



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the June 16, 2020  
Special Town Council Zoom Virtual Meeting called for 5:00 P.M.

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**Zoom Room Meeting ID: 890 5255 7350 Password: 067687**

**For Dial In Only: Call 929.205.6099 Meeting ID: 890 5255 7350**

THE PUBLIC MAY PARTICIPATE AT GOOD AND WELFARE; PLEASE HOLD ALL QUESTIONS AND COMMENTS UNTIL THEN! THE PUBLIC IS ENCOURAGED TO SUBMIT ALL COMMENTS VIA EMAIL TO [LPEREZ@GOLDENBEACH.US](mailto:LPEREZ@GOLDENBEACH.US) BY 2:00 P.M. TUESDAY, JUNE 16, 2020.

## A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 5:08 p.m.

## B. ROLL CALL

**Councilmember's Present:** Mayor Glenn Singer, Vice Mayor Bernard Einstein, Councilmember Jaime Mendal, Councilmember Kenneth Bernstein, *Councilmember Judy Lusskin (\*\* joined the meeting during Presentations \*\*\*\*)*

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

## C. PRESENTATIONS / TOWN PROCLAMATIONS

**Mayor Singer** congratulated the Town Manager for winning the Professional Management excellence award, for outstanding top city manager. It is a well deserved award and he thinks the video was great, thanked the Town staff for putting the video together.

## D. MOTION TO SET THE AGENDA

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

**Town Manager** stated that Councilmember Bernstein asked for a discussion item to be added to the civic center item. In addition, there was a scribbler's error on page 88 of the agreement for the civic center.

## E. GOOD AND WELFARE

None

## **F. MAYOR'S REPORT**

Stated that on July 1<sup>st</sup> guests will be allowed to go to the Town's beaches. He, the Town Manager, and Finance Department have gone through the next three years budgets and feel very comfortable that we can financially handle the Civic Center project with no issues. Made tremendous progress thus far and we have only just begun.

## **G. CORONAVIRUS UPDATE**

Numbers of COVID cases have stayed at 15. No more cases have been reported to the Town. Mayor Gimenez indicated that he is going to keep the county through the same level of opening through the summer. Even though the number of cases go up, the hospital cases remain going down. Will open our beaches to visitors on July 1<sup>st</sup>, they must be accompanied by a resident with a Town issued ID. Residents will need to show ID's through the end of August. Will provide amenities on Fridays, Saturdays, Sundays and Mondays. We will be disinfecting amenities on Tuesdays, Wednesdays, and Thursday's. Police have gone back to normal staffing. We do have the town-wide safer at home order still in effect. The safer at home order will remain in place through August 31<sup>st</sup> in Miami-Dade County.

## **H. COUNCIL COMMENTS**

### **Councilmember Mendal**

Asked if the Town Manager could provide an update on the participation rates with the Census and give some more information on when the deadline actually is. Seen a lot of mosquitoes lately. Seems like we are inundated here, wanted to know if we could up the spraying. Also seeing a lot of iguanas, wanted to know if we can do anything about that. Seen that many municipalities are sending resolutions or letters to Mayor Gimenez to start distributing the cares act funds. It may be prudent that we send a letter in.

**Town Manager** stated that the Town has already done that.

### **Councilmember Bernstein**

Biggest issue is also the mosquitoes. They've gotten so out of control. Personally started to have leaks in his house and the roofer told him that it is iguanas causing the leaks. Just wanted to raise that awareness.

### **Vice Mayor Einstein**

Was on the beach on Saturday and Sunday. They are being ran very efficiently, beach attendants were checking for IDs, people were very spread out, maintained social distance and the attendants could not have been more of service to him. Construction sites – it seems like there is tremendous activity going on at the construction sites. Did see that they are taking temperature, and that they were wearing their masks. Mosquitos are coming out in droves. It is the worse he has ever seen. In addition, termites are swarming by the droves. People keeping on their outside lights, it attracts them. Thinks people need to be mindful of that to avoid the swarming of those. Town looks great. Keeps looking clean.

### **Councilwoman Lusskin**

Congratulated the Town Manager on his award. Stated some of the problems with the mosquitoes is that with COVID-19 all the abandoned homes have not been kept up with. Hoping as things ease up with COVID-19, we can take a better look there and lean

on the homeowners. Wants everyone on the police force to know that wearing the badge is something to be proud of, and we appreciate you, everyone at Golden Beach thanks you.

## **I. TOWN MANAGER REPORT**

First thanked the staff for nominating him for the award and thanked the staff and Council for all they have done to help him get the award. As it relates to mosquitos, we have a weekly mosquito spraying program in place. If you feel that you have a higher concentration of mosquitos on your property they'll come out to your home and spray your property. There is a \$150.00 fee for that. On the agenda is the Center Island Pump Station agreement. The interest rate is less than 1%; it is a 20-year loan. You have already authorized it, he just wanted you to see the terms. The Center Island Pump Station Project is fully funded, and fully designed. Town Attorney is putting the RFP package together to go out to bid. We have intentionally held back on the bidding process, because in the state's budget there is a \$500,000 allocation that our lobbyist and he were able to get for Golden Beach. If we issue the RFP before the budget is signed, we lose that \$500,000. Trying not to leave free money on the table. If the Governor vetoes that \$500,000, we will just have to borrow the money that we have already pledged, without increasing the Stormwater fee or taxes. Stated that you may have noticed over the past couple of weeks we have been doing a lot of maintenance in Town, replacing curbs and gutters. He could not be prouder of the men and women that wear the police uniforms in Golden Beach. Know that our police officers are professionals that practice responsible policing. Our staff go to annual training on an array of issues. Asks our residents that when you see or notice on social media anything, do not overreact. Know that the Mayor, Chief and I are part of a working group in the County were we get reports that let us know whether or not certain activities are viable or just there to create more panic. Trust in your management team, we are here to ensure your safety.

## **J. TOWN ATTORNEY REPORT**

None

## **K. ORDINANCES – SECOND READING**

None

## **L. ORDINANCES - FIRST READING**

- 1. A Ordinance of the Town Council Amending the Town's Code of Ordinances by Amending Chapter 52, "Landscaping" To Implement Mandatory Year-Round Landscaping Conservation Measures.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY ADDING SECTION 52-17 TO A NEW ARTICLE II "YEAR-ROUND LANSCAPING IRRIGATION RESTRICTIONS" WITHIN CHAPTER 52, "LANDSCAPING" TO IMPLEMENT THE MANDATORY YEAR-ROUND LANDSCAPE CONSERVATION MEASURES RULE OF

THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (40E-24, F.A.C.); PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY, PROVIDING THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING FOR A REQUIREMENT TO OPERATE TECHNOLOGY THAT INHIBITS OR INTERRUPTS AN IRRIGATION SYSTEM DURING PERIODS OF SUFFICIENT MOISTURE; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 592.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 592.20

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

On roll call, the following vote ensued:

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

The motion passed.

**Town Manager** stated that this ordinance is required by all of the municipalities of the state. How aggressive will be the enforcement? Residents should not fear this ordinance. We are not going to ask people to put in new maintenance systems or controls. When a new house comes in, we will ask them to put it in then.

## **M. QUASI JUDICIAL RESOLUTIONS**

**None**

## **N. CIVIC CENTER COMPLEX MASTERPLAN UPDATE**

**Town Manager** spoke on this item. We have spent the COVID-19 period fine-tuning our negotiations with the highest ranked firm. There is a contract on tonight's agenda for you to award. Tried to bring you an item that will discuss all aspects of the Civic Center in its totality. It is ready for your action tonight.

## **O. CONSENT AGENDA**

2. **Official Minutes of the May 26, 2020 Special Town Council Zoom Virtual Meeting**
3. **A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund (“LETF”) Monies For The Purchase of In-Vehicle Printers For Ticket Writing System.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (“LETF”) MONIES FOR THE IMPLEMENTATION AND INITIAL PURCHASE OF IN VEHICLE PRINTERS FOR TICKET AND REPORT WRITING SYSTEM; PURCHASE OF PORTABLE TABLETS FOR SAME SYSTEM; ACCESSORIES ALL TO BE USED BY THE GOLDEN BEACH POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2679.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2679.20

4. **A Resolution of the Town Council Nominating the Town’s Civic Center Master Plan Community Involvement Project for the Florida Municipal Achievement Award for 2020.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, NOMINATING THE TOWN’S CIVIC CENTER MASTER PLAN COMMUNITY INVOLVEMENT PROJECT FOR THE FLORIDA LEAGUE OF CITIES (FLC) “FLORIDA MUNICIPAL ACHIEVEMENT” AWARD FOR 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2680.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2680.20

Consensus vote 5 Ayes, 0 Nays. Items O2 – O4 pass.

## **P. TOWN RESOLUTIONS**

5. **A Resolution of the Town Council Approving A Design Build Agreement with Gerrits Construction, Inc. For The Town Civic Center Complex.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A DESIGN BUILD AGREEMENT WITH GERRITS CONSTRUCTION, INC. FOR THE TOWN CIVIC CENTER COMPLEX; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2681.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2681.20

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

On roll call, the following vote ensued:

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

The motion passed.

**Town Manager** spoke on the item. Stated that when we began this process there were two routes we could've taken. The traditional design than issue a construction contract, or we could issue a design build process which guarantees us a maximum price for what is delivered as part of our request for proposals. This past year we worked with our community for what is required for our civic center complex master plan. We had open dialogues with the community, had meetings with them, put up surveys and had internet discussions. Took a project that was originally a Taj Mahal and shaped it into a project that we felt was up to scale with our community. We went out to bid; we had a number of respondents. You created a committee of residents that you tasked with interviewing and ranking the firms for you. Than the Council met with the top ranked firms and you authorized him and the Attorney to negotiate a guaranteed price contract based on a series of deliverables that we're asking you to adopt tonight. In your agenda tonight you have what the building will look like, what the floor plan will be. What amenities we will be getting on our site. Our site will have one additional tennis court for a total of three tennis courts; it has our pickle ball court, our dog park, new lawn area for our residents to enjoy, and we can project movies onto our building. It calls for approximately 108 parking spaces. Site plan shows an elevated building with parking underneath. The first floor will be your Administration. On the third floor will be our building department and the council chambers, which will double as an event space. This proposal does not include anything for the current Town Hall building. They came in with a proposal of \$5.3-million. We then asked for additional amenities and changes. Therefore, we negotiated up front \$250,000 worth of improvements to their design, to settle on \$5.5-million guaranteed maximum price for this facility. What's not included is the screening for the area underneath the building. Councilmember Bernstein has been asked to put

together a committee to look at what we can do with the area underneath the building and he has volunteered to do so. We have assurance in our contract that whatever we decide to do under the building, the footing and all of the headers are there for us. The pickle ball court is also not included. Those are the only two items not included. One of the beauties of this contract is typically your contractor will give you a one-year warranty on their craftsmanship. The Town Attorney and he were able to negotiate a two-year warranty on their work. All of their equipment has come with their standard warranties. There is a performance bond required for this project. If for some reason Gerrits Construction goes away there is a bond guaranteeing that the project will be delivered for the set the price. The bulk of this project is being paid for with non-tax dollars. We have pledged \$88,000 from this year's budget and a pledge of \$2.5-million from the law enforcement trust fund. We have a \$2-million line of credit that we have pledged towards this project. The rate to pay back of this \$2-million credit line is absorbed in our current budget. In our budget today, there is a line item that pays for that note, without asking our residents for another penny. In addition to that, in Fiscal Year 2021 the Finance Director and he have pledged \$500,000 to this project as well as another \$500,000 pledge in the 2022 fiscal year budget. He gives you his word that we will be working over the course of the next two years, if he is still your City Manager, to convert this building into your gym. This is a very responsible approach to delivering this project in Golden Beach.

**Contractors on the Project, David Gerrits and Dominick Raineiri** stated that they are ready to get started on the project. Feel very confident with the budgeted amount for the project.

**Attorney Helfman** spoke on the item. Stated that if anyone looks at the contract there are one or two exhibits that are called for to be added. We know that that is the way the contract is contemplated. We do not want anyone to think we over looked anything. Regarding performance and payment which was an issue that came up by one of our residents there is a full performance and payment bond that guarantees the completion of this project. We always have a provision within any of our contracts, where we can terminate them at our convenience. We simply would just have to pay for the work done up to that point. It is very clear in the contract that you get the full scope of the services for a fixed price. Once we go ahead and execute this, we will make sure all the exhibits are correct and in place and all the references to different sections are correct.

**Councilmember Bernstein** stated that he knows that some of the Councilmembers don't support spending money for screening Town Hall on A1A. He would like to stress why he believes making sure we have adequate support for the front facade is so important. The Town Hall is going to be one of Golden Beach's biggest expenditures over the next few years. No matter how well it is designed inside and outside most of the residents are going to render their opinion on the building based on its curb appeal. Our Town revenues are based on home values and he believes we need a Town Hall that will help improve the values and not detract from them. The building is beautiful, this is not to take away from anything, this is to make sure the Council is supporting it. Stated this only to make sure we are all on the same page to support trying to improve the front of the building because it is going to be our Town Hall for the next twenty or thirty years.

**Town Manager** stated that they have his commitment that they will work on that issue.

**Councilwoman Lusskin** asked if they were considering making the decision on the screening tonight?

**Mayor Singer** stated no.

**Councilwoman Lusskin** stated that she noticed that in the contract it states a one-year warrantee for the subcontractors. Will the extended two-year warrantee the Manager spoke about apply to that as well?

**David Gerrits** that is the materials from mechanicals, electrical and plumbing manufacturers such as the air conditioning will not give more than a one-year warrantee for their equipment. What they worked out with the Manager and Town Attorney is a two-year warrantee for workmanship, for example if the cocking on the windows is not done right or the doors are not closing properly, things like that.

**Town Attorney** stated that he believes as part of the final cleanup of the contract that will be addressed. We have a full and absolute warrantee for two years from Gerrits for all of the work that they are doing and putting into this building. There are components of the building, like machinery that they are simply installing that they are not guaranteeing.

**Vice Mayor Einstein** in terms of the contract, do we have a completion date, and is there a penalty if it is not completed within that period.

**Town Manager** stated yes the time frame is twenty-four months from the date of execution and yes, there is a penalty.

**Vice Mayor Einstein** asked who is the certifier as to the draws.

**Town Manager** stated we are. We are bringing on a team to help qualify each of the draws.

**Vice Mayor Einstein** in terms of the ultimate contract does it have retainage and can you explain the retainage.

**Town Manager** stated the retainage is the percentage of the value of the work that has been completed that we hold till the end to ensure that all of the liens that have been placed on the project and the project has been delivered as specified and within the time period specified. Once all of the expectations of the project are met, the retainage is released.

**Vice Mayor Einstein** in terms of the funding of the contract. Do we, as the Council, have to have any concerns as to the timing of when we will get anything from the government

**Town Manger** stated that we have an open line of credit with City National Bank for \$4-million dollars without any prepayment penalties. We have pledged \$2.5-million of \$3.5-million that we have in executed DAGS. The good thing about our loan is that it does not require that we pay down the \$2-million at any time, it is an open line for \$4-million that we can have all \$4-million open for twenty years or we can pay down \$2-million. If for some reason it takes longer for those DAGS to get here, there is enough budget built



in to your current budget that will allow us to pay the principle and interest for a longer period of time should we choose to do so.

**Vice Mayor Einstein** asked if all the tennis courts are being relocated

**Town Manager** stated that during construction we will provide for the pickle ball court, two tennis courts, and tot lot to continue to be used. Tweddle Park is off grounds, no basketball courts, no dog park, and no garbage truck parking. Once the building is ready all those facilities get shifted and relocated to other parts of the project.

**Councilmember Mendal** asked if the Town Manager can explain what the \$250,000 worth of additions are and when will we break ground.

**Town Manager** stated that the civil work will begin in November and construction on all of the site preparation. When this project was delivered the second floor and third floor between the two spaces it was not enclosed or under air conditioning. The bulk of that money went to enclose those areas and put them under air conditioning. Council also wanted an additional elevator. There will be two elevators one stretcher, one non-stretcher elevator.

**Councilmember Mendal** thanked all of the staff for their hard work on the contract.

**Town Manager** stated that over the course of the next few months they will be working with the design team to commence construction. At this point the involvement of the public is very limited and the involvement of the Town Council is very limited. At this point the Administration is taking control of all of the design elements approving the plans at 30%, 60%, and 80%. Councilmember Bernstein will be working with the Council as it relates to the area under the building, that will go back to the Council for its review and consent. Thanked all of the staff for their hard work.

**Councilmember Bernstein** commend the staff and Police Department for trying to inform the residents as much as possible. There has been a lot of concern over different types of activities and street blockages. A lot of people express concerns saying they are hearing different things from different areas. The Town Manager established that going forward we will inform our residents if something is done in one of our neighboring communities.

Mayor Glenn Singer:  
None Requested

Vice Mayor Bernard Einstein:  
None Requested

Councilmember Judy Lusskin:  
None Requested

Councilmember Jaime Mendal:  
None Requested

Councilmember Kenneth Bernstein:  
None Requested

Town Manager Alexander Diaz  
None Requested

**Town Manager** stated that on Wednesday, July 1<sup>st</sup> we will receive the Town's assessed values.

There will be no meeting in July. The August meeting is scheduled for August 18<sup>th</sup>. Asks all residents to continue to use their masks when they are out in public and continue to be responsible when they travel.

**Councilmember Mendal** asked if the zoom meetings are going to continue.

**Town Attorney** stated that all indications point to the virtual meetings continuing through September.

**R. ADJOURNMENT:**

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A motion to adjourn the Council Meeting was made by Councilmember Mendal seconded by Councilmember Bernstein.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 6:42 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk