



**Town of Surfside
Town Commission Meeting
MINUTES
March 13, 2012
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 7:03 P.M.

B. Roll Call of Members

Town Clerk, Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Graubart, Commissioner Karukin and Commissioner Olchyk. Commissioner Kopelman was absent.

C. Pledge of Allegiance

Vice Mayor Graubart led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Mayor Dietch introduced Commissioner Olchyk's brother Prof. Boris Kozolchyk of the University of Arizona. Prof. Kozolchyk thanked Commissioner Olchyk for her introduction and expressed his happiness to be in Surfside visiting his sister.

Vice Mayor Graubart took a minute to thank Hector Perez for all his time and attentions to the Town Commission and staff.

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

Commissioner Karukin would like to add an item for the April 2012 Agenda regarding the Charter Review process.

Commissioner Olchyk pulled item 5, page 13 and item 23, page 18.

Town Manager, Roger M. Carlton pulled item 10, page 15 and item 33, page 21.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced the following events and activities:

Operation HOPE Clothing Drive will be accepting donations until Wednesday, March 21, 2012.

Junior Lifeguard Program Mini Session will be from March 13, 2012 to March 15, 2012 from 10:00a.m. to 1:00p.m.

The Northshore Democratic Club will meet on Thursday, March 15, 2012 from 11:00a.m. to 12:00p.m. at the Community Center.

The Surfside Municipal Election will be on Tuesday, March 20, 2012 at Town Hall. The polls will be open from 7:00a.m. to 7:00p.m.

The Endlessly Organic produce distribution will take place on Tuesday, March 20, 2012 at the Community Center.

The Park and Recreation Department is hosting the Teen Scene on Thursday, March 22, 2012 and April 19, 2012 from 6:00p.m. to 7:00p.m. at the Community Center. Teen ages 12-15 are invited to work together to help provide safe and fun activities for teens in our community.

Adult swim lessons are offered on Wednesday starting on March 28, 2012 through May 16, 2012 from 6:15p.m. to 6:45p.m.

The Annual Egg Hunt will take place at the 96th Street Park on Saturday, March 31, 2012.

Mayor Dietch stated that if there were any residents interested in forming a group to explore a possible Surfside Dog Park to please contact Ann Findlay at Ann.Findlay@wolterskluwer.com

G. Presentation to Vice Mayor Joe Graubart - Mayor Daniel Dietch

Mayor Dietch recognized Vice Mayor Graubart for his service to the Town during the last two years and presented him with a plaque.

Vice Mayor Graubart spoke about the wonderful community he lives in and has served for the past years.

H. Presentation of Town Commission One Dollar Per Year Salary – Roger M. Carlton, Town Manager

Town Manager, Roger M. Carlton presented the Mayor and the Town Commission with their \$1.00 per year salary for their services to the Town of Surfside.

2. Quasi-Judicial Hearings (None)

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

Commissioner Karukin made a motion to approve the Consent Agenda. The motion received a second from Commissioner Olchyk and all voted in favor.

***A. Minutes - February 14, 2012 Regular Town Commission Meeting**
Approved on Consent

B. Budget to Actual Summary as of December 31, 2011 – Roger M. Carlton, Town Manager

Approved on Consent

***C. Town Manager's Report (Points of Light) – Roger M. Carlton, Town Manager**
Item 5, page 13 – Commissioner Olchyk spoke about the Bus Shelters. She stated that the Town requested them a long time ago and even offered to install them. She would like to see what legal action can be taken against Miami Dade County because in her opinion is unacceptable. The Town Manager explained Miami Dade County's situation and invited Commissioner Olchyk to attend the next meeting at the County.

Item 10, page 15 – Town Manager, Roger M. Carlton spoke about the property and first right of refusal. The Manager explained that someone made an offer to purchase the completed project for \$12.7 million and now they are presented with the first right of refusal once again by the current owner. Commissioner Karukin made a motion to for-go the first right of refusal. The motion received a second from Commissioner Olchyk and all were in favor.

Item 23, page 18 – Commissioner Olchyk suggested not having both sea level poles installed on the walking path to avoid clutter.

Item 33, page 21 – Town Manager, Roger M. Carlton spoke about the bus routes and explained that Miami Dade County is willing to extend the routes into Surfside at a cost of \$26,500.00 per year. The Commission asked the Manager to speak to neighboring cities and see if they are interested in participating in the program.

Vice Mayor Graubart recommended to defer the item to the month of April and give Mr. Bill Evans, Public Works Director time to develop back a plan as to how the Town can better link existing routes.

Commissioner Karukin made a motion to accept all the items discussed. The motion received a second from Commissioner Olchyk and all voted in favor.

***D. Town Attorney's Report** – Lynn M. Dannheisser, Town Attorney
Approved on Consent

***E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.
Approved on Consent

4. Ordinances

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)

*B. First Readings Ordinances

1. **Emergency Ordinance Calling a Special Election for Open Office on Town Commission and Other Alternatives** – Lynn M. Dannheisser, Town Attorney

AN EMERGENCY ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING A SPECIAL ELECTION FOR ONE REMAINING OPEN OFFICE ON TOWN COMMISSION; PROVIDING FOR QUALIFYING PERIOD AND PROCEDURE; PROVIDING FOR CONTINGENCY PROVISION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[This emergency ordinance calls for a special election to fill the unoccupied commission seat for which no candidate filed and qualified during the prescribed qualification period. Emergency ordinances require only one reading]

Town Clerk, Sandra Novoa read the ordinance by title.

Town Attorney, Lynn Dannheisser introduced the item and presented a power point explaining the details and a calendar with the specifics dates.

Commissioner Karukin made a motion to approve the emergency ordinance. The motion received a second from Vice Mayor Graubart. The ordinance passed 4-0.

5. Resolutions and Proclamations

(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)

- *A. Proposed amendment to red light camera program contract with the Town and American Traffic Solutions, Inc. – David Allen, Chief of Police**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE ATTACHED AS EXHIBIT "A" AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- *B. Expenditure of State Forfeiture Funds – David Allen, Chief of Police**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2011/2012 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) TO PROMOTE AN ALCOHOL-FREE, DRUG-FREE, AND TOBACCO-FREE LIFESTYLE WITH THE AMERICAN CANCER SOCIETY ANNUAL RELAY FOR LIFE EVENT ON MAY 5 AND 6, 2012

Commissioner Karukin made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor.

- *C. Automated Prisoner Processing Grant – David Allen, Chief of Police**

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SURFSIDE TO APPLY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT GRANT AVAILABLE THROUGH MIAMI-DADE COUNTY TO APPLY FOR, RECEIVE, EXPEND AND AMEND BYRNE/JAG FORMULA FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN INTERFACE BETWEEN THE POLICE DEPARTMENT'S RECORD MANAGEMENT SYSTEM AND MIAMI-DADE COUNTY'S; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- *D. Town Hall Building Improvement – Elevator Upgrade – Bill Evans, Public Works Director**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO THYSSEEN KRUPP IN AN AMOUNT NOT TO EXCEED \$50,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 50,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- *E. Town Hall Building Improvement – Reroofing – Bill Evans, Public Works Director**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO GULFSTREAM ROOFING IN AN AMOUNT NOT TO EXCEED \$40,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR \$40,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and all were in favor.

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

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

Michelle Kligman announced her interest in running for the empty Commission seat on the May 1, 2012 Special Election.

Louis Cohen spoke about all the good things that Vice Mayor Graubart and Commissioner Kopelman had done for the Town.

Janet Shichman spoke about the constant running water in the Community Garden and suggested maybe a timer should be use so that people don't leave the water running.

Ann Findlay spoke about the dog park and random trash dumping in public areas.

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, during item 1E Agenda and Order of Business, 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. 2004 Building Better Communities Bond Program – Roger M. Carlton, Town Manager**

Town Manager, Roger M. Carlton spoke on the item and explained that he delivered a letter to Mayor of Miami Dade County Carlos Gimenez in hopes of a resolution.

***B. Retroactive Approval of transfer of Community Center Concession Agreement to ShakaJons, Inc. – Tim Milian, Parks and Receptions Department**

Town Manager, Roger M. Carlton spoke about the transfer agreement and spoke about how well ShakaJons was working so far.

Commissioner Karukin made a motion to approve. Vice Mayor Graubart seconded the motion and all voted in favor.

***C. Turtle Project - Art in Public Places: Use of a portion of the Tourist Bureau Reserve Fund as a loan for a year long promotional, destination, sculpture project – Duncan Tavares, TEDACS Director**

Duncan Tavares, TEDACS Director explained the Turtle Project.

Heather Bettner from Prince Media Development gave a presentation and provided the Commission with a timeline of the project.

The item received a motion by Vice Mayor Graubart. The motion received a second from Commissioner Karukin and all were in favor.

***D. Town of Surfside Website Update –** Duncan Tavares, TEDACS Director
Duncan Tavares, TEDACS Director gave a status update on the website contract with e-City Services. Commissioner Karukin made a motion to move forward with e-City Services for a total amount of \$25,000.00. The motion received a second from Vice Mayor Graubart and all voted in favor.

***E. DEP Coastal Partnership Initiative Grant Application: Retroactive Approval –**
Roger M. Carlton, Town Manager
Town Manager Roger M. Carlton spoke about the grant and stated that it is a great opportunity to increase handicap access to the beach. The Town submitted the application due to deadlines imposed by the grant process and he is seeking approval from the Town Commission retroactively. The grant is a matching grant of \$30,000.00.

Commissioner Olchyk made a motion to approve. The motion received a second from Commissioner Karukin and all voted in favor.

***F. Waiver of right of first refusal for 9501 (Verbal) –** Roger M. Carlton, Town Manager **(Linked to POL # 10)**

10. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 9:35p.m.

Accepted this 8th day of May, 2012



Daniel Dietch, Mayor

Attest:



Sandra Novoa, CMC
Town Clerk