



**Town of Surfside  
Regular Town Commission Meeting  
Minutes**

**February 12, 2019  
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 Dietch, Commissioner Karukin and Commissioner Paul.

Vice Mayor Gielchinsky and Commissioner Cohen were absent.

**C. Pledge of Allegiance**

Chief Yero led the Pledge of Allegiance.

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

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

Town Manager Olmedillo made a correction to the agenda; 3B page 28, item 17 the date cited was December 14, 2018 and the correct date is December 14, 2017.

There was a correction made due to a scrivener's error on Item 9B on page 113.

Commissioner Karukin made a motion to add Item 9K to the agenda. Motion received a second from Commissioner Paul. Motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

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

Mayor Dietch spoke about the events taking place in Surfside. The information can be found on the Town's website.

**G. Tree City USA Presentation - Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo introduced the item.

Mayor Dietch accepted the award on behalf of the Town and spoke about the tree canopy survey that was previously done.

**2. Quasi-Judicial Hearings**

No Quasi-Judicial items

**3. Consent Agenda**

The following members of the Public spoke on the item:

Sheryl Goldenberg spoke on behalf of Mrs. Fowley regarding item 3B – Page 17, Section B.

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

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

Approved on Consent

- January 8, 2019 Regular Town Commission Meeting Minutes
- January 22, 2019 Special Town Commission Meeting Minutes

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

Approved on Consent

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

Approved on Consent

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

Approved on Consent

- November 29, 2018 Planning & Zoning Board Meeting Minutes
- December 12, 2018 Tourist Board Meeting Minutes
- December 17, 2018 Parks & Recreation Committee Meeting Minutes

**4. Ordinances**

**A. Second Reading Ordinances**

No ordinances on second reading.

**B. First 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 – Mayor Daniel Dietch**

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.

Mayor Dietch introduced the item to the Town Commission.

Commissioner Paul made a motion for discussion. Motion received a second from Commissioner Karukin.

Commissioner Karukin and Commissioner Paul expressed their concerns with the ordinance and which boards should fall under this stricter rule.

The following members of the public spoke on the item:

Sasha Plutno  
Ellen Abramson  
Eliana Salzhauer  
Joshua Epstein  
Brian Bay

Sheryl Goldberg spoke on behalf of Tricia Fowley  
Diana Gonzalez

Commissioner Karukin made a motion to approve the Ordinance on first reading. The motion received a second by Commissioner Paul. Motion passed 3-0. Vice Mayor Gielchinsky and Commissioner Cohen were absent.

## **5. Resolutions and Proclamations**

### **A. Town of Surfside Social Media and Media Inquiry Policy – Guillermo Olmedillo, Town Manager Page 86 - 103**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A SOCIAL MEDIA AND MEDIA INQUIRY POLICY FOR THE TOWN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Rachel Pinzur presented the item to the Town Commission.

Commissioner Paul made a motion for discussion purposes. The motion received a second from Commissioner Karukin and all voted in favor.

The members of the Town Commission discussed the item and stated their concerns.

The following members of the public spoke on the item:

Sasha Plutno  
Eliaana Salzhauer  
Brian Bay  
Joshua Epstein  
Marianne Meisheid

Town Attorney Arango answered Commissioner Paul's questions regarding removing postings and her questions about items on page 90 and 93 of Attachment A.

After some discussion Commissioner Paul made a motion to approve with the recommendation that the attorney look into page 90 Users Posting and Account Activation and 93 (Attachment "A") She stated that she is not comfortable with the Town deleting people's comments, and requested legal to look into it and make sure it will not violate Public Records Law.

Town Attorney Arango responded to Commissioner Paul's concerns. The motion received a second from Commissioner Karukin. The motion carried 3-0.

**B. Terminating Abbott Parking Lot Unsolicited Public Private Partnership Proposal – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TERMINATING THE EVALUATION OF AND REJECTING AN UNSOLICITED PUBLIC-PRIVATE PARTNERSHIP (P3) PROPOSAL REFERRED TO AS "SURFSIDE COMMONS" FOR THE DESIGN, CONSTRUCTION, FINANCING, OPERATION AND MAINTENANCE OF A MIXED-USE DEVELOPMENT CONSISTING OF RETAIL, OFFICE PARK AND PARKING ON THE PROPERTY LOCATED AT 96<sup>th</sup> STREET AND ABBOTT AVENUE ("PROJECT"); PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Guillermo Olmedillo introduced the item.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Commissioner Paul and all voted in favor.

The following members of the public spoke on this item:

Sasha Plutno

Jeffrey Platt

Ellen Abramson

George Kousoulas

Eliana Salzhauer

Mitchel Feldman – Commissioner Paul made a motion to extend one minute. Commissioner Karukin seconded the motion and all voted in favor.

Mayor Dietch addressed the members of the public regarding this issue.

A motion was made by Commissioner Paul to approve the Resolution. Motion received a second from Commissioner Karukin. Motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

**C. Water Conservation Month (April 2019) – Mayor Daniel Dietch**

A RESOLUTION OF THE TOWN OF SURFSIDE DECLARING APRIL AS WATER CONSERVATION MONTH IN THE TOWN OF SURFSIDE, FLORIDA, AND SUPPORTING THE NATIONAL “WYLAND MAYOR’S CHALLENGE FOR WATER CONSERVATION” IN THE TOWN OF SURFSIDE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND ALL THE MUNICIPALITIES OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Mayor Dietch presented the item to the Town Commission.

The following members of the public spoke on this item:

Pamela O’Hagan

Mayor Dietch addressed the members of the public regarding the issue.

A motion was made by Commissioner Paul to approve the Resolution. Motion received a second by Commissioner Karukin. Motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

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

Sheryl Goldberg spoke about Page 36 and 37, Attachments A and B on disclosing itemized complaints and overcrowding of tables and chairs at Flanigan’s.

Commissioner Paul made a motion to extend speaker Goldberg’s time for an additional minute. Motion received a second from Mayor Dietch. Motion carried 2-1 with Commissioner Karukin voting in opposition.

Eliana Salzhauer spoke regarding congestion in the Town and the issues navigating the sidewalks and the impact it has on the quality of life.

Jeffrey Platt spoke about the beach furniture ordinance and enforcement of violators.

Sasha Plutno spoke about the beach furniture and beach concession issues. Commissioner Paul made a motion to extend one minute. The motion received a second from Mayor Dietch. Motion carried 2-1 with Commissioner Karukin voting in opposition.

Patricia Fernandez spoke about issues with the Synagogue and the garbage not being picked up on the weekend and that it brings rats. Commissioner Paul made a motion to extend one minute. The motion received a second from Mayor Dietch. Motion carried 2-1 with Commissioner Karukin voting in opposition.

Casey Woods spoke about the 96<sup>th</sup> Street Park renovation and the field and the bathrooms that are in bad condition.

Members of the Town Commission addressed the members of the public.

Town Manager Olmedillo advised that the ticketing of beach chairs left out will be commencing on February 22, 2019 and those beach chair operators have been notified in writing. He also addressed the concerns of the members of the public.

**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. Boards and Committee Appointments [Verbal] – Sandra Novoa, MMC, Town Clerk [Item linked to item 9I]**

Motion made by Commissioner Karukin to link item 9A to item 9I, motion received a second from Commissioner Paul. Motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

- Sustainability and Resiliency Committee – Mayor Dietch
- Downtown Vision Advisory Committee – discussed under item 9I

Mayor Dietch appointed Nirit Tayas-Zamir to the Sustainability and Resiliency Committee. Commissioner Paul made a motion to approve. Commissioner Karukin seconded the motion and all voted in favor.

**B. Beach Renourishment Project Update – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo provided an update on the project.

The following members of the public spoke on the item:  
Jennifer Rotker

Commissioner Karukin spoke on the project and addressed some of the residents' concerns.

**C. Florida Friendly Landscape -** Guillermo Olmedillo, Town Manager  
Town Manager Olmedillo presented the item.

The consensus among the Town Commission was to bring back a proposed ordinance and to include the financial component.

Minor modifications were suggested by Commissioner Paul.

**D. Annual Performance Evaluation –** Guillermo Olmedillo, Town Manager  
– Mayor Daniel Dietch

Mayor Dietch requested the item be deferred until they have a full commission present.

Commissioner Karukin made the motion to defer the item to the next meeting, motion received a second by Commissioner Paul. Motion carried with a 3-0 vote with Vice Mayor Gielchinsky and Commissioner Cohen absent.

**E. Town Hall Meeting Recap –** Mayor Daniel Dietch

Mayor Dietch presented the item to the Town Commission.

Consensus was to direct the Town Manager to post and distribute the Mayor's Town Hall Meeting Recap on the Town's Website and via the Town e-notification system.

**F. Commissioner Presentations –** Mayor Daniel Dietch

Mayor Dietch presented the item to the Town Commission.

Commissioner Karukin did not agree fully with the item and stated that at times they cannot prepare a presentation in advance.



Continued discussion took place among the Town Commission and their stance and flexibility on this item in having their presentations in advance. He also believes that the Town Commission should have full flexibility to present in order to convince the Members of the Town Commission to vote one way or the other.

Commissioner Paul gave her opinion and stated that she also believes that the presentations are for the benefit of the public as well as the Town Commission.

Majority opinion was that there should not be a policy created for this item.

There was no motion or direction to staff during this item.

**G. Artificial Grass – Mayor Daniel Dietch**

Mayor Dietch presented the item to the Town Commission.

The following members of the public spoke on the item:

Diana Gonzalez

Yolanda Gonzalez

Eliana Salzhauer

Ellen Abramson

George Kousoulas

After some discussion this item did not move forward and Mayor Dietch encouraged Commissioner Paul to bring a new discussion item that will address compliance of residents currently in violation of the code.

**H. Funding Request for The Rotary Club of Bal Harbour – Mayor Daniel Dietch**

Mayor Dietch presented the item to the Town Commission.

Commissioner Paul asked if this is a one-time thing.

Mayor Dietch responded that they may choose to request again in upcoming years.

Commissioner Paul stated she is ok with a one-time deal.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. The motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

The following members of the public spoke on the item:

Sasha Plutno

Commissioner Karukin made a motion to extend the meeting not to exceed three hours. Commissioner Paul seconded the motion, and all voted in favor.

**I. Downtown Vision Advisory Committee Appointments – Guillermo Olmedillo, Town Manager [Item linked to item 9A]**

Town Manager Guillermo introduced the item.

Commissioner Paul requested to bring this item back when they have more applicants and asked what outreach was done to let the public know.

The following members of the public spoke on this item:

Eliana Salzhauer

Ellen Abramson

Sheryl Goldberg spoke on behalf of Tricia Fowley.

Elliot Kulas

George Kousoulas

Marianne Meisheid

Diana Gonzalez

The Town Commission made a request to bring back a resolution addressing membership as a charter amendment.

After a lengthy discussion, passing the gavel Mayor Dietch made a motion to appoint Fred Lansman, George Kousoulas, Marianne Meisheid, Asmaa Benkirane, Sean Grenald, Elliot Kulas and Sandra Olive to the Downtown Vision Advisory Committee. The motion received a second from Commissioner Karukin. Motion carried 2-1 with Commissioner Paul voting in opposition and Vice Mayor Gielchinsky and Commissioner Cohen absent.

**J. 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

Commissioner Karukin presented the item to the Town Commission.

The following members of the public spoke on the item:

Sasha Plutno

Elianna Salzheuer

Marc Levinson

Sheryl Goldberg

Ellen Abramson

Alex Tachmes representing Fort Partners.

George Kousoulas

Jeffrey Platt

Commissioner Karukin made a motion to direct staff to prepare an ordinance for consideration that restricts hotel projects in the H40 zoning district south of 93<sup>rd</sup> street within the moderate high-density residential area. Commissioner Paul seconded the motion and all voted in favor.

**K. Miami Dade County Fire Chief Retirement Recognition – Mayor Daniel Dietch**


Commissioner Karukin made a motion to approve a Key to the Town to recognize Miami Dade Fire Chief Dave Downey. Motion received a second from Commissioner Paul. The motion carried 3-0 with Vice Mayor Gielchinsky and Commissioner Cohen absent.

**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 11:20 pm.

Respectfully submitted,

Accepted this 12<sup>th</sup> day of March, 2019.

  
Daniel Dietch, Mayor

Attest:

  
Sandra Novoa, MMC  
Town Clerk