

### TOWN OF GOLDEN BEACH

One Golden Beach Drive Golden Beach, FL 33160

Official Agenda for the April 23, 2014 Special Town Council Meeting called for 6:00 P.M.

- A. MEETING CALLED TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. PRESENTATIONS / TOWN PROCLAMATIONS
- E. MOTION TO SET THE AGENDA

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ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/ AND CHANGES TO AGENDA
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- F. GOOD AND WELFARE
- G. MAYOR'S REPORT
- H. COUNCIL COMMENTS
- I. TOWN MANAGER REPORT
- J. TOWN ATTORNEY REPORT
- K. ORDINANCES SECOND READING

None

L. ORDINANCES - FIRST READING

None

#### M. QUASI JUDICIAL RESOLUTIONS

1. A Resolution of the Town Council Approving a Variance Request for the Property Located at 135, 137, 145 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A BUILDING HEIGHT NOT TO EXCEED 32'-2" WHEN THE TOWN'S CODE ALLOWS A MAXIMUM HEIGHT OF 30'.

Exhibit: Agenda Report No. 1 Resolution No. 2343.14

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2343.14

## 2. A Resolution of the Town Council Approving a Variance Request for the Property Located at 135,137,145 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE POOL AND TERRACE DECKS TO BE OFFSET 35' FROM THE BUILDING'S CENTERLINE, WHEN THE TOWN'S CODE REQUIRES THAT THEY NOT EXCEED 50% OF THE WIDTH OF THE BUILDING AND SHALL BE ALIGNED ON THE BUILDING'S CENTERLINE.

Exhibit: Agenda Report No. 2 Resolution No. 2344.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2344.14

## 3. A Resolution of the Town Council Approving a Variance Request for the Property Located at 135,137,145 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A DECK AND SITE ELEVATIONS THROUGHOUT THE PROPERTY TO BE AN ELEVATION NOT TO EXCEED 18' N.G.V.D. WHEN THE TOWN'S CODE ALLOWS A MAXIMUM OF 11' N.G.V.D.

Exhibit: Agenda Report No. 3 Resolution No. 2345.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2345.14

#### N. CONSENT AGENDA

- 4. Official Minutes of the February 18<sup>th</sup>, 2014 Regular Town Council Meeting
- 5. Official Minutes of the March 18<sup>th</sup>, 2014 Local Planning Agency Hearing
- 6. A Resolution of the Town Council Approving a Mutual Aid Agreement between the City of Sweetwater and Golden Beach.

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

Exhibit: Agenda Report No. 6 Resolution No. 2346.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2346.14

7. A Resolution of the Town Council Appointing A Member to the Town of Golden Beach Building Regulation Advisory Board.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING A MEMBER TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7 Resolution No. 2347.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2347.14

#### 8. A Resolution of the Town Council Accepting the General Purpose Financial Statements and Single Audit for Fiscal Year 2012/2013.

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 2012/2013 ENDING SEPTEMBER 30, 2013 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8 Resolution No. 2348.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2348.14

9. A Resolution of the Town Council Authorizing the Administration to Apply for an Award Program through the Florida League of Cities (FLC).

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO APPLY FOR AN AWARD PROGRAM THROUGH THE FLORIDA LEAGUE OF CITIES (FLC); PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9 Resolution No. 2349.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2349.14

10. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund ("LETF") Monies to Pay-Off the Capital Improvement Refunding Revenue Note Series 2012.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND ("LETF") MONIES TO PAY-OFF THE CAPITAL IMPROVEMENT REFUNDING **REVENUE NOTE SERIES 2012 FOR AN ORIGINAL AMOUNT** OF \$559.562.52: APPROVING THE PAYMENT ТО BANK; NORTHERN TRUST PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10 Resolution No. 2350.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2350.14

11. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund ("LETF") Monies to Provide for a New Dive Boat/Marine Patrol Vessel for the Town's Marine Patrol Unit.

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 A NEW DIVE BOAT/MARINE PATROL VESSEL FOR THE TOWN'S MARINE PATROL UNIT; PROVIDING FOR SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11 Resolution No. 2351.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2351.14

## 12. A Resolution of the Town Council Authorizing the Payment of \$1,200.00 to the Women's Breast Health Initiative.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,200.00 TO THE WOMEN'S BREAST HEALTH INITIATIVE FOR THE SEVENTH ANNUAL OPEN THE DOOR EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 12 Resolution No. 2352.14

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2352.14

#### **O. TOWN RESOLUTIONS**

13. A Resolution of the Town Council Authorizing the Town Manager to Allocate up to a Total of \$80,000 from the Capital Budget for the Purchase of Furniture, Landscaping and Other Items.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ALLOCATE UP TO A TOTAL OF EIGHTY THOUSAND DOLLARS (\$80,000) FROM THE CAPITAL BUDGET, FOR THE PURCHASE OF FURNITURE, LANDSCAPING AND OTHER ITEMS LISTED ON EXHIBIT "A" TO THIS RESOLUTION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 13 Resolution No. 2353.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2353.14

## 14. A Resolution of the Town Council Adopting Rules and Regulations for Use of the Beach.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING RULES AND REGULATIONS FOR USE OF THE BEACH; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 14 Resolution No. 2354.14

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2354.14

#### P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer: None Requested

Vice Mayor Bernard Einstein: None Requested

Councilmember Amy Isackson-Rojas: None Requested

Councilmember Kenneth Bernstein: None Requested

Councilmember Judy Lusskin: None Requested

Town Manager Alexander Diaz None Requested

#### Q. ADJOURNMENT:

#### DECORUM:

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COUNCIL SHALL BE BARRED FROM THE COUNCIL CHAMBERS BY THE PRESIDING OFFICER. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACE CARDS SHALL BE ALLOWED IN THE COUNCIL CHAMBERS. PERSONS EXITING THE COUNCIL CHAMBERS SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COUNCIL CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS.

PURSUANT TO FLORIDA STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IF YOU NEED ASSISTANCE TO ATTEND THIS MEETING AND PARTICIPATE, PLEASE CALL THE TOWN MANAGER AT 305-932-0744 EXT 224 AT LEAST 24 HOURS PRIOR TO THE MEETING.

RESIDENTS AND MEMBERS OF THE PUBLIC ARE WELCOMED AND INVITED TO ATTEND.



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

#### MEMORANDUM

Item Number:

1

Date: April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

From: Alexander Diaz, Town Manager

Alexis

Subject: Resolution No. 2343.14 – Variance Request for Ocean Boulevard Vacant Lots a/k/a 135, 137 & 145 Ocean Boulevard, Golden Beach, FL 33160 (Building Height)

#### **Recommendation:**

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2343.14

#### **Background and History:**

Town Code Section 66-69(8): Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots with Frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Residential structures built on Exempted Lots shall not exceed 25 feet in height. All height measurements referenced in this subsection shall be measured from the lowest habitable room finished first floor elevation (excluding garages) to the highest ridge of the roof. The height shall be measured from the lowest habitable finished floor.

The applicant is requesting a building height not to exceed 32'2" when the code requires a maximum height of 30'

The Building Regulation Advisory Board met November 12, 2013 and recommended denial of the variance, the motion failed with a Board vote of 3 - 1 (Fred Chouinard-Aye).

Amir Hayun, 136 Ocean Boulevard, spoke in opposition to this item.

#### Attachments:

- Resolution
- Building Official Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

#### Financial Impact: None

#### TOWN OF GOLDEN BEACH, FLORIDA

#### RESOLUTION NO. 2343.14

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A BUILDING HEIGHT NOT TO EXCEED 32'-2" WHEN THE TOWN'S CODE ALLOWS A MAXIMUM HEIGHT OF 30'.

WHEREAS, the applicants, GBX Oceanfront Estates LLC, ("the applicant"),

filed a Petition for a Variance/exception, ARTICLE III. - DISTRICT REGULATIONS, Section 66-69(8)–Minimum frontage, building square footage and height of residence, to allow the building height to be at 32'2", in lieu of the maximum height allowed of 30', as set by the Town's code, at the property location of three vacant lots a/k/a 135,137 and 145 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "C", N ½ of Lot 7, all of Lots 8, 9, 10 & 11, Block A, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080 (the "Properties") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial of the variance by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

## NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval**. The Petition for Variance to permit each of the requested variances is hereby granted.

**Section 3. Conditions.** The Petition for Exception/Variance as granted is subject to the following conditions:

- Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, Cover Sheet, Item 1 Building Height and those sheets A-1 through A-7, by Add Inc., Jonathan Cardello, Architect, License # AR93391, undated, and the Sketch of Boundary Survey, prepared by Peter De La Rosa P.L.S. Inc., L.N. 3814, dated 06/23/2013, for the vacant lot properties located at Ocean Boulevard., Golden Beach, FL. 33160, a/k/a 135, 137 and 145 Ocean Boulevard, Golden Beach, FI. 33160

<u>Section 4.</u> <u>Implementation.</u> That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately

upon adoption.

#### Sponsored by Administration.

The Motion to adopt the foregoing Resolution was offered by\_\_\_\_\_,

seconded by \_\_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this 23rd day April, 2014

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

#### MEMORANDUM

Item Number:

2

Date: April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

From: Alexander Diaz, Town Manager

Alex B)

Subject: Resolution No. 2344.14 – Variance Request for Ocean Boulevard Vacant Lots a/k/a 135, 137 & 145 Ocean Boulevard, Golden Beach, FL 33160 (Terrace/Pool Deck Location)

#### **Recommendation:**

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2344.14.

#### **Background and History:**

Town Code Section 66-137 (a) (1-3)2 Minimum lot and swale elevations; grades (a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach, subject to the following restrictions:

- Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;
- (2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and
- (3) Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building.

The applicant is requesting that the pool and terrace decks be offset 35' from the building's centerline, in lieu of being aligned on the principal building's centerline.

The Building Regulation Advisory Board met November 12, 2013 and recommended approval of the variance, the motion passed with a Board vote of 3 - 1 (Jerome Hollo-Aye).

Amir Hayun, 136 Ocean Boulevard, spoke in opposition to this item.

#### Attachments:

- > Resolution
- Building Official Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

#### Financial Impact: None

#### TOWN OF GOLDEN BEACH, FLORIDA

#### RESOLUTION NO. 2344.14

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE POOL AND TERRACE DECKS TO BE OFFSET 35' FROM THE BUILDING'S CENTERLINE, WHEN THE TOWN'S CODE REQUIRES THAT THEY NOT EXCEED 50% OF THE WIDTH OF THE BUILDING AND SHALL BE ALIGNED ON THE BUILDING'S CENTERLINE.

WHEREAS, the applicants, GBX Oceanfront Estates LLC, ("the

applicant"), filed a Petition for a Variance/exception, DIVISION 4- SETBACK AND

LOT LINE RESTRICTIONS. Section 66-137 (a) No portion of any house shall be

placed closer to the east rear lot line than behind a line drawn between the

corners of the nearest existing adjacent residences parallel to the beach.

Notwithstanding the foregoing, stairs and/or terraces may be located closer to the

east rear lot line than behind a line drawn between the corners of the nearest

existing adjacent residences parallel to the beach, subject to the following

restrictions:

(1) Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD:

(2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and
(3) Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building. To allow the Terrace and

Page 1 of 4 Resolution No. 2344.14

Pool Deck to be offset 35' from the building's centerline, in lieu of the being aligned on the building's centerline, as set by the Town's code, at the property location of three vacant lots a/k/a 135,137 and 145 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "C", N ½ of Lot 7, all of Lots 8, 9, 10 & 11, Block A, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080 (the "Properties") and ;

**WHEREAS**, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the variance by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

## NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval**. The Petition for Variance to permit each of the requested variances is hereby granted.

**Section 3. Conditions.** The Petition for Exception/Variance as granted is subject to the following conditions:

- Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, Cover Sheet Variance Package 2, Item 3 Pool Deck Height, and those sheets A-3 through A-6, by Add Inc., Jonathan Cardello, Architect, License # AR93391, undated, and the Sketch of Boundary Survey, prepared by Peter De La Rosa P.L.S. Inc., L.N. 3814, dated 06/23/2013, for the vacant lot properties located at Ocean Boulevard., Golden Beach, FL. 33160, a/k/a 135, 137 and 145 Ocean Boulevard, Golden Beach, Fl. 33160

<u>Section 4.</u> <u>Implementation.</u> That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

**Section 5.** Effective Date. This Resolution shall be effective immediately upon adoption.

#### Sponsored by Administration.

The Motion to adopt the foregoing Resolution was offered by\_\_\_\_\_,

seconded by \_\_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_ PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this <u>23<sup>rd</sup></u> day <u>April</u>, 2014

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY

# Town of Golden Beach

To: Building Regulation Advisory Board
From: Daniel B. Nieda, R.A. Building Official
Date: November 12, 2013
Re: Variance Petitions for GBX Oceanfront Estates, LLC 135 Ocean Boulevard

#### Background:

The applicant has submitted for review four variance petitions in connection with a new single family home proposed for the Zone 1 Single Family Residential District, at 135 Ocean Boulevard. The applicant seeks variance petitions to allow relief from maximum permitted building height and elevator placement, documented as variance package 1. The corresponding Code Section includes 66-69(8) as part (a) for building height and elevator placement as part (b). Variance package 2 includes site grading and pool deck elevation, seeking relief from Section 66-102(a) for maximum site grading elevation as part (1) and Section 66-137(a)(1-3) for pool and terrace deck placement as part (2). While the applicant seeks relief from three code sections, the first two variances are contained in one section with two parts which requires to be reviewed as four separate variance petitions.

The variance package application drawings consist of variance packages one and two. Variance package 1 consists of drawings A-1 through A-15, while package 2 contains drawings A-1 through A-11, prepared by ADD Inc. Architecture and Design, dated September 20, 2013.

## 1. Building Height Variance: Package 1, Part (a) RESO 2343.14 (1)

Section 66-69(8) part (a) of the Code, allows for the maximum permitted building height of 30 feet for lots with 100 feet of frontage or more. The applicant plans to develop a single family home on a frontage of 225 feet with a permitted building height of 30 feet and seeks a building height of 32.17 feet. The height variance petition is highlighted with a salmon color, shown on drawings A-6 in building sections, roof plan views and renderings.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

- Yes, this petition constitutes a variance, since the applicant has requested building height in excess of the permitted building elevations allowed by Section 66-69(8) of the Code. The proposed building height of 32.17 feet is 2.17 feet above the maximum permitted allowed height of 30 feet.
- 2. Yes, the land is peculiar in nature as the applicant seeks to develop a single family residence placed over 4 ½ lots with a frontage of 225 feet and a lot depth of 230 feet. The oversize lot is over twice the frontage required for a Zone 1 District single family lot and affords increased privacy with detached and attached one story structures along the side lot lines.

- No, the variance petition does not stem from special condition and circumstances. The applicant seeks a 2.17 foot height increase to provide a more proportional building height of 11.17 feet per floor for a principal building frontage of 194 feet and third floor clear ceiling height of 8.67 feet.
- No, the granting of this variance might confer upon the applicant a special privilege. A
  denial of this variance would allow a privilege not granted to other lands in the same
  District.
- No, literal interpretation of the provision of the Zoning Code would not deprive the applicant the rights commonly enjoyed by other properties in the same District.
- 6. Yes, this variance petition will allow the applicant reasonable use of the land. The height increase variance might be justified with the lot's large frontage and the height increase of 2.17 feet is the minimum that would allow reasonable use of the land. The height increase variance petition is restricted to the third level home study use which is approximately 1277 square feet.
- Yes, the granting of the variance with a height increase of 2.17 feet will not be injurious to the area or detrimental to the public welfare.

In conclusion, the variance petition seeking relief from required maximum permitted height of 30 feet per Section 66-69(8) part (a) of the Code, allowing permitted building height of 30 feet, does not seems to rise to the hardship standard required for granting of a variance. However, adjacent neighbors at 125 and 155 Ocean Boulevard have provided letters of no objection to the proposed building height variance request.

The Board needs to determine if a negative recommendation of this a variance petition deprives the applicant of reasonable use of his land. Accordingly, it must be determined if the other stipulated conditions raise the variance petition to the standards required by Section 66-41 of the Code, where the variance petition may be favorably considered.

#### 2. Elevator Placement Variance: Package 1, Part (b)

Section 66-69(8) part (b) of the Code, requires elevator placement positioned as equidistant as practicable from all sides of the roof perimeter. The roof elevator override and vestibule, shown on drawing A-11, is a minor structure 75 square feet in floor area and offset 76.92 feet from the south property line, 139 feet from the north property line and 101 feet from the Ocean Boulevard right of way. The elevator override, shown on drawing A-14, is 34 feet in height and below the maximum permitted height of 40 feet by 6 feet. The elevator placement is a minor well proportioned structure in building massing and sufficiently offset from side and front property lines, and should not be intrusive to adjacent properties. The elevator placement variance petition is highlighted with a salmon color on drawings A-11 through A-14 and show in section, building elevations and applicable renderings.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

- Yes, this petition constitutes a variance, since the applicant has requested an elevator placement petition to allow an offset elevator placement, where Section 66-69(8) part (b) of the Code, requires elevator placement positioned as equidistant as practicable from all sides of the roof perimeter.
  - 2. Yes, the land is peculiar in nature as the applicant seeks to develop a single family residence placed over 4 ½ lots with a frontage of 225 feet and a lot depth of 230 feet. The oversize lot is over twice the frontage required for a Zone 1 District single family lot and affords increased privacy with detached and attached one story structures along the side lot lines.
  - 3. Yes, the variance petition stems from special condition and circumstances. The applicant seeks placement of the elevator override offset 76.92 feet from the south property line and 101 feet from the Ocean Boulevard right of way. A centrally located elevator as required per Code would create hardships with accessibility convenience and obstruct sight lines to the ocean view.
  - Yes, the granting of this variance would not confer upon the applicant a special privilege. A denial of this variance would not allow a use that is granted to other lands in the same District.
  - Yes, literal interpretation of the provision of the Zoning Code would deprive the applicant the rights commonly enjoyed by other properties in the same District.
  - 6. Yes, this variance petition will allow the applicant reasonable use of the land. The applicant seeks placement of the elevator override offset 76.92 feet from the south property line and 101 feet from the Ocean Boulevard right of way. An elevator override of 75 square feet offset on the building's footprint of an oversized lot might be justified as the minimum that would allow reasonable use of the land.
  - Yes, the granting of the variance with the placement of the elevator override offset on the building's footprint will not be injurious to the area or detrimental to the public welfare.

In conclusion, the variance petition seeking relief from Section 66-69(8) part (b) of the Code, requiring elevator placement positioned as equidistant as practicable from all sides of the roof perimeter, seems to rise to the hardship standard required for granting of a variance. The adjacent neighbors at 125 and 155 Ocean Boulevard have provided letters of no objection to the proposed elevator override placement variance request.

The Board needs to determine if a negative recommendation of this a variance petition deprives the applicant of reasonable use of his land. Accordingly, it must be determined if the other stipulated conditions raise the variance petition to the standards required by Section 66-41 of the Code, where the variance petition may be favorably considered.

#### 3. Pool Deck Placement and Grading Variance: Package 2, Part (1)

Variance package 2 includes site grading and pool and terrace deck placement, seeking relief from Section 66-102(a) for maximum site grading elevation part (1) and Section 66-137(a)(1-3) for pool and terrace deck placement as part (2).

#### 3. Site Grading Variance: Part (1)

The site variance petition is shown on drawings A-8 through A-11 showing a pool deck section, existing site pictures keyed to the site plan and applicable rendering conditions.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

- Yes, this petition constitutes a variance, since the applicant has requested site grading in excess of the maximum permitted grade elevation of 11.0' NGVD allowed by Section 66-102(a) of the Code. The architect has not provided a grading plan but proposed site grading variance varies 7.73 feet from to 11.0' to 18.73' NGVD along the entrance steps and pool deck.
- 2. Yes, the land is peculiar in nature as the applicant seeks to develop a single family residence placed over 4 ½ lots with a frontage of 225 feet and a lot depth of 230 feet. The oversize lot is over twice the frontage required for a Zone 1 District single family lot and affords increased privacy with detached and attached one story structures along the side lot lines.
- 3. Yes, the variance petition stems from special conditions and circumstances of the lot's existing natural grading depressed 18 to 25 inches from adjacent properties and requiring the applicant to back fill the lot. Existing grading is show on pictures # 1 through 12, shown on drawing A-9 and A-10. The Town's Code allows a maximum of 11' NGVD, where the applicant has requested a sloping grade from 18.67' NGVD to 11.0' to allow a transition from the pool deck and entrance to the residence's habitable level of 21.07' NGVD.
- Yes, the granting the variance would not confer upon the applicant any special privilege. A denial of this variance would not allow a use that is granted to other lands in the same District.
- Yes, literal interpretation of the provision of the Zoning Code would deprive the applicant the rights commonly enjoyed by other properties in the same District.
- Yes, this variance is the minimum petition that will allow the applicant reasonable use of the land.
- Yes, the granting of the site grading variance varying 7.73 feet from to 11.0' to 18.73' NGVD, will not be injurious to the area or detrimental to the public welfare.

In conclusion, the variance petition seeking relief from site grading elevations in excess of the permitted grade elevation of 11.0' NGVD required by Section 66-102(a) part (1) of the Code, seems to rise to the standard required for granting of a variance. The adjacent neighbors at 125 and 155 Ocean Boulevard have provided letters of no objection to the proposed site grading variance request.

4. Pool and Terrace Deck Placement Variance: Part (2) RESO 2344.14 Page 5

Variance package 2 includes pool and terrace deck elevation, seeking relief from Section 66-137(a)(1-3), part (2). The site variance petition is highlighted with a salmon color on drawings A-4 through A-6, with a pool deck plan, pool deck sections and applicable renderings.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

- 1. Yes, this petition constitutes a variance, since the applicant has requested a pool and terrace deck placement 35 outside the boundary permitted by Section 137(a)(1-3), of the Code, where a terrace deck is to be aligned on the principal building's centerline. The proposed pool and terrace deck area 4,130 square feet where a maximum of 4,705 square feet is allowed and shown on drawing A-5.
- 2. Yes, the land is peculiar in nature as the applicant seeks to develop a single family residence placed over 4 1/2 lots with a frontage of 225 feet and a lot depth of 230 feet. The oversize lot is over twice the frontage required for a Zone 1 District single family lot and affords increased privacy with detached and attached one story structures along the side lot lines.
- Yes, the variance petition stems from conditions and circumstances of the lot's existing natural grading depressed 18 to 25 inches from adjacent properties and requiring the applicant to back fill the lot. Existing grading is show on pictures # 1 through 12, shown on drawing A-9 and A-10. The pool deck and terrace is at elevation 18.73' NGVD, where a maximum elevation of 20.0' NGVD is allowed.
- Yes, the granting the variance would not confer upon the applicant any special privilege. A denial of this variance would not allow a use that is granted to other lands in the same District.
- 5. Yes, literal interpretation of the provision of the Zoning Code would deprive the applicant of reasonable use of the land and the rights commonly enjoyed by other properties in the same District.
- 6. Yes, this variance petition is the minimum that will allow the applicant reasonable use of the land.
- 7. Yes the granting of the variance by allowing a pool and terrace deck offset 35 feet from the principal building's centerline, will not be injurious to the area or detrimental to the public welfare.

In conclusion, the variance petition seeking relief from the where a terrace deck is to be aligned on the principal building's centerline and placed 35 feet offset from the centerline, seems to rise to the standard required for granting of a variance. The adjacent neighbors at 125 and 155 Ocean Boulevard have provided letters of no objection to the proposed pool and terrace deck placement variance request.



#### TOWN OF GOLDEN BEACH Re-Notice of Public Hearing

The Town Council of the Town of Golden Beach will hold a Public Hearing on the following proposal:

(3) Variance Request(s) X New Construction

1. Relief from Town Code Section. 66-69. - Minimum frontage, building square footage and height of residence.

(8) Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots with Frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Residential structures built on Exempted Lots shall not exceed 25 feet in height. All height measurements referenced in this subsection shall be measured from the lowest habitable room finished first floor elevation (excluding garages) to the highest ridge of the roof. The height shall be measured from the lowest habitable finished floor. Elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is for the building height to be at 32'-2" when the code requires a maximum height of 30'

2. Relief from Town Code Section 66-137 (a) (1-3)2 Minimum lot and swale elevations; grades

(a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach, subject to the following restrictions:

- (1) Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;
- (2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and
- Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building.

Request is to allow the pool and terrace decks to be offset 35' from the building's centerline, in lieu of being aligned on the principal building's centerline.

3. Relief from Town Code Section 66-102 Minimum lot and swale elevations; grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is for varying grade elevations on deck and site throughout the property to be at an elevation not to exceed 18.00' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

JOB ADDRESS:	VACANT LOTS A/K/A 135, 137 & 145 OCEAN BOULEVARD
OWNER ADDRESS:	675 3rd Avenue, 26 <sup>th</sup> Floor, New York, N.Y. 10017
REQUESTED BY:	GBX Oceanfront Estates LLC
LEGAL DESCRIPTION:	N 1/2 of Lot 7, all of Lots, 8, 9, 10 and 11, Block A, GB Section C, PB 9-52
FOLIO NO .:	19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080

The TOWN COUNCIL will consider this item:

PLACE:	GOLDEN BEACH TOWN HALL
	1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
DATE:	April 23, 2014 at 6:00pm

if you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed activity way contact the Building Department at (305) 932-0744

DATED April 11, 2014

Juilding & Zoning inda pperson-Directo

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.



#### TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The Building Regulation Board and the Town Council of the Town of Golden Beach will hold a Public Hearing on the following proposal:

analice request(s
ew Construction

1. Relief from Town Code Section. 66-69. - Minimum frontage, building square footage and height of residence.

(8) Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots with Frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Residential structures built on Exempted Lots shall not exceed 25 feet in height. All height measurements referenced in this subsection shall be measured from the lowest habitable room finished first floor elevation (excluding garages) to the highest ridge of the roof. The height shall be measured from the lowest habitable finished floor. Elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is for the building height to be at 32'-2" when the code requires a maximum height of 30'

2 Relief from Town Code Section, 66-69. - Minimum frontage, building square footage and height of residence.

(8) (b) elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is to allow the elevator override to be set 76.92' from the south side property line and 139' from the north side property line and 101' from the Ocean Boulevard right-of ways, when the code requires that the elevator placement is to be set as equidistant as practicable from all sides of the roof perimeter.

3. Relief from Town Code Section 66-102 Minimum lot and swale elevations; grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is for the pool deck elevation to be at an elevation not to exceed 18.73' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

4. Relief from Town Code Section 66-137 (a) (1-3)2 Minimum lot and swale elevations; grades

(a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach, subject to the following restrictions:

- (1) Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;
- (2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition,
  - the stairs and/or terraces area shall be aligned on the principal building's centerline; and
- (3) Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building

Request is to allow the pool and terrace decks to be offset 35' from the building's centerline, in lieu of being aligned on the principal building's centerline.

JOB ADDRESS:VACANT LOTS A/k/A 135, 137 & 145 OCEAN BOULEVARDOWNER ADDRESS:675 3rd Avenue, 26th Floor, New York, N.Y. 10017REQUESTED BY:GBX Oceanfront Estates LLCLEGAL DESCRIPTION:N ½ of Lot 7, all of Lots, 8, 9, 10 and 11, Block A, GB Section C, PB 9-52FOLIO NO:19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080

The BUILDING REGULATION ADVISORY BOARD will consider this item:

PLACE: GOLDEN BEACH TOWN HALL 1 GOLDEN BEACH DR., GOLDEN BEACH, FL. DATE: November 12, 2013 at 6:00pm

The TOWN COUNCIL will consider this item

PLACE GOLDEN BEACH TOWN HALL 1 GOLDEN BEACH DR., GOLDEN BEACH, FL. DATE: November 19, 2013 at 7:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: October 30, 2013

BALALA person-Director/Building & Zoning fida

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

2-17-07-5578

#### TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: 1472 w

 New residence/addition:
 NEW PERDENCE
 Variance(s):
 OF 3 pace percenter

 Exterior alterations:
 NA
 Other Structure:
 Date application filed:
 Date application filed:<

1. Project information:

Request hearing in reference to:

Project description: <u>NEW GRAND UP CONSTRUCTION RESIDENCE, WITH</u> <u>POOL</u> duese Hause, Butlets guarters, Legal Description: <u>See Antiched Extern</u> "A"

Folio #: 19-1235-003-0050 Address of Property: 155 00501 BWD. GOLDEN BEACH, FL-58/60

Is a variance(s) required: Yes <u>No</u> How Many? <u>B</u>
 (If yes, please submit variance application form for each request).

Owner's Name: OF OCAH FROM Phone	3/442-1567	Fax 8/442-1227
Owner's address: P.O. Sox 140666	City/State Corte	ADIES Zip -23114-0668
Agent: MCHEAL J. FREEMAN Phone	34421567 Fax	5 442-1227
Agent's address: PD. Box 140668	City/State CORAL C	ABLES Zip 39114-0668
Architect: ADD INC. (JOH CADELO)	Phone 305.4825	38 ax 305.482.8770
Contractor:	Phone	Fax

- 3. Describe project and/ or reason for request of hearing: <u>NEW GROUPD UP</u> <u>CONSTRUCTION 3 STORY REGISTIVE WITH POOL</u>, TRAUS, GUESTIONE WE ARE REPRESENTED 3 VARIANCES D ROC DECK HEIGHT, BUG HEIGHT I ELEVATION LOCATION.
- 4. The following information is submitted for assisting in review:

Building Plans:

Conceptual:	Preliminary: PRONDED Final:
Other: SEE	PACKAGE PROVIDED

5. Estimated cost of work: \$\_\_\_\_\_\_ Estimated market value of: Land \$\_\_12,000,000 Building \$\_\_\_\_\_

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 6 of 11

#### TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being reque	sted as a result of a No	tice of Violation?	0
7. Are there any structure	s on the property that	will be demolished?	NO
8. Does legal description	conform to plat? <u>y</u> ∉	5	
<ol> <li><u>Owner Certification:</u> I h described in this applic correct to the best of m</li> </ol>	ation and that all inform	the owner of record ( nation supplied herei	*) of the property n is true and
Signature of owner(s):	mypherman E	ي G.	
Acknowledged before me I	his 12/14 day o	of, 20 13	
Type of identification:		1	$\cap$
pesonally ki	noun	phics	Jecen
Owner/Power of Attorney A I, being duly sworn, depose application and that I am a	e and say I am the own	request for: 3van	
am hereby authorizing	ADD INC.		be my legal
representative before the E			
and the second		i i	
	no	premen isa.	
		Signature of owne	r(s)
Acknowledged before me t	his <u>12</u> day_	JUNY	
Type of identification:		1	0
posonally ly	Nown	Jula	Jacober
-1		Notary Put	lic
(*) If owner of report is a s	moralian than the area	ident with corporate	cool the
(*) If owner of record is a co president and the secretary			
corporation may execute th			

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ASHLEY ALBAN MY COMMISSION # EE125310 EXPIRES. October 11, 2015 IV FI Neary Discount Assoc. Co

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 7 of 11

#### TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: B5 OCEAH BUD. GOLDEN BEACH 33160 Fl. Legal Description: \_\_\_\_\_ ATTACHED EXHIBIT "A" Owner's Name: OBX ONEN FROM FORMES IIC Phone 5/442-1567 Fax 3/442-1227 Agent's Name: MICHEAL S. FREE MAN Board Meeting of: BADS VARIANCE #1 Phone 3/442-1567 Fax 3/442-1227

NOTE: 1. Incomplete applications will not be processed.

2. Applicant and/or architect must be present at meeting.

Application for: POOL DECK HEIGHT VARIANCE/ EUFUPTOR WRITING / HEIGHT VARIANCE
Lot size: 229-7" x 230'-5"
Lot area: SZ,069.15 SQUARE FT.
Frontage:729'-7"
Construction Zone: SF SINGLE FAMILY PEODENTIAL
Front setback: 20 FEET
Side setback: 15 FEET
Rear setback: 73'-4" POPT
Coastal Construction: Yes V No East of coastal const. control line: Yes V No
State Road A1A frontage: 224 '-1"
Swimming pool: Yes No Existing: Nothe Proposed: IN grant pool
Fence Type: CONCRETE BLOCK Existing: Hote Proposed: CMU BLOCK
Finished Floor elevation N.G.V.D.: 115
Seawall: EXEMPTING TO REMAIN Existing: V Proposed:
Lot Drainage: COSTAL SYSTEMS INC. HAG BEEN RETAINED FOR DEANINE CALOS
How will rainwater be disposed of on site? SLOPING ETC., COSTAL SUSENG HAG BEEN
REPAINED FOR CIVIL WORK INCLUDING DRAMAGE
Adjacent use (s): EXEMPTING PERPENTIAL
Impervious area:
% of impervious area:
Existing ground floor livable area square footage:A
Proposed ground floor livable area square footage: dee DATA CHEET IN DWGG.
Existing 2 <sup>nd</sup> floor livable area square footage: N/A
Proposed 2nd floor livable area square footage: SEE DATA CHEET IN DAGS.
Proposed % of 2 <sup>nd</sup> floor over ground floor: 51% 4872,157 2421 240
Vaulted area square footage: H/A
Vaulted height: <u>N/A</u>
Color of main structure: TEO
Color of trim: TBD
Color & material of roof: TBD
Building height (above finished floor elevation):
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum):
Existing trees in Lot: in Swale:
Proposed trees in Lot: in Swale:
Number & type of shrubs: SEE LANDSCAPE REAM YOR SPECIES & ODAMINES
Garage Type:Proposed:
Driveway width & type: VAQUES ONCE

Signature of Applicant: \_\_\_\_\_\_

Date: 12 Juli 293

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 8 of 11

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

- Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.
- The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.
- The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Does the Variance being requested comply with <u>all</u> the above listed criteria?

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes No.
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? \_\_\_\_\_Yes \_\_\_\_\_No

8. Is construction in progress? NO

9. Is this request as a result of a code violation?

- 10. Did this condition exist at the time property was acquired? \_\_\_\_\_ Yes \_\_\_\_\_ No
- 11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate?

12. Do you have a building permit? \_\_\_\_\_Yes \_\_\_\_No

Building Permit No. <u>N/A</u> Date issued: <u>N/A</u>

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 10 of 11

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

Date:

Fee:

AS ATTORNEY FOR CIEX OCEAN FRONT ESTATES ILC

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

- The Variance requested is for relief from the provisions of (list section number(s) of the
   Town of Golden Beach Code of Ordinances):
   December 2010
   December 2
- In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item);
  - a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.
  - b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.
  - c. The special conditions and circumstances do not result from the actions of the applicant. ON ONE OF THERE VALUACES IS A HON SITE ISSUE

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d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 9 of 11

## VARIANCE 1 - OVERALI BUCLDING HEIGHT

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

Date:

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

- The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances):
- In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):
  - a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.
  - Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.
  - c. The special conditions and circumstances do not result from the actions of the applicant. THE HECHT INCREASE PROPERTIES DE TO
  - d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 9 of 11

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

- Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.
- 4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.
- The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Does the Variance being requested comply with <u>all</u> the above listed criteria?

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? <u>Yes</u> No. Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? \_\_\_\_\_Yes \_\_\_\_\_No

8. Is construction in progress?

9. Is this request as a result of a code violation?

- 10. Did this condition exist at the time property was acquired? \_\_\_\_\_Yes \_\_\_\_\_No
- 11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate?

12. Do you have a building permit? \_\_\_\_\_Yes \_\_\_\_\_No

Building Permit No. \_\_\_\_\_ Date issued: \_\_\_\_\_

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 10 of 11 VARIANCE O - POOL PECK HEIGHT

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

Date:

AS ATORNEY FOR GEX	COCARI FRONT FERATES LLC
, MICHEAL J. FREEMAN	hereby petition the Town of Golden Beach for a variance
from the terms of the Town of Gol	den Beach Code of Ordinances affecting property located at:

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

- 1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances):
- 2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):
  - a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.
  - b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.
  - c. The special conditions and circumstances do not result from the actions of the applicant.

AND HEWHES	HOLL DECK)	LUCULD	SANGEV	REGUIRINGIT/
REALEST				

d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

- Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.
- 4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.
- The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Does the Variance being requested comply with <u>all</u> the above listed criteria?

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? \_\_\_\_\_Yes \_\_\_\_No. Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? \_\_\_\_\_Yes \_\_\_\_\_No

- 8. Is construction in progress?
- 9. Is this request as a result of a code violation?
- 10. Did this condition exist at the time property was acquired? Yes No
- 11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate?

12. Do you have a building permit? \_\_\_\_\_ Yes \_\_\_\_ No

Building Permit No. \_\_\_\_\_ Date issued: \_\_\_\_\_

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 10 of 11 TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

Date:

AS ATTORNEY FOR GBX OCEAN FRONT ESTATES

ARIANCE & - ELEVATOR LOCATION

I, \_\_\_\_\_\_\_ hereby petition the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at:\_\_\_\_\_\_ Folio No.\_\_\_\_\_\_\_Folio No.\_\_\_\_\_\_

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

- The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances):
- 2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):
  - a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.
  - b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.
  - c. The special conditions and circumstances do not result from the actions of the applicant.

d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 9 of 11

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

- Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.
- 4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.
- The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Does the Variance being requested comply with <u>all</u> the above listed criteria?

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? <u>Yes</u> No. Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? \_\_\_\_\_Yes \_\_\_\_\_No

8. Is construction in progress?

9. Is this request as a result of a code violation?

- 10. Did this condition exist at the time property was acquired? \_\_\_\_\_Yes \_\_\_\_No
- 11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate?

12. Do you have a building permit? \_\_\_\_\_Yes \_\_\_\_No

Building Permit No. \_\_\_\_\_ Date issued: \_\_\_\_\_

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2012) Page 10 of 11

#### Daniel & Hedy Whitebook 155 Ocean Blvd Golden Beach Florida

#### July 11, 2013

Town of Golden Beach 1 Golden Beach Drive Golden Beach Fl 33160-2296

#### RE: GBX Oceanfront Estates LLC Approval of Variance Application for 135 Ocean Blvd.

Gentlemen:

My wife Hedy and I reside at 155 Ocean Boulevard in the town of Golden Beach, Florida.

I have personally met with managing member of GBX Oceanfront Estates, LLC that owns 135 Ocean Boulevard and its Architects to review proposed building plans for a residence on the vacant lots to the South of my property.

I have no objections to the requested variances and any petitions that are being submitted on behalf of GBX Oceanfront Estates LLC.

If you have any questions, please contact me.

Thank you.

Very truly yours

Daniel Whitebook

Jack and Rita Barouh 125 Ocean Blvd. Golden Beach, Florida

July 11, 2013

Town of Golden Beach 1 Golden Beach Drive Golden Beach FI 33160-2296

> RE: GBX Oceanfront Estates LLC Approval of Variance Application for 135 Ocean Blvd.

Gentlemen:

My wife Rita and I reside at 125 Ocean Boulevard in the town of Golden Beach, Florida.

I have personally met with managing member of GBX Oceanfront Estates, LLC that owns 135 Ocean Boulevard and its Architects to review proposed building plans for a residence on the vacant lots to the North of my property.

I have no objections to the requested variances and any petitions that are being submitted on behalf of GBX Oceanfront Estates LLC.

If you have any questions, please contact me.

Thank you.

Very traity yours, Jack Barouh

FELIPE VALLS 3663 SW 8<sup>TH</sup> ST., PH MIAMI, FL. 33135

RICKEY S. MITCHELL 152 OCEAN BLVD. GOLDEN BEACH, FL. 33160

HEDY & DANIEL S. WHITBROOK 155 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

TAL IVCHER 167 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

GILBERT & FRANCE BENHAMOU 165 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

ALEXANDER & JAN C. HOCKMAN 151 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

MICHAEL & SARI ADDICOT 155 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

GABRIEL EILEMBERG NATALIE EILEMBERG 20155 NE 38<sup>TH</sup> COURT, #3001 AVENTURA, FL, 33180

PIETRO & MARLINA OPPEDISANO 170 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

JEAN-PIERRE LEVY 175 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160 FLORENCE SHORE 162 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

NORMAN B. GAYLIS 179 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

LEE R. DUFFNER TRUST 185 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

SONNY & SUZANNE PASSI KAHN 105 OCEAN BOULEVARD GOLDEN BEACH, FL 33160

BRADLEY | MEIER 101 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

GABRIEL ABITAN 146 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

AMIR & DEBORAH J. HAYUN 136 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

ARYEH & RAQUEL RUBIN 165 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

ROGER MIMOUN 128 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

JACK & RITA BAROUH 125 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160 SCOTT SCHLESINGER 176 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

URI W. & RANDI J. FISCHER 147 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

RIALCO INC. (LH) RICARDO A. NEVAREZ P.O. OBX 5936 SURFSIDE, FL. 33154-5936

GBX OCEANFRONT ESTATES LLC 675 3<sup>rd</sup> AVENUE, 26<sup>TH</sup> FLOOR NEW YORK, N.Y. 10017



## TOWN OF GOLDEN BEACH 1 Golden Beach Drive Golden Beach, Fl. 33160

## SUMMARY MINUTES BUILDING REGULATION ADVISORY BOARD November 12, 2013 at 6:00pm

- A. CALL MEETING TO ORDER: 6:10pm
- A. BOARD ATTENDANCE: Stephanie Halphen, Eric Cohen, Jerome Hollo, and Fred Chouinard. Dr. Iglesias absent with cause.
- B. STAFF ATTENDANCE: Daniel Nieda Building Official and Linda Epperson-Building & Zoning Director
- C. APPROVAL OF MINUTES: October 8, 2013 Motion to table by Eric Cohen, Seconded by Fred Chouinard On roll call: Stephanie Halfen-Aye, Eric Cohen-Aye, Jerome Hollo-Aye, and Fred Chouinard-Aye. Motion passed 4 – 0
- D. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS

## E. VARIANCE REQUEST(S):

 GBX Oceanfront Estates LLC 675 3<sup>rd</sup> Avenue, 26<sup>th</sup> Floor New York, N.Y. 10017

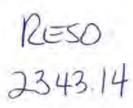
Daniel Nieda-Building Official read his comments into the record. Nelson Stabile with Estrutura was present on the owner's behalf. Jonathan Cardello, with Add Inc. spoke on behalf of the applicant Amir Hayun, 136 Ocean Boulevard, spoke in opposition.

 
 Property Address:
 VL a/k/a 135, 137 & 145 Ocean Blvd., Golden Bch, FL

 Folio No:
 19-1235-003-0050; 0070 and 0080

1. <u>Relief from Town Code Section. 66-69. - Minimum frontage,</u> building square footage and height of residence.

(8) Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots with frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Residential structures built on Exempted Lots shall not exceed 25 feet in height. All height measurements referenced in this subsection shall be measured from the lowest habitable room finished first floor elevation (excluding garages) to the highest ridge of the roof. The height shall be measured from the lowest habitable finished floor. Elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible



height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is for the building height to be at 32'-2" when the code requires a maximum height of 30'

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

Motion to recommend approval by Fred Chouinard, Seconded by Eric Cohen On roll call: Stephanie Halfen-Nay, Eric Cohen-Nay, Jerome Hollo-Nay, and Fred Chouinard-Aye.

Motion failed 3 – 1 (Fred Chouinard Aye)

#### <u>Relief from Town Code Section. 66-69. - Minimum frontage, building</u> square footage and height of residence.

(8) (b) elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is to allow the elevator override to be set 76.92' from the south side property line and 139' from the north side property line and 101' from the Ocean Boulevard right-of ways, when the code requires that the elevator placement is to be set as equidistant as practicable from all sides of the roof perimeter.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

Motion to recommend approval by Eric Cohen, Seconded by Stephanie Halphen.

On roll call: Stephanie Halfen-Nay, Eric Cohen-Nay, Jerome Hollo-Nay, and Fred Chouinard-Aye.

Motion failed 3 – 1 (Fred Chouinard Aye)

3. <u>Relief from Town Code Section 66-102 Minimum lot and swale elevations;</u> grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

BRAB Summary Minutes- November 12, 2013 at 6:00pm 2 of 6

Request is for the pool deck elevation to be at an elevation not to exceed 18.73' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria

Motion to recommend approval by Eric Cohen, Seconded by Fred Chouinard Stephanie Halphen asked to change the vote to a "motion to table", the change was accepted by Eric Cohen, and Seconded by Fred Chouinard On roll call: Stephanie Halfen-Aye, Eric Cohen-Aye, Jerome Hollo-aye, and Fred Chouinard-Aye.

Motion passed 4 - 0

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## 4. <u>Relief from Town Code Section 66-137 (a) (1-3)2 Minimum lot and swale</u> elevations; grades

(a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach, subject to the following restrictions:

(1) *Elevation.* The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;

(2) *Width*. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and

(3) *Depth.* The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building.

Request is to allow the pool and terrace decks to be offset 35' from the building's centerline, in lieu of being aligned on the principal building's centerline.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

Motion to recommend approval by Eric Cohen, Seconded by Fred Chouinard.

On roll call: Stephanie Halfen-Aye, Eric Cohen-Aye, Jerome Hollo-Nay, and Fred Chouinard-Aye.

Motion passed 3 – 1 (Jerome Hollo-Nay)

## F. OLD BUSINESS:

2. 400 GB LLC

19495 Biscayne Boulevard, Suite 702 Aventura, FL. 33180

Board Member Halphen recused herself from the vote. Daniel B. Nieda, Building Official read his comments into the record.

Property Address:400 Golden Beach Dr. Golden Beach, FL. 33160Folio No:19-1235-005-0540Legal Description:Lot 51 & the South 25' of Lot 50, Blk F, GB Sect.E, PB 8-122

Approval for construction of a new two-story single family residence with a new pool.

A motion to approve by Eric Cohen, Seconded by Fred Chouinard Conditioned on corrections to the pool deck and pool equipment location.

On roll call: Eric Cohen-Aye, Jerome Hollo-Aye, Fred Chouinard-Aye Motion passed 3 – 0

#### H. NEW BUSINESS

 Tania Van Dam Murciano and Isaac Murciano 405 Center Island Drive Golden Beach, FL. 33162

Property Address:405 Center Island Dr. Golden Beach, FL. 33160Folio No:19-1235-005-1070Legal Description:Lots 24 & 25, Blk L, GB Sect E, PB 8-122

Brie Crocus of Ocean Consulting spoke on behalf of the applicant Daniel Nieda, Building Official – read his comments into the record

Approval for the construction of a new boat dock and boat lift.

After Board discussion Brie Crocus of Ocean Consulting removed this item from the agenda on behalf of the applicant

Patricia A. Riley & Francis X and Helen Riley
 447 Center Island Drive
 Golden Beach, FL. 33160

Bill Thomas represented the applicant Daniel B. Nieda, Building Official read his comments into the record.

Property Address: 483 Center Island Dr. Golden Beach, FL. 33160 Folio No: 19-1235-005-0930

BRAB Summary Minutes- November 12, 2013 at 6:00pm 4 of 6 Legal Description: Lot 6 & the N 30' of Lot 5, Blk L, GB Sect. E, PB 8-122

Approval for the construction of a new boat dock

A motion to approve was made by Eric Cohen, Seconded by Fred Chouinard

On roll call: Stephanie Halfen-Aye, Eric Cohen-Aye, Jerome Hollo-Aye, and Fred Chouinard-Aye Motion passed 4 – 0

 JAC and JEM LLC 1150 Hallandale Boulevard, Suite C, Hallandale Beach, FL.

Daniel Sorogon, Architect, spoke on behalf of the applicant.

Daniel B. Nieda, Building Official, read his comments into the record. A letter received from Michael and Charlene Koonin, 668 Golden Beach Drive, was read into the record in opposition to this request as it relates to roof top terraces and elevator overrides.

Harriet White, 654 Golden Beach Drive, spoke in opposition to this request as it relates to roof top terraces and elevator overrides.

Councilmember Rojas addressed the Board as it relates to the issues of roof top terraces and elevator overrides and that the Council will be holding workshops to discuss these design elements and the impact on the Town and Neighbors.

The Board discussed the use of roof top terraces and elevator overrides at length.

Property Address:	VL a/k/a 675 Golden Beach Dr., Golden Bch, FL
Folio No:	19-1235-006-0050
Legal Description:	S 1/2 of Lot 24 and Lot 25, Blk 1, GB Sect F, PB 10-11

New two story single family residence with roof top terrace and elevator override, gazebo, trellis and new pool and pool deck

A motion was made to approve by Fred Chouinard, Seconded by Eric Cohen Conditioned on the following:

1. Removal of all roof top terrace elements; spa, water, gas, and electrical utilities, wooden decking, built in BBQ, hurricane storage, sinks.

- 2. Removal of waterfall feature in the rear.
- 3. Removal of trellis feature.

4. Reduction to terrace roof area from 54% to 50% to be measured from the parapet walls and not the edge of eyebrow element.

5. Proper screening of mechanical equipment.

A motion to approve was made by Fred Chouinard, an amendment by Eric Cohen was accepted by Fred Chouinard, the motion was Seconded by Eric Cohen

On roll call: Stephanie Halfen-Aye, Eric Cohen-Aye, Jerome Hollo-Aye, and Fred Chouinard-Aye

Motion passed 4 - 0

BRAB Summary Minutes- November 12, 2013 at 6:00pm 5 of 6

#### ITEMS FOR DISCUSSION AND BOARD APPROVAL

The Board discussed the recommendations for use of roof top terraces and as formulated the following to be given to the Council as a guide:

1. Roof top terrace is to be limited to a maximum of 50% of the area of the flat roof not to exceed 1,000 square feet of the area outlined for use.

Shall be positioned equidistant as practicable for all sides of the roof perimeter and is offset 10 feet from the principal building setbacks.

3. A safety wall of 42 inches in height shall surround the perimeter wall of the approved rooftop terrace area.

Accessibility to the roof shall be by means of a stairway.

5. No fixed elements or utilities shall be installed with the exception of those utilities required for the use as outlined under Town Code Section 66-260: rooftop mechanical equipment.

6. Eliminate the use of an elevator override to the roof.

#### J. ADJOURNMENT

1

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE. AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



## **VARIANCE PACKAGE #1**

## **ADD Inc**

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

Lic:# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

Reinach Mendonça Arquitetos Herrigue Reinsch

#### Associados Mauricio Mendonça Redening Time 10 in the second of the life life in the second state in the life in the second s

## GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

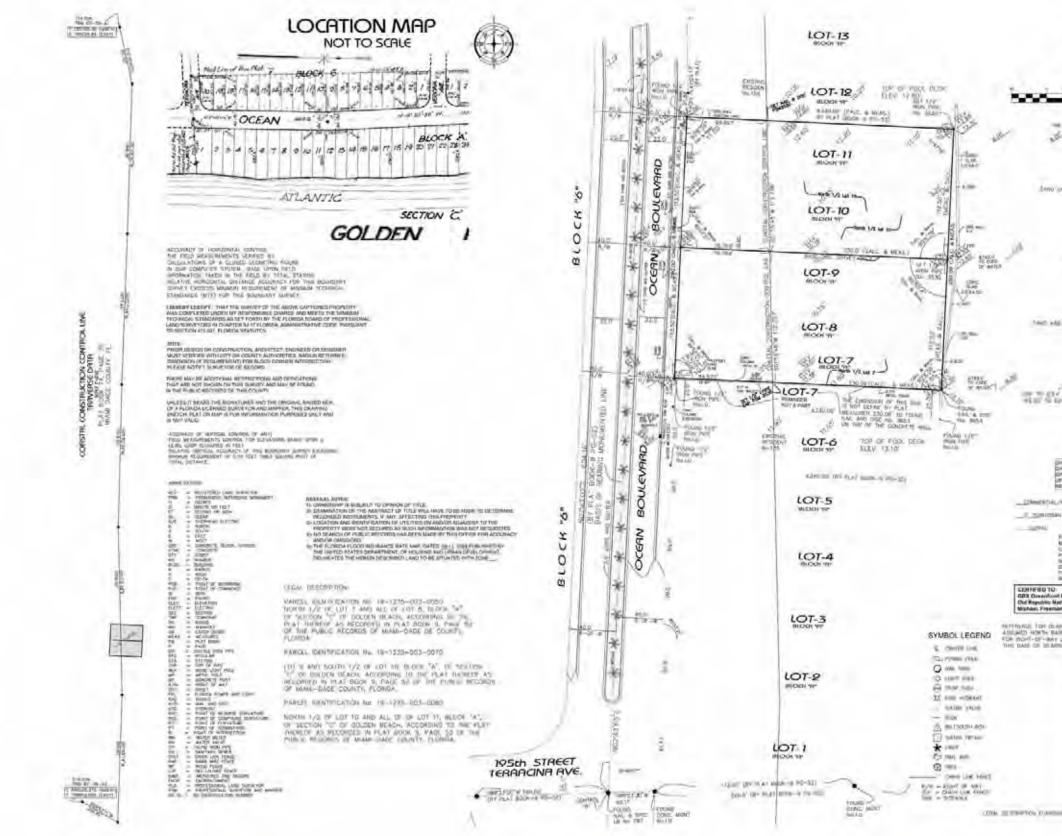


**VARIANCE PACKAGE -1** 

ITEM # 1

**BUILDING HEIGHT** 







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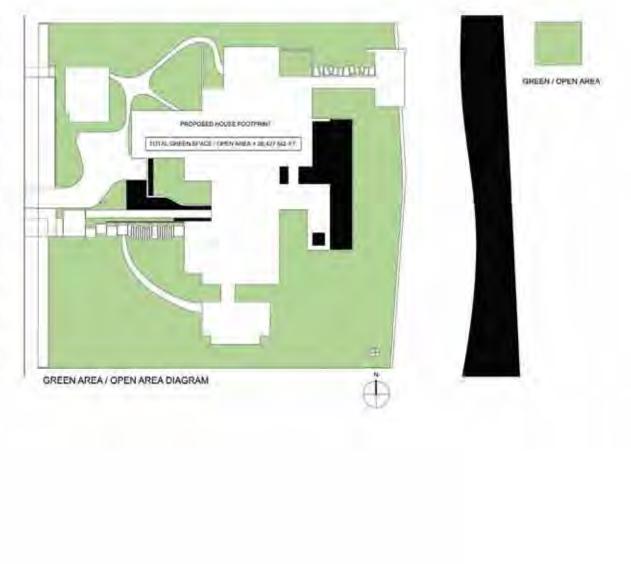
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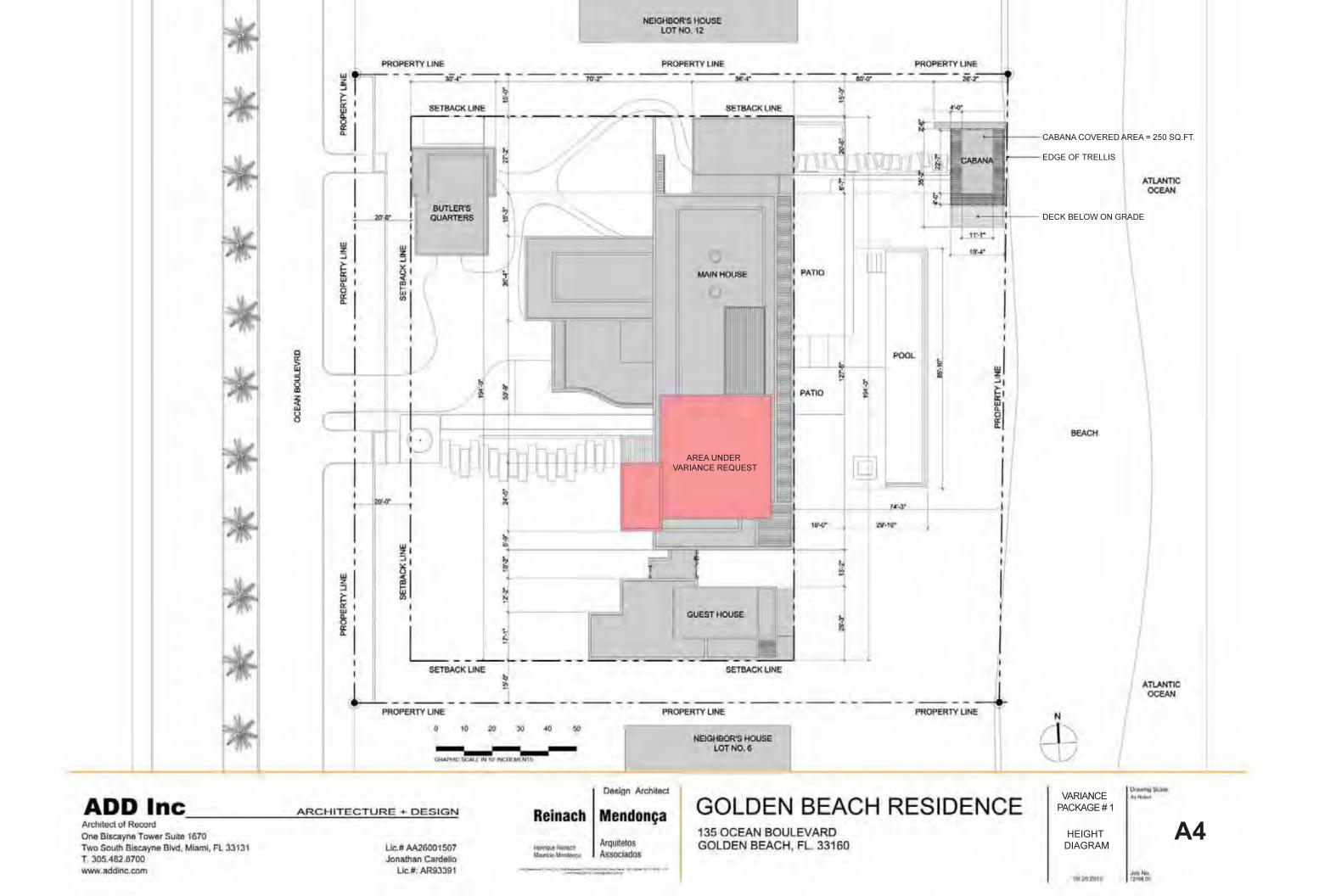
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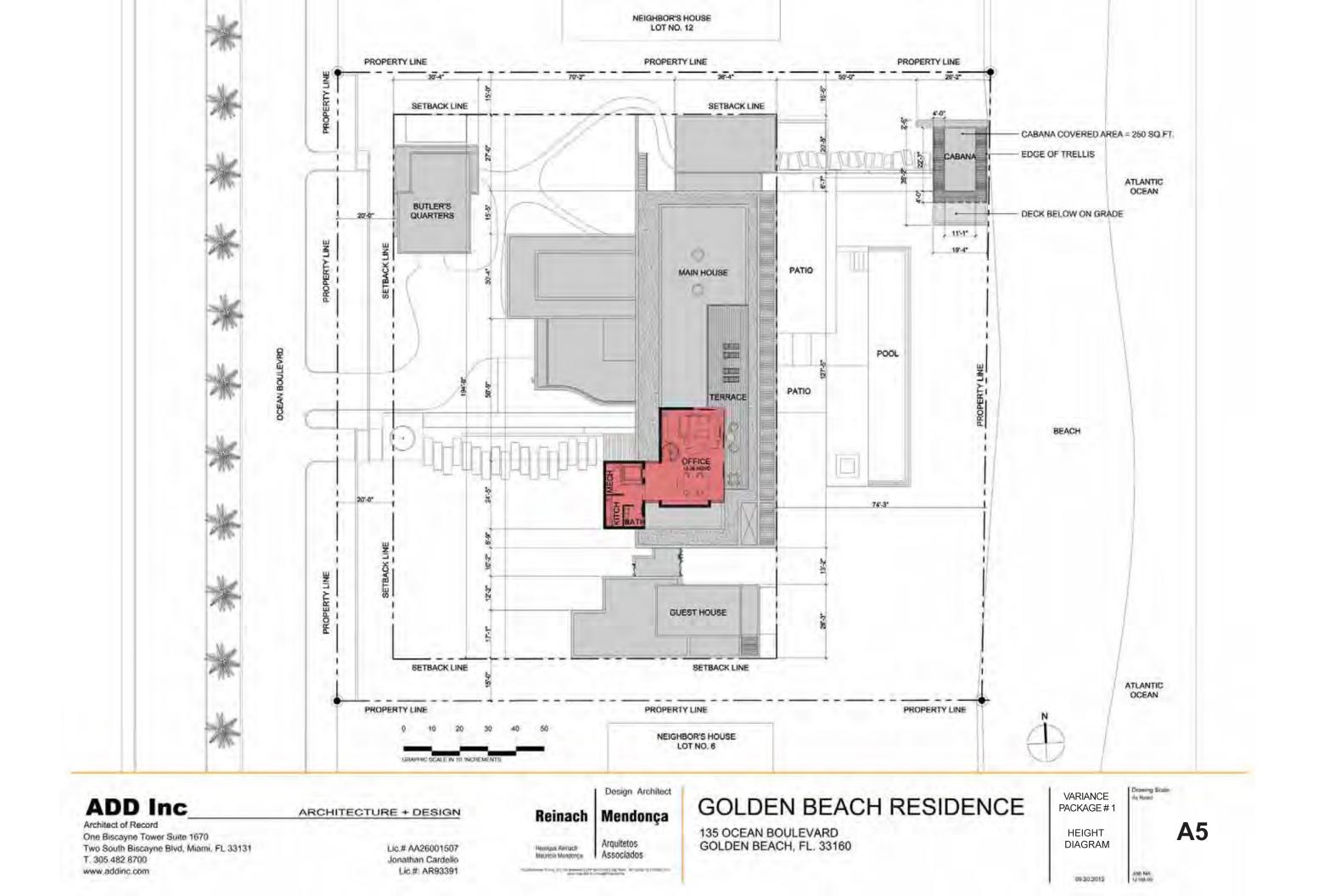
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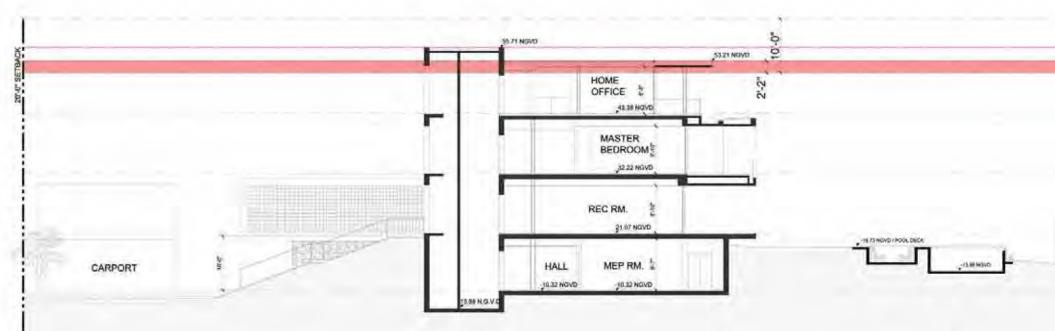
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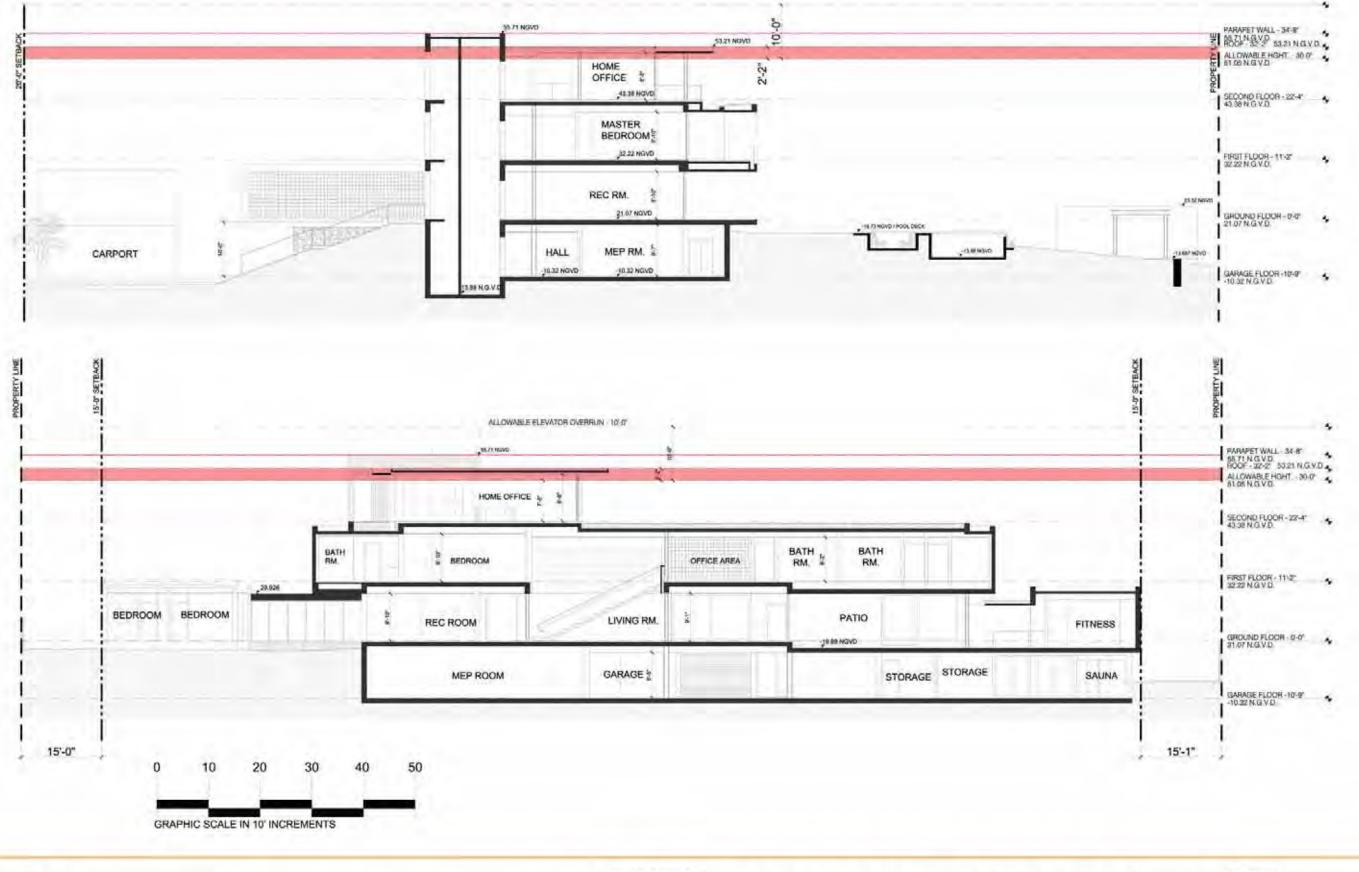


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## **ADD Inc**

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T 305.482.8700 www.addinc.com

Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391

Design Architect Reinach Mendonça

Arquitetos Henrique Reinach Associados Mauricio Meedonce

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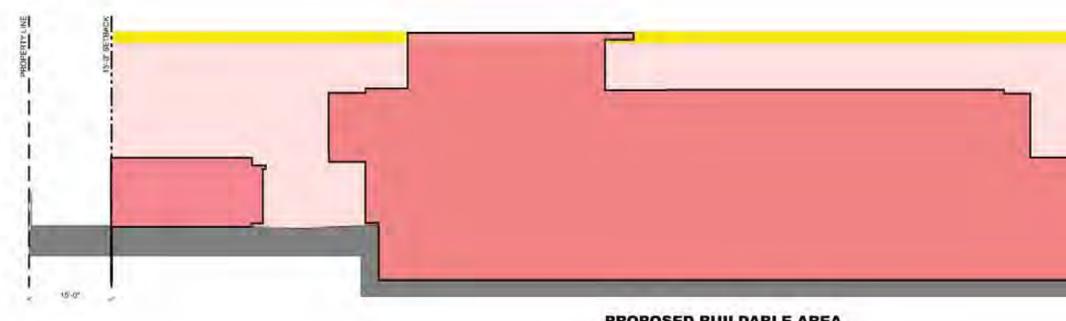
## **GOLDEN BEACH RESIDENCE**

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160



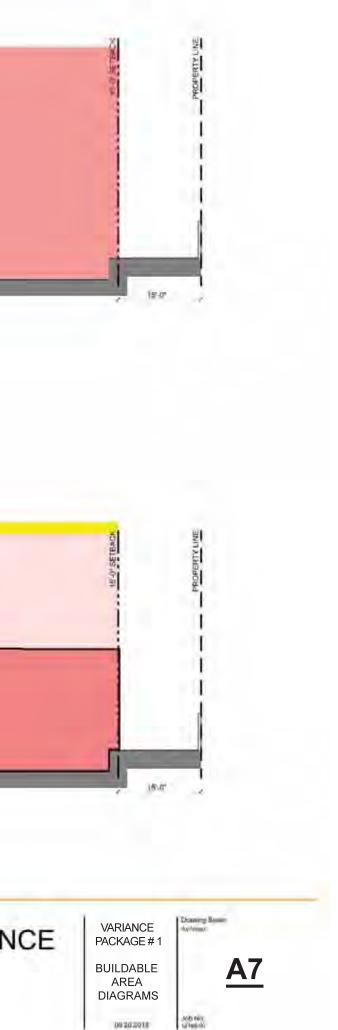


ALLOWABLE BUILDABLE AREA



**PROPOSED BUILDABLE AREA** 





**VARIANCE PACKAGE -1** 

ITEM # 2

**ELEVATOR PLACEMENT** 

## ADD Inc.

Architect of Record One Biscayne Tower Suite 1670 Twn South Biscayne Blvd, Miami, FL 33131 T 305 482 8700 www.addiec.com ARCHITECTURE + DESIGN

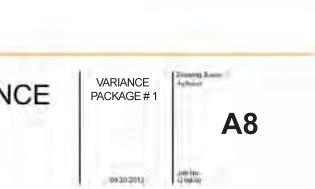
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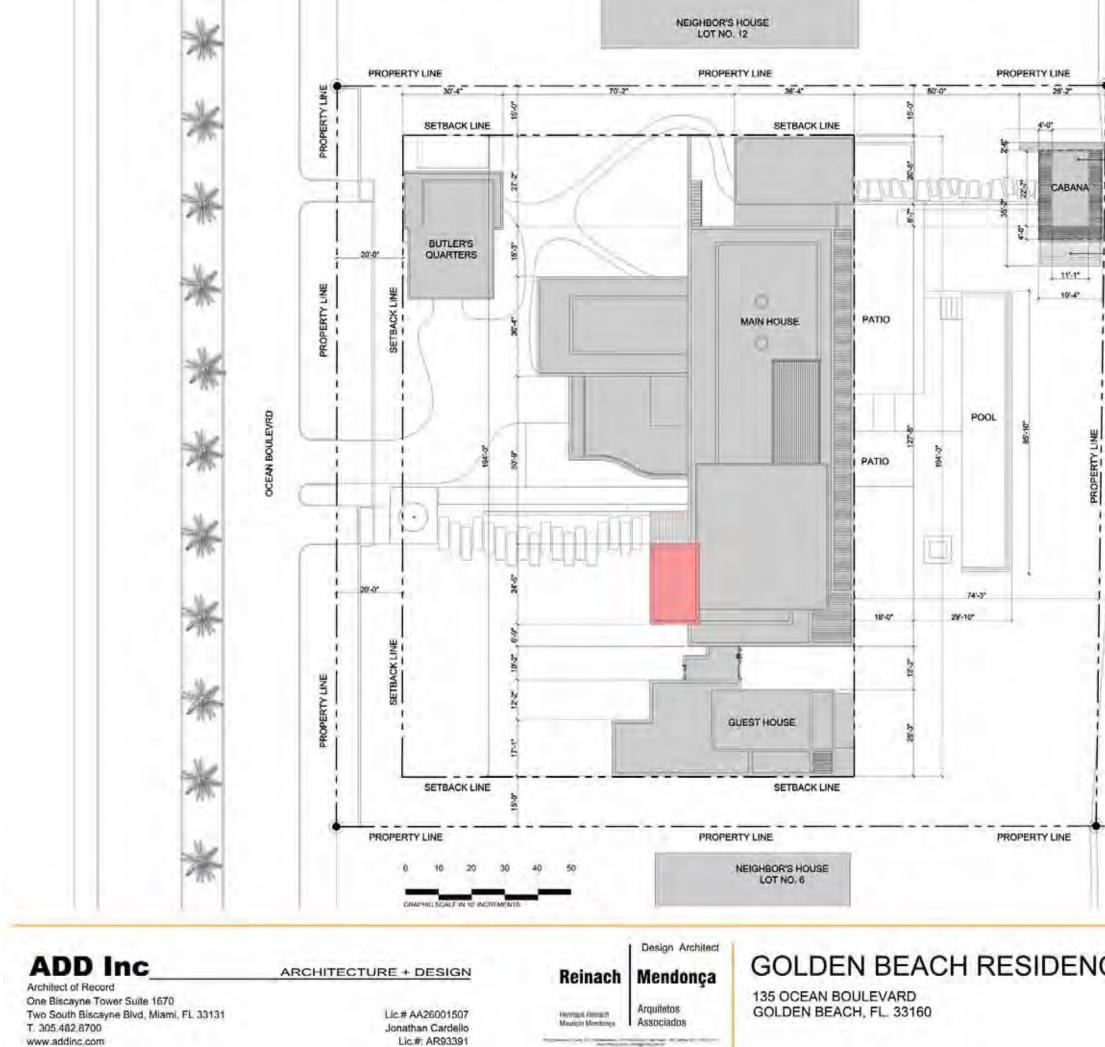
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# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL 33160





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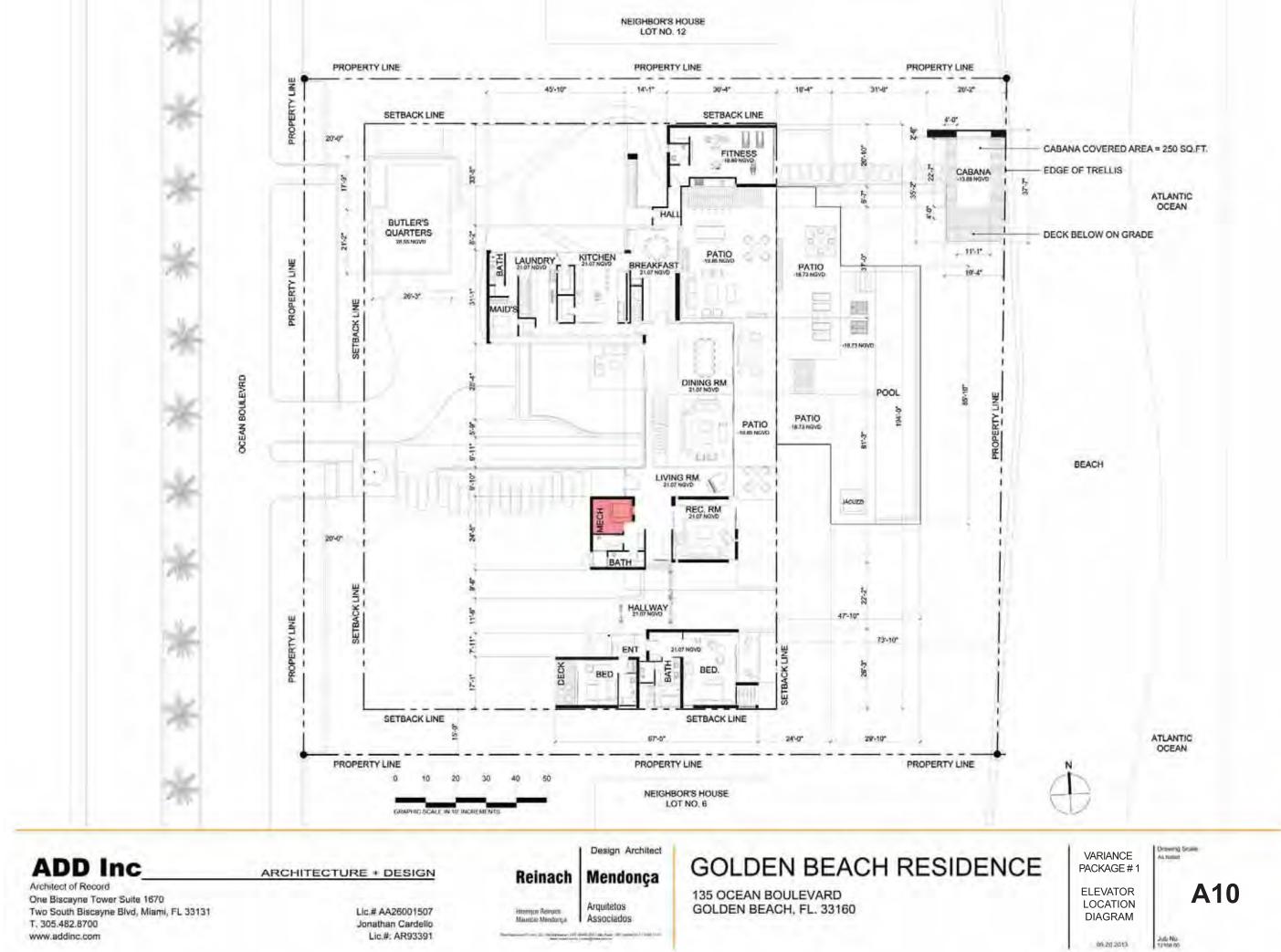
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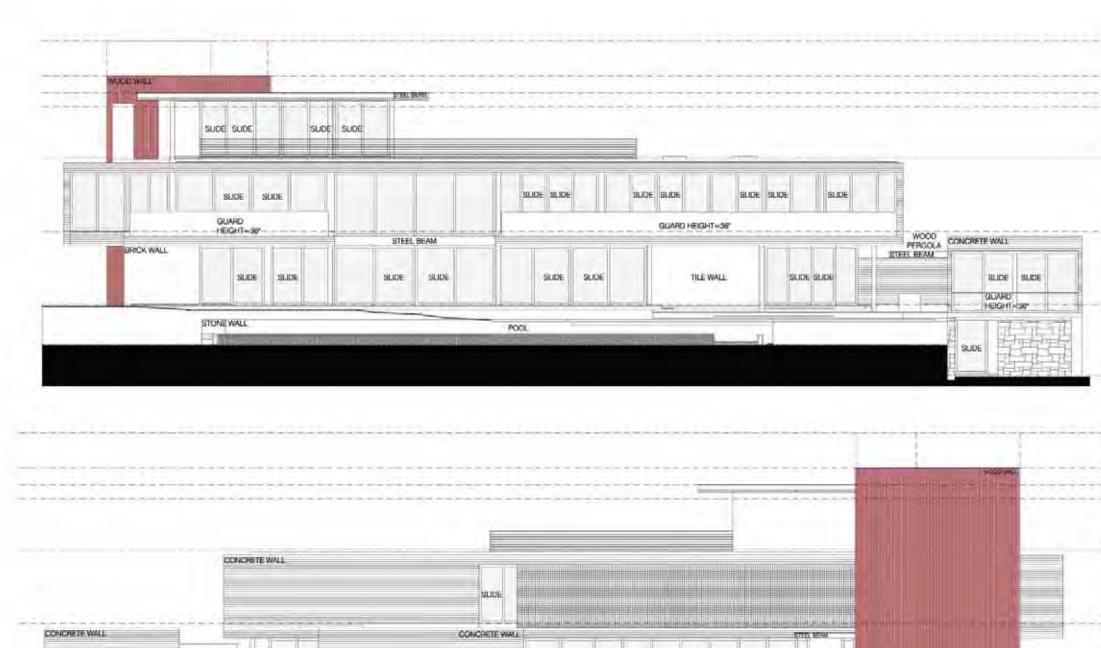
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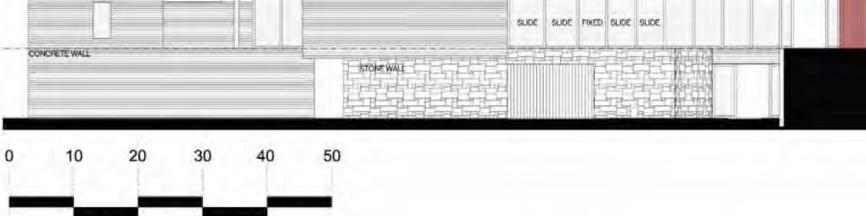
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**GRAPHIC SCALE IN 10' INCREMENTS** 

## **ADD Inc**

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Reinach Mendonça

## Honique Research Mauricio Mentonça Associados

# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160 ALLOWABLE ELEVATOR

PARAPET WALL - 34"-8" 55.71 N.G.V.D. ROOF - 32-2" 53.21 N.G.V.D. ALLOWABLE HGHT. - 30-0" 51.05 N.G.V.D.

SECOND FLOOP - 22-4" 43.38 N.G.V.D.

FIRST FLOOR - 11'-2"

GROUND FLOOR - 0-0" \$

GARAGE FLOOR -10-9"

ALLOWABLE ELEVATOR

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SECOND FLOOR - 22-4" 43.38 N.G.V.D.

FIRST FLOOR - 11'-2"

GROUND FLOOR - 0-0"

GARAGE FLOOR -10-9"





GROUND FLOOR - 0-0\* 21.07 N.G.V.D. - 6

GARAGE FLOOR -10'-9"

20 30 50 0 10 40 GRAPHIC SCALE IN 10' INCREMENTS **Design Architect** GOLDEN BEACH RESIDEN **ADD Inc** ARCHITECTURE + DESIGN Reinach Mendonça Architect of Record 135 OCEAN BOULEVARD One Biscayne Tower Suite 1670 Arquitetos GOLDEN BEACH, FL. 33160 Two South Biscayne Blvd, Miami, FL 33131 Lic,# AA26001507 Hennque Keisach Associados Mauricio Mendonça T. 305,482.8700 Jonathan Cardello www.addinc.com Lic.#: AR93391 NAME AND ADDRESS OF TAXABLE PARTY.

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NCE	VARIANCE PACKAGE#1 ELEVATIONS	A13
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SECOND FLOOR - 22-4" 43.38 N.G.V.D.

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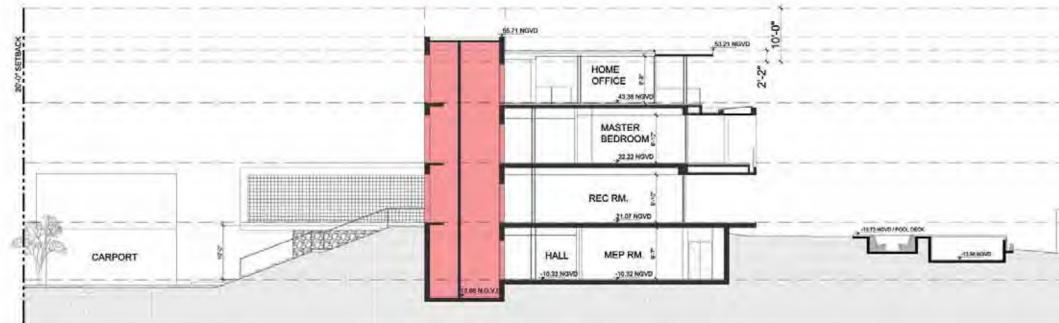
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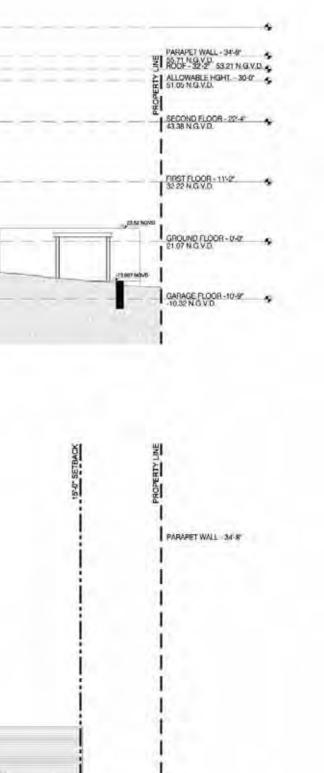
SECOND FLOOR - 22-4\* 43.38 N.G.V.D.

GARAGE FLOOR -10-9"

ALLOWABLE ELEVATOR









## ADD Inc

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com



## VARIANCE PACKAGE # 2

## **ADD Inc**

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391

Design Architect

Reinach Mendonça Arquitetos

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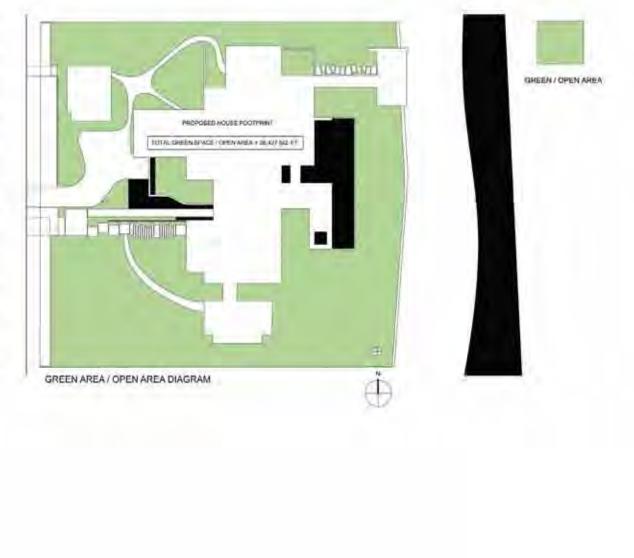
## GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160



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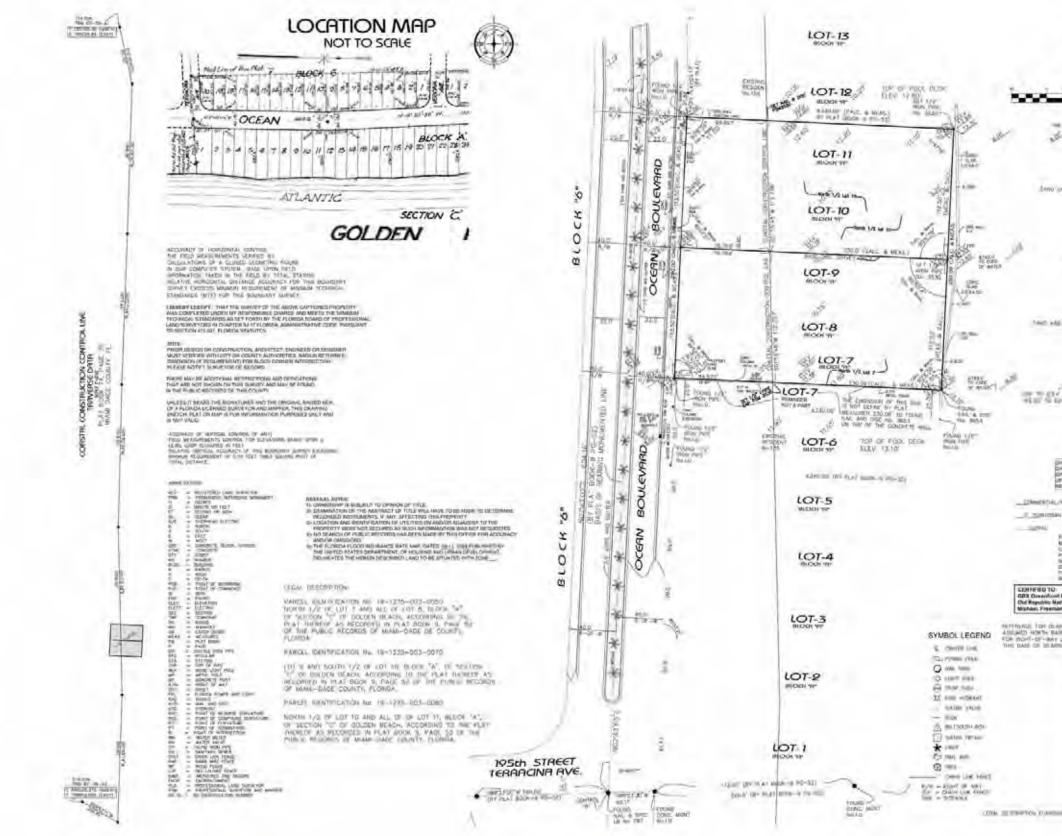
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VARIANCE PACKAGE - 2

**ITEM # 3** 

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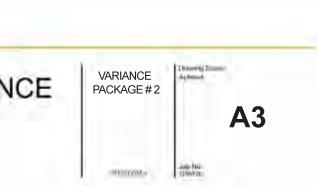
ADD Inc ARCHITECTURE + DESIGN Reinach Mendonça
Architect of Record
One Biscayne Tower Suite 1670
Two South Biscayne Bivd, Miami, FL 33131
Lic # AA26001507
Jonathan Cardelio

Lic.#: AR93391

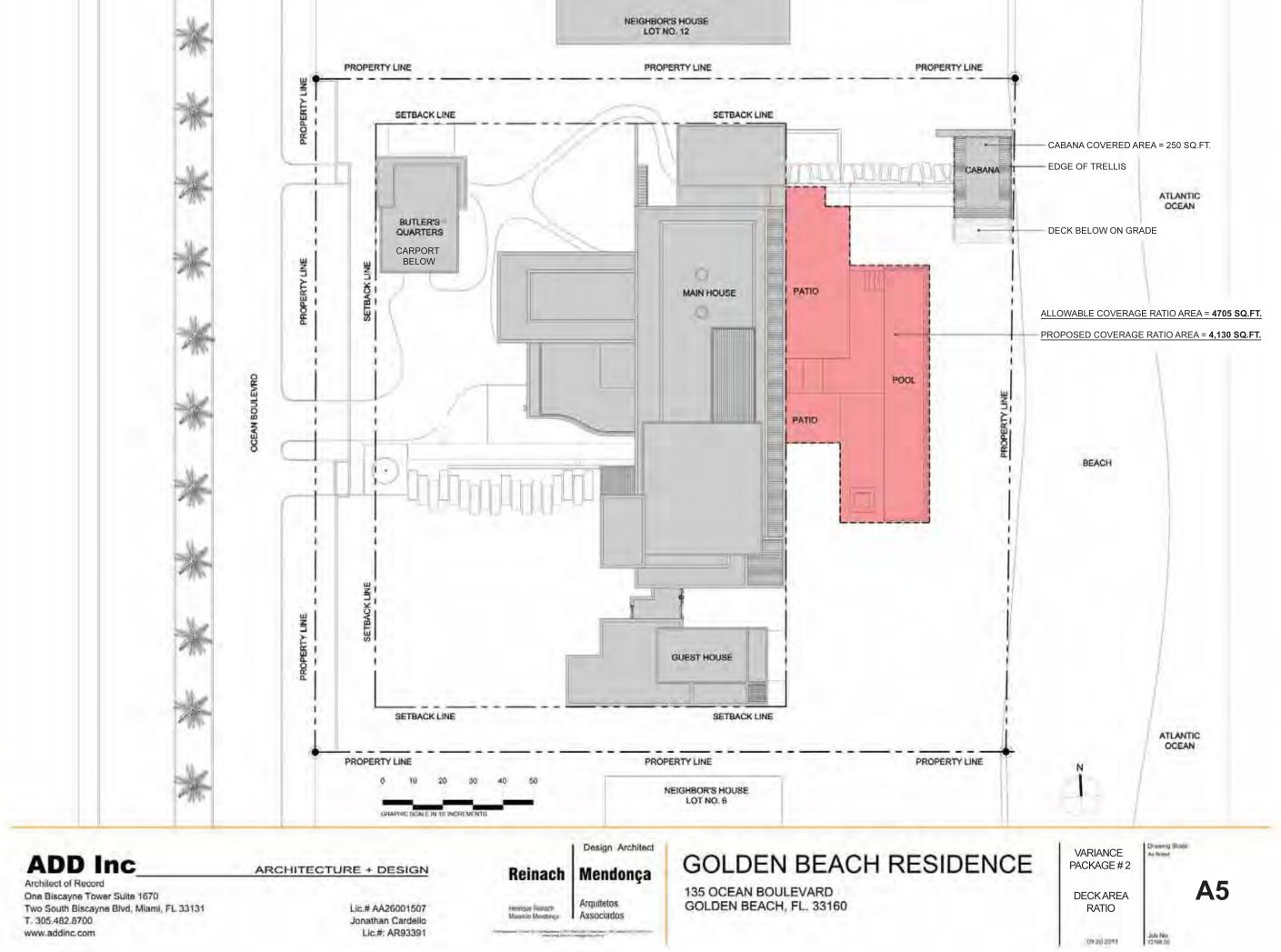
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# GOLDEN BEACH RESIDENCE

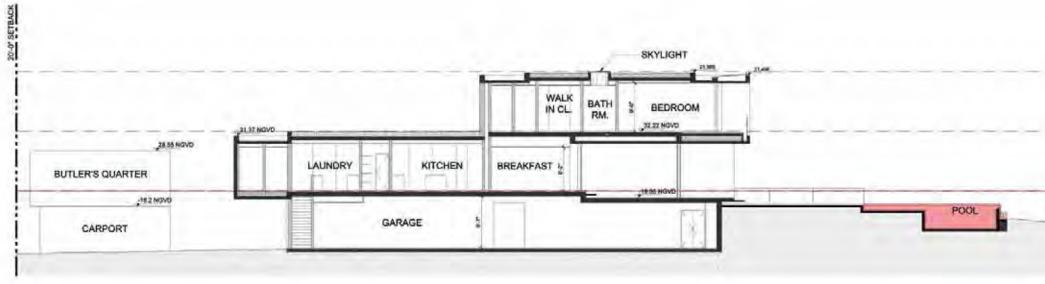
135 OCEAN BOULEVARD GOLDEN BEACH, FL 33160



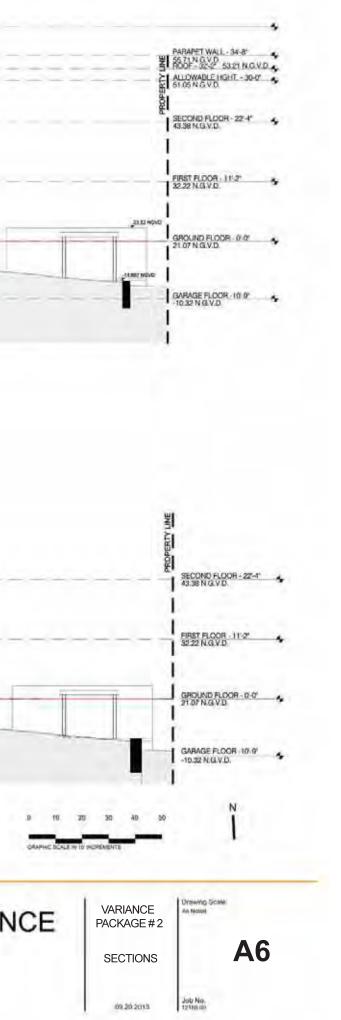












## VARIANCE PACKAGE - 2

ITEM # 4

GRADING

## ADD Inc.

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com ARCHITECTURE + DESIGN

Lic.# AA26001507 Jonalhan Cardello Lic.#: AR93391 Design Architect

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Reinach Mendonça

Arquitetos Associados

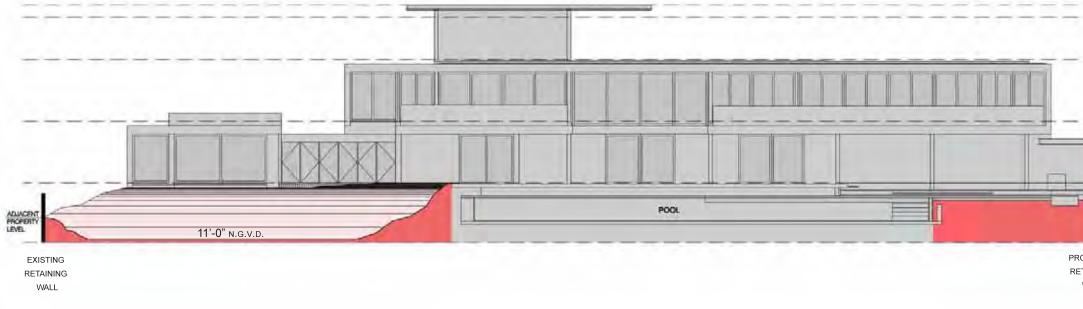
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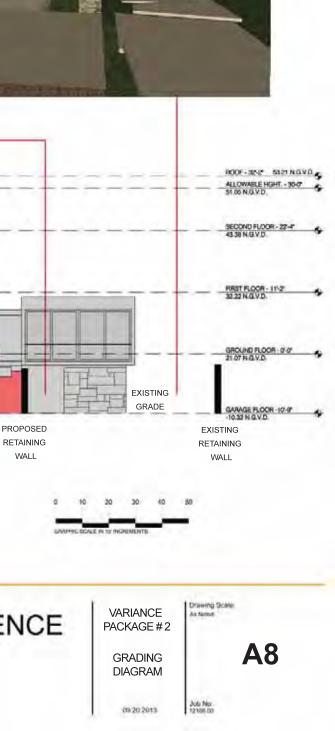
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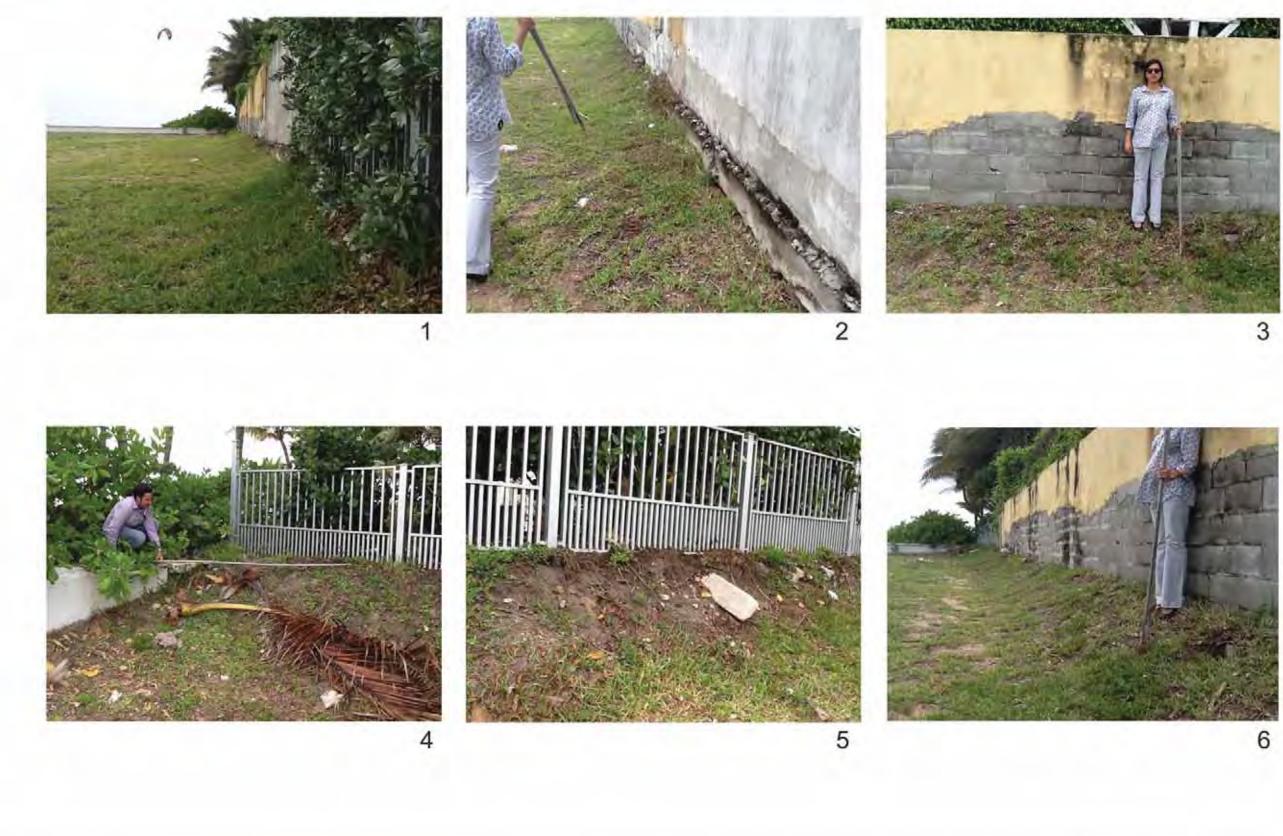












## **ADD Inc**

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Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391

Design Architect

Reinach Mendonça Arquitetos Henrique Reisach Misericio Mendença

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Associados

# **GOLDEN BEACH RESIDENCE**

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160











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## ADD Inc

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

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# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160





**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

**Date:** April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

From: Alexander Diaz, Town Manager Item Number:

Subject: Resolution No. 2345.14 – Variance Request for Ocean Boulevard Vacant Lots a/k/a 135, 137 & 145 Ocean Boulevard, Golden Beach, FL 33160 (Lot Elevations and Grade)

## **Recommendation:**

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2345.14

### **Background and History:**

Town Code Section 66-102 Minimum lot and swale elevations; grades; (a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

The applicant is requesting varying grade elevations on the deck and site throughout the property to be at an elevation not to exceed 18.00' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

The Building Regulation Advisory Board met March 11, 2014 and recommended approval of the variance, the motion passed with a Board vote of 5-0.

No one in attendance spoke in opposition to this item.

### Attachments:

- Resolution
- Building Official Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

#### Financial Impact: None

### TOWN OF GOLDEN BEACH, FLORIDA

### RESOLUTION NO. 2345.14

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A DECK AND SITE ELEVATIONS THROUGHOUT THE PROPERTY TO BE AN ELEVATION NOT TO EXCEED 18' N.G.V.D. WHEN THE TOWN'S CODE ALLOWS A MAXIMUM OF 11' N.G.V.D.

WHEREAS, the applicants, GBX Oceanfront Estates LLC, ("the applicant"), filed a Petition for a Variance/exception, DIVISION 2. – ELEVATIONS, Section 66-102. – Minimum lot and swale elevations; grade., to allow the elevation for the deck and throughout the site to be at varying elevation up to 18' N.G.V.D., in lieu of the maximum elevation of 11' N.G.V.D. set by the Town's code, at the property location of three vacant lots a/k/a 135,137 and 145 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "C", N ½ of Lot 7, all of Lots 8, 9, 10 & 11, Block A, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080 (the "Properties") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the variance by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval**. The Petition for Variance to permit each of the requested variances is hereby granted.

<u>Section 3.</u> <u>Conditions.</u> The Petition for Exception/Variance as granted is subject to the following conditions:

- Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, Cover Sheet, and A-1 through A-7, by Add Inc., Jonathan Cardello, Architect, License # AR93391, undated, and the Sketch of Boundary Survey, prepared by Peter De La Rosa P.L.S. Inc., L.N. 3814, dated 06/23/2013, for the vacant lot properties located at Ocean Boulevard., Golden Beach, FL. 33160, a/k/a 135, 137 and 145 Ocean Boulevard, Golden Beach, Fl. 33160

**Section 4.** Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance

with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

**Section 5.** Effective Date. This Resolution shall be effective immediately upon adoption.

## Sponsored by the **Town Administration**.

The Motion to adopt the foregoing Resolution was offered by\_\_\_\_\_,

seconded by \_\_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day <u>April</u>, 2014

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY

Resolution No. 2345.14



## TOWN OF GOLDEN BEACH Re-Notice of Public Hearing

The Town Council of the Town of Golden Beach will hold a Public Hearing on the following proposal

(3) Variance Request(s)

X New Construction

1. Relief from Town Code Section. 66-69. - Minimum frontage, building square footage and height of residence.

(8) Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots with Frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Residential structures built on Exempted Lots shall not exceed 25 feet in height. All height measurements referenced in this subsection shall be measured from the lowest habitable room finished first floor elevation (excluding garages) to the highest ridge of the roof. The height shall be measured from the lowest habitable finished floor. Elevator overrides serving a roof terrace shall be permitted to extend a maximum of ten feet above the permissible height provided the floor area is the minimum size necessary to facilitate the elevator cab and vestibule, and provided that such elevator is positioned as equidistant as practicable from all sides of the roof perimeter.

Request is for the building height to be at 32'-2" when the code requires a maximum height of 30'

2. Relief from Town Code Section 66-137 (a) (1-3)2 Minimum lot and swale elevations; grades

(a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the following restrictions:

- (1) Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;
- (2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building.
- In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and
- (3) Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building.

Request is to allow the pool and terrace decks to be offset 35' from the building's centerline, in lieu of being aligned on the principal building's centerline.

#### 3. Relief from Town Code Section 66-102 Minimum lot and swale elevations; grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is for varying grade elevations on deck and site throughout the property to be at an elevation not to exceed 18.00' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

JOB ADDRESS: OWNER ADDRESS:	VACANT LOTS A/K/A 135, 137 & 145 OCEAN BOULEVARD 675 3 <sup>rd</sup> Avenue, 26 <sup>th</sup> Floor, New York, N.Y. 10017
REQUESTED BY	GBX Oceanfront Estates LLC
LEGAL DESCRIPTION:	N ½ of Lot 7, all of Lots, 8, 9, 10 and 11, Block A, GB Section C, PB 9-52
FOLIO NO .:	19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080

The TOWN COUNCIL will consider this item:

PLACE:	GOLDEN BEACH TOWN HALL
	1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
DATE:	April 23, 2014 at 6:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: April 11, 2014

DiA Linda Epperson-Director Auilding & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932—0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.



## TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The **Building Regulation Board** and the **Town Council** of the Town of Golden Beach will hold a **Public Hearing** on the following proposal:

(1) Variance Request(s) X New Construction

Construction of a new residence on vacant lots

Relief from Town Code Section 66-102 Minimum lot and swale elevations; grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is for varying grade elevations on deck and site throughout the property to be at an elevation not to exceed 18.00' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

JOB ADDRESS:	VACANT LOTS A/K/A 135, 137 & 145 OCEAN BOULEVARD
OWNER ADDRESS:	675 3rd Avenue, 26th Floor, New York, N.Y. 10017
REQUESTED BY:	GBX Oceanfront Estates LLC
LEGAL DESCRIPTION:	N ½ of Lt 7, all of Lts, 8, 9, 10 and 11, Blk A, GB Sect C, PB 9-52
FOLIO NO .:	19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080

The BUILDING REGULATION ADVISORY BOARD will consider this item:

PLACE: GOLDEN BEACH TOWN HALL 1 GOLDEN BEACH DR., GOLDEN BEACH, FL DATE: March 11, 2014, at 6:00pm

The TOWN COUNCIL will consider this item:

PLACE: GOLDEN BEACH TOWN HALL 1 GOLDEN BEACH DR., GOLDEN BEACH, FL DATE: April 15, 2014 at 7:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: February 28, 2014 Inde Epperson-Director, Building & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932—0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

445 14. GRADING ELEVATIONS Town of Golden Beach MEMORANDUM Building Regulation Advisory Board From: Daniel B. Nieda, R.A. Building Official Date: March 11, 2014 Re: Variance Petition for GBX Ocean Front Estates, Inc. 135 Ocean Boulevard

#### Background:

The applicant has submitted for approval a variance petition in connection with a new home to be constructed, in the Zone 1 Single Family Residential District, at 135 Ocean Boulevard. The variance petition has been generated from site grading sloping down from the proposed pool deck elevation. The Documents submitted in support of the variance petition are prepared by ADD, Inc. Architecture + Design, dated January 7, 2014 and consisting of drawings A-1 through A-7.

#### Site Grading Variance

Site plan drawing A-3 shows the proposed 28 by 85.83 foot pool deck spanning from north to south parallel to the shore line. The zoning code allows for a 97 foot wide transition zone from the first habitable floor to grade, with which the 85.83 foot long pool deck is in compliance. The code contemplates this transition zone to grade to be negotiated with a combination of landings and steps, whereas the Architect has opted to make this level transition through site grading afforded by the site's 225 foot frontage. Section 66-102(a) of the Code requires a maximum permitted grade elevation of 11.0' NGVD.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

- Yes, this petition constitutes a variance, since the applicant has requested a site grading elevation range from 11.0 to 18.0 feet NGVD in excess of the minimum permitted grade elevation of 11.0' NGVD permitted by Section 66-102(a) of the Code. The requested site grading variance is generated by the transition from pool deck to grade.
- Yes, the land is peculiar in nature as the applicant seeks to place the new home on 4 and a half lots with 225 feet of frontage, where the a 100 foot lot is the minimum Zone 1 frontage required for construction.
- 3. Yes, the variance petition stems from special conditions and circumstances of the property, where FDEP requires the minimum habitable level to exceed 18.2' NGVD, requiring an additional floor level which imposes upon the applicant the need to resolve the habitable floor level transitions to grade.

- 4. Yes, the granting the variance would not confer upon the applicant a special privilege. Similar variances have been approved to resolve similar grading conflicts in the Zone 1 Single Family Residential District. An approval of this variance would allow a use that has been granted to other lands in the same District.
- No, literal interpretation of the provision of the Zoning Code would not deprive the applicant the rights commonly enjoyed by other properties in the same District.
- Yes, this variance is the minimum petition that will allow the applicant reasonable use of the land.
- 7. Yes, the granting of the site grading variance with an elevation range from 11.0 to 18.0 feet NGVD in excess of the minimum grade elevation of 11.0' NGVD permitted by Section 66-102(a) of the Code should not be injurious to the area or detrimental to the public welfare. The applicant has obtained letters of support from adjacent properties at 125 and 155 Ocean Boulevard.

In conclusion, the variance petition seeking relief from Section 66-102(a) of the Code for a site grading variance with an elevation range from 11.0 to 18.0 feet NGVD, seems to rise to the hardship standard required for granting of a variance. TOWN OF GOLDEN BEACH APPLICATION FOR

NG 3-11-14. BRITDING GRADING CIRADING BUILDING REGULATION ADVISORY BOARD HEARING Application fee Request hearing in reference to: New residence/addition. NEW RESIDENCE Variance(s).(1) Exterior alterations. N/A Other Structure: Date application filed. For hearing date: 1. Project information: Project description: NEW 3 STORY RESIDENCE W/ POOL : GUEST HOUSE C 135 OCEAH BLVD. Legal Description: SEE SHEET (A1) IN PACKAGE PROMDED FOR LECAL DESCRIPTION : A ZONNY INFO. Folio #: 19-1235-003-0050 Address of Property. 135 OCEAH BLVD, GOLDEN BEACH, FL. 33160 2. Is a variance(s) required. Yes V No How Many? (If yes, please submit variance application form for each request). Phone 3/442-1567 Fax 3/447-122-Owner's Name: GBX OCEAH FRONT City/State CORAL GABIES Zip 33114-0662 Owner's address po. Box HOGAS Phone 3/442-1567 Fax 3/442-1227 Agent: MICHEAL J. FREEMAN Agent's address P.O. Box 140669 City/State CORAL GARLES Zip 33114-0668 Phone 305-482-8738 Fax 305-482-8770 Architect: ADD INC. (JOH CARDELLO) Contractor: N/A Phone Fax 3. Describe project and/ or reason for request of hearing: NEW GROUTD DD CONSTRUCTION OF 3 SORY RESIDENCE WITH POOL, TREWS, GUESTHOUSE. WE ARE REQUESTING A VARIATICE FOR GRADING. 4. The following information is submitted for assisting in review: Building Plans. Preliminary: provided Final: Conceptual: PROVIDED Other CEE PACKAGE PROVIDED 5. Estimated cost of work. \$ - TBD Land \$ 12,000,000 Estimated market value of Building \$ TBD

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

#### TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

Property Address:	135 OCE	Art BLVD.	GOLDEN B	EACH FL. 3	3160
Legal Description:	SEE SHEET	F (AL) IN PI	ACKAGE PROVI	DED FOR HEL	AL DESCRIPTION
Owner's Name: 4	BX OCEAH FR	LOTT PROP.	Phone 3)	442-1567 Fax	3)442-1227
Agent's Name: My				492-1561 Fax	
Board Meeting of	BRAG - GR	ZADING VAR	ANCE		

NOTE: 1. Incomplete applications will not be processed. 2. Applicant and/or architect must be present at meeting.

Application for GRADITIC VARIATICE
Lot size: 224'-7" x 230'-5"
Lot area: 52,069.15 50.PT.
Frontage: 224'-7"
Construction Zone: SF SINGLE FAMILY RESIDENTIAL
Front setback. 20 FEET
Side setback: 15 FEET
Rear setback: 73'-4"
Coastal Construction: Yes V No East of coastal const. control line: Yes V No
State Road A1A frontage 224'-7"
Swimming pool: Yes No Existing NO Proposed: IN GROOND POOL
Fence Type wood /AUMIHUM /CMU Existing: NO Proposed:
Finished Floor elevation N.G.V.D. 21.07 HGYD
Seawall: EXISTING TO REMAIN Existing: V Proposed:
Lot Drainage: COSTAL SYSTEMS HAS BEEN RETAINED FOR DEALMAGE CALCS, (SEE ATTACHED)
How will rainwater be disposed of on site? SLOPE IN GRADING, SEE PACKAGE
ATTACHED, INCLUDING DEALNAGE CALCS.
Adjacent use (s): EXSTING RESIDENTIAL
Impervious area: 28,427 SQ FT. (GREEN AREA)
% of impervious area: 60%
Existing ground floor livable area square footage: N/A
Proposed ground floor livable area square footage: 7,959
Existing 2 <sup>nd</sup> floor livable area square footage: N/A
Proposed 2 <sup>nd</sup> floor livable area square footage 4312
Proposed % of 2 <sup>nd</sup> floor over ground floor: 43%
Vaulted area square footage N/A
Vaulted height: N/A
Color of main structure TBD
Color of trim TBD
Color & material of roof TBD / GREEH ROOF AREA
Building height (above finished floor elevation). 32'-2"
Swale: (Mandatory 10'-0" from edge of payment, 10 ft, wide x 1 ft, deep minimum):
enale (nonacier) to a non sage o payment to a most in stop think any
Existing trees in Lot: NONE in Swale: TED
Proposed trees in Lot: 32 TREES in Swale: TBD
Number & type of shrubs: TBD
Garage Type: PELON HOUSE (FROOR Existing NOHE Proposed CEE ATTACHED
Driveway width & type VARIES (PAUER)

Signature of Applicant: \_\_\_\_\_ Date: BUILDING REGULATION ADVISORY BOARD APPLICATION (November 2013) Page 9 of 12

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

Date:

## AS ATTORNEY FOR GBX OCEAH FRONT ESTATES IL Fee

 I. MICHEAL J. FREEMAH
 hereby petition the Town of Golden Beach for a variance

 from the terms of the Town of Golden Beach Code of Ordinances affecting property located at:

 I35 OCEAH BLVD.
 Folio No

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

- 1. The Variance requested is for relief from the provisions of (<u>list section number(s) of</u> the Town of Golden Beach Code of Ordinances): <u>VADATVE</u> <u>REDUESTED 15</u> FOR <u>RELIEF OF SECTION 66-102(A)</u>, <u>NEIGHBORS PROPERTES ARE</u> <u>HIGHER THAN PROPOSED PROPERTY. SUDPE OF GRADING FROM</u> <u>J21'HGVD D</u> 11'HGVD.
- In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item).
  - a The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. <u>VES VARIANCE REQUESTED</u> IS FROM ZONING CHAPTER TOWN CODE.
  - b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. DUE TO FINISH FLOOR HEAHT AND TRYING TO COMPLY WITH II' NGVD MAXIMUM WE ARE PROPOSING SLOPING GRADE FROM ZI'NGVD TO II' NGVD.
  - C The special conditions and circumstances do not result from the actions of the applicant. <u>NEGHBORING PROPERTIES ARE DRIVING FACTOR</u> FOR SCOPING GRADE, SEE ATTACHED DRAINAGE. DRAWINGS FOR CLARIFICATION.
    - d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district <u>CORPECT</u>, <u>VARIANCE REQUESTED</u> WILL NOT CONFER ANY SPECIAL PRIVILEGES.

BUILDING REGULATION ADVISORY BOARD APPLICATION (November 2013) Page 10 of 12

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

- Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant <u>Applicant</u> WOUD HOT BE DEPENED OF ANY RIGHTS.
- 4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. <u>YES, WE ARE SCOPING</u> TO II' NGVD TO COMPLY WITH CODE.
- 5. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. VES

Does the Variance being requested comply with <u>all</u> the above listed criteria?

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes No.
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? \_\_\_\_\_Yes \_\_\_\_\_No

8 Is construction in progress? NO

9. Is this request as a result of a code violation? NO

- 10. Did this condition exist at the time property was acquired? \_\_\_\_\_ Yes \_\_\_\_ No
- 11 Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate?
- 12. Do you have a building permit? \_\_\_\_\_Yes \_\_\_\_No

Building Permit No.	NI	4	Date issued:	N	A	_

BUILDING REGULATION ADVISORY BOARD APPLICATION (November 2013) Page 11 of 12

#### TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

	that I am the owner of record (*) of the property at all information supplied herein is true and a.
lignature of owner(s):	
cknowledged before me this	day of, 20
ype of identification:	
eing duly sworn, depose and say I a	
being duly sworn, depose and say I a pplication and that I am aware of the r m hereby authorizing	am the owner (*) of the property described in this
being duly sworn, depose and say I a pplication and that I am aware of the r m hereby authorizing epresentative before the Building Reg	am the owner (*) of the property described in this nature and request for:
pplication and that I am aware of the r	am the owner (*) of the property described in this nature and request for:

#### TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.:	19-1	235	-003-00	SO Address	135	5 OCEAH	BIVD.	GOLDEN BEACH,
Legal Desci	ription:_	SEE	ATTACHED	PACKAGE.	FL.	33160		

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of 1/-1/14 relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

- That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
- If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
- That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.

in fact for Manus Indurna Manger For GBX Lecan Representative front Est-les We Wenten Signature of Owner or Legal Representative HC DECEMDA Sworn to and subscribed before me this day of 28 ASHLEY ALBAN MY COMMISSION # EE125310 EXPIRES October 11, 2015 Notary Public State of Florida at Large EL Notary Disc Personally know to me Produced Identification

## Daniel & Hedy Whitebook 155 Ocean Blvd Golden Beach Florida

#### July 11, 2013

Town of Golden Beach 1 Golden Beach Drive Golden Beach Fl 33160-2296

#### RE: **GBX** Oceanfront Estates LLC Approval of Variance Application for 135 Ocean Blvd.

Gentlemen:

My wife Hedy and I reside at 155 Ocean Boulevard in the town of Golden Beach, Florida.

I have personally met with managing member of GBX Oceanfront Estates, LLC that owns 135 Ocean Boulevard and its Architects to review proposed building plans for a residence on the vacant lots to the South of my property.

I have no objections to the requested variances and any petitions that are being submitted on behalf of GBX Oceanfront Estates LLC.

If you have any questions, please contact me.

Thank you.

Very truly yours,

Daniel<sup>®</sup>Whitebook

00144465-1

Jack and Rita Barouh 125 Ocean Blvd. Golden Beach, Florida

July 11, 2013

Town of Golden Beach 1 Golden Beach Drive Golden Beach FI 33160-2296

> RE: GBX Oceanfront Estates LLC Approval of Variance Application for 135 Ocean Blvd.

Gentiemen:

My wife Rita and I reside at 125 Ocean Boulevard in the town of Golden Beach, Florida.

I have personally met with managing member of GBX Oceanfront Estates, LLC that owns 135 Ocean Boulevard and its Architects to review proposed building plans for a residence on the vacant lots to the North of my property.

I have no objections to the requested variances and any petitions that are being submitted on behalf of GBX Oceanfront Estates LLC.

If you have any questions, please contact me.

Thank you.

ery traly yours.

Jack Barouh

FELIPE VALLS 3663 SW 8<sup>TH</sup> ST., PH MIAMI, FL. 33135

RICKEY S. MITCHELL 152 OCEAN BLVD. GOLDEN BEACH, FL. 33160

HEDY & DANIEL S. WHITBROOK 155 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

TAL IVCHER 167 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

GILBERT & FRANCE BENHAMOU 165 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

ALEXANDER & JAN C. HOCKMAN 151 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

MICHAEL & SARI ADDICOT 155 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

GABRIEL EILEMBERG NATALIE EILEMBERG 20155 NE 38<sup>TH</sup> COURT, #3001 AVENTURA, FL. 33180

PIETRO & MARLINA OPPEDISANO 170 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

JEAN-PIERRE LEVY 175 OCEAN BOULEVARD GOLDEN BEACH, FL 33160 FLORENCE SHORE 162 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

NORMAN B. GAYLIS 179 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

LEE R. DUFFNER TRUST 185 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

SONNY & SUZANNE PASSI KAHN 105 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

BRADLEY I MEIER 101 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

GABRIEL ABITAN 146 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

AMIR & DEBORAH J. HAYUN 136 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

ARYEH & RAQUEL RUBIN 165 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

ROGER MIMOUN 128 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

JACK & RITA BAROUH 125 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160 SCOTT SCHLESINGER 176 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

URI W. & RANDI J. FISCHER 147 GOLDEN BEACH DRIVE GOLDEN BEACH, FL. 33160

RIALCO INC. (LH) RICARDO A. NEVAREZ P.O. OBX 5936 SURFSIDE, FL. 33154-5936

GBX OCEANFRONT ESTATES LLC 675 3<sup>rd</sup> AVENUE, 26<sup>TH</sup> FLOOR NEW YORK, N.Y. 10017



### TOWN OF GOLDEN BEACH 1 Golden Beach Drive Golden Beach, Fl. 33160

## Summary Minutes BUILDING REGULATION ADVISORY BOARD March 11, 2014 at 6:00pm

- A. CALL MEETING TO ORDER: 6:05pm
- B. BOARD ATTENDANCE: Eric Cohen, Stephanie Halphen, Jerome Hollo, Zvi Shiff, and Isaac Murciano (Zvi Shiff and Isaac Murciano were introduced as new appointed Board Members.)
- C. STAFF ATTENDANCE: Building Official Dan Nieda and Building & Zoning Director Linda Epperson
- D. APPROVAL OF MINUTES: November 12, 2013, December 10, 2013 and December 17, 2013

A motion by Eric Cohen to approve the minutes as presented, Seconded by Stephanie Halphen. On roll call: Eric Cohen-Aye, Stephanie Halphen-Aye, Jerome Hollo-Aye, Zvi Shiff-Aye and Isaac Murciano-Aye. Motion passed 5 - 0

#### **REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS &** E. WITHDRAWALS

- F. VARIANCE REQUEST(S):
  - 1. GBX Oceanfront Estates LLC 675 3rd Avenue, 26th Floor New York, N.Y. 10017

HINCE DO BOD Property Address: VL a/k/a 135, 137 & 145 Ocean Blvd., Golden Bch. FL 19-1235-003-0050: 0070 and 0080 Folio No: N 1/2 of Lt 7, all of Lts, 8, 9, 10 and 11, Blk A, GB Legal Description: Sect C, PB 9-52

Building Official Nieda read his comments into the record. Sal Benchetret with Add Inc. spoke on behalf of the applicant.

Construction of a new residence on vacant lots.

# Relief from Town Code Section 66-102 Minimum lot and swale elevations; grades

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is for varying grade elevations on deck and site throughout the property to be at an elevation not to exceed 18.00' N.G.V.D. when the code requires a maximum height of 11' N.G.V.D.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

Motion to recommend approval by Eric Cohen, Seconded by Stephanie Halphen

On roll call: Stephanie Halfen-Aye, Eric Cohen-aye, Jerome Hollo-Aye, Zvi Shiff-Aye, Isaac Murciano-Aye Motion passed 5 – 0

#### G. OLD BUSINESS:

#### H. NEW BUSINESS:

2.

Johnny Grobman and Noemi A. Geller 20900 NE 20<sup>th</sup> Avenue, Suite 710 Aventura, FL. 33180

Property Address:100 Golden Beach Dr., GB, FL.Folio No:19-1235-004-0300Legal Description:Lt 19 and a port of Lt 20, Blk H, GB Sect. D, PB10-10

Building Official Nieda read his comments into the record. Jaime Shapiro, Architect, spoke on behalf of the applicant

Addition to the second floor and remodel an existing single-family residence.

Motion to approve by Eric Cohen, Seconded by Stephanie Halphen Conditions: Masonry screen for pool equipment and the use of gray Glass

# **GOLDEN BEACH RESIDENCE**

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160



# VARIANCE PACKAGE # 1

# **ADD Inc**

ARCHITECTURE + DESIGN

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

Reinach Mendonça Henrique Reinach Mauricio Mendonça

#### terrina 75 corg. 32 | Via Madalarena | CEP 05432-050 | São Paulo - SP | telifar 55 11 3032 1

# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160



**VARIANCE PACKAGE -1** 

ITEM # 1

**BUILDING HEIGHT** 

# **ADD Inc**

Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com ARCHITECTURE + DESIGN

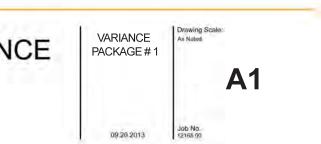
Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

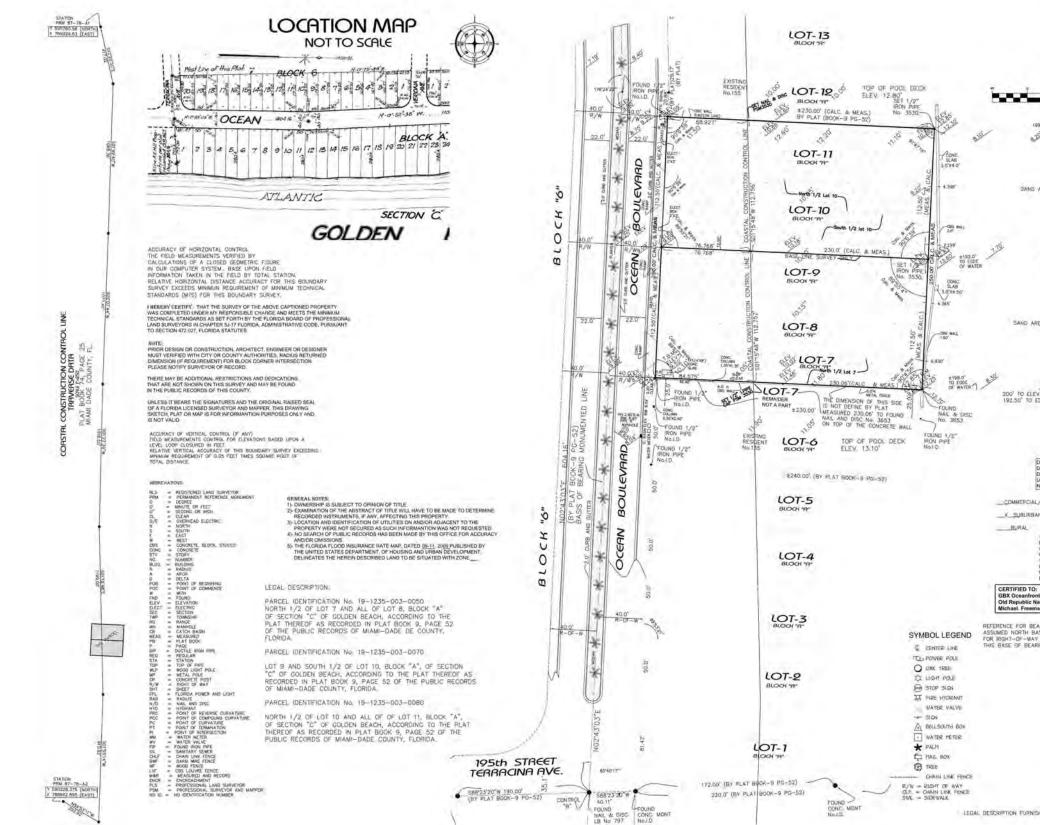
 
 Reinach
 Mendonça

 Hannque Reinach Mauncio Mendonça
 Arquitetos Associados

# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160





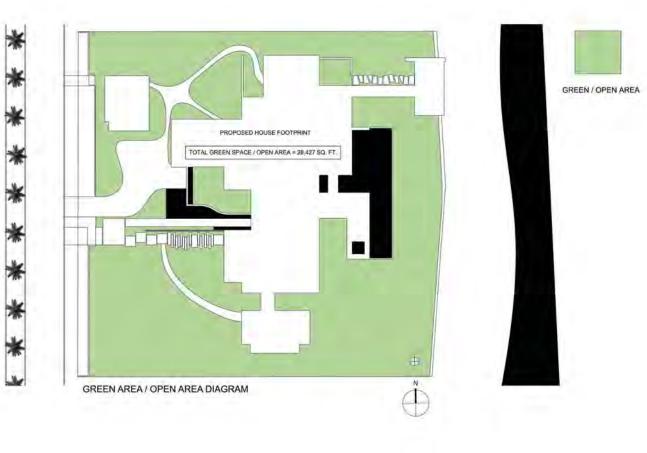


GRAPHIC SCALE	
	PETER DE LA ROSA P.L.S. INC. SURVEYING © CONSULTING © PLANNING mass w 178 APPEND AND FOR STATUR OF PLANNING TYDE BUSINES NO. 3914 E-MAIL PRIVINCH @VAPOODDM
AREA BLEV 0.007 IN EDGE OF WATER	PETER DE LA ROSA PETER DE LA ROSA PETER DE LA ROSA PERENANO WARTE OF ILORDA
DATE FIELD WORK. 11:22-2011 DATE DAATTING. 11:22-2011 DATE SIGNED ASTING UPCNTE DOWNER SUNCT NO.00000 HEW ELEVATION, FIELD WORK, KORDING HEW ELEVATION, FIELD WORK, KORDING HEW ELEVATION, FIELD WORK, KORDING HEW ELEVATION, SUNCT NO. 3,000 FEET LUNEAR: 1 FOOT IN 3,000 FEET LUNEAR: 1 FOOT IN 3,000 FEET FLOOD INTOBMATION: MAP NUMBER: 102852 DATE OF FIRM. SEPT 11,2009 FIED OF DELEVATION, ARE LEV-SILVE-ELEV-101 TO: Foot Estates, LLC, a Florida Limited Liability Company MARING	PROJECT: GOLDEN BEACH MIAMI BEACH, FL BOUNDARY SURVEY
BEARING BASED ON A BEARING OF AN ASSIMED MERIDIAN WY TURE AS SHOWN UPON OUR BOUNDARY SURVEY, EARING IS A MONUMENTED LINE. NATIONAL BEODETIC VEHTICAL DATUM NIVUD 1959 MUANI DARE COUNTY. BENCHMARK 1 NAME E-2011 LOCATOR 1281 SW ELEVATION - 629 NE 1957 - 407 SOUTH OF CL NIVY A-1-A - 817 WEST OF CL DENCHMARK 2 NAME F-314R BENCHMARK 2 NAME F-314R LOCATOR 220 SE ELEVATION + 4.3 GOLDEN BEACH DR - 157 WEST OF CL	JUB HE         111700           FILD BOOK PME            FAD FILE (2000)            DATE 112200            DATE 112200            DATE 112200            DATE 112000            REVISIONS            REVISIONS
VERONA AVE - 22 NORTH OF CAL A-1A 510 WEST OF PK NAL AND ALUMINUM WASHER IN CONC PAD OF A STREET LIGHT.	9HEET 144 1-OF-1

LEGAL DESCRIPTION FURNISHED BY THE OFFICE OF: MICHAEL & FREEMAN, P.A.

VARIAN	CE PACKAGE	
	CHRESIDENCE	
COVER PAGE	COVER PAGE	
DATA SHEET	DATA SHEET	
SURVEY	SURVEY	
A-2	OVERALL SITE PLAN	
A-3	LANDSCAPE PLAN	
A-3.1	LANDSCAPE PLAN	
A-4	PARTIAL GARAGE PLAN	
A-4.1	PARTIAL GARAGE PLAN	
A-4.2	PARTIAL GARAGE PLAN	
A-5	PARTIAL GROUND FLOOR PLAN	
A-5.1	PARTIAL GROUND FLOOR PLAN	
A-5.2	PARTIAL GROUND FLOOR PLAN	
A-6	PARTIAL FIRST FLOOR PLAN	
A-6.1	PARTIAL FIRST FLOOR PLAN	
A-6.2	PARTIAL FIRST FLOOR PLAN	
A-7	PARTIAL SECOND FLOOR PLAN	
A-7.1	PARTIAL SECOND FLOOR PLAN	
A-7.2	PARTIAL SECOND FLOOR PLAN	
A-8	PARTIAL ROOF PLAN	
A-8.1	PARTIAL ROOF PLAN	
A-8.2	PARTIAL ROOF PLAN	
A-9	SECTIONS	
A-9.1	SECTIONS	
A-10	ELEVATIONS	
A-10.1	ELEVATIONS	
A-11	RENDERING	
A-11.3	RENDERING	
A-11.2	RENDERING	
A-11.3	RENDERING	
A-11,4	RENDERING	
A-11.5	RENDERING	
A-11.6	RENDERING	
A-11.7	RENDERING	
A-11.8	RENDERING	
SITE PHOTO	EXISTING SITE PHOTOGRAPHY	

1 - MAIN HOUSE		
Basement	-internal	699.12 SQ.FT.
	-ext. protected	677.15 SQ.FT.
	Sub-total	1,376.27 SQ.FT
Ground Floor	-internal	4.584 SQ.FT
	-ext. protected	3,375 SQ.FT
	Sub-total	7,959 SQ.FT.
t <sup>at</sup> Floor:	-internal	4012 SQ FT
	-ext. protected	860 SQ FT.
	Sub-total	4,872 SQ.FT.
Z <sup>ND</sup> Floor	-internal	1151.2 SQ.FT.
	-ext. protected	1270.2 SQ.FT.
	Sub-total	2421.4 SQ.FT.
TOTAL	INTERNAL AREAS	10,446 SQ.FT.
	EXT. PROTECTED	6182.14 SQ.FT
	TOTAL	16,628 SQ.FT.
2-GUEST		
	-internal	829.04 SQ.FT
	-ext. protected	266.08 SQ.FT.
A COMMON	Sub-total	1095.12 SQ.FT.
3-LAZER		100000 20000
	-sauna	630.44 SQ.FT.
	-fitness	725.59 SQ.FT
4-CARETAKER	Sub-total	1356.03 SQ.FT
FCARL TAREN	-internal	816.11 SQ FT
	-ext. protected	326,36 SQ.FT.
	Sub-total	1142.47 SQ.FT.
5-SUPPORT		
	-garage	4259.49 SQ.FT.
	-mep room	2014.57 SQ.FT
	Sub-total	6274.1 SQ.FT.
TOTAL INT E EX	TAREAS	26493 SQ.FT.
POO	L	1860.32 SQ.FT
WAT	ER MIRROR	609.24 SQ.FT



ZONING INFO
 (S.F.) SINGLE FAMILY RESIDENTIAL
 (S.F.) SINGLE FAMILY RESIDENTIAL
 LOT A: Parcel Identification No: 19-1235-003-0050
 Norm % of Lot 7 and all of Lot 8: BLOCK 'A', of SECTION 'C' of GOLDEN BEACH, according to
 the Plat thereof as recorded in Plat Book 9, Page 52 of the Public Records of Marri-Dade
 Coauty, Florida: (135 Ocean Blvd)
 LOT B: Parcel Identification No: 19-1235-003-0070
 Lot 9 and South % of Lot 10, BLOCK 'A', of SECTION 'C' of GOLDEN BEACH, according to the
 Det band to extend to the Dist Book 9. Page 52 of the Public Records of Marri-Dade
 Coauty, Florida: (135 Ocean Blvd)

Lot 9 and South ½ of Lot 10, BLOCK "A", of SECTION "C" of GOLDEN BEACH: according to the Plat thereof as recorded in Plat Book 9, Page 52 of the Public Records of Mami-Dado County, Florida. (Vacant lot)

I,OT C. Parcel Identification No.: 19-1235-003-0080

North ½ of Lot 10 and all of Lot 11, BLOCK 'A', of SECTION 'C' of GOLDEN BEACH, according to the Plat thereof as recorded in Plat Book 9, Page 52 of the Public Records of Miami-Dece County, Florida. (Vacant Lot)

#### UNITY OF TITLE

My client GBX Oceanifont Estates LLC owns three vacant icoroguous lots, each one zoned for a single lumity realisence, It is planning to build a single family home (with ratef quarters) on the entitie ploperty. The architect intende to summit it an application for Building Regulation Advisory Board hearing and a Petition for Vanence the Priday and to regulat a data in August.

The purpose of my email regards a unity of title when the unity of title is required to be finalized and recorded. My client is prepared to sign a unity of title as a condition of the insuance of the building permit. The inchiled indentified that the its a precordition of for the hearing to be scheduled.

Design Architect

# Reinach Mendonça

Henrique Reinach Mauricio Mendonça Arquitetos Associados

## 

# GOLDEN BEACH RESIDEN

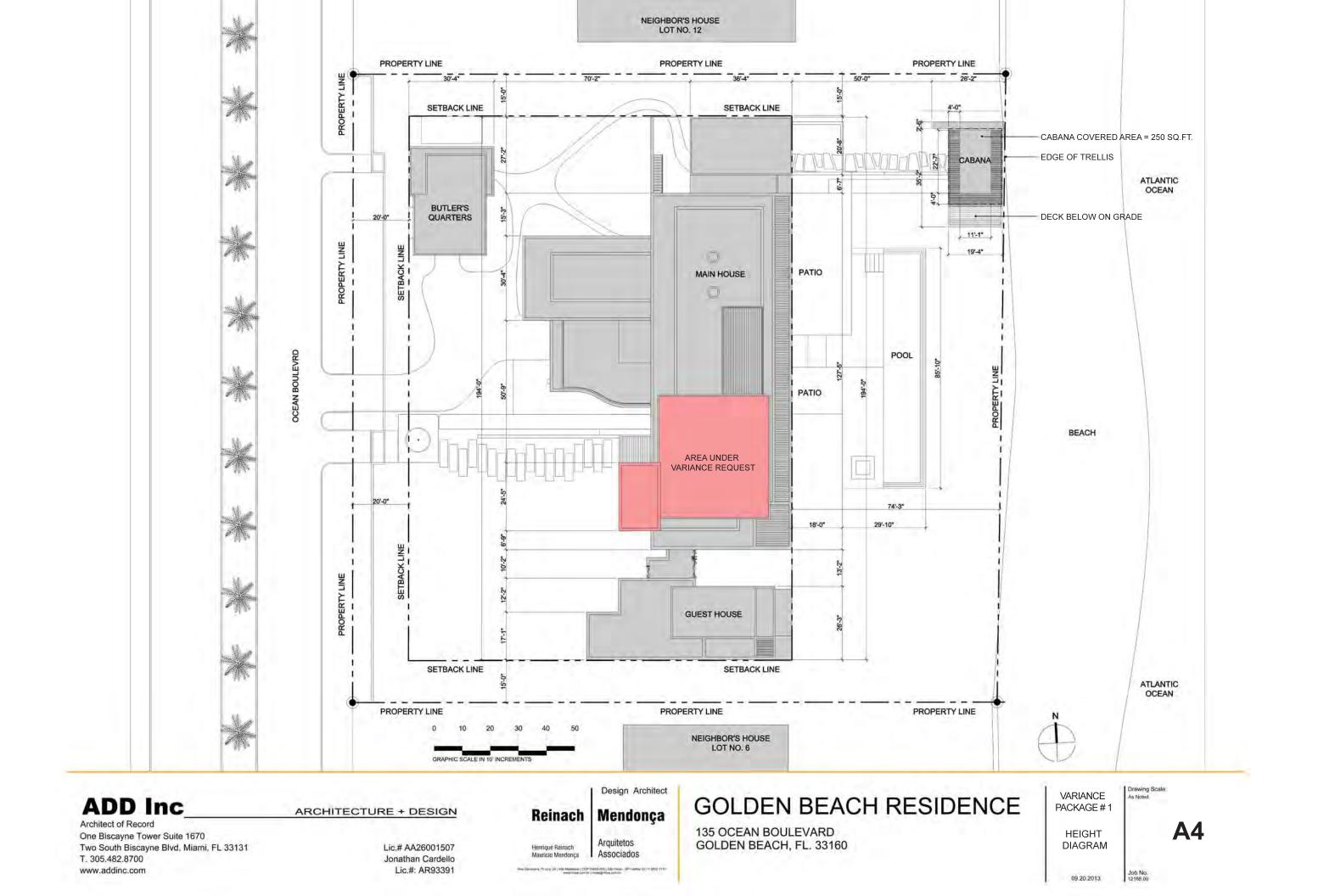
135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

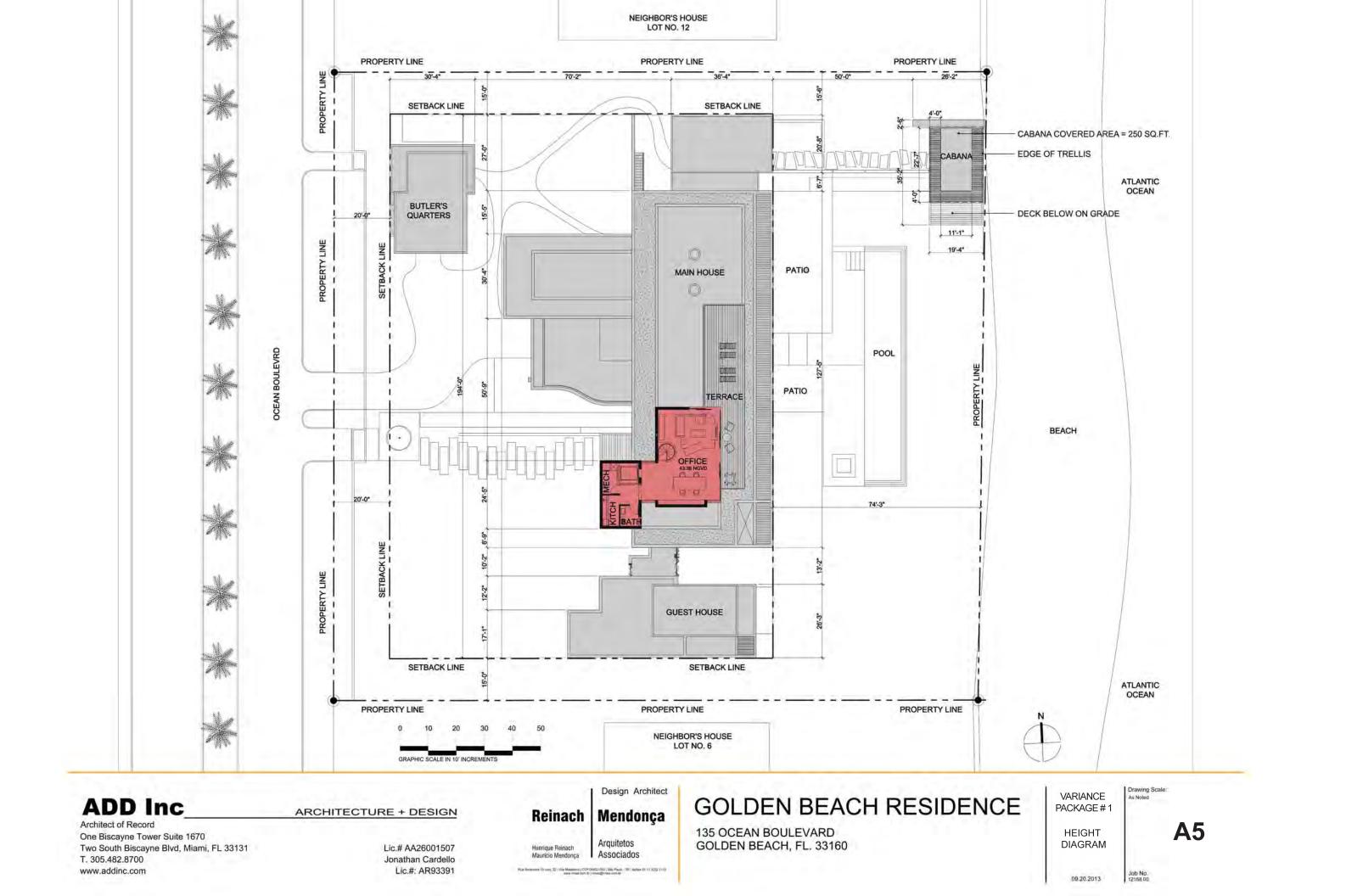
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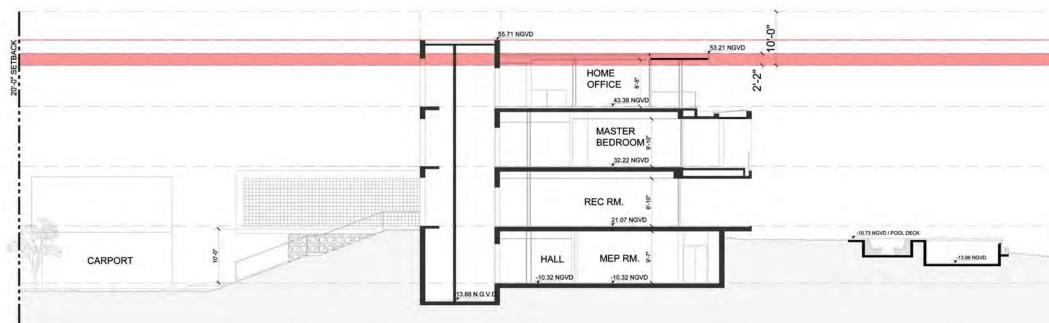
Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com ARCHITECTURE + DESIGN

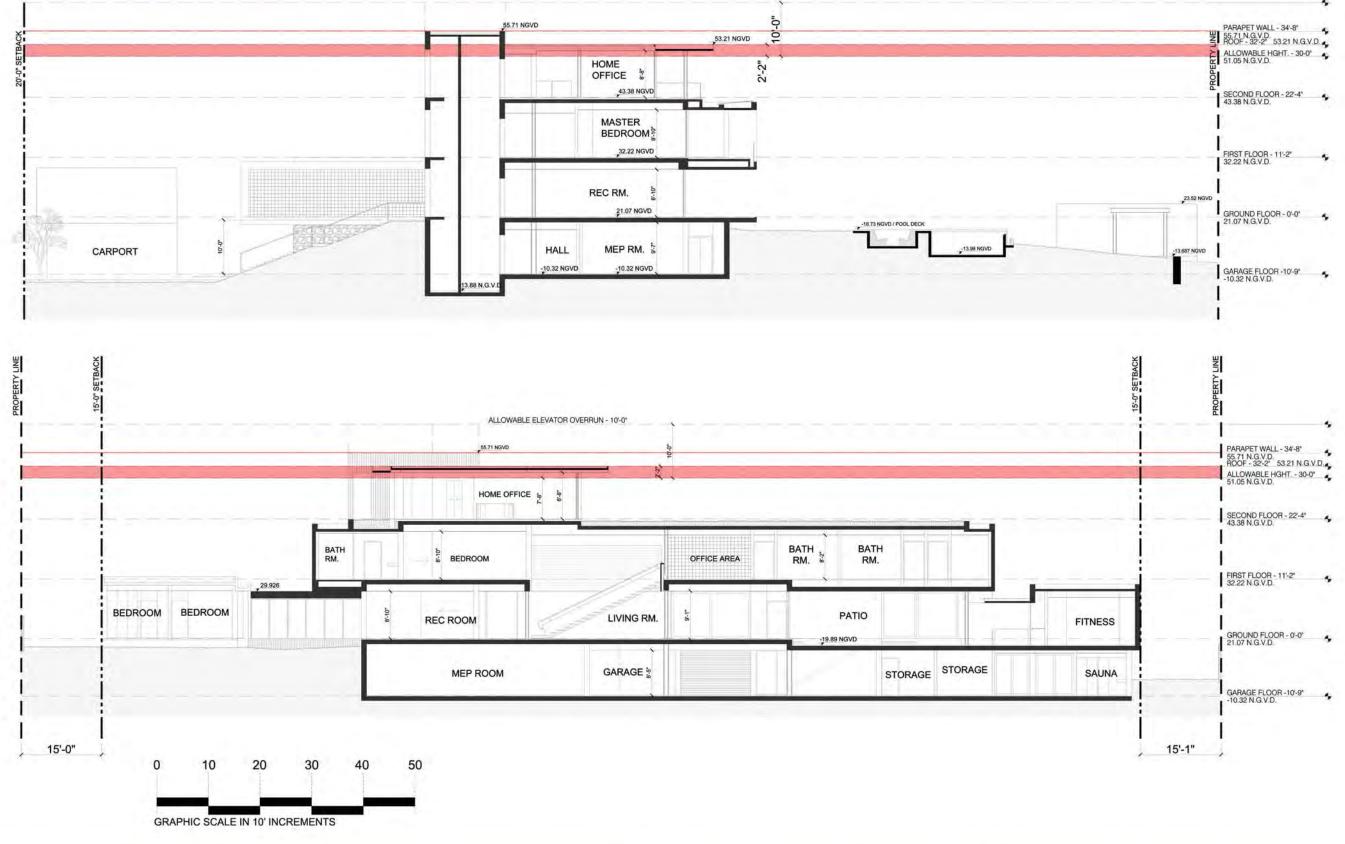
Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391

NCE	VARIANCE PACKAGE # 1	Drawing Scale: As Noted
	DATA	A3
	09:20.2013	Job No. 12168.00









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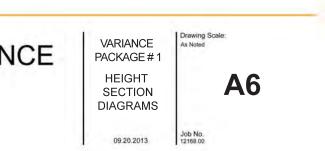
Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Reinach Mendonça Arquitetos Henrique Reinach Mauricio Mendonça Associados

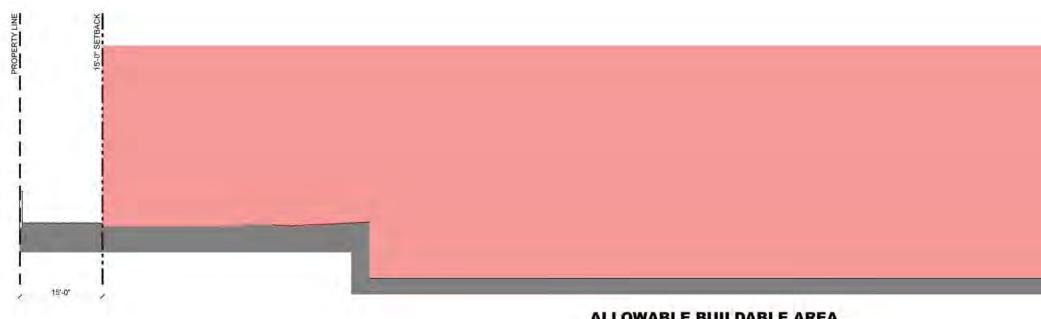
Rua Santonina 15 conj. 32 i Vila Madalena (CEP 05432-050 ( São Paulo - SP ) leifax 55 11 503/ 1110 www.rmaa.com.br ) innad@imaa.com.br

Design Architect

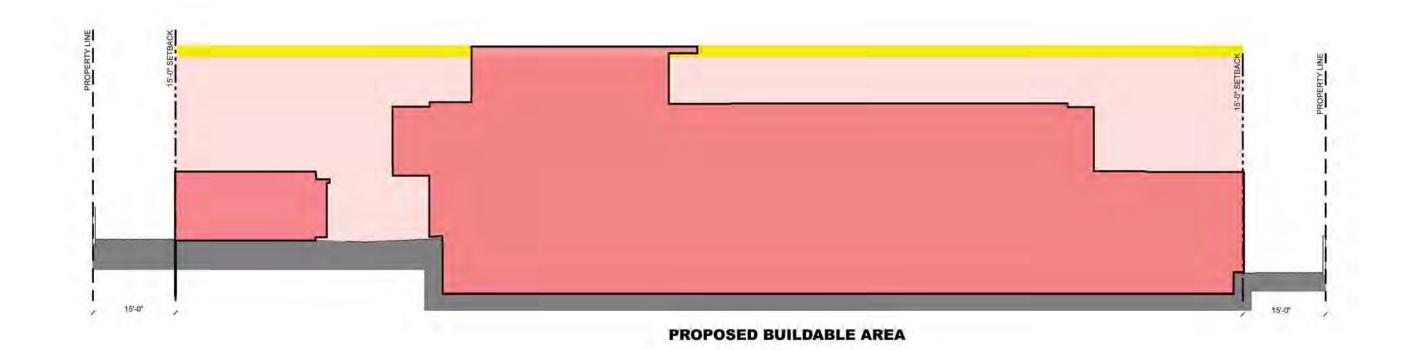
# **GOLDEN BEACH RESIDENCE**

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

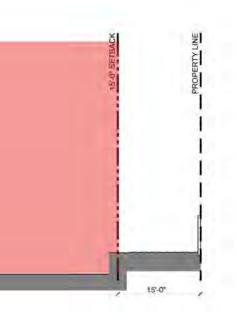




ALLOWABLE BUILDABLE AREA







**VARIANCE PACKAGE -1** 

ITEM # 2

**ELEVATOR PLACEMENT** 

# ADD Inc

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Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

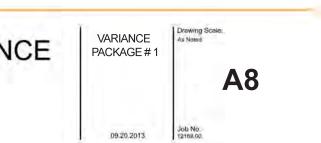
 
 Reinach
 Mendonça

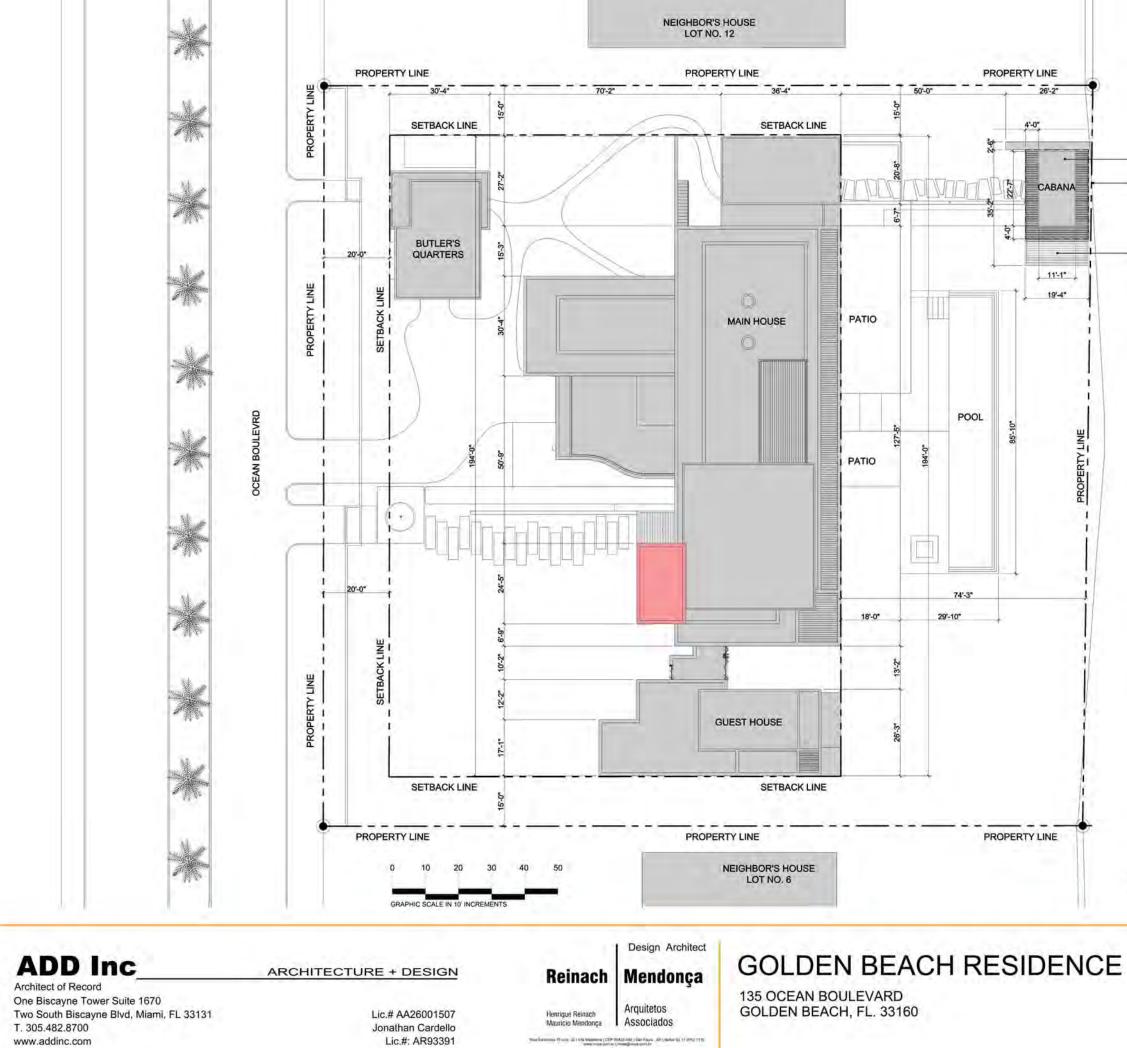
 Henrique Reinach Mauricio Mendença
 Arquitetos Associados

Real Demonstra Televice III. Intel Management (CCP (SHD) (Star) Table 1 and the Markov Mar

# GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160







EDGE OF TRELLIS

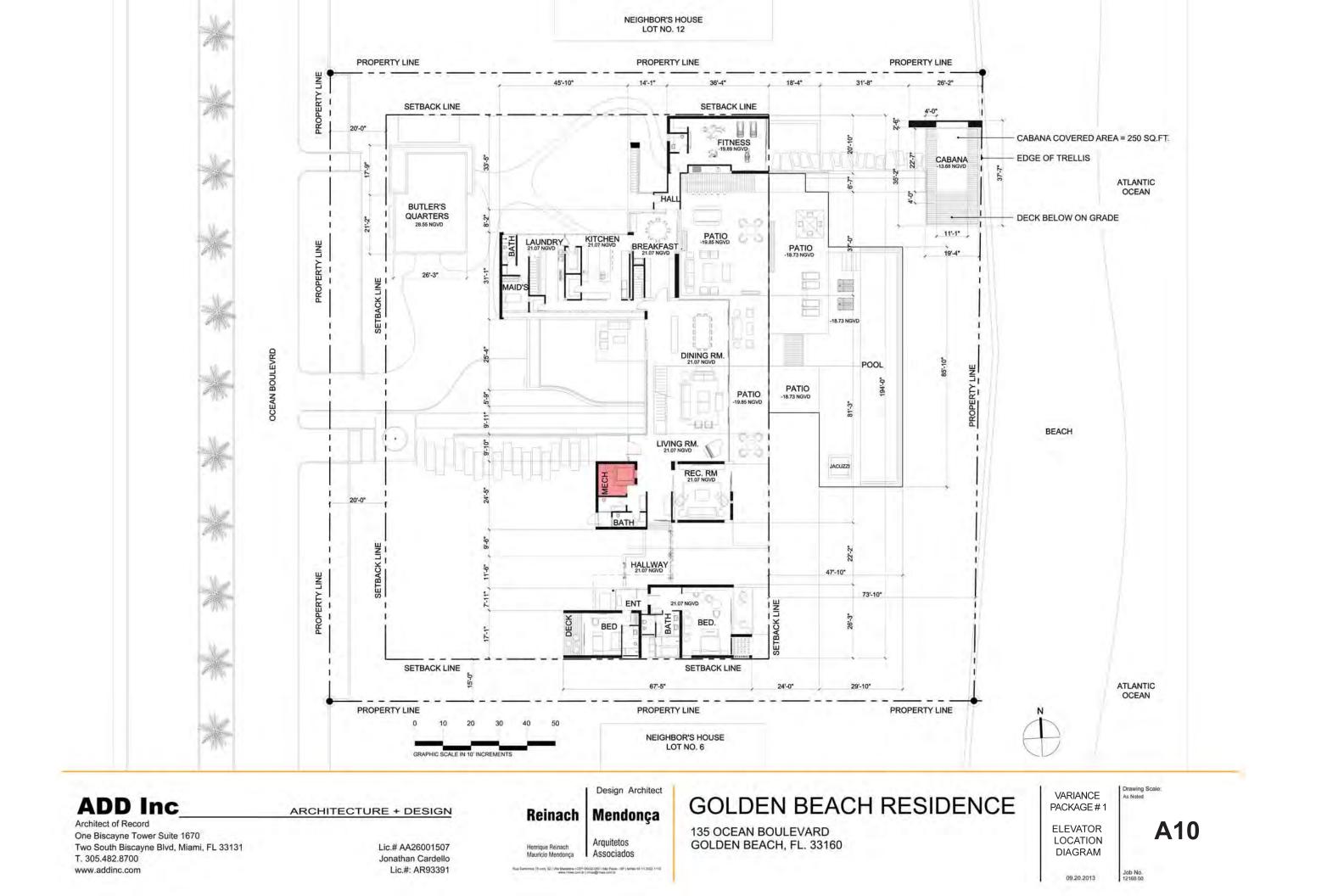
ATLANTIC

DECK BELOW ON GRADE

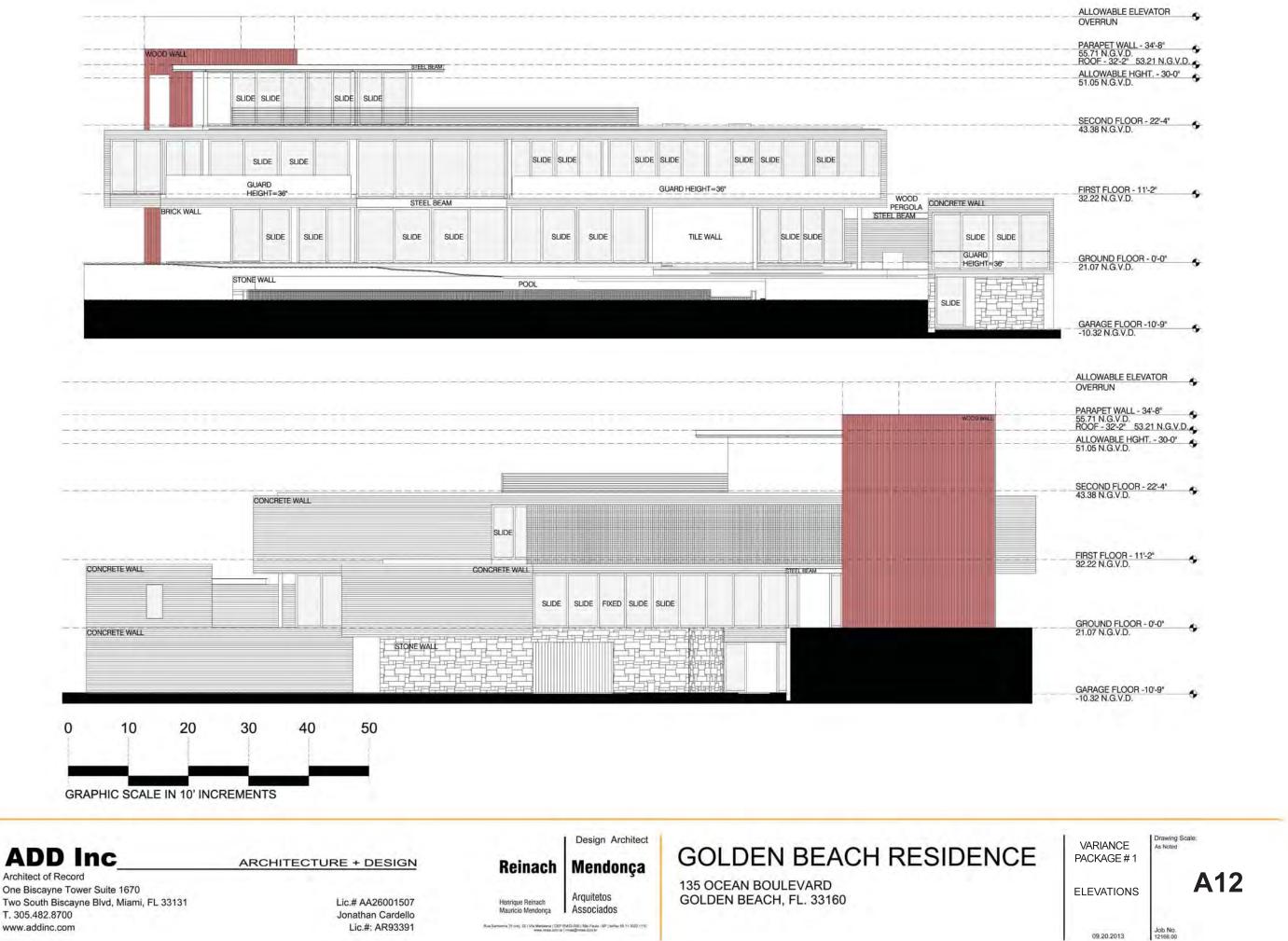
BEACH

VARIANCE PACKAGE # 1 ELEVATOR LOCATION DIAGRAM

ATLANTIC

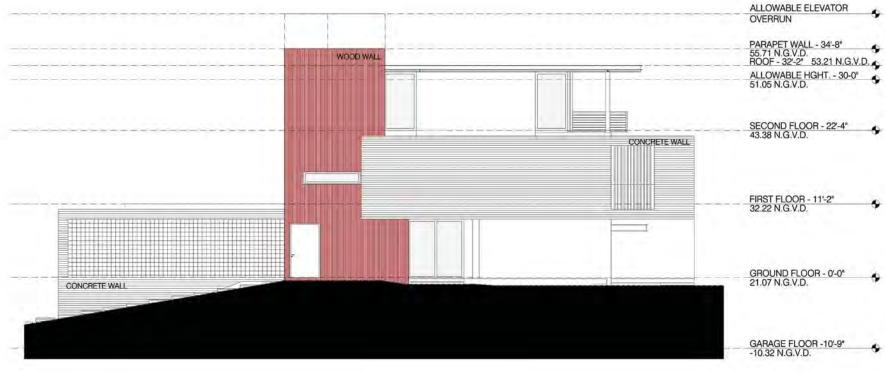


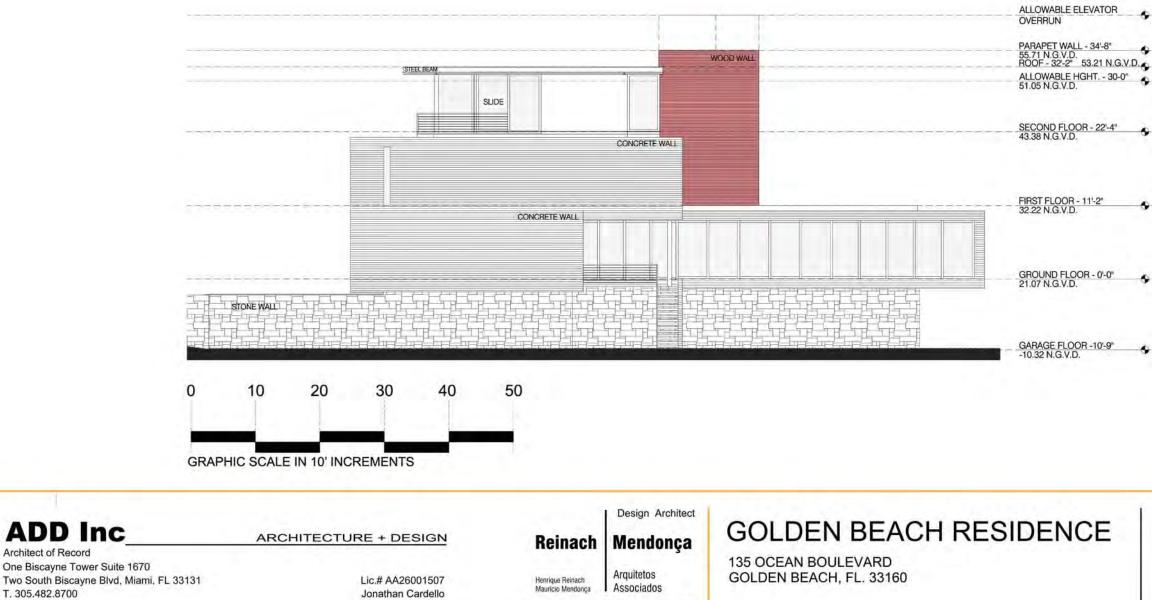




Architect of Record One Biscayne Tower Suite 1670 Two South Biscayne Blvd, Miami, FL 33131 T. 305.482.8700 www.addinc.com

	ALLOWABLE ELEVATOR	•
	PARAPET WALL - 34'-8" 55.71 N.G.V.D. ROOF - 32'-2" 53.21 N.G.V.I ALLOWABLE HGHT 30-0" 51.05 N.G.V.D.	0.00
	SECOND FLOOR - 22-4* 43.38 N.G.V.D.	•
	FIRST FLOOR - 11'-2" 32.22 N.G.V.D.	•
SLIDE	GROUND FLOOR - 0'-0" 21.07 N.G.V.D.	•
	GARAGE FLOOR -10-9" -10.32 N.G.V.D.	•
Г	ALLOWABLE ELEVATOR OVERRUN	•
	PARAPET WALL - 34'-8" 55.71 N.G.V.D. ROOF - 32'-2" 53.21 N.G.V.D	•
	ROOF - 32-2" 53.21 N.G.V.D	
	ALLOWABLE HGHT 30-0" 51.05 N.G.V.D.	•
	SECOND FLOOR - 22-4" 43.38 N.G.V.D.	•
	FIRST FLOOR - 11-2* 32.22 N.G.V.D.	•
	GROUND FLOOR - 0'-0" 21.07 N.G.V.D.	•
	GARAGE FLOOR -10-9" -10.32 N.G.V.D.	•





Roy Santening PE cony 32 | Via Macaema y CEP 05432-000 | Sala Paulo - 57 | editor 85 11 8031 1110 alone mail control ( maniferinae conter

Lic.#: AR93391

**ADD Inc** 

Architect of Record

T. 305.482.8700

www.addinc.com

ICE	VARIANCE PACKAGE # 1	Drawing Scale: As Noted
	ELEVATIONS	A13
	09.20.2013	Job No. 12168.00

GARAGE FLOOR -10'-9" -10.32 N.G.V.D.

GROUND FLOOR - 0'-0" 21.07 N.G.V.D.

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SECOND FLOOR - 22'-4" 43.38 N.G.V.D.

PARAPET WALL - 34'-8" 55.71 N.G.V.D. ROOF - 32'-2" 53.21 N.G.V.D. ALLOWABLE HGHT. - 30-0" 51.05 N.G.V.D.

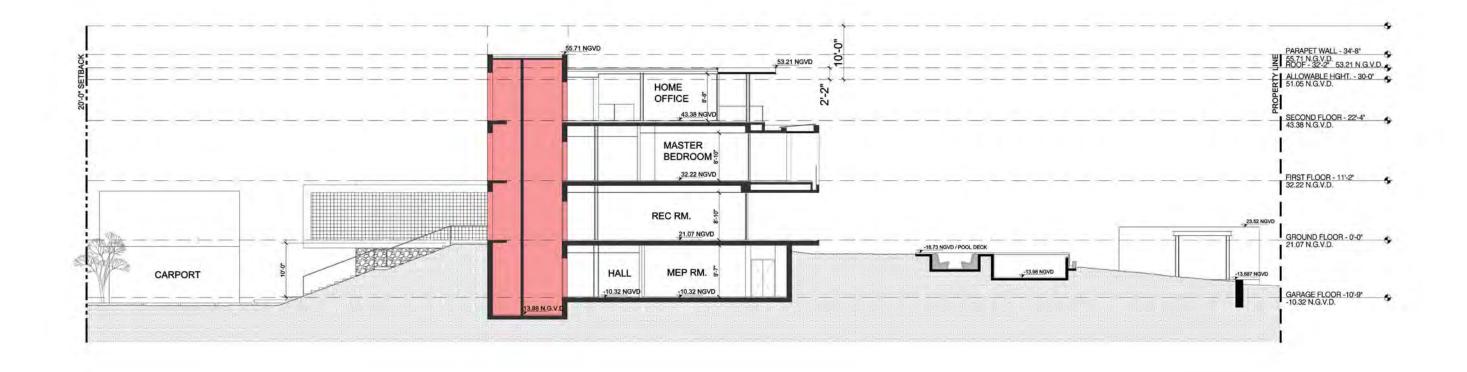
GARAGE FLOOR -10'-9" -10.32 N.G.V.D.

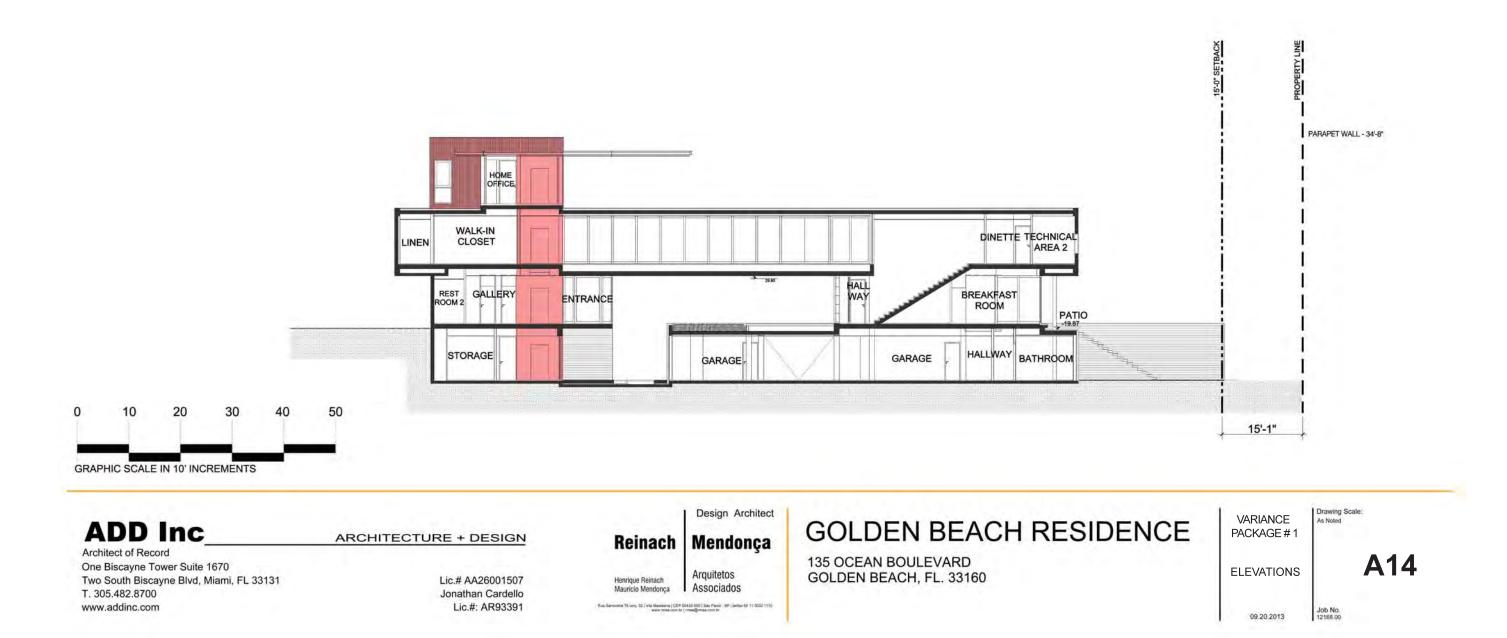
GROUND FLOOR - 0'-0" 21.07 N.G.V.D.

FIRST FLOOR - 11'-2" 32.22 N.G.V.D.

-

SECOND FLOOR - 22'-4" 43.38 N.G.V.D.







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ARCHITECTURE + DESIGN

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Lic.# AA26001507 Jonathan Cardello Lic.#: AR93391 Design Architect

Reinach Mendonça

Henrique Reinach Maurício Mendonça Arquitetos Associados Henria 17 cmi 32 / Via Mederna (CET / CH3.000) São Pasa- 57 | Initiar 65 11 3032 1110 Mederna Social CET / CH3.000 (São Pasa- 57 | Initiar 65 11 3032 1110 GOLDEN BEACH RESIDENCE

135 OCEAN BOULEVARD GOLDEN BEACH, FL. 33160

CONCEPTUAL RENDERING





**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

# MEMORANDUM

**Date:** April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

From: Lissette Perez, Town Clerk

Subject: Town Council Minutes

Item Number:

4 & 5\_\_\_\_

Recommendation:

It is recommended that the Town Council adopt the attached minutes of the Town's February 18<sup>th</sup>, 2014 Regular Town Council Meeting and the March 18<sup>th</sup>, 2014 Local Planning Agency Hearing.



## TOWN OF GOLDEN BEACH One Golden Beach Drive

Golden Beach, FL 33160

### Official Minutes for the February 18, 2014 Regular Town Council Meeting called for 7:00 P.M.

# A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:05 p.m.

## B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Amy Isackson-Rojas, Councilmember Kenneth Bernstein, Councilmember Bernard Einstein

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

# C. PLEDGE OF ALLEGIANCE

Chief of Police led the Pledge of Allegiance

## D. PRESENTATIONS / TOWN PROCLAMATIONS

Recognition of Officer of the Year – Officer-in-Charge Leila Perez

Recognition of Employee of the Year – Finance Director Maria D. Camacho

# E. MOTION TO SET THE AGENDA

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

## F. TOWN BOARD/COMMITTEE REPORTS

\*\*\* Mayor Singer reminded staff that these updates should be per quarter \*\*\*

Beach Committee – None Beautification Committee – None Building Regulation Advisory Board – None Comprehensive Planning Board – None Recreation Committee – None Security/Public Safety Committee – None Youth Leadership Committee – Ariel Friedman, one of the presidents of the group wanted to advise the Council of three propositions the group currently has. The group will be performing a beach cleanup on March 9<sup>th</sup> from 10 a.m. to 12 p.m., and they wanted to extend an invitation to residents. The group will be launching a tutoring service once a month, with the proceeds going towards a charity of a month. Also wanted to invite more residents to join the group.

# G. GOOD AND WELFARE

## June Krogoll, 422 Golden Beach Drive

Wanted to talk about the beach. Last week, resident Anne Germain and her spent two hours with the Town Manager and looked at propositions to address the need for change. He offered to include them when vendors are going to be giving them choices for the lounge chairs. Lounge chairs are an immediate overdue need. In the meeting with the Town Manager she was told that the artificial grass to be placed at the beach is a done deal, however she feels it should be reconsidered as an impractical, unnecessary expense of maintenance, time and money. And it is not appropriate for the Town's beautiful, natural beach. Requested the Council not get rid of the classical adirondack chairs in the beach. Also requested the Council erect no smoking signs at the beach. The Town needs more trained and supervised beach attendants.

# Neil Leff, 48 Terracina Avenue

Four items to discuss

- 1. Regarding the stormwater fee, stated that he noticed that its gone up from \$105 to \$150 quarterly. Wants to know when and why that fee was raised, because he thought it was supposed to be retired over 10 years ago. Also would like to know which study was done to raise that fee.
- Stated Vice Mayor Lusskin requested to have an item on the agenda that wasn't on the agenda – the overuse of the town facilities by non-residents, and possible solutions to the mitigation thereof. Wants to know why it's not on the agenda.
- 3. Asked the Town Manager Diaz about a reciprocal agreement that he said he had made with Aventura, allowing Golden Beach residents to use their tennis courts without paying user fees. Went over to their park to use their park and they knew nothing of the agreement and he would like to know why. Initially posed this question to the Town Manager at the last meeting and he responded that there is no public record being made and he doesn't have to answer it. He wants clarification on this statement, because he doesn't understand why the Town Manager would refuse to answer a question from a citizen or what the legal significance of his refusal means. Who else would he ask a question about the Town?
- 4. At the January meeting, the Town Manager stated that there are no FPL poles in Golden Beach's jurisdiction. He asked the Town Manager to explain that to him again, since there are FPL poles right next to town hall. Additionally he had asked Mayor Singer about the fact that those wires cross the street into a Town park. He stated that Mayor Singer was supposed to get back to him at the last meeting and he never heard a response, and would like a response now.

# Dina Nicolella, 522 North Parkway

Wanted to reopen the conversation about residents using the Strand Avenue Boat Dock to dock larger vessels, because it is difficult to dock those vessels at individual

resident's homes. Wants to know why it can't be used by residents? Also brought up the topic of lowering the speed around North Park, a topic that she has brought up before. Requesting either signage, or a speed table or some other awareness vehicle. And pertaining to the beach cleanup, the children have voiced some questions about inviting outside children. With the Town's insurance can we invite them to assist with the cleanup, and can they receive community service hours for that work.

# H. MAYOR'S REPORT

Valentine's Day event and the bridge ribbon cutting ceremony were a big success, commending the Town Manager and the staff for their hard work putting the event together. On Town security he stated that residents still have to be proactive rather than reactive, with the rise in crime in other communities, and if they do see something to not hesitate to call the guardhouse or 9-1-1. At the guardhouse, the Town is looking into issuing a new transponder system which will operate the gates. Hopefully over the next few months, the Town will come up with a better solution to tighten security. Regarding the beach, he understands that we do need new beach chairs. Councilman Bernstein has been working hard with the Town Manager to come up with a solution that hopefully a majority of the people will like. Agrees with Mrs. Krogoll about erecting no smoking signs at the beach. Will talk to the Town Manager about putting no smoking signs at the beach. Regarding the beach cleanup, stated that he doesn't see a problem with brining in students from other areas, but he will speak with the Town Manager to coordinate that. Using the Strand Avenue Boat Dock as a public dock is a problem. It was never designed for public usage, or do be a community dock, it will become a safety issue and liability issue. (Town Manager also stated that the money the Town received for the dock, prohibits public usage per the state.) Knows that the Town has some issues, but we try to do what is best for the Town. Everyone is not going to agree with the Council's decisions, but everyone does what's best for the Town, there are no self-serving interests here. All he asks is that they keep it friendly and respectful. As everyone knows the Council gets zero compensation, they work endless hours doing this because they love the Town and they're trying to better the Town.

# I. COUNCIL COMMENTS

# **Councilman Einstein**

Proof is in the pudding, and if you look at the Town in the last ten years, everything that we have attempted to do we've tried to do in a first class manner. The town overall, it's just been amazing.

# Councilman Bernstein

Primarily wants to address June Krogroll's comments. For 8 months he's been saying that the Town needs to spend more money on the beach. Been advocating at almost every meeting that we need to do a paradigm shift on what we're doing and spending on the beach. Town Manager and staff have worked very hard to come up with ideas. They've spoken to a lot of people that are in the business and redefined how beaches are done throughout the whole South Florida area. Almost everything she said he couldn't agree more with. The smoking needs to stop on the beach. The bathrooms need to be overhauled. The chiki huts he loves the look of and hoping that the Council will keep them. The adirondack chairs they will look at and see the cost effectiveness of other things that are out there. Not looking to hurt the beach, we're looking to improve it. Within the next meeting or two, he thinks they'll have significant proposals to bring forward.

The one thing the Mayor didn't address was the speed around the park. Feels that this is something that needs to be addressed, because it is receiving a lot more usage now. Exit light exiting Golden Beach onto A1A is very short, would like the Town Manager to contact FDOT or he will to extend the time on the light. Also at the guardhouse, the resident gate is always second to the visitor's gate. Deference should be given to residents.

## **Councilwoman Rojas**

Totally agrees with Councilman Bernstein's last comment about the guardhouse gate. Also just as Ken has been hoping the pavilion will get refurbished for the last 8 months, she has also been asking for just as long, if not longer, about dredging. Happy that Dina Nicolella came forward to speak about the problem, because it is just getting worse and worse and it is not an isolated incident in Golden Beach. Thinks that there is a grant procedure that takes place in April. Would like an answer to all of those things. Regarding the overuse of the parks, that isn't on the agenda, she thought that the Chief had a good idea of having the Town keep a log of who is making reservations to see how many non-residents are actually using the facilities. And if so, then maybe we'll take a closer look at it. But she hasn't heard any complaints about it.

## Vice Mayor Lusskin

Wanted to remind residents of the cooperative scholarship program the Town has with Sunny Isles Beach for a scholarship program for high school seniors. It has been extended until February 21<sup>st</sup> and there is one scholarship available for \$2,500, forms can be picked up at Town Hall. Was impressed with the Town's new magazine this month, but requested that a section be added to address code enforcement. As far as the speed limit goes in the parks, until there is a solution to it she asked the Chief to move around the electronic speed table to different areas that might help control people's speed. In regards to something June Krogoll said when she commented on the Glenn and Ken use the beach a lot. Wanted to remind everyone that this Council has always been dedicated to every single part of town. She may not always go to the beach, but she knows what's going on there. She may not live on the ocean, but is constantly talking to residents on the ocean to find out their needs. The Council is here for everybody.

# **Councilmember Bernstein**

Commented on the dredging asking the Town to look into this, because it is a very important issue. Also commented on the overuse of the park, thinks that the Council is sensitive to that and they are all supportive of making sure that all of the facilities in the Town are being used primarily by the residents of Golden Beach.

# J. TOWN MANAGER REPORT

As it relates to the stormwater fee, at both the August and September 2013 meetings the Council had two items that came before them regarding the increase of the stormwater fee. The stormwater fee was never meant to sunset. It is a fee that the Town has committed to non-ad valorem security loans. The town took out stormwater loans from the state of Florida in 2005-2006. The stormwater fee guarantees the repayment of those loans. His recommendation to the Council was that they increase the fee, it was the first increase since 1996. The fee was an increase of \$15 per home, so that the Town can start to repay the General Fund the \$2.3-million the stormwater fee borrowed.

It was properly noticed and properly explained, and it was the fee that was approved by the Council. As it relates to the dredging, it is high on his list. There are two critical issues as it relates to dredging – one is getting the permit that would allow for dredging and the other is the funding. Councilwoman Rojas is correct there is funding provided by Florida Inland Navigational District for maintenance dredging, but their resources are a scarce as the Town's resources. But the Administration is continuing to work on finding a solution. As it relates to the concern raised by one of the residents about the power poles on Golden Beach's property. He addressed it at the last meeting, but he will address it again. There is a utility easement agreement by FPL, and those poles will remain in place until Sunny Isles sees it fit to take them down. As it relates to the children coming to help clean-up in Town, he will talk to the Town's insurance carrier to make sure the Town doesn't have any additional responsibility for insuring non-residents. But they are welcome to participate, if there is no issue. As it relates to the 25 MPH speed in Town, we will look into it and explore those items further to see if we can come up with some solution.

**Councilmember Bernstein** asked if they are able to keep Golden Beach Drive at the same speed but make the smaller streets slower? The **Town Manager** said that they could explore that, but what they would be achieving is only having the slower speed on two sides and not all sides.

As we celebrated last Friday the completion of the bridge project, that culminated the \$42-million CIP project, of which only \$14.5-million was paid by residents. The balance of that was paid by free monies this Administration was able to secure on behalf of the residents and the Council. Wanted to publicly recognize the Council, had it not been for them this project would not have been completed. The Town should be very proud of the work it has done over the last seven years. At the Strand, there is a TECO gas main break, the Town is working on it. Asked for the lights at the Strand to be changed to yellow, at the request of the Council. Order is in and the heads, they will be replaced and lowered about four feet. Hopes that everyone enjoyed the Valentine's Day gift that was left at their door last Friday. Also feels that they should give a round of applause to Michael Glidden and Marie Talley, the Town's magazine looks great. His last announcement, the auditors completed the audit and the Town passed with flying colors, with a small savings from last year's budget that the Town will carry over.

**Neil Leff** stated that Mr. Diaz refused to answer the question he posed to him. The second was that Vice Mayor Lusskin requested an item be added to the agenda regarding the overusage of the Town park being used by non-citizens, and that item is not on the agenda.

**Vice Mayor Lusskin** clarified that she requested to have the issue of the vehicular gate and pedestrian gate placed on the agenda, not the overusage of the town facilities.

**Neilf Leff** stated that this has been going on for two years, and the Council has not addressed his issues, and the issue that was put on the agenda seems to be an issue to circumvent his issues. Why has the petition that was signed in June 2011 by 133 residents to request ingress and egress through the gate has been squashed?

Mayor Singer stated that those comments will be addressed later on in the meeting.

**Neil Leff** stated that for the record the Council has not addressed his issues and they put an item on the agenda that seems to circumvent the two issues and it looks like the Council is trying to back door and squash both of them.

Mayor Singer stated that the Council is not trying to backdoor anything.

**Mr. Koonin** commented about pedestrian traffic on the street. He feels that joggers should face traffic. Maybe the Town can send out a memo about that. Second maybe we can make Golden Beach a non-smoking area completely.

## K. TOWN ATTORNEY REPORT

None

# L. ORDINANCES – SECOND READING

None

## M. ORDINANCES - FIRST READING

## 1. An Ordinance of the Town Council Granting to Peoples Gas System A Franchise Agreement

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND PERMITTED ASSIGNS. A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE TOWN OF GOLDEN BEACH, FLORIDA, AND PRESCRIBING THE AND CONDITIONS UNDER WHICH TERMS SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE.

Exhibit: Agenda Report No. 1 Ordinance No. 558.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Ordinance No. 558.14

A motion to approve was made by <u>Vice Mayor Lusskin</u>, seconded by <u>Councilmember Bernstein</u>.

On roll call, the following vote ensued:	
Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	Aye
Councilmember Einstein	Aye
Councilmember Isackson-Rojas	Aye

Councilmember Bernstein

Aye

The motion passed.

**Town Manager** stated that the Town's existing franchise agreement has expired. There is only one natural gas provider who has the rights to service this area. It is a most favored nation clause. It allows for certain guarantees certain things from the provider to the Town.

# 2. An Ordinance of the Town Council Amending the Regulations Limiting the Height of Residential Structures

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA. AMENDING CHAPTER 66. "ZONING": ARTICLE III "DISTRICT REGULATIONS", TO AMEND REGULATIONS LIMITING THE HEIGHT OF RESIDENTIAL STRUCTURES; AMENDING ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS", DIVISION 11 "ACCESSORY BUILDINGS", TO PROHIBIT ROOFTOP TERRACES AND ELEVATORS PROVIDING ROOFTOP ACCESS FOR RESIDENTIAL STRUCTURES: PROVIDING FOR IMPLEMENTATION: PROVIDING FOR SEVERABILITY: PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2 Ordinance No. 559.14

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 559.14

A motion to approve was made by Mayor Singer, seconded by Vice Mayor Lusskin

On roll call, the following vote ensue	ed:
Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	Aye
Councilmember Einstein	Aye
Councilmember Isackson-Rojas	Aye
Councilmember Bernstein	Aye

The motion passed.

**Mayor Singer** started off stating that he's been thinking about this since the Town's workshop and he's come up with a solution he thinks might work for everyone. The Town is divided into three sections. Zone 1 is the ocean, zone 2 is the intracoastal/waterways, and zone 3 is the non-waterfront properties. He is for the rooftop terraces, but he understands why people are not for them. His suggestion is that on the zone 1 and zone 2 allowing rooftop terraces does no harm. By breaking up the Town, it should not affect the residents on the dry lots and this should alleviate the noise from them on the dry lots.

**Councilmember Bernstein** asked for Mayor Singer to clarify what he is suggesting.

**Mayor Singer** restated that he is recommending having them only on the Oceanside and on the waterway, away from the residents. He stated that if he had a home on the ocean and was told that he could not build a rooftop terrace he would be upset because it does not affect anyone if it is facing east towards the ocean. On the dry side he agrees that there should be no rooftop terraces.

**Councilmember Bernstein** stated that he is also supportive of rooftop terraces.

**Councilmember Einstein** stated that in deference to the Mayor, he is not against rooftop terraces for noise he is against them for a few reasons, one being privacy. The second issue would be aesthetic. As you know, he put an item on the agenda tonight for rooftop generators. He feels that these homes even though they all comply, they look like they are exceeding 30 feet, and with the terraces they will go up even higher.

**Town Manager** stated that the only thing the current code allows is if you have a rooftop terrace, it allows for a 42 inch parapet for safety reasons. Currently the code is silent as it relates to decorate elements, and we are addressing that in tonight's ordinance.

**Building Official Dan Nieda** stated that if you have a flat root it is ordinarily done and it is deceiving and in some instances it appears that the house is overly tall, the actual structure is only 23 feet, leaving 4 ½ more feet to manipulate parapets and give it more of an attractive appearance. It is deceiving, but the Town does get everything certified in terms of the finished floor elevation.

**Mayor Singer** stated that one thing that has changed throughout the years, in regards to aesthetics in Golden Beach is that contemporary homes now have flat roofs.

**Councilmember Einstein** stated that he does agree with that, but he doesn't want these flat roof homes going up higher than 30 feet, with another structure on top of that in terms of an elevator. Thinks that it's ugly. Does not oppose that on a case-by-case basis, if people come forward seeking a variance and neighbors do not oppose, he'd like to see what is done. Not opposing balconies. In terms of how this Town was developed by the original developers, a large percentage of the homes are Mediterranean.

**Councilmember Rojas** stated that she could be persuaded to agree to rooftop terraces in zone 1. Zone 1 has always been treated differently, it has a view of the ocean. However, with zones 2 and 3 they don't have a view of the ocean, doesn't think the need for a rooftop terrace is as great as zone 1. Thinks that also the majority of homes in Golden Beach are not flat roof homes, and they as a Council have an obligation to represent the needs of the majority of people in the Town. And like Councilmember Einstein said, in zones 2 and 3 they can always request a variance if they need to.

**Mayor Singer** stated that times have changed and now a majority of the homes that are being built are contemporary, and contemporary homes have flat roofs.

**Vice Mayor Lusskin** actually looked and saw the homes going up on Golden Beach Drive and some of the parkways. The modern homes are beautiful, but the Mediterranean homes are also timeless and are still going up. Has gotten phone calls from people on both sides. The phone calls that she is receiving from the people that are reluctant and against them, the complaints she is getting is privacy, sound, and the skyscape. These people are worried that from somebody's rooftop terrace you can look into somebody's bedroom. Thinks that the ocean is one good place to compromise. If the Town can work a way for these to come before them on a case-by-case basis, she might be for it. Important to her that if the Council does vote on a case-by-case basis that the neighbors on all four corners are asked if they object.

**Building Official Nieda** requested to address the privacy issue. If you look at the Town's code, height is measured from finished floor to peak of the roof. That is also the highest level that the rooftop terrace would be. The perception that someone would be staring down at a person's house is not possible, because the height is looking over your neighbor's roof and pre-empted from looking down because you are mandated to be 10 feet back. We haven't CO'ed the first rooftop terrace, so we really don't know how they are going to behave. Thinks that we might be premature in these concerns.

Mayor Singer stated that Dan brings up a pretty good point regarding the setback.

**Councilman Bernstein** has always objected doing things on a case-by-case basis. Unfair and he feels that it will create contempt amongst neighbors. Does not the Council to treat things on a case-by-case basis. The other thing is the aesthetic. The 30 foot height is something that the Council can restrict. But thinks that if the Council votes in favor or against it, they vote knowing that this is going to be done as a whole instead of piecemeal. Also thinks that this town has grown and the tax base has grown because we've permitted new architecture styles, and to restrict that would be a detriment to the community.

**Councilman Einstein** stated that the outcry that he has received from the public was supportive of his position, and they were from residents who have lived here over 20 years. Thinks that he has a duty to the Town of Golden Beach, and an even greater duty to the existing people that live here. One issue that is being left out is the elevators that are going to go up another 10 feet higher. From a distance, you will be able to see them. Feels that a majority of the people in Golden Beach do not want this.

**Mayor Singer** stated that he disagrees with Councilman Einstein, stating that the majority of the phone calls he has received are from people who are for the rooftop terraces.

**Vice Mayor Lusskin** stated that the Building Official said that the Town hasn't issued the first CO and we don't even know how it's going to behave. In her opinion, if you don't know how something is going to behave, why would the Town allow something that could go either way?

**Building Official Nieda** stated that rooftop terraces were brought about 2 years ago with one of the Town's code revisions. The Town did not want to issue variances for elevator overrides, so they were implemented into the code.

Mayor Singer asked what was the Building Regulatory Board's suggestion.

**Building Official Nieda** stated that the BRAB suggested that we limit the size of the terrace to 1,000 square feet and to eliminate the elevator overrides.

**Councilman Bernstein** stated that thinking as a whole it would be better for the community to continue to grow and to experience new architecture styles. And if we can address the items of privacy, aesthetics, and noise, why wouldn't we want to permit it?

**Michael Koonin, 668 Golden Beach Drive** against the rooftop terraces, but must admit that the new architecture is pretty nice. But doesn't see the need for rooftop terraces. Seems like it is unnecessary, self-serving and there will just be an enormous amount of noise up there. It is really all about noise and privacy, has nothing to do as far as he is concerned with aesthetics. Does not object to the beach, but you can still build these modern homes without a rooftop terrace and get the same result of changing the look of Golden Beach. Came to Golden Beach for what it is, and this is going to change it.

Charlene Koonin, 668 Golden Beach Drive (presented Council with a personally drawn rendering of what a street would look like with several homes with rooftop terraces) also very much against rooftop terraces, although she is not against modern homes. Doesn't see, no matter how far the setbacks are, how the privacy issue can be addressed and how people will not be looking down into a person's property. The issue of noise, even if there's only two people up there at 9 p.m. in the evening, if they are next to a home with children that need to go to sleep at 8 p.m. it would definitely be disturbing that resident. Overall, it is going to create a problem that does not need to be created. Really are a family community and does not see the point for getting this whole upheaval where there is the possibility of these issues affecting the existing residents.

**Mayor Singer** commented that with the noise issue and privacy issue there is the same effect with balconies.

**Richard Nicolella, 522 North Parkway** – asked for clarification on what the council is voting on.

Attorney Helfman – stated that there are two parts to the ordinance, the first part addresses the heights of structure and the second part deals with eliminating rooftop terraces.

**Mr. Nicolella** – stated that out of his front window now there is a structure going up that is a big featureless box sticking out of the top of a featureless roof. It looks like an industrial warehouse neighborhood.

Attorney Helfman stated that the proposed ordinance eliminates that box that he's objecting to, and also eliminates any kind of rooftop terrace.

**Mr. Nicolella** stated that he is not 100% against rooftop terraces per say, but against all of the negative aspects of them. This could be a very complex issue and thinks that the Council should approach it very carefully. There are a lot of people very upset by this.

**Phyllis Samowitz, 250 South Island** – thanked the Council and staff for the new magazine and how beautiful it is looking. Read a quote from the front of it from the founders of the community. Feels that that is what the Council is charged with. Agrees that some of these modern homes are beautiful. To see those kinds of structures that exist now on one of those homes, it is aesthetically ugly and it really has impacted the view from her home. Implores the Council to listen to the residents, especially people that have these views of other homes.

**Mr. Rob Popetti, 487 Ocean Boulevard** spoke against the rooftop terraces, stating that he can't imagine the majority of the people want a rooftop terrace next to their house because it does look down on you.

**Abraham Gowsky, 296 Center Island** – asked if the Council was willing to ban windows on the second story? The reason he asks is because you have more privacy issues with second story windows than with rooftop terraces. Stated that Mr. Nieda has stated several times that you cannot see down from a rooftop terrace. Every professional has stated that realistically speaking, if everything is done right, you cannot see the rooftop terrace unless you're looking across the intracoastal.

**Dina Nicolella, 522 North Parkway** – lives next to a house that is literally three feet away from her. The 10-foot setbacks do not exist for everyone. So her question is would that rooftop be a variance? **Mayor Singer** stated no. She asked about the ratios on top? **Building Official Nieda** stated that the ratios were deleted when they did the code change, substituted with the 10-foot setback.

**Town Clerk** read a letter into the record from resident Milton Melman, 685 Golden Beach Drive opposing rooftop terraces.

<u>Mayor Singer</u> made a motion to amend the ordinance to allow rooftop terraces in Zone 1 only, facing the east, which was seconded by <u>Councilmember Rojas</u>.

**Councilman Einstein** brought up Mr. Popetti's situation, stated that the Council needs to be sensitive to these individuals on the Ocean. Also asked the question if the house that the Nicolella's are referencing that has an elevator override, if it was built in compliance. **Building Official Nieda** advised that it was built in compliance.

**Mayor Singer** stated that all he is making a recommendation for is for Zone 1, so issues of zones 2 and 3 are moot points. And his recommendation is to only allow it to face the east side of the property.

**Councilmember Einstein** asked if Mayor Singer would further amend it to limit the size depending on the size of the structure.

**Building Official Nieda** stated that that would not be feasible because smaller lots would be left with very little space to build the terrace.

**Attorney Helfman** reiterated the Mayor Singer's proposal that this prohibition not apply in Zone 1. He asked what are the conditions that rooftop terraces would be permitted in Zone 1.

**Mayor Singer** stated that he is proposing an additional 10 feet from the edge of the roof on all sides except the east side (rear). No appliances or speakers allowed. **Vice Mayor Lusskin** asked if chairs and tables will be allowed. **Mayor Singer** advised that no permanent fixtures will be allowed, but chairs and tables are fine. **Town Manager** recommended language be put in there regarding hurricane preparedness.

Attorney Helfman asked Building Official Nieda if the minimum lot size that the rooftop terraces would be permitted on is a 75 foot lot? Building Official Nieda said yes. Attorney Helfman read back in to the record all of the Council's requests for the amendment of the ordinance, stating that there will be a prohibition on rooftop terraces with the exception of Zone 1 where they will be continued to be permitted with the following limitations: that there will be a 10-foot setback, with the exception of the rear where it can go to zero; that there be no permanent utilities; that there be no amplified sound/speakers; that the size overall of the terrace shall not exceed 1,000 square feet; that they shall only be permitted on lots of 75 feet or greater

**Councilwoman Rojas** asked how the fixed utilities will be construed. **Attorney Helfman** stated that he would stipulate what the fixed utilities are.

**Mayor Singer** requested the roll call vote to this first proposed amendment, with each of the conditions read by the town attorney.

On roll call, the following vote ensued:	
Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	Aye
Councilmember Einstein	<u>Nay</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Attorney Helfman now moved the discussion to the issue of what is permitted to go beyond the heights limits that are now established in the Town's code. There are two items that can go beyond the height limits, one is parapet walls. The question is, does the Council want to allow parapet walls to extend above the height limit, and if it is allowed, how much higher.

**Councilwoman Rojas** asked what is the actual height of a parapet?

**Building Official Nieda** stated that most architects will go between a foot and three <sup>1</sup>/<sub>2</sub> feet for aesthetic purposes.

**Attorney Helfman** stated that if it is not allowed, then applicants would have to drop their roof heights to 29 feet and then make a foot of parapet. Also stated that if the Council wants to allow architectural features to go above 30 feet, a discussion on what they are needs to be discussed, even though it is very difficult to define it.

**Councilman Bernstein** asked what other features could go up on the roof that the Council might have a concern with?

Attorney Helfman stated that other items such as functional chimneys, he doesn't feel anyone should have an objection to.

Building Official Nieda stated that functional chimneys are covered by the building code.

Attorney Helfman clarified that they are not covered in height by the building code.

Attorney Helfman asked Building Official Nieda if a permissible height extension for a rooftop terrace would be safety railings. Building Official Nieda said yes, but they would need to be 42 inches.

**Vice Mayor Lusskin** asked the Town Attorney about the smaller lots on the ocean and their accessibility to building a rooftop terrace. **Attorney Helfman** advised that any lot under 75 feet, could not build a rooftop terrace.

**Councilman Einstein** asked if the railing would be able to be seen from the surrounding houses. **Building Official Nieda** stated that the railing line would not be able to be seen from the surrounding houses.

Attorney Helfman commented that the only other issue was that it had been included that a mansard style roof could be allowed to go beyond the height limits, and that has been removed. The only thing that can go above the height limit is a railing and a functional rooftop terrace that is it.

**Richard Nicolella, 522 North Parkway** inquired about the railings and how flat roofs are built, asking whether they typically come to the edge of the home. **Councilman Bernstein** stated that usually the parapet functions as a railing. **Attorney Helfman** stated that if for example, the home was at 25 feet of height and they wanted a five-foot parapet, they could do that, as long as it does not exceed the height limits.

**Town Manager** wanted to bring to the attention of the Council that this ordinance prohibits any rooftop from having a terrace.

Attorney Helfman stated that the way this is drafted, there are no rooftop terraces. Thinks that this can be dealt with between first and second reading, but wanted to clarify what the Council does not want to allow. The reason he wrote roof or roofs is because there may be a pod house where there are different roofs on the property, and wanted to make sure that everyone understood that they could not have a rooftop terrace on a roof or roofs on the property.

Attorney Helfman stated that the second amendment they want to vote on is amending the section on height to limit the extensions above the permitted height to functional chimneys, and safety railings for rooftop terraces permitted in Zone 1.

<u>Councilman Einstein</u> made a motion to approve the second amendment, seconded by <u>Councilwoman Rojas</u>.

On roll call, the following vote ensued: Mayor Singer <u>Aye</u> Vice Mayor LusskinAyeCouncilmember EinsteinAyeCouncilmember Isackson-RojasAyeCouncilmember BernsteinAye

The motion passed.

Attorney Helfman advised that now the Council now has to vote on the ordinance as amended.

A motion to approve was made by <u>Mayor Singer</u>, seconded by <u>Vice Mayor</u> <u>Lusskin</u>.

On roll call, the following vote ensued:		
Mayor Singer	<u>Aye</u>	
Vice Mayor Lusskin	Aye	
Councilmember Einstein	Aye	
Councilmember Isackson-Rojas	<u>Aye</u>	
Councilmember Bernstein	<u>Aye</u>	

The motion passed.

Attorney Helfman advised that the ordinance is passed on first reading with instructions on second reading to also bring it back and try to address the issue of balconies/rooftop terraces where residents are using their balconies as terraces.

# N. QUASI JUDICIAL RESOLUTIONS

None

# O. CONSENT AGENDA

3. Minutes of the January 20<sup>th</sup>, 2014 Regular Town Council Meeting

# 4. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and the Village of Bal Harbour.

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

Exhibit: Agenda Report No. 4 Resolution No. 2338.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2338.14

# 5. A Resolution of the Town Council Authorizing the Participation in a Lease Agreement for Two Police Motorcycles.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PARTICIPATION IN A LEASE AGREEMENT FOR TWO POLICE MOTORCYCLES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5 Resolution No. 2339.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2339.14

# 6. A Resolution of the Town Council Appointing Members to the Building Regulation Advisory Board.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING MEMBERS TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6 Resolution No. 2340.14

**Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2340.14

Motion to approve was made by <u>Councilmember Rojas</u>, seconded by <u>Vice Mayor</u> <u>Lusskin</u>.

Consensus vote <u>5</u> Ayes <u>0</u> Nays. Items O3-O6 pass.

# P. TOWN RESOLUTIONS

## 7. A Resolution of the Town Council Establishing a Permanent Policy Regarding the Gates along Terracina Avenue.

RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA ESTABLISHING A PERMANENT POLICY REGARDING THE PEDESTRIAN AND VEHICULAR ACCESS GATES ALONG TERRACINA AVENUE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7

### Resolution No. 2341.14

## **Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2341.14

A motion to approve was made by <u>Councilmember Einstein</u>, seconded by <u>Vice</u> <u>Mayor Lusskin</u>.

On roll call, the following vote ensue	ed:
Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	Aye
Councilmember Einstein	Aye
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	Aye

The motion passed.

**Town Manager** stated that they want to bring to an end the recurring questioning of both the Council and Administration. In his professional opinion, the Town does not have an issue as it relates to the overuse of our parks, the usage of the South Gate, and strongly request the Council not allow the use of the South Gate for vehicular traffic. The resolution calls for the pedestrian gate to be treated like all of the other gates in Town, and does not allow for the South Gate to be used for vehicular ingress or egress. Administration does not have any empirical data that the Town facilities are being overused.

**Councilman Einstein** asked if normally when people have problems in Town if they contact him? **Town Manager** said yes. Within the last 2 years, has he been contacted by anybody on this issue? **Town Manager** stated he has only been contacted by one resident.

**Mayor Singer** stated that as far as the gates being opened, there are a number of legal issues involved with opening them and he feels that it is a moot point.

**Neil Leff, 48 Terracina Avenue** stated that he has been addressing this issue for years. He wouldn't be here if the park wasn't being overused. It was documented by him, the park being overused with vehicles parked there that are not Golden Beach vehicles. Also, the Town fought a very contentious, expensive lawsuit with Breakstone Properties who sued Golden Beach for access to our park. It cost hundreds of thousands of dollars – seven years it was fought by this Town. The judge stated that there could be no access by the pedestrian gate for non-citizens. Why would the Council allow or want that gate open? He stated that the Mayor said that the locks rust out, additionally he stated that the gates never was locked. He said that the Mayor then contradicts himself because he first said that the gates were never locked, then he said that people would use rocks to hoist the gate open. He has had people come down his streets that do not live here who come sit on the public bench near there. Many of these people return with fishing rods and with cars. Would like to know, why the Council wants to keep that gate open.

**Mayor Singer** responded saying that he is just one vote. His opinion why the gate stays open is because when it was locked, everyone has keys, it defeats the purpose. People pry it open, they keep it open, we've have damage to the locks in the past. None of the Town's other gates are closed. By blocking that gate, it does nothing. It is a nuisance.

**Mr. Leff** stated that the Town Manager's statement at another council meeting that the nearest entrance from the South Gate is 250 feet away is a false statement. The nearest entrance is a 1/3 of a mile away. The locking of the gate would deter people from coming in.

**Councilmember Bernstein** stating that from his standpoint he does not have an issue with checking on the Town's recreational facilities to see if they are being overused.

**Vice Mayor Lusskin** stated that she spoke to Marie Talley at length about the tennis courts and the basketball courts, and she stated that there are no problems there.

**Attorney Helfman** stated that this is a proposed resolution, placed on the agenda by Vice Mayor Lusskin. For the purposes of this resolution is whether there is a motion and a second to adopt this resolution.

# Q. 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:

\*\* Rooftop Generators – **Town Manager** requested to table Councilman Einstein's discussion item – Council agreed. He mentioned that the Police Chief's dinner is tomorrow night.

Town Manager Alexander Diaz None Requested

# R. ADJOURNMENT:

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

Consensus vote <u>5</u> Ayes <u>0</u> Nays. Motion passes.

The meeting adjourned at 10:30 p.m.

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Respectfully submitted,

*Lissette Perez* Lissette Perez Town Clerk



# TOWN OF GOLDEN BEACH One Golden Beach Drive

Golden Beach, FL 33160

# Official Minutes for the March 18, 2014 Local Planning Agency Hearing called for 7:00 P.M.

# A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:05 p.m.

# B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Councilmember Judy Lusskin, Councilmember Amy Isackson-Rojas, Councilmember Kenneth Bernstein

Councilmember's Not Present: Vice Mayor Bernard Einstein

**Staff Present:** Town Manager Alexander Diaz, Town Clerk Lissette Perez, Police Chief Don De Lucca, Finance Director Maria D. Camacho, Town Attorney Steve Helfman

# C. PLEDGE OF ALLEGIANCE

Chief De Lucca led the Pledge of Allegiance

# D. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

# 1. An Ordinance of the Town Council Amending the Regulations Limiting the Height of Residential Structures

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, "ZONING"; ARTICLE III "DISTRICT REGULATIONS", TO AMEND REGULATIONS LIMITING THE HEIGHT OF RESIDENTIAL STRUCTURES: AMENDING ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS", DIVISION 11 "ACCESSORY BUILDINGS", TO PROHIBIT ROOFTOP TERRACES AND ELEVATORS PROVIDING ROOFTOP ACCESS FOR RESIDENTIAL STRUCTURES: PROVIDING FOR IMPLEMENTATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1 Ordinance No. 559.14 **Sponsor:** Town Administration

Recommendation: Motion to Approve Ordinance No. 559.14

A motion to approve was made by <u>Councilmember Bernstein</u>, seconded by <u>Councilmember Lusskin</u>.

**Town Attorney** advised that the Council is meeting as the local planning agency to make a motion to themselves to adopt the ordinance for approval. The ordinance is consistent with the Town's comprehensive plan. The only thing that needs to be done is to open it up for public comment on the comprehensive plan consistency issue.

Town Attorney asked Mayor Singer to open it up for public comment.

**Dina Nicolella, 522 North Parkway** – asked whether the proposal is to limit the height and restrict rooftop terraces and elevators anywhere other than the beach?

Attorney Helfman said that there two things are going on with this ordinance – one is its going to cap the height of structures overall, exactly where they are today, but it allows for an exemption for height for chimneys only. The other part of this ordinance says that rooftop terraces are no longer permitted. Those that have been permitted and have commenced construction in the Town will be allowed to be completed. The only place where rooftop terraces may be allowed is in the oceanfront size, which is called Zone1, and it has limitations even there as to the size of them and what you can do on those rooftop terraces.

Mrs. Nicolella asked if there would be a precedence set?

Attorney Helfman stated that when we get to voting on the ordinance, we can deal with that.

Attorney Helfman advised that the motion is to recommend adoption of this ordinance and to find that it is consistent with the comprehensive plan.

A motion to approve was made by <u>Councilmember Rojas</u>, seconded by <u>Councilmember Bernstein</u>.

On roll call, the following vote ensued:		
Mayor Singer	<u>Aye</u>	
Vice Mayor Einstein	<u>Absent</u>	
Councilmember Lusskin	<u>Aye</u>	
Councilmember Isackson-Rojas	<u>Aye</u>	
Councilmember Bernstein	<u>Aye</u>	

The motion passed.

# E. ADJOURNMENT:

A motion to adjourn the Local Planning Agency was made by <u>Councilmember Lusskin</u>, seconded by <u>Councilmember Bernstein</u>.

Consensus vote <u>4</u> Ayes <u>0</u> Nays. Motion passes.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,

*Lissette Perez* Lissette Perez Town Clerk



# **TOWN OF GOLDEN BEACH**

One Golden Beach Drive Golden Beach, FL 33160

# MEMORANDUM

**Date:** April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

Alexander Diaz.

Town Manager

Item Number: <u>6</u>

Subject: Resolution No. 2346.14 - Approving a Mutual Aid Agreement with the City of Sweetwater

Allo B)

# **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2346.14 as presented.

# Background:

From:

The Town of Golden Beach has entered into a number of mutual aid agreements which enable the Police Department to receive assistance from other agencies and to aid those agencies when they request it. This agreement provides for the Police Department to request assistance from and to provide assistance to the City of Sweetwater Police Department.

# Fiscal Impact:

None.

# TOWN OF GOLDEN BEACH, FLORIDA

# RESOLUTION NO. 2346.14

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

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") wishes to enter into a Mutual Aid Agreement (the "Agreement") with the City of Sweetwater, Florida, attached to this Resolution as Exhibit "A" between the Town of Golden Beach and the City of Sweetwater, described and outlined in the attached Agenda Item Report; and

WHEREAS, the Town of Golden Beach Council believes that it is in the best interest to enter into the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. <u>Recitals Adopted.</u> That each of the above-stated recitals is hereby adopted and confirmed.

<u>Section 2</u>. <u>Agreement Approved.</u> That the Agreement is hereby approved in substantially the form attached hereto as Exhibit "A," subject to approval by the Town Attorney as to form and legal sufficiency.

**Section 3**. **Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

Section 4. Effective Date. That this resolution shall become effective

immediately upon approval of the Town Council.

# Sponsored by Town Administration

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_\_and on roll call the following vote ensued:

 Mayor Glenn Singer
 \_\_\_\_\_

 Vice Mayor Bernard Einstein
 \_\_\_\_\_

 Councilmember Kenneth Bernstein
 \_\_\_\_\_

 Councilmember Judy Lusskin
 \_\_\_\_\_\_

 Councilmember Amy Isackson-Rojas
 \_\_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY

## COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE CITY OF SWEETWATER, FLORIDA AND THE TOWN OF GOLDEN BEACH, FLORIDA

This Voluntary Cooperation and Operational Assistance Mutual Aid Agreement is made as of this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20\_\_\_\_, by and between the CITY OF SWEETWATER, FLORIDA, a Florida municipal corporation, having its principal office at 500 Southwest 109<sup>th</sup> Avenue Sweetwater, Florida 33174, and the **TOWN OF GOLDEN BEACH**, a Florida municipal corporation having its principal office at 1 Golden Beach Drive Golden Beach, Florida 33160 and states as follows:

WHEREAS, it is the responsibility of the governments of the City of Sweetwater, Florida, and the Town of Golden Beach, Florida to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the City of Sweetwater Police Department or the Town of Golden Beach Police Department; and

WHEREAS, it is in the best interest and advantage of the Town of Golden Beach and the City of Sweetwater to receive and extend mutual aid to each other in the form of law enforcement services and resources to adequately respond to:

- Continuing, multi-jurisdictional criminal activity, so as to protect the public peace and safety, and preserve the lives and property of the people; and
- (2) Intensive situations including, but not limited to, natural or manmade disasters or emergencies as defined under Section 252.34, Florida Statutes; and

 Joint provision of certain law enforcement services specified herein and allowed pursuant to Florida Statute 166.0495; and

**WHEREAS**, the Town of Golden Beach and the City of Sweetwater have the authority under The Mutual Aid Act, Chapter 23, Part I, Florida Statutes, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering of assistance in a law enforcement emergency.

**NOW, THEREFORE, BE IT KNOWN**, that the Town of Golden Beach, a political subdivision of the State of Florida, and the City of Sweetwater, a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions.

# SECTION I: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may provide voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The nature of the law enforcement assistance to be rendered shall include but not be limited to:

- a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Golden Beach and the City of Sweetwater for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.
- Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Golden Beach and the City of Sweetwater for arrests, made pursuant to the laws of arrest, of persons identified as a result of

investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.

- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Town of Golden Beach and the City of Sweetwater for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors and boating infractions.
- d. Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Golden Beach and the City of Sweetwater for investigations of homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.

Prior to any officer taking enforcement action pursuant to paragraphs (a) through (e) above, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. If the agency having normal jurisdiction responds to the scene the assisting agency's officer may turn the situation over to them and offer any assistance requested <u>including</u>, but not limited to, a follow-up written report documenting the event and the actions taken.

These provisions are not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life-threatening or public safety situations, prevent bodily injury to

citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

# SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

- 1. Joint multi-jurisdictional criminal investigations.
- 2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes.
- 3. Any natural, technological or manmade disaster.
- 4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
- 5. Terrorist activities including, but not limited to, acts of sabotage.
- 6. Escapes from, or disturbances within, prisoner processing facilities.
- 7. Hostage and barricaded subject situations, and aircraft piracy.
- 8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
- 9. Enemy attack.
- 10. Transportation of evidence requiring security.
- 11. Major events, e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
- 12. Security and escort duties for dignitaries.
- 13. Incidents requiring utilization of specialized units; e.g., underwater recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene and police information.
- 14. Emergency situations in which one agency cannot perform its functional objective.

- 15. Joint training in areas of mutual need.
- 16. Joint multi-jurisdictional marine interdiction operations.
- 17. Off-duty special events.
- 18. DUI Checkpoints.
- 19. Requests for Tactical Support

# SECTION III: PROCEDURE FOR REQUESTING OPERATIONAL ASSISTANCE

1. Mutual aid requested or rendered will be approved by the Chief of Police, or designee. The Chief of Police, or designee, of the agency whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.

2. The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.

3. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor on the scene.

4. Communications instructions should be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.

5. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or Chief of Police involved.

# SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

# a. COMMAND:

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

#### b. CONFLICTS:

Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standing operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

#### c. HANDLING COMPLAINTS:

Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the Chief of Police or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain at a minimum:

- 1. The identity of the complainant;
- 2. An address where the complaining party can be contacted;
- 3. The specific allegation; and
- 4. The identity of the employees accused without regard as to agency affiliation.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

#### SECTION V: LIABILITY

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions or conduct of such

party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable.

#### SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

a. Employees of the Town of Golden Beach and the City of Sweetwater when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127(1), Fla. Stat. (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.

b. Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.

c. The political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of) the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.

e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this mutual aid agreement. This section applies to paid, volunteer, reserve and auxiliary employees.

f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

#### SECTION VII: FORFEITURES

a. In the event an agency seizes any real property, vessel, motor vehicle, aircraft, currency or other property pursuant to the Florida Contraband Forfeiture Act during the performance of this agreement, the agency requesting assistance in the case of requested operational assistance and the seizing agency in the case of voluntary cooperation shall be responsible for maintaining any forfeiture action pursuant to Chapter 932, Florida Statutes. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property in accordance with Chapter 932, Florida Statutes, to include, but not be limited to, the complete discretion to bring the action or dismiss the action.

b. All proceeds from forfeited property seized as a result of or in accordance with this agreement shall be divided equally between the parties, less the costs associated with the forfeiture action.

#### SECTION VIII: INSURANCE

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

#### SECTION IX: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until November 1, 2018. Under no circumstances may this agreement be renewed, amended or extended except in writing.

# SECTION X: CANCELLATION

Either party may cancel its participation in this agreement upon delivery of written notice to the other political subdivision. Cancellation will be at the discretion of any political subdivision to this mutual aid agreement.

**IN WITNESS WHEREOF**, the parties hereto cause to these presents to be signed on the date first written above.

AGREED AND ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.

JOSÉ M. DIAZ Mayor City of Sweetwater Date: ALEXANDER DIAZ City Manager Town of Golden Beach Date:

ATTEST:

ATTEST:

MARIE O. SCHMIDT City Clerk City of Sweetwater LISSETTE PEREZ City Clerk Town of Golden Beach

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

RALPH VENTURA City Attorney STEPHEN HELFMAN City Attorney

JESÚS MENOCAL Chief of Police City of Sweetwater DON DELUCCA Chief of Police Town of Golden Beach



# TOWN OF GOLDEN BEACH One Golden Beach Drive Golden Beach, FL 33160

# MEMORANDUM

Date:

To: Town Manager Alexander Diaz

From: Commander Rudy Herbello

#### Ref: Mutual Aid Agreement with the City of Sweetwater

The Town of Golden Beach has entered into a mutual aid agreements with the City of Sweetwater, this mutual aid agreement will enable the Town of Golden Beach to receive assistance from the City of Sweetwater when request it. Both municipalities desire to start a steady partnership through this mutual aid agreement.

This agreement will provide the Golden Beach Police Department to request assistance from and to assist the Sweetwater Police Department. Additionally, this agreement is appropriate to both jurisdictions as a mater of national security, joint police enforcement activities such as D.U.I check point, task force deployment, hurricane and civil disturbance mobilization, etc. that both agencies agree to participate in.

The Golden Beach Police Department is recommending that the Town Council approve this Mutual Aid Agreement.

Attachments: Proposed Mutual Aide Agreement (5 pages) Joint Declaration by the (SPD) Police Chief and the (GBPD) Police Chief

C: Finance Director Maria Camacho Chief Don De Lucca



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

# MEMORANDUM

Date:	April 23, 2014	Item Number:
То:	Honorable Mayor Glenn Singer & Town Council Members	7
From:	Lissette Perez, Town Clerk	
Subject: Resolution No. 2347.14 – Approving A Member to the Town of Golden Beach – Building Regulation Advisory Board		

## Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2347.14 as presented.

# Background:

On December 13, 2005 the Town Council of the Town of Golden Beach adopted Ordinance No. 499.05, amending Division 3, "Building Regulation Advisory Board", of Article III, "Boards, Committees, Commissions", of the Town Code of Ordinances, by modifying the composition, organization and duties of the Town's Building Regulation Advisory Board. The Board is comprised of five members and two alternate members appointed by the Town Council. The member serves a one-year term beginning on April 23, 2014 and allowing for reappointment.

### Fiscal Impact:

None

# TOWN OF GOLDEN BEACH, FLORIDA

# RESOLUTION NO. 2347.14

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING A MEMBER TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 13, 2005, the Town Council of the Town of Golden Beach adopted Ordinance No. 499.05, amending Division 3, "Building Regulation Advisory Board", of Article III, "Boards, Committees, Commissions", of the Town Code of Ordinances, by modifying the composition, organization and duties of the Town's Building Regulation Advisory Board (the "Board"); and

WHEREAS, the Town Council appointed Fred Chouinard, Jerome Hollo, Oded Meltzer, Eric Cohen, and Jose Iglesias to serve as members of the Board and Stephanie Halphen to serve as alternate member of the Board for one-year terms, all of which have now expired; and

WHEREAS, the Town Council wishes to make a new appointment to the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** That the foregoing recitals are true and correct and incorporated herein by this reference.

**Section 2. Appointment and Term.** That the Town Council hereby appoints Alan S. Mascken to serve as member of the Board for a term of one year beginning on the effective date of this resolution.

Section 3. Implementation. That the Mayor and Town Manager are

authorized to take any and all action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall be effective immediately

upon adoption.

Sponsored by Town Administration.

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY Alan S. Macken Principal, VCM

Alan Macken has been involved in the local real estate industry since 1986. Over the course of three decades, he has become a prolific real estate broker, developer, investor and builder. He has planned and developed multimillion-dollar residential properties; as well as professional office space, single-family planned-unit developments, townhome communities, high-rise condominiums and retail shopping centers. Many of these properties were also marketed and sold or leased through Macken Realty, a preeminent brokerage firm, which has dominated the South Florida luxury residential and commercial real estate market for the past 25 years. Under Alan's tutelage, Macken currently boasts more than 100 associates in its two offices.

Alan's primary focus at VCM Construction is design and development as well as pursuing new business opportunities and structuring partnerships. Alan also spearheads property acquisitions and financial modeling. His undying pursuit of perfection has proven to be critical to the success of his teams and has made him a highly sought after authoritative source in all areas of construction and real estate. In fact, together with his business partner, Andrew Verzura, Alan has won several construction and development awards on behalf of his firm.

In addition to his role at VCM, Alan is a managing member of a portfolio of commercial properties located throughout the State of Florida, including a multi tenant plaza anchored by Walmart; as well as properties leased by Coca-Cola Corporation, Circle K Corporation, 7-Eleven, Inc., Texaco Gasoline, Bank United, and Banco Popular.

Alan holds a degree from Syracuse University and is a Member of the Miami Board of Realtors as well as the National Association of Realtors.

# Linda Epperson

From: Sent: To: Subject: Marie Talley Thursday, March 27, 2014 1:41 PM Linda Epperson FW: Golden Beach Volunteer Form

Marie E. Talley Community Development Specialist Town of Golden Beach 1 Golden Beach Drive Golden Beach, FL 33160 (305) 932-0744 (305) 933-3825 (FAX) www.goldenbeach.us

-----Original Message-----From: Golden Beach Volunteer Form [mailto:alan@asmacken.com] Sent: Thursday, March 27, 2014 11:31 AM To: Marie Talley Subject: Golden Beach Volunteer Form

Committee Committee:Building Regulatory Board

Name Name:Alan Macken

Email Email:alan@asmacken.com

Address Address:450 Ocean Blvd

City City:Golden Beach

State State:FL

Zip Zip:33160

Phone Phone:305-466-3450

# Organization

Organization:VCM / Macken Realty / MTV Investment

# Experience

Please provide a description of your experience you would like us to consider.:Having 28 years experience in real estate and construction through out the state of Florida. Construction of single family homes in the South Florida Market including the city of Golden Beach.

# Served

Have you ever served on other boards or committees in Golden Beach? If so, when?:

# Credentials

Please provide a list of any training or credentials that you would like us to consider.: Alan Macken has been involved in the local real estate industry since 1986. Over the course of three decades, he has become a prolific real estate broker, developer, investor and builder. He has planned and developed multimillion-dollar residential properties; as well as professional office space, single-family planned-unit developments, townhome communities, high-rise condominiums and retail shopping centers. Many of these properties were also marketed and sold or leased through Macken Realty, a preeminent brokerage firm, which has dominated the South Florida luxury residential and commercial real estate market for the past 25 years. Under Alan's tutelage, Macken currently boasts more than 100 associates in its two offices. Alan's primary focus at VCM Construction is design and development as well as pursuing new business opportunities and structuring partnerships. Alan also spearheads property acquisitions and financial modeling. His undying pursuit of perfection has proven to be critical to the success of his teams and has made him a highly sought after authoritative source in all areas of construction and real estate. In fact, together with his business partner, Andrew Verzura, Alan has won several construction and development awards on behalf of his firm. In addition to his role at VCM, Alan is a managing member of a portfolio of commercial properties located throughout the State of Florida, including a multi tenant plaza anchored by Walmart; as well as properties leased by Coca-Cola Corporation, Circle K Corporation, 7-Eleven, Inc., Texaco Gasoline, Bank United, and Banco Popular. Alan holds a degree from Syracuse University and is a Member of the Miami Board of Realtors as well as the National Association of Realtors.





**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

# MEMORANDUM

**Date:** April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members

From: Alexander Diaz, Town Manager AB)

Item Number:

\_\_\_\_8\_\_\_\_\_

Subject: Resolution No. 2348.14- Accepting the Single Audit and the General Purpose Financial Statements for Fiscal Year 2012/2013.

# **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2348.14 as presented.

# Background:

The Town hired the firm of Keefe, McCullough & Co., LLP to conduct the annual audit for fiscal year 2012/2013 ending September 30, 2013.

The auditors have concluded the financial audit for Fiscal Year ending in 2013. The audit consists of the following:

-Financial Statement for fiscal year 2012/2013 ending September 30, 2013

-Report to Management which highlights the Internal Controls of the Town

- -For the first time in Eight (8) years the Town had no findings or recommendations
- -The single audit and the General Purpose Financial Statements for fiscal year 2012/2013 The single audit is a review of all State and Federal Funds received. The review assures compliance with the rules that govern said funds.

The audit shows that we had an Operating savings of \$251,752 and that the Town never had to "tap" the General Fund, Fund Balance allocation of \$550,000 that was authorized to balance the Town's budget.

The audit still shows that there is a balance of \$2,961,519.00 that is due to the General Fund is mainly owed to the General Fund from the Stormwater Fund. By your action last year, we have

set in place a re-payment program to that will allow for us to slowly repay our fund balance (reserves).

# Fiscal Impact:

Our Fund Balance will be set at \$4,578,284 of which \$1,740,841 is unrestricted. (See Page 13 of the Audit for more details)

# TOWN OF GOLDEN BEACH, FLORIDA

# **RESOLUTION NO. 2348.14**

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 2012/2013 ENDING SEPTEMBER 30, 2013 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Keefe, McCullough & Co., LLP has prepared and submitted to the

Town General Purpose Finance Statements and the Single Audit for Fiscal Year 2012-

2013; and

**WHEREAS**, the Town Council intends to formally recognize and accept the statements and audit, copies of which are attached as Exhibit "A" to this resolution.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE

# TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Financial Statements Accepted.</u> That the Town hereby accepts the General Purpose Financial Statements and the Single Audit for fiscal year 2012/2013 ending September 30, 2013 prepared by Keefe, McCullough & Co., LLP.

**Section 3. Effective Date.** That this Resolution shall be effective immediately upon adoption.

# Sponsored by the Town Administration.

The Motion to adopt the foregoing resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY

# TOWN OF GOLDEN BEACH, FLORIDA

# COMPLIANCE SECTION

For the Year Ended September 30, 2013

# TOWN OF GOLDEN BEACH, FLORIDA

# **COMPLIANCE SECTION**

For the Year Ended September 30, 2013

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### INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Honorable Mayor and Council Members Town of Golden Beach, Florida Golden Beach, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Golden Beach, Florida (the "Town") as of and for the year ended September 30, 2013, and the related notes to the financial statements which collectively comprise the Town's basic financial statements and have issued our report thereon dated (DATE).

### **Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Town's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

# Town of Golden Beach, Florida

# **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Town's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

KEEFE, McCULLOUGH & CO., LLP

Fort Lauderdale, Florida (DATE)

### INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

To the Honorable Mayor and Council Members Town of Golden Beach, Florida Golden Beach, Florida

### **Report on Compliance for Each Major Federal Program**

We have audited Town of Golden Beach, Florida's (the "Town") compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of Town's major Federal programs for the year ended September 30, 2013. The Town's major Federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

#### **Management's Responsibility**

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its Federal programs.

#### Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the Town's major Federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major Federal program occurred. An audit includes examining, on a test basis, evidence about the Town's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major Federal program. However, our audit does not provide a legal determination of the Town's compliance.

#### **Opinion on Each Major Federal Program**

In our opinion, the Town complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major Federal programs for the year ended September 30, 2013.

### **Report on Internal Control over Compliance**

Management of the Town is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to in the first paragraph. In planning and performing our audit of compliance, we considered the Town's internal control over compliance with the types of requirements that could have a direct and material effect on each major Federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance for each major Federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a Federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a Federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over a combination of deficiencies, in internal control over compliance is a deficiency of a Federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a Federal program will not be prevented and corrected, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a Federal program and/or state project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### Schedule of Expenditures of Federal Awards

We have audited the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of Town of Golden Beach, Florida, as of and for the year ended September 30, 2013, and have issued our report thereon dated (DATE), which contained unmodified opinions on those financial statements. Our audit was performed for the purpose of forming opinions on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Town of Golden Beach, Florida

# **Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

KEEFE, McCULLOUGH & CO., LLP

Fort Lauderdale, Florida (DATE)

### INDEPENDENT AUDITOR'S REPORT TO TOWN MANAGEMENT

To the Honorable Mayor and Council Members Town of Golden Beach, Florida Golden Beach, Florida

We have audited the basic financial statements of Town of Golden Beach, Florida (the "Town"), as of and for the year ended September 30, 2013, and have issued our report thereon dated (DATE).

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Chapter 10.550, *Rules of the Florida Auditor General*. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance With *Government Auditing Standards*. Disclosures in that report, which is dated (DATE), should be considered in conjunction with this management letter.

Additionally, our audit was conducted in accordance with the provisions of Chapter 10.550, *Rules of the Auditor General*, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter includes the following information, which is not included in the aforementioned auditor's reports:

Section 10.554(1)(i)1., *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. Corrective actions were taken to address findings in the preceding year.

Section 10.554(1)(i)2., *Rules of the Auditor General*, requires our audit to include a review of the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the Town complied with Section 218.415, *Florida Statutes*.

Section 10.554(1)(i)3., *Rules of the Auditor General*, requires that we address in the management letter any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Section 10.554(1)(i)5., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the basic financials statements. Town of Golden Beach was established by the Board of Miami-Dade County Commissioners with the adoption of Ordinance 97-7. The Town does not have any component units.

Town of Golden Beach, Florida

Section 10.554(1)(i)6.a., *Rules of the Auditor General*, requires a statement be included as to whether or not the local governmental entity has met one or more of the conditions described in Section 218.503(1), *Florida Statutes*, and identification of the specific condition(s) met. In connection with our audit, we determined that the Town did not meet any of the conditions described in Section 218.503(1), *Florida Statutes*.

Section 10.554(1)(i)6.b., *Rules of the Auditor General*, requires that we determine whether the annual financial report for the Town for the fiscal year ended September 30, 2013, filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), *Florida Statutes*, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2013. In connection with our audit, we determined that these two reports were in agreement.

Pursuant to Sections 10.554(1)(i)6.c. and 10.556(7), *Rules of the Auditor General*, we applied financial condition assessment procedures. It is management's responsibility to monitor the Town's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties

KEEFE, McCULLOUGH & CO., LLP

Fort Lauderdale, Florida (DATE)

# TOWN OF GOLDEN BEACH, FLORIDA SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS For the Year Ended September 30, 2013

Federal Agency, Pass-through Entity Federal Program	CFDA Number	Contract/Grant Number	Expenditures	Transfers to Subrecipients
FEDERAL AGENCY NAME: Direct Programs: Department of Justice Equitable Sharing Program	16.922		\$ 399,854	-
Indirect Programs: Passed through Florida Department of Community Affairs Hazard Mitigation Grant Program	*97.039	10HM-06-11-23-02-006 10HM-06-11-23-02-008	3,064,836	_
Passed through Florida Department of Transportation Highway Planning and Construction	*20.205	430408-1	624,158	
Total Federal Awards			\$ 4,088,848	\$
* Denotes a major program				

# TOWN OF GOLDEN BEACH, FLORIDA NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS September 30, 2013

### NOTE 1 - BASIS OF PRESENTATION

The accompanying Schedule of Expenditures of Federal Awards includes the grant activity of the Town and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from amounts presented in or used in the preparation of the basic financial statements.

### NOTE 2 - CONTINGENCY

The grant revenue amounts received are subject to audit and adjustment. If any expenditures or expenses are disallowed by the grantor agencies as a result of such an audit, any claim for reimbursement to the grantor agencies would be a liability of the Town of Golden Beach, Florida. In the opinion of management, all grant expenditures are in compliance with the terms of the grant agreements and applicable Federal and state laws and regulations.

# TOWN OF GOLDEN BEACH, FLORIDA SCHEDULE OF FINDINGS AND QUESTIONED COSTS FEDERAL PROGRAMS For the Year Ended September 30, 2013

# A. SUMMARY OF AUDITOR'S RESULTS

- 1. The auditor's report expresses an unmodified opinion on the basic financial statements.
- 2. No material weaknesses relating to the audit of the financial statements are reported in the Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
- 3. No instances of noncompliance material to the basic financial statements of Town of Golden Beach, Florida were disclosed during the audit.
- 4. No significant deficiencies in internal control relating to the audit of the major Federal awards programs is reported in the Independent Auditor's Report on Compliance with Requirements that could have a Direct and Material Effect on each Major Federal Program and on Internal Control over Compliance in Accordance with OMB Circular A-133 and Chapter 10.550, Rules of the Auditor General.
- 5. The auditor's report on compliance for the major Federal programs for Town of Golden Beach, Florida expresses an unmodified opinion.
- 6. No audit findings relative to the major Federal programs for Town of Golden Beach, Florida are reported in Part C of this schedule.
- 7. The programs/projects tested as a major program/project are as follows:

Federal Program	Federal CFDA No.
United States Department of Transportation Highway Planning and Construction	20.205
United States Department of Homeland Security - Community Development Block Grants/	
Hazard Mitigation Grant Program	97.039

- 8. The threshold for distinguishing Types A and B programs was \$ 300,000 for the major programs.
- 9. The Town of Golden Beach, Florida was not determined to be a low-risk auditee pursuant to OMB Circular A-133.

# TOWN OF GOLDEN BEACH, FLORIDA SCHEDULE OF FINDINGS AND QUESTIONED COSTS FEDERAL PROGRAMS September 30, 2013

# **B. FINDINGS- FINANCIAL STATEMENT AUDIT**

No matters to be reported.

# C. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARDS PROGRAMS

No matters to be reported.

# **D. OTHER ISSUES**

No separate management letter is presented because there were no findings required to be reported in the management letter.

A schedule of prior audit findings is not required because there were no prior audit findings related to Federal programs.

# TOWN OF GOLDEN BEACH, FLORIDA BASIC FINANCIAL STATEMENTS

FOR THE YEAR ENDED SEPTEMBER 30, 2013

# TOWN OF GOLDEN BEACH, FLORIDA BASIC FINANCIAL STATEMENTS FOR THE YEAR ENDED SEPTEMBER 30, 2013

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# TOWN OF GOLDEN BEACH, FLORIDA BASIC FINANCIAL STATEMENTS FOR THE YEAR ENDED SEPTEMBER 30, 2013

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(NOT COVERED BY INDEPENDENT AUDITORS' REPORT)

# BASIC FINANCIAL STATEMENTS

# REQUIRED SUPPLEMENTARY INFORMATION

# OTHER SUPPLEMENTARY INFORMATION

### INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and Council Members Town of Golden Beach, Florida Golden Beach, Florida

# **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of Town of Golden Beach, Florida (the "Town"), as of and for the fiscal year ended September 30, 2013, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the Unites States of America and the standards applicable to the financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessment, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town as of September 30, 2013, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

# **Other Matters**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 9 and 56 and 57 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

# Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated (DATE), on our consideration of the Town's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town's internal control over financial reporting and compliance.

KEEFE, McCULLOUGH & CO., LLP

Fort Lauderdale, Florida (DATE)

Our discussion and analysis of the financial performance of Town of Golden Beach, Florida (the "Town") provides an overview of the Town's financial activities for the fiscal years ended September 30, 2013 and 2012. Please read it in conjunction with the Town's financial statements, which immediately follow this discussion.

# FINANCIAL HIGHLIGHTS

The following are highlights of financial activities for the fiscal year ended September 30, 2013:

- The Town's net position, which total assets less liabilities, were \$25,214,097. Governmental net position totaled \$14,833,695 and business-type net position totaled \$10,380,402.
- Governmental activities revenues were \$ 10,171,660. The expenses of governmental activities were \$ 7,901,177.
- Business-type activities revenues were \$1,017,468 and business-type expenses amounted to \$479,615.
- The total expenses of all Town programs were \$ 8,380,792.
- The General Fund's expenditures, which accounts for the vast majority of the operations of the government, were under the final budgeted appropriations.

# **TOWN HIGHLIGHTS**

The Town focused most of 2012-2013 on delivering a few projects to further the objective of making Golden Beach one of the most desired places to live in South Florida. To that end, the Town completed its Town Park Master plan, bringing the Town's total park(s)/open spaces to 9; all of which are fully renovated.

The Mayor and Town Council also awarded a contract for the replacement of both the Strand Avenue Bridge and the Navona Avenue Bridge. Both Bridge Projects will be finalized by the second quarter of 2014. The replacement of these Bridges marks one of the largest milestones in our Town's history.

In the coming year, the Town will focus on the beach and the beach pavilion as its capital project for the year.

It is also important to mention that the Town Council increased the Stormwater Fee as a means to start re-paying the funds owed by the Stormwater Fund to the General Fund.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

In fiscal year 2013 we generated twelve applications for new homes; of those, five were issued permits for construction, six lots remain vacant, one lot was combined under unity of title and thirty eight applications for renovations.

This discussion and analysis is intended to serve as an introduction to the Town's basic financial statements. The basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to basic financial statements. This report also contains required and other supplementary information in addition to the basic financial statements themselves.

#### Government-wide financial statements:

The government-wide financial statements, which consist of the following two statements, are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private sector business:

#### Statement of Net Position:

The statement of net position presents information on all the Town's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

### Statement of Activities:

The statement of activities presents information showing how the Town's net position changed during the year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements can be found on pages 10 through 12 of this report.

### Fund financial statements:

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town categorizes funds into three basic fund types: governmental funds, proprietary funds, and fiduciary funds.

*Governmental funds* are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as balances of spendable resources available at the end of the year. Such information may be useful in evaluating the Town's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Town's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide reconciliations to facilitate this comparison between governmental funds and governmental activities.

The governmental fund financial statements can be found on pages 13 through 20 of this report.

The *proprietary fund* beginning on page 25 is comprised of an enterprise fund which is the equivalent of the business-type activities in the government-wide statements. The sole enterprise fund is the Stormwater Utility Fund.

The *fiduciary fund* beginning on page 28, which is not included in net position and the government-wide financial statements, is presented in this section as the statements of fiduciary net position and changes in fiduciary net position - Retirement Plan for Employees of the Town of Golden Beach.

The Town cannot use the assets in the pension plan to finance its operations; therefore the activities of the Plan are excluded from the Town's government-wide financial statements. The Town is responsible for ensuring that the assets reported in these funds are used for their intended purposes.

### Notes to basic financial statements:

The notes provide additional information that is essential for a full understanding of the data provided in the government-wide and fund financial statements. The notes to basic financial statements can be found on pages 30 through 51 of this report.

### Required and other supplementary information:

In addition to the basic financial statements and accompanying notes, this report also presents certain required and other supplementary information concerning the Town of Golden Beach. Required and other supplementary information can be found on pages 52 through 56 of this report.

### **GOVERNMENT-WIDE FINANCIAL ANALYSIS**

The following table presents condensed statements of net position as of September 30, 2013 and 2012:

									Total			
		Governmental Activities				Business-Ty	ctivities	Primary Government				
	_	2013	_	2012	_	2013	_	2012	2013			2012
CURRENT AND OTHER ASSETS	\$	6,630,429	\$	7,777,538	\$	(1,584,396)	\$	(1,677,780)	\$	5,046,033	\$	6,099,758
CAPITAL ASSETS (NET)	_	26,753,857		22,586,112	_	13,832,102	_	13,515,116		40,585,959	_	36,101,228
Total assets	_	33,384,286	_	30,363,650	_	12,247,706	_	11,837,336	_	45,631,992	_	42,200,986
CURRENT AND OTHER LIABILITIES		2,158,762		2,239,299		134,268		189,307		2,293,030		2,428,606
LONG-TERM LIABILITIES	_	16,391,829	_	15,561,139	_	1,733,036	_	1,805,480	_	18,124,865	_	17,366,619
Total liabilities	_	18,550,591		17,800,438	4	1,867,304		1,994,787		20,417,895	/_	19,795,225
NET POSITION: Invested in capital assets												
net of related debt Unrestricted (deficit)	_	13,875,323 958,372	_	8,196,733 4,366,479	_	11,971,418 (1,591,016)	_	11,581,040 (1,738,491)		25,846,741 (632,644)	_	19,777,773 2,627,988
Total net position	\$	14,833,695	\$	12,563,212	\$	10,380,402	\$	9,842,549	\$	25,214,097	\$	22,405,761

# STATEMENTS OF NET POSITION September 30, 2013 and 2012

The following table presents condensed statements of activities for the years ended September 30, 2013 and 2012:

	Governmenta	1 Activities	Business-Ty	pe Activities		Fotal Government	
	2013			2012	2013	2012	
REVENUES:	2015	2012	2013	2012	2015	2012	
Program revenues:							
	\$ 1,129,510 \$	986,503	5 166,104	\$ 194,959	\$ 1.295.614	\$ 1,181,462	
Grants	477,748.00	-	624,157	851,362	1,101,905	851,362	
General revenues:							
Property taxes	5,033,705	5,095,983	-	-	5,033,705	5,095,983	
Other general revenues	3,364,828	1,667,147	296	376,100	3,365,124	2,043,247	
Other taxes and fees	165,869	158,917	226,911	220,821	392,780	379,738	
Total revenues	10,171,660	7,908,550	1,017,468	1,643,242	11,189,128	9,551,792	
PROGRAM EXPENSES:							
General government	1,760,271	1,841,570	-	-	1,760,271	1,841,570	
Public safety	3,474,345	3,258,718	-	-	3,474,345	3,258,718	
Legislative	48,553	38,430	-	-	48,553	38,430	
Physical environment	1,243,780	1,242,832	-	-	1,243,780	1,242,832	
Transportation	219,697	74,737	-	-	219,697	74,737	
Cultural and recreation	497,271	635,729	-	-	497,271	635,729	
Interest expense	657,261	650,053	-	-	657,261	650,053	
Transfers	-	20,266	-	-	-	20,266	
Assets conveyed	-	2,524,956	-	-	-	2,524,956	
Stormwater drainage			479,615	611,573	479,615	611,573	
Total expenses	7,901,177	10,287,291	479,615	611,573	8,380,792	10,898,864	
Change in							
net position	\$ 2,270,483 \$	(2,378,741)	\$ 537,853	\$ 1,031,669	\$ 2,808,336	\$ (1,347,072)	

# STATEMENTS OF ACTIVITIES For the Years Ended September 30, 2013 and 2012

Tax revenues have been moderately decreasing as property assessed values continue to decrease in most sections of the Town.

Business-type activities net position increased from \$ 9,842,549 to \$ 10,380,402 primarily due to capital grant revenues for stormwater projects.

### General discussion on revenues:

Several areas can be identified which directly impact this current reporting period and the next fiscal year's revenues. Property tax revenue is the major revenue source in the governmental activities, accounting for approximately 59% of all governmental activities revenue during fiscal year 2013. The millage rate established by the Town Council during the budget process determines how much property tax revenue is generated. One mill of tax equals one dollar for each one thousand dollars of assessed property value as determined by the Miami-Dade County Property Assessor. The ad valorem (property tax) rate was at 6.995 mills during the 2012-2013 fiscal year. Property values have increased by approximately 0.20% over the previous year. This decrease is a direct reflection of the current economic climate of the United States, which has caused a lot of turmoil and upheaval in the housing market. During prosperous economic periods, property values generally increase, which correspondingly increases property tax revenue.

### General discussion on expenses:

Expenses for governmental activities were 7,901,177 and \$479,615 for business-type activities. The Town is predominantly a service provider and, therefore, its major expense is salaries and benefits. The salaries are specifically affected by cost of living, merit adjustments, and collective bargaining agreements while benefit costs are closely linked to health insurance rates.

# ANALYSIS OF THE GOVERNMENTAL FUNDS

The Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

### **Governmental funds**:

The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the Town's governmental funds reported a combined ending fund balance of \$4,388,501, a decrease of \$1,749,736. The decrease was primarily due to the spending of monies collected in the past and used this year for capital outlay projects. The unassigned fund balance deficit reported in the governmental funds is \$ (700,000).

The General Fund balance decreased to \$4,578,284 during the current fiscal year, an decrease of \$4,053,749.

The deficit of the Bridge Fund will be covered in the following year by grant revenues. This deficit was due primarily to projects included in the construction in progress.

# **Proprietary fund:**

The Town's proprietary fund provides the same type of information found in the government-wide financial statements, but in more detail. Net position of the Stormwater Utility Fund amounted to \$ 10,380,402 at the end of 2013, an increase of \$ 537,853 from the prior fiscal year. Factors concerning the finances of this Fund are covered in more detail in the discussion of the Town of Golden Beach's business-type activities in the Government-wide Financial Analysis section of Management's Discussion and Analysis.

# **GENERAL FUND BUDGETARY HIGHLIGHTS**

General Fund revenues were \$ 16,737 less than the final budget projections and total expenditures were \$ 251,752 less than final budget projections. Major variances between budgeted and actual amounts in the General Fund are as follows:

- a. Building permit revenues and other license fee revenues were \$ 692,968 above budgeted amounts due to new construction during the year.
- b. Legal counsel was below the budgeted amount due to staff providing most items.

# CAPITAL ASSETS AND DEBT ADMINISTRATION

### Capital assets:

The Town had capital assets of \$ 40,585,959 and \$ 36,101,228, net of depreciation, as of September 30, 2013 and 2012, respectively. The following schedule summarizes net capital assets as of those dates:

	Governmental Activities					Business-Ty	/pe A	ctivities		rnment		
	_	2013	2013			2013		2012		2013		2012
Land	\$	1,878,598	\$	1,878,598	\$	-	\$	-	\$	1,878,598	\$	1,878,598
Buildings		914,858		938,880		-		-		914,858		938,880
Equipment and vehicles		852,693		1,048,195		-		-		852,693		1,048,195
Infrastructure		16,071,611		16,630,362		-		-		16,071,611		16,630,362
Improvements other		402 077		427 222		12 014 102		12 172 252		12 027 070		12 (00 (95
than buildings		423,077		437,332		12,814,193		13,172,353		13,237,270		13,609,685
Construction in progress		6,613,020		1,652,745		1,017,909	_	342,763	_	7,630,929		1,995,508
	\$	26,753,857	\$	22,586,112	\$	13,832,102	\$	13,515,116	\$	40,585,959	\$	36,101,228

The Town continues its capital outlay efforts with improvements to the stormwater system. Wastewater line improvements projects are nearing completion and the amount spent on these infrastructure improvements is expected to decrease in coming years.

### Debt:

The Town had debt of approximately \$ 17.67 million at September 30, 2013. Total debt outstanding at the end of the prior fiscal year was approximately \$ 17.65 million. The net increase of approximately \$ 26,000 was a result of the addition of \$ 1.0 million of debt in the current year combined with the principal payments on older debt of approximately \$ 973,400.

		October 1, 2012	Additions			Deletions		September 30, 2013		Within One Year
Governmental activities:	_		-		-		-		-	
Special assessment general obligation bonds, Series 2008	\$	13,505,000	\$		\$	300,000	\$	13,205,000	\$	310,000
Grant Anticipation Note	ф	15,505,000	ф	-	ф	300,000	ф	15,205,000	ф	510,000
Series 2012B		1,500,000		1,000,000		500,000		2,000,000		
		1,300,000		1,000,000		300,000		2,000,000		-
Capital Improvement										
Refunding Revenue Note,				((0.000		100.000		500 000		100.000
Series 2012		-		660,000		100,000		560,000		100,000
Capital Refunding Revenue Note, Series 2010 (formerly 2009)		660,000		-		660,000		_		_
Northern Trust Series 2012B		46,872		_		1,736		45,136		_
Normern Trust Series 2012B		40,072	-		-	1,750	-	45,150	-	
Total governmental activities		15,711,872	_	1,660,000	_	1,561,736	_	15,810,136	-	410,000
<b>Business-type activities:</b>										
Department of Environmental										<u>_</u>
Protection, Revolving Loan		1,934,076	_	-	_	73,392	_	1,860,684		127,648
			_							
Total business-type activities		1,934,076	-	-	_	73,392	<u> </u>	1,860,684	/ -	127,648
Total governmental and										
e	\$	17 645 049	\$	1,660,000	\$	1,635,128	\$	17,670,820	\$	527 649
business-type activities	ۍ ا	17,645,948	<b>•</b> =	1,000,000	Ф	1,055,128	э =	17,070,820	Ф	537,648

# ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

## Economic factors:

The Town's primary sources of revenue are and will continue to be property taxes and enterprise fund charges for services. State shared revenues, which include telecommunication taxes and sales taxes, account for another large source of revenue.

# **REQUESTS FOR INFORMATION**

This entire report has been prepared by the Finance Department of the Town of Golden Beach, Florida with the assistance of the Town's external auditors. Every effort has been made to make this report understandable to the reader. Any questions or comments about this report are welcomed and may be directed to the Finance Director, Town of Golden Beach; 1 Golden Beach Drive; Golden Beach, Florida 33160.

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF NET POSITION September 30, 2013

				mary Governme	ent	
		Governmental		Business-Type		
		Activities		Activities	-	Total
ASSETS:	\$	1,074,344	\$	73,209	\$	1 147 552
Cash and cash equivalents Investments	φ	2,062,211	Ф	14,771	Ф	1,147,553 2,076,982
Accounts receivable		1,524,591		201,620		1,726,211
Prepaid expenses		73,327		-		73,327
Net pension asset		17,148		_		17,148
Other assets		4,812		-		4,812
Capital assets, non-depreciable		8,491,618		1,017,909		9,509,527
Capital assets, depreciable		18,262,239	Ť	12,814,193		31,076,432
Internal balance		1,873,996		(1,873,996)		
					-	
Total assets		33,384,286		12,247,706		45,631,992
					· -	
LIABILITIES:						
Accounts payable		1,433,540		-		1,433,540
Accrued interest payable		163,413		6,620		170,033
Accrued expenses		151,809		-		151,809
Due within one year:						
Bonds and notes payable		410,000	$\searrow$	127,648		537,648
Due in more than one year:		106 000				106 200
Builder bond deposits		496,300		-		496,300
Other deposits		143,131		-		143,131
Compensated absences payable		266,862		-		266,862
Bonds and notes payable		15,400,136		1,733,036		17,133,172
Other post-employment benefit liability		85,400		-	-	85,400
Tracel linkilizion		19 550 501		1 9(7 204		20 417 905
Total liabilities		18,550,591		1,867,304	-	20,417,895
NET POSITION:						
Net investment in capital assets		13,875,323		11,971,418		25,846,741
Unrestricted (deficit)		958,372		(1,591,016)		(632,644)
Omesticied (denen)		950,572		(1,591,010)	-	(032,044)
Total net position	\$	14,833,695	\$	10,380,402	\$	25,214,097
	Ψ		¥		*	

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF ACTIVITIES For the Year Ended September 30, 2013

		Program	Revenues
FUNCTIONS/PROGRAMS:	Expenses	Charges for Services	Capital Grants and Contributions
Primary government: Governmental activities: General government Public safety Physical environment Legislative Transportation Cultural and recreation Interest expense and other financing costs	\$ 1,760,271 3,474,345 1,243,780 48,553 219,697 497,271 657,261	1,123,418 3,492 - 2,600 -	\$ 477,748   
Total governmental activities	7,901,177	1,129,510	477,748
Business-type activities: Stormwater drainage	479,615	166,104	624,157
Total business-type activities	479,615	166,104	624,157
Total primary government	\$ 8,380,792 \$	1,295,614	\$ 1,101,905
	General revenues: Taxes: Ad valorem taxes Utility service taxes Franchise fees Sales, use and fuel Special assessments Other: Intergovernmental n Investment income Miscellaneous State shared revenu	taxes s revenue es	
	Total general re	evenues	
	Change in no	et postion	
	Net position, begin	ning of year, as re	estated (Note 14)
	Net postion, end of	year	

	Chan	penses) Revenu ges in Net Posi mary Governme	tion	d
Governmental Activities		Business-Type Activities	-	Total
\$ $(636,853) \\ (2,996,597) \\ (1,240,288) \\ (48,553) \\ (219,697) \\ (494,671) \\ (657,261) \\ (6,293,919)$	\$	- - - - - -	\$	$(636,853) \\ (2,996,597) \\ (1,240,288) \\ (48,553) \\ (219,697) \\ (494,671) \\ (657,261) \\ (6,293,919)$
	•	310,646	-	310,646
		310,646		310,646
(6,293,919)		310,646	-	(5,983,273)
5,033,705 30,914 8,318 121,088 5,549		118,941 107,970 -		5,033,705 149,855 116,288 121,088 5,549
3,094,572 17,362 41,523 211,371		296		3,094,572 17,658 41,523 211,371
8,564,402 2,270,483		<u>227,207</u> 537,853	-	8,791,609 2,808,336
12,563,212		9,842,549	-	22,405,761
\$ 14,833,695	\$	10,380,402	\$	25,214,097

# TOWN OF GOLDEN BEACH, FLORIDA **BALANCE SHEET - GOVERNMENTAL FUNDS** September 30, 2013

				Major Gover	nmenta	ll Funds		
			Ir	Capital nprovement				Law Enforcement
		General		Project		Bridge		Trust
	_	Fund		Fund	_	Fund	_	Fund
ASSETS:	<i>•</i>		<b>.</b>	<b>202</b> 0.44	<b>*</b>		<b>•</b>	= ( 1=2
Cash and cash equivalents	\$	623,354	\$	283,066	\$	-	\$	76,172
Investments		1,086,714		-		-		967,894
Accounts receivable		9,084		225,824		1,262,708		26,975
Prepaid expenditures		61,882		-		-		11,445
Due from other funds		3,749,748		38,772		-		2,638
Other assets		4,812	_	-		-	_	
Total assets	\$	5,535,594	\$	547,662	\$	1,262,708	\$_	1,085,124
LIABILITIES AND								
FUND BALANCES (DEFICITS):								
Liabilities:								
Accounts payable	\$	166,070	\$	9,316	\$	1,254,224	\$	3,930
Accrued liabilities		151,809		-		-		-
Due to other funds		_		538,346		708,484		570,977
Builder bond deposits		496,300		-		-		-
Other deposits		143,131		-		-	_	-
Total liabilities	_	957,310		547,662	_	1,962,708	_	574,907
Fund balances:								
Nonspendable								
Prepaid expenditures		61,882		-		-		-
Long-term stormwater interfund								
receivable		1,875,561		-		-		-
		, ,						

Restricted for: Law enforcement

Surplus appropriated for following fiscal year

Total fund balances

(deficits)

Special Revenue Funds (deficit)

Total liabilities and fund balances (deficits)

Building department

Assigned:

Unassigned: General Fund 510,217

510,217

1,085,124

(700,000)

(700,000)

1,262,708

\$

The accompanying notes to basic financial statements are an integral part of these statements.

\$

547,662

\$

550,000

350,000

1,740,841

4,578,284

5,535,594

\$

_	Water Distribution Fund		Debt Service Fund	-	Special Assessment I Fund	As	Special ssessment II Fund	_	Total Governmental Funds
\$	- - - - -	\$	25,815	\$	- - - - -	\$	91,752 7,603 - - -	\$	1,074,344 2,062,211 1,524,591 73,327 3,816,973 4,812
\$ =		\$	25,815	\$ _		\$	99,355	\$ <u>-</u>	8,556,258
\$	- - - -	\$	25,815	\$		\$	99,355	\$	1,433,540 151,809 1,942,977 496,300 143,131
-			25,815	-			99,355	_	4,167,757
	-		-		-		-		61,882
	-		-		-		-		1,875,561
					-		-		510,217
	-				:		-		550,000 350,000
_	-	-	-	-	-		-	-	1,740,841 (700,000
-			-	-	-		-	-	4,388,501
\$_		\$	25,815	\$		\$	99,355	\$	8,556,258

# TOWN OF GOLDEN BEACH, FLORIDA RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION September 30, 2013

TOTAL FUND BALANCE OF GOVERNMENTAL FUNDS IN THE BALANCE SHEET, PAGE 14	\$ 4,388,501
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds:	
±	0,966,307 4,212,450) 26,753,857
Other assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds:	
Net pension asset	17,148
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds as follows:	
	(163,413) (266,862) 5,810,136) (16,225,811)
Other post-employment benefit obligation (OPEB)	(85,400) (16,325,811)
NET POSITION OF GOVERNMENTAL ACTIVITIES, PAGE 10	\$ 14,833,695

	Major Governmental Funds							
_	General Fund	In	Capital nprovement Project Fund		Bridge Fund		Law Enforcement Trust Fund	
REVENUES:								
Ad valorem taxes \$	/ /	\$	-	\$	-	\$	-	
Franchise fees	8,318				-		-	
Utility service taxes	30,914		-		-		-	
Intergovernmental revenues	-		29,735		3,064,837		-	
Licenses and permits	1,123,418		-		-		-	
Sales, use and fuel taxes	121,088		-		-		-	
State shared revenues	17,844		193,527		- 🥢		-	
Physical environment	3,492		-		-		-	
Special assessments	-		-		-		-	
Cultural and recreation	2,600		-		-		-	
Fines and forfeitures	310,747		-		-		167,001	
Investment income	10,849		157		-		5,520	
Miscellaneous	38,736	_			-	-	-	
Total revenues	5,826,102		223,419		3,064,837	_	172,521	
EXPENDITURES:								
Current:								
General government	1,273,840		107		38,340		5,000	
Public safety	2,626,312		_		_		246,917	
Physical environment	971,798		-		352		-	
Transportation	219,562		-		-		-	
Cultural and recreation	410,707		-		-		-	
Legislative	48,553		-		-		-	
Capital outlay	100,315		565,855		4,713,766		139,687	
Debt service:								
Principal	-		-		500,000		-	
Interest			-		43,028	_	-	
Total expenditures	5,651,087		565,962		5,295,486	-	391,604	
Changes in fund balance before								
other financing sources (uses)	175,015		(342,543)		(2,230,649)	-	(219,083)	

			Nor							
-	Water Distribution Fund	Distribution Service		Service Assessment I			Special Assessment II Fund	Total Governmental Funds		
\$	-	\$	875,609	\$	-	\$		\$	5,033,705	
	-		-		-		-		8,318	
	-		-		-		-		30,914	
	-		-		-		-		3,094,572	
	-		-		_		-		1,123,418	
	-		-		-				121,088	
	-		-		-		-		211,371	
	-		-		-		-		3,492	
	-		-		3,168		2,381		5,549	
	-		-		-		-		2,600	
	-		-		-		-		477,748	
	-		-		-		836		17,362	
	-	_	-	_	2,787	_	-	-	41,523	
-	-		875,609	_	5,955		3,217	-	10,171,660	
	-		-		_	Þ	-		1,317,287	
	-		-		-		-		2,873,229	
	-		-		-		-		972,150	
	-		-		-		-		219,562	
	-		-		-		-		410,707	
	-		-		-		-		48,553	
	-		-		-		-		5,519,623	
	_		400,000	×	_		_		900,000	
	_		617,257		-		_		660,285	
-		-		_		-		-		
	-	_	1,017,257	_	_	-		-	12,921,396	
	-		(141,648)		5,955		3,217		(2,749,736)	
-				_		-		-		

## STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES (DEFICITS) -GOVERNMENTAL FUNDS (Continued) For the Year Ended September 30, 2013

	Major Governmental Funds								
_			Law						
		Improvement		Enforcement					
	General	Project	Bridge	Trust					
	Fund	Fund	Fund	Fund					
OTHER FINANCING SOURCES (USES):									
Proceeds from debt	-	-	1,000,000	-					
Payment to escrow agent	-	-	-	-					
Transfers in	5,955	1,531,341	982,396	-					
Transfers out	(4,234,719)	-	-	(29,195)					
Total other financing sources (uses)	(4,228,764)	1,531,341	1,982,396	(29,195)					
Changes in fund balances (deficits)	(4,053,749)	1,188,798	(248,253)	(248,278)					
FUND BALANCES (DEFICITS), beginning of year	8,632,033	(1,188,798)	(451,747)	758,495					
FUND BALANCES (DEFICITS), end of year\$	4,578,284	\$	(700,000)	510,217					

	Nonma			
		Nonmajor	Nonmajor	
Water	Debt	Special	Special	Total
Distribution	Service	Assessment I	Assessment II	Governmental
Fund	Fund	Fund	Fund	Funds
_	660,000	_		1,660,000
-	(660,000)	-	-	(660,000)
1,241,598	534,394	-	-	4,295,684
		(5,955)	(25,815)	(4,295,684)
1,241,598	534,394	(5,955)	(25,815)	1,000,000
1,241,598	392,746	-	(22,598)	(1,749,736)
(1,241,598)	(392,746)	-	22,598	6,138,237
	\$ \$	S <u> </u>	\$	\$ 4,388,501

# TOWN OF GOLDEN BEACH, FLORIDA RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES For the Year Ended September 30, 2013

NET CHANGE IN FUND BALANCES - TOTAL GOVERNMENTAL FUNDS, PAGE 19	\$ (1,749,736)
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is depreciated over their estimated useful lives:	
Expenditures for capital assets Less current year depreciation \$ 5,018,156 (850,411)	4,167,745
The issuance of debt provides current financial resources to governmental funds and increases liabilities in the statement of net assets. Repayment of debt and capital lease principal is an expenditure in the governmental funds, but the repayment reduces liabilities in the statement of net assets:	
Current year proceeds from debt Principal payments on debt Amortization of bond premium	(1,660,000) 1,560,000 1,736
Certain items reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds:	
Change in net pension asset Change in accrued interest payable Change in compensated absences payable Change in other post-employment benefit obligation (OPEB)	$(10,405) \\ 1,288 \\ (26,345) \\ (13,800)$
CHANGES IN NET POSITION OF GOVERNMENTAL ACTIVITIES, PAGE 12	\$

	Original Budget	Final Budget	Actual	Variance
REVENUES: Ad valorem taxes	\$ 4,212,019	\$4,212,019	\$ 4,158,096	\$ (53,923)
Total ad valorem taxes	4,212,019	4,212,019	4,158,096	(53,923)
Franchise fees: Gas	5,000	5,000	8,318	3,318
Total franchise fees	5,000	5,000	8,318	3,318
Utility service taxes: Communication service tax Gas service tax	24,534 4,500	24,534 4,500	24,366 6,548	(168) 2,048
Total utility service taxes	29,034	29,034	30,914	1,880
Licenses and permits: Building permits Other licenses and permits Occupational licenses	288,650 131,800 10,000	288,650 131,800 10,000	737,250 372,192 13,976	448,600 240,392 3,976
Total licenses and permits	430,450	430,450	1,123,418	692,968
Sales, use and fuel taxes: State sales tax Local option gas tax Local sales tax	62,729 24,429 20,000	62,729 24,429 20,000	62,876 25,170 33,042	147 741 13,042
Total sales, use and fuel taxes	107,158	107,158	121,088	13,930
State shared revenues: State revenue sharing Motor fuel tax rebate	17,309	17,309	17,844	535
Total state shared revenues	17,309	17,309	17,844	535
Physical environment: Reimbursements Other charges	14,969	14,969	3,492	(11,477)
Total physical environment	14,969	14,969	3,492	(11,477)

(continued)

	Original Budget	Final Budget	Actual	Variance
Special assessments				
Culture and recreation: Recreation fees	1,500	1,500	2,600	1,100
Total culture and recreation	1,500	1,500	2,600	1,100
Stormwater administration fee	244,000	244,000		(244,000)
Fines and forfeitures: Code enforcement Fines and forfeits Law enforcement trust fund	90,000 23,000 1,500	90,000 23,000 1,500	269,829 38,389 2,529	179,829 15,389 1,029
Total fines and forfeitures	114,500	114,500	310,747	196,247
Investment income	18,100	18,100	10,849	(7,251)
Miscellaneous: Miscellaneous revenue Transponders Tax lien letter income Public records requests	95,500 2,500 800	95,500 2,500 800	24,727 3,085 9,340 1,584	(70,773) 3,085 6,840 784
Total miscellaneous	98,800	98,800	38,736	(60,064)
Allocation of fund balance	550,000	550,000		(550,000)
Total revenues	5,842,839	5,842,839	5,826,102	(16,737)
EXPENDITURES: General government: General and legislative:				
Operating expenditures Capital outlay	452,941 5,576	452,941 5,576	433,305 7,312	19,636 (1,736)
Contingency	250,000	178,100		178,100
Total general and legislative	708,517	636,617	440,617	196,000

(continued)

	Original Budget	Final Budget	Actual	Variance
Executive: Personal services Operating expenditures Capital outlay	290,337 47,200 2,000	310,837 47,200 2,000	268,993 95,522 2,120	41,844 (48,322) (120)
Total executive	339,537	360,037	366,635	(6,598)
Town clerk: Personal services Operating expenditures Capital outlay	$136,430 \\ 42,400 \\ 1,000$	137,930 22,400 1,000	131,064 29,266 129	6,866 (6,866) 871
Total town clerk	179,830	161,330	160,459	871
Town legal counsel: Operating expenditures	239,500	239,500	80,854	158,646
Total Town legal counsel	239,500	239,500	80,854	158,646
Finance: Personal services Operating expenditures Capital outlay	$     \begin{array}{r}       165,785 \\       55,900 \\       1,000     \end{array}   $	$167,285 \\ 55,900 \\ 1,000$	165,353 69,483 3,558	1,932 (13,583) (2,558)
Total finance	222,685	224,185	238,394	(14,209)
Total general government	1,690,069	1,621,669	1,286,959	334,710
Public safety: Law enforcement: Personal services Operating expenditures Capital outlay	$1,826,195 \\ 357,200 \\ 20,000$	1,829,695 357,200 20,000	1,814,655 424,403 28,893	15,040 (67,203) (8,893)
Total law enforcement	2,203,395	2,206,895	2,267,951	(61,056)
Protective inspections: Personal services Operating expenditures Capital outlay	252,107 102,420	254,607 102,420 _	246,249 141,005 1,312	8,358 (38,585) (1,312)
Total protective inspections	354,527	357,027	388,566	(31,539)
Total public safety	2,557,922	2,563,922	2,656,517	(92,595)

(continued)

	Original Budget	Final Budget	Actual	Variance
Physical environment: Personal services Operating expenditures Capital outlay	617,836 353,100	623,336 353,100	659,139 312,659 1,928	(35,803) 40,441 (1,928)
Total physical environment	970,936	976,436	973,726	2,710
Transportation: Personal services Operating expenditures	71,437 199,564	72,437 204,564	65,538 154,024	6,899 50,540
Total transportation	271,001	277,001	219,562	57,439
Legislative: Personal services Operating expenditures Capital outlay	5 23,500 8,100	5 23,500 8,100	48,553 1,716	5 (25,053) 6,384
Total legislative	31,605	31,605	50,269	(18,664)
Cultural and recreation: Personal services Operating expenditures Capital outlay	203,807 168,500 <u>8,999</u>	$204,707 \\198,500 \\28,999$	127,925 282,782 53,347	76,782 (84,282) (24,348)
Total cultural and recreation	381,306	432,206	464,054	(31,848)
Total expenditures	5,902,839	5,902,839	5,651,087	251,752
Change in fund balance before other financing sources (uses)	(60,000)	(60,000)	175,015	235,015
OTHER FINANCING SOURCES (USES): Transfers in Transfers out	60,000	60,000	5,955 (4,234,719)	(54,045) (4,234,719)
Total other financing sources (uses)	60,000	60,000	(4,228,764)	(4,288,764)
Change in fund balance	-	-	(4,053,749)	(4,053,749)
FUND BALANCE, beginning of year	8,632,033	8,632,033	8,632,033	
FUND BALANCE, end of year	\$ 8,632,033	\$8,632,033	\$ 4,578,284	\$ (4,053,749)

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF NET POSITION PROPRIETARY FUND September 30, 2013

	Stormwater Utility Fund
ASSETS:	
Current assets:	
·	\$ 73,209
Investments	14,771
Accounts receivable	201,620
Due from other funds	1,565
Total current assets	291,165
Noncurrent assets:	
Capital assets, net	13,832,102
Total noncurrent assets	13,832,102
Total assets	14,123,267
LIABILITIES:	
Current liabilities:	( ( <b>2</b> )
Accrued interest payable	6,620
Current portion of debt	127,648
Due to other funds	1,875,561
Total current liabilities	2,009,829
Noncurrent liabilities:	
Long-term debt	1,733,036
	1,755,050
Total noncurrent liabilities	1,733,036
Total holicultent habilities	1,755,050
Total liabilities	3,742,865
NET POSITION:	
Net investment in capital assets	11,971,418
Unrestricted (deficit)	(1,591,016)
Total net position	\$ 10,380,402

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET POSITION-PROPRIETARY FUND For the Year Ended September 20, 2013

	Stormwater Utility Fund
OPERATING REVENUES:	
0	\$ 166,104
Franchise fees	107,970
Tax revenue	118,941
Total operating revenues	393,015
OPERATING AND GENERAL EXPENSES:	
Professional fees	2,719
Depreciation expense	358,160
General expenses	81,476
Maintenance and repair	821
Total operating and general expenses	443,176
Operating loss	(50,161)
NONOPERATING REVENUES (EXPENSES):	(04.157
Grant revenues	624,157
Investment income	296
Interest expense	(36,439)
Total nonoperating revenues (expenses)	588,014
Change in net position	537,853
NET POSITION, beginning of year	9,842,549
NET POSITION, end of year	\$ 10,380,402
	- 10,000,102

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF CASH FLOWS -PROPRIETARY FUND For the Year Ended September 30, 2013

	Stormwater Utility Fund
CASH FLOWS FROM OPERATING ACTIVITIES: Cash received from customers and users Cash paid for goods and services	394,631 (139,107)
Net cash provided by operating activities	255,524
CASH FLOWS FROM NONOPERATING ACTIVITIES:	
Cash received from grants	901,720
Net cash provided by nonoperating activities	901,720
CASH FLOWS FROM FINANCING ACTIVITIES: Change in due to/from balances Interest paid Principal payments	(552,804) (36,439) (73,392)
Net cash used in financing activities	(662,635)
CASH FLOWS FROM INVESTING ACTIVITIES: Investment income received Purchase of investments Purchase of capital assets	296 75,279 (675,146)
Net cash used in investing activities	(599,571)
Net decrease in cash and cash equivalents	(104,962)
CASH AND CASH EQUIVALENTS, beginning of year	178,171
CASH AND CASH EQUIVALENTS, end of year \$	73,209
RECONCILIATION OF OPERATING LOSS TO NET CASH PROVIDED BY OPERATING ACTIVITIES: Operating loss \$	(50,161)
Adjustments to reconcile operating loss to net cash provided by operating activities: Provision for depreciation (Increase) decrease in accounts receivable Increase (decrease) in accounts payable	358,160 1,616 (54,091)
Total adjustments	305,685
Net cash provided by operating activities \$	255,524

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF FIDUCIARY NET POSITION RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF GOLDEN BEACH September 30, 2013

ASSETS:			
Cash and cash equivalents		\$	834,490
Receivables:			
Employee contribution	\$ 10,726		
Interest	21,797		
Other	1,815		34,338
Investments, at fair value:			
Common stock	3,477,895		
Government bonds	1,296,729		
Corporate bonds	862,293		5,636,917
1			
Total assets			6,505,745
		-	, ,
		~	
LIABILITIES:			
Accounts payable			1,750
Due to broker			96,963
		-	· · · · ·
Total liabilities			98,713
		-	,
NET POSITION HELD IN TRUST			
FOR PENSION BENEFITS		\$	6,407,032
		. =	, ,

# TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF CHANGE IN FIDUCIARY NET POSITION RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF GOLDEN BEACH For the Year Ended September 30, 2013

ADDITIONS:		
Contributions:	\$	292 760
Employees	Ф	383,769 94,118
Linployees		74,110
Total contributions		477,887
	-	
Investment income:		517 705
Net appreciation in fair value of Plan investments Interest and dividend income		547,285 235,338
Interest and dividend meone		255,550
Total investment income		782,623
Total additions		1,260,510
DEDUCTIONS:		
Benefits paid		199,617
Consulting and advisory fees		53,405
Professional fees		32,999
Contribution refunds		6,476
Other		1,553
Total deductions		204 050
Total deductions		294,050
Net increase		966,460
NET DOGITION HELD IN TRUGT FOR DENGLON DENEEUTS		
NET POSITION HELD IN TRUST FOR PENSION BENEFITS,		5,440,572
beginning of year		5,440,572
NET POSITION HELD IN TRUST FOR PENSION BENEFITS,		
end of year	\$	6,407,032

#### NOTE 1 - ORGANIZATION AND OPERATIONS

The Town of Golden Beach, Florida (the "Town") was incorporated in 1929 under the provisions of the State of Florida. The Town operates under a council/manager form of government. The Town provides or contracts for the following services as authorized by its Charter and Town ordinances: public safety (police and fire), streets, sanitation, stormwater utility, social services, culture and recreation, public improvements, planning and zoning and general administrative services.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town have been prepared in accordance with generally accepted accounting principles ("GAAP") applicable to governmental units. GAAP includes all relevant Governmental Accounting Standards Board ("GASB") pronouncements. The following is a summary of the more significant accounting policies of the Town:

#### Reporting entity:

The financial reporting entity consists of the Town, organizations for which the Town is financially accountable, and other organizations for which the nature and significance of their relationship with the Town are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. The Town is financially accountable for a component unit if it appoints a voting majority of the organization's governing board and it is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the Town. Based upon the application of these criteria, there were no component units or related organizations of the Town.

#### Basis of presentation:

#### Government-wide financial statements

The government-wide financial statements (i.e. the statement of net position and the statement of activities) report information on all activities of the Town. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for services.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those expenses that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

#### *Fund financial statements*

The accounts of the Town are organized on the basis of funds, each of which is considered and accounted for as a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance/net position, revenues and expenditures. An emphasis is placed on major funds within the governmental category.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Fund financial statements (continued)

The Town reports the following major governmental funds:

The General Fund is the principal operating fund of the Town. All general tax revenues and other receipts that are not allocated by law or contractual agreement to another fund are accounted for in this fund.

The Capital Improvement Project Fund is used to account for financial resources segregated for the acquisition or construction of major capital facilities other than those financed by enterprise operations.

The Bridge Fund is used to account for the proceeds and expenditures of the bridge projects that the Town is currently undertaking. The Fund requires separate accounting due to legal or regulatory provisions or administrative action.

The Law Enforcement Trust Fund is a special revenue fund used to keep track of proceeds related to specific sources. The Fund requires separate accounting due to legal or regulatory provisions or administrative action.

The Water Distribution Fund is used to account for the proceeds and costs of the watermain project the town underwent for the last several years. The Fund requires separate accounting due to legal or regulatory provisions or administrative action.

The Town reports the following major proprietary fund:

The Stormwater Utility Fund accounts for the operation of the Town's stormwater drainage system.

Additionally, the government reports the following non-major funds:

The Debt Service Fund is used to account for the payment of principal, interest and other expenditures on long-term debt.

The Special Assessment I Fund is a special revenue fund used to keep track of proceeds related to specific sources. The Fund requires separate accounting due to legal or regulatory provisions or administrative action.

The Special Assessment II Fund is a special revenue fund used to keep track of proceeds related to specific sources. The Fund requires separate accounting due to legal or regulatory provisions or administrative action.

Separate financial statements are provided for governmental funds, proprietary funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

#### Measurement focus, basis of accounting:

#### *Government-wide financial statements*

Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenses/expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurement made, regardless of the measurement focus applied.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

#### *Government-wide financial statements* (continued):

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. This differs from the manner in which governmental fund financial statements are prepared. Therefore, governmental fund financial statements include reconciliations with a brief explanation to better identify the relationship between the government-wide statements and the fund financial statements. The proprietary fund financial statements are prepared on the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

#### Fund financial statements

All governmental fund types use the modified accrual basis of accounting under which revenue is recognized in the accounting period in which it becomes susceptible to accrual (i.e., when it becomes both measurable and available). "Measurable" means the amount of the transaction which can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. The Town considers property taxes as available if they are collected within sixty days after year end. Other taxes, intergovernmental revenues, and interest associated with the current fiscal period are all considered to be susceptible to accrual and are recognized as revenues of the current fiscal period. All other revenue items such as fines and forfeitures and licenses and permits are considered to be measurable and available only when cash is received by the Town. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

As a general rule, the effect of interfund activity has been eliminated from the governmentwide financial statements. Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) fines and forfeitures, 3) operating grants and contributions, and 4) capital grants and contributions. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the proprietary fund are from charges to customers for services. Operating expenses for proprietary funds include the costs of services, administrative expenses, and depreciation expense on capital assets. All revenues and expenses that do not meet this definition are reported as nonoperating revenues or expenses.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first, and then unrestricted resources as they are needed.

#### Budgets:

The Town is required to develop an approved annual budget. Annual budgets are adopted for most governmental funds.

The Town follows these procedures in establishing the budgetary data reflected in the financial statements:

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

- a. Prior to July 1, the Town Manager submits to the Town Council, the budget estimates of expenditures and revenues of all Town departments for the fiscal year commencing the following October 1.
- b. Upon receipt of the annual budget estimates, the Town Council prepares an appropriation ordinance using the Town Manager's estimates as a basis.
- c. Public hearings are conducted at the Town Hall to obtain taxpayer's comments.
- d. Prior to October 1, the budget is legally enacted through passage of a resolution.
- e. The Town may not legally expend or contract to expend amounts in excess of the total amount of appropriated expenditures of any of the funds for the year. The Town Manager can transfer funds among departmental expenditure categories, but may not increase total departmental expenditures without Council approval. Therefore, the legal level of control is at the departmental level.
- f. Formal budgetary integration is employed as a control device during the year for the General Fund, Special Revenue Funds, Capital Improvement Project Fund and the Debt Service Fund. Budget appropriations lapse at year end.
- g. The budgets for the General, Special Revenue, Capital Improvement Project and the Debt Service Funds are adopted on a basis consistent with accounting principles generally accepted in the United States of America.
- h. Budgeted amounts presented for fiscal year 2013 include amendments to the budget originally adopted by the Town Council.
- i. During the year, departmental expenditures exceeded the legally authorized budget as follows:

## General Fund

Executive	\$ (6,598)
Finance	(14, 209)
Protective inspections	(31,539)
Law enforcement	(61,056)
Legislative	(18,664)
Cultural and recreation	(31,848)

#### Cash and cash equivalents:

In connection with the statement of cash flows, the Town considers cash on hand, demand deposits and bank repurchase agreements as cash and cash equivalents.

#### Investments:

Investments are stated at their fair value, which is based on quoted market prices. Certain investments are stated at amortized cost if they have a remaining maturity of one year or less when purchased.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

#### Accounts receivable:

The accounts receivable consists of amounts owed for property taxes, stormwater utility fees, other miscellaneous taxes, and fines.

#### Capital assets:

Capital assets, which include land, buildings, improvements other than buildings, infrastructure, equipment and vehicles, and construction in progress are reported in the governmental activities column in the government-wide financial statements. The government defines capital assets as assets with an initial, individual cost of more than \$ 750 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Depreciation on all capital assets is charged to operations using the straight-line method over the assets' estimated service lives, ranging from 5-50 years.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

GASB 34 encourages but does not require certain governments to retroactively report infrastructure assets. The Town has elected not to retroactively report any unrecorded infrastructure that may exist.

Improvements other than buildings of the Proprietary Fund are stated at cost or, if donated, at fair value at the date of donation. Costs, which materially extend the useful life of existing assets, are capitalized. Depreciation has been provided over an estimated useful life of 40 years using the straight-line method.

The cost of property sold or retired, together with the related accumulated depreciation, is removed from the appropriate accounts and any resulting gain or loss is included in income.

#### Deferred outflows/inflows of resources:

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The Town does not have any items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Town does not have any items that qualify for reporting in this category.

## Compensated absences:

Full-time employees of the Town are entitled to be paid for twelve days of sick leave in each calendar year after six months of employment. Unused hours can be carried over to the following year, subject to limitations established by Town ordinance. In the event of termination, each qualifying employee is entitled to receive payment equal to 50% of the value of total accumulated unused sick days.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Each full-time employee is entitled to between ten and twenty days annual paid vacation leave. Unused hours can be carried over to the following year, subject to limitations established by Town ordinance. In the event of termination, each qualifying employee is entitled to receive payment equal to 100% of the value of the total accumulated unused vacation days.

Accumulated compensated absences are recorded as expenses in the government-wide and proprietary fund financial statements when earned. Expenditures for accumulated compensated absences have been recorded in the governmental funds only if they have matured, for example, as a result of employee resignations and retirements.

#### Equity classifications:

#### Government-wide statements

Equity is classified as net position and displayed in three components:

- a. Net investment in capital assets- Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net position Consists of net position with constraints placed on their use either by 1) external groups such as creditors, grantors, contributors, or laws and regulations of other governments, or 2) laws through constitutional provisions or enabling legislation.
- c. Unrestricted net position All other net position that do not meet the definition of "restricted" or "invested in capital assets net of related debt."

#### Fund statements

The Town previously adopted GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. This statement requires that governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

- Nonspendable: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact. "Not in spendable form" includes items that are not expected to be converted to cash (such as inventories and prepaid amounts) and items such as long-term amount of loans and notes receivable, as well as property acquired for resale. The corpus (or principal) of a permanent fund is an example of an amount that is legally or contractually required to be maintained intact.
- Restricted: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

- Committed: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Town Commission. These amounts cannot be used for any other purpose unless the Commission removes or changes the specified use by taking the same type of action (ordinance or resolution) that was employed when the funds were initially committed. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.
- Assigned: This classification includes amounts that are constrained by the Town's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Commission or through the Commission delegating this responsibility to Town management.
- Unassigned: This classification includes the residual fund balance for the General Fund. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the General Fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed or assigned for those specific purposes.

The Town uses restricted amounts to be spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the Town would first use committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

#### Property taxes:

Real and personal property values are assessed on a county-wide basis by the Miami-Dade County Property Appraiser as of January 1 of each year (the lien date). Taxable value of property within the Town is certified by the Property Appraiser and the Town levies a tax upon the taxable value, which will provide revenue required for the next fiscal year beginning October 1.

Property taxes levied by the Town and all other taxing authorities within Miami-Dade County (the "County") are centrally billed and collected by the County, with monthly remittances to the Town for their proportionate share of collected taxes. Taxes for the fiscal year beginning October 1 are billed in the month of November, subject to a 1% per month discount for the period November through February, and are due no later than March 31. On April 1, unpaid amounts become delinquent with interest and penalties thereafter. Beginning June 1, tax certificates representing delinquent taxes with interest and penalties added are sold by the County, with remittance to the Town for its share of those receipts.

Assessed values are established by the Miami-Dade County Property Appraiser at just values. The assessed value of property at January 1, 2011, upon which the 2012-2013 levy was based, was approximately \$ 635,100,000. The Miami-Dade County Tax Collector bills and collects all property taxes for the Town.

## NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

The Town is permitted by Article 7, Section 8 of the Florida Constitution to levy taxes up to \$ 10 per \$ 1,000 of assessed valuation (10 mills) for general governmental services. In addition, unlimited amounts may be levied for the payment of principal and interest for debt service if approved by the voters. The operating tax rate to finance general government services for the year ended September 30, 2012 was \$ 6.995 per \$ 1,000 and \$ 1.505 per \$ 1,000 for bond debt service.

The Town accrues property tax receivables based on the County's allocation of the Town's portion of County-held certificates for prior years.

#### **Retirement systems:**

The Town sponsors and administers a retirement system covering substantially all full-time general employees and police officers. Annual costs of the pension plan are actuarially computed and the Town funds annual pension costs as incurred. Investments are stated at their fair value.

#### Internal balances:

Amounts reported in the fund financial statements as interfund receivables and payables are eliminated in the government-wide governmental and business-type activities columns of the statement of net position, except for the net residual amounts due between governmental and business-type activities, which are presented as internal balances.

#### Use of estimates:

The presentation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses/expenditures during the reporting period. Accordingly, actual results could differ from those estimates.

#### Date of management review:

Subsequent events have been evaluated by management through (DATE), which is the date the financial statements were available for issuance.

## NOTE 3 - DEPOSITS AND INVESTMENTS

#### **Governmental and Proprietary Funds**

#### Deposits:

As required by Chapter 280.03, Florida Statutes, all deposits of the Town during the year ended September 30, 2013, including time deposit accounts, demand deposit accounts and money market accounts, were held in institutions designated by the Treasurer of the State of Florida as "qualified public depositories" and were accordingly covered by a collateral pool as required by that Statute. Therefore, in accordance with GASB Codification I50.110, the deposits are treated as insured or collateralized with securities held by the entity or its agent in the entity's name. As of September 30, 2013, the carrying amount of the Town's deposits was \$ 1,147,553 with a bank balance of \$ 1,336,547.

## NOTE 3 - DEPOSITS AND INVESTMENTS (continued)

#### Investments:

Florida Statutes and Town Ordinances authorize Town officials to invest pooled funds in United States bonds and obligations, guaranteed United States agency issues, Florida county, municipal and district general, excise and revenue obligations, Florida bank certificates of deposit, bankers acceptances, reverse repurchase agreements and prime commercial paper issues. Investments in the proprietary fund are allowed to be comprised of United States Treasury state and local government series securities. In addition, the Fiduciary Fund is authorized to invest in corporate and government bonds, stocks, mutual funds, money market funds, mortgages, and notes.

The Town's governmental and proprietary portfolios were placed in an external investment pool, the Local Government Surplus Funds Trust Fund (the "State Pool"). The State Pool is administered by the Florida State Board of Administration ("SBA"), who provides regulatory oversight. Previously, the SBA reported that the State Pool was exposed to potential risks due to indirect exposure in the sub-prime mortgage financial market. Consequently, the SBA placed some restrictions on how participants could access portions of their surplus funds and ultimately restructured the State Pool into two separate pools ("LGIP" and "Fund B").

The LGIP has adopted operating procedures consistent with the requirement for a 2a7-like fund. The Town's investment in the LGIP is reported at amortized cost. The fair value of the position in the pool is equal to the value of the pool shares.

The Fund B is reported at fair value, determined by the fair value per share of the pool's underlying portfolio.

Total governmental	and proprietary	investments at S	eptember 30, 2013	were as follows:
--------------------	-----------------	------------------	-------------------	------------------

			Investment Maturities (in years)				
	Fair Value		Less than 1		1 to 5	_	6 to 10
LGIP LGIP - Fund B Non-negotiable certificates of	\$ 78,573 22,720	\$	-	\$	- -	\$	78,573 22,720
deposit	1,975,689	· -	1,975,689				
	\$ 2,076,982	\$	1,975,689	\$	-	\$	101,293

*Interest rate risk*: The Town's investment policy is designed to minimize the risk that change in the market value of securities in the portfolio caused by changes in general interest rates will result in any losses by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations and by investing operating funds primarily in shorter-term securities, money market funds, or similar investment pools.

## NOTE 3 - DEPOSITS AND INVESTMENTS (continued)

*Credit risk*: State law limits investments in bonds, stocks or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia, unless the corporation is listed on any one or more of the recognized national stock exchanges or on the National Market System of the NASDAQ Stock Market and in the case of bonds only, hold a rating in one of the three highest classifications by a major rating service. The LGIP is rated AAAm by Standard and Poor's and Fund B is not rated by any nationally recognized statistical rating agency.

#### **Fiduciary Funds**

The Retirement Plan for the Employees of the Town of Golden Beach (the "Plan") maintains an agreement whereby the investment securities are held in the Plan's name by a financial institution acting as the Plan's custodian. The custodian also assists Plan management in securing one or more investment managers to invest in securities at the manager's discretion.

Fair

Investment	Maturities		Value
Common stock	Not applicable	\$	3,477,895
Corporate bonds	October 1, 2013 through September 30, 2014		113,328
Corporate bonds	October 1, 2014 through September 30, 2015		255,652
Corporate bonds	October 1, 2016 through September 30, 2017		243,913
Corporate bonds	October 1, 2017 through September 30, 2018		249,400
Government bonds	October 1, 2013 through September 30, 2014		180,884
Government bonds	October 1, 2014 through		,
Government bonds	September 30, 2015 October 2015 through		310,783
Government bonds	September 30, 2016 October 1, 2016 through		64,843
Government bonds	September 30, 2017 October 1, 2018 through		210,580
Government bonds	September 30, 2019 October 1, 2019 through		193,853
Government bonds	September 30, 2020 October 1, 2020 through		53,325
Government bonds	September 30, 2021 October 1, 2021 through		97,760
Government bonds	September 30, 2022	-	184,701
	Total investments	\$	5,636,917

At year end, the Plan's investment balances were as follows:

#### NOTE 3 - DEPOSITS AND INVESTMENTS (continued)

Interest rate risk: Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The Plan does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The Plan does, however, limit its exposure to interest rate risk by diversifying its investments by security type and institution, and limits holdings in any one type of investment with any one issuer with various durations of maturities.

*Credit risk*: Credit risk is the risk that a security or portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. This risk is generally measured by the assignment of a rating by a nationally recognized statistical rating organization. As of September 30, 2013, the Plan's corporate bonds were rated between A3 and AA2 by Moody's Investor Services and between A- and AA+ by Standard & Poor's. The Plan has no investment policy that would further limit its investment choices.

*Concentration of credit risk*: GASB Statement No. 40 requires disclosure when the percent is 5% or more in any one issuer. As of September 30, 2013, investments held in one fund consisting of United States Treasury notes in the amount of \$854,836 exceeded 5% of Plan net position.

*Custodial credit risk:* This is the risk that, upon failure of a counterparty or collateral securities held by the Plan, it would not be able to recover the value thereof. The Plan assets are held by their custodial bank and registered in the Plan's name.

## NOTE 4 - CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2013 was as follows:

	Balance October 1, 2012	Additions	Deletions	Balance September 30, 2013
Governmental activities: Capital assets, not being				
depreciated				
Land	\$ 1,878,598	\$ -	\$ - 5	\$ 1,878,598
Construction in progress	1,652,745	4,960,275		6,613,020
Total capital assets,				
not being depreciated	3,531,343	4,960,275		8,491,618
Capital assets, being depreciated:				
Equipment and vehicles	2,902,625	35,335	22,522	2,915,438
Buildings	1,192,355	-	-	1,192,355
Infrastructure	17,569,103	-	-	17,569,103
Improvements other				
than buildings	775,247	22,546		797,793
Total capital assets,				
being depreciated	22,439,330	57,881	22,522	22,474,689
Total capital assets	25,970,673	5,018,156	22,522	30,966,307

# NOTE 4 - CAPITAL ASSETS (continued)

Less accumulated depreciation for:	Balance October 1, 2012	Additions	Deletions	Balance September 30, 2013
Equipment and vehicles Buildings Infrastructure Improvements other	1,854,430 253,475 938,741	230,837 24,022 558,751	22,522 - -	2,062,745 277,497 1,497,492
than buildings	337,915	36,801		374,716
Total accumulated depreciation	3,384,561	850,411	22,522	4,212,450
Total capital assets, being depreciated, net	19,054,769	(792,530)		18,262,239
Governmental activities capital assets, net \$	22,586,112	\$ 4,167,745		\$
<b>Business-type activities:</b> Capital assets, not being depreciated:				
Construction in progress \$	342,763	\$ 675,146	\$	\$ 1,017,909
Total capital assets, not being depreciated	342,763	675,146		1,017,909
Capital assets, being depreciated: Equipment and vehicles Improvements other than buildings	47,000 14,066,871	-		47,000 14,066,871
Total capital assets, being depreciated	14,113,871			14,113,871
Total capital assets	14,409,634	675,146		15,084,780
Less accumulated depreciation for: Equipment and vehicles Improvements other than buildings	3,133 938,385	3,133 355,027		6,266 1,293,412
Total accumulated depreciation	941,518	358,160		1,299,678
Total capital assets, being depreciated, net	13,172,353	(358,160)	)	12,814,193
Business-type activities capital assets, net \$	13,515,116	\$316,986	\$	\$

## NOTE 4 - CAPITAL ASSETS (continued)

Depreciation expense was charged to function/programs of the primary government as follows:

Governmental activities:	
General government	\$ 221,107
Public safety	326,558
Physical environment	225,359
Cultural and recreation	77,387
Total depreciation expense -	
governmental activities	\$ 850,411
-	
Business-type activities:	
Stormwater drainage	\$ 358,160
e e e e e e e e e e e e e e e e e e e	

## NOTE 5 - LONG-TERM DEBT

## **Governmental activities:**

The following is a summary of changes in the long-term debt for the year ended September 30, 2013:

	Balance October 1, 2012	Additi	ions	Deletions	Balance September 30, 2013	_	Due Within One Year
Governmental activities:							
Special Assessment							
General Obligation							
Bonds, Series 2008	\$ 13,505,000	\$	- \$	300,000	\$ 13,205,000	\$	310,000
Capital Improvement							
Refunding Revenue Note,							
Series 2010	660,000		-	660,000	-		-
Capital Improvement							
Refunding Revenue Note,							
Series 2012	-	660	,000	100,000	560,000		100,000
Grant Anticipation Note							
Series 2012B	1,500,000	1,000	,000	500,000	2,000,000		-
Bond premium	46,872			1,736	45,136	_	-
Total governmental							
activities	\$ <u>15,711,872</u>	\$ 1,660	,000 \$	1,561,736	\$ 15,810,136	\$	410,000

**Special Assessment General Obligation Bonds, Series 2008** - In August 2008, the Town issued \$ 14,445,000 in Special Assessment General Obligation Bonds, Series 2008 for the purpose of funding certain capital projects within the boundaries of the Town. The Bonds bear interest at rates ranging from 3.00% to 5.00% and mature January 2038. Interest is payable semi-annually on the first day of each January and July. The Bonds are secured by the pledge of revenues derived from the collection of non-ad valorem special assessments.

#### NOTE 5 - LONG-TERM DEBT (continued)

The Town is required by the Bond Indenture to levy and collect special assessments pursuant to Florida Statutes, Section 190.022. The collection of these assessments are restricted and applied to the debt service requirements of the Bond issue. Further, the Town covenants to levy special assessments in annual amounts adequate to provide for the payment of principal and interest on the Bonds as it becomes due.

The aggregate annual debt service requirements for the Special Assessment Bond, Series 2008 is as follows:

Year Ending					
<u>September 30,</u>	Principal	_	Interest		Total
2014	\$ 310,000	\$	601,324	\$	911,324
2015	320,000		591,249		911,249
2016	330,000		580,849		910,849
2017	345,000		569,299		914,299
2018	355,000		556,361		911,361
2019-2023	2,005,000		2,557,244		4,562,244
2024-2028	2,480,000		2,079,959		4,559,959
2029-2033	3,115,000		1,445,004		4,560,004
2034-2038	3,945,000		608,785		4,553,785
				-	
	\$ 13,205,000	\$	9,590,074	\$	22,795,074

**Capital Improvement Refunding Revenue Notes** – In 2009 the Town obtained \$1,339,912 from a Capital Refunding Revenue Note, Series 2009 at a stated interest rate of 3.75% per annum. During the year ended September 30, 2011, the note was renewed with the issuance of the Capital Improvement Refunding Revenue Note, Series 2010; and the renewed note calls for quarterly installments of interest only payments at 2.00% through October 2012 at which time the remaining principal was due. In October 2012, the Town refinanced the Series 2010 with the Capital Improvement Refunding Revenue Note, Series 2012. This note calls for interest at a fixed amount of 2.00% with principal amounts of \$100,000 that was due at the time of refinance, \$100,000 due on April 1, 2014 and the remaining balance of \$460,000 due on October 14, 2015. The notes are secured by non-ad valorem tax revenues.

The annual debt service requirement for Capital Improvement Refunding Revenue Note, Series 2012 is as follows:

Year Ending September 30,	_	Principal	_	Interest	-	Total
2014 2015 2016	\$	100,000	\$	10,561 9,253 1,157	\$	110,561 9,253 461,157
	\$	560,000	\$	20,971	\$	580,971

## NOTE 5 - LONG-TERM DEBT (continued)

**\$ 2,000,000 Grant Anticipation Note, Series 2012B** – In May 2012, the Town obtained a grant anticipation note not to exceed \$ 2,000,000, of which they had taken \$ 1,500,000 as of September 30, 2012. During the year ended September 30, 2013, the Town received an additional \$ 1,000,000 for this loan and paid off \$ 500,000. The Town obtained this note to fund the renovation of two island bridges. The note terms provide that the interest rate will be Prime Rate less 1.25%, provided that it cannot be less than 2.00% at any time. At the time of the audit, Prime Rate was 3.25%, resulting in an interest rate of 2.00%. The terms provide that quarterly interest only payments will be due from the town, with the full balance of principal due and payable in May 2015. The note is secured by a pledge of proceeds from the Department of Transportation bridge capital improvement reimbursement contract. If such pledged revenues are not sufficient to pay the Loan when due, the note shall be secured by non-ad valorem tax revenues.

The annual debt service requirements for the Grant Anticipation Note, Series 2012B are as follows:

Year Ending September 30,	Principal	_	Interest	Total
2014 2015	\$ 2,000,000	\$	38,845 \$ 29,134	38,845 2,029,134
	\$ 2,000,000	\$	67,979 \$	2,067,979

#### **Business-type activities:**

The following is a summary of changes in the long-term debt for the year ended September 30, 2013:

	Balance October 1, 2012		Additions		Deletions	Balance September 30, 2013	_	Due Within One Year
<b>Business-type activities:</b>								
Department of								
Environmental Protection,								
Revolving Loans	\$ 1,934,076	\$	-	\$	73,392	\$ 1,860,684	\$	127,648
-		-		-			-	
Total business-type								
activities	\$ 1,934,076	\$	-	\$	73,392	\$ 1,860,684	\$	127,648
		-		-			=	

## NOTE 5 - LONG-TERM DEBT (continued)

**Department of Environmental Protection, Revolving Loan** – The Town previously entered into a revolving loan agreement with the State of Florida Department of Environmental Protection. This loan is payable in semiannual installments of \$ 81,578 including interest at 1.81%, on June 15 and on December 15, until June 2026, when all remaining principal and interest is due. Loan payments are collateralized by electric franchise fees.

# NOTE 5 - LONG-TERM DEBT (continued)

The annual debt service requirements for the revolving loans are as follows:

Year Ending			-		
September 30,	-	Principal	Interest	_	Total
2014		107 (40	17 150		144.004
2014	\$	127,648	\$ 17,156	\$	144,804
2015		130,054	16,043		146,097
2016		132,505	14,727		147,232
2017		135,002	13,479		148,481
2018		137,547	12,207		149,754
2019-2023		727,612	41,094		768,706
2024-2026	_	470,316	7,781		478,097
	_				
	\$	1,860,684	\$ 122,487	\$	1,983,171
	=				

# NOTE 6 – ACCOUNTS RECEIVABLE/ACCOUNTS PAYABLE

Accounts payable at September 30, 2013 were as follows:

	Ve	endors	S	ubcontractors		Total Accounts Payable
Governmental activities:			-		•	•
General Fund	\$ 1	.66,070	\$	-	\$	166,070
Capital Improvement Project Fund		9,316	·			9,316
Law Enforcement Fund		-		3,930		3,930
Bridge Fund		-	_	1,254,224		1,254,224
Total governmental activities	¢ 1	75,386	¢	1,258,154	¢	1,433,540
activities	\$1	15,500	ۍ =	1,230,134	Ф.	1,455,540

Receivables at September 30, 2013 were as follows:

	Taxes	Inter-				
	Receivable	Governmental	1 Accounts	Contractors	Other	Total
Governmental activities:						
General Fund	5 7,860	\$ -	\$ -	\$ -	\$ 1,224	\$ 9,084
Capital Improvement						
Project Fund	-	-	219,339	-	6,485	225,824
Law Enforcement Fund	-	12,378	14,597	-	-	26,975
Bridge Fund	-	1,262,708	-	-	-	1,262,708
Total governmental						
activities	5 7,860	\$ 1,275,086	\$ 233,936	\$ <u> </u>	\$ 7,709	\$ 1,524,591

#### NOTE 7 - RETIREMENT PLANS

#### Description:

The Town has two defined benefit plans: The Retirement Plan for Employees of the Town of Golden Beach (the "Plan") and the Town of Golden Beach Police Officers Retirement Fund (the "Fund"). Both the Plan and the Fund are single-employer defined benefit plans. The Town of Golden Beach Police Officer's Retirement Fund is not required to be included as a fiduciary fund and, thus, is not included in the Town's basic financial statements.

All full-time employees (excluding elected officials, persons appointed to fulfill elected positions, and retained professionals and consultants for the Town) and police officers become participants in the Plan on their start of service. The Plan provides retirement, death, and disability benefits. The Plan does not currently provide for post-retirement benefit increases.

#### Assets:

Plan membership consisted of the following at September 30, 2013:

	General	Police
Retirees and beneficiaries receiving benefits and terminated members entitled to benefits, but not yet receiving them	6	10
Active plan members	21	18
	27	28

Plan members are required to contribute 3.5% (6.0% for police officers) of their annual covered salary to the Plan. Contribution requirements of the Plan members and the Town are established and may be amended by the Pension Board. The Town is required to fund any annual unfunded amount as actuarially determined.

Administrative costs of the Plan are financed through current or prior investment earnings. The contribution requirements for the Plan for the covered payroll and actual contributions made for the fiscal year ended September 30, 2013 and the two preceding years were as follows:

	FY 2013	FY 2012	-	FY 2011
Annual required contributions Interest on net pension obligation Adjustment to annual required	\$ 391,306 (2,066)	\$ 376,825 (1,643)	\$	383,027 (1,437)
contribution	4,934	2,938	_	3,251
Annual pension cost	394,174	378,120		384,841
Contribution made	383,769	383,769		383,769
Increase (decrease) in net pension obligation Net pension obligation (asset)	10,405	(5,649)		1,072
beginning	(27,553)	(21,904)		(22,976)
Net pension obligation (asset) ending	(17,148)	(27,553)		(21,904)

#### NOTE 7 - RETIREMENT PLANS (continued)

Year Ending September 30,	 Annual Pension Cost (APC)	Percent of APC Contributed	Net Pension Obligation (Asset)
2011 2012 2013	\$ 384,841 378,120 394,174	\$ 100 % 102 % 100 %	\$ (21,904) (27,553) (24,685)

#### Three-Year Trend Information

#### Schedule of Funding Progress:

The funded status of the Plan as of the most recent actuarial valuation was as follows:

								Unfunded (Overfunded) Frozen Actuarial
				Unfunded				Accrued Liability
				(Overfunded)				•
			Frozen	Frozen				as % of
Actuarial		Actuarial	Actuarial	Actuarial			Annual	Annual
Valuation		Value	Accrued	Accrued	Funded	1	Covered	Covered
Date	_	of Assets	 Liability	Liability	Ratio 9	6	Payroll	Payroll
10/1/2012	\$	4,947,271	\$ 6,076,696	\$ 1,129,425	81.4	% \$	2,019,940	55.9%

The actuarial accrued liability is determined using a frozen entry age actuarial cost method. The actuarial value of Plan assets was determined using the market value less unrecognized capital appreciation at the rate of 20% per year. The amortization method is level dollar – closed, with a remaining amortization period of 30 years. Actuarial assumptions include (a) 7.5% investment rate of return, and (b) projected salary increases of 5.0% per year.

The schedule of funding progress presented as required supplementary information (RSI) immediately following the notes to the basic financial statements presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the frozen actuarial accrued liability for benefits.

#### Financial Report:

The Town has issued stand-alone financial statements for the Plan, which may be obtained from the Town of Golden Beach Finance Department.

#### NOTE 8 – OTHER POST EMPLOYMENT BENEFITS

#### Plan Description:

The Town's Other Post-Employment Benefits Plan (the "OPEB Plan") is a single employer healthcare plan administered by the Town. Pursuant to Section 112.0801, Florida Statutes, the Town is required to permit participation in the OPEB Plan to retirees and their eligible dependents at a cost to the retiree that is no greater that the cost at which coverage is available for active employees. Eligible individuals include all regular employees of the Town who retire form active service under one of the pension plans sponsored by the Town. Under certain conditions, eligible individuals also include spouses and dependent children. The OPEB Plan does not issue a publicly available financial report.

#### NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (continued)

#### Funding Policy:

The contribution requirements of OPEB plan members and the Town are established by the state statues and may be amended by the state legislature. The required contribution is based on projected pay-as-you-go financing requirements and is subject to constant revision. The Town has opted to not fund the net OPEB obligation of the resulting unfunded actuarial accrued liability on an annual basis.

#### Annual OPEB and Net OPEB Obligation:

The Town's annual OPEB cost (expense) is calculated based on the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years. The following table shows the components of the Town's annual OPEB for the year, the amount actually contributed to the OPEB Plan, and changes in the Town's OPEB obligation to the OPEB Plan based on the most recent actuarial valuation dated October 1, 2012:

\$ 13,900
2,900
(3,000)
13,800
-
13,800
71,600
\$ 85,400

The Town's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation as of September 30, 2013 was as follows:

\$ 13,800
\$ -
-
\$ 85,400
\$

#### Funded Status and Funding Progress:

Actuarial Valuation		Plan		Accrued		Unfunded	Funded		Expected Covered	Unfunded % of
Date	_	Assets	-	Liability	-	Liability	Ratio %	-	Payroll	Payroll
10/1/2009	\$	-	\$	105,900	\$	105,900	0.0	\$	1,813,000	5.8
10/1/2012	\$	-	\$	95,800	\$	95,800	0.0	\$	1,612,000	5.9

#### NOTE 8 – OTHER POST EMPLOYMENT BENEFITS (continued)

#### Actuarial Methods and Assumptions:

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Projections of benefits are based on the types of benefits provided under the substantive plan at the time of each valuation and on the pattern of sharing of benefit costs between the Town and plan members to that point.

The schedule of funding progress presented as required supplementary information (RSI) immediately following the notes to the basic financial statements presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

The actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

The actuarial liabilities and cost are determined using the projected unit credit cost method. There are no assets held in trust for this plan. Items subject to deferred recognition are amortized with a 2.5 annual increase over a period of 30 years.

#### NOTE 9 - INDIVIDUAL FUND DISCLOSURES

At September 30, 2013, Bridge Fund had a deficit fund balance of \$ 700,000. The Town expects to reduce this deficit through a reimbursement from the Florida Department of Transportation.

#### NOTE 10 - INTERFUND BALANCES AND TRANSFERS

Interfund receivables and payables at September 30, 2013 were as follows:

	Due to:										
				Capital					Law		
				Project			Debt	E	Inforcement		
			Iı	nprovement	Stormwater	•	Service		Trust		
Due from:		General		Fund	Fund		Fund		Fund	Total	
Capital Project											
Improvement Fund	\$	538,346	\$	- \$	5 -	\$	-	\$	- \$	538,346	
Law Enforcement Trust Fund		532,205		38,772	-		-		-	570,977	
Bridge Fund		704,281		-	1,565		-		2,638	708,484	
General Fund		-		-	-		-		-	-	
Special Assessment II Fund		73,540		-	-		25,815		-	99,355	
Stormwater Fund		1,875,561		-	-		-		-	1,875,561	
Debt Service Fund		25,815		-			-			25,815	
Total	\$	3,749,748	\$	38,772	1,565	\$	25,815	\$	2,638 \$	3,818,538	

#### NOTE 10 - INTERFUND BALANCES AND TRANSFERS (continued)

One of the major reasons for the interfund balances is the fact that the Town's vendors may send one invoice that includes work for more than one project and the projects are assigned in more than one fund. For example, a check is cut form the General Fund and the items billed may include Stormwater Fund project costs therefore increasing the interfund balances.

	Transfer to:							
			Capital					
			Project		Water		Debt	
	Bridge		Improvement		Distribution		Service	
Transfer from:	 Fund		Fund		Fund		Fund	Total
General Fund	\$ 982,396	\$	1,502,146	\$	1,241,598	\$	508,579 \$	4,234,719
Total	\$ 982,396	\$	1,502,146	_	1,241,598	\$	508,579 \$	4,234,719
	 			-				

#### NOTE 11 - RISK MANAGEMENT

For the year ended September 30, 2013, the Town participated in the Florida League of Cities ("FLC") risk pool. This is a statewide pool with several hundred governmental members. FLC provided the Town with general liability and property coverages. The FLC pool is nonassessable. There is no self-insured retention for the Town excluding a \$ 250 per occurrence deductible. FLC also provided the Town with \$ 2,000,000 in general liability coverage.

#### NOTE 12 - CONTINGENCIES

The Town is subject to various claims and legal proceedings covering a wide range of matters that arise in the ordinary course of its business activities, including employee discrimination claims. Management believes that any liability that may ultimately result from the resolution of these matters will not have a material adverse effect on the financial condition or results of operations of the Town.

#### NOTE 13 - COMMITMENTS

The Town has active construction projects as September 30, 2013. The project is for the building of bridges in the Town. On April 7, 2010 two contracts were entered into for the completion of these bridges. At year end the Town's commitment with the contractor is as follows:

		Expended	Contracts
	Total	at	and
	Project	September 30,	Retainage
Project	Authorization	2013	Payable
The Strand Bridge S Navona Avenue Bridge	5 3,184,830 3,154,649	\$ 2,729,398 2,409,984	187,379 286,062
\$	6,339,479	\$ 5,139,382 \$	473,441

#### NOTE 14 - RESTATEMENT OF BEGINNING NET POSITION

For the year ended September 30, 2013, the Town implemented GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*. This resulted in a decrease to the beginning net position on the statement of activities of \$ 226,115 for governmental activities to remove bond issuance and other related costs in accordance with GASB 65.

## TOWN OF GOLDEN BEACH, FLORIDA RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF GOLDEN BEACH-SCHEDULE OF FUNDING PROGRESS For the Last Six Fiscal Years

Actuarial Valuation Date		Actuarial Value of Assets		Frozen Actuarial Accrued Liability	(	Unfunded Overfunded) Frozen Actuarial Accrued Liability	Funded Ratio %		Annual Covered Bouroll	Unfunded (Overfunded) Frozen Actuarial Accrued Liability as % of Annual Covered Payroll
Date	-	OI Assets	-	Liadinty	-		Katio %	-	Payroll	Payroll
10/1/2007	\$	3,287,528	\$	4,220,357	\$	932,829	77.9	\$	1,878,920	49.6
10/1/2008	\$	3,531,854	\$	4,490,321	\$	958,467	78.7	\$	1,811,913	52.9
10/1/2009	\$	3,855,187	\$	5,183,295	\$	1,328,108	74.4	\$	1,813,079	73.3
10/1/2010	\$	4,188,963	\$	5,521,326	\$	1,332,363	75.9	\$	1,920,856	69.4
10/1/2011	\$	4,443,079	\$	5,731,743	\$	1,288,664	77.5	\$	1,820,735	70.8
10/1/2012	\$	4,947,271	\$	6,076,696	\$	1,129,425	81.4	\$	2,019,940	55.9

NOTE: The most recent actuarial valuation available is as of October 1, 2012.

## TOWN OF GOLDEN BEACH, FLORIDA RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF GOLDEN BEACH -SCHEDULE OF CONTRIBUTIONS FROM THE EMPLOYER For The Last Six Fiscal Years

Year Year Ended September 30,	Annual Required Contribution	Actual Contribution	Percentage Contributed
2008 2009 2010 2011 2012 2013	365,538 345,017 367,275 383,027 376,825 391,306	357,389 360,753 372,769 383,769 383,769 391,306	98% 105% 101% 100% 102% 100%

## TOWN OF GOLDEN BEACH, FLORIDA SCHEDULE OF FUNDING PROGRESS OTHER POST EMPLOYMENT BENEFITS

							UAAL
							as a
Actuarial	A	ctuarial	Accrued	Unfunded		Annual	Percentage of
Valuation	V	alue of	Liability	AAL	Funded	Covered	Covered
Date	Pla	an Assets	(AAL)	(UAAL)	Ratio %	Payroll	Payroll
			 <u> </u>	 <u> </u>			<u>.</u>
10/1/2009	\$	-	\$ 105,900	\$ 105,900	0.0	\$ 1,813,000	5.8
10/1/2012	\$	-	\$ 95,800	\$ 95,800	0.0	\$ 1,612,000	5.9

NOTE: The most recent actuarial valuation available is as of October 1, 2012.

## TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCE -BUDGET AND ACTUAL -BRIDGE FUND For the Year Ended September 30, 2013

	_	Original Budget	_	Final Budget		Actual		Variance
REVENUES:								
Intergovernmental revenue	\$_	5,939,750	\$_	5,939,750	\$_	3,064,837	\$_	(2,874,913)
Total revenues	_	5,939,750	_	5,939,750	-	3,064,837		(2,874,913)
EXPENDITURES:								
General government		598,822		598,822		38,340		(560,482)
Maintenance		· - ,		-		352		352
Capital outlay		5,340,928		5,340,928		4,713,766		(627, 162)
Debt service	_	-		-	_	543,028		543,028
Total expenditures	_	5,939,750	_	5,939,750	_	5,295,486	_	(644,264)
OTHER FINANCING SOURCES (USES):								
Transfers in		-		-		982,396		982,396
Proceeds from debt		-		-	_	1,000,000	_	1,000,000
Total other financing								
sources (uses)		-		-		1,982,396	_	1,982,396
Change in fund balance (deficit)				-		(248,253)		(248,253)
FUND BALANCE (DEFICIT), beginning of year	_	(451,747)	_	(451,747)		(451,747)	_	-
FUND BALANCE (DEFICIT), end of year	\$_	(451,747)	\$_	(451,747)	\$_	(700,000)	\$_	(248,253)

## TOWN OF GOLDEN BEACH, FLORIDA STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCE -BUDGET AND ACTUAL -LAW ENFORCEMENT TRUST FUND For the Year Ended September 30, 2013

		Original Budget	Final Budget	Actual	_	Variance
REVENUES: Fines and forfeitures Interest income Shared revenues Other revenues	\$	50,000 - 100,000 260,411	\$ 50,000 - 100,000 260,411	\$ 167,001 5,520 - -	\$	$117,001 \\ 5,520 \\ (100,000) \\ (260,411)$
Total revenues		410,411	410,411	172,521	_	(237,890)
EXPENDITURES: General government Public safety Capital outlay		350,411	350,411	5,000 246,917 139,687	_	(5,000) 103,494 (139,687)
Total expenditures		350,411	350,411	391,604	_	(41,193)
Excess of revenues over expenditures before other financing sources (uses) OTHER FINANCING SOURCES (USES):	_	60,000	60,000	(219,083)	_	(279,083)
Transfers in (out)		(60,000)	(60,000)	(29,195)	_	30,805
Total other financing sources (uses) Change in fund balance	-	(60,000)	(60,000)	(29,195) (248,278)	_	<u>30,805</u> (248,278)
FUND BALANCE, beginning of year	_	758,495	758,495	758,495	_	-
FUND BALANCE, end of year	\$	758,495	\$ 758,495	\$510,217	\$_	(248,278)



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

Date:	April 23, 2014		Item Number:
То:	Honorable Mayor G Town Council Mem		<u>          9            </u>
From:	Alexander Diaz, Town Manager	Alex®	
Subject:		49.14 - Authorizing the Admin the Florida League of Cities	istration to Apply for

#### Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2349.14 as presented.

#### **Background:**

The Florida Municipal Achievement Awards program recognizes and honors outstanding citizens and city leaders, and cities for their excellent, innovative programs that provide our citizens with great public service. The goal of this program is to focus public attention on the countless good things cities do to improve the quality of life in Florida!

There are three awards categories within the program: the City Spirit Award, the Florida Citizenship Award and the Environmental Stewardship Award. The Town of Golden Beach wishes to submit an application within one of these categories, to recognize all of the accomplishments the Town has had in recent years.

#### Fiscal Impact:

None

## TOWN OF GOLDEN BEACH, FLORIDA

## **RESOLUTION NO. 2349.14**

## A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO APPLY FOR AN AWARD PROGRAM THROUGH THE FLORIDA LEAGUE OF CITIES (FLC); PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida League of Cities (FLC) has established its Florida Municipal Achievement Awards Program to recognize innovations and excellence in municipal government; and

WHEREAS, the Florida Municipal Achievement Awards Program provides municipalities the opportunity to receive recognition for superior and innovative efforts in three categories: City Spirit Award, Florida Citizenship Award, and Environmental Stewardship Award; and

WHEREAS, the Administration wishes to apply for one of these categories to recognize the Town for its achievements in recent years; and

WHEREAS, the Town Council believes the Town has undertaken a number of projects that are worthy of statewide notice and recognition, that can be models for other municipalities to use.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. <u>Recitals Adopted.</u> That each of the above- stated recitals is hereby adopted and confirmed.

<u>Section 2.</u> <u>Implementation</u>. That the Mayor and Town Manager of the Town of Golden Beach are hereby authorized to submit an application for one of the three categories under the Florida Municipal Achievement Awards Program.

**Section 3. Effective Date**. That This Resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration**.

The Motion to adopt the foregoing resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_, and on roll call the following vote ensued:

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,

Florida, this  $\underline{23}^{rd}$  day of <u>April</u>, 2014.

## MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

Date:	April 23, 2014		Item Number:
То:	Honorable Mayor Gl Town Council Memb	0	10
From:	Alexander Diaz, Town Manager	Alloz	
Subject:	Resolution No. 235 Note for Town Prop	0.14 - Authorizing the Refi perty at A-1A	nancing of Revenue

## **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2350.14 as presented.

## Background:

The Town originally issued on October 16, 2006 pursuant to Resolution No. 1816.06 and on January 9, 2007 pursuant to Resolution No. 1825.06, respectively, for the purpose of financing the acquisition of two vacant lots located within the Town, to be owned and used for any governmental public purpose.

The original purchase price for the lots were \$1.5 million; since that time the Town has spent over \$235,695.00 on interest for the lots. Given that the ultimate purpose for the lots is to build a multi-purpose municipal facility which will incorporate a Police Department the use of Law Enforcement Trust Fund Dollars may be used to acquire property.

I am recommending that we re-pay the General Fund the \$100,000 payment made a few weeks ago and that we pay-off the balance of the \$459,562.52 from our LETF funds. Should the Town decide in the future that the lots will not be used for said purpose the LETF funds must be repaid.

## Fiscal Impact:

A savings of interest due on the notes and average of \$45,000 per year; this will save the Town necessary dollars now appropriated for paying interest.

## TOWN OF GOLDEN BEACH, FLORIDA

## **RESOLUTION NO. <u>2350.14</u>**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND ("LETF") MONIES TO PAY-OFF THE CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE SERIES 2012 FOR AN ORIGINAL AMOUNT OF \$559,562.52; APPROVING THE PAYMENT TO NORTHERN TRUST BANK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 12<sup>th</sup>, 2006, the Town Council of the Town of Golden Beach, Florida (the "Town") authorized the purchase of two lots on A1A, via Resolution 1816.06; and

WHEREAS, the Town paid \$1.5-million for the purchase of said lots; and

WHEREAS, the Town has paid \$235,695.00 in interest on those lots; and

WHEREAS, the intent of the lots is to build a multi-purpose municipal facility which incorporates a police department, which will encompass at least 50% of the total building space; and

WHEREAS, the balance of the lots prior to the pay-out is \$559,562.52, of which \$100,000 has already been paid by the Town's General Fund; and

**WHEREAS**, the Town has determined that the use of Law Enforcement Trust Fund (LETF) monies is a legitimate use to purchase the lots; and

**WHEREAS**, the Town Council is authorizing the pay-off of the balance to Northern Trust in the amount of \$459,562.52, and the reimbursement of \$100,000.00 to the General Fund; and

WHEREAS, if the purpose or the intent of the use of the lots were to change, and if that change were to remove the aspect of the police department, the General Fund would be required to repay the LETF the full amount.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1 Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

<u>Section 2</u> <u>Authorization.</u> That the Town Council is authorizing the use of LETF funds to pay-off the balance to Northern Trust in the amount of \$459,562.52, and the reimbursement of \$100,000.00 to the General Fund relating to the purchase of two lots on A1A, via Resolution 1816.06.

**Section 3 Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

<u>Section 4</u> <u>Effective Date.</u> That this Resolution shall be effective immediately upon approval of the Town Council.

## Sponsored by the Administration.

The Motion to adopt the forgoing Resolution was offered by \_\_\_\_\_,

second by \_\_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer	
Vice Mayor Bernard Einstein	
Councilmember Amy Isackson-Rojas	
Councilmember Judy Lusskin	
Councilmember Kenneth Bernstein	

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014. ATTEST:

## MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

Date: April 23, 201
---------------------

To: Honorable Mayor Glenn Singer & Town Council Members

From: Alexander Diaz, Town Manager

Item Number:

Subject: Resolution No. 2351.14- LETF Assets Authorizing the Purchase of a New Dive Boat/Marine Patrol Boat and the Surplus of the Current Marine Patrol Boat

## Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2351.14 as presented authorizing the purchase of a new dive boat/marine patrol boat and the surplus of the current marine patrol boat.

## Background:

The Town's current marine patrol boat was purchased in 2005 and both engines have over 3000 hours of running time. Our current boat is outdated and not outfitted or appropriate for a police dive/marine patrol boat. The total cost for the fully equipped 30' Contender with twin engines and trailer is projected at \$159,840.27. An additional \$17,159.73 is needed for dive gear and equipment for two police divers and a one year boat maintenance and service contract for a total cost of \$177,000.

The Town's Law Enforcement Trust Fund (LETF) account contains monies forfeited in both State and Federal task force investigations. LETF monies can be used for the purchase of the new dive/marine patrol boat and equipment for the new dive team initiative.

## Fiscal Impact:

\$177,000

## Attachments:

Agenda Item Resolution

## TOWN OF GOLDEN BEACH, FLORIDA

#### **RESOLUTION NO. 2351.14**

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 A NEW DIVE BOAT/MARINE PATROL VESSEL FOR THE TOWN'S MARINE PATROL UNIT; PROVIDING FOR SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to use Law Enforcement Trust Fund ("LETF") monies to purchase a new dive boat/marine patrol vessel for the Town's Marine Patrol unit; and

WHEREAS, the Town's LETF account includes assets forfeited to the Town by authority of the Florida Contraband Forfeiture Act and by the Federal Asset Forfeiture Statutes; and

WHEREAS, the funds contained in the LETF are the result of seized assets from investigations by the Town's Police Department and joint investigations with other law enforcement agencies – not from tax revenue; and

**WHEREAS**, the Police Chief and the Town Manager are recommending the Town create a dive program as part of our marine patrol division; and

WHEREAS, the use of LETF dollars is a legitimate purpose for a new program; and

WHEREAS, it is requested the Town authorize the expenditure of LETF monies in the amount of \$177,000 as described in the attached Exhibit "A" for the purchase of the new dive boat/marine patrol vessel; and

WHEREAS, the Chief of Police certifies that this expenditure complies with § 932.7055, Florida Statutes, and / or the Federal Seizure statutes in that the funds will be used for an appropriate law enforcement purpose; and

WHEREAS, the Town Council authorized the purchase of the Town's current marine patrol vessel on March 16, 2005; and

**WHEREAS**, the boat, although it has been beneficial, does not meet the full needs of the Town's marine patrol division; and

WHEREAS, pursuant to Section 2-306 of the Town Code of Ordinances, the Town Manager has recommended the sale of the existing marine patrol vessel as surplus property at a public auction; and

WHEREAS, any revenues received from the auction of that boat will be reimbursed to the LETF fund; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to proceed as indicated in this Resolution.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

<u>Section 1.</u> <u>Recitals Adopted.</u> That each of the above-stated recitals is hereby adopted and confirmed.

<u>Section 2.</u> <u>The expenditure of authorized LETF funds.</u> That the use of LETF funds, as described in Exhibit "A," for the purchase of a dive boat/marine patrol vessel is hereby authorized and approved, subject to the purchasing provisions of the Town Code of Ordinances..

Section 3. Declaring Surplus Property. That the current marine patrol vessel which was authorized to be purchased on March 16, 2005 is hereby

declared surplus property (the "Surplus Property").

<u>Section 4.</u> <u>Implementation.</u> That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution and the disposal and sale of the Surplus Property.

<u>Section 5.</u> <u>Effective Date.</u> That this Resolution shall be effective immediately upon adoption.

Sponsored by the Town Administration.

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer	
Vice Mayor Bernard Einstein	
Councilmember Judy Lusskin	
Councilmember Amy Isackson-Rojas	
Councilmember Kenneth Bernstein	

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY



Contender Boats Inc. / 1820 S.E. 36<sup>th</sup> Avenue / Homestead, FI 33035 / Tel: (305) 230-1600 / Fax: (305) 230-1700

	TC	•
	11.	
 -		

OAT

TYLE

GOLDEN BEACH POLICE DEPARTMENT **1 GOLDEN BEACH DRIVE** 

**30' CONTENDER** 

STEP HULL

GOLDEN BEACH, FL. 33160

31-Mar-14

Serial No:

TERMS: APPROVAL #

DATE

	VESSEL	
_	1000	

_	Conception of the local division of the loca	
	THOM	1000
	ENGI	NES

	ENGINES					
IODEL	TWIN YAMAHA 300HP XCA (4-STROKE)	L SN:				
		R SN:				

	ACCESSORIE	ES
ATTERY w/SWITCH (ADDITIONAL)	294.81	STANDARD OPTIC
LGE PUMP w/SWITCH (ADDITIONAL)	249.82	CONSOLE, 30' TOURNA
POTLIGHT, REMOTE, ACR 200,000 CANDELA	1,483.63	COMPASS HIGH SPEEL
NCLOSURE, THREE SIDED POLYCARB - BLACK	1,148.61	BOW LIGHT - SLUSH M
GHT, SPREADER LIGHT, ON T-TOP (EA. ADDITIONAL) (3)	476.67	CLEAT, BOW (POP-UP)
POT LIGHT PAD	65.09	TRIM TABS, K-PLANE N
-TOP, HARD TOP (FIBERGLASS)	7,648.82	
LEATS, ADDITIONAL TO BOAT (EA) (4)	428.80	CUSTOM: CONTEND
EAR BENCH SEAT (FOLD DOWN)	1,131.39	WHELEN WATERPROC
ADDER, BOARDING (TELESCOPING) - STBD SIDE	278.54	WEATHERPROOF WHE
ND HYDRALIC STEERING CYLINDER	1,150.53	LO-PRO SPEAKER/MOI
OWER ASSIT PUMP	1,440.55	44" FREEDOM BAR w/4
TEERING WHEEL, STAINLESS STEEL w/KNOB	138.79	UPGRADE 2 ADD'L FV
ILT STEERING w/2ND GYD.	135.92	
RANSDUCER INSTALLATION	588.66	SPECIAL INSTRUC
EANING POST, FIXED BACK	1,938.29	DO NOT INSTALL ROD
IVE RACK UNDER L-POST (4)	325.00	INSTALL FOR CUST. SI
LECTRONICS PACKAGE & INSTALLATION:		RESCUE BOARD RACK
GARMIN GPSMAP 7215	12,500.00	INSTALL CUSTOMER S
GSD 22 DIGITAL REMOTE SOUNDER		INSTALL (2) EXTERNAL
BRONZE, 20 DEG. THRU HULL, AIRMAR B60		RADIO - STANDARD H
GMR 18 MARINE RADAR		CIGARETTE ADAPTOR
AM/FM STEREO w/ SPKS		LATCH UPGEADE TO L
ICOM 504 VHF RADIO (3)		ANTENNAS MUST BE 4
RESH WATER WASH DOWN	944.51	
MOUNT MIDSHIP		
		CREDIT FOR D
		CREDIT FOR D

STANDARD OPTIONS:	
CONSOLE, 30' TOURNAMENT/	
COMPASS HIGH SPEED	
BOW LIGHT - SLUSH MOUNTED (POP-UP)	
CLEAT, BOW (POP-UP) & LIFTING EYE	
TRIM TABS, K-PLANE MODEL 280S	
CUSTOM: CONTENDER TO SPECIAL ORDER	
WHELEN WATERPROOF 100 SIREN AMP	2,098.20
WEATHERPROOF WHELEN SIREN w/2 SWITCHES	
LO-PRO SPEAKER/MOUNT TO TOP OF LIGHT BAR	
44" FREEDOM BAR w/4 CORNER BLUE LED LIGHTS	
.UPGRADE 2 ADD'L FWD FACING BLUE LED MODULES	
SPECIAL INSTRUCTIONS	
DO NOT INSTALL ROD HOLDERS	
INSTALL FOR CUST. SUPPLIED SHOT GUN RACK	264.00
RESCUE BOARD RACK	873.00
INSTALL CUSTOMER SUPPLIED POLCE RADIO	250.00
INSTALL (2) EXTERNAL SPEAKERS FOR VHF & POLICE	79.00
RADIO - STANDARD HORIZON MLS-310	
CIGARETTE ADAPTOR PLUGS (2)	136.00
LATCH UPGEADE TO LOCKING LATCH - ENTIRE BOAT	50.00
ANTENNAS MUST BE 4' TALL	
TOTAL	110,498.64
OPTIONS	36,118.63
CREDIT FOR DELETED ITMES	(308.00)
BLANCE DUE	\$146,309.27

QUOTE

110,498.64

INCLUDED



# **GBPD SCUBA/VESSEL EQUIPMENT LIST**

Equipment	Price	Times	Total
Com Gear	661	2	1322
OTS Face Mask	724	2	1448
Regulator	380	2	760
Octopus	89	2	178
Swival	26	2	52
Pony	175	2	350
Bcd	385	2	770
Gauges	328	2	656
Mask	46	2	92
Fins	128	2	256
Suit	190	2	380
Vest	60	2	120
Gloves	20	2	40
Bag	33	2	66
Tool/Knife	50	2	100
Tanks	309	2	618
Pony Tanks	109	2	218
Lights	99	2	198
Weights	40	1	40
Misc	171	1	171
Brackets Pony Tank	82	2	164

Vessel Markings, Life Jackets, Flare Kits, Battery Tender, Bumpers, Dock lines Cleaning supplies, Offshore Inflatable Law Enforcement Jackets, throwables, Fire Extinguishers, Garmin GPS Chip and Misc. Equipment.

West Marine

Contender Vessel & Trailer	traler \$7,181.00	Anchor \$6,350.00	159840.27
Fuel/Misc			2000
First Maint./Service 100hr			2160.73
Total			177000

5000



## TOWN OF GOLDEN BEACH

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

**Date:** April 23, 2014

To: Honorable Mayor Glenn Singer & Town Council Members Item Number: 12

From: Alexander Diaz, Town Manager

Subject: Resolution No. 2352.14 – Authorizing and Approving Payment of \$1,200.00 to the Women's Breast Health Initiative for the Seventh Annual Open the Door Event

## Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2352.14 as presented.

## **Background:**

This resolution approves the donation made to the Women's Breast Health Initiative.

The Women's Breast Health Initiative is an outreach organization dedicated to educating women about the importance of breast and heart health while providing them with the resources to beat these diseases. The organization's mission is to save lives by connecting under-served women with the early detection necessary to fight breast cancer and heart disease.

The Seventh Annual Open the Door Event will be held on Friday, May 2<sup>nd</sup> at Turnberry Isle Miami in Aventura.

## Fiscal Impact:

If approved by Council the amount authorized will be \$1,200.00.

## TOWN OF GOLDEN BEACH, FLORIDA

## RESOLUTION NO. 2352.14

## A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,200.00 TO THE WOMEN'S BREAST HEALTH INITIATIVE FOR THE SEVENTH ANNUAL OPEN THE DOOR EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Women's Breast Health Initiative is a non-profit outreach organization dedicated to educating women about the importance of breast and heart health; and

WHEREAS, the mission of the Women's Breast Health Initiative is to save lives by connecting under-served women with the early detection necessary to fight breast cancer and heart disease; and

WHEREAS, the Town Council finds that a contribution in the amount of \$1,200.00 to

the Women's Breast Health Initiative is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN

## OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2.** Authorization. That the payment of \$1,200.00 to the Women's Breast Health Initiative is hereby authorized and approved.

**Section 3. Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately

upon approval of the Town Council.

Sponsored by the **Town Administration**.

The Motion to adopt the foregoing resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,

this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

## MEMORANDUM

Date:	April 23, 2014	Item Number:
То:	Honorable Mayor Glenn Singer & Town Council Members	13
From:	Alexander Diaz, Town Manager	
Subject:	Resolution No. 2353.14 – Allocating the beach pavilion furniture and landscape	

## Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2353.14 as presented.

## Background:

Through the Budget Process the Town Council authorized \$ 237,000 in the Town's Capital Improvements Projects Fund for enhancements at the Beach/Beach Pavilion. In working with Councilmember Kenneth Bernstein during the last twelve plus (12+) months we have performed a complete review of our operations at the Beach. This Item allows the Administration to implement some enhancements to our Beach for the greater benefit of our residents and their guest.

This Resolution allows for the purchase of the following:

- 100 Lounge Chairs (\$18,500 approximately) Beta Sling Chaise Solid Gold with Silver Aluminum Frames 70 for daily use and 30 for back-up or heavy beach going days
- 25 Sling Sand Chairs-beach Chairs (\$2,218.75 approximately) Beta sand-chairs Solid Gold with Silver Aluminum Frames
- Creation of "lounge-like" area for more non-beach related gathering
- Other Miscellaneous Beach Furniture as described in exhibit attached

- 4 Additional "unique" Coconut Palms (\$10,000 approximately)
- Enhanced Landscaping (\$12,000 approximately)
   Sea grapes, Palms and Vegetation
- Relocation of the Kayaks and Non-motorized paddle boats
- Construction and Installation of Storage Container

## Total Expenditures Not to Exceed: \$ 80,000

We strongly support the notion of providing top-notch service and amenities. To that end, we have developed for your consideration enhance social programing for the beach (see attached) if approved, we will pilot some of the recommended activities.

We would like your feed-back and direction on all of the Items related to this Item.

## Fiscal Impact:

\$80,000.00 from the Town's Capital Improvement Project Funds

## TOWN OF GOLDEN BEACH, FLORIDA

## RESOLUTION NO. 2353.14

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ALLOCATE UP TO A TOTAL OF EIGHTY THOUSAND DOLLARS (\$80,000) FROM THE CAPITAL BUDGET, FOR PURCHASE THE OF FURNITURE. LANDSCAPING AND OTHER ITEMS LISTED ON EXHIBIT "A" **RESOLUTION:** PROVIDING TO THIS FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") under the leadership of Councilmember Ken Bernstein has asked the Administration to look at the general purposes and possible renovations and upgrades to the beach facilities; and

WHEREAS, over the last 10 months, the Administration has been working with consultants to provide the best alternatives in terms of furniture selection and upgrades to the facilities; and

**WHEREAS**, the Town Manager is seeking authorization to spend up to \$80,000 in furniture upgrades and landscape work at the beach pavilion; and

WHEREAS, there is an urgent need to replace the furniture at the beach pavilion;

and

WHEREAS, minor additional enhancements to landscaping will help the overall aesthetics of the beach; and

WHEREAS, the Town Council finds that purchasing the items listed on Exhibit "A", including, without limitation, the lounge chairs, beach dinning-chairs, minor-landscaping and other furnishings, is in the best interest of the Town.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1 Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

<u>Section 2</u> <u>Authorization.</u> That the Town Council hereby approves the expenditure of up to \$80,000 for the purchase of the items listed on Exhibit "A" to this Resolution, subject to the purchasing provisions of the Town Code of Ordinances.

**Section 3 Implementation.** That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

<u>Section 4</u> <u>Effective Date.</u> That this Resolution shall be effective immediately upon approval of the Town Council.

## Sponsored by the Administration.

The Motion to adopt the forgoing Resolution was offered by \_\_\_\_\_,

second by \_\_\_\_\_, and on roll call the following vote ensued:

Mayor Glenn Singer Vice Mayor Bernard Einstein Councilmember Amy Isackson-Rojas Councilmember Judy Lusskin Councilmember Kenneth Bernstein

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ TOWN CLERK APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

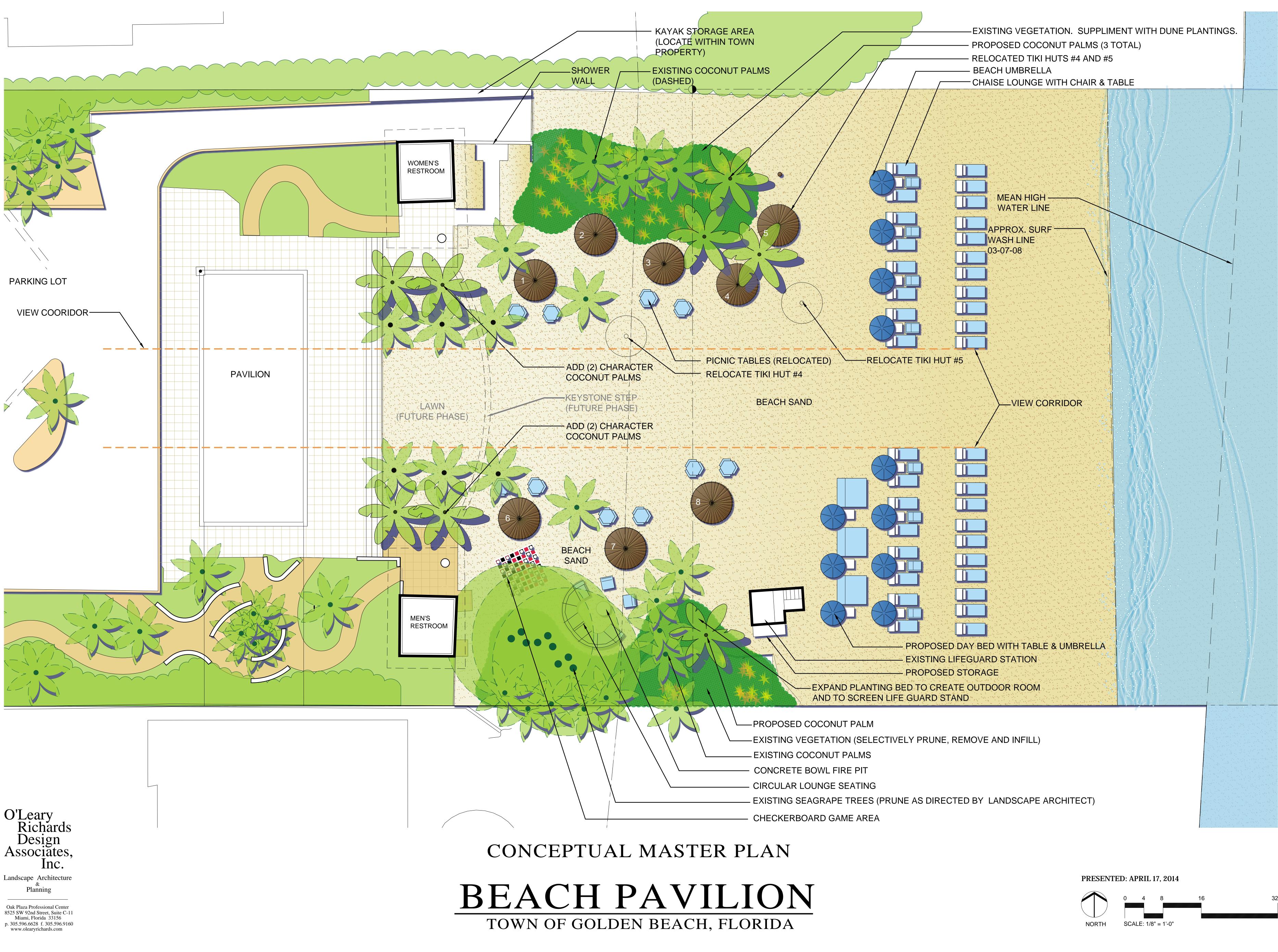
STEPHEN J. HELFMAN TOWN ATTORNEY

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T5830D24ALU	"Durban" End table with perfo	orated aluminu	um tops. Fra	me finish: TBD	8	\$ 112.75	\$ 902.00
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				Sub-Total FOB F	actory:		\$ _5,126.00
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->\$45,248.75





32 ft



## January:

1<sup>st</sup> Sunday: GBYLG Beach Clean-Up (150.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Bagels on the Beach (1,500.00)

Estimated Total: \$1,450.00

# **February:**

1<sup>st</sup> Sunday: Sunshine Shenanigans – Kids Beach Day (Games, Snacks & Fun) (250.00)

2<sup>nd</sup> Saturday: Showing Some Love – Classical Music and Snacks (650.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

Estimated Total: \$1,000.00

# March:

1<sup>st</sup> Sunday: Books on the Beach – Book Club Meeting or Reading (450.00)

2<sup>nd</sup> Sunday: March Madness – Sporty Fun and Treats on the Beach (350.00)

3<sup>rd</sup> Sunday: Yoga Clinic (400.00)

*Estimated Total:* \$1,200.00

# **April:**

1<sup>st</sup> Sunday: Unwind Wednesdays – Evening Wine Social 7PM (450.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Potluck Luau (2,200.00)

*Estimated Total*: \$2,750.00

## May:

1<sup>st</sup> Sunday: GBYLG Beach Clean-Up (150.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

Memorial Day Weekend Sunday or Monday: Memorial Day Event - Beach BBQ (2,100.00)

*Estimated Total:* \$2,350.00

### June:

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Summer Kick-Off Event - Hot Dogs and Ice Cream cart on the Beach (4,000.00)

-includes Summertime Shenanigans – Kids Beach Day (Games, Snacks & Fun)

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Estimated Total: $4,100.00
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# July:

4: Independence Day – (Hot Dog Cart on the Beach) (1,800.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Yoga Clinic (400.00)

<u>Estimated Total:</u> \$2,300.00

## August:

2<sup>nd</sup> Wednesday: Unwind Wednesdays – Evening Wine Social 7PM (450.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

Last Sunday: End of Summer Sandcastle Build/Labor Day – Hot Dogs, Soda & Snacks (5,500.00)

<u>Estimated Total:</u> \$6,050.00

## September:

1<sup>st</sup> Sunday: GBYLG Beach Clean-Up (150.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

2<sup>nd</sup> Sunday: Books on the Beach – Book Club Meeting or Book Reading (450.00)

3<sup>rd</sup> Sunday: Bagels on the Beach (1,500.00)

Estimated Total: \$1,900.00

# **October:**

2<sup>nd</sup> Sunday: Sunshine Shenanigans – Kids Beach Day (Games, Snacks & Fun) (250.00)

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Yoga Clinic (450.00)

4<sup>th</sup> Sunday: Food Tasting from Local Business (1,800.00)

*Estimated Total:* \$2,600.00

## November:

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

11: Veterans Day Ceremony & BBQ (2,100.00)

Estimated Total: \$2,200.00

## **December:**

2<sup>nd</sup> Sunday: Cool Off – Free Small Water Bottles (100.00)

3<sup>rd</sup> Sunday: Live Music event and Brunch at the Beach Pavilion (2,200.00)

*Estimated Total:* \$2,300.00

# Estimated Total for Year: \$30,200.00



**TOWN OF GOLDEN BEACH** 

One Golden Beach Drive Golden Beach, FL 33160

### MEMORANDUM

 Date:
 April 23, 2014
 Item Number:

 To:
 Honorable Mayor Glenn Singer & 13
 13

 Town Council Members
 13
 13

 From:
 Alexander Diaz, Town Manager
 Mark 200

 Subject:
 Resolution 2354.14 – Adopting Rules and Regulations for Use of the Town's Beach

#### Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2354.14 as presented.

#### Background:

At the June 23, 2009 Regular Town Council Meeting the Town Council by council action amended the Beach Pavilion Ordinance allowing changes to the Beach Pavilion Rules and Regulations to be made by Resolution.

During the last twelve (12) months we have been working with members of the Town Council, residents and Town Beach Staff to formulate recommended changes to the Rules and Regulations of the Beach Pavilion.

The attached resolution is a detailed outline of the Administration's initial proposal for rules and regulations governing the use of the Beach Pavilion and facilities. These guidelines can be modified at this meeting as needed.

#### Fiscal Impact:

None

#### TOWN OF GOLDEN BEACH, FLORIDA

#### **RESOLUTION NO.** <u>2354.14</u>

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING RULES AND REGULATIONS FOR USE OF THE BEACH AND BEACH PAVILLION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 22-6 of the Town of Golden Beach's (the "Town") Code of Ordinances, the Town's Beach Pavilion and Town beach facilities, including the restroom, outdoor showers and water, chickee huts and beach chairs (collectively, the "Beach Pavilion") are for the use and enjoyment of all Town residents; and

WHEREAS, the Town Council believes that reasonable rules and regulations are necessary to, among other things, extend the life of the Beach Pavilion and to ensure use of the Beach Pavilion is not a nuisance to surrounding properties or beach goers; and

WHEREAS, the Town Council desires to adopt the attached Rules and Regulations for Use of the Beach Pavilion to govern use of the Beach and Beach Pavilion and the issuance of permits for the exclusive use of the Beach Pavilion; and

WHEREAS, it is the desire of the Town Council and in the best interest and welfare of the residents of the Town of Golden Beach that the attached Revised Rules and Regulations for Use of the Beach Pavilion be adopted on behalf of the Town.

# NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**<u>Section 1</u>**. <u>**Recitals Adopted.**</u> The foregoing findings are incorporated herein

by reference and made a part hereof.

### Section 2. Adoption of Rules and Regulations for Use of the Beach And

**Beach Pavilion.** The Rules and Regulations for Use of the Beach and Beach Pavilion attached hereto as Exhibit "A" and effective April 23, 2014 are hereby adopted. The restrictions contained in the Rules and Regulations for Use of the Beach Pavilion shall be considered "Rules" as that term is defined in section 22-1 of the Town Code of Ordinances.

<u>Section 3</u>. <u>Conflict.</u> All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

<u>Section 4</u>. <u>Severability.</u> If any word, sentence, clause, phrase, or provision of this resolution, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this resolution shall not be affected thereby.

**Section 5**. **Effective Date.** This resolution shall take effect immediately upon its passage.

[remainder of page intentionally left blank]

The Motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,

seconded by \_\_\_\_\_\_ and on roll call the following vote ensued:

Mayor Glenn Singer \_\_\_\_\_ Vice Mayor Bernard Einstein \_\_\_\_\_ Councilmember Judy Lusskin \_\_\_\_\_ Councilmember Amy Isackson-Rojas \_\_\_\_\_ Councilmember Kenneth Bernstein \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,

Florida, this <u>23<sup>rd</sup></u> day of <u>April</u>, 2014.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN TOWN ATTORNEY

### EXHIBIT "A"

### TOWN OF GOLDEN BEACH

### RULES AND REGULATIONS FOR USE OF THE BEACH AND BEACH PAVILION

### Effective Date: June 23, 2009 April 23, 2014

Use of the Beach Pavilion / The Loggia (referred to interchangeably herein) and the issuance of permits to residents for the exclusive use of the Beach Pavilion / The Loggia for any activity/event (referred to interchangeably herein) is subject to the following rules and regulations:

(1) Only a resident of the Town can apply for a permit for exclusive use of the Beach Pavilion for a particular social and non-commercial event/activity on a date and time certain.

(2) An application form provided by the Town must be completed by the Town resident applying for the permit and said form must be submitted to the Town along with a security deposit of \$500.00, which deposit shall be refundable less any amounts required to restore the Town's facilities to the condition existing at the commencement of the permitted activity.

(3) Only completed applications will be processed. Processing will occur in the order completed applications are received by the Town, provided Town events shall take precedence over resident applications. No applications will be granted permitting the exclusive use of the Beach Pavilion on a national holiday and Sundays. At the discretion of the Town Manager, applications may be granted permitting the exclusive use of the Beach Pavilion one (1) Sunday per month maximum.

(4) A \$50.00 fee must be submitted with each permit application which shall be used by the Town to purchase liability insurance with coverage of \$500,000.00 and to defray administrative and maintenance expenses of the Town incurred in the permitting process. The liability insurance shall insure the resident permit holder and the Town against liability for use of the Beach Pavilion, beach and beach facilities for the permitted activity.

(5) No permit shall be issued for use of the Beach Pavilion for less than 20 no more than 60 persons, this is to be strictly enforced.

(6) The permit holder must hire an off-duty police officer to be present if there are 30 or more persons at the Beach Pavilion for a permitted activity. The off-duty police officer shall be paid by the permit holder for the hours incurred which must be at least coextensive with the hours of the permitted activity.

(7) Any permitted activity which may include swimming, and at which there are 20 or more persons (whether all are swimming or not) must take place in the presence of the Town lifeguard during regular hours; except if the activity extends after 5:00 p.m. or takes place when there is no Town lifeguard on duty, in which case the permit holder must hire, at the permit holder's expense, an off-duty lifeguard to watch over the water activity.

(8) The permit holder is responsible for the permitted activity and the condition of the Loggia and facilities used by the persons attending the permitted activity and is required to ensure that their guests are to leave the Loggia and/or beach at the conclusion of the event as specified on the permit (three-hour limit daytime event, four-hour limit nighttime event).

(9) At the commencement and the conclusion of the permitted activity, there will be a checklist inspection of the Beach Loggia and the facilities (including restrooms, outside showers, water, chairs, lounges and chickee huts) conducted by the police, public service aide or maintenance person of the Town. The checklist will be one created by the Town and each completed checklist is to be maintained with the permit application as part of the Town records to help assess the use and condition of the facilities and the effectiveness of this program. Any costs incurred by the Town to clean or restore the Loggia, or the facilities to their condition as noted at the commencement of the permitted activity will be deducted from the security deposit. In the event that costs to clean and/or restore exceeds the security deposit, the permit holder shall reimburse the Town upon receipt of an itemized billing.

(10) Except for Town sponsored events, no noise or music shall be permitted past 9:00 p.m. Monday through Thursday and 10:00 p.m. on Friday and Saturday so as not to disturb the peace and quiet of any Town resident.

(11) No daytime event shall begin earlier than 10:00 a.m. nor later than 4:00 p.m.. No permit shall be issued for any daytime event exceeding three hours in duration. No events are permitted on Sundays, other than Town events which are allowed on Sundays.

(12) Other than daytime events, a permit may be issued for an activity to take place between the hours of 4:00 p.m. and 9:00 p.m. Monday through Thursday and between 4:00 p.m. and 11:00 p.m. on Friday and Saturday. All permit commencement times include setup time.

(13) Charcoal grills and fires are not allowed except at Town-sponsored events. The Town Manager may approve use of gas grilling, which approval must be in writing. Gas grilling must be done in a designated area and with a fire extinguisher available.

(14) No trampolines are allowed, including floating trampolines. Any activity involving extended use of the Town's water or water hose shall require \$50.00 to be withheld and not subject to refund from the security deposit of the permit holder; provided, however

that bounce houses will be allowed filled with air and self-contained walls if the bounce house does not interfere with other residents' peace and enjoyment of the beach.

(15) All use of the Town's Beach Loggia and beach facilities (including restrooms, outside showers, water, chairs, lounges and chickee huts) shall remain under the scrutiny, enforcement and discretion of the Town police, Town Manager and Town lifeguard. If any event or activity, whether by permit or otherwise, is, in the opinion of the Town police, Town Manager or Town lifeguard, creating or likely to create a risk to the health, safety or welfare of any person, or is damaging or is likely to damage Town property, or is unreasonably wasting or depleting Town resources, or is in material violation of the terms or conditions of the permit, then the event/ activity shall be forthwith terminated or prohibited and the involved parties will be asked to leave.

(16) Every visitor (Section 22-1 of the Town Code of Ordinances defines non-resident and visitor) must obtain either a visitor pass or visitor parking pass from a Town police officer at the Strand Gate Guardhouse. Visitor passes and visitor parking passes shall be issued to the visitor only in the presence of the sponsoring Town resident, or in exceptional circumstances and in the police officer's discretion, based upon phone confirmation with the sponsoring resident. If a Town resident has not obtained a permit for an event/activity, but wishes to bring guests to the Town's beach facilities, then the Town resident may sponsor up to eight (8) visitors per Town resident household. Under special circumstances a resident can apply to the Town Manager for additional guest passes not to exceed one (1) day for a total of twelve (12) guest passes. Visitor passes and visitor parking passes are good only for the time period of the day of issuance, and for a permitted activity the pass shall not exceed the time period of the permitted activity. A copy of the visitor parking pass must be prominently visible on the inside dash of the visitor's vehicle. Each visitor must retain a copy of the visitor pass or visitor parking pass with him/her while at the Beach Loggia or while using the beach facilities of the Town. Except in unusual circumstances, the sponsoring Town resident is to attend the beach with said resident's visitors; violation of this provision may result in the Town limiting or denying said resident future visitor passes.

(17) Visitor parking passes shall contain or be accompanied by printed information regarding use of the Beach Pavilion and beach facilities.

(18) Visitors of residents may not park their vehicles in the east parking lot (nearest the Pavilion) except for those visitors with valid handicap parking decals; however, at least one handicap space at the east parking lot shall be reserved for resident handicap parking.

(19) Visitors with parking passes must park in the west Lot. If there is no space in the west lot then visitors may park at the home of their sponsoring resident.

(20) A means of identification will be issued by the Town by key ring or some other form of identification at no cost to the resident. Said identification will serve to assist the police to readily identify residents and visitors of residents of Golden Beach who are using the Golden Beach facilities. Visitors who are not accompanied by a Town

resident, or who do not have in their possession a valid visitor parking pass or resident identification will not be permitted to remain at the Beach Loggia or make use of the Town's facilities.

(16) Any patron who becomes disorderly or abusive will be asked to leave.

(17) Town residents must accompany their visitors to the beach. A maximum of eight guests are allowed per household. Under special circumstances, a resident may apply to the Town Manager for additional guest passes not to exceed a one day total of twelve visitors.

(18) Guests who are unaccompanied by a resident may be denied use of the Town's chairs/property or may be asked to leave.

(19) Each visitor must obtain a parking pass good only for the time period of the day of issuance and prominently display it on the inside dash of the vehicle.

(20) Visitors with a valid handicap parking decal may park at the East parking lot adjacent to the Beach Pavilion. However, at least one (1) handicap parking space shall be reserved for residents.

(21) Residents must bring a form of identification (driver's license/Town ID) in order to verify proof of residence. Accompanying guests will be registered along with their sponsoring resident. An ID card can be issued to residents by the Town at no cost.

(22) Use of the Town's chairs, lounges, and chickee huts are on a first come, first serve basis only. Residents and their guests are allowed to use one lounge/sit up chair per person for a maximum of 8 chairs per household.

(23) Maximum two (2) umbrellas per household.

(24) Each resident household may only use one (1) chickee hut at any given time to allow others access to huts.

(24) No animals allowed on the beach.

(25) No smoking on the beach.

(26) No open fires on the beach (charcoal grills, etc.)

(27) No alcoholic beverages or glass bottles allowed at the beach.

(28) No littering.

(29) Beach staff is not responsible for lost or stolen items. Please be aware that if you leave the beach or leave your belongings unattended on beach chairs or in beach area, they will be subject to removal. Any lost and found items will be stored at the lifeguard station for one (1) week and then disposed of.

(30) Beach staff reserves the right to ask patrons to return Town property (chairs, umbrellas, etc.) upon leaving the beach or in the event of inclement weather conditions.

(31) Beach staff reserves the right to close beach in case of inclement weather.