



## **TOWN OF GOLDEN BEACH**

One Golden Beach Drive  
Golden Beach, FL 33160

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### **Official Minutes for the November 16, 2010 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 7:04 p.m.

#### **B. ROLL CALL**

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Bernard Einstein, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein (came in at 7:06 p.m.)

**Councilmember's Not Present:** Councilmember Amy Rojas

**Staff Present:** Town Manager Alexander Diaz, Interim Town Clerk Lissette Perez, Police Chief Jim Skinner, Town Attorney Brett Schneider, Support Service Clerk Cynthia Garcia

#### **C. PLEDGE ALLEGIANCE**

The Mayor asked Vice Mayor Einstein to lead the Pledge of Allegiance

#### **D. PRESENTATIONS / TOWN PROCLAMATIONS**

None

#### **E. MOTION TO SET THE AGENDA**

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

The Town Manager requested that a discussion item be added to the end of the agenda regarding The Strand and Golden Beach Drive.

Consensus vote. 3 Ayes and 0 Nays. The motion passed.

#### **F. TOWN BOARD/COMMITTEE REPORTS**

Beach Committee - None  
Beautification Committee - None  
Comprehensive Planning Board- None

Recreation Committee- None  
Security/Public Safety Committee- None  
Youth Leadership Group- None

## **G. GOOD AND WELFARE**

**Sydell Herrick (625 Ocean Boulevard)** – asked that the lion that spouts water on the medians at the northern-most and southern-most ends of town have lights placed on them or near them so that they stand out. Also wanted to thank the police department for coming back on the beach and checking on the residents.

## **H. MAYOR’S REPORT**

Apologized to the residents for the anonymous letter that was sent out to them. He spoke on the Halloween event and what a phenomenal event it was. The venue being North Park, with a ribbon cutting ceremony and he heard a tremendous amount of positive comments regarding the party and the park. Thanked staff and the recreation committee for putting the party together.

He spoke on Veteran’s Day, commending Councilwoman Lusskin for putting it together. Wanted to wish everyone a safe and happy thanksgiving and a happy hannukah.

He also mentioned that yesterday the town was given a double “a” rating from Moody’s Investors for the Town’s general obligation bond. The Town has over \$7.2-million in reserves and this rating is a tremendous accomplishment. He commended the town staff, town manager and the council for doing a great job.

## **I. COUNCIL COMMENTS**

### **Vice Mayor Einstein**

Commented that at The Strand the traffic needs to be directed a bit better with the make shift lanes at night. He wished everyone a happy thanksgiving and happy holidays.

### **Councilmember Bernstein**

Commended the Town on the Halloween party stating that this was the best Halloween party the Town has had in years, and that the venue was great and the event should be held at that location in the future. Spoke on the alternatives for the sod that is in place in North Park right now that the council is looking into. Commented on Veteran’s Day and although he couldn’t attend he heard that it was a great event. Commented that with all the commercial things that are going on, the Town is in a very positive light.

### **Councilmember Lusskin**

None

### **Councilmember Rojas**

Absent

## **J. TOWN MANAGER REPORT**

He thanked Councilmember Lusskin for working on the Veteran's Day Event, although he could not attend. He acknowledged town employee Cynthia Garcia who is present at her last council meeting, and he commended her on all of her accomplishments and all that she does for the Town, working all of the Town's events including inaugurating the Youth summer camps the Town has had for the last two years and the movie nights.

He also commented on the Moody's bond rating and the great honor this is for the Town. The Town has secured a substantial savings in its operating budget to carry into next year's operating budget, with a reserve balance at 115% which is unheard of for a community in the State of Florida.

North Park is at substantial completion, he invited residents to visit North Park if they haven't already done so. Some tweaking is still left to do but the park was delivered under budget and ahead of schedule. Town is still waiting on delivery of the furniture at a more competitive price point than expected. He asked the Council that at either the January or February meeting, they look at rules governing North Park and the use of the gazebo.

Annuals planting has begun on A1A. Today all of the old annuals were ripped out, and beginning on Monday residents will see the landscaping at the substation begin. Improvements have been made to the landscaping at the beach pavilion and improvements will be made beginning next week at the substation with alternative turf that if successful will be used throughout the Town.

The Town Manager also spoke on the first ad the Town put together, in conjunction with some consultants, to run in Ocean Drive magazine for the month of December and in the ArtBasel special edition of Ocean Drive. The ad will hopefully entice others to take a look at Golden Beach and entice people to become interested in living here and acknowledge what has been accomplished here. The cost to run the ad was \$3,000 to run in both magazines.

## **K. TOWN ATTORNEY REPORT**

None – Brett Schneider sat in for Steve Helfman, and he took this moment to introduce himself.

## **L. CAPITAL IMPROVEMENT PROJECT PROGRESS REPORT & UPDATE**

### **Town Manager spoke.**

Stated that the CIP is comprised of three components: installing all of the major infrastructure, installing the first layer of asphalt on Golden Beach Drive; the area south of Verona, which we used to call Phase 1; and the FPL pulling of the wires and the installation of the final lift of asphalt on Golden Beach Drive. The Town has until December 31<sup>st</sup> to deliver substantial completion and the Town is going to not only meet but exceed that deadline up to Verona.

Balance that is left south of the Strand is the installation of the sod, the mulch, the greenway and the asphalt of the areas south of the south part of North Park to Verona and we will be there by Thanksgiving. We will deliver substantial completion before the December 31<sup>st</sup> deadline. We will not however be able to

close the South Gate and go to two-way traffic because the south end of Town, south of Verona will not be completed as it relates to traffic.

All pump stations are in and the stormwater system is in.

The contractor has begun to demobilize South Park and move all of our staging areas from South Park to the empty lots on A1A. Next we will start to create our punch list items, where we look for sidewalks, curbs, valley gutters that are cracked or not working, areas that have ponding, etc. Punch list items will have to be completed before we do the final lift of asphalt. FPL have already begun surveying the Town and crews have begun pulling their conduit. Atlantic Broadband has begun pulling their wires on A1A, and AT&T has begun installing their switch boxes north of the strand.

We're hoping that after the holidays we'll see more activity from FPL. South of the strand we still need to install the conduit from the back of the right-of-way to the meter boxes, which was an extra added project that the Town was able to add on the residents behalf due to the savings associated with the project.

After the holidays we'll begin South Island with the installation of the stormwater system, the water system and the valley gutters. It won't begin until after the holidays because we don't want South Island to live through what the other islands didn't have to live through during the holidays. Proud to announce that the area south of Verona, formerly known as Phase 1, has all of the stormwater utilities in the ground on Terracina, from Verona to the intersection of Terracina and Golden Beach Drive. We only have the small section in front of Town Hall to complete for delivery of the area South of The Strand.

A1A is complete, and the Town Council authorized the Mayor and Manager to look into resurfacing or seal coating it. Although the Town would have liked to have had that portion complete before Thanksgiving, the Town has run into some hurdles as it relates to FDOT and permitting, that the Town is hoping to resolve and have the project complete before the holidays.

The Strand – this evening the final design of the strand will be discussed. It is the Town's goal to deliver it by Thanksgiving, which will depend on where the Town goes tonight in terms of the look that the Town is aspiring to.

The CIP project which was forecasted to take 36 months will have been completed in 24 in terms of construction, which the Town is very happy about.

Vice Mayor Einstein asked when the final lift of asphalt would be in. The Manager stated that it all depends on how quickly FPL can do their work. He stated that until they remove their poles, the final lift will not go in, which will probably be another six to eight months for North of The Strand.

As it relates to the CIP project, the Town is financially in very good standing and will have a surplus as it relates to the Golden Beach Drive portion of it.

The parkways have their final lifts in because when the additional work was added there were a lot of elevation issues and rather than deal with ponding the final lift was put in.

**M. ORDINANCES – SECOND READING**

None

**N. ORDINANCES - FIRST READING**

None

**O. QUASI JUDICIAL RESOLUTIONS**

None

**P. CONSENT AGENDA**

- 1. Minutes of October 19, 2010 Regular Town Council Meeting**
- 2. A Resolution of the Town Council Establishing Procedures for Conducting Employee Appeal Hearings Before the Town's Personnel Board**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ESTABLISHING PROCEDURES FOR CONDUCTING EMPLOYEE APPEAL HEARINGS BEFORE THE TOWN'S PERSONNEL BOARD PURSUANT TO SECTION 3.04 OF THE TOWN CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2141.10

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2141.10

- 3. A Resolution of the Town Council Authorizing the Use of the Funds from the Town's Law Enforcement Trust Fund to Fund Additional Expenses for K-9 Jessy, Weapons Locker, and Equipment for Radio Recording Installation Device**

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 FUND ADDITIONAL EXPENSES FOR K-9 JESSY, WEAPONS LOCKER, AND EQUIPMENT FOR RADIO RECORDING INSTALLATION DEVICE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3

Resolution No. 2142.10

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2142.10

**4. A Resolution of the Town Council Authorizing and Approving a Proposal With Landscape Associates, Inc. for the Purchase and Installation of Landscape/Plant Material.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL WITH LANDSCAPE ASSOCIATES, INC. FOR THE PURCHASE AND INSTALLATION OF LANDSCAPE/PLANT MATERIAL; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2143.10

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2143.10

**5. A Resolution of the Town Council Authorizing and Approving a Proposal with Tasco Electric Contractors, Inc. for the Purchase and Installation of Electrical and Lighting Equipment.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL WITH TASCO ELECTRIC CONTRACTORS, INC. FOR THE PURCHASE AND INSTALLATION OF ELECTRICAL AND LIGHTING EQUIPMENT; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2144.10

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2144.10

Consensus vote was 4 Ayes and 0 Nays. The motion passed 4-0.

The Town Manager commented on Item #3, stating that all of the calls that go to the police substation and all of our radio calls are being recorded and he wanted to thank Chief Skinner on accomplishing this.

The Town Manager also commented on Item #4, highlighting what the Administration has done to save money to the Town. The Town brought to the Council a new vendor that did the landscaping on North Park. The purchasing of coconut trees for the North Park project was approximately \$800 per tree cheaper than the trees that we were buying for the CIP project. With agreement from the Mayor, we made the administrative decision to substitute contractors from the CIP contract to the new contractors and we were able to save \$118-thousand to the CIP budget, which is very significant.

## **Q. TOWN RESOLUTIONS**

### **6. A Resolution of the Town Council Providing for Ratification of the Collective Bargaining Agreement Between the Town and the Florida State Lodge, Fraternal Order of Police.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ("TOWN"), PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE; AUTHORIZING THE TOWN MAYOR TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE TOWN; PROVIDING FOR IMPLEMENTATION OF THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2145.10

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2145.10

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

The Town Manager explained that the Town tried to negotiate another three year contract, but because of the uncertainty of the assessed values of the Town in the coming year and because of the demands of the union, the Administration found it to be in the best interest financially of the Town responsible to hold off on a three – year contract and negotiate a one-year contract. This contract calls for a salary freeze of all police officers for one year, and reduces longevity incentives by half. The contract does bring a one year savings to the Town for the operating budget of the police department. None of the provisions or the verbage of the existing contract have changed, it all remains the same.

The Mayor commended the Town Manager for his hard-work on putting the contract together.

On roll call, the following vote ensued:

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

The motion passed 4-0.

## **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:  
None Requested

Councilmember Kenneth Bernstein:  
None Requested

Town Manager Alexander Diaz

Stated that six months before any major city went paperless with an ipad agenda, Golden Beach was doing it.

Also spoke on The Strand re-landscaping project. Originally at The Strand what was called for was the installation of medjools and the grass underneath it and it was just going to be the medjool entrance. The Strand originally had a lot of dollars invested in it for the project prior to 2007. The 2006 plan had \$300-thousand set aside for The Strand, but the Town didn't have the money so we took it out. In the re-doing of the Strand, the Town just called for medjools to be brought in. There are a couple of technical things that make the Town want to look at The Strand again. There's a lot of brackish water on the north side of The Strand and there is a concern about the sustainability of the medjools in that brackish water, and the vendor won't guarantee the medjools because of the brackish water and because its not a native tree. We wanted to take some of the original plants on the east side of the Strand, instead of just a row of medjools, make it look more glamorous. In the conceptual designs that are presented the landscaping on the east and the west is balanced and a buffer is created for the northeast and northwest sides of the Strand. The designs propose to mirror what the Town has on the east side of the Strand, with the



royals, 5-foot hedges, sylvesters and two lower ground covering annual plants on the northwest and southwest side. The Town is required by FDOT to keep the four corridors.

This will give the Town a more grand feel and will be more cost effective to do. Mayor stated that he is good with the proposal as long as the lighting is a main focal point. The Vice Mayor spoke on the conduits asking if the Town has plain conduit that runs. Pavers will be done by Thanksgiving. Town will not take delivery of the sylvesters until after.

East side of the Strand will not be able to be completed until the power lines are removed. Landscapers have suggested that the Town either go with the Bermuda grass or synthetic to give it a cleaner look year-round.

The Town Manager asked for verbal authorization to award Landscape Associates, Inc. with the work proposed at the four corners of The Strand at Golden Beach Drive, as he recommends that it is impractical to competitively bid the work since Landscape Associates, Inc. is already a vendor of the CIP. He also requested that he be allowed to secure a lighting contractor for the uplighting (which was the Mayor and Council's main concern). He stated that the total project would not exceed \$71,200 for landscaping and the uplighting would fall under the threshold of his spending authority.

Consensus vote acknowledging agreement of the plan. 4 Ayes 0 Nays. Motion passed.

The Town Manager also requested December meeting be moved from December 21 to Dec. 14 at 7 p.m.

Consensus vote to change the December meeting. 4 Ayes 0 Nays. Motion passed.

## **S. ADJOURNMENT:**

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

Consensus vote 4 Ayes 0 Nays. Motion passed.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

*Lisette Perez*

Lisette Perez  
Interim Town Clerk