



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the April 19, 2016
Regular Town Council Meeting called for 6:30 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:35 p.m.

B. ROLL CALL

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

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

C. PLEDGE OF ALLEGIANCE

Chief of Police Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF POLICE OFFICERS JOSEPH BAUTISTA AND JULIO FERNANDEZ

RECOGNITION OF GRAND MASTER MOTI HORENSTEIN – by Councilmember Judy Lusskin and members of the Golden Beach Youth Leadership Group

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Alene Fishbein, 256 Golden Beach Drive

Congratulated the Town on such a beautiful Council Chambers.

Spoke on the iguana problems she is having in her home. Asked to please have someone come to her house and address the issues she is having with the iguanas.

Also concerned about the flooding in Town. Feels that the Town needs to have a committee headed by someone who has knowledge about this and residents to address the situation.

Judge David Young, Former Miami Judge

Came in front of the Town Council to ask for the Town's support in voting for him for Miami-Dade Circuit Court Judge this election year.

G. MAYOR'S REPORT

The new dog park has almost been completed, a lot larger and comfortable for the pets to move around in. Please pick up after your pets. The tennis courts are still under construction, and it will probably be another 3 weeks before it's completed. Working on the stormwater for Center Island. Town Manager and he met with FPL a few weeks ago and going to work on a street-lighting project with them. In the next 90 days they will be coming up with something to present to the Council.

H. COUNCIL COMMENTS

Vice Mayor Bernstein

The Town looks great.

One area of improvement is the FPL junction boxes. Feels that those could be covered with landscaping around them so that they are not such an eyesore.

Councilmember Rojas

One of her concerns about the dog park was the removal of a bunch of rocks in the park. **Town Manager** advised that those have been removed.

Also spoke on construction sites – stating that police do a good job of citing the construction sites that don't have a fence around them, but so much goes on behind those fences that the Town does not see that they need to find a way to enforce.

Councilmember Lusskin

Wished resident Alene Fishbein a happy birthday.

Also showed the t-shirts that the Golden Beach Youth Leadership Group is selling with proceeds going to Best Buddies.

Thinks the Town needs to put a little more emphasis on what is going on with the residents who have been living here for years next to the construction sites.

Councilmember Einstein

Spoke on a home at The Strand that had some maintenance issues, which has been addressed and looks great.

I. TOWN MANAGER REPORT

Working on improvements to A1A.

As it relates to code enforcement, because of the vacancy in that department there has been a void in enforcement efforts. Announced that the Town will be hiring a new employee, Miguel Diaz, who will be starting on April 25th, 2016. Stated that the Mayor and him did have a meeting with FPL and one of the questions asked was about the transformers and what the Town can do to either remove them or change their orientation. Starting to get numbers from FPL on that to start making some changes. Reminded everyone that May 8th is Mother's Day and the Town will be having its annual potluck luau in the evening, inviting all residents to join the Town.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

- 1. An Ordinance Amending Chapter 24, “Personnel,” Article II, “Retirement,” By Amending the Town of Golden Beach Employees Pension Plan.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 24, “PERSONNEL,” ARTICLE II, “RETIREMENT,” DIVISION 1 “GENERAL EMPLOYEES” BY AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN AT SECTION 24-31 “DEFINITIONS,” SECTION 24-32 “MEMBERSHIP,” SECTION 24-33 “BENEFIT AMOUNTS AND ELIGIBILITY,” SECTION 24-34 “OPTIONAL FORMS OF BENEFITS,” SECTION 24-35 “CONTRIBUTIONS,” AND SECTION 24-36 “ADMINISTRATION”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Resolution No. 569.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 569.16

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

On roll call, the following vote ensued:

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

The motion passed.

Attorney Helfman stated that this ordinance allows for the Town Manager to participate in the Town’s pension plan in the same manner that the Town’s police officers do. It also calls for the Manager to join the plan retroactively. If there is a cost associated with adding him retroactively, it calls for the employee to pay for those costs. Looking at numbers to see the actual fiscal impact on the Town of this ordinance is adopted.

Town Manager Diaz stated that if it is approved on first reading, the Mayor, Town Attorney, the actuarial, and him will sit down and negotiate the terms of the ordinance.

Mayor Singer stated that the Town currently pays for the Town Manager's 401K plan, which the Town will no longer pay for.

Mayor Singer stated that this helps to ensure longevity for the Town Manager to stay, because obviously the longer he vests the better his retirement.

Councilmember Einstein asked if the 401K was something the Town Manager wanted originally, when he was hired.

Town Manager Diaz stated that he joined the 401 program because he wasn't offered the option.

Councilmember Einstein asked under the 401K what was the Town's contribution.

Town Manager stated that his first contract with the Town stated that he contribute 10% of his earnings to his 401K. His second contract reads that he is to contribute 10% or the maximum allowable by IRS rules.

Councilmember Einstein asked what the financial impact in future years this will be for the Town. Also asked if the Manager buys into the program does that also give him 10 years served.

Mayor Singer stated that that is what he is trying to do, to buy back his years. Do not have those numbers now, for second reading they will have those numbers.

Town Manager stated that right now the police officers received 3% of their salary per year, so after 10 years it would be 30%. The longer he stays, the higher his multiplier.

Vice Mayor Bernstein stated that the Manager has done a great job and wants to figure out how to get him the best package possible. Stated that he would be in favor of voting to look at packages and see what the best option for the Town Manager would be.

Attorney Helfman stated that the issue really is the catch-up and the cost for him to catch up. Need to identify what the cost would be for him to get into this plan, and then the Council can decide whether they want to incentivize him to join the plan by participating in that cost.

Town Manager Diaz stated that general employees of the Town are required by ordinance to get automatically enrolled in the Town's pension plan.

Councilmember Einstein asked what the number is going to be to pay for him to be in the pension in the future.

Attorney Helfman stated that the actuarial is going to project out how long they anticipate his employment here, and what the payout is when the person retires.

Councilmember Einstein asked if the Town still has any unfunded liabilities. **Town Manager** stated that yes there is still an unfunded liability, but the number is not as great as it was before. **Councilmember Einstein** also asked how much catching up has the Town had to do to make it whole since 2008.

Manager Diaz stated that the Town will also exploring ways to improve upon the pension plan for the general employees as well. Also explained that since 2007 the Town pays 22% of payroll costs towards the pension to try to pay down the unfunded liability costs of the pension and to keep the pension whole.

Councilmember Einstein stated that his concern is that so many big cities and states have pension problems.

Mayor Singer stated that the Town's pension plan is sound and the Town has auditors that keep on top of it.

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

2. Official Minutes of the March 15, 2016 Regular Town Council Meeting
3. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the Town of Medley.

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

Exhibit: Agenda Report No. 3
Resolution No. 2445.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2445.16

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

Consensus vote 5 Ayes 0 Nays. Items O2 – O3 pass.

Mayor Singer asked the Town Attorney why would the Town have a mutual aid agreement with Medley that's so far away.

Attorney Helfman stated that this is so that if there is a major issue, this would allow for them to help us or us to help them.

P. TOWN RESOLUTIONS

- 4. A Resolution of the Town Council Accepting the General Purpose Financial Statements for Fiscal Year 2014/2015.

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 2014/2015 ENDING SEPTEMBER 30, 2015 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2446.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2446.16

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 Bernstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>

The motion passed.

Manager Diaz stated that this is the 3rd year in a row that the Town has gone without any management concerns. This year's audit shows that the Town had a savings of almost \$500,000. Last year the employees and management team did not spend \$446,000 which was approved by Council to spend. Very positive fund balance of \$4.1 million and have very positive cash on hand. The report does show a positive audit for the 9th year in a row.

Councilmember Einstein asked how many homes came onto the tax roll.

- 5. A Resolution of the Town Council Approving the Proposal from Southeastern Engineering for New Checkmate Valves for Two Outfalls on Center Island.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE

PROPOSAL PROVIDED BY SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR THE INSTALLATION OF NEW CHECKMATE VALVES FOR THE TWO OUTFALLS ON CENTER ISLAND; PROVIDING FOR WAIVER OF BIDDING PROCEDURES; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2447.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2447.16

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that Center Island is the Town's lowest elevation, by two feet. All of the islands are on a gravity system, meaning that there are no pumps to help get the water off of the streets when it rains. It goes through gravity through the two outfalls on the islands. The reason why it floods in Center Island is because of the elevation. This resolution puts in a series of flap valves inside of the system. What this does is that instead of letting the water go out, it shuts the water in so that the intracoastal waters do not come in. This does not stop flooding in Town. It does decrease the amount. This should help alleviate flooding on Center Island, it will not solve the issue of the flooding.

Councilmember Lusskin asked if the Town was replacing anything? **Town Manger** answered no, they are proposing additional infrastructure.

Councilmember Bernstein asked why the Town does not add more pipes to allow for the water to go out.

Manager Diaz stated that this isn't an issue of drainage, more pipes will allow for more water to come in.

Councilmember Einstein stated that when there is a high tide and it rains hard, if the Town has this gate system the Town is still going to have water, however when the tide goes down the water will drain out.

Town Manager stated that this will not stop the Town from having water in the streets.

Councilmember Lusskin asked what happened to the old pipes.

Town Manager stated that the Town abandoned them and sealed them to make them structurally sound.

Councilmember Bernstein stated that what he saw when he moved in to Town was that there were pockets of areas that were flooded more than others. The Town put a pipe in there and it solved a problem of water. Might be worthy of taking a look at some of these houses before hand and put in the system to drain the island faster.

Alene Fishbein, 256 Golden Beach Drive, stated that if the Town doesn't do something people will stop buying and people will stop building. It is a big enough problem that everybody in this Town should be aware of. Invite the Town to hear the engineers talk about it at a workshop.

Councilmember Lusskin stated that after the CIP project the flooding problem in Town has decreased considerably. And when the Town does have a problem it is very, very short-lived.

Tony Rojas, 600 Golden Beach Drive, stated that the only way to resolve this issue is with a force system.

Manager Diaz stated that the system is a maintenance free system, adding another layer of redundancy.

6. A Resolution of the Town Council Establishing Eligibility Criteria for Continuation Health Insurance Benefits for Town Councilmembers and Eligible Dependents under the Town's Group Health Plan.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, ESTABLISHING ELIGIBILITY CRITERIA FOR CONTINUATION HEALTH INSURANCE BENEFITS FOR TOWN COUNCILMEMBERS AND THEIR ELIGIBLE DEPENDENTS UNDER THE TOWN'S GROUP HEALTH INSURANCE PLAN; PROVIDING CONTINUATION HEALTH INSURANCE BENEFITS FOR TOWN COUNCILMEMBERS AND THEIR ELIGIBLE DEPENDENTS UNDER THE TOWN'S PLAN IN THE SAME MANNER AS PROVIDED FOR RETIRED GENERAL EMPLOYEES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO OFFER TOWN COUNCILMEMBERS CONTINUATION HEALTH COVERAGE UNDER THE GROUP HEALTH INSURANCE PLAN; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2448.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2448.16

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

On roll call, the following vote ensued:

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

The motion passed.

Manager Diaz stated that most communities pay their Council for their efforts, and we do not. One of the benefits the Council is provided is insurance coverage. This resolution states that the Councilmember can remain on the Town's health insurance plan in perpetuity, to the councilmember and their eligible dependents at the same right that it is offered to employees, after ten years of service. Similar to what other communities provide, but not as significant.

Councilmember Rojas asked if this is retroactive for previous councilmembers.

Town Manager Diaz stated that it covers the current council moving forward, taking into effect the years already served.

Mayor Singer asked if Councilmember Einstein, Councilmember Lusskin and him could vote since this affects them.

Attorney Helfman stated that they can still vote on the item.

Councilmember Rojas inquired if a councilmember is not in the plan when they retire, do they still have the opportunity to opt in to the plan.

Attorney Helfman stated that if a Councilmember wasn't already in the plan it may not give that employee the opportunity to opt in at a later time, after no longer being on Council, according to state statute.

Attorney Helfman stated that he would provide the Council with the answer, but that should not affect their voting on this item this evening because the Town cannot go above state statute.

**** At this time, State Representative Joe Gellar gave his legislative report ****

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz

Canal Maintenance Update – met with Mr. Rojas and Councilmember Rojas to go over some of the details of the report. Taken every single island and cut them into sections, and gone out and done some depths. Asked for a private third party company to measure the Town's intracoastal depths as it relates to settlement and silt. Based on the data from the Town's engineers, at the center of the canal the Town is seeing 2 feet of settlement on top of the cut rock.

Had the engineers show the Town what the 80-year historical water levels at high tide and low tide have been. This allows the Town to guestimate the amount of silt the Town will have to dredge out in order to start receiving estimates of those costs.

The other thing this study did was allow us to determine if there is any Johnson grass that would prohibit us from doing any type of maintenance, which the Town did not find.

Councilmember Einstein stated that when he looks at the report, it seems that it is all about grass.

Town Manager stated that from a permitting perspective they want to know what are going to be the ecological impacts if the Town performs maintenance.

Town Manager stated that he has also asked the engineers and the firms to start talking to different companies to see how much it will cost the Town to remove the silt. There is an issue of concern with the costs for this type of a project.

Town Manager Diaz stated that it is not the intent of this Council to dig into the ground and take out more rock. There is a series of approaches after the Town goes through the permitting process and determines what they have.

Resident Tony Rojas also commented on the issues he has encountered on his property.

**** **Town Manager** asked to move the May meeting to May 24th, 2016 to have the meeting on the anniversary of the Town's incorporation. Council agreed.

R. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk