



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

**February 11, 2020  
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 7:00 p.m.

**B. Roll Call of Members**

Town Clerk Novoa called the roll with the following members present:

Mayor Dietch, Commissioner Karukin, Commissioner Cohen (arrived at 7:06 p.m.), Commissioner Paul and Vice Mayor Gielchinsky (arrived at 7:10 p.m.)

**C. Pledge of Allegiance**

Chief Yero led the pledge of allegiance.

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

Commissioner Paul recognized former Commissioner Olchyk who was in the audience.

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

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

Mayor Dietch read his community notes into the record which are available on the Town's website.

Commissioner Cohen thanked everyone for the opportunity of serving the Town of Surfside for the last six (6) years and the importance of this year's election.

**G. Fourth Year - Tree City USA – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo commended the Public Works Department in achieving the Tree City USA recognition for the fourth year in a row.

Mayor Dietch spoke regarding the Town's tree give-away program in the past and the importance of tree canopy in the community.

**H. Presentation of the \$1.00 Salary to the Mayor and the Members of the Town Commission - Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo presented the members of the Town Commission with their \$1.00 salary check and thanked the Commission for their dedication.

**2. Quasi-Judicial Hearings**

**A. Arte Landscape Buffer Variance Request - 8926 Collins Avenue**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, [APPROVING/ APPROVING WITH CONDITIONS/ DENYING] AN APPLICATION SUBMITTED BY SC 8955, LLC ("APPLICANT") FOR THE PROPERTY LOCATED AT 8926 COLLINS AVENUE ("PROPERTY") FOR A VARIANCE FROM SECTION 90.91.2(1) OF THE TOWN CODE TO PERMIT A MAXIMUM OF 3.5 FOOT ENCROACHMENT OF FLORIDA POWER & LIGHT ("FPL") TRANSFORMERS/EQUIPMENT WITHIN THE REQUIRED 10 FOOT LANDSCAPE BUFFER; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Deputy Town Clerk Herbello read the title into the record.

Town Attorney Arango confirmed advertising compliance with Deputy Town Clerk Herbello.

Town Attorney Arango polled the members of the Town Commission.

Vice Mayor Gielchinsky stated that he spoke with Mr. McDowell's registered lobbyist and a few members of the public who had general questions regarding the item.

Commissioner Cohen had no communication with anyone regarding the item.

Commissioner Karukin had no communication with anyone regarding the item.

Mayor Dietch had no communication with anyone regarding the item.

Commissioner Paul had no communication with anyone regarding the item.

Deputy Town Clerk Herbello swore in those individuals that were going to speak on the item.

Town Manager Olmedillo introduced the item.

The following members of the public spoke on the item:  
Carly Grimm, Esquire, Bilzin and Sumberg, representing the applicant, gave a synopsis of the item and the applicant's request.

Town Attorney Arango stated that the resolution needed to be amended in order to clarify the maximum foot encroachment to reflect 3 feet 5 inches instead of 3.5.

Commissioner Paul requested Section (f) to be stricken from the Resolution.

Commissioner Paul asked Ms. Grimm about their communication with FPL.

Ms. Grimm answered Commissioner Paul's question regarding the FPL communication.

Commissioner Paul asked Town Attorney Arango if this can be done as an amendment to the site plan instead of a variance.

Town Attorney Arango stated that there is an encroachment and therefore this needs to be a variance.

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

### **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 3B and 3I. The motion received a second by Vice Mayor Gielchinsky. All voted in favor.

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

- **January 14, 2020 Quasi-Judicial Hearing Meeting Minutes**
- **January 14, 2020 Regular Town Commission Meeting Minutes**
- **January 28, 2020 Special Joint Town Commission and Planning and Zoning Board Meeting Minutes**

Approved on consent.

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

Commissioner Paul pulled the item from consent. She discussed the Town Manager's appointment to the Downtown Vision Advisory Committee (DVAC) and would like someone with more experience as a resident on DVAC.

Town Manager Olmedillo clarified that this was a Manager's appointment and it is up to the Manager to choose who his appointment would be.

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

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

Approved on consent.

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

- *December 9, 2019 Tourist Board Meeting Minutes*
- *December 16, 2019 Parks and Recreation Committee Meeting Minutes*
- *December 17, 2019 Sustainability and Resiliency Committee Meeting Minutes*
- *December 19, 2019 Planning and Zoning Board Meeting Minutes*

Approved on consent.

**E. Resolution authorizing a Memorandum of Understanding between U.S. Immigration and Customs Enforcement Homeland Security Investigations 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 BETWEEN THE TOWN OF SURFSIDE AND U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT HOMELAND SECURITY INVESTIGATIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**F. Resolution Authorizing a Mutual Aid Agreement between the Town of Medley, Florida, and the Town of Surfside, Florida - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE TOWN OF MEDLEY, FLORIDA; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

- G. Resolution Authorizing a Mutual Aid Agreement between the City of Miami Gardens, Florida and the Town of Surfside, Florida – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE CITY OF MIAMI GARDENS, FLORIDA; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

- H. Memorandum of Understanding between the Town of Surfside and the Fraternal Order of Police (FOP) Local 135 to be consistent with Ordinance No. 2020-1707 – 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 THE FRATERNAL ORDER OF POLICE LOCAL 135, FOR CONSISTENCY WITH ORDINANCE NO. 2020-1707 RELATED TO PENSION BENEFIT ENHANCEMENTS FOR NON-PUBLIC SAFETY MEMBERS OF THE TOWN'S DEFINED BENEFIT RETIREMENT PLAN; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE MOU; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

- I. Tourism Public Relations Agreement with Carolyn Izzo Integrated Communications, Inc. - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING THE SELECTION OF CAROLYN IZZO INTEGRATED COMMUNICATIONS, INC. FOR PUBLIC RELATIONS CONSULTING FOR THE TOURIST BUREAU; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

The following members of the public spoke on the item:

Ben Jacobsen  
Shlomo Danzinger

Eliana Salzhauer  
Charles Kesl  
Tricia Fowley

Commissioner Karukin addressed comments made by the members of the public.

Commissioner Paul addressed comments made by the public and is willing to defer the item.

Interim Tourism Director Trigueros gave clarification on the RFP process and stated that the Tourist Board was the one that selected this firm.

Vice Mayor Gielchinsky addressed comments made by the public regarding having all the marketing under one firm.

Commissioner Paul asked Charles Kesl, Tourist Board Member, if he is comfortable with the item going forward and if he would not mind some fine tuning.

Commissioner Paul asked Interim Tourism Director Trigueros if they can go back and do some fine tuning.

Interim Tourism Director Trigueros stated that they will go before the Tourist Board for fine tuning and discuss specifics with the Tourist Board.

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.

#### **4. Ordinances**

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

##### **A. Second Reading Ordinances**

- 1. Ordinance that Amends 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 to be Consistent with the Collective Bargaining Agreement between the Town and Florida State Lodge Fraternal Order of Police for the Period October 1, 2019 through September 30, 2022 – Guillermo Olmedillo, Town Manager [Time Certain at 7:45PM]**

**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 2-176 OF THE TOWN CODE TO**

**MODIFY THE NORMAL RETIREMENT DATE FOR POLICE MEMBERS; AMENDING SECTION 2-192 OF THE TOWN CODE TO MODIFY THE COST OF LIVING ADJUSTMENT MULTIPLIER FOR POLICE MEMBERS; CREATING A NEW SECTION 2-194 "USE OF PREMIUM TAX REVENUES" TO ADDRESS MUTUAL CONSENT AS TO HOW PREMIUM TAX REVENUES ARE USED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

Town Attorney Arango provided the Commission with clarification of the Ordinance under Section 5.

A motion was made by Commissioner Karukin to approve the ordinance on second reading as amended. The motion received a second from Commissioner Paul. All voted in favor.

***(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. New Subaqueous Water Main Under Point Lake Canal to Biscaya– Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 130 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE POINT LAKE SUBAQUEOUS WATER MAIN CROSSING TO BISCAYA ISLAND; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE**

Town Clerk Novoa read the title into the record.

The following members of the public spoke on the item:

Eliana Salzhauer

Chris Giordano, Calvin Giordano and Associates.

Discussion took place among members of the Commission and Chris Giordano regarding the item and directional boring.

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

**B. Approval for Authorization of Funds Expenditures for Purchase of Town Fuel Through Town Approved Vendors - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF FUEL PRODUCTS REQUIRED FOR TOWN OPERATIONS AND RELATED TO TOWN FACILITIES, PROPERTIES, FLEET AND INFRASTRUCTURE; FINDING THAT THE PURCHASE OF FUEL PRODUCTS IS EXEMPT FROM COMPETITIVE PROCUREMENT PURSUANT TO SECTION 3-13(7) OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

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

**C. Ruth K. Broad K-8 Student Address Verification – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE OF ADDITIONAL FUNDS PURSUANT TO A MEMORANDUM OF UNDERSTANDING (MOU) 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, AND APPROVING AN AMENDMENT TO THE MOU FOR SUCH PURPOSES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Novoa read the title into the record.

The following member of the public spoke:  
Eliana Salzhauer

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



**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 members of the public spoke:

Ben Jacobsen spoke regarding the notice of violations that went out were placed in single use plastic bags. He spoke regarding code compliance violations and how they target individuals who are trying to fix their homes. He spoke about traffic on Harding Avenue.

Eliana Salzhauer spoke regarding respect for residents' opinions. She stated that everyone should be respectful of election season and campaign signs, fix some things in Town with resources we have, a more walkable Town and speeding tickets to those speeding in town.

Marianne Meischeid spoke regarding the new downtown business and asked for their support.

Shlomo Danzinger spoke regarding the donation made to the Homeless Trust and would prefer the money going into the pumps in the town.

Charles Kesl spoke regarding the goals of the Town and maintaining civility and trust at the Town level.

George Kousoulas spoke regarding landscape provisions in the Zoning Code.

Bob Fisher spoke regarding lights in the community and thanked staff for providing more lighting. He spoke regarding the mansions being built, the community center, the flooding on Abbott Avenue and Byron Avenue and thanked the Town for the work being done.

Iris Herssein thanked the Commission for the hard work they have done. She suggested forming some type of database that will allow residents who are unable to attend the meetings to be able to provide their input and comments.

Mayor Dietch closed Good and Welfare.

Vice Mayor Gielchinsky responded to the speakers' comments on code compliance.

Commissioner Cohen apologized for being offended earlier and not supporting the upgrade of Town Hall and the P3 project.

Commissioner Paul spoke regarding the difference between the Police Department and the work that Code Compliance does. She also addressed the

comment made regarding some residents not being able to attend and suggested that they email the Commission.

Mayor Dietch addressed the speakers and the importance of their comments.

Further discussion took place among members of the Commission and Town Manager Olmedillo regarding code compliance and the Development Impact Committee.

**7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

Commissioner Paul pulled the Town Manager's Report from the Consent Agenda.

**8. Unfinished Business and New Business**

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

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

Mayor Dietch introduced the item and explained the scoring system of the performance evaluation and thanked Town Manager Olmedillo for the work he has done.

The following member of the public spoke on the item:  
Eliana Salzhauer

Commissioner Karukin responded to the comments made by Ms. Salzhauer and the professionalism of Town Manager Olmedillo. He also stated the importance of having a good relationship with the Town Manager.

Vice Mayor Gielchinsky stated that they are lucky to have Town Manager Olmedillo as Surfside's Town Manager and the connections he has with other resources needed. He stated that Town Manager Olmedillo's professionalism is beyond what he has seen in other municipalities.

Commissioner Paul stated that she stands by her rating and does not question his professionalism and feels there is room for improvement.

Commissioner Cohen responded to Ms. Salzhauer's comments and provided his support of Town Manager Olmedillo and his outstanding professionalism.

Mayor Dietch commended Town Manager Olmedillo on the work he has done, how he has motivated the team and the transformation he has done with the Town.

Town Manager Olmedillo thanked the Commission for their opinion and support.

Discussion among members of the Commission took place regarding the percentage of increase to the Town Manager's salary and consensus was reached with a 3% salary increase.

A motion was made by Vice Mayor Gielchinsky to increase the Town Manager's salary by 3%. The motion received a second by Commissioner Karukin. All voted in favor.

**B. Resiliency Reserve Policy - Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo introduced and gave an update on the Resiliency Reserve Policy.

The following member of the public spoke on the item:  
Eliana Salzhauer

Mayor Dietch spoke regarding the item and the flooding concerns that exist in the Town. He also spoke regarding the Stormwater Management System. He suggested adding another bullet to give the administration flexibility when presenting it to the Commission.

Further discussion took place among members of the Town Commission on the policy and possible changes to be made to the policy.

A motion was made by Vice Mayor Gielchinsky to direct staff to approve the Resiliency Reserve Policy and add a 5<sup>th</sup> bullet to include "other initiatives identified in the Climate Crisis Report". The motion received a second from Commissioner Karukin. All voted in favor.

**C. Hawthorne Tot Lot Restroom - Guillermo Olmedillo, Town Manager**

Parks and Recreation Director Milian gave an update of the item and the purpose of the tot lot. He stated that he conducted research if surrounding communities and stated that the Parks and Recreation Committee's recommendation was not to have a bathroom at the Hawthorne Tot Lot.

The following members of the public spoke:  
Ben Jacobsen  
Eliana Salzhauer

Discussion took place among members of the Town Commission regarding the park and consensus was reached by the Town Commission to go with the recommendation of the Parks and Recreation Committee.

**D. Inflatable Sand-less Bags for Temporary Flood Mitigation -**  
Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

Commissioner Cohen left at 9:26 p.m.

The following member of the public spoke on the item:  
Eliana Salzhauer

Commissioner Karukin stated that the plan is for Town Manager Olmedillo to purchase 200 bags and supports it the way it is written.

Commissioner Paul asked if they can have the residents who are interested in obtaining the bags sign up in advance.

Town Manager Olmedillo stated that they will make an initial purchase of 200 bags and see the success of it and how it works.

A motion was made by Commissioner Karukin to approve purchasing 200 packs of bags. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

**E. Analysis for Determination of Additional Lighting Locations in Residential Areas within the Town of Surfside -** Guillermo Olmedillo, Town Manager

Town Manager Olmedillo gave an update of the item.

The following member of the public spoke on the item:  
Eliana Salzhauer

Commissioner Paul spoke regarding an issue a resident had with the LED lights. She stated that the resident mentioned that the light shined inside and some of her plants have died. She asked if there could be some adjustments made to the lighting.

Mayor Dietch asked Town Manager Olmedillo for a timeframe with the findings.

Town Manager Olmedillo stated that he would have the findings by the next meeting.

**F. Discussion for the Drainage Improvements of Alleyway on the 9400 Block between Harding Avenue and Abbott Avenue - Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo gave an update on the item and stated that he met with the owners of the properties. He stated that the issue is not having proper drainage. He gave the possible approaches and gave possible recommendations.

Discussion took place among the members of the Town Commission and Town Manager Olmedillo regarding the possible approaches and the cost entailed per property owner.

Town Attorney Arango explained the legal ramification and what is allowable by code.

The following members of the public spoke on the item:  
Eliana Salzhauer  
George Kousalous  
Tricia Fowley  
Shlomo Danzinger  
Charles Kesl

Mayor Dietch responded to the comments made by the residents.

Town Manager Olmedillo stated what the code compliance efforts would be.

Commissioner Paul asked if the Town could impose a special assessment fee to these property owners.

Town Manager Olmedillo stated that in order to place a special assessment fee you would have to create a special taxing district.

Further discussion took place among the Commission and Town Manager Olmedillo regarding continuing engagement with the property owners and for the property owners to rectify the issue.

**G. Adopt-A-Dune – Vice Mayor Gielchinsky**

Vice Mayor Gielchinsky gave an update on the item with potential donors that would like to put funds into renourishing and fixing the dunes.

Lee Gottlieb gave a presentation on the item and requested support from the Town Commission.

Commissioner Karukin requested to have a more meaningful discussion with staff in order to better understand what is trying to be accomplished.

Commissioner Paul agreed with Commissioner Karukin and was concerned with the signage proposed.

Commissioner Karukin made a recommendation to have further discussion with staff and Mr. Gottlieb on the item and bring this item back to the Commission to learn more about the project without any commitment at this time and have the signs placed on the owners' property.

The following member of the public spoke on the item:  
Eliana Salzhauer

Mayor Dietch requested for Town Manager Olmedillo to come back with an update status report at the next Town Commission Meeting.

**H. Mechanical Equipment in Setbacks – Commissioner Cohen**


The item was not heard because Commissioner Cohen was not present.


**10. Adjournment**

A motion was made by Commissioner Karukin to adjourn the meeting without objection at 10:46 p.m. The motion received a second from Vice Mayor Gielchinsky. All voted in favor with Commissioner Cohen absent.

Respectfully submitted,

Accepted this 12<sup>th</sup> day of March, 2020.

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

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