



## TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Agenda for the September 8, 2020  
Special Town Council Zoom Virtual Meeting called for 6:00 P.M.

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**Zoom Room Meeting ID: 833 0224 3656 Password: 694192**

**For Dial In Only: Call 929.205.6099 Meeting ID: 833 0224 3656**

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, SEPTEMBER 8, 2020.

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. PLEDGE OF ALLEGIANCE**

**D. MOTION TO SET THE AGENDA**

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

**E. GOOD AND WELFARE**

**F. MAYOR'S REPORT**

**G. CORONAVIRUS UPDATE**

**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 to Amend Chapter 52, "Landscaping" to Implement the Mandatory Year-Round Landscape Conservations Measures Rule**

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 LANDSCAPING 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

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

### **2. An Ordinance of the Town Council Amending the Town's Comprehensive Plan to Provide for Development and Use of Public Facilities Within Lands Designated Recreation and Open Space.**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT AND RECREATION AND OPEN SPACE ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN TO PROVIDE FOR DEVELOPMENT AND USE OF PUBLIC FACILITIES WITHIN LANDS DESIGNATED RECREATION AND OPEN SPACE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Ordinance No. 593.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 593.20

**3. An Ordinance of the Town Council Amending the Town's Code To Revise Chapter 6, "Zoning," By Creating a New Section 66-9 "Public Uses of Facilities."**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 66, "ZONING," BY CREATING A NEW SECTION 66-9 "PUBLIC USES AND FACILITIES", PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Ordinance No. 594.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 594.20

**M. QUASI JUDICIAL RESOLUTIONS**

**4. A Resolution of the Town Council Approving A Variance Request for 365 Ocean Boulevard to Permit the First Floor Elevation And the Finished Grade of the Lot.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 365 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 1). TO PERMIT THE FIRST FLOOR FINISHED ELEVATION TO BE AT 23' NGVD, WITH A BUILDING HEIGHT NOT TO EXCEED 51' NGVD, INSTEAD OF THE STARTING ELEVATION OF 20.02' AS REQUIRED BY THE CODE. 2). TO PERMIT THE FINISHED GRADE OF THE LOT TO BE AT 11.30' NGVD INSTEAD OF THE 11.00' NGVD STATED IN THE CODE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2689.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2689.20

**5. A Resolution of the Town Council Approving A Variance Request for 365 Ocean Boulevard to Permit An Increase in the Size of the Elevator Override.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 365

OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN INCREASE IN THE SIZE OF THE ELEVATOR OVERRIDE TO 134.95 SQUARE FEET INSTEAD OF THE 110 SQUARE FEET STATED IN THE CODE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2690.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2690.20

## **N. CONSENT AGENDA**

**6. Official Minutes of the August 18, 2020 Special Town Council Zoom Virtual Meeting.**

**7. A Resolution of the Town Council Approving a Mutual Aid Agreement with the City of Bay Harbor Islands.**

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

**Exhibit:** Agenda Report No. 7  
Resolution No. 2691.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2691.20

**8. A Resolution of the Town Council Authorizing the Expenditure of Up To \$35,000.00 for Individual Promotional and Premium Purchases.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF UP TO \$35,000 FOR INDIVIDUAL PROMOTIONAL AND PREMIUM PURCHASES; PROVIDING FOR AUTHORIZATION AND AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 2692.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2692.20

**9. A Resolution of the Town Council Adopting the Miami-Dade County Local Mitigation Strategy 2020.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY 2020, AS AMENDED; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 9  
Resolution No. 2693.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2693.20

**O. TOWN RESOLUTIONS**

**10. A Resolution of the Town Council Reauthorizing the Town's Schedule of Building Permit and Processing Fees, and Establishing Town Fees.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND PROCESSING FEES, AND ESTABLISHING TOWN FEES AND ASSOCIATED FEES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 10  
Resolution No. 2694.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2694.20

**11. A Resolution of the Town Council Ratifying the Collective Bargaining Agreement between the Town and the Florida State Lodge, Fraternal Order of Police.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ("TOWN"), PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE; AUTHORIZING THE TOWN MAYOR TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF

THE TOWN; PROVIDING FOR IMPLEMENTATION OF THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 11  
Resolution No. 2695.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2695.20

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

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

**Q. ADJOURNMENT:**

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**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

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manger *Alex B*

**Subject:** Ordinance No. 592.20– Amending Code, Chapter 52,  
“Landscaping” To Implement Mandatory Year-Round  
Landscaping Conservation Measures.

Item Number:

1

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Ordinance No. 592.20 as presented.

### **Background:**

This item was approved on first reading and is required by State Regulators. There were no changes made following the first reading.

Please see attached letter from the South Florida Water Management District for additional details.

We recommend its adoption.

### **Fiscal Impact:**

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 592.20

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 LANDSCAPING 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.

1           **WHEREAS**, the South Florida Water management District (District) has the  
2 responsibility and exclusive authority under Chapter 373, Florida Statutes (F.S.), for  
3 regulating the consumptive use of water; and

4           **WHEREAS**, the District has promulgated Chapter 40E-2, Florida Administrative  
5 Code (F.A.C.), for the consumptive use of water which includes Rule 40E-2.061, F.A.C.,  
6 General Consumptive Use Permits by Rule, regulating landscape irrigation at a single  
7 family dwelling or duplex, and Rule 40E-2.071, F.A.C., Noticed General and Individual  
8 Permits, regulating larger landscape irrigation users; and

9           **WHEREAS**, the District promulgated and amended Chapter 40E-24, F.A.C.,  
10 requiring year-round irrigation conservation measures; and



11           **WHEREAS**, Chapter 40E-24, F.A.C., applies to all users as defined in subsection  
12 40E-24.101(14), F.A.C., including permitted and exempt users under Chapter 40E-2,  
13 F.A.C.; and

14           **WHEREAS**, Chapter 40E-24, F.A.C., calls for year-round and permanent landscape  
15 irrigation restrictions, separate and independent from water shortage declarations in  
16 accordance with Chapter 40E-21, F.A.C.; and

17           **WHEREAS**, Chapter 40E-24, F.A.C., applies to all landscape irrigation regardless of  
18 whether the water comes from ground or surface water, from a private well or pump, or from  
19 a public or private utility; and

20           **WHEREAS**, Rule 40E-24.301, F.A.C., provides that local governments may adopt a  
21 landscape irrigation ordinance that achieves water conservation consistent with Rule 40E-  
22 24.201, F.A.C., including variance and enforcement procedures; and

23           **WHEREAS**, the District strongly encourages local governments to adopt an  
24 ordinance in accordance with Rules 40E-24.201 and 40E-24.301, F.A.C.; and

25           **WHEREAS**, the Town of Golden Beach, Florida (the "Town") Council desires to  
26 amend the Code of Ordinances of the Town of Golden Beach, Florida by adding Section  
27 52-17 to a new Article II, "Year-Round Landscaping Irrigation Restrictions" within the  
28 existing Chapter 52, "Landscaping" to provide regulations for the use of irrigation systems  
29 in accordance with Rules 40E-24.201 and 40E-24.301, F.A.C., and Section 32-8.2 of the  
30 Miami-Dade County Code of Ordinances; and

31           **WHEREAS**, the Town Council finds this Ordinance to be in the best interest and  
32 welfare of the residents of the Town.

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

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

37           **Section 2. Amending Code.** That the Code of Ordinances of the Town of  
38 Golden Beach, Florida is hereby amended by adding Sections 52-17 through 52-25 to a  
39 new Article II, titled “Year-Round Landscaping Irrigation Restrictions” within the existing  
40 Chapter 52, “Landscaping”, which sections shall read as follows:<sup>1</sup>

41 Chapter 52 – LANDSCAPING

42           \* \* \*

43 **ARTICLE II – YEAR-ROUND LANDSCAPING IRRIGATION RESTRICTIONS**

44 **Sec. 52-17. - Legislative intent.**

45 It is the intent of this article to implement procedures that promote water conservation  
46 through the efficient use of landscape irrigation.

47 **Sec. 52-18. - Definitions.**

48           (1) “Address” means the “house number” (a numeric or alphanumeric  
49 designation) that, together with the street name, describes the physical  
50 location of a specific property. This includes “rural route” numbers, but  
51 excludes post office box numbers. If a lot number in a mobile home park or  
52 similar community is used by the U.S. Postal Service to determine a delivery  
53 location, the lot number shall be the property’s address. If a lot number in a  
54 mobile home park or similar residential community is not used by the U.S.  
55 Postal Service (e.g., the park manager sorts incoming mail delivered to the  
56 community’s address), then the community’s main address shall be the  
57 property’s address. If a property has no address, it shall be considered  
58 “even-numbered.”

59           (2) “Athletic Play Area” means all athletic play surfaces; including but not limited  
60 to, football, baseball, soccer, polo, and tennis.

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<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~. Additions added between first and second reading are shown in double underline.

- 62 (3) “Consumptive Use Permit” (CUP) means a permit issued pursuant to  
63 Chapter 40E-2, F.A.C., authorizing the consumptive use of water.
- 64 (4) “District” means the South Florida Water Management District, a  
65 government entity created under Chapter 373, F.S.
- 66 (5) “Even Numbered Address” means an address ending in the numbers 0, 2,  
67 4, 6, 8, or rights-of-way or other locations with no address, or the letters A-  
68 M.
- 69 (6) “Existing landscaping” means any landscaping which has been planted and  
70 in the ground for more than ninety (90) days.
- 71 (7) “Landscaping” means shrubbery, trees, lawns, sod, grass, ground covers,  
72 plans, vines, ornamental gardens, and such other flora not intended for  
73 resale, which are situated in such diverse locations as residential  
74 landscapes, recreation areas, public medians, rights-of-way, and other  
75 public areas, except athletic play areas, as defined above.
- 76 (8) “Landscape Irrigation” means the outside watering of shrubbery, trees,  
77 lawns, sod, grass, ground covers, plants, vines, ornamental gardens, and  
78 such other flora not intended for resale, which are planted and situated in  
79 such diverse locations as residential landscapes, recreation areas, public  
80 medians, rights-of-way, and other public areas, except athletic play areas.
- 81 (9) “Law Enforcement Officials” includes any police officer or code enforcement  
82 inspector of the Town of Golden Beach.
- 83 (10) “Low Volume Hand Watering” means the watering of landscape by one (1)  
84 person, with one (1) hose, fitted with a self-canceling or automatic shutoff  
85 nozzle.
- 86 (11) “Low Volume Irrigation” means the use of equipment and devices  
87 specifically designed to allow the volume of water delivered to be limited to  
88 a level consistent with the water requirement of the plant being irrigated,  
89 and to allow that water to placed with a high degree of efficiency in the root  
90 zone of the plant. The term also includes water used in mist houses and  
91 similar establishments for plant propagation. Overhead irrigation and flood  
92 irrigation are not included.
- 93 (12) “Micro-irrigation” means the application of small quantities of water on or  
94 below the soil surface as drops or tiny streams of spray through emitter or  
95 applicators placed along a water delivery line. Micro-irrigation includes a  
96 number of methods or concepts, such as bubbler, drip, trickle, mist or  
97 microspray, and subsurface irrigation.
- 98 (13) “New landscaping” means any landscaping which has been planted in the  
99 ground for ninety (90) days or less.

- 100 (14) “Odd Numbered Addresses” means an address ending in the numbers 1,  
101 3, 5, 7, 9, or the letters N-Z.
- 102 (15) “Reclaimed Water” means wastewater that has received at least secondary  
103 treatment and basic disinfection, and is reused after flowing out of a  
104 wastewater treatment facility as defined by Rule 62-40.210, F.A.C.
- 105 (16) “Town” shall mean the Town of Golden Beach, Florida.
- 106 (17) “User” means any person, individual, firm, association, organization,  
107 partnership, business trust, corporation, company, agent, employee, or  
108 other legal entity, whether natural or artificial, the United States of America,  
109 and the State of Florida and all political subdivisions, regions, districts,  
110 municipalities and public agencies thereof, which directly or indirectly takes  
111 water from the water resource, including uses from private or public utility  
112 systems, uses under water use permits issued pursuant to Chapter 40E-2,  
113 F.A.C., or uses from individual wells or pumps.
- 114 (18) “Wasteful and Unnecessary” means allowing water to be disperse without  
115 any practical purpose to the water use; for example, excessive landscape  
116 irrigation, leaving an unattended hose on a driveway with water flowing,  
117 allowing water to be dispersed in a grossly inefficient manner regardless of  
118 the type of water use, for example, allowing landscape irrigation water to  
119 unnecessarily fall onto pavement, sidewalks and other impervious surfaces,  
120 or allowing water flow through a broken or malfunctioning water delivery or  
121 landscape irrigation system.
- 122 (19) “Water Resource” means any and all water on or beneath the surface of the  
123 ground, including natural or artificial watercourses, lakes, ponds, or diffused  
124 surface water, and water percolating, standing, or flowing beneath the  
125 surface of the ground.
- 126 (20) “Water Shortage” means when the District determines there is the possibility  
127 that insufficient water will be available to meet the present and anticipated  
128 needs of the Users, or when conditions are such as to require a temporary  
129 reduction in total use within a particular area to protect water resources from  
130 serious harm. A water shortage usually occurs due to drought.
- 131 (21) “Water Shortage Emergency” means when the District determines the  
132 provisions listed in Part II of Chapter 40E-21, F.A.C., are not sufficient to  
133 protect the public health, safety, or welfare, the health of animals, fish or  
134 aquatic life, a public water supply, or commercial, industrial, agricultural,  
135 recreational, or other reasonable-beneficial uses.

136 Section 52-19. – Applicability

137 The provisions of this Article shall apply to each user, as defined in Section 52-18,  
138 providing landscape irrigation from all water resources within the boundaries of the Town,  
139 with the following exceptions:

140 (a) The use of reclaimed water, which may or may not be supplemented from  
141 another source;

142 (b) Irrigation of athletic play areas.

143 Section 52-20. – Year-Round Landscape Irrigation Conservation Measures

144 The Town adopts the rules of the South Florida Water Management District, listed in  
145 Subsection 40E-24.201 (1)-(6), F.A.C., including subsequent additions or corrections.  
146 The year-round landscape irrigation conservation measures contained in this Ordinance  
147 are applicable to all users including permitted and exempt users under Chapter 40E-2,  
148 F.A.C, unless otherwise indicated. These conservation measures apply to all water  
149 resources, unless otherwise indicated. In addition to the requirements of this Section, all  
150 permitted users under Chapter 40E-2, F.A.C., are required to maintain compliance with  
151 all CUP conditions and terms, including requirements to implement water conservation  
152 practices.

153 (1) It shall be the duty of each user to keep informed as to the landscape  
154 irrigation conservation measures within this Section which affect each  
155 particular water use.

156 (2) In addition to the specific conservation measures, all wasteful and  
157 unnecessary water use, as defined in Section 52-18 is prohibited.

158 (3) The following requirements shall apply to all users, except for the provided  
159 exceptions pursuant to Section 52-19(a) and (b), and pursuant to Section  
160 52-21.

161 (a) Landscape irrigation shall be prohibited between the hours of 10:00 a.m.  
162 and 4:00 p.m., except as otherwise provided.

163 (b) Irrigation of existing landscaping shall comply with the following  
164 provisions:

165 i. Even addresses, installations with irrigation systems that irrigate  
166 both even and odd addresses within the same zones, such as  
167 homeowners associations and rights-of-way or other locations  
168 with no address shall have the opportunity to accomplish  
169 necessary landscape irrigation two (2) days a week, only on  
170 Thursday and/or Sunday.

171 ii. Odd addresses shall have the opportunity to accomplish  
172 necessary landscape irrigation two (2) days a week, only on  
173 Wednesday and/or Saturday.

174 (c) Irrigation of new landscaping shall comply with the following provisions:

175 i. New landscaping may be irrigated once on the day it is installed  
176 without regard to the listed watering days and times. Irrigation of  
177 the soil immediately prior to the installation of the new  
178 landscaping is allowed without regard to the normal watering  
179 days and times.

180 ii. A ninety (90) day establishment period begins on the day the new  
181 landscaping is installed. The new landscaping shall be installed  
182 within a reasonable time from the date of purchase, which may  
183 be demonstrated with a dated receipt or invoice.

184 iii. Irrigation of new landscaping which has been in place for thirty  
185 (30) days or less may be accomplished on Monday, Tuesday,  
186 Wednesday, Thursday, Saturday, and/or Sunday.

187 iv. Irrigation of new landscaping which has been in place for thirty-  
188 one (31) days to ninety (90) days may be accomplished on  
189 Monday, Wednesday, Thursday, and/or Saturday.

190 v. Irrigation of new landscaping is limited to only those areas  
191 containing the new landscaping. An entire zone of an irrigation  
192 system shall only be utilized if the zone contains at least 50% new  
193 landscaping, or if the new landscaping is in an area that will not  
194 typically be irrigated by an irrigation system, only the individual  
195 new plantings are eligible for additional irrigation. Targeted  
196 watering may be accomplished by low volume hand watering, as  
197 defined in Section 52-18, or any appropriate method which  
198 isolates and waters only the new landscaping.

199 (4) Any water shortage, as defined in Section 52-18, restrictions or other  
200 measures declared pursuant to Chapter 40E-21, F.A.C., or related District  
201 Governing Board or Executive Director orders which are more restrictive  
202 than a measure contained within this Article, shall supersede this Article for  
203 the duration of the applicable water shortage declaration.

204 Section 52-21. – Exceptions to the Landscape Irrigation Schedules

205 Landscape irrigation scheduling shall be subject to the following exceptions:

206 (1) Landscape irrigations systems may be operated during restricted days  
207 and/or times for cleaning, maintenance, and repair purposes with an  
208 attendant on site in the area being tested. Landscape irrigation systems  
209 may routinely be operated for such purposes no more than once per week,  
210 and the run time for any one (1) test should not exceed ten (10) minutes per  
211 zone.

- 212 (2) Landscape irrigation for the purpose of watering-in fertilizers, insecticides,  
213 pesticides, fungicides and the herbicides, where such watering-in is  
214 recommended by the manufacturer, or by federal, state or local law, or best  
215 management practices, shall be allowed under the following conditions:
- 216 (a) Such watering-in shall be limited to one (1) application, unless the  
217 need for more than one (1) application is stated in the directions for  
218 application specified by the manufacturer; and
- 219 (b) Such watering-in shall be accomplished during normally allowable  
220 watering days and times set forth in Section 52-20(3)(a) and (b),  
221 unless a professional licensed applicator has posted a temporary  
222 sign containing the date of application and the date(s) of needed  
223 water-in activity.
- 224 (3) Any plant material may be watered using low volume irrigation, micro-  
225 irrigation, low volume hand watering method (as those terms are defined in  
226 Section 52-18), rain barrels, cisterns, or other similar rain-harvesting  
227 devices without regard to the watering days or times allowed pursuant to  
228 this Section.

229 Section 52-22. – Additional Requirements

230 Any user who purchases and installs an automatic landscape irrigation system shall  
231 property install, maintain, and operate technology that inhibits or interrupts operation of  
232 the system during periods of sufficient moisture in accordance with Section 373.62, F.S.

233 Section 52-23. – Variances

- 234 (1) A variance from the specific day or days identified in Subsection 52-20(3)  
235 may be granted by the Town, pursuant to the procedures in Article II,  
236 Division 2, of Chapter 66 of the Town Code of Ordinances, if strict  
237 application of the restrictions would lead to unreasonable or unfair result;  
238 provided the applicant demonstrates with particularity that compliance with  
239 the schedule will result in substantial economic, health, or other hardship  
240 on the applicant or those served by the applicant. If granted, the applicant  
241 shall be required to post a notice at each parcel to which the variance  
242 pertains. Relief may be granted only upon a demonstration that such  
243 hardship exists, is peculiar to the person or the affected property, is not self-  
244 imposed, and further demonstrates that granting the variance would be  
245 consistent with the general intent and purpose of this division.
- 246 (2) The Town recognizes all irrigation variances or waivers issued by the  
247 District under Rule 40E-24.501, F.A.C.

248 Section 52-24. – Declaration of Water Shortage or Water Shortage Emergency.

249 Declaration of a water shortage condition and/or water shortage emergency as defined in  
250 Section 52-18, within all or parts of the Town by the District's Governing Board or  
251 Executive Director shall supersede this Article for the duration of the applicable water  
252 shortage declaration.

253 Section 52-25. – Enforcement

254 (1) In the absence of a declaration of water shortage or water shortage  
255 emergency within all or any part of the Town by the District, the listed  
256 landscape irrigation restrictions pursuant to this Article shall be subject to  
257 enforcement action according to the procedures in Chapter 2, Article II of  
258 the Town Code of Ordinances titled "Code Compliance and Enforcement."

259 (2) Law enforcement officers and Code Enforcement Officers of the Town are  
260 authorized to enforce the provisions of this Article. Violations shall be  
261 subject to the penalties and procedures listed in Chapter 2, Article VI for  
262 landscape-related code violations.

263 **Section 3. Severability.** That the provisions of this Ordinance are declared to  
264 be severable and if any section, sentence, clause or phrase of this Ordinance shall for  
265 any reason be held to be invalid or unconstitutional, such decision shall not affect the  
266 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but  
267 they shall remain in effect, it being the legislative intent that this Ordinance shall stand  
268 notwithstanding the invalidity of any part.

269 **Section 4. Codification.** That it is the intent of the Town Council that the  
270 provisions of this ordinance shall become and be made a part of the Town's Code of  
271 Ordinances, and that the sections of this Ordinance may be renumbered or relettered,  
272 and the word "ordinance" may be changed to "section," "article," "regulation," or such  
273 other appropriate word or phrase in order to accomplish such intentions.

274 **Section 5. Conflicts.** That all ordinances or parts of ordinances, resolutions or  
275 parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

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



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

280	Mayor Glenn Singer	<u>Aye</u>
281	Vice-Mayor Bernard Einstein	<u>Aye</u>
282	Councilmember Judy Lusskin	<u>Aye</u>
283	Councilmember Jaime Mendal	<u>Aye</u>
284	Councilmember Kenneth Bernstein	<u>Aye</u>

285  
286 **PASSED AND ADOPTED** on first reading this 16<sup>th</sup> day of June, 2020.

287 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,  
288 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

289	Mayor Glenn Singer	___
290	Vice-Mayor Bernard Einstein	___
291	Councilmember Judy Lusskin	___
292	Councilmember Jaime Mendal	___
293	Councilmember Kenneth Bernstein	___

294  
295 **PASSED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_,  
296 2020.

297  
298  
299 \_\_\_\_\_  
MAYOR GLENN SINGER

300 ATTEST:  
301  
302  
303 \_\_\_\_\_  
304 LISSETTE PEREZ  
305 TOWN CLERK

306  
307 APPROVED AS TO FORM  
308 AND LEGAL SUFFICIENCY:  
309  
310  
311 \_\_\_\_\_  
312  
313 STEPHEN J. HELFMAN  
314 TOWN ATTORNEY



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 8, 2020

Alexander Diaz  
Town Manager  
Town of Golden Beach  
1 Golden Beach Dr  
Golden Beach, FL 33160-2258

**TOWN MANAGER**

**APR 27 2020**

**RECEIVED**

**Subject: Protecting South Florida's Water Resources - Water Conserving Landscape Irrigation Ordinances**

Dear Mr. Diaz:

With South Florida's growing demands for water, it's especially important that we work closely together to properly manage and conserve our precious water resources. Implementing water conservation measures promotes efficient water use and decreases water waste.

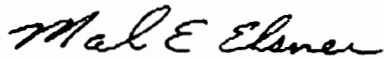
Lawn irrigation can account for more than half of residential water use. Most South Florida lawns only need to be watered a few days a week (or less) to remain healthy. To encourage more responsible use of water resources throughout South Florida, the South Florida Water Management District Governing Board adopted the Mandatory Year-Round Landscape Irrigation Conservation Measures (Year-Round Irrigation Rule), Chapter 40E-24, Florida Administrative Code (FAC), in 2010. The rule restricts the times and number of days landscape irrigation is allowed within the District's jurisdiction and follows scientifically-sound recommendations for lawn irrigation. Many local governments have since enacted/updated their irrigation ordinances to promote water conservation in their respective counties and municipalities and follow the District's Year-Round Irrigation Rule.

The District is now reviewing local irrigation ordinances by all of the counties and municipalities within the District's 16-county region and is reaching out to every local government that appears to either lack an applicable ordinance or has an ordinance that does not incorporate all of the District rule elements. We would like to offer our assistance to you and your staff to ensure your local government's irrigation ordinance properly incorporates the District's Year-Round Irrigation Rule. Please note that local ordinances can be *more* restrictive than the Year-Round Irrigation Rule but cannot be less restrictive. We look forward to working with you and your staff to help put consistent rules and ordinances in place across South Florida so that residents understand and comply with all irrigation requirements.

Our partnership supports a safe and reliable water supply for South Florida's future, and we kindly request, **within four weeks from the date of this letter**, a response regarding your local government's intention to update its ordinance. The District's water conservation team, including myself, are always available to provide any assistance. The District also has templates and other information available that can be used to guide this update.

If you have any questions or would like to discuss how we can assist, please contact me at [melsner@sfwmd.gov](mailto:melsner@sfwmd.gov) or (561) 682-6156; or Jim Harmon, the District Water Conservation Supervisor, at [jharmon@sfwmd.gov](mailto:jharmon@sfwmd.gov) or (561) 682-6777.

Sincerely,



Mark E. Elsner, P.E.  
Water Supply Bureau Chief

ME/lc

Encl: Mandatory Year-Round Landscape Irrigation Conservation Measures Rule Fact Sheet

C: Lissette Perez, Town Clerk

# Year Round Landscaping Irrigation Conservation Measures

# FYI

*Some city and county governments have adopted more stringent local landscape irrigation ordinances that differ from the District rule based on local water demands, system limitations or resource availability. Several counties and cities have exercised this option so residents should always check for local ordinances. To determine watering days and times in your area, contact your local government or visit [www.sfwmd.gov/mywateringdays](http://www.sfwmd.gov/mywateringdays) and click on the county links.*



*In effect since March 2010, the Year-Round Landscape Irrigation Conservation Measures Rule (Chapter 40E-24, Florida Administrative Code) limits landscape watering to two days a week throughout the South Florida Water Management District, with a three-day-a-week provision for some counties. It applies in all cases when the source of water for irrigation is a utility, lake, pond, canal or well. (See limited exclusions on next page.) The mandatory year-round rule is a component of the SFWMD's Comprehensive Water Conservation Program, which encourages more responsible use of water resources.*

## District Rules

### 2 Day-A-Week Watering

- No watering between 10 a.m. and 4 p.m.
- Residents and businesses with an **odd-numbered** street address may water lawns and landscapes on **Wednesdays and/or Saturdays**.
- Residents and businesses with an **even-numbered** street address, **no street address** or those that **irrigate both even and odd addresses** within the same zones, which may include multi-family units and homeowners associations, may water lawns and landscapes on **Thursdays and/or Sundays**.

### 3 Day-A-Week Watering

- No watering between 10 a.m. and 4 p.m.
- Residents and businesses with an **odd-numbered** street address may water lawns and landscapes on **Mondays, Wednesdays and/or Saturdays**.



- Residents and businesses with an **even-numbered** street address, **no street address** or those that **irrigate both even and odd addresses** within the same zones, which may include multi-family units and homeowners associations, may water lawns and landscapes on **Tuesdays, Thursdays and/or Sundays**.

### **New Landscape Irrigation**

The SFWMD Year-Round Landscape Irrigation Rule allows additional watering for up to 90 days following the installation of new lawns and landscaping.

- On the day new landscaping is installed, new plantings and the soil may be irrigated once without regard to the normally allowable watering days and times. Soil irrigation is also allowed immediately prior to planting.
- New plantings that have been in place for **30 days or less** may be watered on **Mondays, Tuesdays, Wednesdays, Thursdays, Saturdays and/or Sundays**.
- New plantings that have been in place **from 31 to 90 days** may be watered on **Mondays, Wednesdays, Thursdays and/or Saturdays**.
- Irrigation is limited to the areas containing new landscaping only. An entire irrigation zone may be watered only if new landscaping is planted on at least 50 percent of that zone. If new landscaping is planted on less than 50 percent of an irrigation zone, only the new plantings may be watered.

### **Exclusions to the SFWMD Year-Round Rule**

- The use of low-volume irrigation methods – including micro-irrigation, container watering and hand-watering with a hose (with an automatic shut-off nozzle) – is allowed anytime.
- The use of reclaimed water and harvested rainwater for irrigation purposes is allowed anytime.
- The rule applies only to water used for landscape irrigation. There are no restrictions on other outdoor uses such as pressure cleaning or vehicle/boat washing, although voluntary, water-conserving practices are highly recommended.

### **Alternative Irrigation Schedule**

If unique circumstances prohibit adherence to the mandatory SFWMD landscape irrigation conservation measures, individuals and businesses/organizations may seek an alternative schedule that still meets the intent of the rule. Guidance is available [online](#) or by contacting Jim Harmon at (561) 682-6777 to learn more about the alternative irrigation schedule request and approval process.

### **Questions?**

For more information on the rule, including watering days and times by county:

- Visit [www.sfwmd.gov/mywateringdays](http://www.sfwmd.gov/mywateringdays)
- Call the South Florida Water Management District “Water Conservation Hotline” at 1-800-662-8876
- Email a water conservation expert at [conservation@sfwmd.gov](mailto:conservation@sfwmd.gov)





STEPHEN J. HELFMAN, FOUNDING PARTNER  
[SHelfman@wsh-law.com](mailto:SHelfman@wsh-law.com)

May 18, 2020

Via E-mail ([Melsner@sfwmd.gov](mailto:Melsner@sfwmd.gov))

Mr. Mark E. Elsner, P.E.  
Water Supply Bureau Chief  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, Florida 33406

Re: Town of Golden Beach, Florida – Year-Round Landscape Irrigation Conservation Measures Ordinance

Dear Mr. Elsner:

Our Firm serves as Town Attorney for the Town of Golden Beach, Florida. The Town is in receipt of your letter dated April 8, 2020, regarding Water Conserving Landscape Irrigation Ordinances, and your request for a response from the Town regarding its intent to enact an ordinance consistent with Chapter 40E-24 of the Florida Administrative Code (F.A.C.).

In response to this request, please be advised that the Town intends to adopt a landscape irrigation ordinance for adoption and incorporation to the Town's Code of Ordinances which will be consistent with the Mandatory Year-Round Landscape Irrigation Conservation Measures of Chapter 40E-24, F.A.C. The Town's ordinance will be tailored to meet Golden Beach's unique character as an almost exclusively single-family residential community. The Town anticipates the ordinance to go to the Town Council for first reading in July 2020.

We look forward to working with the South Florida Water Management District to ensure water usage for irrigation in Golden Beach continues in a sustainable and lawful manner. Please don't hesitate to contact me, or my colleague, Alex Uribe, if you have any additional questions.

Very truly yours,



Stephen J. Helfman

cc: Alexander Diaz, Town Manager  
Alex Uribe, Esq.

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# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

Items Number:

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

2 & 3

**From:** Alexander Diaz,  
Town Manger

**Subject:** Ordinance No. 593.20 and 594.20 – Amending the Town’s Comprehensive Plan to Provide for the Development and Use of Public Facilities and the Town’s Code, to Revise Chapter 66 “Zoning”, by Creating a New Section 66-9 “Public Uses and Facilities”

---

### **Recommendation:**

It is recommended that the Town Council adopt the attached Ordinances No. 593.20 and 594.20 as presented.

### **Background:**

The Town in 2006 and 2007 purchased two lots in the vicinity of South East Ocean Blvd. that was added to Tweddle Park.

Since the acquisition of those lots the Town, after a number of years of research, began the planning and development of our new Civic Center Complex Masterplan. The Complex is comprised of the tot-lot at Tweddle Park, the Pavilion at Tweddle Park, the new Civic Center, the recreational fields, three tennis courts, pickle ball court, basketball court, the proposed Town Wellness Center, the renovated Town Auxiliary Services Facility, Animal Park, general open space, and the addition of over 100 parking spaces.

We are recommending a change to both the Towns Comprehensive Plan (COMP PLAN) and the Town’s Zoning Ordinance for the purposes of providing for additional public services and for public facilities to be permitted on properties within the Town as approved by the Town Council.

### **Fiscal Impact:**

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 593.20

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT AND RECREATION AND OPEN SPACE ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN TO PROVIDE FOR DEVELOPMENT AND USE OF PUBLIC FACILITIES WITHIN LANDS DESIGNATED RECREATION AND OPEN SPACE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

1           **WHEREAS**, the Town's Comprehensive Plan was originally adopted on December  
2 6, 1988; and

3           **WHEREAS**, the Comprehensive Plan was last amended in 2009 pursuant to  
4 Ordinance No. 535.08; and

5           **WHEREAS**, the Comprehensive Plan does not give guidance regarding public  
6 facilities on lands designated Open Space and Recreation; and

7           **WHEREAS**, the Town owns lands within the Open Space and Recreation  
8 designation wherein future public facilities may be advantageous to the residents of the  
9 Town; and

10           **WHEREAS**, the Town Council has studied the Comprehensive Plan and found that  
11 certain amendments are necessary and desirable to clarify that public facilities may be  
12 permitted on lands designated Open Space and Recreation; and

13           **WHEREAS**, the Town Council, in its capacity as the Local Planning Agency (LPA),  
14 has held a public meeting to review the proposed amendments to the Comprehensive Plan  
15 and recommends approval; and

16           **WHEREAS**, the Town Council held duly advertised public meetings to consider the  
17 proposed amendments to the Comprehensive Plan; and

18           **WHEREAS**, the Town Council finds that this Ordinance is in the best interest and  
19 welfare of the residents of the Town.



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

22           **Section 1. Recitals Adopted.** That the preceding “Whereas” clauses are  
23 ratified and incorporated as a record of the legislative intent of this Ordinance.

24           **Section 2. Amendments.** That the Town of Golden Beach Comprehensive  
25 Plan is hereby amended to modify the Future Land Use and Recreation and Open Space  
26 Elements as follows:<sup>1</sup>

27 Amendment to Page 7 of “**2.0 Future Land Use**” Element

28           **Recreation and Open Space Use.** In addition to the residential land  
29 use, the Town has approximately 5.18 acres (6.72 acres with adjacent  
30 R.O.W.) or park or open space . . . The Town has added over 2 acres  
31 of recreation and open space land use since 1988 by acquiring lots  
32 vacant near existing park sites and is well served by recreation and  
33 open space for its current population demographics, which have  
34 become younger and more family oriented in recent years. To  
35 accommodate additional public services, public facilities are permitted  
36 on properties within this designation subject to approval by the Town  
37 Council.

38  
39 Amendment to Page 8 of “**2.0 Future Land Use**” Element

40           **Public Facilities.** The third land use within the Town is public facilities  
41 . . . The Town Hall is surrounded on the north and east by the Town  
42 Lawn, an open space area that is used by the Town for special events

---

<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~striketrough~~.

43 such as the Town Fair and summertime movies. Public facilities may  
44 also be permitted on properties designated for Recreation and Open  
45 Space where approved by the Town Council.

46

47 Amendment to Page 19 of “**2.0 Future Land Use**” Element

48 **Objective 1.3:** Ensure that all land development meet or exceed  
49 minimum land development code requirements and that the Town  
50 adopt regulations to provide adequate guidelines for both main  
51 structures, accessory uses and structures, other side areas and public  
52 spaces.

53 \* \* \*

54 **Policy 1.3.4:** Provide for additional public facilities on lands  
55 designated for Recreation and Open Space after approval by  
56 the Town Council based on compatibility with Town objectives  
57 and applicable property development standards.

58

59 Deletion on Page 20 of “**2.0 Future Land Use**” Element

60 **Minimum Florida Administrative Code (F.A.C.) Requirements**

61 **Chapter 9J-5.006**

62 **Future Land Use Element**

63 **Items that do not apply to the Town of Golden Beach**

64 \* \* \*

65 ~~9J-5.006(3)(b)(9) — Provide land for public facilities as necessary for~~  
66 ~~growth — No land available and no growth expected; public facilities~~  
67 ~~are adequate for growth~~

68

69 Amendment to Page 8 of “**8.0 Recreation and Open Space**” Element:

70 **Future Park Acreage and Level of Service Standard.**

71 As stated above, the Town of Golden Beach currently has 5.43 acres  
72 of parkland . . . At build-out the Town will exceed the minimum park  
73 acreage requirements of Miami-Dade County by about 2.2. acres  
74 which additional acreage may be developed as public facilities on  
75 recreation and open space lands while maintaining adopted LOS.

76

77 Amendment to Page 9 of “**8.0 Recreation and Open Space**” Element:

78 **Tweddle Park Recommendations:**

79 \* \* \*

80 13.) Accommodate public facilities as permitted by the Town  
81 Council.

82

83 **Section 3. Severability.** The provisions of this Ordinance are declared to be  
84 severable, and if any section, sentence, clause or phrase of this Ordinance shall for any  
85 reason be held invalid or unconstitutional, such decision shall not affect the validity of the  
86 remaining sections, paragraphs, sentences, clauses, phrases and words of this Ordinance  
87 shall stand notwithstanding the invalidity of any part.

88 **Section 4. Conflicts.** That all Sections or parts of Sections of the Code of  
89 Ordinance, all Ordinance or parts of Ordinances, and all Resolutions, or parts of  
90 Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

91 **Section 5. Effective Date.** That this Ordinance shall be in full force and take  
92 effect immediately upon its passage and adoption on second reading, except that the  
93 effective date of any Comprehensive Plan amendment approved by this Ordinance shall be  
94 the date that is 30 days after the Completeness Notification from the State Land Planning  
95 Agency pursuant to Section 163.3184(3)(c)(4), Florida Statutes, or if a petition to challenge  
96 one or more Comprehensive Plan amendments is filed with the Division of Administrative  
97 Hearings pursuant to Sections 163.3184(5)(a), Florida Statutes, or 163.3184(5)(b), Florida  
98 Statutes, then, as to such challenged amendment(s), upon issuance of a final order finding  
99 the Comprehensive Plan amendment(s) in compliance.

100 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,  
101 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

102 Mayor Glenn Singer \_\_\_\_\_  
103 Vice-Mayor Bernard Einstein \_\_\_\_\_  
104 Councilmember Kenneth Bernstein \_\_\_\_\_  
105 Councilmember Jaime Mendal \_\_\_\_\_  
106 Councilmember Judy Luskin \_\_\_\_\_

107  
108  
109 **PASSED AND ADOPTED** on first reading this \_\_\_ day of \_\_\_\_\_, 2020.

110 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,  
111 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

112 Mayor Glenn Singer \_\_\_\_\_  
113 Vice-Mayor Bernard Einstein \_\_\_\_\_  
114 Councilmember Kenneth Bernstein \_\_\_\_\_  
115 Councilmember Jaime Mendal \_\_\_\_\_  
116 Councilmember Judy Luskin \_\_\_\_\_

117  
118  
119 **PASSED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_, 2020.

120

121 ATTEST:

122

123

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125

126 \_\_\_\_\_  
LISSETTE PEREZ

127 TOWN CLERK

128

129

130 APPROVED AS TO FORM  
131 AND LEGAL SUFFICIENCY:

132

133

134

135 \_\_\_\_\_  
STEPHEN J. HELFMAN

136 TOWN ATTORNEY

\_\_\_\_\_  
MAYOR GLENN SINGER



- Legend:**
- |                                |                           |                            |                            |                              |
|--------------------------------|---------------------------|----------------------------|----------------------------|------------------------------|
| 1. civic center lobby          | 7. transformers           | 13. monument sign          | 19. public works           | 25. pickleball court         |
| 2. civic center arrival plaza  | 8. event lawn/play area   | 14. existing lift station  | 20. existing park pavilion | 26. existing trees/palms     |
| 3. parking under building (22) | 9. movie projection wall  | 15. community parking (54) | 21. existing playground    | 27. new intersection (n.i.c) |
| 4. additional parking (28)     | 10. existing pump station | 16. hard tennis courts     | 22. existing buffer        |                              |
| 5. pedestrian access (gate)    | 11. dog park              | 17. clay tennis court      | 23. shade trees            |                              |
| 6. security fence              | 12. basketball court      | 18. community center       | 24. large palms            |                              |

- NOTES:**
- Existing landscape will be preserved as much as possible based on existing conditions and will be incorporated into the final landscape design.
  - Landscape design to meet city of Golden Beach code.
  - Size of trees/palms shown in the Illustrative Site Plan represents approximate size of trees/palms at maturity (10 to 15 years after planted).

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 594.20

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 66, "ZONING," BY CREATING A NEW SECTION 66-9 "PUBLIC USES AND FACILITIES", PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

3           **WHEREAS**, the Town Council has studied the current Code provisions of the Town  
4 and found that certain modifications are necessary and desirable to provide further flexibility  
5 in the siting of public uses and facilities to serve the residents of the Town; and

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

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

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

13           **Section 1. Recitals Adopted.** That the preceding "Whereas" clauses are  
14 ratified and incorporated as a record of the legislative intent of this Ordinance.

15           **Section 2. Code Amended.** That the Town of Golden Beach Code is hereby  
16 amended to modify Article I. "In General," of Chapter 66, "Zoning" as follows:<sup>1</sup>

17           **CHAPTER 66 ZONING**

18           \* \* \*

---

<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

19 **ARTICLE I. IN GENERAL**

20 \* \* \*

21 **Sec. 66-9. – Public Uses and Facilities.**

22

23 Public uses and facilities shall be permitted in any zoning district or  
24 construction zone at densities and intensities approved by the Town Council  
25 at a publicly noticed meeting.

26

27 \* \* \*

28

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

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

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

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

43 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,  
44 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

45 Mayor Glenn Singer \_\_\_\_\_  
46 Vice-Mayor Bernard Einstein \_\_\_\_\_  
47 Councilmember Kenneth Bernstein \_\_\_\_\_  
48 Councilmember Jaime Mendal \_\_\_\_\_  
49 Councilmember Judy Lusskin \_\_\_\_\_

50

51



52 **PASSED AND ADOPTED** on first reading this \_\_\_ day of \_\_\_\_\_, 2020.

53 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,

54 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

55	Mayor Glenn Singer	_____
56	Vice-Mayor Bernard Einstein	_____
57	Councilmember Kenneth Bernstein	_____
58	Councilmember Jaime Mendal	_____
59	Councilmember Judy Lusskin	_____

60  
61  
62 **PASSED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_, 2020.

63

64 ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

65  
66  
67

68 \_\_\_\_\_  
69 LISSETTE PEREZ  
70 TOWN CLERK

71  
72

73 APPROVED AS TO FORM  
74 AND LEGAL SUFFICIENCY:

75  
76  
77

78 \_\_\_\_\_  
79 STEPHEN J. HELFMAN  
TOWN ATTORNEY

80



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

## MEMORANDUM

**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager *Alex B*

**Subject:** Resolution No. 2689.20 – Variance Requests for 365 Ocean Boulevard,  
Golden Beach, FL 33160 (1<sup>st</sup> Floor Elevation and the Finished Grad of Lot)

Item Number:  4
-----------------------

### Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2689.20.

### Background and History – First Floor Elevation and Building Height:

Section 66-69.1 – Zone One (Ocean Front Properties) – (d) Building Height – (1) Main Residence. 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’ NGVD).

The applicant’s request is to allow the 1<sup>st</sup> floor starting elevation to be at 23’ NGVD instead of the 20.02” NGVD with a building height not to exceed 51’ NGVD .

The Building Regulation Advisory Board met August 11, 2020 and recommended approval of the variance request, the motion passed with a Board vote of 3 – 0

### Background and History – Minimum Lot and Swale Elevations:

Town Code Section 66-102 (a) Minimum lot and swale elevations  
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.

The applicant’s request is to allow the maximum elevation of the lots to be at 11.30’ NGVD. .

The Building Regulation Advisory Board met August 11, 2020 and recommended approval of the variance request, the motion passed with a Board vote of 3 – 0.

**Attachments:**

- Resolution
- Michael Miller Planning Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

**Financial Impact:**    None

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2689.20**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 365 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 1). TO PERMIT THE FIRST FLOOR FINISHED ELEVATION TO BE AT 23' NGVD, WITH A BUILDING HEIGHT NOT TO EXCEED 51' NGVD, INSTEAD OF THE STARTING ELEVATION OF 20.02' AS REQUIRED BY THE CODE. 2). TO PERMIT THE FINISHED GRADE OF THE LOT TO BE AT 11.30' NGVD INSTEAD OF THE 11.00' NGVD STATED IN THE CODE.**

**WHEREAS**, the applicants, Central Park Tower Corp., (“the applicants”), filed a Petition for Variances/exceptions, 1). Section 66-69.1 – Zone One (Ocean Front Properties) – (d) Building Height – (1) Main Residence. 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' NGVD). The 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. 2). Town Code Section 66-102 (a) Minimum lot and swale elevations  
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. and;

**WHEREAS**, the applicant's request is to allow the first floor finished elevation of the main house to be at 23' NGVD with a building height not to exceed 51' NGVD and to allow the finished grade of the lot to be at 11.30' and;

**WHEREAS**, these variances and exceptions are for the property at 365 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "B", Lots 5 & 6, Block B, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-002-0410 (the "Property") and;

**WHEREAS**, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the first floor finished elevation to be at 23' NGVD with a building height not to exceed 51' NGVD and recommended approval of the finished grade of the Lots to be at 11.30' NGVD for approval by the Town Council; and,

**WHEREAS**, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

**WHEREAS**, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

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

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval.** The Petition for Variance to permit each of the requested variances/exception is hereby granted.

**Section 3. Conditions.** The Petition for Exception/Variance as granted is subject to the following conditions:

(1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and the construction shall be completed substantially in accordance with those certain plan pages CV 0-0, EX-1.0 through EX 1.3, A-1.0 through A-7. And C-100 through C-400, request for Variances, undated 5/1/2019, by DOMO Architecture + Design, and the Sketch of Boundary Survey, prepared by Maser Consulting, dated 7/2/2020, for the property located at 365 Ocean Boulevard, Golden Beach, FL. 33160

**Section 4. Implementation.** That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

**Sponsored by 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 Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Kenneth Bernstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,  
Florida, this 8<sup>th</sup> day September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, *Alex B*  
Town Manager

**Subject:** Resolution No. 2690.20 – Variance Requests for 365 Ocean Boulevard,  
Golden Beach, FL 33160 (Increase in Elevator Override Size)

Item Number:  5
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### Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2690.20.

### Background and History:

Variance request from Town Code Section 66-261 – Roof Top Activities (b) (5)

(b) Within Zone One, the roof of the highest roofed structure may be used for passive leisure activities, including entertainment and other passive recreational/leisure uses subject to the following limitations:

(5) An elevator and any covered elevator vestibule serving the rooftop shall be limited to an area of no more than 110 square feet.

The applicant's request is to allow the elevator override to be increased to 134.95 square feet.

The Building Regulation Advisory Board met August 11, 2020 and recommended approval of the variance request, the motion failed with a Board vote of 3 – 0

### Attachments:

- Resolution
- Michael Miller Planning Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

**Financial Impact:** None



**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2690.20**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 365 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN INCREASE IN THE SIZE OF THE ELEVATOR OVERRIDE TO 134.95 SQUARE FEET INSTEAD OF THE 110 SQUARE FEET STATED IN THE CODE.**

**WHEREAS**, the applicants, Central Park Tower Corp., (“the applicants”), filed a Petition for Variances/exceptions, Code Section 66-261 – Roof Top Activities (b) (5).

(b) Within Zone One, the roof of the highest roofed structure may be used for passive leisure activities, including entertainment and other passive recreational/leisure uses subject to the following limitations:

(5) An elevator and any covered elevator vestibule serving the rooftop shall be limited to an area of no more than 110 square feet. Any elevator and any covered elevator vestibule, if permitted, shall be placed near the center of the rooftop, but not less than seven and one half feet from the edge of the roof on lots less than 75 feet in width, or less than ten feet from the edge of the roof on lots 75 feet or more in width, and;

**WHEREAS**, the applicant’s request is to allow the elevator override to be increased in size to 134.95 square feet.

**WHEREAS**, these variances and exceptions are for the property at 365 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section “B”, Lots 5 & 6, Block B, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-002-0410 (the “Property”) and ;

**WHEREAS**, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial of the increase in the Elevator Override size to 134.95 square feet for approval by the Town Council; and,

**WHEREAS**, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

**WHEREAS**, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

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

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval.** The Petition for Variance to permit each of the requested variances/exception is hereby granted.

**Section 3. Conditions.** The Petition for Exception/Variance as granted is subject to the following conditions:

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and the construction shall be completed substantially in accordance with those certain plan pages CV 0-0, EX-1.0 through EX 1.3, A-1.0 through A-7. And C-100 through C-400, request for Variances, undated 5/1/2019, by DOMO Architecture + Design, and the Sketch of Boundary Survey, prepared by Maser

Consulting, dated 7/2/2020, for the property located at 365 Ocean Boulevard, Golden Beach, FL. 33160.

**Section 4. Implementation.** That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

**Sponsored by 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 Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Kenneth Bernstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 8<sup>th</sup> day September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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STEPHEN J. HELFMAN  
TOWN ATTORNEY



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160


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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Lissette Perez,   
Town Clerk

**Subject:** **Town Council Minutes**

Item Numbers:

6

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### **Recommendation:**

It is recommended that the Town Council adopt the attached minutes of the August 18, 2020 Special Town Council Zoom Virtual Meeting.



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Agenda for the August 18, 2020  
Special Town Council Zoom Virtual Meeting called for 5:00 P.M.

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**Zoom Room Meeting ID: 818 1655 9692 Password: 688400**

**For Dial In Only: Call 929.205.6099 Meeting ID: 818 1655 9692**

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, AUGUST 18, 2020.

## A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 5:00 p.m.

## B. ROLL CALL

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

**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, Resident Services Director Michael Glidden, Public Works Director Kirk McKoy, Facilities Maintenance Director Ken Jones

## C. PRESENTATIONS / TOWN PROCLAMATIONS

None

## D. MOTION TO SET THE AGENDA

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

**Town Manager** stated an email was sent out with the attachments for the item related to the millage rate that needs to be included on to the agenda

## E. GOOD AND WELFARE

None

## F. MAYOR'S REPORT

Stated we are still in the mist of COVID-19, and urged everyone to continue social distancing and wearing their masks. We are not out of the woods yet and will not be until everyone does what is being asked. We are back to school. He believes most of

the schools are doing virtual which means everyone is home so please be careful when driving. We will be approving the millage rate this evening, 8.4 millage is what is proposed. This is the sixth year in a row that there is no increase to the Town's millage rate. Hats off to the Town Manager, Finance Director, and the Town staff. His condolences to Officer Oscar Santana, he was a long time dedicated employee, he will be missed.

## **G. CORONAVIRUS UPDATE**

Town Manager congratulated the community on working with us in keeping the Town safe. He knows a lot of the residents are going to Channel 10 and looking at their data base that indicates that we have 128-130 cases in Town, we do not. That figure takes into account some parts of Aventura, Golden Gates, and Hallandale Beach. In Town, we have 30 cases confirmed by the Department of Health. We will be conducting a second resident testing the second week of September. Another thing that has affected the Town as it relates to COVID-19 is our mail delivery services. We have seen a slowdown of our mail delivery services, because a number of employees at USPS are not being allowed to work overtime to meet our needs. A new initiative that we launched recently in Town is if you have mail and if you wish, you can drop it off at Town Hall. You pull up to Town Hall, give us a call, we will go out with a basket, you put your mail in there, and we will securely keep it and take it to the post office on your behalf. We extremely encourage all residents to keep in mind that there are no gatherings of groups of 10 or more. Basketball courts will not reopen until the construction of the civic center. Will be breaking ground on that project in October. Will be receiving another goodie bag in the next couple of weeks. If you need any supplies, let the Town know. We will be providing a 100-gallon drum with hand sanitizer that you can refill your own personal bottle that will be at the Beach Pavilion. As schools begin to open and recreational activities become more important to our residents, the Resident Services Department will be coming up with some fun virtual activities such as virtual yoga.

## **H. COUNCIL COMMENTS**

### **Councilmember Lusskin**

Condolences about the passing of Officer Oscar Santana. Asked if the Manager can give an update on the pump station bids. Did get a few phone calls about the mail not coming through. Wishes everyone a happy, healthy life through coronavirus.

### **Councilmember Bernstein**

Condolences to Officer Santana and his family, he is sending out his prayers, feels the town lost a family member.

### **Councilmember Mendal**

Condolences to Officer Santana and the Golden Beach Police Department. Thanked the Administration, Alex and the Mayor for the COVID testing. He has gotten a lot of calls from residents that are very appreciative and hopes that we continue this through the duration of the coronavirus.

### **Vice Mayor Einstein**

Condolences to Officer Santana. Heard that Rabi Birkin's wife from Aventura temple is going to be doing the ceremony on behalf of the Democrat party. He believes it is on Thursday, and whether you are a Democrat or Republican, she is from Aventura and he thinks it's something nice to have the community show up.

**I. TOWN MANAGER REPORT**

Town will be assisting Officer Santana’s family with the funeral arrangements. First budget hearing is scheduled for September 8<sup>th</sup> at 7 p.m. and the second budget hearing is scheduled for September 22<sup>nd</sup> at 7 p.m. Both meetings will be virtual. There will be two business meetings in September as well. On September 8<sup>th</sup> the business meeting will be held at 6 p.m. and if a second business meeting is needed it will be on September 22<sup>nd</sup>, it will follow the budget hearing meeting. The budget numbers have been released, they are on the website. Budget books will be delivered by the 28th of this month. Condolences again to Officer Santana and his family.

**J. TOWN ATTORNEY REPORT**

None

**K. ORDINANCES – SECOND READING**

None

**L. ORDINANCES - FIRST READING**

None

**M. QUASI JUDICIAL RESOLUTIONS**

**1. A Resolution of the Town Council Approving A Variance Request for 477 Ocean Boulevard to Permit The Installation of Pool Equipment.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 477 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE POOL EQUIPMENT TO BE INSTALLED IN THE SOUTH SIDE YARD 6 FEET FROM THE PROPERTY LINE INSTEAD OF THE 10 FOOT SETBACK REQUIRED BY THE CODE.

**Exhibit:** Agenda Report No. 1  
Resolution No. 2682.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2682.20

A motion to approve was made by Councilmember Bernstein, 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 Lusskin	<u>Aye</u>



Councilmember Jaime Mendal Aye  
Councilmember Kenneth Bernstein Aye

The motion passed.

**Town Manager** spoke on the item stating that this is a life-long resident of Golden Beach. The neighbor on the south does not object to the placement of the pool equipment here. If this property was to ever change hands and the owner remodels or knocks down the property, this variance will not run with the property. It only runs with this particular property owner. The Administration is in favor of this item. We are excited to see the improvement.

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

- Design Plans at 30% Completion

**Town Manager** spoke on the item. The staff and consultants are currently working on some comments and revisions to the 30% plans. Any feedback the Council has he would appreciate it. Know that we have done all the survey work on the property. We are looking to break ground in October. In next year's budget, there is a \$50,000 allocation for the area underneath the building. We are still going to be working with Councilmember Bernstein and the Council to come up with a solution to the parking area. It is too early in the design to focus on that area, but the project is moving along in a very timely manner.

**Councilmember Mendal** stated that he did not see anything in the agenda about the 30% completion.

**Town Manager** stated he is sorry and the Town Clerk will get that out to the Council right away.

## **O. CONSENT AGENDA**

- 2. Official Minutes of the June 16, 2020 Special Town Council Zoom Virtual Meeting**
- 3. A Resolution of the Town Council Authorizing a Joint Project Agreement with FDOT for Turf and Landscape Maintenance.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A JOINT PROJECT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR TURF AND LANDSCAPE MAINTENANCE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE MAYOR AND TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2683.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2683.20

**4. A Resolution of the Town Council Approving the Renewal Agreements for Dental and Vision Insurance.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENTS FOR A DENTAL INSURANCE AND A VISION INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2684.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2684.20

**5. A Resolution of the Town Council Approving an Interlocal Agreement for Federally-Funded Subaward with Miami-Dade County for the Reimbursement of Expenses Incurred due to COVID-19, Pursuant to the CARES Act.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT FOR FEDERALLY-FUNDED SUBAWARD WITH MIAMI-DADE COUNTY FOR THE REIMBURSEMENT OF EXPENSES INCURRED DUE TO THE NOVEL CORONAVIRUS DISEASE 2019 (COVID-19) PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2685.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2685.20

**6. A Resolution of the Town Council Authorizing the Payment of \$2,500.00 to the Alonzo and Tracy Mourning PTSA.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING

THE PAYMENT OF \$2,500 TO THE ALONZO AND TRACY MOURNING PTSA; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2686.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2686.20

**7. A Resolution of the Town Council Authorizing the Purchase of Two Yamaha Marine Motors for the Town's Marine Patrol Vessel.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE OF TWO YAMAHA MARINE MOTORS FOR THE TOWN'S MARINE PATROL VESSEL; AUTHORIZING THE USE OF GENERAL FUNDS FOR THE PURCHASE AND INSTALLATION OF THE EQUIPMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 7  
Resolution No. 2687.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2687.20

Consensus vote 5 Ayes, \_\_\_ Nays. Items O2 – O7 pass.

**P. TOWN RESOLUTIONS**

**8. A Resolution of the Town Council Ratifying the Maximum Proposed Millage Rate for F/Y 2020-2021.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RATIFYING THE MAXIMUM PROPOSED MILLAGE RATE FOR F/Y 2020-2021 THAT WAS TRANSMITTED TO THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 8  
Resolution No. 2688.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2688.20

A motion to approve was made by Vice Mayor Einstein, 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 Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>

The motion passed.

**Town Manager** spoke on the item. In putting together this year's budget we had to take a couple of things into consideration. One, the global pandemic and all of the cost factors we have acquired as part of our Capital Improvement Programs. We are doing a couple of creative things this year. Because our debt service fund balance has a balance over \$800,000 we are allocating \$200,000 of that fund balance for our debt service needs. We are then taking the debt service millage rate, and decreasing it to only generate \$700,000 and moving that money into our operating expenses. What that will do is something we weren't anticipating. We were pledging \$1.2 million dollars of our fund balance numbers for our capital improvement program. What he and the directors have been able to do is allocate in this year's budget and in next year's budget that \$1.2 million for our capital improvement. Allowing us not to need to use the fund balance for those programs. That is a great thing for Golden Beach. It will allow us to increase our fund balance and keep a secured fund balance of over \$2 million. In order to do that and be responsible we did something unique. In an email yesterday you received this year's budget and the anticipated budget for the 2022 fiscal year. What we are recommending is that over the course of the next three years, that you allow us to manipulate the Town's millage rate to meet our revenue needs, so that we can allocate the revenues for both our General Fund and our Debt Service Fund. We also put in some austerity measures and had some positions in the Town frozen or eliminated. We are recommending that only on a temporary basis. After the 2022 budget year, we will be asking for those positions to be allowed to be refilled. By allowing us to keep those positions vacant over the course of the next two years, we will be able to generalize some savings. He is recommending tonight that you adopt a General fund millage rate of 7.772 for the purposes of announcing it through the Trim process and a debt service millage rate of .628. After we set the millage rate tonight, we can only lower it and not raise it. In the interest of full transparency, next year I intend to pledge another \$500,000 of our Debt Service Fund, fund balance and manipulate the millage rates again to still have an 8.4-millage rate but to allow us to generate more money in the general fund for those capital projects. This combined millage rate of 8.4 is fair, it is tested and, it is a conservative approach. The only factor that has not been decided is our renewal insurance rates. However, he and the Mayor agree that because they increased their contingency fund by an additional x number of dollars, once we negotiate with whoever our insurance carrier will be we can allocate the reserve that we put in our contingency to meet our insurance needs for our employees. Strongly urged the Council and residents to start looking at the numbers.

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

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

- Mutual of Omaha Proposed Increase to AD&D Coverage
  - \*\*\*\* DIDN'T HAVE AN OPPORTUNITY TO SPEAK ON THIS ITEM. \*\*\*\*

**Town Manager** took a moment to speak about the budget process advising that he will meet one-on-one with each councilmember to go over the budget process. Will give a general synopsis of all of the operating expenses but will not go line by line as we have done in the past; it is not feasible with the zoom process. Feels that providing via the newsletter a budget summary gives residents a more inside look at what we are doing with the budget. Our intent is that we are going to go over each of the departments before the meeting and that we only discuss concerns during the meeting. Reminded all the residents and councilmembers that over the course of the next few weeks you will be seeing individuals coming door to door with census shirts and masks knocking on your door asking you to participate in the census. Stated that immediately following this meeting there is a City of North Miami Beach council meeting as it relates to water issues, strongly encouraged all residents and councilmembers to participate. He and the Resident Services Director will be representing the Town.

**Mayor Singer** thanked all the staff on their hard work for the budget.

## **R. ADJOURNMENT:**

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 5:37 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

Item Number:

7

**Subject:** Resolution No. 2691.20 - Approving a Mutual Aid Agreement  
with the Bay Harbor Island Police Department

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2691.20 as presented.

### **Background:**

The Town of Golden Beach has entered into a number of mutual aid agreements, which enable the Police Department to receive assistance from other agencies and to aid those agencies when they request it. This agreement provides for the Police Department to request assistance from and to provide assistance to the Bay Harbor Island Police Department.

The Town Manager, in consultation with the Mayor, recommends the Town Council approve the new agreement.

### **Fiscal Impact:**

There is no cost to the Town to participate.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2691.20**

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

**WHEREAS**, the Town Council of the Town of Golden Beach, Florida (the “Town”) wishes to enter into a Mutual Aid Agreement (the “Agreement”) with the City of Bay Harbor Islands, Florida, attached to this Resolution as Exhibit “A” between the Town of Golden Beach and the City of Bay Harbor Islands, described and outlined in the attached Agenda Item Report; and

**WHEREAS**, the Town of Golden Beach Council believes that it is in the best interest to enter into the Agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE 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. Agreement Approved.** That the Agreement is hereby approved in substantially the form attached hereto as Exhibit “A,” subject to approval by the Town Attorney as to form and legal sufficiency.

**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 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 Bernard Einstein	_____
Councilmember Kenneth Bernstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,

Florida, this 8<sup>th</sup> day of September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



**MUTUAL AID AGREEMENT**  
**Between the Town of Golden Beach Police Department**  
**and the Town of Bay Harbor Islands Police Department**

**WHEREAS**, it is the responsibility of the governments of the Town of Golden Beach, Florida and the Town of Bay Harbor Islands, Florida to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

**WHEREAS**, because of the existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment of facilities of the participating municipal police departments; and

**WHEREAS**, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the participating Miami-Dade County municipalities; and

**WHEREAS**, the participating Miami-Dade County municipalities have the authority under Chapter 23, Florida Statutes, Florida Mutual Aid Act, to enter into a mutual aid agreement;

**NOW, THEREFORE, BE IT KNOWN** that the Town of Golden Beach, subdivision of the State of Florida, and the undersigned representatives, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

1. **Short title:** Mutual Aid Agreement
2. **Description:** Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation

agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.

**3. Definitions:**

a) **Joint declaration:** A document which enumerates the various conditions or situations where aid may be requested or rendered pursuant to this Agreement, as determined by concerned agency heads. Subsequent to execution by the concerned agency heads, the Joint Declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this Agreement. The Joint Declaration between the Town of Golden Beach and the Town of Bay Harbor Islands Police Department is attached hereto as Exhibit "A" and is hereby incorporated by reference. Said declaration may be amended or supplemented at any time by the agency heads by filing subsequent declarations, subject to the approval of the legal counsel of their respective political subdivisions, and filed with the Clerks of the respective political subdivisions.

b) **Agency or participating law enforcement agency:** Either the Town of Golden Beach Police Department or the Town of Bay Harbor Islands Police Department.

c) **Agency head:** Either the Chief of the Town of Golden Beach Police Department, or the Chief's designees; and the Chief of Police of the Town of Bay Harbor Islands Police Department, or the Chief's designees.

d) **Participating municipal police department:** The police department of any municipality in Miami-Dade County, Florida, that has approved and executed this Agreement upon the approval of the governing body of the municipality.

- e) **Certified law enforcement employee:** Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

**4. Operations:**

a) In the event that a party to this Agreement is in need of assistance as specified in the applicable joint declaration, an authorized representative of the police department requiring assistance shall notify the agency from whom such assistance is requested. The authorized agency representative whose assistance is sought shall evaluate the situation and his available resources, and will respond in a manner deemed appropriate.

b) Each party to this Agreement agrees to furnish necessary manpower, equipment, facilities, and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which caused the request; provided, however, that no party shall be required to deplete unreasonably its own manpower, equipment, facilities, and other resources and services in rendering such assistance.

c) The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency.

**5. Powers, Privileges, Immunities, and Costs:**

a) All employees of the participating municipal police department, including certified law enforcement employees as defined in Chapter 943, Florida Statutes, during such time that said employees are actually providing aid outside of the jurisdictional limits of the employing municipality pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the provisions of Chapter 23, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in

which they are normally employed.

b) The political subdivision having financial responsibility for the law enforcement agency providing services, personnel, equipment, or facilities pursuant to the provisions of this Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.

c) The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to this Agreement, during the time of the rendering of such aid, and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.

d) All exemptions from ordinances and rules, and all pension, insurance, relief, disability, workers' compensation salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency, when performing their respective functions within the territorial limits of their respective agencies, shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extraterritorially under the provisions of the Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.

e) Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing body having budgetary jurisdiction to reimburse the assisting agency for any actual costs of expenses incurred by the assisting agency performing hereunder.

f) The resources of facilities that are assigned shall be under the immediate command of a supervising officer designated by the assisting party. Such supervising officer shall be under the direct supervision and command of the agency head or his designee of the agency requesting assistance.

g) In accordance with Section 23.127(1), Florida Statutes, whenever the employees of the responding agencies are rendering aid outside their jurisdiction pursuant to this agreement, such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the municipality in which they are normally employed or appointed.

h) Each municipality will bear the liability arising from the acts undertaken by its personnel pursuant to this agreement. All of the privileges and immunity from liability, exemptions from laws, ordinances and rules, and all pension, insurance, relief, disability, workers compensation, salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency when performing their respective function within the territorial limits of their respective public agencies shall apply to them in the same degree, manner, and extent while engaged in the performance of any of their functions and duties extra-territorially under the provisions of this Mutual Aid Agreement. This section shall apply with equal effect to paid, volunteer, and auxiliary employees.

i) Should either of the participating municipal police departments receive reimbursement for expenditures from a third party for a mutual aid event covered by this Agreement, the other participating municipal police department shall be eligible to receive an equitable reimbursement share for any actual costs or expenses incurred that are directly attributable to the event, provided such costs and expenses are authorized by the third party for reimbursement purposes.

**6. Indemnification:** The Town of Bay Harbor Islands shall hold harmless, defend and indemnify Golden Beach in any suit, action or claim for damages resulting

from any and all the acts or conduct of The Town of Bay Harbor Islands employees, representatives, or agents performing under the terms of this Agreement. North Miami Beach shall hold harmless, defend and indemnify The Town of Bay Harbor Islands in any suit, action or claim for damages resulting from any and all acts or conduct of North Miami Beach's employees, representatives, or agents performing under the terms of this Agreement, subject to Chapter 768, Florida State Statutes. Nothing contained in this Agreement shall be construed or interpreted to be a waiver of sovereign immunity by either party. This provision shall not impair or preclude reimbursement of cost by the requesting law enforcement agency.

7. **Forfeitures:** It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. The municipality in which any property is seized pursuant to the Florida Contraband Forfeiture Act shall have priority to initiate forfeiture proceedings under the Florida Contraband Forfeiture Act for any matters which arise from a mutual aid event that is covered by this Agreement, but may allow the other municipality to prosecute the forfeiture with the written authorization of the legal counsel for each municipality. Upon a successful forfeiture prosecution, the forfeiting agency shall share the proceeds with the assisting agency in an amount commensurate with that agency's level of participation. This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.

8. **Conflicts:** Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23, Florida Statutes. Whenever an officer is rendering assistance pursuant to this Mutual Aid Agreement, the officer shall abide by and be subject to the rules and

regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

**9. Complaints:** Whenever there is cause to believe that a complaint has arisen as a result of a mutual aid event as it may pertain to this Agreement, the Chief of Police or his/her designee of the requesting agency shall be responsible for the documentation of said complaint to ascertain at a minimum:

- a. The identity of the complainant.
- b. An address where the complaining party can be contacted.
- c. The specific allegation
- d. The identity of the employees accused without regard as to agency affiliation.

If it is determined that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

**10. Effective Date and Duration:** This Agreement shall be in effect from date of signing, through and including May 1, 2024. Under no circumstances may this Agreement be renewed, amended or extended except in writing.

**11. Cancellation:** This Agreement may be canceled by either party upon sixty-(60) day's written notice to the other party. Cancellation will be at the discretion of the chief executive officers of the parties hereto.

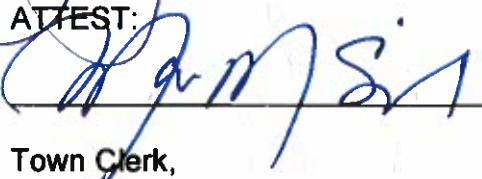
AGREED AND ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
Town Manager,  
Town of Golden Beach, Florida

  
\_\_\_\_\_  
Town Manager,  
Town of Bay Harbor Islands, Florida

ATTEST:

\_\_\_\_\_  
Town Clerk,  
Town of Golden Beach, Florida

ATTEST:  
  
\_\_\_\_\_  
Town Clerk,  
Town of Bay Harbor Islands, Florida

APPROVED AS TO FORM AND LEGAL SUFFICENCY:

\_\_\_\_\_  
Town Attorney,  
Town of Golden Beach, Florida

  
\_\_\_\_\_  
Town Attorney,  
Town of Bay Harbor Islands, Florida





# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

**Subject:** Resolution No. 2692.20 – Authorizing Expenditures up to  
\$35,000.00

Item Number:

8

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2692.20 as presented.

Every few years the Town purchases promotional items and premiums that are budgeted. These promotional items or premiums are provided to our residents as part of our welcome home gifts, holiday appreciation, COVI-19 Safety Giveaways or building community pride.

In an effort not to reveal what we will be sending our residents this year, we are not providing you with details (trust us).

We are asking your authority to spend up to \$35,000.00 in purchasing individual item orders.

### **Fiscal Impact:**

No more than \$35,000.00 per individual item order.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2692.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF UP TO \$35,000 FOR INDIVIDUAL PROMOTIONAL AND PREMIUM PURCHASES; PROVIDING FOR AUTHORIZATION AND AN EFFECTIVE DATE.**

**WHEREAS**, from time to time the Town purchases incidental promotional and premium goods that are determined to be in the best interest of the Town and its residents; and

**WHEREAS**, the Town Manager desires the authority to expended up to \$35,000 of previously budgeted funds for individual promotional and premium items that will directly benefit the Town residents; and

**WHEREAS**, the Town Manager has competitively sought pricing on the items.

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

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Authorization.** The Town Manager is authorized to expend up to \$35,000 for the purposes stated above.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption.

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

Mayor Glenn Singer	_____
Vice Mayor Bernard Einstein	_____
Councilmember Jaime Mendal	_____
Councilmember Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 8<sup>th</sup> day of September, 2020.

\_\_\_\_\_  
MAYOR GLENN SINGER

ATTEST:

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manager

*Alex B*

Item Number:

9

**Subject:** Resolution No. 2693.20 – Recommending Adopting Miami-Dade County Local Mitigation Strategy (LMS) 2020

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2693.20 as presented.

### **Background:**

Mitigation is a way to lessen the impact of a disaster on a community through preparedness, structural hardening and infrastructure projects. We are a member in the Local Mitigation Strategy (LMS) Workgroup (of Miami-Dade County) a gateway to mitigation funding.

We are recommending adopting the Miami-Dade County Local Mitigation Strategy, 2020 as amended.

### **Fiscal Impact:**

None.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2693.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY 2020, AS AMENDED; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Federal Emergency Management Agency funds a national initiative to help communities develop local mitigation strategies to identify projects that mitigate the effects of natural disasters and to identify funding sources necessary to implement the projects; and

**WHEREAS**, the Florida Division of Emergency Management (“FDEM”) entered into a contract with Miami-Dade County (“County”) to provide funding to the County and municipalities within its jurisdiction to jointly develop the County’s Local Mitigation Strategy 2020 (the “LMS”), which will be incorporated into the Statewide Mitigation Strategy; and

**WHEREAS**, on August 28, 2020, FDEM completed its review of the LMS and informed the County that the LMS met the Federal Hazard Mitigation Planning Standards requirements contained in 44 CFR 201.6(b)-(d) (“Federal Standards”); and

**WHEREAS**, in order to maintain compliance with Federal Standards and to remain eligible to receive LMS funding under various grant agreements, the Town of Golden Beach (the “Town”) desires to adopt the LMS, as amended, which is incorporated herein by reference; and

**WHEREAS**, the Town Council finds that this Resolution is in the best interest and welfare of the residents of the Town.

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

**Section 1. Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Adoption.** The Town Council adopts the LMS, as amended, which is incorporated herein by reference.

**Section 3. Implementation.** That the Town Council hereby authorizes the Town Manager to take such further action as may be necessary to implement the intent and purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon adoption.

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 Bernard Einstein	_____
Councilmember Bernard Einstein	_____
Councilmember Jaime Mendal	_____
Councilmember Judy Lusskin	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 8<sup>th</sup> day of September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



Office of Emergency Management  
9300 NW 41 Street  
Miami, FL 33178  
Email: [eoc@miamidade.gov](mailto:eoc@miamidade.gov)  
Phone: 305-468-5400  
Fax: 305-468-5401

August 28, 2020

**Municipality Address**

To Whom It May Concern:

**RE: Miami-Dade County Local Mitigation Strategy (LMS) 2020 Approval Process**

This letter is to inform you that the State of Florida has completed the Miami-Dade County Local Mitigation Strategy Plan (LMS) review and determined that the Plan meets all the requirements as it relates to Federal Hazard Mitigation Planning Standards contained in 44 CFR 201.6(b)-(d).

In order for a jurisdiction to maintain compliance with Federal standards **and continue to receive LMS funding**, each municipality must adopt the Miami-Dade County LMS Plan prior to the September 15, 2020 - expiration date of the current LMS. Furthermore, local governments acting as sub-grantees must adopt the attached Miami-Dade County LMS Plan to have eligibility to apply for and/or receive payments and reimbursement under executed grant agreements for the following hazard mitigation grant programs:

- Hazard Mitigation Grant Program (HMGP)
- Business Resilient Infrastructure and Communities (BRIC) – *formerly known as Pre-Disaster Mitigation (PDM)*
- Flood Mitigation Assistance (FMA) Grant Program
- Community Development Block Grant - Mitigation (CDBG-MIT) Grant Program

Please submit a copy of your jurisdiction's fully executed LMS adopted resolution to Robin Yang, Whole Community Mitigation Planner, at [robin.yang@miamidade.gov](mailto:robin.yang@miamidade.gov). Should you have any questions regarding the process or need further clarification, please contact Mr. Yang.

Sincerely,

Frank K. Rollason  
Director

Enclosures



STATE OF FLORIDA

## DIVISION OF EMERGENCY MANAGEMENT

Ron DeSantis  
Governor

Jared Moskowitz  
Director

August 26, 2020

Frank Rollason, Director  
Miami-Dade County Emergency Management  
9300 Northwest 41<sup>st</sup> Street  
Doral, Florida 33178

Re: Miami-Dade County Local Hazard Mitigation Plan Approved Pending Adoption

Dear Director Rollason,

This is to confirm that we have completed a State review of the Miami-Dade County Local Mitigation Strategy (LMS) update for compliance with the federal hazard mitigation planning standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Miami-Dade County developed and submitted all the necessary plan revisions and our staff has reviewed and approved these revisions. We have determined that the Miami-Dade County LMS plan is compliant with federal standards, subject to formal community adoption, for the jurisdictions below:

Miami-Dade County, Unincorporated	City of Sweetwater
City of Aventura	City of West Miami
City of Coral Gables	Town of Bay Harbor Islands
City of Doral	Town of Cutler Bay
City of Florida City	Town of Golden Beach
City of Hialeah Gardens	Town of Key Biscayne
City of Hialeah	Town of Medley
City of Homestead	Town of Miami Lakes
City of Miami	Town of Surfside
City of Miami Beach	Village of Bal Harbour
City of Miami Gardens	Village of Biscayne Park
City of Miami Springs	Village of El Portal
City of North Miami	Village of Indian Creek
City of North Bay Village	Village of Miami Shores
City of North Miami Beach	Village of Palmetto Bay
City Opa Locka	Village of Pinecrest
City of South Miami	Village of Virginia Gardens
City of Sunny Isles Beach	

Upon submittal of a copy of all participating jurisdictions' documentation of their adoption resolutions to our office, we will send all necessary documentation to the Federal Emergency Management Agency (FEMA) who will issue formal approval of the Miami-Dade County LMS.



If you have any questions regarding this matter, please contact your LMS Liaison Laura Waterman at [Laura.Waterman@em.myflorida.com](mailto:Laura.Waterman@em.myflorida.com) or 850-815-4512.

Respectfully,



Miles E. Anderson,  
Bureau Chief, Mitigation  
State Hazard Mitigation Officer

MEA/lw

Attachments: MEMORADUM: State approval of LMS plans under Program Administration by States (PAS)

cc: FEMA Region IV, Mitigation Division – Risk Analysis Branch



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, Town Manager *Alex B*

**Subject:** **Resolution No. 2694.20 - Reauthorizing the Building Permit Fees, and Acknowledging Town Fees and Associated Fees Schedule**

Item Number:

10

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Resolution No. 2694.20 as presented.

### **Background:**

I am proposing the reauthorization of the Building Permit Fees, and the acknowledgement of Town Fees and Associated Fees Schedule, as attached.

In preparing the Fiscal Year 2020-2021 Operating Budget, the proposed fees were used to project revenues.

We are not recommending any changes to any of the Town's fees; we have however incorporated all of the fees charged by the Town in a single document to provide for greater transparency and assist those individual whom have business with the Town.

### **Fiscal Impact:**

None.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2694.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND PROCESSING FEES, AND ESTABLISHING TOWN FEES AND ASSOCIATED FEES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Fla. Stat. 166.222, the Town imposes fees upon applicants for various development permits for development within the Town; and

**WHEREAS**, the Town desires to reauthorize the schedule of fees attached hereto as Exhibit "A" to defer the reasonable costs of inspection and enforcement of the provisions of the Town's building code; and

**WHEREAS**, the Town desires to establish the schedule of Town fees and associated fees; and

**WHEREAS**, the Town Council finds that the reauthorization of the Town's schedule of permit fees and the establishment of Town fees and associated fees 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.** The foregoing recitals are adopted, confirmed and incorporated herein.

**Section 2. Reauthorize Schedule of Fees & Establish Fees.** Pursuant to Fla. Stat. 166.222 and Section 50-8(e) of the Town's Code of Ordinances, the Schedule of Permit and Processing Fees, and Associated Fees attached to this Resolution as Exhibit

"A" is hereby adopted and supersedes all prior schedules and fees for said services.

**Section 3. Implementation.** The Town Manager and Town Mayor are hereby authorized to take all reasonable measures to implement this Resolution and the Schedule of Fees adopted herein.

**Section 4. Effective Date.** The Resolution shall become immediately effective upon adoption.

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

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach,  
Florida, this 8<sup>th</sup> day of September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY



## FY 2020-21 Rates & Fees

Fee Type	Fee Structure	Code/ Charter Section Reso No. Ord. No.
<b>Administration</b>		
Duplicated copy of not more than 14 inches by 8½ inches	\$0.15	Sec. 2-257 (1)
Each two-sided copy	\$0.20	Sec. 2-257 (2)
Copies larger than 14 inches by 8½ inches , or for requests for records of any other type of nature	shall be assessed, but in no event shall it be less than \$0.15 per copy (does not include the labor cost or overhead cost associated with such duplication)	Sec. 2-257 (3)
Certificate of a public record	\$1.00	Sec. 2-257 (4)
CD-ROM.	\$5.00	
DVD	\$5.00	
Certification statement	\$5.00 + any fees for copies calculated under section 2.	Florida Department Of State Basics Of Records Management Handbook Appendix D
Cassette tape	\$5.00	Sec. 2-257 (5)
Cassette tape provided by the Town	\$1.00 additional charge per cassette	Sec. 2-257 (5)
VHS tape, duplicated VHS, or edited VHS tape copy	\$10.00	Sec. 2-257 (6)
If the nature or volume of public records requested to be inspected, examined or copied requires the extensive use meaning any request that required more than 15 minutes of clerical or supervisory assistance to locate, review for confidential information, copy, refile or a combination of any like activities or assistance of clerical or supervisory personnel of the Town.	special service charge which shall represent the employee's actual labor cost incurred by the Town, which shall be billed in quarter-hour increments	Sec. 2-257 (7)
The cost of mailing or shipping the requested material may also be added if the requestor asks that the material be delivered (instead of the requestor picking up the material in person).		
<b>Rentals</b>		
Short term Rentals		
<b>Park &amp; Recreation</b>		
Special Event Permit Fee (required, no change)	\$0.00	Reso No. 2609.19
Permit to use Beach Pavilion	\$500.00	Reso No. 2609.19
Beach Pavilion Event Deposit (refundable)	\$1,000.00	Reso No. 2609.19
Permit to use Town Parks (North and South)	\$100.00	Reso No. 2609.19
Permit to use Tweddle Park	\$250.00	Reso No. 2609.19
Town Park Event Deposit (Refundable)	\$500.00	Reso No. 2609.19
Tent Permit	\$50.00	Reso No. 2609.19
Portable Toilet Permit	\$25.00	Reso No. 2609.19
Catering Fee	\$25.00	Reso No. 2609.19
Insurance Fee	\$25.00	Reso No. 2609.19
Furniture Rentals Fee- Per AO 2018-027		Reso No. 2609.19



## FY 2020-21 Rates & Fees

Up to 2 Tables, 10 Chairs	\$75.00	Reso No. 2609.19
Up to 10 Tables, 50 Chairs	\$150.00	Reso No. 2609.19
More than 10 Tables, 50 Chairs	\$200.00	Reso No. 2609.19
Clean up Fee ( 1 Public Works' Employee \$25/hr, Min 3 hr)	Min \$75.00	Reso No. 2609.19
Off Duty Officer	\$40/ hr, Min 4 hr.	Reso No. 2609.19
30-50 People= 1 Officer	Min \$160.00	Reso No. 2609.19
51-80 People= 2 Officer	Min \$320.00	Reso No. 2609.19
81-100 People= 3 Officer	Min \$480.00	Reso No. 2609.19
Additional Lifeguard (required for Beach Parties over 20) \$25/hr, Min. 4 hr)	Min \$100.00	Reso No. 2609.19
<b>Film Fees (require an extra-duty police)</b>		
less than 11 people	\$500.00 per day	Reso. No. 2404.15
11-20 people	\$700.00 per day	Reso. No. 2404.15
21-30 people	\$1100.00 per day	Reso. No. 2404.15
31-40 people	\$1500.00 per day	Reso. No. 2404.15
40 people	\$2000.00 per day	Reso. No. 2404.15
<b>Vehicle Transponder fee</b>		
First 4 Vehicles per household	No Charge	
Each additional vehicle	\$35.00 per vehicle	
<b>Waste Disposal</b>		
Waste pickup	\$35.00 each cubic yard	
Appliance/ Refrigerator	\$80.00	
Stove	\$60.00	
Televisions less than 60'	\$30.00	
Televisions 60' and over	\$60.00	
Special Furniture (call for price)	\$120-\$200	
<b>Finance</b>		
<b>NSF Check</b>		
If the face value exceeds \$50.00	\$25.00	Fla. Stat. Sec. 832.07
If the face value exceeds \$50.00 but does not exceed \$300.00	\$30.00	Fla. Stat. Sec. 832.07
If the face value exceeds \$300.00, or an amount of up to 5 percent of the face amount of the check	\$40.00	Fla. Stat. Sec. 832.07
<b>Lien Search (each request is separate for Building and Finance)</b>		
Lien Request regular- 5 day response	\$60.00	Fla. Stat. Sec. 832.07
Lien Request expedited 3 day response	\$70.00	Fla. Stat. Sec. 832.07
<b>Police</b>		
Fingerprinting	No Charge	Article 29 of Collective Bargaining Agreement
Off Duty Officer	\$40.00 hr./ Min 4 hr.	Article 29 of Collective Bargaining Agreement
Off Duty Supervisor	\$45.00 hr./ Min 4 hr.	Article 29 of Collective Bargaining Agreement
Off Duty- Holiday	\$120.00 hr./ Min. 4 hr.	Article 29 of Collective Bargaining Agreement
Off- Duty Officer- Commerical- Business services in town	\$45.00 hr./ Min. 4 hr.	Article 29 of Collective Bargaining Agreement
Off- Duty Supervisor- Commerical- Business services in town	\$50.00 hr./ Min. 4 hr.	Article 29 of Collective Bargaining Agreement
Off Duty- Admin Fee	\$5.00 hr./ Min. 4 hr.	Article 29 of Collective Bargaining Agreement



## FY 2020-21 Rates & Fees

### Code Enforcement- (see section for fees for 2nd-4th offense)

Animal nuisance	\$150.00 1st offense	Section 2.2-11
County ordinances	\$150.00 1st offense	Section 2.2-11
Eyesore	\$150.00 1st offense	Section 2.2-11
Florida Building Code (structural)	\$150.00 1st offense	Section 2.2-11
Florida Building Code (life safety)	\$250.00 1st offense	Section 2.2-11
Hurricane Protection Measures	\$250.00 1st offense	Section 2.2-11
Landscaping	\$150.00 1st offense	Section 2.2-11
Licensing	\$150.00 1st offense	Section 2.2-11
Litter/ debris	\$150.00 1st offense	Section 2.2-11
Maiboxes	\$150.00 1st offense	Section 2.2-11
Nuisance	\$150.00 1st offense	Section 2.2-11
Recycling	\$150.00 1st offense	Section 2.2-11
Seawalls	\$250.00 1st offense	Section 2.2-11
Signs/ advertising	\$150.00 1st offense	Section 2.2-11
<b>Building Department</b>		
<b>Upfront - Permit Processing Fee</b>		
All Permits; Building, Electrical, Plumbing, Mechanical	Value of Project x 0.0075	Reso No. 2643.19
Change in Value of Project - Revision	Value increase x 0.0075	Reso No. 2643.19
<b>Permit Fees</b>		Reso No. 2643.19
New Construction, or Addition to Existing Res.	Air Conditioned Space x 0.03	Reso No. 2643.19
New Construction, or Addition to Existing Res.	Non-Air Conditioned Space x 0.015	Reso No. 2643.19
All other building permits	Value of Project x 0.03	Reso No. 2643.19
Electrical, Mechanical, Plumbing, Structural & Landscape	Value of Project x 0.03	Reso No. 2643.19
Minimum permit fee	\$225.00	Reso No. 2643.19
Shop Drawing fees	\$225.00 per review	Reso No. 2643.19
Trash Hauling/Dumpster Container Fees	\$300.00 for active permit	Reso No. 2643.19
Change of Contractor	\$300.00	Reso No. 2643.19
Revision to active permit	\$225.00 per Trade Review	Reso No. 2643.19
<b>Construction Site Equipment Storage Fee - 1 Week</b>		
First Week - Only One Use Permitted	\$350.00	Reso No. 2643.19
Second and Third Week - Only One Use Permitted	\$1,050.00	Reso No. 2643.19
Monthly	\$3,000.00	Reso No. 2643.19
Lost permit card	\$125.00	Reso No. 2643.19
Expired permit - new plan submittal & plan review required	10 months or more- 100% permit fee	Reso No. 2643.19
1 month expiration	\$100.00	Reso No. 2643.19
2-3 months expiration	25% discount of original fee	Reso No. 2643.19
4-6 months expiration	15% discount of original fee	Reso No. 2643.19
7-9 months expiration	10% discount of original fee	Reso No. 2643.19
10 months or more	100% fee	Reso No. 2643.19
Replacement of plans for an active permit:	Cost of Reproduction	Reso No. 2643.19



## FY 2020-21 Rates & Fees

Recertification of each applicable trade:	Plus recertification of plans	Reso No. 2643.19
Building, Electrical, Mechanical, Plumbing, Structural, and Zoning and Landscapine	\$225.00 per Trade Review	Reso No. 2643.19
<b>Contractor Information Maintenance fee</b>		
New Applications	\$50.00	Reso No. 2643.19
Renewal each Fiscal Year	\$30.00	Reso No. 2643.19
Educational Fund for building department personnel	\$0.30 Per 1,000 of value project	Reso No. 2643.19
<b>Building permit imaging</b>		
Plan sheet submitted	\$1.50 per sheet	Reso No. 2643.19
8 1/2 x 11 or 8 1/2 x 14	\$0.46 per page	Reso No. 2643.19
Special projects, meetings	\$50.00 per hour	Reso No. 2643.19
<b>Certificates of Occupancy and Completion</b>		
Temporary	\$250.00	Reso No. 2643.19
Final	\$300.00	Reso No. 2643.19
<b>Lien Search Requests</b>		
Regular - 5 Day Response	\$60.00	Reso No. 2643.19
Expedited - 3 Day Response	\$70.00	Reso No. 2643.19
<b>Minimum per square foot pricing for:</b>		
New Construction	\$350.00	Reso No. 2643.19
Addition	\$200.00	Reso No. 2643.19
Remodel	\$150.00	Reso No. 2643.19
<b>Re-inspection Fees:</b>		
Failed Inspections-1st & 2nd	\$75.00	Reso No. 2643.19
Failed Inspections- 3rd	\$125.00	Reso No. 2643.19
Building Code Compliance Fee	\$0.60 per 1,000 of value project	Reso No. 2643.19
Street Sweeping Fee (charged to all permitting)	\$.50 per 1,000 of value project	Reso No. 2643.19
<b>Building Advisory Board Fees</b>		
New single-family residence - structure review	\$300.00 Per submittal	Reso No. 2643.19
Addition/Remodel of existing structure	\$225.00 per submittal	Reso No. 2643.19
Accessory Building (Cabana or Gazebo)	\$150.00 per submittal	Reso No. 2643.19
Pools and Spas	\$100.00 per submittal	Reso No. 2643.19
Fencing, site walls, driveways, pool decks	\$150.00 for each item submitted	Reso No. 2643.19
Landscaping: New construction,additions,remodel,existing	\$300.00 per submittal	Reso No. 2643.19
Docks	\$100.00 per submittal	Reso No. 2643.19
Boat Lift	\$100.00 per submittal	Reso No. 2643.19
Resubmission within 30 days of original	75% of all fees paid on original	Reso No. 2643.19
Variance Request/Exception per code request	\$750.00 per submittal	Reso No. 2643.19
Variance/Exception for the same code request	\$200.00 per submittal	Reso No. 2643.19
<b>Sidewalk, gutter and street maintenance fees</b>		
New construction per Linear Feet based on property frontage	\$110/LF	Reso No. 2643.19
Addition per Linear Feet based on property frontage	\$100/LF	Reso No. 2643.19





**FY 2020-21 Rates & Fees**

Remodel work per Linear Feet based property frontage	\$50/LF	Reso No. 2643.19
<b>Extension Fee: New Construction, Addition and Remodel Work Permits</b>		
<b>Zone 1</b>		
Construction work that exceeds 36 months from permit issuance will extend the Master pe	30% of Master Permit Fee	Reso No. 2643.19
Requires a permit renewal every 12 months after the 36 month period.	30% of Master Permit Fee	Reso No. 2643.19
<b>Zones 2 &amp; 3</b>		
Construction work that exceeds 24 months from permit issuance will extend the Master pe	30% of Master Permit Fee	Reso No. 2643.19
Requires a permit renewal every 12 months after the 24 month period.	30% of Master Permit Fee	Reso No. 2643.19



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** September 8, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, Town Manager *Alex B*

**Subject:** **Resolution No. 2695.20 – Ratification of the Collective Bargaining Agreement Between the Town and the Florida State Lodge, Fraternal Order of Police**

Item Number:

11

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### Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2695.20 as presented.

### Background :

The Town's contract with the Fraternal Order of Police (FOP) expires on September 30, 2020. In light of the Global Pandemic and the unknown factors that will affect our recurring revenues, the Town and Police Union have agreed to a two-year contract.

For the most part (minor language changes), the existing contract will remain intact with the following exceptions:

Effective October 1, 2020 employees currently at top out pay will receive a 3% increase in the first year and a 2% increase in the second year; calling for our new top out salary for Police Officers to be \$76,168.00.

For the purposes of this contract, the police officer increases will go into effect on October 1 of each year (after a full year of service) and not on the anniversary date of employment.

The current topped out Sergeant will get a 3% increase in the first year and a 2% increase in the second year; calling for a new top out salary for Police Sergeants of \$84,048.00.

Sergeants who have not reached \$80,000 will receive a 12% increase to their base pay until they reach \$80,000.00, then they will be afforded 3% and 2% pay adjustments in subsequent years accordingly.

Specialty Units; non-detached Detective, Marine Patrol, K-9 Unit, Motorcycle Unit will see a \$50.00 increase in specialty pay from \$125 to \$175 per month.

Detached Detectives will have receive 7% incentive pay instead of 5%.

The contract now calls for a death benefit of \$150,000 per employee and a commitment for assistance with funeral-related costs as described in the CBA.

**The attached proposed contract has highlights with other changes and compensation.**

**Fiscal Impact:**

In the first year of the contract the recurring cost increases are projected at \$57,689.00 and an additional \$41,124.00 in year number two.

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2695.20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA (“TOWN”), PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE; AUTHORIZING THE TOWN MAYOR TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE TOWN; PROVIDING FOR IMPLEMENTATION OF THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Golden Beach (“Town”) desires to ratify the Collective Bargaining Agreement (“Agreement”) between the Town and the Florida State Lodge, Fraternal Order of Police (“Police Union”) (a copy of the Agreement is attached hereto as Exhibit “A”); and

**WHEREAS**, the Town Council finds that ratification of the Agreement 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.** The foregoing “**Whereas**” clauses are true and correct and are incorporated herein by this reference.

**Section 2. Agreement Ratification.** Ratification of the Agreement between the Town and the Police Union, in the form attached hereto as Exhibit “A,” is hereby authorized and approved.

**Section 3. Execution.** The Town Mayor is hereby authorized to execute the Agreement on behalf of the Town.

**Section 4. Implementation.** That the Town Mayor and Town Manager are

authorized to take any and all action which is necessary to implement this Resolution and the Agreement.

**Section 5. Effective Date.** That This Resolution shall become effective immediately upon its passage and adoption.

**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 Bernard Einstein	_____
Councilmember Judy Lusskin	_____
Councilmember Jaime Mendal	_____
Councilmember Kenneth Bernstein	_____

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 8<sup>th</sup> day of September, 2020.

ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY