



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

**September 12, 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 7:06 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 Fred Landsman, Commissioner Marianne Meisheid and Commissioner Nelly Velasquez.

Also Present: 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 Remark - Mayor Shlomo Danzinger**

Mayor Danzinger reminded the public and fellow commissioners regarding the decorum statement. He welcomed everyone to the meeting and those watching at home. He recognized the presence of the honorary Mayor Kasriel Gewirtz.

Commissioner Landsman welcomed everyone in the chambers and those watching at home. He thanked all the members of the committees especially those of the Planning and Zoning Board, Charter Review Board and Tourist Board. He read a statement into the record. "I need to start by thanking all of the members of our various Boards and Committees. But especially to the members of the Planning & Zoning Board, Charter Review Board, and the Tourist Board. The members of our boards volunteer their time and energy to help the Town of Surfside move forward. Unfortunately, a few members of our town feel compelled to characterize these folks as corrupt or unethical unless they happen to agree with their positions. This is unacceptable and only serves as political theatre. I also want to thank all of the

members of our Town staff for their hard work across all of our departments. They are also often used as targets to further political agendas. Special thanks to our Town Manager, Town Attorneys, Town Planners, and our Chiefs of Police. On another topic, I need to call out a former Surfside elected official for his comments about the city of Hialeah. Jose can you please play the clip, thank you. (This is a terrible idea, less green. You're turning Surfside into Hialeah if you go down this road). The City of Hialeah is the sixth largest municipality in Florida, serving over 224,000 residents living in approximately 20-square miles. I call on this former elected official to publicly apologize for his disparaging remarks. We have members of our town staff that live in Hialeah, and I'm sure we all know other people living there now as well. With your blessing Mr. Mayor, I'd like to reach out to the Mayor of Hialeah to see if they would consider entering into a Sister City relationship with the Town of Surfside. I'd like to show Hialeah that Surfside respects their city and residents. Thank you.

A motion was made by Commissioner Landsman to reach out to the Mayor of Hialeah to become a Sister Cities with the City of Hialeah, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

Commissioner Meischeid spoke regarding the Planning and Zoning Board meeting of July what transpired at that meeting and they need to right this wrong.

Commissioner Velasquez welcomed all in attendance. She stated how ironic they came to speak about the City of Hialeah when the Mayor embarrassed her and made comments about her and believes that what Commissioner Landsman just did is childish and would like support for her censorship of the Mayor.

Vice Mayor Rose thanked everyone for being here and it is unfortunate that they are 8 months from election and some have already been using false accusations and information for political reasons.

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

A motion was made by Vice Mayor Rose to move item 9C (Town-Wide Stormwater Improvement Projects Update) before item 3 (Consent Agenda), seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

A motion was made by Commissioner Velasquez to walk item an item to be heard after item 1G (Citizens Presentation by David Forbes) as the new 1H (Citizens Presentation by David Rodan), seconded by Commissioner Meischeid. The motion died with a 2-3 vote with Commissioner Landsman, Vice Mayor Rose and Mayor Danzinger voting in opposition.

Mayor Danzinger asked regarding what Mr. Rodan would like to speak about and if they could merge the items.

Commissioner Velasquez stated she does not want it merged.

Commissioner Landsman stated that the presentation is having to do with the site plan of the 8777 Collins Avenue building and it could show bias due to the item

coming before them in the future. Mr. Rodan could speak during Good and Welfare and have his 3 minutes to speak.

**1F. Community Notes - Mayor Shlomo Danzinger**

Mayor Danzinger spoke regarding the beach events and contribution to safety, and they continue having great events and thanked the Tourist Board and Tourism and Communications Director. He spoke regarding the upcoming events, meetings and forum. He stated today is Women in Law Enforcement Day and recognized Detective Sergeant Marianne Cruz and Detective Diane De Leon and thanked them for their hard work. He recognized those employees that are having anniversaries.

Town Manager Gomez recognized anniversary milestones and recognized a prominent leader Police Chief Healy and his 5-year anniversary.

Police Chief Healy honored and presented the Civilian of the Month awards to Felix Alvarez, Yosvani Iglesias, Carlos Duarte, and Kenny Chaviano. He also presented Assistant Chief Marciante an award for his hard work with the new gym.

Mayor Danzinger appreciates staff and their hard work and what they have seen in the past couple of weeks is that you have commissioners knocking staff down and it is important to give respect to the hard work of staff. He would like to have everyone remember that they are up here because they were not happy with what they had before and to maintain decorum regardless if they do not agree with decisions being made. He stated many have prioritized safety, events to bring out tourists along with many of the programs the residents can enjoy. He spoke regarding Parks and Recreation programs and some of the senior programs. He recognized former Commissioner Marta Olchyk and she has agreed to be the liaison with the senior community for the senior programs in order to get some more feedback for additional programming for the seniors.

Former Commissioner Olchyk thanked the Commissioners and the Mayor for awarding her with this honor.

Mayor Danzinger thanked former Commissioner Olchyk again for all her hard work and dedication to this community.

Parks and Recreation Committee Chair Retta Logan provided an update on the Parks and Recreation Committee and the different projects.

Tourist Board Chair Eli Tourgeman provided an update on the Tourist Board activities, projects and upcoming events.

Planning and Zoning Board Chair Carolyn Baumel provided an update on the Planning and Zoning Board report of the meeting that took place. She read the following statement into the record: "Good evening Mr. Mayor, Vice-Mayor and Commissioners. This is my Planning and Zoning Board report of the meeting that took place Thursday, August 31st, 2023. We had 2 separate meetings - at 5 & 6 pm. The 5:00 meeting was a review of 3 ordinances, 2 commercial district wall signs and a roof repair. The 6:00 meeting had 3 new construction, two-story single

residences, one of which was an understory. All 3 were approved with conditions. These 3 applications 4A, 4B & 4C were discussed & reviewed after the Planning and Zoning Board voted to recommend an approval with a 4-1 vote of the 8777 Collins New, Multifamily Construction. We have sent our recommendation for approval to our Mayor and Commission. 8777 Collins was presented By Damac's Zaha Hadid's Architectural firm, along with Damac Representatives James Galvin & Attorney Graham Penn. Mr. James Galvin, the Damac representative answered several questions from Board members about the positioning of the loading, unloading and sanitation docking access. They proposed the access on 88th street and not Collins Avenue per reasons of vehicular and pedestrian safety. It was clear after questions were presented to the PZ Board members that the use of Collins Avenue as an access point for these services was not a choice. We have the understanding that Damac's representatives all have been communicating with FDOT through emails and zoom meetings since November of 2022. There were communications about 'curb cuts' and the sight triangle on Collins. The architects & design team explained how the visibility to the accessible space which is approximately 38 feet into the property — It is not seen from 88th Street. The collection areas are technologically designed as a special, non-odorous and filtered area that is only accessible when the collection vehicles come to do their job. There were public comments about the 88th street access for waste pickup services. There were 3 families in attendance who lost loved ones out of the 98 lives lost in the tragic collapse expressing concerns and questions. The 3 families expressed their emotional dissatisfaction of any vehicle entering 88th Street from Collins Avenue east to the end of the no-through street. This no-through street, 88th street, which is under the jurisdiction of the County for traffic control, is the North side of the new building. This is the proposed location for loading and sanitation services on the 88th Street side. The building cannot have access on 87th Terrace because it is a closed, pedestrian beach, walkway in the city limits of Miami Beach. The prior Mayor & Commission approved a 'Resolution' for the 88th street dedication. Let's all understand that this 'Resolution' is not an 'ordinance' nor a 'law'. This 'Resolution' was approved on January 11th, 2022. And at that time, The remainder of their in-office term was 2 months and 5 days. However, there was NO formal completed action made between the prior Town Manager, Former Mayor or Former Commissioners. So, at this point, We now are 2 years, 8 months and days ago, when the Former Mayor and Commission approved this "Resolution". The 'Resolution' states the directive to the Town Manager, to seek the request for closure. The Former Mayor and Commissioners had not involved the County nor the State of Florida to formalize any such 'Action'. What is That "Action?" That 'Action' is how could they close 88th Street to any vehicular traffic. In fact, Mr. Gomez, our Town Manager, is currently taking that action. The fact is that they did not formalize their own "Resolution." This 'Resolution', is a dedication to those lives lost and for the families. A tool to have the ability to dedicate this passage way of a no-through street. Now hear The 'Resolution' Section 2. Direction to the manager to pursue the closure of 88th street east of Collins avenue to vehicular traffic for the Purpose of providing a memorial park and pedestrian plaza honoring the victims of the Champlain Towers collapse. The Manager is hereby directed to take all steps necessary to pursue all governmental approvals necessary to permanently close that portion of 88th Street located in between Collins Avenue on the west and the public beach to the east (the "Street-end") to vehicular traffic for memorial park and pedestrian plaza honoring the victims of the Champlain Towers South collapse. The

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closure of any portion of 88th street to vehicular traffic is subject to the maintenance of emergency or governmental vehicular access and any access required to reach property north and south of the Street-ends. But we had to deal with the realities and limitations that the property inherently has which is only one access area that is 88th street. So again the PZ board approved with a 4-1 in favor and sent a 'Recommendation to Approve' to the Mayor and Commission of Surfside. A point of information: Our Planning and Zoning Board is made up of 7 members. 5 voting members and 2 alternates. All 7 can speak at any time during any meeting and if 1 voting member is missing - an alternate gets voting rights as well. At this particular meeting all 7 were in attendance. The PZ Board is comprised of Lindsey Lecour, Ruben Bravo, Jonathan Edderai, Michael Szafranski, Andy Bales, Vice-Chair David Forbes and me as the Chair. We are all Surfside residents and we all live in Surfside as our primary residence. We all Voluntarily serve on the Planning and Zoning Board after being appointed by the commission. There were 4 'Yes' votes from Ruben Bravo, Jonathan Edderai, David Forbes and me and 1 'no' from Lindsey Lecour. We had a full quorum and the 2 alternates Michael Szafranski and Andy Bales were part of the discussions but not the vote. It is a honor to serve on the Board, it is a privilege to live in this community and these friendships that have been made, make it even more special to live here. Our Planning and Zoning Board is made up of members that are experienced in real estate, real estate law, single home and commercial development, general construction and engineering. We all have our views and we don't always agree but we certainly don't go around town generating lies, talking nonsense to the press, using email lists, nor do any of us dictate, prefabricate and write questionable articles with ill intentions to be hurtful. We all get along and move on. We do not secretively meet nor do we discuss town business outside the walls of the Town Hall. That would be an illegal action if that occurred and it never has. So I defend my Board and this lovely town: Surfside once might have been referred to as a 'sleepy seaside town' But Surfside is asleep no more and like many communities in Florida, the pandemic changed things at an accelerated pace. Fortunately, now we have a Commission and a Mayor whose intentions are to do what is good for the Town. It was that one tragic night, June 24, 2021 that changed the landscape of Surfside and stole 98 beautiful lives. And now, We are now at this crossroads of life and have to deal with the future while we respect and honor the past. We have to do our best with the options that we have. We take all the lessons we have learned and forge forward with compassion, grace, dignity and respect. Mayor Danzinger thanked Chair Baumel and apologized for the emails that was sent out by a former elected officials attacking her and the Board."

**1G. Citizens Presentation by David Forbes - Vice Mayor Rose**

Mayor Danzinger opened the floor to public comments:

The following individuals from the public spoke:

Eliana Salzhauer  
Charles Burkett

Mayor Danzinger closed the floor to public comments.

Planning and Zoning Vice Chair David Forbes read the following statement into the

record. "Thank you, Mr. mayor , Vice mayor, commissioners, staff and fellow residents of Surfside. I have been on the PNZ board for the last year and a half and needed to come up here and clear things up. I have been lucky enough to serve on the PNZ board with six other dedicated members that have volunteered their time and expertise to do what we think is best for Surfside. Even when we all don't agree in our meetings you will always find a lively discussions but with nobody yelling at each other, swearing at each other, talking nasty to and about each other, and talking over each other, like you see in this commission and especially previous commissions. When I moved here, three years ago, I started coming to these meetings to see how the town was run and former mayor Burkett at the time I truly felt sorry for you, you sat up there as mayor of this town and you and were sworn at, talked down to, you were talked about under their breaths, You were ridiculed by the people in the audience, and I thought my gosh how could someone put up with this by other commissioners, I'll never forget when former commissioner Eliana flipped you off in the middle of your meeting and when former commissioner Tina would basically tell you to shut up when you were talking, and you were the mayor. At that time you took the highroad and did what you thought was best for the city, boy has times changed. Mr. Burkett I voted for you, I gave you money, I went to your fundraisers. And now you have lost your soul. You will now lie about anything and anyone to win the next election, you will lie, make up things, and align yourself with people that wouldn't know the truth, if it bit them in the tush. This brings us to today and why i am standing here, I am here to clear up lies, innuendos and political make-believe by former Mayor Burkett, former commissioners, Eliana and Tina Paul, and current commissioners, Nelly and Marianne said about myself, 2 of my fellow PNZ board members and 3 sitting councilmen that are friends of mine. During last months commission meeting three of us from the PNZ board were sitting in the audience as we normally do. myself , MRS Baumel and Mr. bravo. Since the commission meeting was a short one due to a small agenda, we invited three members of the commission that we are friends with, to join us at our usual spot, the Four Seasons hotel champagne bar which to be clear is a public venue, not a private, exclusive, club. You do not have to live there or be a member to go there. How do I know this, because sitting at the bar that same evening was commissioner Nelly and Commissioner Maryanne having their own little meeting and drinks themselves. During our separated drinks i walked over to both councilwoman and asked them to join us which they declined, we talked for 15 min and when i left i paid for there drinks. I was trying to bring the board together. Silly me. A lot has been made of the 6 of us being together but AT KNOW TIME WAS ANY CITY, COUNTY, OR STATE BUSINESS DISCUSSED. I implore everybody here in this room to go back to the recorded PNZ meeting we had last week that and listen to my three minute rant about former mayor Burkett, Elliana, Sal's hour Tina Paul, Nelly and Marianne I don't need to reiterate that whole thing again. These people don't care about you. They only only care about themselves and winning an election and will say whatever they have to do to lie and continue to lie over and over again to scare you guys in voting for them and not voting for people that actually want to do good in this town. Mr. Burkett You have become a terrible, terrible, human being, and that is really a shame, you make up things about everybody that doesn't agree with you, you align yourself with the absolute wrong people, and you do it in the name of winning an election no matter who you hurt or who you lie about along the way. It's OK to have a difference of opinion, healthy discussion is good, disagreements at not only good but healthy. I consider myself lucky to be on the PNZ board and i come into EVERY

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meeting with my mind NOT made up because someone else on the commission likes the idea. I listen to all the facts and make an intelligent decision, but that is me. Is everybody up on this commission perfect. No, but they are trying to do what's best for this town when one of them is not pointing fingers. Former Mayor I am not telling all the things you did wrong during your six years as mayor, I have an entire slideshow that I was going to show tonight and willing to give to the media proving that Mr. Burkett is an anti-Semite, a predator, a womanizer, and a sexual harasser. And also on this slideshow, shows the photos of Eliana and Nelly flipping people off when they don't get their way like school children. Going backwards in this town is the worst thing that can happen to all of us. I am not here for political gain, I am here to tell you to beware of the people that are. I know by saying all the stuff I will get another wonderful article written about me in that political website of yours were all you do is lie and make up stories to scare the hell out of the people in this room. At no time have I, my fellow PNC board members, my friends on the commission talked about any Surfside business when we socialize. My goal is never to try and scare the daylights out of everybody in this town with LIES, innuendos and B.S. Former Mayor and others its time to take the high road and stop with all the lies and nonsense. This town deserves better. Thank You."

Vice Mayor Rose thanked Planning and Zoning Board Vice Chair Forbes for his speech and asked Commissioner Meischeid that she stated in her opening statement that there were multiple members that wanted to have their vote reconsidered. He stated there are 3 board members present and if she wanted to ask these three if they are wanting to reconsider their vote.

Commissioner Meischeid stated she does not believe it is appropriate at this time.

Commissioner Landsman stated it is difficult to remain on that high road when people in this community undermine you and insult you. It is wrong to do it to Town staff and board members.

Commissioner Meischeid stated that she does not believe everyone is taking the high road and it is taking a lot of time speaking about people's behaviors.

Commissioner Velasquez stated that it is funny how they are playing political games and they are saying others are doing so from the public. She addressed the comments made by Planning and Zoning Board Chair Baumel and Planning and Zoning Board Vice Chair Forbes and it is wrong what they are doing.

## 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 Vice Mayor Rose to approve the consent agenda minus item 3H (Authorization to Execute Project Agreement with Kimley-Horn and Associates, Inc. and Expend Funds for Design and Engineering Services for the Town's Utilities Undergrounding Project) and item 3I (FY 2023 Budget Amendment Resolution No. 10), seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

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

Approved on consent.

[August 2, 2023 Special Town Commission Meeting Minutes.pdf](#)

[August 8, 2023 Regular Town Commission Meeting Minutes.pdf](#)

[August 22, 2023 Special Town Commission Meeting Minutes.pdf](#)

**3B. Board and Committee Reports/Minutes** - Sandra N. McCreedy, Town Clerk

Approved on consent.

[July 10, 2023 Tourist Board Meeting Minutes.pdf](#)

[June 12, 2023 Parks and Recreation Committee Meeting Minutes.pdf](#)

[June 29, 2023 Planning and Zoning Board Meeting Minutes.pdf](#)

**3C. Additional Fees for Owner Representation of 96th Street Park Construction** - Hector Gomez, Town Manager

Town Administration is requesting approval from Town Commission to expend a total in the amount of \$76,275 for additional fees for Owner Representation services of the 96th Street Park

Approved on consent.

[Resolution Approving Additional Services Revision to 300 Engineering for Construction Management and Owner Rep Services 96th St Park Attachment A - "300 Engineering Proposal Dated 08/28/2023"](#)

**3D. Town Employee Health Benefits Contract Renewal for FY 2024** - Hector Gomez, Town Manager

Town Administration recommends that the Town Commission adopt the attached resolution approving the group health, dental and vision with Cigna, term life and AD&D insurance, short-term disability and long-term disability with Mutual of Omaha, and the flexible spending, HRA administration, and COBRA with Ameriflex.

Approved on consent.

[Resolution Approving Employee Health Benefit Contracts and Other Insurance Benefits FY 2023 2024](#)

[Attachment A - Benefits and Premium Illustration](#)



**3E. Independent External Audit Reengagement - Hector Gomez, Town Manager**

The Administration recommends approval of the resolution that would reengage the Town's current external auditors.

Approved on consent.

[Resolution Approving Engagement of Marcum Auditors](#)

[Attachment A - Surfside Engagment Letter FY 2023 Audit Svcs](#)

**3F. Authorization to Expand on Video Surveillance and Recording Camera System for Various Intersections, Including Real-Time License Plate Reader (LPR) System - Hector Gomez, Town Manager**

Town Administration recommends approval of the expenditure of \$40,092 with Streamline for Video Surveillance and Recording Camera System for Various Intersections, Including Real-Time License Plate Reader (LPR) System.

Approved on consent.

[Resolution Approving Surveillance Camera and LPR Equipment Purchase from Streamline](#)

[Composite Exhibit A - Streamline Quote.pdf](#)

[Exhibit B - Agreement with Streamline Voice & Data for Surveillance and LPR Readers](#)

**3G. Authorization to Execute Project Agreement with Kimley-Horn and Associates, Inc. for Project Management of the Town's Utilities Undergrounding Project**

- Hector Gomez, Town Manager

Town Administration recommends that the Commission authorize the Town Manager to execute a project agreement and to expend up to \$290,700 for the purpose of engaging with Kimley-Horn and Associates, Inc. as project management firm for the undergrounding of the Town's utilities.

Approved on consent.

[Resolution Approving Project Agreement with Kimley-Horn for Program Management Services2.pdf](#)

[Attachment A - Kimley Horn Program Management Proposal](#)

[Attachment B - Project Agreement-Program Management - Utilities Undergrounding Project](#)

**3H. Authorization to Execute Project Agreement with Kimley-Horn and Associates, Inc. and Expend Funds for Design and Engineering Services for the Town's Utilities Undergrounding Project - Hector Gomez, Town Manager**

Town Administration recommends that the Town Commission authorize the Town Manager to execute a Project Agreement with Kimley-Horn and Associates, Inc. for

scope of work as outlined in Kimley-Horn and Associates, Inc. proposal dated August 18, 2023, and expend up to \$2,431,400 for scope of work outlined.

Item was pulled from consent.

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

Town Manager Gomez addressed the comments made and provided an overview of the item.

Mayor Danzinger spoke regarding the job done and would like to have them take the steps and divide the milestone and the hours and if they are falling behind to hold them accountable. He is proposing to direct the Town Manager to engage with Kimley Horn to create a project scheduled ahead of time attached to milestones and those milestones will be attached to the payouts.

Town Manager Gomez feels there is a way of doing this and to have a monthly report with the billables.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman stated that the last item and the previous one was not about developers and those comments were inaccurate.

Commissioner Velasquez stated this should have been done a long time ago as well.

Vice Mayor Rose supports this as well and asked if Town Manager Gomez would ask for the timeline and come back to the Commission.

Commissioner Velasquez stated this is another stall tactic.

Mayor Danzinger addressed the comments made by Commissioner Velasquez.

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to engage with Kimley Horn to create project schedules ahead of time and attach to milestones and those milestones will be attached to the payouts, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

[Resolution Approving Project Agreement with Kimley Horn for Design Engineering Services - Utilities Undergrounding Project.pdf](#)

[Attachment A - Kimley Horn Design Services Proposal](#)

[Attachment B - Project Agreement-Design and Engineering for Utilities Undergrounding Project](#)

**3I. FY 2023 Budget Amendment Resolution No. 10** - Hector Gomez, Town Manager

Town Administration recommends approval of Budget Amendment Resolution Number 10

Item was pulled from consent.

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

Town Manager Gomez introduced the item.

Mayor Danzinger passed the gavel.

A motion was made by Mayor Danzinger to bring this item back next month along with the contract as in item 3H (Authorization to Execute Project Agreement with Kimley-Horn and Associates, Inc. and Expend Funds for Design and Engineering Services for the Town's Utilities Undergrounding Project, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

[Resolution Approving Budget Amendment No. 10](#)  
[Attachment A - FY2023 Budget Amendment No. 10](#)

**3J. Approval and Acceptance of a State-funded Grant Agreement between the State of Florida Department of Commerce and the Town of Surfside for the Downtown Alleyway Surfside Project** - Hector Gomez, Town Manager

Town Administration recommends approval of the attached resolution.

Approved on consent.

[Reso Approving Grant with FDOC for Downtiown Alley Project](#)  
[Exhibit A - Agreement with the FDOC](#)

**4. Ordinances**

**Second Reading**

**4A1. Average Setbacks in H30A and H30B Zoning Districts** - Hector Gomez, Town Manager

Town Administration recommends consideration of this ordinance change to allow for additional options in the design of new homes and the potential for increased ground floor setbacks.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:

George Kousoulas

Mayor Danzinger closed the floor to public comments.

Discussion among the Commission took place regarding the changes between first and second reading.

Town Attorney Recio addressed the comments made by the Commission and stated nothing was taken out and it was more of formatting and stated that the three stars (\*) means that nothing has changed.

A motion was made by Commissioner Landsman to approve the ordinance on second reading, seconded by Vice Mayor Rose. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Amending 90-45 H30A H30B Average Setbacks - 2nd Reading](#)

**4A2. Smoke Shops as Conditional Use in SD-B40** - Hector Gomez, Town Manager

Town Administration recommends approval of the ordinance to grant the Town Commission the ability to review proposed "Smoke Shops" for compatibility with Town character as a conditional use in the SD-B40 district.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

There were no public comments.

Mayor Danzinger closed the floor to public comments.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Amending 90-41 to Allow CU of Smoke Shops in SD-B40 - 2nd Reading](#)

**4A3. Harding Avenue Front Yard Paving Allowance** - Hector Gomez, Town Manager

Town Administration recommends consideration of this ordinance to allow Harding Avenue homeowners in H30B district additional parking to encourage the beautification of their front yards.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:

Eliana Salzhauer

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman stated that there is a lot of concrete on Harding Avenue than in other areas so what they are achieving is reducing some of the concrete and allowing the owners of the homes redoing their front yard and having 30% permeable area.

Commissioner Meischeid is not in favor of more concrete.

Vice Mayor Rose stated that they are reducing the concrete and provided number and facts.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 3-2 vote with Commissioner Velasquez and Commissioner Meischeid voting in opposition.

[Ordinance Amending 90-61 Harding Avenue Front Yard Paving Allowance - 2nd Reading](#)

#### **4A4. Carport Allowances in H30A and H30B - Hector Gomez, Town Manager**

Town Administration recommends the consideration of this ordinance to allow additional material types for carport canopies. It is recommended that the Town Planner have the ability to refer any design review of a carport to the Planning & Zoning Board for final review and approval in the case of uncertain compatibility.

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

Town Attorney Arango stated the changes and stated that the correct ordinance is on the dais.

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
Eliana Salzhauer

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman stated this gives some creativity and options.

Commissioner Meischeid is fine with this ordinance.

Vice Mayor Rose thanked Mr. Kousoulas and the Town Attorney for bringing this up.

Mayor Danzinger reiterated that they discussed it for the first time when it comes up before them and thanked the Town Attorney for bringing it up.

A motion was made by Vice Mayor Rose to approve the corrected ordinance on second reading, seconded by Commissioner Meischeid. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

[Ordinance Carport Allowances - 2nd Reading](#)

**4A5. Recycling Ordinances Changes due to Market Conditions** - Hector Gomez, Town Manager

Town administration is seeking to update Chapter 66 - Solid Waste of the Town Code to update commercial recycling rates and make any future changes applicable through resolution as well as update recycling materials list and make any future updates applicable through resolution. Additionally, Town is seeking to make recycling mandatory for commercial and mixed-use properties.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
Eliana Salzhauer

Mayor Danzinger closed the floor to public comments.

Discussion among the commission took place regarding this item.

A motion was made by Commissioner Landsman to approve the ordinance on second reading, seconded by Commissioner Meischeid. The motion carried with a 5-0 vote.

[Ordinance Amending Sec. 66-36 Recycling Attachment A - Recyclable Items](#)

**First Reading**

**4B1. Business District Setbacks and Lot Standards to Preserve the Integrity of the SD-B40 District** - Hector Gomez, Town Manager

The Town Administration aims to protect the neighborhood serving small business and commercial character of the Town's historic SD-B40 district and ensure any residential uses in the district, enabled through the State of Florida's "Live Local Act" are appropriately developed. Therefore, the Town Administration recommends adoption of the proposed ordinance.

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

Town Manager Gomez introduced the item.

Town Attorney Recio provided an overview of the ordinance.

Mayor Danzinger explained how this ordinance came about.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

Gerardo Vildostegui

Eliana Salzhauer

George Kousoulas

Mayor Danzinger closed the floor to public comments.

A motion was made by Vice Mayor Rose to extend the meeting at 11:05 p.m. for 2 hours, seconded by Mayor Danzinger. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

Discussion took place among the Commission regarding this item and lot aggregation in that district and what is allowable.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading removing special exemption from all areas, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to end debate, seconded by Mayor Danzinger. The motion carried with a 3-2 vote with Commissioner Meisheid and Commissioner Velasquez voting in opposition.

A motion was made by Mayor Danzinger to have the Town attorney to clarify and work on alternate special exemption criteria, seconded by Vice Mayor Rose. The motion carried with a 3-2 vote with Commissioner Velasquez and Commissioner Meisheid voting in opposition.

Discussion continued among the commission regarding the item and going back to a previously voted on item.

A motion was made by Commissioner Landsman to end discussion, seconded by Vice Mayor Rose. The motion carried with a 3-2 vote with Commissioner Meisheid and Commissioner Velasquez voting in opposition.

A motion was made by Commissioner Meisheid to follow up discussion to continue the previous discussion. She rescinded her motion.

Commissioner Meisheid would like to know in the previous discussion regarding the special exemption in what form would that come back as and will it be a discussion item or another resolution.

Town Attorney Arango stated that it is to bring back the ordinance without the exemption and at second reading some information and the commission can consider information and could be considered at second reading and the Commission can do as they choose with that information.

A motion was made by Vice Mayor Rose to have a 5 minute recess at 11:38 p.m., seconded by Mayor Danzinger. The motion carried with a 5-0 vote.

Meeting resumed at 11:47 p.m.

[Ordinance To Preserve SD-B40 Neighborhood](#)

**4B2. Pension Ordinance Extending DROP Participation for Non-Union Members from 60 to 72 Months to be Consistent with FOP Benefits - Hector Gomez, Town Manager**

The Town Administration recommends approval of the proposed Ordinance.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

There were no public comments.

Mayor Danzinger closed the floor to public comments.

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

[Pension Ordinance - DROP Extension Non-Union.docx](#)

**4B3. Ordinance Amending Section 90-41 Regulated Uses - Arcades - Hector Gomez, Town Manager**

Town Administration finds that decoupling typical arcade games from liquor establishments is appropriate. This alteration to the Code may contribute to the Town's unique cultural, retail, and dining experiences, and may compliment a variety of uses that are vital to the Town's residents, economy, and tourism industry.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
Eliana Salzhauer

Mayor Danzinger closed the floor to public comments.

Commissioner Velasquez asked if alcoholic beverages and tobacco will be allowed.

Town Attorney Recio stated currently the provision requires alcohol and this provision allows to not require this establishment to serve alcohol.



Town Manager Gomez addressed the comments made by Commissioner Velasquez.

Commissioner Landsman asked if they can include in the language that this establishment cannot include alcohol.

Mayor Danzinger asked regarding what is in existence in the code and what is being created is a secondary usage.

A motion was made by Commissioner Landsman to approve the ordinance on first reading, seconded by Vice Mayor Rose. The motion carried with a 3-2 vote with Commissioner Meischeid and Commissioner Velasquez voting in opposition.

A motion was made by Commissioner Velasquez to not allow alcohol sale in this arcade establishment. The motion died for lack of a second.

[Ordinance Amending Section 90-41 Regulated Uses - Arcades](#)

## 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 comments on all resolutions under Item 5.

The following individuals from the public spoke:

Eliana Salzhauer spoke on all the items.

Gerardo Vildostegui spoke on all the items.

George Kousoulas spoke on all the items.

Ben Jacobson spoke on all the items.

Mayor Danzinger closed the floor to public comments.

### **5A. Town of Surfside Contribution Towards School Resource Officer for School Year 2023 to 2024 - Hector Gomez, Town Manager**

Town Administration recommends approval of the attached resolution which authorizes the execution of the Memorandum of Understanding funding and additional School Resource Officer for school year 2023/2024 in the amount of \$21,008.

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

Town Manager Gomez introduced the item.

Discussion among the Commission took place on this item.

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

[Reso Approving MOU for Additional School Resource Officer at Ruth K Broad School](#)

[MOU Surfside Bay Harbor Islands Bal Harbour for School Resource Officer Support](#)

**5B. Resolution Supporting the Town's Florida Department of Environmental Protection (FDEP) 2024-2025 Beaches Funding Assistance Grant Application for the Dune Restoration Project**

- Hector Gomez, Town Manager

Town Administration recommends approval of the attached resolution.

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

Town Manager Gomez introduced the item.

Discussion took place among the Commission regarding the item.

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 In Support of Grant Application FDEP Dune Restoration Project](#)

**5C. Right-of-Way Alley Maintenance Map - Hector Gomez, Town Manager**

Town Administration is seeking Town Commission approval of the Resolution accepting a Right-of-Way Maintenance Map for the Commercial Alleyway located on the 200 block from 94th Street to 96th Street within the Town of Surfside.

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

Town Manager Gomez introduced the item.

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 Maintenance Map](#)

[Attachment A - 200 Block from 96 Street to 94 Street Alleyway Right of Way Map](#)

**5D. Censure Resolution - Commissioner Nelly Velasquez**

We must pass this resolution, in its current form, or with changes recommended by any of the other elected officials, to make a clear and unambiguous commission statement that our Town rejects this mayor's very hurtful words.

Not passing this resolution sends a clear message that a majority on the commission does not believe that the mayor's comments were hurtful and harmful – and that would be wrong.

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

Commissioner Velasquez introduced the item.

Commissioner Landsman stated that everyone has an opinion and stands by his comment, and it is politically motivated and written by Mr. Burkett.

Commissioner Meisheid stated this is a serious issue and to vote against it is saying you condone his action.

Vice Mayor Rose asked if this was written by herself.

Commissioner Velasquez stated that Mr. Burkett helped her with the resolution.

Vice Mayor Rose showed pictures of who created the resolution which was Mr. Charles Burkett and she lied.

Mayor Danzinger stated that he did not lose his temper but his composure.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Meisheid. The motion failed with a 2-3 vote with Commissioner Landsman, Vice Mayor Rose and Mayor Danzinger voting in opposition.

[Resolution Censure - Shlomo Danzinger.pdf](#)

**5E. Planning & Zoning Admonishment Resolution** - Commissioner Nelly Velasquez

The Surfside Commission should stand with the families and urge the P&Z board to reconsider their vote and further, work with the developer to create a design which does not place the Trash facilities near or next to the Memorial.

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

Commissioner Velasquez introduced the item.

Commissioner Landsman stated the Planning and Zoning Board is only a recommendation Board. They only recommend to the Commission and the Commission will make a determination of the site plan application in September. He stated that he is the liaison of that board, and they made the best decision based on the information they received. He is not in agreement with any reconsideration or admonishment.

Commissioner Meisheid attended that meeting and is deeply concerned and upset.

Vice Mayor Rose also stated that Mr. Burkett was the individual who created this resolution. He stated that Mr. Burkett continues to push his political agenda. He asked Commissioner Velasquez if she will state under oath that she created the resolution.

Mayor Danzinger stated this is a political hack and circus and having Mr. Burkett make his political ploy and agenda. He explained the duties of what the Planning and

Zoning Board.

A motion was made by Commissioner Velasquez to approve the resolution and change the word "admonishment" to "reconsider", seconded by Commissioner Meischeid. The motion failed with a 2-3 vote with Commissioner Landsman, Vice Mayor Rose and Mayor Danzinger voting in opposition.

[Resolution Admonishing Planning Zoning Board Quasi-Judicial Hearing Recommendation](#)

**5F. Solid Waste Services Special Assessment Final Annual Rate Resolution - Hector Gomez, Town Manager,**

Town Administration recommends that the Town Commission adopt the resolution as the final annual assessment resolution for Solid Waste for Fiscal Year 2023/2024.

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

Town Manager Gomez introduced the item.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
Eliana Salzhauer

Mayor Danzinger closed the floor to public comments.

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

[Surfside July 11 CC - Preliminary Solid Waste Assessment](#)

[Proof of Advertisement - Solid Waste Assessment.pdf](#)

[Preliminary Rate Resolution For Solid Waste Assessments July 2023](#)

[Rate Resolution for Solid Waste Assessment September 2023](#)

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

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

Debbie Cimadevilla spoke regarding flooding and undergrounding.

Marina Sarabia spoke regarding multiple items.

Eliana Salzhauer spoke regarding the 8777 property site plan and lies from Damac representatives.

David Rodan spoke regarding the 88th street and the memorial

George Kousoulas spoke regarding the actions of the commission and agreed with what Vice Chair Forbes stated about getting along and having civil meetings.

Gerardo Vildostegui spoke regarding the memorial and false claims from James Galvin and what FDOT stated. He spoke regarding the 10% of the frontage.

Louisa Agresti spoke regarding the former Eden hotel site was sold to the company that Michael Szafranski works for and becoming a mixed used project.

Charles Burkett spoke regarding the conduct from some of the elected officials and their development friends.

Jeffrey Zomper fears for Surfside giving what just happened. He asked regarding the definition of emergencies and infrastructure.

Ruben Bravo spoke regarding flooding and undergrounding but he said it is sad what is happening here.

Ben Jacobson spoke regarding the tourists and what Commissioner Meischeid is doing trying to destroy what the Tourist Board is doing. He stated that Commissioner Velasquez spoke at the Tourist Board of last night.

Martin Langesfeld spoke regarding the reason for the collapse and what NIST told him. He spoke regarding the Planning and Zoning approval of the site plan.

Hannah Wasserman agreed with the words that David Rodan and Martin Langesfeld stated and she is requesting that the Commission represent those that died at CTS and have the memorial.

Pablo Langesfeld would like to know the status of the investigation of the collapse. He spoke regarding 88th Street and put a banner on the street saying that there will be a memorial and the closure of 88th street.

Mayor Danzinger closed the floor to public comments.

The Commission individually addressed the comments made by the public speakers.

## **7. Town Manager and Town Attorney Reports**

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

Town Manager Gomez introduced the Town Manager's Report.

A motion was made by Commissioner Landsman to approve the Town Manager's Report, seconded by Commissioner Meischeid. The motion carried with a 4-0 vote with Vice Mayor Rose absent from the dais at the time of voting.

[2023-09 September Town Manager's Report.pdf](#)

### **7B. Town Attorney's Report**

Town Attorney Arango introduced the Town Attorney's Report and provided an update on the litigation cases.

Commissioner Velasquez asked regarding the case with Barry Cohen.

Town Attorney Arango stated that is being handled with FMIT and they are the ones that provide those updates and the case is still pending.

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's Report](#)

## **8. Unfinished Business and New Business**

### **9. Mayor, Commission and Staff Communications**

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke on all items under Section 9.

Eliana Salzhauer  
Gerardo Vildostegui  
George Kousoulas

Mayor Danzinger closed the floor to public comments.

#### **9A. Outdoor Lighting in Single-Family Residential Zone** - Commissioner Marianne Meischied

Modify Section 90-62 Outdoor Lighting so that addresses the specific requirements of the single-family district. A sample is attached.

Commissioner Meischied introduced the item and presented a picture of the home in question with the lighting.

Discussion among the commission took place regarding this item and the possible homes having these types of lighting.

Vice Mayor Rose suggested removing section c from the ordinance to include old construction as well.

A motion was made by Commissioner Meischied to move forward in bringing back an ordinance for first reading to include the removal of section c "outdoor lighting higher than nine feet above grade shall be shielded or employ shielded fixtures so that light sources are not visible from adjacent properties or rights-of-way", seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to extend the meeting at 12:55 a.m. (9/13/2023) for an additional 30 minutes, seconded by Commissioner Landsman. The motion carried with a 4-0 vote with Mayor Danzinger absent from the dais at the time of voting.

[Outdoor Lighting Proposed Language.docx](#)

#### **9B. Clarify the Correct Interpretation of Sections 90-45 and 90-48.5(2)** - Commissioner Nelly Velasquez

Specifically, a 200-foot lot equals a 20-foot setback, a 150-foot lot equals 150 feet, a 100-foot, 75-foot and 50-foot lots all equal 10 feet. The Wedding cake setback has

been 10% since 2014. In the Fall of 2021, when the previous commission amended the inclined setback ordinance, it never intended to lessen the setback of the wedding cake. It intended for the setback to remain 10%.

Commissioner Velasquez introduced the item. She would like an independent review from a firm, that is not Weiss Serota, to review the interpretation.

A motion was made by Commissioner Velasquez to have an independent review from a firm, that is not Weiss Serota, to review the interpretation of this section of the code, seconded by Commissioner Meischeid.

Commissioner Landsman stated this has been discussed and explained many times and this was also brought up by the previous commission and he asked Town Attorney Recio to go to other attorney's to see if the interpretation is correct. He stated that he also knows that other attorneys have received legal opinions on this subject.

Town Attorney Recio stated that they have addressed this numerous times and they have gone into detail what the plain meaning is and under Section 90-3 of the code, it is not up to them how the zoning code is interpreted. He stated it is the Town Manager and Town Planner and they have consulted with them as well. He spoke regarding the letter of August 31, 2023.

Commissioner Velasquez asked why the letter from Mr. Keller states that information.

Town Attorney Arango asked Commissioner Velasquez what is the date of the letter from Town Planner Keller.

Commissioner Velasquez stated it was August 2021.

Town Attorney Recio addressed the comments made by Commissioner Velasquez and the ordinance changed in November 2021 after the memo from Mr. Keller, which was the old code.

After a lengthy discussion, the following was the roll call vote for the motion that was made.

The motion failed with a 2-3 vote with Commissioner Landsman, Vice Mayor Rose and Mayor Danzinger voting in opposition.

**9C. Town-Wide Stormwater Improvement Projects Update** - Hector Gomez, Town Manager

For the Town Commission to evaluate and discuss.

A motion was made to have this item heard before Item 3 (Consent Agenda).

Town Manager Gomez introduced the item and spoke regarding the original stormwater pipes in Town.

Representative from Keith Engineering provided a presentation of the project and update.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
Deborah Cimadevilla

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman stated this is an active project and provided his input.

Commissioner Velasquez stated that if it was not up for Commissioner Meisheid this would not have taken place and would like to do something about the flooding.

Vice Mayor Rose agrees that they reinvest into the Town and thanked Town Manager Gomez for his hard work and making this a Town-wide storm improvement project. He stated this will help with the flooding but there will still be water on the streets.

Mayor Danzinger provided his comments on the project.

Town Manager Gomez will move forward with the designs and requested a motion to allow to proceed with a design phase.

A motion was made by Commissioner Meisheid to move forward with the project and design phase, seconded by Vice Mayor Rose. The motion carried with a 5-0 vote.

[Attachment A - Pumps and Pumps Influence Visual](#)

#### **9D. Commissioner Residency Affidavit - Vice Mayor Jeff Rose**

First, I would like to require that any elected official that changes residency to sign a Sworn Statement of Residency. Secondly, for all elected officials currently serving on this Commission to sign an updated Sworn Statement of Residency.

Vice Mayor Rose introduced the item and would like for all elected officials currently serving to sign an affidavit, which is also what Debbie Cimadevilla stated in one of the meetings. She would encourage Commissioner Velasquez and all the elected officials to sign the affidavit.

A motion was made by Vice Mayor Rose to have all the elected officials sign the affidavit, seconded by Commissioner Landsman.

Commissioner Landsman stated none of the elected officials should have an issue signing the affidavit if they do live in Town. He asked the Town Attorney how they can determine what is a permanent residency and how to prove it.

Town Attorney Arango has answered it before, and she stated it is a two-prong test



per Florida law, and she explained what those are.

Commissioner Meisheid stated this is obviously going after Commissioner Velasquez and wants nothing to do with it.

Commissioner Velasquez stated she does not understand how many times she has to explain that she lives here.

Vice Mayor Rose stated that she should sign the affidavit and clear her name. He stated that former mayor Charles Burkett and former commissioner Eliana Salzhauer could be aiding and abetting her in committing a crime.

A motion was made by Vice Mayor Rose to extend the meeting for 20 minutes at 1:30 a.m. (9/13/2023), seconded by Landsman. The motion carried with a 3-2 vote with Commissioner Meisheid and Commissioner Velasquez voting in opposition.

Mayor Danzinger agrees with Vice Mayor Rose and this is an existing law and stated that she should sign it if in fact she lives here. He stated that it would behoove the Commissioner to sign the affidavit.

The motion carried with a 3-2 vote with Commissioner Velasquez and Commissioner Meisheid voting in opposition.

Mayor Danzinger asked Town Attorney if this is a requirement or request.

Town Attorney Arango explained how it could be done but at the end of the day you cannot compel a commissioner to sign the affidavit.

[Sworn Statement of Residency.pdf](#)

#### **9E. Citizens Presentation - Vice Mayor Jeff Rose**

I propose to only allow a maximum of one (1) Citizens Presentation per year unless you have three (3) commission sponsors.

Vice Mayor Rose introduced the item and would like to put in place a process and procedure on the citizen's presentations in order to avoid abuse of this section of the code.

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

Commissioner Landsman asked if the Town Attorneys could look at this section of the code and come back with options.

Commissioner Meisheid stated she believes this takes away freedom of speech and does not see this being a problem.

Commissioner Velasquez stated this is hindering free speech and suppress residents from speaking.

Vice Mayor Rose stated there is a problem in the code and it needs to be fixed and what could be done with the Town Attorney. He stated he still wants citizens presentation but find a mechanism that will work and not be abused.

Mayor Danzinger thanked Vice Mayor Rose for bringing this forward and spoke regarding the rules and certain restrictions and here you have someone using this tool to be used as a political statement. He suggested having 3 people to approve the citizens presentation.

Town Attorney Arango stated it is a policy direction.

Vice Mayor Rose suggested having 3 people to support the presentation.

After a lengthy discussion on this matter, the following motion was made.

A motion was made by Vice Mayor Rose to have the Town Attorney to come back with some suggestions and for a commissioner to have 1 free on a subject matter and the second subject matter would need 3 votes, seconded by Commissioner Landsman. The motion carried with a 3-2 vote with Commissioner Velasquez and Commissioner Meischeid voting in opposition.

**9F. Configuration of a Zoning District Overlay to Allow Office and Retail Uses on Select H40 Properties - Vice Mayor Jeff Rose**

That the Commission direct the Town Manager and Town Attorney to analyze the alternatives, and the impact of the Live Local Act, to prepare an ordinance allowing for the possibility of approving mixed-use that includes retail, dining, and/or office.

A motion was made by Vice Rose to pull this item from the agenda, seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

**9G. Optimizing Non-Critical Permitting Processes - Shlomo Danzinger, Mayor**

For the Commission to direct the Town to prepare a First Reading ordinance that revises the permitting process for specific permits of lower importance as agreed upon by the commission.

Mayor Danzinger introduced the item, and his recommendation is to follow the Florida Building Code and follow those fees and requirements.

A motion was made by Vice Mayor Rose to extend the meeting 5 minutes at 1:50 a.m. (9/13/2023), seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Mayor Danzinger continued introducing the item and providing samples.

A motion was made by Mayor Danzinger to raise the amount that is allowed to increase to \$500.00, education for straight change outs, remove garage sales from permitting and put it as two times per year and put out education on items and allow child operated concession stand under supervision of the school, seconded by Vice

Mayor Rose. The motion carried with a 5-0 vote.

A motion was made by Vice Mayor Rose to start the rest of the meetings starting with October 10, 2023 through March 2024 at 6:00 p.m., seconded Commissioner Landsman. The motion carried with a 5-0 vote.

#### **10. Adjournment**

There being no further business to discuss before the Commission, a motion was made by Vice Mayor Rose to adjourn the meeting at 1:55 a.m., (9/13/2023) seconded by Commissioner Landsman. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Shlomo Danzinger, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCready, MPA, MMC  
Town Clerk