



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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**Official Minutes for the September 24, 2015  
Final Budget Hearing & Special Town Council Meeting called for 6:00 P.M.**

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### A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:06 p.m.

### B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein (*arrived during Item D*), Councilmember Bernard Einstein

**Councilmember's Not Present:** Vice Mayor Amy Isackson-Rojas

**Staff Present:** Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Steve Helfman, Assistant Chief of Police Rudy Herbello, Finance Director Maria D. Camacho, Building Official Daniel Nieda

### C. PLEDGE OF ALLEGIANCE

Asst. Chief Herbello led the pledge of allegiance

### D. ADOPTION OF FINAL MILLAGE AND FINAL BUDGET FOR FISCAL YEAR 2015/2016 (TIME CERTAIN ITEM)

#### 1. A Resolution of the Town Council Adopting the Final Millage Rate for the Fiscal Year Commencing October 1, 2015 through September 30, 2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ADOPTING THE FINAL MILLAGE RATE OF THE TOWN OF GOLDEN BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Resolution No. 2428.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2428.15

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

On roll call, the following vote ensued:

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

The motion passed.

**Attorney Helfman** read the millage rate information into the record officially.

**2. A Resolution of the Town Council Adopting the Final Budgets for the Fiscal Year Commencing October 1, 2015 through September 30, 2016**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE FINAL BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2429.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2429.15

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

On roll call, the following vote ensued:

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

The motion passed.

**Attorney Helfman** stated that both items would be spoken on at the same time.

A motion to approve the discussion of Items D1 and D2 was made by Councilmember Lusskin, seconded by Councilmember Einstein.

**Resident Neil Leff, 88 Terracina Avenue** inquired on the item about the health insurance for the council members.

**Town Manager Diaz** stated that insurance has been provided for them for quite some time.

**Mr. Leff** asked about the non-ad valorem taxes and why does the Town have an enterprise fund for the stormwater fund.

**Town Manager Diaz** stated that most public utilities are run as enterprises and the enterprise has to be able to cover all of its liabilities.

**Mr. Leff** asked if the Town can't take that money out of ad valorem tax and pay through the general fund.

**Town Manager Diaz** said it would not be in the Town's best interest to close that enterprise because it has liabilities that the Town would have to fund.

**Mr. Leff** asked about the utility taxes residents have to pay.

**Town Manager Diaz** stated that those are set up by the state, and the franchise agreement that was set up by the Council with FPL is in line with every other municipalities in the area.

**Attorney Helfman** stated that it is just like any fee, they are being granted a franchise right to operate in the Town. It has nothing to do with your ad valorem taxes. The Town can get rid of that fee and increase residents taxes.

**Mr. Leff** asked why doesn't the Town eliminate the fee and increase the millage rate so that it is paid through taxes and it becomes tax deductible for residents.

**Mayor Singer** stated that it doesn't make economic sense and the Town has a franchise agreement to begin with, and it can't break it.

**Mr. Leff** asked about the \$200,000 administrative charge in the stormwater utility fund that goes back to the general fund.

**Town Manager Diaz** stated that that administrative fee is an allocation for the costs of the Town to administer the fund.

**Mr. Leff** asked for a copy of the costs of the \$200,000.

**Mayor Singer** requested a roll call on Items D1 and D2 at this time.

## **E. PRESENTATIONS / TOWN PROCLAMATIONS**

OATH OF OFFICE – PART-TIME OFFICER ELIZABETH FERNANDEZ

\*\*\*\* Also presented an award to Asst. Chief Herbello

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

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

Requested to add Resolution 2432.15 to the agenda for pavers at North Park

## **G. GOOD AND WELFARE**

None

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

Stated that the gate arms have been installed, urged residents to fill out the registration form if they have not already. Wished a happy new year to the Town's jewish residents and congratulated staff on the good work on the budget.

## **I. COUNCIL COMMENTS**

### **Councilmember Einstein**

Offered condolences for the passing of the Mayor's mother.

Also mentioned that he attended the food truck event and it was great.

### **Councilmember Lusskin**

Thanked the Administration for the cleaning of the garbage cans.

Also extended sentiments for the passing of the Mayor's mother.

### **Councilmember Bernstein**

\*\*\*\* *Stepped out at this time – did not have an opportunity to speak.*

## **J. TOWN MANAGER REPORT**

Thanked the council for his evaluation and their continued confidence in his Administration and looks forward to serving them in this coming year.

## **K. TOWN ATTORNEY REPORT**

None

## **L. ORDINANCES – SECOND READING**

### **3. An Ordinance of the Town Council Amending Chapter 26 “Solid Waste” of the Town’s Code of Ordinances.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 26, “SOLID WASTE,” ARTICLE II, SECTION 26-35 “ILLEGAL DISPOSAL OF GARBAGE,” BY ESTABLISHING AND SETTING PENALTIES FOR VIOLATIONS PURSUANT TO RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Ordinance No. 565.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 565.15

A motion to approve was made by Councilmember Luskin, seconded by Councilmember Einstein.

On roll call, the following vote ensued:

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

The motion passed.

**Town Manager** stated that this allows the Town to set the disposal fee for the dumpster by resolution instead of ordinance.

**4. An Ordinance of the Town Council Amending Chapter 30 “Streets, Sidewalks and Certain Other Public Places” of the Town’s Code of Ordinances.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 30, “STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES” OF THE TOWN’S CODE OF ORDINANCES TO CREATE A NEW ARTICLE III, ENTITLED “SECURED ACCESS;” PROVIDING FOR REQUIREMENTS GOVERNING VEHICULAR ACCESS TO THE TOWN; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Ordinance No. 566.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 566.15

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

On roll call, the following vote ensued:

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

Councilmember Bernstein

Nay

The motion passed.

**Town Manager** stated that this ordinance allows the Town to issue a code violation for any resident using the guest lane of \$150.

**Councilmember Einstein** stated that he understands the need of the ordinance but he wants to be sensitive to it.

**Town Manager** stated that this ordinance is for blatant users of the guest lane.

**Councilmember Einstein** asked if the town would legally be subjected to any constitutional challenges.

**Attorney Helfman** stated no that it is just a regulation of traffic flow, not a constitutional right to use the road.

**Town Manager** stated that the Administration is having a hard time collecting the forms, so they will start going door to door.

**Councilmember Bernstein** asked why does the Town have to have such strong language in the ordinance.

**Town Manager** stated that there needs to be some form of enforcement to get residents to register their vehicles.

**Attorney Helfman** stated that this works very well for Indian Creek.

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

None

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

None

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

None

#### **P. TOWN RESOLUTIONS**

##### **5. A Resolution of the Town Council Reauthorizing the Town's Schedule of Building Permit and Processing Fees**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND

PROCESSING FEES; PROVIDING FOR IMPLEMENTATION;  
AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2430.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2430.15

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

On roll call, the following vote ensued:

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

The motion passed.

**Town Manager** went over the fees that are increasing.

**Council** requested that the variance request fee be changed to \$750.

**Mayor Singer** stated that the minimum cost for all new construction should be \$350.

**6. A Resolution of the Town Council Approving Amendment #2 to the 2014-2015 Fiscal Year Operating Budget for the Purposes of Awarding Employee Bonuses and Amending the Originally Adopted Budget.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #2 TO THE 2014-2015 FISCAL YEAR OPERATING BUDGET FOR THE PURPOSES OF AWARDING EMPLOYEE BONUSES AND AMENDING THE ORIGINALLY ADOPTED BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2431.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2431.15

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

On roll call, the following vote ensued:

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

The motion passed.

**7. A Resolution of the Town Council Approving a Proposal with Bejar Construction, Inc. for Parking Lot Pavers.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL WITH BEJAR CONSTRUCTION, INC. FOR THE INSTALLATION OF PARKING LOT PAVERS AT NORTH PARK; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 2432.15

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2432.15

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

On roll call, the following vote ensued:

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

The motion passed.

**Q. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None Requested

Vice Mayor Amy Isackson-Rojas:  
None Requested

Councilmember Bernard Einstein:  
None Requested



Councilmember Kenneth Bernstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Town Manager Alexander Diaz  
None Requested

**Town Manager** stated that the next scheduled Council meeting is scheduled for October 20<sup>th</sup>, 2015 at 7 p.m.

**Town Manager** also stated that the Halloween event will be held on Saturday, October 31<sup>st</sup>.

**R. ADJOURNMENT:**

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:26 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk