



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the February 20, 2018 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order 7:04 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Jaime Mendal, Councilmember Amy Isackson-Rojas, *Councilmember Kenneth Bernstein (arrived during the Local Planning Agency Meeting)*

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

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

***** Mayor Singer adjourned the meeting at 7:05 p.m., opening up the Local Planning Agency meeting at that time *****

***** Mayor Singer reopened the regular council meeting at 7:08 p.m. after the adjournment of the Local Planning Agency meeting *****

D. PRESENTATIONS / TOWN PROCLAMATIONS

RESIDENT SURVEY RESULTS PRESENTATION – RESIDENT SERVICES DIRECTOR MICHAEL GLIDDEN

Town Manager gave some background and information on the creation of Michael Glidden's department, his promotion, and the resident surveys in general. Also stated that the results are available online and at Town Hall.

Michael Glidden spoke on the department and what the duties are that fall under it. Stated that there was a robust response to the survey. Major issues – addressing flooding throughout Town, concerns about landscaping, installing speed tables particularly around parks, concerns about safety support for a new community center. Some support for a Miami-Dade fire rescue outpost. Food trucks were supported but costs is an issue for some respondents. Residents asking for a way to pay for the food. Taxes and spending were also an issue brought up.

Vice Mayor Lusskin asked if they have any idea on how many responses came directly from beach residents.

Town Manager asked for Michael to give some background on the tracking system.

Michael Glidden stated that the tracking system is still being rolled out.

Town Manager stated that Michael's department is working on a welcome home guide and kit to be rolled out in the next quarter.

E. MOTION TO SET THE AGENDA

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

Mayor Singer requested to move Item #4 from consent to discussion at the end.

Councilmember Mendal asked that they add an item for discussion and direction to the Town Manager – a review of Resolution 1460.02

Town Manager stated that some items have blanks because the determinations will be made tonight. Final items will be published with an updated agenda online.

Consensus vote, 5 Ayes, 0 Nays.

F. GOOD AND WELFARE

Sari Addicott, 155 Golden Beach Drive

Spoke on the item requesting the re-enactment of the ban on assault weapons.

Feels that we need to move our congressional delegates to take action.

In response to last week's mass shooting, the students of Marjory Stoneman High School have been on the news night and day asking for our help.

We have to do something. Stated that to contend that gun laws do not work defies years of research that they do.

A study found that states with more restrictive gun laws have lower rates of gun violence.

Do not let our elected officials pass the buck on this, and keep our kids safe.

Overwhelming that we as a country aren't doing better.

*** Certain residents who requested to speak during Good and Welfare were running late, and would be allowed to speak upon their arrival. ***

G. MAYOR'S REPORT

Thoughts a prayers with the families in Parkland for the lives of the 17 victims whose lives were taken too soon. Agrees with Mrs. Addicott. League of Cities putting something together now. Need to eliminate the threat of these occurrences happening in our schools. Town Manager, Councilmember Mendal and him went up to Tallahassee a few weeks ago to try to obtain monies to fund the Center Island Pump Station. Was a good trip and very productive.

Had a great response to the public safety meeting in early February. Safety a big concern for him and Town is trying to be proactive. Projects are moving along even though it seems like they are delayed. Both the guardhouse and beach pavilion are both still on track to meet their scheduled completion dates at the end of March. Visited other cities with the Town Manager last week to gain some knowledge on how their cities are

designed and run to get ideas for the Town's plans for the new civic center. Reviewed the hurricane report that the Town Manager put together. Discussed some changes that are going to be made to the plan to prepare for next hurricane season.

H. COUNCIL COMMENTS

Councilmember Bernstein

No comments

Councilmember Mendal

Gave praise to the Mayor and the Town Manager for the work they did during Dade Days. Stated that he has received some calls and complaints about speeding within Golden Beach. Stated that he would like the resident guidebooks to be available to all residents on the Town's website. Feels that the website needs to be revamped and made into more of a user-friendly website. Very excited about the new town hall.

Councilmember Rojas

Knows that the event at the beach where dogs were allowed had both positive and negative comments. She was there with her dog and she felt that it was a very controlled event. Nothing got out of hand. Feels that the people appreciated it and doesn't see why this isn't something that can be done occasionally. Thanked Public Works for helping her with a leak in her home. Same thing with Police who helped her when her boat fell off the lift when she was home alone. Very appreciative of the services that the Town provides the residents.

Vice Mayor Lusskin

Asked if when a house is being demolished, if the neighbors can be sent a notice of when a home is going to be demolished.

Town Manager stated that they can let residents know that a home is coming down, but can't tell them exactly when because they do not have control over contractor's schedules.

Asked if the Town is up to date and has a sufficient number of AED's around. Also getting an increased number of calls on an increase in water bills this quarter and last quarter. Stated that the newsletter this time around was very informative and ambitious in setting the calendar for the whole year.

Mayor Singer now called on Daniel Block to make his presentation from Good & Welfare

Daniel Block, 240 South Island Drive, Vice President GBYLG

Stated that he feels the Town should start a community garden. Will enable the Golden Beach Youth Leadership Group (GBYLG) to get to know each other better and will allow them to be more responsible. Will promote community involvement. Can donate the food to people in need. Stated that he can run it, but would promote activism with all of the members. Many cities in South Florida already have community gardens.

I. TOWN MANAGER REPORT

Thanked Chief Herbello, Lt. Diaz and Sergeant Perez for the work with the public safety meeting. Reminded residents to lock their doors and notify police when they are going out of Town for an extended period of time and it's important to call 9-1-1 in an emergency before calling the substation. Reminded residents if they have an alarm at their home, to have the alarm company call the substation first. Stated that the gates in Town are now closed between the hours of 10 p.m. and 6 a.m. There are no plans currently nor in the foreseeable future for anything to be built at the Strand boat dock. Looking at enhancing the Town's safety measures at the beach. Shoreline will be closed from 10 p.m. to 6 a.m. Did travel to Tallahassee, hoping to be able to acquire some funding for the Town's Center Island flooding issues. Gatehouse project was delayed because of the rotting of the roof that was not factored into the timeframe of the completion of the project. The project is progressing. Once a month Town Hall will be opened on extended hours. Tonight was the first night of that.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND 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 Lusskin, seconded by Councilmember Rojas.

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager spoke on the item stating that language was added allowing a water feature that needs to be approved by the Building Regulatory Advisory Board (BRAB).

Councilmember Mendal asked if an applicant could come before the Council for a variance request if the water feature is denied.

Town Manager stated that the applicant could.

Attorney Helfman stated that the ordinance would be amended to read that an appeal of the BRAB decision may be appealed to the Council.

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 Rojas, seconded by Vice Mayor Lusskin.

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager spoke on the item stating that the ordinance calls for an application without fee to be filled out when a home is painted and that residents stay within the confines of the Towns color wheel.

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

None

*** Mr. Richard Lasry arrived at this time and spoke on his Good & Welfare topic ***

Richard Lasry, 525 Ocean Boulevard

Would like to discuss with the Town creating more events for the growing community.

Would like to see more events and more gatherings.

Would like to see more events created that cater to the different age groups.

Feels that social events bring people together.

If he can be of assistance, would love to be.

N. CONSENT AGENDA

- 3. Official Minutes of the January 23rd, 2018 Special Town Council Meeting

Consensus vote 5 Ayes, 0 Nays. Item N3 passes.

O. TOWN RESOLUTIONS

- 4. A Resolution of the Town Council Approving Enhancements to the Town's Parks.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE TOWN MANAGER'S RECOMMENDATIONS PERTAINING TO THE TOWN'S PARKS; PROVIDING FOR AUTHORIZATION FOR THE TOWN MANAGER TO IMPLEMENT THE PROGRAM IN THE MANNER DESCRIBED; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2544.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2544.18

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

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>Aye</u>
Councilmember Jaime Mendal	<u>Nay</u>

The motion passed.

Town Manager spoke on the item and the various design elements.

Requested direction from the Council to move forward and with which amenities will they be moving forward with.

Mayor Singer requested that they speak on the elements one by one starting with the Tweddle Park Tot Lot.

Town Manager began by speaking on the shade structures. Recommending that the Town go with a traditional square shade structure over the existing play field and put the older shade on top of it.

Mayor Singer stated that they needed to make a decision on this because they need shade in Tweddle Park.

Mayor Singer stated that his vote is for the less expensive option.

Councilmember Mendal stated that he agrees with using the less expensive option.

Vice Mayor Lusskin stated that it looks good and doesn't see a reason not to use the less expensive option.

Councilmember Rojas agreed.

Councilmember Bernstein stated that his only concern is to keep the colors chosen in Town should be consistent. Also agrees with going with the less expensive option.

Town Manager stated that they are proposing a blue awning at the park with authority to spend up to \$53,000.

Town Manager next spoke on the equipment being proposed in Tweddle Park.

Mayor Singer stated that this is money that has already been allocated in the Town's playground budget.

Town Manager stated that they can add all the amenities the Town wants, but the residents and caregivers need to be more responsible for their children. The Administration recorded a caregiver leaving a small child left unattended in the dog park while dogs were playing there.

Town Manager now spoke on the North Park recommendations. There are two options. One is a mini-tot lot like Tweddle Park fenced off and secure. Residents in the parkway are adamantly against it being in the back-west corner because it is a little more hazardous. Cannot use the northeast corner. Can provide a mini-tot lot fenced in or an amenity like a swing set in the southeast corner of North Park. Administration is proposing providing an amenity like a swing set, not enclosed.

Town Clerk read letters into the record from Dina Nicoletta, Dr. Matthew Kay, and Tatiana Peisach Morgenstern.

Resident Tatiana Peisach Morgenstern, 685 Golden Beach Drive, spoke on the need for kid friendly amenities requested in the north end of town. Would love to add something small to take advantage of this beautiful field. Loves Tweddle Park and will continue to go there, is just asking for something in the middle. Values the concerns of the people that live there, but they do not own the park.

Resident Dr. Rolando Garcia, 526 North Parkway, their kids grew up climbing trees and messing around and they did not need a feature to have fun. Nobody says anything about putting a swing set in their back yard. To take an area that has been a beautiful part of his life and part of everyone's lives there in North Parkway and to change it for the convenience of a few, doesn't think it's a good idea. Already increasing the footprint of Tweddle Park and adding features, to create a new potential area for kids to get injured and hurt is also a concern of his. The concerns regarding safety are significant. Feels that there are so many great concerns for what he thinks is not a tremendous advantage. Really would ask the Councilmembers to consider these concerns.

Resident Ana Garcia, 526 North Parkway, first thanked the Council for everything that they do for the Town. Believes that adding the swing set in North Park would further increase the traffic concerns in that area. Strongly feels that adding additional equipment for little children would not be in the best interest of the Town in terms of safety.

Councilmember Rojas stated that she's consistently been opposed to a tot lot in the north end of Town, especially in Singer Park. Singer Park is considered a more tranquil park and its small. Makes no sense to her. In terms of North Park, they are a small town and they have a designated park for that use. Would be opposed to tot lots in either of those locations.

Councilmember Bernstein, stated that he was in Mrs. Peisach's similar position ten years ago when his children were small. That park was designed a long time ago as the active park. Explored these options years ago, but at the end of the day, would love to do this but safety is a major issue. It is a real safety issue. If we made a little tiny area for a swing set that is not protected or fenced in, we're contributing to another area where someone could get hurt. If this is the intent of the city to keep it as an active park, it is very difficult to keep the two complimentary uses.

Vice Mayor Lusskin stated that her biggest concern was safety. If it has no fencing, there is no way that she would vote for it. There is nothing to stop them from running right out of the field into the street and that is a huge risk. My gut feeling is that it's a risk and afraid to take that risk. North Parkway and Singer Park are the wrong places to have a tot lot. Sometimes doesn't see teenagers playing out there, she sees adults playing out there. To mix that small toddler group with what is out there is scary.

Councilmember Mendal stated that it is an active park. This does not interfere with the playing field. As far as the fencing goes, a fence costs \$5000 max. The safety issue for him is on the cars that are speeding. They should not be speeding and they should not fault the kids for this. To say that now they're going to get an influx of people that are going to want to take their kids to a tot lot for one swing set, doesn't imagine that that is going to happen. And the point that Mrs. Peisach brought up about having to walk all

the way to Tweddle Park which is 1.3 miles away when we could add something that could give them an area to play. Already have young kids there every day, just having a swing set for them there isn't really going to affect anything. Having trouble understanding the thinking of the rest of the Council. Stated that the demographics of the Town are changing and the residents are younger and also need to cater to them.

Mayor Singer stated that he does feel that the park should be kept an active park. Stated that he drives through the Town about ten times a day and there is a speeding issue especially the UPS and Fedex trucks. That is a concern. God forbid a child steps out into the street. Stated that he is not against adding a tire swing to the tree at Singer Park. Stated that the Town has to have parks for everybody – kids, teens, and adults. Singer Park is a great park to just go out and catch up on emails or do just what you want to do and not have anyone bother you. The Town is not that big, to say that it is an inconvenience to walk down to Tweddle Park, is not really an inconvenience. Trying to make Tweddle Park the designated toddler area so that it is appealing to all of the little kids. Stated that he is not against adding a tire swing in Singer Park, but anything beyond that, he sees everyone's point and he would be opposed to it.

Town Manager stated that they would need to take a straw vote on what they want to take out or put in.

Town Manager asked if the Council would like to provide an amenity at Singer Park.

Consensus vote 1 Ayes, 4 Nays

Town Manager asked if the Council would like an amenity at the southeast corner of North Park.

Consensus vote 1 Ayes, 4 Nays

Town Manager asked if the council wants to enhance Tweddle Park

Consensus vote 4 Ayes, 1 Nays

Town Manager stated the elements he proposed to enhance Tweddle Park.

Consensus vote 4 Ayes, 1 Nays

5. A Resolution of the Town Council Authorizing A Proposal from Bejar Construction, Inc. for Renovation of the Town's Beach Pavilion.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING A PROPOSAL FROM BEJAR CONSTRUCTION, INC. FOR RENOVATION OF THE TOWN'S BEACH PAVILION; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING PROCEDURES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2545.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2545.18

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

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager stated that this is a new project that will be added to the capital improvements program and that currently we have the beach pavilion bathrooms under renovation. That project did not take in to account any work at the beach pavilion. This item allows the Town to make improvements to the beach pavilion that were not part of the original contract. He stated that the reason we are not going to competitive bid is because the original contractor is willing to lower his overhead from 20% to 15% which we think is very bearable. In addition to that, they have already done the on-site preparation for demolishing and all the staging area.

This project consists of:

1. Removing the existing terrazzo floor and replacing it with the tile that each of the Councilmember's inspected themselves and approved. If there is a structural slab needed on the bottom there's an allocation in the proposed budget for structural slab repair.
2. Removal of all of the columns and reinstallation of all the new columns. Due to its age, all the rebar within the columns and need to be reinforced
3. Entire building to be sand blasted and shell blasted to bring it back down to the original concrete block – re-stuccoed and resealed.
4. It removes all of the current hurricane straps from the roof and replaces them with new stainless-steel straps.
5. Electric work
6. Landscaping

Town Manager stated that he is asking the Council to approve this item, and giving him the authority to spend up to an additional \$160,000 to the beach pavilion and the beach pavilion site enhancements.

Councilmember Mendal asked what was absolutely necessary within this framework and is there anything that is purely cosmetic.

Town Manager stated that for safety issues the columns need to be addressed. Also the hurricane straps on the roof are really rotted out and have a lot of rust on them. It would be irresponsible to not address the concaving of the trusses. As it relates to the floor, there are cracks that people could trip on. The landscaping they can pass on, but feels that it would be irresponsible on the part of the Town Council. As well as looking to modernize the lights with LED lights.

Councilmember Mendal stated that he asks because he is really interested in getting the civic center project rolling, but if the pavilion is causing safety issues than he understands.

Mayor Singer stated that it is a safety issue but also that the beach pavilion is the Town's number one used amenity.

Town Manager stated that now that the park budget has decreased, we can make a transfer out of the recreational account into the Capital Program at the next meeting to increase funding for civic center design.

Town Manager publicly thanked the resident that donated the tiles for the pavilion work, who asked to remain anonymous.

Vice Mayor Luskin asked how long the project would take.

Town Manager stated that he would have that information for her at the March meeting.

6. A Resolution of the Town Council Authorizing a Proposal from Bejar Construction, Inc. for Improvements to the Town's Entry Feature.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING A PROPOSAL FROM BEJAR CONSTRUCTION, INC. FOR REPAIRS AND IMPROVEMENTS TO THE TOWN'S ENTRY FEATURE; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING PROCEDURES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2546.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2546.18

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

On roll call, the following vote ensued:
Mayor Singer

Aye

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

The motion passed.

Town Manager stated that they are proposing a new project added to the Capital Program. The project will consist of the redesign of the four corners of The Strand, the West side, and the East side. He proposed two options. As part of this project budget we are doing the East side that is in your rendering also they are going to rip out all the pavers and install new ones. Landscaping and lights will be talked about when they have decided on a design. Town Manager stated that what they will be voting on is the two renderings that have been presented with what they can do on the west side of the strand.

Option A removes and replaces the existing fountain basins with \$60,000 of landscaping, also reminded the residents that they are asking for 6 new medjools that cost \$9,000 each to replace the existing fountain basins. The existing fountain walls will be squared off for privacy but still have a curve in them. This plan calls for one new fountain and some jets in front of the guardhouse where the command post is currently parked. The equipment for the fountain has an approximate cost of \$80,000. Option B calls for the fountains to remain where they are today. Keep the existing fountains but we square them off and make them look a little bit more modern, it calls for a \$20,000 allocation for landscaping. Calls for a planting bed in front of the substation. The price difference between the two plans is about \$108,000, option B being the least expensive of the two.

Mayor Singer stated that both options are attractive, but the entrance to Golden Beach is the focal point of the Town. It may sound like a lot of money to be spending on beautification but, a few things you have to remember. One is that the last time the Town did the guardhouse was 15 years ago. Two, this will last hopefully another 20 to 25 years. When everyone enters Golden Beach the first thing they are going to see is the guardhouse, so you want a wow aspect to it. Now the average home on the inside of Town is way beyond \$5-million, so the entrance needs to be indicative of the homes that are here. To be pennywise on something like this would not be wise.

Vice Mayor Luskin stated that she feels that Option A is the prettier one. The other thing is that at a previous meeting they discussed whether to plant coconut trees or medjools, and feels that the Town made the right decision planting the medjools.

Mayor Singer stated that there were many residents at that time that were adamantly against planting them and now that they are there, they are happy with them.

Vice Mayor Luskin stated that she is leaning towards option A.

Councilmember Mendal stated that he respectfully disagrees and feels that both options are wow factors and that \$108,000 is something we can allocate to be put towards a new civic center.

Councilmember Rojas stated that she agrees with Councilmember Mendal that the money could be allocated towards something else. Also that we can put a water feature there in the future if we have the money. She is for option B and the guard house with the arches in itself will be a wow factor.

Councilmember Bernstein stated that he agrees with the Mayor that the entrance feature should be an impactful feature; also, that it helps with property value and is for option A. Even though the West side is not up for discussion, he does not like the look of just having a bunch of stucco rectangular plates in the front as the main entrance. Especially does not like the neon sign they are looking at. More important is to not put in the neon sign and to add to the trellises.

Mayor Singer stated that he agrees with Councilmember Bernstein that the neon sign would cheapen it.

Vice Mayor Lusskin asked if the side fountains are that visible.

Mayor Singer stated yes, they are 100%

Mayor Singer stated that they will roll call on A or B.

Roll Call vote was as follows:

Mayor Singer	Option A
Vice Mayor Lusskin	Option A
Councilmember Bernstein	Option A
Councilmember Rojas	Option B
Councilmember Mendal	Option B

Town Manager stated that with option A they are eliminating the fountains on the north and south sides and replacing them with landscaping, no water on the North and South and creating a single fountain in the median in between the North and South area that will have lighting and adding water to the center. Construction budget will be an amount not to exceed \$168,000 for construction of the fountain and demolition of the current fountains, \$40,000 for the pavers, increasing landscaping to \$80,000, lighting at \$10,000, and a contingency of \$25,000. Project amount for \$323,000 for the new CIP project titled the Strand Entrance.

Mayor Singer stated that this money is coming from the amount that was allocated for additional projects.

Town Manager stated that this design puts the Town over what they had allocated. They can cut down on the landscaping from \$80,000 to \$40,000 but it will not be the same design, because the medjools are \$9,000 a piece, so for 6 medjools puts it at almost \$60,000.

Councilmember Rojas asked wouldn't it be cheaper to leave the fountains on the sides instead of landscaping?

Town Manager stated yes it would be.

Councilmember Rojas asked about the water feature in front of the guardhouse and how the humidity affects it.

Town Manger stated that the Town had three fountain companies come out and give pricing, the \$80,000 for the center fountain on the median is a true hard number and its similar to the one in Bal Harbor. It is low enough so the wind is not an issue and its designed right.

Mayor Singer stated that he wants to keep the side fountains, which would eliminate some of the medjools, and asked what that cost would be.

Town Manager asked to table the item to give him an opportunity to crunch numbers.

Consensus vote to table the item 5 Ayes, 0 Nays

**** **Mayor Singer** reopened the item after the discussion and direction to Town Manager portion of the agenda. ****

Town Manger stated that they do not have enough money to fund option A or option B. His recommendation is to fund Option B, but leave adding the fountain later within the same project timeframe once they have identified funds. Short by \$40,000 to fund Option B.

Mayor Singer stated that by what the Town Manager is saying, he can live with Option B. Recommending that the Council go with Option B, and leave the fountain in the middle to be done later.

Town Manager stated that his recommendation is Option B at \$59,000 for Bejar Construction, \$40,000 for pavers, \$25,000 in landscaping, \$10,000 in lighting, and a \$25,000 contingency for a total budget of \$159,000. Doesn't mean that they cannot bring the center fountain before them later on.

Town Manager stated that by March he'll know where they are for the center fountain. Will also be bringing the timeline for this project to them in March.

7. A Resolution of the Town Council Supporting the Reenactment of the Federal Assault Weapons Ban.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, SUPPORTING THE REENACTMENT OF THE FEDERAL ASSAULT WEAPONS BAN; DEMANDING THAT THE FLORIDA LEGISLATURE AND GOVERNOR TO ENACT ITS OWN BAN ON ASSAULT WEAPONS; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2547.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2547.18

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

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Mayor Singer asked if everyone agrees to include that the minimum age to purchase a gun or ammunition be 21.

8. A Resolution of the Town Council Approving Amendment #1 to the 2017-2018 Operating Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #1 TO THE 2017-2018 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2548.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2548.18

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town manager stated that they believe they are going to get money back from the state from FEMA. Asking to fully fund the beach pavilion projects, the gatehouse, the

street lighting project. Asking to move money out of the debt service fund and into the CIP fund, reduce the recreation budget by \$40,000, transfer that it into the 330 fund and allocate \$160,000 to the Beach Pavilion and \$159,000 for the Strand Entrance. There is contingency money in all of those funds and believe that there will be money left for everything else the Council would like to do.

Vice Mayor Lusskin asked if anything suffers from recreation.

Town Manager stated no, because they did not approve the parks.

9. A Resolution of the Town Council Approving the Establishment of a Retirement Health Savings Plan for the Employees of the Town.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, ESTABLISHING A RETIREMENT HEALTH SAVINGS PROGRAM FOR EMPLOYEES TO ASSIST WITH MEDICAL EXPENSES UPON RETIREMENT; AUTHORIZING MATCH FUNDING AND THE USE OF LEAVE BENEFITS; AUTHORIZING TOWN OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO OFFER A RETIREMENT HEALTH SAVINGS PROGRAM; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

Exhibit: Agenda Report No. 4
Resolution No. 2543.18

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2543.18

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

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>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager stated that through the CBA they authorized that the Police Town employees can participate in a retirement health savings plan. This item does not talk about the program. All this item does is allow us to utilize our existing vendor the International City Mangers Association Retirement Cooperation (ICMA-RC) to serve as the agent to administer the new program. Currently our police officers can contribute any amount they want into a retirement health savings program, the Town is obligated to match it dollar for dollar up to \$500 dollars to participating members in the police

program. This is something the general employees will receive as well. What you are approving today is allowing the police employees to participate in the program and allowing ICMA-RC to be the agent that administrates the Retirement Health Saving Program.

Vice Mayor Luskin asked if other cities offer this.

Town Manager stated they offer different forms of benefits. This program allows employees to set aside funds for post-retirement benefits.

Mayor Singer asked if the employee were to use the money after retirement would the Town have any liability.

Town Manager stated that no the Town would not

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Luskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:
Requested for the repeal of the resolution stating that only the Manager, Mayor and Councilmembers with the consent of other members could add an item to the agenda. Stated that he feels that it is a waste of time and resources.

Town Manager stated that the point of this item is to keep members from arbitrarily adding items to the agenda. So the Council isn't constantly receiving new items this resolution requires a majority of the remaining Councilmembers to say that they would like the item added. The Manager stated that the way that this has been done in the past is if a member comes to me and says I have an item I would like to discuss, I then shop for it by calling the other members and saying that there is an item that a member wants to be added to the agenda and are you in favor of it. If no other two members add their name to that topic matter, the item still gets added as a discussion item for up or down consideration so that we can bring a resolution at a future meeting. If we were to take away that threshold, we would be legislating to a single member. Past Councils were advocates that used the agenda to push for their personal agendas or political agendas. The Manager stated that he would strongly advise this Council to keep the existing structure as it is, it allows for the Administration not to be at the beck and call of a single member, it requires the Administration to try to get deliberation before an item comes to the Council. Also, stated that Councilmember Mendal is correct it requires more time and doesn't allow it to be a speedy item but, if it

is a hot topic item than it would have two other Councilmembers say yes let's add an item, and that's how for the last 11 years that he has been the Town Manager it has been done.

Councilmember Mendal stated that he respectfully disagrees with the Town Manager he believes that it concentrates too much power in the Town Manager's hands; this has nothing to do with the current Town Manager. We have the sunshine law in the state of Florida which in order to get a consent it has to go to a meeting, considering we have one meeting a month if that does not play into our hands it concentrates all the power to the Administration. For example, the tax item that he brought up at the October 2017 meeting. Because he could not bring it up as a resolution he had to wait one month for November, then in November once it was approved, it went to the Administration that had to draft a letter that was signed February 1, 2018 on an issue that was debated in October, November and signed into legislation at the end of December. It takes away time, resources and our ability to govern effectively.

Mayor Singer asked what does Bal Harbor and Key Biscayne do?

Town Attorney stated that the issue is individual Council people placing action items on an agenda, and do you want everyone putting on their own legislation or do you want to put it forth as a discussion item. If there is a consensus, we can bring back the item for discussion.

Mayor Singer stated that it is also a financial issue because if they start doing that, the Town Attorney would have to start drawing up the resolutions.

Town Attorney stated that he believes you need to have some control on what action items are placed on the agenda. Also, stated that currently you have the Manager as the middle person gauging whether other members are in favor of it and then calls him up and asks him to draw up a resolution.

Mayor Singer stated that Councilmember Mendal does bring up a good point regarding the timing of it.

Councilmember Mendal stated that if he does want to address a certain issue that someone brings up to him, he wants to be able to address it not have to go through hoops to maybe get it in two months later.

Town Manager stated that the reason Councilmember Mendal's item might have taken longer is because there was not enough support in a non-public way from the Councilmembers. Once it was brought up and Councilmember Mendal was persuasive the Council decided that they understood the matter a little bit better and they decided that it was in the best interest of their position to support the item, we then drafted it and brought it back at the next meeting. The process works.

Councilmember Mendal stated how only the Mayor can bring up an item and the rest of the Council can't do that. He sees an imbalance there.

Town Manager stated that that is not true, and that the Council had no choice in that item. Also, that we are one of two cities in the entire state of Florida where the Mayor and Manager share the executive power as it relates to policy. Both of them have to agree, if one of them does not then the Council gets involved. As well as the hiring and firing of staff. The previous Council had no choice because they couldn't diminish his Charter capacity.

Vice Mayor Lusskin stated that if you read the Charter as it exists now it states that one or more Councilmember can put something on an agenda.

Town Manager stated that the Charter does not talk about the agenda anywhere.

Town Attorney stated that it could be the code of ordinances that she is referring to.

Town Manager that that section of the code of ordinances refers to the section of the agenda where changes or deletions are requested.

Town Attorney stated though that you just can't add a resolution there because under the law a resolution or ordinance must be presented in writing, so one of the reasons you can't just add it at that meeting is because you don't have the legislation in front of you.

Councilmember Mendal stated that his issue is the time it takes for things to move forward.

Town Attorney Helfman stated that that is not unusual.

Town Attorney Helfman stated that if it is an item of urgency you can call a special meeting.

Councilmember Mendal agreed to speak to Steve about the item and he's not satisfied he will bring it back again after he has spoken to Steve.

Town Manager Alexander Diaz:
None Requested

Town Manager asked that the March meeting be moved because it is the week of his birthday and he will not be in the country.

Council agreed to move the meeting to March 27th at 7 p.m.

Q. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Councilmember Mendal, seconded by Vice Mayor Lusskin.
Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk