



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the June 20, 2017  
Regular Town Council Meeting called for 7:00 P.M.

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### A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:00 p.m.

### B. ROLL CALL

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

**Councilmember's Not Present:** Councilmember Kenneth Bernstein

**Staff Present:** Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Kathy Mehaffey (*in for Steve Helfman*), Police Chief Rudy Herbello, Finance Director Maria Camacho, Town Planner Michael Miller

### C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance.

### D. PRESENTATIONS / TOWN PROCLAMATIONS

None

### E. MOTION TO SET THE AGENDA

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

### F. GOOD AND WELFARE

#### **Madison Berndt, 274 South Island Drive**

Recently moved to Golden Beach and wanted to speak on the Town's use of Clarke Environmental to mitigate the mosquito issues in Town. Suggesting the Town consider an integrated pest management system versus the use of traditional pesticide spraying. Main issue with Clarke Environmental is that the sprays they use have compounds in them that are detrimental to the health of human beings.

### G. MAYOR'S REPORT

Hurricane season is here – urged all residents to be proactive, not reactive. Town currently updating database for residents. Staff is contacting residents asking for updated information. Urging residents to please provide the Town with the most updated information. Going to go over the projects the Town plans on starting in the next few months – excited to finally get these projects in the right direction. Assessed

values for Golden Beach as of June 1<sup>st</sup> are over \$1-billion. First time the Town hits that mark. They keep going up. Received confirmation from the Governor, that he secured \$100-thousand for the Town's Capital Improvement Projects. Urged everyone to be extra careful when driving through Town, if leaving for an extended period to notify Town for an extra watch on their home, and be careful when using the beach pavilion and its amenities (it is for residents and their guests, only).

## **H. COUNCIL COMMENTS**

### **Councilmember Rojas**

None

### **Vice Mayor Luskin**

Offered condolences to the Duffner family for the passing of Lee Duffner. Also mentioned that the Town is recruiting for the Golden Beach Youth Leadership Group (GBYLG). Congratulated Zachariah Geduld, past president of the GBYLG on being accepted to Tufts, and for his work with the group.

### **Councilmember Mendal**

Thanked Vice Mayor Luskin on the Memorial Day Event.

## **I. TOWN MANAGER REPORT**

Spoke on the Town's usage of Clarke Mosquito Control and will look into ways to limit the direct contact with residents. As Clarke Mosquito has been approved by the County, Department of Health, EPA and DERM, so the Town can continue to use them. However, will look into other ways to treat the mosquito issue in Town for the next mosquito season. Town's budget is doing very well. Will hold the line as it relates to the Town's millage rate at 8.50 mills. Will send out a survey to the residents at the end of the summer. Goal to have a fully functioning exit-only South Gate by the start of the school year. Looking at providing more amenities in Town, such as a tot lot in North Park. Town is undertaking an aggressive approach to taking back its right-of-way. Do have the authority to make any changes if they would like to do so. Administration not trying to create a cookie cutter community, just want to make sure that the right-of-ways are maintained. Also becoming a little more aggressive in making sure that residents are taking care of their properties as it relates to landscape maintenance. Also, garbage cans belong inside the home, do not leave them on the side of the road.

**Councilmember Mendal** asked about the decision for the flag contest that was supposed to be announced at this evening.

**Town Manager Diaz** stated he was advised that there were only 2 responses received.

**Mayor Singer** asked that Michael Glidden be in attendance at the next Council meeting to announce who the winner of the flag competition is.

## **J. TOWN ATTORNEY REPORT**

None

## **K. ORDINANCES – SECOND READING**

None

**L. ORDINANCES - FIRST READING**

None

**M. QUASI JUDICIAL RESOLUTIONS**

- 1. A Resolution of the Town Council Approving a Variance Request for 386 Golden Beach Drive.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 386 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE EXISTING SEAWALL TO EXTEND OUT INTO THE WATERWAY FROM THE PROPERTY LINE 3'-9" WHERE THE CODE REQUIRES THAT NO SEAWALL IS ALLOWED TO EXTEND BEYOND THE PROPERTY LOT LINE INTO A WATERWAY IN THE TOWN.

**Exhibit:** Agenda Report No. 1  
Resolution No. 2502.17

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2502.17

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

On roll call, the following vote ensued:

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

The motion passed.

**Town Planner Michael Miller** spoke on the item.

**Town Manager** stated that the process of going over variances has changed a bit from the presentation side. Dan Nieda used to go over all of the points of the variances. Now it will just be a brief overview presented of the situation. Also wanted to disclose that there were Councilmember's present at the Building Regulatory Advisory Board meeting. Councilmember Mendal participated in the discussion at the BRAB level. In this particular case, they looked at the north and south side. In this case the seawall is past the property line. Could make the homeowner rip it down and move it back to the

property line, but that would cost a lot. Administration's stand is that as long as it is contiguous with the walls of the adjacent homes, they do not object to it. Tasked the planner and the attorney to look at a more comprehensive approach to address the waterways. Will be looking at how to change the code to make it more flexible to allow use of the waterway. Staff is recommending the Council approve the seawall at the 3.9 feet outside of the property line.

2. A Resolution of the Town Council Approving a Variance Request for 386 Golden Beach Drive.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 386 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND OUT INTO THE WATERWAY FROM THE PROPERTY LINE AT 9'-4" WHERE 6' IS REQUIRED BY THE TOWNS CODE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2503.17

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2503.17

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

On roll call, the following vote ensued:

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

The motion passed.

**Town Planner Michael Miller** spoke on the item.

**Town Manager** asked if the Council should even be concerned with how far a dock should extend.

**Mayor Singer** stated that as long as they are in the D5 triangle and they are not interfering with the traffic on the waterways.

**Town Manager** stated that in this case there was a dock already there, the Town asked them to remove it, and thinks it unfair to not allow them to bring it back.

**Mayor Singer** stated that he feels it unreasonable to not allow the homeowner to have a dock.

**Kirk Lofgren, Ocean Consulting** – commented that they have another check and balance with the environmental agency who is also limiting how far the vessel can go into the waterway.

## **N. CONSENT AGENDA**

3. Official Minutes of the May 16<sup>th</sup>, 2017 Local Planning Agency Meeting
4. Official Minutes of the May 16<sup>th</sup>, 2017 Regular Town Council Meeting
5. A Resolution of the Town Council Approving the Sponsorship of the Florida PDMP Foundation Inc. Program.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE SPONSORSHIP OF THE “FLORIDA PDMP FOUNDATION INC.”, PROGRAM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2504.17

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2504.17

Consensus vote 4 Ayes, 0 Nays. Items N3 – N5 pass.

## **O. TOWN RESOLUTIONS**

Hold – Possible award of Pavilion/Gate House Project

**Town Manager** stated that he would like to review the plans for both the Pavilion and Gate House Projects and have the Council provide a straw vote to give him the authority to negotiate terms and cost limits with a vendor to provide the work for both the Pavilion and gate house projects. Stated that these projects do not call for any work on the actual pavilion structure, building itself is not part of this process. Looking to demolish and rebuild the entire gatehouse structure. Does not include the water fountains or the welcome sign across the street, which will be part of another project brought before the council at a later date. Will have the police command vehicle positioned at the entrance of Town so that services are not interrupted or affected. This project will take approximately 6 months. Did receive four bids. Asking the Council to allow the Mayor and him to meet and negotiate with the three lowest responsible respondents to bring a contract for retroactive approval at the August meeting. Asking for an amount not to exceed \$300,000 for the Gatehouse - \$250,000 for the work itself and a \$50,000 contingency.

**Mayor Singer** asked about all the cameras, electrical and conduits at the Gatehouse.

**Town Manager** stated that that has all been taken care of. Will not be purchasing any new cameras or CCTV program, will continue to use what is in place now after the renovations are completed.

**Vice Mayor Luskin** asked about whether or not the new building will look wrong with the old arches.

**Town Manager** spoke in detail on the beach pavilion renovations. Asking for the authority of funds in the amount of \$450,000 with a \$50,000 contingency for the beach for a total of \$500,000. With a combined total if \$800,000 for both projects. Feels that the Town will come in much lower than that because they will be going with the lowest bidder. This project will take a minimum of 6 months, to 9 months.

**Vice Mayor Luskin** inquired about the work Bejar Construction has done for the Town in the past.

**Town Manager** stated that Bejar construction has done good work for the Town in the past.

**Councilmember Rojas** asked how this affects the money available for dredging.

**Town Manager** stated that the issue with dredging is that from the time that we finally decide what approach the Town is going to go with, that saves the Town almost \$1-million. Have money in the Town's budget to fund these projects.

**Councilmember Rojas** stated that the permitting process could take up to a year, so if the Town doesn't start it'll take much longer to complete.

**Town Manager** stated that there are General Fund allocations towards these projects and have already begun the permitting process.

**Mayor Singer** stated that even if they did give it approval tonight, they couldn't start until the fourth quarter of 2018. The Manager and him have met with banks to receive a loan for this work that will come before the council for approval.

**Town Manager** stated that the Town will have about \$300,000 set aside for actual work.

**Mayor Singer** stated that the Town doesn't really need to work on both canals, it's really just North Island and Center Island that needs the dredging – South Island doesn't have the same issues the other two islands, and they are not sure why.

**Town Manager** stated that the canal maintenance is not something that is being put on the shelf.

**Town Manager** asked if the Council would give him a straw vote approving him and the Mayor to move forward with negotiations.

**Councilmember Rojas** asked if they could vote on whether to do the lighting project or the beach pavilion and guardhouse projects.

**Town Manager** stated that there is money in the budget for all three of these projects to be awarded and completed without assessing the residents or increasing the tax burden of the residents.

**Vice Mayor Lusskin** asked if Paul Abbott would be the owner's rep on this project. **Town Manager** stated that he would be.

Straw vote 4 Ayes, 0 Nays to move forward with the negotiations of awarding these projects to a builder.

**Mayor Singer** asked the Town Attorney if everything that was being done was legally sufficient.

**Attorney Mehaffey** stated that as long as it was retroactively approved via resolution it was fine, and that the waiving of competitive bidding needed to be part of the resolution.

**Town Manager** stated that he has adequately discussed with the Council the elements of these projects. What is being put into the record today is the final product.

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

Mayor Glenn Singer:  
None Requested

Vice Mayor Judy Lusskin:  
None Requested

Councilmember Kenneth Bernstein:  
None Requested

Councilmember Amy Isackson-Rojas:

- Revisiting the Paint Color Ordinance

Stated that her understanding is that the Town has a very broad range of color choices available for exterior painting of homes. The requirement is residents choose the bottom three lighter colors in a color wheel. Feels that the Town needs to eliminate a lot of the options that are currently available.

**Town Manager** stated that it was about 6 years ago that the Council decided to adopt a color wheel to limit the intensity of the colors but not limit the availability of colors to choose from.

**Councilmember Rojas** stated that she feels the Town needs to limit the options on the wheel.

**Vice Mayor Luskin** stated that she feels that with all of the modern houses that are being built, there is no tile roof or trim that breaks up the color, so the color seems to stand out more.

**Town Manager** stated that as long as the homeowner brings the color wheel and chooses one of the three lightest hues, the Town cannot object to it.

**Town Manager** stated that he will go back to the staff to see if there is something that they can do, but unless the Town goes to a Coral Gables type of color scheme palette where there are only a few colors options available, not sure they will be able to do anything else.

Councilmember Jaime Mendal:  
None Requested

Town Manager Alexander Diaz:

- Front Gates on Ocean Boulevard  
Maximum gate for the front gate on ocean side is 6 feet. A lot of the homes because of the dips in the road are higher. Have been granting administrative waivers for the front gate heights as long as they are even with the neighbors' fence height. Instructing staff to ignore that section of the code as it relates to front gate heights, while searching for ways to fix the issue.
- Pavilion, Street Lights, Police Gatehouse  
Town tasked him to look into street lighting to create a more safe environment with lighting. Have two approaches to choose from. First is to pick a fixture, design it and do it on our own which would cost the Town approximately \$1.5-million. Would like the Council to slow down this process down because a company has approached the Town that will guarantee the Town a savings on the electric bill that would have to be shared with the lighting company. Does not want to close the door on this opportunity. Asked the Council which of the three lighting fixtures they would be leaning towards.

**Council** agreed to look into the first or the third lighting option shown.

**Mayor Singer** stated that he met with the company personally and there are still some concerns with the terms of the agreement. Did go to their factory and their warehouse and their light fixtures do look like the Town's light fixtures.

## **Q. ADJOURNMENT:**

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:45 p.m.



Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk