



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the February 19, 2008
Regular Town Council Meeting called for 7:30 P.M.**

A. MEETING CALLED TO ORDER

Meeting called to order by Mayor Singer at 7:34 PM

B. ROLL CALL

Council Member Present: Mayor Singer, Vice Mayor Rojas, Council Member Bernstein, Council Member Einstein, Council Member Lusskin.

Staff Present: Town Manager- Alexander Diaz, Town Attorney – Stephen Helfman, Police Chief – James Skinner, Finance Director – Maria Camacho, Executive Assistant to the Town Manager/Human Resource Director – Lissette Perez, Facilities & General Maintenance Director – Ken Jones, Town Clerk – Elizabeth Sewell

C. PLEDGE ALLEGIANCE

Councilmember Bernstein led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Recognition of Town Employee of the Month for January 2008

Mayor Singer recognized Mr. George Larkin as the Employee of the Month for February 2008.

The Town Manager recognized Mr. Larkin as an employee that goes beyond his job duties.

Recognition of Town Officer of the Month for January 2008

Mayor Singer recognized Officer Robert Rijero as the Officer of the Month for January 2008.

The Town Manager stated that Officer Rijero has only been with the Department for a short time. He was hired as a part-time Officer, which helped the Department save a lot of money in overtime costs. In his first week, he was able to close out most of the Town's code violations. The Town Manager stated that Officer Rijero has issued out more citations than the Town issued last year.

Mayor Singer stated that it is time for a changing of the guard. It is the time when a new Vice Mayor is appointed, Councilmember Amy Rojas was appointed as Vice Mayor for the next year.

Vice Mayor Bernstein was presented with a Certification of Appreciation for his service as Vice Mayor.

Officer Leila Miles has been appointed as Acting Sergeant her responsibilities will include the supervision of the day shift, and to oversee all of the Department's specialized units, such as the Marine Patrol, Two K-9 Detective Officers, Detective Bureau, Code Enforcement Bureau and two detached Officers to South Florida Money Laundering Task Force. She is to ensure that all of the Department's units are in compliance, and training requirements are met.

E. MOTION TO SET THE AGENDA

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

Vice Mayor Rojas added item # Q1 for discussion.
The Town Manager moved item # P8 to item #P1

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee - None

Beautification Committee - None

Comprehensive Planning Board - None

Recreation Committee

Catherine Szabo, chairperson acknowledged Mrs. Dina Nicollela for her years of service as the chairperson of the Recreation Committee. She reported that the Recreation Committee had a meeting scheduled for February 29, 2008 to discuss the reopening of the Beach Pavilion event.

Security/Public Safety Committee - None

G. GOOD AND WELFARE

Sydell Herrick – 625 Ocean Boulevard, spoke regarding security on the beach and respect for each other.

Ethan Addicott – 155 Golden Beach Drive, spoke in opposition to Ordinance No. 530.08 (Council Meetings Decorum)

Dr. Penny Iglesias – 138 South Island Drive, read Mr. Addicott's email to the Mayor and Council into the record. She spoke in opposition to Ordinance No. 530.08

Dr. Stanely Feinman – 475 Ocean Boulevard, spoke in regarding an article he submitted to the Miami Herald

Alene Fishbein – 256 Golden Beach Drive, spoke regarding a donation to Florida International University in celebration of thirty (30) years of educational excellence.

Catherine Szabo – 601 Golden Beach Drive, expressed concerns regarding titles of resolutions adopted by the Council. She also had concerns regarding the approval of expenditures over the amount the manager is authorized to approve. She stated such as the legal, and the engineers bills. She stated that the Council does not even receive these bills and it concerns her. Ms. Szabo asked that all expenditures over the manager's approval authorization to be placed on the agenda for Council approval with the invoice amounts included in the title of the resolutions.

Alene Fishbein – 256 Golden Beach Drive, introduced Jan Solomon, Development Officer of the Office of the Vice Provost of Florida International University to the Mayor and Council.

Neil Leff – 48 Terracina Avenue, spoke in opposition to Ordinance No. 530.08

Fred Chouinard – 407 Ocean Boulevard, spoke in regards to the residents conduct at the Council Meetings.

H. MAYOR'S REPORT

Miami Herald Article

Mayor Singer commended Mr. Ethan Addicott for his article in the Miami Herald. He stated that it is great when the Town's residents get behind something they believe in and support. He stated that from day one when he became Mayor the public is not going to agree with everything that the Council or the Mayor does and supports. This expression, which he totally supports, educates everyone on the different subjects and topics, and that is the beauty of the freedom of speech. Where an individual is able to speak and voice their opinion. He also stated that his intentions are not to prohibit residents to express themselves in town meetings, or limit or take away their liberty that our forefathers fought so hard to protect, but in fact as Mayor, he is probably the biggest advocate of letting the people and the public speak during meetings. He stated that when he was on Council people were limited a lot more than when he was Mayor. He has been very lenient in allowing the public to speak. He stated that he is here to protect the residents that come to the meetings and the Council. The Council is individuals who do this job because they are giving back something to their community. The Mayor and Council devote endless hours to the Town for no compensation and do not want any compensation, and they do this because they care about what happens to their great town. Therefore, the Council and families deserve some comfort knowing they are safe. For example, the unfortunate

situation that occurred outside of St. Louis where a disgruntled resident came into a council meeting and shot and killed five people (three were people serving on the council and seriously wounding the Mayor) this could happen anywhere, would this be considered freedom of speech, would you want this on your conscience. He explained that two Council Meetings ago one of the residents came into town and gave the council the finger and mouthing profanity to the Mayor and Council. He stated that they as public servants do not need to accept this unprofessional behavior and where does it stop. All he is trying to do is to preserve the security and safety for this community and council. If someone is rude, violent and unprofessional and the Council feels that person has become threatening to everyone, the Council should be allowed to prohibit that individual from potentially harming the Council or anyone else in the Council Chambers. This does not prohibit the freedom of speech, but this is for the safeguard of life, liberty and continued pursuit of happiness.

Beach Security

Mayor Singer stated that the Police Officers are using the new four-wheel vehicle to patrol the beach, but there are also officers walking the beach. He proposed to the Town Manager that the Town purchase a rake behind the four-wheeler which will help to smooth out the beach, because he has received several complaints that the four-wheeler are making tire tracks along the beach.

Donation for Florida International University

Mayor Singer stated that the donation to Florida International University will be addressed under the discussion section of the agenda.

Beach Pavilion Renovation Project Update

Mayor Singer stated that the beach pavilion is approximately fifty percent (50%) complete. The completion of the project is on target for the end of March. The proposed date for the reopening of the pavilion is April 12, 2008.

Close Circuit Television Security Project

Mayor Singer stated that the Town has added thirteen (13) new cameras to the Town's security system. He stated that there would be some more cameras added when the Beach Pavilion is completed.

FOP Contract

Mayor Singer stated that the FOP Contract has been ratified and it will be brought to the Council at the next Regular Town Council Meeting.

Seawall Issues

Mayor Singer reported that the Town is working on the seawall issues and is making tremendous progress with that project. A contract should be awarded to a contractor by April to complete it.

Capital Improvement Plan

Mayor Singer reported that the Town Manager and he have had three meeting with Craig A. Smith and C3TS. They have also met with several financial institutions. The Town Manager and the Mayor is trying to put some proposals together to bring to the Council in about two months. The project is moving forward.

Commendation of Police Officer

Mayor Singer commended Officer Peters who made an arrest with the assistance with the K-9 dog on Saturday evening of a fleeing felon. He explained that there was a shooting in Sunny Isles. The felon shot someone and that individual shot the felon back. The felon was fleeing the scene and was traveling through Golden Beach when Officer Peters made the stop and apprehended the suspect.

I. COUNCIL COMMENTS

Councilmember Einstein

- **Ordinance No. 530.08 (Setting Decorum at Council Meetings)**

Councilmember Einstein provided a history of the decorum at council meetings. He explained that many of the issues of conflict in this Ordinance were invoked by Mayor Addicott, although, those issues were not codified at the time, but they have been used as a guidepost. He reiterated that the council meetings have been conducted under the procedures outlined in the above referenced Ordinance. He stated that the references to some clandestine operation is false because everything was discussed in a public meeting and in a public forum, and there was nothing hidden from the public. In regards to the right to free speech is not necessarily for the protection of the Council, it is for the citizens when they are up speaking, so that individuals in the audience is speaking while a person is at the podium speaking.

Vice Mayor Rojas

- **Ordinance No. 530.08 (Setting Decorum at Council Meetings)**

Vice Mayor Rojas stated that in her opinion voting in favor of the Ordinance only carries it on to the next meeting. She stated that having this Ordinance pass on first reading provided her the opportunity to speak to many residents who did not know what the substance of the Ordinance was, and it gave her time to reflect on the Ordinance. Since the first reading, she has changed her mind.

- **Selection of Members to the Town's Committees**

Vice Mayor Rojas stated that in response to Dr. Feinman's reference to a collaborative Council to secretly exclude several residents to some of the committees. She explained that the process that she was given was a list of individuals for each committee and she was asked to select one individual for each committee which she did, except for the Recreation Committee where she selected an alternate choice. She further explained that after she submitted her selections, and that was the end of her participation in the process until it came before the Council in the form of a Resolution. She stated that she did not appreciate the reference to a collaborative Council because as far as she was concern that was not the case.

- **Guard Station Log Issues**
Vice Mayor Rojas submitted a log of the Guard Station to Chief Skinner regarding the visitor's gate being continuously open. She stated that either the gate should be open all the time or closed all the time she explained that she kept the log for a two-week period and the times that the gate was left open was consistently at 4:00 pm in the afternoon and 8:00 pm in the evening.
- **Attorney Bills**
She asked the Town Attorney to respond to Ms. Sazbo's questions regarding Council voting on Attorneys, Craig A. Smith and other vendors' bills.

Councilmember Bernstein

- **Conduct at Council Meetings**
Councilmember Bernstein stated that he was very disappointed. He stated that instead of having a productive meeting there is so much anger and animosity in the Council Chambers. He stated that this is not a major City, it is a small town, and it makes it very uncomfortable and difficult to serve on the Council. He explained that there are times when he disagrees with other peoples' opinions or ideas, but he tries to listen and respect them. He asked everyone to be respectful of each other in the future. He explained that this Ordinance is not intended to limit free speech, but to put procedures in place so that the Council could have a productive meeting. He stated that there should be time limits for speakers at council meetings. There should be a procedure in place. He also stated that the Mayor/Moderator should direct the meetings.
- **Mr. Ethan Addicott's Email**
He apologized to Mr. Ethan Addicott's email for not replying to Mr. Addicott's email that was sent to the Mayor and Council.

Councilmember Lusskin

- **Ordinance No. 530.08 (Setting Decorum at Council Meetings)**
Councilmember Lusskin stated that Ordinance No. 520.08 was misunderstood by the public. She explained that the Ordinance was not written with the intention of prohibiting anyone from free speech. She stated that this Ordinance does not have anything to do with free speech, but it regarding a process, that would allow the Council to have a productive meeting. She also stated that they would not be able to have a productive meeting unless everyone is getting along. She stated that in regards to the Council Meeting two months ago in her opinion the meeting was combative, the conduct was disruptive and at the end of the meeting one of the councilmember was verbally abused, and another councilmember sitting with their mouth opened because they were aghast at the conduct in the meeting. She stated that there was no reason for this behavior in Town Hall.

- **New Town Committee**
Councilmember Lusskin suggested the possibility of a new committee to handle the issues and concerns of the residents living on A1A especially on the east side of Ocean Boulevard. She stated that she would be willing to serve on the committee.
- **Enforcement of Noise Ordinance**
Councilmember Lusskin stated that she had received a few phone calls from residents the last few weeks regarding noise on the weekend. She asked that the noise on the weekends should be investigated more closely.
- **School Boundary Workshop**
Councilmember Lusskin asked for the date of the School Boundary Meeting regarding the Sunny Isles Beach School.

The Town Manager answered that at the request of the Sunny Isles Beach Advisory Board the workshop will be held on March 25, 2008 at 7:00 pm in Town Hall.

- **Tweddle Park**
Councilmember Lusskin stated that a few residents had expressed concerns to her regarding the playground and tennis courts. She stated that the concerns were that the playground had not been locked and lights remain on at the tennis courts after 11:00 pm at night. She asked staff to check into that matter.

J. TOWN MANAGER REPORT

- **Comprehensive Planning Board**
The Comprehensive Planning Board Meeting for February 21, 2008 has been rescheduled for March 13, 2008 at 7:00 pm.
- **School District Boundary Workshop**
The School Boundary Workshop is rescheduled for March 25, 2008 at 7:00 pm at the request of the Sunny Isles Beach Advisory Board. He stated that all residents are encouraged to attend.
- **Black History Month Program**
The Town of Golden Beach Black History Month Celebration program scheduled for Thursday, February 21, 2008 at Noon in Tweddle Park, the Mayor, Council and residents are strongly encouraged to attend.
- **Seawall Issues at the Strand**
The seawall issues at the Strand are being addressed. Proposal should be in by April for final recommendation.

- **Capital Improvement Plan Update**
Capital Improvement Plan updates will be available at future meetings. The CIP Team has met three times over the past couple of weeks. They have also met with Florida Department of Transportation and Florida Power and Light. He stated that Florida Power and Light would be here on Thursday to do an initial walk through with the Town. He reported that the Mayor and he have been meeting with different financial institutions for possible recommendations for financing.
- **Valentine Day Gift Bags**
The Manager thanked the residents who have called and written the staff to express their gratitude for the Valentine Day gift bags that the Recreation Committee along with the staff had given to the residents expressing our token of appreciation to all of our residents.
- **Landscaping on Massini and Terracina Avenues**
The Town Manager explained that, the ficus plants throughout the Town have been attacked by bugs, and if we do not eradicate the bugs we will lose the entire plant. Therefore, at Massini Avenue the plants were trimmed below the height they are normally trimmed. He stated that plants are being fertilized and watered everyday so that they can grow at an accelerated rate.
- **Miami-Dade County Police Chief Ball**
The Council is invited to attend that Miami-Dade County Police Chiefs' Ball at Bal Harbour February 20, 2008 at 7:00 PM.
- **Beach Pavilion Renovation Project**
At the January Town Council Meeting, the Council authorized the Town Manager to purchase new furniture for the beach. There are some selections for the Council review and recommendations to staff.

K. TOWN ATTORNEY REPORT

Attorney Helfman reported that the Town had reached a proposed settlement agreement on the Regalia case in the amount of 1.2 Million Dollars. He requested a Special Town Council Meeting. The meeting is schedule for Thursday, February 21, 2008 at 11:30 am to discuss the terms of the proposed settlement.

The Town Attorney explained that the legal or engineering bills are contract type employees or services. The Council approves an agreement with these companies for a certain amount. Therefore, when each draw or invoice to be paid is submitted the expenditure is already approved. It is not required that the Council approves each invoice that is submitted under that contract. However, if the councilmembers would like to review the invoices or bills they can, but it is not a purchasing requirement of the Town's Code of Ordinances.

Councilmember Einstein asked the Town Attorney if trailers are permitted in the Town.

The Town Attorney answered that only construction trailers are allowed on an active construction site.

The Town Manager explained that there is a permit process and the trailer is approved after it is checked for wind load capacity and how it is going to be installed.

L. ORDINANCES – SECOND READING

1. An Ordinance of the Town Council of the Town of Golden Beach Amending Chapter 2 “Administration” Article II “Town Council” Section 2-27 Procedures for Town Council Meetings to Provide for Decorum at Town Council Meetings.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE II “TOWN COUNCIL”, SECTION 2-27 “PROCEDURES FOR TOWN COUNCIL MEETINGS” TO PROVIDE FOR DECORUM AT TOWN COUNCIL MEETINGS AND TO PROVIDE FOR A PROCEDURE FOR THE MAYOR TO MAINTAIN DECORUM AT TOWN COUNCIL MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 530.08

Sponsor: Town Mayor

Recommendation: Motion to Approve Ordinance No. 530.08

Vice Mayor Rojas stated that the Town did not need an Ordinance to provide a respectful atmosphere to conduct these meetings. According to Robert’s Rules of Order the Mayor is primarily responsible for conduct of the meeting with the Council be able to either agree or disagree with any decision being made by the Mayor. She stated that one of the reasons she joined the Council was because there were occasions when she felt that she was being controlled, policed and curtailed as a resident, and in speaking to many residents after the first reading of this ordinance, they have expressed similar feelings. Therefore, if everyone can respect one another then the Town can conduct productive and respectful meetings without the need for this ordinance.’

Councilmember Einstein asked the Town Attorney if he was aware of how the Town adopted the three (3) minute rule for speakers at the Council Meetings.

The Town Attorney answered that this was a rule that the Town was following when he came to the Town as the Town Attorney.

Councilmember Einstein asked if the Mayor or the Council through Robert's Rules of Order have the right procedurally to impose the three (3) minute rule.

The Town Attorney answered that yes the Mayor or Council has the right to impose the three (3) minute rule.

Councilmember Einstein stated that there was a Resolution that was adopted concerning the three (3) minute rule. He stated that not all items that are on the agenda are open to the public for discussion or input.

The Town Attorney stated that Florida Law does not preclude the Council from opening up every item on the agenda for discussion by the public. He explained that there are only three opportunities for the public to speak legally. Citizens can speak at a public hearing (zoning hearings), second reading of an Ordinance and under the Town's Citizens Bill of Rights to be reasonably heard on any matter that they would like to speak on. The Good and Welfare provisions of the agenda addresses the right of the public to be heard under the Citizens Bill of Rights. He stated that these were the mandatory times citizens are allowed to speak.

Dr. Stanley Feinman – 475 Ocean spoke in opposition to this Ordinance.

Ethan Addicott- 155 Golden Beach Drive spoke in opposition to this Ordinance.

June Krogoll – 422 Golden Beach Drive spoke in opposition to this Ordinance.

Robert Smoley – 390 Golden Beach Drive spoke in favor of this Ordinance.

Neil Leff – 48 Terracina Avenue spoke in opposition to this Ordinance.

Catherine Szabo – 601 Golden Beach Drive yielded her time to speak on this matter to Ethan Addicott.

Motion to approve Ordinance No. 530.08 on second reading by Councilmember Lusskin, seconded by Mayor Singer.

Roll call vote was as follows:

Mayor Singer - No; Vice Mayor Rojas - No; Council Member Bernstein - No; Council Member Einstein - No; Council Member Lusskin - No.

Ordinance No. 530.08 failed

2. An Ordinance of the Town Council of the Town of Golden Beach Creating Chapter 63 Entitled “Soliciting” of the Town Code of Ordinances.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, CREATING CHAPTER 63 ENTITLED “SOLICITING” OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 531.08

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 531.08

Alene Fishbein – 256 Golden Beach Drive spoke in favor of this Ordinance.

The Town Attorney explained that the Town does not have an Ordinance or any rules that regulates solicitation within the Town. There was a change made to this Ordinance between the first and second readings. There is an exception created for minors living within the Town having the right to solicit. He explained that the Ordinance requires that any person that wants to solicit within the Town have to get a permit from Town Hall. They cannot approach any residence with a sign that states, “No Solicitation”, and if they do, they are subject to being arrested.

Alene Fisbein – 256 Golden Beach Drive asked if the permit would include the person’s picture.

The Town Attorney answered that the permit does require the person’s name, age and business but he would have to look into whether the Town could legally require the person’s picture on the permit.

Motion to approve Ordinance No. 531.08 on second reading by Vice Mayor Rojas, seconded by Councilmember Lusskin.

Roll call vote was as follows:

Mayor Singer - Yes; Vice Mayor Rojas - Yes; Council Member Bernstein - Yes; Council Member Einstein - Yes; Council Member Lusskin - Yes.

M. ORDINANCES - FIRST READING

3. An Ordinance of the Town Council Amending Section 66-6 “General Construction Requirements” Relating to the Type of Screening for Temporary Construction Fences.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 66-6 "GENERAL CONSTRUCTION REQUIREMENTS" RELATING TO THE TYPE OF SCREENING FOR TEMPORARY CONSTRUCTION FENCES; PROVIDING FOR AN AMORTIZATION PERIOD FOR NONCONFORMING TEMPORARY FENCES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Ordinance No. 532.08

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 532.08

Mayor Singer stated that there have been several complaints on the east side of Ocean Boulevard regarding the type of temporary fences on construction sites. He explained that the screenings that are installed on some of the construction sites the sand is blowing through from the beach to Ocean Boulevard. The Town Manager suggested using the type of screening that the City of Sunny Isles is using on their construction site on Collins Avenue.

The Town Manager stated that there would be some changes to the Ordinance between the first and second readings because staff is still working on the type of wooden fence structure and design. He explained that over the next three years there are over eleven (11) properties on the east side of Ocean Drive that will be under construction, and the only screening required currently is a non-structured fence with a green mesh that is an eyesore. Therefore, staff is asking the Town Attorney to amend the Ordinance to require a wooden wall that is non-permeable with a design screen that the Town would provide on a lease basis.

The Town Attorney stated that there is an amortization period for nonconforming temporary fences provision in this Ordinance.

Dr. Stanley Feinman – 475 Ocean Boulevard spoke in opposition to this Ordinance.

Neil Leff – 48 Terracina Avenue spoke in opposition to this Ordinance.

Fred Chouinard – 407 Ocean Boulevard spoke in favor of this Ordinance.

Motion to approve Ordinance No. 532.08 on first reading by Councilmember Bernstein, seconded by Councilmember Einstein.

Roll call vote was as follows:

Mayor Singer - Yes; Vice Mayor Rojas - Yes; Council Member Bernstein - Yes; Council Member Einstein - Yes; Council Member Lusskin - Yes.

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

4. Minutes of January 15, 2008 Regular Town Council Meeting

Motion to approve the Minutes of the January 15, 2008 Regular Town Council Meeting by Councilmember Lusskin, seconded by Vice Mayor Rojas. All voted in favor the motion carried.

P. TOWN RESOLUTIONS

5. A Resolution of the Town Council Authorizing the Participation in a Lease Agreement for Dock Space for the Town's Police Boat

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A DOCKAGE AGREEMENT BETWEEN FHR TB, LLC (D/B/A THE FAIRMONT TURNBERRY ISLE RESORT AND CLUB) AND THE TOWN OF GOLDEN BEACH, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 1903.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1903.08

Mayor Singer explained that the Town is moving the Marine Patrol Boat from Hallandale to Turnberry Isle Resort and Club.

Chief Skinner explained that the developer at the north end of Golden Beach gave the Town a six months temporary lease to keep the Police Boat there; they anticipated that the space would remain open but an individual reclaimed the dock space, therefore, the Town had to vacate that space. At the same time, space became available at Turnberry Isle and the Town was asked to bring the Police Boat over there.

The Mayor stated that there is no financial burden to the Town.

A Motion to approve Resolution No. 1903.08 by Vice Mayor Rojas, seconded by Councilmember Lusskin.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Bernstein - Abstain; Councilmember Einstein – Aye; Councilmember Lusskin - Aye.

6. A Resolution of the Town Council Ratifying 2006-2007 Consulting Agreement with David T. Caserta Government Relations, Inc. and Ratifying and Approving a New Agreement for Consulting Services Beginning October 1, 2007 through September 30, 2008.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RATIFYING 2006-2007 CONSULTING AGREEMENT WITH DAVID T. CASERTA GOVERNMENT RELATIONS, INC. AND RATIFYING AND APPROVING A NEW AGREEMENT FOR CONSULTING SERVICES FOR THE PERIOD BEGINNING OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 1904.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1904.08

The Town Manager explained that this was approved. During the budget process, the Council authorized the procurement of these services from David Caserta, the Town Lobbyist that has procured over \$600,000.00 in funds last year. In reviewing, Mr. Caserta's file for Fiscal Year 2006 to 2007 and 2007 to 2008 did not take any action on his contract. He stated that for Fiscal Year 2008 to 2009 the Town would go out to bid for these services.

A Motion to approve Resolution No. 1904.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Bernstein - Absent; Councilmember Einstein - Aye; Councilmember Lusskin - Aye.

7. A Resolution of the Town Council Approving Agreement for Contract Police Officer with Pedro L. Vila.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AGREEMENT FOR CONTRACT POLICE OFFICER

WITH PEDRO L. VILA; PROVIDING FOR IMPLEMENTATION AND FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 1905.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1905.08

Town Manager explained that at the January 15, 2008 Regular Town Council Meeting the Council authorized him to procure services for a contract Police Officer for the South Florida Money Laundering Task Force. Officer Vila has only been on the Strike Force for two weeks and he was appointed Lead Agent to a case, and usually he would have to be on the Strike Force for a while before he would be made Lead Agent. Officer Vila's contract is not governed by the Bargaining Unit.

A Motion to approve Resolution No. 1905.08 by Vice Mayor Rojas, seconded by Councilmember Lusskin.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Bernstein - Aye; Councilmember Einstein - Aye; Councilmember Lusskin - Aye.

8. A Resolution of the Town Authorizing and Approving Change Order #5 to the Construction Agreement Between Bejar Construction, Inc. and the Town of Golden Beach.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING CHANGE ORDER #5 TO THE CONSTRUCTION AGREEMENT BETWEEN BEJAR CONSTRUCTION, INC. AND THE TOWN OF GOLDEN BEACH IN ORDER TO PROVIDE FOR WORK DESCRIBED IN EXHIBIT "A" INCLUDING ADDITIONAL STRUCTURAL SLAB; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE;

Exhibit: Agenda Report No. 8
Resolution No. 1906.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1906.08

The Town Manager explained the reason for Change Order No. 5. He stated that the plans for the Beach Pavilion Renovation Project includes the installation of a brand new keystone around the pavilion, the men and

women restrooms and the walk way that connects the two facilities. During the renovation process, they discovered that the slab adjacent to the pavilion was just a framed concrete slab sitting on top of earth without any type of structural support. He further explained that the Town is investing over \$70,000.00 in the keystone, if the contractor was to place the 2" keystone on top of a nonstructural slab there would be settling and cracking, and the brand new keystone would be damaged, Staff met with the architect, engineer and the State of Florida for a recommendation regarding this project. There were two possible solutions for this structural slab. One was a pin pile system that would provide additional support, which is the most costly and not favorable approach. The State of Florida recommended a sixteen in of limestone compacted at eight-inch intervals. As a result, the contractor would have to excavate three feet of sand from the entire site, the sand would have to be stored and redistributed. A soil sample was conducted, and because of the poor soil conditions at the site, the contractor would have to install an eight-inch compacted slab of limestone and another eight-inch layer of limestone and compact it, then fill and a concrete slab, that would prevent any type of settlement on the slab and any potential damage to the keystone.

The Building Official provided a brief explanation for this Change Order. The Change Order included the demolition of the existing slab, excavation of the sand, replacing the sand with compacted limestone, and eight inches of structural concrete slab that is reinforce with steel. This project is labor intensive. The Architect and the Building Official has reviewed the unit prices and the quantity and recommended approval. The cost of the Change Order is \$41,815.16 and 50% of the cost is for the compaction scope of work.

Mayor Singer stated although this Change Order is expensive this cost is still within the budget for this project.

A Motion to approve Resolution No. 1906.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Bernstein - Absent; Councilmember Einstein -Aye; Councilmember Lusskin - Aye.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:

- **Donation to Florida International University**

Mayor Singer stated that the requested donation was in the amount of \$750.00. He thought that it would be a good idea to show support for a neighboring university because some of the Town's residents attend this

university. The Council agreed to donate \$750.00 to the Florida International University.

Vice Mayor Amy Rojas:

▪ **Dogs on the Beach**

Vice Mayor Rojas suggested doing a pilot project where one night per week residents could take their dogs on the beach in a designated small area. She explained that the City of Hollywood had a program where dogs were allowed on the beach in a designated area.

The Town Manager stated that he would investigate the possibility of having dogs on the beach and he would bring back a report to Council regarding this matter.

Councilmember Ben Einstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Amy Rojas:
None Requested

R. ADJOURNMENT:

A Motion was made to adjourn the Council Meeting by Councilmember Lusskin, seconded by Mayor Singer. Consensus votes 5 Ayes 0 Nays.

The meeting was adjourned at 10:35PM.

Respectfully submitted,

Elizabeth Sewell

Elizabeth Sewell,
Town Clerk