



**Town of Surfside
Town Commission Meeting
MINUTES
June 11, 2013
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 7:02 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Lieutenant Rory Alberto led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Graubart read former Commissioner Manero's biography and called for a moment of silence in her memory.

Commissioner Olchyk spoke about the submission of supplemental agendas.

Commissioner Kligman also spoke about the supplemental agendas and brought to the Manager's attention Resolution No. 1117, which outlines the procedures for the Town Commission meetings and stated that the agendas should be delivered to the Commission at least five days prior to any regular meeting.

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

Town Manager Michael P. Crotty linked Item 4B2 to Items 5F and 5G.

Commissioner Graubart would like to pull item 9G "Pulled Consent Agenda Items" from the discussion items. He would like a trial period and after a couple of months if they are in agreement they would be able to make it a policy. Commissioner Olchyk spoke against the item and stated that if pulled items are discussed at the end of the meeting it would be too late and they would not get the necessary attention. Commissioner Graubart made a motion to move forward. The motion received a second from Commissioner Kligman. The motion passed 4-1 with Commissioner Olchyk voting in opposition.

Commissioner Olchyk made a motion to add Item 9N "Miriam Maer" to the Discussion items. The motion received a second from Commissioner Graubart and all voted in favor.

Commissioner Kligman made a motion for item 5B "FPL Undergrounding Cost Estimate – Second Update" to be heard at 7:15pm time certain item. The motion received a second from Commissioner Graubart and all voted in favor.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced the upcoming community events.

Commissioner Graubart stated that he had the pleasure and the honor of going to Miami Beach Senior High School and award the Town of Surfside Exemplary Award to a Bay Harbor Island graduate Lawrence “Larry” Frishberg.

- G. Outstanding Student Award to Simone D’Antuono – Mayor Daniel Dietch**
Mayor Dietch presented the Outstanding Student Award to Simone D’Antuono.

*Item 9L was discussed after.

2. Quasi-Judicial Hearings (None)

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

Commissioner Graubart pulled item 3J, page 102.

Commissioner Olchyk pulled item 13, page 24; item 5, page 19 and item 50, page 40.

Vice Mayor Karukin pulled item 37, page 36; item 55, page 41; item 3J, page 102 and item 3M, page 159.

Commissioner Kligman pulled item 2, page 16; item 4, page 19; item 27, page 30; item 40, page 37 and item 43, page 37.

Commissioner Olchyk made a motion to approve the consent agenda minus the pulled items. The motion received a second from Commissioner Graubart and all voted in favor.

A. Minutes – May 15, 2013 Regular Commission Meeting Minutes

B. Budget to Actual Summary as of March 31, 2013 – Donald Nelson, Finance Director

***C. Town Manager’s Report (Points of Light) – Michael P. Crotty, Town Manager**

Item 2, Page 16 – Commissioner Kligman asked Public Works Project Manager Randy Stokes for an update on the water and sewer project. He responded that the pumps are functional but the Department of Transportation (DOT) is currently working on the box restoration and should be finished by the end of the week.

Item 4, Page 19 – Commissioner Kligman asked for an update. Town Manager Michael P. Crotty responded that home based businesses is part of the Code Enforcement issues and will be in the Code Enforcement Workshop which will be scheduled during the following 90 days.

Item 5, Page 19 – Commissioner Olchyk asked for an update. Public Works Project Manager Randy Stokes stated that the bus shelter will be shipped tomorrow. He is hoping that installation will begin in the next two weeks.

Item 13, Page 24 – Commissioner Olchyk asked what the Town is doing regarding the unpaid bills of the Surfside Turtle artists. TEDACS Director Duncan Tavares stated that the Town agreed to pay the artists the amounts they were not paid by Prince Media and the amount was approximately \$2,300. Vice Mayor Karukin made a motion to take no further action on this item. Mayor Dietch seconded the motion. The motion passed 3-2 with Commissioner Kligman and Commissioner Olchyk in opposition.

Item 27, Page 30 – Commissioner Kligman asked if the employees that will be working during the Summer Camp will be attending the Anti-Bullying Program. Commissioner Olchyk was under the impression that classes took place in Town Hall. Town Manager Michael P. Crotty will provide a response to the Town Commission with the cost. Vice Mayor Karukin asked the Town Manager to provide the cost for implementing the Anti-Bullying Program.

Item 37, Page 36 – Vice Mayor Karukin reminded the Town Commission to think of names to seat on the Charter Review Board. Names are to be submitted to the Town Clerk.

Item 40, Page 37 – Commissioner Kligman deferred pulling this item as it will be discussed at the next meeting.

Item 43, Page 37 – Commissioner Kligman asked for an update. Town Manager Michael P. Crotty stated that there has been conversations of the possibility of an intergovernmental cooperation on a recreational facility, possibly partnering with the City of Miami Beach on the tennis court facility. One of the options is a possible skateboard facility with other recreational activities. He will report back to the Commission as more information is available.

Item 50, Page 40 – Commissioner Olchyk asked for an update. Public Works Project Manager Randy Stokes stated that Miami Dade Public Works Department will take approximately three weeks to have the sign completed. Commissioner Olchyk would like to have a small sign unveiling and like this event to be posted in the Gazette and Town's website.

Item 55, Page 41 – Vice Mayor Karukin asked for an update. Finance Director Donald Nelson stated that the online bill pay is projected to be up and running for the next billing cycle.

***D. Town Attorney's Report** – Linda Miller, Interim Town Attorney

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

F. Committee Reports – Michael P. Crotty, Town Manager (*Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included*)

- February 28, 2013 Pension Board Meeting Minutes
- March 4, 2013 Tourist Board Meeting Minutes
- April 1, 2013 Tourist Board Meeting Minutes
- April 22, 2013 DVAC meeting Minutes
- May 6, 2013 Tourist Board Meeting Minutes

G. Reduce Gun Violence and Illegal Gun Trafficking Resolution – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") SUPPORTING EFFORTS TO REDUCE GUN VIOLENCE AND ILLEGAL GUN TRAFFICKING BY USING GOVERNMENT PURCHASING POWER TO INFLUENCE GUN MANUFACTURERS AND DISTRIBUTORS TO USE SALES PRACTICES THAT PREVENT GUNS FROM FALLING INTO CRIMINAL HANDS; DIRECTING THE SURFSIDE POLICE

DEPARTMENT TO WORK WITH WEAPONS AND AMMUNITION SUPPLIERS TO LEVERAGE THIS PURCHASING POWER TO PRESS FOR MORE RESPONSIBLE PRACTICES IN THE GUN INDUSTRY BY ENCOURAGING THE IMPLEMENTATION OF SALES AND MARKETING SAFEGUARDS THAT PREVENT GUNS FROM FALLING INTO CRIMINAL HANDS; DIRECTING THE TOWN MANAGER TOGETHER WITH THE POLICE DEPARTMENT TO PARTNER WITH OTHER MUNICIPALITIES TO CREATE A COALITION IN SUPPORT OF THIS INITIATIVE; DIRECTING THE TOWN CLERK TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO ALL SOUTH FLORIDA MUNICIPALITIES, THE FLORIDA LEAGUE OF CITIES, INC., ALL MEMBERS OF FLORIDA'S CONGRESSIONAL DELEGATION, AND TO THE OBAMA ADMINISTRATION; PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

H. Shared School Nurse Resolution – Michael P. Crotty, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") SUPPORTING THE EXPANSION OF THE SCHOOL NURSE SYSTEM IN THE TOWN OF SURFSIDE; JOINING THE TOWN OF BAY HARBOR ISLANDS AND THE VILLAGE OF BAL HARBOUR IN FUNDING A NURSE FOR RUTH K. BROAD K-8 CENTER, NORTH BEACH ELEMENTARY, AND TREASURE ISLAND ELEMENTARY; AUTHORIZING THE EXPENDITURE OF \$7,200 FROM THE GENERAL FUND; PROVIDING FOR AN EFFECTIVE DATE

Approved on consent.

I. Electric Car Charging Service Contract – Duncan Tavares, TEDACS Director

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") APPROVING AN AGREEMENT WITH CCGI HOLDINGS, LLC ("CAR CHARGING"); PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

J. Awning and Sign Code Update – Shelley Eichner, AICP, Town Planner

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") APPROVING CALVIN-GIORDANO & ASSOCIATES, INC. (CGA) WORK AUTHORIZATION NO. 73 (UPDATING AWNINGS AND SIGN CODE, CGA PROPOSAL NO. 13-5932) IN A TOTAL AMOUNT NOT TO EXCEED \$15,000; PROVIDING FOR AUTHORIZATION, PROVIDING FOR AN EFFECTIVE DATE.

Item pulled by Commissioner Graubart and Vice Mayor Karukin.

Commissioner Graubart suggested that rather than paying \$50,000 at this time the Town would look into other Towns/Cities Sign ordinances and the Town would not have to reinvent the wheel.

Vice Mayor Karukin asked why this item is not covered under the CGA agreement. In his opinion, it is part of the scope of work of the agreement. He stated that the 1989 Comprehensive Plan has a very nice sketch on their Future Land Use section about what the signage should be like in a Town like Surfside. He would like for staff to look into that.

Town Planner Sarah Sinatra spoke on the item and stated that the contract they currently have is to provide day to day planning/zoning services and this is a specific project that falls out of their scope of work. This item has been included in the Town's Budget for the last two years and is actually a budgeted item. Staff has been unable to move forward due to the bulk of work involved.

Mayor Dietch made a motion to approve. The motion received a second from Vice Mayor Karukin. The motion failed 2-3 with Commissioner Graubart, Commissioner Kligman and Commissioner Olchyk voting in opposition.

K. Proportionate School Concurrency Agreement with Surf Club, Inc. – Linda Miller, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") APPROVING AN AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CLPF-NBV, L.P., AS SUCCESSOR IN INTEREST TO THE SURF CLUB, INC., (A FLORIDA NON-PROFIT CORPORATION) AND THE TOWN OF SURFSIDE, TO ADDRESS MITIGATION OF SCHOOL CONCURRENCY IMPACTS RELATED TO DEVELOPMENT PROPOSED ON PROPERTY LOCATED AT 9011 COLLINS AVENUE, SURFSIDE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

**L. Proportionate School Concurrency Agreement with Chateau Ocean, LLC –
Linda Miller, Town Attorney**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING AN AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CLPF-NBV, L.P., AS SUCCESSOR IN INTEREST TO CHATEAU OCEAN, LLC, AND THE TOWN OF SURFSIDE, TO ADDRESS MITIGATION OF SCHOOL CONCURRENCY IMPACTS RELATED TO DEVELOPMENT PROPOSED ON PROPERTY LOCATED AT 9349, 9365, AND 9379 COLLINS AVENUE, SURFSIDE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

M. Re-Appointment of Special Masters – Linda Miller, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE (TOWN), REAPPOINTING SPECIAL MASTERS; PROVIDING FOR AN EFFECTIVE DATE.

Item pulled by Vice Mayor Karukin

Vice Mayor Karukin asked the cost of the special master.

Code Compliance Director Joe Damian stated that approximately \$150.00 per hour.

Vice Mayor Karukin made a motion to approve the pulled items from the consent agenda. The motion received a second from Commissioner Olchyk and all voted in favor.

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

B. First Reading Ordinances

1. Comprehensive Plan Text Amendments – Shelley Eichner, AICP, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF SURFSIDE COMPREHENSIVE PLAN BY AMENDING POLICY 1.1 TO INCLUDE NUMBER OF STORIES IN HEIGHT LIMITATION IN ALL FUTURE LAND USE MAP CATEGORIES AND TO ADD PLACES OF PUBLIC ASSEMBLY USES IN ACCORDANCE WITH POLICY 10.6 TO THE LOW DENSITY RESIDENTIAL, MODERATE DENSITY RESIDENTIAL/TOURIST AND GENERAL RETAIL/SERVICES FUTURE LAND USE MAP CATEGORIES AND BY ADDING POLICY 10.6 TO PROVIDE FOR LAND DEVELOPMENT REGULATIONS THAT ALLOW REASONABLE RELIEF FOR RELIGIOUS USES; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Shelley Eichner presented the item to the Town Commission. Outside Counsel Nancy Stroud presented the item to the Town Commission as well.

Andrew Tobin representing Town resident Pieter and Shirley Bakker spoke against the item.

Mayor Dietch made a motion to approve for discussion purposes. The motion died due to lack of second.

2. Reformed Mark Wandall Traffic Safety Act – David Allen, Chief of Police

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 74 "TRAFFIC AND VEHICLES", ARTICLE III "DANGEROUS INTERSECTION SAFETY" AND SPECIFICALLY AMENDING SECTION 74-72 "USE OF IMAGE CAPTURE TECHNOLOGIES", SECTION 74-76 "IMPLEMENTATION OF GENERAL LAW", AND SECTION 74-77 "ISSUANCE OF NOTICE; REVIEW OF RECORDED IMAGES" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES IMPLEMENTING CHAPTER 2013-__, LAWS OF FLORIDA; PROVIDING FOR LOCAL HEARING OFFICERS CONSISTENT WITH GENERAL LAW; PROVIDING FOR INCLUSION

IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

Lieutenant Richard Williams presented the item to the Town Commission.

Mayor Dietch made a motion to adopt ordinance on first reading. The motion received a second from Commissioner Kligman. The motion carried 5-0.

5. Resolutions and Proclamations

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

A. Approval and Award of Contract to Lynx Construction for 95th Street Improvements from Collins Avenue to the Beach – Joseph Kroll, Public Works Director

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AWARDED A BID TO LYNX CONSTRUCTION LLC FOR 95TH STREET END IMPROVEMENTS SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING ADDITIONAL FUNDS FOR THE PROJECT IN THE AMOUNT OF \$60,000.00 FROM THE STORMWATER FUND RESERVES AND \$36,466.84 FROM THE CAPITAL IMPROVEMENT FUND; PROVIDING FOR AWARD, APPROVAL, AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Joseph Kroll presented the item to the Town Commission. Commissioner Graubart made a motion to approve. The motion received a second from Commissioner Olchyk and all

B. FPL Underground Cost Estimate – Second Update – Michael P. Crotty, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF \$10,000.00 FROM THE CAPITAL PROJECTS FUND ACCOUNT NO. 301-4400-541-3125 FOR FY 2012/2013 TO FLORIDA POWER & LIGHT FOR A REVISED UNDERGROUNDING BINDING COST ESTIMATE; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Michael P. Crotty presented the item to the Town Commission. Finance Director Donald Nelson presented the item to the Town Commission from the finance perspective.

Ann Finley stated that she now understands the financial issues with this project but that she thinks that the Town is worth the cost.

Ken Arnold spoke about the project and stated that the Town Commission might want to take the project to the Community and see if they think that this project is worth the new cost.

Terry Cohen asked why the cost of the project went from \$2 million to \$9 million.

Commissioner Graubart would like to see this item be voted on as a referendum.

Commissioner Olchyk expressed her dislike for the cost of the project.

Vice Mayor Karukin stated that he is not in support of the project.

Commissioner Kligman stated that she is in support of the staff going back and doing our due diligence and exploring if there is any more information that will help them make a better decision.

After some discussion, input and comments from the Town Commission, Mayor Dietch made a motion to defer the item thirty days and direct the Manager to set up a meeting with HPF and get a line by line, number by number review and a report back to the Town Commission during the July 2013 Town Commission meeting. The motion received a second from Commissioner Kligman. The motion died 2-3 with Commissioner Graubart, Commissioner Olchyk and Vice Mayor Karukin voting in opposition.

C. Engagement of Marcum, LLP – Donald Nelson, Finance Director

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE RENEWAL OF THE ENGAGEMENT LETTER WITH MARCUM LLP FOR AUDITING SERVICES IN ACCORDANCE WITH THE AUDITOR SELECTION COMMITTEE PROCESS; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Donal Nelson presented the item to the Town Commission.

Commissioner Graubart made a motion to approve a three year contract with a two year reopener. The motion received a second from Commissioner Kligman.

The motion carried 4-1 with Mayor Dietch voting in opposition.

D. Coastal Corridor Interlocal Agreement – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (TOWN), CREATING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND JOINING THE TOWN OF BAY HARBOR ISLANDS AND THE VILLAGE OF BISCAYNE PARK IN CREATING THE CLEAN ENERGY COASTAL CORRIDOR PROGRAM IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; ADOPTING AN INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01, FLORIDA STATUTES RELATING TO THE

CORRIDOR; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Dietch presented the item to the Town Commission.

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

E. FY 12/13 Proposed Mid-Year Budget Amendment Resolution – Donald Nelson, Finance Director

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL APPROPRIATIONS RESOLUTIONS ADOPTED FOR FISCAL YEAR OCTOBER 1, 2012 TO SEPTEMBER 30, 2013; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE GENERAL FUND, CAPITAL PROJECT FUND, RESORT TAX FUND, TRANSPORTATION FUND, WATER & SEWER FUND, STORMWATER FUND, PARKING FUND, AND SOLID WASTE FUND; AND OTHER ADJUSTMENTS REQUIRED TO THE FISCAL YEAR ENDING SEPTEMBER 30, 2013 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Donald Nelson presented the item to the Town Commission.

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

F. Second Amendment to American Traffic Solutions, Inc. Agreement – David Allen, Chief of Police

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO A SECOND AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE, FLORIDA ("TOWN") 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.

Mayor Dietch made a motion to defer the item and directed staff to come back with more information on the cost. The motion received a second from Commissioner Kligman and all voted in favor.

G. Reformed Mark Wandall Traffic Safety Act Code Enforcement Implementation – David Allen, Chief of Police

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”), DESIGNATING THE TOWN OF SURFSIDE’S CODE ENFORCEMENT SPECIAL MASTERS AND CODE COMPLIANCE OFFICER(S) TO SERVE AS LOCAL HEARING OFFICERS PURSUANT TO CHAPTER 2013-__, LAWS OF FLORIDA; AUTHORIZING THE TOWN MANAGER AND TOWN CLERK TO UTILIZE CODE ENFORCEMENT STAFF TO IMPLEMENT CHAPTER 2013-__, LAWS OF FLORIDA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Dietch made a motion to defer the item. The motion received a second from Commissioner Kligman and all voted in favor.

H. Oklahoma Relief Resolution – Commissioner Joe Graubart

A RESOLUTION OF THE TOWN OF SURFSIDE; APPROVING A DONATION OF \$250.00 TOWARDS THE OKLAHOMA TORNADO RELIEF PAID TO THE AMERICAN RED CROSS DISASTER RELIEF, TO BE FUNDED FROM THE GENERAL FUND ACCOUNT NO. 001-1000-511-5290; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Graubart made motion to approve. The motion received a second from Commissioner Kligman. The motion passed 4-1 with Commissioner Olchyk voting in opposition.

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

Manuel Lecour spoke about the Town’s tennis courts and how the residents would like to see them improved. Commissioner Graubart stated that maybe the Town should review this issue during the budget season to do something regarding the tennis courts.

Commissioner Olchyk stated that this project is currently being discussed at the Parks and Recreation Committee.

Terry Cohen spoke about the situation that she currently has with her two (2) neighbors. Town Manager Michael P. Crotty gave the Town Commission a brief update on the case and informed Ms. Cohen that he will be in contact with her.

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. Beach Erosion – Commissioner Michelle Kligman
Item deferred by Commissioner Kligman.

B. Construction Worker Parking Program – Commissioner Joe Graubart
Commissioner Graubart would like the Police Department to work together with St. Joseph to see if there is a possibility that the construction workers can use that lot to park.

C. Town Attorney Evaluation – Sandra Novoa, Town Clerk
Town Clerk Sandra Novoa presented the item to the Town Commission.
After some discussion a consensus was reached that each member of the Town Commission will complete the evaluation, email it to the Town Clerk.
Commissioner Olchyk made a motion to appoint Commissioner Kligman to compile all the evaluations and bring back a report during the July 16, 2013 Regular Town Commission meeting. The motion passed 4-0 with Commissioner Graubart absent from the dais.
Town Clerk Sandra Novoa will compile the evaluations and forward them to Commissioner Kligman.

D. Harding Avenue to Abbott Parking Lot Paseo (Passageway) at 9536/9538/9540 Harding Avenue – Duncan Tavares, TEDACS Director
Duncan Tavares, TEDACS Director presented the item to the Town Commission. He explained that this item has been presented to DVAC and to the Planning and Zoning Board. That at this point the staff would like direction from the Town Commission moving forward.
Commissioner Graubart made a motion not to approve the project. The motion received a second from Commissioner Kligman and all voted in favor.

E. Code Compliance Priorities Recommendations and Sight Triangle Resolution – Joe Damien, Code Compliance Director
Code Enforcement Director Joe Damien presented the Town Commission with a Priorities checklist for them to fill out and submit to the Town Clerk to have a better idea of each of their priorities. Furthermore this item will be discussed during the Hedges and Sight Triangle Workshop that should be schedule soon.

Vice Mayor Karukin made a motion to extend the meeting three hours. The motion received a second from Commissioner Olchyk. The motion passed 4-1 with Commissioner Graubart voting in opposition.

F. Calendar for FY 13/14 Budget Process – Donald Nelson, Finance Director

The Town Commission acknowledged receipt of the Budget Preparation Calendar and after some discussion meetings were agreed to. Meetings will be scheduled and advertised.

G. Pulled Consent Agenda Items – Mayor Daniel Dietch

Item was discussed under item 1E - Agenda and Order of Business.

H. Life Guard Stations – Commissioner Joe Graubart

Commissioner Graubart would like to for the Town Manager to look into reaching to some of the Architectural Schools and see if they will be interesting in participating.

Town Manager Michael P. Crotty stated that with some of the development agreements, there are different methods of addressing the lifeguard's stations. The Surf Club would have to submit a plan to the Town for approval.

I. Street Dead End Safety – Commissioner Joe Graubart

Commissioner Graubart expressed his concerns about kids playing on street dead end and jumping in the canal and then they have problems getting out. The Town Commission directed staff to keep the street dead ends clean and to put appropriate signage, reaching out to the schools and increase patrol.

J. Quasi-Judicial Hearings/Decisions/Votes – Commissioner Joe Graubart

Commissioner Graubart spoke about the choice of the Commission to vote in favor or against a Quasi-Judicial Hearing.

K. Police Presence and Safety – Commissioner Michelle Kligman

Commissioner Kligman expressed that some residents have reached out to her regarding police presence. She stated that she has had discussion with some members of the Police Department and in her opinion the residents would like to see more of a Neighborhood Resource Officer with Community Policing. She stated that when she thinks about community policing she thinks of two officers, Sergeant Jay Matelis and Dianna Hernandez.

Commissioner Olchyk stated that they should also be more police presence on the beach. Vice Mayor Karukin thanked the Police Department and rather see police patrolling on the streets than on the beach.

Commissioner Kligman asked the Town Manager to research this item further.

L. Harding Avenue Streetscape Design – Duncan Tavares, TEDACS Director

Duncan Tavares, TEDACS Director presented the item to the Town Commission.

Eddie Lamas from C3TS presented the Town Commission with a PowerPoint presentation.

Ann Finley spoke in favor of the item.

Louis Cohen spoke in favor of the project.

Ms. Packer spoke in favor of the item.

Ken Arnold spoke in favor of the project.

Terry Cohen spoke in favor of beatifying the Downtown area.

Meredith Beatie spoke in favor of the item.

Commissioner Graubart stated that he was concern about the look of the Town after you drive those two blocks of downtown.

Commissioner Olchyk stated that she was very excited about the project but was concerned about the current trees and would like to make sure that there is a plan to relocate them.

A representative of Lukes Landscape stated that there is a tree disposition plan to keep all the trees within the Town and safely relocating them.

Mayor Dietch asked Commissioner Olchyk that if there is any specific location where she would like to see trees planted to please let the Town Manager know.

Vice Mayor Karukin spoke about the trash and/recycle receptacles and the availability for cigarette disposals as well. He asked if the trees will affect the visibility of the businesses signs and the response was negative.

Commissioner Kligman asked questions to Public Works Director Joseph Kroll regarding the type of trees that the Town will be using. Mr. Kroll stated that in his experience this types of trees have survived well and there is minimum maintenance. Commissioner Kligman stated that she was very supportive of the project and thanked the Town Manager and the Staff for a job well done.

After some more discussion Commissioner Kligman made a motion to move forward. The motion received a second from Commissioner Olchyk and all voted in favor.

N. Payment to Former Interim Town Attorney Miriam Maer – Commissioner Marta Olchyk (ADDED ITEM)

Commissioner Graubart made a motion to make payment of the outstanding balance that the Town owes Ms. Maer. The motion received a second from Commissioner Olchyk. The motion passed 4-1 with Mayor Dietch voting in opposition.


10. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 12:13 a.m.

Accepted this 16th day of July, 2013


Daniel Dietch, Mayor

Attest:


Sandra Novoa, CMC
Town Clerk