



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Agenda for the February 27, 2019
Special Town Council Meeting called for 6:30 p.m.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF OFFICER OF THE QUARTER

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

G. MAYOR'S REPORT

H. COUNCIL COMMENTS

I. TOWN MANAGER REPORT

J. TOWN ATTORNEY REPORT

K. ORDINANCES – SECOND READING

- 1. An Ordinance of the Town Council Amending the Town's Code Related to Accessory Structures in Setback Areas, Amending Section 66-141 Related to Projections in to Setbacks.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 585.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 585.19

2. **An Ordinance of the Town Council Amending the Town's Code Related to Accessory Structures in Setback Areas, Amending Section 66-140 Related to Setback and Lot Line Restrictions and Section 66-141 Related to Projections in to Setbacks.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-140 OF THE ZONING CODE RELATED TO SETBACK AND LOT LINE RESTRICTIONS; AND SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 586.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 586.19

L. ORDINANCES - FIRST READING

3. **An Ordinance of the Town Council Amending Chapter 66 of the Town's Code Related to Building Height Measurement, and House and Garage Floor Elevations and Swale Grade Elevations.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO DISTRICT REGULATIONS; AMENDING CHAPTER 66 ENTITLED ZONING; AMENDING SECTIONS 66-69.2 AND 66-69.3 RELATED TO BUILDING HEIGHT MEASUREMENT; AMENDING SECTION 66-101 RELATING TO HOUSE AND GARAGE FLOOR ELEVATIONS; AMENDING SECTION 66-102 RELATING TO MINIMUM LOT AND SWALE ELEVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Ordinance No. 587.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 587.19

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

- 4. Official Minutes of the January 22, 2019 Special Town Council Meeting**
- 5. A Resolution of the Town Council Approving the Payment of \$5,000 to the Diabetes Research Institute Foundation's Love and Hope Event.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE DIABETES RESEARCH INSTITUTE FOUNDATION'S LOVE AND HOPE EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2599.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2599.19

O. TOWN RESOLUTIONS

- 6. A Resolution of the Town Council Accepting the Town Clerk's Certification of the Results of the February 19, 2019 Town Election.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE TOWN CLERK'S CERTIFICATION OF THE RESULTS OF THE FEBRUARY 19, 2019 TOWN ELECTION FOR MAYOR AND TWO TOWN COUNCILMEMBERS, DESIGNATING THE VICE MAYOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2600.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2600.19

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Jaime Mendal:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
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: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

1

Subject: Ordinance No. 585.19 – Amending Code, Article IV of Chapter
66 As It Relates to Accessory Structures in Setback Areas

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 585.19 as presented.

Background:

Changes from first reading are as follow:

- We reduced the interior lot-lines encroachments from 2 feet to 1.5 foot into the setback areas.

- We reduced the encroachments in areas, which abut on streets or waterways from 4 feet to 2 feet for full size lots.

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 585.19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

WHEREAS, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to further regulate the design and location of accessory structures and projections in to yard areas; and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

WHEREAS, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

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

Section 1. Recitals. That the recitals set forth above are hereby adopted and confirmed.

Section 2. Amending Code. That the Town of Golden Beach Code is hereby amended to modify Section 66-141 to address the design and location of accessory structures and projections in to required setback areas in the Town, as more fully set forth in the attached Exhibit “A”, and by reference are made a part hereof.

Section 3. Severability. That the provisions of this Ordinance are declared to be severable and if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. Codification. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 5. Conflicts. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

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

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Jaime Mendal	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

PASSED AND ADOPTED on first reading this 22nd day of January, 2019.

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 Jaime Mendal	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____

PASSED AND ADOPTED on second reading this 27th day of February,
2019.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

The Town of Golden Beach, Florida Code of Ordinances is hereby amended as follows:

CHAPTER 66 ZONING

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

DIVISION 4. SETBACK AND LOT LINE RESTRICTIONS

Sec. 66-141. – Same – Projections.

- (a) Chimneys may project into Setback areas a distance not to exceed 24 inches. The width of the projecting chimney shall not exceed six feet in width.
- (b) Balconies and rooftops designed to support habitable activities consistent with Section 66-261, and stairs leading to balconies or such rooftops shall not extend into side Setbacks and shall not extend more than four feet into rear or front yard Setback areas. ~~No other steps or platforms over 36 inches in height above grade shall extend into side, rear or front yard Setback areas. There shall be clear, unobstructed passage of not less than 36 inches between such projections and the adjacent lot line.~~
- (c) In Zone One no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side lot lines. In Zone One no such accessory structure shall be permitted east of the established bulkhead line. In Zones Two and Three no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side or rear lot lines. In all Zones a walkway with or without steps extending from a driveway or directly from an adjoining street to the front door not exceeding 8 feet in width shall be permitted in front yards or street-side (corner lots) yards. No steps or platforms over 36 inches in height above the average lot grade shall extend into minimum side, rear or front yard Setback areas.
- (d) Eaves. The lower border of a roof that meets or overhangs a building wall may project up to four feet into any Setback area.
- (e) Eyebrows. A permanent, independent cantilevered projection over an existing window or door, which provides cover / protection from weather, including sun and rain, shall be permitted to extend up to four feet into the ten-foot side yard setback. In the case of an undersized lot (less than 75 feet in width), eyebrows may project 1.5 feet into a 7.5-foot setback.
- (f) Architectural features such as awnings, canopies, planting bins, decorative non-accessible balconies, oriel windows, cornices, decorative bands, architectural artwork, plaques, and other similar features may project into setback areas which abut interior lot lines not more than 1.5 feet and into setback areas which abut on streets or waterways not to exceed 2 feet for full-size lots; however, not more than 1.5 feet which abut side lot lines for undersized lots.

- (g) Retractable awnings may be installed on a principal structure, cabana, gazebo, trellis, or pergola and may encroach only into a rear yard setback when they are installed to be opened over a compliant patio or deck.

Adopted: 1989 / Revised 2015 / Proposed Amendment 2019



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

2

Subject: Ordinance No. 586.19 – Amending Code, Article IV, Section 66, As It Relates to Mechanical Equipment in Setback Areas

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 586.19 as presented.

Background:

At first reading the Town Council directed staff to modify the Item as follow:

- New screening requirements only to apply to new homes
- Existing ordinance (requirements) to apply to all homes
- Require screening of all wall hung mechanical equipment regardless of new or existing home status

Fiscal Impact:

None.

THE TOWN OF GOLDEN BEACH

ORDINANCE NO. 586.19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-140 OF THE ZONING CODE RELATED TO SETBACK AND LOT LINE RESTRICTIONS; AND SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

WHEREAS, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to further regulate the design and location of accessory structures and projections in to yard areas; and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

WHEREAS, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

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

Section 1. Recitals. That the recitals set forth above are hereby adopted and confirmed.

Section 2. Amending Code. That the Town of Golden Beach Code is hereby amended to modify Section 66-140 and Section 66-141 to address the design and location of accessory structures and projections in to required setback areas in the Town, as more fully set forth in the attached Exhibit “A”, and by reference are made a part hereof.

Section 3. Severability. That the provisions of this Ordinance are declared to be severable and if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. Codification. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 5. Conflicts. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

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

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Jaime Mendal	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>

PASSED AND ADOPTED on first reading this 22nd day of January, 2019.

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 Kenneth Bernstein	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Luskin	_____

PASSED AND ADOPTED on second reading this 27th day of February,
2019.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

The Town of Golden Beach, Florida Code of Ordinances is hereby amended as follows:

CHAPTER 66 ZONING

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

DIVISION 4. SETBACK AND LOT LINE RESTRICTIONS

Sec. 66-140. – Setback areas - Generally.

(a) The term mechanical equipment includes but is not limited to all ground level or elevated exterior mounted equipment or structures that are customarily associated with residential uses of land such as air conditioning equipment, cable television boxes, compressors, condensers, electrical panels, electrical meters, exhaust fans, gas meters, heating equipment, irrigation pumps (including rust prevention and fertilization systems), pool heaters, pool pumps, roof access ladders, telephone boxes, transfer switches, venting equipment, water heaters, and water softeners.

(b) No structure, the height of which shall exceed 36 inches above the crown of the road adjacent to the lot shall be constructed in any Setback, with the exception of mechanical equipment, that can be constructed in such a way that its bottom is located at or above the required base flood elevation as established by the Flood Insurance Rate Map (FIRM), and any subsequent revised map adopted by the National Flood Insurance Program. A maximum of four distinct pieces of mechanical equipment grouped together, including pool pumps and related pool heater equipment, may be installed a minimum of 10 feet from any property line.

(1) Setbacks.

- a) All Zones - Minimum of 10 feet from any side or rear property line.
- b) Zones Two and Three - No mechanical equipment shall be installed in a front yard or street-side (corner lot) setback.
- c) Zone One - Mechanical equipment for any accessory garage / guest quarters may be installed in the main 60-foot front yard setback on the east or on an internal side of the structure (not in exterior side yard or front 20-foot setback).
- d) Existing mechanical equipment that was previously permitted may be replaced in the same location subject to the provision of screening.

(2) Screening. ~~(b)~~ All mechanical equipment shall be appropriately and aesthetically screened and landscaped to minimize poor aesthetic appearance and maximize noise abatement to limit transmission of sound; to accomplish, the following measures are required:

a. Screening required. For new homes all ground mounted mechanical equipment shall be fully screened on all four (4) sides, with an approved material that is at least two (2) feet longer and one (1) foot taller than the equipment at time of planting, provided, that the primary structure may be used for screening purposes. For existing homes, mechanical equipment shall be appropriately and aesthetically screened and landscaped to minimize poor aesthetic appearance and maximize noise abatement to limit transmission of sound

b. Screening materials. Permitted materials include concrete block, decorative concrete block, metal louvers, lattice, wood fencing, or another material as deemed appropriate by the Building Review and Advisory Board. Landscaping alone is not an approved screening material but is required as per subsection (c) below.

c. Supplemental Landscaping. In addition to the main noise / visual abatement screening requirements in subsection above, a supplemental hedge shall be planted adjoining the fence, wall or other approved screening method that is at least half the height of the screening structure at the time of planting and maintained to the height of the screening material.

c. For all homes all wall mounted mechanical equipment shall also be screened. All such related accessory features, including conduits, plumbing, and pipes shall be enclosed and painted the same color as the adjacent main structure.

Adopted: 1989 / Revised 1993 / Revised 2006 / Revised 2011

Proposed Amendment 2019



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

3

Subject: Ordinance No. 587.19 – Amending Code, Article IV, Section 66, As It Relates to Building Height Measurement and Driveway Drainage

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 587.19 as presented.

Background:

This Ordinance incorporates the changes in the Florida Building Code as it relates to flood control construction. Its set the minimum first floor elevations for habitable first floor finished elevations.

It also creates a new requirement for drainage on all driveways. Through the years we have seen more water discharge from properties sheeting off driveways into the Towns right-a-way and roads. This new drainage requirement will capture the storm water run-off and is part of our on-going efforts to minimize flooding. This will be required of all driveways at renovation, replacement or installation.

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 587.19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO DISTRICT REGULATIONS; AMENDING CHAPTER 66 ENTITLED ZONING; AMENDING SECTIONS 66-69.2 AND 66-69.3 RELATED TO BUILDING HEIGHT MEASUREMENT; AMENDING SECTION 66-101 RELATING TO HOUSE AND GARAGE FLOOR ELEVATIONS AND SECTION 102 – MINIMUM LOT AND SWALE GRADE ELEVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

WHEREAS, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to further regulate how building height is measured, due to changes in the Florida Building Code; and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

WHEREAS, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

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

Section 1. Recitals. That the recitals set forth above are hereby adopted and confirmed.

Section 2. Amending Code. That the Town of Golden Beach Zoning Code is hereby amended to modify Sections 66-69.2 and 66-69.3 to address how building height is measured in Zone Two (2) and Zone Three (3) of the Town. That the Town of Golden Beach Zoning Code is hereby amended to modify Section 66-101 to add provisions for determining the minimum elevation of the first floor level of houses and garages to include requirements of the Florida Building Code in addition to other regulatory agencies, and that Section 102 Minimum Lot and Swale Grade Elevations is amended more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

Section 3. Severability. That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. Codification. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Conflicts. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

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 Jaime Mendal	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Kenneth Bernstein	_____
Councilmember Judy Luskin	_____

PASSED AND ADOPTED on first reading this 27th day of February, 2019.

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 Kenneth Bernstein	_____
Councilmember Jaime Mendal	_____
Councilmember Bernard Einstein	_____
Councilmember Judy Luskin	_____

PASSED AND ADOPTED on second reading this ____ day of _____, 2019.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT “A”

The Town of Golden Beach, Florida Code of Ordinances is hereby amended as follows:

CHAPTER 66 ZONING

ARTICLE III. DISTRICT REGULATIONS

Sec. 66-69.1. - Zone One (Oceanfront properties).

(d) *Building height.*

(1) Main Residence.

~~a. Primary residential structures built on lots with a street Frontage at least 50 feet in width but less than 75 feet in width shall not exceed 25 feet in height.~~

~~a.b.~~ Primary residential structures built on lots with a street Frontage at least 50 of 75 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.

~~b.c.~~ Primary residential structures built on lots with a street Frontage of 100 feet in width or more shall not exceed 30 feet in height.

~~c.d.~~ The height measurement for main residences shall be measured from the lowest habitable Living Area which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is more westerly. Areas occupied below 18.2 feet NGVD, including only garages, storage areas, a gym, laundry room and one bathroom shall not be considered habitable areas. If any other use occurs in the area below 18.2 feet NGVD it is considered expendable from a flood or wave action damage standpoint, and those areas shall be considered habitable; therefore, the building height shall be measured from the lowest floor level below 18.2 feet NGVD.

d.e. Staircases may be constructed from the lowest habitable floor to the driveway grades. Due to the main residence lowest habitable floor elevation requirement as compared to the front yard lot grades near Ocean Boulevard (above 18.2 feet NGVD vs. ten feet—12 feet NGVD) due to the FDEP Coastal Construction Control Line (CCCL) criteria, in Zone One, this subsection for staircases shall take precedence over the Town's accessory structure subsection for maximum stair heights in Zone One.

Sec. 66-69.2. - Zone Two.

(d) Building height.

- (1) Residential structures built on lots with a street Frontage of at least 50 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.
- (2) Residential structures built on lots with a street Frontage of 100 feet or more shall not exceed 30 feet in height.
- (3) The height measurement for main residences shall be measured from the lowest habitable finished floor (Base Flood Elevation or BFE), as determined by the latest published FEMA FIRM maps, or the Florida Building Code, whichever has the highest minimum elevation required, to the highest ridge of ~~the~~ a sloped roof, or to the highest point of a flat roof deck.
- (4) The maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additional parapet walls up to one foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement and insulation and membrane material.

Sec. 66-69.3. - Zone Three.

(d) Building height.

- (1) Residential structures built on lots with a street Frontage of at least 50 feet in width but less than 100 feet in width shall not exceed 27.5 feet in height.
- (2) Residential structures built on lots with a street Frontage of 100 feet or more shall not exceed 30 feet in height.
- (3) The height measurement for main residences shall be measured from the lowest habitable finished floor (Base Flood Elevation or BFE), as determined by the latest published FEMA FIRM maps, or the Florida Building Code, whichever has the highest minimum elevation required, to the highest ridge of ~~the~~ a sloped roof, or to the highest point of a flat roof deck.
- (4) The maximum height limits of this subsection shall apply to all architectural features, provided that functional chimneys may be permitted to extend no more than five feet above the maximum height limits of this subsection. Additional parapet walls up to one foot in height may be permitted above the maximum height limits for flat roofs where the sole purpose is to accommodate the placement and insulation and membrane material.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 2. - ELEVATIONS

Sec. 66-101. - House and garage floors.

(a) The minimum elevation of the first floor level of residences shall comply with or conform to flood plan criteria and regulatory codes as set forth by Miami-Dade County, the State, and the United States Government including the provisions of the National Flood Insurance Program, the Florida Building Code, this chapter, the Coastal Construction Code, and all other applicable provisions of this Code of Ordinances. The maximum elevation of the first-floor level of any residence in the Town above the minimum elevation required by such regulatory codes shall be maintained as follows:

- (1) First floor of residences to be constructed on lots in Zone One shall be constructed no higher than two feet above the minimum permitted elevation, as established by the Federal Emergency Management Agency (FEMA), or successor agency, or as required by the Florida Building Code, or at the elevation as required by the State Department of Environmental Protection, Bureau of Beaches and Coastal Systems, or Successor Agency, if this elevation is higher than the minimum elevation plus two feet.
- (2) The maximum elevation of the first floor of residences to be constructed on lots in Zone Two adjacent to Ocean Boulevard (SR A-1-A) shall be no higher than the minimum permitted elevation as established by the Federal Emergency Management Agency (FEMA), or as required by the Florida Building Code, plus two feet, or two feet above the maximum elevation of the crown of the road adjacent to the lot, whichever of the two is higher.
- (3) First floor of residences to be constructed on all lots in Zone Two which are not adjacent to Ocean Boulevard (SR A-1-A), and lots in Zone Three shall be constructed no higher than two feet above the minimum permitted elevation, as established by the Federal Emergency Management Agency (FEMA), or as required by the Florida Building Code.
- (4) A survey sealed by a registered surveyor shall be submitted to the Building Official showing the finished floor elevation and the location of structures on the property. This survey shall be presented prior to tie beam inspection of the first inspection for roof structure in one story structures or first inspection for second floor framing in two or more story structures.

(b) Garage floor levels shall be at a minimum of 12 inches above the maximum elevation of the crown of the street fronting the property or at least at elevation 6 the National Geodetic Vertical Datum (N.G.V.D.), whichever is the higher, except Zone 1 which shall meet the requirements of the Florida State Bureau of Beach and Coastal Systems of the Department of Environmental Protection or Federal Emergency Management Agency (FEMA), or as required by the Florida Building Code, whichever is the higher.

(c) A garage shall not be converted to a living space of the structure, unless the elevation of the garage floor complies or is made to comply with or conform to flood plan criteria and regulatory codes as set forth by Miami-Dade County, the State of Florida, and the Program, the Florida Building Code, this chapter, the Coastal Construction Code, and all other applicable provisions of this Code of Ordinances.

Sec. 66-102. - Minimum lot and swale elevations; grade.

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

(b) All property Owners are required to maintain an elevation of the Swale Area adjoining their property at a minimum elevation of one foot below the elevation of the edge of the Street pavement fronting the property.

(c) Driveways shall be maintained at an elevation necessary to eliminate any standing water and graded to promote drainage by sloping them toward the pervious area or to any drainage structure built within the property. Effective with this Ordinance; all new construction and existing driveways within Town that are to be replaced will be required to install an adequate drainage system, acceptable to the Town, that will accommodate and capture storm water generated from the property, both on site and to the adjoining roadway swale area. The system shall collect, treat and discharge storm water from the property.

(d) Any lot Owner cited by the Code Enforcement Officer for violation of this chapter shall correct the violation within 30 days and provide the ~~Code Enforcement Board~~ Building and Zoning Department a surveyor's certificate, certifying that his property is in compliance with this chapter.

**TOWN OF GOLDEN BEACH
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Alex Diaz – Town Manager
Linda Epperson – Bldg. and Zoning Department Director
Town of Golden Beach

From: Michael J. Miller, AICP *MTM*
Consultant Town Planner

Date: February 6th, 2019

Subject: Town of Golden Beach
Proposed Land Development Code Amendment
Flood Protection / Zoning Code
Building Height Measurement
MMPA Acct. No. 04-0101-0003

ISSUE / BACKGROUND

Over the last few years the Town has studied and updated many of its Land Development Regulations (LDRs) to modernize the Code, clarify vague provisions, and to comply with other governmental agency requirements. In 2009 the Town adopted a new Flood Code (Chapter 62) as mandated by the federal government and State of Florida (Dept. of Emergency Mgt. (DEM)) as part of the National Flood Insurance Program (NFIP). To participate in the flood insurance program the Town's Flood Code is modeled after the required format / contents mandated by DEM. Currently DEM is working with local governments in South Florida on required updated to all Flood Codes, so they are uniform from jurisdiction to jurisdiction. The Flood Code includes minimum floor elevations, building design criteria and restricts land uses. In 2011 the Town updated portions of its LDRs related to minimum elevations of houses and garages (Sec. 66-101). On May 16, 2017 a major revision to the Town Zoning Code was adopted clarifying / refining the development standards within the three (3) Zoning Districts (Ord. No. 573.17). However, due to a recent change in the Florida Building Code for Flood Resistant Construction, 6th Edition 2017 (became effective 1/01/18), a "conflict" has arisen that needs to be addressed. The Florida Building Code, in Section R322.2.1 entitled Elevation Requirements, requires that buildings and structures in flood hazard areas be constructed at Base Flood Elevation (BFE) plus one (1) foot, or the design elevation, whichever is higher. The Town's Zoning Code requires that the height measurement be taken from the lowest habitable finished floor (Based Flood Elevation), as determined by the latest published FEMA FIRM maps, to the highest ridge of the roof. However, due to the above Florida Building Code change, the theoretical maximum building height is 1-foot less than was formerly allowed. Many cities recognize the impact of this change and are modifying their Codes so as to not penalize developers.

ANALYSIS

The result of the Florida Building Code change is that while developers are complying with the Town Code, there is the loss of one (1) foot of buildable height inside a home. One (1) foot may not seem like much, but it can have a significant impact on interior ceiling heights, and for very quality high-end homes, higher ceiling heights are desired and expected. MMPA / Town staff are obligated to enforce the Town's adopted LDRs, and as currently written, the recent Florida Building Code lowest habitable floor elevation increase is causing a problem, as many architects / contractor want to design to the maximum extent possible.

This change is causing some difficulty with the design of homes, and in all fairness, the maximum height of homes is not changing - it is where the height is measured from is the issue.

SUMMARY / RECOMMENDATION

In summary, a Florida Building Code change that became effective in January 2018 mandates that the lowest habitable floor elevation be increased to BFE + 1-foot. The existing Town Code provisions were created / adopted based on the applicable laws prior to that date (BFE or alternative Code provisions). The Town is prohibited from altering the Flood Code text without the consent of DEM / FEMA.

Based on the above analysis, MMPA recommends the Town consider modifying its Zoning Code (Sec. 66-69.2 and Sec. 66-69.3) so that in Zones Two (2) and Three (3) maximum building height is measured from the lowest habitable finished floor (Based Flood Elevation), as determined by the latest published FEMA FIRM maps, or the Florida Building Code, whichever has the highest minimum elevation required, to the highest ridge of the roof, or to the highest point of the deck of a flat roof. In addition, similar Zoning Code text revisions are recommended to Sec. 66-101, which addresses minimum floor elevations for houses and garages. Finally, although not directly related to the FBC building height issue, Town staff requested that new provisions be added to Town Code Sec. 66-102(c) which address lot grades to specify that physical drainage improvements may be necessary and required to address flooding for driveways (both on the private site / in the public right-of-way).

Attached please find a draft Ordinance for consideration.




TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez, 
Town Clerk

Subject: Town Council Minutes

Item Numbers:

4

Recommendation:

It is recommended that the Town Council adopt the minutes of the January 22, 2019 Special Town Council Meeting.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the January 22, 2019 Special Town Council Meeting called for 7:00 p.m.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:24 p.m.

B. ROLL CALL

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

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

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

Vice Mayor Mendal

Asked to remove traffic calming bands on A1A, asking to add Tweddle Park and pavilion reservations instead.

Town Manager requested to pull item #5, Resolution 2593.19 from the agenda.

Consensus vote 5 Ayes, 0 Nays.

F. GOOD AND WELFARE

Bernard Einstein, 555 Golden Beach Drive

Spoke on his desire to run for council.

Michael Addicott, 155 Golden Beach Drive

Suggested the Town hold a debate for the candidates in the upcoming election.

Spoke on the fact that there needs to be more attention paid to the speed limits on A1A.

Stated that the Town Attorney should look into whether the dog days on the beach are legal, because he does not feel that they are legal.

Has Golden Beach given thought to the budgetary consideration of reducing the millage rate, not just keeping it at the same rate that it is at?

Mentioned that the penalty on the water bill should have been paid off, and maybe they can pay it off already. If there is no penalty for paying it off early, he does not know why we have not because we have the revenue to do it. Lastly wanted to know what the legislative budget has been for the past two years for legal fees in the two because there needs to be more scrutiny paid to that in terms of what the Town is spending and what it is getting in terms of services back.

Barbara Shaheen, 416 Golden Beach Drive

Stated that she is not here to make a political speech, but is running for Mayor.

Stated that she feels that the residents should know where tax dollars are going. Stated that the Town hired a separate law firm and has spent over \$300,000 litigating her case. Spent this tremendous amount of your tax dollars because there is water in her driveway. There is water on her driveway on her property because the Town forced her to remove her seawall. She believes that any of the residents who live on the water might have the same water issue if they had the same circumstance. That is something she wanted to bring to your attention, and has probably costed her \$450,000 to save her home. The Town tried to foreclose on her home, claiming she did not have homestead when they knew that was not true. Stated to the residents if you want your tax money to be spent that way than keep the same people in office, but if you care about your neighbor and yourself, and this could happen to you, if this could happen to her it could happen to you. Her parents bought this home in the 1940's, she has lived here all her life, went to school here, learned to drive on these streets, it is a wonderful little Town but it should be a kind Town.

G. MAYOR'S REPORT

Wished everyone a happy and healthy new year. 2018 flew by, but although it flew by the Town council and Town staff accomplished a lot last year. The renovation of the Gaurdhouse, the restoration of the beach pavilion and renovation of the beach pavilion bathrooms, additional beach amenities, and the street lighting project were all completed in 2018. These projects were completed within our budget and time frame. 2019 is going to be a very exciting year. We have our 90th Anniversary of the Town of Golden Beach – that is going to be a big event. We have started and will continue the planning of the new civic center and adding additional amenities to the community such as a gym, hopefully by the end of this year we will have a bid proposal that will enable us to go out to bid for these projects. Again, these projects will not cost the tax payers a dime, we are not going to increase the millage rate to pay for these projects, these are exciting and well needed projects. Our goal is to continue to look for new ways to improve our resident's lifestyle and offer additional amenities without incurring additional costs to our residents, and we have been doing that the past few months. Town staff has done a great job by adding additional amenities such as a boot camp and as time progresses we will get more participation on that, we have a tennis clinic every quarter, more teen events and Town socials, all at no cost to the residents. Regards to comments made on good and welfare, stated that he agrees with former Mayor Addicott. On Golden Beach Drive, traffic needs to be enforced further because cars exceed the speed limit, especially during school. He knows there has been increased police visibility on A1A but we can never have enough so the chief can look into that.

Dogs on the beach has been a great event. It has been done behind a resident's house, and that resident gives the Town permission to have the dogs on the beach behind their house. Town staff is out there and they clean up immediately after the event. He is all for the clean beaches and would hate to have dog feces on the beach so we are cognizant of that. He is excited for 2019! We have a lot planned the Town manager, staff and Town council are very excited about our projects. We will keep the residents involved, nothing is ever done without notifying the residents and council approval.

H. COUNCIL COMMENTS

Councilmember Rojas

Asked for an update on the dredging program and when it will begin

Councilmember Bernstein

Welcomed everyone and stated it is one of the biggest crowds we have had in a while. Stated first off that the New Year's party was done amazingly. Wanted to thank all the Town employees that were there, the police presence, the amenities and everything was staffed properly everything was great as always and exceeded his expectations. Wanted to thank the candidates that showed up, and that he is also running for council and good luck.

Councilmember Lusskin

Commented on the new yearly calendar the town is putting out – thinks that it is great. Stated that there are many new amenities brought in to town constantly making it better, and she thinks that we have a lot of pleased and happy taxpayers for it. Also noticed that in the calendar it says annual luau and she would change it to second annual Italian night. Stated that it seems to her that there is more demolition going on in Town during the last week of the year, she thinks people are trying to get a lot done before the New Year, but truthfully, everyone has family over and those last two weeks of the year the whole Town is shaking. Stated that this is the second time she mentioned this but it is not critical if we run into some money, the fountains at the gate are beautiful but the white curvy walls on the sides look unfinished. Thanked the police for everything they do for the residents. Stated that we have more kosher residents in Town than they have ever had before and wanted to compliment the administration for having more stands during events providing kosher options. She knows that to our kosher residents kosher food is more important than kosher style. Stated that the quality of what is being provided for the kosher foods needs to be kicked up a notch, it is not Golden Beach standards.

Vice Mayor Mendal

Mentioned that the New Year's party was great-thanked resident services. Wanted to say he is a little bit disillusioned that there is nothing on the agenda about the civic center he does not want to slow down on that.

Mayor Singer gave Councilmember Lusskin his condolences on the passing of her husband, he was loved by everyone; he is a big loss to her and her family and the residents of the Town of Golden beach. In regards to what Vice Mayor Mendal mention we are in the process of putting together a bid package, the Town Manager and him said they will have it to them by the end of the first quarter and that is still the plan, thanked him for bringing it up.

I. TOWN MANAGER REPORT

Thanked everyone for allowing him to join them at the New Year's event, proud of the work the Town staff did. Stated that the boot camp event this past week was well received, but under-attended. All of our events for the year are on the Town's website. Reminded residents that the elections are scheduled for the 19th and the qualifying period is over, we have two individuals running for the Mayor's position and four for council. Their profiles and bios are available on the Town website, if the candidates did not provide us with a profile or bio they are not on the website. Reminded residents that the elections are held here in Town Hall not at Sunny Isles as they are typically held for the Town. Information about absentee voting and registering to vote is on our website.

Responded to Mayor Addicott's request for a debate, stating that the League of Women Voters will hold a debate completely separate from the Town, as the administration does not get involved with any activities as it relates to elections; however, it will be held here in Town Hall. Stated that he was shaking his head not to be disrespectful to Mayor Addicott's comments but because he wants to always set the record straight when we speak to our public. As it relates to the Stormwater fee, we do not have a Stormwater assessment, that assessment was retired in 2007. We have a Stormwater fee to pay for your Stormwater system and that will never be retired because it has to be able to pay for itself. Therefore, as your pipes need to be replaced and when your pumps begin to fail we need to have funding in place to replace them. What previous administrations did prior to him and Mayor Singer being there is they refused to set aside money irresponsibly, so that when it was time to replace the system it would be on the backs of the new administration. Therefore, this administration has decided to be responsible stewards of government in creating funding sources to replace your infrastructure. All of your infrastructures have a life span, to be responsible that fee is a fee in perpetuity to continue to fund and maintain that system. As it relates to the Town's traffic enforcement citations, in 2017 the Town issued 3,059 citations and in 2018 the Town issued 3984 citations – that is an increase of 900 citations. The police are doing their job, they can do better, but they are doing a good job in enforcement. Spoke on the canal dredging stating that in November we did a grass survey and were happy that there was no grass but with the resignation of an official with DERM all projects came to a halt. The latest email from DERM is requesting us to redo the survey to make sure no grass has grown, we are fighting them on that because we do know that grass has grown and if it has grown it has to be mitigated. However, we are challenging DERM to honor our original submittal when there was no grass in our waterways so that we do not have to mitigate our grass. Therefore, he has no clue when the Town will start the dredging project. Irrespective of Councilwoman Rojas being on the council or not, we will complete the dredging project. In addition to that, he is requesting to change the February meeting and the March meeting dates. Reminded residents that if they ever have questions or concerns they do not have to wait for this venue to ask them he is always available for residents at any time of the day.

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 Accessory Structures in Setback Areas.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 585.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 585.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

The motion passed.

Town Manager spoke on the item. This ordinance deals with anything that is an encroachment on any of our buildings in Town. Anything that is beyond the stucco is technically a projection into your setback. Over the years architects have pushed the envelope on what's allowed to be an encroachment. Our architectural community has become very creative in making the homes look very stately. And even though the BRAB members may love it, and the council may love it, the Administration cannot issue a CO because this is not allowed. Staff feels the encroachment should be less amount of space. This ordinance solves the issue of allowing any item into the setback whether it is decorative or serves a purpose, this gives staff authority. The BRAB reviewed this item, and is in full support of this item. The staff is concerned with the recommendation from the planning department. They think it should be up to 2 feet and up to 4 feet in the rear we think it should be half that. Any encroachment whatsoever should be at the sole authority of the Council, even though its written as 2 and 4 we recommend that it should be changed to 1 and 2 for the second reading, if you even want to allow decorative elements on the sides.

Vice Mayor Mendal stated he is confused as to where the 2 and 4 set back are. And where the 1½ is.

Town Manager stated the 1 ½ is for the smaller lots.

Vice Mayor Mendal asked why 1 ½ for the smaller lots and only 1 for the bigger lots.

Town Manager stated he has not studied that so he is not prepared to answer that and we may change that between now and second reading

Vice Mayor Mendal stated why not just make it 1½ on the sides instead of 2

Councilmember Bernstein asked why are they recommending 2 and 4

Town Manager stated he's not sure but he will get the council a written answer as to why 2 and 4

Resident Michael Addicott, 155 Golden Beach Drive

Stated that the Town has a mechanism in place to handle this through the variance process. 100% against this ordinance thinks it would set a bad precedence. Golden Beach is a special enclave. To keep it that way we need to stick to what we have set up historically, and that is, if you deemed you have a hardship than apply for a variance. Do not give carte blanche to encroachments because then that would set a terrible precedence.

Resident Alene Fishbein, 256 Golden Beach Drive

Finds that when you give people a little leeway they want more. You will find one person doing one thing; the next one will say he has done it so why can't I do it. Leave things as they are. On another note stated that the staff here is wonderful to her and have always treated her so well. And gave a special thank you to Vice Mayor Mendal for checking up on her so much during the New Year's Eve party.

Mayor Singer stated that he agrees with Former Mayor Addicott that allowing this may set a bad precedence and we can just do variances.

Councilmember Rojas asked the Manager to explain exactly what the encroachment is.

Town Manager stated that anything that extends pass the footprint of the house is in violation of the Town's code. What we want to do is stop issuing permits that are in violation of your code that can be challenged by a neighbor because we have allowed encroachments that have no legal purpose.

Mayor Singer made the recommendation to make it 2 feet and 1 ½ feet.

Town Manager does agree with Mayor Addicott's that there are reasons why we have variances, but he does feel that there is a need to clean up the code if there continues to be a blatant disregard for the code.

Councilmember Bernstein spoke on Mayor Addicott's point stating that the BRAB is asking for a set of objective standards that need to be established. He agrees with Mayor Singer's recommendation.

Mayor Addicott asked what makes the Council think that it will be followed once this ordinance is passed.

Mayor Singer stated that we do want to be community friendly so if there is a foot protruding beyond that, let us say an eyebrow or decorative ornament, and it's not bothering the neighbor.

Town Manager agreed and although it is not a hardship, it is a desire to add value to the aesthetic value of a home

Councilmember Bernstein we're looking at people wanting to maximize their living area, and people are going to say they would rather have more living area than room for architectural features, that ways we feel like by allowing an extra 1 foot we're allowing for a more attractive community.

Town Manager stated that what we do not want to see is flat walls that look like a warehouse because now we would have worked against ourselves; he feels that this ordinance is an elegant way of achieving a win-win.

Mayor Addicott you are making an argument that says the homeowner makes a choice but we are going to allow him to go beyond that even if you can't show a hardship so we issue the permit, that doesn't stop people from going 3 feet, so than what are you going to do.

Town Manager states that than we will make them tear it down, because now we have an enforcement. Because our code is currently silent as it relates to decorative elements or features.

Town Manager stated that the change would be to allow an encroachment for decorative elements on the side yard of no more than 1.5 feet and in the front and rear yard of no more than 2 feet.

2. An Ordinance of the Town Council Amending the Town's Code Related to Accessory Structures in Setback Areas.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO ACCESSORY STRUCTURES IN SETBACK AREAS; AMENDING SECTION 66-140 OF THE ZONING CODE RELATED TO SETBACK AND LOT LINE RESTRICTIONS; AND SECTION 66-141 RELATED TO PROJECTIONS IN TO SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Resolution No. 586.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 586.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>

The motion passed.

Town Manager spoke on the item stating that it calls for all mechanical equipment to be screened.

Councilmember Bernstein feels that the Town is creating an issue that we do not really want to because, we have a lot of existing homes where it's not visible and turning around and bringing those types of structures is a concern to him.

Town Manager stated if you decide to replace your equipment on the side yard we would ask for a screening

Councilmember Rojas asked about how you enclose a tankless water heater on the side of your home, how do you enclose that.

Town Manager stated by creating an L shaped structure

Mayor Singer asked even if it is within the set back.

Councilmember Rojas asked how would you vent it because heat comes out of it

Town Manager stated that the BRAB has made a request for the council to consider screening mechanical equipment. How that screening is done and materials used is up to the architects. The objective is two-fold, one to try to decrease noises omitted into the neighbors yards, and two to mask it from the roads.

Mayor Singer stated that he is in favor for new homes but for existing homes keep it the way it is.

Councilmember Luskin asked if in the Town Managers experience has he seen a lot of homes with this.

Town Manager stated that yes and in addition with the new homes because they all have elevated mechanical equipment and none of it is screened, so not only is it not on

ground level its elevated and you see them on everyone's walls and they are not screened.

Councilmember Bernstein stated that he is saying if you are putting your mechanical on the side of the house where it is not visible with landscape around it, then why would you want to burden homeowners with putting a full mechanical room that has ventilation issues.

Town Manager stated that you can no longer do that, due to flooding equipment now needs to be elevated. He just wants to be clear, most of these recommendations come from the BRAB.

Mayor Addicott, 155 Golden Beach Drive inquired about what the screening is exactly.

Town Manager stated that the purpose of this ordinance is concealing of the visibility of the mechanical structures and omissions of noise.

Mayor Addicott questioned the decimal level and if it is in the existing code, because the decimal level is a lot higher in the existing code than for the air conditioning.

Town Manager stated that he is not prepared to speak about that this evening.

Mayor Addicott stated because a lot of air conditioning systems have some kind of installation around the motor that decrease the noise.

Town Manager stated yes but not the pool pumps and other equipment

Councilmember Bernstein asked if we have a noise ordinance than it should cover this as well.

Town Manager stated no the ordinance that relates to noise omitted from mechanical equipment that are typically failing or, loud speakers, and recreation activities in their homes.

Councilmember Bernstein stated then why are we singling out noises in this ordinance.

Town Manager stated we do not single out noise in this ordinance, the outcome of this ordinance achieves two objectives, one the screening of the equipment, and two the noises that carry from one property to the other

Mayor Singer asked that this only apply to all new homes.

M. QUASI JUDICIAL RESOLUTIONS

3. A Resolution of the Town Council Approving A Variance Request for the Property Located at 616 North Island Drive.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 616 NORTH ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A DECORATIVE ELEMENT TO ENCROACH INTO THE FRONT SETBACK AT 34.6 FEET INTO THE 35 FOOT FRONT SETBACK ESTABLISHED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 3
Resolution No. 2591.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2591.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

The motion passed.

Town Manager gave a public apology to Architect Danny Soragon because this home was pulled from being given a CO because of the issue that came before the Council. Even though the BRAB approved it and loves it, legally the Town could not approve the CO because this is an encroachment.

Architect Danny Soragon stated that the ordinance needs to specify what can project out.

Town Manager stated that that is a six-inch encroachment. Administration supports the variance. Needed to make sure that the community is aware that the Town is no longer going to issue a certificate of occupancy when there are illegal structures that are not permitted by Council or code.

Mayor Addicott asked if this was approved previously on the original plan.

Town Manager stated yes that the BRAB approved it and the old Building Official approved it

Mayor Singer stated that it was approved the way it was but the Manager caught it.

Town Manager stated that Florida law gives the administration the authority to recant approved items that may have been approved erroneously. He wants to be clear that

there was no hidden tricks, this is a very responsible architect, he submitted it and staff approved it.

4. A Resolution of the Town Council Approving A Variance Request for the Property Located at 401 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 401 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE FIRST FLOOR ELEVATION TO START AT 23.6 FEET NGVD INSTEAD OF 20.02 FEET NGVD ESTABLISHED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 4
Resolution No. 2592.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2592.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

The motion passed.

Town Manager stated that we have had all the new homes that have been given a permit ask for an additional allowance for the first floor to start at. Currently the code allows you to start at 20.02 NGVD. During the last year, we have issued three variances as it relates to the first floor starting point. This application is for a first floor starting point of 23.6 NGVD, the highest we have issued in the past is 23 NGVD. However, with that NGVD issuance the home height itself was reduced to achieve the town approved 23 feet NGVD in the past, so that the envelope of the home was brought down. They feel that this particular lot is unique because of some flooding concerns.

Chad Oppenheim, Architect, 245 NE 37th Street. The crown of the road is at a certain height relevant to the home. If they were asked to follow the code, we would be asked to put our lowest floor level below the crown of the road creating a very negative drainage effect. For this site, the property must retain onsite the runoff associated to the city's rainfall requirement. This requirement is set at a minimum grade elevation around the perimeter of the site to ensure that stormwater is managed onsite. It is strongly advised to set the minimum first floor elevation to higher than the required minimum to decrease the possibility of flooding. Asking to elevate the lowest floor level so they are

not below the crown of the road. To clarify, they are actually reducing the envelope of the home. They are asking to go up 3.4 feet to meet the minimum criteria the civil engineer is insisting on and we are not maximizing the height. Actually minimizing the height by about 2 feet.

Town Manager stated that this is new information to staff they were not aware that they will be reducing the envelope of the home. If we are going to approve with these conditions we're going to make sure we codify it that way. If the maximum height is no greater than what the Council has approved in the past, then the administration feels that the Council should approve what it has approved in the past. However, what was presented to us was a higher elevation and no change in the envelope so then he will need to table this to investigate it.

Building Director Linda Epperson stated that if that is the case the reports from the zoning review were incorrect

Town Manager reiterated that what they are asking for is 23.6 so instead of being at 53.6 they will be at 51.6. Stated that he relied on staff report and did not verify himself and the report stated that the envelope was not being reduced. He requested that the council approve the administration to allow what was done before with the previous property to be done with this property and not to exceed 51.6. In this particular property, their case is flooding. In other properties, it was headroom. This is an actual hardship if we accept their engineering report. Stated that for the record that the resident adjacent to the property has emailed an objection letter about this property but it has nothing to do with this variance instead it is the design they have an issue with. Therefore, we will not read that into the record.

Paul Fischman, Architect, Choeff, Levy, Fischman, 8425 Biscayne Blvd, Suite 201 speaking on behalf of his client stating that the client's major concern was the envelope not being allowed to go above the current elevation height.

Town Manager stated that what they are working on is giving the Manager authority to draft a variance with the attorneys that provides for a higher first floor finish grade elevation consisting of what we granted in the past so long as the total structure does not exceed 51.6 NGVD.

5. A Resolution of the Town Council Approving A Variance Request for the Property Located at 401 Ocean Boulevard.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 401 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE FIRST FLOOR ELEVATION TO START AT 23.6 FEET NGVD INSTEAD OF 20.02 FEET NGVD ESTABLISHED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 5
 Resolution No. 2593.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2593.19

ITEM PULLED

N. CONSENT AGENDA

- 6. Official Minutes of the October 30, 2018 Special Town Council Meeting & Local Planning Agency Meeting**
- 7. Official Minutes of the November 20, 2018 Regular Town Council Meeting**
- 8. A Resolution of the Town Council Authorization the Completion of LMS Projects from Miami-Dade County.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE LISTING OF NEW PROJECTS ON THE LOCAL MITIGATION STRATEGY (LMS) WITH MIAMI DADE COUNTY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2594.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2594.19

- 9. A Resolution of the Town Council Authorizing the Town to set its State Legislative Priorities.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, FORMALIZING THE LEGISLATIVE PRIORITIES FOR THE 2019 STATE LEGISLATIVE SESSION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2595.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2595.19

- 10. A Resolution of the Town Council Authorizing the Renewal of Water Testing at the Beach.**

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH AND THE TOWN OF GOLDEN BEACH FOR QUALITY WATER TESTING; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2596.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2596.19

11. A Resolution of the Town Council Approving a Mutual Aid Agreement with the City of Aventura.

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

Exhibit: Agenda Report No. 11
Resolution No. 2597.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2597.19

Town Manager commented on Item #10 stating that this item allows us to do our own water testing. We now have weekly readings, which means we now have more frequent beach closures. It is not because our water is dirtier today, its just now we know our waters are dirty. Before our waters were tested infrequently by the county and now we have them tested weekly.

Councilmember Lusskin stated that the harden facility in the potential new Town Hall is a fabulous idea. She also questioned if we put canal dredging in the State Legislative Priorities.

Mayor Singer answered no to her.

Consensus vote 5 Ayes, Nays. Items N6-N11 pass.

Town Manager presented the Mayor and Councilmembers with their annual \$1.00 salary

O. TOWN RESOLUTIONS

12. A Resolution of the Town Council Authorizing the Purchase of Three Police Tahoe Vehicles for the Police Fleet.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF THREE CHEVROLET TAHOE PPV POLICE VEHICLES AND THE USE OF GENERAL FUNDS TO PURCHASE AND EQUIP THE VEHICLES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 12
Resolution No. 2598.19

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2598.19

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this will not be paid for until next year's budget. This is being requested to be approved now to avoid a rate increase and make sure that the Town has a consistent fleet.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Jaime Mendal:

- Tweddle Park rentals and the pavilion – fixtures and amenities are taking a great toll. Suggesting increasing the cost due to all new items that need to be taken care of. At least the Town needs to recoup the cost of the infrastructure.

Town Manager stated that all fees collected for all events in town was \$2,275.00

Vice Mayor Mendal stated that the fees need to be increased to at least \$500.

Town Manager stated that an item would be brought before the council at the next council meeting.

Mayor Singer stated that they should go up to \$200 at Tweddle Park

Vice Mayor Mendal agreed with the Mayor and stated keeping the money in reserves to have for upkeep of the amenities.

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz:
None Requested

Town Manager stated that the February meeting needs to be moved. Cannot have the council meeting the night of the 19th due to elections being held that night. Requested to have the meeting moved to Wednesday, February 27th at 6:30 p.m. He also mentioned that the March 19th meeting is on a date that is a conflict for several members and that they will need to move it and to decide on a new date at the February meeting.

Q. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, 
Town Manager

Subject: **Resolution No. 2599.19 – Authorizing and Approving Payment
of \$5,000.00 to the Diabetes Research Institute Foundation's
Love and Hope Event**

Item Number:

5

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2599.19 as presented.

Background:

This resolution approves the donation made to the Diabetes Research Institute Foundation. This donation is in support of the foundation's Love and Hope Event taking place on March 9th at Nobu, inside the Eden Roc Hotel.

Fiscal Impact:

If approved by Council the amount authorized will be \$5,000.00.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2599.19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE DIABETES RESEARCH INSTITUTE FOUNDATION'S LOVE AND HOPE EVENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Diabetes Research Institute (DRI) is the only national organization solely devoted to finding a cure for diabetes; and

WHEREAS, the DRI is the largest and most comprehensive diabetes research center dedicated to curing diabetes, aggressively working to shrink the timeline toward the discovery of a biological cure for this disease; and

WHEREAS, the Diabetes Research Institute Foundation is recognized as one of the world's most respected diabetes organizations, whose support through private philanthropy ensures the jumpstarting of new ideas and the continuation of innovative research projects that remain cure-focused and will ultimately benefit those with diabetes; and

WHEREAS, the Town Council finds that a contribution in the amount of \$5,000.00 to the Diabetes Research Institute Foundation is in the best interest of the Town.

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

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

Section 2. Authorization. That the payment of \$5,000.00 to the Diabetes Research Institute Foundation 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 Jaime Mendal	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Kenneth Bernstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,
this 27th day of February, 2019.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

Sponsorship Opportunities

With an extraordinary 45-year history, Love and Hope will be continuing with a new and exciting chapter with the Love and Hope High Rollers Night on March 9, 2019. This incredible night will benefit the Diabetes Research Institute (DRI) at the University of Miami Miller School of Medicine. The DRI's singular goal is to find a cure for diabetes. This year's event will give you the chance to try your luck at your favorite casino game all while you enjoy the iconic ambiance at the Nobu Hotel Eden Rock Miami Beach. Walk the red carpet on your way to a fantastic cocktail reception which will be followed by dinner, prizes and lots of surprises. Many of this area's most influential social, civic and business leaders will be among the anticipated 400 attendees.

Recently knighted at Buckingham Palace for services to music and charity, Sir Barry Gibb, a musical legend as a performer, writer and producer, and his wife Lady Linda have been the International Chairmen of the Love and Hope Committee for the Diabetes Research Institute (DRI) for over two decades. They have given generously of their time and resources over the years. Standing beside the Gibbs is the Love and Hope Ball volunteer committee which is dedicated to this very worthy cause – to find a cure for diabetes.

As a sponsor you can participate in this high-profile event, allowing you exposure to a targeted audience and, **most importantly, an opportunity to be part of an effort to find a cure for type 1 diabetes.**

Diabetes Research Institute – Foundation Office
200 South Park Road, Suite 100, Hollywood, Florida 33021
Telephone: 800-321-3437 or 954-964-4040 Fax: 954-964-7036
Diabetesresearch.org



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!
Love and Hope Executive Board

International Chairmen
Sir Barry & Lady Linda Gibb

Executive Chairman
Mrs. Sandra Levy

Executive Committee
Mrs. Jerry (Nancy) Blair
Ms. Kathryn Chesler
Mrs. Marilyn Fellman
Mrs. Mel (Fran) Harris
Ms. Barbara Herzberg
Mrs. Eleanor Kosow
Mrs. Marc (Helene) Kovens
Mrs. Tova Leidesdorf
Mrs. Martha Mishcon
Mrs. Jerry (Hildine) Potashnick
Mrs. Robert (Jill) Rosenhaus
Mrs. Lenore Toby Simmons
Mrs. Rhoda Stern

National Chairman
Ms. Kathy Simkins

Committee
Mrs. Aristotle (Diane) Ares
Mrs. Josephine Baker
Mrs. Bernard (Diane) Beber
Ms. Marcie Belenke
Mrs. William (Esther) Belfer
Mrs. David (Marlene) Berg
Ms. Susan Blutter
Mrs. Leonard (Judy) Borger
Mrs. Betty Madigan Brandt
Mrs. David (Mercedes) Carlson
Mrs. Harvey (Roberta) Chaplin
Mrs. Steven (Sherri) Fox
Mrs. Patty Frankel
Mrs. Mira Gaines
Mrs. Dalia Glottman
Mrs. Bella Goldstein
Mrs. Sharon Gustafson
Mrs. Madeline Hillsberg
Mrs. Barbara Kaufman
Ms. Kelley Kosow
Ms. Andria Pardes
Mrs. Stuart (Deborah) Posner
Mrs. Barbara Rubin
Ms. Candace Ruskin
Mrs. Leonard (Patti) Robins Schupak
Mrs. Barbara Shapiro
Ms. Harriet Shapiro
Ms. Marcia Shapiro
Mrs. Robert (Adrian) Ares Sherman
Mrs. Sheldon (Barbara) Shapiro
Ms. Stacy Stern
Mrs. Stephen (Noeleen) Stewart
Mrs. Tommy (Eleanor) Trotter
Mrs. Linda Widrich Weitz



Love and Hope High Rollers Night

Casino Party with Dinner, Dancing and Lots of Luck!

Diabetes Research Institute and Foundation

The Diabetes Research Institute Foundation is the organization of choice for those who are serious, passionate and committed to curing diabetes. Its mission – to provide the Diabetes Research Institute (DRI) with the funding necessary to cure diabetes **now** – is testament to the belief that tomorrow is not soon enough to cure those living with diabetes.

The Diabetes Research Institute at the University of Miami Miller School of Medicine leads the world in cure-focused research. As the largest and most comprehensive research center dedicated to curing diabetes, the DRI is aggressively working to develop a biological cure by restoring natural insulin production and normalizing blood sugar levels without imposing other risks.

Researchers have already shown that diabetes can be reversed through islet transplantation, with some study patients living without the need for insulin injections for more than a decade. The Institute is now building upon these promising outcomes by developing the DRI BioHub, an integrated “mini organ” that mimics the native pancreas. The BioHub contains thousands of insulin-producing cells that sense blood sugar levels and produce the precise amount of insulin needed in real time. While various BioHub platforms are being tested in preclinical and clinical studies, the DRI is also developing strategies to eliminate the need for anti-rejection drugs and reset the immune system to block autoimmunity.

The Diabetes Research Institute and Foundation were created for one reason – to cure diabetes – which is and will continue to be their singular focus until that goal is reached. For the millions of children and adults affected by diabetes, the Diabetes Research Institute is the best hope for a cure.

Love and Hope

In 1974 friends of some of the founding families of the DRI Foundation decided to do something special to bring awareness to the challenges of living with diabetes and the hope that existed through research. A significant leap forward occurred when the Love and Hope Committee was born. This effort immediately made an impact on the South Florida social scene with the creation of the annual Love and Hope Preview Party and Ball, attracting some of the most influential civic and business leaders. The Committee's tireless efforts and dedication encouraged others to join the cause and give generously.

Over Love and Hope's 45 year history it has been responsible for raising over \$53 million for the Diabetes Research Institute and this extraordinary group is not done yet. Many of the second-generation have now joined the cause...all dedicated to a future free of diabetes and a pledge not to give up until that goal is reached.

Surely, without Love and Hope the Diabetes Research Institute and Foundation would not be where it is today. It is a unique partnership which combines the outreach, creativity, dedication, and expertise of many; all dedicated to a singular mission...a cure for the millions touched by diabetes.



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

HIGH ROLLER SPONSORSHIP

In consideration of your \$100,000 contribution to the Diabetes Research Institute, you will receive:

- ◆ Inclusion on the Love and Hope Invitation as a *High Roller Sponsor*
- ◆ Three VIP tables of ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in the evening's program
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Cycle of Discovery Award presented at the Love and Hope High Rollers Night
- ◆ **The naming of a research or clinical faculty office at the Diabetes Research Institute**
- ◆ Recognition in the DRI Foundation's Cycle of Discovery program at the appropriate cumulative giving level and a plaque on the donor wall at the University of Miami's Diabetes Research Institute.



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$50,000 CASINO ROYALE SPONSORSHIP

In consideration of your \$50,000 contribution to the Diabetes Research Institute, you will receive:

- ◆ Inclusion on the Love and Hope invitation as a *Casino Royale Sponsor*
- ◆ Two VIP tables of ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in the evening's program
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Cycle of Discovery Award presented at the Love and Hope High Rollers Night
- ◆ Recognition in the DRI Foundation's Cycle of Discovery program at the appropriate cumulative giving level and a plaque on the donor wall at the University of Miami's Diabetes Research Institute



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$25,000 CROUPIER SPONSORSHIP

In consideration of your \$25,000 contribution to the Diabetes Research Institute to underwrite the cocktail reception, you will receive:

- ◆ Inclusion on the Love and Hope Invitation as a *Croupier Sponsor*
- ◆ Two VIP table of ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in the evening's program
- ◆ Logo or name on event signage throughout the cocktail reception recognizing your sponsorship
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Cycle of Discovery Award presented at the Love and Hope High Rollers Night
- ◆ Recognition in the DRI Foundation's Cycle of Discovery program at the appropriate cumulative giving level and a plaque on the donor wall at the University of Miami's Diabetes Research Institute



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$20,000 CARD SHARK SPONSORSHIP

In consideration of your \$20,000 contribution to the Diabetes Research Institute, you will receive:

- ◆ Inclusion on the Love and Hope Invitation as a *Card Shark Sponsor*
- ◆ One VIP table of ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in the evening's program
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$20,000 ROYAL FLUSH SPONSORSHIP

In consideration of your \$20,000 contribution to the Diabetes Research Institute to be the Royal Flush sponsor of the Casino Games, you will receive:

- ◆ Inclusion on the Love and Hope Invitation as a *Royal Flush Sponsor*
- ◆ One VIP table of ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in the evening's program
- ◆ Logo or name on all prize signage recognizing your sponsorship
- ◆ Logo or name displayed on large screens throughout the event as an event sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$10,000 ROULETTE SPONSORSHIP

In consideration of your \$10,000 contribution to the Diabetes Research Institute you will receive:

- ♦ Inclusion on the invitation for the Love and Hope as a *Roulette Sponsor*
- ♦ Table for ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ♦ Additional gambling chips for you and your guests
- ♦ Inclusion in the press releases about the event
- ♦ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ♦ Inclusion in DRIF's national publications and on our website (with hotlink)
- ♦ Inclusion in evening's program
- ♦ Logo or name displayed on large screens throughout the event as an event Sponsor
- ♦ Love and Hope Gold Rose Pin
- ♦ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$10,000 BLACKJACK SPONSORSHIP

In consideration of your \$10,000 contribution to the Diabetes Research Institute to underwrite the cost of valet you will receive:

- ◆ Inclusion on the invitation for the Love and Hope as a *Black Jack Sponsor*
- ◆ Table for ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the event
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in evening's program
- ◆ Logo or name on valet signage recognizing your sponsorship
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$10,000 RED CARPET SPONSORSHIP

In consideration of your \$10,000 contribution to the Diabetes Research Institute to sponsor the red carpet you will receive:

- ◆ Inclusion on the invitation for the Love and Hope as a *Red Carpet Sponsor*
- ◆ Table for ten (10) at the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the gala
- ◆ A special press release to all appropriate business and/social publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in evening's program
- ◆ Logo or name on red carpet signage recognizing your sponsorship
- ◆ Logo or name displayed on large screens throughout the event as an event Sponsor
- ◆ Love and Hope Gold Rose Pin
- ◆ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!

\$5,000 POKER SPONSORSHIP

In consideration of your \$5,000 contribution to the Diabetes Research Institute you will receive:

- ◆ Inclusion on the invitation for the Love and Hope High Rollers Night as a *Poker Sponsor*
- ◆ Four tickets to the Love and Hope High Rollers Night on March 9, 2019 at Nobu Hotel Eden Roc Miami Beach
- ◆ Additional gambling chips for you and your guests
- ◆ Inclusion in the press releases about the gala
- ◆ A special press release to all appropriate business and/social Publications announcing your sponsorship along with various Social Media mentions
- ◆ Inclusion in DRIF's national publications and on our website (with hotlink)
- ◆ Inclusion in evening's program
- ◆ Logo or name displayed on large screens throughout the event as an event sponsor
- ◆ Pavé diamonds will be added to the petals and leaves of your Love and Hope Gold Rose Pin
- ◆ Award presented at the Love and Hope High Rollers Night



Love and Hope High Rollers Night
Casino Party with Dinner, Dancing and Lots of Luck!
SPONSORSHIP FORM

Name _____

Company _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

Payment Methods _____ Credit Card _____ Check _____ Please bill me _____

Card # _____ Exp. Date _____

Amount _____ Signature _____

Sponsorship Levels

_____ High Roller Sponsor \$100,000

_____ Roulette Sponsor \$10,000

_____ Casino Royale Sponsor \$50,000

_____ Blackjack Sponsor \$10,000

_____ Croupier Sponsor \$25,000

_____ Red Carpet Sponsor \$10,000

_____ Card Shark \$20,000

_____ Poker Sponsor \$5,000

_____ Royal Flush Sponsor \$20,000

_____ Sorry, I will not be able to attend but please accept my donation of \$ _____

Signature indicates you agree to the above sponsorship level.

Signature _____ Date _____

Print Name _____

Please respond by mail, email, phone or fax to:

Diabetes Research Institute Foundation
200 South Park Road, Suite 100 • Hollywood, FL 33021
(800) 321-3437 • Dkawecki@drif.org • Fax: (954) 964-0097




TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez,
Town Clerk 

Subject: Resolution No. 2600.19 – Acceptance of 2019 General Election Results

Item Number:

6

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2600.19.

Background:

The qualifying period for the Town's 2019 General Election was held from January 2, 2019 through January 7, 2019. For the Office of Mayor Barbara Shaheen and Glenn H. Singer qualified to seek office. For the Office of Councilmember two seats were up for election and four candidates qualified to seek office, they were: Kenneth Bernstein, Bernard Einstein, Hilary C. Kates, and Hunter Sonn.

For the Office of Mayor and Councilmember a ballot was prepared and the Town held a General Election on Tuesday, February 19th, 2019, conducted by the Miami-Dade Department of Elections.

The Ballot and Results were as follows:

For Mayor

Barbara Shaheen	10	39 votes (14.13%)
Glenn H. Singer	11	237 votes (85.87%)

For Council

Kenneth Bernstein	12	227 votes (45.95%)
Bernard Einstein	13	190 votes (38.46%)
Hilary C. Kates	14	WITHDRAWN
Hunter Sonn	15	77 votes (15.59%)

Pursuant to the Town Charter, the Town Council shall accept the certification of the results of the election and designate a Vice Mayor.

The Vice-Mayor shall be the candidate having received the highest number of votes, thus Councilmember Kenneth Bernstein will serve as Vice-Mayor upon adoption of this resolution through the February 2020 Town Council meeting at which time Bernard Einstein will serve as Vice-Mayor through the February 2021 Town Council Meeting.

Alexander Diaz, Town Manager; Lissette Perez, Town Clerk and Vanessa Ramirez, SOE Designee served as the Canvassing Board (with Rudy Herbello, Police Chief as an Alternate Member) and validated the results of the elections pursuant to State Law and Town Charter.

Fiscal Impact:

None

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2600.19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE TOWN CLERK'S CERTIFICATION OF THE RESULTS OF THE FEBRUARY 19, 2019 TOWN ELECTION FOR MAYOR AND TWO TOWN COUNCILMEMBERS, DESIGNATING THE VICE MAYOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law and properly noticed, qualifying for the municipal election was held from January 2, 2019 to January 7, 2019 in the Town of Golden Beach; and

WHEREAS, for the Office of Mayor one seat was up for re-election and two candidates qualified to seek off: Glenn Singer and Barbara Shaheen; and

WHEREAS, for the Office of Councilmember two seats were up for re-election and four candidates qualified to seek office: Kenneth Bernstein, Bernard Einstein, Hilary Kates, and Hunter Sonn; and

WHEREAS, the ballot results were as follows:

#10 Barbara Shaheen	39 votes (14.13%)
#11 Glenn H. Singer	237 votes (85.87%)
#12 Kenneth Bernstein	227 votes (45.95%)
#13 Bernard Einstein	190 votes (38.46%)
#14 Hilary C. Kates	WITHDRAWN
#15 Hunter Son	77 votes (15.59%)

WHEREAS, the Town Council desires to accept the re-election of Glenn Singer for an eighth term as Mayor; and

WHEREAS, the Town Council desires to accept the re-election of Kenneth Bernstein for a fourth term and the election of Bernard Einstein rejoining the Council after not serving for the last two years as Councilmembers; and

WHEREAS, the Town Council desires to designate a Vice Mayor pursuant to the Town Charter.

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

Section 1. That the Certification of the qualifying results of the February 19th, 2019 town election is accepted as follows:

- | | | |
|----|------------------------------|---------------------------------------|
| A. | Mayor
2 year term | Glenn Singer |
| B. | Town Council:
4 year term | Kenneth Bernstein
Bernard Einstein |

- Section 2.**
- | | |
|----|--|
| A. | That based upon the results, <u>Glenn Singer</u> is declared Mayor for a two-year term commencing immediately. |
| B. | That based upon the results, <u>Kenneth Bernstein</u> is declared Town Councilmember for a four year term, commencing immediately. |
| C. | That based upon the results, <u>Bernard Einstein</u> is declared Town Councilmember for a four year term, commencing immediately. |

Section 3. That Councilmember Kenneth Bernstein is hereby designated Vice Mayor for a one-year term commencing immediately, to be followed by Councilmember Bernard Einstein, Vice Mayor for the succeeding one-year term as decided by the Town Council.

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

Section 5. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Town Administration.

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

Mayor Glenn Singer	_____
Vice Mayor Jaime Mendal	_____
Councilmember Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach
this 27th day of February, 2019.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

STEPHEN HELFMAN
TOWN ATTORNEY