



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes of the **MONDAY, June 17, 2019**  
**Special Town Council Meeting called for 6:30 p.m.**

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### A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:40 p.m.

### B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Judy Lusskin, Councilmember Bernard Einstein

**Councilmember's Not Present:** Councilmember Jaime Mendal

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

### C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

### D. PRESENTATIONS / TOWN PROCLAMATIONS

LEGISLATIVE UPDATE PRESENTED BY SENATOR JASON PIZZO

LEGISLATIVE UPDATE PRESENTED BY REPRESENTATIVE JOSEPH GELLER

### E. MOTION TO SET THE AGENDA

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

The Administration presented an alternative item for Resolution 2619.19.

### F. GOOD AND WELFARE

None

### G. MAYOR'S REPORT

Stated that the Town Manager and he have been working consistently on the civic center. Thanked all of the councilmembers for their comments and submittal of their packages, which the Town Attorney has and is looking them over and should have them back to us by the August meeting. They have met with a few financial institutions to look

at the financing options; we will give an update at the August meeting. Working on keeping the Town looking clean and great. They have a proposal tonight for resurfacing and repaving Golden Beach Drive as well as coating the parkways and islands. Summer is here. The Town Administration has a number of things planned for the residents of Golden Beach, encouraged residents to look at the website to see what is being offered. Hurricane season is here. Cannot urge residents enough to get prepared, get supplies and secure your boat if you have one. Extended his condolences to the Mendal family, Councilman Mendal lost his grandfather.

## **H. COUNCIL COMMENTS**

### **Vice Mayor Bernstein**

Extended his condolences to the Mendal family.

### **Councilmember Einstein**

Extended his condolences to the Mendal family.

### **Councilmember Lusskin**

Extended condolences to the Mendal family. Stated that the Town looks great.

## **I. TOWN MANAGER REPORT**

None

## **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 to Revise Rooftop Activities.**

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

**Exhibit:** Agenda Report No. 1  
Ordinance No. 588.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 588.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on this item stating it resolves the issue of the variance we issued at the last meeting. It states rules for different sized lots as it relates to rooftop activities

**Councilwoman Luskin** asked if is this just for Zone One

**Town Manager** stated yes

**Councilwoman Luskin** asked if everyone who lives in Zone One which is on the ocean not allowed to have any music on the roof

**Town Manager** stated that that is how our code currently reads, it is not a new item, you can have a portable radio out there you just can't blast it.

#### **M. QUASI JUDICIAL RESOLUTIONS**

None

#### **N. CONSENT AGENDA**

- 2. Official Minutes of the May 21, 2019 Regular Town Council Meeting.**
- 3. A Resolution of the Town Council Approving A Mutual Aid Agreement between the Town and the Miami-Dade County Island Chief's "Mobile Force."**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE MIAMI-DADE COUNTY ISLAND CHIEF'S "MOBILE FORCE"; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2618.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2618.19

Consensus vote 4 Ayes, 0 Nays. Items N2-N3 pass.

**O. TOWN RESOLUTIONS**

**4. A Resolution of the Town Council Approving A Proposal from Arrow Asphalt & Engineering, Inc. for Milling and Resurfacing Golden Beach Drive.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING A PROPOSAL FROM ARROW ASPHALT & ENGINEERING, INC. FOR MILLING AND RESURFACING OF GOLDEN BEACH DRIVE; PURSUANT TO SECTION 2-275, SUBSECTION 3 OF THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2619.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2619.19

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on the item. Because your code only allows him to spend \$25,000, anything above that he has have to go out to bid. When you do that, you have to prepare bid packages with the scopes of the project, services, advertise it in the newspaper and get the attorneys involved to draft contracts. Therefore, now that \$100,000 purchase becomes a \$150,000 one. What we have done in the years to try to honor the spirit of solicitation is going out and getting proposals not bids from companies. The difference between the two is that when you go out to bid the world knows that you are looking for proposals and everyone can bid. When you look for proposals, you select a few companies and ask them to give you a proposal; you pick and choose the companies. He does not want the community to think that we do not get

proposals. In fact, for this item that you saw today we have received five proposals. Therefore, we do go out with the solicitation process, we just do not follow your bid requirements because it is very cumbersome, and we can address at a future date how you can give us more authority. Town Manager explained to the Council and residents exactly what we would be doing. On Golden Beach Drive from the south gate to the north gate we are going to mill one inch of asphalt, we are not going to keep any of the asphalt we were intending on keeping. We are going to put tap coat down, and then add one inch of asphalt on that tap coat. On the side streets, parkways, and islands there will be no milling, we will be getting a seal coat so it can match the top coat of Golden Beach Drive. Therefore, you are approving two contracts today, one for the milling and resurfacing of Golden Beach Drive, and one for the seal coating of the peripheral streets in Golden Beach. Asking for \$160,000 for milling and resurfacing and \$40,000 for seal coating to provide for some wiggle room for unforeseen expenses. The proposal you received is for \$140,000, that gives \$20,000 wiggle room as it relates to the milling and resurfacing. The seal coating came in at \$27,000 and asking for \$40,000 in case we needs a stronger seal, or we might ask for two coats. This is going to happen while you are out in recess. We are going to negotiate the contracts and hopefully set the start date for mid to late August. You do have money in your budget set aside for projects that are not numerated in your capital budget; there is \$227,000 set aside, this is where that money is coming from.

**Councilmember Lusskin** asked if they would look the same.

**Town Manager** stated yes, that is the goal, and stated that yes the seal coat will fade faster than the asphalt.

**Councilmember Einstein** asked if The Strand would also be getting the seal coat.

**Town Manager** stated yes it will.

**Councilwoman Lusskin** asked how long will it take.

**Town Manager** stated we will probably be doing this the same way we did when we first did the CIP, which is very inconvenient for everyone. He finds it to be a better product when you do both lanes and at the same time so that you do not get that in seam in the middle of the road to deal with. What he would like to do is close a section at a time and force our residents to park outside of those sections for twenty-four hours and walk to their homes. It is a pain to deal with, but he thinks you get a better product because it allows for the curing process of the asphalt to cure better. It becomes less coarse and finer when you do not drive on it for twenty-four hours. So fair warning to residents, we will be closing sections of Town where you will not be able to drive on them for twenty-four hours.

**Mayor Singer** suggested to notify the construction sites ahead of time.

**Town Manager** stated that when we did Center Island we had the same scenario, we made them close that site for twenty-four hours.

**Vice Mayor Bernstein** asked why did we decide not to do the parkways with asphalt.

**Town Manager** stated that believe it or not we have the same number of square yards of asphalt in the side streets, parkways, and islands as we do the entire length of Golden Beach, it would be double the budget, and we do not have that.

**Mayor Singer** stated that they do not need it.

**Town Manager** stated that we do not have as many patches and settlement because there is much less activity on them. The only parkway that will have new asphalt is the cull de sac area of North Parkway, and that is because the developers of that home have to pay for it, it was a condition of their certificate of occupancy.

**Mayor Singer** asked that the Town Manager address the concerns that everyone is notified that they will not be allowed to cut into the streets

**Town Manager** stated that the clerk will be sending out certified letters to all of the utilities that work with the Town or will be working with the Town. Town Manager stated that letters would also be sent to the homeowners that do not have gas to put in the pipe now, in case they want to do the work later on. The Town will have a 2-year moratorium on cutting, drilling, or digging up the road after this work is done. Stated this is the time for you to put an empty raceway, which is an empty three-inch pipe, that a utility can later pull their stuff through it if you in the future want to have gas or Atlantic Broadband, and currently don't have it. The emphases is on you to put in that infrastructure today, while we are going to allow you to tear up our road, because after we asphalt there will be no cutting allowed into the road. The only way you would be able to cut into the road is by doing a directional bore across the street. Yes, they are easy but they are very expensive.

**Councilmember Einstein** asked what if a water company has an emergency.

**Town Manager** stated that there is a difference between having a main rupture, and they are required to put in 100 feet in each direction so 200 square feet, it's still a patch but it is a greater patch. Stated the stuff you see on the street now was not a break. It was lack of service lines when new homes were built out on the east side of the street.

**Councilmember Einstein** asked when the anticipated groundbreaking would be.

**Town Manager** stated that we are hoping to get it done by October, but the absolute deadline is November.

**Councilmember Lusskin** stated that she has had residents already comment about the patches.

##### **5. A Resolution of the Town Council Approving A Proposal for the Purchase and Installation of Electrical Generator Equipment.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY MILLS ELECTRIC SERVICE, INC. FOR THE PURCHASE AND INSTALLATION OF

ELECTRICAL GENERATOR EQUIPMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2620.19

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2620.19

A motion to approve was made by Councilmember Luskin, seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Luskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>

The motion passed.

**Town Manager** thanked the Town Attorney for getting this item drafted in time for this meeting. We applied for grants for FEMA, FEMA awarded us that grant. This is a mitigation grant. It allows us to convert our manual generators to automated system with transfer switches that will turn on, on their own. If you remember during IRMA he had to come out and manually do the transfer, because of our delayed response time we had waist high water. If the generators had been automatic, we would have had some flooding but not waist high water. Twenty minutes after he turned on the pumps, the waist high waters became ankle height. The Town received \$60,000 from FEMA to pay for this, but we will have to pay the difference of \$24,000. The resolution is written in a manner that we only move forward with the project once we get the FEMA money.

**Councilmember Luskin** asked if the system would shut off on its own automatically.

**Town Manager** stated that there is a system that acknowledges when the power turns off and then it will switch to the generators. Stated that what triggers pumps to come on is a float valve that shows when the retaining tank of the pump station is full. He is assuming that if we lost power we are going to lose capacity so we are going to have flooding and that will turn on the pumps. There may be a scenario where we lose power but the pumps do not come on because there is not enough water on the ground to turn them on.

**Councilmember Luskin** asked a question about the pricing.

**Town Manager** stated that we did go out for proposal's, and those are just different proposals we received.

**Councilmember Einstein** inquired about whether or not we could pay someone to switch it on.

**Town Manager** stated we had two public work employees, the police department, and himself assigned here during the storm. During a high weather event, you are going to wait for the winds to subside before going out, also FEMA will not pay that person to go out.

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

Mayor Glenn Singer:  
None Requested

Vice Mayor Kenneth Bernstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Jaime Mendal:  
None Requested

Councilmember Bernard Einstein:  
None Requested

Town Manager Alexander Diaz:  
• Civic Center Masterplan Update

Since our last meeting the design criteria is complete. The Town Attorney has promised to have the bid documents ready in 4 days. Once that is complete the Mayor and he will look over them and bring them for your approval at the next meeting. We will not go out to bid until financing is in place. Financing now is driving the timeline. Once that is in place, we meet all the criteria to go out for a design-build bid. Also reminded the community that the council recesses for July and the next regularly scheduled meeting is Tuesday, August 20<sup>th</sup> at 7 p.m.

**Q. ADJOURNMENT:**

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A motion to adjourn the Council Meeting was made by Mayor Singer seconded by Vice Mayor Bernstein.

Consensus vote 4 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:36 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk