



TOWN OF GOLDEN BEACH

**One Golden Beach Drive
Golden Beach, FL 33160**

**Official Agenda for the November 17, 2015
Regular Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PRESENTATIONS / TOWN PROCLAMATIONS

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

G. MAYOR'S REPORT

H. COUNCIL COMMENTS

I. TOWN MANAGER REPORT

J. TOWN ATTORNEY REPORT

K. ORDINANCES – SECOND READING

- 1. An Ordinance of the Town Council Amending Chapter 30 "Streets, Sidewalks and Certain Other Public Places" of the Town's Code of Ordinances.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION," BY CREATING ARTICLE IX, ENTITLED "LOBBYING," PROVIDING DEFINITIONS, REQUIRING THE REGISTRATION OF LOBBYISTS, PROVIDING EXCEPTIONS, PENALTIES AND ENFORCEMENT; PROVIDING FOR CONFLICTS OF INTERESTS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR CODIFICATION AND AN IMMEDIATE EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 567.15

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 567.15

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

2. Official Minutes of the September 24, 2015 Final Budget Hearing & Special Town Council Meeting
3. Official Minutes of the October 20, 2015 Regular Town Council Meeting.
4. A Resolution of the Town Council Approving the Payment of \$500.00 to Do the Right Thing of Maimi, Inc.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$500.00 TO THE "DO THE RIGHT THING OF MIAMI, INC.", PROGRAM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2434.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2434.15

5. **A Resolution of the Town Council Approving the Agreement between the Office of the State Attorney and the Town.**

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE AGREEMENT BETWEEN THE OFFICE OF THE STATE ATTORNEY OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA AND THE TOWN OF GOLDEN BEACH; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2435.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2435.15

P. TOWN RESOLUTIONS

6. A Resolution of the Town Council Accepting A Term Sheet from Northern Trust Bank for a Line of Credit to Finance Working Capital Needs.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA ACCEPTING A TERM SHEET FROM NORTHERN TRUST BANK FOR A LINE OF CREDIT TO FINANCE WORKING CAPITAL NEEDS; AUTHORIZING SUCH LINE OF CREDIT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000; AWARDING THE LINE OF CREDIT ON A NEGOTIATED BASIS; APPROVING EXECUTION AND DELIVERY OF A LINE OF CREDIT AGREEMENT AND A NOTE IN CONNECTION WITH SUCH LINE OF CREDIT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2436.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2436.15

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz

None Requested

R. 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: November 17, 2015

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: **Ordinance No. 567.15 – Amending the Town’s Code to Require
the Registration of Lobbyists**

Item Number:

1

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 567.15 as presented.

Background:

This code would require lobbyist to register with the Town. The body of the resolution outlines the process for registration and explains who is required to register and who is exempt.

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 567.15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS AMENDED, ENTITLED “ADMINISTRATION,” BY CREATING ARTICLE IX, ENTITLED “LOBBYING,” PROVIDING DEFINITIONS, REQUIRING THE REGISTRATION OF LOBBYISTS, PROVIDING EXCEPTIONS, PENALTIES AND ENFORCEMENT; PROVIDING FOR CONFLICTS OF INTERESTS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR CODIFICATION AND AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Gold Beach, Florida (“Town Council”) finds it periodically necessary to amend its Code of Ordinances (“Code”) in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, the Town Council desires to create lobbying registration and reporting requirements to provide transparency relating to third party interests within the Town of Golden Beach (the “Town”); and

WHEREAS, it is the intent of this Ordinance to implement all applicable County laws pertaining to lobbying; and

WHEREAS, the Town Council finds that adopting this lobbying Ordinance is in the best interest of the Town.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, HEREBY ORDAINS AS FOLLOWS:¹

Section 1. Recitals Adopted. Each of the above recitals is hereby adopted and incorporated as if fully set forth in this Section.

Section 2. Code Amended. Chapter 2 is hereby amended to create ARTICLE IX to read as follows:

“ARTICLE I. – IN GENERAL

ARTICLE IX. – LOBBYING

¹Additions to existing code text are shown by underline; deletions from existing code text are shown by ~~strikethrough~~. Changes between first and second reading are indicated with **highlight**.

Sec. 2-309. – Definitions.

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

Expenditure: A payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal paid or provided directly or indirectly to or for the benefit of any elected official or employee of the Town for the purpose of lobbying.

Lobbyist: Any individual, corporation, partnership, or other legal entity employed or retained, whether paid or not, by a principal who seeks to encourage the approval, disapproval, adoption, repeal, passage, defeat, or modification of any ordinance, resolution, action or decision of the Town Council, or any action, decision, recommendation of any Town board or committee, or any action, decision or recommendation of any Town personnel during the time period of the entire decision-making process on such action, decision or recommendation that foreseeably will be heard or reviewed by the Town Council, or a Town board or committee. The term specifically includes the principal as well as any employee engaged in lobbying activities.

Person: Any individual, corporation, partnership or other legal entity or an agent or employee thereof.

Principal: The person that has employed or retained the services of a lobbyist.

Other terms: Any other term used herein and not defined, shall have the meaning ascribed to it in the Miami-Dade County Conflict of Interest and Ethics Ordinance, as that may be amended from time to time (the “County Ordinance”).

Sec. 2-310. – Registration.

All lobbyists shall, before engaging in lobbying activities, register with the Town Clerk. Every person required to register as a lobbyist shall:

- (1) Register on a form prepared by the Town Clerk; and
- (2) File a form with the Town Clerk, signed by the principal or the principal’s representative, stating that the lobbyist is authorized to represent the principal; and
- (3) State under oath the following:

- a. name and business address of the registrant;
- b. the name and address of each principal which has employed or retained the registrant to lobby;
- c. the specific issue for which he/she has been employed or retained to lobby;
- d. the existence of any direct or indirect business association, partnership, or financial relationship with any employee or representative of the Town;
- e. the fact that no contingent fees or contingent compensation is being paid to the lobbyist; and

Any change to any information originally filed shall require that person to file an amendment to the registration forms. Every person has a continuing duty to supply information and amend the forms filed throughout the period for which the lobbying occurs. For each separate principal/event/occurrence or representation, an additional disclosure form shall be filed.

Sec. 2-311. – Exceptions to registration.

The following shall not be required to register under this section:

- (1) Any public official or Town staff discussing matters relevant to their official duties;
- (2) Any individual (citizen/resident) who only appears in his/her individual capacity or on behalf of an immediate family member for the purpose of self-representation without compensation or reimbursement, whether direct or indirect, to express support of or opposition to any item, including but not limited to those who are members of homeowner or neighborhood associations;
- (3) Any person who must appear or is requested to appear before the Town Council, board, committee or any member thereof, or Town staff in a quasi-judicial proceeding or any agent, attorney, officer or employee of such person;
- (4) A foreign dignitary appearing in his/her official capacity.

Sec. 2-312. – Reporting requirements; Notice for failure to register; Penalties; Enforcement.

- (1) Reporting Requirements. All lobbyists subject to registration requirements shall submit to the Town Clerk's office a signed statement under oath listing all lobbying expenditures for the preceding calendar year with regards to the specific issue on which the lobbyist has been engaged to lobby. The lobbying statement shall include expenditures for food and beverage, entertainment, research, communication, media advertising, publications, travel, lodging and special events. Such statement of expenditures, entitled "Annual Expenditures Report," shall be rendered on the form provided by the Town Clerk's office and shall be open for public inspection. Such statement shall be filed by February 1st of each year, even if there have been no expenditures during the preceding calendar year. The lobbyist and principal have a continuing duty to supply accurate information and amend said reports when so needed. The Town Clerk shall keep a current list and a file of registered lobbyists and registration forms required under this section, which shall be open to the public for inspection.
- (2) Notice for failure to register. The Town Clerk shall notify any lobbyist (or principal) who fails to timely file the expenditure or fee disclosure reports referenced in subsection (1) above.
- (3) Penalties. In addition to any other penalties which may be imposed pursuant to the Town Code of Ordinances, any lobbyist who fails to file the required expenditure report by April 30 shall be assessed a fine of \$50.00 per day (beginning on May 1) and automatically suspended from lobbying until all fines are paid.
- (4) Enforcement. The Council hereby delegates to the Miami-Dade Commission on Ethics the enforcement of this Ordinance and any violations thereof, including penalties as provided for under section 2-11.1(s) of the County Ordinance.

Section 3. Repealer. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Codification. That it is the intention of the Town Council, and hereby ordained, that the provisions of the Ordinance shall become and be made a part of the Code of the Town of Golden Beach; that the sections of this Ordinance may be re-numbered and/or re-lettered to accomplish such intentions; and that the word, "Ordinance," shall be changed to "Section" or such other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Absent</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Absent</u>

PASSED AND ADOPTED on first reading this 20th day of October, 2015.

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

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

PASSED AND ADOPTED on second reading this 17th day of November, 2015.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY




TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: November 17, 2015

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez, 
Town Clerk

Subject: **Town Council Minutes**

Item Numbers:

2 & 3

Recommendation:

It is recommended that the Town Council adopt the attached minutes of the Town's September 24th, 2015 Final Budget Hearing & Special Town Council Meeting and the October 20th, 2015 Regular Town Council Meeting.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the September 24, 2015
Final Budget Hearing & Special Town Council Meeting called for 6:00 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:06 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein (*arrived during Item D*), Councilmember Bernard Einstein

Councilmember's Not Present: Vice Mayor Amy Isackson-Rojas

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

C. PLEDGE OF ALLEGIANCE

Asst. Chief Herbello led the pledge of allegiance

D. ADOPTION OF FINAL MILLAGE AND FINAL BUDGET FOR FISCAL YEAR 2015/2016 (TIME CERTAIN ITEM)

- 1. A Resolution of the Town Council Adopting the Final Millage Rate for the Fiscal Year Commencing October 1, 2015 through September 30, 2016**

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, 2015 THROUGH SEPTEMBER 30, 2016 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Resolution No. 2428.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2428.15

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

The motion passed.

Attorney Helfman read the millage rate information into the record officially.

2. A Resolution of the Town Council Adopting the Final Budgets for the Fiscal Year Commencing October 1, 2015 through September 30, 2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE FINAL BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 2429.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2429.15

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

The motion passed.

Attorney Helfman stated that both items would be spoken on at the same time.

A motion to approve the discussion of Items D1 and D2 was made by Councilmember Lusskin, seconded by Councilmember Einstein.

Resident Neil Leff, 88 Terracina Avenue inquired on the item about the health insurance for the council members.

Town Manager Diaz stated that insurance has been provided for them for quite some time.

Mr. Leff asked about the non-ad valorem taxes and why does the Town have an enterprise fund for the stormwater fund.

Town Manager Diaz stated that most public utilities are run as enterprises and the enterprise has to be able to cover all of its liabilities.

Mr. Leff asked if the Town can't take that money out of ad valorem tax and pay through the general fund.

Town Manager Diaz said it would not be in the Town's best interest to close that enterprise because it has liabilities that the Town would have to fund.

Mr. Leff asked about the utility taxes residents have to pay.

Town Manager Diaz stated that those are set up by the state, and the franchise agreement that was set up by the Council with FPL is in line with every other municipalities in the area.

Attorney Helfman stated that it is just like any fee, they are being granted a franchise right to operate in the Town. It has nothing to do with your ad valorem taxes. The Town can get rid of that fee and increase residents taxes.

Mr. Leff asked why doesn't the Town eliminate the fee and increase the millage rate so that it is paid through taxes and it becomes tax deductible for residents.

Mayor Singer stated that it doesn't make economic sense and the Town has a franchise agreement to begin with, and it can't break it.

Mr. Leff asked about the \$200,000 administrative charge in the stormwater utility fund that goes back to the general fund.

Town Manager Diaz stated that that administrative fee is an allocation for the costs of the Town to administer the fund.

Mr. Leff asked for a copy of the costs of the \$200,000.

Mayor Singer requested a roll call on Items D1 and D2 at this time.

E. PRESENTATIONS / TOWN PROCLAMATIONS

OATH OF OFFICE – PART-TIME OFFICER ELIZABETH FERNANDEZ

**** Also presented an award to Asst. Chief Herbello

F. MOTION TO SET THE AGENDA

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

Requested to add Resolution 2432.15 to the agenda for pavers at North Park

G. GOOD AND WELFARE

None

H. MAYOR'S REPORT

Stated that the gate arms have been installed, urged residents to fill out the registration form if they have not already. Wished a happy new year to the Town's jewish residents and congratulated staff on the good work on the budget.

I. COUNCIL COMMENTS

Councilmember Einstein

Offered condolences for the passing of the Mayor's mother.
Also mentioned that he attended the food truck event and it was great.

Councilmember Lusskin

Thanked the Administration for the cleaning of the garbage cans.
Also extended sentiments for the passing of the Mayor's mother.

Councilmember Bernstein

**** *Stepped out at this time – did not have an opportunity to speak.*

J. TOWN MANAGER REPORT

Thanked the council for his evaluation and their continued confidence in his Administration and looks forward to serving them in this coming year.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

3. An Ordinance of the Town Council Amending Chapter 26 “Solid Waste” of the Town’s Code of Ordinances.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 26, “SOLID WASTE,” ARTICLE II, SECTION 26-35 “ILLEGAL DISPOSAL OF GARBAGE,” BY ESTABLISHING AND SETTING PENALTIES FOR VIOLATIONS PURSUANT TO RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Ordinance No. 565.15

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 565.15

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this allows the Town to set the disposal fee for the dumpster by resolution instead of ordinance.

4. An Ordinance of the Town Council Amending Chapter 30 “Streets, Sidewalks and Certain Other Public Places” of the Town’s Code of Ordinances.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 30, “STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES” OF THE TOWN’S CODE OF ORDINANCES TO CREATE A NEW ARTICLE III, ENTITLED “SECURED ACCESS;” PROVIDING FOR REQUIREMENTS GOVERNING VEHICULAR ACCESS TO THE TOWN; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Ordinance No. 566.15

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 566.15

A motion to approve was made by Councilmember Luskin, seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

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

Councilmember Bernstein

Nay

The motion passed.

Town Manager stated that this ordinance allows the Town to issue a code violation for any resident using the guest lane of \$150.

Councilmember Einstein stated that he understands the need of the ordinance but he wants to be sensitive to it.

Town Manager stated that this ordinance is for blatant users of the guest lane.

Councilmember Einstein asked if the town would legally be subjected to any constitutional challenges.

Attorney Helfman stated no that it is just a regulation of traffic flow, not a constitutional right to use the road.

Town Manager stated that the Administration is having a hard time collecting the forms, so they will start going door to door.

Councilmember Bernstein asked why does the Town have to have such strong language in the ordinance.

Town Manager stated that there needs to be some form of enforcement to get residents to register their vehicles.

Attorney Helfman stated that this works very well for Indian Creek.

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

None

P. TOWN RESOLUTIONS

5. A Resolution of the Town Council Reauthorizing the Town's Schedule of Building Permit and Processing Fees

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND

PROCESSING FEES; PROVIDING FOR IMPLEMENTATION;
AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2430.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2430.15

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager went over the fees that are increasing.

Council requested that the variance request fee be changed to \$750.

Mayor Singer stated that the minimum cost for all new construction should be \$350.

6. A Resolution of the Town Council Approving Amendment #2 to the 2014-2015 Fiscal Year Operating Budget for the Purposes of Awarding Employee Bonuses and Amending the Originally Adopted Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #2 TO THE 2014-2015 FISCAL YEAR OPERATING BUDGET FOR THE PURPOSES OF AWARDING EMPLOYEE BONUSES AND AMENDING THE ORIGINALLY ADOPTED BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2431.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2431.15

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

On roll call, the following vote ensued:

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

The motion passed.

7. A Resolution of the Town Council Approving a Proposal with Bejar Construction, Inc. for Parking Lot Pavers.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL WITH BEJAR CONSTRUCTION, INC. FOR THE INSTALLATION OF PARKING LOT PAVERS AT NORTH PARK; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2432.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2432.15

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

On roll call, the following vote ensued:

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

The motion passed.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz
None Requested

Town Manager stated that the next scheduled Council meeting is scheduled for October 20th, 2015 at 7 p.m.

Town Manager also stated that the Halloween event will be held on Saturday, October 31st.

R. ADJOURNMENT:

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:26 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the October 20, 2015
Regular Town Council Meeting called for 6:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:08 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Amy Isackson-Rojas, Councilmember Judy Luskin

Councilmember's Not Present: Councilmember Bernard Einstein, Councilmember Kenneth Bernstein

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

C. PLEDGE OF ALLEGIANCE

Assistant Chief of Police Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF OFFICER JULIO FERNANDEZ

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Dr. Norman Gaylis, 179 Ocean Boulevard

Was initially here for the Beach Committee meeting, but nobody advised him that there would not be a meeting. But would like to take this opportunity to speak about his issues with the beach and the lack of beach security. There are significant gaps in security on the ocean side of Town. The cameras have not been replaced. There are random patrols. There needs to be a significant investment of time for security on the ocean side, because there are situations that are going to occur undoubtedly. Knows there are much better surveillance tools available now and there's been a lapse in really trying to attend to what he believes is a very pressing matter. Feels the Town needs some sort of committee to really deal with the lack of security on that side of the road.

Town Manager stated that the Town has started interviewing additional officers for greater patrol functions and the Town has hired an additional CSA.

G. MAYOR'S REPORT

Urged residents to sign up and register their vehicles for transponders. This is a way to increase security for the Town. Also urged residents to be careful pulling up to the gate arms. Already had to replace two gate arms in two weeks. Reminded residents to attend the Halloween event on October 31st.

H. COUNCIL COMMENTS

Vice Mayor Rojas

None

Councilmember Lusskin

None

I. TOWN MANAGER REPORT

Everything that was down is up and running, only four cameras are down at this time. 98% compliant with people registering their vehicles. Urged residents to call the substation if they have registered their vehicles and not received their transponders. Also reminded residents to attend the Halloween event on October 31st at North Park. And announced that the parking bays in North Park and South Park have both been installed and are open for use.

J. TOWN ATTORNEY REPORT

K. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

- 1. An Ordinance of the Town Council Amending Chapter 30 “Streets, Sidewalks and Certain Other Public Places” of the Town’s Code of Ordinances.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS AMENDED, ENTITLED “ADMINISTRATION,” BY CREATING ARTICLE IX, ENTITLED “LOBBYING,” PROVIDING DEFINITIONS, REQUIRING THE REGISTRATION OF LOBBYISTS, PROVIDING EXCEPTIONS, PENALTIES AND ENFORCEMENT; PROVIDING FOR CONFLICTS OF INTERESTS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR CODIFICATION AND AN IMMEDIATE EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 567.15

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 567.15

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

On roll call, the following vote ensued:

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

The motion passed.

Town Attorney Helfman stated that the County has their own ordinance regarding lobbyist registration and this ordinance mirrors that one. Ordinance requires lobbyists to annually report their gains and expenditures based on their lobbying work. This really goes to paid professionals who are engaged to lobby the Council, whether it be a lawyer that meets with the Council, Mayor or Manager on behalf of a client.

Mayor Singer asked if a contractor could be a lobbyist.

Attorney Helfman stated that if they come in and it is just a meet and greet, they're not a lobbyist. If they come in and they are trying to urge the Council or Manager on all the reasons why this variance is a good thing then they are a lobbyist.

Mayor Singer asked if the Town could make everybody register?

Town Manager Diaz stated that the fee is \$150, which is what most cities charge for lobbyists but the Town could make the fee less.

Councilmember Lusskin asked if this pertains to everyone coming in to the Town.

Mayor Singer stated he doesn't think the ordinance should charge a fee, and that everyone should register just so there is no issue.

Town Manager Diaz stated that the fee will be taken out for second reading.

Attorney Helfman stated that this isn't an issue of whether the Town should do it or not, it is already in place with the County. This ordinance just puts in place the mechanism of enforcing it in Town.

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

- 2. Official Minutes of the August 25th, 2015 Regular Town Council Meeting.
- 3. Official Minutes of the September 8, 2015 First Budget Hearing
- 4. A Resolution of the Town Council Approving the Payment of \$1,000.00 to JAFCO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,000.00 TO THE JEWISH ADOPTION AND FAMILY CARE OPTIONS (JAFCO) 6th ANNUAL CHANUKAH MIRACLES LUNCHEON EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2433.15

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2433.15

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

Consensus vote 3 Ayes 0 Nays. Items N2 – N4 pass.

P. TOWN RESOLUTIONS

None

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz
None Requested

Town Manager addressed an email that was sent to the Council and staff on October 7th, 2015 from resident Neil Leff regarding flooding. The Town of Golden Beach will typically have flooding twice a year – during the Summer and Winter solstices. The Town's stormwater system works 100% accurately. The Town of Golden Beach will never be dry. We will have occurrences throughout the year where water sits in our storm drains and when the tides die down the system then pumps it out and the streets dry up. Do we flood – absolutely. Does it cause damage – yes. But our budget has dollars set aside to address these issues. The Strand will always have water two times a year for a period of four weeks.

Town Manager stated that at the November meeting we will have a comprehensive report for Vice Mayor Rojas on maintenance dredging.

R. ADJOURNMENT:

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

Consensus vote 3 Ayes 0 Nays. Motion passes.

The meeting adjourned at 6:52 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: November 17, 2015

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: **Resolution No. 2434.15 – Authorizing and Approving the
Payment of \$500.00 to the “Do the Right Thing” Program**

Item Number:

4

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2434.15 as presented.

Background:

D.T.R.T has been sustained for 25 years through a sponsorship with the Miami Police Department. Do The Right Thing services all school-age children throughout Miami-Dade County by rewarding their positive behavior, actions and good deeds, they are asking other police municipalities to get involved with the program. Therefore, they are asking for minimal support (please refer to attachment with suggested donation amounts by department size) as they are truly a community-wide, crime prevention initiative which impacts all jurisdictions.

Fiscal Impact:

As approved by Council, a donation of \$500.00.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2434.15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$500.00 TO THE “DO THE RIGHT THING OF MIAMI, INC.”, PROGRAM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the “Do the Right Thing” program services all school-age children through Miami-Dade County by rewarding positive behavior, actions and good deeds; and

WHEREAS, the Town Council finds that a contribution in the amount of \$500.00 to “Do the Right thing of Miami, Inc.” 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. Agreement Approved. That the payment of \$500.00 to “Do the Right thing of Miami, Inc.” is hereby authorized and approved.

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

Section 4. Effective Date. That this resolution shall become effective immediately upon approval of the Town Council.

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 17th day of November, 2015.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: November 17, 2015

To: Honorable Mayor Glenn Singer &
Town Council Member

From: Alexander Diaz, *Alex B*
Town Manager

Subject: Resolution No. 2435.15 – Approving Agreement between the Town
of Golden Beach and the State Attorney’s Office

Item Number:

5

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2435.15 as presented.

Background:

The Agreement between State of Florida, Office of the State Attorney for the Eleventh Judicial Circuit of Florida and the Town of Golden Beach for the reimbursement of the State Attorney for the cost of State Attorney prosecution of town ordinances is approved in the form attached as Exhibit “A” (“Agreement”).

In order for the State Attorney to prosecute an Ordinance Violation (if it were ever needed) requires this formal agreement.

Fiscal Impact:

There is no fiscal impact to the Town at this time.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2435.15

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE AGREEMENT BETWEEN THE OFFICE OF THE STATE ATTORNEY OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA AND THE TOWN OF GOLDEN BEACH; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in order for the State Attorney of the Eleventh Judicial Circuit of Florida to prosecute municipal ordinances which are not ancillary to a felony Section 27.34(1), Florida Statutes, requires the Town to enter into a contract for these prosecutions; and

WHEREAS, the Town and the State Attorney wish to have the State Attorney prosecute these cases.

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

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Agreement Approved. The Agreement between State of Florida, Office of the State Attorney for the Eleventh Judicial Circuit of Florida and the Town of Golden Beach for the reimbursement of the State Attorney for the cost of State Attorney prosecution of town ordinances is approved in the form attached as Exhibit "A" ("Agreement").

Section 3. Implementation. The Town Mayor is authorized to execute the Agreement on behalf of the Town.

Section 4. Effective Date. This Resolution shall be effective immediately upon approval by the Town Council.

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

PASSED AND ADOPTED by the Town Council of the Town of Golden
Beach, Florida, this 17th day of November, 2015.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100

October 21, 2015

Mr. Alexander Diaz
Town Manager
Town of Golden Beach
One Golden Beach Drive
Golden Beach FL 33160

TOWN MANAGER

NOV 05 2015

RECEIVED

Dear Mr. Diaz:

Legislation passed in 2004 to implement Revision 7 to Article V of the Florida Constitution provides that the State Attorney may prosecute municipal ordinances only if (1) the ordinance violation is ancillary to a felony prosecution (s. 27.02(1), Florida Statutes), or (2) the county/municipality has entered into a contract with the State Attorney for these prosecutions (s. 27.34(1), Florida Statutes).

Enclosed please find the proposed agreement for the prosecution of ordinance violations for the period of October 1, 2015 through September 30, 2016. Please sign three originals and return to this office as soon as possible. If you desire to make changes to the contract and want an electronic version of this document, please contact me at donlhorn@miamisao.com and I will forward you a copy. This contract is for the prosecution of ordinances only; the State Attorney's Office has no statutory authority to handle appeals relating to the constitutionality of ordinances. If you choose to not have the Office of the State Attorney prosecute municipal ordinance violations in accordance with sections 4 & 5 of Chapter 2004-265, Laws of Florida, you are requested to send a letter to that effect to the above address as soon as possible.

You will be billed at the statutorily prescribed rate of \$50 per hour. Our estimate is that, on average, it takes approximately 20 minutes per case; therefore, you will be charged at the rate of \$16.67 per case. Please note that this is the charge for ordinance prosecution only. Pursuant to state law, there are separate charges for indigent defense from the Public Defender and filing fees from the Clerk of the Court.

If you have any questions about the contract or if I can provide any other information, please do not hesitate to contact me at 305-547-0562 or at donlhorn@miamisao.com.

Sincerely,

KATHERINE FERNANDEZ RUNDLE
State Attorney

By: 

Don L. Horn

Chief Assistant State Attorney for Administration

DLH/cj

Enclosures

**AGREEMENT BETWEEN TOWN OF GOLDEN BEACH AND THE
STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE
STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF
CERTAIN CRIMINAL VIOLATIONS OF THE
_____ CODE**

This agreement is entered into this _____ day of _____, 2015, by and between Town of Golden Beach, a political subdivision of the State of Florida (hereinafter referred to as the "City") and the Office of the State Attorney for the Eleventh Judicial Circuit of Florida (hereinafter referred to as "State Attorney").

WHEREAS, the City finds that in order to maintain and improve the health, safety, and welfare of this community, it is necessary to adequately enforce and prosecute violations of the City's Municipal Code; and

WHEREAS, Section 27.02, Florida Statutes, authorizes the State Attorney to prosecute municipal ordinance violations punishable by incarceration if ancillary to state prosecution or, if not ancillary to state prosecution, when the State Attorney contracts with the City for reimbursement.

NOW, THEREFORE, the parties hereto agree as follows:

ARTICLE I
Services

The State Attorney agrees to prosecute municipal ordinance violations as authorized in Sections 27.02, and 27.34, Florida Statutes. The City agrees to remit, subject to the terms outlined in Article III of this agreement, to the State Attorney the required funds to reimburse for costs associated with the prosecution of violations of the Municipal Code for the period of October 1, 2015 through September 30, 2016. The State Attorney shall provide such clerical and professional personnel as may be required for the performance of any of the functions of the State Attorney as set forth in this agreement. This agreement does not commit the City to pay for the prosecution of Municipal Code violations ancillary to state prosecution or for the prosecution of municipal ordinance violations not punishable by incarceration. This agreement specifically does not authorize the State to handle appeals of municipal ordinances on constitutional grounds, which shall remain the responsibility of the municipality that passed the ordinance.

ARTICLE II
Terms

This agreement shall expire on September 30, 2016, unless terminated earlier pursuant to Article VII of this agreement. Under no circumstances shall the City be liable to continue or extend this agreement beyond this date. This agreement may only be amended in writing, through a document executed by duly authorized representatives of the signatories to this agreement.

ARTICLE III
Payment Schedule

The City agrees to reimburse the State Attorney on an hourly basis for services rendered at a rate of Fifty dollars (\$50) per hour. On a quarterly basis, the State Attorney shall provide the City with an invoice including, but not limited to, the hours of services rendered, number of cases prosecuted as set forth in this agreement, and the total amount due for payment for the previous month. The City shall remit each payment within ten (10) days after receiving said invoice from the State Attorney.

ARTICLE IV
Responsibilities

The City does not delegate any of its responsibilities or powers to the State Attorney other than those enumerated in this agreement. The State Attorney does not delegate any of its responsibilities or powers to the City other than those enumerated in this agreement.

ARTICLE V
Reporting

All required reports shall be submitted to the _____.

ARTICLE VI
Indemnification

It is expressly understood and intended that the State Attorney is only a recipient of the reimbursements paid by the City and is not an agent of the City. The respective parties agree, subject to the provisions of Chapter 768.28 (17), Florida Statutes, that they will hold each other harmless from any claims arising from this agreement.

ARTICLE VII
Termination

Either party may terminate this agreement at any time with or without cause by furnishing written notice to the other party with no less than ninety (90) days notice.

ARTICLE VIII
Service Charges

This agreement is contingent upon all City funding provided, and any interest earned thereon, not being subject to any State service charges or administrative assessments.

ARTICLE IX
Non-Discrimination

The State Attorney agrees to abide and be governed by Title II of the Americans with Disabilities Act of 1990, Title VI and VII, Civil Rights Act of 1964 (42 USC 200d, e) and Title VIII of the Civil Rights Act of 1968, as amended, which provides in part that there will not be discrimination of race, color, sex, religious background, ancestry, or national origin in performance of this contract, in regard to persons served, or in regard to employees or applicants

for employment and it is expressly understood that upon receipt of evidence of discrimination, the City shall have the right to terminate said agreement.

IN WITNESS THEREOF, the parties have caused this agreement to be executed by their respective and duly authorized officers the day and year first above written.

ATTEST:

NAME

City Commission

By: _____
POSITION

By: _____

ATTEST

State Attorney's Office
Eleventh Judicial Circuit

By: _____

By: _____

Don L. Horn
Chief Assistant State Attorney
for Administration

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2436.15

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA ACCEPTING A TERM SHEET FROM NORTHERN TRUST BANK FOR A LINE OF CREDIT TO FINANCE WORKING CAPITAL NEEDS; AUTHORIZING SUCH LINE OF CREDIT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000; AWARDING THE LINE OF CREDIT ON A NEGOTIATED BASIS; APPROVING EXECUTION AND DELIVERY OF A LINE OF CREDIT AGREEMENT AND A NOTE IN CONNECTION WITH SUCH LINE OF CREDIT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council (the “Town Council” or “Council”) of the Town of Golden Beach, Florida (the “Town”), hereby determines that it is in the best interest of the Town to obtain a Line of Credit (the “Line of Credit”) for working capital needs of the Town in an aggregate principal amount not to exceed \$300,000; and

WHEREAS, the Line of Credit is to be secured by a covenant to budget and appropriate non-ad valorem revenues of the Town (the “Non-Ad Valorem Revenues”); and

WHEREAS, the Line of Credit is to be evidenced by a line of credit agreement (the “Line of Credit Agreement”) and a note issued by the Town evidencing the Line of Credit (the “Note”); and

WHEREAS, the Town Manager (the “Manager”) has recommended that the Council approve the Term Sheet for a line of credit provided by Northern Trust Bank (the “Bank”), a copy of which is attached hereto as Exhibit “A” (the “Term Sheet”); and

WHEREAS, the Town Council desires to accept the Term Sheet from The Bank, and to award the Line of Credit and the sale of the Note to The Bank;

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

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

Section 2. Authority for this Resolution. The Town Council is authorized to adopt this Resolution (the "Resolution") under the authority granted by the provisions of the Town Charter, Chapter 166, Florida Statutes, and other applicable provisions of law.

Section 3. Acceptance of Term Sheet. The Town accepts the Term Sheet, and awards the Note and the Line of Credit to The Bank. The Town finds that the Note and Line of Credit are to be issued in a relatively small aggregate principal amount and thus are not readily marketable at public sale. A public sale of the Note is therefore found to be impractical in the prevailing market, and protection of the public interest necessitates the approval of a negotiated sale of the Note directly to the Bank.

Section 4. Authorization of the Line of Credit and the Note. The Line of Credit and the Note are each approved. The Town authorizes the Line of Credit and the Note in an aggregate principal amount not to exceed \$300,000 for the purpose of providing for working capital needs of the Town.

Section 5. Approval of Line of Credit Agreement Documents. The Mayor of the Town and the Town Manager are each authorized and directed to execute, and the Town Clerk is authorized to attest, the Line of Credit Agreement and the Note, in each case in a form consistent with the Term Sheet, subject to approval by the Town Attorney. The Line of Credit Agreement and the Note shall be secured by the Non-Ad Valorem Revenues. Execution of the Line of Credit Agreement and the Note by such officials shall constitute conclusive evidence of the approval thereof by the Town.

Section 6. Miscellaneous. The Mayor of the Town, the Town Manager, the Town Clerk, the Town Attorney and other authorized officers of the Town are authorized and directed to execute and deliver all documents, contracts, instruments and certificates and to take all actions and steps on behalf of the Town, including executing all closing certificates, that are necessary or desirable in connection with the

Line of Credit, the Line of Credit Agreement, and the Note, or otherwise in connection with any of the foregoing, which are not inconsistent with the terms and provisions of this Resolution.

Section 7. Severability. Should any sentence, section, clause, part, or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

Section 8. 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 Amy Isackson-Rojas	_____
Councilmember Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida this 17th day of November, 2015.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

TERM SHEET FROM NORTHERN TRUST BANK



Northern Trust

November 16, 2015

Mr. Alexander Diaz
Town Manager
Town of Golden Beach
1 Golden Beach Drive
Golden Beach, Florida 33160

Dear Alex:

We are pleased to outline a possible structure for financing that Northern Trust may wish to provide and The Town of Golden Beach may wish to obtain. This letter and any related conversations are for discussion purposes only and do not represent a commitment on the part of Northern Trust to provide any financing or on your part to accept or obtain it.

Subject to the above and the other provisions of this letter, we would like to discuss with you the below noted terms.

1. Borrower: Town of Golden Beach, Florida
2. Purpose: To finance short term working capital needs
3. Facility: Line of Credit ("Loan")
4. Loan Amount: \$300,000 (Three hundred thousand dollars and no cents)
5. Loan Maturity: **Three years**
6. Interest Rate: Prime Rate less 1.25% (currently 2.00%). Assumes loan is Bank Qualified and Tax-exempt. Notwithstanding the forgoing, interest rate shall not be less than 2.00% at any time. "Prime Rate" means that floating rate of interest per year announced from time to time by Northern called its Prime Rate, which at any time may not be the lowest rate charged by Northern. All interest will be computed for the actual number of days elapsed on the basis of a year of 360 days.
7. Repayment Schedule: Quarterly interest only payments commencing December 30, 2015. Principal shall be due and payable at Loan Maturity
8. Prepayment Terms: You may prepay the loan at any time without premium, penalty or breakage fee.
9. Fees: **\$1,500.00 (1/2% percent of Loan Amount)**

10. Expenses: Borrower will be responsible for all closing costs including but not limited to attorney fees.
11. Collateral: Pledge of Non-Ad Valorem Revenues to pay Loan principal and interest when due.
12. Loan Covenants: Borrower to meet a 30 day Clean Up provision whereby the Line of Credit will be reduced to a zero balance for 30 consecutive days **every 12 months** during the term of the loan.

No Additional Debt without prior Bank Consent

The loan documents will contain such usual types of representations and covenants customary for Lines of Credit.

13. Reporting Requirements:

Borrower shall provide audited statements annually no later than 180 days from the fiscal year end. Fiscal year end statements shall be prepared by independent certified public accountants selected by the Borrower and satisfactory to Northern.

Borrower shall provide an Annual Certificate of Non-default evidencing compliance with all existing Bank and Bond Financing in place.

If Northern at any point does commit to entering into the above referenced credit facility, such commitment would likely be subject to other terms and conditions, such as, for example, but not limited to:

- (a) Completion of Northern's due diligence examination of the Borrower, the results of which shall be satisfactory to Northern in its sole discretion.
- (b) No material litigation shall have been instituted against the Borrower or any affiliate, subsidiary, or contemplated guarantor of any indebtedness of the Borrower to Northern.
- (c) No material adverse change, as determined by Northern, shall occur or be revealed in the condition or operations, financial or otherwise, of the Borrower or any affiliate, subsidiary, or contemplated guarantor of any indebtedness of the Borrower to Northern subsequent to the date hereof.
- (d) The Borrower shall have executed and delivered definitive loan documents ("Loan Documents") containing terms and provisions satisfactory to Northern, and shall have delivered each other document or agreement required to be delivered under the Loan Documents, each duly executed and each containing terms and provisions in form and substance satisfactory to Northern and its counsel.
- (e) All other conditions precedent set forth in the Loan Documents shall have been satisfied.

- (f) Northern shall be satisfied that, after giving effect to the initial loans, the Borrower shall have assets (excluding goodwill and other intangible assets not capable of valuation) having value, both at fair valuation and at present fair salable value, greater than the amount of its liabilities, and Northern shall be satisfied that all of the assets supporting the facility shall be sufficient in value to provide the Borrower with sufficient working capital to enable it to thereafter profitably operate its businesses and to meet its obligations as they become due.

This Proposal Letter will expire on the close of business on November 25, 2015.

We appreciate the opportunity to provide you with this term sheet. If you would like to proceed, please sign below and Northern Trust will commence the Loan Underwriting process. If you have any questions or would like to discuss this proposal, please do not hesitate to call me at 305-789-1451.

Sincerely,



Michael J. Villasana
Senior Vice President

Acceptance:

Accepted and agreed to this ____ day of _____, 2015

Alexander Diaz
Town Manager