Eligible
724	Miami Springs General Election	Apr/04/2017	Not Eligible
723	Bay Harbor Islands General Elec	Apr/04/2017	Not Eligible
722	Biscayne Park Special Election	Mar/28/2017	Not Eligible
721	Golden Beach General Election	Feb/21/2017	Not Eligible
720	Doral Run-Off Election	Dec/13/2016	Not Eligible
719	Opa-Locka Special Election	Nov/29/2016	Not Eligible
718	Miami Lakes Run-Off Election	Nov/29/2016	Not Eligible
717	Palmetto Bay Run-Off Election	Nov/22/2016	Not Eligible
716	Miami Gardens Special Election	Dec/06/2016	Not Eligible
715	2016 General Election	Nov/08/2016	Voted
714	2016 Primary Election	Aug/30/2016	
713	Sky Lake G Condo #4 Str Lt STD Elec	May/10/2016	
712	Riverwood Str Lighting STD Election	Apr/12/2016	
711	Miami Lakes Special Election	May/17/2016	
710	West Miami Municipal Election	Apr/12/2016	

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709	Aventura Special Election	Apr/12/2016	
708	Key Biscayne Special Election	Apr/05/2016	
707	Bay Harbor Islands General Election	Apr/05/2016	
706	Indian Creek General Election	Feb/19/2016	
705	South Miami Gen and Spec Elec	Feb/09/2016	
704	Lake Patricia Mult Maint STD Elec	Jan/26/2016	
703	Lake Hilda Mult Maint STD Elec	Jan/26/2016	
702	Florida City Biannual Election	Jan/26/2016	
701	Miami Beach Run-Off Election	Nov/17/2015	