



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the October 15, 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 7:04 p.m.

### B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Amy Isackson-Rojas, Councilmember Kenneth Bernstein (arrived just before Good and Welfare), Councilmember Bernard Einstein

**Staff Present:** Town Manager Alexander Diaz, Town Clerk Lissette Perez, Assistant Police Chief George Cadavid, Finance Director Maria D. Camacho, Town Attorney Steve Helfman

### C. PLEDGE OF ALLEGIANCE

Assistant Chief of Police led 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

Town Manager asked to add Resolution 2230.13 to the agenda.

A motion to add Resolution 2230.13 to the agenda was made by Councilmember Einstein, seconded by Vice Mayor Lusskin.

Consensus vote 4 Ayes 0 Nays. Resolution 2230.13 was added to the agenda, as a consent item.

### F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee  
Beautification Committee  
Comprehensive Planning Board

Recreation Committee  
Security/Public Safety Committee  
Youth Leadership Committee

## **G. GOOD AND WELFARE**

\*\*\*Councilmember Bernstein arrived as this time in the meeting.\*\*\*

### **Sheryl Weitman and Melanie Weinstein with the State of Israel Bonds**

Gave a brief presentation on the State of Israel Bonds, and asked the Town Council to consider investing in Isreal Bonds as part of the Town's fixed rate portion of its portfolio.

**Town Manager** recommended that if the Town Council will authorize it, the organization could run one free one-page ad in the Town's newsletter, to make the residents aware that the bonds are offered in South Florida.

### **Johanna Dayan, 237 Golden Beach Drive**

Spoke about a violation she received pertaining to a fixed basketball hoop structure in front of her property that violates the Town's code. **Town Manager** advised that the Town's code does allow for recreational facilities, but does not allow for a basketball hoop to be affixed to the property. **Town Manager** recommended that this item be added as a discussion item in the November meeting agenda, since this has been an ongoing issue that has arisen in the Town. He stated that in the meantime the Town would be tolling her violation, since she had come in to appeal it. She also stated that there are no light posts near her house. It is pitch black in front of her home.

### **Resident Neil Leff, 48 Terracina Avenue**

Submitted a letter for Town Clerk to read into the record. **Town Manager** requested permission to respond to this letter. He stated that the Town has five (5) pedestrian access points with cameras monitoring who is entering and exiting them. In response to Mr. Leff's statement that there is an excessive use of the Town's facilities by non-town residents, he stated that he does not believe that the tennis courts are being excessively used by non-residents. The basketball courts are where the Town has seen an increase in activity. **Councilmember Bernard Einstein** asked to put all of Mr. Leff's issues as a discussion item in the November meeting.

## **H. MAYOR'S REPORT**

Has directed the Town Attorney Steve Helfman to review the variance process for the next council meeting, and he will bring some suggestions in at the next council meeting.

## **I. COUNCIL COMMENTS**

### **Councilmember Einstein**

None

### **Vice Mayor Luskin**

In regards to the Building Regulatory Advisory Board, she advising that she attended a meeting recently. Two items came up, one of them being the elevators on the rooftop terraces. The BRAB wants to revisit it in the code to possibly make some changes.

**Mayor Singer** advised that he would direct the Town Manager to have the BRAB come up with possible suggestions at their next meeting for the Council to discuss at the November council meeting. She also stated that after a 40-million plus CIP project that

is finishing, she feels that the Town needs a better comprehensive plan in place to take care of the Town. Also stated that the pink lights for breast cancer awareness month are beautiful, but every fourth tree is white or black. **Town Manager** advised that it will be addressed and fixed.

### **Councilmember Rojas**

Stated that she was sitting at the Strand watching the boats go by, and noticed that the grass and drains are soggy and wet, and the flap valves look like they are covered in barnacles.

### **Councilmember Bernstein**

Commented on what Mrs. Dayan said during Good and Welfare, stating that it should be revisited and that he has never understood that rule. Feels that the Council should have some type of a workshop on the variance process with the BRAB try to find a more objective basis of variance review by the board, so that from meeting to meeting they vote the same. In addition, he added that he invited Michael Boucher to come to the meeting to provide his technical expertise in the area pertaining to the beach pavilion renovations.

## **J. TOWN MANAGER REPORT**

Thanked Vice Mayor Lusskin for bringing the light situation on A1A to his attention. Mentioned that Chief Delucca is not present because it is his birthday this evening. Congratulated Asst. Chief Cadavid, who is present in the Chief's stead, for his recent promotion to that position. Reminded Council about the Chief's election for Vice President of the International Association of Chiefs of Police organization coming up in a week, and wished him luck. Mentioned that all of the hedging will be redesigned and re-landscaped at the area of The Strand within the next few weeks. Administration did meet with FDOT two weeks ago, as it relates to the quality of work on A1A, and the Administration continues to work with FDOT to improve the quality of work that is being provided.

## **K. TOWN ATTORNEY REPORT**

None

## **L. ORDINANCES – SECOND READING**

### **1. An Ordinance of the Town Council Amending Chapter 66, Zoning; Article III, District Regulations.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, "ZONING"; ARTICLE I "IN GENERAL" AND ARTICLE III "DISTRICT REGULATIONS", TO PROVIDE FOR AMENDED DEFINITIONS, AND TO CLARIFY PERMITTED AND PROHIBITED USES IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 556.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 556.13

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

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 Attorney** stated that this item was presented to the Council at the last meeting and continued to this meeting, to address the language regarding the issue of fundraising. The ordinance now has a section that specifically addresses fundraising.

#### **M. ORDINANCES - FIRST READING**

None

#### **N. QUASI JUDICIAL RESOLUTIONS**

None

#### **O. CONSENT AGENDA**

- 2. Minutes of the September 18<sup>th</sup>, 2013 First Budget Hearing & Special Town Council Meeting**
- 3. Minutes of the September 18<sup>th</sup>, 2013 Local Planning Agency Hearing**
- 4. A Resolution of the Town Council Authorizing the Use of LETF Monies to Provide for Law Enforcement Training.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND ("LETF") MONIES TO PROVIDE FOR LAW ENFORCEMENT TRAINING, TRAVEL AND TRANSPORTATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2328.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2328.13

**5. A Resolution of the Town Council Authorizing the Renewal of the Amended and Restated Agreement with Waste Services of Florida, Inc.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A RENEWAL OF THE AMENDED AND RESTATED AGREEMENT WITH WASTE SERVICES OF FLORIDA, INC.; PROVIDING FOR RECITALS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2329.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2329.13

**6. A Resolution of the Town Council Commemorating the 50<sup>th</sup> Anniversary of the Vietnam War, Supporting the November 8, 2013 Parade Sponsored by Miami-Dade County.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, COMMEMORATING THE 50<sup>th</sup> ANNIVERSARY OF THE VIETNAM WAR; EXPRESSING SUPPORT FOR THE NOVEMBER 8, 2013 PARADE SPONSORED BY THE MIAMI-DADE COUNTY MILITARY AFFAIRS BOARD WELCOMING HOME AND REMEMBERING VIETNAM VETERANS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2330.13

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2330.13

Motion to approve was made by Councilmember Rojas, seconded by Vice Mayor Lusskin.

Consensus vote 5 Ayes 0 Nays. Items O2-O6 pass.

## P. TOWN RESOLUTIONS

None

## Q. WORKSHOP

Beach Pavilion & Beach Area

Renovations, Additions, and Improvements (Presented by Kathy O'Leary & Paul Abbott)

**Town Manager** began the discussion, stating that he has been working closely for the last few months with Councilmember Bernstein about improving the beach pavilion and beach area of the Town. There is an issue as it relates to the rules and regulations and the usage of the Town's facilities. The facilities right now offer very basic services. How can we enhance the aesthetic value of our beach pavilion area to make it more enjoyable for our residents and make it feel grander.

**Councilmember Bernstein** stated that the Manager and he have struggled with coming up with the design of the amenities, such as whether the Town Council wants to design it for individual guests or for big parties.

**Mayor Singer** stated that we have to remember that we are a community. The beach pavilion is not designed for parties; it is designed for the residents per the Town's charter.

**Town Manager** stated that the problem is that when a resident reserves the beach pavilion for parties, and they have inflatables, they do not allow other non-invited residents and their families to use the amenities. These parties also generate a lot of noise that are burdensome to residents who are trying to enjoy the beach facilities.

**Mayor Singer** stated that the Town Manager brings up a good point, because the beach pavilion rules and regulations do not address having inflatables at the beach and perhaps that is something that should be looked at.

**Councilmember Bernstein** stated that Golden Beach is a luxury community, and when you look at the luxury communities around we have nothing compared to them. If the beach pavilion and area is made nicer, more residents might use it.

**Vice Mayor Lusskin** stated that while she agrees with Councilmember Bernstein, Golden Beach is not a hotel.

**Carlos Somoza**, on behalf of Kathy O'Leary from O'Leary Richards Design Associates Inc., spoke on the concept behind the design of the space.

**Town Manager** stated that this concept is not an all or nothing proposal. Per the Council's direction, changes can be made to this concept. The only pressing matter is the issue of the furniture at the pavilion. The current furniture at the pavilion is limited, and the Town would like to prepare properly for the onslaught of residents who back to Golden Beach during the winter months.

**Mayor Singer** asked what the largest ticket items for landscaping are? **Carlos Somoza** advised that there are approximately 30 coconut palms and the lawn area is being raised.

**Michael Boucher** of the Boucher Brothers, who was asked to be present at the meeting by Councilmember Bernstein, opined stating that a grassy area adds to the beach scenery and people really enjoy it.

**Town Manager** stated that the Town has been looking at putting synthetic turf in.

**Councilmember Bernstein** stated that the one general concern he has is that the Town has very limited beach space, and this will take some of the beach space away.

**Town Manager** stated that the Town is not proposing to push anything further than what the existing landscape line is. The width of the beach will still be the width of the beach, not proposing to take away from that area.

**Mayor Singer** directed staff to get a proposal for grass, landscaping on north and south side and keep the rest clean and simple with the layout, per the feedback all of the councilmembers provided. Keep it simple and down the road, the Town can always add to it later if it decides to.

**Carlos Somoza** stated that in his opinion that the purpose of some of the pockets of landscaping is for aesthetics, to be able to screen out the beach background when events are going on at the beach pavilion.

**Councilmember Einstein** stated that the events at the beach pavilion are secondary uses; the use of the beach is the primary concern.

**Town Manager** also mentioned that the use of the kayak stands is an issue that needs to be discussed during rules and regulations.

**Town Manager** addressed the furniture at the pavilion, and asked **Michael Boucher** to speak on his recommendations for furniture on the beach.

**Mr. Boucher** spoke a little about his professional background and the services his company provides to the hotels in this area. He stated that there are many different options that the Town can look in to. The most important thing is that the Town does keep it simple. Feels that the Town's biggest asset and biggest amenity is the beach, and there is a lot that can be done with it.

**Town Manager** stated that the Administration has looked at possibly hiring the Boucher Brothers to help manage the beach, but the costs to have them provide this service would be a lot more than what the Town currently spends on beach staff.

**Mr. Boucher** stated that what he thinks his company could do for the Town is that he can set the beach up one afternoon and show the Council what they can do for the Town, and then the decision could be made.

**Town Manager** stated that he would coordinate with Mr. Boucher, Paul Abbott and Kathy O’Leary.

Beach Pavilion Rules & Regulations  
(Presented by Town Manager Diaz)

**Mayor Singer** read through each one of the rules and regulations for suggestions for changes.

**Councilmember Bernstein** stated that when people have parties with a large number of people at the beach, maybe the hours of the use of the pavilion for parties can be changed so that they don’t take place during a busier time in the day.

**Town Manager** suggested the Council consider adding a fee for parties, aside from the \$50 application fee, for usage. **Mayor Singer** suggested there be a \$200 flat rate non-refundable usage fee for use of the beach pavilion. The Council agreed.

**Councilmember Bernstein** requested to add a stipulation that people using the pavilion get some kind of insurance to allow other children on the beach to use their rented equipment too.

**Mayor Singer** stated that he feels that there should not be any equipment or inflatable rides/equipment at the beach. The Council concurred. **Town Manager** asked that the Council authorize that no livestock be allowed on the beach either. The Council concurred.

Steve Helfman stated that the Town could

## **R. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None Requested

Vice Mayor Judy Lusskin:  
None Requested

Councilmember Amy Isackson-Rojas:  
None Requested

Councilmember Kenneth Bernstein:  
None Requested

Councilmember Bernard Einstein:  
None Requested

Town Manager Alexander Diaz

- Stated that the December meeting will be cancelled.
- Building Director Linda Epperson will be acting Town Manager while he is away.

## **S. ADJOURNMENT:**



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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 9:34 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk