



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Agenda for the May 16, 2017
Regular Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PRESENTATIONS / TOWN PROCLAMATIONS

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

G. MAYOR'S REPORT

H. COUNCIL COMMENTS

I. TOWN MANAGER REPORT

J. TOWN ATTORNEY REPORT

K. ORDINANCES – SECOND READING

1. An Ordinance of the Town Council Amending the Town's Code to Address Land Filling and Land Disturbing Activities.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VI "SOIL EROSION, FUGITIVE DUST AND SEDIMENT CONTROL," OF CHAPTER 14, "ENVIRONMENT," TO ADDRESS LAND FILLING AND LAND DISTURBING ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 572.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 572.17

2. An Ordinance of the Town Council Amending the Town's Code To Revise Requirements for Undersized Lots.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO AMEND SUBPART B, "LAND DEVELOPMENT REGULATIONS" OF THE TOWN'S CODE OF ORDINANCES BY DELETING ARTICLE II "DESIGN STANDARDS" OF CHAPTER 58 AND INCORPORATING THOSE PROVISIONS INTO RELEVANT SECTIONS OF CHAPTER 66; AMENDING CHAPTER 66 "ZONING" TO REVISE REQUIREMENTS FOR UNDERSIZED LOTS AND REVISE AND REORGANIZE DISTRICT REGULATIONS INCLUDING SETBACKS, LOT RESTRICTIONS, ENCROACHMENTS AND ADOPT NEW COMPREHENSIVE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 573.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 573.17

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

3. Official Minutes of the April 25th, 2017 Special Town Council Meeting
4. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and the City of North Miami.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE CITY

OF NORTH MIAMI; PROVIDING FOR IMPLEMENTATION;
AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2496.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2496.17

5. A Resolution of the Town Council Approving the Payment of \$5,000.00 to the Alonzo and Tracy Mourning PTSA.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE ALONZO AND TRACY MOURNING PTSA PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIV DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2497.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2497.17

6. A Resolution of the Town Council Authorizing the Use of LETF Monies to Make an \$8,500.00 Contribution to Teach for America.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES TO MAKE A \$5,000 CONTRIBUTION TO TEACH FOR AMERICA (TFA); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2498.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2498.17

O. TOWN RESOLUTIONS

7. A Resolution of the Town Council Approving the Proposal by Interlink Group Professional Services, Inc. for an Automated Entry Gate System.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY INTERLINK GROUP PROFESSIONAL SERVICES, INC. FOR THE ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR A WAIVER OF BIDDING PROCEDURES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2499.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2499.17

8. A Resolution of the Town Council Authorizing the Use of LETF Monies to Fund an Automated Entry Gate System.

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 THE ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2500.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2500.17

9. A Resolution of the Town Council Accepting the General Purpose Financial Statements for Fiscal Year 2015/2016.

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 2015/2016 ENDING SEPTEMBER 30, 2016 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2501.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2501.17

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Lusskin:
• Fences/Side-Setbacks

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:
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

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

1

Subject: Ordinance No. 572.17 – Amending Code, Article VI “Soil Erosion, Fugitive Dust and Sediment Control,” to Address Land Filling and Land Disturbing Activities

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 572.17 as presented.

Background:

As we have been discussing during the last few months the attached Ordinance begins to align our Building Development guidelines to better serve our community. This particular Ordinance addresses changes in the soil erosion and other site material issues.

No changes made since the First Reading.

Fiscal Impact:

None.

THE TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 572.17

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VI "SOIL EROSION, FUGITIVE DUST AND SEDIMENT CONTROL," OF CHAPTER 14, "ENVIRONMENT," TO ADDRESS LAND FILLING AND LAND DISTURBING ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, the Town Council periodically studies land development trends
2 and issues and amends the Town's Land Development Regulations accordingly;
3 and

4 **WHEREAS**, the Town Council has studied the current Code provisions of the
5 Town and finds that certain modifications are necessary and desirable to further
6 regulate the dumping of soil / fill on lots prior to development; and

7 **WHEREAS**, the Town Council held a duly advertised public meeting to
8 consider the proposed modifications to the Town's Land Development Regulations.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF**
10 **GOLDEN BEACH, FLORIDA:**

11 **Section 1.** That the preceding "Whereas" clauses are ratified and
12 incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Chapter 58 “Development Standards,” Article VI, “Soil Erosion, Fugitive Dust And Sediment Control,” is hereby amended as follows¹:

CHAPTER 14

ENVIRONMENT

* * *

ARTICLE VI. SOIL EROSION, FUGITIVE DUST AND SEDIMENT CONTROL

Sec. 14-135. – ~~Purpose and intent~~ Intent.

- (a) Land Disturbing Activities can cause excessive runoff and accelerate the process of soil erosion, resulting in the damage and loss of natural resources, including the degradation of water quality. Such activities can also detract from property values and the high-quality appearance in the Town’s residential neighborhoods.
- (b) In addition, emissions of particulate matter during construction and demolition, including but not limited to incidents caused by vehicular movement, transportation of materials, construction, alteration, demolition and wrecking of buildings or structures, or the stockpiling of particulate substances, may trespass on neighboring properties and degrade air quality.
- (c) The Town finds that:
 - (1) Excessive quantities of soil may erode from areas undergoing development due to Land Disturbing Activity.
 - (2) Soil erosion can result in the degradation of valuable shoreline resources, such as Dunes and lagoonal shoreline communities.
 - (3) Sediment from soil erosion can clog storm sewers and swales, and silt navigational channels.
 - (4) Sediment and Sediment- Related Pollutants degrade ecosystems, resulting in the destruction of aquatic life and degradation of water quality.
 - (5) Airborne Sediments can constitute a nuisance for adjacent property Owners, and degrade the quality of the air.

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~striketrough~~.

(6) The indiscriminant dumping, piling or filling of soil or other materials on vacant properties when no development is imminent (no active site plan application) or development permit has been issued can create eyesores, environments for rodents, and possible damage to nearby properties due to erosion or windblown matter.

Sec. 14-136. – Purpose.

The purpose of this article is to safeguard Persons, safeguard community appearance and property values, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or otherwise results in the movement on earth of land situated in the Town.

Sec. 14-137. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Director means the Town Manager or designee.

Dune means a hill or ridge of windblown sand and marine deposits formed by action of the wind and water, often stabilized by vegetation indigenous to this formation.

Erosion and Sediment Control Plan means a plan for the control of soil erosion, sedimentation of waters and Sediment-Related Pollutants and Stormwater runoff resulting from land Disturbing Activity.

Land Disturbing Activity means any land change that may result in soil erosion from water or wind and the movement of Sediments and Sediment-Related Pollutants in water, including but not limited to clearing, grading, excavating, transporting and filling of land, and tree removals.

Sediment means the mineral or organic particulate material that is in suspension or has settled in Surface Waters or groundwater.

Sediment-Related Pollutants means substances such as nutrients, pesticides, pathogens, and organic materials that are transmitted with, or in association with, Sediment.

Surface Waters means water above the surface of the ground whether or not flowing through definite channels.

101
102 **Sec. 14-138. – Erosion and Sediment Control Plan and standards.**
103

104 No person shall engage in Land Disturbing Activity until an Erosion and
105 Sediment Control Plan has been submitted and the plan has been approved
106 by the Director. The Erosion and Sediment Control Plan shall comply with the
107 erosion control standards provide in the latest edition of Florida Stormwater
108 Erosion and Sediment Control Inspector's Manual published by the Florida
109 Department of Environmental Protection Nonpoint Source Management
110 Section as determined to be applicable by the Director at the time of the
111 application. The Director shall require the party responsible for carrying out
112 the Erosion and Sediment Control Plan to submit monitoring reports, as
113 deemed necessary, to determine whether the measures required by the
114 approved Erosion and Sediment Control Plan are being properly performed.
115

116 **Sec. 14-138.1 – Permit required prior to Land Disturbing Activity; Site**
117 **Restoration.**
118

119 (a) Permit Required. No fill materials shall be deposited upon or removed
120 from a property without obtaining a permit from the Town prior to the
121 activity. Fill material shall be suitable for the Town's geographic location
122 and in no case shall include refuse, debris, junk, organic material or
123 garbage.

124 (b) Site Restoration. All land after filling, including spoil piles, shall be
125 contoured to prevent any water pooling, cleaned and properly treated with
126 topsoil, sprigged or sodded with a lawn grass commonly used in Miami-
127 Dade County, and maintained until growth is self-sustaining. If the
128 demolition site is beachfront property and the landscape architect
129 determines that portions of the site are not suitable for revegetation with
130 any of the lawn grasses commonly used in Miami-Dade County, then the
131 Town Manager or his/her designee may approve revegetation with plants
132 from the list provided in Section 50-11(d)(2).
133

134 **Sec. 14-139. – Exemptions.**
135

136 Minor Land Disturbing Activities, such as home gardens and individual home
137 landscaping, repairs, maintenance work, and other related activities, shall be
138 exempt from the requirements of this article, provided that such activities do
139 not contribute to any on-site generated erosion, or degradation of lands or
140 water beyond the boundaries of the property involved.
141

142 **Sec. 14-140. – Enforcement.**
143

144 (a) Enforcement actions. The Director shall take such actions necessary,
145 including the issuance of notices and violations, the filing of court actions,
146 and/or referral of the matter to code compliance in accordance with

chapter 2 of this Code, to require fines and enforce compliance with the provisions of this article and with any regulation or permit issued hereunder.

(b) Stop work orders. In addition to other remedies for violation as provided in this section, violation of this article shall constitute grounds for the issuance of stop work order by the building official in accordance with the provisions of the Florida Building Code.

* * *

Section 3. That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

The Motion to adopt the foregoing Ordinance was offered by Vice Mayor Lusskin, seconded by Councilmember Rojas, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
--------------------	------------

Vice-Mayor Judy Lusskin Aye
Councilmember Amy Isackson-Rojas Aye
Councilmember Jaime Mendal Aye
Councilmember Kenneth Bernstein Absent

PASSED AND ADOPTED on first reading this 25th day of April, 2017.

The Motion to adopt the foregoing Ordinance was offered by _____,
seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice-Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Jaime Mendal	_____

PASSED AND ADOPTED on second reading this 16th day of May, 2017.

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: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manger

Item Number:

2

Subject: Ordinance No. 573.17 – Amending Code, Subpart B, “Land Development Regulations,” by Amending Chapters 58 and 66

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 573.17 as presented.

Background:

As we have been discussing during the last few months the attached Ordinance begins to align our Building Development guidelines to better serve our community. This Ordinance begins to address the guidelines for undersized lots and other re-development. The following are the recommendations from both the Council and the Building Regulatory Advisory Board with options for changes.

		COUNCIL RECOMMENDATION ON FIRST READING	BOARD RECOMMENDATION	STATUS
ALL ZONES				
1	Side yard setbacks - all zones (1, 2, 3), all lots 75' and over	Change to 10 feet for all lots 75' and over	Agree	Implemented in 2 nd reading draft in all zones
2	2 nd Story setback change from 18' to 12'			Implemented in 2 nd reading draft in all zones
ZONE 1 – OCEAN FRONT				

1	Undersized lots – side yard setback	7.5 feet	Agree	Implemented in draft
2	Undersized lots – exempt 2 nd story side setback requirement	Keep exemption	Disagree, delete exemption	2 nd reading draft keeps exemption - Needs final Council determination
3	Undersized lots - height	27.5'	27.5 feet if 2 nd story setback is required. If no 2 nd story setback, then retain 25'	Needs final Council determination
4	Undersized lots – required open area (garage/guest house)	1,100 square feet	Unsure it will work	Implemented in 2 nd reading draft - Needs final Council determination
5	Roof top spa	Add	Disagree, recommend keeping roof tops passive	Needs final Council determination
6	Detached single story garage height			Needs Council determination
ZONE 2 – WEST SIDE OCEAN BOULEVARD, EAST SIDE GOLDEN BEACH DRIVE				
1	Undersized lots - Rear setback (east side Golden Beach Dr)	30'	30' if height 25' OR 35' if height 27.5'	30' in draft - Needs final Council determination
2	Undersized lots – exempt 2 nd story side setback requirement	Keep exemption	Disagree, delete exemption	2 nd reading draft keeps exemption - Needs final Council determination
3	Undersized lots - height	27.5'	27.5 feet if 2 nd story setback is required. If no 2 nd story setback, then retain 25'	Needs final Council determination
4	Undersized lots -	Impervious 60%, Pervious 40%	Impervious 65%, Pervious 35%	60/40 in draft - Needs final Council determination
ZONE 3 - Interior Waterfront Lots; GBD, SPARK, SID, Center Island, NPARK, NID, Terracina, Massini				
1	Undersized lots - Rear setback	30'	30' if height 25' OR 35' if height 27.5'	30' in draft - Needs final Council determination

2	Undersized lots – exempt 2 nd story side setback requirement	Keep exemption	Disagree, delete exemption	2 nd reading draft keeps exemption - Needs final Council determination
3	Undersized lots - height	27.5'	27.5 feet if 2 nd story setback is required. If no 2 nd story setback, then retain 25'	Needs final Council determination
4	Undersized lots -	Impervious 60%, Pervious 40%	Impervious 65%, Pervious 35%	60/40 in draft - Needs final Council determination

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 573.17

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO AMEND SUBPART B, "LAND DEVELOPMENT REGULATIONS" OF THE TOWN'S CODE OF ORDINANCES BY DELETING ARTICLE II "DESIGN STANDARDS" OF CHAPTER 58 AND INCORPORATING THOSE PROVISIONS INTO RELEVANT SECTIONS OF CHAPTER 66; AMENDING CHAPTER 66 "ZONING" TO REVISE REQUIREMENTS FOR UNDERSIZED LOTS AND REVISE AND REORGANIZE DISTRICT REGULATIONS INCLUDING SETBACKS, LOT RESTRICTIONS, ENCROACHMENTS AND ADOPT NEW COMPREHENSIVE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166,
2 Florida Statutes, provide municipalities the authority to exercise any power for municipal
3 purposes, except where prohibited by law, and to adopt ordinances in furtherance of such
4 authority; and

5 **WHEREAS**, the Town Council of the Town of Golden Beach ("Town Council") finds
6 it periodically necessary to amend its Code of Ordinances and Land Development
7 Regulations ("Code") in order to update regulations and procedures to implement
8 municipal goals and objectives; and

9 **WHEREAS**, the Town Council has studied the current Code provisions of the Town
10 and finds that certain modifications are necessary and desirable to further regulate all
11 residential development; and

12 **WHEREAS**, the Town desires to provide setback and height regulations for
13 development of undersized lots to encourage development and redevelopment consistent
14 with the aesthetic goals and conditions of the Town; and

15 **WHEREAS**, the Town desires to reorganize the site development regulations,
16 such as height, setbacks, and lot size and coverage requirements in a consolidated user
17 friendly format; and

18 **WHEREAS**, Town staff recommends approval of the proposed changes; and

19 **WHEREAS**, the Town's Local Planning Agency has reviewed this Ordinance on
20 this _____ day of _____, 2017, and has determined that it is consistent with the
21 Town's Comprehensive Plan; and

22 **WHEREAS**, pursuant to Section 166.041 (c)(2), Florida Statutes, notice has been
23 given by publication in a paper of general circulation in the Town, notifying the public of
24 this proposed Ordinance and of the time and dates of the public hearings; and

25 **WHEREAS**, two (2) public hearings were held before the Town Council pursuant
26 to the published notice described above; and

27 **WHEREAS**, the Town Council finds that adoption of this Ordinance through its
28 police powers will protect the public health, safety, and welfare of the residents of the
29 Town, and furthers the purpose, goals, objectives, and policies of the Town's
30 Comprehensive Plan.

31 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF**

GOLDEN BEACH, FLORIDA¹:

Section 1. That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Chapter 58 "Development Standards," Article II "Design Standards," is hereby deleted as follows:

ARTICLE II. – ~~Reserved.~~ **DESIGN STANDARDS**

~~Sec. 58-31. – Intent and purpose.~~

~~The specific and detailed provisions of this article regulating the Development of land are necessary to implement the Town's comprehensive plan. They are specifically required by the objectives and policies included in the Town's comprehensive plan in order to bring this chapter into consistency with the adopted plan.~~

~~Sec. 58-32. – Rights-of-way.~~

~~No right-of-way currently existing within the Town limits shall be vacated or abandoned so as to cause a reduction of its current width. The use of any right-of-way is limited to roadways, sanitary sewer and Potable Water lines, telephone and cable television cables, gas lines, other franchise utilities, sidewalks and bicycle paths as approved by the Town, and landscaping.~~

~~Sec. 58-33. – Preservation of lot area.~~

~~A minimum of 35 percent of the area of each lot, shall be maintained as pervious surface. The use of pervious pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State registered Architect, Engineer or Landscape Architect.~~

~~Sec. 58-34. – Reserved.~~

~~Sec. 58-35. – Reserved.~~

~~Sec. 58-36. – Design of Driveways.~~

~~(a) In addition to the garage requirement of sections 66-201 through 66-207, and design of Driveways as set forth in sections 66-221 through 66-225, each residence shall be required to provide one additional paved parking space on-site. The Driveway leading~~

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~striketrough~~. Changes made between first and second reading are highlighted in yellow and shown in double underline and ~~double striketrough~~.

to the garage may be utilized for this purpose. Each such parking space shall be a minimum of nine feet in width and 20 feet in length.

- (b) All applications for new or widened Driveways abutting State Road Number A1A shall be required to receive a permit from Florida Department of Transportation District Number 4 offices prior to receiving a permit for same from the Town.

~~Sec. 58-37. Paint colors/permit.~~

- (a) ~~Paint colors.~~ No exterior of any Structure may be painted, stained, or otherwise colorized with a color(s) other than a color(s) that is the same or substantially similar to a color within a paint palate established and approved by the Town Council. All colors, including accent colors, must be complimentary and harmonious with other materials and components, including roof tiles incorporated into the Structure. Any variation from this standard shall be subject to the Town Building Official's prior approval, or the Town's Building Regulation Advisory Board's approval on appeal of the Building Official's decision.

- (b) ~~Paint permit.~~ A Town paint permit shall be required prior to painting or repainting of the exterior of any Structure.

~~Sec. 58-38. Mailboxes.~~

- (a) ~~Selection and location.~~ Each owner of a residence within Zone Two (as defined in section 66-66 of the Town Code) of the Town shall be required to maintain a mailbox and supporting post that has been selected by the Town Council. The mailbox and supporting post shall be installed near the paved portion of the road surface fronting each residence in a location, height, and manner determined by the Town Manager or his designee.

- (b) ~~Cost.~~ The Town shall pay for the initial purchase and cost of installing a mailbox and supporting post for residences located within Zone Two. After such initial installation, in the event a new mailbox or supporting post is requested or otherwise required, the real property owner shall be responsible for all costs of such replacement and installation by the Town.

- (c) ~~Maintenance.~~ Each real property owner (in all zones of the Town) shall maintain his or her mailbox and supporting post, if any, in good working condition, order and appearance. Failure to comply with this section shall subject the owner to penalties set forth in section 2-211 of this Code.

~~Secs. 58-39—58-50. Reserved.~~

Section 2. That Chapter 66 “Zoning” of the Town of Golden Beach Land

Development Code is amended to read as follows:

Chapter 66 - ZONING

99 **ARTICLE I. - IN GENERAL**

100
101 **Sec. 66-00. - Intent and purpose.**

102 The specific and detailed provisions of this Chapter regulating the Development of
103 land are necessary to implement the Town's comprehensive plan. They are specifically
104 required by the objectives and policies included in the Town's comprehensive plan in
105 order to bring this chapter into consistency with the adopted plan.

106
107 **Section 66-1. – Definitions.**

108
109 The following words, terms and phrases, when used in this chapter, shall have the
110 meanings ascribed to them in this section, except where the context clearly indicates
111 a different meaning:

112
113 *Buildable Lot* means a lot that meets the requirements of this chapter,
114 particularly a lot of sufficient dimension and configuration to contain a single family
115 residence or other permitted structure meeting the minimum lot requirements of the
116 applicable zoning district.

117
118 *Common Ownership* means legal or beneficial title to two or more lots, or one
119 lot and a portion of an adjacent lot, by the same individual, firm, corporation or any
120 other legal entity.

121
122 *Construction* means the building of, or improvement to, any structure, or the
123 clearing, filling, or excavation of any land. It shall also mean any alterations in the
124 size of any existing structure. When appropriate to the context, Construction refers to
125 the act of Construction or the result of Construction.

126
127 ~~*Exempted Lot or Site* means any lot or Construction site constituting a platted~~
128 ~~undersized lot which on December 21, 1982, did not abut any other vacant lot, held~~
129 ~~under Common Ownership.~~

130
131 *Family* shall mean one person or a group of two or more persons living together
132 and interrelated by bonds of consanguinity, marriage or legal adoption, or a group of
133 persons not more than three in number who are not so interrelated, occupying the
134 whole or part of a dwelling as a separate housekeeping unit with a single set of
135 culinary facilities. The persons thus constituting a family may also include gratuitous
136 guests and domestic servants. Any person under the age of 18 years whose legal
137 custody has been awarded to the state Department of Health and Rehabilitative
138 Services or to a child-placing agency licensed by the Department, or who is otherwise
139 considered to be a foster child under the laws of the state, and who is placed in foster
140 care with a family, shall be deemed to be related to and a member of the family for
141 the purposes of this chapter. Nothing herein shall be construed to include any roomer
142 or boarder as a member of a family.

Finished Metal means any metal that has received a finish treatment during manufacturing. i.e., copper, stainless steel, brass, silver, weathered steel, anodized aluminum and related metal products.

Frontage means the length of the edge of the lot abutting the platted Street. Rectangular lots shall be measured along a straight line abutting the Street between lot lines. Trapezoidal lots, pie-shaped lots and triangular lots shall be measured along a straight line drawn between points located on the side lot lines equally distant from the front lot line and the rear lot line. If the front or rear lot lines are curved the midpoint chord length, shall determine the width. Frontage of a corner lot shall be determined by the Town. Corner lots on Golden Beach Drive, South Island, Center Island, North Island and Ocean Boulevard shall have their frontage on those streets.

Full Size Lot means a lot with a minimum frontage of 75 feet, and a minimum area of 11,250 square feet (based upon a minimum depth of 150 feet for a 75-foot rectangular lot).

* * *

Undersized Lot means a lot with a minimum frontage of 50 feet and a minimum lot area of 7,500 square feet but which is not a Full Size Lot.

ARTICLE III. – District Regulations

Sec. 66-66. - Zone designations.

- (a) The Town is divided into three construction zones numbered "One," "Two" and "Three" respectively. Zones shall comprise the following designated on the official map of the Town of Golden Beach, copyright 1977, as prepared by M.E. Berry, Surveyor, Hollywood, Florida:

(1)	Zone One	Blocks A, B, C, and D
(2)	Zone Two	Blocks 1, 2, 3, 4, 5 and 6
(3)	Zone Three	Blocks E, F, G, H, J, K, L, and M

- (b) All Single-Family Residential land use and Construction shall comply with the requirements of this Code of Ordinances applicable to lots within the designated zones.

Sec. 66-67. - Zoning districts.

(a) All lots and parcels of land within the corporate limits of the Town are zoned in accordance with the comprehensive plan and the provision of Charter section 1.02(a)(3) as either:

(1) Single-Family Residential [SF].

(2) Governmental or community facilities [CF].

(3) Social and athletic or public recreation [R-2].

(b) Single-Family Residential District. Within the SF district, the following uses are permitted:

(1) Single-Family Residential Dwellings. All property within the SF district shall be used for the principal purpose of single-family residential dwellings occupied by individual families.

(2) Accessory Uses. Additionally, a family may use an improved property for accessory social and recreational activities customarily associated with single-family residential use within the Town, including swimming and boating.

(3) Prohibited Uses. Except as provided in Section 66-91 governing Residential Transient Use and Section 15-10 governing Filming, no business, professional or other commercial uses are permitted from or within any SF district. No person may use any property within the SF district as a venue for any event, party, other commercial or promotional activity where a fee is charged for entry or any type of compensation is directly or indirectly given to the property owner for the use of the property, nor may any person hold any third party promotional event (other than a traditional, daytime open house) at the property for the purpose of advertising or otherwise exposing the property for sale. This prohibition shall not limit the right of any homeowner to host a non-commercial fundraising event customarily conducted from single-family dwellings within the Town, where no entry fee is charged and no compensation directly or indirectly is provided ~~paid~~ to the homeowner for the use of the property.

(c) The Future Land Use/Transportation Map adopted by Ordinance 368-88, as amended, shall constitute the Land Use and Zoning Map of the Town until adoption of an official zoning map pursuant thereto.

Sec. 66-68. - ~~Full-Size Lot~~ size requirements ~~restriction~~.

(a) Full size lot requirement. No building may be erected, constructed, or substantially improved in the Town unless it shall be erected, constructed, or substantially improved upon at least one full size lot except as otherwise herein provided. (See definition of full size lot.)

(b) Lot joinder.

a. An Owner may join abutting lots or parcels of land to create a full size lot of at least 75 feet of Frontage and 11,250 square feet or larger. Prior to the issuance of any building permit, the total parcel, consisting of 75 feet of Frontage and a lot size of 11,250 square feet or larger, shall be of Common Ownership and the

Owner thereof shall replat, file a unity of title, or obtain a waiver of plat in accordance with this Code and the ordinances of the Town.

- b. In cases of new Construction or Substantial Improvements, when the proposed work encompasses two or more lots, a Unity of Title in a form approved by the Town, shall be submitted to the Town for approval and after approval recorded in the Public Records of Dade County at Owner's expense.

(c) Lots other than full-size.

- (1) All vacant Unimproved Lots or parcels of land of less than 75 feet of Frontage but with a minimum of 50 feet of Frontage, and a minimum area of 7,500 square feet, may be developed pursuant to the requirements for "Undersized Lots" in this Chapter.

- (2) Any vacant lot, which is not a full size lot, which was, on December 21, 1982 abutting other vacant unimproved real property, shall be developed together with the adjacent lot and the Owner thereof shall replat, file a unity of title, or obtain a waiver of plat in accordance with this Code and the ordinances of the Town. If such joinder does not create a full size lot, but does have a minimum of 50 feet of Frontage and a minimum area of 7,500 square feet, the resulting lot may be developed as provided in this chapter for an Undersized Lot.

- (d) Maintenance of minimum lot size. If an existing residential structure is built on two or more abutting lots, construction or reconstruction thereof shall be permitted only in accordance with the terms and conditions of this section, and sections 66-70 and 66-71 below.

Sec. 66-69. - Minimum site development requirements. frontage, building square footage and height of residence.

Minimum Requirements: Set forth below are the minimum site development requirements by Zone. Frontage, building square footage and height of residence requirements:

- ~~(1) All residences to be constructed within the Town shall be built on a Full Size Lot with a minimum Frontage of 75 feet except as otherwise herein provided. (See definition of Full Size Lot.)~~
- ~~(2) A residence constructed on any lot shall have a minimum of 3,000 square feet of Living Area, except on Exempted Lots.~~
- ~~(3) All residences designed as two-story structures shall be required to increase the side setbacks along two-thirds of the length of the second story by one foot for each one foot of building height above the first 18 feet.~~
- ~~(4) Lots of less than 75-foot Frontage shall conform to the following:~~
- ~~a. After December 21, 1982, no lot or combination of regular lots or irregular lots of less than 75 feet of Frontage and less than 11,250 square feet shall constitute a building site for a residence except as otherwise herein provided.~~

b. ~~An Owner may join abutting lots or parcels of land to create a building site of at least 75 feet of Frontage and 11,250 square feet or larger. Prior to the issuance of any building permit, the total parcel of 75 feet of Frontage or larger shall be of Common Ownership and the Owner thereof shall replat, file a unity of title, or obtain a waiver of plat in accordance with this Code and the ordinances of the Town.~~

~~(5) The following lots are exempted from this section except as noted in paragraph (1) above:~~

a. ~~All vacant Unimproved Lots or parcels of land of less than 75 feet of Frontage but with a minimum of 50 feet of Frontage, and a minimum area of at least 7,500 square feet, existing within the Town which would have qualified as a residential building site on December 21, 1982, and which did not abut any other vacant unimproved real property owned by the same Owner on December 21, 1982, shall be exempted from the terms and conditions of sections 66-68 and 66-69(1) and (3). Lots 6 through 20 and 25 through 33 of Block 1, as platted, are also exempt from the terms and conditions of sections 66-68 and 66-69(1) and (3).~~

b. ~~Any improved lot, in Zone Three, with less than the full lot size required but at least 7,500 square feet of lot area and 50 feet of lot frontage may be redeveloped provided total impervious area does not exceed 40 percent of the lot area, minimum front setbacks of 35 feet and rear setbacks of 30 feet are provided, minimum side setbacks of 7.5 feet are provided, and building height does not exceed 25 feet. Such construction on undersized lots shall meet all other requirements of these land development regulations not modified in this subsection.~~

~~(6) A new residence built after December 21, 1982, on a single Exempted Lot shall contain a minimum of 2,500 square feet of Living Area.~~

~~(7) If an existing residential structure is built on two or more abutting lots construction or reconstruction thereof shall be permitted only in accordance with the terms and conditions of subsections (1) through (5) of this section and section 66-70 below.~~

~~(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 maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additional parapet walls up to one foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement of insulation and membrane material.~~

~~(9) In cases of new Construction or Substantial Improvements, when the proposed work encompasses two or more lots, a Unity of Title in a form approved by the Town, shall be submitted to the Town for approval and after approval recorded in the Public Records of Dade County at Owner's expense.~~

66-69.1 Zone One (Oceanfront Properties).

(a) Purpose of district.

Zone One is intended to encourage a high-quality luxury oceanfront living environment to be utilized exclusively for individually owned single-family homes on larger plots of land. Although the original platted lots in this land area were 50-feet in width, effective December 21st, 1982, the minimum buildable lot sizes were increased by the Town to 75 feet in width. The Town encourages the aggregation of older narrow lots to create large oceanfront estates. These land development regulations are intended to address all of the varying site conditions. Due to the unique oceanfront characteristics of the land, with undulating land elevations along the coastal dune ridges, appropriate special criteria is included for this land area. The Site Development Criteria are provided in this Section and summarized in Table 1. If conflicts between the text and table exist, the text prevails.

(b) Minimum lot frontage and lot area.

(1) A Full Size Lot shall have a minimum of 75 feet of lot frontage and 11,250 square feet of lot area.

(2) All other Undersized Lots shall have a minimum of 50 feet of lot frontage and 7,500 square feet of lot area.

(3) The minimum lot frontage and lot areas of this section and any other provisions in the Town Code regarding the subdivision of land or the establishment of Buildable, Undersized, or Full Size Lots, notwithstanding, when any property Owner subdivides or alters the dimensions or configuration of any land in Zone One, including existing Full Size Lots or any combination of Undersized Lots or Full Size Lots, after November 21, 2006, through any legal method of subdivision, including platting or waiver of plat, no resulting lot, site, tract, parcel or Lot in Zone One shall have less than: (a) 100 feet of Frontage along a Street; (b) 150 feet of depth; and (c) 15,000 square feet of area.

(c) Minimum building square footage.

(1) Full Size Lots - A residence constructed on any Full Size lot shall have a minimum of 3,000 square feet of Living Area.

(2) Undersized Lots – A residence constructed on any Undersized Lot shall have a minimum of 2,500 square feet of Living Area.

(d) Building height.

(1) Main Residence.

a. Primary residential structures built on lots with a street frontage at least 50 feet in width but less than 75 feet in width shall not exceed 25 feet in height.

b. Primary residential structures built on lots with a street frontage at least 75 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.

c. Primary residential structures built on lots with a street frontage of 100 feet or more shall not exceed 30 feet in height.

d. The height measurement for main residences shall be measured from the lowest habitable living area which is a maximum of two (2) feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front setback line or Coastal Construction Control Line (CCCL), whichever is more westerly. Areas occupied below 18.2 feet NGVD, including only garages, storage areas and one bathroom shall not be considered habitable areas. If any other use occurs in the area below 18.2 feet NGVD it is considered expendable from a flood or wave action damage standpoint, and those areas shall be considered habitable; therefore, the building height shall be measured from the lowest floor level below 18.2 feet NGVD.

e. Staircases may be constructed from the lowest habitable floor to the driveway grades. Due to the main residence lowest habitable floor elevation requirement as compared to the front yard lot grades near Ocean Boulevard (above 18.2 feet NGVD vs. 10'-12' NGVD) due to the FDEP Coastal Construction Control Line (CCCL) criteria, in Zone One, this subsection for staircases shall take precedence over the Town's accessory structure subsection for maximum stair heights in Zone One.

(2) Garage / Guest Accommodations

a. Garages and/or guest accommodations built separate from the main house, placed near Ocean Boulevard, shall not be more than 25 feet in

height, provided however, that any portion of the building over 12 feet in height shall be setback an additional 1-foot for each one-foot (1:1) of additional height over 12 feet.

- b. The height measurement for free-standing garages and/or guest accommodations shall be measured from a height of two (2) feet above the average crown of the road adjoining the site, as opposed to the height allowance for the main residence. Covered walkway structures between the garage / guest quarters and main residence shall be subject to these height limitations.

(3) Roof-Mounted Accessory Structures

The maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additionally, parapet walls up to one-foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement and insulation and membrane material. On a flat roof with rooftop activities as permitted by Section 66-261, set back a minimum of 10 feet from each point where the main building walls connect to the roof, an open railing of not more than four (4) feet above the finished roof deck may be permitted, subject to the approval of the Building Regulation Advisory Board.

(e) Minimum pervious area.

A minimum of 35 percent of the area of each lot shall be maintained as pervious surface. The use of pervious pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State of Florida registered Architect, Engineer, or Landscape Architect. Notwithstanding the above, not more than 50% credit shall be given for pervious pavers.

(f) Front Yard Setbacks.

- (1) Main Residence. No portion of any primary residential structure shall be placed closer to the west "front" lot line abutting Ocean Boulevard than sixty (60) feet.

(2) Garage / Guest Accommodations.

A garage structure may be built separate from the main house, in which event it shall be set back a minimum of 20 feet from the west "front" property line. If

such a structure is constructed with a second story, the front walls shall be set back an additional one foot for each one foot (1:1) of total building height above the first 12 feet.

(g) Rear Yard Setbacks.

No portion of any house shall be placed closer to the east "rear" lot line abutting the Atlantic Ocean than behind a line drawn between the corners of the nearest existing residences parallel to the beach. Notwithstanding the foregoing, stairs and/or balconies may be located closer to the east "rear" lot line than behind a line drawn between the corners of the nearest adjacent residences parallel to the beach, subject to the following restriction

- (1) Elevation. The stairs and/or balconies area shall not exceed an elevation of 20.2 feet NGVD;
- (2) Width. The width of the stairs and/or balconies shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or balconies shall be aligned on the building's centerline; and,
- (3) Depth. In addition to the provisions for balconies set forth in Sec. 66-262 which allows a 4-foot encroachment into a rear yard, the depth of the stairs and/or balconies extending out past the above yard encroachment shall not exceed 25 percent of the width of the principal building.

(h) Side Yard Setbacks.

(1) Main Residence.

- a. For lots or any combination of lots with 50 feet or more of frontage, but less than 75 feet of frontage, no portion of any building shall be closer than seven and one-half (7.5) feet from each side lot line.
- b. For lots or any combination of lots with 75 feet or more of frontage, but less than 100 feet of frontage, no portion of any building shall be closer than ten (10) feet from each side lot line.
- ~~c. For lots or any combination of lots with greater than 100 feet of frontage, no portion of any building shall be closer than ten (10%) percent of the lot width of the frontage of the lot(s), up to a maximum required setback of 15 feet from each side lot line.~~
- cd. All residences designed as two-story structures shall be required to increase the side setbacks along two-thirds of the length of the second story by one-foot for each one-foot (1:1) of building height above the first 12 feet.

(2) Garage / Guest Accommodations.

A garage structure may be built separate from the main house, in which event it shall be set back a minimum 10 feet from any side property line. If such a structure is constructed with a second story, the side walls shall be set back **along two-thirds of the length of the second story** an additional one foot for each one foot (1:1) of total building height above the first 12 feet.

(i) Required Yard Space for Garage/Guest Accommodations.

(1) For lots or any combination of lots with 50 feet or more of frontage, but less than 75 feet of frontage where the main house and a garage/guest accommodations are separated, the yard space bounded by the front face of the main house and the side and front setbacks applicable to the garage structure shall provide a minimum 1,100 square feet of landscape or hardscape that is otherwise unimproved with any permanent structure, except that a covered walkway to connect the structures, with one or both sides entirely open, the width of which does not exceed ten feet, may be erected within such yard space.

(2) For lots or any combination of lots with 75 feet or more of frontage, where the main house and a garage/guest accommodations are separated, the yard space bounded by the front face of the main house and the side and front setbacks applicable to the garage structure shall provide a minimum 2,200 square feet of landscape or hardscape that is otherwise unimproved with any permanent structure, except that a covered walkway to connect the structures, with one or both sides entirely open, the width of which does not exceed ten feet, may be erected within such yard space.

(j) Garages/Guest Accommodations. Subject to the restrictions of this Section, a garage structure may be built separate from the main house which may be constructed with a second floor to be used as guest or servant's quarters.

(k) The site development requirements of this Section are summarized in the table below. If conflicts between the text and table exist, the text prevails.

TABLE 1			
Zone One			
Site Development Requirements			
	<u>Undersized Lot</u>	<u>Full Size Lot</u>	<u>Full Size Lot</u>
<u>Lot Frontage</u>	<u>50' to <75'</u>	<u>75' to <100'</u>	<u>100'+</u>
<u>Minimum Lot Size</u>	<u>7,500 sq.ft.</u>	<u>11,250 sq.ft.</u>	<u>11,250 sq.ft.</u>

<u>Front (West) Setback – Primary Residence</u>	<u>60')</u>	<u>60'</u>	<u>60'</u>
<u>Rear (East) Setback– Primary Residence</u>	No closer to the rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach.	No closer to the rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach.	No closer to the rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach.
<u>Side Setback– Primary Residence</u>	<u>7.5'</u>	<u>10'</u>	<u>10' 10% of frontage, up to max req'd of 15'</u>
<u>Additional Second Story Setback– Primary Residence</u>	<u>None</u>	Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'	Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'
<u>Front (West) Setback - Detached Garage</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>
<u>Additional Second Story Front Setback– Detached Garage</u>	Increase front wall by 1' for each 1' of building height above the first 12'	Increase front wall by 1' for each 1' of building height above the first 12'	Increase front wall by 1' for each 1' of building height above the first 12'
<u>Detached Garage – Required Yard Space</u>	<u>1,100 sq.ft.</u>	<u>2,200 sq.ft.</u>	<u>2,200 sq.ft.</u>
<u>Side Setback – Detached Garage</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Height</u>	<u>25'</u>	<u>27.5'</u>	<u>30'</u>
<u>Max Impervious</u>	<u>65%</u>	<u>65%</u>	<u>65%</u>
<u>Min Pervious</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>
<u>Min Living Area</u>	<u>2,500 sq.ft.</u>	<u>3,000 sq.ft.</u>	<u>3,000 sq.ft.</u>

66-69.2 - Zone Two.

(a) Purpose of district.

Zone Two is intended to encourage a high-quality luxury living environment to be utilized exclusively for individually owned single-family homes. Although the original platted lots in this land area were 50-feet in width, effective December 21st, 1982, the minimum buildable lot sizes were increased by the Town to 75 feet in width. The Town encourages the aggregation of older narrow lots to create larger estates. These land development regulations are intended to address all of the varying site conditions. The Site Development Criteria are provided in this Section and summarized in Table 2. If conflicts between the text and table exist, the text prevails.

(b) Minimum lot frontage and lot area.

(1) A Full Size Lot shall have a minimum of 75 feet of lot frontage and 11,250 square feet of lot area.

(2) Undersized Lots shall have a minimum of 50 feet of lot frontage and 7,500 square feet of lot area.

(3) Notwithstanding any other provisions in the Town Code regarding the subdivision of land or the establishment of Buildable, Undersized or Full Size Lots, if an existing residential structure is built on two or more abutting lots, no owner may subdivide or alter the dimensions or configuration of the land, or redevelop the site which previously contained 1 residence on more than one lot, including existing Full Size Lots or any combination of Undersized Lots, after [Effective Date of This Ordinance] through any legal method of subdivision, including platting or waiver of plat, in any way which results in a lot having less than: (a) 75 feet of Frontage along a Street; and (b) 11,250 square feet of area.

(c) Minimum building square footage.

(1) Full Size Lots - A residence constructed on any Full Size Lot shall have a minimum of 3,000 square feet of Living Area.

(2) Undersized Lots - A residence constructed on any Undersized Lot shall have a minimum of 2,500 square feet of Living Area.

(d) Building height.

- (1) Residential structures built on lots with a street frontage of at least 50 feet in width but less than 75 feet in width shall not exceed 25 feet in height.
- (2) Residential structures built on lots with a street frontage of at least 75 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.
- (3) Residential structures built on lots with a street frontage of 100 feet or more shall not exceed 30 feet in height.
- (4) The height measurement for main residences shall be measured from the lowest habitable finished floor (Base Flood Elevation or BFE), as determined by the latest published FEMA FIRM maps, to the highest ridge of the roof.
- (5) The maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additional parapet walls up to one foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement and insulation and membrane material.

(e) Minimum pervious area.

A minimum of 35 percent of the area of each lot shall be maintained as pervious surface. The use of pervious pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State of Florida registered Architect, Engineer, or Landscape Architect. Notwithstanding the above, not more than 50% credit shall be given for pervious pavers.

(f) Front Yard Setbacks.

- (1) Lots fronting west side of Ocean Boulevard. Lots with frontage on the west side of Ocean Boulevard shall provide front yard setbacks as follows:
- a. For Full Size lots, no building or part thereof, including garages, shall be erected nearer than 40 feet from the east lot line thereof.
- b. For Undersized Lots, no building or part thereof, including garages, shall be erected nearer than 40 feet from the east lot line thereof.
- (2) Lots fronting east side of Golden Beach Drive. Lots with frontage on the east side of Golden Beach Drive shall provide front yard setbacks as follows:
- a. For Full Size Lots, no building or part thereof, including garages, shall be erected nearer than 35 feet from the west lot line thereof.

b. For Undersized Size Lots, no building or part thereof, including garages, shall be erected nearer than 35 feet from the west lot line thereof.

(g) Rear Yard Setbacks.

(1) Lots fronting west side of Ocean Boulevard. Lots with frontage on the west side of Ocean Boulevard shall provide rear yard setbacks as follows:

a. For Full Size Lots, no building or part thereof, including garages, shall be erected nearer than 25 feet from the west lot line thereof.

b. For Undersized Lots, no building or part thereof, including garages, shall be erected nearer than 25 feet from the west lot line thereof.

(2) Lots fronting east side of Golden Beach Drive. Lots with frontage on the east side of Golden Beach Drive shall provide rear yard setbacks as follows:

a. For Full Size Lots, no building or part thereof, including garages, shall be erected nearer than 35 feet from the east lot line thereof.

b. For Undersized Lots, no building or part thereof, including garages, shall be erected nearer than 30 feet from the east lot line thereof.

(h) Side Yard Setbacks.

(1) For lots or any combination of lots with 50 feet or more of frontage, but less than 75 feet of frontage, no portion of any building shall be closer than seven and one-half (7.5) feet from each side lot line.

(2) For lots or any combination of lots with 75 feet or more of frontage, but less than 100 feet of frontage, no portion of any building shall be closer than ten (10) feet from each side lot line.

~~(3) For lots or any combination of lots with greater than 100 feet of frontage, no portion of any building shall be closer than ten (10%) percent of the lot width of the frontage of the lot(s), up to a maximum required setback of 15 feet from each side lot line.~~

~~(34)~~ All residences designed as two-story structures shall be required to increase side setbacks along two-thirds of the length of the second story by one foot for each one foot of building height above the first 12 feet.

(i) The site development requirements of this Section are summarized in the table below. If conflicts between the text and table exist, the text prevails.

TABLE 2			
Zone 2			
Site Development Requirements			
	<u>Undersized Lot</u>	<u>Full Size Lot</u>	<u>Full Size Lot</u>
<u>Lot Frontage</u>	<u>50' to <75'</u>	<u>75' to <100'</u>	<u>100'+</u>
<u>Minimum Lot Size</u>	<u>7,500 sq.ft.</u>	<u>11,250' sq.ft.</u>	<u>11,250' sq.ft.</u>
<u>Front Setback – Primary residence, garage</u>			
<u>Lots facing on west side of Ocean Blvd</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>
<u>Lots facing on east side of Golden Beach Drive</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>
<u>Rear Setback – Primary residence, garage</u>			
<u>Lots facing on west side of Ocean Blvd</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>
<u>Lots facing on east side of Golden Beach Drive</u>	<u>30'</u>	<u>35'</u>	<u>35'</u>
<u>Side Setback – Primary residence, garage</u>	<u>7.5'</u>	<u>10'</u>	<u>10' 10% of frontage, up to max req'd of 15'</u>
<u>Additional Second Story Setback</u>	<u>None</u>	<u>Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'</u>	<u>Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'</u>
<u>Height</u>	<u>25'</u>	<u>27.5'</u>	<u>30'</u>
<u>Max Impervious</u>	<u>60%</u>	<u>65%</u>	<u>65%</u>
<u>Min Pervious</u>	<u>40%</u>	<u>35%</u>	<u>35%</u>
<u>Min Living Area</u>	<u>2,500 sq.ft.</u>	<u>3,000 sq.ft.</u>	<u>3,000 sq.ft.)</u>

571

572 **66-69.3 - Zone Three.**

573 **(a) Purpose of district.**

574 Zone Three is intended to encourage a high-quality luxury waterfront living
575 environment (Canals / Intracoastal Waterway) to be utilized exclusively for
576 individually owned single-family homes. This Zone encompasses Blocks E, F, G,
577 H, J, K, L, and M. Although the original platted lots in this land area were 50-feet

in width, effective December 21st, 1982, the minimum buildable lot sizes were increased by the Town to 75 feet in width. The Town encourages the aggregation of older narrow lots to create larger estates. These land development regulations are intended to address all of the varying site conditions. The Site Development Criteria are provided in this Section and summarized in Table 3. If conflicts between the text and table exist, the text prevails.

(b) Minimum lot frontage and lot area.

(1) A Full Size Lot shall have a minimum of 75 feet of lot frontage and 11,250 square feet of lot area.

(2) All Undersized Lots shall have a minimum of 50 feet of lot frontage and 7,500 square feet of lot area.

(3) Notwithstanding any other provisions in the Town Code regarding the subdivision of land or the establishment of Buildable, Undersized, or Full Size Lots, if an existing residential structure is built on two or more abutting lots, no owner may subdivide or alter the dimensions or configuration of the land, or redevelop the site which previously contained 1 residence on more than one lot, including existing Full Size Lots or any combination of Undersized Lots, after [Effective Date of This Ordinance] through any legal method of subdivision, including platting or waiver of plat, in any way which results in a lot having less than: (a) 75 feet of Frontage along a Street; and (b) 11,250 square feet of area.

(c) Minimum building square footage.

(1) Full Size Lots - A residence constructed on any Full Size lot shall have a minimum of 3,000 square feet of Living Area.

(2) Undersized Lots – A residence constructed on any Undersized Lot shall have a minimum of 2,500 square feet of Living Area.

(d) Building height.

(1) Residential structures built on lots with a street frontage of at least 50 feet in width but less than 75 feet in width shall not exceed 25 feet in height.

(2) Residential structures built on lots with a street frontage of at least 75 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.

(3) Residential structures built on lots with a street frontage of 100 feet or more shall not exceed 30 feet in height.

(4) The height measurement for main residences shall be measured from the lowest habitable finished floor (Base Flood Elevation or BFE), as determined by the latest published FEMA FIRM maps, to the highest ridge of the roof.

(5) The maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additional parapet walls up to one foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement and insulation and membrane material.

(e) Minimum pervious area.

A minimum of 35 percent of the area of each lot shall be maintained as pervious surface. The use of pervious pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State of Florida registered Architect, Engineer, or Landscape Architect. Notwithstanding the above, not more than 50% credit shall be given for pervious pavers.

(f) Front Yard Setbacks.

No building or part thereof, including garages, shall be erected closer than thirty-five (35) feet to the front lot line.

(g) Rear Yard Setbacks.

(1) Full Size Lots. No building or part thereof, including garages, on a Full Size Lot shall be erected closer than thirty-five (35) feet to the rear lot line (Intracoastal Waterway and/or canals).

(2) Undersized Lots. No building or part thereof, including garages, on an Undersized Lot shall be erected closer than thirty (30) feet to the rear lot line (Intracoastal Waterway and/or canals).

(h) Side Yard Setbacks.

(1) For lots or any combination of lots with 50 feet or more of frontage, but less than 75 feet of frontage, no portion of any building shall be closer than seven and one-half (7.5) feet from each side lot line.

(2) For lots or any combination of lots with 75 feet or more of frontage, ~~but less than 100 feet of frontage,~~ no portion of any building shall be closer than ten (10) feet from each side lot line.

(3) For lots or any combination of lots with greater than 100 feet of frontage, no portion of any building shall be closer than ten (10%) percent of the lot width of the frontage of the lot(s), up to a maximum required setback of 15 feet from each side lot line.

(34) All residences designed as two-story structures shall be required to increase side setbacks along two-thirds of the length of the second story by one foot for each one foot of building height above the first 12 feet.

(i) The site development requirements of this Section are summarized in the table below. If conflicts between the text and table exist, the text prevails.

TABLE 3			
Zone 3			
Site Development Requirements			
	Undersized Lot	Full Size Lot	Full Size Lot
Lot Frontage	50' to <75'	75' to <100'	100'+
Minimum Lot Size	7,500 sq.ft.	11,250' sq.ft.	11,250' sq.ft.
Front Setback – Primary residence, garage	35'	35'	35'
Rear Setback – Primary residence, garage	30'	35'	35'
Side Setback – Primary residence, garage	7.5'	10'	10' 10% of frontage, up to max req'd of 15'
Additional Second Story Setback 66-69(3)	None exempt by	Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'	Increase side setback on 2/3 length of 2nd story by 1' for each 1' of building height above the first 12'
Height	25'	27.5'	30'
Max Impervious	60%	65%	65%

<u>Min Pervious</u>	<u>40%</u>	<u>35%</u>	<u>35%</u>
<u>Min Living Area</u>	<u>2,500 sq.ft.</u>	<u>3,000 sq.ft.</u>	<u>3,000 sq.ft.</u>

Sec. 66-70. - Side Property Line requirement.

No building may be erected, constructed, or substantially improved in the Town, unless it shall be erected, constructed, or substantially improved on a parcel of land with side yard property lines or side lot lines that are continuous straight lines. No parcel of land shall be platted, replatted, nor shall a waiver of plat be approved for any parcel of land unless the parcel has side lot lines that are continuous straight lines.

Sec. 66-71. – Vested Rights Reserved. ~~Subdivision of land in Zone One.~~

~~(a) *Minimum requirements.* Notwithstanding any other provisions in the Town Code regarding the subdivision of land or the establishment of Buildable Lots, when any property Owner subdivides or alters the dimensions or configuration of any land in Zone One, including existing Buildable Lots or any combination of Buildable Lots, through any legal method of subdivision, including platting or waiver of plat, no resulting lot, site, tract, parcel or Buildable Lot in Zone One shall have less than: (a) 100 feet of Frontage along a Street; (b) 150 feet of depth; and (c) 15,000 square feet of area.~~

~~For purposes of this section, the term "subdivide" or "subdivision" shall be defined to mean (a) the division of land for any use so as to create one or more lots, sites, tracts, parcels or Buildable Lots otherwise designated of any size for the purpose of transfer of ownership, leasing, or building development.~~

~~(b) *Application.* The foregoing section shall apply to all subdivisions created or otherwise established in Zone One after November 21, 2006. A subdivision of land in any Zone other than Zone One must comply with all other applicable provisions of the Code.~~

~~(c) *Determination of vested rights.*~~

(1) Nothing in this Ordinance shall be constructed or applied to abrogate the vested right of a property Owner to develop or build upon any lot, site, tract, parcel or Buildable Lot in Zone One established after November 21, 2006 and prior to the effective date of the ordinance from which this section derives, where the property Owner can demonstrate by substantial competent evidence each of the following:

- a. The issuance of a valid and enforceable development approval authorizing the subdivision of the property in Zone One, including but not limited to a plat or waiver of plat; and

b. Evidence that the property Owner has detrimentally relied, in good faith, on the approval described in subsection a. above, by making substantial expenditures; and

c. That it would be highly inequitable to deny the property Owner the right to develop and build upon the property.

(2) Any property Owner claiming vested rights under this subsection (c) must file an application with the Town (on a form provided by the Town) within 60 days after the effective date of the ordinance from which this section derives. The application shall be accompanied by an application fee of \$500.00 and contain a sworn statement as to the basis upon which the vested rights are asserted, together with all documentation supporting the claim. Upon receipt of a complete application, the Town shall schedule a hearing before the Town Council. The Town Council shall hold a hearing on the application and, based upon the documentation submitted, shall make a determination as to whether the property Owner has established vested rights.

* * *

DIVISION 3. – Rights-of-way. ~~RESERVED.~~

No right-of-way currently existing within the Town limits shall be vacated or abandoned so as to cause a reduction of its current width. The use of any right-of-way is limited to roadways, sanitary sewer and Potable Water lines, telephone and cable television cables, gas lines, other franchise utilities, sidewalks and bicycle paths as approved by the Town, and landscaping.

* * *

DIVISION 4. – DESIGN STANDARDS ~~SETBACK AND LOT LINE RESTRICTIONS~~

Sec. 66-136. - Design of Driveways.

(a) In addition to the garage requirement of sections 66-201 through 66-207, and design of Driveways as set forth in sections 66-221 through 66-225, each residence shall be required to provide one additional paved parking space on-site. The Driveway leading to the garage may be utilized for this purpose. Each such parking space shall be a minimum of nine feet in width and 20 feet in length.

(b) All applications for new or widened Driveways abutting State Road Number A1A shall be required to receive a permit from Florida Department of Transportation District Number 6 offices prior to receiving a permit for same from the Town.

Sec. 66-137. - Paint colors/permit.

(a) Paint colors. No exterior of any Structure may be painted, stained, or otherwise colorized with a color(s) other than a color(s) that is the same or substantially similar to a color within a paint palate established and approved by the Town Council. All colors, including accent colors, must be complimentary and harmonious with other materials and components, including roof tiles incorporated into the Structure. Any variation from this standard shall be subject to the Town Building Official's prior approval, or the Town's Building Regulation Advisory Board's approval on appeal of the Building Official's decision.

(b) Paint permit. A Town paint permit shall be required prior to painting or repainting of the exterior of any Structure.

Sec. 66-138. - Mailboxes.

(a) Selection and location. Each owner of a residence within Zones Two and Three (as defined in section 66-66 of the Town Code) of the Town shall be required to maintain a mailbox and supporting post that has been selected by the Town Council. The mailbox and supporting post shall be installed near the paved portion of the road surface fronting each residence in a location, height, and manner determined by the Town Manager or his designee.

(b) Cost. The Town shall pay for the initial purchase and cost of installing a mailbox and supporting post for residences located within Zones Two and Three. After such initial installation, in the event a new mailbox or supporting post is requested or otherwise required, the real property owner shall be responsible for all costs of such replacement and installation by the Town.

(c) Maintenance. Each real property owner (in all zones of the Town) shall maintain his or her mailbox and supporting post, if any, in good working condition, order and appearance. Failure to comply with this section shall subject the owner to penalties set forth in section 2-211 of this Code.

~~Sec. 66-136. -- Side line restrictions between adjoining lots.~~

~~(a) For lots or any combination of lots with greater than 50 feet of frontage; no portion of any building shall be closer than ten feet from each side property line.~~

~~(b) For lots or any combination of lots with greater than 100 feet of frontage; no portion of any building shall be closer than ten percent of the width of the frontage of the lot(s), up to a maximum required setback of 15 feet from each side property line of the site.~~

~~Sec. 66-137. -- Front and rear lot line restrictions -- In Zone One.~~

~~(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.~~

~~(b) On the Ocean Boulevard side of the lots mentioned in subsection (c) of this section, no portion of the house shall be less than 60 feet from the west lot line.~~

~~(c) A garage structure may be built separate from the main house, in which event it shall be set back a minimum of 20 feet from the west property line, and at least ten feet from any side property line. Such garage may be constructed with a second floor to be used as guest or servant's quarters. Where constructed with a second story, the front wall shall be set back an additional one foot for each one foot of total building height above the first 18 feet. If the main house and the garage are separated, the yard space bounded by the front face of the house and the side and front setbacks applicable to the garage structure shall provide a minimum 2,200 square feet of landscape or hardscape that is otherwise unimproved with any permanent structure, except that a covered walkway to connect the structures, with one or both sides entirely open, the width of which does not exceed ten feet, may be erected within such yard space.~~

~~Sec. 66-138. — Same — In Zone Two.~~

~~(a) For lots facing on the west side of Ocean Boulevard, constituting: Lots 1 to 20 inclusive in Block 1, Lots 1 to 19 inclusive in Block 2, Lots 1 to 20 inclusive in Block 3, Lots 1 to 20 inclusive in Block 4, Lots 1 to 21 inclusive in Block 5, and Lots 1 to 20 inclusive in Block 6, no building or part thereof including garages or carports shall be erected nearer than 40 feet from the east lot line thereof or nearer than 25 feet from the west lot line thereof.~~

~~(b) For lots facing on east side of Golden Beach Drive, constituting: Lots 20 to 39 inclusive in Block 1, Lots 20 to 38 inclusive in Block 2, Lots 20 to 40 inclusive in Block 3, Lots 21 to 40 inclusive in Block 4, Lots 22 to 42 inclusive in Block 5 and Lots 21 to 40 inclusive in Block 6, no building or part thereof including garages or carports shall~~

795 be erected nearer than 35 feet from the west lot line thereof, and nearer than 35 feet
796 from the east lot line thereof.

797 ~~Sec. 66-139. -- Same -- In Zone Three.~~

798 ~~For lots in Blocks E, F, G, H, J, K, L, and M, no building or part thereof including garages~~
799 ~~shall be erected less than 35 feet from the property line along the waters of the~~
800 ~~Intracoastal Waterway and canals and 35 feet from the front property line.~~

801 * * *

802 **Section 3.** That if any section, clause, sentence or phrase of this Ordinance is
803 for any reason held invalid or unconstitutional by a court of competent jurisdiction, the
804 holding shall not affect the validity of the remaining portions of this Ordinance.

805 **Section 4.** That all ordinances or parts of ordinances in conflict with the
806 provisions of this Ordinance are repealed to such extent of the conflict.

807 **Section 5.** That this Ordinance shall be codified in accordance with the
808 foregoing. It is the intention of the Town Council that the provisions of this Ordinance shall
809 become and be made a part of the Town of Golden Beach Code of Ordinances; and that
810 the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance"
811 may be changed to "section", "article" or such other appropriate word or phrase in order
812 to accomplish such intentions.

813 **Section 6.** That this Ordinance shall take full effect immediately upon its
814 passage and adoption.

815 The Motion to adopt the foregoing Ordinance was offered by Councilmember
816 Rojas, seconded by Vice Mayor Lusskin, and on roll call the following vote ensued:

817	Mayor Glenn Singer	<u>Aye</u>
818	Vice-Mayor Judy Lusskin	<u>Aye</u>
819	Councilmember Kenneth Bernstein	<u>Aye</u>
820	Councilmember Amy Isackson-Rojas	<u>Aye</u>
821	Councilmember Jaime Mendal	<u>Aye</u>

822
823

824 PASSED AND ADOPTED on first reading this 25th, day of April, 2017.
825 The Motion to adopt the foregoing Ordinance was offered by _____,
826 seconded by _____, and on roll call the following vote ensued:

827 Mayor Glenn Singer _____
828 Vice-Mayor Judy Lusskin _____
829 Councilmember Kenneth Bernstein _____
830 Councilmember Amy Isackson-Rojas _____
831 Councilmember Jaime Mendal _____
832
833

834 **PASSED AND ADOPTED** on second reading this 16th, day of May, 2017.

835

836 ATTEST: _____
837 MAYOR GLENN SINGER
838
839

840 _____
841 LISSETTE PEREZ
842 TOWN CLERK
843
844

845
846 APPROVED AS TO FORM
847 AND LEGAL SUFFICIENCY:
848
849

850 _____
851 STEPHEN J. HELFMAN
852 TOWN ATTORNEY
853
854
855




TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez, 
Town Clerk

Subject: **Town Council Minutes**

Item Number:

3

Recommendation:

It is recommended that the Town Council adopt the attached minutes of the Town's April 25th, 2017 Special Town Council Meeting.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the April 25, 2017 Special Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:03 p.m.

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Steve Helfman, Police Chief Rudy Herbello, Building Director Linda Epperson

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

TEACH FOR AMERICA PRESENTATION – by Executive Director Samantha Hoare

Proclamation presented to the Bicycle Action Committee and Mr. Richard Cahlin

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Mr. Jean Marc Girardin, 477 Ocean Blvd.

Spoke on the new regulations that are being proposed for the 50-foot lots, but decided to hold his comments until the discussion of the ordinance.

Mrs. Sydell Herrick, 625 Ocean Blvd.

Thanked the Town and the police department for their swift response last week when her husband became ill.

Also thanked the Town for having a surveyor out on the beach and for listening to her concerns and taking action.

G. MAYOR'S REPORT

Met with the Governor's Office and Senators in Tallahassee with the Town Manager earlier in the month, very productive meeting – requesting money for the Town's lighting project.

Received many complaints about the dog park – it is going to be moved and be much bigger and have more shade. Planning a special event for the grand re-opening of the dog park where residents will be able to bring their dogs.

Can't urge everyone enough to try to get their flag logo in. The competition will be cut off at the end of May.

Mentioned that the Town was once again awarded the budget award for the 2016-2017 budget.

H. COUNCIL COMMENTS

Councilmember Mendal

Welcomed back the Town Manager and happy that Mr. Herrick is feeling better.

Vice Mayor Lusskin

Stated that something needs to be done about the pedestrian gate. Maybe not worth having it if it is constantly going to be breaking and the Town having to fix it.

Also received phone calls about some wires hanging on A1A.

And to be proactive, maybe the Town should start looking at mosquito control for the coming mosquito season.

Councilmember Bernstein

Stated that maybe the Town should look at a scholarship award for the children to get more of them motivated to participate with the flag competition.

Stated that there has been an increase of break-ins in the surrounding residential areas, and maybe there is something the Town can do to take more preventative measures to deter crime.

Councilmember Rojas

Mentioned that there are some issues with the pump in North Park and asked the Manager to update them on this issues as well as the flooding at The Strand.

I. TOWN MANAGER REPORT

Re-iterated the Mayor's remarks that they had very successful meetings in Tallahassee. Does have an update on when the gatehouse and beach pavilion projects will be brought before the council – both projects should be brought before the council in June. Expecting to break ground in July and working through September.

Will also be bringing some street lighting options for the Council in June.

Related to the ocean, the Town did have a comprehensive review of the ocean's typography done recently. Now have a comprehensive approach available to beach renourishment should any resident want to endeavor into a beach renourishment project on their own.

Related to canal maintenance, the scope has diminished significantly and it is a more manageable approach to canal maintenance. A canal maintenance program is definitely in the Town's foreseeable future.

As it relates to the pedestrian gates, the Town is looking a possible solution of installing revolving doors that will only allow pedestrians to exit the Town forcing all those who want to enter to enter from The Strand.

Also looking at the pilot program of making the North and South gates exit only gates in the morning and late at night.

Mayor and he will be walking A1A with the Landscape Architect next week to look at more ways to beautify it.

In North Park, prior to him coming on board, the Council authorized a storm water project in North Park where the pipe that has been damaged was installed. The pipe in the park is going to be replaced with a concrete pipe, but the pump system is not damaged and working.

As it relates to the wires on Ocean Boulevard, Atlantic Broadband will be clearing up the wires as soon as the project they are working on is completed.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

1. An Ordinance of the Town Council Amending the Town's Code to Address Land Filling and Land Disturbing Activities.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VI "SOIL EROSION, FUGITIVE DUST AND SEDIMENT CONTROL," OF CHAPTER 14, "ENVIRONMENT," TO ADDRESS LAND FILLING AND LAND DISTURBING ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 572.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 572.17

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this ordinance is straight –forward. Item brings town to conformity with both county and state codes.

2. An Ordinance of the Town Council Amending the Town’s Code To Revise Requirements for Undersized Lots.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO AMEND SUBPART B, “LAND DEVELOPMENT REGULATIONS” OF THE TOWN’S CODE OF ORDINANCES BY DELETING ARTICLE II “DESIGN STANDARDS” OF CHAPTER 58 AND INCORPORATING THOSE PROVISIONS INTO RELEVANT SECTIONS OF CHAPTER 66; AMENDING CHAPTER 66 “ZONING” TO REVISE REQUIREMENTS FOR UNDERSIZED LOTS AND REVISE AND REORGANIZE DISTRICT REGULATIONS INCLUDING SETBACKS, LOT RESTRICTIONS, ENCROACHMENTS AND ADOPT NEW COMPREHENSIVE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 573.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 573.17

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this is step 1 in a series to clean up the Town’s building development guidelines. On the undersized lots in Zone 2 and 3, the code currently allows residents to have a 30 foot setback on the rear instead of a 35 foot setback, meaning that that those homes can be 5 feet closer to the seawall (not on Ocean). On Ocean, the code calls for no home to go further than the other – that stays the same,

the Town has not changed that. The question that is being posed to the Council is if this should continue to be allowed or should all the homes be positioned at the same setback as it relates to the rear of the property.

Jerome Hollo, 668 North Island Drive, BRAB Chairperson

Have to look at where you want to allow these houses to grow a bit, because otherwise you end up with a smaller home on that lot. Council has to decide where they want to give a little bit.

Town Manager stated that as the Code is currently written – exempted lots do not have to follow the 2/3rd step-in for the 2nd floor. This was written as a staff error and although it is a staff error, the Administration feels that this benefits the undersized lots.

Mr. Hollo stated that you have to weigh the aesthetics of the house, how the house impacts the neighbors and how much area you want to give that person of buildable house.

Councilmember Bernstein asked if it is possible to have a study done to see how much buildable area people can get on the 50-foot lots.

Mayor Singer asked if a person could at least build a 4,000 square foot house.

Town Manager stated that you can. Maybe for second reading, the Administration can bring a percentage of the second floor, only for undersized lots.

Mr. Hollo stated that the homes on these lots were originally 1,500 to 2,000 square feet, but now the new builders want more for their money.

Town Manager stated that the staff has no position either way.

Mayor Singer stated that Councilmember Bernstein brings up a good question and he would also like to know what size home can be built on a 50-foot lot.

Town Manager stated that the staff will bring back information on the dimensions of what type of a home can be built with a 30 foot setback and a 35 foot setback.

Town Manager spoke on the side setbacks. What is being proposed is to keep the language as it reads today pertaining to 100-foot lots, which is 10 feet with anything bigger than 100 being a percentage of the lot.

Councilmember Bernstein stated that he does not think owners should be penalized for having a larger lot.

Councilmember Rojas stated that she thinks it looks horrible to have a massive house with no green space.

Councilmember Mendal stated that he does not mind it being 10 feet all around, and removing the percentage.

Vice Mayor Lusskin said she wasn't sure.

Mayor Singer stated that maybe the language should stay the same and those lots can come before the Council for a variance.

Dove Stark, Prestige Construction – developer who will be working with Mr. Girardin at 477 Ocean Boulevard, stated that everywhere he has worked the setback has always been the same for everyone. Also does not understand the reasoning behind the different height requirements based on the width of the house.

Town Manager stated that what the Council decided that on the undersized lots, they didn't want to create tall and narrow structures in Zone 2 and Zone 3. Because Zone 1 does not have development guidelines for undersized lots, the Administration felt that they should apply the code consistently.

Mayor Singer recommended leaving the setback at 10 feet for the lots over 100 feet. The Council agreed.

Mr. Tony Rojas stated that people who buy 50-foot lots know what they're getting themselves into.

Mr. Girardin, 477 Ocean Blvd. First thanked the Council for the good work they are performing. Height is a big issue for him.

Town Manager stated that in Zone 1 in years past, the Town never allowed homeowners to use the ground floor. Now, through these new rules homeowners are being allowed to use the space under the first floor for laundry, garage, gym, etc. in essence, allowing the homeowner to have a three-story house. Now getting more space for your land area.

Mr. Stark stated that as a developer he doesn't see how you can attract people to buy homes with a 10 foot ceiling.

Mayor Singer stated that they are interested in their residents' concerns before the concerns of buyers.

Town Manager stated he doesn't think there is any support for going past the 25 feet.

Town Manager stated that this code allows you to have more living space, it's not punitive. There is no support to deviate from this.

Councilmember Bernstein stated that he thought the Town made concessions for the 50-foot lots to give residents a little something extra.

Town Manager spoke on the detached garage – half the size, half the requirement.

Town Manager also asked about the language regarding the transitional space of the first floor, transitioning from the base of the house to the pool.

Mr. Hollo stated that the question is do you allow the transitional space to span the whole width of the home or 50% of the width of the home, which is how it currently reads.

Mayor Singer asked if that is an issue.

Town Manager stated that with the last two 50-foot lot variances they were an issue.

Mayor Singer asked why can't the balcony be the width of the house.

Town Manager stated that that creates a privacy issue with the neighbors. And that people having a party at the home, should be towards the center of the home not disrupting the neighbors.

Council agreed to leave that language as it reads.

Town Manager stated they will talk about a new definition about the Zone 1 property transitional space that can only be 50% of the width of the house and must be centered to the property.

Mr. Hollo recommended letting the board look at it and come back with some options for the Council.

Town Manager stated that one of the things that will be work-shopped with the board is whether or not to apply the percentage rule for the undersized lots.

Mr. Girardin brought up the height of the home again.

Mayor Singer stated that he could always come before the Council for a variance and it might be awarded to him.

Town Manager stated that Michael Miller, Kathy Mehaffey and Linda Epperson have worked tirelessly to bring this before the Council.

Mayor Singer thanked Mr. Hollo and the board members for the service they provide the Town.

Town Manager stated that the Town is trying to clean up the code to bring less variances before the Council.

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

3. Official Minutes of the February 28th, 2017 Special Town Council Meeting
4. Official Minutes of the March 21st, 2017 Regular Town Council Meeting

5. A Resolution of the Town Council Supporting the Miami-Dade Transportation Planning Organization's ("TPO") Transit Expansion Plan.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, SUPPORTING THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION'S ("TPO") TRANSIT EXPANSION THROUGH THE STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, PRIORITING THE NORTHEAST CORRIDOR AND URGING THE TPO AND MIAMI-DADE COUNTY TO PURSUE CREATIVE FUNDING SOLUTIONS TO IMPLEMENT THE SMART PLAN; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2494.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2494.17

Consensus vote 5 Ayes, 0 Nays

O. TOWN RESOLUTIONS

6. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund Monies to Provide Police Training.

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

Exhibit: Agenda Report No. 6
Resolution No. 2495.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2495.17

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

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>
Councilmember Mendal	<u>Aye</u>

Councilmember Amy Isackson-Rojas Aye

The motion passed.

Town Manager spoke on some issues with the police department and the services the police department provides the Town. As of late, they have heard many of the residents' concerns with increased crime in the surrounding area and the issue of less visibility. The Town has three vacancies in the police department. Chief Herbello is working on addressing these issues. Starting an aggressive campaign to hire more part-time police officers to have more than two officers per shift. Also stated that the Town will be losing its Marine Patrol Officer and the Chief is working on a plan to keep the boat in the water to fill this void.

Town Manager stated that as it relates to this item, this item requests a regional training through LETF funds for a training that simulates a shoot, don't shoot situation to teach officers how to react in these scenarios.

Vice Mayor Lusskin asked if the Town charges for this.

Town Manager stated that they do not.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:

- Bike Share Lane on A1A/Ocean Boulevard
Mentioned that the stamped concrete is very hard on the bikes and there are holes and would like to see if the Town can pave them.

Town Manager stated that he will see if Sunny Isles will assist with this.

Also mentioned that some of the signs that say that the bike lane is shared are covered by shrubbery and feels that the shrubs should be cut back so they are better visible from the road.

- Golden Beach/Hallandale Beach Police Procedures
Stated that the Town does not have a communication policy with Hallandale for non-emergency situations and inquiring whether or not the Town can set something up with Hallandale to share this type of information.

Town Manager stated that Dade and Broward and different counties and on different radio systems. Not only are they on a different radio system, they speak differently as far as the codes they use. However, there are communication centers for each county that go on tactical channels to communicate with one another. As it relates to non-emergencies, the Town will try to figure out a method to communicate better with our neighbors on the north.

Town Manager Alexander Diaz:
None Requested

Q. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Lisette Perez
Lisette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, Town Manager 

Subject: Resolution No. 2496.17 - Approving a Mutual Aid Agreement
with the City of North Miami

Item Number:

4

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2496.17 as presented.

Background:

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 North Miami Police Department.

The Town Manager, in consultation with the Mayor, recommends the Town Council approve the new agreement.

Fiscal Impact:

There is no cost to the Town to participate.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2496.17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE CITY OF NORTH MIAMI; 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 North Miami, Florida, attached to this Resolution as Exhibit “A” between the Town and the City of North Miami, described and outlined in the attached Agenda Item Report; and

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

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. Agreement Approved. That the Agreement is hereby approved in substantially the form attached, 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 Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Jaime Mendal	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 16th day of May, 2017.

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: May 3, 2017

To: Town Manager Alexander Diaz

From: Police Chief Rudy Herbello

Ref: **Mutual Aid Agreement with the City of North Miami**

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. The City of North Miami wishes to enter into a mutual aid agreement with the Town of Golden Beach. The agreement, like all other mutual aid agreements the Town has with other surrounding municipalities, will expire in five years.

This agreement provides for the Golden Beach Police Department (GBPD) to request assistance from and to assist the North Miami Police Department (NMPD). This agreement appears appropriate, both due to the proximity of the City of North Miami, the joint traffic safety enforcement operations that GBPD and NMPD have participated in, and the fact that both Police agencies participate in task force operations.

This item is scheduled for the May, Golden Beach Town Council meeting.

The Town Administration and the Police Department are recommending the Town Council approve the agreement.

MUTUAL AID AGREEMENT
Between the City of North Miami
and the Town of Golden Beach

WHEREAS, it is the responsibility of the governments of the City of North Miami, 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, because of the 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 of facilities of the participating municipal police departments; and

WHEREAS, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the participating Miami-Dade County municipalities; and

WHEREAS, the participating Miami-Dade County municipalities have the authority under Chapter 23, Florida Statutes, Florida Mutual Aid Act, to enter into a mutual aid agreement;

NOW, THEREFORE, BE IT KNOWN that the Town of Golden Beach, subdivision of the State of Florida, and the undersigned representatives, 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:

1. **Short title:** Mutual Aid Agreement

2. **Description:** Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.

3. **Definitions:**
 - a) Joint declaration: A document which enumerates the various conditions or situations where aid may be requested or rendered pursuant to this Agreement, as determined by concerned agency heads. Subsequent to execution by the concerned agency heads, the joint declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this Agreement.

Said declaration may be amended or supplemented at any time by the agency heads by filing subsequent declarations with the clerks of the respective political subdivisions.

b) Agency or participating law enforcement agency: Either the City of North Miami Police Department or the Town of Golden Beach Police Department.

c) Agency head: Either the Chief of the City of North Miami Police Department, or the Chief's designees; and the Chief of Police of the Town of Golden Beach Police Department, or the Chief's designees.

d) Participating municipal police department: The police department of any municipality in Miami-Dade County, Florida, that has approved and executed this Agreement upon the approval of the governing body of the municipality.

e) Certified law enforcement employee: Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

4. Operations:

a) In the event that a party to this Agreement is in need of assistance as specified in the applicable joint declaration, an authorized representative of the police department requiring assistance shall notify the agency from whom such assistance is requested. The authorized agency representative whose assistance is sought shall evaluate the situation and his available resources, and will respond in a manner deemed appropriate.

b) Each party to this Agreement agrees to furnish necessary manpower, equipment, facilities, and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which caused the request; provided, however, that no party shall be required to deplete unreasonably its own manpower, equipment, facilities, and other resources and services in rendering such assistance.

c) The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency.

5. Powers, Privileges, Immunities, and Costs:

a) All employees of the participating municipal police department, including certified law enforcement employees as defined in Chapter 943, Florida Statutes, during such time that said employees are actually providing aid outside of the jurisdictional limits of the employing municipality pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the provisions of Chapter 23, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.

b) The political subdivision having financial responsibility for the law enforcement agency providing services, personnel, equipment, or facilities pursuant to the provisions of this Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.

c) The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to this Agreement, during the time of the rendering of such aid, and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.

d) All exemption from ordinance and rules, and all pension, insurance, relief, disability, workers' compensation salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency, when performing their respective functions within the territorial limits of their respective agencies, shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extraterritorially under the provisions of the Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.

6. Indemnification:

The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement agrees to hold harmless, defend, and indemnify the requesting law enforcement agency and its political subdivision in any suit, action or claim for damages resulting from any and all acts or conduct of employees of said providing agency while providing aid pursuant to this Agreement, subject to Chapter 768, Florida Statutes, where applicable.

7. Forfeitures:

It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.

8. Conflicts:

Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23 Florida Statutes.

9. Effective Date and Duration:

This Agreement shall be in effect from date of signing, through and including December 31, 2021. Under no circumstances may this Agreement be renewed, amended or extended except in writing.

10. Cancellation:

This Agreement may be canceled by either party upon sixty-(60) days written notice to the other party. Cancellation will be at the discretion of the chief executive officers of the parties hereto.

AGREED TO AND ACKNOWLEDGED this 13TH day of April 20 17



City Manager,
City of North Miami, Florida

Town Manager,
Town of Golden Beach, Florida

ATTEST:



City Clerk,
City of North Miami, Florida

ATTEST:

Town Clerk,
Town of Golden Beach, Florida

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



City Attorney,
City of North Miami, Florida

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Town Attorney,
Town of Golden Beach, Florida

JOINT DECLARATION OF THE CHIEF OF THE
CITY OF NORTH MIAMI POLICE DEPARTMENT
AND THE CHIEF OF THE TOWN OF GOLDEN BEACH POLICE DEPARTMENT
PURSUANT TO MUTUAL AID AGREEMENT

A police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

- participating in law enforcement activities that are pre-planned and approved by each respective agency head, or
- appropriately dispatched in response to a request for assistance from the other law enforcement agency.
- spontaneous response where assistance or aid is apparent (see #9 below)

In compliance with, and under the authority of, the Mutual Aid Agreement, heretofore entered into by the City of North Miami and the Town of Golden Beach, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time, as needs dictate by subsequent declarations.

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations, 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 detention 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 persons calls.
9. Participating in exigent situations without a formal request which are spontaneous occurrences such as area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners. Traffic stops near municipal boundaries, request for back-up assistance and no local unit is available or nearby, calls or transmissions indicating an officer is injured, 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.
10. Enemy attack.
11. Transportation of evidence requiring security.

12. Major events; e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
13. Security and escort duties for dignitaries.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene, marine patrol, and police information.
16. Joint training in areas of mutual need.

Additionally, both law enforcement agencies agree to the following conditions of concurrent marine patrol related jurisdiction:

1. Both agencies will be permitted to patrol jurisdictional waters of either jurisdiction, and to take enforcement actions as deemed appropriate under city, state, and federal laws, rules, and regulations, and to write boating law violation citations, make arrests, and to attend court on be-half of the other agency.
2. Both agencies agree that any and all incidents, which require an initial (preliminary) police offense incident report (OIR), will be completed by the agency making the initial contact. Any follow-up investigations that are required are to be completed by the jurisdiction the incident occurred regardless of which agency completed the original offense incident report.
3. If an arrest is made by one agency that is operating in the jurisdictional waters of the other agency, and that arrest results in asset forfeiture proceedings, the property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. The jurisdiction of civil forfeiture action shall be filed by seizing agency.
4. Both agencies have the right to set their own days and hours for marine patrol and agree to provide assistance and aid to the other agency under the spirit of Mutual Aid Agreement.

DATE: 4/25/77

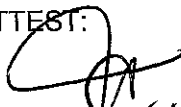
DATE: _____



Police Chief
North Miami Police Department

Police Chief
Golden Beach Police Department

ATTEST:



City Clerk, Michael Stenne

ATTEST:

Town Clerk

RESOLUTION NO. 2017-R-25

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA APPROVING
THE EXECUTION OF A MUTUAL AID AGREEMENT AND
JOINT DECLARATION BETWEEN THE CITY OF NORTH
MIAMI AND TOWN OF GOLDEN BEACH TO PROVIDE
ADEQUATE LEVELS OF POLICE SERVICES; PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, the entering of a mutual aid agreement between municipalities is authorized by Chapter 23, Florida Statutes, Florida Mutual Aid Act; and

WHEREAS, the City of North Miami and the Town of Golden Beach are desirous of entering into a Mutual Aid Agreement and Joint Declaration with each other to provide adequate levels of police service to ensure the public safety of their residents; and

WHEREAS, the Mayor and City Council believe that the Mutual Aid Agreement with the Town of Golden Beach and the accompanying Joint Declaration will benefit the residents of the City of North Miami and should be entered into with the Town of Golden Beach.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:**

Section 1. **Approval of Agreement and Joint Declaration.** The City Council hereby approves the Mutual Aid Agreement and Joint Declaration between the City of North Miami and the Town of Golden Beach attached as "Exhibit 1."


Section 2. **Authority of City Manager and Police Chief.** The City Manager and the Chief of Police are authorized to execute the Mutual Aid Agreement and Joint Declaration, respectively, attached as "Exhibit 1" with the Town of Golden Beach.

Section 3. **Effective Date.** This Resolution will be effective upon adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 14th day of March, 2017.

DR. SMITH JOSEPH
MAYOR

ATTEST:


MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Desulme

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Scott Galvin
Councilwoman Carol Keys, Esq.
Councilman Philippe Bien-Aime
Councilman Alix Desulme

<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)




TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Member

From: Alexander Diaz, 
Town Manager

Item Number:

5

**Subject: Resolution No. 2497.17 - A Resolution of the Town Council
Authorizing and Approving a Contribution of \$5,000 to the
Alonzo and Tracy Mourning High School**

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2497.17 as presented.

Background:

The Alonzo and Tracy Mourning Senior High School is an "A" rated school that many high school aged children in Golden Beach attend. This contribution will allow for the school to continue to provide excellent service to all of its students by providing the necessary funds to purchase material items for students that the Miami-Dade County School Board does not pay for. Golden Beach's name will also be added to the school's Wall of Giving.

Fiscal Impact:

\$5,000.00

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2497.17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE ALONZO AND TRACY MOURNING PTSA; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach prides itself in being an advocate for higher learning and higher education; and

WHEREAS, the Alonzo and Tracy Mourning PTSA was created with the intention to support quality education and the pursuit of higher education; and

WHEREAS, the Town of Golden Beach lies within the boundaries of service for the Alonzo and Tracy Mourning Senior High School; and

WHEREAS, the Town Council finds that a contribution in the amount of \$5,000.00 to the Alonzo and Tracy Mourning PTSA is in the best interest of the Town to further the missions and objectives of the foundation.

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 \$5,000.00 to the Alonzo and Tracy Mourning PTSA 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 Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Jaime Mendal	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,
this 16th day of May, 2017.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Leave Your Shark Legacy

Please use this form to request or information, *honor* a loved one, and/or make a *donation* to Alonzo and Tracy Mourning Senior High.

Wall of Giving Levels

- Major Benefactor (fin with water base) - \$15,000+
- Major Contributor Shark (Right & Left) - \$10,000 each
- Major Recognition Fins (3 right & 3 left) - \$5,000 each
- Framing Teeth (top, middle, bottom) - \$1,500; \$2,500; \$5,000
- GREAT WHITE plate - \$1,500
- BULL plate - \$1,000
- TIGER plate - \$500
- THRESHER plate - \$350
- MAKO plate - \$250
- BLUE plate - \$125

Please print your name & message exactly as you wish it to appear on the Wall of Giving.

Name(s) _____

Message _____

Company/Foundation _____

Address _____

City _____ State _____ Zip _____ E-mail _____

Phone home(____) _____ work(____) _____

My Total Gift \$ _____

☐ I/We prefer my/our gift to be anonymous.
Giving Options

☐ **Check** is enclosed. Please make checks payable to: ATM PTSA, 2601 NE 151st Street, North Miami, 33160

☐ **Charge** my/our donation of \$ _____ to: __VISA, __AmEx, or __MC Exp. Date ____/____

Card # _____ Signature _____

Questions? Please email us at lesliegolan@gmail.com
Gifts are tax deductible. **Thank you for all your support!**



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

6

**Subject: RESOLUTION NO. 2498.17 - USE OF LETF MONIES TO MAKE
AN \$8,500 CONTRIBUTION TO TEACH FOR AMERICA (TFA)**

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2498.17 as presented.

Request:

It is requested the Town authorize the use of LETF monies to make a contribution to Teach for America (TFA) in the amount of \$8,500 to recruit, select, train and provide ongoing support to corps members in Miami-Dade County.

Background:

TFA is an organization that recruits recent college graduates of all background's to teach for two years in urban and rural public schools. TFA trains and develops these corps members so that they have an immediate positive impact on their students who are usually attending under performing schools in Miami-Dade and Broward Counties.

The quality of our public education system in South Florida is vital to the regions ability to actively recruit and retain corporations and residents, and thrive as a leading region for economic and social prosperity. The use of LETF Funds for this type of function and purpose is appropriate and at the core of combating delinquency that often leads to egregious criminal acts.

Since 1990, nearly 33,000 leaders have joined TFA to help move the organization closer to a shared vision that one day, all children in this nation will have the opportunity to attain an excellent education. TFA teachers have reached more than 3 million students across 43 urban and rural communities, founded dozens of high-performing schools, boldly led school districts and charter management organizations, and helped pass groundbreaking education legislation. It would be in the best interest of the Town to use LETF monies to support this organization.

Financial Impact:

\$8,500.00 from the Town's Law Enforcement Trust Fund.

Attachments: Agenda Item Resolution, & LETF Affidavit

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2498.17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES TO MAKE A \$8,500 CONTRIBUTION TO TEACH FOR AMERICA (TFA); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to make a \$8,500 contribution to Teach for America (TFA) to recruit, select, train, and provide ongoing support to corps members in Miami-Dade and Broward Counties; and

WHEREAS, TFA is an organization that recruits committed recent college graduates of all backgrounds to teach for two years in urban and rural public schools; 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 Town Council desires to utilize LETF funds to pay for this contribution; and

WHEREAS, the monies contained in the LETF are the result of seized assets from both investigations by the Town's Police Department and joint investigations with other law enforcement agencies – not from tax revenue; and

WHEREAS, the Chief of Police has recommended that the \$8,500 cost be taken from the Town's LETF for “***other law enforcement purposes***” specifically authorized by law; 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 Chief of Police certifies that the Town's LETF is not being used as a normal source of revenue for the Town Police Department; and

WHEREAS, the Chief of Police certifies that the Town's LETF was not considered in the adoption and approval of the Police Department budget; 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:

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

Section 2. \$8,500 Contribution to TFA is Authorized. That the contribution of \$8,500 to TFA and the use of LETF funds to make the contribution are 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 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 Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Jaime Mendal	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden
Beach, Florida, this 16th day of May, 2017.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

AFFIDAVIT

STATE OF FLORIDA:

: SS

COUNTY OF MIAMI-DADE:

Before me, this day personally appeared Rodolfo Herbello who deposes and says that:

“I, Rodolfo Herbello, Chief of Police, Town of Golden Beach, do hereby certify that:

1. *This request for expenditures specifically is authorized by law and will be used for an appropriate law enforcement purpose;*
 - a. *this request for a \$8,500.00 expenditure from the Town of Golden Beach’s Forfeited Assets Fund to make a contribution to Teach for America (TFA) to recruit, select, train, and provide ongoing support to corps members in Miami-Dade and Broward Counties, complies with the provisions of Florida State Statute 932.7055, known as the Law Enforcement Trust Fund (LETF), as amended or,*
 - b. *It complies with the requirements of the Federal Asset Forfeiture Statutes under the U.S. Department of Justice publication titled “Guide to Equitable Sharing for State and Local Law Enforcement Agencies” which specifically provides that the equitably shared forfeited asset funds resulting from the participation of a local agency in investigations with Federal law enforcement agencies may be utilized by the participating local agency to acquire law enforcement equipment or certain resources for use by law enforcement personnel that supports law enforcement activities.*
2. *The Town’s Law Enforcement Trust Fund is not being used as a normal source of revenue for the Town’s Police Department; and*
3. *The Town’s Law Enforcement Trust Fund was not considered in the adoption and approval of the Police Department budget.”*

Rodolfo Herbello
Chief of Police
Golden Beach Police Department

Subscribed and sworn to before me this 16th day of May, 2017 by
Rodolfo Herbello who is personally known to me.

NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE

Board of Directors

May 1, 2017

Leslie Miller Saiontz
Board Chair
Teach for America Miami-Dade

Barry Schneirov
Vice President, Private Wealth
Management
Goldman Sachs & Co.

Cristal Cole
Regional Director, External and
Legislative Affairs
AT&T Inc.

Evelyn Langlieb Greer
Attorney
Evelyn Langlieb Greer, P.A.

Jack Lowell
Executive Vice President
Colliers International

Lisa Mendelson
Board Member
Teach for America Miami-Dade

Maria Alonso
Senior Vice President, Market
Development Manager
Bank of America

Robert Gordon
Senior Financial Advisor
Investor Solutions

Rosanna M. Fiske, APR
Vice President, Corporate
Communications – Florida Region
Wells Fargo & Company

Stephen Bittel
Chairman
Terranova Corporation

Stephen Vecchitto
Principal
Advenir, Inc.

Town of Golden Beach
Attn: Glenn Singer and Alexander Diaz
1 Golden Beach Drive
Golden Beach, FL 33160

Dear Mayor Singer and Mr. Diaz,

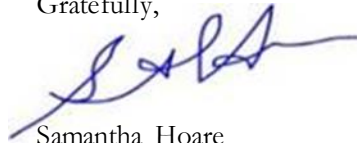
Teach For America would like to thank the Town of Golden Beach for its generous support over the years! The Town of Golden Beach's upgraded investment of \$8,500 will enable us to recruit, train, and support our teachers as we work to channel the next generation of leadership towards addressing educational inequity in our nation.

In order to abide by IRS regulations, please fill out the written confirmation below to formalize the donation. By filling out and signing the pledge form below, you will be confirming a contribution to Teach For America Miami-Dade for general operating support for fiscal year 2017. We would greatly appreciate receiving your gift before May 26, 2017.

To confirm your pledge by mail, please send your completed form to: c/o Tyson Johnson, Development Manager, Teach For America Miami-Dade, 3100 NW 5th Avenue Miami, Florida, 33127. Donations can be made online at www.teachforamerica.org/miamicare.

Thank you again for your generous commitment to our teachers, our students and our community!

Gratefully,



Samantha Hoare
Executive Director, Teach For America, Miami-Dade

Please return this reminder with your remittance. A receipt will be mailed to you. We are truly grateful for your support!

PAYMENT INFORMATION

Please charge my contribution of \$_____ to my: (check one)

☐ Check enclosed ☐ American Express ☐ Visa ☐ MasterCard ☐ Discover

Print Name as it appears on card _____

Card Number _____ Exp. Date _____

Billing Address _____

Signature: _____ Date: _____

Contributions to Teach For America Miami-Dade are tax-deductible as permitted by law.





TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Subject: Resolution 2499.17 – Approving the Proposal from Interlink
Group Professional Services, Inc. for an Automated Entry Gate
System.

Item Number:

7

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2499.17 as presented.

Background:

As a pilot initiative we are proposing to allow residents only to use the South Gate as an exit only between the hours of 6 am to 12 am. This pilot will allow us to gather data for the possible development of the Civic Center. This pilot has also been one of our residents most requested desire.

Although only staff will still be able to enter through the South Gate, allowing our Residents the ability to exit will enhance their commute.

The system will be monitored via-cameras and only cars with transponders will be allowed to exit during designated hours. All residents and guest will still be required to exit via the Strand Police Gate House during the hours of 12 am to 6 am.

Fiscal Impact:

An amount not to exceed \$30,000.00 from the Law Enforcement Trust Fund.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2499.17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY INTERLINK GROUP PROFESSIONAL SERVICES, INC. FOR THE ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR A WAIVER OF BIDDING PROCEDURES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.

WHEREAS, the Town Council has identified the need to upgrade and enhance the security of the Town's residents; and

WHEREAS, the Town Council has determined that a new automated control access system will help to deter crime; and

WHEREAS, the Town Council finds that compliance with the bid procedures set forth in the Town's Code of Ordinances (the "Town Code") is impractical and not in the best interest of the Town; and

WHEREAS, the Town Council has determined that the proposal submitted by Interlink Group Professional Services, Inc., attached hereto as Exhibit "A," (the "Proposal") is acceptable and will well serve the needs of the Town residents.

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. Proposal Approved. The Town Council hereby approves the Proposal.

Section 3. Waiver of Competitive Bidding. The Town Council finds that compliance with the bid procedures within the Town Code is impractical and hereby waives such procedures in accordance with Section 2-275 of the Town Code.

Section 4. Implementation. The Town Mayor and Town Manager are hereby directed to take all steps necessary to implement this Resolution, including the execution of the Proposal and/or contract approval by the Town Attorney.

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

The Motion to adopt the foregoing Resolution was offered by Councilmember _____, seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Jaime Mendal	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 16th day May, 2017

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Bid Proposal

Golden Beach South Gate

Interlink Group Professional Services, Inc.

13611 S. Dixie Hwy
Suite 500
Miami, FL 33176

Website: www.interlinkgroup.net

Town of Golden Beach
1 Golden Beach Blvd.
Golden Beach, FL 33160

Attention: Yovany Diaz

4 April 2017, 16-0270
Golden Beach South Gate
South Side Terracine
One Golden Beach Drive
Golden Beach, Florida 33181

Re: Proposal for Golden Beach South Gate - ACCESS CONTROL AND BARRIER GATES

We thank you for the opportunity to submit this quote for the Low Voltage Telecommunication System on the above referenced project. We have used the following drawings in our preparation of this proposal with the following qualifications and exclusions.

Qualifications:

INTERLINK SHALL RECONFIGURE THE SOUTH ACCESS GATE FOR AUTOMATED VEHICULAR TRAFFIC.

Existing Swing Gate Operator Relocation (Egress)

1. Reverse the swing on the south egress exit gate in order to have it swing outward toward A!A. New concrete pad shall be poured just behind the catch basin storm water drain.
2. Existing gate operator shall be relocated from west side to east side of gate on new pad.
3. New low voltage and electrical work to activate the new pad location shall be placed extending circuit and wires from old location.

Add New Barrier Gate Boom Operator (Egress)

1. Utilizing the existing old pad on the west side of swing gate a new Magnetic Automation barrier gate operator shall be placed with 12FT boom to hold traffic in place while swing gate opens. Boom shall have LED lighting (Red/Green) denoting open and close status.
2. Two new sensing safety / activation loops shall be cut into asphalt. One on each side of gate.
3. New low voltage and electrical work to activate the old pad location shall be placed.
4. Gate shall activate exit for any vehicle wanting to pass through from inside the city.
5. A new Axis IP camera shall be located on the wall looking at vehicle tags upon exit. Includes IP camera license for Genetec software.

Add New Barrier Gate Boom Operator (Ingress)

1. On the east side of the existing swing gate a new Magnetic Automation barrier gate operator shall be placed with 12FT boom to hold traffic in place while swing gate opens. Boom shall have LED lighting (Red/Green) denoting open and close status.
2. Two new sensing safety / activation loops shall be cut into asphalt. One on each side of gate.



Bid Proposal

Golden Beach South Gate

Interlink Group Professional Services, Inc.

13611 S. Dixie Hwy
Suite 500
Miami, FL 33176

Website: www.interlinkgroup.net

3. One (1) NEDAP RFID radio unit shall be mounted on wall to sense vehicles with transponder in order to activate gate entry.

4. New low voltage and electrical work to activate the new pad location shall be placed.

5. A new Axis IP camera shall be located on a pedestal looking at vehicle tags upon entry. Includes IP camera license for Genetec software.

New Controller Electronics and Equipment

1. On the inside by the south swing gate a NEMA4 equipment enclosure shall be installed to house the new KANTECH access controller and network electronics. Enclosure shall be 18x16x 10 deep and mount on existing concrete wall.

2. Electrical conduit and communications cabling shall route to CCTV cabinet enclosure across street to facilitate communication between City's CCTV and data network.

- (1) 1.00" PVC conduit for power.

- (1) 1.25" PVC conduit for communications.

3. A new 6-Strand SM Fiber optic cable shall be installed between the closest enclosure and the wall area by gate.

Exclusions:

- All work shall be done during regular business hours; 8:00 am to 5:00 pm Monday through Friday.
- Conduit pathways specifically not listed above.
- Due to the nature of old conduit there is a chance that it may be blocked or impassable. If this is the case, additional charges may result.
- Interlink Group shall clean up any debris that is a result of this proposal.
- Unless otherwise specified, all cabling shall be rated CMR.
- Should any changes arise after the commencement of work, a formal change order will need to be submitted to Interlink Group.
- Permit Fees are excluded and will be invoiced at actual cost plus 15% administration fee.
- All wiring to meet the requirements of the 2011 National Electrical Code.
- All telecommunication cabling to meet the requirements of ANSI/TIA-568 C.2
- A down payment of 50% of the contract price is required upon execution of our contract proposal. The balance shall be billed upon completion and is due upon invoice receipt.

Pricing:

For the Sum of \$34,660.79



Bid Proposal

Golden Beach South Gate

Interlink Group Professional Services, Inc.

13611 S. Dixie Hwy
Suite 500
Miami, FL 33176

Website: www.interlinkgroup.net

Above price does not include Florida Sales Tax. Please add appropriate sales tax based on your State & County.

We would like to thank you for the opportunity to quote this project. If you have any questions, please call us at (305) 591-9661.

Sincerely,

Bradford Sherman
Interlink Group Professional Services, Inc.

Interlink
Group

Connect
360°

Linking the World One Connection at a Time...

Vendor: TRADE/3-COL
Labor Level: CONEST
4 Apr 2017 17:09:53


Bid Name: BASE BID*
Bid Template: BASIC (EXPANDED O&P) -Data v.7

<u>System</u>	<u>Phase</u>	<u>Sub-Phase</u>	<u>Level</u>	<u>Area</u>	<u>Total</u>	<u>Quote</u>	<u>Material</u>	<u>Labor</u>	<u>Equip</u>	<u>SubCont</u>	<u>DJC</u>
Job					34,660.79	--	20,359.22	4,154.83	--	9,453.68	693.07
CARD ACCESS	ELECTRICAL-CIVIL	Grouped	Grouped	Grouped	11,502.62	--	848.82	924.38	--	9,453.68	275.74
CARD ACCESS	EQUIPMENT	Grouped	Grouped	Grouped	17,889.18	--	15,652.78	1,901.59	--	--	334.81
CARD ACCESS	CCTV	Grouped	Grouped	Grouped	4,049.35	--	3,283.83	695.28	--	--	70.24
CARD ACCESS	FOC	Grouped	Grouped	Grouped	1,219.64	--	573.79	633.58	--	--	12.27

Phone:
Web: www.interlinkgroup.net



GOLDEN BEACH SOUTH GATE ON TERRACINE AREA

 Linking the World One Connection at a Time... 13611 So. Dixie Hwy. Ste. 500 Palmetto Bay, FL 33176 305.591.9661 www.interlinkgroup.net				TOWN OF GOLDEN BEACH POLICE DEPARTMENT			
				VEHICLE ACCESS CONTROL SYSTEM SITE LAYOUT ANNOTATED			
Drawn By: B Sherman	SIZE	FSCM NO 04/01/2017	DWG NO E.04		REV		
Check By: <Name Here>	SCALE 1" = 1'-0"	SHEET		3 OF 5			



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: Resolution No. 2500.17 LETF Assets Authorizing the Purchase
of an Automated Gate System

Item Number:

8

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2500.17 as presented authorizing the purchase of a new automated entry gate system.

Background:

The Town currently has no entry or exit system on the Southside of Town. The new automated system, which is programmable, will interface with our current Town security system, increasing our response time for hurricane evacuations and public safety and traffic congestion – enhancing our quality of services for the Town's resident. This pilot project will allow for our residents to exit only.

The Town's Law Enforcement Trust Fund account contains monies forfeited in both State and Federal task force investigations. LETF monies can be used for the purchase of the new automated entry system.

Fiscal Impact:

An amount not exceed \$30,000 from the Law Enforcement Trust Fund.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2500.17

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 ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires the approval of Law Enforcement Trust Fund (“LETF”) monies to purchase a new automated entry gate system; and

WHEREAS, it is requested the Town authorize the expenditure of LETF monies in the amount not to exceed \$30,000.00 as described in the attached Exhibit “A” for the purchase of the new gate system; 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 Town Council desires to utilize LETF funds to pay for the purchase of a new automated gate system; 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 Chief of Police has recommended that the \$30,000.00 be taken from the Town’s LETF for “***a automated entry gate system***” specifically authorized by law; 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 Chief of Police certifies that the Town's LETF is not being used as a normal source of revenue for the Town Police Department; and

WHEREAS, the Chief of Police certifies that the Town's LETF was not considered in the adoption and approval of the Police Department budget; 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:

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

Section 2. The expenditure of authorized LETF funds. That the use of LETF funds for the purchase of a new Town entrance and parking security system 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 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 Judy Lusskin	_____
Council member Kenneth Bernstein	_____
Council member Amy Isackson-Rojas	_____
Council member Jaime Mendal	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden
Beach, Florida, this 16th day of May, 2017.

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: May 16, 2017

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, 
Town Manager

Subject: **Resolution No. 2501.17- Accepting the Single Audit and the
General Purpose Financial Statements for Fiscal Year
2015/2016.**

Item Number:

9

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2501.17 as presented.

Background:

The Town hired the firm of Keefe, McCullough & Co., LLP to conduct the annual audit for fiscal year 2015/2016 ending September 30, 2016.

The auditors have concluded the financial audit for Fiscal Year ending in 2016. The audit consists of the following:

- Financial Statement for fiscal year 2015/2016 ending September 30, 2016
- Report to Management which highlights the Internal Controls of the Town
- The Town had no findings or recommendations once again this year
- The single audit and the General Purpose Financial Statements for fiscal year 2015/2016
The single audit is a review of all State and Federal Funds received. The review assures compliance with the rules that govern said funds.

During the last few months, especially during the Town's Elections there were concerns voice that the Administration maybe being wasteful; I am pleased to say that the audit can place these concerns to rest. In fact, the Administration saved **a very impressive \$692,925.00 this past fiscal year.**

It has always been our primary focus in keeping our financial position strong.

I am very pleased to report that we have grown our General Fund Balance to \$4,817,781. Currently of the \$4,871,781, \$1,588,752 is due from the Storm Water Fund. By your action three years ago, we have set in place a re-payment program to that will allow for us to slowly repay our fund balance (reserves). We are exploring options to accelerate this repayment and will be presenting them later this year.

Fiscal Impact:

Our Fund Balance will be set at \$4,871,781 an increase of \$692,925.00 over the previous year. (See Page 13 of the Audit for more details)

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2501.17

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 2015/2016 ENDING SEPTEMBER 30, 2016 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 2015-2016; 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:

Section 1. Financial Statements Accepted. That the Town hereby accepts the General Purpose Financial Statements and the Single Audit for fiscal year 2015/2016 ending September 30, 2016 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 Judy Lusskin _____
Councilmember Kenneth Bernstein _____
Councilmember Amy Isackson-Rojas _____
Councilmember Jaime Mendal _____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 16th day of May, 2017.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY