



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the February 18, 2020
Special Town Council Meeting called for 6:00 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:35 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Judy Lusskin, Councilmember Jaime Mendal, Councilmember Bernard Einstein

Staff Present: Town Manager Alexander Diaz, Town Attorney Steve Helfman, Town Clerk Lissette Perez, Finance Director Maria D. Camacho, Police Chief Rudy Herbello, Lieutenant Yovany Diaz

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

None

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT
AGENDA/ AND CHANGES TO AGENDA

F. GOOD AND WELFARE

None

G. MAYOR'S REPORT

Welcomed everyone and thanked them for attending.

H. COUNCIL COMMENTS

None

I. TOWN MANAGER REPORT

None

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS (TIME CERTAIN ITEM, 7:00 P.M.)

**** This item was heard following Item P9, due to this being a time certain item. ****

1. A Resolution of the Town Council Approving A Variance Request For 120 South Island Drive To Permit An Elevator Override.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 120 SOUTH ISLAND DRIVE, GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN ELEVATOR OVERRIDE AT 32 FEET – 10 INCHES, WHERE THE HEIGHT RESTRICTION IS 30 FEET.

Exhibit: Agenda Report No. 1
Resolution No. 2666.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2666.20

A motion to approve was made by Councilmember Luskin, seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Nay</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Nay</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Nay</u>

The motion fails.

Town Manager spoke on the item stating that the applicant believes that they need the elevator to go to the roof to access the mechanical equipment. This is no longer allowed in Zones Two and Three because residents feel that this will allow for use of the roof for parties. The applicant feels that they have a hardship and should be given the opportunity to present their application.

David Trautman, Balli Trautman Architects, 1533 Sunset Drive, Coral Gables spoke on the item stating he designed the residence. Stated that this is what it will look like when it is done. Also showed an image of what the home would look like with the elevator. Reassured the Council that it is far enough back that you do not actually see it from the street.

Town Manager reminded the Council not to forget that because it is on the island you also need to take into consideration how it is seen from the other side. Asked the representative to explain why they feel that it is needed.

David Trautman stated that they moved all of the maintenance equipment to the roof, the generators and air conditioner and they feel that the hatch that was permitted will not be sufficient to conduct the necessary maintenance.

Mayor Singer asked if there is a staircase leading up there.

David Trautman stated no there is a hatch with a ladder

Councilmember Einstein asked if there is a flat surface area up there that is capable of being used.

Town Manager stated yes, there is

David Trautman stated yes and showed the floor plan of the roof

Town Manager asked if without the elevator going to the third floor, is the elevator still going to go to the second floor

David Trautman stated yes

Town Manager asked if in order for the elevator to go to the second floor but have no access to the roof, do you need a variance

David Trautman stated no it was already permitted

Town Manager stated so this variance is solely to have access to the roof via elevator

David Trautman stated yes, to service the equipment up there

Joseph Fernandez, 1745 NW 7th Court, Hialeah spoke on the item. Stating that the reason why they need the elevator is because without it, to service the equipment up there they would need a crane. The minimum size crane to use would be a 60 ton crane. The working platform is 25 by 24, that takes up 2/3 of the street. If you push the crane to the property, the concrete swells on the sidewalk. They have already seen that happen during hurricane IRMA.

Town Manager stated just to keep the record clear there are no sidewalks on South Island

Mayor Singer asked why did they not think of this when they were building the house and make a stairwell

Town Manager stated they have a hatch that will lead them up their

David Trautman stated it is a straight ladder, so getting equipment up and down would be very difficult

Town Manager stated that there are some elevators in zones two and three that access the roof. Those were permitted prior to your ordinance change.

Town Manager stated that they voted in Zones Two and Three to not allow a rooftop terrace. The BRAB recommended that we do not allow elevators because it is an eyesore.

Vice Mayor Bernstein stated that on ocean they allow this.

Town Manager stated the Council did not mind having a recreational amenity on the roof on ocean, but it is limited in size and limited on where it is on the roof in Zone One.

Mayor Singer stated that the BRAB unanimously voted down on this item

Vice Mayor Bernstein stated that he personally does not have a problem with this.

Town Manager stated that the question is do you want to allow easy access to the roof.

Councilmember Einstein expressed that he sympathizes but there is a book of rules for the Town and they need to follow the rules of the Town.

Joseph Fernandez stated that he found out the house next to theirs has a flood elevation that was set at nine feet. Why was his applicant's house set at seven feet.

Mayor Singer stated that is irrelevant and has nothing to do with this variance request

Councilmember Einstein stated that there were various people who came for elevator override requests and they told them all across the board no.

Town Manager stated that the applicant alluded to there being a discrepancy of base flood elevation. FEMA adopted a plus two rule. The architect in this particular house set their base flood at seven that was their personal choice. For the applicants representative to try to misconstrue the record does not fall favorably with this Administration. As it relates to if, there is a way for us to control what happens on the rooftop. The answer is no. All of our residents take liberties after CO, they take walls down, they start putting toilets in, as aggressive as our code enforcement can be, the reality is after CO, you lose complete control as to what happens. Therefore, you have to ask that question once again, do you want to provide easy access to the roof.

N. CIVIC CENTER COMPLEX MASTERPLAN UPDATE

Town Manager spoke on the item. Spoke on the four guiding principles for the new civic center. One, utilize the existing budget. Two, build something that was more to

scale to Golden Beach. Three, if we are going to provide new offices for our staff, residents should also have added amenities. Four, How do we preserve the history of Golden Beach and this building. So we spoke about taking this existing building and making it an amenities space for our residents. In addition, building a smaller scale footprint on Ocean Boulevard. Therefore, we put together an RFP that would meet that and allow us to pay a guaranteed maximum price. In our design criteria we stated this is the minimum specification. We then provided that design criteria to our most active residents in the building community and we said test this; tell us if we missed something. In November we issued the RFP, all companies had until January 17, 2020 to submit their bid, at which point five companies submitted bids. At this point, the Council appointed representatives of the community to serve as their screening committee. The committee really dissected the five proposals page by page. At the workshop, the committee recommended their top three firms to the Council for consideration. Today, the Council took the three firms and really got into the design and budget aspect. All three firms were given the opportunity to present for two hours; all firms did a phenomenal job presenting their proposals. Tonight at the Council Meeting what is going to happen is the Council will re-rank the firms. Then they will direct the Town Manager, the Mayor, and the Town Attorney to negotiate a final contract for their award at the April council meeting. The contract is already written and is already up on the website, this is just to ensure we get every detail in the contract. What happens next is staff, consultants, councilmembers, and members of the selection committee will evaluate the plans at 30%, 60% and 90%. In no more than 24 months, we will have a new Town Hall. In the interest of transparency, none of the proposals included the renovation of the current Town Hall building. He speaks on behalf of the Mayor and Council when he says we will deliver this building twelve months after we vacate it. Even though it is not in the RFP, you have his word so long as he is your manager the building will be renovated and turned into a gym twelve months after we vacate it.

Town Attorney spoke stating that the process that they went through is a design-build process. That requires that there be an evaluation of all of the firms based on very specific criteria based on qualifications of the architectural firm, etc. The Council delegated the evaluation process to a committee that went through an extensive evaluation of the proposals. That committee gave the Council a ranking of three firms out of five, which is what the law requires. Ultimately, that decision lies with the Council tonight. If this does move forward this evening, the Council will be formalizing a ranking. They can choose to follow the recommendation of the committee or they can choose to vary from that. Whatever they do has to be based upon what was presented to them. At the end of their deliberation each one of them will fill out a piece of paper ranking 1, 2, 3. At the end, the clerk will calculate the results. If we reach a contract with number one we are done, if we come to an impasse we move on to ranking number two, and if we come to an impasse with them we move on to ranking number 3.

Town Manager stated that the Administration wants to make sure that the residents feel that their input has been heard. If you have a question or some concerns voice them now because this will be the final time to make any comments.

Joao Woiler 229 Golden Beach Drive asked how long the actual construction will take.

Town Manager stated that we will begin final negotiations in March, we expect about four to six months for final design scope, and breaking ground no later than November. After that no more than twenty-four months from contact award.

Sharon Woiler 229 Golden Beach Drive, wants to know if it is a new Town Hall or Civic Center?

Town Manager stated we are now changing the name Town Hall to Civic Center because it is not going to just be a building for the government it will be a building for everyone.

Sharon Woiler 229 Golden Beach Drive asked if there are any amenities for the residents in this building.

Mayor Singer stated there is on the third floor availability for a party room.

David Long, 80 Terracina Avenue stated that having access through the South Gate has been a very nice thing to have for the residents that live on the south end of Town. Asked will the new Town Hall impact that at all during construction or permanently after.

Town Manager stated that the current exit only pilot test project that we have at the south gate, we propose that it will continue to occur during construction and continue to occur until our neighbors to the south tell us that we are in breach of our settlement agreement. Some residents would like it to be an entrance as well but there is no desire from the Administration to let it be an entrance also. It is an exit only pilot and we are going to fight tooth and nail to keep it that way until we are told that we are in violation.

Councilmember Mendal asked how do they go about voting on this item.

Town Attorney stated it is entirely up to the Council how they would like to do it. He knows that the Council would like to talk about it but there is no requirement for them to have a deliberation. They have gone through all of the processes, they have a recommendation before them, and they can just vote if they are prepared to vote. Stated that the Council should consider the scoring from the selection committee but they are absolutely not bound by it. The Council has the selection committees ratings, the Councils own reading of all the materials, and the presentations from today to make the ultimate ranking.

Vice Mayor Bernstein stated that he wrote down observations for whatever firm they end up using. One, they need either two elevators or a large elevator. Two, they can use the owner-direct purchase through the government to avoid sales tax. Three, use the owner direct program to finance utility programs and use future costs to pay for it. Four, apparent that we do need additional drainage wells. Five, feels strongly that the cars underneath the building should be screened so they cannot see them.

Mayor Singer stated that his major concern is price. Golden Beach is on a budget. He, the Council, and Town Manager made a commitment that they are not going to raise taxes or assess residents, so that is an important concern for him on this budget. He believes if the residents at home and at the meeting today were to rank the firms their main concern would be budget just like him. That, and the design are the main reasons on how he ranked the firms.

Councilmember Einstein stated in terms of not raising taxes for this project, we have done this before, we had Capital Improvement Projects, the streets and roads, undergrounding of our lighting, our Stormwater improvements system. All these things were done without any assessments to the resident or increasing our taxes. That is what we are trying to keep our eye on. Another parameter right now that is confronting us is the financial package that is available right now in terms of interest rates; they are probably the lowest in history. If we are going to do it, we probably should do it now.

Councilmember Lusskin stated that she does agree with the Mayor that design and budget is critical here. Stated that the stepping stone for this project came from a survey that the Town put out almost four years ago, where we took the residents feedback. They wanted a new Town Hall. It was necessary, it was important, our Police Department could not stay here during hurricanes, and it was time. We are responding to the requests of our residents, she believes that is an important thing to know. For point of information, she agrees with Vice Mayor Bernstein she would prefer two elevators instead of one. A good thing for us socially, intellectually and in terms of safety.

Town Attorney stated that the voting will be formalized in the resolution that is in the agenda.

Councilmember Mendal spoke on the reasoning behind how he voted. For him it came down to price. We have a limited budget, it is not our money it is the resident's money, so we have to be very careful of how we allocate those resources. A close second was the functionality. This is not to create a new Town Hall, it is to create a new Civic Center. The amenities here are really for the residents. For him the biggest aspects are the chambers, which will double as a party room, which everyone has said we need here. Because we currently only have the beach pavilion and if it rains or is bad weather no one can do anything about it. Lastly, is who he felt like could come through on this project, we are trusting people with our Town resources so we have to make sure that they can actually complete what we are asking them to complete. Although it is on them, we still have to have faith that they will give it to us in a timely manner. That is where his head was at in terms of how he ranked these proposals.

Mayor Singer stated another thing the residents have to remember is that this is a Town asset. It will increase the value of everyone's residence. Also by converting the old Town Hall into a gym, a room for children, or an additional party room it is still an added amenity to the Town, which adds value to everyone's home. We have seen everyone's home prices go higher and higher because of what this Council has done with projects.

Councilmember Lusskin stated that she does not want everyone to think that we are going with the most inexpensive because that is all the Town can afford. We would not do anything at all if it were not right for the Town. We want you to understand that it is our responsibility to pick the best price and the most responsible organization that can do it. We would rather wait a year or two than do something like that. She feels good about our decision. Budget is important but we would not push something through if it were not right for us.

Councilmember Einstein stated that of the nine selection committee members, eight of them were unanimous on who they picked as their number one so that played a factor in his voting.

Vice Mayor Bernstein stated that each firm came with unique and beautiful proposals. What it came down to for him, was what they heard loudly from the community that they did not want to pay anything extra for this. Feels that everyone feels strongly that cost has to be one of the most important things. We have spent many months, if not years, going through this talking about the different criteria's we had in our RFP. There were certain amenities and things we were looking for from the surveys we provided the residents with. We wanted to make sure that during a hurricane our police could safely stay in Golden Beach to protect our homes. Feels very strongly that we have money available it is there and we cannot use it for other purposes. What the firms showed today is that we can build this with what we have budgeted for it. For the additional amenities, safety for our police officer, and safety of the employees who work in Golden Beach he feels that it is imperative that we build this.

Town Manager stated that before the clerk reads into the record each of your votes and we vote for the resolution, he wants to remind the residents and Council that this has been a two if not ten-year process; in 2008, he brought to the Council the first rendition of us building a new Town Hall. We have been working on this for over ten years, he has spent thousands of hours, he and the Mayor went on many different field trips looking at different city halls and different structures. We would not be where we are today if it was not for the feedback and input we have received from our residents, the many long hours by your staff, the selection committee and our consultants. Thanked them for their hard work and the long hours they put in to get us to where we are today. We know we cannot please everyone but we try to find a win-win among all our residents. After this the real work begins, we will bring to you a strong contract and a lot more will happen.

**** The **Town Clerk** read into the record the rankings****

O. CONSENT AGENDA

- 2. Official Minutes of the January 28, 2020 Local Planning Agency Hearing.**
- 3. Official Minutes of the January 28, 2020 Special Town Council Meeting.**
- 4. A Resolution of the Town Council Approving the Donation of \$2,000 to Best Buddies International.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE DONATION OF \$2,000.00 TO BEST BUDDIES INTERNATIONAL ON BEHALF OF THE TOWN OF GOLDEN BEACH 5K RACE COMMITTEE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2667.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2667.20

5. A Resolution of the Town Council Authorizing the Purchase of A Chevrolet Traverse Detective Police Vehicle.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF ONE CHEVROLET TRAVERSE DETECTIVE VEHICLE AND THE USE OF GENERAL FUNDS TO PURCHASE AND EQUIP THE VEHICLE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2668.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2668.20

6. A Resolution of the Town Council Approving A Mutual Aid Agreement with the City of Miami Gardens.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE CITY OF MIAMI GARDENS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2669.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2669.20

7. A Resolution of the Town Council Assigning Each Councilmember An Area of Governmental Responsibility.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ASSIGNING EACH COUNCILMEMBER THE DUTY TO INQUIRE INTO THE OPERATION OF A PARTICULAR AREA OF GOVERNMENTAL RESPONSIBILITY; PROVIDING FOR CONFLICT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2670.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2670.20

8. A Resolution of the Town Council Approving Change Orders to the Contract with Olin Hydrographic Solutions, Inc.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING CHANGE ORDER TO THE CONTRACT BETWEEN THE TOWN OF GOLDEN BEACH AND OLIN HYDROGRAPHIC SOLUTIONS, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2671.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2671.20

Consensus vote 5 Ayes, 0 Nays. Items O2-O8 pass.

P. TOWN RESOLUTIONS

9. A Resolution of the Town Council Ranking and Selecting Qualified Design Firms for the Civic Center Complex Masterplan Project.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RANKING AND SELECTING QUALIFIED DESIGN FIRMS FOR THE CIVIC CENTER COMPLEX MASTERPLAN PROJECT; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2672.20

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2672.20

A motion to approve was made by Councilmember Lusskin, seconded by Councilmember Mendal.

On roll call, the following vote ensued:
Mayor Glenn Singer

Aye

Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

Town Manager stated that now the committee has ranked their items and should they vote favorably on this item, tomorrow morning they are meeting to start contract negotiations.

Mayor Singer thanked all three firms for coming in today and for their presentations

Councilmember Mendal asked if they could change the location of the chamber/party room before signing the contract

Town Attorney stated the contract is a contract to set them off with the design process. The Council will see the conceptual phase early on with floor plans and have the input on that. Although a lot of it will be done administratively, we will bring these phases to you.

Town Manager stated the Town Attorney is correct but he wants to be clear as to how he intends to move this forward. He is not waiting for council meetings to start approving layouts and designs. We will be working with the Council individually outside of council meetings to get us to where those conceptual plans are ready for just a vote at the council meetings. Stated if the Council wants to be engaged then they have to make themselves available to him. We are not going to wait for once a month. Lissett will be driving to the Councils offices and going to where they are to show them where we are and to get consensus so we can start. If we wait for the public or council meetings this building will never be done. Stated the Town Attorney is correct you will be voting on everything, but it will not be at this forum.

Vice Mayor Bernstein stated that he still wants them to address covering the parking area.

Councilmember Einstein thanked the Town Manager. Stated he had a passion for it and pushed the Council to get it done.

***** At this point, Councilmember Mendal left the meeting and remaining Councilmembers heard the variance request *****

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Jaime Mendal:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

Q. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Mayor Singer seconded by Councilmember Einstein.

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:04 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk