



**Town of Surfside
Special Town Commission Meeting
MINUTES
March 14, 2023
5:30 PM
Commission Chambers**

1. Opening

1.A Call to Order

Mayor Danzinger called the meeting to order at 5:35 p.m.

1.B Roll Call of Members

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

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

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

1.C Pledge of Allegiance

Chief Healy provided the pledge of allegiance.

2. Mayor, Commission and Staff Communication

Mayor Danzinger reminded the public of the decorum statement and started with public comment on all items.

Mayor Danzinger opened the floor to public comments for items 2A (Public Safety in Downtown Business District and Beach), 2B (Byron Avenue Traffic Issue), 2C (Discuss Current Town Zoning and Potential Impacts of Senate Bill 102 (2023) and House Bill 627 (2023), 2D (Zoning Code Correction - Garage Conversion Criteria and 2E (Violations for Illicit Discharges and Improper Sediment and Erosion Control on Construction Sites).

The following individuals from the public spoke:

Clara Diaz-Leal spoke regarding item 2B (Byron Avenue Traffic Issue) and stated the changes are significant and should not be done in this fashion and this could be creating a bigger problem and spoke regarding past studies. She stated this would be a safety issue

to the children and families that live there.

Eliana Salzhauer spoke regarding the time limit for all items and spoke regarding item 2B (Byron Avenue Traffic Issue) and stated making the lane faster makes it more dangerous and the residents that live on Byron Avenue were not aware. She stated that they need to find solutions. She stated that item 2E (Violations for Illicit Discharges and Improper Sediment and Erosion Control on Construction Sites) is excellent and thanked Commissioner Landsman.

Marina Sarabia spoke against item 2B (Byron Avenue Traffic Issue) and opening up Byron Avenue because the traffic is getting worse. She suggested educating drivers on how to maneuver around the roundabouts.

Charles Scharf spoke regarding signs of new homes being built and signs should be placed on the property. He spoke regarding the traffic and safety issue and the speeding on Byron Avenue.

Jeff Lehman spoke against the proposed item 2B (Byron Avenue Traffic Issue) and stated that the source of the additional traffic is coming as a combination of using residential neighborhoods to get away from the traffic on Collins Avenue.

George Kousoulas stated that the threat is item 2C (Discuss Current Town Zoning and Potential Impacts of Senate Bill 102 (2023)) and thanked the Mayor and Commissioner Velasquez for placing this on the agenda. He stated this is the single most important item on the agenda.

Ben Jacobson spoke regarding the frustration with the traffic.

Jenny Chideri spoke against item 2B (Byron Avenue Traffic Issue) and the fact that they should be having sidewalks instead of bump outs. She spoke about the police officers' lights shining in her kids bedroom while they are conducting a traffic stop.

Joseph Tahami stated he has been leaving in Town for only two years but does not agree with the proposed changes under item 2B (Byron Avenue Traffic Issue).

Mayor Danzinger closed the floor to public comments.

2.A Public Safety in Downtown Business District and Beach - Mayor Shlomo Danzinger

To facilitate the recruitment of three (3) Public Safety personnel, it is recommended that the Commission approves a budget amendment and allocates funds from the Tourist Resort Fund. This will enable the Town to initiate the lengthy hiring process in a timely manner.

Public comments were heard under item 2 (Mayor, Commission and Staff Communication) for all discussion items.

Mayor Danzinger introduced the item and proposed the recruitment of three Public Safety personnel. He further recommended that the commission approves a budget amendment to allocate the appropriate funds from the Tourist Resort Fund.

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to direct the Town Administration to move forward with the recruitment of three (3) Public Safety personnel, seconded by Vice Mayor Rose.

Commissioner Landsman spoke on the item and recommended maybe that the administration should consider hiring a public service aid versus a police officer.

Commissioner Meischeid supports the item.

Commissioner Velasquez supports the idea and believes that there should be someone on Harding Avenue and the Business district in order to add an extra layer of security for residents and tourists.

Vice Mayor Rose fully support the Mayor's initiative and believes that it will be a great idea.

The motion carried with a 5-0 vote.

2.B Byron Avenue Traffic Issue - Mayor Shlomo Danzinger

For the commission to direct the Town Manager to implement the changes as proposed (in the attachment), opening up an additional lane on Byron Ave to better facilitate the current volume of traffic.

Public comments were heard under item 2 (Mayor, Commission and Staff Communication) for all discussion items.

Mayor Danzinger presented the item.

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

Mayor Danzinger spoke regarding the slide with the idea which is to open it up the entire way due to the bottleneck that is taking place at this time. He stated the idea is to allow more cars to get through without having the traffic jam. He wanted to propose something that would help alleviate the problem.

Commissioner Landsman wanted to reiterate to the public that nothing has been done behind closed doors and explained that this is their first and only chance to discuss this in public. He stated that he lives close to Byron Avenue and feels the pain as well. He stated that the Town is growing with more density as well as South Florida is growing in density, and it is not just Surfside. He appreciates the intent and idea but personally does not support this particular change at this time but could in the future. He stated that there needs to be a traffic study.

Acting Town Manager Gomez stated that the traffic study should be done in the next few months.

Commissioner Landsman would like a traffic study that includes other areas including Byron Avenue. He would also like to wait to see when the Shops of Bal

Harbour and garage open up to see what happens with traffic east to west on 96th Street.

Commissioner Meischeid would like to ask the Acting Town Manager if he could explain what the benefit of this equipment is for the Town. She asked if the equipment is to increase the flow of traffic.

Acting Town Manager Gomez stated the intent is that during peak hours there is a large amount of traffic and traffic jam on the roundabout that are also due to some bump outs. He continued explaining the queuing and how to address the excess queuing and traffic which is the intent. He stated the intent of the equipment is to increase the flow of traffic.

Commissioner Velasquez stated that Byron Avenue is a one-way traffic, and the rest of Town is a two-way traffic. She stated that they should wait for a traffic study before changing Byron Avenue. She understands the situation is because of the Bal Harbour parking lot which has created an enormous amount of trouble to Surfside and that needs to be completed and wait before changing anything on Byron Avenue. She asked why they do not propose to open Carlyle Avenue if the intent is for better flow of traffic. She stated she does not support this.

Vice Mayor Rose stated this is the first time talking about this. He is a fan of the soft gate like San Souci and does not believe that the park being closed affects this. He stated that he has spoken to residents about the amount of traffic and not being able to get out of town at 4:00 p.m. He does believe it should be part of the traffic study. He also stated that when the undergrounding takes place this is also going to need to be discussed. He appreciates and commends the mayor for bringing this forward. He believes it might be a bit premature and would like to wait for the traffic study to be done and then bring it before FDOT. He would like the walking lane and possibly a barrier to divide the driving from the walking lane.

Mayor Danzinger stated it is a conversation and is listening to the residents but there are people being affected by the traffic. He believes that they need to let the professionals to do the study and believes it can wait and be revisited at a later time.

Acting Town Manager Gomez stated that he has been provided with two takeaways and there will be community outreach to discuss any changes that would take place from the traffic study and there will be tradeoffs required as it relates to walkability as well.

A motion was made by Vice Mayor Rose to end discussion on this item, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

[byron-ave-proposal.pdf](#)

2.C Discuss Current Town Zoning and Potential Impacts of Senate Bill 102 (2023) and House Bill 627 (2023) - Commissioner Nelly Velasquez

The Town Commission to discuss potential zoning changes that will safeguard various zoning and special districts that would be impacted from Senate Bill 102 (2023) and House Bill 627 (2023).

Public comments were heard under item 2 (Mayor, Commission and Staff Communication) for all discussion items.

Commissioner Velasquez thanked Mayor Danzinger for bringing this forward. She stated she placed this on the agenda for purposes of awareness and the goal is to analyze and mitigate the impact of the proposed law for the Town.

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

Mayor Danzinger provided an overview of the proposed bill and explained what the Senate has added as amendments to the bill and it is at the appropriations committee, and they are trying to push for some changes and explained the process of this bill for approval.

Commissioner Landsman stated that this is a potential dramatic change for zoning and code for all municipalities in the State of Florida and thanked the mayor for lobbying our senators and representatives against this bill. He commented on a conversation he had with Town Attorney Recio on some language that could help the Town. He does believe they should wait until the outcome of this bill.

Commissioner Meisheid spoke regarding the bill, development on Harding Avenue and the comprehensive plan.

Mayor Danzinger addressed the comments made by Commissioner Meisheid as it pertains to the density and height as it pertains to this bill.

Commissioner Meisheid suggested the Town doing an inventory of Town land as well.

Vice Mayor Rose thanked the mayor for bringing this to our Town and this is the greatest threat that could change our Town. He stated his concern is more of the immediate threat like the Eden property.

Commissioner Velasquez spoke regarding Town owned property and about the referendum that was placed in the past protecting our land and asked the Town Attorney if that would protect the Town from this bill.

Town Attorney Arango stated that the charter amendment of 2022 states that any sale or lease of our land must comply with this charter.

A motion was made by Vice Mayor Rose to end discussion, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

2.D Zoning Code Correction - Garage Conversion Criteria - Vice Mayor Jeff Rose

The Town Commission should provide direction on the addition of window style and location criteria for a garage conversion in order to remove this item from the purview of the Planning and Zoning Board.

Public comments were heard under item 2 (Mayor, Commission and Staff Communication) for all discussion items.

Vice Mayor Rose introduced the item and stated for the record that he is a contractor.

A motion was made by Vice Mayor Rose to change garage conversion from having to go before the Planning and Zoning Board for approval to be moved to the responsibility of the Town Planner to approve, seconded by Commissioner Meisheid.

Vice Mayor Rose explained the item and the language where the level of the window replacing the garage door has to be the same level.

Acting Town Manager Gomez stated that it can be made part of the criteria of the Town Planner.

Town Planner Frankel provided a summary and stated it will have to come as a first reading ordinance and then as a second reading ordinance which will have the window consistency to the requirement.

Vice Mayor Rose amended his motion to state the following:

An amended motion was made by Vice Mayor Rose to have any garage conversion elevation shall be raised to the finished flood level of the house in accordance with the Florida Building Code and FEMA regulations and the level of the window replacing the garage door has to be the same level as the other windows on the facade, seconded by Commissioner Meisheid.

Commissioner Velasquez wanted clarification on the regulations.

Building Official McGuinness clarified the regulations on garage conversions.

The motion carried with a 5-0 vote.

[Governing Code: Sec. 90.50-Architecture and roof decks.docx](#)

2.E Violations for Illicit Discharges and Improper Sediment and Erosion Control on Construction Sites - Commissioner Fred Landsman

Seeking Town Commission consensus to task the Town Manager to bring back an ordinance for first reading that addresses civil penalties for construction sites that are illegally discharging in public storm drains and are not maintaining proper sediment and erosion control.

Public comments were heard under item 2 (Mayor, Commission and Staff Communication) for all discussion items.

Commissioner Landsman provided an overview of the item and asked for the Town Manager to bring back civil penalties to those that discharge improper sediment on construction sites.

A motion was made by Commissioner Landsman to direct the Acting Town Manager to bring back an ordinance to address civil penalties for construction sites that are illegally discharging in public storm drains and are not maintaining proper sediment and erosion control, seconded by Commissioner Meischeid.

Acting Town Manager Gomez spoke regarding the FDEP Audit.

Commissioner Velasquez thanked Commissioner Landsman and does agree that there needs to be hefty penalties to avoid this from happening again.

Vice Mayor Rose thanked Commissioner Landsman for bringing this up and agrees with this. He spoke regarding concrete trucks and if they have a photo of the truck committing the infraction and then they get fined what will be the specifics of enforcing this properly.

Acting Town Manager Gomez addressed the comment made and it is an enforceable action of damage to Town property, and this gives them the recourse to address these violations.

Town Attorney Arango stated that they need to look at their code to make sure that there is a provision that will cover the Town's damaged property.

The motion carried with a 5-0 vote.

3. Adjournment

There being no further business to discuss before the Commission, a motion was made by Vice Mayor Rose to adjourn the meeting at 6:53 p.m., seconded by Commissioner Landsman The motion carried with a 5-0 vote.

Respectfully submitted,

Accepted this _____ day of _____, 2023

Shlomo Danzinger, Mayor

Attest:

Sandra N. McCready, MPA, MMC
Town Clerk