



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

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

A. MEETING CALLED TO ORDER

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

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor 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, Police Lt. Yovany Diaz

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF OFFICER OF THE QUARTER – OFFICER ALEJANDRO VICTORES

Town Manager spoke on a number of items going on with the police department.

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Mrs. Alene Fishbein, 256 Golden Beach Drive

Spoke on the continuity of the Administration, but to make sure that the Administration and Council always think of new and different things to do for the community. Suggested starting a bus tour for the community, to make the community more cohesive.

****** Elizabeth Long, 80 Terracina Ave *****

Arrived during Council comments and spoke then.

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

Arrived during council comments and spoke then.

G. MAYOR'S REPORT

Congratulated Councilman Einstein on winning his seat on the council again. Thanked Councilwoman Rojas for her service to the Town and her service on the Council. Stated that the North Island meeting was very productive and positive and was very well attended. Very impressive how many residents came, all positive, everyone voiced their opinions on suggestions and recommendations, the Chief wrote them down and hopefully we will consider and implement them. Recommends we keep the meetings going and possible hold small meetings covering the whole Town. Congratulated Councilman Bernstein on being re-elected as well. As he stated in his mayor's address, we are not perfect. However, every decision that is made, is made as a group, and is what we feel is best for the community. Not everyone is going to be happy with the choices we make, but we always welcome residents to come in and voice their opinion. Stated that the residents have his word that every decision the Council makes, in their hearts is what is best for the Town and for the residents. We need to work on becoming more resident friendly and making their experiences better when they come to Town Hall, and he knows we can do it. We have already made great progress with our communication with the residents. When Vice Mayor Mendal was first elected that was one of his top suggestions, to have better communications with the residents, and he knows we have made a concerted effort notifying residents when there are events, meetings, or something happening in Town. We have done a great job, but we can do an even better job. Have plans to build a new Town Hall and convert this building into a gym for residents only. Hopefully in April will be able to put together a bid package to present to Council and residents. The residents have his commitment, the Council's commitment, and the Town Manager's commitment that building this new Town Hall and this building will not affect anyone's taxes. We know our budgeted amount and we are not going to go a penny over that. We do not plan to raise ad valorem taxes to do these projects. We have completed almost \$50-million in capital improvement projects over the last ten years and we have not raised taxes, in fact we have actually lowered them three times. Over the next two years, we are looking to lower the millage rate even further, and at the same time increase the amenities to residents. The more we have to offer amenity-wise, the better it is for everybody. We have made tremendous strides in the last two years in particular, with offering different amenities for residents such as yoga on the beach, dogs on the beach, and boot camp. We are trying to make a more resident friendly community, but if you have more suggestions, we welcome them. Commented on the elections stated that this was the first time in 12 years that we have had an open debate for the candidates, and that went well. Congratulated Mrs. Shaheen on running for Mayor, stating that it was a friendly competition. Stated it was great that we had some competition, it keeps us on our toes. Thanked residents for re-electing him one more time as Mayor. He is here to make the Town better and improve all of the things he has spoken about. Thanked the residents for their support and encouraged people to come to the meetings and voice their opinions.

H. COUNCIL COMMENTS

Vice Mayor Mendal

Thanked Councilwoman Rojas for her service to the Town and on the Council. Congratulated the candidates on their wins. Thanked Mr. Sonn and Mrs. Shaheen, stating that civic engagement is great because it keeps the Council on their toes. Thinks the Chief's initiatives are great, the localized meetings with certain sectors of the

community he thinks is a fantastic idea, he hopes that he continues that throughout Golden Beach. Spot on what we need. Thanked the police department for everything they do, and stated that everyone appreciates everything they do.

Councilwoman Lusskin

Mentioned the 90th anniversary signs on A1A and The Strand and how great they look. Spoke on Public Works Crew Leader Jean Scott and how much of a helping hand he is and how much of a family Golden Beach really is. Spoke on the cleanliness of the Town.

Councilman Bernstein

Started by saying thank you to Councilwoman Rojas and that she has been a huge part of the success of the Town. They came on the Council together and did not think that they would accomplish everything that they have. Congratulated the Mayor and Councilmember Einstein on a great election. Thanked the citizens for their engagement. Thanked the staff for putting on a great event today for the whole city to look forward to. Stated that he walked a lot this election and received a lot of comments during conversations with the residents. Everybody is thrilled about the changes taking place in Golden Beach and that this really is a beautiful place. Many people talked about how in northern communities there is a lot more social type of activities. When he looks at these upcoming four years, having a more resident friendly community and trying to figure out ways to get better neighborhood event, where people can really get to know each other is one of his goals, and also to help continue to make this a better place to the extent that he can. This is a dream community. Mentioned that he really liked what Hunter Sonn ran on and thinks that the Town could get more involved with social media. Need to do a better job with google maps and the ride share services and figure out why we continue to have so many issues with them. The South Gate continues to be an issue in terms of people being concerned about security and having a way in and out. We will continue to try and balance the two out, he thinks the Town Manger has done a great job, but he just wanted to mention that. Another comment he heard from residents on the beach is having the police vehicles slow down when they are out there, as well as being quicker when fixing beach toys and equipment that we have out there. A concerned parent spoke about the close proximity from the toddler playground area to the dog park and how it seems that the only way to get to the dog park is to go through Tweddle Park. Thanked all the residents for their recommendations and comments.

Councilwoman Rojas

Stated that it has been an honor and privilege to serve on the council for 12 years. It truly is a wonderful place to be a part of and everyone that sits up here and works for the Town only has the best interests of the residents of the community.

Resident Elizabeth Long

Presented the Council with the first ever tomato from the GBYLG's vegetable garden. She also expressed how much the kids are learning from this experience and would like to get more people involved.

Resident Madison Berndt spoke on the water spill that took place just south of Golden Beach. The spill was due to a large cloth ball that caused the pump station to backup and overflow.

I. TOWN MANAGER REPORT

Thanked the Council and residents for allowing him to serve as the Town Manager for the past twelve years. This last election cycle has really taught him a lot about what the community needs are, and what is expected of him and the Town staff. Stated that the Town has his commitment tonight that we will work hard each day to meet those expectations, and be more open to new ideas and new opportunities for the Town. Our objective moving forward is the commitment to not raise taxes and lower the millage rate while still providing more amenities at no cost to the residents. Corrected the record that when we talk about taxes we talk about the millage rate, what we mean is to not increase your millage rate, that does not necessarily mean you will not see an increase to your tax bill. However, because our value continues to grow your bill tends to go up, most of that increase, 75% of that increase goes to Miami-Dade County and not the Town of Golden Beach. We have been respectful of your budget, and your resources. Just as the Mayor mentioned over the last twelve years we have put in \$44 million of new improvements into this community of which our residents paid \$14.5 million. \$30 million have been from state, local, federal or leveraged money that we have secured under the leadership of this Council. It is important to also acknowledge when we have shortcomings, and he believes he has made himself clear that we will work on our shortcomings, but we will continue to lead the way we have led to maintain our property values and secure your investment. Mayor Singer has tasked us with looking at ways on how we can become more sustainable and become friendlier to our environment. As a barrier island community we cannot be short sighted on the issues that we will be facing in the future. As part of our design for the new Town Hall the Mayor tasked us with looking at sustainability issues and how we can use and reuse other types of programs to help become more ecologically friendly to our community. The only thing left on Councilwoman Rojas's agenda is the canal maintenance program. He gave her his word tonight that we will deliver the canal maintenance program. We will see it through to the end. Stated that she has been a friend, and a mentor and she will be missed. Thanked her for her years of service. Thanked Judge Zilber and Judge Diaz for coming and officiating the swearing-in ceremony. Thanked Mr. Sonn, Mrs. Kates, and Mrs. Shaheen for putting their names out there to be civically engaged. Also thanked Mrs. Berndt and the Women's League of Voters for their involvement with the election and hosting the debate. Stated that this year we celebrate our 90th year as a City. We are not a home owners association, we're not just a group of residents, we are a incorporated organization that came together 90 years ago for the betterment of the area, and it is important that we do not lose sight of that. He hopes that our residents will continue to get more and more involved with the Town's activities Stated it is important that we educate our residents, and that the dog park entry is not through the tot lot. There is a sidewalk that guides you directly to the big dog park and encouraged residents to use it. We have failed with signage and we will make sure to fix that and get better signage out there. Stated to the men and women in blue, that although we are talking about all of the great things we do, we can never get lazy, become content, and short sided of what your task is. Which is the utmost important task of keeping our residents and their properties safe and secure so do not think it is time to sit back and relax, he expects 110% from them. He recognized the Towns Director staff members. Finally, stated that the March meeting has been cancelled, we do not have any items for the Council to consider and we need time to prepare for the legislative packages that we are working on.

J. TOWN ATTORNEY REPORT

None

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

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 this ordinance as it relates to projections and decorative elements, your recommendation was that we allow a 1½-foot encroachment on to the side set back and a 2-foot encroachment on the front and rear setback irrespective of lot size, this item accommodates that request.

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

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

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 this item was not brought back the way the Council wanted it to be. They wanted it applied to only new homes, which takes away authority that the Administration has to enforcement rights with existing homes. So, what they did is applied the new requirements for masonry walls and new structures to new homes, but we kept the language that gave us authority and enforcement rights as it relates to existing homes and people who have mechanical equipment by requiring screening that is not as expensive. In addition, stated that we humbly request that you reconsider your position on mechanical equipment that is being hung from the structure. There are 9 homes today where you see A/C units, hot water heaters and pumps just floating on brackets next to houses that is not aesthetically pleasing to their neighbors or residents. Although it may seem burdensome to require them to screen their mechanical equipment so that it is not a blight on the community, it really is not. Stated that the Administration as well as the Building Regulatory Advisory Board is asking that you allow us to work with those residents to come up with inexpensive, effective solutions to these issues.

Councilmember Bernstein asked how they would screen it in.

Town Manager stated that we would leave that up to the architectural and designer community

Mayor Singer asked if by doing this, does it affect the setbacks.

Town Manager stated that in some cases, it does not affect the setback.

Councilmember Bernstein stated that the issues he brought up the last time was the equipment on lower level.

Town Manager stated that the Administration understands that what they wanted is to require masonry walls only for new construction, but what we ask is not to take away our legislative authority. Therefore, what we are saying is for existing homes; keep the law that has been in the books for 80 years do not take that away from us. Only require the new requirements for new construction, and allow us to require screens for anything that is hanging on the wall.

Councilmember Bernstein asked if there is an issue with having landscape screening also for new homes.

Town Manager stated that part of the new code requires that.

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

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 Aye
Councilmember Amy Isackson-Rojas Aye
Councilmember Judy Lusskin Aye

The motion passed.

Town Manager thanked Building Director Linda Epperson for all of the hard work that she does. What this ordinance does is it cleans up the language that stated that depending on what zone you are in, that's where your first floor start point is. In addition, there is a new requirement in this code; it applies to all new driveways and new homes. This cleans up the elevation requirements to require all new or renovated driveways to require an in-driveway drain to catch water runoff. This ordinance requires driveway drainage for homes that are redoing their driveways or building new driveways. It allows us to have an enforcement tool to require driveway drainage similar to other beachfront communities so that the water that comes on your driveway does not overflow on to the street and the Towns right-of-way. We ask you to also approve this for homes that are redoing their driveways, not if you are doing a small maintenance like resetting your pavers, we are not going to require it, but if you are changing the configuration or style of your driveway then we will require it. Also, if you are building a new home as part of your current water retaining program you need to include a drain that captures the water in your driveway.

Councilmember Bernstein asked what if the home already has the slope that will drain the water out.

Town Manager stated that the reality is that properties sink and move around so the only way to achieve compliance is by putting in a drain that captures that water coming from your property into that drain and back to your home.

Councilmember Lusskin asked if when there are heavy rains, will having a drain help a homeowner from having to worry about it getting under.

Town Manager stated no because it still would not have anywhere to go. He stated that this is the worst-case scenario and under a flooding occurrence in Golden Beach everything goes out the window. Stated it is important to follow the code, and the code says if water falls on your property it stays on your property and this is a loophole. In addition to that when you are talking about the Towns assets; reducing the amount of flow that goes into your stormwater system prolongs the need to replace your stormwater system.

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

Consensus vote 5 Ayes, 0 Nays. Items N4 & N5 pass.

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

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 put into the record the results of the election. This year's election results for the votes cast are Mrs. Barbra Shaheen received 39 votes, 14.13% of the total, Mayor Glenn Singer received 237 votes, 85.87% of the votes. For council, Vice Mayor elect Kenneth Bernstein received 227 votes, 45.95% of the votes, and reelected to the council Bernard Einstein received 190 votes, 38.46% of the votes. Hilary Kates withdrew before the elections, however she did receive some votes but did not want us to announce those, and Hunter Sonn received 77 votes, 15.59% of the votes, and as a result he was not elected to the Council. Those are the official results. Also, reminded Council that the next council meeting is the regular scheduled meeting on April 16, 2019 at 7:00pm.

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:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk