



**Town of Surfside
Regular Town Commission Meeting
MINUTES
March 12, 2020
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

Deputy Town Clerk Herbello called the roll with the following members present:

Present: Mayor Daniel Dietch, Commissioner Michael Karukin, Vice Mayor Daniel Gielchinsky, and Commissioner Tina Paul.

Absent: Commissioner Barry Cohen.

Also present were Town Manager Guillermo Olmedillo, Town Attorney Lillian Arango and Assistant Town Manager Duncan Tavares.

C. Pledge of Allegiance

Police Chief Yero led the pledge of allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul recognized all Board and Committee members who served on the Boards and encouraged the public to apply to serve on the boards and the importance of all committees and boards. She also commented on the current situation and one must pay attention and take care of ourselves.

Commissioner Karukin also commented on the Boards and Committees and the importance of everyone attending those meetings.

Vice Mayor Gielchinsky spoke regarding the situation at hand and to be prepared but do not panic, just have a plan. He also stated to be diligent and take care of yourselves and we will get through it.

Mayor Dietch also thanked the Boards and Committees and thanked everyone for their support.

Mayor Dietch commended Officer Josue Castro for winning the Law Enforcement Award for Support Services Category.

Mayor Dietch also commended the Public Works Department employees, Hector Gomez, Hector Rodriguez, Kenny Chaviano and Harold Lacroix for the work they performed as well as Public Works Director Stokes on how they handled the sewer main break in Miami Beach and his coordination with neighboring committees to make sure we had the resources necessary.

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

Mayor Dietch would like to add as an item, Item 5F, regarding the Declaration of a State of Emergency for flexibility.

A motion was made by Commissioner Paul, seconded by Vice Mayor Gielchinsky to add a new item, Item 5F, to the agenda. All voted in favor with Commissioner Cohen absent.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch read his community notes into the record which are available on the Town's website. He also addressed and gave an update on the COVID-19 situation and commended the Administration on taking decisive action for the best of the community. He stated that they are working with Miami-Dade County and the Department of Health. He stated that all senior events are being postponed for the safety of the seniors.

Mayor Dietch encouraged everyone who is not signed up to receive updates, to sign up. The Town will be updating the information as they receive it. The Town works in an abundance of caution and their responsibility is the safety and well-being of the residents.

Mayor Dietch invited Dr. Martin Karp, Miami-Dade County School Board, who gave an update on the schools. He stated that all schools remain open at this time and he advised that they have a website www.covid19.dadeschools.net which will have updated information. They can also call 305-995-3000.

G. Beach Renourishment Briefing – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item and provided a briefing. He recognized Hector Sevilla, the contractor, and Christopher Rigo from the Corps of Engineers.

Hector Sevilla, the contractor and Christopher Rigo, Corps of Engineers spoke and thanked staff.

Mayor Dietch thanked both gentlemen for their work.

The following individual from the public spoke on the item:
Jeffrey Platt

Mayor Dietch addressed public speaker Platt's comments.

2. Quasi-Judicial Hearings

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

A motion was made by Commissioner Karukin to approve the consent agenda minus pulled items 3D and 3F. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

A. Minutes – Sandra Novoa, MMC, Town Clerk

- *February 11, 2020 Regular Town Commission Meeting Minutes*

Approved on consent.

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

Item was pulled for a public speaker.

The following individual from the public spoke on the item:
Shlomo Danzinger 3BV2 speaking about the intersection on Harding and painting the sidewalk and adding a street light. He spoke regarding the sidewalk and asking for this item to be fast tracked. He addressed Item 14 the mitigation to 88th Street on Abbott and Byron and the traffic issue coming up on Carlyle and the need to come up with a solution of traffic as a whole.

Mayor Dietch addressed the comments made by public speaker Danzinger.

Approved on consent.

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

Approved on consent.

D. Committee Reports – Guillermo Olmedillo, Town Manager

- *November 7, 2019 Pension Board Meeting Minutes*
- *December 2, 2019 Special Pension Board Meeting Minutes*
- *January 15, 2020 Sustainability and Resiliency Committee Meeting Minutes*
- *January 27, 2020 Parks and recreation Committee Meeting Minutes*
- *January 30, 2020 Planning and Zoning Board Meeting Minutes*
- *February 3, 2020 Tourist Board Meeting Minutes*

Approved on consent.

E. FY 2020 Budget Amendment Resolution No. 4 - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE FISCAL YEAR 2020 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

F. Resiliency Reserve Policy - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AND ADOPTING A RESILIENCY RESERVE POLICY PROVIDING FOR FUNDING, ELIGIBLE USES AND EXPENDITURES FROM THE RESILIENCY RESERVE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Herbello read the title into the record.

Commissioner Paul requested amendments to be made to the Resiliency Reserve Policy.

The following individuals from the public spoke on the item:

Eliana Salzhauer

Jeffrey Platt

Commissioner Karukin asked about restrictions of transferring of funds and the legality of this particular reserve and what the money can be used for.

Mayor Dietch addressed the comments made by Commissioner Karukin regarding the funds and have developers pay for the future impacts and the restrictions of the funds. He explained that legislature has removed the ability to use the development funds.

Town Attorney Arango gave an explanation on the funding and legality.

After a lengthy discussion on the item the following motion was made.

A motion was made by Commissioner Karukin to approve the Resolution as amended. The motion was seconded by Vice Mayor Gielchinsky. All voted in favor with Commissioner Paul voting against and Commissioner Cohen absent.

4. Ordinances

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

A. Second Reading Ordinances

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

B. First Reading Ordinances

5. Resolutions and Proclamations

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

A. Resolution Approving the Purchase of a Back-up Pump for Sewer Lift Stations– Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PURCHASE OF A BACK-UP PUMP FOR SANITARY SEWER LIFT STATIONS FROM BARNEY'S PUMPS INC.; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES PURCHASE OF EQUIPMENT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PURCHASE ORDER FOR SUCH PURCHASE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Herbello read the title into the record.

Commissioner Paul commented on the purchase of this pump.

Town Manager Olmedillo asked Public Works Director Stokes to explain the item.

Public Works Director Stokes explained the need for a backup pump due to the others failing.

Vice Mayor Gielchinsky asked if there is backup or auxiliary power.

Public Works Director Stokes answered Vice Mayor Gielchinsky's question and stated yes, they do.

A motion was made by Commissioner Karukin to approve the Resolution. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

B. Resolution Approving a Donation to the Pelican Harbor Seabird Station
– Commissioner Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, 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.

Deputy Clerk Herbello read the title into the record.

Commissioner Paul introduced the item and gave an explanation of the program.

Vice Mayor Gielchinsky commended Commissioner Paul for bringing this to the Town of Surfside.

Mayor Dietch asked Town Manager Olmedillo if there is a budget for this donation.

Finance Director Greene answered Mayor Dietch's question and stated that there is sufficient funding and this item is budgeted.

A motion was made by Commissioner Paul to approve the Resolution. The motion received a second from Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

C. Resolution Authorizing a Memorandum of Understanding between Big Brothers Big Sisters of Miami (BBBSM) and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND BIG BROTHERS AND BIG SISTERS OF MIAMI (BBBSM); PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Herbello read the title into the record.

A motion was made by Commissioner Karukin to approve the Resolution. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

D. Resolution Authorizing Expenditure of Forfeiture Funds for Fiscal Year 2019-2020 – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING FISCAL YEAR 2019/2020 POLICE FORFEITURE FUND EXPENDITURES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Herbello read the title into the record.

A motion was made by Commissioner Karukin to approve the Resolution. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

E. Resolution Authorizing Mutual Aid and Joint Declaration Agreements between the Town of Surfside and Indian Creek Village – Guillermo Olmedillo, Town Manager.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MUTUAL AID AGREEMENT WITH

INDIAN CREEK VILLAGE, AND A JOINT DECLARATION OF THE CHIEF OF INDIAN CREEK VILLAGE PUBLIC SAFETY DEPARTMENT AND THE CHIEF OF POLICE OF THE TOWN OF SURFSIDE PURSUANT TO MUTUAL AID AGREEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Clerk Herbello read the title into the record.

Mayor Dietch asked if Indian Creek's Police boat can be called as part of the MOU for our assistance.

Police Chief Yero stated that yes, the Town does have the use of their police boat if needed.

A motion was made by Commissioner Karukin to approve the Resolution. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

F. Resolution Declaring a State of Emergency due to COVID-19 – Guillermo Olmedillo, Town Manager.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING A STATE OF EMERGENCY DUE TO COVID-19; PROVIDING FOR THE TERM OF THE STATE OF EMERGENCY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Clerk Herbello read the title into the record.

Town Attorney Arango explained the item and the provision of this resolution and what this state of emergency would entail.

Mayor Dietch reiterated that this is done in an abundance of caution.

A motion was made by Commissioner Karukin to approve the Resolution. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

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.

The following individuals from the public spoke on the item:

Jeff Rose spoke regarding enforcement of the code and that the code was changed 10 years ago and we are not like Sunny Isles. He spoke regarding the second story setback in the single-family district and Collins Avenue and that you can no longer build straight. He thanked the Commission.

Shlomo Danzinger thanked the Commission for all their work and thanked Parks Director Milian for his fast work on putting the children's safety first with the COVID-19 issues.

Eliana Salzhauer thanked those who worked hard and that the P-3 project brought residents closer and came together to fight back for their Town land. She stated that she had an issue with how things were handled yesterday, although we are facing a serious health threat one should defer to the CDC.

Jeffrey Platt thanked all on the Commission for their service. He spoke regarding removing all the construction material behind the Dunes at the Surf Club.

Commissioner Paul thanked all the residents who have come to the meetings.

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. Overhead Utility Standards – Mayor Dietch

Mayor Dietch introduced the item and gave an update on utility standards as it relates to infrastructure and Miami-Dade County standards.

The following individual from the public spoke on the item:
Shlomo Danzinger

A motion was made by Commissioner Karukin to approve the recommendation and direct the Town Manager to come back with a report to the Town Commission in sixty (60) days. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

B. Mechanical Equipment in Setbacks – Commissioner Cohen

The following individual from the public spoke on the item:
Jeff Rose

A motion was made by Commissioner Karukin to table the item for a future Town Commission meeting. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

C. Double Parking in Harding Avenue Business District – Commissioner Paul

Commissioner Paul introduced the item and gave a summary of the item and wanted to explore a drop off loading zone on Harding Avenue.

Commissioner Paul would like the Commission to consider a pilot program and notify the business owners of the drop off spots and commented on the amount of parking spots they would need. She stated possibly sending it to DVAC to consider it.

The following individual from the public spoke on the item:
Shlomo Danzinger
Eliana Salzhauer

Commissioner Paul asked if there was any feedback from Town Manager Olmedillo or Police Chief Yero on the legality of where they can be.

Town Attorney Arango stated that she will work with Town Manager Olmedillo and Police Chief Yero on where they can be.

Vice Mayor Gielchinsky addressed the comments made by the public regarding the peak hours.

A motion was made by Commissioner Karukin to have DVAC review and submit their recommendation to the Town Commission. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

D. Update analysis for Recommendation of Additional lighting locations in residential areas within the Town of Surfside – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item and gave a verbal update. He spoke about coordination with FPL with quotes and if they want to go with 90% illumination like other communities or would they want to wait on getting more comments from the public and residents. He stated that he is seeking direction from the Commission.

Commissioner Paul stated that some have stated that the streets are dark and can the light be spread out without more poles in the streets. She is more interested in the 60%, you want them brighter but not too bright.

Discussion among the Commission and Town Manager Olmedillo took place regarding the public letting the Town know how much illumination they would like and direction was given to Town Manager Olmedillo to check with the residents to see how much illumination they would like on the streets.

The following individual from the public spoke on the item:
Shlomo Danzinger

Commissioner Paul stated that she would like 60% maybe up to 76%.

Mayor Dietch asked Town Manager Olmedillo how they arrived to 90%.

Town Manager Olmedillo stated that it is the lighting fixture itself and the LED character fixture because it doesn't fill into the atmosphere.

Mayor Dietch asked if Town Manager Olmedillo could get a price for 60%, 76% and 90% and have the Town Commission determine which one is best.

Commissioner Paul stated that her concern is that the streets are dark.

Mayor Dietch stated that they will need shields regardless of the percentage and what is important is having lighting on the street.

A motion was made by Mayor Dietch to direct Town Manager Olmedillo to come back to the Town Commission with pricing for 60%, 76% and 90% lighting. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

E. Model Development Order - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item and spoke regarding impact fees and how it is currently being discussed by Tallahassee.

Commissioner Paul commented on the item and stated that this is something that needs to be done but what is missing on the list is that the environmental impact must be included in the demolition. She stated that she would like to see demolition added.

Vice Mayor Gielchinsky commented on the reports that would need to be presented in a form of mitigation and the level of service as well as what

mitigation level it would be. He also commented on the impact it would have on the Town and what the Town would get for this.

Town Manager Olmedillo addressed Vice Mayor Gielchinsky's comments and stated that the Town does not have impact fees currently and discussed the areas that are not improved as of yet.

Commissioner Karukin spoke about the abolishment of DIC and that the DIC would have been the Committee to review this.

Discussion continued among the Commission and Town Manager Olmedillo regarding the location of the most impact and the challenges that will be addressed, and the cost of the analysis that needs to be done.

The following individuals from the public spoke regarding the item:

Shlomo Danzinger
Eliana Salzhauer

A motion was made by Commissioner Karukin to approve the short- and long-term policy creating the Model Development Order and adding a demolition section to the Order and bring back to the Town Commission in 90 days. The motion received a second by Commissioner Paul. All voted in favor with Commissioner Cohen absent.

F. Phasing of Underground Fuel Tanks Located at Town of Surfside Town Hall to Above-Ground Tanks – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo gave a verbal update on the project and challenges.

Public Works Director Stokes explained in detail the project and the challenges they are experiencing with DERM and the need to move these underground tanks. He explained what DERM found and the assessment that was done.

Town Manager Olmedillo stated that they are seeking direction from the Town Commission in order to have the tank removed.

Public Works Director Stokes addressed questions made by the Town Commission.

A motion was made by Commissioner Karukin to approve Town Manager Olmedillo's recommendation. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

10. Adjournment

A motion was made by Commissioner Karukin to adjourn the meeting without objection at 9:28 p.m. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

Respectfully submitted,

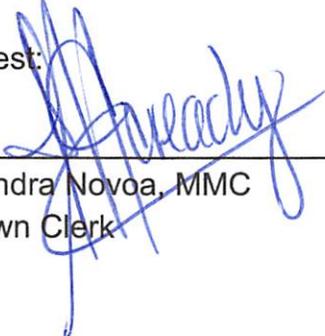
Accepted this 14 day of April 2020.



Charles W. Burkett, Mayor

**Mayor Burkett is only signing these minutes to enter same into the record. However, Mayor Burkett has no knowledge that they are correct or complete. **

Attest:



Sandra Novoa, MMC
Town Clerk