



TOWN OF GOLDEN BEACH

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

**Official Agenda for the June 24, 2013
Special Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE 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

*CIP Report & Update

J. TOWN ATTORNEY REPORT

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

**1. An Ordinance of the Town Council Amending Chapter 66, Zoning;
Article III, District Regulations.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH,
FLORIDA, AMENDING CHAPTER 66, ZONING; ARTICLE III,
DISTRICT REGULATIONS, TO CLARIFY PERMITTED AND

PROHIBITED USES IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 556.13

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 556.13

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

2. **Minutes of the May 21, 2013 Regular Town Council Meeting**
3. **A Resolution of the Town Council Approving A Joint Project Agreement with the Florida Department of Transportation for Turf and Landscape Maintenance.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A JOINT PROJECT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR TURF AND LANDSCAPE MAINTENANCE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE MAYOR AND TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2302.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2302.13

4. **A Resolution of the Town Council Approving Amendment #3 to the 2012-2013 Fiscal Year Operating Budget.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #3 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR

AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2303.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2303.13

5. A Resolution of the Town Council Authorizing and Approving the Payment of \$2,500.00 to the Sunny Isles Beach Trust Foundation.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$2,500.00 TO THE SUNNY ISLES BEACH TRUST FOUNDATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2304.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2304.13

O. TOWN RESOLUTIONS

None

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
** Beach Pavilion

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

Q. ADJOURNMENT:

DECORUM:

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

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

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

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

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



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: June 24, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manger

A handwritten signature in blue ink that reads "Alex B".

Subject: Ordinance No. 556.13 – Amending Chapter 66, Zoning,
Specifically by Amending Article III, Entitled “District
Regulations.”

Item Number:

1

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 556.13 as presented.

Background:

This Ordinance will provide for additional enforceable provisions to ensure that homes in Town are being used for the purposes provided within the Ordinance.

We anticipate that this Ordinance will assist our efforts to limit the type of activities homes in Town are being used for (i.e. commercial parties, hosted evens for other purposes, etc.).

Fiscal Impact:

None

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 556.13

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING; ARTICLE III, DISTRICT REGULATIONS, TO CLARIFY PERMITTED AND PROHIBITED USES IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town is incorporated as a residential community;

WHEREAS, the Charter of the Town of Golden Beach at Section 1.02(c)(3) prohibits the Town Council from permitting any use of any land within the Town for any purpose other than for single family residential use; Town of Golden Beach governmental purposes; and social and athletic nonprofit clubs and organizations that are operated for the benefit and use of residents of the Town on public property designated for this purpose;

WHEREAS, Chapter 66 of the Town Code of Ordinances, Zoning, Section 66-67 zones all parcels of land within the corporate limits of the Town as: (1) Single-Family Residential [SF]; (2) Governmental or community facilities [CF]; or (3) Social and athletic or public recreation [R-2];

WHEREAS, Chapter 66 of the Town Code of Ordinances, Zoning, Section 66-62 Requires that all lots and parcels of land within the corporate limits of the Town shall be used in accordance with the zoning districts set forth in Section 66-67 and for no other purpose;

WHEREAS, the Town desires to clarify the uses permitted and prohibited in the Single-Family Residential Zoning District;

WHEREAS, the proposed amendments to Chapter 66 were reviewed by the Town Council meeting as the Local Planning Agency on ____ and direction was provided to the Town Manager and Building Official;

WHEREAS, the Town Manager and Building Official has prepared the proposed text amendments;

WHEREAS, the Town Council meeting as the Local Planning Agency considered this matter on ____ and recommended adoption of this ordinance to the Town Council; and

WHEREAS, after careful consideration of this matter, the Town Council has determined that it is in the best interests of the Town to approve the text amendments to Chapter 66, Zoning; Article III, District Regulations.

NOW, THEREFORE, BE IT ORDAINED 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. Amendment. Chapter 66 of the Town Code is amended by making modifications to Article III, in the following particulars:

ARTICLE III. DISTRICT REGULATIONS.

* * *

Sec. 66-67 - Zoning Districts

* * *

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

(i) Dwellings. All property within the SF district shall be used for the principle purpose of dwellings occupied by individual families.

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

(iii) Prohibited uses. Except as provided in Section 66-91 governing Residential Transient Use and Section 15-10 governing Filming, no business, professional or other commercial uses are permitted from or with any SF district. No person may use any property within the SF district as a venue for any event, party, other commercial or promotional activity where a fee is charged for entry or any type of compensation is directly or indirectly given to the property owner for the use of the property, nor may any person hold any third party promotional event (other than a traditional, daytime open house) at the property for the purpose of advertising or otherwise exposing the property for sale.

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

Section 3. Implementation. The Town Clerk and Town Manager are hereby authorized to take any and all action necessary to implement this Ordinance and make it part of the Town Code including re-numbering or re-lettering the code references and ordering.

Section 4. Severability. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 5. Conflicts. To the extent that this Ordinance conflicts wholly or partially with any existing provision in the Town Code, the terms of this Ordinance shall prevail.

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

Sponsored by **Town Administration.**

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

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

PASSED AND ADOPTED on first reading this 24th day of June, 2013.

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: June 24th, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez,
Town Clerk 

Subject: **Town Council Minutes**

Item Number:

2

Recommendation:

It is recommended that the Town Council adopt the attached minutes of the Town's May 21st, 2013 Regular Town Council Meeting.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the May 21, 2013
Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:10 p.m.

B. ROLL CALL

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

Councilmember's' Not Present: Councilmember Einstein

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

C. PLEDGE ALLEGIANCE

Police Chief led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Swearing-In of New Part-time Officers – Andrea Smith-Bustillo and Joseph Bautista
**Town Manager spoke briefly about the Town's part-time police officer program and the benefits the program provides to the Town.

Recognition of Officer of the Quarter – Detective Dan Rosenberg

Recognition of Officer Robert Ruggiero

E. MOTION TO SET THE AGENDA

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

Town Manager requested to delay items #1 and #2 to a date not certain.

Town Manager also requested to add a guardhouse update to Town Manager's discussion.

F. GOOD AND WELFARE

Dr. Linda Kaplan, 209 East Hallandale Beach Blvd

Spoke as the Community chair for the Cancer Prevention Study with the American Cancer Society about the Society's Cancer Prevention Study-3, urging residents to enroll in the study.

G. MAYOR'S REPORT

Spoke on the progress being made on the Center Island and North Island bridges. Urged everyone to please obey the traffic signals on those bridges.

Spoke on the potluck dinner and the great turnout. Thanked the Town staff and committee that put that together. Advised that he was working with the Town Manager and Town Attorney to address parking issues around Town, stating that with the completion of the bridge projects the West lot would reopen for visitors to park at.

H. COUNCIL COMMENTS

Councilmember Rojas

Echoed the Mayor's concerns about people running the lights on the bridges.

Asked how long they anticipate one lane at the Sunny Isles/Golden Beach border? The Town Manager advised that he would give a full report on that during his report.

Vice Mayor Lusskin

Reminded residents to attend the Memorial Day program in Town this Monday at 5 p.m. Stated that she's received a lot of positive comments from residents on the police department's bicycle patrol.

Asked if the Town Manager would address the powerlines along the eastside of Golden Beach Drive? He advised that it would be included in his report.

Councilmember Bernstein

Advised that since the last meeting, he has met with the Town Manager to discuss different ideas for the Beach, and they will be selecting a Beach Committee in the near future. Stated that the light at The Strand doesn't give anybody time to walk across the street, and that it should run longer. Town Manager stated that he would address it in his report.

I. TOWN MANAGER REPORT

** He presented the Mayor and Councilmembers that were re-elected in February with a framed copy of the article that ran in the Miami Herald.**

Thanked Carol Larson, Bonnie Peters, Michael Glidden, and Marie Talley for their work on the potluck fiesta party – specifically Michael Glidden for his hard work in putting together the potluck.

***CIP Report & Update**

The Town is currently in the process of removing poles from Town. There is still one main energized power cord on the east side. It does not power Golden Beach. It is the cord that connects Golden Beach to Sunny Isles Beach and Hallandale Beach, and

should be coming down within the next couple of days. Town hopes to have all of the overhead poles removed before the end of next month.

The bridge barges will be moving some time this weekend. The original contract date with American Bridges was December 3rd. The new contract date is January 13th, due to some unforeseen delays. But right now the project seems on schedule for the original contract date of December 3rd.

Also thanked Paul Abbott and Maria Camacho for identifying almost an additional \$50,000 of work that is seawall and stormwater-related that the Town was able to transfer to the Stormwater Fund.

The Tweddle Park improvements are still not done, but the Town has made some significant work has been done, but not finished yet.

Finally able to get FDOT to come in and release the A1A project for the milling and resurfacing of A1A. The project commences on June 1st. It is a 93 day project. Currently the project is scheduled to be conducted during the day, but the Town is trying to convince them to do the project at night. Residents should expect noise, messiness, and congestion. Just asking residents to bear with the Town during this time. When the project is complete, there will be new indicators on the asphalt indicating that the road will be shared with bicyclists, which will be something new for residents.

There are 9 lights out in Town. The Town is working with FPL to get that corrected and looking at lighting alternatives to present to council during the budget process.

Reminded Council that Memorial Day is this Monday. Town Hall will be closed at noon on Friday, in order to convert the power to the Town Hall building.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS – (*)delayed to a date not certain)**

1. A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to Permit a Dock Extension.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND INTO AN OUTSIDE WATERWAY AT 17.4', WHERE 10' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 1
Resolution No. 2296.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2296.13

2. **A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to permit the Wave Break Wall to Extend.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE WAVE BREAK WALL TO EXTEND INTO AN OUTSIDE WATERWAY AT 39.5', WHERE 25' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 2
Resolution No. 2297.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2297.13

N. CONSENT AGENDA

3. **Minutes of the March 19, 2013 Regular Town Council Meeting**
4. **A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and North Bay Village.**

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

Exhibit: Agenda Report No. 4
Resolution No. 2298.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2298.13

5. A Resolution of the Town Council Approving Amendment #2 to the 2012-2013 Fiscal Year Operating Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #2 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2299.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2299.13

Consensus vote 4 Ayes 0 Nays. Items N3-N5 passed.

O. TOWN RESOLUTIONS

6. A Resolution of the Town Council Approving the Agreement for Contract Police Officer with David Carrazana.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE AGREEMENT FOR CONTRACT POLICE OFFICER WITH DAVID CARRAZANA; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2300.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2300.13

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager advised that this contract was approved last year. The Town currently has Detective Carrazana working a detached detail with the IRS task force. This is a repeat of the same contract.

Mayor Singer asked the Town Manager to speak to the Town Council about the Town's three detached officers.

Town Manager spoke briefly on the three detached officers the Town currently has. Town has yielded over \$1.8-million in forfeited assets in the five years it has been involved in the program. The Town can use these monies towards crime prevention and/or new initiatives in the police department. The State Attorney's Office, DEA and IRS are the organizations the Town has relationships with. They manage the officer's work and provide reports to the Town. With the Town's forfeited assets dollars, the Town has been able to do a number of things. \$660,000 were used for the Town's CCTV program. The Town was also able to provide laptops for all the police officers, change the fleet to Chevy Tahoes, pay for the balance of the funds needed to complete the Town's police boat dock, pay for half of the cost for the motor unit, and currently looking to cover some of the costs for the guardhouse conversion project next year with forfeited assets. The organization's the Town works with pay the Town a 100% reimbursement for all overtime dollars the detached officers work.

7. A Resolution of the Town Council Accepting the General Purpose Financial Statement and Single Audit for Fiscal Year 2011/2012.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE GENERAL PURPOSE FINANCIAL STATEMENTS AND THE SINGLE AUDIT FOR FISCAL YEAR 2011/2012 ENDING SEPTEMBER 30, 2012 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2301.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2301.13

A motion to approve was made by Councilmember Rojas seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

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

The motion passed.

Town Manager first thanked Maria Camacho, whose father was hospitalized earlier, for being at the meeting.

Town Manager wanted to highlight a few parts of the audit. A couple of things are being authorized as part of the audit. 1. Last year we overspent our budget by over \$150,000. But the reason is because the Town transferred funds decreasing the amount of the budget, and authorizations were made for landscaping contracts, that were unfunded contracts that the Town hoped we would have enough reserves to cover. 2. Throughout the last six years, the Town Council has authorized on an annual basis, through the 330 Fund, the expenditure of capital-related costs. Over the last six years the Council has authorized, from the Town's reserve dollars, \$5.6-million of authority to spend from the Town's general fund reserves for capital-related projects. We are going to write off, \$3.2 million from the general fund balance sheet, and those are the dollars that we are expecting to never repay back to the Town's general fund reserves, because those projects are complete and those projects have no means of ever generating any type of revenue. The other item for discussion is the stormwater fund. The general fund, fund balance has loaned the stormwater fund \$2.4-million in capital reserves. The Administration is asking the Council to leave that on the balance sheets as a liability with the potential to be repaid back to the general fund reserves, and asking to begin a dialogue as to whether or not the general fund reserves should be repaid the \$2.4-million from the stormwater fund.

Town Manager also stated that in the management comments portion of the audit, there were no comments, which means that the Town has been doing a stellar job. The only comment was a carry-over comment from the previous audit, which is the Town needs to make the proper investment in upgrading its financial tracking system. The Town feels that the cost benefits for changing the Town's current system will not materialize.

Councilmember Bernstein asked if there is a necessity to close out the stormwater loan? And he also asked why not add something to the budget to state why the Town went over on the budget.

Town Manager stated that in his budget message about the financials, the overage in the budget is addressed. He also added that the CIP Fund, the Bridge Fund, the Debt Service Fund, and the Water Fund have no means ever to be repaid because they are not enterprises. These are projects that the Town created and chose not to tax because the Town knew that the funds would come from the reserves. So the Town could keep them on the books as a liability, but it's almost a false statement because the Town knows that it will never be repaid, even under the expectation that we could get dollars down the road. He stated and federal funding programs cannot reimburse you for projects that have been completed, they have to be for new or ongoing projects.

Councilmember Bernstein stated that if the Town ever decides it wants to do something in the future, it could still write it off.

Town Manager stated that the challenge with doing that is that for the funds it has received to date, the Town has had to show matching dollars, so the Town's recommendation is to close out that fund.

Mayor asked if the auditors suggest that the Town write it off?

Town Manager stated that the auditors leave it up to the municipality, and the Town was free to do what it wanted with it.

Councilmember Bernstein asked if there is any type of penalty with owing this debt?

Town Manager stated that there is no penalty because the Town doesn't owe anybody the money, it owes it to itself.

Resident Fred Chouinard commented stating that the auditor should have made a note in the financial statement as far as paying the \$3-million debt.

Town Manager stated that it's listed in the Town's books as restricted fund within the fund balance, so the auditors do account for it.

Mayor commended Maria Camacho for a great job with the auditors and the audit. The audit went quick and smooth, there were no comments, and it is a very clean audit.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
** 401K program

The administration has asked the Town Attorney to look at making some changes to the Town's pension programs. What the Town is exploring is that all new hires moving forward, except police officers, go to a 401K program instead of the Town's pension program. They would become a defined contribution employee instead of a defined benefit employee. The trend has been the reverse. New hires in other places are allowed to choose defined benefit versus defined contribution program. However in the last 1 ½, the cities that gave employees choices have now required all employees to join the defined benefit program because you need new bodies going into the program to be able to support the liability of those employees who are nearing retirement age.

Mayor stated that a Town our size, he doesn't think that a 401K would be a big monetary burden on the Town.

Town Manager stated that that is correct, but there are a number of employees who are reaching retirement status within the next two to three years, which will have an impact on the Town's pension fund.

** Events at Private Homes

Also asked the Town attorney to draft an ordinance regarding events that are conducted in resident's private homes. Town Manager stated that there has been an increase in resident's hosting events at their homes, and the Town is concerned that many of those events are not being conducted for private purposes (i.e. fundraisers or events requiring an admission fee).

Councilmember Rojas asked how is the Town going to distinguish that from the filming?

Town Manager stated that that was an excellent question to discuss when the ordinance is brought before the Council at first and second reading.

Town Attorney stated that in the ordinance there would be a distinction between activities that are customarily associated with the use of a home and things that are not, and those are the ones the Town is trying to prohibit.

**** Pilot Program at the Substation**

Town Manager stated that the Town has hired Tim Patterson and Brandon Jackson over from Navarro Security, and two officers are assisting with the program as well. The efforts have been really successful. The Town has been able to find 13 projects in Town that were doing work without permits, thanks especially to the efforts of Officer Mayuly Ferrer. New uniforms have been ordered for the Community Service Aids, which is what the employees at the substation are being called. Navarro Security still there at night and on the weekends, but the Town is hoping to transition out of having any services provided by Navarro eventually.

**** Preliminary Discussion on the Stormwater Fee**

Town Manager spoke on the attachment that was included with the agenda packet pertaining to the Town's stormwater fees. The Town's current stormwater fee is \$45 a month for Equivalent Residential Unit (ERU), which is one per home in Golden Beach. 396 lots in Town pay an ERU. The Town currently generates \$166,320 through the stormwater fee program, which have been pledged to the repayment of the Town's stormwater loan, and all other costs related to stormwater. The Town's annual stormwater budget is \$450,000. So, what the Town is asking the Council and community to think about is an increase to the stormwater fees to begin to repay the general fund balance reserves, the \$2.4-million that it has loaned to the stormwater fund and to finally capture the administrative fees.

Mayor asked the Town Attorney if the Council has the authority to raise the fee?

Town Attorney said yes they could, as long as it is done based on a study.

Steve stated that it includes both the capital improvements to the stormwater system, treating the stormwater system.

Mayor asked when did the town start it?

Maria Camacho advised that it started in 1986.

Town Manager stated that the Town is not asking residents to pay for all of the revenues needed to support it, but at least some of the revenues to regrow the town's general fund reserves by repaying the \$2.4-million that was loaned to the stormwater.

Councilmember Rojas stated that if the Town could do something to reduce people's water bills that might incentivize residents to want to pay a greater fee.

But the **Town Manager** stated that letters are continuously sent to the City of North Miami Beach, but that is out of the Town's control. The Town has no problem continuing to offset the cost of the stormwater fund with Town dollars, but there comes a point where the Town's ad valorem dollars are stretched as far as they can be stretched. And

the Town's liabilities are not decreasing, they're increasing. The Town will do everything possible to keep the Town's combined millage rate at an 8.5 mills.

Town Attorney stated that a stormwater operation should be run off of stormwater fees. The Town's fees are very low considering the amount of stormwater operations the Town undertakes.

Councilmember Bernstein asked if the Town would put this information in the newsletter? Town Manager stated that the Town would. He also asked if the Town could describe in greater detail what the money would be used for.

Councilmember Bernstein asked if the June meeting could be moved. Meeting staying on June 18th until Councilmember Bernstein confirms that he can be back by June 24th.

Q. ADJOURNMENT:

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Lissette Perez

Lissette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: June 24, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

3

Subject: Resolution No. 2302.13 – Authorizing a Joint Project
Agreement with FDOT for Turf and Landscape Maintenance

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2302.13 as presented.

Background:

The Town has had a long standing agreement with the Florida Department of Transportation (FDOT) for the maintenance of Ocean Boulevard. The agreement calls for the Town to maintain Ocean Boulevard and reimburses the Town for expenses related to the maintenance.

Our annual costs for this service averages \$66,000 per year, of which \$13,969.21 is provided by FDOT.

Fiscal Impact:

The Town will receive \$13,969.21 from the Florida Department of Transportation.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2302.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A JOINT PROJECT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR TURF AND LANDSCAPE MAINTENANCE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE MAYOR AND TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") desires to enter into a Joint Project Agreement with the State of Florida Department of Transportation ("FDOT") concerning turf and landscape maintenance of certain FDOT rights-of-way; and

WHEREAS, the Town Council finds that approval of the attached Joint Project Agreement between FDOT and the Town 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 the foregoing recitals are true and correct and incorporated herein by this reference.

Section 2. Agreement Approved. That the Joint Project Agreement, in substantially the form attached hereto as Exhibit "A" (the "Agreement"), is hereby approved, and the Mayor is authorized to execute the Agreement on behalf of the Town, once approved by the Town Attorney as to form and legal sufficiency.

Section 3. Implementation. That the Mayor and Town Manager are authorized to take any and all action necessary to implement and enforce the purposes of this Resolution and the Agreement on behalf of the Town.

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

Sponsored by Town Administration.

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

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 24th day of June, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172

ANANTH PRASAD, P.E.
SECRETARY

June 7, 2013

Alexander Diaz, Town Manager
TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL 33160-2296

RE: Turf and Landscape Maintenance Joint Participation Agreement
Contract No.: **AQE 96 Renewal# 2**
Financial No.: **252354-2-78-01**

Subject: **RENEWAL# 2**

Dear Mr. Diaz:

The Agreement referenced above will expire on October 17th, 2013. The Department wishes to renew this agreement for a period of one year starting on October 18th, 2013, and ending on October 17th, 2014. If the City agrees on this renewal, enclosed are two (2) new contract renewal documents to execute. Please leave the date blank on the first page and return the executed documents back to the Department before **June 27, 2013**.

Should you have any questions concerning this agreement, please contact me at telephone number (305) 470-5426.

Sincerely,

Shany Ianotti
Project Manager Assistant

cc: R. Marrero, K. Al-Said, A. Perez, file.

CONTRACT RENEWAL

Contract No.: AQE 96 Renewal: (1st, 2nd, etc.) 2nd

Financial Project No(s): 252354-2-78-01

County(ies): Miami-Dade

This Agreement made and entered into this _____ day of _____, by and between the State of Florida Department of Transportation, hereinafter called "Department", and Town of Golden Beach hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on this 18 day of October, 2011 entered into an Agreement whereby the Department retained the Contractor to perform Maintenance of all Landscape and/or turfed areas within the Department's Right of Way, having the limits described on Exhibit "B" of the original contract.

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 18 day of October, 2013 and ending the 17 day of October, 2014 at a cost of \$ 13,969.21.

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

Town of Golden Beach
Name of Contractor

Contractor Name and Title

BY: _____
Authorized Signature

Name of Surety (SEAL)

City State

By: _____
Florida Licensed Insurance Agent or Date
Attorney-In-Fact (Signature)

Countersigned: _____
Florida Licensed Insurance Agent Date

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
District Secretary or Designee (Signature)

Title: _____

Legal: _____

Fiscal: _____
Approval as to Availability of Funds

Contract No: AQE 96
Financial Project No(s): 252354-2-78-01
Project Description: Maintenance of all Landscape and/or turfed areas within the Department's Right of Way, having the limits described on Exhibit "B" of the original contract.

Vendor/Consultant acknowledges and agrees to the following:

Vendor/Consultant :

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Consultant during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Company/Firm: Town of Golden Beach

Authorized Signature: _____

Title: _____

Date: _____



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: June 24, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

A handwritten signature in blue ink that reads "Alex B." with a circled "B".

Item Number:

4

Subject: Resolution No. 2303.13 – Authorizing the Manager to transfer \$35,000 from the Town Contingency Funds to both the Parks and Recreation Budget and the Roads and Streets Budget

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2303.13 as presented.

Background:

This past month the Town experienced severe flooding and much of the Town's landscaping was damaged. I am seeking \$35,000 for the Town's Contingency Funds to replace damaged landscaping and enhance landscaping throughout the Town.

Fiscal Impact:

\$35,000 from the Town Contingency Funds to both the Parks and Recreation Budget and the Roads and Streets Budget

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2303.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #3 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") adopted an Operating Budget for the 2012-2013 Fiscal Year; and

WHEREAS, the Town Manager has recommended certain amendments as described in the June 24, 2013 Memorandum attached to this Resolution as Exhibit "A"; and

WHEREAS, the Town Council finds that the proposed amendments are 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. Amendment.

The 2012-2013 fiscal year Operating Budget is hereby amended as reflected on Exhibit "A" to this Resolution and the funds are appropriated for the purposes therein.

Section 3. Implementation.

That the Town Manager is authorized to take any and all action, which is necessary to implement this Resolution.

Section 4. 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 Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
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 June, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Authorization of Budget Transfer
Fiscal Year 2012 - 2013

REQUEST DATE 24-Jun-13

Account No.	Description	Council Approved Budget	Transfer	Amended Budget
All Departments			IN	
001-541-344	Median Maintenance	\$ 104,000.00	\$ 5,000.00	\$ 109,000.00
001-572-344	Park Maintenance	\$ 84,000.00	\$ 30,000.00	\$ 114,000.00
	Total		\$ 35,000.00	
Step 2 General Government			OUT	
001-519-910	Contingency	\$ 250,000.00	\$ 35,000.00	\$ 215,000.00
	Total		\$ 35,000.00	

DEPARTMENT EXPLANATION:

As per Reso 2303.13 to increase line item in the Park & Recreation Dept. and the Roads & Streets Dept. for Landscape maintenance.

Request by:
Finance Director: *Maria Courecho*

Approved by Town Manager: *Alex B*

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2304.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$2,500.00 TO THE SUNNY ISLES BEACH TRUST FOUNDATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Sunny Isles Beach Trust Foundation was created with the intention to support quality education and the pursuit of higher education; and

WHEREAS, the Town of Golden Beach lies within the boundaries of service for the Sunny Isles Beach Trust Foundation; and

WHEREAS, the Town Council finds that a contribution in the amount of \$2,500.00 to the Sunny Isles Beach Trust Foundation is in the best interest of the Town to further the missions and objectives of the foundation.

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

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

Section 2. Authorization. That the payment of \$2,500.00 to the Sunny Isles Beach Trust is hereby authorized and approved.

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

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

upon approval of the Town Council.

Sponsored by the Town Administration.

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

Mayor Glenn Singer	_____
Vice Mayor Judy Luskin	_____
Councilmember Bernard Einstein	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,
this 24th day of June, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2003.09

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

WHEREAS, pursuant to section 22-6 of the Town of Golden Beach's (the "Town") Code of Ordinances, the Town's Beach Pavilion and Town beach facilities, including the restroom, outdoor showers and water, chickee huts and beach chairs (collectively, the "Beach Pavilion") are for the use and enjoyment of all Town residents; and

WHEREAS, the Town Council believes that reasonable rules and regulations are necessary to, among other things, extend the life of the Beach Pavilion and to ensure use of the Beach Pavilion is not a nuisance to surrounding properties; and

WHEREAS, the Town Council desires to adopt the attached Rules and Regulations for Use of the Beach Pavilion to govern use of the Beach Pavilion and the issuance of permits for the exclusive use of the Beach Pavilion; and

WHEREAS, it is the desire of the Town Council and in the best interest and welfare of the residents of the Town of Golden Beach that the attached Rules and Regulations for Use of the Beach Pavilion be adopted on behalf of the Town.

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

Section 1. Recitals Adopted. The foregoing findings are incorporated herein by reference and made a part hereof.

Section 2. Adoption of Rules and Regulations for Use of the Beach Pavilion. The Rules and Regulations for Use of the Beach Pavilion attached hereto as Exhibit "A" and effective June 23, 2009 are hereby adopted. The restrictions contained in the Rules and Regulations for Use of the Beach Pavilion shall be considered "Rules" as that term is defined in section 22-1 of the Town Code of Ordinances.

Section 3. Conflict. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4. Severability. If any word, sentence, clause, phrase, or provision of this resolution, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this resolution shall not be affected thereby.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

[remainder of page intentionally left blank]

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Ben Einstein	<u>Absent</u>
Councilmember Amy Rojas	<u>Aye</u>
Councilmember Ken Bernstein	<u>Absent</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 23rd day of June, 2009.

ATTEST:



MAYOR GLENN SINGER


ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

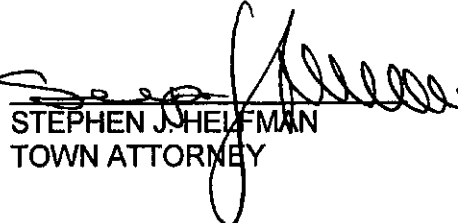

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

TOWN OF GOLDEN BEACH

RULES AND REGULATIONS FOR USE OF THE BEACH PAVILION

Effective Date: June 23, 2009

Use of the Beach Pavilion / The Loggia (referred to interchangeably herein) and the issuance of permits to residents for the exclusive use of the Beach Pavilion / The Loggia for any activity/event (referred to interchangeably herein) is subject to the following rules and regulations:

- (1) Only a resident of the Town can apply for a permit for exclusive use of the Beach Pavilion for a particular social and non-commercial event/activity on a date and time certain.
- (2) An application form provided by the Town must be completed by the Town resident applying for the permit and said form must be submitted to the Town along with a security deposit of \$500.00, which deposit shall be refundable less any amounts required to restore the Town's facilities to the condition existing at the commencement of the permitted activity.
- (3) Only completed applications will be processed. Processing will occur in the order completed applications are received by the Town, provided Town events shall take precedence over resident applications. No applications will be granted permitting the exclusive use of the Beach Pavilion on a national holiday and Sundays. At the discretion of the Town Manager, applications may be granted permitting the exclusive use of the Beach Pavilion one (1) Sunday per month maximum.
- (4) A \$50.00 fee must be submitted with each permit application which shall be used by the Town to purchase liability insurance with coverage of \$500,000.00 and to defray administrative and maintenance expenses of the Town incurred in the permitting process. The liability insurance shall insure the resident permit holder and the Town against liability for use of the Beach Pavilion, beach and beach facilities for the permitted activity.
- (5) No permit shall be issued for use of the Beach Pavilion for less than 20 no more than 60 persons, this is to be strictly enforced.
- (6) The permit holder must hire an off-duty police officer to be present if there are 30 or more persons at the Beach Pavilion for a permitted activity. The off-duty police officer shall be paid by the permit holder for the hours incurred which must be at least coextensive with the hours of the permitted activity.

(7) Any permitted activity which may include swimming, and at which there are 20 or more persons (whether all are swimming or not) must take place in the presence of the Town lifeguard during regular hours; except if the activity extends after 5:00 p.m. or takes place when there is no Town lifeguard on duty, in which case the permit holder must hire, at the permit holder's expense, an off-duty lifeguard to watch over the water activity.

(8) The permit holder is responsible for the permitted activity and the condition of the Loggia and facilities used by the persons attending the permitted activity and is required to ensure that their guests are to leave the Loggia and/or beach at the conclusion of the event as specified on the permit (three-hour limit daytime event, four-hour limit nighttime event).

(9) At the commencement and the conclusion of the permitted activity, there will be a checklist inspection of the Beach Loggia and the facilities (including restrooms, outside showers, water, chairs, lounges and chickee huts) conducted by the police, public service aide or maintenance person of the Town. The checklist will be one created by the Town and each completed checklist is to be maintained with the permit application as part of the Town records to help assess the use and condition of the facilities and the effectiveness of this program. Any costs incurred by the Town to clean or restore the Loggia, or the facilities to their condition as noted at the commencement of the permitted activity will be deducted from the security deposit. In the event that costs to clean and/or restore exceeds the security deposit, the permit holder shall reimburse the Town upon receipt of an itemized billing.

(10) Except for Town sponsored events, no noise or music shall be permitted past 9:00 p.m. Monday through Thursday and 10:00 p.m. on Friday and Saturday so as not to disturb the peace and quiet of any Town resident.

(11) No daytime event shall begin earlier than 10:00 a.m. nor later than 4:00 p.m.. No permit shall be issued for any daytime event exceeding three hours in duration. No events are permitted on Sundays, other than Town events which are allowed on Sundays.

(12) Other than daytime events, a permit may be issued for an activity to take place between the hours of 4:00 p.m. and 9:00 p.m. Monday through Thursday and between 4:00 p.m. and 11:00 p.m. on Friday and Saturday. All permit commencement times include setup time.

(13) Charcoal grills and fires are not allowed except at Town-sponsored events. The Town Manager may approve use of gas grilling, which approval must be in writing. Gas grilling must be done in a designated area and with a fire extinguisher available.

(14) No trampolines are allowed, including floating trampolines. Any activity involving extended use of the Town's water or water hose shall require \$50.00 to be withheld and not subject to refund from the security deposit of the permit holder; provided, however

that bounce houses will be allowed filled with air and self-contained walls if the bounce house does not interfere with other residents' peace and enjoyment of the beach.

(15) All use of the Town's Beach Loggia and beach facilities (including restrooms, outside showers, water, chairs, lounges and chickee huts) shall remain under the scrutiny, enforcement and discretion of the Town police, Town Manager and Town lifeguard. If any event or activity, whether by permit or otherwise, is, in the opinion of the Town police, Town Manager or Town lifeguard, creating or likely to create a risk to the health, safety or welfare of any person, or is damaging or is likely to damage Town property, or is unreasonably wasting or depleting Town resources, or is in material violation of the terms or conditions of the permit, then the event/ activity shall be forthwith terminated or prohibited.

(16) Every visitor (Section 22-1 of the Town Code of Ordinances defines non-resident and visitor) must obtain either a visitor pass or visitor parking pass from a Town police officer at the Strand Gate Guardhouse. Visitor passes and visitor parking passes shall be issued to the visitor only in the presence of the sponsoring Town resident, or in exceptional circumstances and in the police officer's discretion, based upon phone confirmation with the sponsoring resident. If a Town resident has not obtained a permit for an event/activity, but wishes to bring guests to the Town's beach facilities, then the Town resident may sponsor up to eight (8) visitors per Town resident household. Under special circumstances a resident can apply to the Town Manager for additional guest passes not to exceed one (1) day for a total of twelve (12) guest passes. Visitor passes and visitor parking passes are good only for the time period of the day of issuance, and for a permitted activity the pass shall not exceed the time period of the permitted activity. A copy of the visitor parking pass must be prominently visible on the inside dash of the visitor's vehicle. Each visitor must retain a copy of the visitor pass or visitor parking pass with him/her while at the Beach Loggia or while using the beach facilities of the Town. Except in unusual circumstances, the sponsoring Town resident is to attend the beach with said resident's visitors; violation of this provision may result in the Town limiting or denying said resident future visitor passes.

(17) Visitor parking passes shall contain or be accompanied by printed information regarding use of the Beach Pavilion and beach facilities.

(18) Visitors of residents may not park their vehicles in the east parking lot (nearest the Pavilion) except for those visitors with valid handicap parking decals; however, at least one handicap space at the east parking lot shall be reserved for resident handicap parking.

(19) Visitors with parking passes must park in the west Lot. If there is no space in the west lot then visitors may park at the home of their sponsoring resident.

(20) A means of identification will be issued by the Town by key ring or some other form of identification at no cost to the resident. Said identification will serve to assist the police to readily identify residents and visitors of residents of Golden Beach who are using the Golden Beach facilities. Visitors who are not accompanied by a Town

resident, or who do not have in their possession a valid visitor parking pass or resident identification will not be permitted to remain at the Beach Loggia or make use of the Town's facilities.

Rules and Regulations for Use of Beach Pavilion



TOWN OF GOLDEN BEACH

PERMIT APPLICATION FOR USE OF TOWN FACILITIES

Date of Event: _____ **Tweddle Park [] Beach [] North Park [] South Park []**

Describe Proposed Activity: _____

Name: _____

Address: _____

Phone: _____ **(Day)** _____ **(Evening)** _____ **(Cell)**

Email: _____ **(optional)**

HOLD HARMLESS AGREEMENT (PLEASE READ CAREFULLY)

1. I affirm that I am a resident of Golden Beach and I understand that I am liable for any damages to Town property which occurs as a result of the aforementioned activity. _____(Initial)
2. I understand that no event will be permitted later than 10:00 pm Monday through Thursday and 11:00 pm Saturday and Sunday. I also understand that no noise or music will be permitted later than 9:00 pm Monday through Thursday and 10:00 pm on Saturday and Sunday. _____(Initial)
3. I agree to abide by all Town ordinances and laws, including those which relate to noise, alcohol, conduct and cleanup. The entire or partial security deposit will be forfeited if the rules are not adhered to. _____(Initial)
4. I agree to hold the Town of Golden Beach harmless and indemnify the Town of Golden Beach, its council members, employees, and agents from any and all liability, damage, suit, claim, loss or expenses of any nature including reasonable attorney fees and court costs in the event any person is injured or makes any claim whatsoever against the Town as a result of the use thereof during the period of time I am permitted to use the Golden Beach facilities. _____(Initial)
5. I understand that all fees related to the processing of the permit must be submitted concurrently with the submission of this application. _____(Initial)
6. I understand that I am to hire an off-duty police officer if I expect 30-50 guests. I am required to hire two (2) off-duty police officers if I expect more than 50 guests. The maximum number of guests allowed at the Beach Pavilion is 60 people. The rate for an off-duty officer is \$40.00 per hour with a 4 hour minimum. If I am requesting the use of the Beach Pavilion, I understand I am required to hire an additional lifeguard if I have more than 20 guests and my guests will be swimming **(daytime parties only)**. The rate for an additional lifeguard is \$25.00 per hour with a 4 hour minimum. _____(Initial)
7. All visitors must park in the West Parking Lot unless they have a valid handicap parking decal. Parking in the East Parking Lot is for residents only with Golden Beach decals. All others will be ticketed and/or towed. _____(Initial)
8. If I use a vendor to supply food and/or equipment, a copy of the vendor's certificate of liability insurance must be submitted with this application naming the Town of Golden Beach as the additional insured. _____(Initial)

9. I understand that the submission of this application does not grant a permit and that no authorization is granted unless specifically approved in writing by the Town Manager. In the absence of the Town Manager, permission may be granted by the Chief of Police. _____ (Initial)

Date of Event: _____ Time of Event: From _____ To _____

Number of Guests: _____

*Administrative Fee: \$50.00 Check# _____ Security Deposit: \$500.00 Check# _____

*Administrative fee will be used to defray the administrative and maintenance expenses of the Town incurred in the permitting process.

Describe any equipment, special structures, entertainment, etc. you plan to use (**Please note that the erection of a tent at the Beach or in any of our parks requires a Temporary Structure Permit that can be obtained at our Building Department**):

Signed: _____ Date: _____

(Applicant/Resident)

APPLICANTS MUST ADHERE TO ALL POLICIES OF THE TOWN OF GOLDEN BEACH AND ADMINISTRATIVE RULES FOR THE USE OF THE TOWN FACILITIES.

Date Reviewed: _____

Comment/Conditions: _____

Community Development Specialist

Date of Approval: _____

Town Manager

A violation of the terms and conditions for the use of these facilities may result in the automatic revocation of this permit.

Revised Rules and Regulations for the Use of Beach Pavilion

In recent months, Town Hall has received several complaints from residents who live near the Beach Pavilion in regards to the noise and activity that has been occurring at the Pavilion. During a Special Town Council Meeting on June 23, 2009, the following revisions were proposed and approved for the use of the Beach Pavilion (Loggia).

The fee for use of the Pavilion remains at \$50.00 to purchase liability insurance. However, the security deposit has increased from \$200.00 to \$500.00. This deposit shall be refundable less any amounts required to restore the Town's facilities to the condition existing at the commencement of the permitted activity.

No permits will be granted for use of the Beach Pavilion on a national holiday and Sundays. At the discretion of the Town Manager, permits may be granted for use of the Beach Pavilion one (1) Sunday per month maximum.

No permit shall be issued for use of the Beach Pavilion for less than 20 and no more than 60 persons. This is to be strictly enforced.

The permit holder is responsible for the permitted activity and the condition of the Loggia and facilities and is required to ensure that their guests are to leave the Loggia and/or beach at the conclusion of the event as specified on the permit **(three-hour limit daytime event, four-hour limit nighttime event)**.

Except for Town sponsored events, no noise or music shall be permitted past 9:00 p.m. Monday through Thursday and 10:00 p.m. on Friday and Saturday so as not to disturb the peace and quiet of any Town resident.

Daytime events shall begin at 10:00 a.m. and end no later than 4:00 p.m. No daytime event shall exceed three hours in duration. A permit may be issued for an activity to take place between the hours of 4:00 p.m. and 9:00 p.m. Monday through Thursday and between 4:00 p.m. and 11:00 p.m. on Friday and Saturday. No evening event shall exceed four hours in duration. All permit commencement times include setup time.

If a Town resident wishes to bring guests to the Town's beach facilities, then the Town resident may sponsor up to eight (8) visitors per resident household. Under special circumstances a resident can apply to the Town Manager for additional guest passes not to exceed a one (1) day total of twelve (12) guest passes. The sponsoring Town resident must attend the beach with said visitors. Violation of this provision may result in the Town limiting or denying said resident future visitor passes.