



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

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

1. Opening

1A. Call to Order

Mayor Danzinger called the meeting to order at 7:07 p.m.

1B. Roll Call of Members

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

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

Absent: Commissioner Nelly Velasquez.

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

1C. Pledge of Allegiance

Chief Torres did the pledge of allegiance.

1D. Mayor and Commission Remarks - Mayor Shlomo Danzinger

Mayor Danzinger welcomed everyone and spoke regarding the July 4th event which was a success and thanked Parks and Recreation Department staff for putting on an amazing event. He also thanked the Police Department for their work and Hatzalah for their assistance at the event. He spoke regarding the Friday Summer on the Beach and spoke regarding the upcoming events and thanked the Tourist Board for their work. He congratulated Frank Trigueros for his promotion. He reminded everyone regarding the Farmer's Market.

Mayor Danzinger reminded the public to maintain decorum and respect one another. He provided the rules of decorum and read them into the record. He reminded the public that they can speak in Good and Welfare on anything that is not on the agenda.

Vice Mayor Rose congratulated Frank Trigueros on his promotion and thanked Town Manager Hyatt for the CTS anniversary event. He thanked Mayor Danzinger for his commitment and hard work on running this event and for the way he worked with the families.

Commissioner Landsman agrees with the sentiments by the Commissioners and thanked Mayor Danzinger for his commitment and hard work.

Commissioner Meisheid also agrees with the comments made regarding the hard work done. She also commented on the misinformation that is being disseminated out there and stated that the Commission is here to make policies. The item is brought up as a discussion item to get input and then voting by the Commission. She stated that this is why it is important that the first reading has the information needed. She stated that the previous commission changed policies made by the previous commission which set back the Town by 6 months. She stated that they have been elected to maintain respect and uniformity.

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

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to link item 9C (Month of June to be Declared Pride Month) and item 9D (Town Policy on Flying Flags). The motion died for lack of a second.

A motion was made by Mayor Danzinger to bring up item 9D (Town Policy on Flying Flags) to be heard before Consent Agenda, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Mayor Danzinger would like to have an add item agenda and make it item 9G (Beach Chairs), seconded by Commissioner Meisheid. The motion carried with a 3-1 vote with Commissioner Landsman voting in opposition and Commissioner Velasquez absent.

A motion was made by Vice Mayor Rose to move item 9C (Month of June to be Declared Pride Month) to be heard after item 9D (Town Policy on Flying Flags), seconded by Commissioner Meisheid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

1F. Community Notes - Mayor Shlomo Danzinger

1G. CTS Update

Item was not heard due to the fact that Allyn Kilsheimer was not present.

1H. Presentation of Certificate of Completion from the Institute for Elected Municipal Officials (IEMO) to Mayor Shlomo Danzinger - Town Manager Andrew Hyatt

Town Manager Andrew Hyatt presented Mayor Danzinger with the IEMO Certificate of Completion.

Mayor Danzinger explained what this entailed. He thanked Town Manager Hyatt.
[Mayor Danzinger IEMO Certificate.pdf](#)

2. Quasi-Judicial Hearings

2A. 9173 Froude Avenue - Walter Keller, PE, AICP, Town Consultant Planner

Staff Recommendation: It is recommended the Practical Difficulty Variance Application be approved allowing the floor area coverage to increase to 42.3%.

Please see attached email from applicant requesting deferral of this item to October 2022. The October 2022 Regularly schedule meeting is scheduled for Tuesday October 12, 2022.

Town Attorney Recio stated that there was a request by the applicant for deferral since the applicant will be out of town.

Vice Mayor Rose recused himself due to a conflict of interest and left the dais.

A motion was made by Commissioner Landsman to defer the item to October 12, 2022, seconded by Commissioner Meisheid. The motion carried with a 3-0 vote with Vice Mayor Rose recused and Commissioner Velasquez absent.

[Request for Deferral - Quasi-Judicial 9173 Froude Ave.pdf](#)

[Resolution Approving Variance - 9173 Froude - 6-2-22.pdf](#)

[9173 Froude Avenue Agenda Packet.pdf](#)

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

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

Approved on consent.

[06-14-2022 Town Commission Workshop Meeting Minutes.pdf](#)

[06-14-2022 Regular Town Commission Meeting Minutes.pdf](#)

[06-16-2022 Special Town Commission -Quasi Judicial Hearing Meeting Minutes.pdf](#)
[06-28-2022 Special Town Commission Meeting Minutes.pdf](#)

3B. Committee and Board Minutes

Approved on consent.

[05-26-2022 Planning and Zoning Board Meeting Minutes.pdf](#)

3C. School Resource Officer for School Year 2022/2023 - Andrew Hyatt, Town Manager

Town Administration recommends approval of the attached resolution which authorizes the execution of the Memorandum of Understanding funding the School Resource Officer for school year 2022/2023 in the amount of \$8,333.

Approved on consent.

[2022 School Resource Officer SRO MOU Bay Harbor Bal Harbour Surfside.docx](#)
[Resolution Approving MOU for School Resource Officer TAv2.docx](#)

3D. Authorization to Award Disaster Debris Removal Services to DRC Emergency Services per RFP 2022-03 Disaster Debris Removal Services Evaluation Committee Recommendation - Andrew Hyatt, Town Manager

Town Administration is seeking authorization to select the proposal of award and contract disaster debris removal services with DRC Emergency Services for a period of five years with three additional one year extensions thereafter.

Approved on consent.

[Disaster Debris Removal Services Contract](#)
[Resolution Selecting and Awarding DRC Emergency Services Disaster Debris Removal Contract.DOCX](#)

3E. Approval and Acceptance of Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) for Matching Grant Towards Surfside's Collins Avenue Water Main Replacement Design Phase Project - Andrew Hyatt, Town Manager

Town Administration recommends Town Commission accept and approve matching grant agreement with FDEP for the Surfside Collins Avenue Water Main Replacement Design Phase Project.

Approved on consent.

[Surfside's Collins Avenue Water Main Replacement Design Phase Grant Agreement NOVA Engineering Proposal for Scope of Services](#)
[Reso FDEP Grant - Collins Ave Water Main Replcement.docx](#)

3F. First Amendment to SFM Services, Inc. Agreement for Additional Landscape Right of Way and Beach End Services - Andrew Hyatt, Town Manager

Town Administration is seeking Town Commission approval of the First Amendment to the existing Agreement with SFM Services, Inc. dated November 24 2020, to incorporate additional Town locations requiring monthly maintenance servicing for an additional total of \$24,858.96 per fiscal year for the duration of the base agreement. The expenditures for fiscal year 2022 will not be retroactive and total \$6,214.74 for the remainder of the year.

Approved on consent.

[SFM Services, Inc. Additional Services Pricing Agreement](#)

[Reso Approve First Amendment SFM Services - Additional Landscape Services.docx](#)

[First Amendment with SFM Services - Additional Landscape Services.doc](#)

3G. Parking Rate Adjustments - Andrew Hyatt, Town Manager

As directed by the Town Commission during the 06-28-2022 Special Commission Meeting, Town Staff is seeking approval to change the parking rates and parameters in all Town Parking Lots as follows:

- The parking rate in the Town of Surfside is currently \$2.00 per hour for parking in the six (6) Town Municipal Parking Lots. This rate will change to \$4.00 per hour, from 9:00 am to 5:00 pm seven days a week and \$3.00 per hour at all other times.
- There is currently a two hour maximum time limit Monday to Friday from 6 AM to 3 PM and a four-hour maximum time limit between Friday at 3 PM and Monday at 6 AM. The aforementioned time limits are renewable. The time limit will change to a non-renewable three hour time limit at all times.

Approved on consent.

[Resolution Ratify Amendment to Off Street Parking Rates and Time Limitation.DOCX](#)

4. Ordinances

Second Reading

4A1. Amending the Town of Surfside Code of Ordinances by Amending Section 90-57. - "Marine Structures", to Amend Regulations for Construction of Docks, Pier and Moorings on Waterfront Lots. - Fred Landsman, Commissioner

Request approval of this ordinance on second reading in order to move forward on adoption of the ordinance.

Mayor Danzinger explained the process of bringing up an ordinance on the agenda.

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

Commissioner Landsman introduced the item and provided a background of the item on second reading. He had the Town Clerk hand out a drawing as an example.

Mayor Danzinger opened public comment.

The following members of the public spoke:

Gerardo Vildostegui spoke against the ordinance.

Marisol Krasner spoke against the ordinance.

Eliana Salzhauer spoke against the ordinance and the email sent to the ethics committee and media regarding changing the rule to accommodate two people.

Horace Henderson spoke against the ordinance. He stated that the commission is discussing giving away something, they can't. He stated that the Town Commission does not have the right.

Ben Jacobson spoke on the item. He stated that the docks are being set up in a way not to harm the seagrass. He spoke about a marine structure concept that instead of docks projecting straight into the waterways, they should be parallel to the homes.

George Kousoulas spoke on the item and suggested that the docks be parallel to the homes. He spoke further about the Florida Statutes and the home owners rights.

Mayor Danzinger closed public comment.

Commissioner Landsman would like to amend the language on line 66 letter (c) which currently reads "any portion of a marine structure that projects more than 15 feet shall be limited to a maximum of 8 feet in width" to read "any portion of a dock or pier that projects more than 15 feet should be limited to 8 feet in width". He explained the change in the requested language. He also stated that they are keeping the Point Lake legislation as is and the reason is the access to Point Lake is very limited and needs to be maintained.

Commissioner Meischeid can support it with the changes to line 66 and this also allows the keel of the boat to parallel to the seawall. She stated that this has been vetted by the Planning and Zoning Board.

Vice Mayor Rose asked if there is a legal definition of monster docks.

Town Attorney Recio stated that there is no legal definition of a monster docks.

Vice Mayor Rose spoke regarding the ordinance and a comment made by a former Commissioner giving misinformation being fed to them. He spoke regarding on 88th Street there are 60 foot docks that were already there and stated that the previous Commission removed that from the residents and what they are doing is giving back to the residents what was taken away from them. He spoke regarding the mooring.

Mayor Danzinger agrees with Vice Mayor Rose. He thanked Commissioner Landsman for bringing this back and fixing the mistake that was done in the past.

A motion was made by Vice Mayor Rose to move forward with the approving the ordinance on second reading with the amended language on line 66 letter (c) which currently reads "any portion of a marine structure that projects more than 15 feet shall be limited to a maximum of 8 feet in width" to read "any portion of a dock or pier that projects more than 15 feet should be limited to 8 feet in width". He explained the change in the requested language, seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Mayor Danzinger called for a recess at 10:15 p.m.

Mayor Danzinger reconvened the meeting at 10:37 p.m.

[Surfside Ordinance Amending Sec 90-57 Marine Structures 2nd reading.docx](#)

4A2. Ordinance Amending Section 54-78 of Code - Prohibited Noises - Shlomo Danzinger, Mayor

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

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

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

Mayor Danzinger opened public comment.

The following members of the public spoke:
Eliana Salzhauer spoke against the item.
Ben Jacobson

Mayor Danzinger closed public comment.

Mayor Danzinger introduced the item and provided the specifics of the item and stated that it does reduce noise.

Vice Mayor Rose thanked Mayor Danzinger for pointing out the misinformation out there.

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

[Prohibited Noises Ordinance.docx](#)

4A3. 24 Inch Setback Encroachment Clarification - Jeffrey Rose, Vice Mayor

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

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

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

Mayor Danzinger opened public comment.

The following members of the public spoke:
Eliana Salzhauer spoke against the item.
Horace Henderson spoke against the item.
George Kousoulas stated this clears up ambiguity that existed and is in support of this item.

Mayor Danzinger closed public comment.

Vice Mayor Rose introduced the item and explained the specifics of this ordinance. He stated this is cleaning up the language.

Mayor Danzinger stated this was recommended by the Planning and Zoning Board and this language cleans it up.

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

[Surfside 24 inch Setback Encroachment 2nd reading.docx](#)

First Reading

4B1. 50% Lot Coverage for 1-Story Homes - Shlomo Danzinger, Mayor

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

New one story homes build over the 40% coverage must adhere to a 22' ft height restriction.

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

Mayor Danzinger introduced the item and provided a summary.

Mayor Danzinger opened public comment.

The following members of the public spoke:

Eliana Salzhauer stated it is a great idea that she sees turn into a loophole.

Horace Henderson spoke in support if they can keep it clear that they cannot ask for the rest of the lot.

George Kousoulas spoke in support of the item.

Gerardo Vildostegui spoke regarding be willing to undo this if it does not work.

Mayor Danzinger closed public comment.

A motion was made by Vice Mayor Rose to extend the meeting at 10:57 p.m. for 30 minutes until 11:28 p.m., seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Mayor Danzinger explained the need for the speaker cards.

Mayor Danzinger stated that fear is not a reason to shy away from improvements and this incentivizes homeowners to build without having to go up to two floors.

Commissioner Landsman asked for clarification if it applies to single and multi family homes.

Town Attorney Recio stated it applies to both.

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

Vice Mayor Rose explained how many two story homes have been approved by Planning and Zoning Board. He stated that there has been 40 two story homes that have been approved by the Planning and Zoning Board. He explained the need for this ordinance.

Town Attorney Recio spoke regarding lines 53 and 54 were the old language which limits the lot coverage and porch to 46%, which is not what they want to do. He suggested different language for lines 53 and 54 and read the suggestion.

A motion was made by Vice Mayor Rose to amend his original motion to approve the ordinance on first reading to include a 46% lot coverage cap for two story homes and 50% lot coverage cap for a one story home, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.
[Ordinance Amending Maximum Lot Coverage for Single Story Homes.docx](#)

4B2. Amendments to the Town Code to Allow Operation of Landscaping Equipment and Other Noise-Producing Mechanical Devices (such as Leaf Blowers) During Permitted Hours - Shlomo Danzinger, Mayor

- To leave power blowers in section 54-78 of the town code as amended in the first reading in June 2022.
- Modify 54-78 (15) (blowers) to only allow landscaping equipment and other noise-producing mechanical devices (such as leaf and power blowers) during the hours as set forth by the amendments in the first reading in June 2022 of section 54-78(7).
- Remove the probative language for power blowers in section 66-7 of the town code.

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

Mayor Danzinger introduced the item and explained the ordinance.

A motion was made by Vice Mayor Rose to approve this ordinance, seconded by Commissioner Landsman.

Mayor Danzinger opened public comment.

The following members of the public spoke:
Eliana Salzhauer spoke against the ordinance.

Mayor Danzinger asked the public to be respectful of everyone's time if they are finished speaking and did not use their 3 minutes to please sit down and allow others

to speak.

Ben Jacobson stated that he will give up his time to be respectful.

Gerardo Vildostegui spoke against the item and there is a difference between gas and electric leaf blowers and the electric ones are better for the environment.

Marisol Krasner spoke against the item and respect the public when they speak.

Mayor Danzinger closed public comment.

Mayor Danzinger provided an overview of the item and stated that this is for those residents that do their own lawn. He stated that this is essential for the residents to do their job and other equipment that is being used are also 2 stroke engines.

Commissioner Meisheid stated that the gas leaf blower is too loud but would consider an electric one.

Vice Mayor Rose stated that most of the contractors do not pick it up and he is good moving forward with electric. He stated that the City of Miami Beach has banned the gas leaf blowers and are moving towards electric ones. He is fully supported of electric but prefers using gas instead of it going into the storm drains.

Commissioner Landsman stated that electric ones make sense and he stated the enforcement is relaxed. He asked if they can phase out the gas leaf blowers within two years and encourage homeowners and contractors to move towards electric.

A motion was made by Vice Mayor Rose to modify his motion to phase out the gas leaf blowers to electric leaf blowers in two years from the date of the ordinance, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

A motion was made by Vice Mayor Rose at 11:24 p.m. to extend the meeting for 20 minutes until 11:44 p.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[3L13620-Ord Prohibited Noises Landscaping Equipment TA v2.DOCX](#)

4B3. Ordinance to Increase the Minimum Percentage of Florida Friendly Landscaping Required to 40% - Fred Landsman, Commissioner

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

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

Commissioner Landsman introduced the item and provided an explanation of the ordinance.

A motion was made by Commissioner Landsman to approve the ordinance as written and adding on line 47 "to single family homes", seconded by Commissioner Meisheid.

Town Planner Keller spoke regarding the interpretation of the ordinance as it pertains to landscape. He suggested adding 40% of required trees and shrubs.

Town Attorney Arango stated that the Town Planner is referring to multi family homes in his suggested changes in line 47 to add 40% of shrubs to single family.

Mayor Danzinger opened public comment.

The following members of the public spoke:

Eliana Salzhauer is supportive of having Florida family landscaping.

Mayor Danzinger closed public comment.

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

[Ordinance Amending FL Friendly Landscape Ordinance New Construction.DOCX](#)

4B4. Amending the Town Code Relating to the Location and Requirements for Ground-Level and Rooftop Mechanical Equipment - Commissioner Fred Landsman

For the Commission to adopt this ordinance on first reading.

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

Commissioner Landsman introduced the item and provided an overview of the ordinance.

Town Planner Keller spoke regarding the location of generators as it is written in the code and wants clarification if the generators are allowed on the roof.

Commissioner Landsman stated that currently the code allows rooftop mechanicals.

Town Planner Keller stated that municode addresses generators in a separate area.

Vice Mayor Rose stated that it does allow to include the generator on the rooftop.

Mayor Danzinger opened public comment.

The following members of the public spoke:

Joel Thieme spoke against the item.

Eliana Salzhauer spoke against the item.

Horace Henderson spoke against the item.

Marisol Krasner spoke against the item.

George Kousoulas spoke regarding the difference in equipment and if the air conditioner will be on the side of the home it will have to be on a stand. He spoke in support of the ordinance.

Mayor Danzinger closed public comment.

A motion was made by Vice Mayor Rose at 11:42 p.m. to extend the meeting for 10 minutes until 11:52 p.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

Commissioner Landsman explained the ordinance once more and stated this is to provide options to the homeowner.

Mayor Danzinger asked the reasoning to reduce it from 15 feet to 5 feet.

Commissioner Landsman addressed the question by Mayor Danzinger and stated that it becomes more difficult for the homeowner when they are building. He stated that this gives more options and will still not be going into their setback nor the neighbor's setback.

Mayor Danzinger asked if the air conditioning unit if placed on the side, it still cannot go into the setback.

Commissioner Landsman explained the difference to Mayor Danzinger.

Commissioner Meischeid asked Town Planner Keller if he sees any problem with a generator on the roof top.

Town Planner Keller stated he does not see a problem with a generator on the rooftop and it will have to be placed in the middle.

Town Attorney Recio clarified that the code requires it to be on the ground. He stated they can and modify the language to add the generator and come back with it at second reading or bring a new ordinance to add the generator.

Commissioner Landsman stated that he prefers to continue with this one as written and bring back a new ordinance to add the generator on the roof top.

Vice Mayor Rose stated that this item was brought forward by the Planning and Zoning Board and agrees to have two separate ordinances.

A motion was made by Vice Mayor Rose to approve the ordinance as written and direct the Town Attorney to bring back a separate ordinance to include the generators, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

[Ordinance Ground and Rooftop Mechanical Equipment H30A and H30B.docx](#)

5. Resolutions and Proclamations

If the public wishes to speak on a matter on this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak prior to the approval of any resolution..

5A. Solid Waste Services Special Assessment Preliminary Rate Resolution -

Town Manager, Andrew Hyatt

Town Administration recommends that the Town Commission adopt the resolution as a matter precedent to the final assessment resolution. This resolution does not levy the assessment, but merely notices the public of the Town's intent to again assess for this service and sets the place, date, and time for the final hearing.

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

Town Manager Hyatt introduced the item.

Assistant Town Manager Greene stated that the next two items 5A (Solid Waste Services Special Assessment Preliminary Rate Resolution) and item 5B (Solid Waste Commercial Rate Adjustment) are items that go together and stated that this deals with the external auditors suggestion. He stated that this item is to increase the rate.

Vice Mayor Rose asked if the previous Commission requested an increase in rate.

Assistant Town Manager Greene stated that due to COVID, it has created the need for this increase. He stated this will be a multi year process due to the fund balance being in the negative and are confident to raise it to 4% and will come back in 2024 to increase it again.

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

A motion was made by Vice Mayor Rose at 11:53 p.m. to extend the meeting 20 minutes until 12:13 a.m., seconded by Commissioner Meisheid. The motion carried with 4-0 vote with Commissioner Velasquez absent.

[Preliminary Rate Resolution For Solid Waste Assessments 2022.DOC](#)

5B. Solid Waste Commercial Rate Adjustment - Town Manager, Andrew Hyatt

Town Administration recommends approval of the adjustments for Commercial Solid Waste rates.

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

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

Mayor Danzinger opened public comment.

The following members of the public spoke:
Horace Henderson spoke in support of the item.

Mayor Danzinger stated that he usually is not in agreement of raising rates but due to the fact the fund is in the negative and it will only be a minimal increase he will be

in support.

The motion carried with a 4-0 vote with Commissioner Velasquez absent.
[Resolution Approving and Adopting an Increase in Commercial Solid Waste Rates.doc](#)
[NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL-FY23.docx](#)

5C. Champlain Towers South Collapse Investigation - Additional Authorization to Expend - Andrew Hyatt, Town Manager

Town Administration recommends approval of the attached resolution which authorizes the expenditure of funds for KCE Engineering to perform additional services related to the of the Champlain Towers South Collapse Investigation for an additional \$850,000 for a total committed amount up to \$2,650,000.

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

Assistant Town Manager Greene introduced the item and explained the history of the cost for the investigation provided in the past. He stated that the previous Commission decided to piece meal it and gave it in chunks. He stated that this is the final authorization and Mr. Kilsheimer stated that this is a 95% certainty that this will be the last request for additional funding. He spoke regarding the Town's share of the joint investigative cost that was not included in the original \$2 million cost. He stated the total to complete the investigation and the Town's portion of the joint investigative cost will be \$1,211,180.27. He stated the \$850,000 will be to KCE and \$361,180.27 will go towards the joint investigation cost.

Mayor Danzinger asked if this will be the last additional authorization to expend and how will we get the final report.

Assistant Town Manager Greene stated that Mr. Kilsheimer will be at the next meeting.

Town Attorney Recio stated that Mr. Kilsheimer is still waiting on authorization from NIST to get access to the warehouse.

Assistant Town Manager Greene requested to modify the title and body of the resolution to what Assistant Town Manager Greene stated.

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

Mayor Danzinger opened public comment.

The following members of the public spoke:

Eliana Salzhauer stated that this is important for the residents to find out what occurred and encourages the Commission to not reject this.

Jeffrey Platt asked for the Commission to discuss the beach chair next.

George Kousoulas stated that he supports this resolution.

Ben Jacobson spoke regarding the need for the Town to find out what occurred and make sure the efforts are not being duplicated.

Mayor Danzinger closed public comment.

Commissioner Landsman agrees that they need to get a report and find out what happened and we owe it to our residents.

Commissioner Meischeid is in favor of this and believes that Mr. Kilsheimer is the best person to get the results.

Vice Mayor Rose is in favor of this and would like to finish this and get a report to see what happened.

Mayor Danzinger stated that it is not duplicated efforts and spoke regarding the investigation and what Mr. Kilsheimer is able to look at and get access to. He stated that he was in agreement with Commissioner Velasquez that the money should have gone to the residents to have their own investigation and study done while leaving the Federal government to finish the investigation.

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

[Champlain Towers South Collapse Memo - CTS Supplemental service fee request.pdf](#)

[Reso Authorizing Expenditure to KCE Structural - CTS Investigation.docx](#)

5D. Authorization to Proceed with Contracting and Authorize Expenditures with Engineering Pool Firm The Corradino Group for a Town-Wide Traffic Study - Andrew Hyatt, Town Manager

Town Administration is seeking Town Commission approval to enter into a specific project agreement with The Corradino Group for traffic engineering services per negotiated proposal dated June 17, 2022 in order to provide a comprehensive Townwide traffic study to analyze current traffic concerns and explore various mitigation alternatives. The Administration is seeking approval to expend a not to exceed total of \$204,500. The project agreement is pursuant to the Continuing Services Agreement for professional engineering services entered into on February 16, 2021 by the Town and The Corradino Group procured per RFQ No. 2020-06.

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

Mayor Danzinger explained the item and provided an overview.

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

Mayor Danzinger opened public comment.

The following members of the public spoke:

Eliana Salzhauer

A motion was made by Vice Mayor Rose at 12:13 a.m. for 20 minutes until 12:33 a.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Commissioner Velasquez absent.

George Kousoulas
Marisol Krasner

Mayor Danzinger closed public comment.

Mayor Danzinger stated that the study does include walkability to help upgrade the Town.

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

[2022 Traffic Study Scope of Services](#)

[Resolution Approving Project Agreement with Corradino Group - 2022 Townwide Traffic Study.docx](#)

[Project Agreement - Corradino Group - 2022 Townwide Traffic Study.DOCX](#)

5E. FY 2022 Budget Amendment Resolution No. 7 - Andrew Hyatt, Town Manager

Town Administration recommends approval of the budget amendment.

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

Assistant Town Manager Greene introduced the item and the request to approve the resolution as amended to include the cost change in item 5C.

Town Attorney Arango clarified it will be coming out of the general fund.

Assistant Town Manager Greene clarified it will be coming out of the general fund.

Mayor Danzinger opened public comment.

There were no public speakers.

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

[FY2022 Budget Amendment No. 7.pdf](#)

[Resolution Approving Budget Amendment No 7 for FY 2022 TA v1.DOCX](#)

6. Good and Welfare

The following individuals from the public spoke:

Julio Rumbaut spoke regarding coming up with ill conceived ideas and the impression you are giving to the voters is that they are not listening to the residents or voters. He spoke regarding democracy and this Commission does not have the democratic feel it should

have.

Jeffrey Platt spoke regarding statements made by the Commission regarding documents stating that statements were lies.

Caridad Izquierdo spoke regarding what has been stated by the Commission and the concession stand was closed. She stated that the community center and concession should be inclusive and not only for the Jewish community. She spoke regarding the limited lifeguards and would encourage them to add additional lifeguard stations and lifeguards.

Robert Fisher spoke regarding infrastructure and the demolition of certain trees. He spoke regarding cement trucks going by his house. He spoke regarding security at schools with intruders.

Eliana Salzhauer stated that when items are not put on the agenda and are walked on it is not the right thing to do. She spoke about how special this community was when she moved in and how much it has changed since then and that Surfside is dying slowly with everything that's going on.

Jordan Wachtel brought attention to the security and the light on Collins and 93rd is too short and the light should be longer to allow people to cross. He spoke regarding Harding and 93rd and 94th, the kids are pretty much on the street crossing. He appreciates the Commission and do not take it personal when they get attacked. He was insulted by a previous Commissioner from being attacked and thanked them for having a calm meeting.

Victor May spoke regarding 96th Street Park and it is important for this park to get constructed. He spoke regarding undergrounding. He spoke regarding solar panel installation and the water rates are too high.

Horace Henderson spoke regarding the pedestrian walkway on 93rd Street and need to be changed to allow people to cross the street. He stated that decorum is not suppression.

Joel Thieme spoke regarding the new hotel coming to Town and his concern is that the developer is from New York City and they have a terrible reputation and there was an attorney general opinion that did not allow them to build for several years in New York. He asked for the Commission to keep an eye out on this developer.

Mandyf Davonpour thanked the Commission for keeping decorum and would like to get through the items. She spoke regarding safety and homelessness. She spoke regarding the street ends on 94th Street and would like more police cars there due to suspicious activity. She spoke regarding the many racoons in Town and maybe have a relocation program. She spoke regarding walkability.

Gerardo Vildostegui asked the Commission to not let go of the irregular things that took place in the past. He spoke about discrimination in Town.

Eli Ginsburg spoke regarding inclusion and read a comment made by someone in the public criticizing him. He stated that orthodox Jews are under attack in Surfside.

George Kousoulas spoke regarding the brochure. He stated that this commission is a republic form of government, they legislate and make laws. He stated that most of what they hear is preference. He spoke regarding the commission being bullied for doing their job. He stated some are being misled because some individuals have a hidden agenda.

Clara Diaz Leal spoke about respect among all of them and they want the same things like walkability.

Mayor Danzinger closed good and welfare.

Commissioner Landsman responded to the comments made by the residents. He stated that they do listen. He stated that 96th Street Park will break ground this fall. He stated that they are putting the time and effort to take care of issues in the Town. He addressed the comments made by Ms. Diaz-Leal and each one of them have their own opinions and are respectful and thoughtful in their discussions.

Commissioner Meisheid responded to the comments made by the speakers. She discussed that they are working on the walkability project and the time on the lights for crossing the streets.

Vice Mayor Rose clarified that they never discussed a garage, but the Bal Harbor garage being built. He spoke regarding the parks. He addressed the different comments made. He stated that the Commission and himself support their Town Attorney and a former Commissioner who is here has been trying to get rid of the Town Attorney because they are not obtaining the result they want. He spoke regarding the misrepresentation of information being brought up by a former Commissioner because she wants to recall them. He spoke regarding inclusiveness in the Town.

Mayor Danzinger spoke regarding misinformation that is being placed on NextDoor and Facebook. He stated that to avoid any sunshine law violations, they are not allowed to go on NextDoor or Facebook and address the misinformation comments being posted. He spoke regarding lifeguard stands. He addressed the other comments made by the residents. He stated that they stand with their Town Attorney and their firm.

7. Town Manager and Town Attorney Reports

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

Town Manager Hyatt provided an update on his Town Manager's report to include the upcoming projects. He wanted to show appreciation to the Parks and Recreation Department staff since this month is Parks and Recreation month.

Mayor Danzinger asked for an update on DVAC.

Town Manager Hyatt stated that he met with Commissioner Meisheid and some of the staff members to see how to proceed.

Commissioner Meisheid stated that they met and scheduled dates to follow up.

Mayor Danzinger spoke regarding signage and dogs on the beach.

Commissioner Meischeid asked if there will be a fine.

Town Manager Hyatt stated that there will be a fine.

Town Manager Hyatt stated that they ordered some signs and will do another education program.

[2022-07 July Town Manager's Report.pdf](#)

7B. Town Attorney Report - Lillian M. Arango, Town Attorney

Town Attorney Arango provided an update on her Town Attorney's report. She spoke regarding the number of resolutions and ordinances. She spoke regarding the Shannon Gallagher appeal and the information. She stated that the developer and Town filed objections to the petition.

Mayor Danzinger asked regarding the FAA lawsuit.

Town Attorney Arango stated that they have not received any information from the Court and she will keep them informed.

Mayor Danzinger asked regarding the beach chair litigation and the Solimar lawsuit.

Town Attorney Arango addressed the comments made by Mayor Danzinger on the litigations.

Town Manager Hyatt wanted to clarify that DVAC did not meet but only staff members.

[3L13059-Town Attorney Report July 12, 2022.DOCX](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

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

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

Public Works Director Gomez introduced the item and provided an overview.

Vice Mayor Rose stated that they will have special meetings to continue the discussion items during that meeting at 5:00 p.m. He stated he would like to move the rest of the discussion items to the next meeting.

Mayor Danzinger stated that items 9A, 9B, 9E, 9F, and 9G of the discussions items to be moved to the next meeting.

Item to continue to be discussed at the August 9, 2022 Town Commission Meeting.

9B. Turtle Friendly Lighting on the Beach Walking Path within Dune Limits and Reviewed Options for Implementation - Andrew Hyatt, Town Manager

Town administration is seeking Town commission discussion regarding the current pilot program implementation and for Town commission to provide recommendation on how to proceed.

Item to continue to be discussed at the August 9, 2022 Town Commission Meeting.
[Turtle Friendly Lighting on Walking Path Pictures](#)

9C. Month of June to be Declared Pride Month - Vice-Mayor Rose

To Pass a resolution for the Town of Surfside to declare the month of June Pride Month and to have the flag fly for the month of June moving forward in the town of Surfside

Vice Mayor Rose presented the item and stated that the pride flag flew for the first time last year. He stated the importance of having a flag policy and he would like to acknowledge that June is pride month. He would like to have the Commission pass a resolution to honor Pride month and to fly the Pride flag during Pride month for 14 days out of the month in June over the turtle walk.

A motion was made by Vice Mayor Rose to direct the Town Attorney to do a resolution for the month of June for Pride Month, seconded by Commissioner Meischeid.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

Gerardo Vildostegui spoke regarding honoring pride month and this is the only resolution they needed to raise the flag.

Eliana Salzhauer stated she supports the resolution for pride month.

Joel Thieme spoke regarding pride month and the importance of inclusion.

Clara Diaz Leal spoke in support of this resolution

Yael Baesh spoke against the resolution and it is an expression of sexuality and it is not right.

Mandyf Davoudpour stated that they have been speaking about this for over 2 hours and suggested to do something for the whole year as showing we are one Surfside.

Marisol Krasdin spoke in support of the resolution.

Madeline Noble spoke in support of the resolution.

Eli Ginsburg stated tonight is the Hebrew anniversary of the CTS collapse and stated if they are going to designate a month for the victims and families of CTS collapse and those heroes and first responders. He would like to have the entire month of June for Surfside first responder hero month.

George Kousoulas stated that the recognition is needed and stated that the Commission speaks through this resolution and the importance of this resolution.

Mayor Danzinger closed public comment.

Vice Mayor Rose thanked everyone for their comments. He stated that this

Commission does listen but does not agree with everyone but does not mean they do not listen. He stated this is to celebrate Pride Month.

Commissioner Landsman asked if the flag can be brought up at the next meeting. He stated he would like to bring the flag into the equation and it is an important issue. He agrees to bring a resolution declaring June Pride Month.

Commissioner Meischeid also supports June to be Pride Month.

Mayor Danzinger stated that a request was made by a resident to fly a flag. He stated that at the June commission meeting he moved forward with a resolution for those first responders that worked at the CTS collapse and wanted that resolution to be the only one.

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

9D. Town Policy on Flying Flags - Andrew Hyatt, Town Manager

Town Administration and Town Attorney are seeking guidance on a Town policy on flying flags.

Town Attorney Arango read the memorandum in the item into the record. She spoke regarding the options stated in the memorandum. She stated that it would be helpful to have a written policy. She reiterated the options in the memorandum.

Mayor Danzinger opened the floor to public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke about the importance of this issue and frustrated this is on the agenda.

Gerardo Vildostegui spoke regarding the misunderstanding of the issue and there is no reason why there should be a policy.

Brian Bey spoke regarding inclusion and allowing the pride flag to be flown.

Eli Ginsburg stated that it had never been flown except last year. He stated that the only time it was flown was last year. He stated what is the limit with whichever option is chosen. He stated at what point does this government body stop flying different flags and spoke regarding the different flags.

Mandyf Davoudpour stated this is not about the flag. She stated she does not want to waist time and it is a decision that should be made by the Commission. She stated that the only flag that should be at any public government building should be the US flag. She stated that anyone can fly whatever flag they want on their own private property. She stated that the Town Attorney is amazing and there is no need of disruption.

Yael Bresh stated that the LGBTQ flag should not be flown because it totally opposes the Judea and the bible and it contradicts what is religious and values. She stated that the values of the LGBTQ is only to promote sexuality.

Chana Danzinger stated that it is not about anti pride, it is about choosing an option. She stated that if it is about flying a flag, she read all the flags per month that should be flown.

Ben Jacobson spoke regarding inclusion that everyone speaks about and the anti

hate item that was on a prior commission meeting with the prior commission. He spoke regarding the history of the American flag and that is the flag that needs to be flown.

Ryan Mermer spoke regarding the American flag being the sign of unity and thought. Jeffrey Platt stated that what was said is the most bigot statements by the orthodox community but to bring that into a government meeting is wrong.

Rabbi Menachan Kaul refuted the statement made by Mr. Platt stating that the orthodox community has an issue with gay people and what they are stating is that the Jewish and Christian bible is garbage. He stated that everyone has the right to their opinions. He stated that the religious families have the right what messaging their children are open to.

Jordan Wachtel rebuffed with what was stated. He stated that he has an uncle and brother who are orthodox Jewish and gay and believes that flying any other flag opens up the door to other flags being flown. He spoke about past actions by the prior commission.

Mayor Danzinger closed public comment.

Commissioner Landsman stated that this item is about a flag policy in the Town. He stated that this was not discussed in May and spoke regarding last year being the first year and it was a Town Manager action by a request by the previous Vice Mayor. He appreciates the comments on both sides. He stated the community is very diverse. He spoke regarding the options and he will support option 1 and asked Town Attorney Arango for a mechanism on how to address the requests coming in from the community.

Commissioner Meischeid stated she also did some research and what the neighboring communities do. She is in agreement with Commissioner Landsman in staying with the three government flags.

Vice Mayor Rose stated that personally he is supportive of the pride flag but they need to set policies and not act out of emotion and making statements to make the Mayor look bad. He stated that he would like to see an outlet where there would be 200-300 signatures of residents that can be verified, they could then fly certain flags, it would come to the Commission to fly the flag. He stated it is unfortunate it got to this. He stated that a former commissioner had two years to set a policy.

Commissioner Landsman clarified with the Town Attorney that option 1 gives them the ability to fly other flags.

Town Attorney Arango stated that option 1 gives the government the option to fly the flag that is a government flag and it is on a case by case.

Commissioner Landsman stated that is why option 1 gives them the opportunity to fly the pride flag in June and for the Commission to have the control.

Town Attorney Arango stated that it would be up to the elected body to determine. She went over the options again and what the difference between them are.

Commissioner Meischeid stated if she only wants the 3 government flags would it be

option 1.

Town Attorney Arango stated that would be option 1 and you can limit it to the three flags or you can choose which flags you choose to allow to fly. She stated that option 2 is not government speech but private expression on the flag pole and option 3 is open to any expression.

Mayor Danzinger stated that they were approached by one resident and were given three options and reiterated the options. He provided an email from a reporter regarding requests from offensive organizations. He stated there is a movement that are looking for chaos and that is why they have requested to come up with a policy and that is why this has been brought up. He spoke regarding a letter he received from a Cuban resistance and it becomes tricky when you are in government without offending you residents. He stated to leave the government flag poles the way they have been for decades.

Commissioner Landsman asked if they choose option 1 they can limit it to a specific flags.

Mayor Danzinger spoke regarding bringing a resolution and they can stand behind an item. He stated that in June he opened up the meeting recognizing Pride Month and Juneteenth. He would like to leave it for government flags.

A motion was made by Commissioner Meischeid to keep the government flags on the poles, seconded by Mayor Danzinger. The motion tied with a 2-2 vote and motion fails.

Mayor Danzinger asked if the flags are to be flown at the Community Center of Town Hall.

Vice Mayor Rose stated in the Community Center and would like to have a policy.

Commissioner Landsman asked if they have to determine which flag pole.

Town Attorney Arango stated that they can choose which flag pole and spoke regarding the petition process.

A motion was made by Commissioner Landsman to go with option 1 with a mechanism as written to allow that they will need 300 signatures for other flags as government speech to be approved by the Commission on a case by case basis on the flag pole at the Community Center, seconded by Vice Mayor Rose. The motion tied with a 2-2 vote and motion fails.

Mayor Danzinger stated that he is open to other flag poles in Town that can be used.

A motion was made by Vice Mayor Rose for flying the flags or banners on the lamp posts on government property on the Turtle walk with a 300 verifiable signatures with the Commission approval and the cost will be up to the applicant to pay for those signatures to be verified, seconded by Commissioner Landsman. The motion tied with a 2-2 vote and motion fails.

Vice Mayor Rose stated that is why it is important for all Commissioners to show up to the meetings.

9E. Upgrade to Surfside Street Signs - Shlomo Danzinger, Mayor

To direct the town manager to report back at the August meeting with options and costs for upgrading the street signs throughout Surfside.

Item to continue to be discussed at the August 9, 2022 Town Commission Meeting.
[Surfside Street Sign Upgrade.pdf](#)

9F. Discussion to Hold a Public Forum Regarding the New Laws Affecting Condominiums and HOA's. - Commissioner Marianne Meisheid

Direct Town Administration to coordinate and host a Town Hall discussion forum to educate and discuss the new laws pertaining to Condominium and HOA's.

This forum will be for the members of the community, elected officials, and legislators.

Item to continue to be discussed at the August 9, 2022 Town Commission Meeting.
[City of Aventura.PNG](#)

Beach Chairs

Item to continue to be discussed at the August 9, 2022 Town Commission Meeting.

10. Adjournment


A motion was made by Vice Mayor Rose to adjourn the meeting at 12:34 a.m., seconded by Commissioner Meisheid.

Accepted this 9th day of August, 2022.



Shlomo Danzinger, Mayor

Attest:



Sandra N. McCready
Town Clerk