



**Town of Surfside  
Town Commission Workshop  
MINUTES  
November 15, 2022  
9:30 AM  
Manny Crawford Conference Room**

**1. Opening**

Mayor Danzinger called the meeting to order at 9:30 am.

**1.A Roll Call of Members**

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

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

Absent: Commissioner Marianne Meisheid, Commissioner Nelly Velasquez

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

**1.B Call to Order**

**1.C Pledge of Allegiance**

No pledge of allegiance was conducted.

**2. Mayor, Commission and Staff Communication**

**2.A Mayor and Commission Roundtable Discussion**

Mayor Danzinger stated that this meeting is to be able to have communication among the Commission members due to Sunshine. He stated that this meeting is to be able to get things taken care of. He stated that he would have liked for Commissioner Velasquez to have been present in order to address some things.

Mayor Danzinger stated this is a more informal meeting and offers the ability for the Commission to speak about issues or things they would like to discuss without violating sunshine.

Commissioner Landsman stated that he spoke with the Town Attorney regarding what they are allowed to discuss today and thanked the Mayor for putting this

together. He stated that he is disappointed that two of the members are not present but Commissioner Meischeid just arrived.

Commissioner Meischeid arrived at 9:32 a.m.

Commissioner Landsman stated that he is disappointed that Commissioner Velasquez is not with them and obviously other things are a priority for her and obviously the Town is not. He spoke regarding making improvements to the Town and get things accomplished. He stated that they have committed an amount of funds to accomplish this and to make sure they keep funds in the reserves. He spoke regarding possibly looking into walkability and the zoning code.

Mayor Danzinger stated that there are times they could let the agenda breathe and not add so much to the agenda and let the work be done.

Commissioner Landsman agrees that they do not need 14 hours of work every month and give the community the ability to express their thoughts.

Vice Mayor Rose stated that in the next couple of months they should have less on the agenda and more discussion items. He stated that they need to get the developers to finish their projects in order to get the tax dollars into the Town's account. He spoke regarding how to get these projects that meet code done and the tax dollars on the books. He provided examples and how to provide more services. He stated that they need the money from new projects to get the resiliency plan in motion.

Commissioner Landsman spoke regarding committing funds to different projects and they have done more than their predecessors. He stated that they need to continue getting input from the community to change and enhance things and be cautious about FY 2025.

Vice Mayor Rose spoke regarding the walkability and that project will need funds to complete it.

Commissioner Landsman spoke regarding resiliency and gave an example of what occurred with the seawall that was breached.

Vice Mayor Rose stated that there was an email received from David Jacobson stating that Commissioner Velasquez sold her house and what would be the Town's liability with her still serving as a commissioner and voting on items when she is no longer a resident.

Town Attorney Arango stated that the charter states that you must be a legal resident of the Town in order to be able to sit as a commissioner. She gave information that it is based on intention and overt action and what her home is. She stated that most residencies are challenged in court. She stated that the risk is if she is not a resident anyone could challenge her vote for lack of residency.

Vice Mayor Rose stated that if it is a 3-2 vote it could be challenged.

Commissioner Meischeid asked if this is a problem and if she uses a P.O. Box address as a residency if that counts.

Town Attorney Arango stated that you look at overt acts and her intention and it is a totality of the facts and that would be a consideration and the court would look at that.

Mayor Danzinger stated that this has been going around for months. He stated that her house was on the market and what are we doing as a Town to protect ourselves and move forward and what defines a resident and who does not. He stated that it is known that she has had her house on the market for a while and she is still putting things on the agenda.

Town Attorney Arango stated that she must be asked where she lives and what her intention is.

Mayor Danzinger stated that as a chair of this commission they must address this and they cannot be complicit and the intention was to address it now off camera but she is not here and he will have no other choice than to address it at tonight's meeting.

Town Attorney Arango stated that it is up to the Commissioner to state where her intention is to reside. She stated that there is case law regarding this and what she is stating. It is also a question of overt facts.

Vice Mayor Rose stated he does not want it to become a two hour discussion tonight.

Town Attorney Arango stated that it is a combination of the facts and her intent and she is not judge and jury and that is why these types of determination end up in court.

Commissioner Landsman stated that there is a lot of interest that they are legally compliant for the best of the community and for someone to not be part of the community and still sit as a commissioner is not correct.

Mayor Danzinger stated it has been very clear that her children are registered in another town in school and now that her house is sold it is clear.

Commissioner Landsman stated that since it is clear that she sold her house she is not a resident and someone should bring it up and ask the question.

A lengthy discussion took place regarding the residency of Commissioner Velasquez, the sale of her home, her intent and proof of residency that she continues to live in Town and the Mayor not starting the meeting without clear proof that she is a resident as well as the voting issues that it could present.

Town Clerk McCready stated they would have to get an item on the agenda for discussion purposes in order to discuss that issue.

Town Attorney Arango stated that the first thing is to ask Commissioner Velasquez if she is still a resident.

Mayor Danzinger asked the Town Attorney to please look into the possibility of the Town Commission moving forward to challenge Commissioner Velasquez' residency in court and to bring it back to them tonight. He stated that they can not be complicit and have their votes challenged.

Mayor Danzinger asked regarding the building department and most of the calls he is receiving is that the permits are getting lost or taking too long. He did say that some of the times it is that the contractor's runner who is the problem. He asked where are they with digitizing the department.

Town Manager Hyatt provided an answer and stated that they are working with the software company. He stated that they are talking about streamlining things.

Vice Mayor Rose stated that another problem is implementing this when Surfside is quiet and that is not the case and there is no good time to do that. He also stated that the last commission cut the funding of digitizing it and now they are trying to get things streamlined. He stated that he has gotten very good feedback from residents since they got the inhouse Town Planner.

Town Manager Hyatt stated that was a conversation he had with Town Planner Frankel to meet with the contractors and applicants before they submit their applications.

Vice Mayor Rose stated it gets stuck on engineering and structural and that is where it is getting lost.

Town Manager Hyatt stated that they have received a lot of work to do and they are up for the challenge and he stated that the amount of pages is because of the backup. He spoke regarding the importance of the charter review committee and the fact that they need to keep in mind what they want accomplished in Town and what changes need to be made in the Charter to accomplish those things. He stated that Commissioner Velasquez' appointment is also a concern due to her residency.

Mayor Danzinger stated that they should not be bringing in individuals that were in government before.

Commissioner Velasquez arrived at 10:08 a.m.

Town Clerk McCready stated that the applications they have received have been emailed to the Commission and if the Commission knows of anyone that is interested to serve on the Charter Review Committee to please have them send an application to the Clerk's Office.

Commissioner Landsman encouraged individuals to apply.

Discussion took place regarding the charter review committee and their qualifications as well as those that should be selected by majority vote of the commission to serve.

Mayor Danzinger stated that Commissioner Velasquez served during COVID and thanked her. He also asked Commissioner Velasquez regarding the sale of her home.

Commissioner Velasquez stated that she rented an apartment and is still a resident and she will provide the address. She will inform the clerk when the meeting is over.

Mayor Danzinger stated the implications of her votes.

Town Attorney Arango asked Commissioner Velasquez to state for the record that it is her intent that her Collins Avenue apartment is the intent of her residency.

Mayor Danzinger asked her if she wanted to discuss anything.

Commissioner Velasquez asked for a summary of what was discussed before she got there.

Commissioner Landsman asked if they could open public comment.

Commissioner Landsman spoke regarding walkability.

Town Attorney Arango stated that they could not speak outside the sunshine meeting and this is a sunshine meeting.

Mayor Danzinger reiterated this is an informal meeting to make sure they are on the same page.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

George Kousoulas stated that steady is the right answer and there is no need to fast track projects and they should take the appropriate time and review. He stated that they do have a lot on their plate. He spoke regarding the upcoming projects. He also stated that you want the right balance and perspective to review the charter for the charter review and you don't want all retreads and all out of the box.

Ben Jacobson spoke regarding the concept in Town and being a small Town like this it makes it fun. He spoke regarding the Tourist Fund and making activities for the neighbors and residents. He stated that the beach chairs will be huge and hopefully tonight they will get it done. He stated the concept is unity over division.

Discussion took place regarding the undergrounding, its cost and the residents paying for the project.

Mayor Danzinger addressed the comments provided by the public and the funding of the Tourist Board and the programs. He spoke regarding misinformation that has been provided by different groups of what is being done during the undergrounding process and what will be done. He asked if there is a precise timing for the undergrounding project.

Assistant Town Manager Greene stated that it would take approximately 16-18 months.

Gerardo Vildostegui stated that there needs to be some coherent design of the Town and some of the designs does not match the architectural styles in the Town. He stated that design number 5 which is the modern one is more compatible and white instead of black.

Vice Mayor Rose stated that he likes that design but the light points up and it is not providing light down to the ground.

Mayor Danzinger spoke regarding the design of the town and it is changing.

### **3. Adjournment**

The meeting adjourned at 10:39 a.m.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Shlomo Danzinger, Mayor

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Sandra N. McCready, MPA, MMC  
Town Clerk