



**Town of Surfside
Town Commission Meeting
MINUTES
February 16, 2017
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 7:00 p.m.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul recognized all the women in Surfside who participated in the Women's March in January. Commissioner Paul spoke on items where she represented Surfside or was involved in. Commissioner Paul appointed Deborah Cimadevilla to the Sustainability Committee.

Commissioner Karukin commented on liaisons to various Boards and their role as a liaison.

Commissioner Gielchinsky wished Vice Mayor Cohen a happy birthday. The Commissioner related an incident involving two young children being approached by someone in a van who tried to lure them into the van. He urged parents to educate their children on such issues.

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

Commissioner Gielchinsky made a motion to move Item 5E after Item 3. The motion received a second from Commissioner Karukin and all voted in favor.

Commissioner Paul made a motion to approve the pulled items from the consent agenda in the January 10, 2017 Commission Meeting. The motion received a second from Vice Mayor Cohen. The motion passed 4/1 with Vice Mayor Cohen voting in opposition.

F. Community Notes – Mayor Daniel Dietch

The Mayor acknowledged those who have been nominated or received special recognitions or community awards. On behalf of the community, the Mayor

expressed condolences to Code Compliance Officer Graham on the passing of his mother and to the family of former Police Chief Terrill Williamson.

Commissioner Karukin made a motion to name the Police Training Room after the late former Police Chief Terrill Williamson. The motion received a second from Commissioner Paul and all voted in favor with Commissioner Gielchinsky absent for the vote.

The Mayor announced upcoming community events which can be found in the Gazette and on the Town's website. Vice Mayor Cohen suggested the city celebrate a yearly anniversary not just milestone years.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

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

A. Minutes – Sandra Novoa, MMC, Town Clerk

January 10, 2017 Regular Commission Meeting Minutes

January 19, 2017 Quasi-Judicial Hearing Minutes

B. Budget to Actual Summary as of November 30, 2016 – Guillermo Olmedillo, Town Manager

***C. Town Manager's Report – Guillermo Olmedillo, Town Manager**

1. See Click Fix
2. PAMM
3. Development Applications
4. Building Permit
5. Code Compliance Cases
6. Fund Balance Reserve Policy
7. January 2017 Significant Incidents/Arrests
8. LEO Awards Finalist
9. Officer/Civilian of the Year
10. Dolphin Cancer Challenge
11. Police Events
12. Information Technology and TV Broadcasts

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

E. Committee Reports – Guillermo Olmedillo, Town Manager

- November 1, 2016 Pension Board Meeting Minutes
- December 15, 2016 Planning and Zoning Board Meeting Minutes
- January 9, 2017 Tourist Board Meeting Minutes

F. Proclamation Request for City of West Miami 70th Birthday – Mayor Daniel Dietch

Pulled Items:

Commissioner Karukin pulled Item 3D, and Item 12. Commissioner Karukin had questions on these items: There was discussion on an IT Conference and the costs. The Mayor pulled Item 2. The Mayor spoke favorably on the good news item.

Commissioner Paul made a motion to approve the pulled items from the consent agenda. The motion approved a second from Commissioner Karukin and the motion carried 3/0 with Commissioner Gielchinsky and Vice Mayor Cohen absent.

4. Ordinances

A. Second Reading Ordinances

- 1. Temporary Moratorium on Cannabis Dispensing Businesses – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Gielchinsky and all voted in favor with Commissioner Paul absent for the vote.

The Mayor opened the public hearing. No one wishing to speak the Mayor closed the public hearing.

- 2. Ordinance Amending Chapter 2 “Administration” Article VII “Code of Ethics”; Specifically Creating Section 2-227.1 “Honor code for Elected and Appointed Town Officials and Town Employees” – Mayor Daniel Dietch**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VII “CODE OF ETHICS”; SPECIFICALLY CREATING SECTION 2-227.1 “HONOR CODE FOR ELECTED AND APPOINTED TOWN OFFICIALS AND TOWN EMPLOYEES”; PROVIDING FOR

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

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Gielchinsky and all voted in favor with Commissioner Paul absent for the vote.

The Mayor opened the public hearing. No one wishing to speak the Mayor closed the public hearing.

Commissioner Karukin commended the Mayor for bringing this item back.

B. First Reading Ordinances

5. Resolutions and Proclamations

A. Foreign Sand for Beach Nourishment Projects Resolution – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING UNITED STATES CONGRESSIONAL BILLS S. 279 AND H.B. 833 TO AMEND SECTION 935 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1986 TO FACILITATE THE USE OF FOREIGN OFFSHORE SAND IN BEACH NOURISHMENT PROJECTS; URGING THE UNITED STATES CONGRESS TO EXPEDITE AND FUND THE STUDY TO ALLOW FOREIGN SAND TO BE USED IN BEACH NOURISHMENT PROJECTS IN MIAMI-DADE COUNTY; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

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

Public Speaker Jeffery Platt had questions about the sand and the Mayor addressed his questions.

B. Calvin Giordano & Associates, Inc – Information Technology (IT), Website Hosting and Multimedia Services – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN ADDENDUM TO THE AGREEMENT DATED OCTOBER 6, 2014 BETWEEN THE TOWN OF SURFSIDE AND CALVIN, GIORDANO & ASSOCIATES, INC. (“CGA”) TO RENDER ADDITIONAL SERVICES AS SET FORTH IN CGA WORK AUTHORIZATION NO. 100 TO PERFORM INFORMATION TECHNOLOGY, WEBSITE HOSTING AND MULTIMEDIA SERVICES; AUTHORIZING THE EXPENDITURE FROM THE 2016/2017 FISCAL YEAR BUDGET IN THE AMOUNT OF \$125,000 FROM THE GENERAL FUND, PROFESSIONAL SERVICES ACCOUNT NO. 001-2100-516-3110; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

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

Commissioner Paul had suggestions regarding an app for alerts. Commissioner Karukin also believes we should modify our website and expand the services as email is almost obsolete. Commissioner Karukin clarified that ERP stands for Enterprise Resource Planning.

C. Procurement of Additional Parking Pay Stations –enterprise resource planning Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ADDENDUM TO THE AGREEMENT WITH HARRINGTON RESOURCES INC., DBA PARKER SYSTEMS DATED NOVEMBER 9, 2016 TO PROCURE EIGHT (8) ADDITIONAL PAY STATIONS TO REPLACE FORTY-EIGHT SINGLE SPACE METERS PRESENTLY INSTALLED THROUGHOUT THE TOWN; AMENDING THE TOWN’S BUDGET FOR FISCAL YEAR 2016/2017; AUTHORIZING THE APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF

\$95,080.80 FROM THE FISCAL YEAR 2016/2017 FROM THE MUNICIPAL PARKING FUND, MACHINERY AND EQUIPMENT FROM ACCOUNT NUMBER 402-9500-545-6410 BUDGET; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

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

D. Amending 2016-2017 Tourist Resort Fund Annual Budget to Fund “First Fridays” Event Series – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 TOURIST RESORT FUND ANNUAL BUDGET TO FUND FOUR 2017 SUMMER FIRST FRIDAYS EVENTS; APPROPRIATING FUNDS IN THE AMOUNT OF \$48,000 FROM THE RESORT TAX FUND BALANCE ACCOUNT NO. 102-0000-392-0000 TO THE TOURIST BUREAU PROMOTIONAL ACTIVITIES ACCOUNT NO. 102-8000-552-4810; APPROVING THE EXPENDITURE OF FUNDS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution. Tourism Director Duncan Tavares presented the item.

Commissioner Karukin made a motion for discussion. The motion received a second from Commissioner Paul. Commissioner Gielchinsky believes this is not a tourism item but perhaps more parks and recreation as it for the residents. The Commission discussed the item which may benefit both tourists and residents.

The Mayor opened the public speaking.

Public Speakers:

Marianne Meischied a member of the Tourist Board, gave an update of their meetings. She is supportive of this resolution.

-Adam Weinberg spoke in support of the resolution.

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

E. Active Design Miami – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING THE IMPLEMENTATION OF ACTIVE DESIGN MIAMI: DESIGN AND POLICY STRATEGIES FOR HEALTHIER COMMUNITIES AS DEVELOPED BY THE MIAMI CENTER FOR ARCHITECTURE AND DESIGN (MCAD); DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, ALL MUNICIPALITIES IN MIAMI-DADE COUNTY AND THE PRESIDENT OF THE MIAMI CENTER FOR ARCHITECTURE AND DESIGN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance. Marta Quitero gave a power point presentation and addressed questions from the Commission.

The Mayor opened the public hearing.

Public Speakers:

-Moshe Bahar who is wheelchair bound, spoke about sidewalks and the increased number of people of all ages who are disabled.

-Nathalie Vaturi spoke of the difficulty in walking around the community due to lack of sidewalks.

-Lindsay Lecour, Chair of Planning and Zoning Committee gave an update on the streetscape vision which encompassed various issues not just sidewalks. She is in favor of this resolution.

-Walter Norkin spoke about walking the city and safety issues.

-Moshe Bonh spoke about getting a stop sign at 92nd Street and is cautious about the proposal regarding sidewalks and how it may affect some homeowners.

-Becky Manuel spoke of safety issues in walking and is in favor of one way streets.

-Deborah Cimadevilla spoke on the issue and asked that fairness be given to all homeowners. She has made presentations to the Planning and Zoning Board with various options.

-Adam Weinberg spoke on safety issues especially regarding children.

-Rodrigo Slegatt believes safety is the priority and they should do whatever is needed to improve the situation.

No one else wishing to speak the Mayor closed the public hearing.

The Commission discussed the item and gave their views on the various issues.

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

Commissioner Gielchinsky made a motion to move Item 9B after Good and Welfare. The motion received a second from Commissioner Paul and all voted in favor.

6. Good and Welfare

The Mayor opened the public speaking.

Public Speakers:

-Lou Cohen read a statement from the 75th Anniversary Yearbook regarding the City Center and there being a second floor added. He gave a short history as to what had been discussed over several years.

-Jeffery Platt spoke about See Click Fix and Code Compliance and getting no response.

-Barbara Cohen spoke about upcoming celebrations on 93rd Street.

-George Kousoulas spoke about information passed from junior committees to the Commission. He also spoke about the Community Center and an addition of a second floor.

-Mandyf Daiadpour spoke about community events and walking in the city as there is a safety issue because of lack of sidewalks.

Commissioner Karukin clarified that today they are not approving for sidewalks. Members of the Commission addressed the concerns brought by the public speakers. The Mayor directed the Town Manager to research a better way for the community to communicate to the administration as See Click Fix is not working as it should.

7. Town Manager and Town Attorney Reports

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

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Require Noticing of New Residential Construction – Guillermo Olmedillo, Town Manager.

Manager Olmedillo and Town Planner Sarah Sinatra presented the item. The Commission discussed administrative procedures for posting demolition notices to adjacent and across the street properties for the construction of new homes. They also discussed notification of 50% demolition and modifications on existing homes. Building Official Ross Prieto addressed questions from the Commission.

- B. Legislative Priorities** – Guillermo Olmedillo, Town Manager
Lobbyist Fausto Gomez gave an update. There was a lengthy discussion on various items and Mr. Gomez addressed questions from the Commission. Mr. Gomez will work with the Town Manager on what is needed to move forward.
- C. Traffic Mitigation Initiatives Update** – Guillermo Olmedillo, Town Manager
Manager Olmedillo gave an update on the item. Public Speaker Clara Diaz-Leal spoke about the safety issue and feels gating is the only solution. Public Speaker Deborah Cimadevilla asked for an update of the traffic meeting with DOT. Commissioner Paul, Mayor Dietch and Manager Olmedillo responded. The Mayor directed the Town Manager to come back with information as to bring in PSA to address public safety.

Commissioner Karukin made a motion to extend the meeting 45 minutes. The motion received a second from Commissioner Paul and all voted in favor.

- D. Reflective Vests and Collars for Dog Walking Town Residents** – Vice Mayor Barry Cohen
Vice Mayor Cohen presented the item and said the cost would be minimal. Pricing of the equipment with and without a logo was discussed. The Town Attorney was asked to review any liability issues. Commissioner Paul, Mayor Dietch and Vice Mayor Cohen were in favor of exploring the item further. The Town Manager will come back with information on approximately 100 vests.
- E. Maximum Building Length and Impacts of New Development** – Commissioner Tina Paul
Commissioner Paul presented the item. She addressed issues some as to the number of bedrooms, square footage and parking requirements. Public speaker George Kousoulas gave his views on parking and street frontage. Staff is to present issues brought forth by the Commissioner to the Planning and Zoning Board and get their feedback.
- F. Ruth K. Broad Bay Harbor K-8 Center (RKBBH K-8) Parent Teach Association (PTA) Sponsorship Request** – Guillermo Olmedillo, Town Manager
Duncan Tavares presented the item. The Commission discussed the item and Commissioner Paul asked to also consider a donation to the Pelican Harbour bird release program.
Commissioner Paul made a motion to allocate \$500 to the Ruth Broad Sponsorship. The motion received a second from Commissioner Karukin. After some discussion, Commissioner Paul reconsidered her motion to donate \$1,000 to the Ruth Broad Scholarship. The motion received a second from Commissioner Karukin and all voted in favor.

Commissioner Paul made a motion to donate \$500 to the Pelican Harbour Seabird Station. Passing the gavel, the motion received a second from Mayor Dietch and all voted in favor.

G. Urging Resolution to the Florida Legislature to Establish Zoning Regulations in Cities and Municipalities that Prohibit Medical Marijuana Dispensaries in Close Proximity to Schools – Guillermo Olmedillo, Town Manager

Commissioner Gielchinsky made a motion to extend the meeting 15 minutes. The motion received a second from Commissioner Paul and all voted in favor.

Public Speaker Jeffrey Platt addressed the issue of the possibility of marijuana becoming legal for recreational use and dispensaries near schools.

Vice Mayor Cohen made a motion to approve and come back as a resolution. The motion received a second from Commissioner Karukin and all voted in favor.

H. Enforcement of the Beach Furniture Ordinance No. 16-1658 – Guillermo Olmedillo, Town Manager

Manager Olmedillo presented the item and gave an update.

Public

Speakers:

-Deborah Cimadevilla fully supports the hiring of new staff for the weekends to keep compliance.

-Jeffery Platt spoke about the ordinance and chairs on the beach.

- Marianne Meischied believes the ordinance is weak and more action is needed

-George Kousoulas believes the ordinance is not that good as many key items were left out.

-Lou Cohen feels we have a chance to do something and we should keep moving forward.

Commissioner Gielchinsky and Vice Mayor Cohen left the meeting at 11:55 p.m.

Commissioner Karukin made a motion to extend the meeting 20 minutes. The motion received a second from Commissioner Paul and the motion carried 3/0 with Commissioner Gielchinsky and Vice Mayor Cohen absent.

Commissioner Karukin made a motion to approve the hiring of a staff person for the weekends. The motion received a second from Commissioner Paul and the motion carried 3/0 with Commissioner Gielchinsky and Vice Mayor Cohen absent.

After discussion Commissioner Paul made a motion to direct the Town Manager to present a framework for next month (30 days) and after review bring back an amended ordinance in 60 days. The motion received a second from Commissioner Karukin and the motion carried 3/0 with Commissioner Gielchinsky and Vice Mayor Cohen absent.

10. Adjournment

The meeting adjourned at 12:17 p.m.

Respectfully submitted,

Accepted this 14th day of March, 2017



Daniel Dietch, Mayor

Attest:



Sandra Novoa, MMC
Town Clerk