



**Town of Surfside**  
**Special Town Commission Meeting**  
**MINUTES**  
**April 30, 2024**  
**8:30 PM**  
Commission Chambers

**1. Opening**

**1A. Call to Order**

Mayor Burkett called the meeting to order at 8:31 p.m.

**1B. Roll Call of Members**

Deputy Town Clerk Guevara called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Ruben A. Coto, Commissioner Gerardo Vildostegui and Commissioner Nelly Velasquez.

Also Present: Interim Town Attorney Mark Blumstein and Interim Town Manager Marisol Vargas.

**1C. Pledge of Allegiance**

Police Chief Dolce led the pledge of allegiance.

**1D. Notice of Attorney-Client Session in Accordance with Section 286.077(8), Florida Statutes**

Interim Town Attorney Blumstein introduced the item.

He requested an executive session pursuant to Section 286.011(8), Florida Statutes, to discuss the following open and pending litigation:

*Schnabel Engineering, LLC. v. KCE Structural Engineers, P.C. and Town of Surfside, Case No. CL23-7597, Henrico County Circuit Court, Virginia.*

He requested to hold this meeting prior to the Regular Town Commission meeting on May 14, 2024, at 5:00 p.m. at which time all members of the Town Commission shall

be present and this meeting will take place in the presence of a court reporter.

## **2. Resolutions**

### **2A. Approval of the Intergovernmental Agency Agreement with Miami-Dade County to Perform Traffic Engineering Functions - Mark Blumstein, interim Town Attorney**

For the Town Commission to review and approve.

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

A motion was made by Commissioner Vildostegui for discussion purpose, seconded by Commissioner Coto.

Interim Town Attorney Blumstein introduced the item and proposed some amendments to the whereas clauses in the resolution and agreement. He suggested to amend the first whereas clause from the agreement the proposed modification will read as follows: "Whereas" we would strike "pursuant to Section 2-195 and 2-196.1 of the Miami Dade County Code and propose to insert "pertain to" deleting "all" traffic control and traffic engineering services in Miami-Dade County". Inserting a comma and striking "or under the jurisdiction of the County and inserting "including the Town" and the rest of that proposed page will remain intact. He further stated that under Section 2 - Traffic Control Devices we would seek to add additional provision to include diverter, stop signs and or speed limits within the Town. Also, as a point of information the exhibits are the County's exhibits that are pre-approved, He stated that the exhibits are pre-approved by the County and if the Town does not agree or like something they will just need to seek approval from the County. As it relates to the resolution the proposed change will be on the first Whereas clause striking the word "exclusive". He stated that this type of agreement will allow the Town the autonomy to do things in the municipal streets with the exception of Collins Avenue and Harding Avenue as those are not municipal streets.

Commissioner Vildostegui spoke about the whereas clauses that the attorney made amendments to. He stated that he was told that there may be some debate about the jurisdiction of the street, if those are under the jurisdiction of the County or of the Town and he would not like to concede to the County anything that they don't have to. He proposed to insert some language in the resolution a second whereas clause to acknowledge the State law Section 316.006 (2) of the Florida Statutes and acknowledged that Florida law provides the town with some jurisdiction. Also, on page 8 of the agenda packet, section 2 of the proposed agreement he would like to add letter e. diverters (technical term for street closure), f. stop signs g. speed limits h. traffic calming pavements and i. Automated device/ traffic infraction detectors and he provided a few streets where he believes these may be helpful.

There was a discussion on gate arms and traffic infraction detectors.

Vice Mayor Paul agrees with the Interim Town Attorney's suggestions and Commissioner Vildostegui's comments.

Commissioner Velasquez believes that the traffic infraction detectors are a bit too much at the moment. She will not have an issue if they are placed on Harding Avenue or Collins Avenue. She suggested maybe to place cameras instead of red-light cameras that will give residents tickets when times are tough.

Mayor Burkett liked both ideas and believes that there are areas where a camera would be a great idea like 88th Street where people are constantly turning around. He further clarified that the list does not mean that the Town is going to do anything rather adding them to see if the County is open to it. He further stated that he is in agreement with the arm gate as well.

Mayor Burkett opened the floor to public comments.

The following individual from the public spoke:

Eliana Salzhauer spoke and stated that the town should have enough authority so that they can put things in our Town without having to go get approval from the County.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

A motion was made by Commissioner Vildostegui to approve the agreement and resolution with the amendments, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

[Town of Surfside Intergovernmental Agreement - Traffic Engineering Fuctions Exhibit A - Detail Sheets](#)  
[Reso - Intergovernmental Agency Agmt - April 2024.docx](#)

**2B. Resolution Ratifying the Off Street Parking Rates and Time Limitation - Mark Blumstein, Town Attorney**

For the Town Commission to ratify and adopt the attached resolution retroactive to April 15, 2024.

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

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez.

Mayor Burkett opened the floor to public comments.

The following individual from the public spoke:

Magdalena De Perez spoke regarding the handicap provision for a limitation of four hours in the State of Florida. She spoke as the wife of a handicapped person that needs extra time for everything and believes that the Town Commission should reconsider.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

Commissioner Velasquez would like to amend and allow for handicap plaques to be able to stay for four hours.

Vice Mayor Paul explained the reasoning behind this proposal.

Mayor Burkett stated that there is a severe issue and there are some members of the public that are cheating. He stated that if you are a resident, you are allowed free parking.

Interim Town Attorney Blumstein explained that this resolution is proposing to limit the time to three hours across the board for everyone.

Mayor Burkett would like to find a solution and he has spoken to the Police Chief to see if there is a way that the Police Department can verify the handicap plaques.

Commissioner Vildostegui believes that they should limit the hours for town residents as well to three hours and he is not in favor of changing the cap on the time allowed.

Magdalena De Perez understands the Town's position but would like for the Town to keep the four hours for handicap and enforce.

Vice Mayor Paul stated that she would be ok with allowing the four hours but believes that it should then be allowed for residents as well.

After some discussion the motion carried with a 5-0 vote.

[Florida Statutes 316.1964](#)

[Reso Ratify Amendment to Off Street Parking Rates and Time Limitation](#)

**2C. Approving an Agreement with The Corradino Group, Inc. for General Planning Services.** - Mark Blumstein, Interim Town Attorney

For the Town Commission to approve the attached resolution.

Deputy Town Clerk Guevara read the title of the resolution into the record.

Interim Town Attorney Blumstein introduced the item.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Vildostegui.

Vice Mayor Paul thanked the Interim Town Manager and the Interim Town Attorney for putting together a fantastic team of Planners.

Commissioner Vildostegui spoke as the liaison of the Planning and Zoning Board. He stated that he attended the meeting and introduced Ms. Hammons and believes she is a great addition to the Town as a former Surfside resident.

Commissioner Velasquez stated that they are very experienced planners and welcomed them.

Mayor Burkett asked some questions related to the rates and the minimum hour requirements.

Interim Town Attorney Blumstein stated that there are no minimum fees. He further expressed his gratitude and thanked Ms. Hammons and spoke about how the Town Planning and Zoning Board are embracing their views of the Town.

Ms. Hammons spoke and stated that on behalf of Mr. Corradino they thank the Town Commission. She stated that she will be the face of the Corradino Group for the Town of Surfside.

Mayor Burkett opened the floor to public comments.

No one wishing to speak, Mayor Burkett closed the floor to public comments.

The motion carried with a 5-0 vote.

[Reso - The Corradino Group - April 2024.docx](#)

[Exhibit A - The Corradino Group Agreement](#)

### 3. Ordinances Second Reading

#### 3A. Amending Ordinance 2024-1768 Permit Fees - Mark Blumstein, Interim Town Attorney

For the Town Commission to discuss and adopt this ordinance on second reading.

Deputy Town Clerk Guevara read the title of the ordinance into the record.

Interim Town Attorney Blumstein introduced the item. He stated that on Page 64, paragraph 6, he proposed to update the values from \$250 to \$700 and strike the word gross. Also changing the \$150 to \$300 and striking the word gross as well.

Vice Mayor Paul asked if these values are being charged.

Interim Town Attorney Blumstein stated that these are the floor values that the building official uses to calculate construction costs.

Commissioner Vildostegui believes that if there are changes that will affect single family homes, those changes should be taken under a different ordinance. He further stated that this ordinance was created for the condominiums and not for single family homes.

Mayor Burkett stated that he believes that they should extend the same courtesy extended to condo owners to the residential owners.

Commissioner Velasquez believes that this ordinance should come back as a separate ordinance.

Interim Town Attorney Blumstein explained that this language has always been there

and that the only thing he is updating are the numbers and striking through the word "gross". That this ordinance was amended under Section K to provide the suggestions from the Planning and Zoning Board.

Mayor Burkett opened the floor to public comments.

The following individual from the public spoke:

Jeff Rose spoke about the 50% rule and that it will create more new homes which he does not believe this commission wants.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

A motion was made by Vice Mayor Paul with Interim Town Attorney's recommendation to approve the ordinance on second reading, seconded by Commissioner Velasquez.

There was further discussion about the FEMA rules and the cost of construction that it is currently being utilized.

The motion carried with a 5-0 vote.

[Ordinance Amending Sec.14-29 - Permit Fees](#)

**3B. Ordinance 2024-1770 Amending Section 90-74 Temporary Signs - Mark Blumstein, Interim Town Attorney**

For the Town Commission to discuss and approve ordinance on second reading.

Deputy Town Clerk Guevara read the title of the ordinance into the record.

Interim Town Attorney Blumstein introduced the item.

A motion was made by Commissioner Velasquez to approve the ordinance on second reading with the Planning and Zoning Board's recommendation, seconded by Vice Mayor Paul.

Mayor Burkett opened the floor to public comments.

The following individuals from the public spoke:

Jeff Rose spoke against this item.

Channa Danzinger spoke against the item and stated the Town Commission is doing this just to go after one resident.

Eliana Salzhauer spoke in favor of the item and stated that the construction signs portion of the ordinance is for all construction companies and not just one.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

Commissioner Vildostegui asked the Interim Town Attorney if the proposed ordinance was modeled after another municipality.

Interim Town Attorney Blumstein responded that the ordinance was modeled after the City of Coral Gables.

The motion carried with a 5-0 vote.

[Amend Sec 90-74 - April 5 2024 amended by Planning and Zoning](#)

#### **4. Mayor, Commission and Staff Communication**

##### **4A. Community Center Concession Options - Vice Mayor Tina Paul**

For the Town Commission to decide if this service is needed or wanted by the community and issue an RFP to find a new operator or determine if there is a better way to provide a service for snacks and refreshments to Town residents and tourists.

Vice Mayor Paul introduced the item. She stated that the summer is almost here and that she would like to discuss options for the vacant concession stand at the Community Center. She would like to put an RFP out to receive proposals from interested parties. She stated that there has been mention of vending machines, but she is not really in favor of it. She would like to have someone there that cooks while you wait.

Commissioner Coto asked if there was anyone that has shown any interest.

Vice Mayor Paul stated that there is one person and that she believes she shared that email with the Interim Town Manager.

Mayor Burkett opened the floor to public comments.

The following individuals from the public spoke:

Jeffrey Platt stated that the Town should hire a restaurant manager and make it a Town function or even running it in-house. He further stated that the town currently pays about \$150,000 for the beach lounge chairs for residents only and believes that they can save a lot of money if the Town hires kids to do it.

Freddy Giron stated that the residents deserve better services than what they currently receive and it's time to step up. He believes there is a lack of management in the Community Center and believes things are not running properly.

Eliana Salzhauer believes that it should be run in-house, by teenagers and provide snacks and hot dogs. Something simple that is easy. She spoke about the previous vendors that worked in the concession stand.

Clara Diaz-Leal stated that if they have a businessperson that completes an RFP, they will expect to make money. She stated that maybe the solution is for the Town to hire and in-house employee and work the concession in-house.

Diana Gonzalez echoed the comments of Mr. Giron and she believes that something different should be done so neighbors have some variety.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

Further discussion took place regarding the different options available.

Commissioner Coto stated that everyone will see that as a business and maybe they should consider in subsidizing a portion of the cost and make it more attractive.

Commissioner Vildostegui likes the in-house idea as you are more in control of the day-to-day operations, but is open to suggestions like vending machines to supplement the services. He also spoke about the possibility of teenagers working it during the summer.

Commissioner Velasquez believes that an opportunity should be given to the resident that has shown an interest in running the concession prior to hiring a Chef. She further added that if you hire an in-house employee the town will incur pension and benefits costs. She believes that the RFP may be too formal and offered to send an email blast and have interested residents submit a proposal and give them an opportunity.

Mayor Burkett stated that the residents deserve high quality food and he does not want cold or chewy food. He is ok with subsidizing, if need be, or even providing an opportunity to interested residents.

Vice Mayor Paul stated that this may be something that the Parks and Recreation Committee can discuss.

Mayor Burkett stated that this may have to include a trial period.

A motion was made by Vice Mayor Paul to direct the Interim Town Manager to work out the details and bring back a plan for the concession stand, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

**4B. Request for Donation for Ruth K. Broad Bay Harbor Elementary School PTA - Commissioner Nelly Velasquez**

For the Town Commission to review and approve the donation to Ruth K. Broad Bay Harbor Elementary School PTA in the amount of \$3,600.

Commissioner Velasquez introduced the item.

Sol - PTA president spoke regarding the item and would like for the Town Commission to authorize the donation.

Mayor Burkett opened the floor to public comments.

No one wishing to speak, Mayor Burkett closed the floor to public comments.

Vice Mayor Paul, Commissioner Vildostegui and Commissioner Velasquez stated that they support the item.

A motion was made by Commissioner Velasquez to authorize the donation of \$3,600 to Ruth K. Broad Bay Harbor Elementary School PTA, seconded by Commissioner Coto. The motion carried with a 5-0 vote.



[Ruth K. Broad Not-For-Profit Organizations Form](#)  
[Draft Email to Community Members](#)  
[Cert of Exemption](#)  
[IRS Determination](#)  
[Tax Return 2022](#)

**4C. Request to Hire an Independent Investigator - Commissioner Nelly Velasquez**

Hire an independent IT investigator to retrieve all public records from the lost phone used by Shlomo Danzinger from March 2022 till the phone was reported lost or stolen. This information belongs to the Town of Surfside and must be retrieved.

We need the content of the text messages and any other electronic platforms in which Shlomo Danzinger conducted town business such as WhatsApp. This request is not just for call logs from the carrier but for all text messages and WhatsApp messages sent from the town owned phone. There should be an iCloud backup of the entire phone.

All records are required to be kept under FL state statute 119 and under the Miami Dade County Charter under the Citizens Bill of Rights. Public records belong to the public and are not private property to be carelessly discarded.

Commissioner Velasquez handed the item to Interim Town Attorney Blumstein who introduced the item.

Interim Town Attorney Blumstein requested the Town Commission to consider deferring this item until the May 14, 2024, Town Commission.

Mayor Burkett opened the floor to public comments.

The following individuals from the public spoke:

Eliana Salzhauer spoke about the public records portion of the loss of the device and stated that the public records belong to the public.

Channa Danzinger stated that there was a lack of information on the item and there is a lack of transparency.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

A motion was made by Commissioner Vildostegui to defer the item to May 14, 2024, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Velasquez absent from the dais.

**4D. Authorization of a Forensic Review of the Town's Information Technology (IT) Practices - Commissioner Gerardo Vildostegui**

The Commission should authorize the Interim Town Manager to hire an outside firm to review the Town's IT practices. The review would have two objectives: (1) to identify deficiencies in our current IT practices, including those that may have

contributed to recent IT failures; and (2) to recommend changes to our current practices.

Commissioner Vildostegui introduced the item and spoke about his feelings of the IT Department and how he felt with what happened on January 31st and how the audio of the candidate's forum was lost. He spoke regarding what procedures are used to back up data and what employees use town phones and why other employees did not have a town device. He would like someone from the outside to come and review the past practices and recommend future practices.

A motion was made by Vice Mayor Paul for purposes of discussion, seconded by Commissioner Velasquez.

Vice Mayor Paul is in agreement with this but believes this should be tied to contracting a new IT company.

Commissioner Vildostegui believes that the outside review should be independently from the new IT company.

Commissioner Velasquez expressed that she would not like to spend \$25,000 on this item. She suggested \$5,000 - \$10,000 or even allowing the Interim Town Manager and Interim Town Attorney to work on this matter as they have already provided some suggestions. She believes that the Commission should allow staff to bring back solutions and that the priority should be engaging with a new IT company.

Commissioner Coto asked if they can have an investigation simultaneously with engaging with a new IT company. He stated that there has been a lot of things that have come up.

Mayor Burkett stated that maybe they should focus on hiring a permanent firm first as they need to be in by June 11th. He suggested to authorize the Interim Town Manager to contract with an outside IT firm for a forensic investigation to look into the issues that the town commission has outlined and also engage a company to provide IT services to the Town. These two companies should be independent of each other.

Mayor Burkett opened the floor to public comments.

The following individual from the public spoke:

Eliana Salzhauer thanked the Town Commission for taking the time to get this investigation done.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

A motion was made by Vice Mayor Paul to authorize a forensic review of the Town's Information Technology (IT) Practices, seconded by Commissioner Coto. The motion carried with a 5-0 vote.

**4E. Town Manager Recruitment Process - Mark Blumstein, Interim Town Attorney**

For the Town Commission to discuss and decide a process for the selection of a permanent Town Manager.

Interim Town Attorney Blumstein introduced the item and introduced Human Resources Director, Yamileth Slate-McCloud in case the Town Commission has any specific questions.

Mayor Burkett invited Human Resources Director Slate-McCloud to provide a brief summary on a possible search.

Vice Mayor Paul stated that in 2020 they conducted a search and Ms. Slate McCloud did a fantastic job. She believes that Ms. Slate McCloud is very capable and believes that it will be a faster process.

Commissioner Velasquez, Vice Mayor Paul and Mayor Burkett do not agree with posting a salary range on the notice. They also would like to receive where they live, their experience and the desired salary.

Discussion took place regarding having the add go out this Friday with a closing date of May 17, 2024, and any resumes received will be delivered to the Town Commission by May 24, 2024. The Town Commission will select no more than 10 candidates and provide the list to the Human Resources Director. Interviews will be set up between June 10 and June 21, 2024, and will schedule a special meeting to select a Town Manager around June 25, 2024.

Commissioner Vildostegui stated that during the campaign a resident stated that the notice was not really posted on specific platforms.

After some discussion, Commissioner Vildostegui will provide other venues where the notice can be posted in order to cast a wider net.

Mayor Burkett opened the floor to public comments.

The following individual from the public spoke:

Eliana Salzhauer spoke and thanked Commissioner Vildostegui and believes that if you continue to do the same things, you will get the same results. She believes that the posting should be posted for longer than just two weeks.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

Commissioner Velasquez requested Ms. Slate McCloud to send an email with all the websites/organizations where the notice will be posted.

A motion was made by Vice Mayor Paul to move forward with the Town Manager recruitment process in house, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

#### **4F. Former Town Manager Hector Gomez Separation Compensation**

At the discretion of the Town Commission.

Interim Town Attorney Blumstein introduced the item.

Mayor Burkett opened the floor to public comments.

The following individuals from the public spoke:

Jeff Rose stated that they should honor the agreement that was signed.

Eliana Salzhauer stated that this is not money owed and believes that he got an easy job and got paid more than enough. She further stated that he took off without providing records that were requested by her.

Channa Danzinger stated that Mr. Hyatt received \$92,000.

Jeff Zomper stated that if he resigned, he shouldn't receive anything, but if he was told that he was going to be fired, he believes some accommodations should be considered.

Jeffrey Platt believes that if Mr. Gomez wants more money, he should request it from the previous Commission.

No one else wishing to speak, Mayor Burkett closed the floor to public comments.

Commissioner Coto stated that in the private sector when you resign you don't receive any compensation.

Commissioner Vildostegui stated that in his opinion, Mr. Gomez' resignation was completely on his own. He further spoke into the details of the employment agreement. He further stated that Mr. Gomez received his unpaid vacation time in accordance with Town policy, but that under town policy he is not entitled to unused sick time.

Vice Mayor Paul stated that she was surprised that the Town Manager resigned within their first week in office. She sees this resignation as he did not want to work with them and as a Town Manager, he left a lot to be desired. She confirmed that he received his unpaid vacation paid in accordance with town policy.

Commissioner Velasquez stated that she did not want Mr. Gomez to leave. She said that Mr. Gomez called her to tell her he was going to resign, and she told him that she was not going to tell him not to do that because that was his life. She further stated that there were a lot of lies, and things that were wrong. She agrees with the Interim Town Attorney's interpretation of the agreement. She believes that he got paid a lot more than what he deserved having zero experience as a Town Manager. She does not agree with giving Hector Gomez any further compensation.

Mayor Burkett stated that Hector Gomez is a nice guy that made awful decisions on his first 24 hours when he chopped two heads. He stated that Mr. Gomez was just a puppet, and he was misled, and everyone suffered for that.

Interim Town Attorney Blumstein requested a motion to deny Mr. Gomez' request for any unpaid sick leave or any other settlement.

A motion was made by Commissioner Velasquez to deny Mr. Gomez' request for any unpaid sick leave or any other settlement, seconded by Commissioner Vildostegui. The motion carried with a 5-0 vote.

**5. Adjournment**

There being no further business to discuss before the Commission, a motion was made by Commissioner Velasquez to adjourn the meeting at 10:59 p.m., seconded by Vice Mayor Paul. The motion carried with a 5-0 vote.

Accepted this 18<sup>th</sup> day of June 2024.

  
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Charles W. Burkett, Mayor

Attest:

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

