



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES**

**April 10, 2018  
7 p.m.**

**Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> 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 Deitch, Commissioner Karukin, and Vice Mayor Gielchinsky. Commissioner Paul arrived at 7:04 p.m. and Commissioner Cohen arrived at 7:09 p.m.

**C. Pledge of Allegiance**

Town Clerk Sandra Novoa led the Pledge of Allegiance

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Vice Mayor Gielchinsky wished all belated happy holidays. Mayor Dietch reflected on his statement made in 2010 when he was elected to office which stands today as his commitment to the town.

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

Commissioner Paul made a motion to take Item 9C before Item 4A1. The motion received a second from Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

Regarding Item 4A3 which is deferred, Vice Mayor Gielchinsky provided an update of the discussion which took place at the Planning and Zoning Meeting.

**F. Community Notes – Mayor Daniel Dietch**

Mayor Deitch announced upcoming community events which can be found in the Gazette and on the Town's website.

**G. Legislature Update by Senator Campbell – Mayor Daniel Dietch**

Senator Campbell gave an update on legislative issues and presented a resolution on behalf of the Town of Surfside.

**H. Legislative Session Update from Fausto Gomez – Guillermo Olmedillo, Town Manager**

Mr. Gomez gave an update on the legislative sessions and introduced new members of his delegation. Jonathan Kilman provided an update on policy issues. The Town Attorney gave information on beachfront areas. Mr. Gomez addressed questions from the Commission.

**2. Quasi-Judicial Hearings**

**3. Consent Agenda**

Commissioner Paul made a motion to approve all consent agenda items as presented below. The motion received a second from Commissioner Cohen and all voted in favor.

**A. Minutes – Sandra Novoa, MMC, Town Clerk**

- **March 13, 2018 Regular Town Commission Meeting Minutes**

**\*B. Town Manager’s Report – Guillermo Olmedillo, Town Manager**

**\*C. Town Attorney’s Report – Weiss Serota, Town Attorney**

**D. Committee Reports – Guillermo Olmedillo, Town Manager**

- **January 25, 2018 Sustainability Subcommittee Meeting Minutes**
- **February 26, 2018 Parks and Recreation Committee Meeting Minutes**

**E. Pelican Harbor Seabird Station Donation – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AND APPROVING A DONATION TO THE PELICAN HARBOR SEABIRD STATION IN SUPPORT AND SPONSORSHIP OF THEIR PROGRAMS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**F. Ruth K. Broad K-8 Parent Teacher Association Donation - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AND APPROVING A DONATION TO THE RUTH K. BROAD K-8 PARENT TEACHER ASSOCIATION FOR A MEMORIAL SCULPTURE FOR MARJORY STONEMAN DOUGLAS HIGH SCHOOL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**G. Certifying Election Results – Sandra Novoa, Town Clerk**

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 20, 2018 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**H. Arbor Day Proclamation Approval – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE ADOPTING A PROCLAMATION HONORING THE IMPORTANCE OF TREES FOR THE TOWN OF SURFSIDE’S COMMUNITY AND ENVIRONMENT AND ENCOURAGING THE PLANTING OF TREES; PROCLAIMING APRIL 17, 2018 IN THE TOWN OF SURFSIDE AS “ARBOR DAY”; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**4. Ordinances**

**A. Second Reading Ordinances**

**1. Ordinance Repealing Section 86-1 “Surfboards” of the Town’s Code of Ordinances - Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING SECTION 86-1 “SURFBOARDS” OF THE TOWN’S CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

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

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

**2. Maintenance in the Right-of-Way Including Trees and Mulch – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING ARTICLE III, PROPERTY MAINTENANCE STANDARDS, OF CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, AND CHAPTER 90, ZONING, TO PROHIBIT USE OF MULCH IN THE RIGHT-OF-WAY AND ADDRESS PROPERTY OWNER MAINTENANCE RESPONSIBILITIES FOR PUBLIC RIGHT-OF-WAY ADJACENT TO PRIVATE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Town Commission discussed the item. Commissioner Paul stated that she would like to add to the ordinance, small diameter decorative stones which can become airborne. There was some discussion among the Commission about enforcement of that concern.

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

Passing the gavel, Mayor Dietch made a motion to approve. The motion received a second from Commissioner Gielchinsky and carried 3-1 with Commissioner Karukin voting in opposition and Commissioner Cohen absent for the vote.

**3. Maximum Building Length – Guillermo Olmedillo, Town Manager *{Deferred to May, 8, 2018 Commission Meeting at 7:00 p.m. or soon thereafter}***

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS AND FACADE ARTICULATIONS.” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS FAÇADE ARTICULATIONS, MAXIMUM BUILDING LENGTHS AND BUILDING SEPARATIONS IN THE H30C AND H40 ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance. It was confirmed by the Town Manager that zoning in progress was still in place.

Vice Mayor Gielchinsky made a motion to defer the item to the May, 8, 2018 Commission Meeting at 7:00 p.m. or soon thereafter. After passing the gavel, the motion received a second from Mayor Dietch and all voted in favor with Commissioner Cohen absent for the vote.

4. **Surfside Development Approval Procedures** – Guillermo Olmedillo, Town Manager *{Deferred to May, 8, 2018 Commission Meeting at 7:00 p.m. or soon thereafter}*

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING DIVISION 3, “SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES,” OF ARTICLE II, “ADMINISTRATION AND ENFORCEMENT,” OF CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS DEVELOPMENT APPLICATION PROCEDURES AND REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Gielchinsky made a motion to defer the item to the May, 8, 2018 Commission Meeting at 7:00 p.m. or soon thereafter. The motion received a second from Commissioner Paul and all voted in favor with Commissioner Cohen absent for the vote.

#### **B. First Reading Ordinances**

1. **Lighting Regulations for Marine Turtle Protection** – Guillermo Olmedillo, Town Manager

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN CODE BY CREATING ARTICLE VI, “LIGHTING REGULATIONS FOR MARINE TURTLE PROTECTION” OF CHAPTER 34 “ENVIRONMENT”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Paul suggested some minor changes. Manager Olmedillo addressed the changes suggested by Commissioner Paul.

Mayor Dietch opened the public hearing.

Public Speakers:

-Jennifer Rotker spoke on the issue and protecting the turtles.

-Jeff Platt spoke on the lighting especially the brightness in some areas and also spoke of vehicles on the beach.

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

Members of the Town Commission discussed the item and presented their views. Building Official Prieto provided additional information. Town Manager Olmedillo was directed to come back with budget impact and an enforcement implementation plan. Changes are to be made on pages 148 and 248 - add the word emergency beach maintenance vehicles and change the timeline to 24 months, and notification sent to property management companies.

Commissioner Paul made a motion to approve with changes made. After passing the gavel, the motion received a second from Mayor Dietch and the motion carried 4-1 with Commissioner Cohen voting in opposition.

**5. Resolutions and Proclamations – N/A**

**6. Good and Welfare**

Mayor Dietch opened the meeting to public speakers.

Public Speakers:

-Marianne Meischeid spoke about the lifeguard stands and asked the Town Manager for a timeline.

-Jeff Platt spoke about the recognition the Mayor received at the Miami River Event. He also spoke about beach concerns.

-Candy Clausell spoke about injured birds and the Pelican Harbor Seabird Station.

No one else wishing to speak Mayor Dietch closed Good and Welfare.

Manager Olmedillo gave an update on the lifeguard stands. Members of the Town Commission addressed some of the public speakers' remarks.

**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. Resiliency Fund Requirement for Commercial Development Approach –**  
Guillermo Olmedillo, Town Manager

Town Manager Olmedillo spoke on impact fees. Members of the Town Commission discussed the item and directed the Town Manager to prepare a proposal for a study on a rational nexus. It was suggested to contact the Chief City Resiliency Officer of Miami Beach for assistance and information.

**B. Miami-Dade County League of Cities Director and Alternate Director Designation –** Guillermo Olmedillo, Town Manager

Vice Mayor Gielchinsky was nominated as Director and Commission Paul as Alternate Director and all voted in favor.

**C. One-Way Street Trial Report – Guillermo Olmedillo, Town Manager**  
Town Manager Olmedillo gave an update with his recommendations.

Mayor Dietch opened the item for public comments.

Public Speakers:

- Victoria Saife is not in favor of further trials and is against the use of barrels.
  - Deborah Cimadevilla asked for additional information regarding the Charrette recommended by the Town Manager and suggested some ideas.
  - J. Longo, Jr. spoke on the item and believes there is room for improvement.
  - Clara Diaz-Leal gave her views and to not lose focus on the real problem.
- No one else wishing to speak the Mayor closed the public hearing.

Commissioner Paul said she had received many communications from residents and focused on what the community wants.

***\*\*Vice Mayor Gielchinsky made a motion to move Good and Welfare to 8:30 p.m. The motion received a second from Commissioner Paul and all voted in favor.***

Members of the Town Commission discussed the item and gave their views. Vice Mayor Gielchinsky read a statement written this year by the President of Ford Motor Company and encourages walkability. Mayor Dietch went through each item recommended by Town Manager Olmedillo- Remove barrels, restore original signage, keep one way on 90<sup>th</sup> St on Collins and Harding, leave striping, stricter enforcement.

Commissioner Karukin made a motion to accept the full recommendations of staff and restore original roads with the exception of 90<sup>th</sup> and Harding remaining one way going East. The motion received a second from Commissioner Paul and all voted in favor.

**D. Board and Committee Appointees/Liaisons – Verbal – Sandra Novoa, Town Clerk**  
The following Board appointments were made:

<b>TOURST BOARD</b>	
Mayor Dietch	Barbara Cohen
Vice Mayor Gielchinsky	Jeff Lehman
Commissioner Cohen	Eli Ginsburg
Commissioner Karukin	MaryAnna Estomba
Commissioner Paul	Jennifer Brilliant
Liaison	Commissioner Cohen

Commissioner Karukin a motion to accept the appointments. The motion received a second by Commissioner Paul and all voted in favor.

<b>PLANNING &amp; ZONING</b>	
Mayor Dietch	Peter Glynn
Vice Mayor Gielchinsky	Jorge Garcia
Commissioner Cohen	Brian Roller
Commissioner Karukin	Lindsay Lecour
Commissioner Paul	Judith Frankel
Liaison	Vice Mayor Gielchinsky

Commissioner Paul a motion to accept the appointments. The motion received a second by Commissioner Karukin and all voted in favor.

<b>DESIGN REVIEW BOARD</b>	
At-large	William Fleck
At-large	VACANT

Commissioner Paul a motion to accept the appointments. The motion received a second by Commissioner Karukin and all voted in favor.

**PERSONNEL APPEALS BOARD**

Mayor Dietch	Walter Javier
Vice Mayor Gielchinsky	VACANT
Commissioner Cohen	Sasha Plutko
Commissioner Karukin	Jacqueline Azis
Commissioner Paul	Emma Contrucci
Liaison	Commissioner Karukin

**PENSION BOARD**

At-large	N. Abraham Issa
At-large	VACANT
Town Manager	Guillermo Olmedillo
Elected Rep from Police Department	VACANT
Elected Rep from the Town employees	VACANT

Commissioner Paul nominated Norma Parron but the Commission will wait to review more applications. Passing the gavel Mayor Dietch made a motion to accept the appointments. The motion received a second by Commissioner Karukin and all voted in favor.

**POLICE OFFICERS PENSION TRUST**

At-large	Eduardo Yero
At-large	Manuel Charlie
Police Officer	Loxley Arch III
Police Officer	Micah Smith
Elected by the 4 members above	VACANT

Passing the gavel Mayor Dietch made a motion to accept the appointments. The motion received a second by Commissioner Karukin and all voted in favor.

**PARKS AND RECREATION**

Mayor Dietch	Eliana Salzhauer
Vice Mayor Gielchinsky	Zoya Pashenko
Commissioner Cohen	Shlomo Danzinger
Commissioner Karukin	Retta Logan
Commissioner Paul	Louisa Agresti
Liaison	Commissioner Paul

**SUSTAINABILITY SUBCOMMITTEE TO THE PLANNING & ZONING BOARD**

Mayor Dietch	Lou Cohen
Vice Mayor Gielchinsky	Bertha Goldenberg
Commissioner Cohen	Moshe Behar
Commissioner Karukin	VACANT
Commissioner Paul	Debby Cimadevilla
Liaison	Mayor Dietch

**E. Cone of Silence Procurement Procedures – Lily Arango, Town Attorney**  
 Town Manager Olmedillo presented the item. The Commission is in support of the item and an ordinance will be prepared.

**F. Firearm Preemption Lawsuit – Mayor Daniel Dietch**  
Mayor Dietch presented the item.

Commissioner Cohen left the meeting at 10:15 p.m.

Public Speaker Barbara Cohen spoke in support of the lawsuit.  
Commissioner Paul made a motion to have the Town join the lawsuit. Mayor Dietch, Vice Mayor Gielchinsky, Commissioners Karukin and Commissioner Paul joined individually. The motion received a second from Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

Direction was given to come back with a resolution.

**G. Residential Construction Regulation – Mayor Daniel Dietch**  
Mayor Dietch presented the item.

Town Manager Olmedillo suggested bringing the item to the Planning and Zoning Board.

A permanent or commercial type fence was discussed as well as Code Enforcement Codes. The Commission was in favor of a sturdy type fence.

**H. Special Commission Meetings on the 4<sup>th</sup> Tuesday of the Month - Verbal –**  
Guillermo Olmedillo, Town Manager

Town Manager Olmedillo presented the item and it was agreed that special meetings be held on the 4<sup>th</sup> Tuesday of the month.

**I. Town Manager's Health and Life Insurance Policy – Vice Mayor Daniel**  
Gielchinsky

Vice Mayor Gielchinsky presented the item to the Members of the Town Commission.

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

**10. Adjournment**

Commissioner Paul made a motion to adjourn. The motion received a second from Commissioner Karukin and the meeting adjourned at 10:47 p.m.

Respectfully submitted,

Accepted this 8<sup>th</sup> day of MAY, 2018

  
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:  
  
\_\_\_\_\_  
Sandra Novoa, MMC