



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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### Official Minutes for the April 24, 2012 Special Town Council Meeting called for 7:00 P.M.

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#### A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:00 p.m.

#### B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Amy Isackson-Rojas, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein, Councilmember Bernard Einstein

**Staff Present:** Town Manager Alexander Diaz, Interim Town Clerk Lissette Perez, Police Chief Donald W. De Lucca, Police Commander George CaDavid, Finance Director Maria D. Camacho, Town Attorney Brett Schneider (in for Steve Helfman)

#### C. PLEDGE ALLEGIANCE

Chief De Lucca led the Pledge of Allegiance

#### D. PRESENTATIONS / TOWN PROCLAMATIONS

Officer of the Quarter – Leo Santinello

Employee of the Quarter – the Public Works Department

#### E. MOTION TO SET THE AGENDA

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

The Town Manager asked to substitute Item #7 for the one that was presented at the dais.

Also requested to add an item under the Direction to the Town Manager section.

Consensus vote. 5 Ayes 0 Nays

#### F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – None

Beautification Committee – None  
Comprehensive Planning Board – None  
Recreation Committee – None  
Security/Public Safety Committee – None

Youth Leadership Group – Councilwoman Lusskin spoke. Reminded residents that the Memorial Day Event is scheduled for May 28<sup>th</sup>, which the group is working on. She also stated that one of the founders of the group, Samantha Iglesias, just won a scholarship through the City of Sunny Isles Beach and the Town of Golden Beach. Samantha was one of nine students that were awarded scholarships.

## **G. GOOD AND WELFARE**

### **Annette Fallon, 239 Ocean Blvd.**

Stated that her parents built her house in 1939.

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

Spoke about the Town's annual pot luck luau, thanking everyone that participated in the event. Felt a bit disappointed with the low turn out the town had this year, and perhaps it can be suggested to the recreation committee to have a different theme for next year, as opposed to the potluck theme.

He spoke on the town's newsletter and how great it has gotten, looking like a magazine almost. Reminded residents of the advertising opportunities available in the Town's newsletter.

Spoke about the visit by President Obama to the Town. Congratulated the Chief and the Commander for the work they did coordinating with their staff and the secret service for that event. The Town gave the President a key that was delivered by Councilman Bernstein.

## **I. COUNCIL COMMENTS**

### **Councilman Einstein**

Commented on how much the Town has changed in the 15 years he's been living here, and how great the Town looks.

### **Councilman Bernstein**

Also commented on the poor turn out for the Town's pot luck dinner and agreed that perhaps the theme of the event should be changed.

Commented on the President's visit and how well the Town handled it, on such short notice. He handed the key to the President's Chief of Staff.

Commented that music has been playing in the middle of the night in the parks in Town out of nowhere, and the grass in North Parkway in bad shape.

### **Vice Mayor Rojas**

Thanked the Town staff for the arrival of the tables in four of the Town's parks.

Stated that several residents have approached her wondering how much the Town has spent on the motorcycles and the CCTV, and she just wanted to remind residents that that money comes out of the Law Enforcement Trust Fund and not from taxpayer dollars.

### **Councilwoman Lusskin**

Mentioned that both Mr. Fred Chouinard and Dr. Beny Rub were both recognized by the City of Sunny Isles Beach for their contributions to education.

Acknowledged the Samowitz sisters who will be speaking about the company they started (Proseed2Green) at an event in Orlando in a few weeks, and their experiences running the company.

Stated that resident Irene Shlakowski has released a new book, that's available in book stores.

Very happy about the gym equipment in the parks and what a great workout the equipment provides the residents. Asked if there are hours governing the times the dog park is open and closed, and if those could be posted?

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

Stated that the tables have arrived in the parks, and they are very artistically designed; Town does not plan to bolt the tables down.

The North Park grass will start to take shape. Town has had two professionals look at it and it is fine.

The Town is moving aggressively ahead with the bridge projects: hoping to break ground in June.

The town has replaced its gem car with a smart car as a new town vehicle.

Thanked Michael Glidden for working as the staff liaison with the Recreation Committee to put together the potluck luau.

Acknowledged that Lissette Perez has become a notary and is halfway through her classes to become a certified clerk.

### **CIP REPORT**

The Town has taken down a number of electrical poles throughout Town – A1A has started being connected. He thanked Paul Abbott publicly for leading that effort.

Last week the Town had the walkthrough with the Iron Sky, the Town's CCTV company.

The Town negotiated a deal yesterday with Golden Bay Towers, to mount a pole on their seawall to mount the Town's vessels to.

As the Town moves forward with the demolition of the bridges – the Town would like to have any homes that are going to be demolished to be demolished prior to the work on the bridges beginning. If any resident knows of someone planning to perform work on Center or North Island, please let the Town's staff know.

Thanked the Police Department, Chief De Lucca and Commander Cadavid, for the job they did handling President Obama's visit to the Town. Also thanked the Public Works Department for the work they preparing A1A for that event as well.

### **K. TOWN ATTORNEY REPORT**

None

### **L. ORDINANCES – SECOND READING**

None

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

None

## **N. QUASI JUDICIAL RESOLUTIONS**

None

## **O. CONSENT AGENDA**

- 1. Minutes of the March 27, 2012 Special Town Council Meeting**
- 2. A Resolution of the Town Council Approving a Contract between Miami-Dade County and the Town of Golden Beach for a Prisoner Processing Project.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A CONTRACT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF GOLDEN BEACH FOR A PRISONER PROCESSING PROJECT; AUTHORIZING AND DIRECTING THE TOWN MAYOR TO EXECUTE SAID CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2237.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2237.12

- 3. A Resolution of the Town Council Authorizing the Transfer of Law Enforcement Trust Fund (LETF) Monies to the Capital Fund for the Construction of a Public Dock and Police Boatlift on the Intra-coastal Waterway.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TRANSFER OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES TO THE CAPITAL FUND FOR THE CONSTRUCTION OF A PUBLIC DOCK AND POLICE BOATLIFT ON THE INTRA-COASTAL WATERWAY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2238.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2238.12

Consensus vote was 5 Ayes and 0 Nays. Items O1-O3 pass.

**P. TOWN RESOLUTIONS**

**4. A Resolution of the Town Council Approving the Agreement for Contract Police Officer with David Carrazana.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE AGREEMENT FOR CONTRACT POLICE OFFICER WITH DAVID CARRAZANA; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2239.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2239.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Chief De Lucca** spoke briefly about the officer and his accolades as well as what a great opportunity this would be for the Town, to have a detached unit working for the IRS.

**Mayor Singer** spoke on how great the detached task forces have been for the Town.

**Councilwoman Lusskin** asked if he is replacing Officer Robin Weiner?

**Town Manager** stated that he was not – the Town was simply adding another detached officer to the town's detached force, working for the IRS directly as an independent contractor with the Town.

**5. A Resolution of the Town Council Approving an Agreement between the Town and Lee Construction Group, Inc.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE TOWN AND LEE CONSTRUCTION GROUP, INC. FOR BOAT DOCK IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2240.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2240.12

A motion to approve was made by Vice Mayor Rojas seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on this item. The Town received a \$29,000 grant from the Florida Inlet Navigational District. This project has been on the books for over five years, and the goal was always to build a dock at the Strand. Town is proposing a 40-foot dock with a lift. The Town is paying for this out of the Law Enforcement Trust Fund. Those dollars can only be used for starter programs, crime prevention programs, and programs that are non-recurring dollars. Once it becomes part of operating program, (the second, third, fourth years, etc.) it has to be paid through the Town's General Fund.

**Councilwoman Lusskin** asked if things go as planned, there should be a savings?

The **Town Manager** stated that that is correct, but because of public bidding the contract value has to be awarded instead of the negotiated value.

**Councilman Einstein** commented on the bidding process and what little bid response the Town received. **Town Manager** stated that if there is no reason to reject the only respondent, the Town legally cannot reject them.

**Councilman Einstein** also asked how far back the Town could reimburse the General Fund? **Town Manager** explained that the Town cannot reimburse the General Fund. The decision was made administratively to grow the LETF Fund. And the Finance Director has already been instructed to start offsetting the General Fund by charging the salaries of the detached officers to the LETF fund.

**Councilman Einstein** also asked if when the Town starts a program using LETF Funds, that is recurring, is it paid for by the General Fund? The **Town Manager** stated

that that is correct. For instance, LETF funds will pay for the motorcycle program in the first year, second and third years need to be paid for from the Town's General Fund. **Councilman Bernstein** stated that it might be beneficial for everyone if the Town Manager could put together a schedule showing the expenses are revenues that were obtained over the years. Also asked if the Town is able to take all new officers and charge their salaries to the LETF fund. **Town Manager** stated that those dollars are only used for pilot and new programs.

**6. A Resolution of the Town Council Authorizing the Mayor and Town Manager to Update Town Policies Regarding Employee Benefits.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE MAYOR AND TOWN MANAGER TO UPDATE TOWN POLICIES REGARDING EMPLOYEE BENEFITS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2241.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2241.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** stated that the Town's charter dictates that the Town be governed through administrative orders. The Town Manager is recommending to issue a new administrative order to allow for a new definition for how spouses and dependents are classified in Town through the domestic partnership registration process.

**Vice Mayor Rojas** stated that she is in support of extending benefits for domestic partners, but she did have some issues with the rules the Town is recommending to govern it.

The **Town Manager** stated that the only qualifying event would be passage of this Resolution, and the only other time would be during the open enrollment period. **Vice Mayor Rojas** feels that enrollment should only be offered once a year, during the open enrollment period. However, the **Town Manager** stated that a qualifying event would exclude the requirement to only do it during the open enrollment.

**Councilwoman Lusskin** asked if the employee has to be registered as domestic partners for 12 months prior to becoming eligible for the Town's insurance?

**Town Manager** advised that so long as the other six requirements are met and the individuals declare, they would be eligible.

**Mayor Singer** asked about COBRA offerings for significant others of domestic partners? **Town Manager** stated that the employee would have to declare that they no longer have a domestic partner, but wasn't certain if they would be eligible for COBRA.

**Attorney Schneider** stated that as a matter of law, if the Town offers domestic partnership coverage it has to be the same as it is for general employees.

**Councilman Bernstein** stated that he supports the provision, but is hesitant because of how it can be abused by employees. Asked what the obligations are for domestic partnership criteria?

**Town Manager** stated that the domestic partners have to have the same shelter.

**Mayor Singer** stated that if the Council feels that the policy is being abused, the Council could just come back and repeal the resolution.

**Brett Schneider** recommended that an abuse clause be added to this if it is adopted stating that if its abused measures will be taken.

**Vice Mayor Rojas** asked if the insurance had some kind of forms, documentations, or procedures for verifying that there is a legitimate domestic partnership.

**Town Manager** stated that if an employee comes to work with the Town and is already married, no proof of marriage is required from that employee, however if he/she gets married while employed proof is required for a qualifying event.

**Councilman Bernstein** asked if the Town was demoting the rank of spouse to just girlfriend/boyfriend type of status.

**Town Manager** stated that the Town's benefits are available to spouses, what a spouse is, is not defined in the Town's rules.

**Councilman Einstein** asked if the Town has to supplement the dependent children in any way.

**Town Manager** stated that the Town's current program now covers 100% of employee, 50% of dependents.

**Councilwoman Lusskin** stated that the only requirement that the University of Miami has, that we do not have here is that they require domestic partners to be registered for a year with the school before getting the coverage.

**Town Manager** stated that he is aggressive with making sure that all of the Town's policies, procedures and rules are adhered to. The employee will be required to show valid proof that the couple is living together.

**Councilman Bernstein** stated that what the council is stating is that they support this, but they just want to assure that the rules to adhere to it are a bit more stringent than what was presented.

## **7. A Resolution of the Town Council Approving a Loan for Construction of the Center Island and Navona Avenue Bridges.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH,  
FLORIDA AUTHORIZING THE ISSUANCE BY THE  
ISSUER OF NOT EXCEEDING \$2,000,000 GRANT  
ANTICIPATION NOTE, SERIES 2012B FOR THE

PURPOSE OF RECONSTRUCTION OF TWO TOWN BRIDGES (NAVONA AVENUE BRIDGE AND CENTER ISLAND BRIDGE); PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL AND INTEREST ON SUCH NOTE WITH PLEDGED 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 COMPANY, AN ILLINOIS BANKING CORPORATION; 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. 7  
Resolution No. 2242.12

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2242.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** advised that the Town is asking for northern trust to extend a line of credit to the Town for the bridges, which will be repaid when the reimburseable dollars come in. Only being charged .5% base fees for all of the fees associated.

Councilman Einstein asked if the bank makes money off of this loan?

Town Manager advised that they are making half a point off of the Town.

Councilman Bernstein stated that this is not meant to be a long term loan.

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

Mayor Glenn Singer:  
None Requested

Vice Mayor Amy Isackson-Rojas:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Kenneth Bernstein:  
None Requested

Councilmember Bernard Einstein:  
None Requested

Town Manager Alexander Diaz

\*\*at the Town's January council meeting, the town surpluses two 2005 Ford Explorers. The Village of Biscayne Park has requested to have the vehicles donated to them.

A motion to approve was made by Councilmember Lusskin seconded by Vice Mayor Rojas.

Consensus vote 5 Ayes and 0 Nays. Motion passes.

Keeping the May meeting on the 15<sup>th</sup> but asked for permission to move it to May 29<sup>th</sup>, if the Town cannot get the audit completed in time.

## **R. ADJOURNMENT:**

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A motion to adjourn the Council Meeting was made by Vice Mayor Rojas, seconded by Councilmember Lusskin.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:34 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Interim Town Clerk