



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the August 17, 2010 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:40 p.m.

B. ROLL CALL

Councilmembers Present: Mayor Glenn Singer, Vice Mayor Bernard Einstein, Councilmember Judy Lusskin, Councilmember Amy Rojas

Councilmembers Not Present: Councilmember Kenneth Bernstein

Staff Present: Town Manager Alexander Diaz, Interim Town Clerk Lissette Perez, Police Chief Jim Skinner, Town Attorney Steve Helfman, Building Director Linda Epperson, Support Service Clerk Cynthia Garcia

C. PLEDGE ALLEGIANCE

Police Chief Led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Mayor Singer congratulated the following employees for their recognition as employee and officer of the month:

Recognition of Town Employee of the Month for June 2010: Maria D. Camacho

Recognition of Town Employee of the Month for July 2010: Gregorio Camacho

Recognition of Town Officer of the Month for June 2010: Captain Joe Barasoain

Recognition of Town Officer of the Month for July 2010: Officer Oscar Suarez

E. MOTION TO SET THE AGENDA

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

Councilmember Rojas requested to add a discussion item to the agenda: the rules and regulations pertaining to construction work on Saturdays in Town.

A Motion to approve the change was made by Mayor Singer, seconded by Councilmember Lusskin.

Consensus vote 4 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

G. GOOD AND WELFARE

None

H. MAYOR'S REPORT

Commented on the progress of the CIP project and his satisfaction with its progress.

He also commented on school starting shortly and for residents to obey the speed limit and to be careful with school buses and children traveling through the Town's construction zones.

Commented on the budget and commended the Town Manager and staff once again for a great job on the budget.

I. COUNCIL COMMENTS

Vice Mayor Einstein: commended Town Manager and staff on the professionalism and accuracy of the budget, requesting to meet with the Town Manager one-on-one to go over it line item by line item. He complimented the Police Department on the pro-activeness and vigilance of their community policing strategies. Stated that the CIP project looks great and the follow-up to resident concerns from the CIP team is great.

Councilmember Lusskin: commended the Town on the enhanced quality of the newsletter and how far it has come. She commented on how beautiful the north end of Town looks. Mentioned that the police notes at the doors are a nice edition and make all residents feel safer. She asked Paul Abbott about the fire hydrants and he explained that they are not finished and still need some work done on them.

Councilmember Rojas: areas in front of the pavilion clean and tidy but area in front of homes not as clean, recommended implementing a beach clean-up day. Thanked Carolyn Gilson in implementing a program where kittens that are trapped won't be returned to Golden Beach.

J. TOWN MANAGER REPORT

Town Manager took this moment to recognize Jan Solomon from the Vice Provost's Office at Florida International University who spoke on a donation item that is on the consent agenda.

Jan Solomon: She spoke on behalf of Alene Fishbein and the late Richard Fishbein, and the importance of the donation the Town and other municipalities have given to the University to help the 40,000+ students who enroll every year into the university. She read a letter written by Alene Fishbein, expressing her gratitude to the Town for donating to FIU and her gratitude to FIU for allowing her to continue to take classes at the Biscayne Bay Campus. Ms. Solomon also mentioned that the Town would be honored at one of the Prestige Cultural Series Events FIU would be holding.

The Town Manager went on to commend Cynthia Garcia for implementing the Recreational Youth Series of Events and her managing of all of the Town's events. He also commended her on passing her teaching examination and receiving her certification.

Councilwoman Lusskin interjected that Cynthia, Dina Nicolella, and her were working together to have a beach clean-up day with the Golden Beach Youth Leadership Group, addressing the point Councilwoman Rojas had previously made.

The Town Manager commented on the Code Enforcement and Building Departments, and how they've collected \$244,000 in code enforcement fines. He stated that the Town will aggressively go after persons that do not follow the Town's code.

K. TOWN ATTORNEY REPORT

Mentioned report that was sent last month about the Stormwater Litigation, and that things are moving along nicely with the suit. Now including claims that are necessary to pursue the lawsuit. Not there yet, but in a much better position to move forward.

L. CAPITAL IMPROVEMENT PROJECT PROGRESS REPORT & UPDATE

Paul Abbott & Town Manager spoke on four different aspects of the project:

Phase I Stormwater/Area South of Verona – moving ahead very, very aggressively. Six sections of the interior of the pipes were videotaped and every section, except the one that was recently put in had significant cracks. Completed three sections of exploratory work last week, allowing town to rip out old Phase I and start implementing the area of South of Verona.

Underground Utilities – moving along at a fair space. Some sections had to be revisited because they didn't meet the FPL minimum depth requirements. Looking forward to seeing FPL crews pulling wires north of the Strand very soon. Public Works has finished installing all conduits north of The Strand. Wire has been pulled for AT&T and Atlantic Broadband, town only waiting on FPL who may do the work themselves.

Reminded residents that Terracina Avenue to The Strand is one-way northbound and even homes that are in the southern portion of the Town need to abide by this. The Town will begin to issue citations. Valley gutters are going to be installed to Terracina Avenue.

A1A – This Thursday will be the Town's first close out meeting with Metro Equipments. The issues with the street lights and the medjools are being addressed with Metro and the County.

North Park – he mentioned that he went out with Paul Abbott and Kathy O'Leary Richards to the Redlands to pick out trees recently. Orders for the fence and the gazebo

have been placed. Underground lighting for the uplifting of the trees will go into place once everything has been planted. Coconuts have been added to the project. Project is currently at budget and Town is trying not to exceed the allotted amount.

Town Manager recognized Paul Abbott and Franklin Barron for going above and beyond the call of duty in managing the project and participating in the project.

Paul Abbott commended the newsletter as a non-resident, stating that he works with a lot of communities and it's the best newsletter he has ever seen.

M. ORDINANCES – SECOND READING

None

N. ORDINANCES - FIRST READING

1. An Ordinance of the Town of Golden Beach, Florida Amending Article IV “Dangerous Intersection Safety” of Chapter 38 “Traffic and Vehicles” of the Town of Golden Beach Code or Ordinances

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING ARTICLE IV “DANGEROUS INTERSECTION SAFETY” OF CHAPTER 38 “TRAFFIC AND VEHICLES” OF THE TOWN OF GOLDEN BEACH CODE OF ORDINANCES; PROVIDING FOR RECORDED IMAGE MONITORING AND ENFORCEMENT OF RED LIGHT TRAFFIC CONTROL SIGNALS CONSISTENT WITH GENERAL LAW AS PROVIDED BY CHAPTER 2010-80, LAWS OF FLORIDA (2010); PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR RESERVATION OF RIGHTS; PROVIDING FOR AN EFFECTIVE DATE OF JULY 1, 2010.

Exhibit: Agenda Report No. 1
Ordinance No. 542.10

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 542.10

A motion to approve Ordinance No. 542.10 on first reading was made by Councilmember Rojas, seconded by Councilmember Lusskin.

Town Manager mentioned that the Ordinance was enacted in 2008. The State amended the rules and the new ordinance conforms to the State's rules. In '08 it was established to monitor the North and South bound lanes, not the turning lanes.

Council commented on not monitoring the turning signal lights for violations, because that is difficult to monitor – which is what is going to be left out of the Ordinance.

Camera system will only be applied north and south at the Strand and north at County Line Road.

Vice Mayor Einstein spoke on the new implementation of decreasing the time cycle that a yellow light is on, which has in fact caused more accidents than deterred them.

On roll call the following vote ensued:

Mayor Singer	<u>-Aye</u>
Vice Mayor Einstein	<u>-Aye</u>
Councilmember Rojas	<u>-Aye</u>
Councilmember Bernstein	<u>-N/A</u>
Councilmember Lusskin	<u>-Nay</u>

The motion passed 3 – 0.

O. QUASI JUDICIAL RESOLUTIONS

None

At this point, Mayor Singer handed the floor and control of the meeting over to Vice Mayor Einstein and excused himself to attend a prior engagement.

P. CONSENT AGENDA

2. Minutes of June 15, 2010 Regular Town Council Meeting.
3. **A Resolution of the Town Council Declaring Police K-9 Dog “Arco” to have No Intrinsic Monetary Value and Providing for Disposition.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY (POLICE K-9 DOG) OWNED BY THE TOWN TO HAVE NO INSTRINSIC MONETARY VALUE AND PROVIDING FOR DISPOSITION; AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE DISPOSITION OF SUCH PERSONAL PROPERTY BY BILL OF SALE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2100.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2100.10

4. A Resolution of the Town Council Approving a Joint Project Agreement with the State of Florida Department of Transportation for Turf and Landscape Maintenance

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

Exhibit: Agenda Report No. 4
Resolution No. 2101.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2101.10

5. A Resolution of the Town Council Approving an Interlocal Agreement with Miami-Dade County for Funding in Connection with the Town's Construction of a Bike Path

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR FUNDING IN CONNECTION WITH THE TOWN'S CONSTRUCTION OF A BIKE PATH; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2102.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2102.10

6. A Resolution of the Town Council Accepting the Audit and the Single Audit General Purpose Financial Statements for Fiscal Year 2008/2009 ending September 30, 2009

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE AUDIT AND SINGLE AUDIT GENERAL PURPOSE FINANCIAL STATEMENTS FOR FISCAL YEAR 2008/2009 ENDING

SEPTEMBER 30, 2009 PREPARED BY KEEFE,
MCCULLOUGH & CO., LLP; PROVIDING FOR CONFLICT
AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2103.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2103.10

7. A Resolution of the Town Council Accepting the Benefit Proposal for Short Term/Long Term Disability Insurance, Life and Accidental Death and Dismemberment Insurance submitted by Mutual of Omaha Insurance

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE BENEFIT PROPOSAL FOR SHORT TERM/LONG TERM DISABILITY INSURANCE, LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE SUBMITTED BY MUTUAL OF OMAHA INSURANCE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2104.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2104.10

8. A Resolution of the Town Council Authorizing and Approving the payment of \$500.00 to Florida International University Biscayne Bay Campus in Memoriam of Richard Fishbein

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$500.00 TO FLORIDA INTERNATIONAL UNIVERSITY BISCAYNE BAY CAMPUS IN MEMORIAM OF RICHARD FISHBEIN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2105.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2105.10

9. A Resolution of the Town Council Authorizing the Use of the Funds from the Town's Law Enforcement Trust Fund in Connection with Certain Activities

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF THE FUNDS FROM THE TOWN'S LAW ENFORCEMENT TRUST FUND IN CONNECTION WITH CERTAIN ACTIVITES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2106.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2106.10

A Motion to approve Items P2 through P9 on the Consent Agenda was made by Councilmember Lusskin, seconded by Councilmember Rojas.

Concensus vote was 3 Ayes and 0 Nays. The motion carried.

Q. TOWN RESOLUTIONS

10. A Resolution of the Town Council Determining the Proposed Millage Rate, the Current Year Rolled-Back Rate and Establishing the Date, Time and Place for the First and Second Public Budget Hearings as Required by Law

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE; DETERMINING THE CURRENT YEAR ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2107.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2107.10

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

On roll call the following vote ensued:

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

The motion passed 3 – 0.

11. A Resolution of the Town Council Awarding a Dental and Vision Insurance Plan for the Benefit of the Town of Golden Beach Employees and Eligible Dependents

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AWARDING A DENTAL AND VISION PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2108.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2108.10

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

On roll call the following vote ensued:

Mayor Singer	<u>-N/A</u>
Councilmember Rojas	<u>-Aye</u>
Councilmember Einstein	<u>-Aye</u>
Councilmember Lusskin	<u>-Aye</u>
Councilmember Bernstein	<u>-N/A</u>

The motion passed 3 – 0.

12. A Resolution of the Town Council Awarding a Comprehensive Health Insurance Plan for the Benefit of the Town of Golden Beach Employees and Eligible Dependents

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AWARDING A COMPREHENSIVE HEALTH INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 12
Resolution No. 2109.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2109.10
A motion to approve was made by Councilmember Rojas, seconded by Councilmember Lusskin.

Town Manager discussed the reasoning behind making this switch, because the Town's current Health Insurance provider came in with an almost 20% increase in the premium and the Florida League of Cities came in at an increase of just over 4% because the Town joined the League of Cities big group pool, which will increase the Town's buying power at renewal next year.

On roll call the following vote ensued:

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

The motion passed 3 – 0

13. A Resolution of the Town Council Authorizing the Use of the Funds from the Town's Law Enforcement Trust Fund to Purchase and Equip Four Additional Patrol Vehicles

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF THE FUNDS FROM THE TOWN'S LAW ENFORCEMENT TRUST FUND TO PURCHASE AND EQUIP FOUR ADDITIONAL PATROL VEHICLES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 13
Resolution No. 2110.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2110.10
A motion to approve was made by Councilmember Lusskin, seconded by Councilmember Rojas.

The Town Manager explained that Chevy's warranty is greater to that of Ford's, and Chevy Tahoe's come better equipped with police packages to handle the wear and tear of police work.

Police Chief also commented on the maintenance of a police vehicle and the importance of a police package for savings on maintenance issues with a cooling addition that keeps the transmission from overheating. Also, the V8 engines that power them, give better fuel economy than the Ford Explorers. And being physically larger they will protect the employees who drive them more.

On roll call the following vote ensued:

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

The motion passed 3 – 0

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Bernard Einstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Amy Rojas:

Request to look at the Ordinance and make amendments/changes. Current code prohibits any work on Saturdays, but she wanted to see if it could be relooked at to allow for light work.

Town Manager commented that if the Town allows general maintenance work to be done there is no way for the Town to monitor or inspect if the work that is being done is actually minor or major – and the safety of the residents and the work is of utmost importance.

Councilmember Rojas mentioned that some residents do it and some do not, but the Town should look at it and vote in favor of the residents.

Vice Mayor Einstein recommended tabling the item.

Town Manager Diaz suggested the item be forwarded to the BRAB for their advisement at their next meeting on September 14th. He asked the Council to give him until December to come back with a recommendation. He went over the dates of the next two council meetings: Special Town Council Meeting and First Budget Hearing on September 14th and the Final Budget Hearing to adopt the budget and millage and a Special Town Council Meeting.

Councilmember Kenneth Bernstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. ADJOURNMENT:

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

Consensus vote 3 Ayes 0 Nays.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Lisette Perez
Lisette Perez
Interim Town Clerk