



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the December 15, 2009 Regular Town Council Meeting called for 7:30 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:35 PM

B. ROLL CALL

The Town Clerk called roll

Councilmembers Present: Mayor Singer, Vice Mayor Lusskin, Councilmember Bernstein, Councilmember Einstein, Councilmember Rojas.

Staff Present: Town Manager – Alexander Diaz, Town Attorney – Stephen Helfman, Police Chief – James Skinner, Finance Director – Maria Camacho, Executive Assistant to the Town Manager/HR Director – Lissette Perez and Town Clerk – Elizabeth Sewell.

C. PLEDGE ALLEGIANCE

Chief Skinner led the Pledge of Allegiance.

D. PRESENTATIONS / TOWN PROCLAMATIONS

Recognition of Town Employees of the Month for November and December 2009

Mayor Singer acknowledged John Fialkowski as Employee of the Month for December 2009. He also acknowledged Elizabeth Sewell as the Employee of the Month for November 2009.

Recognition of Town Officers of the Month for November and December 2009

Mayor Singer acknowledged a Police Officer who is assigned to Special Operations and has more than 11 years of Law Enforcement experience with the Town of Golden Beach as Officer of the Month for November 2009.

Mayor Singer acknowledged Police Officer Yovanny Diaz as the Officer of the Month for December 2009.

E. MOTION TO SET THE AGENDA

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

None

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee - Dr. Iglesias reported that it was difficult to achieve a quorum for meetings because only one member of the committee attends the meetings beside himself.

Beautification Committee – No report for the month of December 2009.

Comprehensive Planning Board – No report for the month of December 2009.

Recreation Committee – Mrs. Alene Fishbien announced the Town's New Year's Eve Gala

Security/Public Safety Committee – No report for the month of December 2009.

G. GOOD AND WELFARE

Fred Chouinard – 407 Ocean Boulevard, spoke briefly in reference to the Town of Golden Beach Code of Ordinance fifty percent (50%) rule.

Sydell Herrick - 625 Ocean Boulevard thanked the Mayor and Council for the Medjools Palm trees and lighting on Ocean Boulevard. She also expressed her concerns regarding the aesthetics of the residences in the Town.

Joelle Kheel - 407 Golden Beach Drive spoke in reference to the progress of the Capital Improvement Project.

Alene Fishbien - 256 Golden Beach Drive spoke in reference to the Town adopting an ordinance regarding dog curbing.

Dr. Penny Iglesias - 138 South Island Drive spoke about public safety and the Police Department.

Elizabeth Shapkin – Sent a letter to be read into the record.

H. MAYOR'S REPORT

- **Capital Improvement Project**

Mayor Singer stated that the Capital Improvement Project is progressing, but residents need to obey the traffic rules in the construction zones. He also stated that due to the stopping of construction for the next few weeks, because of the holidays, the north and south security gates will be closed and traffic will be two-way. He reported that the A-1-A project should be completed by the first quarter of 2010.

- **Public Safety During the Holidays**

Mayor Singer reminded all residents that if they are leaving town for the holidays they should let their neighbors and the Town's Police Department so that they can keep an eye on their residences, in order to prevent any incidences from occurring.

- **Dog Curbing**

Mayor Singer stated that residents need to respect each other and people need to take care of and watch after their dogs.

I. COUNCIL COMMENTS

Councilmember Bernstein

- **Capital Improvement Plan**

Councilmember Bernstein asked the Town Manager if the Town had a Lighting Plan for Golden Beach Drive. He also asked if any decision had been made regarding the use of the recreational areas at the North and South Parkway.

- **Committees**

Councilmember Bernstein stated that if there was a need for a quorum maybe a resident in the Town would be willing to be committed to working with the committees.

- **Foot Showers at Beach**

Councilmember Bernstein asked the Town Manager to install foot showers at the beach.

- **Entrance Sign**

Councilmember Bernstein stated that he had received numerous telephone calls from residents stating that the entrance sign at the Strand was too commercial looking.

- **Dog Curbing**

Councilmember Bernstein stated that there should be a Dog Curbing Ordinance with a fine for people caught not cleaning-up after their dogs.

Vice Mayor Lusskin

- **Entrance Sign**

Vice Mayor Lusskin stated that the entrance sign was too bright at night and the lighting needed to be toned down.

- **Sunny Isles Community School**

Vice Mayor Lusskin stated that she had received numerous telephone calls from residents who have children in that school regarding the changes in school boundaries. The residents are asking the elected officials if they receive any information, or notification in reference to boundary changes they would like the elected officials to participate in keeping the Town of Golden as a part of Sunny Isles Community School district.

- **Landscapers**

Vice Mayor Lusskin commended Tim Hodgins for the work they had performed with the Town's new landscaping.

- **Dog Curbing**

Vice Mayor Lusskin stated that with all of the construction in the Town there is very limited space as to where residents can walk their dogs. She explained that there are several pet waste stations in the Town, but not everyone is using them.

- **Parking Along the Curbs**

Vice Mayor Lusskin stated that, rules should be implemented to address people parking along the curbs for hours without using their driveways and parking on the sidewalks. She asked staff to put a notice in the Town's January newsletter in reference to no parking on curbs overnight.

- **Weekend Trash**

Vice Mayor Lusskin stated that the landscaping trash that is left out on weekends is an eye sore and she was asking to have Public Works send an employee to pick-up the trash in the Town on the weekends.

Councilmember Einstein

- **Capital Improvement Program**

Councilmember Einstein commended Paul Abbott for his responsiveness to the Town's residents in reference to the Capital Improvement Program.

Councilmember Rojas

- **Access to A1A Sidewalks**

Councilmember Rojas asked if there was any thought of creating a path or a walkway from the interior of Town from the islands to the sidewalks on A1A.

- **Dog Curbing**

Councilmember Rojas stated that it would be helpful to have wastebaskets attached to the pet waste station receptacles available because people do not

want to carry the pet waste around with them. She also stated that keeping the pet waste station receptacles filled with bags would be helpful.

- **Lighting on A1A**

Councilmember Rojas stated that a few lights on A1A are off; she asked if this was intentional.

- **Capital Improvement Program Staging Area**

Councilmember Rojas asked if the staging area for the Capital Improvement Project would be moved from North Parkway to South Parkway as the project moves south of the Strand.

J. TOWN MANAGER REPORT

- **Town's Police Department**

The Town Manager reported that about five months ago, there was a major incident in Town where approximately \$1,000,000 million dollars worth of jewelry was stolen from the back of a vehicle, and he was pleased to announced at this meeting that the Town's Police Department has recovered almost all of the jewelry.

- **Capital Improvement Program Traffic**

The Town Manager reminded everyone that currently traffic on the north end of Golden Beach Drive was one-way and he would like the residents to obey that traffic rule especially during the day when there are active construction zones.

- **Town Hall Holiday Closure**

The Town Manager announced that Town Hall would be closed on December 24 and 31, 2009.

- **2009 Accomplishments**

The Town Manager stated that there would be an article in the January 2010 Newsletter outlining all of the Town's accomplishments for 2009.

- **Dog Curbing**

The Town Manager explained that the Town currently has a leashing law that requires leashing and curbing. However, it is a difficult law to enforce unless the event is physically witnessed. He also explained that in February as a result of the number of complaints in reference to this issue received by the Town's administration the Town purchased ten additional mitt stations throughout the Town but the committee was not in agreement to purchase the waste receptacles attached to the mitt stations. He stated that the Administration would do another massive "*curbing your pet*" campaign in the Town's monthly newsletter reminding residents to be neighborly.

- **Capital Improvement Plan**

The Town Manager explained that during the Town's budget process the Town Council put together a comprehensive plan for the Capital Improvement Project. Administration took all of the Town's resources and identified all of the Capital Improvement Projects that either were identified for future funding, or allocated funding for projects. They are going to be added to this year's Capital Improvement Program. A portion of the work for this year was additional work on the Town's Stormwater project: the north, south, center islands and the north and south parkways curbs and gutters. The unfunded projects were identified in two tiers: the short-term projects and the long-term projects that are considered the wish list. The short-term projects include the redesign and replacement of the Stormwater System Phase I, the Center Island and North Island Bridge Replacement, which the Administration is aggressively working to identify funding. He explained that the long-term list includes the Town-wide street lighting project.

- **Park Designing Companies**

The Town Manager explained that he and the Mayor have had discussions over the past two months in reference to communities that have been successful in their park system. He stated that they have had meetings with companies that design parks in reference to the Town's parks. He hopes to begin allocating funds before the middle of next year for the design and construction of North Park and hopefully South Park.

- **Advisory Committees**

The Town Manager explained that each advisory committee has been assigned a staff member that is responsible for staffing that committee. He stated that Elizabeth staffs the Beach Committee, Maria staffs the Beautification Committee, Chief Skinner staffs the Security/Public Safety Committee, Lissette staffs the Recreation Committee and the Town Manager along with Linda staffs the Comprehensive Planning Board. He explained that there is always a staff person at each meeting and irrespective of if the committee members show up or not there is a staff person present so that residents can voice their concerns. He also stated the when members of the committee bring concerns to his attention he has taken care of them administratively even though the committee did not take formal action.

- **Capital Improvement Program Team Meetings**

The Town Manager stated that in response to Councilmember Einstein's concerns in terms of goals, costs and details in reference to the Capital Improvement Program, the Capital Improvement Program Team which includes the Design Team, the Construction Managers, the Owner's Representative and the Town Manager meet every Thursday to look at the daily schedule to see where the projects are and to plan for where the projects are going to be in the next week and the next month. He stated that there are some areas of the project that is far ahead of schedule, for example, the replacement of the Town's Water Distribution System, and there are some areas where they are

lagging but not behind. He stated that it is the administration's goal to deliver this project by December of 2010.

K. TOWN ATTORNEY REPORT

None

L. CAPITAL IMPROVEMENT PROJECT PROGRESS REPORT & UPDATE

The Town Manager stated that the Capital Improvement Project is almost complete north of Novana Avenue on Golden Beach Drive. There have been some challenges with the installation of the Stormwater south of North Parkway. He explained that they are working with the design team to resolve some conflicts that were not anticipated. He stated that the conflicts are being remedied and the system will work without failure. The Stormwater installation has been commenced in the South Parkway area, which is well ahead of schedule for the Stormwater Installation Project. He explained that the Department of Health would certify the remainder of the Water Distribution System tomorrow. He also explained that once the Department of Health certifies the Water Distribution System the connection of the homes in the Town to the new water system will commence. However, the balance of the water service connections on Golden Beach Drive and the North and South Parkways will not start until after the first of the year. The Town Manager stated that the goal is to have the medjool palm trees installed in the island north of the Strand on A1A before the end of the year.

Paul Abbott asked the residents to use the Capital Improvement Project Hotline at (305) 877-6262 for concerns and issues with the project.

The Town Manager thanked that neighbors north of Golden Beach for approving the easement needed for the Capital Improvement Project. He reminded all residents that as the Town commence its preparation to take delivery of the undergrounding of utilities north of the Strand the residents will be required to prepare their homes for the undergrounding sequencing. He stated that there would be a letter sent to all residents to have their homes ready. He stated that a notice will be in the Town's monthly newsletter and a certified letter will be sent to residents. He reiterated that it is the homeowner's responsibility to prepare their home for the installation. He explained that the Town's Code states that if homeowners do not prepare their homes for the installation within a certain time the Town will perform the work on behalf of the homeowner and lien the property.

Mayor Singer asked staff to provide a list of recommended contractors in the Town's monthly newsletter.

M. ORDINANCES – SECOND READING

None

N. ORDINANCES - FIRST READING

None

O. QUASI JUDICIAL RESOLUTIONS

None

P. CONSENT AGENDA

1. Minutes of October 27, 2009 Special Town Council Meeting.
Minutes of November 17, 2009 Regular Town Council Meeting
2. **A Resolution of the Town Council Approving a Mutual Aid Agreement Between the Town of Golden Beach and the Village of Indian Creek**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND INDIAN CREEK VILLAGE, FLORIDA; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 2055.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2055.09

3. **A Resolution of the Town Council Renaming the Park Known as “Rock Park” to “Glenn Singer Park”**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENAMING THE PARK COMMONLY KNOWN AS ROCK PARK TO GLENN SINGER PARK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2056.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2056.09

4. A Resolution of the Town Council Approving an Agreement Between the Town of Golden Beach and the State Attorney for Reimbursement of cost for Prosecution of Criminal Violations of the Town Code

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE TOWN AND THE STATE ATTORNEY FOR REIMBURSEMENT OF COSTS FOR STATE ATTORNEY PROSECUTION OF CRIMINAL VIOLATIONS OF THE TOWN CODE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2057.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2057.09

5. A Resolution of the Town Council Approving and Ratifying Additional Costs in Connection with Investigation and Remedial Work Regarding Ongoing Litigation with RLI Insurance Company

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AND RATIFYING ADDITIONAL COSTS IN CONNECTION WITH INVESTIGATION AND REMEDIAL WORK REGARDING ONGOING LITIGATION BETWEEN THE TOWN, AS PLAINTIFF, AND RLI INSURANCE CO. AND WILLIAMS HATFIELD & STONER, INC., AS DEFENDANTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2058.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2058.09

Motion to approve Items P1 through P5 on the Consent Agenda by Vice Mayor Lusskin, seconded by Councilmember Einstein. Consensus vote was 4 Ayes
0 Nays.

Q. TOWN RESOLUTIONS

6. A Resolution of the Town Council Approving a Contract with Southeastern Engineering Contractors, Inc. for Roadway Improvements in Center Island

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CONTRACT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR ROADWAY IMPROVEMENTS WITHIN CENTER ISLAND; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2059.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2059.09

The Town Manager explained that when the Capital Improvement Plan was formulated there were certain elements that were not included. These elements included the installation of curbs and gutters along Massini Avenue, North and South Parkways, North, Center and South Islands and along Terracina Avenue. He stated that it has always been the goal of this Administration if funding was secured that these elements would be added back into the design of the Capital Improvement Plan. Last year by the Council's action during the budget process approximately \$470,000 was allocated for those elements. Each project would be governed by the same terms and conditions of the Capital Improvement Plan, but they would have their individual budgets, contingency and its own financial conditions to be met. He stated that it is the administration's intent to install valley gutters on the North, Center and South Islands to provide for additional relief for the Stormwater System and additional aesthetics. He explained that the valley gutters would be installed as grey concrete, but should the resources become available later they can be painted. The cost for the installation of valley gutters within Center Island is \$147,245.56.

Motion to approve Resolution No. 2059.09 by Vice Mayor Lusskin, seconded by Councilmember Einstein.

Roll call vote was as follows:

Mayor Singer – Aye, Councilmember Bernstein - Aye, Councilmember Einstein - Aye, Vice Mayor Lusskin - Aye, Councilmember Rojas - Aye.

The Motion carried.

7. A Resolution of the Town Council Authorizing and Approving a Contract with Southeastern Engineering Contractors, Inc. for Roadway Improvements within North Island

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CONTRACT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR ROADWAY IMPROVEMENTS WITHIN NORTH ISLAND; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2060.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2060.09

The Town Manager stated that the cost for the installation of valley gutters within North Island is \$138,897.86.

Motion to approve Resolution No. 2060.09 by Vice Mayor Lusskin, seconded by Councilmember Rojas.

Roll call vote was as follows:

Mayor Singer – Aye, Councilmember Bernstein - Aye, Councilmember Einstein - Aye, Vice Mayor Lusskin - Aye, Councilmember Rojas - Aye.

The Motion carried.

8. A Resolution of the Town Council Authorizing and Approving a Contract with Southeastern Engineering Contractors, Inc. for Roadway Improvements within North Parkway

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CONTRACT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR ROADWAY IMPROVEMENTS WITHIN THE NORTH PARKWAY; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2061.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2061.09

The Town Manager explained that the parkways would be redesigned to allow for the installation of gutters and to perform roadway restoration. The cost for the North Parkway project is \$124,133.00

Motion to approve Resolution No. 2061.09 by Vice Mayor Rojas, seconded by Councilmember Bernstein.

Roll call vote was as follows:

Mayor Singer – Aye, Councilmember Bernstein - Aye, Councilmember Einstein - Aye, Vice Mayor Lusskin - Aye, Councilmember Rojas - Aye.

The Motion carried.

9. A Resolution of the Town Council Authorizing and Approving a Contract with Southeastern Engineering Contractors, Inc. for Roadway Improvements within South Island

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CONTRACT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR ROADWAY IMPROVEMENTS WITHIN SOUTH ISLAND; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2062.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2062.09

The cost for the installation of valley gutters within South Island is \$146,355.75.

Motion to approve Resolution No. 2062.09 by Councilmember Bernstein, seconded by Vice Mayor Lusskin.

Roll call vote was as follows:

Mayor Singer – Aye, Councilmember Bernstein - Aye, Councilmember Einstein - Aye, Vice Mayor Lusskin - Aye, Councilmember Rojas - Aye.

The Motion carried.

10. A Resolution of the Town Council Authorizing and Approving a Contract with Southeastern Engineering Contractors, Inc. for Roadway Improvements within South Parkway

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CONTRACT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR ROADWAY IMPROVEMENTS WITHIN THE SOUTH PARKWAY; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2063.09

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2063.09

The cost to redesigned South Parkway to allow for the installation of gutters and to perform roadway restoration is \$131,277.02

Motion to approve Resolution No. 2063.09 by Councilmember Rojas, seconded by Councilmember Einstein.

Roll call vote was as follows:

Mayor Singer – Aye, Councilmember Bernstein - Aye, Councilmember Einstein - Aye, Vice Mayor Lusskin - Aye, Councilmember Rojas - Aye.

The Motion carried.

R. 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

The Town Manager asked the Mayor and Council if it was possible to move the January 19, 2010 Regular Town Council Meeting to January 26, 2010. The Council agreed to move the January 19, 2010 Regular Town Council Meeting to January 26, 2010 at 7:30 PM.

S. ADJOURNMENT:

A Motion to adjourn the Council Meeting by Councilmember Bernstein, seconded by Councilmember Einstein. Consensus vote 5 Ayes 0 Nays.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

Elizabeth Sewell

Elizabeth Sewell, CMC
Town Clerk