



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the July 17th, 2007
Regular Town Council Meeting called for 7:30 P.M.

A. MEETING CALLED TO ORDER

Meeting called to order by Mayor Singer at 7:40 PM

B. ROLL CALL

The Town Clerk called roll

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

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

C. PLEDGE ALLEGIANCE

Golden Beach Boys led the Council and public in the Pledge of Allegiance.

D. PRESENTATIONS / TOWN PROCLAMATIONS

Recognition of Town Employee of the Month
George Larkin for the Month of May
John Fialkowsky for the Month of June
Joe Scott for the month of July

Recognition of Town Officer of the Month
Officer Leo Santinello for the Month of May
Officer Christopher Lambert for the Month of June
Officer Edsel Carrasco for the Month of July

E. MOTION TO SET THE AGENDA

Town Manager withdrew Item #11 and replaced Item #10 with Item #10A.

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – Dr. Iglesias reported that the Beach Committee met and wanted to know the status of the installation of the kayak rack and the safety rope that was recommended by the Beach Committee.

Beautification Committee – Meeting cancelled for the month of July

Comprehensive Planning Board – Meeting cancelled for the month of July

Recreation Committee - Council Member Lusskin thanked Mr. Steve Kates for coordinating a successful Sports Day for the Town's Youth Leadership Group. She announced that there was another Sports Day tentatively scheduled for August 12, 2007.

Security/Public Safety Committee – Meeting cancelled for the month of July

G. GOOD AND WELFARE

Ethan Addicott – 155 Golden Beach Drive, presented information regarding the National Conference on Beach Preservation Technology that he was planning to attend.

Dr. Jose Iglesias – 138 South Island Drive, spoke in regards to the Capital Improvement Plan.

Oded Meltzer – 122 Golden Beach Drive, Spoke concerning the proposed tax cuts.

Dr. Penny Iglesias – 138 South Island Drive, expressed concerns regarding the use of contingency funds for daily operations.

Ishac Haroon - 271 Golden Beach Drive, commended the staff for the renovations to Town Hall. He expressed concerns about the disregard for the rules and ordinances regarding the town's beach.

H. MAYOR'S REPORT

- **Newsletter**

Mayor Singer commended the staff for the improvement in the Town's Newsletter.

- **Town Hall Renovations**

Mayor Singer commended staff for the renovations of Town Hall and its appearance.

- **Beach Pavilion**

Mayor Singer announced that the Beach Pavilion Renovations RFP is out for bid. He asked if anyone knows any contractors that are willing to bid on this project to let them know about this bid.

- **Sports Day**

Mayor Singer thanked Council Member Lusskin and Mr. Steve Kates for coordinating the Sports Day event for the Town of Golden Beach Youth Leadership Group.

I. COUNCIL COMMENTS

Council Member Einstein

- Stated that he knew a couple contractors that may be interested in the Beach Pavilion Renovations RFP.

Council Member Lusskin

- Expressed her condolences to the Poppiti family on the passing of their loving mother and long time resident Lynn Poppiti, and to the family of Bernice Davis on the passing of her loving husband.
- She commended the Town Manager for the aesthetics of the Town, and for his team building abilities.
- Suggested that the committee members were in need of orientation.
- Congratulated our Town Attorney, Stephen Helfman for been featured in the Superior Lawyers' Guide.
- Reminded everyone about Hurricane Season awareness, and to make sure they had a corded telephone in their homes.

Council Member Rojas

- Held her comments for Agenda Items.

Vice Mayor Bernstein

- He commended Public Works Employees for the great job they did with North Parkway. He also commended the Town Manager for the appearance of the Town and Town Hall.

J. TOWN MANAGER REPORT

Town Update

Mr. Diaz stated that he was very pleased with the hard work of the staff regarding the renovations of Town Hall, the archiving of records, and cleanliness of the offices.

- He expressed condolences to Raquel Castellon on behalf of the staff on the passing of her mother.

Town Attorney

Mr. Diaz thanked the Town Attorney for the informative workshop that his law firm conducted recently regarding Tax Reform.

Summer Movies Series

He announced the beginning of the summer movies series next Thursday, July 26, 2007 at 8:00 p.m. on the Town Hall lawn featuring the movie "Happy Feet". He stated that there will be one movie every month on the last Thursday of the month.

Closed Circuit Television

Administration has selected a vendor and he is hoping to bring the selection before the Council at the August Council Meeting.

- **Committee Members Orientation**

The Town Manager agrees with Council Member Lusskin that the standing committee members need an orientation regarding their roles and responsibilities. He also stated that there will be a staff person present at all committee meetings to improve communication with the committees.

- **Residents' Surveys**

Mr. Diaz stated that administration sent out Residents' Surveys along with the Monthly Newsletter, so far the feedback has been very positive, and it will assist in improving our communication with the residents.

- **Budget Time Line**

Approval of Budget Time Line was as follows:

July 17, 2007	7:30 P.M.	Proposed Budget Presented to Town Council
July 24, 2007	7:00 P.M.	Workshop on Proposed Budget
July 30, 2007	7:00 P.M.	2 nd Workshop on Proposed Budget
July 30, 2007	7:15 P.M.	Special Meeting for Adoption of Tentative Millage
August 21, 2007	7:30 P.M.	Final Proposed Budget Presented at Regular Town Council Meeting
September 11, 2007	7:00 P.M.	Budget Hearing to adopt Tentative Budget and Proposed Millage
September 18, 2007	7:30 P.M.	Regular Town Council Meeting and Adoption of Final Budget

- **Park and Recreation Master Plan**

The Town Manager made a presentation of the Town's Parks and Recreation Master Plan. He explained that the first Town Council Meeting he attended there was a discussion regarding the utilization of the Town's park and recreational spaces. He also explained that the town currently has 4.83 acres of useable parkland with an additional 1.89 acres for a total of 6.72 acres if the road right-of-way that is adjacent to parkland is included. The Master Plan includes all of the Town's recreational open spaces with their existing conditions, and the proposed improvements funded out of next year's operating budget. He stated that he was asking the Council to refer the Master Plan to two committees, the Beautification and Recreation Committees for their suggestions and input. After the review of the committees and input by the residents through the referenced committees. Mr. Diaz requested that the plan be placed on the Agenda for the August or September Council Meeting.

K. TOWN ATTORNEY REPORT

• **Executive Session**

The Town Attorney asked the Council to authorize him to schedule an Executive Session for the litigation the Town has with Sunny Isles.

L. ORDINANCES – SECOND READING

**1. An Ordinance Related to the Creation of Section 66-71
“Subdivision of Land” (Ordinance No. 520.07)**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, CREATING SECTION 66-71 “SUBDIVISION OF LAND” OF CHAPTER 66 “ZONING” OF THE TOWN OF GOLDEN BEACH CODE OF ORDINANCES TO ESTABLISH MINIMUM REQUIREMENTS FOR SUBDIVISION OF LAND; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 520.07

Recommendation: Motion to Adopt Ordinance No. 520.07

The Town Manager provided a brief explanation regarding this Ordinance. It was amended to affect zone one (1) exclusively, which is the east side of Ocean Boulevard. He also explained that this Ordinance has to be referred to the Local Planning Agency for their recommendation before action by the Council could be taken.

Oded Meltzer - 122 Golden Beach Drive, spoke in opposition to the amendment to Ordinance No. 520.07

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

Motion to refer Ordinance No. 520.07 to the Local Planning Agency by Council Member Lusskin, seconded by Vice Mayor Bernstein.

Roll call vote was as follows:

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

M. ORDINANCES - FIRST READING

**2. An Ordinance Related to the delegation of representation by
Town Attorney at Special Magistrate Hearings (Ordinance No.
521.07).**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTIONS 2-200, "TOWN ATTORNEY TO SERVE AS COUNSEL", AND 2-206, "SCHEDULING AND CONDUCT OF HEARING", OF ARTICLE VI, "CODE ENFORCEMENT", OF CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF THE TOWN OF GOLDEN BEACH TO PROVIDE FOR PROSECUTION OF CERTAIN CODE ENFORCEMENT CASES BY THE TOWN ATTORNEY; 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. 521.07

Recommendation: Motion to adopt Ordinance No. 521.07

The Town Attorney explained that there are two basic forms of Code Enforcement process as it relates to the attorneys that are involved. The first one is where the Town Attorney serves as counsel to the Special Magistrate and advise the Magistrate. The other form is where the Town Attorney serves as the Prosecutor. In this process the Town Attorney would assist the Code Enforcement staff in bringing forward the cases and prosecuting them. He stated that staff has asked that the Town Attorney assume the role of assisting in prosecuting the Code Enforcement cases.

Council Member Lusskin spoke in favor of this Ordinance.

Council Member Rojas spoke in favor of this Ordinance.

Motion to approve Ordinance No. 521.07 on first reading by Council Member Lusskin, seconded by Council Member Rojas.

Roll call vote was as follows:

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

3. An Ordinance Amending Minimum Frontage, Building Square Footage, and Height of Residence.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66 "ZONING", ARTICLE III "DISTRICT REGULATIONS," SECTION 66-69 "MINIMUM FRONTAGE, BUILDING SQUARE FOOTAGE AND HEIGHT OF RESIDENCE" TO DELETE THE SECOND TO FIRST FLOOR RATIO LIMITATIONS AND TO INCREASE THE SIDE SETBACK

REQUIREMENTS FOR TWO STORY RESIDENCES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE; PROVIDING FOR
CONFLICT; AND PROVIDING FOR AN EFFECTIVE
DATE.

Exhibit : Agenda Report No. 3
Ordinance No. 522.07

Recommendation: Motion to adopt Ordinance No. 522.07

The Town Building Official, Dan Nieda, provided a detailed explanation of changes with respect to section 66-69(3) of the Town Code of Ordinances. This Ordinance amends the square footage and height of residences.

Michael Klinger – 280 South Parkway, spoke in opposition to this Ordinance.

Oded Meltzer – 122 Golden Beach Drive, spoke in support of this Ordinance.

Ralph Choeff, Architect - 425 Biscayne Boulevard, Suite 2225, Miami, Florida, spoke in opposition.

Motion to approve Ordinance No. 522.07 on first reading by Vice Mayor Bernstein, seconded by Council Member Rojas.

Roll call vote was as follows:

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

4. An Ordinance Creating Section 66.92 addressing Permanent Electric Standby Generators; and Providing Regulations For Permanent Electric Standby Generators.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 66-1 "DEFINITIONS," OF CHAPTER 66 "ZONING," TO PROVIDE A DEFINITION FOR A PERMANENT ELECTRIC STANDBY GENERATOR AND SOUND LEVEL METER; CREATING SECTION 66-92 "PERMANENT ELECTRIC STANDBY GENERATORS;" PROVIDING REGULATIONS FOR PERMANENT ELECTRIC STANDBY GENERATORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4

Ordinance No. 523.07

Recommendation: Motion to adopt Ordinance No. 52307

The Building Official explained that this Ordinance allows for the installation of permanent electric standby generators and the requirements.

Council Member Rojas expressed concerns regarding the use of natural gas as the only source of energy for the permanent generators, and this Ordinance does not provide for the use of propane tanks.

Tony Rojas – 600 Golden Beach Drive, asked for the Ordinance to include the use of propane gas as another source of energy for the permanent electric standby generators.

The Mayor and Council asked staff to amend the Ordinance on second reading to include propane gas as an alternative energy source for the generators.

Motion to adopt Ordinance No. 523.07 on first reading Council Member Lusskin, seconded by Council Member Rojas.

Roll call vote was as follows:

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

5. An Ordinance Amending the Town Code as it relates to Front and Rear Lot Line Restrictions.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 66-137 "FRONT AND REAR LOT LINE RESTRICTIONS--IN ZONE ONE," OF CHAPTER 66 "ZONING," TO PERMIT STAIRS AND/OR TERRACES TO BE PLACED, SUBJECT TO CERTAIN RESTRICTIONS, CLOSER TO THE EAST REAR LOT LINE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit : Agenda Report No. 5
Ordinance No. 524.07

Recommendation: Motion to adopt Ordinance No. 524.07

The Building Official explained that this Ordinance amends Section 66-137 of the Town Code Ordinances as it relates to the front and rear lot line restrictions regarding stairs and terraces.

Fred Chouinard, 407 Ocean Boulevard, spoke in regards to this Ordinance.

Motion to adopt Ordinance No. 524.07 on first reading by Council Member Lusskin, seconded by Vice Mayor Bernstein.

Roll call vote was as follows:

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

N. QUASI JUDICIAL RESOLUTIONS

6. Approval of a Variance Request for the Property at 334 South Parkway. (RESOLUTION No. 1851.07)- Sponsored by Town Manager

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 334 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160. TO PERMIT A SECOND FLOOR AREA RATIO OF 76.3% IN LIEU OF THE 65% REQUIRED BY CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 1851.07

Recommendation: Motion to approve Resolution No. 1851.07

The Building Official explained that this was a variance for Stars in Golden Beach, LLC, located at 334 South Parkway. The applicant seeks approval for a variance petition to allow development of a proposed residence with a second to first floor area ratio of 76.3% where 65% is required for Section 66-69(3) of the Town Code of Ordinances. The proposed residence that will be placed on a reverse pie shape lot with a frontage of 74.63 feet, and narrows towards the waterway to a 44.95 foot width. When the side yard setback 10' on each side is reduced, a building footprint of 45 feet in the front narrows to a 31feet at the rear of the property, creating an inherent hardship in design difficulties not initiated by the applicant. The applicant has requested an increase of 11.3% or 345 square feet over the maximum 65% second to first floor area ratio required by the Town Code of Ordinances. In reviewing the variance petition the Council shall confirm the following conditions: (1) The petition constitutes a variance, since the applicant has requested a deviation of 11.3% over the maximum of 65% second to first floor area ratio required by Section 66-69(3) of the code. (2) The land is peculiar in nature as the lot is reverse pie shape lot with a frontage of 74.63 feet that narrows towards the waterway to a 44.95 width. (3) The variance petition stems from the

peculiar nature of the lot they plan to develop. (4) Granting the variance would not confer upon the applicant any special privilege that is denied to other lands in the same District. (5) Literal interpretation of the provision of the Zoning Code would deprive the applicant the rights commonly enjoyed by other properties in the same District. (6) The variance petition will allow the applicant reasonable use of the land. (7) The granting of the variance will not be injurious to the area or detrimental to the public welfare. The Council needs to determine if the preceding submitted conditions raise the variance petition to the standards stipulated by Section 66-41 of the Code, where the variance petition may be favorably considered.

Ralph Choeff, Architect – 8425 Biscayne Boulevard, Suite 2225, Miami, Florida 33138, He stated that he was attending the Council Meeting on behalf of Mr. Larry Groll who is the owner of the property that this project is being constructed on. He explained that the applicant has a hardship because the lot is a reverse pie shape lot, which means that the frontage of the property is just under 75 feet and the rear of the lot is just under 45 feet. If they were to use the formula in Section 66-69(3) of the Code, and because of the narrowness of the lot they would develop a long bowling alley type looking residence.

Vice Mayor Bernstein asked if there was any objection from the surrounding neighbors.

Mr. Groll answered that the neighbors on the east side is also new construction.

The Town Manager stated that only one resident attended the Building Advisory Regulation Board Meeting and they spoke in favor of the variance petition.

Motion to approve Resolution No. 1851.07 by Council Member Lusskin, seconded by Council Member Rojas.

Roll call vote was as follows:

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

O. CONSENT AGENDA

7. Minutes of May 15th, 2007 Regular Town Council Meeting

Motion to approve the minutes of the May 15, 2007 Regular Town Council Meeting by Council Member Lusskin, seconded by Council Member Rojas.

All voted in favor the minutes were approved.

P. TOWN RESOLUTIONS

- 8. Approving a Contract Renewal With the Florida Department of Transportation related to Turf and Landscape Maintenance. (RESOLUTION No. 1852.07)- Sponsored by Town Manager**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE FOURTH CONTRACT RENEWAL OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TURF AND LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE RENEWAL; AUTHORIZING THE MAYOR AND TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE RENEWAL; PROVIDING FOR EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 1852.07

Recommendation: Motion to approve Resolution No. 1852.07

The Town Manager provided a brief explanation of this Resolution. He stated that this agreement allows the Town to be recoup some of the cost the Town spends for Ocean Boulevard maintenance of effort for approximately \$14,000.00 per year.

Motion to approve Resolution No. 1852.07 by Council Member Lusskin, seconded by Council Member Rojas.

Roll call vote was as follows:

Mayor Singer- Aye; Vice Mayor Bernstein- Aye; Council Member Einstein- Absent for vote; Council Member Lusskin- Aye ; Council Member Rojas - Aye.

- 9. Approving the Closing Agreement with the Internal Revenue Service related to the Town Employee Pension Plan. (RESOLUTION No. 1853.07)- Sponsored by Town Manager**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A CLOSING AGREEMENT WITH THE IRS RELATED TO THE TOWN'S EMPLOYEE PENSION PLAN AND AUTHORIZING THE MAYOR AND THE TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE AGREEMENT INCLUDING THE PAYMENT OF \$8,000.00 RELATED TO THE CLOSING AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 1853.07

Recommendation: Motion to approve Resolution No. 1853.07

Mayor Singer explained that the reason for the this Resolution was because the Town's Employee Pension Plan was not in compliance with the various tax laws over the past few years and this will bring it into compliance with the tax laws.

Motion to approve Resolution No. 1853.07 by Council Member Lusskin, seconded by Vice Mayor Bernstein.

Roll call vote was as follows:

Mayor Singer- Aye; Vice Mayor Bernstein- Aye; Council Member Einstein- Absent for vote; Council Member Lusskin - Aye; Council Member Rojas- Aye.

10A. Authorizing a Bond Referendum of Qualified Electors and Authorizing the Issuance of a General Obligation Bond in the Amount of \$ 18 Million Dollars, to Address the Town's Capital Improvement Plan. (RESOLUTION No. 1854.07)- Sponsored by Town Manager

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE ISSUANCE, SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR, OF GENERAL OBLIGATION INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,500,000 FOR THE TOWN OF GOLDEN BEACH, FLORIDA, FOR PROVIDING FUNDS TO FINANCE THE CONSTRUCTION AND IMPROVEMENT OF VARIOUS CAPITAL IMPROVEMENT PROJECTS, PAYABLE FROM THE FULL FAITH, CREDIT AND AD VALOREM TAXING POWER OF THE TOWN; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE TOWN TO BE HELD ON NOVEMBER 6, 2007; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR BOND REFERENDUM PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10 A
Resolution No. 1854.07

Recommendation: Motion to approve Resolution No. 1854.07

The Town Attorney provided an explanation of the changes to the resolution. He stated that the difference between the resolution that was in the Agenda packet and the resolution presented at this meeting is that

the refinancing of the properties that the Town had acquired on Ocean Boulevard were eliminated from the proposed bond financing which decreased the General Obligation Bond amount from \$18 Million to \$14.5 Million.

Mayor Singer explained that the reason the Ocean Boulevard properties were eliminated from the bond funding was because there was sufficient income in the Town's budget to cover the debt service, which is approximately \$75,000.00 per year. He stated that the acquisition of the properties was not a part of the Capital Improvement Project. The Capital Improvement Project encompasses the completion of the stormwater project, the undergrounding of all utilities, a streetscaping project and improvements in the median on Ocean Boulevard.

A representative from Corzo Castella Carballo Thompson Salman (C3TS) made a presentation of the current Capital Improvement Projects and the cost associated with them.

The Town's bond counsel, Jolinda Herring, explained the proposed time line for the bond referendum process.

Motion to extend the Town Council for an additional thirty (30) minutes by Vice Mayor Bernstein, seconded by Council Member Einstein. All voted in favor the Motion was carried.

Oded Meltzer, 122 Golden Beach Drive, stated that in order for the bond referendum to be approved by the voters. The voters would have to be assured that the projects will be efficiently supervised. He spoke in support of the projects.

Larry Groll – 284 South Island Drive, spoke in support of the Capital Improvement Project.

Dr. Geduld – 126 Golden Beach Drive, commended the Town Manager for his performance in improving the aesthetics of the Town. He asked how the Town planned on funding the maintenance of the improvement projects.

The Town Manager answered that Administration had factored into the operational budget approximately \$66,000.00 per year for maintenance of effort.

Mrs. Egozi- 688 Massini Avenue, asked how long it will take to complete the projects. She stated that she was excited about the projects.

Mayor Singer answered that it will take approximately 3 to 4 years.

Motion to approve Resolution No. 1854.07 by Council Member Lusskin, seconded by Vice Mayor Bernstein.

Roll call vote was as follows:

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

- 10. A Resolution of the Town Council Waving Competitive Bid as provided by Section 2-275 of the Code to Address an Emergency Action Related to the Seawalls That Support the Center Island Bridge. (RESOLUTION No. 1855.07)- Sponsored by Town Manager**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, EXERCISING SECTION 2-275 OF THE TOWN CODE, WAVING COMPETITIVE BID PROCEDURE, FINDING THAT WAVING THE BID PROCEDURES IS IN THE BEST INTEREST OF THE TOWN TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY; THE TOWN COUNCIL, UPON THE ADVICE OF THE TOWN MANAGER, FINDS IT CRITICAL TO REPLACE THE SEAWALL(S) SUPPORTING THE CENTER ISLAND BRIDGE AT THE STRAND, THE COUNCIL AUTHORIZES THE TOWN MAYOR AND MANAGER TO SECURE A VENDOR TO INSTALL FOUR (4) SEAWALLS SUPPORTING THE CENTER ISLAND BRIDGE, AND AUTHORIZES THE MAYOR AND THE TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO EFFECTUATE AN EMERGENCY AGREEMENT TO ADDRESS THE PRESSING MATTER, AND AUTHORIZES PAYMENT IN AN AMOUNT NOT TO EXCEED \$80,000.00 RELATED TO THE SEAWALL(S) SUPPORTING THE CENTER ISLAND BRIDGE; FURTHER REQUIRE THE TOWN MANGER TO REPORT TO THE TOWN COUNCIL THE ACTION TAKEN AND RESOURCES EXPENDED TO ADDRESS THIS EMERGENCY ACTION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 1855.07

Recommendation: Motion to approve Resolution No. 1855.07

This Item withdrawn from the Agenda.

- 11. A Resolution Authorizing the Transfer of Funds From the Contingency Account to the Police Department Budget to Meet Unfunded Budget Requirements; Resulting From the Adopted Fraternal Order of Police Agreement.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO TRANSFER A TOTAL OF THREE HUNDRED TWELVE THOUSAND NINE HUNDRED EIGHTY-FIVE DOLLARS (312,985) FROM THE

CONTINGENCY ACCOUNT (ACCOUNTING NO.: 001-519-5930-00-000) TO THE POLICE DEPARTMENT SERGEANT SALARY ACCOUNT (ACCOUNTING NO.: 001-521-121000-00-000) POLICE SALARY ACCOUNT (ACCOUNTING NO.: 001-521-125000-00-000); POLICE DEPARTMENT FICA ACCOUNT (ACCOUNTING NO.: 001-521-210000-00-000); POLICE DEPARTMENT WORKERS COMPENSATION ACCOUNT (ACCOUNTING NO.: 001-521-524000-00-000) FOR EXPENSES NOT INCLUDED IN THE 2006-2007 BUDGET; PROVIDING FOR IMPLEMENTATION: PROVIDING FOR AND EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 1855.07

Recommendation: Motion to approve Resolution No. 1855.07

The Town Manager provided a brief explanation of this resolution. He stated that this money was put into the contingency fund for this purpose.

Motion to approve Resolution No. 1856.07 by Council Member Lusskin, seconded by Vice Mayor Bernstein.

Roll call vote was as follows:
Mayor Singer- Aye; Vice Mayor Bernstein- Aye; Council Member Einstein- Aye; Council Member Lusskin- Aye; Council Member Rojas- Aye.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

R. ADJOURNMENT:

Motion made to adjourn by Mayor Singer. Seconded by Council Member Lusskin
Consensus votes 5 Ayes 0 Nays.

Meeting adjourned at 11:32 P.M.

Respectfully submitted,

Elizabeth Sewell

Elizabeth Sewell, CMC
Town Clerk