



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Minutes for the January 18, 2022  
Regular Town Council Meeting called for 6:00 P.M.

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**Zoom Room Meeting ID: 876 0722 6485 Password: 734544**

**For Dial In Only: Call 929.205.6099 Meeting ID: 876 0722 6485**

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, JANUARY 18, 2022.

## A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:06 p.m.

## B. ROLL CALL

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

**Staff Present:** Town Manager Alexander Diaz, Town Attorney Steve Helfman, Police Chief Rudy Herbello, Town Clerk Lissette Perez, Finance Director Maria Camacho (via zoom), Building and Zoning Director Linda Epperson (via zoom), Resident Services Director Michael Glidden (via zoom), Capital Improvement Projects Director Lissett Rovira (via zoom).

## C. PLEDGE OF ALLEGIANCE

**Chief Herbello** led the Pledge of Allegiance

## D. PRESENTATIONS / TOWN PROCLAMATIONS

PRESENTING MAYOR SINGER AND COUNCILMEMBER EINSTEIN WITH YEARS OF SERVICE PLAQUES- Shwanda Burnett with the Florida League of Cities presented Mayor Singer and Councilmember Einstein with plaques for their 20 years of public service (via zoom).

HOTWIRE PROGRESS REPORT AND UPDATE- Joe Ferst and his team made a presentation updating the Council on the status of the installation.

\*\*\*The manager suspended the presentation in order to continue with the agenda before losing quorum. Hotwire will brief the Manager, he will brief the Council, and at the February meeting, they will come back.

## E. MOTION TO SET THE AGENDA

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

**Town Manager** requested the following changes: immediately after setting the agenda for Council to hear items Q4, Q6, CIP project update, and Mayor's report, and then continue with the regular order of the agenda.

\*\*\*Consensus vote   5   Ayes,   0   Nays.

\*\*\* *Mayor Singer stepped out to sign documents. Madam Vice Mayor Luskin took over the gavel. Vice Mayor continued with item #Q4.*

\*\*\**Mayor Singer re-entered the meeting on item #Q6.*

### F. GOOD AND WELFARE

None

### G. MAYOR'S REPORT

Wished everyone a happy and healthy new year. Hats off to the Town for giving the residents such great gifts. Got a lot of compliments on the gifts and they were very well thought out. Great job on the New Year's Eve party. COVID has not yet left. Encourages everyone to be smart, considerate, respectful and to continue to wear a mask. If you are sick, stay home. If you test positive stay home. The Town Manager went over everything in detail, progress is exciting. There is a lot of construction going on in Town. There is hotwire installation, there is road construction, there is new construction, there is renovation construction. Three things, one you have to drive slowly, two you got to listen to people directing traffic and the third thing is do not be on your cell phone. Very excited about this year. 2022 is going to be a huge year for the Town of Golden Beach. I think that our values will continue to go up.

### H. CORONAVIRUS UPDATE

### I. COUNCIL COMMENTS

#### **Councilmember Einstein**

Asked what the rules are about children riding scooters on the roadways. Nobody is wearing a helmet. Feel it is a duty of our Town to try to educate the residents. Not suggesting arresting a kid because he's on his motorbike on the street, but when they're riding them on the sidewalk and not paying attention to everyone else around them, it's just a little too cavalier. Would like to bring it up and just trying to avoid a dangerous situation from happening.

**Town Manager** responded saying that the rule is 30 cc's. If your vehicle is less than 30 cc's you're allowed to use it without a driver's license or tag on the vehicle. The responsibility lies with parents and parents taking ownership. The burden does not fall with the Administration or the Town. Florida is not a mandatory helmet state so we cannot cite people not wearing helmets, but we all know the effects of people who do not wear helmets. The Chief is aware of it and we are doing outreach, especially to our parents.

**Town Manager** stated we are seeing many delivery people and we are trying to be more aggressive in that are as well. Keep in mind that we never enacted the one side road only parking.

### **Vice Mayor Lusskin**

Spoke on her work on Memorial Day and Veteran's Day. In addition, showed a special flag she received from the Guards of the Tomb of the Unknown Soldier in Arlington National Cemetery.

### **Councilmember Bernstein**

Spoke on how great the New Year's Eve party was. A lot of people's sod is being torn up and wanted the Manager to address if the Town is doing something about that. The fire pit at the beach has been out for a while and a few people have mentioned it to him. Was not sure if there is anything that they should be doing to assist Hotwire to get more responses. Mentioned that he would like to start a wine night again in Town when people start feeling safe with covid again. Gives his support to making the Town better while being financially responsible.

## **J. TOWN MANAGER REPORT**

- Film Permit Fees Collected in 2021

**Town Manager** stated that we had 38 film shoots in Town and collected over \$30,000 in fees.

## **K. TOWN ATTORNEY REPORT**

Updated the Council on the Shaheen case, the court entered an order finding that the property has been and is currently a nuisance. Would like to have an executive session to see where we go from here.

**Town Manager** asked if it is legal for them to have a zoom session for that.

**Town Attorney** stated that considering the circumstances, he believes that they can. So long as everyone is within a private space and no one else is in the room.

## **L. ORDINANCES – SECOND READING**

None

## **M. ORDINANCES - FIRST READING**

None

## **N. QUASI JUDICIAL RESOLUTIONS**

None

## **O. TOWN MAJOR PROJECTS UPDATE**

- Center Island Pump Station and Roadway Report

- Civic Center Construction Update
- Perkins & Will Contracts Overview
  - Interior Design for Civic Center Building
  - Wellness and Community Center Building Conceptual Design and Rendering
  - Civic Center Site Masterplan to Include Recreational Facilities and Site Development
- Special Assessment Setting by SCS Engineers
- Pump Station #1 Alternative Location Study and Report

**Town Manager** spoke on all of the projects. We just finished paving Center Island Drive. We are still waiting on the Center Island pump station control panel, we have a redundancy plan in place and we have our back up generators in place should we need them. It is not the contracts fault, the Florida Department of Environmental Protection has given us a waiver knowing some of the issues we are having are global issues.

As it relates to the Civic Center as you can see we are pouring the third floor and the structure is going up very aggressively. There has been some owner driven requests. We will be bringing Council items to ratify these owner driven changes, most of them have been under his spending threshold and he has been approving them. As you know that project guarantees the delivery of two tennis courts, one pickle ball court, and one basketball court in that footprint as part of the project. During the course of the last couple of months, we have been listening to our residents and they would rather not have us try to fit a square box into a round hole. They would like us to look at everything from the tot lot to the back of the building, up to the corner of public works to see how we can maximize what we can build in our community as it relates to recreational amenities. We need to look at it with two sets of eyes; one the possibility of moving the pump station, two with looking at the current Town Hall and knowing it might not meet the current code but there might be a viable option to try to salvage this because there is some history. Over the last couple of months, the Mayor and he have approved three contracts with an internationally renowned architectural firm Perkins & Will. Some of their recent projects are the community center off of 163<sup>rd</sup> street in Sunny Isles. When he visited that center for a managers meeting it is what led him to say we need to stop what we are doing and think. The first contract we signed calls for us to look at the interior spaces of the new civic center and how to make it feel like a \$10-million facility even though it is only a \$5-million facility. Second contract is to take the east area and give us some ideas of what we can do with a conservative number to repurpose this site. The third contract is for some idea of what kind of wellness, community health building we can build if we can locate it wherever we want and will go hand in hand with the new civic center. If we want our community to be world class than we need to start offering well-planned, well thought-out facilities and amenities and not just try to make ends meet. Our plan is to look at all our revenue sources and see what our capacity is as a community. Given the needs of our community, one of the things we are looking at is asking our voters to allow us to issue new debt while holding our debt service. As you know we paid down over \$7-million of our GO Bond and may be asking this Council if they wish to do so, to allow us to redraw that balance so we can use those dollars for projects like the wellness center.

We are starting to look at advanced security needs on both the Intercoastal and on Ocean and looking at how to fund that. We are exploring all the demands that are now being placed on this Administration as it relates to security. Nothing is set in stone, what

we are asking this Council is to allow this Administration to explore all the options and bring to them recommendations. Should you choose not to move forward will accept that, but what is important for us to understand is we need to start looking at what is the future of Golden Beach. What are the new demands that we are hearing from our new residents? Over 55% of our residents are new residents, since 2019 based on our lien search letters alone. Seen an increase in cars being stolen, jet skis being stolen and people coming over people's seawalls. We would like to mimic the waterway security that Indian Creek has. It is our job in our community to safeguard all of the recent investments that we have seen. In addition, the Mayor and I will be bringing as early as February and no later than March an item to build the wall at Massini Avenue. What we started to do was to speak to each of you independently because we cannot lose momentum. Therefore, if there is a consensus from all of you in terms of which projects are to become priorities that you want to move forward, we will be adaptive to meet those needs. May even ask the community as early as April and May to allow us to take on new debt so we can lock in these historically low rates. Tonight asked the Council to approve a financial advisor to come in and work with him. He knows he has thrown a lot at you tonight. Here is what I do not want. We do not want any member of our Council to feel like they have not been a part of this vision planning that we are doing today. Therefore, as I meet with each of you independently you need to be honest, open, and feel free to share with me if the path that we are trying to take the community in will work.

There is another thought, he hates to even talk about it because he doesn't want the residents to even think we are even exploring this right now, but it is a rate increase to our millage. The challenge he has with increasing our millage rate, which I am not proposing or advocating, is that we make a promise to our community that we will try to live within our means. Stated 8.4 mills is one of the highest combined millage rates in the state. Would like us to keep our minds open to all the possibilities available to us. We will be sitting with our police department, hopefully no later than March, to begin our contract negotiations. To be blunt what we pay our police officers, which we were in the middle of the pact, now puts us at the bottom of the barrel, so we will need to make some significant changes if we want to retain quality staff. We have lost four police officers to other cities because of our non-competitive rates. We have not talked about modernizing the signage on A1A, modernizing the furniture on the beach, updating the mailboxes, and the list goes on and on. Just know that we are trying to balance the future of Golden Beach.

**Vice Mayor Luskin** asked in what way the Town is having staffing issues.

**Town Manager** stated that the Town is being impacted by the national staffing issues. We need to be cognizant that we are seeing our overtime budget go up because he needs to bring officers in overtime to meet our staffing obligations. We wanted to make sure we did not have a single incident occur over the holidays, and we did not have a single incident occur.

**Vice Mayor Luskin** asked if the suggestions that Perkins & Will will be making for the interior design of the civic center obviously would not have anything to do with the fixed items that come from the design and build.

**Town Manager** stated yes and no, we would receive the credit for what we paid for.

**Councilmember Einstein** stated that there are some residents who look at the tax bill and do not really care. And if you raise their taxes, they might not even care. Not saying to do that, but the mindset is changing. If we could lobby and get a tax reduction for these people that would be a completely different thing. Stated you have some people paying \$1-million in real estate taxes in Golden Beach. These new residents they want things and they do not look so closely at the price tag.

**Town Manager** stated that the Mayor and him do care about the 45% that remain, and we have to be careful with wanting to do too much. We just want to make sure that we are being current and modernized and we want to make sure that we are being forward thinking and future focused and we do not want anyone on the dais or resident to feel that they are not a partner in all of these items.

**Vice Mayor Lusskin** stated she does not understand why he would think that, when everything has been open in the sunshine and discussed at meetings. They may not all agree on things but she truly believes that.

**Mayor Singer** stated we are not making any decisions without the full Council's approval and everyone in agreement.

**Town Manager** stated that we know there are residents that will never be happy with anything we are doing. As we move let's not be too afraid of having to tell someone that the answer is we are still moving forward even though you do not agree.

## **P. CONSENT AGENDA**

- 1. Official Minutes of the November 16, 2021 Regular Town Council Meeting**
- 2. A Resolution of the Town Council Authorizing the Purchase of Four Chevrolet Tahoe Police Vehicles.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE AND EQUIPPING OF FOUR CHEVROLET TAHOE POLICE VEHICLES AND THE USE OF GENERAL FUNDS TO PURCHASE AND EQUIP THE VEHICLES; PROVIDING FOR IMPLEMENTTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 2  
Resolution No. 2792.22

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2792.22

- 3. A Resolution of the Town Council Authorizing the Town to Join the State of Florida As A Participant in the Memorandum of Understanding for Allocation and Use of Opioid Litigation Settlement Proceeds.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN OF GOLDEN BEACH TO JOIN THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR ALLOCATION AND USE OF OPIOID LITIGATION SETTLEMENT PROCEEDS; APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 3  
Resolution No. 2793.22

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2793.22

Consensus vote 3 Ayes, 0 Nays. Items P1 – P3 pass.  
*(Councilmembers Mendal and Bernstein absent)*

**Q. TOWN RESOLUTIONS**

**4. A Resolution of the Town Council Amending the Employment Agreement with Silvia Drobiarz.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE EMPLOYMENT AGREEMENT FOR CONTRACT EMPLOYEE SILVIA DROBIARZ TO PROVIDE ADMINISTRATIVE ASSISTANT SERVICES IN THE CODE COMPLIANCE DEPARTMENT; PROVIDING FOR IMPLEMENTATION AND FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 4  
Resolution No. 2794.22

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2794.22

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

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Absent</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 stating that this is a similar agreement to the one you approved at the November meeting. We found that there are financial savings by us contracting employees to provide part time services.

**5. A Resolution of the Town Council Approving a Professional Services Contract between the Town and Estrada Hinojosa & Company, Inc. for Financial Advisory Services.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOWN OF GOLDEN BEACH AND ESTRADA HINOJOSA & COMPANY, INC., CONCERNING FINANCIAL ADVISORY SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5  
Resolution No. 2795.22

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2795.22

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

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>Absent</u>
Councilmember Kenneth Bernstein	<u>Absent</u>

The motion passed.

**Town Manager** spoke stating that in order for us to see what our debt capacity is, under the FCC rules no financial team can engage with us unless we have them on a retainer. This is an agreement on an hourly basis. Estrada, Hinojosa have been our financial planners, they know our resources, and they know our community. We trust them. In addition, we ask you to allow us to continue our relationship with them.

**Councilmember Einstein** asked if they are our bond counsel.

**Town Manager** stated that bond counsel serves in a different capacity. Continued stating that we will not be able to reissue our current debt. Not advantageous for us to try to retire that. We're going to keep that debt. What we are looking at is our debt with City National Bank, our debt capacity and could we tolerate a new issuance combining the debt. What you are allowing him to do is to continue the dialogue.



**6. A Resolution of the Town Council Providing for the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments for High Speed Internet Services.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, PROVIDING FOR THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON-AD VALOREM ASSESSMENTS FOR HIGH SPEED INTERNET SERVICES IN ACCORDANCE WITH THE PROVISIONS OF SECTION 197.3632, F.S. THROUGHOUT THE INCORPORATED AREA OF THE TOWN FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING AND TRANSMITTAL OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 6  
Resolution No. 2796.22

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Resolution No. 2796.22

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

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 Attorney** spoke on the item. Stated this is part of the overall process of imposing a special assessment for all of our Hotwire activities. This sets in place the actual collection process. So that when you pass a special assessment, that assessment will appear on the tax bill. State law and county requires that we pass this resolution publicly as a condition to putting those charges on the tax bill.

**Town Manager** spoke on the item. Stating that tonight they would not get into what the rate is going to be. Not ready tonight to talk about what that rate is going to be. Would like to keep that rate as low as possible. Asked the Town Attorney about the timeline, by when does the Council have to vote on the dollar amount.

**Town Attorney** stated that the only thing that is restricted by time is this resolution. In terms of getting the county the rate that needs to go on the tax bill, its similar to the regular notice to the tax assessor which he believes is sometime in July.

**Town Manager** asked if we need to enact an ordinance for this.

**Town Attorney** said yes.

**Town Manager** stated that it is clear now that there will be an assessment for our obligations under the Hotwire agreement. What that number is, is still to be determined. All the Councilmembers have made it clear that that number cannot be too large. It just needs to meet our financial obligations and be responsible. Wants residents to know that the Town of Golden Beach will now have an assessment.

**Councilmember Einstein** asked if they would have voted it down would it have come out of the general fund.

**Town Manager** stated yes.

**Councilmember Einstein** stated that for some reason non ad valorem taxes are collected on a different basis than ad valorem- one is fiscal year and the other calendar year. How does that apply to us?

**Town Attorney** stated that is not very true, you are paying your assessment there will be proration as there is with taxes. If the seller has lived there and paid for half the year than the buyer will assume the second half. That can be a contract issue with the seller and buyer.

**Town Manager** stated that they still have to, as a community, decide what are they doing about this first year. Have always said from day number 1 for the first year we may have to bill our residents directly ourselves, not through the tax roll. We have done this in the past.

**Councilmember Bernstein** stated one of the big selling things to him is that they are getting better service for less pay. Even though they are doing it through special assessments, it is basically a special assessment instead of paying directly.

**Town Manger** stated it is important to educate the residents that if residents select our one gig internet at the rate we set and you get there digital premier package and nothing else, on average today our cable payers will see a savings of \$142.00. What he is most concerned about tonight is the 159 non-respondents. We are obligated to pay a minimum number of homes; our current number of 182 does not meet our minimum. We have to get a little more aggressive with the 159 that a have not responded.

## **R. DISCUSSION & DIRECTION TO TOWN MANAGER**

Mayor Glenn Singer:  
None Requested

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  
• Veteran's Memorial Plaque Selection

**Town Manager** stated that there is a section that we are going to put a perpetual plaque – not with names, but a plaque to recognize the men and women who have served. We have given you three plaques to choose from. Take a look at it. Let me know which one of the three you like. In addition, if you have something different that you like, let us know. However, since there is no quorum, they will wait until February to discuss. Stated there were a couple of Councilmember who expressed that they were not aware that there was a meeting tonight and had schedule conflicts. Reminded the Council that our meetings are the third Tuesday of every month. The Council has asked that we host them at 6:00 P.M. instead of 7:00 P.M. Asked the Council to block the date on their calendars, and he will try to not move any of them. Stated we will continue to provide testing for staff and council attending the meeting.

**S. ADJOURNMENT:**

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

Consensus vote 3 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

*Lissette Perez*  
Lissette Perez  
Town Clerk