



**Town of Surfside**  
**Special Town Commission Meeting**  
**MINUTES**  
**September 18, 2017**  
**6 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 6:02 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**

Members of the Commission spoke on Hurricane Irma and how well the town staff responded. Best wishes went out for the upcoming Jewish holidays.

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

Town Attorney Lillian Arango recommended a motion to ratify and reflect the cancellation of the Regular Commission meeting scheduled for September 12, 2017 due to the aftermath of Hurricane Irma, and rescheduling of the meeting as a Special Meeting by the Town Manager to today, September 18, 2017. All dates listed on the Agenda and various items reflecting the original meeting date of September 12, 2017 should reflect September 18, 2017. Commissioner Gielchinsky moved the motion to that effect. The motion was seconded by Commissioner Paul and all voted in favor.

Town Manager Olmedillo requested to defer item 5C – Tyler Technologies ERP Software System.

Mayor Daniel Dietch requested to add an item as 9F to speak about Post Hurricane Irma. The Mayor requested we hold item 4B1 until the attorney arrives.

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

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

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

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda**

Commissioner Karukin made a motion to accept all items under the consent agenda. Commissioner Paul seconded the motion and all voted in favor.

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

- **July 11, 2017 Budget Meeting Minutes**
- **July 11, 2017 Special Commission Meeting – Quasi-Judicial Hearing Minutes**
- **July 11, 2017 Regular Commission Meeting Minutes**

Adopted on consent

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

1. See Click Fix
2. Interlocal Shuttle Update
3. Development Application Status
4. Miami-Dade County League of Cities Meeting
5. Code Compliance
6. Finance
7. Information Technology
8. Police Department

Adopted on consent

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

Adopted on consent

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

- May 2, 2017 Pension Board Meeting
- June 29, 2017 Sustainability Subcommittee Meeting Minutes
- June 29, 2017 Planning and Zoning and Design Review Board Meeting Minutes

**E. Strategic Miami Area Rapid Transit (SMART) Plan Resolution – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSIONER OF THE TOWN OF SURFSIDE, FLORIDA ENDORSING AND SUPPORTING THE EXPANSION OF THE NEW STARTS TRANSIT PROGRAM (NSTP) TO FACILITATE FUNDING FOR THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

Adopted on consent

#### 4. Ordinances

##### A. Second Reading Ordinances

##### B. First Reading Ordinances

1. **Pension Ordinance adopting Chapter 185 minimum benefits for police officers along with other changes to the ordinance – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 2 OF THE CODE OF THE TOWN OF SURFSIDE REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-171 OF THE TOWN CODE TO CLARIFY THE DEFINITION OF THE TERM SENIOR MANAGEMENT EMPLOYEE; AMENDING SECTION 2-175(d) OF THE TOWN CODE TO PROVIDE FOR ONE ACTUARIAL BUYBACK CALCULATION TO DETERMINE THE COST OF MILITARY OR PRIOR LAW ENFORCEMENT SERVICE; AMENDING SECTION 2-176(b) OF THE TOWN CODE TO PROVIDE FOR EARLY RETIREMENT FOR POLICE MEMBERS AT AGE 50 WITH TEN YEARS OF SERVICE; AMENDING SECTION 2-176(c)(2) OF THE TOWN CODE TO PROVIDE FOR A TEN YEAR CERTAIN AND LIFE BENEFIT AS THE NORMAL FORM OF BENEFIT FOR POLICE MEMBERS; AMENDING SECTION 2-177(c) OF THE TOWN CODE TO PROVIDE FOR OPTIONAL FORMS OF BENEFITS FOR POLICE MEMBERS; AMENDING SECTION 2-178(a) OF THE TOWN CODE TO PROVIDE FOR MINIMUM DEATH BENEFITS FOR POLICE MEMBERS; AMENDING SECTION 2-189(e)(2)a. AND (e)(4) OF THE TOWN CODE TO PROVIDE FOR MINIMUM DISABILITY BENEFITS FOR POLICE MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Pension Attorney Adam Levinson presented the item to the Town Commission.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. Motion carried 5-0.

**2. Crossover of the Dune – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, SECTION 90-37 “SPECIAL EXCEPTIONS,” TO PROVIDE A SPECIAL EXCEPTION APPROVAL PROCESS AND RELATED CRITERIA FOR DUNE CROSSOVERS; AND BY AMENDING SECTION 90-60 “CONSTRUCTION ADJACENT TO BULKHEAD LINES” TO PERMIT DUNE CROSSOVERS ONLY IF APPROVED BY SPECIAL EXCEPTION; 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.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Commissioner Paul,

Town Manager Guillermo Olmedillo presented the item to the Town Commission.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. Motion carried 5-0.

**3. Amending Article VI. – “Rules of Procedure for Town Meetings” - Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI. - “RULES OF PROCEDURE FOR TOWN MEETINGS”; 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.

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

Town Attorney Lillian Arango and Town Manager Guillermo Olmedillo presented the item to the Town Commission.

Commissioner Karukin commented on the item and had some questions on the proposed Rule 6.06 (b)(1) on page 8 of the proposed ordinance. Lobbyist and fees were discussed and under the County Ethics Code, neighborhood

associations such as condos are exempt from registering as lobbyist and paying the fee.

After some discussion, Commissioner Paul made a motion to approve with modifications made and not including resolutions under Rule 6.06(b)(1) and requesting the Town Attorney's Office to work and revise language for second reading. The motion received a second from Commissioner Gielchinsky and the motion carried 5-0.

**4. Water, Sewer and Stormwater Rate Adjustment – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 78 "UTILITIES" OF THE TOWN CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Town Manager Guillermo Olmedillo presented the item to the Town Commission.

Commissioner Karukin made a motion to accept. The motion received a second from Commissioner Paul. Motion carried 5-0.

**5. Resolutions and Proclamations**

**A. Four Year Staggered Terms for the Town Commission and Retain Two Year Term for the Mayor – Commissioner Michael Karukin**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A MARCH 20, 2018 TOWN OF SURFSIDE SPECIAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE TOWN OF SURFSIDE, FLORIDA, A PROPOSED AMENDMENT TO THE TOWN CHARTER CONCERNING SECTION 5 - "NUMBER; SELECTION; TERM", SECTION 8 - "PRESIDING OFFICERS", AND SECTION 105 - "GENERAL AND SPECIAL ELECTIONS OF COMMISSION MEMBERS", AS PRESENTED IN A BALLOT QUESTION ON AMENDMENTS TO THE TOWN CHARTER "ESTABLISHING FOUR-YEAR STAGGERED TERMS FOR COMMISSIONERS AND RETAINING MAYOR'S TWO- YEAR TERM" COMMENCING WITH TOWN'S GENERAL ELECTION IN 2020; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY**

**SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION;  
PROVIDING FOR CHARTER AMENDMENT ELECTION  
PROCEDURES AND RELATED DETAILS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Commissioner Karukin presented the item to the Town Commission and after some discussion he made a motion to approve with an amendment to add "Commencing in 2020" under Section 2 and 3 of the resolution. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Public Speaker Lou Cohen spoke in favor of the item.

Commissioner Karukin made a motion to take Item 4B1next. The motion received a second from Commissioner Paul and all voted in favor.

**B. Employee Health Benefits Contract Renewal for FY 2017-2018 – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF  
SURFSIDE, FLORIDA, APPROVING GROUP HEALTH INSURANCE  
COVERAGE WITH AETNA, DENTAL AND VISION COVERAGE WITH  
GUARDIAN, AND TERM LIFE INSURANCE, ACCIDENTAL DEATH,  
SHORT TERM DISABILITY, AND LONG TERM DISABILITY WITH  
MUTUAL OF OMAHA; TERMINATING THE PRIOR PAYMENT  
AGREEMENT WITH THE TOWN'S INSURANCE BROKER, ADAMS  
BENEFIT, AND ACCEPTING THE PAYMENT TERMS WITH ADAMS  
BENEFIT INCORPORATED AS PART OF THE AETNA FEE  
ARRANGEMENT; 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 Paul made a motion for discussion purposes only. The motion received a second from Commissioner Gielchinsky.

Town Manager Guillermo Olmedillo and Human Resources Director Yamileth Slate-McCloud presented the item to the Town Commission.

After staff presentation and some answered questions by the Commission, Commissioner Paul made a motion to approve. The motion received a second from Commissioner Karukin and all voted in favor.

**C. Tyler Technologies ERP Software System - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED RFP NO. 2015-001 FOR A TURN KEY ENTERPRISE RESOURCE PLANNING SOFTWARE SOLUTION TO TYLER TECHNOLOGIES, INC.; APPROVING A SOFTWARE AS A SERVICE AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR A FIVE YEAR INITIAL TERM IN AN AMOUNT NOT TO EXCEED \$556,285; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

Item deferred

**D. Beach Renourishment Funding Urging Resolution – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROPRIATE FUNDS FOR BEACH RENOURISHMENT PROJECTS; SUPPORTING SENATE BILL 174; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AUTHORIZATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Mayor Dietch presented the item. Vice Mayor Cohen questioned if the storm surge and flooding came from the ocean or the bay. Manager Olmedillo and Public Works Director Randy Stokes responded and said none of the water came from the ocean but it did come from the bay.

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

**E. Fulfillment of Amortized Cost for Recycling Containers as per Interlocal Agreement – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE EXPENDITURE FROM THE 2016-2017 FISCAL YEAR BUDGET IN THE TOTAL AMOUNT OF \$16,041.60; 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.

**F. Request to Release Covenant Restricting Property Use for 200 96<sup>th</sup> Street (the “Property”) – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE RELEASE OF A COVENANT BURDENING 200 96<sup>TH</sup> STREET; VERIFYING THE PROPERTY STATUS SUBSEQUENT TO RELEASE OF THE COVENANT; PROVIDING FOR RESTORATION OF THE PROPERTY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Commissioner Gielchinsky made a motion for discussion purposes. The motion received a second from Commissioner Paul.

Town Manager Olmedillo presented the item to the Town Commission.

Public Speaker Carli Koshal spoke on the item.

After some discussion Commissioner Gielchinsky made a motion to approve with an amendment suggested by Mayor Dietch to section 4 of the resolution to request that the Owner shall within 6 months of the approval remove all improvements on the Property provided to allow off-street parking and sod the property consistent with Town standards. The motion received a second from Commissioner Paul and all voted in favor.

The Town Commissioner directed staff to reach out to the owner and check the possibilities of the Town acquiring that land.

As a point of privilege, the Mayor recognized former Vice Mayor Tourgeman who attended the meeting.

**6. Good and Welfare**

The Mayor opened the meeting to public speakers.

Public Speakers:

-Eli Tourgeman expressed his gratitude to the Public Works Dept. for the incredible job they did after hurricane Irma.

-Lou Cohen spoke about providing a sign that indicates access to the beach.

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

**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. Walkability and Pedestrian Improvements Trial Update – Guillermo Olmedillo, Town Manager**

The Commission discussed the item and Commissioner Paul gave a handout to the Commission with some of her suggestions.

Public Speaker George Kousoulas spoke on the item.

Commissioner Gielchinsky made a motion to move forward on the item. The motion received a second from Commissioner Karukin and all voted in favor.

### **B. Discussion Regarding Regulation of Medical Marijuana Dispensaries – Guillermo Olmedillo, Town Manager**

Town Attorney Kathy Mehaffey presented the item.

After some discussion, the Commission asked to have the item brought back as an ordinance format for a discussion item.

### **C. Elimination of the Sustainability Sub Committee and transferring responsibility to Planning and Zoning (P&Z) Board – Commissioner Michael Karukin**

Manager Olmedillo read a statement from Chair Lecour of the Planning and Zoning Board supporting the elimination and transferring of the Sustainability Sub Committee.

Public Speaker Lou Cohen spoke on the item.

Public Speaker George Kousoulas spoke on the item. Commissioner Gielchinsky made a motion to extend the speaking time for Mr. Kousoulas.

There was much discussion on the item and the item will be revisited.

### **D. Design Review Board Vacancy (Verbal) – Sandra Novoa, MMC, Town Clerk**

Town Clerk Novoa spoke of the resignation of Mr. Covin from the DRB and she has not received a nomination for a replacement. The qualifications for members of the DRB was clarified. Commissioner Gielchinsky also said Mr. Iacobbaci from the Planning and Zoning Board will also be resigning and a replacement will be needed.

### **E. Texting While Driving Urging Resolution – Mayor Daniel Dietch**

The Mayor read a letter from Representative Stark who is asking for support and urging to prepare a resolution to make texting while driving a primary offense.

Commissioner Karukin made a motion to have the Town Attorney prepare a resolution. The motion received a second from Commissioner Paul and all voted in favor.

**F. Post Hurricane (added) – Mayor Daniel Dietch**

Mayor Dietch spoke about Hurricane Irma and the before and after action taken by the town. Manger Olmedillo spoke on the item and suggested a review. Members of the Commission gave their views and suggestions. Mayor Dietch directed the Town Manager to have a public meeting within 45 days to have the town tell their story and have the public give their feedback.

**10. Adjournment**

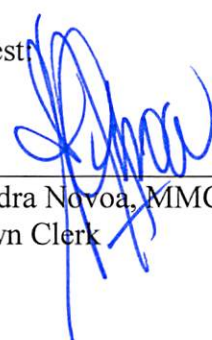
Commissioner Karukin made a motion to adjourn. The motion received a second from Commissioner Paul and all voted in favor. Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Accepted this 10<sup>th</sup> day of October, 2017

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

Attest:

  
\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk