



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Agenda for the January 24, 2011 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE ALLEGIANCE

D. PRESENTATIONS / TOWN PROCLAMATIONS

Employee of the Year 2011

Officer of the Year 2011

E. MOTION TO SET THE AGENDA

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

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee
Beautification Committee
Comprehensive Planning Board
Recreation Committee
Security/Public Safety Committee
Youth Leadership Group

G. GOOD AND WELFARE

H. MAYOR'S REPORT

I. COUNCIL COMMENTS

J. TOWN MANAGER REPORT

*CIP Report

*Navona Avenue & Strand Avenue Bridge Update

- *A1A FDOT Resurfacing Project
- *CCTV Project Award Update
- *Town Streetlighting Project

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

- 1. Resolution of the Town Council Approving a Variance Request for the property located at 195 Ocean Boulevard to Permit the Legalization of Two Structures built Without Permits**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 195 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE LEGALIZATION OF TWO STRUCTURES BUILT WITHOUT PERMITS WHICH ENCROACH INTO THE NORTH PROPERTY LINE AT A 0' SIDE SETBACK, AND AN ADDITIONAL STRUCTURE BUILT INTO THE SOUTH SIDE PROPERTY WHICH ENCROACHES AT 9'5" SETBACK, WHERE AT 10' SIDE SETBACK IS REQUIRED BY THE TOWN'S CODE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Resolution No. 2214.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2214.12

O. CONSENT AGENDA

- 2. Minutes of the October 18, 2011 Local Planning Agency Public Hearing**

3. **Minutes of the October 18, 2011 Regular Town Council Meeting**
4. **Minutes of the November 15, 2011 Regular Town Council Meeting**
5. **A Resolution of the Town Council Authorizing the Purchase and Training of One (1) Police Canine (K-9).**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND TRAINING OF ONE (1) POLICE CANINE (K-9); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2215.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2215.12

6. **A Resolution of the Town Council Authorizing the Sale of Four Surplus Police Vehicles from the Town's Vehicle Fleet**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SALE OF FOUR SURPLUS POLICE VEHICLES FROM THE TOWN'S VEHICLE FLEET; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2216.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2216.12

7. **A Resolution of the Town Council Authorizing the Purchase and Equipping of a Marine Patrol Vehicle**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF A MARINE PATROL VEHICLE AND THE USE OF LEFT MONIES TO PURCHASE AND EQUIP THE VEHICLE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7

Resolution No. 2217.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2217.12

8. A Resolution of the Town Council Awarding Supporting Adequate Homeland Security Funding

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, IN SUPPORT OF ADEQUATE HOMELAND SECURITY FUNDING AND TIER I DEPARTMENT OF HOMELAND SECURITY (DHS) DESIGNATION FOR THE MIAMI-FORT LAUDERDALE URBAN AREA SECURITY INITIATIVE (UASI); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2218.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2218.12

P. TOWN RESOLUTIONS

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

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

Exhibit: Agenda Report No. 9
Resolution No. 2219.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2219.12

10. A Resolution of the Town Council Approving and Authorizing Evaluation and Negotiation of Construction Engineering and Inspection (CEI) Services

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AND AUTHORIZING EVALUATION AND INSPECTION (CEI) SERVICES FOR THE STRAND AVENUE AND NAVONA AVENUE BRIDGE REPLACEMENTS PURSUANT TO A REQUEST FOR PROPOSALS (RFP); AND PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2220.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2220.12

11. A Resolution of the Town Council Authorizing a Sole Source Purchase for HealthBeat Fitness Equipment from Rep Services, Inc.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SOLE SOURCE PURCHASE OF HEALTHBEAT OUTDOOR FITNESS EQUIPMENT FROM REP SERVICES, INC. FOR NO MORE THAN \$25,000; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2221.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2221.12

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Amy Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. 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: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

1

Subject: Resolution No. 2214.12 – Variance Request for 195 Ocean Boulevard,
Golden Beach, FL 33160 (Unapproved Unpermitted additions to an
existing residence)

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2214.12

Background and History:

The Town Code of Ordinances - Sec. 66-136 Side Line Restrictions, 66-140(a) Setbacks generally and 55-141(d) Same Projections

No mail walls of any building shall encroach on setback areas. The applicant is requesting to legalize two structures built without approvals or permits which structures encroach into the north property lot line at a 0' setback, and legalization of an additional structure built without approvals or permits which encroaches into the south property lot line at 9'5" setback, where the Town's code requires a 10' side setback

The Building Regulation Advisory Board met January 10, 2012, and recommended approval of the variance, the motion failed with a Board vote of 1 – 3 (3 nay, 1 aye) the motion failed for lack of an affirmative vote.

No one in attendance spoke in opposition to this item.

Six letters of no objection were contained within the Hearing Notebook submitted by Attorney Price at the Building Advisory Board Meeting. The following is a listing of the letters contained in the notebook:

1. Scott Schlesinger – 201 Ocean Blvd., Golden Beach, FL. 33160
2. Bobbe Schlesinger – 387 Ocean Blvd., Golden Beach, FL. 33160
3. Jacquelyn Soffer – 550 Golden Beach Dr., Golden Beach, FL. 33160
4. Amy McDaniel – 191 Ocean Blvd., Golden Beach, FL. 33160
5. Linda Simon – 100 South Island Dr., Golden Beach, FL. 33160
6. Richard Parrillo – 520 North Island Dr., Golden Beach, FL. 33160

Attachments:

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

Financial Impact:

None

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2214.12

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 195 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE LEGALIZATION OF TWO STRUCTURES BUILT WITHOUT PERMITS WHICH ENCROACH INTO THE NORTH PROPERTY LINE AT A 0' SIDE SETBACK, AND AN ADDITIONAL STRUCTURE BUILT INTO THE SOUTH SIDE PROPERTY WHICH ENCROACHES AT 9'5" SETBACK, WHERE A 10' SIDE SETBACK IS REQUIRED BY THE TOWN'S CODE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, John E and Brenda McHugh, ("the applicants"), filed a Petition for a Variance/exception, from Section 66-136 Side line restrictions between adjoining lots, Section 66-140(a) Setbacks generally, and 66-141(d)-Same projections. allowing the legalization of two structures built without approvals and permits which encroach into the north side property line at a 0' setback, and legalization of an additional structure built into the south side property line that encroaches at 9'5", in lieu of the Town Codes requirement of 10', at 195 Ocean Boulevard, Golden Beach, Florida 33160 (Golden Beach Section "C", Lot 20, Blk A, as recorded in PB 10-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0170) (the "Property") and ;

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

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

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

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

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

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

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

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, SP-1, A-1 through A-3, by Harry Munoz R.A., AAC 001185, dated 10/28/2011, for the property located at 195 Ocean Boulevard, Golden Beach, FL 33160.
- (3) And – Milton Cubas, P.E., Certification Authorization 27267, F.L. Reg. P.E. #51902; “As Built Certificate”, dated September 21, 2011

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

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

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

Sponsored by **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 Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of January, 2012.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Town of Golden Beach

MEMORANDUM

To: Building Regulation Advisory Board
From: Daniel B. Nieda, R.A. Building Official
Date: December 13, 2011
Re: Variance Petition for 195 Ocean Boulevard

Background: The applicant has submitted for review a variance petition in connection with side yard setbacks for an existing single family residence at, 195 Ocean Boulevard, in the Zone One Single Family Residential District. The applicant seeks approval of the variance petition to allow relief from required side yard setback requirements stipulated per Sections 66-136, 66-140(a) and 66-141(d) of the Zoning Code.

The applicant seeks relief for an existing non-conforming lateral addition, consisting of one story and 243 square feet, built without permits around 1999. This came to light as a result of recent improvements to the property, where required permits have been obtained. As-built design drawings consist of drawings SP-1 through A-3, prepared by HLS Design Associates, dated October 28, 2011. The variance petition needs to be considered on its own merit in accordance with Section 66-41 of the Code of Ordinances as follows:

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

1. Yes, the petition constitutes a variance, since the applicant seeks to legalize an existing non-conforming 243 square feet addition placed along the north side yard setback built to the lot line, where Sections 66-139, 140(a) and 66-141(d) of the Zoning Code requires a 10 foot setback.
2. No, the land is not peculiar in nature as the site is 15,250 square feet with frontage of 50 feet and depth of 236.7 feet.
3. Yes, the variance petition stems from the actions of the applicant by engaging in the construction of a non-conforming addition, without required permits.
4. Yes, the granting of the variance will confer upon the applicant a special privilege that is denied to other lands in the same District by permitting a non-conforming addition to be built.
5. No, the literal interpretation of the provision of the Zoning Code will not deprive the applicant the rights commonly enjoyed by other compatible residences with a frontage of 50 feet in the Zone One Residential District.
6. No, the variance petition is not the minimum variance that will allow the applicant reasonable use of the land.
7. Yes, the granting of the variance may be injurious to the area and detrimental to the public welfare as the addition sets a bad precedent by permitting non-conforming structures to be built in the side yard setback area.

Accordingly, the Building Official notes that this variance petition does not seem to rise to the standards required by Section 66-41 of the Code, where existing conditions support a favorable consideration.

Sec. 66-123. Mowing.

All lot Owners within the Town shall maintain the Swale Areas abutting their lots by mowing the lawn in the Swale Area at least once every 30 days, and shall not permit nuisances to occur within such Swale Areas.

(Code 1989, § 13.11(I))

Secs. 66-124—66-135. Reserved.**DIVISION 4. SETBACK AND LOT LINE RESTRICTIONS*****Sec. 66-136. Side line restrictions between adjoining lots.**

No portion of any building shall be closer than ten feet from the side of any lot or combination of lots.

(Code 1989, § 13.12(A))

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 and gatehouse structure may be built separate from the main house, in which event it shall be placed at least 20 feet, east of the west property line. If the main house and the garage or guesthouse are separated, there shall be provided between the house structure and the garage or gatehouse structure, a clear yard space of a minimum of 2,200 square feet, in which case a covered walkway, with one or both sides entirely open, the width of which does not exceed ten feet, may be erected within such yard space.

(Code 1989, § 13.12(B) ; Ord. No. 524.07, § 2, 8-21-07)

*Cross reference—Code enforcement, § 2-196 et seq.

62' 1/2" =
31' - 0"
31' - 0" / 2 =
15' - 6"



TOWN OF GOLDEN BEACH Re-Notice of Public Hearing

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

☒ Variance Request(s)
☒ Addition/Alteration to Existing Structure
☐ New Building
☐ Other

Request for relief from Town code sections

1. 66-136 - Side line restrictions between adjoining lots
No portion of any building shall be closer than ten feet from the side of any lot or combination of lots.
 2. 66-140(a) - Setbacks generally
No structure, the height of which shall exceed 36 inches above the crown of the road adjacent to the lot shall be constructed in any Setback, with the exception of mechanical equipment, that can be constructed in such a way that its bottom is located at the required base flood elevation as established by the Flood Insurance Rate Map (FIRM), and any subsequent revised map adopted by the National Flood Insurance Program.
 3. 66-141(d) - Same projections
No main walls of any building shall encroach on Setback areas; but eaves may project into Setback areas no more than four feet.
- a). Legalization of two structures that were built without a permit and encroach into the north property lot line at a zero foot setback, in lieu of the required ten feet required by the Town code.
b). Legalization of an additional structure built into the south side property that encroaches at a nine foot five inch setback, in lieu of the required ten feet required by the Town code.

PROPERTY ADDRESS: 195 Ocean Boulevard, Golden Beach, Fl. 33160
OWNER ADDRESS: 195 Ocean Boulevard, Golden Beach, FL. 33160
REQUESTED BY: John E. and Brenda McHugh
LEGAL DESCRIPTION: Lot 20, Block A, GB Section C, PB 9-52
FOLIO NO.: 19-1235-003-0170

The **BUILDING REGULATION BOARD** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: January 10, 2012 at 6:00pm

The **TOWN COUNCIL** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: January 24, 2012 at 7:00pm

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

DATED: December 20, 2011


Linda Epperson-Director, Building & Zoning

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

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

William W. Riley, Jr., Esquire
Direct Dial: (305) 375-6139
Direct Facsimile: (305) 351-2285
E-mail: wriley@bilzin.com

November 8, 2011

VIA HAND DELIVERY

Linda Epperson, Director
Building and Zoning Department
Town of Golden Beach
1 Golden Beach Drive
Golden Beach, Florida 33160

Re: *John E. and Brenda McHugh*
Property Address: 195 Ocean Boulevard, Golden Beach, Florida

Dear Ms. Epperson:

Please accept this correspondence as our letter of explanation supporting the attached public hearing application (the "Application"). This firm represents John E. and Brenda McHugh (collectively the "Applicant") as the owner of the subject property located at 195 Ocean Boulevard (the "Property").

The Property is an oceanfront lot located south of Verona Avenue fronting on Ocean Boulevard. The Property was improved with a detached two-story single family home in 1983. The Property was purchased by John E. McHugh Trust in 1994 and transferred to the Applicant on July 29, 2008 by the recordation of a Quit-Claim Deed in the Public Records of Miami-Dade County, Florida, at Book 26518, Page 04371.

Additional improvements were made to the Property, in or about 1999, with the construction of a service room and garbage room on the home's north facade adjacent to the existing garage. The service room was constructed with a building footprint of 9'-9" x 24' - 6" for a total of 243.54± square feet and the garage room was constructed with a building footprint of 3'-6" x 5' - 4" for a total of 19.44± square feet. The Applicant, as laypeople, were not aware that the rooms were constructed without proper building permits until January 7, 2011.

Linda Epperson, Director
Building and Zoning Department
Town of Golden Beach
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November 8, 2011

In an effort to bring the Property into compliance with the Code of Ordinances for the Town of Golden Beach (the "Code") and the Florida Building Code, the Applicant commissioned an engineering report from Milton Cubas, P.E., Inc. to examine the integrity of the foundation, ground slab, fill cell, roof, bond beam, welding, electrical and plumbing associated with the service room. On August 11, 2011, Milton Cubas, P.E., Inc. issued an "As Built Certificate" reporting the conclusions from its inspection, a copy of which is attached hereto (the Engineering Certificate"). The Engineering Certificate concluded that the "structure is sound and the interior room satisfies the requirements of the Code in effect on January 6, 2003."

The Applicant also commissioned the following documents to be prepared, which are also attached hereto: (1) an Elevation Certificate prepared by Blanco Surveyors, Inc. dated September 9, 2011; (2) an As-Built Survey prepared by Blanco Surveyors, Inc. dated September 19, 2011; and (3) an as-built site plan, floor plans and elevation drawings prepared by H.L.S. Design Associates, Inc. dated October 28, 2011 (referred to collectively hereinafter as the "As-Built Plans").

The As-Built Plans demonstrate that the service room, garbage room and pre-existing tool shed located on the home's south facade encroach within the side-setbacks. To facilitate the legalization of the improvements to the Property, the Applicant respectfully requests a non-use variance from Sections 66-136, 66-140 and 66-141 of the Code to permit an interior side setback of 0' on the northern Property boundary and an interior side setback of 9' – 5" on the southern Property boundary, where 10' is generally required.

The Application satisfies each criteria for granting a variance of zoning regulations, as prescribed in Section 66-41 of the Code, which are described below in further detail.

1. The variance is in fact a Variance from a zoning regulation as set forth within Chapter 66 of the Code. Yes, the Applicant is requesting a non-use variance of interior side setback regulations as prescribed in Sections 66-136, 66-140 and 66-141 of the Town's Land Development Regulations to permit the retention of the above-described additions to a detached single-family residence.

2. Special conditions and circumstances exist which are peculiar to this land and buildings involved which are not applicable to other lands in the same zoning district. The variances requested by this application are to permit the retention of an addition to a detached single-family residence developed in 1983 on a narrow oceanfront lot, containing a property width of 50', with coastal construction development restrictions. The hardships resulting from the location and lot dimensions of the property are inherent to the property. The variances are sought to preserve a building footprint that has existed since 1999. This preexisting condition creates a special



condition and/or circumstance that are peculiar to the Property and are not applicable to other lands in the subject zoning district.

3. The special conditions and circumstances do not result from actions taken by the Applicant. The location and lot dimension restrictions that are inherent to the property, including coastal construction development restrictions and a narrowly platted lot dimension, are conditions that are inherent to the property and not a result of actions of the Applicant.

The special conditions and/or circumstances described above were not the result of actions taken by the Applicant. The tool shed located along the southern Property boundary was an improvement constructed by or at the direction of previous owners of the Property. The Applicant was not aware that the existing tool shed encroached within the Property's south interior setback until recently when examining the As-Built Plans. The service room and garbage room were not constructed by the Applicant as an Owner-Builder. The Applicant, as laypeople, were not aware that these improvements were constructed without the proper Building Permits and located within the interior side setback. The Applicant is diligently working to correct the violations caused by those that constructed the improvements and caused the special conditions and/or circumstances described above.

4. Granting the requested variance will not confer any special privileges upon the Applicant. Granting the requested variance will solely permit for the preservation of an existing building footprint. Granting the variance requested will not permit for the introduction of new improvements or an expanded use at the Property.

The variances respectfully requested by the Applicant seek to retain an existing improvement within the setback limitations imposed by the Land Development Regulations. Properties located to the north of the subject property have lot widths of 100' that represent an absence of the hardship present in this application. In addition, some of the lots located to the south of the subject property, including the adjacent property, which have similar 50' lot widths, have similar setback encroachments and projections that have obtained previous approvals for construction. As a result, granting the current application will not result in special privileges being granted to the applicant.

5. A literal interpretation of the subject regulations would deprive the Applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the Applicant. A literal interpretation of the subject regulations would cause and unnecessary and undue hardship on the Applicant by requiring the demolition of the structures described herein, which have existed on the Property for a minimum of 12 years. Such a literal interpretation would also deprive the Applicant of



Linda Epperson, Director
Building and Zoning Department
Town of Golden Beach
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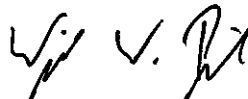
rights that are commonly enjoyed by properties located within the same zoning district. For example, the property located immediately north has a building setback on the interior south side, which abuts the McHugh's home, of approximately 0'. Various other homes located within a close proximity also enjoy improvements within the generally required 10' interior side setbacks.

6. The variance granted is the minimum variance that will make possible the reasonable use of the land or structure. Granting the requested variance will solely permit for the preservation of an existing building footprint. Granting the variance requested will not permit for the introduction of new improvements or an expanded use at the Property.

7. Granting of the variances will be in harmony with the general intent and purpose of the land development regulations and, as such, will not be injurious to the area involved or otherwise detrimental to the public welfare. Granting of the variance will allow for the preservation of the existing improvements to the single-family home and avoid the need for exterior demolitions, which could result in excessive noise, dust and debris within the neighborhood. Furthermore, there is no impact to visual corridors from Ocean Boulevard to the Atlantic Ocean, as such pedestrian views are obstructed along that roadway by privacy walls, vegetation and structural improvements.

Based on the foregoing and the supporting documents attached hereto, we respectfully request your support of the application. Thank you for your consideration.

Very truly yours,



William W. Riley



TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: Yes Variance(s): Yes
Exterior alterations: Yes Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: Detached single family residence

Legal Description: Lot 20, Block A, Golden Beach Section C as recorded in Plat Book 9, Page 52, of the Public Records of Miami-Dade County, Florida.

Folio #: 19-1235-003-0170

Address of Property: 195 Ocean Boulevard

2. Is a variance(s) required: Yes ☒ No ☐ How Many? (3) Three
(If yes, please submit variance application form for each request).

Owner's Name: Brenda McHugh Phone: (305) 937-0008 Fax: _____
Owner's Address: 195 Ocean Boulevard City/State Golden Beach, FL Zip: 33160
Agent: Stanley B. Price, Esquire Phone: 305-350-2374 Fax: _____
Agent's address: 1450 Brickell Avenue, Suite 2300, Miami, FL 33131
Architect: H.L.S. Design associates, Inc. Phone 954-572-9777 Fax: _____
Contractor: American Construction Phone 305-775-2509 Fax: _____

3. Describe project and/ or reason for request of hearing: The applicant respectfully requests variances from sections 66-136, 66-140 and 66-141 of the Land Development Regulations to retain an existing addition to a detached single-family residence.

4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: _____ Preliminary: _____ Final: _____

Other: _____

5. Estimated cost of work: \$ 0.00 (Applicant relates to existing structures)
Estimated market value of: Land \$ 2,489,200

Building \$ 349,898

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

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being requested as a result of a Notice of Violation? Yes

7. Are there any structures on the property that will be demolished? No

8. Does legal description conform to plat? Yes

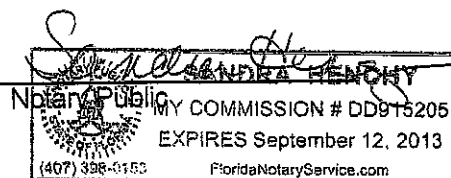
9. Owner Certification: I hereby certify that I am the owner of record (*) of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

Signature of owner(s) Brenda McHugh

Acknowledged before me this 19 day of May, 2011

Type of identification:

Personally Known



Owner/Power of Attorney Affidavit:

I, being duly sworn, depose and say I am the owner (*) of the property described in this application and that I am aware of the nature and request for:

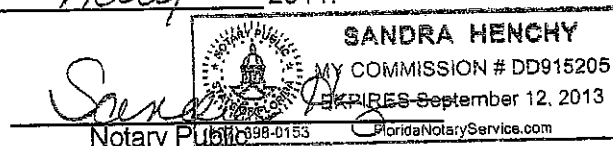
relative to my property and I
am hereby authorizing to be my legal representative before the Building Regulation Advisory Board and Town Council.

Brenda McHugh
Signature of owner(s)

Acknowledged before me this 19 day of May, 2011.

Type of identification:

Personally Known



(*) If owner of record is a corporation then the president with corporate seal, the president and the secretary (without corporate seal), or duly authorized agent for the corporation may execute the application.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 195 Ocean Boulevard
Legal Description: Lot 20, Block A, Golden Beach Section C as recorded in Plat Book 9, Page 52, of the Public
Records of Miami-Dade County, Florida.
Owner's Name: Brenda McHugh Phone: 305-937-0008 Fax: _____
Agent's Name: Stanley B. Price Phone: 305-350-2374 Fax: 305-351-2204
Board Meeting of: _____

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

Application for: Variances from Sections 66-136, 66-140 and 66-141 of the Land Development
Regulations

Lot size: 15,250 square feet
Lot area: 50 feet x 305 feet
Frontage: 50 feet on Ocean Boulevard
Construction Zone: _____
Front setback: 59.13'
Side setback: 0' (North) & 9.5' (South)
Rear setback: 77.8'
Coastal Construction: Yes ☒ No ☐ East of coastal const. control line Yes ☐ No ☒
State Road A1A frontage: No
Swimming Pool Yes ☐ No ☒ Existing: _____ Proposed _____
Fence Type: Aluminum & C.B.S. Wall 6' Existing ☒ Proposed _____
Finished Floor elevation N.G.V.D.: 15.07'
Seawall: No Existing: _____ Proposed _____
Lot Drainage: On-site retention (existing condition)
How will rainwater be disposed of on site? On-site retention (existing condition)

Adjacent use(s): Detached single-family residential
Impervious area: 6,800 sq. ft.
Impervious area: 6,800 sq. ft.
% of impervious area: 35%±
Existing ground floor livable area square footage: 3,340± sq. ft.
Proposed ground floor livable area square footage: N/A (existing condition)
Existing 2nd floor livable area square footage: 1,336± sq. ft.
Proposed 2nd floor livable area square footage: N/A (existing condition)
Proposed % of 2nd floor over ground floor: 40%
Vaulted area square footage: N/A
Vaulted height: N/A
Color of main structure: Yellow
Color of trim: Green
Color & material of roof: S-tile / Orange
Building height (above finished floor elevation: 18' - 11"
Swale: (Mandatory 10'-0" from edge of pavement; 10 ft. wide x 1 ft. deep minimum): N/A (existing condition)
Existing trees in Lot: N/A in Swale: N/A
Proposed trees in Lot: N/A in Swale: N/A
Number & type of shrubs: N/A (existing condition)
Garage Type: 2-car Existing: Yes Proposed: _____
Driveway width & type: 30' tile

Signature of Applicant: Brenda McHugh Date: 12/6/11

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

Date: _____

Fee: _____

Brenda McHugh hereby petitions the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at 195 Ocean Boulevard, Folio No. 19-1235-003-0170.

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

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): Sections 66-136, 66-140 and 66-141.
2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):
 - a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. The applicant is respectfully requesting a non-use variance from Sections 66-136, 66-140 and 66-141 of the Land Development Regulations to permit the retention of an addition to a detached single-family residence.
 - b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. The variances requested by this application are to permit the retention of an addition to a detached single-family residence developed in 1983 on a narrow oceanfront lot, containing a property width of 50', with coastal construction development restrictions. The hardships resulting from the location and lot dimensions of the property are inherent to the property.
 - c. The special conditions and circumstances do not result from the actions of the applicant. The location and lot dimension restrictions that are inherent to the property, including coastal construction development restrictions and a narrowly platted lot dimension, are conditions that are inherent to the property and not a result of actions of the applicant.
 - d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district. The variances respectfully requested by the applicant seek to retain an existing improvement within the setback limitations imposed by the Land Development Regulations. Properties located to the north of the subject property have lot widths of 100' that represent an absence of the hardship present in this application. In addition, some of the lots located to the south of the subject property, including the adjacent property, which have similar 50' lot widths, have similar setback encroachments and projections that have obtained previous approvals for construction. As a result, granting the current application will not result in special privileges being granted to the applicant.

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE

- e. Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant. As described above, the requests by the applicant seek to address hardships inherent to the subject property that are not observed in neighboring properties to the north which contain on average double the lot width of the subject property, and have at times, been alleviated or similarly situated lots to the south.
- f. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. The variance requests are limited to those that will permit the retention of an existing addition to the single-family residence. The applicant is not requesting any additional improvements to be permitted. Application of the literal interpretations of the Zoning Chapter in this case will operate to deprive the applicant of property improvement and enjoyment opportunities generally available to adjacent properties in the same district.
- g. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Approval of the application will permit the use and enjoyment of the property for the use intended by the Zoning Chapter and has received support from adjacent property owners.

Does the Variance being requested comply with all of the above listed criteria?
☒ Yes ☐ No

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

4. Is this request related to new construction? ☐ Yes ☒ No

5. Is construction in progress? ☐ Yes ☒ No

6. Is this request as a result of a code violation? ☒ Yes ☐ No

7. Did this condition exist at the time property was acquired? Yes ☒ No

8. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate? ☒ Yes ☐ No

9. Do you have a building permit? ☐ Yes ☒ No

Building Permit No. _____ Date Issued: _____

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

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-003-0170

Address: 195 Ocean Boulevard

Legal Description: Lot 20, Block A, Golden Beach Section C as recorded in Plat Book 9, Page 52, of the Public Records of Miami-Dade County, Florida.

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

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

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

Brenda McHugh
Signature of Owner or Legal Representative

Sworn to and subscribed before me this 19th day of December, 2011.

Elizabeth Ortiz
Notary Public State of Florida at Large

☒ Personally known to me ☐ Produced Identification



ELIZABETH ORTIZ
MY COMMISSION # EE 043223
EXPIRES: December 17, 2014
Bonded Thru Budget Notary Services

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD MEETING/HEARING

Property Location: 195 Ocean Boulevard _____ Meeting Date: _____
Variance Hearing Dates: Advisory Board _____ Town Council _____

APPROVAL FROM THE BUILDING REGULATION ADVISORY BOARD IS REQUIRED FOR:

- A. Plans for new residence
- B. Plans for addition to or exterior alterations of an existing structure.
- C. Additional structures on premises of existing residences
- D. Review of landscape plan for new construction, renovation or addition to existing residence.
- E. Recommendation to Town Council for the approval or denial of variances and special exceptions.
- F. Recommendation to Town Council for interpretation regarding apparent conflicts or inconsistencies in the zoning provisions in Chapters 46 & 66

APPLICATION HEARING PROCESS

Applicant: File application and submit 8 complete packages, shall consist of an application, survey, and drawings. (7 half size sets", and 1 full size set), as directed by the Building Official or Building Director. For a zoning variance, 16 sets of plans with applications attached are required, (15 half size, and 1 full size set.)

The Building Regulation Advisory Board (B.R.A.B.) meets at 6:00 P. M. on the second Tuesday of every month. Applications must be submitted 30 days, prior to scheduled meeting, (**not including the day of the meeting**), to allow for preliminary review and public notice in order to be heard.

Fees must be paid at time of application submittal.

Any variances required must be heard and approved by the Town Council after the Building Regulation Advisory Board has considered the item. The Variance will be heard by the Town Council, in the following month, (on the third Tuesday), after the Building Regulation Advisory Board's action, at the regularly scheduled Town Council meeting.

Please see page 5 for required documents.

*****NOTICE*****

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. PLEASE MAKE SURE THAT YOU, THE APPLICANT, HAVE CHECKED AND MARKED ALL ITEMS ON PAGE 5. THANK YOU.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD MEETING/HEARING

1. The application deadline date will be strictly complied with. No application shall be accepted after that date.
2. The Building Director and/ or the Building Official will review the application package. If the application is incomplete, according to the requirements as specified in the application, it will not be accepted.
3. During the three (3) week period from deadline date to hearing date, the following events shall take place in proper order:
 - a. During the first week of submittal, the Building Official, or agent shall review the application. The processor specifying deficiencies, if any will complete a critique sheet.
 - b. The critique sheet will be faxed, or mailed, to the applicant as soon as the review is completed.
 - c. If the deficiencies are substantial the applicant shall be informed that the corrections shall be submitted within a week of the notification.
 - d. If the deficiencies are minor, the applicant shall be given the option of resubmitting the corrections within a week of notification, or to present them at the B.R.A.B. meeting/hearing.
4. A Notice of Hearing for variance will be mailed no later than 10 days before the date of meeting, as per Town Code.
5. During the third week all applications with plans and documents shall be properly arranged. One complete copy of the package shall be given to the processor and one copy shall *be* delivered to each Board member. The Building Dept shall retain all originals for the records.
6. All applicants shall be made aware that incomplete applications or deficiencies not corrected in time as per these regulations, will not be included on the agenda, and are hereby rejected, and will be returned to the applicant.
7. After the meeting, three (3) copies of the approved items (full size) shall be obtained by the applicant for inclusion into the building permit package, and one retained for their records.

**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

Appropriate fee shall be paid at time of application. These fees are not refundable.

<u>Type of request</u>	<u>Fee</u>
1. Residence (new construction) (must include complete landscape plan)	\$300.00
2. Addition/Remodel of existing structure (must include landscape plan)	\$300.00
3. Alteration to existing residence (fencing, site walls, driveways, etc.)	\$150.00
4. Accessory Building (Zone 1 only)...	\$150.00
5. Swimming pools	\$100.00
6. Pool deck...	\$100.00
7. Docks	\$100.00
8. Boat Lifts	\$100.00
9. Carports, awnings	\$100.00
10. Landscape plan revision	\$ 50.00
11. Resubmissions, based on original fee paid...	75.0%
12. Zoning Variances and special exceptions, per variance or exception:	
a. First variance/ exception. (Includes \$122.00 for certified, return receipt and regular mailings costs)	\$372.00
b. Per additional variance/exception, when when requested at the same time as first one	\$150.00
c. When a variance is granted, the property owner, at his expense, shall have the resolution for the variance recorded in the public records of Miami-Dade county, and two (2) certified copies of the recorded resolution shall be submitted to the Town for inclusion into the property records	
d. If the Town Council grants a variance, a building permit must be secured within two years of the approval date or the variance will become null and void	
13. Request to the Board for verification of any section of the Zoning Code, per each Section to be verified	\$100.00

**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

14. Application for the legalization of construction built without the approval of the B.R.A.B., when the Board should have approved such construction, will be assessed a fee equal to four (4) times the regular fee applicable to the matter.

15. Special Requests for a meeting, variance, or waiver of plat hearing:

- a. For matters that have been heard, but the process had not been completed, i.e., tabled subjects, or unfinished subjects to be continued, the applicant must notify the Building & Zoning Department in writing if they would like the item continued

If the notification is received by the Department before the deadline for the next B.R.A.B. meeting, there will be no charge for the continuance. If the notification is received after the deadline, and the applicant still wants the matter included in the agenda for the next meeting, there will be a special fee of

\$200.00

- b. If the agenda has already been prepared and the applicant wants the matter to be heard, the request must be received in writing to be added to the agenda at the beginning of the meeting with the approval of the Building Official or Building & Zoning Director. There will be a special fee of

\$200.00

- c. When a special meeting or hearing of the B.R.A.B. is requested by an applicant, for either a new matter or a continuance of a subject already heard, there will be a special fee for a 2 hour time period of

\$500.00

If the time limit is exceeded, an additional fee of 1/2 of the fee will be assessed for the second time period

\$250.00

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
	If a zoning variance is applied for, the petition for variance shall be submitted with the application and shall include: <ul style="list-style-type: none"> a. Property Legal Description b. Property Folio number c. Street address d. Owners of record e. Owner and agent names <i>and</i> signatures properly 	
	Eight (8) property surveys, building plans, and applications (1 original, 7 copies). Survey not older than six (6) months old. Completed sets are to be submitted as follows: Seven (7) copies at 1/2 size & 1 original at full size. Sixteen (16) copies are required for a variance, (15 copies at 1/2, and 1 original at full size). One completed package shall consist of 1 each of an application,	
	Conceptual construction drawings prepared and signed by a design professional that shall include, at a minimum, the following: <ul style="list-style-type: none"> a. Site plan at a scale not less than 1/8" (Include grade elevations) b. Independent from the Site Plan, provide a proposed Landscaping Plan for new construction. For existing structures, submit existing Landscaping Plan and proposed improvements, if any. c. Proposed Floor Plan views, at a scale not less than 1/8"=1'-0" d. Cross and longitudinal sections preferably through vaulted areas, if any. e. Typical exterior wall cross section. f. Full elevations showing roof ridge height and any other higher projections. g. Details of roofing and construction materials. h. Existing and proposed ground floor elevations i. (NGVD). j. Grading & Drainage Calculations 	
	Green area calculations with copies of Site Plan marking the geometrical areas used to calculate the pervious areas. (1 copy only)	
	First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.	
	Colored rendering showing new or proposed addition work. This rendering may be submitted the day of the	
	Estimated cost of proposed work.	
	Estimated fair market value of property showing separately the value of the land and the value of the structure.	



MILTON CUBAS, P.E., INC.

1302 N.E. 125th Street –
North Miami – Florida 33161
Phone (305) 891-4174 Fax (305) 891-4175
E-mail: miltoncubas@msn.com
Website: www.miltoncubaspe.com

“AS BUILT CERTIFICATE”

Date: September 21, 2011

To: Town of Golden Beach
Building & Zoning Department
One Golden Beach Drive
Golden Beach, Florida 33160

Re: “As Built” Service Entrance, Garbage Rooms and South Tool Shed
195 Ocean Blvd
Golden Beach, Florida 33160

To Whom It May Concern:

I, Milton Cubas, P.E. hereby attest that to the best of my knowledge and belief, **the structure is sound and the interior room satisfies the requirements of the Code in effect on January 6, 2003.** My statement is based on the following. The data scan by James Instruments (model C-4974) was used to locate reinforcing in poured in place concrete members. The following were detected:

FOUNDATIONS: WF-16: 20 L.F. of concrete footings 16” x 16” deep with 2#5 bottom continuous.

GROUND SLAB: 4” concrete Gr. Slab reinforcing with 6x6x w4xw4

FILL CELL: (6) concrete fill cell with 1 # 5 attach to foundation and Bond Beam.

ROOF: Ceramic tile over 5/8” plywood over wood 2”x 8” @ 16” joist, span 10’ – 0”, each joist are attached to beams with hurricane strapping.

BOND BEAM: 8x8 with 2 # 5 continues.

WELDING: Inspected the welding connections and they were adequate.

ELECTRICAL: Breaker protection located in garage; panel A #2&4/50a dryer; #15/20a washer; panel C #6/15a lights; #20/15a counter; #11/15a bathroom gfi; #20/15a dupl. outlet

PLUMBING: Sink, laundry, shower, toilet and lavatory have been inspected and were adequate.

Should you have any questions or need any additional information please do not hesitate to contact me.

Very truly yours,

Milton Cubas, P.E. # 51908
Certification Authorization # 27267
F.L. Reg. P.E. #51902
S.I. # 6999901

TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ : _____

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name JOHN E. MCHUGH		11-695		For Insurance Company Use	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 195 OCEAN BLVD.				Policy Number	
City GOLDEN BEACH		State FLORIDA		ZIP Code 33160	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 20, BLOCK A, GOLDEN BEACH SEC. C, P.B. 9, PAGE 52.					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL					
A5. Latitude/Longitude: Lat. N25°57'35.55" Long. W80°07'09.53" Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number 1A					
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:			
a) Square footage of crawlspace or enclosure(s) N/A sq ft		a) Square footage of attached garage 400 sq ft			
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade N/A		b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade N/A			
c) Total net area of flood openings in A8.b N/A sq in		c) Total net area of flood openings in A9.b N/A sq in			
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number TOWN OF GOLDEN BEACH 120642		B2. County Name MIAMI-DADE		B3. State FLORIDA	
B4. Map/Panel Number 12086C0153	B5. Suffix L	B6. FIRM Index Date 9/11/09	B7. FIRM Panel Effective/Revised Date 9/11/09	B8. Flood Zone(s) X	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) N/A
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date N/A <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete items C2.a-h below according to the building diagram specified in item A7. Use the same datum as the BFE.

Benchmark Utilized _____ Vertical Datum **NGVD 1929**

Conversion/Comments **N/A**


a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	15 07 <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	N/A <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	13 07 <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	13 50 <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG)	13 00 <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG)	13 90 <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	N/A <input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)

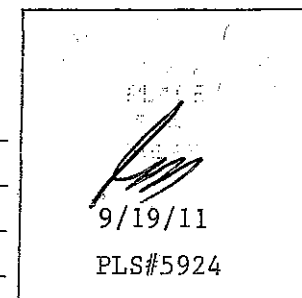
Check the measurement used.
TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE
DEC 13 2011
APPROVED
DISAPPROVED
VARIANCE REQ.

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

☒ Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

Certifier's Name ADIS N. NUNEZ		License Number 5924	
Title REGISTERED LAND SURVEYOR	Company Name BLANCO SURVEYORS, INC.		
Address 555 NORTH SHORE DRIVE	City MIAMI BEACH	State FLORIDA	ZIP Code 33141
Signature 	Date 9/19/11	Telephone 305 865-1200	



IMPORTANT: In these spaces, copy the corresponding information from Section A.

For Insurance Company Use

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

Policy Number

195 OCEAN BLVD.

City

GOLDEN BEACH

State
FLORIDA

ZIP Code
33160

Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments

LATITUDE AND LONGITUDE OBTAINED BY GOOGLE. C2.E) A/C ELEVATION.

CROWN OF THE ROAD ELEVATION: 9.89' ON CENTERLINE ON CENTER OF ROAD

BM# E-203 LOCATOR: 1251 ELEV: 5.63' NORTH PROPERTY LINE ADDITION ELEV: 14.01'

Signature

Date
9/19/11

☒ Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

☐ Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number

G5. Date Permit Issued

G6. Date Certificate Of Compliance/Occupancy Issued

G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building _____ ☐ feet ☐ meters (PR) Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site _____ ☐ feet ☐ meters (PR) Datum _____

G10. Community's design flood elevation _____ ☐ feet ☐ meters (PR) Datum _____

Local Official's Name

TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD

Title

Community Name

HEARING DATE

Telephone

Signature

DEC 13 2011

Date

Comments

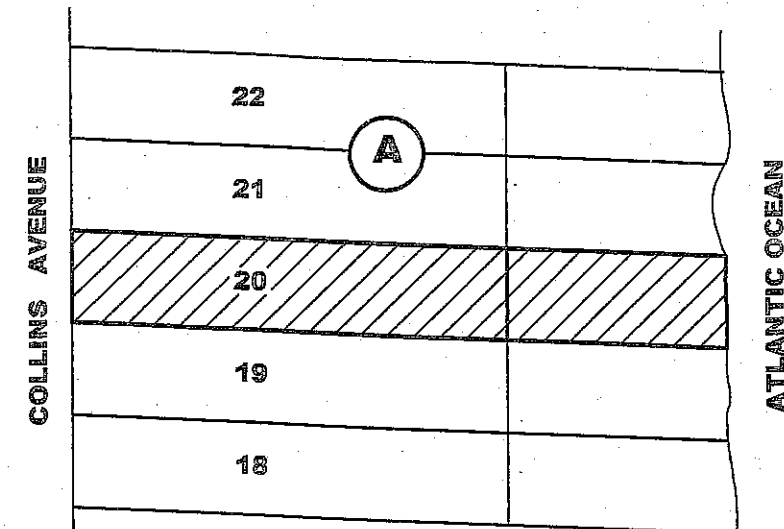
APPROVED

DISAPPROVED

VARIANCE REQ.

☐ Check here if attachments

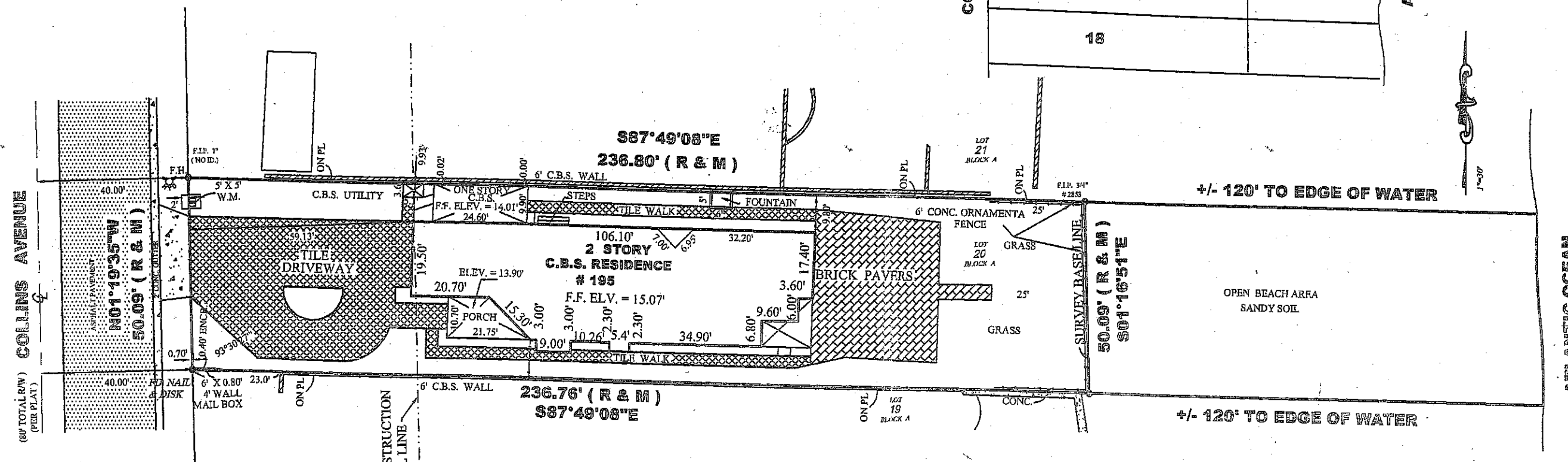
LOCATION SKETCH SCALE: NTS



TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____



SURVEY OF: 195 OCEAN BLVD., GOLDEN BEACH, FL. 33160.

LEGAL DESCRIPTION: LOT 20 BLOCK A
OF GOLDEN BEACH SEC. C SUBDIVISION
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 AT PAGE 52
OF THE PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA

ABBREVIATIONS:

SVK=SIDEWALK, CBS=CONCRETE BLOCK STRUCTURE, CLF=CHAIN LINK FENCE, PL=PROPERTY LINE, DUE=DRAINAGE UTILITY EASEMENT, IP=IRON PIPE,
F=FOUND, A/C=AIR CONDITIONER PAD, P/C=PROPERTY CORNER, D/H=DRILLED HOLE, W/F=WOODEN FENCE, RES=RESIDENCE, CL=CLEAR, RB=REBAR,
UE=UTILITY EASEMENT, CONC=CONCRETE SLAB, R/W=RIGHT OF WAY, DE=DRAINAGE EASEMENT, CL=CENTER LINE, O=DIAMETER, TYP=TYPICAL,
M=MEASURED, R=RECORDED, ENCR=ENCROACHMENT, COMP=COMPUTER, ASH=ASPHALT, N/D=NAIL & DISC, S=SET, FEE=FINISH FLOOR ELEVATION,
O/S=OFFSET, P/P=POWER POLE, OHP=OVERHEAD POWERLINE, WM=WATER METER
WOOD FENCE= _____
MASONRY WALL= _____
CONCRETE= _____
MAINTENANCE & DRAINAGE EASEMENT=M & D.E.

ELEVATION BASED ON LOC. # 1251

CBM# E-203 ELV. 5.63' TYPE OF SURVEY: BOUNDARY SURVEY

SURVEYOR'S NOTES: 1) OWNERSHIP SUBJECT TO OPINION OF TITLE. 2) NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 3) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. 4) LEGAL DESCRIPTION PROVIDED BY CLIENT. 5) UNDERGROUND ENCROACHMENTS NOT LOCATED. 6) ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. 7) OWNERSHIP OF FENCES ARE UNKNOWN. 8) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. 9) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK FOR BUILDING AND ZONING INFORMATION. 10) EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THIS PROPERTY.

BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF SAID PB 9 PAGE 52

NOT VALID UNLESS EMBOSSED WITH
SURVEYOR'S SEAL



REVISED:

I HEREBY CERTIFY That the survey represented thereon meets the minimum technical requirements adopted by the STATE OF FLORIDA Board of Land Surveyors pursuant to Section 472.027 Florida Statutes.

There are no encroachments, overlaps, easements appearing on the plat or visible easements other than as shown hereon.

Adis N. Nunez
ADIS N. NUNEZ
REGISTERED LAND SURVEYOR
STATE OF FLORIDA #5924

SINCE 1987

BLANCO SURVEYORS INC.

Engineers • Land Surveyors • Planners • LB # 0007059

555 NORTH SHORE DRIVE

MIAMI BEACH, FL 33141

(305) 865-1200 Email: blancosurveyorsinc@yahoo.com Fax: (305) 865-7810

FLOOD ZONE: X

PANEL: 0153

DATE: 9/19/11

SCALE: 1" = 30'

SUFFIX: L

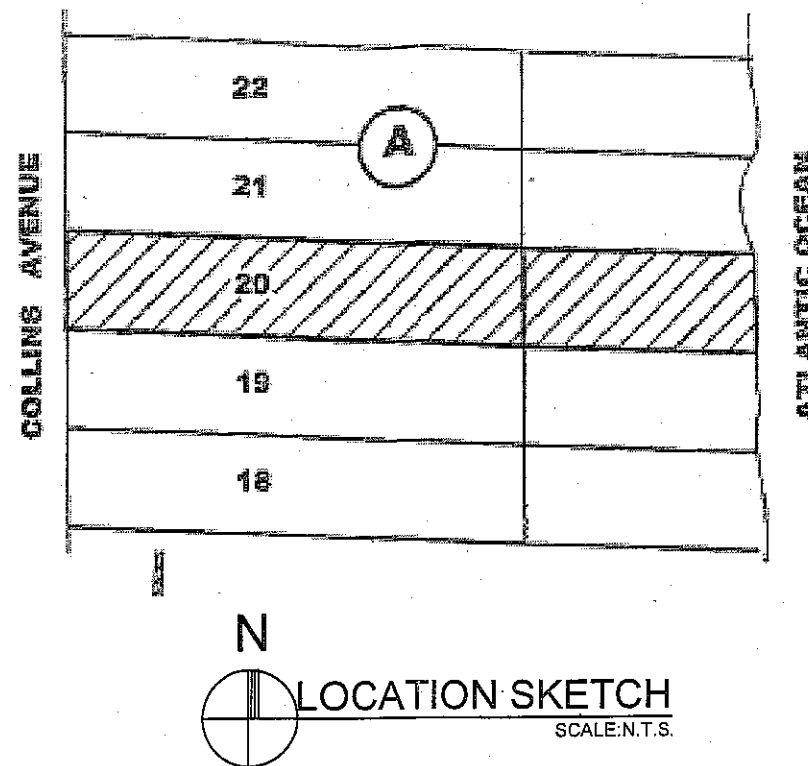
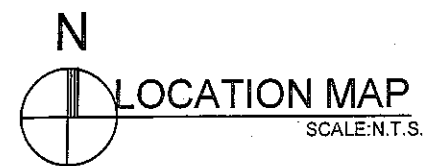
COMMUNITY #

DWN. BY: F. Blanco

DATE: 9/11/09 BASE: N/A

120642

JOB No 11-695

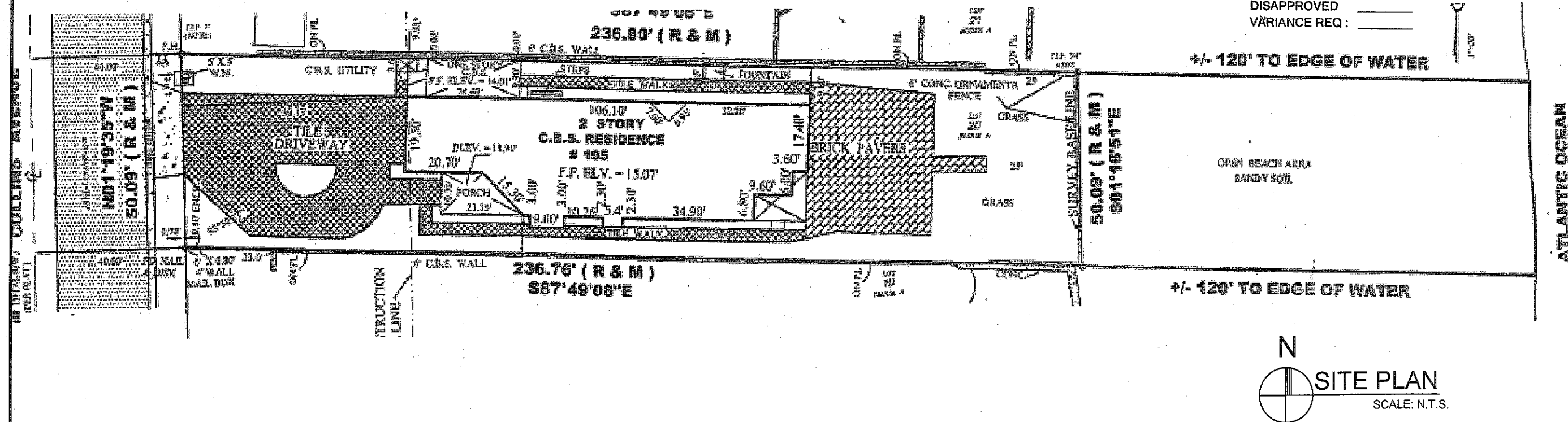


195 OCEAN BOULEVARD ZONING & BUILDING DATA				
ZONING DISTRICT:	Municipal Code, Zone 1			
PROPOSED USE:	Renovation to existing residence			
NET LOT AREA:	50.09' (Lot Width) x 236.78' (Lot Depth) = 11, 860.00 Square Feet,			
GROSS LOT AREA:	50.09" (Lot Width) x 304.45" (Lot Depth) = 15,250Square Feet			
SETBACKS:		Existing	Allowed	Proposed
	Front:	59.13 Feet	50 Feet	59.13Feet
	North Side:	0 Feet	10 Feet	0 Feet
	South side:	9.5 Feet	10 Feet	9.5 Feet
	Rear:	77.8 Feet	75 Feet	77.8 Feet
BUILDING FOOTPRINT:	15,250SQ.FT. (GROSS LOT AREA) = Min. 3,000 Sq. Ft of Living Area.			
		Existing	Allowed	Proposed
		3,340 SQ.FT.	3,000 SQ.FT. Min	3,340 SQ.FT.
GREEN SPACE:	35% OF 15,250SQ.FT. (GROSS LOT AREA) = 5,330 SQ.FT.			
		Existing	Allowed	Proposed
		6,800 SQ.FT.	5,337SQ.FT.	6,800 SQ.FT.
HEIGHT:	27.5 Feet from flood level (7.85 feet) or average sidewalk Elevation (6.00 feet) whichever is higher. In this case Flood Level 7.85 feet > 6.00 feet.			
		Existing	Allowed	Proposed
		26.5 Feet from flood level (5.63 feet)	27.5 Feet from flood level (5.63 feet)	26.5 Feet from flood level (5.63 feet)

**TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE**

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____



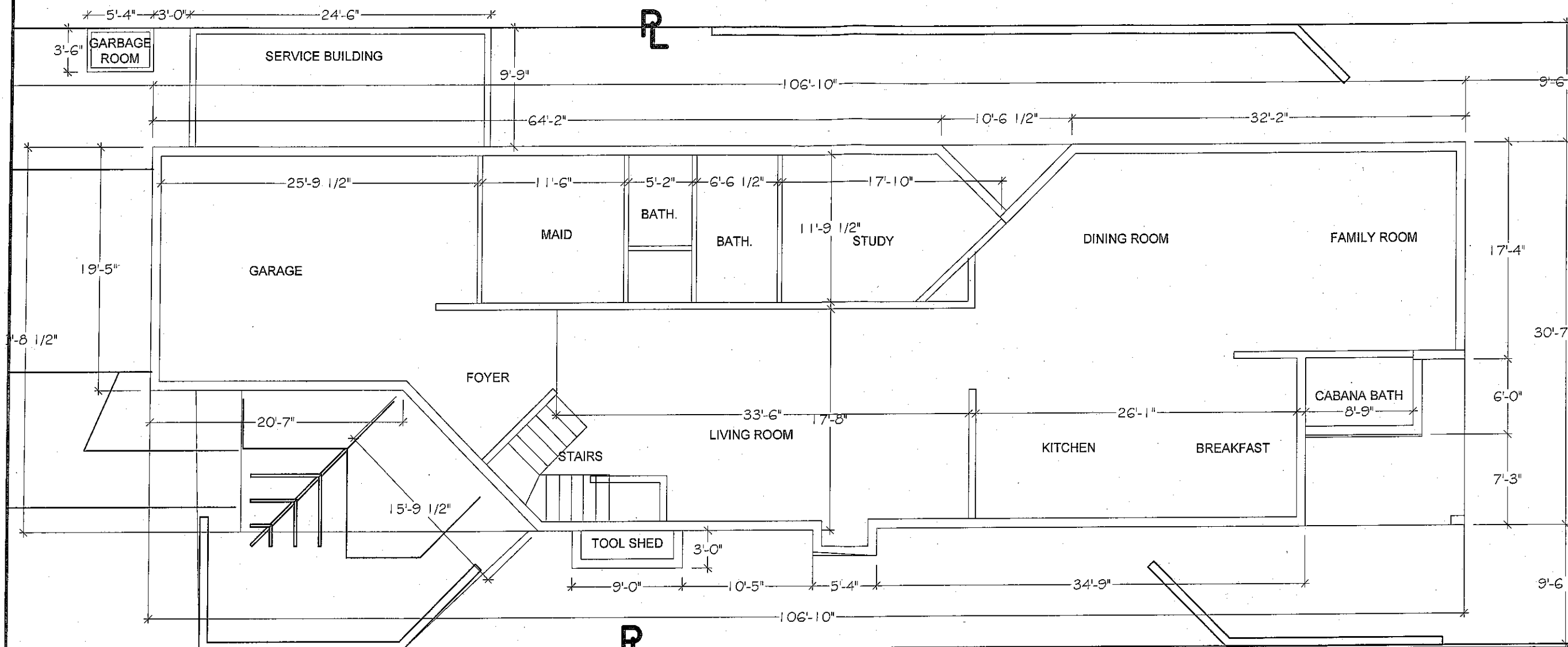
H.F. H.L.S. design associates inc.
architects designers planners
10811 N.W. 21st Street
Sunrise, FL 33322 854-572-9777

McHUGH RESIDENCE
195 OCEAN BOULEVARD
GOLDEN BEACH, FL. 33160

Date	10-28-11
Scale	NOTED
Drawn	P.G.
Job	
Sheet	SP-1
Of	1 Sheets

Seal

HARRY MUNOZ R.A.
AAC 001185



GROUND FLOOR PLAN

SCALE : 1/4"=1'-0"

TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

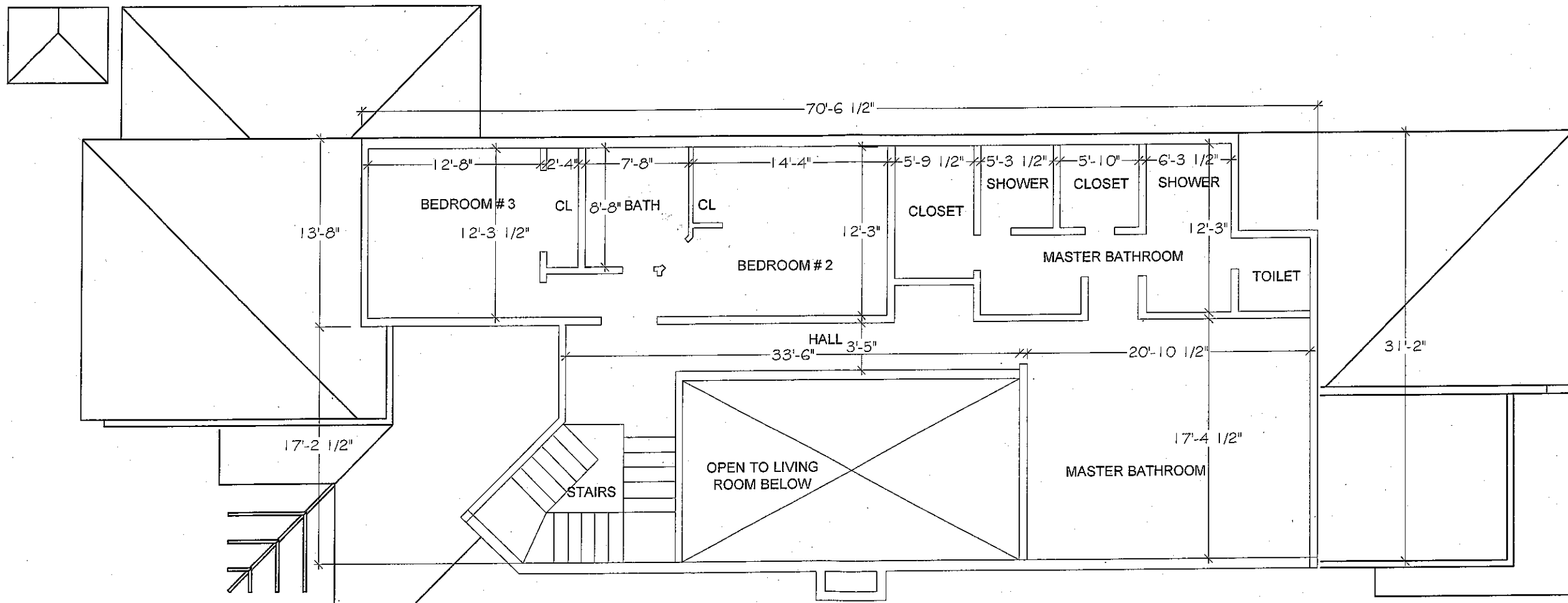
Seal
HARRY MUNOZ R.A.
AAC 001185

Revisions	By

design associates inc.
architects designers planners
10811 N.W. 21st Street
Sunrise FL 33322 954-572-9777

McHUGH RESIDENCE
195 OCEAN BOULEVARD
GOLDEN BEACH, FL. 33160

Date	10-28-11
Scale	NOTED
Drawn	P.G.
Job	
Sheet	A-1
of	3 Sheets



N
 **SECOND FLOOR PLAN**
 SCALE: 1/4"=1'-0"

TOWN OF GOLDEN BEACH
 BUILDING ADVISORY BOARD
 HEARING DATE
DEC 13 2011

APPROVED _____
 DISAPPROVED _____
 VARIANCE REQ: _____

Seal
 HARRY MUNOZ R.A.
 AAC 001185

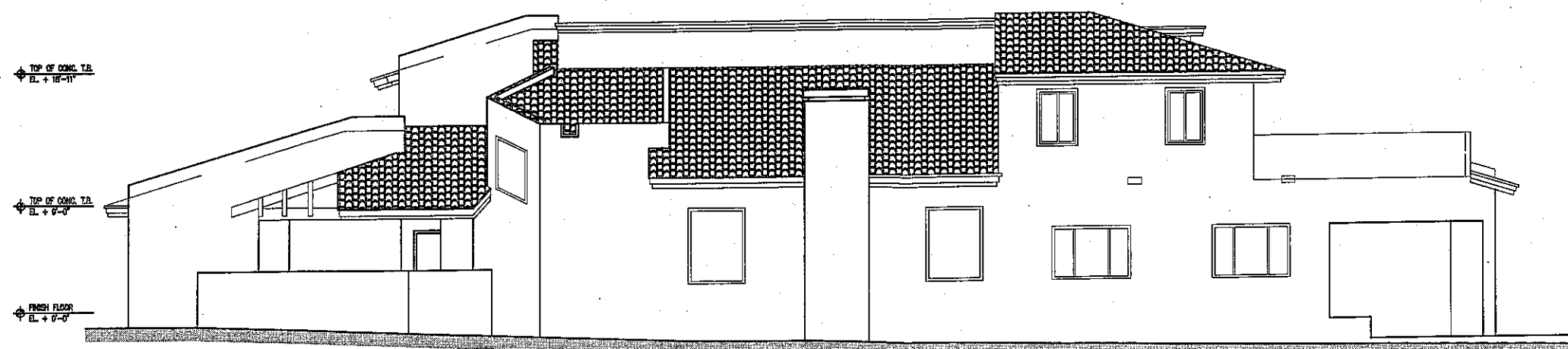
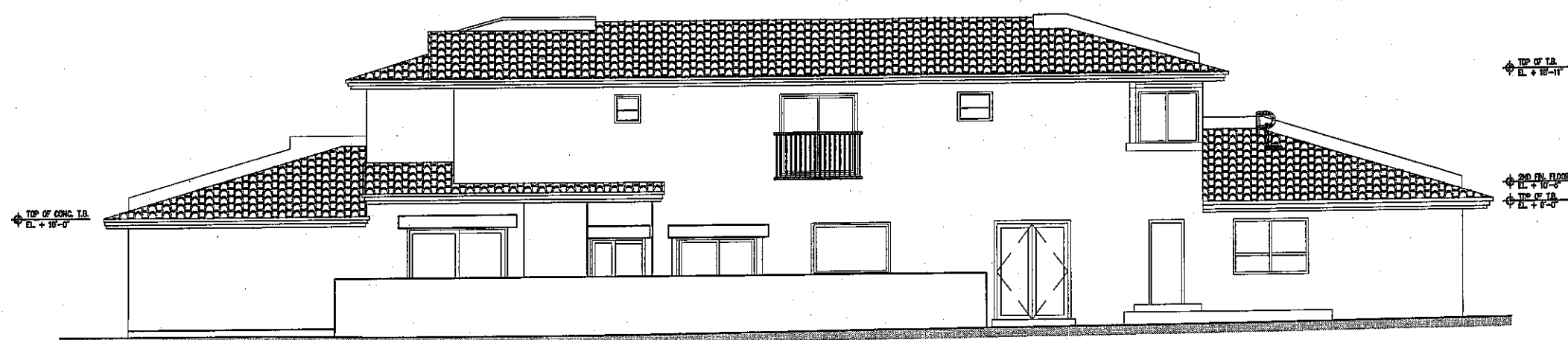
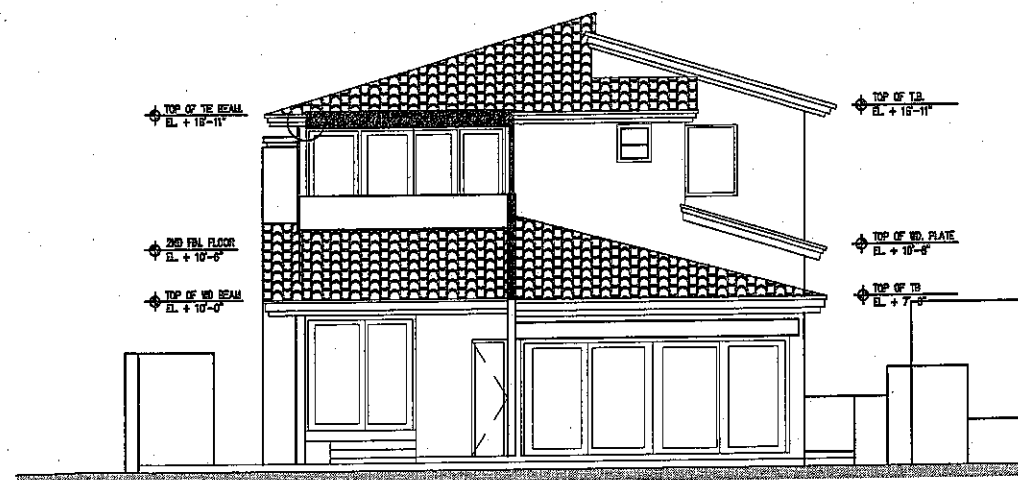
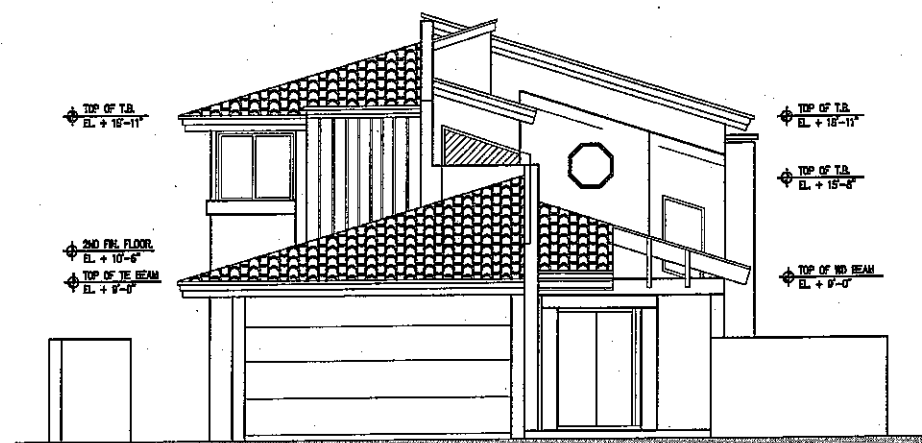
Revisions	By

McHUGH RESIDENCE
 195 OCEAN BOULEVARD
 GOLDEN BEACH, FL. 33160

H.H.S.
 architects - designers
 10911 N.W. 21st Street
 Sunrise, FL 33322
 954-672-9777

design associates inc. planners

Date	10-28-11
Scale	NOTED
Drawn	P.G.
Job	
Sheet	A-2
Of	3
Sheets	



TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE

DEC 13 2011

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

Seat

HARRY MUNOZ R.A.
AAC 001185

H.H.L.S.
architects
10811 N.W. 21st. Street
Sunrise, FL 33322
designers
design associates inc.
planners
954-572-9777

McHUGH RESIDENCE
195 OCEAN BOULEVARD
GOLDEN BEACH, FL. 33160

Date 10-28-11

Scale NOTED

Drawn P.G.

Job	
-----	--

Sheet

A-3
Of 3 Sheets

Jean Pierre Levy
176 Ocean Boulevard
Golden Beach, FL. 33160

Scott Schlesinger
1212 SE 3rd Avenue
Ft. Lauderdale, FL. 33316

Felipe A. Valls
3663 SW 8th Street
Miami, FL 33135-4133

Pietro and Marlina Oppedisano
31-07 Farrington St.
Flushing, NY 11354

Norman B. Gaylis
179 Ocean Blvd.
Golden Beach, FL. 33160

Chay & Nehama Amar
200 Ocean Blvd.
Golden Beach, FL. 33160

Lee R. & Alvina Duffner
185 Ocean Blvd.
Golden Beach, FL. 33160

Nachtaz LLC
210 Ocean Blvd.
Golden Beach, FL. 33160

191 Ocean LLC
20900 NE 30th #601
Aventura, FL. 33180

John E. and Brenda McHugh
195 Ocean Blvd.
Golden Beach, FL. 33160

Sheldon & Barbara Schlesinger
1212 SE 3rd Avenue
Ft. Lauderdale, FL. 33316

Igor Sivokozov
205 Ocean Blvd.
Golden Beach, FL. 33160-2209

Victor and Camille Krestow TRS
215 Ocean Blvd.
Golden Beach, FL. 33160

Michelle C. Headley
198 Ocean Blvd.
Golden Beach, FL. 33160



DRAFT

TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL. 33160

SUMMARY MINUTES
BUILDING REGULATION ADVISORY BOARD
January 10, 2012 at 6:00pm

- A. CALL MEETING TO ORDER:** 6:15pm
- B. BOARD ATTENDANCE:** Oded Meltzer, Jerome Hollo, Dr. Jose Iglesias, Fred Chouinard
- C. STAFF ATTENDANCE:** Dan Nieda-Building Official, Linda Epperson-Building Director
- D. APPROVAL OF MINUTES:** November 8, 2011

Motion to table minutes by Dr. Iglesias, Seconded by Oded Meltzer
Oded Meltzer-Aye, Jerome Hollo-Aye, Dr. Iglesias-Aye, Fred Chouinard-Aye
Motion passed 4 – 0

E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS

None

F. VARIANCE REQUEST(S):

1. John E. and Brenda McHugh
195 Ocean Blvd.
Golden Beach, FL. 33160

Property Address: 195 Ocean Blvd., Golden Beach, FL. 33160
Folio No: 19-1235-003-0170
Legal Description: Lot 20, Block A, GB Section C, PB 9-52

Stanley Price, Esquire with the Law firm of Bilzin Sumberg, 1450 Brickell Ave, Suite 2300, Miami, FL. spoke on behalf of the applicants. William Riley, Esquire of Bilzin Sumberg and Charles Wallace of American Construction were also present.

Daniel Nieda read his comments into the record.

After The Fact:

Request for relief from Town code sections

1. 66-136 - Side line restrictions between adjoining lots
No portion of any building shall be closer than ten feet from the side of any lot or combination of lots.

2. 66-140(a) - Setbacks generally

No structure, the height of which shall exceed 36 inches above the crown of the road adjacent to the lot shall be constructed in any Setback, with the exception of mechanical equipment, that can be constructed in such a way that its bottom is located at the required base flood elevation as established by the Flood Insurance Rate Map (FIRM), and any subsequent revised map adopted by the National Flood Insurance Program.

3. 66-141(d) - Same projections

No main walls of any building shall encroach on Setback areas; but eaves may project into Setback areas no more than four feet.

a). Legalization of two structures that were built without a permit and encroach into the north property lot line at a zero foot setback, in lieu of the required ten feet required by the Town code.

b) Legalization of an additional structure built into the south side property that encroaches at a nine foot five inch setback, in lieu of the required ten feet required by the Town code.

A Hearing notebook was submitted by the applicant to each board member in attendance

No spoke in opposition to this item.

Letters of no objection were contained within the Hearing Notebook submitted by Attorney Price. The following is a listing of the letters submitted:

1. Scott Schlesinger – 201 Ocean Blvd., Golden Beach, FL. 33160
2. Bobbe Schlesinger – 387 Ocean Blvd., Golden Beach, FL. 33160
3. Jacquelyn Soffer – 550 Golden Beach Dr., Golden Beach, FL. 33160
4. Amy McDaniel – 191 Ocean Blvd., Golden Beach, FL. 33160
5. Linda Simon – 100 South Island Dr., Golden Beach, FL. 33160
6. Richard Parrillo – 520 North Island Dr., Golden Beach, FL. 33160

Mr. Price presented his case to the Board. There wasn't anyone present at the Hearing that spoke for or in opposition to this item.

The meeting was closed to the public. And following vote ensued:

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

A motion to recommend approval to the Town Council was made by Fred Chouinard, and Seconded by Oded Meltzer

On roll call: Oded Meltzer-Nay, Jerome Hollo-Nay, Dr. Iglesias-Aye, Fred Chouinard-Aye

The motion failed for lack of quorum

A motion to recommend approval to the Town Council was made by Fred Chouinard, Seconded by Oded Meltzer

On roll call: Oded Meltzer-Nay, Jerome Hollo-Aye, Dr. Iglesias-Nay, Fred Chouinard-Nay

Motion failed 3 – 1



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the October 18, 2011
Local Planning Agency Hearing called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:06 p.m.

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Interim Town Clerk Lissette Perez, Police Chief Don De Lucca, Finance Director Maria D. Camacho, Town Attorney Brett Schneider (in for Steve Helfman)

C. PLEDGE OF ALLEGIANCE

Chief De Lucca lead the Pledge of Allegiance

D. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

1. An Ordinance of the Town Council Amending Chapter 66, Zoning

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING, SPECIFICALLY BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," ARTICLE IV, ENTITLED "SUPPLEMENTAL REGULATIONS," ARTICLE III, "DISTRICT REGULATIONS," TO EFFECTUATE CLEAN-UP AND UPDATE OF LAND DEVELOPMENT REGULATIONS TO ADDRESS DEVELOPMENT CONCERNS IDENTIFIED BY THE BUILDING OFFICIAL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 551.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 551.11

A motion to accept was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

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

The motion passed on first reading.

The Town Attorney spoke on this item. The issue being voted on being whether the proposed ordinance on the regular agenda is consistent with the town's comprehensive plan. The Town Manager commended the town's attorneys for their work on this ordinance.

E. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passed.

The meeting adjourned at 7:11 p.m.

Respectfully submitted,

Lissette Perez

Lissette Perez
Interim Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the October 18, 2011 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:11 p.m.

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Interim Town Clerk Lissette Perez, Police Chief Don De Lucca, Finance Director Maria D. Camacho, Town Attorney Brett Schneider (in for Steve Helfman)

C. PLEDGE ALLEGIANCE

Recited during the local planning agency meeting

D. PRESENTATIONS / TOWN PROCLAMATIONS

Employee of the Quarter (2nd Quarter) – Raquel Castellon

Officer of the Quarter (2nd Quarter) – Javier Diaz

Employee of the Quarter (3rd Quarter) – Michael Glidden

Officer of the Quarter (3rd Quarter) – Leila Perez

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT
AGENDA/ AND CHANGES TO AGENDA – None

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – None

Beautification Committee – None

Comprehensive Planning Board – None
Recreation Committee – Councilwoman Lusskin reminded everyone that the annual Halloween event will be held on October 31st at South Park starting at 5 p.m.
Security/Public Safety Committee – None
Youth Leadership Group – None

G. GOOD AND WELFARE

Resident Alene Fishbein, 256 Golden Beach Drive

Thanked everyone for the warm welcome. Commented on the fact that the Town looks beautiful, and thanked everyone that had a part in it. Also thanked the town for the donation that was made to Florida International University.

H. MAYOR'S REPORT

He commended the Town Manager and employee Michael Glidden for the light installation on A1A in commemoration of October as Breast Cancer Awareness Month. He also commended Alyson and Jillian Samowitz for all of their hard work in the Proseed2Green movement, and congratulated them on being featured in Reader's Digest for all of the work they have done with Proseed2Green. Also congratulated Marie Talley and Michael Glidden on their work on the newsletter and how professionally and well done it is.

The closed circuit television and lighting projects are moving along as planned – the Town Manager would give a detailed update on both projects during his report. He also reminded everyone about the Halloween Event and the opening of South Park that is scheduled to be held during that event.

I. COUNCIL COMMENTS

Councilman Einstein

Commended the Town staff for the A1A light installation. Also congratulated the Alyson and Jillian Samowitz for all of their recognition. Welcomed the new police chief after having spent his first month here in town. Commented on how the town continues to look great and how things are really moving along.

Councilwoman Isackson-Rojas

None

Councilwoman Lusskin

Asked the Town Manager if the Town was going to get the table in North Park, he advised that a report was on the dais for them with information pertaining to that. She also inquired about the placement of the AED's in all of the police vehicles. The Town Manager advised that the Town has applied for a grant for AED's, and is working on having a defibrillator placed in all of the Town's vehicles and facilities.

Vice Mayor Bernstein

Thanked Building Official Dan Neida and resident Jerry Hollo for taking time to go over some building regulation issues with him and he's looking forward to Halloween.

J. TOWN MANAGER REPORT

In error the CIP update was left out of the agenda, so it will be combined with the Town Manager's report. He provided a report on the bicycle crossing signs on A1A, and the proposed benches for North Park for the Councilmembers to look over. Reiterated that the Halloween event has been moved from the beach pavilion to South Park and that night will be the dedication of South Park as well. Thanked the Council and Mayor to give him the opportunity to improve the employee's workspaces. Pertaining to the closed circuit tv project, this week a final recommendation will be made to the Mayor as to who to award that contract to. Town's goal is to award both the closed circuit tv and the streetlighting contracts no later than the December meeting. The streetlighting RFP is out and scheduled to close November 2nd. He reminded the Council that there is a cone of silence, information is on the Town's website and on DemandStar. Mentioned that the Town Clerk has been working with three companies to redo the audio and visual in the council chambers before the end of the year.

CIP Update:

Town Manager took a moment to recognize Paul Abbott and Franklin Barron for the work they have done with the Town's FP&L conversion. Also commended the public works department for the great job they have done to prepare the homes for the conversion. Cleaning up town as it relates to the electrical components. Town Manager shared the Town's plan for the repaving of Golden Beach Drive, that the Administration hopes to have done before the Thanksgiving holiday. The work has to be done at night, and it should not take more than 5 days to complete because the work has been broken up into sections. However, if weather permits, it can be done in 3 days. Once the work begins, vehicles cannot travel through that area.

The Town Manager stated that Town has had many meetings with FPL. Almost done with full permitting for south of Golden Beach Drive, and will commence A1A next. The Town will be completely done with taking down the existing FPL poles, with the exception of the bridges, within a year.

The Town Manager emphasized that cars will not be allowed on Golden Beach Drive in the areas where the pavers are being installed. Paul Abbott commented that if there is no rain, that will expedite the process.

Resident Alene Fishbein stated that it should be publicized that the Town will get residents to their homes while the pavers are being installed overnight.

Councilman Einstein commented that he thinks it is a great idea and whatever will make the town look better he is all for it.

The Town Manager advised that he authorized an additional allotment of resources from the contingency to put additional GO grid to keep the asphalt from cracking.

Vice Mayor Bernstein asked if the paving work could start at 10 p.m. instead of 9 p.m. The Town Manager advised that that would be done, and that by 4 a.m. the work should be completed, however the town will give ample notice to residents before the work commences in their respective areas.

Resident Neil Leff asked when the rest of Terracina Avenue would be finished, because only a portion of Terracina was shown on the map. The Town Manager stated that if something was left out, inadvertently, for a resident to come see him and he will rectify it.

The Town Manager also mentioned that all of the arms will be taken off of the trees after the first of the year.

K. TOWN ATTORNEY REPORT

***South Gate Discussion**

Thanked residents for their patience in waiting for this report. He gave a little bit of background on the history of the South Gate and the issues with the ownership of the right-of-way. The Town's use of the right-of-way is limited to weekday school bus traffic and emergency vehicles. In 1995 the Town passes a substantial road barricading ordinance. In that ordinance, this location is specifically addressed, where ingress and egress are limited to only emergency situations, which is consistent with the 1990 original document. At around the same time, there is a lawsuit filed by breakstone claiming that breakstone developers and their owners had the right to access the Town and that their owners had a right to use the Town's public facilities. That lawsuit gets settled allowing the Town to close off every entrance, close off the facilities and direct all traffic to The Strand. The last thing that happened in the order is that the court re-affirmed the 1990 easement agreement. In 1998 the Council decides that Golden Beach Drive, in front of Town Hall would no longer be used for right-of-way purposes. That the street here would no longer be used as a street for traveling purposes. The Town made the decision to vacate the street in front of Town Hall. The residents gave up their right to drive through that street as of that decision.

Resident Oded Meltzer asked if the Town Charter allows for the Town to take streets over without a public vote. Mr. Helfman said yes. The issue the Town is dealing with is whether you open the gate or not. However, to Mr. Helfman, the Town has multiple issues. The issue of opening the gate really is not the issue, the issue is whether or not the Town has the right to direct and allow traffic across their easement in this document. Mr. Helfman advised that he certainly would not suggest that the Town open up the gates without Golden Gate Estates consent.

Councilman Einstein asked, who currently pays for the road? Mr. Helfman advised that this is a private road that Golden Gate Estates pays for. If the Town as a policy decision, decides from a security standpoint, that it wants to change the way the gate is used, the issue becomes the traffic and where it is allowed to travel. The next issue would be, dealing with the neighbors. Mr. Helfman advised that he would summarize his findings in writing.

Resident Larry Groll, 287 South Island Drive

Stated that he was the president of the homeowner's association at Golden Gate at the time and the issue was Golden Gate residents to get access to Tweddle Park. When access was denied, Golden Gate residents stated that they had the right to access the park because this was a public road. Mr. Groll stated that he is all for opening the gate, but it should be taken into consideration that Golden Gate residents will seek to gain access of the park once again.

Resident Alice Meltzer, 122 Golden Beach Drive

Stated that Golden Gate residents already use the Town's parks and tennis courts. The Town Manager stated that the Town met with Golden Gate Estates at the beginning of

the CIP project, making an agreement that until the project was complete that gate would remain open. Once the CIP project is complete, that gate will be re-locked and only residents with keys to it would have access to it.

Resident Oded Meltzer, 122 Golden Beach Drive

Suggested that the Town go to Golden Gate Estates, and tell them that they can continue using the Town's facilities if they allow the Town to use the South Gate as an exit only.

Resident Neil Leff, 48 Terracina Avenue

In August of this year, he forwarded an email to the Council and Town Attorney addressing some of the legal issues dealing with the South Gate. He asked if all of the streets in Golden Beach are public roads, meaning that the Town cannot limit usage to any one person. Mr. Helfman advised that these are municipal streets, with usage controlled by the local government. Local government can vacate the public's right to use public roads within its municipality.

Mr. Leff also spoke on the Breakstone Lawsuit. That as a result of the lawsuit there was a settlement stipulating that there is no legal access from the Breakstone property into Golden Beach. Subsequent to that a gate was installed on the Breakstone property and used to come in to Golden Beach. He asked if that makes null and void the original agreement because it's a breach of the original easement agreement? Mr. Helfman advised that he would agree with Mr. Leff, that if a gate was installed and being used then the original agreement was violated. But that being six or seven years ago, it is outside of the statute of limitations for a breach of contract, which is four years.

Mayor Singer instructed the Town Attorney to come back next council meeting with a legal opinion on the Town's options, addressing security concerns. Mr. Helfman stated that he would issue a formal written opinion/analysis summarizing what he stated and summarizing the issues the Town needs to address.

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

- 1. An Ordinance of the Town Council Amending Chapter 66, Zoning, Specifically by Amending Article I, Entitled "In General," Article III, Entitled "District Regulations," and Article IV, Entitled "Supplementary District Regulations."**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING, SPECIFICALLY BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," ARTICLE III, ENTITLED "DISTRICT REGULATIONS," AND ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," TO

EFFECTUATE CLEAN-UP AND UPDATE OF LAND DEVELOPMENT REGULATIONS TO ADDRESS DEVELOPMENT CONCERNS IDENTIFIED BY THE BUILDING OFFICIAL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 551.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 551.11

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Isackson-Rojas.

On roll call, the following vote ensued:

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

The motion passed on first reading.

The Town Manager advised that this ordinance incorporates all of the items that were discussed during the workshop, and the direction the Administration received from Council.

Vice Mayor Bernstein commented on page 8 of 14, item #2 – that this was unnecessary language and asked that it be stricken. – The Council agreed through a consensus vote of 5 ayes 0 nays.

Vice Mayor Bernstein also asked inquired about item #5 on page 4 of 14, asking why is it being kept as a 7.5 foot setback for lots 50 feet or smaller?

Mr. Helfman advised that if that paragraph is deleted there might need to be conforming language added to #1 for it to read 50 feet or greater. – The Council agreed through a consensus vote of 5 ayes 0 nays.

2. An Ordinance of the Town Council Amending Chapter 50, Buildings and Building Regulations, Specifically by Adding Section 50-2.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 50, BUILDINGS AND BUILDING REGULATIONS, SPECIFICALLY BY ADDING SECTION 50-2, TO PROVIDE APPROPRIATE TIME LINES FOR DESIGN APPROVALS OBTAINED FROM THE BUILDING REGULATION ADVISORY BOARD. PROVIDING

FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS;
AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 552.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 552.11

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

On roll call, the following vote ensued:

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

The motion passed on first reading.

Mr. Helfman explained that this ordinance was not brought up during the workshop, but is recommended by the Administration. The ordinance gives residents 1 ½ years to obtain a building permit to design a home after approval has been given. Mr. Helfman explained that it is very common to impose a timeline for people to get a building permit to make changes to their home.

3. An Ordinance of the Town Council Amending Chapter 46, Waterways, Specifically by Adding Section 46-55 and 46-87.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 46, WATERWAYS, SPECIFICALLY BY ADDING SECTION 46-55 and 46-87, TO PROVIDE APPROPRIATE SETBACKS FOR PRIVATE RESIDENTIAL VESSELS DOCKING AT PRIVATE FACILITIES INCLUDING FLOATING DOCKS AND OTHER STRUCTURES THAT MAY BE INSTALLED; AND PROVIDING FOR A NEW BASE FOR THE D-5 TRIANGLE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Ordinance No. 553.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 553.11

A motion to approve was made by Councilmember Isackson-Rojas seconded by Vice Mayor Bernstein.

On roll call, the following vote ensued:

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

The motion passed on first reading.

Mr. Helfman explained that this ordinance came before the Council on first reading before. At the request of Vice Mayor Bernstein the item was not approved on first reading, and it was taken back to staff for the Vice Mayor to work on it with the Administration.

The Town Manager explained that the deferred item was not brought back to the Council. At the last council meeting, a new ordinance was work-shopped and presented to the Council. This ordinance sets a new base line for the D5 triangle, commencing at 5 feet, irrespective of the size of the lot.

Resident Oded Meltzer commented that the BRAB went back and forth about a half dozen times on this issue.

N. QUASI JUDICIAL RESOLUTIONS

4. A Resolution of the Town Council Authorizing and Approving a Variance Request for the Property Located at 296 South Parkway

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 296 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE FRONT ENTRY FEATURE TO BE SET AT 26'-6", IN LIEU OF THE REQUIRED 35' FRONT SETBACK ESTABLISHED BY CODE. PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2207.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2207.11

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Isackson-Rojas.

On roll call, the following vote ensued:

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

The motion passed.

The Town Attorney swore everyone in that was going to speak on the issue.

Building Official Dan Neida spoke on the item stating that the BRAB unanimously agreed to the entrance feature request.

O. CONSENT AGENDA

5. Minutes of the August 23, 2011 Special Town Council Meeting

Consensus vote was 5 Ayes and 0 Nays. The motion passed.

P. TOWN RESOLUTIONS

6. A Resolution of the Town Council Authorizing the Transfer of Law Enforcement Trust Fund (LETf) Monies to Cover Costs Paid from the General Fund for Construction of a Public Dock and Police Boatlift

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TRANSFER OF LAW ENFORCEMENT TRUST FUND (LETf) MONIES TO COVER COSTS PAID FROM THE GENERAL FUND FOR SERVICES TO OBTAIN PERMITS AND RELATED EXPENDITURES ASSOCIATED WITH THE U.S. ARMY CORPS OF ENGINEERS, STATE OF FLORIDA, MIAMI-DADE COUNTY DERM, AND GOLDEN BEACH FOR CONSTRUCTION OF A PUBLIC DOCK AND POLICE BOATLIFT ON THE INTRA-COASTAL WATERWAY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2208.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2208.11

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager explained that this is the second of a series of authorizations to pay back the Town's General Fund.

7. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund (LETf) Monies to Make a \$5,000 Contribution to Teach for America (TFA)

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. 7
Resolution No. 2209.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2209.11

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Isackson-Rojas.

On roll call, the following vote ensued:

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

The motion passed.

Mayor explained that the Town Manager, Police Chief and himself, went to a presentation by Teach For America to learn more about the program. He stated that it is an appropriate donation that will help underprivileged areas in Miami-Dade County. Once the Town makes the donation, the Mayor suggested that the Town could have them come in and make a presentation.

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Amy Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passed.

The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Lisette Perez
Lisette Perez
Interim Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the November 15, 2011 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:08 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Kenneth Bernstein (showed up at 7:25 p.m.), Councilmember Judy Lusskin, Councilmember Bernard Einstein

Councilmember's Not Present: Councilmember Amy Isackson-Rojas

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

C. PLEDGE ALLEGIANCE

Police Chief Lead the Pledge of Allegiance

D. ADOPTION OF FINAL MILLAGE AND FINAL BUDGET FOR FISCAL YEAR 2011/2012 (TIME CERTAIN ITEM)

- 1. A Resolution of the Town Council Adopting the Final Millage Rate for the Fiscal Year Commencing October 1, 2011 through September 30, 2012**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE FINAL MILLAGE RATE OF THE TOWN OF GOLDEN BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Resolution No. 2210.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2210.11

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

On roll call, the following vote ensued:

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

The motion passed.

The Town Manager explained that the issue was with the advertising of the Town's budget in the Miami Herald. It was missing the word "increase" in it, because the millage rate is higher than the roll back rate for fiscal year 2011/2012.

2. A Resolution of the Town Council Adopting the Final Budget for the Fiscal Year Commencing October 1, 2011 through September 30, 2012

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR ALL TOWN FUNDS FOR THE 2011/2012 FISCAL YEAR COMMENCING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 2211.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2211.11

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

On roll call, the following vote ensued:

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

Councilmember Isackson-Rojas Absent

The motion passed.

D. PRESENTATIONS / TOWN PROCLAMATIONS

None

E. MOTION TO SET THE AGENDA

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

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – None

Beautification Committee – None

Comprehensive Planning Board – None

Recreation Committee – None

Security/Public Safety Committee –None

Youth Leadership Group – Resident Dina Nicolella, 522 North Parkway,
thanked all of the children who participated in the Town's Veteran's Day Event.

G. GOOD AND WELFARE

Joelle Kheel, 407 Golden Beach Drive

Asked if anything can be done about the cats roaming wild around Town?

Also asked about the movie night program and whether that would be reinstated this year?

Dina Nicolella, 522 North Parkway

Thanked the Town for a great Halloween event and thanked the Town for how beautiful South Park turned out. Asked about why the flowers are not in North Park, because the flowers in South Park area beautiful.

Spoke about the light that has been out on A1A near the Strand Avenue sign and asked if the Administration could take a look at it.

Approached with a petition regarding opening up the South Gate and asked if there was going to be a full-time guard there? The Mayor advised that that is not true and there will not be a guard stationed there.

Rick Glaser, 323 Golden Beach Drive

Stated that keeping the South Gate closed will help the crime rate in Town stay down.

H. MAYOR'S REPORT

Thanked Councilwoman Lusskin and the Recreation Committee for the Veteran's Day event. He stated that the Halloween event was great, and thanked the staff and the Recreation Committee for a job well done.

Last week Chief De Lucca held an all-day team building and motivational event for the Town's officers, and he wanted to commend the Chief for putting it together.

He reminded residents that the Town Attorney would speak on the issue with the South Gate during his report.

Took a moment to wish everyone a happy and healthy thanksgiving, and thanked everyone for participating in the community events.

I. COUNCIL COMMENTS

Councilwoman Lusskin

Stated that the city of Sunny Isles Beach is looking towards having cooperative programs with the Town. She asked about the health of the grass in north parkway, because sometimes it looks a bit sickly.

Mentioned that she too has gotten several phone calls about the cats in Town and that the Town is trying to do what they can to curb their presence.

Councilman Einstein

Spoke on issues he has been having with his alarm at his house and how responsive the police were when this was going on.

He commented on the street sweeper and asked the Town Manager what the feedback was about it.

Resident Fred Chouinard, 407 Ocean Boulevard, commented on the Councilman's remarks regarding his home alarm and Navarro security.

Vice Mayor Bernstein

Asked if the Town is contracted with Navarro, can't the town work out a discounted rate for people to go straight through them instead of through the police?

The Town Manager advised that the Town will look into all the different options and see what is available to them.

Complimented the Town on how well the CIP has impacted the Town in alleviating its flooding issues. Also commented on how great the Town's recent events have been.

J. TOWN MANAGER REPORT

Announced that the fixit.com campaign was launched. If residents see anything wrong in Town they can email fixit@goldenbeach.us or call 305-788-6262, both of which are checked daily and forwarded to the appropriate persons to fix any issues residents may see around Town. Thanked employee Michael Glidden and contracted Town event planner, Carol Larson for putting together the Halloween event. The Town has rescheduled the South Park re-opening due to the inclement weather, the date is to come. Town plans to move movie nights in to South Park after the re-opening. Thanked Linda Epperson for securing additional funding for the Town, collecting a code violation today of \$150,000.

(Paul Abbott joined him at this point to go over the CIP report.) Town Manager announced that the Administration hopes to bring the award for the CCTV program at the December meeting. The Town did receive the five proposals for the lighting program, and hopes to bring a recommendation to the Council at the December meeting as well. Due to scheduling conflicts and some staffing issues in Town, the paving project will begin on Sunday night, December 4, unless there is a weather issue.

Paul Abbott mentioned that just yesterday FPL began delivering all of the equipment for the installation of the phase 2 electrical. CIP team committed to being done with all of Phase 1 and Phase 2 by the end of the year. Mr. Abbott advised that there are just two homes left to finish on the North end, but the team is essentially done with Phase 1.

The Town Manager took a moment to personally thank Mr. Pinkahsov for letting the Town use his empty lot to store equipment.

Town Manager also advised that the Town finished all of the installation of the signs in the parks, and the bronze plaques arrived this week. The temporary redesign of Tweddle Park has commenced, and hope to deliver it by winter break.

The Town Manager promised that if the project doesn't begin on December 4th, the Town will wait until after the holidays to start it.

Manager Diaz presented the Council with their dollars for their year of service and presented the mayor with his plaque for singer park.

K. TOWN ATTORNEY REPORT

Mr. Helfman stated that the town's attorneys have finalized their work and research on the south end of town gate issue. Final conclusion, which will be put in writing, is that there is no real prohibition on eliminating the gate that is there, but to do that is going to require a modification of the easement agreements with the adjoining property owner because it would conflict with the easements that are in place right now. At a minimum, the Town would end up having to negotiate a new easement agreement with the development to the south. The vacation of the road just to the east of Town Hall would have to be addressed as well as a number of other things. It will be complicated and run into some expense, but it is not impossible to do.

L. ORDINANCES – SECOND READING

3. An Ordinance of the Town of Golden Beach Amending Section 2-79 “Jurisdiction and Duties” of Chapter 2 “Administration” of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 2-79 “JURISDICTION AND DUTIES” OF CHAPTER 2 “ADMINISTRATION” OF THE TOWN OF GOLDEN BEACH CODE OF ORDINANCES, BY REMOVING THE REQUIREMENT THAT THE BUILDING REGULATION ADVISORY BOARD REVIEW AND RECOMMEND TO THE TOWN COUNCIL THE APPROVAL OR DENIAL OF APPLICATIONS FOR PLATS OR WAIVERS OF PLATS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
 Ordinance No. 543.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 543.11

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager re-iterated that this ordinance conflicts with the Town's Code of Ordinances, and needs to be eliminated.

4. An Ordinance of the Town of Golden Beach Amending Chapter 24 "Personnel" Article II "Retirement" of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING CHAPTER 24 "PERSONNEL" ARTICLE ii "RETIREMENT OF THE TOWN CODE TO RESOLVE THE CONFLICT IN THE CODE CONCERNING MEMBER CONTRIBUTIONS BY AMENDING SECTION 24-35 "CONTRIBUTIONS" TO CONFORM WITH SECTION 24-32 "MEMBERSHIP"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Ordinance No. 544.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 544.11

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

On roll call, the following vote ensued:

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

Councilmember Isackson-Rojas Absent

The motion passed.

The Town Manager stated that this is a clean-up item, to make the ordinance consistent as it relates to the police pension.

Resident Heady Glaser, 323 Golden Beach Drive just commented for a moment on the South Gate issue, asking how it would be presented and what the discussion would consist of? Mayor Singer stated that a tremendous amount of research would be done before the Council would move forward with any action. He informed that the Town Attorney would first present to the Council a report on what it would take to open the gate, then an open discussion would be had with the Council and the public, and then the decision-making process would begin.

5. An Ordinance of the Town of Golden Beach Amending Section 26-35 “Illegal Disposal of Garbage” of Chapter 26 “Solid Waste” of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 26-35 “ILLEGAL DISPOSAL OF GARBAGE” OF CHAPTER 26 “SOLID WASTE” OF THE TOWN OF GOLDEN BEACH CODE OF ORDINANCES, TO INCLUDE A PERMIT APPLICATION AND FEE REQUIREMENT FOR CONSTRUCTION DEBRIS TRASH DUMPSTERS OR TRASH ROLL OFF CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
 Ordinance No. 545.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 545.11

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

On roll call, the following vote ensued:

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

The motion passed.
The Town Manager advised that this ordinance allows the Town to charge a fee for dumpster containers in Town.

6. An Ordinance of the Town of Golden Beach Amending Article IV “Seawalls and Docks” of Chapter 46 “Waterways” of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING ARTICLE IV “SEAWALLS AND DOCKS” OF CHAPTER 46 “WATERWAYS” BY REVISING SECTION 46-82. “USE OF CONCRETE SLAB” TO INCLUDE CERTAIN OTHER MATERIALS AND METHODS OF CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Ordinance No. 546.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 546.11

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

On roll call, the following vote ensued:

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

The motion passed.
The Town Manager advised that this ordinance allows for additional materials to be used when constructing a seawall.

7. An Ordinance of the Town of Golden Beach Amending Article IV “Supplementary District Regulations” of Division 5. “Solar Collectors and Satellite Dish Antennas” of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING ARTICLE IV “SUPPLEMENTARY DISTRICT REGULATIONS” OF DIVISION 5. “SOLAR COLLECTORS AND SATELLITE DISH ANTENNAS” BY REVISING SECTION 66-159. “PERMIT”(b) BY REMOVING CERTAIN LANGUAGE ESTABLISHING AN ANNUAL

PERMIT FEE; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN THE CODE; PROVIDING
FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE
DATE.

Exhibit: Agenda Report No. 7
Ordinance No. 547.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 547.11

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager advised that this ordinance eliminates the satellite dish fee.

**8. An Ordinance of the Town of Golden Beach Amending Chapter 50,
Buildings and Building Regulations of the Town Code.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH,
FLORIDA, AMENDING CHAPTER 50, BUILDINGS AND
BUILDING REGULATIONS, CHAPTER 54,
CONCURRENCY MANAGEMENT, CHAPTER 58
DEVELOPMENT STANDARDS, CHAPTER 66, ZONING,
AND APPENDIX A, FRANCHISES, SPECIFICALLY
ARTICLE IV, "COMMUNITY ANTENNA TELEVISION
SYSTEM (CATV)," TO CORRECT REFERENCES TO THE
APPROPRIATE BUILDING CODE; PROVIDING FOR
IMPLEMENTATION; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CONFLICTS AND PROVIDING FOR
EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Ordinance No. 549.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 549.11

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

On roll call, the following vote ensued:

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

The motion passed.

9. An Ordinance of the Town of Golden Beach Repealing Ordinance No. 533.08 of the Town Code.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, REPEALING ORDINANCE NO. 533.08, WHICH ADOPTED ARTICLE IV "DANGEROUS INTERSECTION SAFETY" OF CHAPTER 38 "TRAFFIC AND VEHICLES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Ordinance No. 550.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 550.11

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager advised that this ordinance for red light cameras is illegal because it was never changed to comply with Florida Law. The Town voted against the original ordinance to begin with.

10. An Ordinance of the Town Council Amending Chapter 66, Zoning, Specifically by Amending Article I, Entitled “In General,” Article III, Entitled “District Regulations,” and Article IV, Entitled “Supplementary District Regulations.”

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING, SPECIFICALLY BY AMENDING ARTICLE I, ENTITLED “IN GENERAL,” ARTICLE III, ENTITLED “DISTRICT REGULATIONS,” AND ARTICLE IV, ENTITLED “SUPPLEMENTARY DISTRICT REGULATIONS,” TO EFFECTUATE CLEAN-UP AND UPDATE OF LAND DEVELOPMENT REGULATIONS TO ADDRESS DEVELOPMENT CONCERNS IDENTIFIED BY THE BUILDING OFFICIAL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Ordinance No. 551.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 551.11

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

On roll call, the following vote ensued:

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

The motion passed.

The Town Manager thanked the Town Attorney for working on this ordinance on the Town's behalf. The Vice Mayor stated that this ordinance imposes unnecessary setbacks to residents. The Town Manager clarified that this isn't what the ordinance is stating. Building Official Dan Neida stated that the intent of the ordinance is to provide a means to have a recreational facility. It is simply guidance for people who wish to build a recreational facility on his or her property, that was previously silent in the code. But, the Vice Mayor stated, regardless of what the intent of the ordinance is, that is not the way it reads.

The Town Attorney and Town Manager recommended that Article 4, Section 66-93 of the ordinance not be adopted. Mr. Neida stated that the ordinance be adopted excluding the setbacks section.

Made a motion to amend the ordinance to remove article 4 section 66-93.

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

Consensus vote 4 Ayes 0 Nays. The motion passed.

The other amendment proposed to the ordinance was to section 66 letter G, to add the words zone 1 and 2.

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

Consensus vote 4 ayes 0 nays. The motion passed.

Resident Fred Chouinard, 407 Ocean Boulevard, asked a question regarding zone 1 and 2. He asked if the setback on the property line from the side is 10 feet, can people still build a tennis court on their property? That part of the ordinance isn't be changed the Mayor said, leaving it irrelevant.

11. An Ordinance of the Town Council Amending Chapter 50, Buildings and Building Regulations, Specifically by Adding Section 50-2.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 50, BUILDINGS AND BUILDING REGULATIONS, SPECIFICALLY BY ADDING SECTION 50-2, TO PROVIDE APPROPRIATE TIME LINES FOR DESIGN APPROVALS OBTAINED FROM THE BUILDING REGULATION ADVISORY BOARD. PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Ordinance No. 552.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 552.11

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

On roll call, the following vote ensued:

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

The motion passed.

12. An Ordinance of the Town Council Amending Chapter 46, Waterways, Specifically by Adding Section 46-55 and 46-87.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 46, WATERWAYS, SPECIFICALLY BY ADDING SECTION 46-55 and 46-87, TO PROVIDE APPROPRIATE SETBACKS FOR PRIVATE RESIDENTIAL VESSELS DOCKING AT PRIVATE FACILITIES INCLUDING FLOATING DOCKS AND OTHER STRUCTURES THAT MAY BE INSTALLED; AND PROVIDING FOR A NEW BASE FOR THE D-5 TRIANGLE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR EFFECTIVE DATE.

Exhibit: Agenda Report No. 12
Ordinance No. 553.11

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 553.11

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

On roll call, the following vote ensued:

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

The motion passed.

The Town Manager stated that this item provides for guidelines as it relates to tethering/mooring items in the waterway and it changes the way the Town currently constructs the D5 triangle and provides new regulations for setbacks. Town currently uses property line as the baseline, and the challenge with using the seawall as the baseline instead of the property is that it may render some of the properties unusable for mooring purposes. The Town Attorney stated that the general law is that the property line is at the bulkhead line and everything seaward of that line is submerged state-owned lands.

The Administration proposed an amendment to the ordinance that defines 25 feet from the existing face of the bulkhead; amending section 46-55(1), after the word waterway, to include the words “from the seawall or the face of the bulkhead”. A motion to amend was made by Councilmember Lusskin, seconded by Councilmember Einstein.

Consensus vote 4 ayes 0 nays. The motion passed.

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

13. Minutes of the September 13, 2011 First Budget Hearing & Special Town Council Meeting

14. Minutes of the September 27, 2011 Final Budget Hearing

15. Minutes of the September 27, 2011 Special Town Council Meeting

16. A Resolution of the Town Council Authorizing the Application for and Acceptance of Federal Byrne Grant Funds

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FEDERAL BYRNE GRANT FUNDS TOWARDS THE PURCHASE OF COMPUTERS AND A SOFTWARE PROGRAM TO PROVIDE FCIC/NCIC SERVICE, PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 16
Resolution No. 2212.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2212.11

17. A Resolution of the Town Council Approving a Mediated Settlement and Mutual Release between the Town and Tetra Tech, Inc.

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

SETTLEMENT AND MUTUAL RELEASE BETWEEN THE TOWN AND TETRA TECH, INC., (F/K/A WILLIAMS HATFIELD AND STONER) AND RLI INSURANCE COMPANY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 17
Resolution No. 2213.11

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2213.11

Consensus vote was 4 Ayes and 0 Nays. The motion passed.

P. TOWN RESOLUTIONS

None

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Amy Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. ADJOURNMENT:

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

Consensus vote 4 Ayes 0 Nays. The motion passed.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Lissette Perez

Lissette Perez
Interim Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

5

Subject: Resolution No. 2215.12 – Authorizing the Purchase and Training of One
(1) Police Canine (K-9)

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2215.12 as presented.

Background and History:

The Town of Golden Beach Police Department is requesting the purchase of a suitable police canine for patrol work with the ability to be cross-trained as a Narcotics detector canine. The Chief of Police is requesting the approval of the Town of Golden Beach Council in order to proceed with the request to purchase.

The Golden Beach Police Department will use the U.S. K-9 Academy & Police Dog Training Center to purchase the dog. Additionally, the Golden Beach Police Department will use the services of the U.S. K-9 Academy & Police Dog Training Center to train the dog at no additional cost.

Financial Impact:

\$8,500.00 is the cost for the canine (K-9).

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2215.12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND TRAINING OF ONE (1) POLICE CANINE (K-9); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the “Town”) wishes to purchase one police canine from the “US K-9 Academy & Police Dog Training Center” which will include the canine training, for the purpose of providing police services to its residents, described and outlined in the attached Agenda Item Report; and

WHEREAS, in accordance with the Town’s purchasing procedures, contracts must be reviewed and approved by the Town Council; and

WHEREAS, the Town Council finds that the purchase of one (1) police canine (K-9) and subsequent training, is in the best interest of the Town.

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

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

Section 2. Authorization of Approval. The approval and execution of the purchase agreement of one (1) police dog, as described and outlined in the Agenda Item Report attached and incorporated herein, 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

Resolution No. 2215.12

upon adoption.

Sponsored by the **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 Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 24th day of January, 2012.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Resolution No. 2215.12



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

6

Subject: Resolution No. 2216.12 – Authorizing the Sale of Four Surplus Police Vehicles from the Town's Vehicle Fleet

Recommendation:

It is recommended that the Town Council adopt the attached Resolution 2216.12 as presented.

Background and History:

Police vehicle numbers 106, 107, and 108 are 2005 Ford Explorers XLS, 2 wheels drive, 4 doors, and white in color and a 2004 Ford Sportrac, 4 doors, white in color. All the vehicles were purchased new and have been used by the Police Department for approximately five years. The Police Chief has determined that the vehicles are no longer cost effective for the Police Department to maintain and/or operate. At the present time they are only being used as decoy vehicles since they are in inoperative conditions.

Financial Impact:

Proceeds obtained from the sale of the vehicles will be placed in the general fund.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2216.12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SALE OF FOUR SURPLUS POLICE VEHICLES FROM THE TOWN'S VEHICLE FLEET; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under Florida State Statutes, the Town's Ordinances under Sec. 2-306 and 2-308, provide for the Town to sell surplus property, and;

WHEREAS, Town Police Chief, Don De Lucca evaluated Police Vehicle #106, which is a 2005 Ford Explorer XLS, 4-door, 2-wheel drive, white in color with vehicle identification number (VIN) 1FMZU72K55UB27454; Police Vehicle #107, which is a 2005 Ford Explorer XLS, 4-door, 2-wheel drive, white in color with vehicle identification number (VIN) 1FMZU72K15UB27452 and Police Vehicle # 108, which is a 2005 Ford Explorer XLS, 4-door, 2-wheel drive, white in color with vehicle identification number (VIN) 1FMZU72KX5RUB27451 and a 2004 Ford Sportrac, 4-door pick-up truck, white in color with vehicle identification number (VIN) 1FMZU67K84UA95911, for their continued use by the Town's employees and;

WHEREAS, the above referenced department head determined the Vehicles are no longer cost effective for the Town to maintain and operate and are surplus to the needs of the Town;

WHEREAS, the above referenced department head reported this determination to Town Manager Alexander Diaz; and

WHEREAS, Town Manager Alexander Diaz has reviewed their determination regarding the vehicles and concurs in their assessments and;

WHEREAS, the Town Council concurs in their assessments, finds that the

vehicles have monetary value, and should be sold at auction to retrieve their greatest value; and

WHEREAS, the Town Council finds that the surplus of these vehicles is in the best interest of the Town.

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

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

Section 2. Authorization to Sell. The vehicles are hereby declared surplus to the Town's needs and sale of these vehicles at auction to retrieve the greatest value, in accordance with Section 2-308 of the Town's Code of Ordinances, 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 **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 Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of January, 2011.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
INTERIM 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: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Subject: Resolution No. 2217.12 - LETF ASSETS TO PROVIDE FOR
FUNDING FOR A CHEVROLET 2500HD PICKUP TRUCK TO
TOW THE MARINE POLICE VESSEL.

Item Number:

7

Recommendation:

It is recommended that the Town Council adopt the attached Resolution 2217.12 as presented.

Background:

It is requested the Town authorize the use of LETF monies to purchase and equip one new Chevrolet Silverado 2500HD 4x4 diesel pickup truck. The total cost to purchase and equip the truck is projected to be \$44,277.00. The price of the truck is \$32,651.00 and \$11,626.00 for equipment. This vehicle will be marked and assigned to Marine Patrol.

The Town is currently sharing a 2007 Ford F250 with Public Works. This vehicle does not have the proper weight capacity to tow the Town's 29 foot vessel. The 5.4 liter V8 is rated at 9,200.00 GVWR, under the weight capacity of our 10,000 pound vessel. The Silverado 2500HD is rated at 17,000 pounds.

This vehicle should have a minimal impact as the fuel and maintenance costs are all that will be occurred in the 2011/2012 budget year.

The Town's Law Enforcement Trust Fund account contains monies forfeited in both State and Federal task force investigations that have included officers of the Golden Beach Police Department. All forfeited assets received by the Town are used to increase the level and quality of police services to Town residents without increasing the Town's budget. LETF monies can be used to purchase this vehicle because it is an additional unit, not replacement.

Financial Impact:

\$44,277.00 from the LETF Fund

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2217.12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF A MARINE PATROL VEHICLE AND THE USE OF LETF MONIES TO PURCHASE AND EQUIP THE VEHICLE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to purchase and equip a Marine Patrol Police Vehicle in order to continue to provide service to the police patrol vessel and police protection to the residents of Golden Beach; and

WHEREAS, the cost to the Town to purchase and equip the Marine Patrol Police Unit is projected to be \$44,277.00, which includes: the vehicle - purchase costs of \$32,651.00; and emergency equipment - purchase and installation cost of \$11,626.00; and

WHEREAS, the Town's Law Enforcement Trust Fund account (the "LETF") 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 marine patrol police vehicle; 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 \$44,277.00 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. Purchase of Vehicles and Equipment and the Use of LETF Authorized. That the purchase of the Marine Patrol Police Vehicle and Emergency Equipment and the use of LETF funds to purchase the Vehicle and Equipment 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 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 Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Lusskin	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 24th day of January, 2011.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2218.12

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, IN SUPPORT OF ADEQUATE HOMELAND SECURITY FUNDING AND TIER I DEPARTMENT OF HOMELAND SECURITY (DHS) DESIGNATION FOR THE MIAMI-FORT LAUDERDALE URBAN AREA SECURITY INITIATIVE (UASI); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Department of Homeland Security, through the Urban Area Security Initiative Program, provides homeland security grant funding to address the unique planning, organization, equipment, training, and exercise needs of high-threat, high-density urban areas, and assists them in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from acts of terrorism; and

WHEREAS, the Department of Homeland Security, through the UASI Program, distinguishes among urban areas as Tier 1 and Tier II, with the 11 highest risk urban areas deemed Tier 1, and the remaining 20 deemed Tier II; and

WHEREAS, the Department of Homeland Security allocates significantly more funding to Tier 1 Urban Areas, including over 80 percent of total UASI funding in FY2011; and

WHEREAS, the Tier 1 designation is based on a DHS formula that assesses risk based on factors such as threat, vulnerability, and consequence, taking into account population, borders, economic impact, and critical infrastructure ; and

WHEREAS, the Miami-Fort Lauderdale UASI is the eighth-largest Metropolitan Statistical Area (MSA) in the United States, with a permanent population of 5.6 million

residents living throughout Palm Beach, Broward, Miami-Dade, and Monroe Counties, along with millions of seasonal residents and tourist travelers; and

WHEREAS, the Miami-Fort Lauderdale UASI includes over 110 municipalities, four international airports, three major convention centers, and other critical utility and water infrastructure; and

WHEREAS, the Miami-Fort Lauderdale UASI encompasses four international seaports: Port Everglades, Port of Key West, Port of Miami, and Port of Palm Beach, with the Port of Miami the busiest passenger cruise ship port in the world; and

WHEREAS, Port Everglades is the site of South Florida's primary fuel storage and distribution center that supplies nearly one-fifth of the state's energy requirements; and

WHEREAS, the Miami-Fort Lauderdale UASI region includes Lake Okeechobee and the Herbert Hoover Dike, which, if respectively contaminated or breached, would cause enormous disruptions in drinking water supplies and agricultural irrigation with flooding that would endanger South Florida and much of Central Florida; and

WHEREAS, the Miami-Fort Lauderdale UASI has both national and international economic significance, with a gross domestic product (GDP) of \$252.6 billion, and is home to the largest concentration of international banks in the United States, and is the future home of the Permanent Secretariat of the Free Trade Agreement of the Americas; and

WHEREAS, the Miami-Fort Lauderdale UASI is home to the National Access Point (NAP) Center of the Americas, which is the primary internet and telecommunications distribution center for all of Central and South America; and

WHEREAS, the Miami-Fort Lauderdale UASI is of immense significance to our Nation's defense and homeland security, serving as the home to US Southern Command (USSOUTHCOM), Homestead Air Reserve Base, US Coast Guard operations at Air Station Miami and Station Miami Beach; and the National Hurricane Center; and

WHEREAS, the National Commission on Terrorist Attacks upon the United States cites specific localities within the Miami-Fort Lauderdale UASI region through which some of the 9-11 terrorists are known to have traveled; and

WHEREAS, UASI funding is essential in providing funding for the training and coordination of communication and response for over a hundred different fire, EMS, HazMat, law enforcement, emergency operations and public health agencies within the Miami/Ft. Lauderdale UASI; and

WHEREAS, the Miami-Fort Lauderdale Urban Area is not currently designated as a Tier I high-threat, high density urban area; and

WHEREAS, the current UASI methodology utilized by DHS does not adequately account for airport and sea borne threats, nor the presence of thousands of passengers filling cruise ship beds; and

WHEREAS, the Miami-Fort Lauderdale Urban Area despite being among the top 13 UASIs in the country, sustained a 44 percent reduction in funding from \$17.1 million in FY2010 to \$9.6 million in FY2011, while the eleven Tier 1 Urban Areas sustained no reductions in funding; and

WHEREAS, the Town of Golden Beach as part of the Miami-Fort Lauderdale UASI, is concerned that the Department of Homeland Security through the UASI

Program, will continue to dedicate insufficient resources to safeguard the Miami-Fort Lauderdale Urban Area; and

WHEREAS, the Department of Homeland Security has been given the discretion in FY2012 to allocate both overall UASI funding and the specific distribution of UASI dollars to individual UASI areas; unlike previously where Congress has annually set forth the overall amount for the UASI program, and given DHS discretion solely to make Tier level rankings and allocations to individual UASIs; and

WHEREAS, the Department of Homeland Security funding for FY2012 for first-responder programs including UASI is \$1 billion less than for FY2011.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, THAT THE TOWN OF GOLDEN BEACH STRONGLY ENCOURAGES THE DEPARTMENT OF HOMELAND SECURITY TO RECOGNIZE THE MIAMI-FORT LAUDERDALE URBAN AREA AS A TIER I UASI FUNDING RECIPIENT WITHIN THE UASI PROGRAM, AND ALLOCATE ADEQUATE FUNDING COMMENSURATE WITH ITS RISK PROFILE AND IMPORTANCE TO THE NATION.

BE IT FURTHER RESOLVED THAT THE TOWN OF GOLDEN BEACH SUPPORTS AN ALLOCATION OF F/Y 2012 DEPARTMENT OF HOMELAND SECURITY FUNDING FOR THE URBAN AREA SECURITY INITIATIVE PROGRAM THAT AT A MINIMUM MAINTAINS INDIVIDUAL UASI CAPABILITIES AND CRITICAL FUNCTIONS.

**BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION IS
FORWARDED TO THE OFFICES OF SENATOR BILL NELSON, SENATOR MARCO
RUBIO, AND CONGRESSWOMAN DEBBIE WASSERMAN SCHULTZ.**

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 Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of January, 2012.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
INTERIM 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: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Alex B

Subject: Resolution No. 2219.12 – Authorizing the Lease of Two Police Motorcycles

Item Number:

9

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2219.12 as presented.

Background and History:

The Golden Beach Police Department has requested the approval from the Town's Council to lease two police motorcycles and to purchase the required equipment, uniforms and/or accessories needed to operate the motorcycles.

Financial Impact:

The lease agreement with Peterson's Harley-Davidson of Miami, is for two police motorcycles FLHP ROADKING. The lease term is for twenty-four (24) months and will be billed monthly. The total amount per motorcycle each month is \$475.00, which includes all tires and maintenance with the exception of clutch replacement and physical damages.

The uniforms and equipment for two police officers necessary for the operation of both motorcycles includes:

	<u>Cost</u>	<u>Quantity</u>	<u>Total Cost</u>
1) Breeches/Pants	\$ 135.00	8	\$ 1,080.00
2) S/S White Shirt	\$ 48.84	8	\$ 390.72
3) L/S White Shirt	\$ 88.80	4	\$ 355.20
4) Boots	\$ 450.00	2	\$ 900.00
5) Rain Gear	\$ 150.00	2	\$ 300.00
6) Leather Gun Belts			
w/Holster, Sam Brown	\$ 450.00	2	\$ 900.00
7) Matching Sunglasses	\$ 200.00	2	\$ 400.00

	<u>Cost</u>	<u>Quantity</u>	<u>Total Cost</u>
8) Helmets	\$ 260.00	2	\$520.00 plus \$29.60 shipping
9) Emergency Lights with installation	\$ 1000.00	2	\$ 2,000.00

In a verbal agreement with the City of Miami Police Department, we were able to secure an agreement whereas both officers will be able to train in their facility free of charge for the Town of Golden Beach.

The total cost, including optional Emergency Lights for each bike/officer is \$ 3,537.96.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2219.12

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

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") wishes to enter into a lease agreement with PETERSON'S HARLEY-DAVIDSON CYCLES in order to utilize two police motorcycles for the purpose of providing police services to its residents, described and outlined in the attached Agenda Item Report; and

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") wishes to purchase police uniforms and equipment for two uniformed police officers that would manned the leased motorcycles;

WHEREAS, in accordance with the Town's purchasing procedures, contracts must be reviewed an approved by the Town council; and

WHEREAS, the Town Council finds that the lease of the motorcycles, the purchase of the police uniforms and equipment, is in the best interest of the Town.

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

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

Section 2. Authorization of Approval. The approval and execution of the lease agreement to lease the two motorcycles, the approval to purchase the police uniforms and equipment, as described and outlined in the Agenda Item Report attached

and incorporated herein, 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 **Police Chief.**

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 Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this _____ day of _____, 2011.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

GBPD

Motor Unit

Uniforms & Equipment

Item Description	Cost	Quantity	Total Cost	Vendor
Breeches / Pants	\$135.00	8	\$1080.00	Argo Uniforms
S/S White Shirt	\$48.84	8	\$390.72	Argo Uniforms
L/S White Shirt	\$88.80	4	\$355.20	Argo Uniforms
Boots	\$450.00	2	\$900.00	Argo Uniforms
Rain Gear	\$150.00	2	\$300.00	Argo Uniforms
Leather Gun Belt w/ Holster, Sam Brown & accessories	\$450.00	2	\$900.00	Lou's Police Supply
Riding Gloves	\$50.00	4	\$200.00	Lou's Police Supply
Matching Sunglasses	\$200.00	2	\$400.00	Lou's Police Supply
Helmet	\$260.00	2	\$520.00 + \$29.60 shipping	Super Seer Corp
Emergency Lights & Siren w/installation	\$1000.00 (Optional)	2	\$2000.00 (Optional)	Strobes-R-Us
			Total \$5,075.92	
			W/Optional Emergency Lights \$7,075.92	



November 17, 2011

Don De Lucca, Chief of Police
City of Golden Beach
Via Email: ddelucca@goldenbeach.us

Lease Proposal

Peterson's Harley-Davidson of Miami, L.L.C. proposes to lease the City of Golden Beach, Harley-Davidson FLHP police motorcycles. The motorcycles will include all equipment, i.e.: lights, box, siren, ABS brakes etc.

The lease term is twenty-four (24) months and will be billed monthly as per the pricing schedule below.

Solid Color \$475.00 per month

The price includes all tires and maintenance with the exception of clutch replacement and physical damages. The lessee will pay for **parts only** on clutch replacements.

If you have any questions, please feel free to contact me at 305-651-4811 ext 501.

Sincerely,

Ace Armstrong
General Manager
Peterson's Harley-Davidson of Miami (North)



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

10

**Subject: RESOLUTION NO. 2220.12 – APPROVING AND AUTHORIZING
EVALUATION AND NEGOTIATION OF CONSTRUCTION
ENGINEERING AND INSPECTION (CEI) SERVICES**

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2220.12 as presented.

Background:

It is requested the Town Council authorize the evaluation and negotiation of construction, engineering and inspection (CEI) services for The Strand Avenue and Navona Avenue Bridge Replacements pursuant to a request for proposals (RFP).

As part of our Agreement with FDOT we are to hire a firm to provide us with Construction, Engineering and Inspection Services. This Resolution allows for the Mayor and Manager to select a firm and negotiate a contract that would then come before the Town Council for award.

A Request for Proposal has been issued and the most qualified firm will be selected. Once the most qualified firm is selected a contract will be negotiated for the services desired during the construction of both bridges.

This process will expedite our ability to hire a CEI firm and allow us to place both bridges out to bid as soon as possible.

Financial Impact:

Unknown until the responses are received and evaluated.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2220.12

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AND AUTHORIZING EVALUATION AND NEGOTIATION OF CONSTRUCTION, ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE STRAND AVENUE AND NAVONA AVENUE BRIDGE REPLACEMENTS PURSUANT TO A REQUEST FOR PROPOSALS (RFP); AND PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the Town of Golden Beach (the “Town”) has issued a Request for Proposals (RFP) No. 12-01 for Construction, Engineering and Inspection (CEI) Services for The Strand Avenue and Navona Avenue Bridge Replacements (the “Project”); and

WHEREAS, the Project consists of the phased demolition and reconstruction of The Strand Avenue and Navona Avenue bridges, including roadway approaches, seawall bulkheads, lighting and landscaping; and

WHEREAS, the RFP provides for evaluation, scoring and ranking of the proposals received in response to the RFP by an Evaluation Committee, with subsequent negotiations with the highest ranked firms by the Town Mayor and Town Manager of a Professional Services Agreement and fee for the CEI Services (the “Agreement”), with final award and approval of the Agreement by the Town Council; and

WHEREAS, the Town Council finds that the evaluation and negotiation process set forth in the RFP expedites the Project and is in the best interest and welfare of the residents of the Town.

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

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

Section 2. Approval. The Town Council hereby approves and authorizes the process set forth in RFP No. 12-01 for CEI Services providing for the evaluation and ranking of proposals received in response to the RFP by the Evaluation Committee, and negotiation of the Agreement by the Town Mayor and Town Manager, with final award and approval of the Agreement by the Town Council, as more particularly set forth in the RFP.

Section 3. Implementation. The Town Mayor and Town Manager are hereby authorized to take all steps reasonably necessary to effectuate the RFP and the Agreement and the intent of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

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 Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Judy Lusskin	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of January, 2012.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
INTERIM 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: January 24, 2012

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Subject: RESOLUTION NO. 2221.12 - SOLE SOURCE PURCHASE OF
HEALTHBEAT OUTDOOR FITNESS EQUIPMENT FOR AN
AMOUNT NOT TO EXCEED \$30,000

Item Number:

11

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2221.12 as presented.

Request:

It is requested the Town Council authorize the "Sole Source" purchase of HealthBeat Outdoor Fitness Equipment for an amount not to exceed \$30,000.

Background:

As we complete the major elements of the Towns Park Master Plan a key element still missing in the purchasing and installation of the proposed vita course that will tie the Town's parks together.

The fitness course we are proposing is exclusively made by one manufacture; this particular system has moving parts that allow for users to use an array of range and motions.

Financial Impact:

The purchase price will not exceed \$30,000.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2221.12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SOLE SOURCE PURCHASE OF HEALTHBEAT OUTDOOR FITNESS EQUIPMENT FROM REP SERVICES, INC. FOR AN AMOUNT NOT TO EXCEED \$30,000; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to purchase HealthBeat outdoor fitness equipment from Rep Services, Inc. to provide a tailored workouts for teens and adults of all fitness levels using the latest exercise methodologies; and

WHEREAS, the cost to the Town to purchase HealthBeat outdoor fitness equipment will not exceed a total of \$30,000; and

WHEREAS, in accordance with Section 2-275(2) of the Town Code, the Town Manager has certified that HealthBeat outdoor fitness equipment is sold by Rep Services, Inc., the sole domestic provider of HealthBeat outdoor fitness equipment, and that therefore, competitive bidding is not possible; and

WHEREAS, the Town Council hereby waives requirements of the Town's competitive bidding procedures; 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. Purchase Authorized. The expenditure of funds in an amount not to exceed \$30,000 for the purchase of HealthBeat outdoor fitness

equipment 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, and the Mayor is authorized to execute a purchase agreement or proposal in connection with the purchase of HealthBeat outdoor fitness equipment, subject to the approval of the Town Attorney as to form and legal sufficiency.

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 Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Lusskin	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of January, 2012.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



January 18, 2012

To Whom It May Concern:

Landscape Structures mission is to enhance children's lives by fostering and creating inspiring play experiences while honoring the environment. We would like to thank you for your interest in Landscape Structures Inc. products.

Since August 9, 1990, Rep Services, Inc. has represented Landscape Structures Inc. as our exclusive representative for Park and Playground Equipment in the state of Florida.

Landscape Structures Inc. will honor any responsibilities under the warranty for products sold by our representatives, if representative fails to perform such service.

Any non-LSI parts retrofitted to replace original parts would automatically void the manufacturer's warranty.

If you have any further questions, feel free to contact me at 800-328-0035

Sincerely,

LANDSCAPE STRUCTURES INC.

Steve Hare
Regional Sales Manager

A. Assisted Row/ Push-Up

- Great upper-body workout
- Exercises multiple muscles
- Provides several activities in one station
- Minimum area required 8' x 14' (2,44 m x 4,27 m)

#161316A-B

B. Pull-Up/Dip

- Highly effective upper-body workout
- Allows for multiple strength-building exercises
- Minimum area required 7' x 5' (2,13 m x 1,52 m)

#161313A-B

C. Tai Chi Wheels

- Promotes flexibility
- Enhances relaxation and meditation
- Evenly tones muscles without strain
- Minimum area required 5' x 6' (1,52 m x 1,83 m)

#161311A-B

D. Chest/Back Press

- Builds equal endurance for opposing muscle groups
- Adjustable dial offers six resistance levels
- Minimum area required 8' x 6' (2,44 m x 1,83 m)

#161309A-B

E. Ab Crunch/Leg Lift

- Works both upper and lower abdominals
- Provides two different activities in one fitness station
- Builds core strength
- Minimum area required 10' x 4' (3,05 m x 1,22 m)

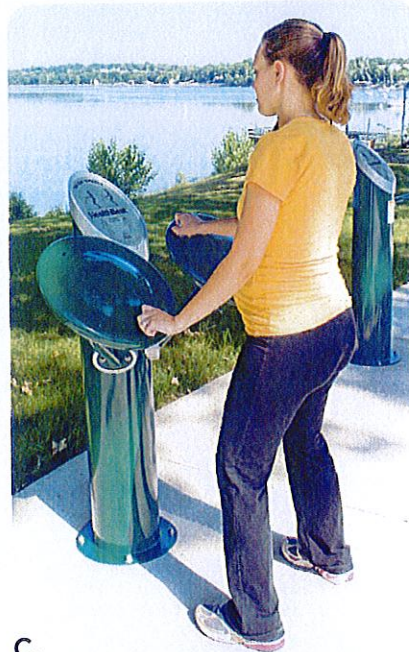
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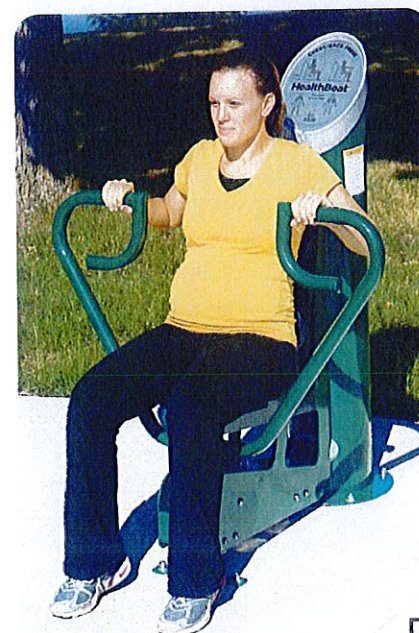
A.



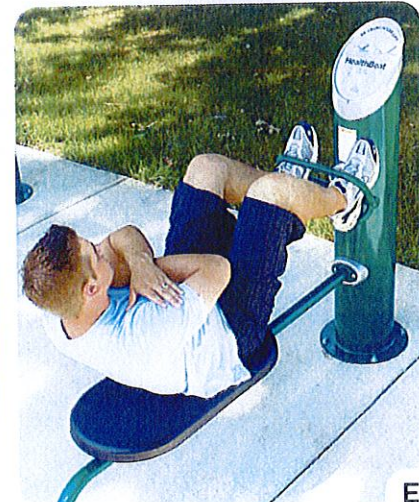
B.



C.



D.



E.

Ages 13+



B.



D. E.



C.



B. Balance Steps

- Use as a balance beam or for step aerobics
- Builds coordination and balance
- Minimum area required 12' x 6' (3,66 m x 1,83 m)

#161315A-B

C. Squat Press

- Builds leg and hip muscle endurance
- Adjustable dial offers six resistance levels
- Minimum area required 9' x 4' (2,74 m x 1,22 m)

#161310A-B

D. Plyometrics

- Increases muscle power
- Develops strength for explosive motions such as running and jumping
- Minimum area required 8' x 8' (2,44 m x 2,44 m)

#161317A-B

E. Cardio Stepper

- Provides a cardiovascular/step aerobic workout
- Adjustable dial offers six resistance levels
- Minimum area required 8' x 5' (2,44 m x 1,52 m)

#161312A-B