



Town of Surfside
Regular Town Commission Meeting
MINUTES
March 14, 2023
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 7:13 p.m.

1B. Roll Call of Members

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

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

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

1C. Pledge of Allegiance

Chief Healy provided the pledge of allegiance.

1D. Mayor and Commission Remarks - Mayor Shlomo Danzinger

Commissioner Landsman spoke regarding the accomplishments by this Commission, and they work together to accomplish what needs to be done. He thanked the Board and Committee members for their work.

Commissioner Meisheid thanked the Parks and Recreation Department and the Tourist Board for putting on the great events. She spoke regarding the Charter Review Board moving forward and everyone was in favor of keeping the 12-story height limit.

Commissioner Velasquez thanked the residents for coming here today and today is our anniversary as an elected official.

Vice Mayor Rose thanked everyone and spoke regarding the misinformation being disseminated and addressed those comments. He spoke regarding the Burt Harris

law. He spoke regarding the success of the beach chairs. He thanked his fellow commissioners for their support, and they always held decorum.

Mayor Danzinger stated it has been one year since they have been an elected official. He stated it has been his pleasure to serve and is seeing a lot of things coming to fruition and has received a lot of positive feedback. He thanked the commission he is serving with and keeping decorum. He welcomed everyone who is watching and provided the rules of decorum. He spoke regarding how efficient the meetings in Tallahassee are run.

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

Mayor Danzinger spoke regarding the last item on the agenda which is the Town Manager Recruitment process and wanted to move item 9A (Town Manager Recruitment Process - Review of Resumes and Interview Process Steps) to be heard before item 3 (Consent Agenda).

A motion was made by Vice Mayor Rose to move item 9A (Town Manager Recruitment Process - Review of Resumes and Interview Process Steps) to be heard before item 3 (Consent Agenda), seconded by Commissioner Meishcheid. The motion carried with a 5-0 vote.

Mayor Danzinger requested an add on item which is a proclamation for Colorectal cancer.

A motion was made by Commissioner Meischeid to add a walk on item (Proclamation for Colorectal Cancer) to be heard as item 5D (Proclamation for Colorectal Cancer), seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

1F. Community Notes - Mayor Shlomo Danzinger

Mayor Danzinger spoke regarding the beach chairs and the past events and programs that were very well attended. He appreciates staff and everyone that put together these events. He spoke regarding the upcoming events.

Mayor Danzinger expressed his thoughts and appreciation for those employees that have celebrated their work anniversary and mentioned them by name.

Mayor Danzinger welcomed the newly sworn in police officer, officer Roberto Gonzalez.

Mayor Danzinger provided the Town with an overview of his trip to Tallahassee where he met with senators, representatives and committees regarding the upcoming bills. He also provided a presentation of that trip.

Mayor Danzinger stated that they are trying to put together a State of the Town Address in order to update the Town on all projects that are coming forward and the scheduled date for this would be March 26, 2023.

1G. Presentation of \$1.00 Salary to the Mayor, Vice Mayor and the Members of the Town Commission - Acting Town Manager Hector Gomez

Acting Town Manager Gomez presented the elected officials with their \$1.00 a year Salary and thanked them and commended them for their hard work.

Commissioner Landsman spoke regarding this being a voluntary position and he is blessed to serve this community.

2. Quasi-Judicial Hearings

3. Consent Agenda

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

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

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

Approved on consent.

[February 14, 2023 Special Town Commission Meeting Minutes.pdf](#)

[February 14, 2023 Regular Town Commission Meeting Minutes.pdf](#)

3B. Surplus of Two Public Works Municipal Vehicles - Acting Town Manager Hector Gomez

The Town administration is seeking approval to surplus two vehicles assigned to the Public Works Department.

Approved on consent.

[Resolution Declaring PW Dept Vehicles Surplus Property](#)

3C. Resolution Expressing Support for the victims of the Earthquakes in Turkey and Syria that took place on February 6, 2023. - Commissioner Marianne Meischeid

Approval of the Resolution.

Approved on consent.

[Resolution Supporting Earthquake Victims in Turkey and Syria.docx](#)

3D. Town Commission Chambers Audio/Video Equipment Upgrade Purchase

through Piggyback of National Contract The Interlocal Purchasing System (TIPS) - Acting Town Manager Hector Gomez

Town Administration is seeking an expenditure of \$148,137.69 for Town Commission Chambers AV Upgrade based on AVI-SPL proposal dated February 15, 2023 as found in Attachment A.

Approved on consent.

[Attachment A - "AVIS SPL TIPS Extended Pricing Discount"](#)

[Resolution Approving Purchase from AVI-SPL for Audiovisual Software Hardware.DOCX](#)

[Cover Agreement -TIPS Contract - AVI-SPL Audiovisual Software Hardware and Support Services.pdf](#)

3E. FY 2023 Budget Amendment Resolution No. 5 - Hector Gomez, Acting Town Manager

Town Administration recommends approval of this resolution.

Approved on consent.

[Resolution Approving Budget Amendment No.5](#)

[Attachment A - FY2023 Budget Amendment No. 5.pdf](#)

4. Ordinances

Second Reading

4A1. Ordinance Amending Seawall Height - Acting Town Manager Hector Gomez

Based on the reporting conducted by Nova Consulting, Town Staff recommends that:

- A minimum top of seawall elevation of 8.05 feet NGVD29 (6.5 feet NAVD88).
- A new seawall built to this height should also be structurally rated to support two (2) additional feet of height in the future (8.5 ft NAVD88) to provide an additional level of protection and extend the life of the seawall; and
- A maximum top of seawall elevation of 10 feet NGVD29 (8.5 feet NAVD88), not exceeding the Design Flood Elevation.

These requirements would be triggered when a property owner submits a permit application for a seawall improvement, any repairs or renovations that affect more than 50% of the lineal feet of the seawall, a new home or when improvements to the home exceed 50% of the existing value of the home. These recommended minimum heights conform to the current Base Flood Elevation (BFE) of 8 FT NGVD as determined by FEMA for Surfside. The maximum seawall elevation of 10 FT NGVD conforms with current Design Flood Elevation (DFE). Based on this information, Town Staff recommends that the Code language refer to the minimum required seawall height as the BFE determined by FEMA and the maximum as DFE determined by the Town, instead of simple numbers. This will allow for seawall

heights to adjust as other regulations may change.

At first reading on February 14, 2023, the Town Commission directed changes to the proposed ordinance, which changes were presented to the Planning & Zoning Board on February 23, 2023. The Planning & Zoning Board recommended approval of the Ordinance as presented. The changes between first and second reading to the Ordinance are highlighted and marked on the attached Ordinance presented for second reading.

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

Acting Town Manager Gomez introduced the item as well as the changes and additions that were made between first and second reading.

Vice Mayor Rose spoke regarding the linear feet language.

Town Attorney Recio introduced the item and addressed the language as well as the proposed language.

Commissioner Velasquez asked regarding the 50% language and the seawall.

Town Attorney Recio explained where the language would be added.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading as is with the language adding the 50% of the value of a new seawall, seconded by Commissioner Meischeid.

Mayor Danzinger opened the floor to public comment.

There were no public speakers.

Mayor Danzinger closed the floor to public comment.

The motion carried with a 5-0 vote.

[Attachment A - Zoning Code Sections on Seawall Heights.docx](#)

[Attachment B - Regional Seawall Height Comparison Report by Nova Consulting Ordinance Seawall Heights](#)

First Reading

4B1. Accessory Structures in Waterfront Lots in the H30A Zoning District - Acting Town Manager Hector Gomez

As approved at the joint meeting of the Town Commission and the Planning and Zoning Board held on January 31st, 2023, Staff recommends amending the Zoning Code to allow for limited accessory structures in the waterfront setback area in the H30A zoning district. The suggested limitations are:

- For H30A properties on Point Lake, an accessory structure may be constructed

- no closer than 10 feet from the sea wall and may include an enclosed building of up to 2% of the lot area within the setback set forth in Section 90-48.3.
- For H30A properties on any other water body, an accessory structure may be constructed no closer than 15 feet from the sea wall and may include an enclosed building of up to 200 square feet within the setback set forth in Section 90-48.3. Accessory buildings and structures shall be limited by this section and the allowable lot coverage.

This Ordinance also clarified that the two types of waterfront properties in the H30A Zoning district are properties on Point Lake and all others, including Biscayne Bay and Indian Creek.

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

Acting Town Manager Gomez introduced the item and stated that these first reading ordinances are a product from the Joint Planning and Zoning Board and Commission Meeting.

Town Planner Frankel stated this was discussed at the January 31, 2023 joint meeting and they had direction from both to bring this back to the Commission as an ordinance. She provided an explanation of the item and what this would allow in the code.

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

Mayor Danzinger passed the gavel and left the dais at 8:08 p.m.

Vice Mayor Rose opened the floor to public comment.

The following individuals from the public spoke:
Eliana Salzhauer spoke against the item.
George Kousoulas spoke in favor of the item.

Mayor Danzinger came back to the dais at 8:11 p.m. and took back the gavel.

Mayor Danzinger closed the floor to public comment.

Commissioner Velasquez is not in favor of accessory structures and on the smaller lots she is not in agreement of putting it to 10 feet and cannot support this item.

Vice Mayor Rose stated that 4-5 people last year decided for the accessory structures not to be ok when it always was. He stated that this had a lot of thought put into it by the Town Planner and Town Attorneys and the distance does work. He fully supports this and retains his motion.

The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Amending 90-48.3 and 90-54.1 Accessory Structures Waterfront Lots H30A.DOCX](#)

4B2. Zoning Code Correction: Definitions of "Setback" and "Yard" - Acting Town Manager Hector Gomez

As approved at the Joint Town Commission and Planning and Zoning Board meeting on January 31st, 2023, staff recommends that the definitions of "Setback" and "Yard" in Section 90-2 ("Definitions") be amended as set forth in the attached Ordinance for first reading to clarify and reflect that the terms are synonymous and equivalent terms for the purposes of the Zoning Code and interpretation.

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

Acting Town Manager Gomez stated this is a definition correction.

Town Planner Frankel introduced the item.

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

Vice Mayor Rose asked regarding some ambiguity of frontages, public right of ways and wants to make sure it will be brought back next month.

Mayor Danzinger opened the floor to public comment.

The following individual from the public spoke:
George Kousoulas spoke in favor of the item.

Mayor Danzinger closed the floor to public comment.

The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

A motion was made by Vice Mayor Rose to come back next month with cleaning up the language regarding secondary frontages next to public rights of way, seconded by Commissioner Meishceid. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Amend 90-2 \(Defintions\) Setback and Yard.DOCX](#)

4B3. Zoning Code Correction: Deletion of references to Gross Density and Gross Lot Area. - Acting Town Manager Hector Gomez

As discussed at the January 31st, 2023, Joint meeting of the Town Commission and the Planning and Zoning Board, staff recommends deleting the term "gross" from three locations in the Zoning Code. (See Attachment A) The Town Code no longer uses "Gross Acre" or "Gross Density" for density calculations and references to the term are confusing and misleading.

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

Acting Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comment.

There were no public speakers.

Mayor Danzinger closed the floor to public comment.

Town Planner Frankel explained the language being deleted because that language is not needed and this came about from the joint meeting between the Planning and Zoning and Town Commission.

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

[Attachment A - Gross Acre in the Zoning Code Ordinance to Amend Delete reference to Gross](#)

4B4. Zoning Code Correction - Roof Deck Stairway Height - Acting Town Manager Hector Gomez

Staff recommends that roof deck stair railings be permitted to extend above the maximum roof height for the zoning district as provided in Sec. 90-44. (See Attachment A) Specifically, Sec. 90-50.2 should be amended to allow roof deck stair railings in the H30A and H30B districts to extend above the roofline in accordance with the restrictions set out in Sec. 90-44.

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

Acting Town Manager Gomez introduced the item.

Town Planner Frankel provided an overview of the item and explained the language of roof decks and stated for safety reasons they need to be in compliance with the building code.

Building Official McGuinness explained what the Florida Building Code states and a railing is needed for safety reasons.

Mayor Danzinger opened the floor to public comment.

The following individual from the public spoke:

George Kousoulas had the Town Clerk pass out a handout he provided. He stated the ordinance is incomplete and provided an explanation.

Mayor Danzinger closed the floor to public comment.

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

Vice Mayor Rose brought up the point of the Florida Building Code and the guard

rails and does not think they could add all that information at once. He stated that they still have to deal with the ambiguities in the code.

Town Attorney Recio stated what is being modified and he is hearing there is more modifications and suggested stating what other modifications they want and possibly bringing it back again for first reading.

Vice Mayor Rose stated if they bring it up as it is written you are opening yourself up to having more ambiguities and suggested bringing it back.

Town Attorney Arango stated that they have to comply with noticing requirements and the title will change and suggested bringing it back for first reading.

Commissioner Landsman stated he appreciates the input of the public and would like for the Town Attorney to review the suggestions and does believe it should be reviewed and make sure it is appropriate for the Town.

Commissioner Meisheid is not comfortable with the way it is currently written.

Commissioner Landsman stated that he is not comfortable with not having the time to review what Mr. Kousoulas provided.

Commissioner Velasquez asked for them to take the advice of the Town Attorney.

Vice Mayor Rose stated that you are still leaving ambiguities.

A motion was made by Vice Mayor Rose to withdraw the ordinance as written in item 4B4 (Zoning Code Correction-Roof Deck Stairway Height) and bring back for the April meeting with a more comprehensive ordinance addressing the ambiguities in roof top regulations, seconded by Commissioner Meisheid. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose for a 5-minute break at 9:06 p.m., seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

The meeting resumed at 9:17 p.m. with all members of the Commission and staff present.

[Roof_Stair_Stairs_Limitations in the Zoning Code Ordinance_Re_Roof_Deck_Railings.docx](#)

4B5. Obstruction of Public Right-Of-Way Prohibited

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

Acting Town Manager Gomez introduced the item and introduced the Town Attorneys.

Town Attorney Arango introduced the item as it pertained to the last meeting which directed the Town Attorney to move forward with language and stated that they met

with Professor Stephen Schnably who is the Constitutional Law Professor with the University of Miami and with the ACLU. She stated that they tried to strike a balance for both sides and explained the ordinance. She urges the Commission to reread the whereas clauses which comply with ADA compliance of the sidewalks and the right of way. She went over the text of the sections and subsections of the ordinance.

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to pass this ordinance as written, seconded by Commissioner Landsman.

Vice Mayor Rose opened the floor to public comment.

The following individuals from the public spoke:

Stephen Schnably, ACLU of Florida applauded the Commission for not moving forward with the other 3 proposals discussed at the January meeting and thanked Town Attorneys Arango and Recio for meeting with him. He still disagrees with the Town Attorney as it pertains to enforcement. He spoke regarding the lack of affordable housing and shelters in Surfside. He spoke regarding the fines for violating the ordinance.

Vicki Mallette, Miami Dade County Homeless Trust, spoke regarding the conversations she has had with the different police departments and her organization can respond to the concerns of homelessness in Surfside and they can provide relocation assistance and any holistic approach to assist them.

Gerardo Vildostegui spoke regarding civil liberties and the problem with this ordinance that can have the Town sued.

Ben Jacobson spoke regarding other cities that have become dumps and they do not want a situation in their Town like that.

Vice Mayor Rose closed the floor to public comment.

Mayor Danzinger introduced the item and has worked with the Town Attorney and with respect to the speakers they are not residents of the Town and they are worried about the security of our residents. He stated this item is not addressing homeless individuals but for residents to walk safely and our sidewalks are not wide enough. He provided examples like carriages and all this needs to be enforceable. He stated they are working with organizations that address individuals that are in need.

Commissioner Landsman stated that public safety is something that everyone is concerned about. This ordinance gives a tool to our police officers to take care of an issue if it becomes apparent and it does not say who it is addressed to nor does it speak about the housing of the individual.

Commissioner Meischeid is in agreement with this ordinance.

Commissioner Velasquez agrees with this ordinance to protect the citizens, and this is not singling out a specific group of individuals.

Town Attorney Arango stated as to any claims of violating anyone's rights, all groups will be treated the same and the police officers have body worn cameras and any

statement that this ordinance violates anyone's rights is premature. She stated that the enforcement cannot be arbitrary and must be done to all classes.

Mayor Danzinger spoke regarding the escalation of enforcement as stated in the ordinance.

The motion carried with a 5-0 vote.

[Ordinance Obstruction of Public Right of Way](#)

4B6. Ordinance - Public Urination and Defecation Prohibited - Legal Department

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

Mayor Danzinger introduced the item and he brought this ordinance due to the many complaints received and has worked with the Town Attorney to make sure that no specific party is being targeted.

Mayor Danzinger passed the gavel.

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

Vice Mayor Rose opened the floor to public comment.

The following individuals from the public spoke:

Stephen Schnably, ACLU spoke against the item regarding having a restroom close and spoke regarding selective enforcement.

Gerardo Vildostegui spoke against the item.

Vice Mayor Rose closed the floor to public comment.

Commissioner Landsman spoke regarding what process the Police Department will follow for enforcement of urination and defecation. He asked if the enforcement can only be done if seen by an officer. He stated these are rules to help the residents and tourists.

Chief Healy stated that the offence must be done in front of an officer and provided what the exception would be, which is if it is done in front of a minor child it would then become a misdemeanor and there are exposure laws.

Commissioner Velasquez asked Chief Healy if someone is video recording a minor can that person be arrested.

Chief Healy stated the exceptions.

The motion carried with a 5-0 vote.

[Ordinance Public Urination and Defecation Prohibited.doc](#)

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.

Mayor Danzinger opened the floor to public comment for all items under item 5 (Resolutions), that includes the following: Item 5A (Professional Services for Dune Resiliency and Beautification Project; 5B (Consultant for Grant and Related Contract Project Administration; 5C (Resolution Strongly Opposing a Proposal for Cashless Bail, Allowing for Criminals to be Released on Their Own Recognizance; and 5D (Proclamation - Colorectal Cancer Awareness Month).

The following individuals from the public spoke:

Gerardo Vildostegui spoke regarding item 5C (Resolution Strongly Opposing a Proposal for Cashless Bail, Allowing for Criminals to be Released on Their Own Recognizance) and he has an issue with the title and they cannot be called criminals because they have not been convicted.

Ben Jacobson spoke regarding item 5C (Resolution Strongly Opposing a Proposal for Cashless Bail, Allowing for Criminals to be Released on Their Own Recognizance) and is in support of the resolution.

Mayor Danzinger closed the floor to public comment.

5A. Professional Services for Dune Resiliency and Beautification Project - Acting Town Manager Hector Gomez

Town Administration is seeking Town Commission approval to contract with Kimley-Horn & Associates and expend up to \$111,500 per proposal dated January 24, 2023, with scope of services as found in Attachment A. Kimley Horn & Associates is a Town retained engineering firm.

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

Acting Town Manager Gomez introduced the item and spoke regarding the objective from this Commission which was making the dunes more resilient. He stated that they need a firm to help with the permitting process and that is why they need to contract with a firm.

Vice Mayor Rose asked regarding some residents speaking regarding cleanup of the dunes and asked regarding that project. He also asked if they have permission from DEP.

Acting Town Manager Gomez addressed the comments made and they do have permission.

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

[Resolution Approving Project Agreement with Kimley-Horn - Dune Resiliency](#)

[Beautification Project](#)

[Exhibit A - Kimley-Horn - Project Agreement - Dune Beautification and Resiliency Project](#)

[Scope of Services - Proposal.pdf](#)

5B. Consultant for Grant and Related Contract Project Administration - Acting Town Manager Hector Gomez

Town administration is seeking Town commission approval to expend up to \$ 75,000 for fiscal year 2023 for In Alignment Consulting services.

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

Acting Town Manager Gomez introduced the item and explained the work the firm has been doing for the Town and they have assisted the Town in obtaining numerous grants and they are now performing additional duties to include the undergrounding project.

Mayor Danzinger asked how many grants and monies they have received and saved.

Acting Town Manager Gomez responded to the question asked by the mayor.

Mayor Danzinger spoke regarding the individual the Town is using who is on top of all the grants and appropriations and the funding for the undergrounding.

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

[Resolution Approving First Amendment to In Alignment Consulting Agreement Exhibit A - First Amendment to In Alignment Agreement](#)

5C. Resolution Strongly Opposing a Proposal for Cashless Bail, Allowing for Criminals to be Released on Their Own Recognizance - Shlomo Danzinger, Mayor

For the commission to adopt the resolution opposing the recent proposal for cashless bail reform.

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

Mayor Danzinger introduced the item and explained the affects this type of legislation has caused other cities.

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

[Resolution Opposing Cashless Bail](#)

5D.) Proclamation - Colorectal Cancer Awareness Month

Mayor Danzinger introduced the item and it was former Commissioner Michael Stern and he legislates Washington for funding. He read the language of the proclamation.

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

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

Mayor Danzinger opened the floor to public comment.

The following individuals from the public spoke:

Eliana Salzhauer expressed her concern regarding not having the Charter Review Board video recorded. She spoke against the mayor's trips to Tallahassee. She spoke regarding pacing development and slow things down.

Gerardo Vildostegui loved the Surfside Under the Stars event and said what is happening is the sustained civil liberties and the email parody regarding the mayor. He spoke regarding the trip the Mayor and Ben Jacobson took to Dubai and Israel and the public records requests he has made.

Mayor Danzinger stated that if they want to discuss and talk about the Commission but do not insult the staff.

Brian Bey spoke regarding the raising of the Pride flag and if there have been dates established for that event.

George Kousoulas spoke regarding the Beach Club, and it is a big hit and what he heard is that the hours are not long enough. He spoke regarding the misinformation being put on NextDoor regarding the zoning code.

Mayor Danzinger closed the floor to public comment.

Commissioner Landsman spoke regarding the video recording of the Charter Review Board meeting and asked Acting Town Manager Gomez to stream and record those meetings. He did clarify that those meetings are being audio recorded, and he does not want there to be any more noise of inappropriate actions. He is offended that their legacy is of throwing parties and spoke regarding the work that the committees are doing. He addressed the comment regarding the pride flag and asked the Acting Town Manager to come up with a date for that event and invite the legislators from Tallahassee. He spoke regarding the design review guidelines and there is a process currently which is updating those guidelines.

Commissioner Meischeid stated that she is present at the Charter Review Board and there is audio recording, and they can obtain a copy of those recordings if they so choose to. She stated that there should be consensus by all the Commission and not only one who is

requesting something.

Commissioner Velasquez stated that in terms of the video recording of the Charter Review Board she fully supports that and if this Commission states there is transparency and they are there for their residents then they should video record that meeting. She stated that she has received emails, phone calls and text messages from residents requesting that committee meetings to be video recorded. She spoke regarding the design review guidelines and when it applies and obviously it only works when it applies to some people. She addressed and is in support of the pride flag and they do prepare an event and thank you to the entire community and they should all be inclusive.

Vice Mayor Rose stated that any recommended changes the Charter Review Committee provides to this Commission, this Commission must approve regardless if that meeting is video recorded or not. He stated that this Commission is spending the money for the residents. He addressed the comments made by Mr. Vildostegui and fully supports the Town Attorney and staff and does not appreciate his attacks on staff. He is in full support of the pride flag and event.

Mayor Danzinger addressed the comment made regarding video recording the Charter Review Committee meetings and they are a recommending committee and it must come to the Commission and then to the residents to vote on the changes. He stated all the conversations are held in the public and they cannot change anything in the charter without the voters. He stated that they are audio recorded like other committees and boards. He spoke regarding the Pride event and he stated that the speaker mentioned inclusivity and he and Commissioner Meischeid were disinvited from the pride event. He stated that all the events they do are inclusive for all groups not only to one and singling out one group.

7. Town Manager and Town Attorney Reports

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

Acting Town Manager Gomez provided the Town Manager's Report and provided an overview of the projects as well as the openings in the Building Department. He spoke regarding the FOP contract negotiations and they will be scheduling an executive session to discuss. He spoke regarding the different upcoming internal projects including the revamping of the Town's website.

Acting Town Manager Gomez addressed questions posted by members of the Town Commission regarding the 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 5-0 vote.

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

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

Town Attorney Arango provided the Town Attorney's Report as well as an update on the pending litigation. She also provided an update regarding the Shannon Gallagher v. Town of Surfside case and she failed to file a response to the Town's Petition and on April 13, 2023 there will be a hearing on the merits of the case and that hearing is not open to the public or attorneys. She spoke regarding a case update on FMIT.

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

[Town Attorney Report - March 14, 2023](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Town Manager Recruitment Process - Review of Resumes and Interview Process Steps - Acting Town Manager Hector Gomez

Item 9A (Town Manager Recruitment Process-Review of Resumes and Interview Process Steps) is being heard before item 3 (Consent Agenda).

Acting Town Manager Gomez provided an overview of the Town Manager recruitment process and the interview process steps. He stated that he has applied and will recuse himself from this process tonight and he will step out of the chambers. He introduced Human Resources Director Slate-McCloud to provide a summary of the process.

Human Resources Director Slate-McCloud spoke regarding the Town Manager search and they received a total of 141 resumes and this item involves what the next steps would be and explained those steps. She stated that the reappointment of Acting Town Manager Gomez expires on April 15, 2023 and she needs direction from the Commission. She stated the form provided to the Commission is due to her by March 31, 2023 with their top 5 candidates. She spoke regarding the interview process and she recommends them to be done in a round robin process, which will take place in one day. If there is a candidate out of state, she will need direction of how to proceed. They can either attend via zoom or have the candidate fly in at the cost of the Town or at the cost of the applicant. She stated that lastly they need to schedule interview dates and then determine how long they want the interview to take place.

Mayor Danzinger stated they have 3 items to give her direction on. He asked what they want to do with out of town candidates. He asked how many candidates they are looking at interviewing.

Commissioner Velasquez stated that last time it was 10 individuals and then they interviewed the top 5 and then they did the top 3.

Human Resources Director Slate-McCloud stated that the top 3 would be the ones that would be interviewed and then the top candidate would be the one that they

would negotiate a contract with.

Mayor Danzinger stated that the consensus of the Commission was to have the top 5 by March 31, 2023 to start scheduling the interview dates. He stated that he would like to keep candidates from South Florida and those have connections with legislators and asked how to handle out of state.

Consensus was reached to hold those out-of-town candidates via zoom.

Consensus was reached to have the live interviews as round robin process with 30 minutes for each interview and 15 minute breaks between each candidate.

Mayor Danzinger stated that all candidates must be asked the same questions.

Human Resources Director Slate-McCloud stated that they can do that and she will provide acceptable and unacceptable interview questions. She stated that they can email her the questions and she can put them together. She stated that she will schedule them for 30 minutes each with 15 minute break in between.

Mayor Danzinger spoke regarding the interview dates.

Human Resources Director Slate-McCloud suggested to schedule them after Passover and provided the possible dates of April 17, 2023, April 18, 2023, April 25, 2023, April 26, 2023 or April 27, 2023, which seem to be the most open. She elaborated on the April 18, 2023 date which is a commission date. She stated that following the interviews you can do a special meeting to have the top 3.

Mayor Danzinger stated that they could possibly do April 17, 2023.

Consensus was reached to have the interviews on April 17, 2023.

Commissioner Landsman asked if the candidate is in Florida does the candidate get milage reimbursement.

Human Resources Director Slate-McCloud stated that she will need authorization for reimbursement. She stated that they can define anyone above from Palm Beach they can attend via zoom.

Consensus was reached that each candidate's travel is at their expense.

[Attachment A - "Town Manager Recruitment Ranking Sheet to Short List"](#)

10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Commissioner Landsman to adjourn the meeting at 10:43 p.m., seconded by Vice Mayor Rose. 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