



TOWN OF GOLDEN BEACH
One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the August 20, 2013
Special Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

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

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Police Chief Don De Lucca, Finance Director Maria D. Camacho, Town Attorney Steve Helfman, Commander CaDavid, Marie Talley, Michael Glidden, Sheila Pirrone

C. PLEDGE ALLEGIANCE

Police Chief led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Swearing-In of Part-time Police Officer Thomas Moran – Officer Moran was running late, and sworn-in later in the meeting

Employee of the First & Second Quarter 2013 – Administrative Staff of Town Hall

Town Manager presented the Town's Distinguished Budget Award

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Dr. Gregg Friedman, 190 Golden Beach Drive

Thanked the Town Council for all of the work with the undergrounding of the power lines. However there is one minor issue, Dr. Friedman stated that he thinks the power has been cut to some of the lights on the South Island Bridge, because all of those lights have been out since the power lines were placed underground.

Jan Solomon, FIU Prestige Cultural Series

Just wanted to thank the Town for its partnership with the prestige cultural series and thanked the town for all of its support. She also welcomed the Council and residents to attend any of the cultural series events.

G. MAYOR'S REPORT

Urged residents to be careful driving down Golden Beach Drive now that school is back in session. Renovations at Tweddle Park have been completed, and he encouraged residents to visit the park. The barges are gone at the bridges, and the bridge project is getting closer to completion. Town is right on budget and right on time. Also commented on the light poles coming down throughout Town, and what a great accomplishment this is for the Town. Congratulated the police department on achieving its accreditation. Asked Police Chief to elaborate on this achievement. (Police Chief spoke briefly on what it entails.) Also commented on the millage rate remaining the same for the last seven years, since 2007.

H. COUNCIL COMMENTS

Councilmember Rojas

Asked if the Town still has recycling going on, because her recyclable have not been picked up in three weeks. The **Town Manager** advised that the program is a curbside program only. Also stated that now that the Town is looking so nice, she wanted to urge the Town's code enforcement department to pick up a little bit more. Was also wondering if there will be any space in the budget for dredging and asked about putting pavers in the parking area of North Parkway so it is not always a mess.

Councilmember Bernstein

Commended the staff and **Town Manager** for the amazing job done with the undergrounding work in Town. Inquired about the dredging issue created by the barges at the bridge and if anything had been done to rectify those issues? Also addressed the beach committee. Believes that the Council needs to redefine what it wants that beach to be, and answer some basic questions before moving forward. The Town's beach pavilion is the best amenity to him the Town has, and the Town should enhance it. Spoke on the super storm the Town went through, and thanked the Administration and police for how it was handled.

Councilmember Einstein

Spoke on the power lines coming down behind his house. What a momentous occasion that really was for him, and how happy he was to have been able to finally see that day. Thanked the Town Manager and the staff for all of the hard work that has been done to accomplish this.

Vice Mayor Lusskin

Gave kudos to the Town for changing and improving channel 35. Also mentioned that there are some communities that have some things on their channels that we might want to add to our programming. Congratulated the Police department on receiving the accreditation. Has seen a few things in terms of housekeeping that she wants the Town Manager to look at. The trees in the greenway have dead leaves that are coming down so low that they are hitting the sidewalk and are yellow. On the eastside of Golden Beach Drive, the trees on the swale also have leaves that are hanging all the way down and it is beginning to give the Town a bad look. Also mentioned that several residents have had problems with their water meters and electrical meters, which she wanted to

discuss with the Town Manager after the meeting. The landscaping at the median on A1A is looking better, but especially on the north end of Town its growing high. Tips are so high that motorists cannot see the oncoming cars.

***** Mayor Singer** recognized and swore-in Officer Thomas Moran at this time. *******

I. TOWN MANAGER REPORT

Recognized the Police Department for receiving its accreditation. Addressed Vice Mayor Lusskin's issues with the maintenance and landscaping of the Town, and promised to look at the new requirements of the Public Works staff related to landscaping, now that the CIP enhancements have been done.

***CIP Report & Update**

Stated that when the program started it was a 14.5 million dollar project. When it ends, the Town will have built 39-million dollars worth of projects in Town. The Town raised, in private grants, 24-million dollars in free money to residents.

Also asked the Council to look at the variance report, because the Town was able to carry over 400-thousand dollars in savings for the next budget year.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

1. An Ordinance of the Town Council Amending the Town of Golden Beach Employees Pension Plan.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN (THE "PLAN") CODIFIED IN DIVISION 1 "GENERAL EMPLOYEES" OF ARTICLE II "RETIREMENT" OF CHAPTER 24 "PERSONNEL" IN THE TOWN'S MUNICIPAL CODE OF ORDINANCES TO CHANGE THE DEFINITION OF "FULL-TIME EMPLOYMENT" TO AT LEAST 40 HOURS PER WEEK AND AT LEAST SIX MONTHS PER YEAR; BY AMENDING SECTION 24-31 "DEFINITIONS" OF ARTICLE II "RETIREMENT"; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 557.13

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 557.13

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that the Town's code is outdated and the Town wishes to amend it to bring it up to date, to classify a full-time employee as one working 40 hours a week or more.

M. QUASI JUDICIAL RESOLUTIONS

2. A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to Permit a Dock Extension.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND INTO AN OUTSIDE WATERWAY AT 17.4', WHERE 10' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 2
Resolution No. 2296.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2296.13

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

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>

Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Nay</u>

The motion passed.

Building Official Dan Nieda read into the record the seven conditions required for approval of the variance request. The Building Regulation Advisory Board voted against granting this variance.

Attorney Steve Warnick, 1 SE 3rd Avenue, Miami, FL, spoke on behalf of the property owner. Stated that there are two different variances that are being requested. Stated that this is a replacement of a dock and wave break that has existed for 25 years. Not proposing anything beyond what was there before. The dock itself ranges from 6 feet to 10 feet in surface. The actual width of the dock would be 3 to 4 feet, so it would be very difficult to create a dock that meets the technical requirements. Proposed the same footprint that was there previously. Did not seek to extend the dock any further. Does meet the criteria under 66-41.

Town Manager stated that in this particular property not only are they asking to go further out than what the code asks for; their particular seawall is already outside of the property line. In addition, all because there is a pre-existing nonconforming condition, that should not be the basis for granting the variance.

Mayor Singer asked the **Building Official Nieda**, how could they get this approved? Building Official Nieda advised that if they exceeded 50% of the cost of the entire seawall, he could have compelled them to demolish the entire seawall, which is the only way to get an approved seawall.

Councilman Einstein asked what kind of dock if any; can they build in this house? Building Official Nieda stated that because they have an encroachment, they could only build a 5.42-foot dock.

Mr. Warnick stated that because of the shape of the dock, in the middle there would be only like 3 feet.

Mr. Elenson, 276 South Parkway

First off thanked the Town for everything it did with the poles. However, by allowing this variance the Town is creating a hardship for the waterways. The Town should not follow the mistakes it made 25 years ago. The neighbors agree with Dan and Mr. Diaz on this matter, and would not approve it being built.

Building Official Nieda stated that it is important to note that the dock has been demolished. The seawall remains outside the property.

Mayor Singer asked why the Town would give them a permit to demolish the dock if the structure was illegal to begin with. **Building Official Nieda** advised that if it did not exceed the 50% rule, they are not compelled to remove it

Town Manager stated that 25 years ago when the seawall and dock were put in, at that point those structures were not permitted. Our concern is not with the 50% rule, the problem is that when they put in the seawall without a permit 25 years ago, they put it in a location that they should not have, expending their property by 3.62 feet.

Mayor Singer stated that the Town should have never given them a permit to fix the seawall. **Town Manager** stated that the code requires the Town to issue a permit so long as the 50% rule is not exceeded.

Town Attorney stated that he says there is nothing that states that a submerged land couldn't be adversely possessed by the Town. But he is not sure who owned that submerged land to begin with.

Mr. Kirk Lofgren, Ocean Consulting, LLC (representing the homeowner) stated that the homeowner has the state's approval and the army corps of engineers approval to move forward with this project, as well as letters of consent from the two adjacent neighbors.

Fred Chouinard asked for the letters from the adjacent neighbors.

Mr. Elenson mentioned again that the dock is illegal, and a water hazard.

Mr. Chouinard stated that the board keeps running into this. The board spends three hours following the code the Town established, and then the owners come before the Council and talk them into granting the variance.

Councilman Bernstein stated that he is sympathetic for the owners but there is a board that meets and discusses these things. And he is completely sympathetic and the owners should speak with their attorney about why they were not advised about this, but he feels that this sets a dangerous precedent for the community.

Councilwoman Rojas stated that this is a house on the intercoastal waterway, and people who buy houses on the intercoastal waterway want to enjoy the water and this was something that was approved wrongly in the first place, and it is not the homeowners fault.

Attorney Warnick stated that approving this variance does not set a precedent. It is a unique situation.

3. A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to permit the Wave Break Wall to Extend.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE WAVE BREAK WALL TO EXTEND INTO AN

OUTSIDE WATERWAY AT 39.5', WHERE 25' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 3
Resolution No. 2297.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2297.13

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

On roll call, the following vote ensued:

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

The motion failed.

Building Official Nieda gave a brief synopsis of the request and the conditions.

Mayor Singer stated that he feels that the wave break is an eyesore and a navigational hazard especially at night for other vessels traveling north and south on the intracoastal.

4. A Resolution of the Town Council Approving a Variance Request for the Property Located at 357 Center Island Drive To Permit the Viewing Platform Structure to Encroach 13' Outside the D5 Triangle.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 357 CENTER ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE VIEWING PLATFORM (DOCK) STRUCTURE TO ENCROACH 13' OUTSIDE THE D5 TRIANGLE, AND INTO THE 5' SIDE YARD SETBACK WHEREAS DOCKS ARE REQUIRED TO BE WITHIN THE D5 TRIANGLE AND MAINTAIN A 5' SIDE YARD SETBACK AS REQUIRED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 4
Resolution No. 2305.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2305.13

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

On roll call, the following vote ensued:

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

The motion passed.

Building Official Nieda briefly spoke on the item. Building Regulatory Advisory Board (BRAB) did not approve this item, with a unanimous vote against it of 5-0.

Mr. Kirk Lofgren spoke on behalf of the applicant to explain of the difference between a viewing platform and a dock. He also explained that the structure is in place now, but the current structure needs to be replaced.

Mayor Singer asked **Mr. Fred Chouinard** to explain why the board said no to the variance when it is essential the same result.

Mr. Chouinard explained that it was denied by the BRAB because it encroaches into the D5 triangle.

Councilmember Bernstein stated that the Council should at least give direction to the BRAB to be able to make subjective decisions, instead of just following the rules as they are stated.

Mayor Singer stated that they want to follow the building code, but this is a unique situation.

Vice Mayor Lusskin asked if what Mr. Chouinard was recommended is that they tear it down and rebuild it different than the way it currently it is. Mr. Chouinard agreed, so long as it is not in the side setback.

5. A Resolution of the Town Council Approving a Variance Request for the Property Located at 357 Center Island Drive To Permit the Elevation of the Viewing Platform Structure.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 357 CENTER ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE ELEVATION OF THE VIEWING PLATFORM (DOCK) STRUCTURE TO BE AT A 5/5' NGVD

IN LIEU OF THE 5' NGVD ELEVATION REQUIRED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 5
Resolution No. 2306.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2306.13

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

On roll call, the following vote ensued:

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

The motion passed.

Building Official Nieda stated that the board agreed to recommend approval of the variance request with a vote of 3-2.

6. A Resolution of the Town Council Approving a Variance Request for the Property Located at 132 South Island Drive to Permit the Dock to Extend Out.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 132 SOUTH ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND OUT INTO THE WATERWAY AT 8.67' WHERE 6' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 6
Resolution No. 2307.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2307.13

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

On roll call, the following vote ensued:

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

The motion passed.

Building Official Nieda stated that the applicant is requesting to reconstruct a boat dock in a nonconforming footprint. The Board did not recommend this favorably. It failed by a vote of 4-1.

Mr. Kirk Lofgren, the owner's representative, stated that the owner is just asking to repair the seawall cap not reconstruct it. The owner is not proposing to change the line of pilings. Requesting to remain consistent with the approval the Town Council permitted back in 1998.

Vice Mayor Lusskin stated that she went out to the property to see what the applicant was requesting exactly.

Mayor Singer asked **Fred Chouinard** to explain why the board denied it. Mr. Chouinard stated that if the Council denies, they just need to stay within the D5 triangle.

Councilmember Bernstein stated that the issue is that the Town has set up a standard under which the Council wants everything to be built. So whenever you have a situation with an older property, they are going to be able to make this argument to the Council. Suggested that at a minimum, the Town Council provide the BRAB with some guidance on how to deal with these situations, without feeling like they are wasting their time.

Mayor Singer stated that the BRAB is not wasting their time, because what they are doing is making a recommendation to the Council and sometimes we agree and sometimes we do not agree.

Vice Mayor Lusskin stated that by definition a variance and/or appeal, that is what that means. And she would feel remiss if every time she opened up a variance application she voted the same way the BRAB voted without looking into the matter.

Town Manager stated that the BRAB members should vote according to the letter of the code. The Council does not work by the same rules.

Building Official Nieda gave a brief explanation of the variance application process.

7. A Resolution of the Town Council Approving a Variance Request for the Property Located at 44 Terracina Avenue for Construction of a Single-Family Residence on a Vacant Lot.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH,
FLORIDA, AUTHORIZING AND APPROVING A VARIANCE

REQUEST FOR THE PROPERTY LOCATED AT 44 TERRACINA AVENUE, GOLDEN BEACH, FLORIDA 33160 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A VACANT LOT.

Exhibit: Agenda Report No. 7
Resolution No. 2308.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2308.13

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

On roll call, the following vote ensued:

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

The motion passed.

Building Official Nieda gave a brief description of the variance request. Board voted favorably on this requested. He did as well. And the two neighbors that would be impacted also have favorable letters on file.

Alan Rosenthal, representative for the applicant, spoke on the reasons for the variance request.

Councilmember Einstein stated that the Council should specify rationale for allowing the setback on this property.

Town Manager stated that this is a very unique circumstance that the Town would not normally allow. The Town strongly recommends favorable approval.

Mark Turquel, the architect, spoke on the reasons behind asking for the front yard setback.

8. A Resolution of the Town Council Approving a Variance Request for the Property Located at 277 Golden Beach Drive for Additions and Remodeling.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 277 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA

33160 TO PERMIT ADDITIONS AND REMODELING OF
THE EXISTING RESIDENCE.

Exhibit: Agenda Report No. 8
Resolution No. 2309.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2309.13

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

On roll call, the following vote ensued:

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

The motion passed.

Building Official Nieda spoke briefly on the variance request. The applicant is requesting a 267 square foot addition to the front façade to add a bedroom. He recommended in favor of this matter, feeling that this is a hardship. The Board disagreed, and recommended that it not be favorably considered. There is one letter of objection on file, and a neighbor appeared at the meeting to object to the application.

Martin Lippmann, 277 Golden Beach, he spoke on behalf of the applicant. He stated that it is a very small area. The reason why they are requesting this is because this house is under flood level and it would have to be torn down if they do a different design.

Vice Mayor Luskin stated that she went to see the house to understand visually. She stated that if she understands it correctly, what they are asking for on the south side of the house does not encroach on the neighbor's property, just brings the house forward a few feet to the west, which is still within the allowed buildable area within the Town's code. She asked Building Official Nieda, why this was not voted on favorably by the BRAB?

Building Official Nieda stated that the side setback of the home is already nonconforming, so essentially the applicant is requesting to extend that conformity.

N. CONSENT AGENDA

9. Minutes of the June 24, 2013 Special Town Council Meeting

10. A Resolution of the Town Council Authorizing the Payment of \$1,000 to Florida International University Biscayne Bay Campus.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,000.00 TO FLORIDA INTERNATIONAL UNIVERSITY BISCAYNE BAY CAMPUS IN MEMORIAM OF RICHARD FISHBEIN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2310.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2310.12

11. A Resolution of the Town Council Authorizing the Use of LETF Funds for the Implementation of Community Policing Initiatives.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LETF FUNDS FOR THE IMPLEMENTATION OF COMMUNITY POLICING INITIATIVES AND AWARENESS PROGRAMS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2311.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2311.13

12. A Resolution of the Town Council Renewing the Agreement for a Comprehensive Health Insurance Plan for the Benefit of the Town of Golden Beach Employees.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENT FOR 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. 2312.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2312.13

13. A Resolution of the Town Council Renewing the Agreements for a Dental Insurance and a Vision Insurance Plan for the Benefit of the Town of Golden Beach Employees.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENTS FOR A DENTAL INSURANCE AND A VISION 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. 13
Resolution No. 2313.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2313.13

14. 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; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 14
Resolution No. 2314.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2314.13

15. A Resolution of the Town Council Declaring Certain Personal Property Owned by the Town to Have no Intrinsic Monetary Value.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY (POLICE K-9 DOG) OWNED BY THE TOWN TO HAVE NO INTRINSIC 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. 15
Resolution No. 2315.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2315.13

Consensus vote 4 Ayes 0 Nays. Items N9-N15 passed.

(*** **Councilmember Bernstein** was not present when the vote took place)

O. TOWN RESOLUTIONS

16. A Resolution of the Town Council Ratifying the Maximum Proposed Millage Rate for F/Y 2013-2014.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RATIFYING THE MAXIMUM PROPOSED MILLAGE RATE FOR F/Y 2013-2014 THAT WAS TRANSMITTED TO 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. 16
Resolution No. 2316.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2316.13

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

On roll call, the following vote ensued:

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

The motion passed.

(*** **Councilmember Bernstein** was not present when the vote took place)

Town Manager explained that this resolution explains the information that was transmitted to the property appraiser on August 2, 2013 through the DR-420.

P. 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

**F/Y 2013-2014 Proposed Operating Budget – he advised that the budget will be discussed at the first budget hearing which is scheduled for September 18.

****New Stormwater Fee Rates**

Explained that during the budget process, the Administration has asked to increase the stormwater fee by \$15 per month (from \$35 to \$50). He referred back to the back-up document that was provided to the Council on the dais. The goal is to slowly phase out the contribution rate to the General Fund, so that in the year 2015/2016 the Town will be able to start paying back the \$2.4 million that the Stormwater Fund owes the General Fund. **Mayor Singer** asked what year the \$35 started.

Town Manager stated that it began in 1996.

****New Building Permit Fees for F/Y 2013-2014**

Administration is proposing two new fees. One is to create a revenue stream for the Town’s curb and gutter replacement and maintenance program. Asking that for any home that is being constructed, the Town charge \$50 per linear foot of frontage, and for

remodel work charge \$20 per linear foot of frontage, which would go towards the replacement and maintenance of curbs and gutters.

Councilmember Einstein asked what is considered a remodel.

Town Manager advised that remodel is considered things like a kitchen remodel or a bathroom remodel.

Councilmember Bernstein mentioned that the remodel fee is pretty steep.

Town Manager stated that now that the Town has new infrastructure, it has to come up with ways to maintain that infrastructure, and the only fair way that does not affect all residents, but instead those that bring in new traffic that is tearing up the Town's curbs and gutters.

Mayor Singer asked if the administration has calculated how much revenue that would generate in a given year?

Town Manager stated that he could get that information for the next Council meeting.

Councilmember Einstein asked how much the Town currently pays for curb replacement.

Town Manager advised that the Town currently pays \$76 per linear foot of installation (not including all of the other costs involved with curb replacement).

Councilmember Bernstein stated that he does not see the correlation for larger lots to have to pay more for a remodel simply because those lots are bigger.

Town Manager stated that maybe it could be imposed as a flat fee or the amount of the fee could depend on the costs of the remodel.

Councilmember Bernstein stated that maybe the Town should just impose a flat fee.

Town Manager advised that the second fee involves projects in Town that take an extremely long time. The Town currently has no way to remedy construction projects that take a very long time to complete. Town proposing that in Zone 1, any project that takes longer than 36 months, they have to pay 30% of the master permit fee. In zone 2 and 3, any project that takes more than 24 months has to pay 30% of the master permit fee. This may motivate developers to complete their projects a little bit faster.

Councilmember Bernstein asked why the Town is distinguishing between zone 1 and zone 2 and 3.

Town Manager stated that the permitting process in zone 1 is a lot more cumbersome, that is why the Town is giving them more time.

Q. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk