



**Town of Surfside**  
**Regular Town Commission Meeting**  
**MINUTES**  
**September 10, 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, Commissioner Paul, Vice Mayor Gielchinsky, and Commissioner Cohen\* absent.

**C. Pledge of Allegiance**

Chief Yero led the Pledge of Allegiance.

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

Vice Mayor Gielchinsky commended the Police Department, Public Works Director and the Building Department for their hard work during Hurricane Dorian.

Vice Mayor Gielchinsky wished the entire community a happy New Year during the Jewish New Year.

Commissioner Paul thanked the residents for their help during the storm and commended staff for their hard work.

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

Commissioner Karukin moved Items 4A4, 4B2 and 9D after 1H and before consent. He also requested item 3F before item 1G. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

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

Mayor Dietch gave his community notes and all can be found on the Town's website.

Commissioner Karukin gave his report as the Tourist Board Liaison.

**G. Presentation of Childhood Cancer Awareness Month Proclamation – Mayor Daniel Dietch**  
Mayor Dietch presented the proclamation to Silvia Dominguez-Vanni.

**H. Scholarship Award to Farah Ritter Vazquez and Louis D’Antuono- Mayor Daniel Dietch**

Mayor Dietch presented the Scholarship Awards to Farah Ritter Vazquez and Louis D’Antuono.

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

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

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

- A. Minutes – Sandra Novoa, MMC, Town Clerk**
- July 9, 2019 Special Town Commission Meeting – Budget Millage Rate Minutes
  - August 13, 2019 Special Town Commission Meeting – Quasi-Judicial Hearing Minutes
  - August 13, 2019 Regular Town Commission Meeting Minutes

Adopted on consent.

**\*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**

- April 17, 2019 - Sustainability and Resiliency Committee Meeting Minutes
- June 27, 2019 – Special Pension Board Meeting Minutes
- July 8, 2019 – Parks and Recreation Committee Meeting Minutes
- July 25, 2019 – Special Pension Board Meeting Minutes

Adopted on consent.

**E. Resolution Authorizing a Mutual Aid Agreement between the Florida Division of Emergency Management and the Town of Surfside - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A STATEWIDE MUTUAL AID AGREEMENT WITH FLORIDA DIVISION OF EMERGENCY**

**MANAGEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

**F. Childhood Cancer Awareness Month Proclamation – Mayor Daniel Dietch**

Vice Mayor Gielchinsky made a motion to approve. Motion received a second by Commissioner Paul and all voted in favor.

Mayor Dietch presented the proclamation to Silvia Dominguez-Vanni.

Commissioner Paul asked if one of the new police vehicles could have the gold ribbon for the event on September 14.

**G. Independent External Audit Re-Engagement Resolution – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ENGAGEMENT LETTER WITH MARCUM LLP FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

**H. Recognition of Isaac Salver from The Town of Bay Harbor Islands – Vice Mayor Gielchinsky**

Vice Mayor Gielchinsky requested to pull the item from consent and amend his request from a recognition to issue a proclamation to Isaac Salver.

Commissioner Karukin made a motion to approve the proclamation at the next meeting. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

**I. Memorandum of Understanding Between the Town of Surfside, The Village of Bal Harbour, and The Town of Bay Harbor Islands – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF**

**UNDERSTANDING AMONG THE TOWN OF SURFSIDE, THE VILLAGE OF BAL HARBOUR, AND THE TOWN OF BAY HARBOR ISLANDS RELATING TO A SCHOOL ADDRESS VERIFICATION PLAN CONTRIBUTION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title of the resolution.

The following members of the public spoke on the item:

Nelly Nogueroles  
Eliana Salzhauer  
Maggie McMonagle

Mayor Dietch addressed the comments made by the public.

Commissioner Paul made a motion to approve. Motion received a second by Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

- J. **Summer Camp Bus Invoices – Guillermo Olmedillo, Town Manager**  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF SUMMER CAMP BUS SERVICES FOR 2019 FROM ACADEMY; AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$11,970.00 FROM THE PARKS AND RECREATION OPERATING FUND 2018/2019 BUDGET; PROVIDING FOR WAIVER OC COMPETITIVE PROCUREMENT PURSUANT TO SECTION 3-12 OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

- K. **Resolution of the Town Commission to Accept the FDOT High Visibility Enforcement for Pedestrian and Bicycle Safety Grant for 2019-2020 – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$6,000 PEDESTRIAN AND BICYCLE SAFETY HIGH VISIBILITY EDUCATION AND ENFORCEMENT CAMPAIGN GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION THROUGH A GRANT WITH THE UNIVERSITY OF NORTH FLORIDA TRAINING AND SERVICES INSTITUTE, INC.; PROVIDING FOR AUTHORIZATION; PROVIDING**

**FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

- L. Amending and Restating Section 125 Flexible Benefit Plan - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AMENDED AND RESTATED SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE TOWN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDED AND RESTATED PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

- M. Granicus Agenda Management Software Agreement – Sandra Novoa, MMC, Town Clerk**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SERVICE AGREEMENT WITH GRANICUS, LLC, FOR NOVUS AGENDA MANAGEMENT SOFTWARE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopted on consent.

- N. Termination of State of Emergency Hurricane Dorian – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONFIRMING THE TERMINATION OF THE STATE OF EMERGENCY DECLARED FOR THE TOWN OF SURFSIDE, FLORIDA RELATED TO HURRICANE DORIAN; AND PROVIDING FOR AN EFFECTIVE DATE**

Adopted on consent.

**4. Ordinances**  
**(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)**

- A. Second Reading Ordinances**

1. **Repealing Section 2-28, “Reimbursement of Travel and Other Expenses” of the Town Code – Guillermo Olmedillo, Town Manager [Linked to Item 5A]**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2, “ADMINISTRATION” OF THE TOWN’S CODE OF ORDINANCES BY REPEALING SECTION 2-28, “REIMBURSEMENT OF TRAVEL AND OTHER EXPENSES”; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

Commissioner Karukin made a motion to approve. Motion received a second by Commissioner Paul. All voted in favor with Commissioner Cohen absent.

2. **One-Year Extension of the 2018 Parking Exemption Ordinance – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 90-77, “OFF-STREET PARKING” OF CHAPTER 90, “ZONING” OF THE TOWN’S CODE OF ORDINANCES TO EXTEND THE PARKING EXEMPTION PROGRAM TO ADDRESS VACANCIES AND ECONOMIC REVITALIZATION IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

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

3. **Repealing of Ordinance 2019-1698 (Amending Section 34-11 of the town Code to Prohibit the Distribution, Sale or Use of**

**Single-Use Plastics, Including Single Use Plastics Bags) –  
Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE NO. 2019-1698, WHICH AMENDED PORTIONS OF SECTION 34-11, “PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS” OF THE TOWN’S CODE OF ORDINANCES, AND AMENDED THE TITLE TO “PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS,” PROVIDED FOR DEFINITIONS FOR SINGLE-USE PLASTICS, AND REGULATING SINGLE-USE PLASTICS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

The following members of the public spoke on the item:

Eliana Salzhauer  
Sasha Plutno

Mayor Dietch closed the floor to public comments.

Commissioner Paul commented on the history of this ordinance and the preemption. She spoke regarding the different options and feels that the Town should look at options on how to legally regulate the use of single use plastics.

Mayor Dietch addressed Commissioner Paul’s comments.

Commissioner Paul asked Town Attorney Arango if the ordinance can be amended to include single use plastics in our community.

Town Attorney Arango stated that the State Statutes prohibits any regulation of single use plastics and it does not differentiate between public and private entities.

Vice Mayor Gielchinsky made a motion to approve. The motion received a second by Commissioner Karukin. The motion carried with 3-1 vote with Commissioner Paul voting against and Commissioner Cohen absent.

4. **Prohibiting Hotels in H40 – Guillermo Olmedillo, Town Manager [Linked to Item 4B2]**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES TO PROHIBIT HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93<sup>RD</sup> STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**(Set for approximately 8:00 p.m.) (Note: Good and Welfare must begin at 8:15)**

Town Clerk Novoa read the title into the record.

A motion was made by Commissioner Karukin to defer the item to October 10, 2019 at 7:00 p.m. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

The following speakers spoke on the item:

Jennifer Fine  
Maggie McMonagle  
Eliana Salzhauer  
George Kousoulas  
Sasha Plutno

**B. First Reading Ordinances**

1. **Ordinance Amending Section 2-235 ("Lobbying") of the Town Code Lobbyist Registration Fee Exemption for Principals of Town Business – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 2-235 – "LOBBYING" TO PROVIDE AN EXEMPTION FROM LOBBYIST REGISTRATION FEES FOR PRINCIPALS AND EMPLOYEES OF TOWN BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.



Vice Mayor Gielchinsky made a motion to approve. Motion received a second by Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

Commissioner Karukin stated that he worked with Town Attorney Arango to clarify the ordinance.

Commissioner Paul stated that on page 556, Section v.c that the word "indirect" should be stricken.

Vice Mayor Gielchinsky asked for Town Attorney Arango to give clarification.

Town Attorney Arango clarified the item and Commissioner Paul's question.

**2. Limitations on Accessory Uses in H40 – Guillermo Olmedillo, Town Manager [Linked to Item 4A4]**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO ESTABLISH LIMITATIONS ON HOTEL ACCESSORY USES IN THE H-40 ZONING DISTRICT SOUTH OF 93<sup>RD</sup> STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion was made by Commissioner Karukin to defer the item to October 10, 2019 at 7:00 p.m. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

The following members of the public spoke on the item:  
Eliana Salzhauer  
Jennifer Fine  
Sasha Plutno

**3. Amendment of Election Qualifying Dates Due to the March 17, 2020 Presidential Preference Primary – Town Clerk Sandra Novoa, MMC and Town Attorney Lily Arango, Esq.**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 101, "QUALIFYING FOR ELECTED OFFICE" OF THE TOWN CHARTER PURSUANT TO SECTIONS 100.3605(2) AND**

**166.021(4), FLORIDA STATUTES, WITH LIMITED APPLICABILITY TO ESTABLISH QUALIFYING DATES AND SUPPLEMENTAL QUALIFYING DATES FOR THE TOWN'S MARCH 17, 2020 GENERAL ELECTION; PROVIDING FOR INCORPORATION INTO CHARTER; PROVIDING FOR CODIFICATION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR NOTIFICATION TO MIAMI-DADE COUNTY ELECTIONS DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

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

## **5. Resolutions and Proclamations**

*(Set for approximately 8:45 p.m.) (Note: Depends upon length of Good and Welfare)*

### **A. New Travel, Transportation, and Meal Policy - Guillermo Olmedillo, Town Manager [Linked to Item 4A1]**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A TRAVEL, TRANSPORTATION AND MEAL POLICY FOR TOWN OFFICIALS AND EMPLOYEES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

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

### **B. Solid Waste Services Special Assessment Final Rate Resolution – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING**

**OF RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED RESIDENTIAL PROPERTY LOCATED WITHIN THE TOWN OF SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

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

**C. American Flood Coalition Memorandum Of Understanding - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) AND ADDENDUM WITH THE AMERICAN FLOOD COALITION FOR A FLOOD ADAPTATION ASSESSMENT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE MOU AND ADDENDUM FOR SUCH PURPOSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

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

**D. Employee Health Benefits Contract Renewal for FY 2019-2020 - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING UNITEDHEALTHCARE TO PROVIDE EMPLOYEE HEALTH INSURANCE, GUARDIAN TO PROVIDE DENTAL AND VISION COVERAGE, MUTUAL OF OMAHA TO PROVIDE LIFE AND DISABILITY INSURANCE, AND ASURE SOFTWARE FOR FLEXIBLE SPENDING ARRANGEMENT BENEFIT SERVICES AND COBRA ADMINISTRATION, TO TOWN EMPLOYEES FOR FISCAL YEAR 2019/2020; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENTS WITH UNITED**

**HEALTHCARE AND OTHER PROVIDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

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

**E. Request to Join Efforts re: Proposed Constitutional Amendment re: Assault Weapons – Vice Mayor Daniel Gielchinsky**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN TO JOIN IN THE FILING OF A BRIEF AT THE FLORIDA SUPREME COURT SUPPORTING THE PLACEMENT ON THE BALLOT OF THE INITIATIVE PETITION ENTITLED “PROHIBITS POSSESSION OF DEFINED ASSAULT WEAPONS”; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Vice Mayor Gielchinsky commented on the Town joining the City of Weston and asked Town Attorney Arango to give a summary of the item.

Town Attorney Arango presented the item and summarized the Attorney General's opinion.

Vice Mayor Gielchinsky is requesting Commission approval to join this lawsuit and allow this to go to the voters.

Commissioner Paul asked for the first whereas clause on page 720 to be stricken through.

The following member of the public spoke on the item:  
Sasha Plutno

Commissioner Karukin made a motion to approve the Resolution as written. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

**F. Approval of Temporary Use Agreement between the Town of Surfside and Miami Dade College for the use of the School of Justice Driving Range – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT FOR TEMPORARY USE OF MIAMI-DADE COLLEGE FACILITIES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Commissioner Paul made a motion to approve. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

**G. Single-Use Plastic Bag Preemption Urging Resolution – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO REPEAL SECTIONS 403.708, 403.7033 AND 500.90, FLORIDA STATUTES, AND REJECT ANY OTHER STATUTES THAT INHIBIT A LOCAL GOVERNMENT'S ABILITY TO REGULATE EXPANDED POLYSTYRENE OR SINGLE-USE PLASTIC BAGS; AND REQUESTING THE SUPPORT OF GOVERNOR RON DESANTIS IN THOSE EFFORTS.**

Town Clerk Novoa read the title into the record.

Mayor Dietch introduced the item.

The following member of the public spoke on the item:

Sasha Plutno  
Eliana Salzhauer

Commissioner Paul addressed the comments made by Ms. Salzhauer and would like to know the cost entailed. She also stated that she agrees with 1, 2 and 4 and would like to know the cost for number 3.

Vice Mayor Gielchinsky spoke regarding the ability to work with Town Attorney Arango to file something with the Supreme Court.

Mayor Dietch stated that Town Attorney Arango was still researching the item.

Vice Mayor Gielchinsky made a motion to approve with the following amendments: 1) bring back a frame work for the Administration to implement the proposed education and outreach program it planned as part of the passage of Ordinance No. 2019-1698; 2) Confirm that we have a single use plastic bags as part of our legislative priorities; 3) Town Attorney Arango to identify options to use the Town's buying power to restrict single use plastic bags; 4) to have the Town Manager Olmedillo look into purchasing Town branded durable bags for the Downtown businesses.. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

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

The following members of the public spoke on the item:

Sasha Plutno spoke regarding density, FEMA training for the community and resiliency.

Eliana Salzhauer spoke about hurricane Dorian and how the community helped each other through an app they created when the P3 and the importance of working together and preserving Surfside.

Victoria Saife spoke regarding flooding and the drainage system after a short time of rain.

George Kousoulas spoke regarding the elevation, improving drainage and unlocking the height limit.

Bob Fischer spoke regarding the downtown vibrancy and to create more activity for Friday nights. He stated that the street lights are yellow and he would like them whiter. He spoke regarding the fact that the Halloween Event on 92<sup>nd</sup> and Carlyle brings a lot of people. He spoke regarding the flooding on 96<sup>th</sup> Street, tags to be placed on animals, save our homes and mansions built improperly.

A motion was made by Commissioner Paul to give Mr. Fischer an additional minute. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

Allen Markowitz spoke regarding parking and building heights.

Nelly Nogueroles spoke regarding the parks and the items needing to be updated and the flooding issues in town.

Commissioner Karukin addressed the comments made by Ms. Nogueroles regarding the parks.

Mayor Dietch addressed the comments made regarding the light on 94<sup>th</sup> Street and Abbott Avenue, the comment regarding there being no light between the middle of the block and Publix. He also stated that they are aware of the flooding on 96<sup>th</sup> Street and it is the responsibility of Bal Harbour.

Town Manager Olmedillo stated that the LED project with FPL will include extra lights in the areas he has discussed.

Mayor Dietch 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**

There was no unfinished business nor any new business.

**9. Mayor, Commission and Staff Communications**

**A. Stormwater Master Plan – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo provided an update on the Stormwater Master Plan.

Curt Keiser, Calvin Giordano, gave a presentation of the item.

Commissioner Paul asked regarding the information from the 2013 improvement, the funding source and if it is reflected in this plan.

Curt Keiser, Calvin Giordano answered Commissioner Paul's question regarding the funding source.

The following members of the public spoke on the item:

Eliana Salzhauer  
Deborah Cimadevilla

Mayor Dietch spoke regarding funding for the seawalls and stated that there are grants available.

Commissioner Paul asked if they can look for funding for the flooding on Abbott Avenue.

Commissioner Karukin made a motion to bring it up as an action item. The motion received a second by Commissioner Paul and all voted in favor.

**B. FPL Undergrounding – Commissioner Tina Paul**

Commissioner Paul introduced the item to the members of the Town Commission.

Commissioner Karukin commented on the item, the aesthetics of the boxes and the appropriate debt capacity the Town should have.

Mayor Dietch spoke regarding the cost involved and who would be paying for the undergrounding.

Town Manager Olmedillo commented on the legislation passed regarding undergrounding and that FPL will charge as usage fees.

The following members of the public spoke on the item:

Eliana Salzhauer  
Deborah Cimadevilla  
Mahdyf Davedpour

Town Manager Olmedillo summarized the item.

Mayor Dietch gave direction to Town Manager Olmedillo to bring the item back on the November Agenda.

**C. Sand Bag Distribution – Mayor Daniel Dietch**

Town Manager Olmedillo introduced the item and presented the Commission with a sample of a biodegradable sand bag that is activated with water. He also suggested issuing one pack, which brings 5 bags inside, to single family homes.

The following members of the public spoke on the item:

Eliana Salzhauer  
Deborah Cimadevilla  
Diana Gonzalez

**D. Zoning in Progress – Ordinance Regarding Hotels in H40 Zoning District, South of 93<sup>rd</sup> Street – Commissioner Michael Karukin**  
***[Linked to items 4B2 and 4A4]***

Commissioner Karukin made a motion to approve. Motion received a second by Commissioner Paul and motion passed with a 3-1 vote with Vice Mayor Gielchinsky voting no.



**10. Adjournment**

There being no further business to discuss before the Commission, Commissioner Karukin made a motion to adjourn. The motion received a second by Commissioner Paul. The meeting adjourned without objection at 10:07 p.m.

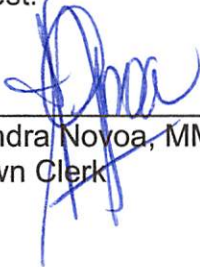
Respectfully submitted,

Accepted this 10<sup>th</sup> day of October, 2019.



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

Attest:



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