



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the May 21, 2013  
Regular 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 7:10 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's' Not Present:** 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

### C. PLEDGE ALLEGIANCE

Police Chief led the Pledge of Allegiance

### D. PRESENTATIONS / TOWN PROCLAMATIONS

Swearing-In of New Part-time Officers – Andrea Smith-Bustillo and Joseph Bautista  
\*\*Town Manager spoke briefly about the Town's part-time police officer program and the benefits the program provides to the Town.

Recognition of Officer of the Quarter – Detective Dan Rosenberg

Recognition of Officer Robert Ruggiero

### E. MOTION TO SET THE AGENDA

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

Town Manager requested to delay items #1 and #2 to a date not certain.

Town Manager also requested to add a guardhouse update to Town Manager's discussion.

## **F. GOOD AND WELFARE**

### **Dr. Linda Kaplan, 209 East Hallandale Beach Blvd**

Spoke as the Community chair for the Cancer Prevention Study with the American Cancer Society about the Society's Cancer Prevention Study-3, urging residents to enroll in the study.

## **G. MAYOR'S REPORT**

Spoke on the progress being made on the Center Island and North Island bridges. Urged everyone to please obey the traffic signals on those bridges.

Spoke on the potluck dinner and the great turnout. Thanked the Town staff and committee that put that together. Advised that he was working with the Town Manager and Town Attorney to address parking issues around Town, stating that with the completion of the bridge projects the West lot would reopen for visitors to park at.

## **H. COUNCIL COMMENTS**

### **Councilmember Rojas**

Echoed the Mayor's concerns about people running the lights on the bridges.

Asked how long they anticipate one lane at the Sunny Isles/Golden Beach border? The Town Manager advised that he would give a full report on that during his report.

### **Vice Mayor Lusskin**

Reminded residents to attend the Memorial Day program in Town this Monday at 5 p.m. Stated that she's received a lot of positive comments from residents on the police department's bicycle patrol.

Asked if the Town Manager would address the powerlines along the eastside of Golden Beach Drive? He advised that it would be included in his report.

### **Councilmember Bernstein**

Advised that since the last meeting, he has met with the Town Manager to discuss different ideas for the Beach, and they will be selecting a Beach Committee in the near future. Stated that the light at The Strand doesn't give anybody time to walk across the street, and that it should run longer. Town Manager stated that he would address it in his report.

## **I. TOWN MANAGER REPORT**

\*\* He presented the Mayor and Councilmembers that were re-elected in February with a framed copy of the article that ran in the Miami Herald.\*\*

Thanked Carol Larson, Bonnie Peters, Michael Glidden, and Marie Talley for their work on the potluck fiesta party – specifically Michael Glidden for his hard work in putting together the potluck.

### **\*CIP Report & Update**

The Town is currently in the process of removing poles from Town. There is still one main energized power cord on the east side. It does not power Golden Beach. It is the cord that connects Golden Beach to Sunny Isles Beach and Hallandale Beach, and

should be coming down within the next couple of days. Town hopes to have all of the overhead poles removed before the end of next month.

The bridge barges will be moving some time this weekend. The original contract date with American Bridges was December 3<sup>rd</sup>. The new contract date is January 13<sup>th</sup>, due to some unforeseen delays. But right now the project seems on schedule for the original contract date of December 3<sup>rd</sup>.

Also thanked Paul Abbott and Maria Camacho for identifying almost an additional \$50,000 of work that is seawall and stormwater-related that the Town was able to transfer to the Stormwater Fund.

The Tweddle Park improvements are still not done, but the Town has made some significant work has been done, but not finished yet.

Finally able to get FDOT to come in and release the A1A project for the milling and resurfacing of A1A. The project commences on June 1<sup>st</sup>. It is a 93 day project. Currently the project is scheduled to be conducted during the day, but the Town is trying to convince them to do the project at night. Residents should expect noise, messiness, and congestion. Just asking residents to bear with the Town during this time. When the project is complete, there will be new indicators on the asphalt indicating that the road will be shared with bicyclists, which will be something new for residents.

There are 9 lights out in Town. The Town is working with FPL to get that corrected and looking at lighting alternatives to present to council during the budget process.

Reminded Council that Memorial Day is this Monday. Town Hall will be closed at noon on Friday, in order to convert the power to the Town Hall building.

## **J. TOWN ATTORNEY REPORT**

**None**

## **K. ORDINANCES – SECOND READING**

None

## **L. ORDINANCES - FIRST READING**

None

## **M. QUASI JUDICIAL RESOLUTIONS – (\*\*\*)delayed to a date not certain)**

### **1. 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. 1  
Resolution No. 2296.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2296.13

**2. 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. 2  
Resolution No. 2297.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2297.13

**N. CONSENT AGENDA**

**3. Minutes of the March 19, 2013 Regular Town Council Meeting**

**4. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and North Bay Village.**

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

**Exhibit:** Agenda Report No. 4  
Resolution No. 2298.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2298.13

**5. A Resolution of the Town Council Approving Amendment #2 to the 2012-2013 Fiscal Year Operating Budget.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #2 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2299.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2299.13

Consensus vote 4 Ayes 0 Nays. Items N3-N5 passed.

**O. TOWN RESOLUTIONS**

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

A RESOLUTION OF THE TOWN COUNCIL 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. 6  
Resolution No. 2300.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2300.13

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>Absent</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** advised that this contract was approved last year. The Town currently has Detective Carrazana working a detached detail with the IRS task force. This is a repeat of the same contract.

**Mayor Singer** asked the Town Manager to speak to the Town Council about the Town's three detached officers.

**Town Manager** spoke briefly on the three detached officers the Town currently has. Town has yielded over \$1.8-million in forfeited assets in the five years it has been involved in the program. The Town can use these monies towards crime prevention and/or new initiatives in the police department. The State Attorney's Office, DEA and IRS are the organizations the Town has relationships with. They manage the officer's work and provide reports to the Town. With the Town's forfeited assets dollars, the Town has been able to do a number of things. \$660,000 were used for the Town's CCTV program. The Town was also able to provide laptops for all the police officers, change the fleet to Chevy Tahoes, pay for the balance of the funds needed to complete the Town's police boat dock, pay for half of the cost for the motor unit, and currently looking to cover some of the costs for the guardhouse conversion project next year with forfeited assets. The organization's the Town works with pay the Town a 100% reimbursement for all overtime dollars the detached officers work.

**7. A Resolution of the Town Council Accepting the General Purpose Financial Statement and Single Audit for Fiscal Year 2011/2012.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE GENERAL PURPOSE FINANCIAL STATEMENTS AND THE SINGLE AUDIT FOR FISCAL YEAR 2011/2012 ENDING SEPTEMBER 30, 2012 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 2301.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2301.13

A motion to approve was made by Councilmember Rojas 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>Absent</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** first thanked Maria Camacho, whose father was hospitalized earlier, for being at the meeting.

**Town Manager** wanted to highlight a few parts of the audit. A couple of things are being authorized as part of the audit. 1. Last year we overspent our budget by over \$150,000. But the reason is because the Town transferred funds decreasing the amount of the budget, and authorizations were made for landscaping contracts, that were unfunded contracts that the Town hoped we would have enough reserves to cover. 2. Throughout the last six years, the Town Council has authorized on an annual basis, through the 330 Fund, the expenditure of capital-related costs. Over the last six years the Council has authorized, from the Town's reserve dollars, \$5.6-million of authority to spend from the Town's general fund reserves for capital-related projects. We are going to write off, \$3.2 million from the general fund balance sheet, and those are the dollars that we are expecting to never repay back to the Town's general fund reserves, because those projects are complete and those projects have no means of ever generating any type of revenue. The other item for discussion is the stormwater fund. The general fund, fund balance has loaned the stormwater fund \$2.4-million in capital reserves. The Administration is asking the Council to leave that on the balance sheets as a liability with the potential to be repaid back to the general fund reserves, and asking to begin a dialogue as to whether or not the general fund reserves should be repaid the \$2.4-million from the stormwater fund.

**Town Manager** also stated that in the management comments portion of the audit, there were no comments, which means that the Town has been doing a stellar job. The only comment was a carry-over comment from the previous audit, which is the Town needs to make the proper investment in upgrading its financial tracking system. The Town feels that the cost benefits for changing the Town's current system will not materialize.

**Councilmember Bernstein** asked if there is a necessity to close out the stormwater loan? And he also asked why not add something to the budget to state why the Town went over on the budget.

**Town Manager** stated that in his budget message about the financials, the overage in the budget is addressed. He also added that the CIP Fund, the Bridge Fund, the Debt Service Fund, and the Water Fund have no means ever to be repaid because they are not enterprises. These are projects that the Town created and chose not to tax because the Town knew that the funds would come from the reserves. So the Town could keep them on the books as a liability, but it's almost a false statement because the Town knows that it will never be repaid, even under the expectation that we could get dollars down the road. He stated and federal funding programs cannot reimburse you for projects that have been completed, they have to be for new or ongoing projects.

**Councilmember Bernstein** stated that if the Town ever decides it wants to do something in the future, it could still write it off.

**Town Manager** stated that the challenge with doing that is that for the funds it has received to date, the Town has had to show matching dollars, so the Town's recommendation is to close out that fund.

**Mayor** asked if the auditors suggest that the Town write it off?

**Town Manager** stated that the auditors leave it up to the municipality, and the Town was free to do what it wanted with it.

**Councilmember Bernstein** asked if there is any type of penalty with owing this debt?

**Town Manager** stated that there is no penalty because the Town doesn't owe anybody the money, it owes it to itself.

**Resident Fred Chouinard** commented stating that the auditor should have made a note in the financial statement as far as paying the \$3-million debt.

**Town Manager** stated that it's listed in the Town's books as restricted fund within the fund balance, so the auditors do account for it.

**Mayor** commended Maria Camacho for a great job with the auditors and the audit. The audit went quick and smooth, there were no comments, and it is a very clean audit.

## **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  
\*\* 401K program

The administration has asked the Town Attorney to look at making some changes to the Town's pension programs. What the Town is exploring is that all new hires moving forward, except police officers, go to a 401K program instead of the Town's pension program. They would become a defined contribution employee instead of a defined benefit employee. The trend has been the reverse. New hires in other places are allowed to choose defined benefit versus defined contribution program. However in the last 1 ½, the cities that gave employees choices have now required all employees to join the defined benefit program because you need new bodies going into the program to be able to support the liability of those employees who are nearing retirement age.

**Mayor** stated that a Town our size, he doesn't think that a 401K would be a big monetary burden on the Town.

**Town Manager** stated that that is correct, but there are a number of employees who are reaching retirement status within the next two to three years, which will have an impact on the Town's pension fund.

\*\* Events at Private Homes



Also asked the Town attorney to draft an ordinance regarding events that are conducted in resident's private homes. Town Manager stated that there has been an increase in resident's hosting events at their homes, and the Town is concerned that many of those events are not being conducted for private purposes (i.e. fundraisers or events requiring an admission fee).

**Councilmember Rojas** asked how is the Town going to distinguish that from the filming?

**Town Manager** stated that that was an excellent question to discuss when the ordinance is brought before the Council at first and second reading.

**Town Attorney** stated that in the ordinance there would be a distinction between activities that are customarily associated with the use of a home and things that are not, and those are the ones the Town is trying to prohibit.

**\*\* Pilot Program at the Substation**

**Town Manager** stated that the Town has hired Tim Patterson and Brandon Jackson over from Navarro Security, and two officers are assisting with the program as well. The efforts have been really successful. The Town has been able to find 13 projects in Town that were doing work without permits, thanks especially to the efforts of Officer Mayuly Ferrer. New uniforms have been ordered for the Community Service Aids, which is what the employees at the substation are being called. Navarro Security still there at night and on the weekends, but the Town is hoping to transition out of having any services provided by Navarro eventually.

**\*\* Preliminary Discussion on the Stormwater Fee**

**Town Manager** spoke on the attachment that was included with the agenda packet pertaining to the Town's stormwater fees. The Town's current stormwater fee is \$45 a month for Equivalent Residential Unit (ERU), which is one per home in Golden Beach. 396 lots in Town pay an ERU. The Town currently generates \$166,320 through the stormwater fee program, which have been pledged to the repayment of the Town's stormwater loan, and all other costs related to stormwater. The Town's annual stormwater budget is \$450,000. So, what the Town is asking the Council and community to think about is an increase to the stormwater fees to begin to repay the general fund balance reserves, the \$2.4-million that it has loaned to the stormwater fund and to finally capture the administrative fees.

**Mayor** asked the Town Attorney if the Council has the authority to raise the fee?

**Town Attorney** said yes they could, as long as it is done based on a study.

Steve stated that it includes both the capital improvements to the stormwater system, treating the stormwater system.

**Mayor** asked when did the town start it?

**Maria Camacho** advised that it started in 1986.

**Town Manager** stated that the Town is not asking residents to pay for all of the revenues needed to support it, but at least some of the revenues to regrow the town's general fund reserves by repaying the \$2.4-million that was loaned to the stormwater.

**Councilmember Rojas** stated that if the Town could do something to reduce people's water bills that might incentivize residents to want to pay a greater fee.

But the **Town Manager** stated that letters are continuously sent to the City of North Miami Beach, but that is out of the Town's control. The Town has no problem continuing to offset the cost of the stormwater fund with Town dollars, but there comes a point where the Town's ad valorem dollars are stretched as far as they can be stretched. And

the Town's liabilities are not decreasing, they're increasing. The Town will do everything possible to keep the Town's combined millage rate at an 8.5 mills.

**Town Attorney** stated that a stormwater operation should be run off of stormwater fees. The Town's fees are very low considering the amount of stormwater operations the Town undertakes.

**Councilmember Bernstein** asked if the Town would put this information in the newsletter? Town Manager stated that the Town would. He also asked if the Town could describe in greater detail what the money would be used for.

Councilmember Bernstein asked if the June meeting could be moved. Meeting staying on June 18<sup>th</sup> until Councilmember Bernstein confirms that he can be back by June 24<sup>th</sup>.

#### **Q. ADJOURNMENT:**

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A motion to adjourn the Council Meeting was made by Councilmember Rojas, seconded by Councilmember Bernstein.

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

*Lissette Perez*

Lissette Perez  
Town Clerk