



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the August 31, 2021
Special Town Council Meeting called for 6:00 P.M.

Zoom Room Meeting ID: 885 1593 3885 Password: 179035

For Dial In Only: Call 929.205.6099 Meeting ID: 885 1593 3885

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 BY 2:00 P.M. TUESDAY, AUGUST 31, 2021.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:10 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. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

ABRAHAM MENDAL – TOWN FLAG AWARD

E. MOTION TO SET THE AGENDA

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

Town Manager requested to add item #14 to the agenda.

Consensus vote 3 Ayes, 0 Nays

F. GOOD AND WELFARE

None

G. MAYOR'S REPORT

Expressed his condolences for the victims of the Surfside Chaplain Towers Collapse. Commended Chief Herbello and his staff for the assistance they provided. Reminded residents that school is back in session, and to be mindful of the children walking in Town, and please drive the speed limit. COVID is still among us. Changed the policy for Town Hall, now everyone is required to wear a mask and we take everyone's temperature when they enter Town Hall. Hopes everyone gets vaccinated. Know that it is a heated debate. He does not look at it as a political event; look at it as a medical event. The science shows that if you get vaccinated your chances of getting deathly sick are reduced. Urged residents to attend the event tomorrow where they could get tested or vaccinated. Urged all residents and employees to get vaccinated. During the Summer the Town Attorney, Manager and he worked on the Hotwire contract. Hats off to the Town Attorney for all of his hard work on the contract. Really exciting time for the Town of Golden Beach. On the budget and the real estate taxes side, this is going to be the eighth consecutive year that we have no change to the millage rate. Hats off to the Town Manager, Finance Director and the Department Directors for keeping costs down. To keep the millage rate consistent is a real feather in our cap. We are working on a five-year budget forecast on both the revenue and budget side to make sure that not only this year we can afford an 8.4 millage rate, but in the future we can continue to maintain it. Town Hall is moving forward and moving in the right direction. Had a very productive meeting with Gerrits Construction. Hopefully, will be in the new Town Hall within the next 24 months. Over the summer, the Town Manager held a workshop on sustainability. In attendance were the town's engineers and most of the town's vendors that do this type of work for the town. This is planning for sea rise and climate change. We are one of the only cities having these types of meetings and dealing with these issues.

H. CORONAVIRUS UPDATE

Town Manager stated that the Town will host a COVID vaccine event tomorrow where we are offering all three vaccines. The event is open to all of the residents, employees and the public. Now we have instituted bi-weekly testing of all of our employees. Three of our vaccinated employees tested positive for covid over the summer. Continue following CDC guidelines. We no longer get reports from the state on how many of our residents are positive.

I. COUNCIL COMMENTS

Vice Mayor Lusskin stated that her sentiments were with the Town of Surfside and the victims of the collapse. Thanked the Carpenter family for doing a charity concert. There's so much construction in Town it is quite difficult parking and navigating through the streets in town, asked if the police can look into that. Also, asked if residents are still allowed to shoot iguanas with an air gun. Asked Town Manager for an update on how the food trucks did this summer. Still feels that we need a safety wall at Massini. It is a very, very important wall to have there for safety and for Golden Beach.

Councilmember Mendal to the Vice Mayor's Massini wall request, asked if we can ask the county for help with that?

Town Manager stated yes. We asked the county commissioner for \$500,000 they gave us \$5,000 towards our efforts.

Councilmember Mendal expressed condolences for the victims of the surfside tragedy, proud of the way we helped.

Councilman Einstein

Also expressed condolences for the victims of the surfside tragedy. Monumental that we brought the covid vaccine to Town. Important for people to get vaccinated for medical safety reasons, and for your children and your parents.

