



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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**Official Minutes for the April 29, 2008  
Regular Town Council Meeting called for 7:30 P.M.**

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**A. MEETING CALLED TO ORDER**

Meeting called to order by Mayor Singer at 7:35 PM

**B. ROLL CALL**

**Council Members Present:** Mayor Singer, Vice Mayor Rojas, Councilmember Bernstein, Councilmember Einstein, Councilmember Lusskin.

Staff Present: Town Manager – Alexander Diaz, Town Attorney – Stephen Helfman, Finance Director – Maria Camacho, Police Captain – Joe Barasoain, Executive Assistant to the Town Manager/Human Resources Director – Lissette Perez, Facilities & General Maintenance Director – Ken Jones, Town Clerk – Elizabeth Sewell.

**C. PLEDGE ALLEGIANCE**

The Town Council led the Pledge of Allegiance

**D. PRESENTATIONS / TOWN PROCLAMATIONS**

Recognition of Town Employee of the Month for March 2008  
Mayor Singer acknowledged Marie Talley as the Employee for the Month of March 2008. Marie's was the coordinator of the Town's first Black History Program.

Recognition of Town Police Officer of the Month for March 2008  
Captain Joe Barasoain was acknowledged as the Officer of the Month by Mayor Singer. The Town Manager spoke on behalf of the Captain's contributions to the Town of Golden Beach Police Department.

**E. MOTION TO SET THE AGENDA**

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

Item #5 move to Item #4  
Item #11 move to Item #5  
Item #4 move to Item #6

## F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – None for the Month of March

Beautification Committee – None for the Month of March

Comprehensive Planning Board – None for the Month of March

Recreation Committee – The Town Clerk read the report provided by the Committee chair into the record.

Security/Public Safety Committee – None for the Month of March

## G. GOOD AND WELFARE

None

## H. MAYOR'S REPORT

- **Beach Pavilion Update**

Mayor Singer reported that Beach Pavilion renovation project took a little longer than expected. However, the Town should have a permit from the State of Florida by tomorrow. The project is approximately six weeks away from completion once the Town receives the permit. He explained that the renovation on the pavilion is phenomenal. He apologized to the residents that the project took longer than expected, because there was an unexpected permit that the Town needed to acquire. The cost of the project is under the amount budgeted for the project. The anticipated completion date is July 1, 2008.

- **Sea Wall Cap Replacement RFP**

Mayor Singer stated that the Sea Wall Cap Replacement RFP has been through the-Bid Conference, there attended.

- **Speed Humps**

Mayor Singer stated that the speed humps at the Guard Station was the Town Manager's idea and it is a great idea. It slows the traffic down at the guard gate. It also provides added security for the Town.

- **Tallahassee Trip (Miami-Dade County Days)**

He thanked Vice Mayor Rojas and Councilmember Bernstein for their attendance at Miami-Dade County Days on behalf of the Town. He stated that the trip was very successful. It appears that the Town is budgeted for \$350,000 for storm water and \$200,000 for the Town's water distribution system subject to the Governor's approval. The House of Representative and the Senate has already approved the funding. He commended both Vice Mayor Rojas and Councilmember Bernstein for going to Tallahassee. He also commended Mr. Diaz, the Town Manager and David Caserta the

Town Lobbyist for the work they did in Tallahassee to assist the Town in order for the Town to receive the funding.

## I. COUNCIL COMMENTS

### Vice Mayor

- **Tallahassee Trip**

Stated that prior to her trip to Tallahassee, she was a bit skeptical about Golden Beach's need being considered, but when she saw David Caserta in action in Tallahassee she was impressed with his relationship with everyone. She stated that he is not just tolerated but he is genuinely liked and respected by everyone. She stated that the Town Manager was also genuinely liked and respected in Tallahassee.

### Councilmember Bernstein

- **Tallahassee Trip**

Stated that the day prior to the Tallahassee Trip he read the newspaper regarding the huge budget cuts and contemplated not going to Tallahassee, but the Town Manager informed him that even though there were might be more worthy causes such as the schools and medical facilities, there is money earmarked and available for stormwater drainage. He stated that Mr. Diaz did a great job setting up the appointments with various people to speak with regarding the funding for the stormwater and water distribution projects, he commended the Town Manager and David Caserta for the job they did.

- **Beach Pavilion**

Commended the Mayor for his involvement with the Town's Beach Pavilion project. He thanked the Mayor for a tour of the project, and he was pleasantly surprised at the work that was done at the pavilion.

- **Congresswoman Debbie Wasserman Schultz's Visit**

Stated that the Congresswoman is interested in visiting the Town within the next few months to hear what the residents of Golden Beach have to say regarding their issues and concerns.

### Councilmember Einstein

- **Police Presence**

Stated that police vehicles are seldom seen patrolling the streets on the inside of Town. He asked the Police Department by special request that the vehicles patrol the streets especially during 8:00 to 9:00 am in the morning and 4:00 to 6:00 pm in the afternoon. He explained that when more people are out on the streets, just the presence of more police vehicles patrolling in Golden Beach would make people feel safer.

- **Engle Trust Fund**

There is a \$600 Million fund available to all Florida smokers who became ill prior to 1996 the fund is available until June 16, 2008. Applications are

available at [www.EngleTrustFund.com](http://www.EngleTrustFund.com); persons interested in seeking damages must submit proof of illnesses linked to cigarette smoking.

#### **Councilmember Lusskin**

- **Code Enforcement Complaints**

Stated that she had received several phone calls from residents regarding several code enforcement issues. The complaints are regarding cars being parked at the back and the sides of residences; this matter needs to be addressed by Administration.

- **Housekeeping**

Stated that although we are preparing for the commencement of the Capital Improvement Program, there are still some housekeeping items that need to be taken care of before Hurricane Season.

#### **J. TOWN MANAGER REPORT**

- **Miami-Dade County Fire Rescue Department**

The Town Manager stated that he was not aware that at every Council Meeting the Miami-Dade County Fire Department has a representative present to get feedback regarding the Town's fire needs. Chief Martin was present at this evening's meeting, and if anyone including the Mayor and Council has any concerns or issues regarding fire they can speak with Chief Martin.

- **Request for Qualifications (Capital Improvement Program)**

The Request for Competitive Proposals is out for bid and there is a mandatory Pre-Bid Conference on Thursday, May 1, 2008 at 10:30 a.m. He explained that for any potential bidder to bid on the CIP construction work they are required to be prequalified. Only those firms that are prequalified will be invited to bid on the actual Capital Improvement Program. The purpose of the prequalification is to set minimum qualifications to determine what firms will work on behalf of the Town, and it allows the Town to invite those firms that have been prequalified to participate with the CIP Team as it designs the program. This process allows for value engineering. The prequalification is available for pick-up at Town Hall. The proposals are due on May 22, 2008 at 2:00 pm.

- **Rental Property**

Administration is sending a certified letter to every homeowner in town reminding them of the Town's Code of Ordinances that require that they must register their rentals, and their leases should be for a minimum of six (6) months. If the rentals are not registered as required by the Code it is not a legal lease. He explained that there has been an increase of rental property in the Town.

- **Cleaning of Storage Area**

The Town Manager commended the staff for the cleaning of the Town's Public Works Department and storage areas.

**K. TOWN ATTORNEY REPORT**

Attorney Helfman requested an Executive Session regarding the Stormwater Litigation.

Mayor Singer suggested Monday, May 12, 2008 for a Special Town Council Meeting and Executive Session at 5:00 pm.

**L. ORDINANCES – SECOND READING**

None

**M. ORDINANCES - FIRST READING**

None

**N. QUASI JUDICIAL RESOLUTIONS**

None

**O. CONSENT AGENDA**

1. Minutes of March 18, 2008 Regular Town Council Meeting
2. **A Resolution of the Town Council Authorizing the Town Manager to Serve as Secretary/Treasurer of the Miami-Dade County City Managers Association.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO SERVE AS SECRETARY/TREASURER OF THE MIAMI-DADE COUNTY CITY MANAGERS ASSOCIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 1911.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1911.08

3. **A Resolution of the Town Council Urging Congress to Renew the Ban on Assault Weapons as a Shared Federal-Local Commitment to keep our Communities Safe and Secure.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, URGING CONGRESS TO ACT NOW IN RENEWING THE BAN ON ASSAULT WEAPONS AS A SHARED FEDERAL-LOCAL COMMITMENT TO KEEP OUR COMMUNITIES SAFE AND SECURE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 1912.08

**Sponsor:** Town Mayor

**Recommendation:** Motion to Approve Resolution No. 1912.08

A Motion to approve items under consent agenda by Councilmember Lusskin, seconded by Councilmember Bernstein.

**Roll call vote was as follows:**

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

**P. TOWN RESOLUTIONS**

**4. A Resolution of the Town Council Approving the Engagement of Bryant Miller Olive P.A. as Bond Counsel in Connection with Proposed Issuance of Town of Golden Beach General Obligation Bonds, Series 2008.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE ENGAGEMENT OF BRYANT MILLER OLIVE P.A. AS BOND COUNSEL IN CONNECTION WITH PROPOSED ISSUANCE OF NOT TO EXCEED \$14,500,000 TOWN OF GOLDEN BEACH, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2008; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 1914.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1914.08

The Town Manager stated that it is necessary for the Town to prepare itself for proper financial posture before it can go out to issue bonds or acquire a loan and dedicate the Ad Valorem that was assessed by the

Town's residents in November of 2007. Bryant Miller Olive, P.A. will serve as the Town's Bond Counsel and start structuring all of the Town's legal documents and Ordinances to allow the Town to go through this process. Once the decision is made whether the Town takes a loan, go out to issue bonds and an auction, or figure out whatever mechanical instrument the Town wants to use for the acquisition for the funds, should the Town decide as a community to go out and issue bonds and not accept any of the other programs. Bryant Miller Olive will also serve as the Town's Bond Disclosure Counsel. The fee for services as Bond Counsel is \$21,750 and for the services as Disclosure Counsel is \$30,000.

A Motion to approve Resolution No. 1914.08 by Councilmember Lusskin, seconded by Councilmember Einstein.

**Roll call vote was as follows:**

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

**5. A Resolution of the Town Council Approving Professional Services Agreement Between the Town and Public Financial Management, Inc. Concerning Financial Advisory Services**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND PUBLIC FINANCIAL MANAGEMENT, INC., CONCERNING FINANCIAL ADVISORY SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 1920.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1920.08

Mayor Singer explained that he and the Town Manager have met with numerous financial institutions over the past six to twelve (6-12) months. They include Northern Trust, Bank of America, Florida League of Cities, Melon Bank, Wachovia, DB&T and World Bank of Canada. These institutions have presented different proposals, fees and options on how to finance the Capital Improvement Program. There are three (3) basic financing options for the Town. Option #1 is a qualified way to do one time bond offering for the \$14.5 Million. Option #2 is to do two bond offerings – one for just under \$8.5 Million and another bond offering six (6) months later for the balance of the \$14.5 Million that is \$6.5 Million. Option #3 is a bank-qualified loan. He stated that he agreed with the Town Manager that it was in the best interest of the Town to hire a third party independent

agency to evaluate the financial options and take the Town through the process because it is a major ordeal whichever option the Council chooses.

A Motion to approve Resolution No. 1920.08 by Councilmember Einstein, seconded by Vice Mayor Rojas.

**Roll call vote was as follows:**

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

**6. A Resolution of the Town Council Establishing its Intent to Reimburse Certain Project Costs Incurred with Proceeds of Future Tax-Exempt Financing or other Obligations.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN PROJECT COSTS INCURRED WITH PROCEEDS OF FUTURE TAX-EXEMPT FINANCING OR OTHER OBLIGATIONS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 1913.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1913.08

The Town Manager provided a brief explanation of this Resolution. The Town has awarded a series of contracts for the Capital Improvement Program over the past couple of months. These costs are being paid for out of the General Fund. The Florida Statutes allows for the General Fund to be reimbursed once the bond is issue, so long as the Town has a resolution expressing its intent to reimburse the General Fund. Therefore, this Resolution expresses the Town's intent to reimburse the General Fund with bond revenue once the Town goes out to bond issuance.

A Motion to approve Resolution No. 1913.08 by Vice Mayor Rojas, seconded by Councilmember Bernstein.

**Roll call vote was as follows:**

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



**7. A Resolution of the Town Council Authorizing and Approving the Payment of \$1,500 to the North Miami Beach Optimist Little League, Inc.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,500.00 TO THE NORTH MIAMI BEACH OPTIMIST LITTLE LEAGUE, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 1915.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1915.08

Mayor Singer stated that Council had given this donation to the North Miami Beach Optimist Little League, Inc. in the past. He asked the Town Manager to find out how many of Golden Beach's children participate in the League.

A Motion to approve Resolution No. 1915.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas.

**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 Council Authorizing the Expenditure of Forfeited Assets for the Purchase of a Comprehensive Close Circuit Television Security Camera System**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF FORFEITED ASSETS FOR THE PURCHASE OF A COMPREHENSIVE CLOSED CIRCUIT TELEVISION (CCTV) SECURITY CAMERA SYSTEM TO BE USED BY THE TOWN'S POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 1916.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1916.08

The Town Manager explained that the Council authorized this purchase in September of last year and General Fund revenue was used to pay for the installation of the Close Circuit Television Security Camera System. It is the intent of the Council to use Law Enforcement Trust Fund revenues to purchase this system because it is one time expenditure. This Resolution authorizes the expenditure of Law Enforcement Trust Fund and/or Federally Forfeited Asset funds in an amount not to exceed \$132,072 for the purchase and implementation of the Town's Close Circuit Television System.

A Motion to approve Resolution No. 1916.08 by Councilmember Lusskin; seconded by Councilmember Einstein.

**Roll call vote was as follows:**

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

**9. A Resolution of the Town Council Authorizing the Expenditure of Forfeited Assets for the Purchase of a Town 2-Way 450 MHz Radio System**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF FORFEITED ASSETS FOR THE PURCHASE OF SIX (6) RECONDITIONED MOBILE POLICE RADIOS AND EIGHT (8) RECONDITIONED PORTABLE POLCE RADIOS, PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 9  
Resolution No. 1917.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1917.08

The Town Manager explained that this Resolution would allow the Town to purchase six (6) mobile radios and eight (8) portable radios for use by the Town's Police Department. These radios will be purchased from the Town's Law Enforcement Trust Fund and/or Federally Forfeited Asset funds in the amount not to exceed \$9,900.

A Motion to approve Resolution No. 1917.08 by Councilmember Einstein, 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.

**10. A Resolution of the Town Council Approving Legislative Project Grant Amendment No. 2 to the State Financial Assistance Agreement Between the Town and the Florida Department of Environmental Protection**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING LEGISLATIVE PROJECT GRANT AMENDMENT NO. 2 TO THE STATE FINANCIAL ASSISTANCE AGREEMENT BETWEEN THE TOWN AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 10  
Resolution No. 1918.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1918.08

The Town Manager stated that during the 2007 State Legislative Session the members of the Miami-Dade delegation; specifically Senator Gwen Margolis and Representative Dan Gelber were successful in securing and \$550, 000 for the Town's Storm Water Project. In addition, staff has worked with the State to secure a time extension for the \$200,000 that was previously awarded to the Town during the 2006 Legislative Session. Staff has also worked out an agreement with the State to combine these two awards and be allowed to use funds until November 30, 2010.

A Motion to approve Resolution No. 1918 by Vice Mayor Rojas, seconded by Councilmember Einstein.

**Roll call vote was as follows:**

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

**11. A Resolution of the Town Council Approving an Amendment to the 2007-2008 Fiscal Year Operating Budget**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE 2007-2008 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 11  
Resolution No. 1919.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1919.08

The Town Manager explained that the Council had approved a three-year contract with the Florida Fraternal Order of Police at the March 18, 2008 Regular Town Council Meeting by a unanimous vote. As part of the Fiscal Year-2008 budget, the Town Council allocated resources in the contingency line item in anticipation of the additional resources, which would be needed to bring the Police Department budget "whole" as a result of the adoption of the Fraternal Order of Police contract. This contract imposes an additional \$70,203 liability to address salary adjustments, specialty pay, longevity pay, uniforms, and equipment for fiscal year 2007-2008 as part of the approved 2007-2010 Fraternal Order of Police Agreement.

A Motion to approve Resolution No. 1919.08 by Councilmember Lusskin, seconded by Councilmember Einstein.

**Roll call vote was as follows:**

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

**Q. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None

Vice Mayor Amy Rojas:  
None Requested

Councilmember Ben Einstein:  
Update on Beach Pavilion Renovation Project

The Town Manager stated that there is a misconception in the community that this project is over the budget, but the budget for the Beach Pavilion was \$670,000 of which \$536,000 was spent to date. After the completion of the project, the budget will still be under \$66,000.

The delay in the project was caused by a decision made by the Administration and Council to install a structural slab to support the 2” keystone. Once the project moves from renovation to construction type project the Town is required to file for a state permit because the work is being done eastward of the coastal construction control line. He explained that the permitting process usually takes from 90 to 120 days after the application is fully completed and submitted. The Town submitted its application earlier on in pieces because staff did not anticipate having to install the structural slab. Administration is expecting to have the state permit in hand tomorrow if not tomorrow it will be on Monday. He stated that we are about six week away from the completion of the project after receiving the permit. There have been five (5) change orders to date; four (4) that were under the Town Manager and Mayor spending threshold and (1) change order approved by the Council. Even with all the change orders that were approved the project is still \$66,000. under budget.

Councilmember Judy Lusskin:

Creation of an Ocean Blvd. Residents Special Committee

Councilmember Lusskin stated that she had received numerous phone calls from residents that live on the ocean side of A1A. She stated that the chief complaint was that they feel distant from being a part of the Town. She stated that there were five (5) residents interested in serving on a committee for the residents along the east side of Ocean Boulevard, and she was waiting for two more residents to serve on this committee. Once she has seven (7) residents to serve then she will bring it back to the Council for approval if the Mayor and Council agree.

Mayor Singer stated that this committee would be a sub-committee of the Beach Committee.

Councilmember Ken Bernstein:

None Requested

## **R. ADJOURNMENT:**

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

The meeting was adjourned at 9:10 PM.

Respectfully submitted,

*Elizabeth Sewell*

Elizabeth Sewell  
Town Clerk