



**Town of Surfside
Regular Town Commission Meeting
MINUTES
March 12, 2019
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:01 p.m.

B. Roll Call of Members

Town Clerk Novoa called the roll with the following members present: Mayor Dietch, Commissioner Karukin, Commissioner Paul, Vice Mayor Gielchinsky and Commissioner Cohen.

C. Pledge of Allegiance

Police Chief Yero led the pledge of allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul wanted to wish everyone a happy Spring and acknowledge Oliver Sanchez who helped rescue a young boy that was being abducted.

Vice Mayor Gielchinsky commented on events he attended with food trucks and local restaurants. He commented on the two (2) Miami-Dade County resolutions; the Domestic Violence Board and the other one urging of the Legislature to expand the local option food and beverage tax which would now include the Town of Surfside.

Mayor Dietch read a statement regarding his experience and his service as Mayor of Surfside and comments that have been made and letters sent to residents, making false statements. He requested that his colleagues repudiate the false comments that are made by certain individuals about corruption in the Town of Surfside. He invited the public to attend the next Town Hall Meeting on March 19, 2019 at 7:00 p.m.

Commissioner Karukin agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Vice Mayor Gielchinsky also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Commissioner Cohen also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Commissioner Paul also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

E. Agenda and Order of Business Additions, deletions and linkages
Item 4.B.1 is linked to Item 9.I.

Move item 9.F. after Section. Motion made by Vice Mayor Gielchinsky, seconded by Commissioner Paul. Motion carried 5-0.

F. Community Notes – Mayor Daniel Dietch
Mayor Dietch spoke about the events taking place in Surfside with the information being available in the Town's website.

2. Quasi-Judicial Hearings

No Quasi-Judicial items

3. Consent Agenda (Set for approximately 7:30 p.m.)

Commissioner Paul stated that she had an amendment to the minutes, item 3A. She also would like to speak under item 3B Town Manager's Report, page 34 and item 3I, page 99.

Commissioner Karukin made a motion to approve the consent agenda with the condition that the Town Clerk will review the minutes and make the appropriate amendment. The motion received a second from Commissioner Cohen. The motion carried 5-0.

A. Minutes – Sandra Novoa, MMC, Town Clerk
- February 12, 2019 Regular Town Commission Meeting Minutes
Commissioner Paul requested to change the word "deal" to the word "thing" which is the word she used. This information is located on page 9 of the agenda packet.

***B. Town Manager's Report – Guillermo Olmedillo, Town Manager**
Commissioner Paul spoke about a Nextdoor post reported on page 34 of the agenda packet.

***C. Town Attorney's Report – Weiss Serota, Town Attorney**
Approved on consent.

- D. Committee Reports** – Guillermo Olmedillo, Town Manager
Approved on consent.
- January 28, 2019 Parks and Recreation Committee Meeting Minutes
 - January 31, 2019 Planning and Zoning Board Meeting Minutes
- E. Not-For-Profit Charitable Application - Pelican Harbor Sponsorship** –
Commissioner Tina Paul
Approved on consent.
- F. Approval of the Key to the Town for Miami-Dade County Fire Chief
Dave Downey** – Mayor Daniel Dietch
Approved on consent.
- G. Tennis Center Court Resurfacing** – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL OF FAST-DRY COURTS, INC. FOR TENNIS COURT RESURFACING AT THE SURFSIDE TENNIS CENTER; APPROVING THE PROPOSAL AND CONTRACT IN SUBSTANTIALLY THE FORM ATTACHED AS EXHIBIT “A”; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE CONTRACT WITH ANY CHANGES OR ADDENDUM AS REQUIRED BY THE TOWN ATTORNEY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE CONTRACT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

- H. Downtown Vision Advisory Committee** – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE CHARTER FOR THE DOWNTOWN VISION ADVISORY COMMITTEE; ADOPTING THE COMMITTEE’S AMENDED CHARTER; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

I. Office 365 E-Mail Services and Migration – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE CUSTOMER TERMS FOR CLOUD SERVICES AGREEMENT (U.S. PUBLIC SECTOR) AND MASTER SERVICES AGREEMENT WITH LIFTOFF, LLC FOR USE AND SUBSCRIPTION TO MICROSOFT OFFICE 365 EXCHANGE ONLINE (COLLECTIVELY, AGREEMENT) PROVIDING FOR CLOUD-BASED EMAIL SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

Commissioner Paul posed some questions related to this item.

Assistant Town Manager Tavares and Eric Wells from Calvin Giordano and Associates provided information on the item.

J. Approval for the Sale, Disposition, Trade-In of Surplus Police Taser Equipment – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING AS SURPLUS CERTAIN TASER EQUIPMENT OF THE TOWN OF SURFSIDE POLICE DEPARTMENT; AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE SALE, DISPOSITION, OR TRADE-IN OF THE SURPLUS EQUIPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

K. Energy Innovation and Carbon Dividend Act – Mayor Daniel Dietch

A RESOLUTION OF THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE UNITED STATES CONGRESS TO PASS THE ENERGY INNOVATION AND CARBON DIVIDEND ACT (H.R. 763) TO LEVY AN ANNUALLY INCREASING REVENUE-NEUTRAL FEE ON THE CARBON IN FOSSIL FUELS AT THE POINT OF PRODUCTION OR IMPORTATION AND RETURN A DIVIDEND TO ALL AMERICANS; PROVIDING FOR TRANSMITTAL OF RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

A. Second Reading Ordinances

- 1. Code of Ethics Ordinance Enhancement and Amendment to Provide for Disclosure of Business Relationships by Members of the Town Commission and Town Boards and Committees – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VII - CODE OF ETHICS, BY ADDING SECTION 2-237 TO PROVIDE FOR DISCLOSURE OF BUSINESS RELATIONSHIPS BY MEMBERS OF THE TOWN COMMISSION AND BOARDS AND COMMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the ordinance.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Vice Mayor Gielchinsky.

Mayor Dietch open the public hearing and the following members of the public spoke on this item:

Elianna Salzhauer
Pamela O'Hagan read a statement from Tricia Fowley
Ellen Abramson
Victor May
Sasha Plutno

Commissioner Karukin made a motion to approve the Ordinance on second reading. The motion received a second from Commissioner Paul and motion passed 5-0.

B. First Reading Ordinances

- 1. Prohibit Hotels in H40 Zoning District South of 93rd Street Within the Moderate High-Density Residential Area of the Future Land Use Map – Commissioner Michael Karukin *[Linked to Item 9]***

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, “REGULATED USES”, TO CHANGE THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES TO PROHIBIT HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

Commissioner Karukin introduced the item to the Town Commission.

The following members of the public spoke on the item:

Joshua Epstein
Jennifer Rotker
Brian Bay
David Epstein
Leonardo Ambark
Ellen Abramson
Mark Levinson
Sasha Plutno

Eliana Salzhauer – A motion to extend one minute by Commissioner Paul, seconded by Commissioner Karukin and all voted in favor.

Matthew Barnes representing HDP TLD Partner, LLC which is the Marriott Hotel.

Kristofer Machado representing 9040, LLC and 90th Street International Investment Corp. requested a total amount of 15 minutes.

Vice Mayor Gielchinsky made a motion to grant 10 minutes to the speaker. The motion received a second from Commissioner Cohen. The motion carried 3-2 with Commissioner Paul and Commissioner Karukin voting in opposition.

Stanley Price representing three properties requested five minutes to present.

Vice Mayor Gielchinsky made a motion to provide five minutes to speak. The motion received a second from Commissioner Cohen. The motion carried 4-1 with Commissioner Karukin voting in opposition.

Alan Krischer representing Esther Merrick Properties, Inc.
Rick Superstein
Esther Superstein
Drew Superstein
Pamela O'Hagan read a statement from Tricia Fowley
Jeffrey Platt
Clara Diaz-Leal
Victor May
Oliver Sanchez
George Kousoulas

After some discussion, Commissioner Karukin made a motion to approve as presented. The motion received a second from Commissioner Paul and motion carried 3-2 with Commissioner Cohen and Vice Mayor Gielchinsky voting in opposition.

Town Attorney Arango made clarifications to the Town Commission regarding some comments made by the public and about Bert Harris' claim and how it pertains to properties. She also spoke on the pending bills in the Legislature.

Commissioner Karukin made a motion to direct staff to draft a resolution opposing House Bill 1383 and Senate Bill 1720 and bring it back at the next Town Commission meeting for approval. The resolution received a second from Commissioner Paul. The motion carried 3-2 with Commissioner Cohen and Vice Mayor Gielchinsky voting in opposition.

Legal analysis with the suggestions made by the Town Commission will be presented at the next Planning & Zoning Board meeting.

5. Resolutions and Proclamations

A. Resiliency Planning Support – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 113 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR RESILIENCY PLANNING SUPPORT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Town Commission.

The following members of the public spoke on the item:

Sasha Plutno
Eliana Salzhauer

Vice Mayor Gielchinsky made a motion to approve. The motion received a second from Mayor Dietch. The motion carried 4-1 with Commissioner Paul voting in opposition.

B. ADA Website Compliance – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL OF LEVEL ACCESS FOR ADA WEBSITE COMPLIANCE; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE MASTER SERVICES AGREEMENT AND ADDENDUM THERETO IN FORM AND SUBSTANCE ACCEPTABLE TO THE TOWN MANAGER AND TOWN ATTORNEY; PROVIDING FOR IMPLEMENTATION; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Cohen made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 5-0.

C. Commission Chambers Audio Visual Upgrade – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL/INVESTMENT SUMMARY, GENERAL TERMS AND CONDITIONS, CUSTOMER CARE SERVICE AGREEMENT, SOFTWARE LICENSE AGREEMENT AND ADDENDUM (COLLECTIVELY, AGREEMENT) WITH AUDIO VISUAL INNOVATIONS, INC./SIGNAL PERFECTION, LTD. FOR AUDIO VISUAL UPGRADES FOR THE COMMISSION CHAMBERS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Commission.

Assistant Town Manager Tavares responded to some of Commissioner Paul's concerns regarding the item.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 4-1 with Commissioner Paul voting in opposition.

D. Triad Security Group, Inc. Second Addendum – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING ADDITIONAL WORK FOR THE ACCESS CONTROL SYSTEM AT TOWN HALL; APPROVING THE SECOND ADDENDUM TO THE INSTALLATION AND SERVICE AGREEMENT WITH TRIAD SECURITY GROUP, INC. FOR THE ADDITIONAL WORK, IN SUBSTANTIALLY THE FORM ATTACHED HERETO; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE ADDITIONAL WORK; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Town Commission.

Commissioner Paul posed some questions which were answered by Town Manager Olmedillo.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 5-0.

E. Executive Recruitment of Finance Director - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN EXPENDITURE FOR AN EXECUTIVE RECRUITING FIRM FOR SELECTION OF A FINANCE DIRECTOR; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$25,000; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Vice Mayor Gielchinsky made a motion to approve. The motion received a second from Commissioner Karukin. The motion carried 4-1 with Commissioner Paul voting in opposition

The following members of the public spoke on the item:

Ellen Abramson
Eliana Salzhauer
Victor May

6. Good and Welfare (Set for approximately 8:15 p.m.)

Victor May spoke about the Mayor's statement at the beginning of the meeting.

David Epstein spoke regarding the issues with traffic.

Eliana Salzhauer spoke about respect, the role of the Town Commission and the need for EpiPens in the Community Center due to the sale of peanuts.

Jeffrey Platt spoke about respect and the beach furniture ordinance.

Sasha Plutno spoke about beach furniture problems and that he has not seen any enforcement. He spoke about some information that's available in the Town's Gazette and how residents should be taking advantage of it. He also spoke about the prohibition of leaf blowers and what landscapers are doing.

Commissioner Paul made a motion to extend the speaker's time. The motion received a second from Commissioner Karukin and all voted in favor.

Mr. Plutno provided some suggestions to the Town to alleviate traffic.

Ellen Abramson spoke and encouraged the Town Commission to ban plastic bags in the Town of Surfside.

Pamela O'Hagan requested if it is possible to turn off the Christmas lights.

George Kousoulas spoke about the role of the Town Commission.

Marianne Meisheid spoke about emotional support service animals on the beach.

Commissioner Paul made a motion to extend the speaker's time for 30 seconds. The motion received a second from Vice Mayor Gielchinsky and all voted in favor. Commissioner Cohen was absent from the dais.

Vice Mayor Gielchinsky spoke in response to the comment on banning plastic bags.

Commissioner Paul also spoke about the ban of plastic bags, leaf blowers and animals on the beach. She stated that she does not know why these issues are not being addressed after three (3) years.

Commissioner Karukin addressed some of the residents' comments.

Commissioner Cohen addressed some of the residents' comments.

Mayor Dietch addressed the residents regarding recyclable materials and stated that plastic bags could be taken to a receptacle located in Publix. He also thanked Mr. May for his comments.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

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.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Commission Liaison Appointment [Verbal] – Sandra Novoa, MMC, Town Clerk

- Downtown Vision Advisory Committee

After some deliberation Commissioner Cohen agreed to become the new Downtown Vision Advisory Committee Liaison and Commissioner Karukin will be the new Tourist Board Liaison.

B. Board and Committee Appointments [Verbal] – Sandra Novoa, MMC, Town Clerk

Tourist Board – Commissioner Cohen

Tourist Board – Commissioner Karukin

Commissioner Karukin made a motion to appoint Charles Kesl to the Tourist Board. The motion was seconded by Commissioner Paul and all voted in favor.

Commissioner Cohen made a motion to appoint Neil Goodman to the Tourist Board. The motion was seconded by Commissioner Karukin and all voted in favor.

- C. Annual Performance Evaluation – Guillermo Olmedillo, Town Manager**
– Mayor Daniel Dietch
Mayor Dietch, Vice Mayor Gielchinsky, Commissioner Cohen and Commissioner Karukin spoke very highly of the Town Manager.

Commissioner Paul stated that there is room for improvement.

After some deliberation Vice Mayor Gielchinsky made a motion to approve a 4% salary increase. The motion received a second from Commissioner Karukin. The motion carried 4-1 with Commissioner Paul voting in opposition.

- D. Miami-Dade League of Cities Director and Alternate Director Designation** – Sandra Novoa, MMC Town Clerk
Commissioner Karukin made a motion to nominate Commissioner Paul as the Director and Commissioner Cohen as the Alternate Director. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

- E. Beach Renourishment Update [Verbal]** – Guillermo Olmedillo, Town Manager
Town manager Olmedillo provided a verbal update to the Town Commission.

- F. Approval to Modify the Parking Meter Rate to a Variable Rate Based System** – Guillermo Olmedillo, Town Manager
Chief Yero presented the item to the Town Commission.

The following members of the public spoke on this item:

Ellen Abramson
Sasha Plutno
Eliana Salzhauer
Jennifer Rotker
George Kousoulas
Marianne Meisheid

Discussion took place among the Town Commission.

- G. Code Compliance Resources** – Mayor Daniel Dietch
Commissioner Karukin made a motion to defer the item. The motion received a second from Commissioner Paul. After some discussion Commissioner Paul withdrew her second to the motion.

The following members of the public spoke on the item:

Jennifer Rotker
Eliana Salzhauer

Victor May
Ellen Abramson

After some discussion the Town Commission directed the Town Manager to bring back an item in April regarding the Code Compliance Resources and Process.

H. Sunscreen Chemical Ban – Mayor Daniel Dietch
Mayor Dietch presented the item to the Town Commission.

Commissioner Paul made a motion to approve. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

The following members of the public spoke on this item:

Eliana Salzhaeur
Ellen Abramson
Jennifer Rotker

I. Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street – Commissioner Michael Karukin
[Linked to Item 4A1]

The following members of the public spoke on this item:


Ellen Abramson
Eliana Salzhaeur

10. Adjournment

There being no further business, Commissioner Karukin made a motion to adjourn. The motion received a second from Commissioner Paul. The meeting adjourned at 12:30 a.m. on March 13, 2019.

Respectfully submitted,

Accepted this 9th day of April, 2019.



Daniel Dietch, Mayor

Attest:



Sandra Novoa, MMC
Town Clerk