Councilmember Bernstein

No comment

J. TOWN MANAGER REPORT

Stated that this past summer he really took the time to think about what occurred at the last council meeting in terms of his interaction with the Council and his thoughts. Wanted to tell the Council that he has a deep admiration for the work that they do and he gets passionate about that. Wanted to acknowledge the police staff for the heroic efforts they put forth to assist the victims of the surfside tragedy. Thanked the police staff for their dedication and their efforts and to the town staff who picked up their efforts while he was away assisting them. We were there until the last truck with debris left. This was a wet summer which caused some of our projects to be delayed. Did an evaluation of all of our FPL equipment and did get a slew of FPL items serviced. Our Finance Department did receive the distinguished budget award again for the 11th consecutive year. King tides will be in town September 9th-11th and October 5th-11th. If you are a home owner that typically gets water in their home during king tide events make sure you reach out to our Public Works department to assist you with those issues.

Vice Mayor Lusskin asked about the temporary pumps for the king tide events.

Town Manager stated that he is negotiating now with Southeast Engineering to see if they can provide us those portable pumps like they did in the past. Also mentioned that the food truck events were very successful. Did submit requests for temporary pumps from the state of Florida. Unfortunately, we did not make it into this year's budget, we did resubmit those request for the 2022 budget.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

- 1. An Ordinance of the Town Council Amending Chapter 24, "Personnel," Article I, "Retirement," Division 1 "General Employees."**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER

24, "PERSONNEL," ARTICLE II, "RETIREMENT," DIVISION 1 "GENERAL EMPLOYEES" BY AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN AT SECTION 24-31 "DEFINITIONS," SECTION 24-32 "MEMBERSHIP," SECTION 24-33 "BENEFIT AMOUNTS AND ELIGIBILITY," AND SECTION 24-36 "ADMINISTRATION"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 598.21

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 598.21

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

On roll call, the following vote ensued:

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

The motion passed.

Mayor Singer stated that we have not made any changes to the employee pension plan in over 20 years and this would benefit our long-term employees.

Town Manager stated that over the last 22 years the general employees pension plan has not been revisited to make sure that the Town is competitive. In addition, the general employees came to the Mayor and Manager and made some requests concerning the general employee's pension plan. Most of our employees have been with the Town going on 14 years or longer. We want to make sure that we stay competitive with the global market. Item #1 changes the years of calculation for average salary earnings. Changing it from the average highest five of the last ten years to the highest three of the last ten years and that will become the average salary earnings for pension determination. Item #2 changes the multiplier for the general employees which is currently at 2.25% which it has been at for the last 20+ years. What this item says is that after ten years of service, the multiplier changes from 2.25% to 2.50% for all existing employees on a moving forward basis. It is a very conservative increase. Item #3, should you approve the Town Manager's contract for employment, it changes the Managers multiplier in year fifteen and sixteen of the Managers employment with the Town. Item #4, is updating scribblers errors that were found by the pension board. There is a scribblers error tonight on the item that we need to change under 24-31 it is no longer 160 it becomes 136, we will update that for second reading.

Vice Mayor Luskin stated that most of our employees have been with us a very long time and haven't given them considerable increases throughout the years. We know who picks up our garbage. Stated she likes the loyalty of them being here. They all seem to be descent people and is in favor of the increase after 20 years.

Councilmember Mendal stated that he is generally in favor of everything that's in place here. One subject that he is not a fan of is that pensions creates an unfunded liability in the future, he is always an advocate of paying more in salary rather than going down that route. However, he would like to see increases in salary, specifically for the Public Works department.

Councilmember Einstein stated his concern is with abuses to the system. Specifically with people making overtime and taking advantage of the system. Would like the Town Manager to discuss this on the record to make sure that no one tries to gain the system.

Town Manager stated that there are two ways to ensure that there is no abuse as it relates to inflating someone's earnings in their last couple years so they can gain the system. The state statutes currently allow for a 10% cap on overtime. We do not have to worry about that at Golden Beach because our overtime budget is \$30,000 a year. Even if that state statute were not there, we would not have the resources to pay overtime. In addition, our off duties are currently not pensionable. If hypothetically our public works staff were to need overtime it would be storm related, and if there is a storm event than they have rightfully earned that time.

Mayor Singer stated that plus we always watch overtime.

Town Manager stated that the other thing that gets cities into trouble is the fact that they compound merit increases and cola's year after year. Here in Golden Beach we have been very reluctant to allow merit increases, most of the increases have been due to job classifications that have changed. We do give out bonuses, and those bonuses do not super inflate an employee's earning's.

N. QUASI JUDICIAL RESOLUTIONS

2. A Resolution of the Town Council Approving a Variance Request for 185 Ocean Boulevard To Permit the Rear Yard Elevations to Vary.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 185 OCEAN BOULEVARD. GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE REAR YARD ELEVATIONS AROUND THE POOL AREA TO BE AT VARYING ELEVATIONS OF 11.0' N.G.V.D. TO 12' N.G.V.D. WHEN THE TOWN'S CODE ALLOWS A MAXIMUM ELEVATION OF 11' N.G.V.D.

Exhibit: Agenda Report No. 2
Resolution No. 2751.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2751.21

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

On roll call, the following vote ensued:

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

The motion passed.

3. A Resolution of the Town Council Approving a Variance Request for 185 Ocean Boulevard to Not Increase the Side Setbacks Along Two-Thirds of the Second Story.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 185 OCEAN BLVD, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE UPPER SECTION OF THE PROPOSED STRUCTURE TO NOT INCREASE THE SIDE SETBACKS ALONG TWO-THIRDS OF THE SECOND STORY BY ONE FOOT FOR EACH ONE FOOT (1:1) OF BUILDING HEIGHT ABOVE THE 18 FEET, WHEN THE CODE REQUIRES A 10' SIDE SETBACK AND REQUIRES AN INCREASE TO THE SIDE SETBACKS ALONG TWO-THIRDS OF THE LENGTH OF THE SECOND STORY BY ONE FOOT (1:1) OF BUILDING HEIGHT ABOVE THE FIRST 18'.

Exhibit: Agenda Report No. 3
Resolution No. 2752.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2752.21

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager spoke on both of the items. Stated this is a fifty-foot lot we are asking that you allow them to use the underbelly of the home by adjusting the elevations like you have done consistently on lots on Ocean Boulevard. We are still working on our code to allow this without variances and we have been working with the attorneys to come up with a recommendation to just set the elevations on Ocean unique to their geography. Item #2 is the step-in requirements. Because of the depth of this lot, the 18:1 ratio becomes very restrictive. We have granted this variance to three other applicants. He asks that the Council treat this request as they have other fifty-foot lots. Asks that they vote in favor of both items. Stated that several councilmembers asked if this could be addressed as a code change and admin will work with the town's attorneys to do so.

Councilmember Mendal asked if they are doing anything to increase the setback on the second floor.

Town Manager said no.

Town Manager commended Linda Epperson who is watching from home. This summer Linda Epperson has met with more applicants and more designers of construction companies. We are seeing more crazy requests of the Town; there is a renaissance of Golden Beach development. Will be working with the Town Attorney more aggressively to make ordinance changes. However, Linda has gone above and beyond with working with residents that are demanding in their requests.

O. TOWN MAJOR PROJECTS UPDATE

- Civic Center Complex Masterplan
- Center Island Pump Station
- Fiber Project

Town Manager spoke on all of the projects. We had a lot of rain this summer which caused some delays. We cannot do pile driving, installation of wet wells, etc. if it is wet. We have been able to advance the project a little bit but there has been some significant rain delays. We meet bi-weekly with our construction teams to make sure we are meeting the needs of the project. The Civic Center test piles have been tested and the report is due to him this week, once those reports come in we will be able to start to place all 150+ piles that will go into the site. In the meantime, we have been working on the Civic Center civil plans, installing all the drains and drain fields and making the connection to pump station #1. Pump station number 1 is going to have some work done to it. The most difficult part this summer has been securing materials for our projects we have not been able to find pipes, junction boxes for our stormwater projects, for our repairs and maintenance projects, etc. Bear with us as the global markets continue to realign themselves. As a result of the Surfside collapse we had an owner initiated change order to the Civic Center complex. We will be increasing the Civic Center contract at a future council meeting by an additional \$45,000, that is concrete enhancement that we are making to the design of the Civic Center. Bus shelters have commenced their installation, they will be going up hopefully by the end of this month. We finalized the contract with Hotwire. Thanked Steve Helfman and his firm for all of their hard work during the summer to put together the hotwire contract. Will be the first community in the nation that offers direct fiber to all of the homes with an in-home managed Wi-Fi system that guarantees minimum speeds of 1 gig up 1 gig down. We

still believe that we will be able to deliver all of our projects on time and under an agreed to budget. We are driving some change orders to try to get some enhancements to our projects. We will be bringing you some change orders in the coming months.

P. CONSENT AGENDA

- 4. Official Minutes of the June 15, 2021 Regular Town Council Zoom Virtual Meeting**
- 5. A Resolution of the Town Council Authorizing the Sale of Surplus Vehicles from the Town's Police and Public Works Fleets.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE SALE OF TWO SURPLUS POLICE VEHICLE AND ONE JOHN DEERE BACKHOE FROM THE TOWN'S VEHICLE/EQUIPMENT FLEET; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2753.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2753.21

- 6. A Resolution of the Town Council Authorizing the Purchase of a Backhoe for the Town's Public Works Fleet.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF A BACKHOE OR EQUIPMENT SIMILAR TO ONE AND THE USE OF GENERAL FUNDS TO PURCHASE AND EQUIP; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2754.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2754.21

- 7. A Resolution of the Town Council Accepting the American Rescue Plan Act Funds.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUND AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANGAGEMENT;

PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2755.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2755.21

8. A Resolution of the Town Council Accepting the Renewal Agreement for Short Term/Long Term Disability Insurance and Life Insurance.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE BENEFIT PROPOSAL FOR SHORT TERM/LONG TERM DISABILITY INSURANCE, LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE SUBMITTED BY MUTUAL OF OMAHA INSURANCE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2756.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2756.21

9. A Resolution of the Town Council Approving the Renewal Agreements for Dental and Vision Coverage.

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. 9
Resolution No. 2757.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2757.21

10. A Resolution of the Town Council Approving a Proposal for Builder's Risk Insurance for the New Civic Center Complex.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PURCHASE OF BUILDERS RISK INSURANCE FROM THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2758.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2758.21

Consensus vote __5__ Ayes, ___ Nays. Items P4 – P10 pass.

Q. TOWN RESOLUTIONS

11. A Resolution of the Town Council Ratifying the Maximum Proposed Millage Rate for Fiscal Year 2021-2022.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RATIFYING THE MAXIMUM PROPOSED MILLAGE RATE FOR F/Y 2021-2022 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. 11
Resolution No. 2759.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2759.21

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager spoke on the item. These past 12 years the Mayor and Council have been forward thinking and future focused on where we want to be. This year we are manipulating the millage rate so we can make best use of the way we distribute the

millage rate. We are going to keep our millage rate at a combined 8.4 mills. We will be going through our debt service reserves so that we can allocate the dollars to our general fund. We were anticipating a \$50-million increase to our assessed values. It did not come in. Thinks that the 2023 budget will realize those increases. We did amend our capital plan we added \$7-million worth of additional scope and work to our capital plan, we did not put off any projects or cut off any services as part of the upcoming budget. We eliminated five positions out of next years budget, so we can take those salary savings and distribute them to what we want to do with our employees and what we want to do in terms of our capital investments. The budget does have an additional \$1.2 million that we were able to secure from Miami-Dade Water and Sewer this past summer for a new Golden Beach Drive. In setting this millage rate, you will see at you September meeting that we have put together a very responsible and aggressive budget on your behalf while maintaining our millage rate. The Mayor wanted to make sure we have a plan moving forward, can we afford the level of service that we provide on a moving forward basis for the next four years. We do have 7 million dollars in new capital spending that we would like the Council to consider. Because of the covid pandemic, we will be sending to the homes an abridged version of the budget book. The 8.4 mills is appropriate to meet our spending goals and priorities for the fiscal year 2021-2022. Ask that you support setting the millage rate at 8.4 mills.

Councilmember Mendal stated that eventually he would like to see this start going down.

Town Manager stated that they agree with that. Mayor and him are both committed to whenever possible, making some reductions. We know that our goals with our capital spending are aggressive. We have delivered to date \$53-million to this community on its behalf to improve its infrastructure. That does mean however, diversifying our revenue streams. Potential revenue stream in terms of recapturing our enterprise fund.

12. A Resolution of the Town Council Modifying the Town's Existing Code Concerning First Floor Finished Elevations and Seawalls.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO MODIFY THE TOWN'S EXISTING CODES RELATIVE TO 1. INCREASING THE FIRST FLOOR FINISHED ELEVATIONS IN ZONES 2 AND 3 TO 9.5' NAVD 88. 2. REQUIRE THAT ALL SEAWALLS MODIFICATION TO BE CONSTRUCTED AT ONE STANDARD SEAWALL HEIGHT OF 4.425 NAVD 88, AND 3. THAT ALL SEAWALLS WITH A CONSTRUCTION LIFE AGE OF 15 YEARS OR MORE TO BE CERTIFIED BY AN ENGINEER AS TO ITS' CONDITION AND TO REQUIRE REPAIRS TO BE MADE.

Exhibit: Agenda Report No. 12
Resolution No. 2760.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2760.21

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that this past summer we held a series of symposiums with the Town's engineers to make sure that we are being future focused and forward thinking in how we look at climate change. Tonight is the first of a series of resolutions that we will bring to you over the course of the next 18-months so that you can give us your feedback, so that the attorney can draft an ordinance that has your complete input. We are asking the Council to no longer have a base flood elevation. We will be changing all of our code to no longer read NGVD but instead to NAVD-88 readings. Moving forward all of our homes in zones 2 and 3 will have a new base flood elevation of 9.5 NAVD. Why are we bringing this to you today? We project that within the course of the next 12 months we will see at east 13 new homes being proposed and 33 substantial remodels being brought forward for your consideration. If we wait to bring this item forward the bulk of our new renaissance will miss out on this benefit. Why a 9.5 NAVD? We anticipate that our partners at the state and global levels will be proposing to change their elevations, so we have forecasted and we are taking a responsible approach to changing our elevations. We are the first community in South Florida that requires that you inspect your seawalls and bring your seawall cap to a minimum of 3.425 or a maximum of 4.425. We are now seeing seawall caps in Town that are not leveled. What we want to do is require that all homes moving forward be set at the maximum, which will be our new minimum 4.425 NAVD. We are asking the Council to require all homes on a moving forward basis, to certify their seawall and should you have repairs needed to your seawall that you make those improvements to your home. This summer alone we lost three seawalls that slipped away because they were not being maintained by the homeowners and we did not require an inspection of the seawall and repairs to be made. We want to require all homes to inspect their seawalls and make the necessary repairs. Ask that you favorably support this item.

Mayor Singer stated that we are fighting sea rise and climate change and we need to be proactive. Raising the first floor elevation is a simple fix and it's a start. To have a standard seawall height at 6 feet is doing everyone justice. It's imperative that we get the seawalls to the proper level. Regarding seawall inspection, it's not cost prohibitive. But thinks every 15 years a home should get updated regarding seawalls.

Vice Mayor Luskin inquired about item #2 to confirm that the new term is equivalent to 6 feet. Asked if it is possible to have two companies available to all the residents so that we are sure everything is the same.

Town Manager stated that Councilmember Einstein this afternoon challenged the Administration to come up with ways to enforce the maintenance of the seawalls, and to set a list of criteria that will trigger mandatory repairs. The goal is that between now and

first reading we would bring to you enforcement action items and implementation language in terms of what thresholds would need to be met before we would trigger a mandatory repair and/or replacement.

Council Member Mendal asked how this would actually be implemented.

Town Manager stated that he would hope the Council would say that any wall that was constructed forty years ago they need to do an inspection and do repairs. We tier it in by 30, 25, 20, etc. years so that we do not hit everyone at once. Also thought about the Town providing a seawall report for all of our residents initially, to provide everyone with a cursory review of their seawalls and do that as a way to enhance what we have done for our residents.

Councilmember Mendal asked if the current seawalls are going to be grandfathered in.

Town Manager stated that we had a lot of homes change hands this summer and a lot of them are currently in the permitting process and we have been letting them know that we are going to require the 4.425 NAVD and strongly encourage them to go to the new height. Goal is that everyone that is in review go to the new height.

Councilmember Mendal stated that his concern is more for the certification process.

Town Manager stated that we need to have a matrix. You'll find that we have 24 walls in Town that are no where near the minimums. Those homes we need to address and it makes no sense for them to build to the old minimum if they are going to require to put a new cap they should go to the new height.

Councilmember Mendal asked if the people in the permitting process, how are we going to make them aware.

Town Manager stated that we've been slowly letting everyone know that this is coming.

Councilmember Mendal stated that we have to keep in mind that if we're raising all properties, we have to figure out a way to make sure that we have no issues with flooding in the middle of the road.

Town Manager stated that one of the things we are looking at is allowing garages to be below base. We are looking at that and will be hiring a couple consultants to help us design that for our residents.

Councilmember Einstein thanked the Administration for being proactive on this. Need to take a real close look at the impact and be prepared for it. Asked how the Town is going to look at these homes with 15 years or older seawalls. Wants to be sensitive to this issue because of the impact it will have on the residents.

Town Manager stated we do not want to be punitive if someone put in a wall 15 years ago and their cap is at the old new and there wall doesn't have repair issues we may give that person a pass. But if that wall has structural cracks or the battering piles have slipped and they will make substantial repairs to the wall we may say, this is the time to pour the additional foot on your cap. There needs to be a threshold of how much work is going to be needed before we trigger a cap increase. Stated that Linda and he will be

working with the attorney to circulate what they believe the matrix should be to get your feedback outside this public setting and then we will bring this item forward.

Mayor Singer stated that we could do something similar like rating bridges. Anything above a rating they would have to replace the seawall within a certain period.

Town Manager cautioned everyone that they are pioneers in this so bear with us as we try to come up with something that is fair and reasonable to our residents.

Councilmember Einstein asked if you live in the water and your seawall is raised do you get an insurance discount for that?

Town Manager stated he is not aware of that.

13. A Resolution of the Town Council Approving a Second Amendment to the Town's Manager's Employment Agreement.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A SECOND AMENDMENT TO THE TOWN MANAGER'S EMPLOYMENT AGREEMENT ATTACHED AS EXHIBIT "A" TO THIS RESOLUTION; AND PROVODING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 13
Resolution No. 2761.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2761.21

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

On roll call, the following vote ensued:

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

The motion passed.

Mayor Singer spoke on the item. Town Manager has been with the Town since March of 2007. He has done a tremendous amount for the Town. He is an integral part of increasing our home values in excess of a billion dollars. He's leveraged a \$14.5 -million GO bond. Executed over \$52-million in capital improvements. Kept our millage rate the same for years. He is a 365 days a year manager. The Town Manager's dedication to the Town is indescribable. Does he have weaknesses? Yes, we all do. Does he get a little angry and short-tempered sometimes, yes. However, he is a tremendous asset to the Town. Town Manager and I, prior to the beginning of the summer, I said why don't

we start coming up with your employment agreement during the summer. Asked for his wish list and they would go from there. His objective was to tie the Town Manager for at least the next five years, because we need him and he's a tremendous asset to the Town and that's exactly what this contract does. Hopefully we can extend it another five years after that.

Vice Mayor Luskin stated that she whole-heartedly agrees with the Mayor. He has grown over the last 14 years and made Golden Beach better and thinks it is well deserved.

Councilmember Mendal echoing what the Mayor and Vice Mayor have said. It is well deserved. You dedicate a lot to the Town which we all appreciate. However, we need more. I think this shows your commitment to the Town as well as the Town's commitment to you. The only thing he would change is that we change the annual review process to semi-annual reviews, splitting the bonus up in two. Thinks that gives the Manager more consistent feedback. Maybe that is not the way, but wants a way to provide the Manager with feedback on a regular basis.

Mayor Singer stated that the Town Clerk send out the managers reviews and only gives them one week to review it. Thinks she should send them now and give them two weeks to do the reviews. Believes they are always rushed, and thinks individual Councilmembers need to meet with the Town Manager and go over the review with him. This way he understands where you stand. Everyone needs to do the reviews and take it seriously and schedule an appointment to meet. This way if someone is not happy with what's going on it doesn't fester till the end of the year.

Vice Mayor Luskin stated she wanted to point out that there has never been a time that any of them can not go up to him at any time of the year and get whatever you needed form him regardless.

Councilmember Einstein stated that then you need to look at some of the intangibles, like 15 years of service. The other hats that the Town Manager wears that people may not be aware of. Like, we don't need to get outside professionals to do some of the things that he's able to do that would cost the Town a great deal of money to accomplish those items. Also, the monies he's been able to lobby for the Town. If there is a formula or an algorithm that we can look at. Our community, our home values, our lifestyle overall has gone up as a result of this. As the Mayor has said a lot of people don't get to see behind the scenes when we're preparing for a hurricane and the Town Manager is with the workers. There is a reason why they have the dedication that they do during times like hurricanes when others will run home to their families.

Town Manager took a point of personal privilege. Stated every time we go through this it is a humbling experience for him. Thanked the Council for their leadership. He considers Golden Beach his home and family. He will continue to put Golden Beach at the forefront of everything he does. Do not think because they negotiated a five-year contract that he will now become lazy or complacent. Thanked the Council for their support.

14. A Resolution of the Town Council Opposing the County Code Amendment Prohibiting Municipalities from Requiring Permits for Work on Certain Rights-of-Way and Easements.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, OPPOSING THE COUNTY CODE AMENDMENT PROHIBITING MUNICIPALITIES FROM REQUIRING PERMITS FOR WORK ON CERTAIN RIGHTS-OF-WAY AND EASEMENTS LOCATED WITHIN MUNICIPALITIES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 14
Resolution No. 2762.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2762.21

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager spoke on the item. Feel that it is an infringement on local rights. We shouldn't allow the county to come in and issue permits in our right-of-ways, we know best what should go in our right a ways. In fact, because of that local control is how we were able to get the \$1.2 million from the county this year for our Golden Beach project. If they took that control away from us, we would have no leverage. Asks that you approve this favorably tonight and direct the clerk, should it pass to courier it to the county, so the county knows our position before they vote on it tomorrow.

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:

- Should the Town explore charging higher health insurance premiums for unvaccinated members

Mayor Singer stated that this came up because when we got our health insurance renewals, we received a 30% increase, and this doesn't even take into effect the coronavirus. Thinks that if there is a way to keep the premiums down and protect the employees. There are certain companies that are making it mandatory that their officers and employees be vaccinated. In fact, Pinellas County is making it mandatory that their officers get vaccinated. Not a political issue for him, it is a financial issue. Have a fiduciary responsible to the Town. Not saying that if you get the vaccine, you are not going to get covid. The medical facts show that if you get the vaccine, the likelihood of

serious illness are decreased. Thinks that everyone should get vaccinated that is his personal opinion. If people don't get vaccinated, they get sick and end up in the hospital, hospital stays are very expensive and our insurance premiums are going to go through the roof.

Vice Mayor Luskin asked if the 30% increase – is that due to covid usage.

Town Manager stated no – it was because we had two members that had significant increases in their healthcare needs and that's what raised up our premiums. We do not know how covid is going to drive up our costs because now it is being covered by Medicaid. The concern is once that federal aid goes away what's going to be that impact. We don't know the answer to that.

Vice Mayor Luskin stated she's conflicted about this and doesn't feel comfortable with it.

Mayor Singer stated that we charge someone that's not vaccinated a set amount per month to incentivize them to get vaccinated.

Town Manager stated that the reality is that when you have an aging population in the workforce, costs are going to go up.

Vice Mayor Luskin stated that she just can't get around this. Doesn't know why. A little creeped out by it.

Councilmember Mendal asked if we know what percentage of employees are vaccinated?

Town Manager stated that we have a low vaccination rate amongst our employees. I would say that less than 15% of our employees are vaccinated. Also, stated the three cases we had this summer were among our vaccinated employees. Believes the vaccinated individuals do not take the necessary precautions to keep from getting sick.

Councilmember Mendal asked if there are any employees who need certain accommodations because they don't want to be around people who are not vaccinated?

Town Manager stated no. we have very good habits among our employees in terms of wearing masks.

Councilmember Mendal stated that he's also a little bit conflicted. Maybe if we see what happens with Medicaid and Medicare. Maybe at that the point is where we have to put something in place.

Councilmember Einstein asked if any cities have done this yet?

Town Manager stated that New York City requires you to either be vaccinated or submit to weekly testing. And we are subjecting all our employees to bi-weekly testing.

Councilmember Einstein stated that he feels that employees should pay more on their insurance to incentivize them to get vaccinated. Not totally clear as to the hornets nest

that it may invoke. If it could subject us to litigation, I would like to know some of the ramifications.

Officer David Carrazana, President of the Golden Beach Police FOP Lodge spoke on some of the members concerns. If they are mandated, they are concerned about some of our members who are against the vaccine due to religious reasons or other reasons. Concerned that if some of the members get sick, will that be considered a worker's comp issue. Currently the Chicago police department, Boston police department, and NYPD have lawsuits against their cities. The FOP is also torn between what's right, how do we protect our members and the legalities behind it. Our biggest concern with our members, is not just for our members, but how does it impact our members abilities to do their jobs. Our members have been on the front line of this pandemic and out on the street, we've had low ratio of our individuals getting sick. Believes the vaccine is like living behind a gated community it is a false sense of security. Stated he is vaccinated, but not all of our members feel that way. To subject them to something they maybe against for various reasons does not think it's fair.

Mayor Singer asked him why did he get vaccinated.

Officer David Carrazana stated he was torn about it, because he had covid and still had antibodies, but it was convenient and he got the Johnson and Johnson one shot. Another reason he was hesitant was because it didn't get FDA approval, it just did now.

Mayor Singer stated that all he's doing is bringing the conversation forward.

Officer David Carrazana stated that they believe it's an inalienable, individual right to choose whether they want to protect themselves under a certain matter. Thinks it should be a personal decision by the individual.

Mayor Singer stated he will consider what he said, and he respects his feelings as well as the officers feelings. He would never make it mandatory to be vaccinated but he wants to make it appealing to get vaccinated.

Councilmember Mendal asked if there has been any officer that needed accommodations because they were worried about getting covid.

Officer David Carrazana stated he has not personally felt that, believes everyone knows that this is their job and knows the dangers behind their job and they have accepted those dangers.

Vice Mayor Judy Lusskin:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Jaime Mendal:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:41 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk