



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the January 23, 2018 Special Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:07 p.m.

B. ROLL CALL

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

Councilmember's Not Present: Councilmember Amy Isackson-Rojas

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Steve Helfman, Police Chief Rudy Herbello, Town Planner Michael Miller

*** Town Manager stated for the record that Councilmember Rojas asked to be excused from the meeting as she is out of Town ***

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

CERTIFICATE OF APPRECIATION TO 5K COMMITTEE MEMBERS
RECOGNITION OF EMPLOYEE OF THE YEAR – All Town Employees
RECOGNITION OF OFFICER OF THE YEAR – All Town Officers

E. MOTION TO SET THE AGENDA

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

Councilmember Mendal asked to add the following discussion items:

- Pedestrian Gates
- CodeRed
- Hurricane Irma Reports

Town Manager advised that there was a change to the agenda in the discussion and direction to the Town Manager under Mayor Singer.

Consensus vote 4 Ayes, 0 Nays to set the agenda.

F. GOOD AND WELFARE

Donna Smith, 220 South Island Drive

Stated that she has always felt safe in Town, but as of lately feels that the police presence in Town is not what it used to be. The gate arm is always opening, even when she has been in a rental car. Recently knocked on the command post vehicle door and no one answered. Just wondering where the police are.

Mayor Michael Addicott, 155 Golden Beach Drive

Read a letter into the record concerning the health and safety hazards of allowing dogs on the Town's beaches.

G. MAYOR'S REPORT

Spoke on the guardhouse and beach pavilion projects.

Spoke on additional security throughout Town.

Security and safety is a concern and something that the Town is looking into.

Adding additional cameras and will be working to enhance security in Town.

Adding deterrents for speeders on A1A that will hopefully help with that issue.

Regarding dogs on the beach, stated that Mayor Addicott did have some valid points. However, the event that the Town did have was a big success and it was not at the beach pavilion area, it was just north of there on a resident's property. Hopefully can figure out a solution to Mayor Addicott's points.

H. COUNCIL COMMENTS

Councilmember Bernstein

Mentioned that he happened to stop by the New Year's event in Town and that it was a great event.

Thanked resident Donna Smith for her observations about the safety in Town and that it is an important issue to the Council.

Thinks that the lighting project with FPL should help with some of the safety issues as well as beautify the Town.

Vice Mayor Lusskin

Encouraged residents to leave their lights on at night outside of their homes as a deterrent to possible criminals.

Stated that the incident that took place in Town took place early in the evening, and it was a valiant effort put on by the Police Department. Wondering if at that moment when the incident occurred if the Town should not have considered a CodeRed phone call. Understands that this could create chaos, but it was so early in the evening that she does not know what the right answer is.

Also getting some phone calls about the pedestrian gates and whether or not to lock them or keep them open. Doesn't know what the answer is, but wanted to bring up that this is an ongoing issue for residents.

Also getting phone calls from residents in a certain area of Town that are having continual issues with internet and cable service from Atlantic broadband.

Councilmember Mendal

Stated that movie night was great. Thinks that we should have more of those. People really love it.

Stated that residents have two people residents have told him that they have gotten nails stuck in their tires due to the construction at the guardhouse.

The **Town Manager** stated that they have not started using nails yet, so it could not be coming from the work being done at the guardhouse.

Councilmember Mendal also stated that some residents who work regular business hours have inquired about Town Hall being open once or twice a month on extended or after regular business hours.

I. TOWN MANAGER REPORT

Stated that the Administration is still working with FEMA to get the Town's reimbursement from them.

The police gatehouse is moving along. Did approve the replacement of the roof and that will begin this week.

Beach pavilion is moving along. Gates around Town will be addressed during that item.

Public safety committee meeting is next Wednesday at 6 p.m. at Town Hall.

There will be a town forum on public safety on February 6th at 6 p.m., that is open to the public.

Do know that the residents are extremely concerned. When you do not see officers, it does not mean that they are not in Town. Sometimes staffing levels are not enough. To assist this the Town now has plain-clothes officers and plain cars in Town too. We do recommend that you call the substation if you need assistance, however if you have an emergency call 9-1-1. The difference between a 9-1-1 call response and a regular guardhouse call could be a 6-minute response time difference.

Vice Mayor Lusskin recommended that something be placed in the newsletter explaining the importance of calling 9-1-1 in an emergency.

Town Manager spoke on the CodeRed issue stating that we do not want a CodeRed message to go out that will put an officer's life in danger as well as the residents' life.

Also asked residents with alarm systems in their homes to please call the alarm companies, and register the Town substation first and then themselves.

Town Manager stated that the Town would be undertaking a review to enact a lighting ordinance that will be coming out in March. Also will be changing the code to call for certification/recertification of seawalls, allowing for a minimum of 5 feet and a maximum of 6 feet.

Also stated for the record that the dog event was held on private, not public property.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

1. An Ordinance of the Town Council Amending the Town's Code Related to Rooftop Activities.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 66, "ZONING," BY AMENDING THE TITLE OF DIVISION 11 "ACCESSORY BUILDINGS: AND BY AMENDING SECTION 66-261 RELATED TO ROOFTOP ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 577.18

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 577.18

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager states that this cleans up the previous ordinance, codifying what the council agreed to at previous meetings.

Councilmember Mendal stated that he does have some objection to the passive leisure activities because he feels that they should be allowed to have spas on the rooftop, but has no objection to the other elements of it.

Town Manager stated that a Councilmember can put forth a motion to do an up and down vote on an amendment to the ordinance.

Mayor Singer asked if the ordinance states that residents can't have a spa on the rooftop at all.

Town Manager stated that it is stated in the ordinance that spas are not allowed.

Councilmember Mendal stated that he would like to allow the use of spas on the rooftop.

A motion to amend the ordinance was made by **Councilmember Mendal**, seconded by **Mayor Singer**.

Mayor Singer stated that to change the ordinance to allow for one water feature.

Town Manager stated that they will add language stating that a water feature will be allowed as approved by the BRAB. To reiterate, he stated that there will be an amendment to the ordinance directing staff to bring back at second reading language to allow the addition of one water feature subject to approval by the BRAB.

2. An Ordinance of the Town Council Amending the Town's Code Related to Community Design Standards.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO COMMUNITY DESIGN STANDARDS; AMENDING SECTION 66-137 OF THE ZONING CODE RELATED TO ACCEPTABLE PAINT COLORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 578.18

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 578.18

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this item allows the staff to charge a fee for the paint permit.

M. QUASI JUDICIAL RESOLUTIONS

**** **Town Manager** stated that items #3 and #5 would be removed from the item. ****

3. A Resolution of the Town Council Approving A Variance Request for the Property Located at 407 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 407

OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160

1). TO PERMIT AN ARCHITECTURAL WINDOW ELEMENT FEATURE WHICH IS NOT LISTED IN THE CODE TO PROJECT INTO THE SIDE YARD SETBACK FROM THE SECOND FLOOR.

2 TO PERMIT AN EXEMPTION FROM THE TOWN'S CODE REQUIREMENT TO INCREASE THE SIDE SETBACKS ALONG TWO THIRDS OF THE LENGTH OF THE SECOND STORY BY ONE FOOT FOR EACH ONE FOOT OF BUILDING HEIGHT ABOVE THE FIRST 18 FEET.

~~3. TO PERMIT A SMALL JACUZZI AND COLD WATER PLUNGE POOL AREA TO BE LOCATED ON THE HIGHEST ROOF DECK WHICH IS NOT ALLOWED BY THE CODE.~~

4. 3. TO PERMIT A FRONT PROPERTY DRIVEWAY GATE TO BE LOCATED LESS THAN 18 FEET FROM A1A/ OCEAN BOULEVARD.

~~5. TO PERMIT A ROOFTOP ELEVATOR AND VESTIBULE OVERRIDE NOT TO EXCEED 110 SQUARE FEET.~~

6. 4. TO ALLOW THE GARAGE/GUEST HOUSE STRUCTURE TO BE EXEMPT FROM THE REQUIRED SIDE SETBACK REQUIREMENT AFTER 18 FEET IN HEIGHT.

~~7. 5. TO PERMIT THE GARAGE/GUEST HOUSE SIDE SETBACK TO BE AT 7.5 FEET INSTEAD OF 10 FEET OUTLINED IN THE CODE.~~

Exhibit: Agenda Report No. 3
Resolution No. 2536.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2536.18

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

On roll call, the following vote ensued:

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

The motion passed.

Michael Miller Town Planner spoke on the item.

Mr. Paul Fischman, 8425 Biscayne Blvd. Miami, Florida gave a presentation of the design elements of the application.

Mayor Singer asked that they look at the variance request by request and vote on each individually requested element.

Mayor Singer inquired about the size of the projection of the eyebrow.

Town Manager Diaz stated that staff interprets this to be a decorative item and therefore unnecessary.

Councilmember Mendal asked Michael Miller if he considers this an eyebrow.

Mr. Ralph Choeff stated that in this case it's a ten foot and only projecting for 12 inches to create an illusion and break up the straight plane. This makes the architecture better and it's not a habitable space or a balcony.

Council requested to have a roll call vote on each requested item separately. The roll call vote was follows:

1. Roll Call Vote 4 Ayes, 0 Nays.
2. Roll Call Vote 4 Ayes, 0 Nays.
3. Roll Call Vote 4 Ayes, 0 Nays (Formerly #4)
4. Roll Call Vote 4 Ayes, 0 Nays (Formerly #6)
5. Request was made to withdraw (Formerly #7)

Town Manager spoke on item #3 stating that the variance will allow for a 5-foot encroachment on the rear setback. Because we know where the neighbor to the north is and how far south the other neighbor is, it would be punitive.

Town Manager stated that on Item #4 they are agreeing to not require a step-in for the garage/guest house.

Town Manager spoke on the issue of the first floor elevation that was not presented with this variance request. Recommended that staff work with the applicant to come to an agreement on behalf of the council and if the applicant absolutely cannot live with it, then they will come to the board.

N. CONSENT AGENDA

4. Official Minutes of the November 21st, 2017 Regular Town Council Meeting
5. A Resolution of the Town Council Approving the Contribution of \$2,000 to Best Buddies on Behalf of the Golden Beach 5K Race Committee.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$2,000.00 TO BEST BUDDIES INTERNATIONAL ON BEHALF OF THE TOWN OF GOLDEN BEACH 5K RACE COMMITTEE; PROVIDING

FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2537.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2537.18

Consensus vote 3 Ayes, 0 Nays. Items N4 – N5 pass.

*** *Councilmember Mendal stepped out during the vote.* ***

O. TOWN RESOLUTIONS

- 6. A Resolution of the Town Council Authorizing a Change Order to the Contract with Bejar Construction, Inc.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A CHANGE ORDER TO THE CONTRACT BETWEEN THE TOWN OF GOLDEN BEACH AND BEJAR CONSTRUCTION, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2538.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2538.18

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 Bernstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Absent</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager stated that this item is change order #3. Addresses all conduit for cameras, lights, electrical outlets, and transformer switch box in the west lot. Town Manager mentioned that this project does not include the fountains or the strand that will be another project. Also we ripped out the bathroom in the guardhouse that was not going to be ripped out originally, but should be able to get it back in there for the

\$16,000 which is what is left in the budget for the project. Stated that if any of the wood arches have wood rot or termites we might need to replace them

Vice Mayor Lusskin inquired about some of the change orders asking if they are due to termite damage.

Town Manager restated that that is not what change order #3 is about.

Councilmember Mendal asked if the bathroom would cost \$16,000 to be reinstalled. And asked if the new power and outlets will solve the gate arm issues.

Town Manager explained that the \$16,000 is the balance left in the project budget and is not how much the bathroom will cost alone, and the gate arms are not related to this and will discuss more in item #8.

After the vote, the **Town Manager** gave an update on the beach budget. There are no change orders that have been approved yet. There is a possible change order coming because we originally designed the beach with only 10 piles we're now putting in 29 piles so there is about \$19,000 piling work that is still underneath the budget. He also stated that the Mayor and him approved the under siding of the men's and women's bathroom – that's about \$11,000. **Town Manager** mentioned that what will come to the Council if it is more than \$25,000 is the painting, sand blasting, and replacing of the terrazzo floor. Still within budget for the Beach Pavilion project.

7. A Resolution of the Town Council Authorizing the Use of LETF Monies to Purchase New CCTV Cameras.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF FORFEITED ASSETS FOR THE PURCHASE OF NEW DIGITAL CAMERAS FOR OUR CLOSED CIRCUIT TELEVISION (CCTV) SECURITY CAMERA SYSTEM AND BREAKAWAY ARMS TO BE USED BY THE TOWN'S POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2539.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2539.18

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

On roll call, the following vote ensued:

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

Councilmember Isackson-Rojas Absent
Councilmember Jaime Mendal Aye

The motion passed.

Vice Mayor Luskin asked what a breakaway arm is.

Town Manager stated that a break away arm allows the gate arm to be more flexible and not break every time someone hits it.

Town Manager stated that the majority of this item is due to an analog CCTV system the Town installed 9 years ago. We have since gone digital with our system. We are now installing new digital cameras and adding new cameras in the gatehouse, two cameras in Tweddle Park, one by the roll up in the back where we store most of our expensive items, behind Town Hall, as well as replaces all the analog cameras throughout Town. This item does not include new cameras for the streets. That is another item that will be brought to the Council in April.

Mayor Singer stated that this is being paid for with LETF money.

Town Manager reminded the Council that we are using LETF dollars and we currently have over \$550,000 which still leaves us with about \$400,000 in LETF monies.

8. A Resolution of the Town Council Authorizing a Street Lighting Agreement with FPL.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING A STREET LIGHTING AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2540.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2540.18

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

On roll call, the following vote ensued:

Mayor Singer Aye
Vice Mayor Luskin Aye
Councilmember Bernstein Aye
Councilmember Isackson-Rojas Absent
Councilmember Jaime Mendal Aye

The motion passed.

*****Town Manager** spoke on this item and the next two items at the same time.***

Town Manager stated that what was originally a \$3 million lighting project has gone down in price now that the community is going with FPL, and allowing FPL to come in and replace all the current lights with LED lights. There is a disadvantage and an advantage to an LED light. Many residents may not like the glow of an LED light because it is a white glow and the Town currently has an orange glow, but there are three levels of intensity of the white glow and we are going with the lowest one, which means a warmer white glow, but it is still a white glow. We currently have 120 lights in Town, and we are adding 60 new lights. Right now, we have our lights placed at random, on Golden Beach Drive they will be positioned diagonal from each other with equal distance. Most islands are getting six additional lights; all parks will also have lights, which they do not have now. FPL allows us to only pay for three things upfront and finance the rest of the project. What we are paying upfront for is the book value to our lights, the removal of all the poles, all the new conduits, wiring to the 60 new lights, and moving the lights from behind the sidewalk into the middle of the green way.

Town Manager reminded the Council that we received \$100,000 dollars from the State of Florida for this project, so we will be out of pocket very little upfront. We will be financing the value of this new system on a moving forward basis. We will go from what we are currently paying which is \$2,300 dollars a month for street lighting to \$5,500. Keep in mind that we are adding 60 new lights, financing 180 posts, heads, blubs, and including ongoing maintenance. This is a no brainer. We will get a lot of push back because many of our residents will not like the white glow, or the fixtures that we choose but we had a very limited number of fixtures to choose from. We are hoping to have all the lights installed by the end of this year.

Councilmember Bernstein asked if the Town has done any type of light study.

Town Manager stated that the Town has done two lighting studies. Four years ago, the Town hired Bailey Engineering to do a photometric reading of the Town. Based on the readings it was decided whether the lights were going to be ten feet apart or thirty feet apart because of the intensity of the white glow. The lights will be aiming towards the streets, not the homes.

Councilmember Bernstein asked if in the photometric study has there been a comparison to what it is to what it is going to be.

Town Manager stated that no and it would not make a difference because with this tariff system with FPL these are the only options available to the Town.

Councilmember Bernstein stated that his concern is that the Town does not end up looking like Disney World.

Vice Mayor Lusskin asked about the current lights.

Town Manager stated that when you add a white light it will be very visible, it will also look wider and that all the current lights are being replaced with the white lights.

Councilmember Mendal asked if one of the new lights will be placed by the dog park because it is dark currently.

Town Manager stated that we ordered four solar powered LED lights from Home Depot and they should have already been installed. The Police Chief will follow up on that.

Councilmember Mendal stated one final thing is to be very cognizant and be aware of how bright some areas are going to be.

9. A Resolution of the Town Council Authorizing an LED Lighting Agreement with FPL for \$16,300.00.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING AN LED LIGHTING AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY IN AN AMOUNT NOT TO EXCEED \$16,300.00; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2541.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2541.18

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

On roll call, the following vote ensued:

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

The motion passed.

10. A Resolution of the Town Council Authorizing an LED Lighting Agreement with FPL for \$68,481.00.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING AN LED LIGHTING AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY IN AN AMOUNT NOT TO EXCEED \$68,481.00; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2542.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2542.18

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that for the record there was a cover memo that will govern the future expenditures related to this project, giving him spending authority.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:

- Possibility of allowing business activities at beach pavilion for food and bike sharing program

Mayor Singer stated that Town code currently prohibits business activities in Town. Mentioned that the Town revised the code to allow enterprise activities at the beach for payment by residents. Also stated that there is a bike-sharing program that people can pay to essentially rent a bike. The program that's available to our Town does not work for us, but the program on south beach would. Revising the code can give us the ability and flexibility to offer some of these options.

Vice Mayor Lusskin asked how this would work with the charter prohibiting this activity.

Town Manager stated that this ordinance would change that. It would allow it so long as it is a government-sponsored event.

- Possibility of selling the boat dock lot and Town Hall lot to be voted on in the August primary election

Mayor Singer stated that the Town is in the process of looking to construct a civic center, Town Hall, and a fire station on A1A. Based on the survey a high number of the residents would love to have a gym, and a civic center in Town Hall where residents can rent it. The

estimated costs we're looking at could be as much as 10 million dollars or higher. We have different ways to raise the funds or absorb some of the costs. Two other possibilities would be to sell the two lots the Town owns one being the marine boat dock on Center Island Drive which is about a 100 foot lot if we were to sell it could go for about 6 million dollars. When the Mayor first thought of the idea, he thought it was a great idea but after going out there and looking at it he realized that, it is a very special lot with a lot of history to it. The more he thought about it the more he realized that he really did not want to sell the lot. Then the Manager thought of a great idea of keeping the Town Hall around the same current area it is in and building the civic center where the Boat Dock is.

Town Manager stated that this would drive the project budget up because it now becomes two separate projects

Mayor Singer stated that he would be against selling it to a resident and building a home but would not be against keeping it within the Town and making it a community center.

Councilmember Bernstein mentioned that the surrounding residents might be against having a civic center where all of the Residents would be coming to right next door to them.

Mayor Singer stated the other option would be to sell the area behind Town Hall where the maintenance department is. Also that if we put Town Hall on A1A that land where it currently is could be sold and could fetch about 2 million dollars.

Councilmember Mendal mentioned that from his understanding we do not need a referendum for that.

Town Manager stated that no, we do not but there is a lot of legal work that will go into that. The attorneys already began looking in to it and that he will also tell the attorneys to begin looking into referendum language and possible referendum questioning for selling the lot or financing a bond for the civic center, then ask the residents if they would vote for on a new G.O. Bond for the purposes of building a Civic Center. Stated for the record that this would go before the Town as a General Obligation Bond question at the August primary election.

Vice Mayor Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:

- Pedestrian Gates

Stated that he is getting many complaints about the locking of the pedestrian gates and the consistency of locking them. Stated that there are so many ways around those gates that he does not see the point of locking them.

Town Manager stated that the Town just signed a contract to put in new gates. They will all be contiguous.

Councilmember Mendal feels that a greater deterrent would be having cameras on the actual pedestrian gates.

Town Manager posed the questions should the Town have gates, what time to lock them, and should they have locks.

Town Mayor stated that the gates should be locked at 8:00 P.M.

Councilmember Mendal argued that that time is still too early.

Town Mayor determined the gate closing time as 10 p.m. to 6 a.m. all pedestrian gates will be locked during this time.

- Code Red - Asked about issuing them for emergency situations

Town Manager stated that we will not act irresponsible out of havoc, aggravation, fear or concern. As the Town's chief executive officer, he is tasked with making those tough decisions and will not exercise that duty in a reckless manner. Respectfully understands his concerns, but does not want to overuse the system. If Code Red is misused people become desensitized to it.

Councilmember Mendal stated that they already overuse it. Also that it is being used for traffic news.

Town Manager stated that when there is a road closure for longer than four hours and fatalities that calls for a Code Red.

Councilmember Mendal posed the question that the Town has used Code Red to announce Town events.

Town Manager Stated that in this Council back in 2008 when Code Red was purchased that Council instructed this Administration to use Code Red for Town events.

Councilmember Mendal asked if there was a written protocol to the severity of a situation that would lead to the issuance of a Code Red. **Town Manager** stated there is not, it is absolutely at his discretion. Also stated that the Town would have to come up with thousands of

scenarios to decide the severity of a situation. He also called surrounding City Manager's offices and their protocol to exercise CodeRed is always at the discretion of the Chief Administrator or strong Mayors discretion. In the Chief Administrators absence it goes to the Chief of Police with the consultation of the Town Clerk.

Mayor Singer agreed with the Town Manager that you do not want to start pre-chaos and that he has used his discrepancy on when to use Code Red and when not to.

Vice Mayor Lusskin stated she understand that there are pros and cons to using Code Red in a situation like the robbery that occurred. Also suggested that we have a community watch to keep watch.

Town Manager stated that during the frustration period we do send out information to our elected officials so they can be prepared for when the influx of calls come out. It is also part of our extended communication program that our elected officials serve as conduits to each concern to disseminate facts to end rumors. Manager strongly suggests residents call the Gatehouse when they need information about anything or they can call him.

Town Manager Alexander Diaz:
None Requested

Town Manager asked that the Councilmembers come meet with him individually to discuss amenities for North and Singer Park.

Town Manager stated that both Mayor Singer and Councilmember Mendal will be traveling with him on official Town business to Dade Days in Tallahassee for possible funding for a new Civic Center and specifically \$500,000 for a new pump station on Center Island. Also reminded residents that the following Wednesday there will be a public safety meeting chaired by Chief Herbello, and the Wednesday following that there will be a community workshop on public safety. The Town Manager reminded the Council of the next Regular Town Council Meeting scheduled for February 20.

Q. ADJOURNMENT:

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

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 10:06 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk