



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the November 16, 2021
Regular Town Council Meeting called for 6:00 P.M.

Zoom Room Meeting ID: 898 1697 5191 Password: 281826

For Dial In Only: Call 929.205.6099 Meeting ID: 898 1697 5191

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, NOVEMBER 16, 2021.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:30 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Jaime Mendal, Councilmember Kenneth Bernstein (via zoom), Councilmember Bernard Einstein (via zoom).

Staff Present: Town Manager Alexander Diaz, Town Attorney Steve Helfman, Police Chief Rudy Herbello, Town Clerk Lissette Perez, Finance Director Maria Camacho

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF OFFICERS OF THE QUARTER – tabled until next council meeting

SWEARING-IN OF NEW POLICE OFFICERS – Dylan Camacho, Jose Trujillo and Lay Rivacoba

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Lydia Eskenazi, 660 Golden Beach Drive

Stated she is very excited about the redesign of the Golden Beach town hall and would love to be involved. She is here because she doesn't want the town to forget about the fence on the north side of town. The fence is a mickey mouse fence and we need to

have a wall there and should do it sooner rather than later especially since we have construction going on.

Town Manager responded stating that this past year we have taken some more aggressive positions on that. We do have three proposals for construction of a permanent wall on the north side of town. Mayor has instructed him to find the resources to take that project to the next step. There is a true buy in from this Council to get the project started this fiscal year. Also thanked Mrs. Eskenazi for always letting the town know how they can do better and we appreciate that from our residents. Thank you for constantly reminding me.

G. MAYOR'S REPORT

Halloween party was a big success. What a great job. It was great seeing everyone, commended staff on putting it together. Regarding Hotwire the project is moving along. If you drive along Golden Beach Drive, you can see them installing the underground fiber. They still have a lot more work to do. Also in the process of coming to residents homes and doing an analysis regarding high-speed fiber and internet. Suggest and recommends if you have not made an appointment to call and schedule an appointment for them to do a full analysis of your property. Questioned the Town Manager about streetlights being on and then all of a sudden going out. This has been going on for some time and the streetlights make a difference. Wished everyone a happy and healthy new year. This is our last meeting of the year. Looks forward to seeing everyone at the New Year's Eve party.

H. CORONAVIRUS UPDATE

Stated that we hosted another vaccine event where residents were encouraged to come get their booster shots. We will not have a vaccine event while things have calmed down, we will be more of a concierge service. Mayor Cava has lifted the mask mandate in all public buildings, all of our staff are encouraged to wear masks while engaging with one another but it is now not required.

I. COUNCIL COMMENTS

Vice Mayor Lusskin

Thanked the staff for what they provided for Veteran's Day it was very much appreciated. Looks forward to Memorial Day and that we can really do a service and go back to the way we used to. Wanted to mention Michael Glidden, Destiny and Jisel for their work on the parties. Grateful that next year we'll be able to put the wall up on the north side.

Councilmember Mendal

Echoed what the Vice Mayor said, great job with the Halloween party. Asked if the Town Manager could talk about in his report what the priorities are this year with the town's lobbyist. Also echoed what the Mayor said about the street lights especially in the 400 block with the king tides, water is coming past the sidewalks and people especially at night are getting on to the street and it's dangerous.

Councilmember Einstein

Compliments and kudos to the town administration and everyone responsible for the Halloween event. Had a number of residents who came up to him and loved the event this year and to them it seemed nicer being closed off to the public. The king tides – very interestingly my wife who happens to put more mileage on Golden Beach streets

says that it seems that this year there seems to be less of a king tide event than previous years. Noticed that last year she tried to walk on Center Island and it was impossible. Hoped that fellow Councilmember Bernstein gets better soon after his procedure.

Councilman Bernstein

Thanked the Councilmember. Amazing job with the Halloween event. Heard so many people say that Golden Beach is the place to be for Halloween. Second, appreciates the Mayor saying something about the lights. Have seen some movement but there is still an occasional glitch. Starting to notice that with so many new homeowners and our ability to get together is increasing was thinking that maybe it is time we start trying to encourage more town events like a wine night on Wednesdays or Thursdays where residents can bring their own wine. Try to initiate some new events moving forward.

J. TOWN MANAGER REPORT

On behalf of the staff, we want to thank the Council for allowing the staff to join in the event alongside you. Thanked Michael Glidden and Jisel Krepp for putting the event together. As it relates to the issues in Town with the lighting, we are seeing faulty photocells. Almost like they are on motion sensors, have been working with FPL the last few months to get them addressed. If there is a light flickering or going on and off periodically that does not have a yellow band please let us know, as those are the ones that have been identified as defective. Our Veterans Day event was well received by many of our residents. Will continue to host those events on a moving forward basis. Will work with resident services to bring the wine social event back. Reminded the Council and residents that Town Hall will be closed next Thursday and Friday for the Thanksgiving break. Council will not meet in the month of December; we are in recess for the month of December. This year Mayor Singer has approved for me to be out of town from December 17- January 3rd. Lissette Perez the Town Clerk will be the Acting Manager during that time. Wished all the residents happy holidays. Stated we have two state requests this year one is \$750,000 for funding for the town bunker as part of the Civic Center. Two, is a water project for the moving of the pump station out of Tweddle Park so we have more green space to build additional facilities. As it relates to the design of Tweddle Park, so we can put it out to bid we need a design team to design something for us. We are going to be assessing a resident committee for that project. We did submit a grant last month to the state for monies to help us move the pumpstations. Thanked the staff, directors, and the Town Attorney publicly for all their hard work this past year.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. TOWN MAJOR PROJECTS UPDATE

- Civic Center Complex Masterplan

Town Manager spoke stating that he is quite excited as the construction crews are starting full force working on the site. At this point there is no stopping, 180 piles went in and now we are waiting for them to cure. We have commitment from the contractor that they will be working throughout the holidays. There is a couple of owner change orders that they are working on with the contractor.

- Center Island Pump Station

Town Manager stated there is a process that we are going to engage our residents in come January for the new design of Tweddle Park. We did have some king tide issues this year on Center Island and in South parkway. The south park pump station had a faulty wire and we had a little bit of flooding but was quickly resolved. On Center Island however, we have had some issues as it relates to noise. There has been a resident who pleaded with the administration to move the temporary pumps due to noise. At one point we discontinued the pumps, in that 48-hour period the entire island flooded and caused severe damage to the landscaping. A request has been made multiple times to the administration to move the temporary pumps from their current locations because of the noise issue. The manager refuses to do so and will continue to refuse to do so. He feels that we should minimize the noise and the impact to the residents as a whole while the project is going on. The pump station hopefully will be delivered by the first quarter of next year. In the meantime, we ask all of our residents to bear with us. As it relates to the flagpole on Center Island. If you have not seen that flagpole, it is beautiful and it will be illuminated. And we hope to host our memorial day event there.

- Fiber Project

Town Manager stated that the hotwire project has commenced and it is well underway. Over 100 of our residents have already been engaged by the hotwire team and we encourage all of our residents to get the survey done sooner rather than later. I want to encourage all residents to make the right selections for their homes. Hotwire has asked our residents to now sign a new waiver. We are offering 1 gig speed for your homes because most of your devices cannot support speeds of more than 1 gig. So now, hotwire wants the residents to sign waivers acknowledging that they do not have devices that support speeds greater than 1 gig. Wants to caution our residents that when you make the decision to ask for additional speed, that you are not spending money on something you will not be able to use. Most of your devices have a cap on the rates they will function with. When you are talking about the upgrades, be very mindful of that. We do not want to be responsible for you asking for speeds that you cannot support. In the meantime, we have negotiated a very competitive TV package should you choose to switch from Atlantic Broadband to Hotwire. We believe that by getting the 1 gig and choosing Hotwires biggest package you will be saving more than half on your bill. Stated should your technology later on be able to handle more speeds you can upgrade then.

P. CONSENT AGENDA

- 1. Official Minutes of the September 27, 2021 Local Planning Agency Hearing**
- 2. Official Minutes of the September 27, 2021 Final Budget Hearing & Special Town Council Meeting**
- 3. Official Minutes of the October 19, 2021 Regular Town Council Meeting**
- 4. A Resolution of the Town Council Approving the Donation of \$2,000 to Best Buddies International.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE DONATION OF \$2,000.00 TO BEST BUDDIES INTERNATIONAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2787.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2787.21

- 5. A Resolution of the Town Council Approving An Agreement with David T. Caserta Government Relations, Inc.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A NEW AGREEMENT WITH DAVID T. CASERTA GOVERNMENT RELATIONSH, INC. FOR SONCULTING SERVICES FOR THE PERIOD BEGINNING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2788.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2788.21

- 6. A Resolution of the Town Council Amending the Employment Agreement with Ingrid Gooden.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE EMPLOYMENT AGREEMENT FOR CONTRACT EMPLOYEE INGRID GOODEN TO PROVIDE ACCOUNTING SERVICES; PROVIDING FOR IMPLEMENTATION AND FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2789.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2789.21

7. A Resolution of the Town Council Approving Amendment #2 to the 2020-2021 Fiscal Year Operating Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVIN AMENDMENT #2 TO THE 2020-2021 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2790.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2790.21

Consensus vote 5 Ayes, 0 Nays. Items P1 – P7 pass.

Q. TOWN RESOLUTIONS

8. A Resolution of the Town Council Concerning A Special Assessment for High Speed Internet Services.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR PUBLICATION OF NOTICE OF INTENT TO USE 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.; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2791.21

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2791.21

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>Aye</u>

The motion passed.

Town Attorney spoke on the item. Stated this is one of the very first steps we need to take as part of ultimately adopting a special assessment on the internet service. This needs to be done under the law by the end of the year and that's why you see it here. It's slightly premature in the process, but is necessary in order to have the ultimate assessment put on the tax bills for next year. So, that when a homeowner is assessed he pays that assessment through his tax bill as opposed to being billed individually by the Town. We have to adopt this resolution now and put the county on notice that we will be coming forward with an assessment in the future so they are aware of it and they can begin to set in place a process for including the charges on the tax bills. Early in the year, we will have all of the public meetings imposing the assessment. This sets that in motion. It will be on your property taxes, it will be a fixed dollar amount, and it will appear like other line items on a tax bill.

Town Manager asked the attorney to manage the whole process on our behalf since our staff is overburdened. Could the firm take on that responsibility from a-z?

Town Attorney stated that they will prepare the notices that need to be mailed. He is making sure that you do not miss any deadlines that you need to meet.

Town Manager stated that he would feel more comfortable knowing that Steve's firm is handling this

Mayor Singer agreed.

Town Attorney stated that this is only the internet that is being contracted for by the town that everyone gets the same charge, all the lots.

Councilmember Einstein asked if it would only be for homeowners and not vacant lots

Town Manager stated that is correct that is the intent. It is the intent for any developed lots they will be asked to pay that fee. Whether or not they decide to accept Hotwire as their provider. If you would like not to use them, you will still pay the communication fee. If there is any empty lot then there is no service, unless the rate study identifies a way to justify the cost.

Town Attorney stated that until we do the special analysis, there may be a unique situation where there may be some overlay but the tax assessor is not going to make

the determination whether you are billed or not. If you have an improved lot, you are going to get charged for this service. If that lot is unimproved, the intent is to not charge an unimproved lot an assessment. There are improvements like sidewalks that assessments are charged for. If there is available service there, even if you don't live there you could get assessed for that service.

Town Manager stated that the intent of this assessment is not to make money. Stated that he would find it very challenging to charge a lot that is not receiving the service.

Town Attorney stated that you are not paying for the service but you are paying for the improvement that was put in the ground for that service.

Mayor Singer stated that we signed a contract that we guarantee 380 homes, we currently have 382 homes.

Town Manager stated that it would take 55 current homes to be taken off before we have that exposure. In the rate study, they will factor in a safe cushion as a reserve to cover those deficiencies. It was never the intent to charge a fee in that we are going to recoup or make money off something that is not benefitting from the service.

Town Attorney stated that it is not his intent to assess a lot owner for a service they are not getting. Hotwire has built into that rate structure their cost for putting in the fiber system in there. So when you are being assessed within that charge there is a recovery of the capitalist costs that went into building a system to bring it to your house. We have to get the study back from the special assessment consultant because there could be a very small charge not for the service, but for the infrastructure that is being put in the ground that is available to your home but you are not getting it. Stated that there is a benefit to a lot owner that they have access to high-speed internet service to their home. It may be small but it is certainly more beneficial than not having it. Not suggesting that you are charging for it, but the concept does take into account that the service is there without you receiving it.

Town Manager reiterated that it is not the intent of this Administration to pass on the cost of the service to our residents.

Town Attorney stated that in the analysis of a special assessment and when you put in infrastructure, for example when you put in a water line in front of a home and there is a special assessment for that water line, whether you take the service or not you get special assessed for that water line in the road. They may not pay a water bill because they did not tap into it, but they will be assessed.

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
None Requested

Town Manager asked the Council to confirm if they are ok with the council meeting hours changing to 6 p.m. instead of 7 p.m. with the time change.

Mayor Singer also stated that in January the Council would come back to in person meetings.

Town Attorney stated that the declaration of emergency has ended.

Town Manager stated that the Council will be coming back in person but the public will continue participating via zoom.

S. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:44 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk