



## **TOWN OF GOLDEN BEACH**

One Golden Beach Drive  
Golden Beach, FL 33160

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### **Official Minutes for the October 21, 2008 Regular Town Council Meeting called for 7:30 P.M.**

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#### **A. MEETING CALLED TO ORDER**

Mayor Singer called the meeting to order at 7:36 PM

#### **B. ROLL CALL**

The Town Clerk called roll.

**Councilmembers Present:** Mayor Singer, Vice Mayor Rojas, Councilmember Einstein, Councilmember Bernstein, Councilmember 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 – Lissette Perez, General Facilities and Maintenance Manager – Ken Jones, Town Clerk – Elizabeth Sewell

#### **C. PLEDGE ALLEGIANCE**

Mr. Robert Smoley led the Pledge of Allegiance

#### **D. PRESENTATIONS / TOWN PROCLAMATIONS**

Recognition of Town Employee of the Month for September 2008

The Mayor and Staff acknowledged Chief Skinner as the Employee of the Month for September 2008. He was honored for his dedicated service to the Town.

Recognition of Town Officer of the Month for September 2008

The Mayor and the Police Department acknowledged Officer Lyndean Peters as the Officer of the Month for September 2008.

#### **E. MOTION TO SET THE AGENDA**

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

There were no changes to the Agenda.

## **F. TOWN BOARD/COMMITTEE REPORTS**

Beach Committee – There was no report for the month of October.

Beautification Committee – There was no report for the month of October.

Comprehensive Planning Board –

Vice Mayor Rojas reported that the Comprehensive Planning Board met during the month of October. The updated Comprehensive Plan was favorable recommended to the Town Council with a few changes regarding the Center Island Bridge and some minor changes.

Recreation Committee – Chairperson Szabo sent a report to be read into the record by the Town Clerk.

Security/Public Safety Committee – There was no report for the month of October.

## **G. GOOD AND WELFARE**

Fred Chouinard – 407 Ocean Boulevard spoke in reference to Code Enforcement issues at 170 Ocean Boulevard and 155 Ocean Boulevard.

Sydell Herrick – 625 Ocean Boulevard thanked the staff for being cooperative in helping to find her lost cat. She also spoke in reference to Film Permits and commercial enterprise within the Town Limits.

Robert Smoley – 390 Golden Beach Drive spoke in reference to the authority of the Building Official to approve Paint Permits.

Mayor Singer acknowledged the Fire Chief for the northern part of Miami-Dade County.

## **H. MAYOR'S REPORT**

### **• Capital Improvement Program Construction Update**

Mayor Singer stated that the Town would start construction of the Capital Improvement Program next week, with the Groundbreaking Ceremony to be held on October 28, 2008 at Noon in North Parkway. At the north end of the Town in the swales, there are ribbons on trees. The red ribbon means that the tree cannot remain where it is currently, and the homeowner has the option when the project is complete to relocate that tree on their property or to donate the tree to the Town's project. The yellow ribbon means that those trees will be removed but they will be replanted after the project is completed. The green ribbon means that the trees will not be disturbed at all. He stated that a letter would be sent out to all residents regarding this matter.

He explained that the Town Council is very excited to start this project. He stated that the initial discussion he had regarding this project with the Town Council was in October 2006 and here it is in October 2008 and the Town is about to start construction of the project. The financing is in place, the Town has signed a contract with the contractor, and everything is in place to start the construction of the project. He stated that once the project is completed the Town's infrastructure will be new; there would be a new water distribution system, complete stormwater management system, sidewalks along Golden Beach Drive and Ocean Boulevard, the undergrounding of all the Town's overhead utilities, and streetscaping of Golden Beach Drive. He thanked the Town Manager and Capital Improvement Program Staff in getting the project started. He asked the residents to have patience during the construction of the project. He also asked the residents that if there is an issue do not hesitate to call Town Hall and speak with the Town Manager or staff, and the issue will be worked out. He asked parents to educate and keep their children away from the construction site because of safety issues.

- **Town of Golden Beach Paint Codes**

Mayor Singer stated that he would investigate the concerns that were expressed at this Council Meeting and get back to the residents who expressed their concerns.

## **I. COUNCIL COMMENTS**

### **Councilmember Einstein**

- **Capital Improvement Program General Obligation Bonds**

Councilmember Einstein commended the Mayor, Capital Improvement Financing Team and the Town Manager for the remarkable work they did in putting the financing together for the project and the timing of issuing the bonds because of the declining in the stock market.

- **Generators Code Compliance**

He would like to address the installation of generators on the roofs of residences, which the Town Code of Ordinances currently allows. He stated that it is necessary to address this issue immediately because there will be many generators installed on the roofs and it would not be aesthetically pleasing.

- **Paint Permits**

Councilmember Einstein stated that at the adoption of the Paint Colors Ordinance there was a palette selected, and residents could use colors from that palette to paint their residences, in order to avoid individuals painting their homes in odd colors that would affect the value of the surrounding properties. Therefore, Code Enforcement should be enforcing the ordinance.

- **Film Permits**

He stated that sometimes there is a tremendous impact on the traffic flow and it is a great inconvenience to the residents.

- **Beach Pavilion Furniture**

Councilmember Einstein stated that he visited the beach and was very impressed with the furniture. He asked the Town Manager what system the Town had in place to keep a watch on the furniture so that it does not moved away from the beach and the beach pavilion.

- **Channel 35**

Commended staff for the improvements on the Town's cable television channel.

**Vice Mayor Rojas**

- **Code Enforcement Issues**

Residents have spoken to her about Code Enforcement issues regarding over grown trees and hedges that affect their properties.

- **Paint Color Ordinance**

Vice Mayor Rojas remembered receiving a huge palette of paint colors that residents could select the colors to paint their homes. A paint permit would have to be granted by the Building Official.

**Councilmember Lusskin**

- **Capital Improvement Program**

With the commencement of the Capital Improvement Program, communication with the residents is very important.

- **Code Enforcement Issues**

Councilmember Lusskin stated that prior to the adoption of the ordinances the Council discussed both the installation of generators and paint color palette at Code Review Workshops.

- **Newsletter**

Asked the staff to be a little more careful and use a little more discretion about ads that are published in the Town's monthly newsletter

**Councilmember Bernstein**

- **Film Permits**

Councilmember Bernstein asked staff to make sure that the fees for these permits cover the cost of some of the inconveniences to the residents. He also stated that staff should check with other municipalities to see what they are doing in regards to this matter.

- **Seawalls**

The salt-water intrusion into the Town is a health issue and the Town need to make sure it is doing everything it can to protect its residents. This issue should be address through the Capital Improvement Program.

- **Entrances Into Town**

He stated that residents should be able to utilize the north or south entrances during the construction of the capital improvement project.

## **J. TOWN MANAGER REPORT**

- **Employee Handbook**

The employee manual has not been updated for approximately eight years. It was presented to the Council at this meeting for review and feedback. It will be brought back to the Council at the next council meeting for ratification.

- **K-9 Dog**

The Town Manager reported to the Town Council that a DUI individual ran into the back of a parked K-9 Unit. As a result, the Police Officer was not the only one hurt; the K-9 dog was also injured in the accident and was retired. The Town is pursuing the driver's insurance for the cost of damages.

- **North and South Gates**

The Town's residents are not allowed to use these entrances during the construction of the Capital Improvement Project because they will only be opened when need for the construction trucks and equipment.

- **Flooding on Golden Beach Drive**

The Town Manager explained that the flooding on Golden Beach Drive is due to the high tide, but once the Capital Improvement Project is complete, it will alleviate this problem.

- **Employee Appreciation Event**

The Town Manager thanked the Mayor and Council for the event.

- **Florida League of Cities Awards**

The Town Manager explained that the Council authorized him to apply for two awards with the Florida League of Cities. One award was the Florida City of Excellence and the Florida City Spirit Award. Of the 120 municipalities that applied for the Florida City Spirit Award, Golden Beach was selected as one of the five finalist municipalities for this award. The project the Town submitted to apply for this award was the Capital Improvement Program. The award ceremony will be held on Friday, November 21, 2008 in Orlando. The public is invited to attend and the Mayor and Council.

## **K. TOWN ATTORNEY REPORT**

No Report

## **L. ORDINANCES – SECOND READING**

None

## **M. ORDINANCES - FIRST READING**

**1. An Ordinance Amending the Town Code by Amending Chapter 42 "Utilities".**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; AMENDING THE TOWN CODE BY AMENDING CHAPTER 42 "UTILITIES", BY AMENDING SECTION 42-1 AND CREATING SECTIONS 42-2 THROUGH 42-7 PROVIDING FOR NOTICE OF TERMINATION OF ABOVE GROUND UTILITIES SERVICE AND REQUIRED LATERAL CONVERSION AND CONNECTION, NOTICE OF FAILURE TO CONVERT; AND RELATED PROCEDURES AND PROVISIONS; ENFORCEMENT AND RIGHT TO ENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 534.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 534.08

The Town Manager explained that the proposed ordinance provides the Town with the proper authority to ensure compliance or face losing the Town's 25% cost share with Florida Power and Light. Throughout the many discussions with the residents of the Town, we have informed the public that the conversion and costs associated with said conversion would be the responsibility of the homeowner. This ordinance gives residents 60 days to convert from the day they are notified. If the property is not converted after the 60 days, the ordinance provides the Town Manager the authority to demand conversion within 30 days. If conversion still is not made, the Town will cause the conversion of service to be made by the Town at the expense of the property owner.

Motion to approve Ordinance No. 534.08 on first reading by Councilmember Lusskin, seconded by Vice Mayor Rojas.

**Roll call vote was as follows:**

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

The Motion carried.

**N. QUASI JUDICIAL RESOLUTIONS**

**None**

**O. CONSENT AGENDA**

2. Minutes of September 17, 2008 Regular Town Council Meeting and September 24, 2008 Special Town Council Meeting.
3. **A Resolution of the Town Council Authorizing the Sale of a Surplus All Terrain Vehicle from the Town's Vehicle Fleet.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SALE OF A SURPLUS ALL TERRAIN VEHICLE FROM THE TOWN'S VEHICLE FLEET; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 1956.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1956.08

4. **A Resolution of the Town Council Authorizing the Use of the Miami Dade College School of Justice Assessment Center to Administer the Golden Beach Police Sergeants Promotional Process.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF THE MIAMI DADE COLLEGE SCHOOL OF JUSTICE ASSESSMENT CENTER TO ADMINISTER THE GOLDEN BEACH POLICE SERGEANTS PROMOTIONAL PROCESS PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 1957.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1957.08

5. **A Resolution of the Town Council Approving the Streamlined Parking Fine Reimbursement Program Interlocal Agreement with Miami-Dade County.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE STREAMLINED PARKING FINE REIMBURSEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN THE TOWN AND MIAMI-DADE COUNTY, FLORIDA;

PROVIDING FOR IMPLEMENTATION; AND PROVIDING  
AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 1958.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1958.08

**6. A Resolution of the Town Council Authorizing the Purchase of One Commercial Grade Mower and Related Emergency Vehicle Equipment for Golden Beach Public Works Department.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE OF ONE COMMERCIAL GRADE MOWER AND RELATED EMERGENCY VEHICLE EQUIPMENT FOR THE GOLDEN BEACH PUBLIC WORKS DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 1959.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1959.08

**7. A Resolution of the Town Council Approving Legislative Project Grant Amendment No. 3 to the State Financial Assistance Agreement with Florida Department of Environmental Protection.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING LEGISLATIVE PROJECT GRANT AMENDMENT NO. 3 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. 7  
Resolution No. 1960.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1960.08



**8. A Resolution of the Town Council Recognizing the "Building Citizenship in the Community Back to Basics" Initiative of the Florida League of Cities, Inc.**

A RESOLUTION OF THE TOWN COUNCIL, OF THE TOWN OF GOLDEN BEACH, FLORIDA RECOGNIZING THE "BUILDING CITIZENSHIP IN THE COMMUNITY: BACK TO BASICS" INITIATIVE OF THE FLORIDA LEAGUE OF CITIES, INC., AND PLEDGING SUPPORT FOR THIS STATEWIDE EFFORT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 1961.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1961.08

Motion made to approve items on the Consent Agenda by Vice Mayor Rojas, seconded by Councilmember Lusskin. The consensus vote was 5 Ayes 0 Nays. The Motion carried.

**P. TOWN RESOLUTIONS**

**9. A Resolution of the Town Council Authorizing the Refunding of the Capital Improvement Revenue Notes, Series 2006 and 2006A.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING THE ISSUANCE BY THE ISSUER OF \$1,399,912.24 CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE, SERIES 2008 FOR THE PURPOSE OF REFUNDING THE OUTSTANDING TOWN OF GOLDEN BEACH, FLORIDA CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2006 AND THE TOWN OF GOLDEN BEACH, FLORIDA CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2006A; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL AND INTEREST ON SUCH NOTE WITH A COVENANT TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH NOTE; FINDING THE NECESSITY FOR A NEGOTIATED SALE OF THE NOTE AND APPROVING THE SALE OF SAID NOTE TO NORTHERN TRUST BANK; APPOINTING A REGISTRAR; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING CERTAIN OTHER AGREEMENTS AND COVENANTS IN CONNECTION

WITH THE ISSUANCE OF SUCH NOTE; AND PROVIDING  
AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 9  
Resolution No. 1962.08

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 1962.08

The Town Manager explained that the Town originally issued on October 16, 2008 pursuant to Resolution No. 1816.06 and on January 9, 2007 pursuant to Resolution No. 1825.06 for the purposes of financing the acquisition of two vacant lots located within the Town, to be owned and used for any governmental public purpose. However, the October 2006 loan is due to expire this month and the second loan is set to expire in January of 2009. Therefore, he worked along with the Mayor to determine the best available financing option and business decision as it relates to this property. They have met with the current loan holders (Northern Trust) have agreed to the following: (1) allow the Town to consolidate the two loans to one, (2) with a fixed interest rate of 3.75% and (3) an initial principal payment of \$150,000. The funds have been set aside in Fiscal Year 2008-2009 budget in anticipation of the payment on the lots.

A Motion to approve Resolution No. 1962.08 by Vice Mayor Rojas, seconded by Councilmember Einstein.

**Roll Call vote was as follows:**

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

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

Mayor Glenn Singer:  
None Requested

Vice Mayor Amy Rojas:  
None Requested

Councilmember Ben Einstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Ken Bernstein:  
None Requested

Town Manager Alexander Diaz

**\*Golden Beach Entry Features Design**

Javier Salman of C3TS made a presentation in reference to various Golden Beach Entry Features designs. The Mayor asked the Council to take their time making a decision because this was a very important decision. The Town Manager stated that this was presented to Council at this meeting so that they can provide their input in the design for this project. Once the Council decides on what the design is C3TS would come back with a proposal to the Council. The Mayor stated that he would like to see a clean look all the way down the median with Medjool palm trees in the median. Mayor Singer directed Mr. Salman to bring back different designs with a cleaner look to the median of Ocean Boulevard.

**R. ADJOURNMENT:**

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

The meeting was adjourned at 9:25 PM.

Respectfully submitted,

*Elizabeth Sewell*

Elizabeth Sewell

Town Clerk