



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the June 9, 2015 Special Town Council Meeting called for 6:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:09 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Amy Isackson-Rojas, Councilmember Judy Lusskin, Councilmember Bernard Einstein (*arrived during the Town Manager's report*)

Councilmember's Not Present: Councilmember Kenneth Bernstein

Staff Present: Town Manager Alexander Diaz, Community Development Specialist Michael Glidden (*in for Town Clerk Lissette Perez*), Town Attorney Steve Helfman (*participated via phone*), Assistant Chief of Police Rudy Herbello, Finance Director Maria D. Camacho

C. PLEDGE OF ALLEGIANCE

Assistant Chief of Police Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

EMPLOYEE OF THE FIRST QUARTER

– Municipal Service Worker Alric Stewart recognized

EMPLOYEE OF THE SECOND QUARTER

– Municipal Service Worker Gene Scott recognized

E. MOTION TO SET THE AGENDA

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

Town Manager Diaz wanted to state on record that the agenda that is being used is the official agenda that was sent out by the Clerk on Monday, June 8th, 2015, the revised plan for the variance and the letter of support from the Town's attorney.

F. GOOD AND WELFARE

Community Development Specialist Michael Glidden read a letter into the record from resident Dina Nicolella, 522 North Parkway, pertaining to the variance request.

Community Development Specialist Michael Glidden read a letter into the record from Neil Leff, 48 Terracina Avenue, inquiring when the Terracina Avenue pedestrian gate will be locked.

**** **Community Development Specialist Michael Glidden**, took roll call at this time as it was not done at the beginning of the meeting ****

G. MAYOR'S REPORT

Pedestrian Gates: Stated that the Town is going to lock the pedestrian gates, also in the process of having gates made for all of the other entrances and exits in the side roads.

Police: there has not been no crime activities since the last incidents and the police department is being very proactive. Urged residents to be vigilant and notify the guard house when they are going out of town for extra watches.

Also stated that the Town's 2015 assessed property values came in at \$837,000,000. The highest it's been since 2007. Assessed values went up \$79,000,000 from 2014. Values are moving up nicely for the Golden Beach.

H. COUNCIL COMMENTS

Vice Mayor Rojas

None

Councilmember Lusskin

Stated that when the Town is able to lock the pedestrian gate it is important to arrange for the religious residents in Town to travel to and from the Town during Shabbat.

Also spoke about a resident who reached out to her and has been upset for the last five years about the cat situation in Town, and she feels that the Town has not been sensitive enough to his needs. What disturbs her is the line of communication from the Town's administration. She was under the impression that this was being handled and it wasn't. The Town told her it would be difficult to find a company to remove them, and she was able to find one that will find homes and sanctuaries for these cats. Feels that this is the Town's fault. The Town has allowed residents to go onto other resident's properties and leave food for cats.

Mayor Singer stated that he also sides with the residents, but he needs their cooperation as well with not feeding the feral cats because it is a public nuisance. There is a \$250 fine, and if someone is caught feeding the cats they will be fined. Also, residents don't realize that the cats chase iguanas out of Town if they are not being fed. If residents continue to feed them, then it creates a double issue with iguanas and cats.

I. TOWN MANAGER REPORT

Reminded Council and residents that they will not meet again until the last Tuesday of August. Still actively working on the replacement of the Town's CCTV program. The gates arm system is being worked on and will be replaced soon as well. Have met with vendors for Tweddle Park and looking to replace some equipment. Mayor and him have been meeting with Police Chief candidates and that process will continue throughout the summer.

Regarding the budget the Administration will set the millage high during the summer months, but the goal is to continue to have a combined millage of 8.50 mills or less. Town has asked the iguana company it uses to help trap cats, the public works department has been trapping cats, and the police department issues fines when people are caught feeding them. Asks that all of the residents stop feeding feral cats. They can survive on their own by doing their job of eating rodents and other animals of the sort. Feral cats are not safe; they are not domesticated. They can attack, they can hurt children and spread disease. Also in the future if there is a resident who has a concern, please call the Town Manager's office directly. Never not taken a phone call from a resident.

Councilwoman Lusskin stated that although she understands what the Town Manager is saying and his sincerity, she doesn't feel the Town has been sensitive enough to the residents needs. In regards to the cats being a possible danger, she called Commissioner Sally Heyman's office and she agreed with everything the Town Manager said. Does think that residents should call the Town Manager's Office, but they are there elected officials and if they are relaying the information to the Administration on behalf of the resident that should be enough.

Town Manager Diaz also stated that the locks on the pedestrian gates will not be electrical. They will have a code, so we ask that the residents be sensitive to who they issue those codes out to. Will be adding money in the budget for additional landscaping to add to the gates to camouflage them a bit for added security.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

1. An Ordinance of the Town Council Amending the Town's Comprehensive Plan.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS TO ITS ADOPTED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN TO ADDRESS WATER SUPPLY PLANNING PROVISIONS REQUIRED BY FLORIDA STATUTES; INCLUDING A PROVISION FOR INCLUSION IN THE TOWN'S COMPREHENSIVE PLAN; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 563.15

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 563.15

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

On roll call, the following vote ensued:

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

The motion passed.

Town Planner Michael Miller spoke on the ordinance. The county had some minor comments on the original document regarding climate change provisions. Town does not have a water plant; water is provided from North Miami Beach so this document is pretty straightforward. Recommending the Town adopt it as presented.

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

2. A Resolution of the Town Council Approving A Variance Request for 484 North Parkway.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 484 NORTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT A DOCK TO EXTEND OUT INTO THE WATERWAY AT 12.41', WHERE 6' IS ALLOWED.

Exhibit: Agenda Report No. 2
Resolution No. 2413.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2413.15

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

Town Attorney Helfman swore in all individuals who spoke on the item.

Town Manager stated that the revisions of the plans to this item have not gone before the Building Regulation Advisory Board. The board had a set of plans shown to them

that had the dock protruding out an additional 2 feet. The board unanimously denied that request. From that time the applicant has resubmitted plans showing the dock coming inward 2 feet from what was submitted to the board. Rather than have the applicant go back to the board, the chairman of the board was in agreement with the Town Manager to have the Council hear the item and make a recommendation. However, the Chairman did convey that he felt that the board would still deny it even with these changes.

Building Official Nieda spoke on the item stating that the board unanimously denied. 7 of the conditions for a hardship were met.

Councilmember Einstein inquired about how many lots were being built on.

Mayor Singer explained that this is the middle lot, in between three lots that homes are being built on.

Mayor Singer asked if the applicant is going to install a lift there? A representative for the applicant advised that they are not.

Mr. Cole Haines, representative for the owner spoke on the owner's behalf. Stated that the applicant went back to DERM and DERM stated that the applicant could cut the dock back to a minimum of 8 feet projection. The size of boat that can go there is very small.

Ms. Bebe Viason, with Trident Environmental also spoke stating that from the face of the seawall to the property line it varies. Any time you build a new seawall in Miami-Dade County, DERM requires rip rap to be installed and typically a dock and seawall are installed at the same time so that as to work with DERM to not place the rip rap in the locations where the dock is going to go. The new owner inherited this problem, because the rip rap was already there.

Vice Mayor Rojas asked the Building Official if there is something wrong with the measurements for a dock in the Town's code.

Building Official Nieda stated that the property line is normally somewhere in the middle of the seawall cap, so if you have a 3-foot seawall cap you have 18 inches of projection that you can't use. To be compliant with the code, this applicant can only have a 4-foot dock, which is not usable in this case because there is not sufficient depth. Part of the issue is the way the Town's code is structured.

Mayor Singer stated that he sees two problems. One is for the homeowner, who probably bought the residence to have a boat there. The other issue is to the residents on the east if we allow them with a variance, there variance is going to have to be that plus another foot to navigate out of that waterway.

Mayor Singer stated that the problem they are having is that the waterway is getting narrower and narrower, making it harder and harder for boaters to navigate.

Mr. Haines stated that the largest boat she will be able to put there is about a 21-foot boat.

Mayor Singer asked if the variance isn't approved, can the applicant put a dock there?

Building Official Nieda stated that they would not be able to put a dock there, it would be a viewing platform.

Mayor Singer stated that his personal opinion is that this item should be sent to the board, see what they come up with and then the council can vote.

Building Official Nieda stated that in his opinion this is a true hardship, and sending it back to the board will just make the applicant go back and forth.

Councilmember Lusskin stated that she feels like the Mayor does in receiving an opinion from the board on the revised plans.

Mayor Singer requested a continuation for this item to a date not certain until after is has gone back before the Building Regulation Advisory Board.

Vice Mayor Rojas stated that she agrees with the Building Official in that this lot does have a hardship.

Consensus vote 4 Ayes 0 Nays, for a continuation after the item has gone before the Building Regulation Advisory Board.

N. CONSENT AGENDA

3. Minutes of the May 19, 2015 Regular Town Council Meeting

4. A Resolution of the Town Council Approving the Payment of \$1,500.00 to Fishing with America's Finest.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,500.00 TO FISHING WITH AMERICA'S FINEST; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2414.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2414.15

5. A Resolution of the Town Council Authorizing the Issuance of \$235,730 Capital Improvement Refunding Revenue Note, Series 2015.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING THE ISSUANCE \$235,730 CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE, SERIES

2015 FOR THE PURPOSE OF REFUNDING THE OUTSTANDING TOWN OF GOLDEN BEACH, FLORIDA GRANT ANTICIPATION NOTE, SERIES 2012B; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL AND INTEREST ON SUCH NOTE WITH A COVENANT TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH NOTE; FINDING THE NECESSITY FOR A NEGOTIATED SALE OF THE NOTE AND APPROVING THE SALE OF SAID NOTE TO THE NORTHERN TRUST COMPANY; APPOINTING A REGISTRAR; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING CERTAIN OTHER AGREEMENTS AND COVENANTS IN CONNECTION WITH THE ISSUANCE OF SUCH NOTE; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2415.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2415.15

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

Consensus vote 4 Ayes 0 Nays. Items N3 – N5 pass.

O. TOWN RESOLUTIONS

None

P. 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

Q. ADJOURNMENT:

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:25 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk