

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2742.21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE TOWN ATTORNEY TO SUBMIT A REQUEST TO THE STATE OF FLORIDA ATTORNEY GENERAL FOR A FORMAL OPINION REGARDING THE AUTHORIZATION TO IMPOSE A SPECIAL ASSESSMENT FOR TELECOMMUNICATION SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council is considering the implementation of a special assessment to fund the provision of telecommunication services, including fiber optic internet service; and

WHEREAS, the Town Council recognizes that the authority to impose special assessments is by virtue of its home rule powers and by statute; and

WHEREAS, the Town Council desires the opinion of the Florida Attorney General on the extent of its statutory authority to impose a special assessment.

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

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

Section 2. Opinion Requested. The Town Council hereby authorizes the Town Attorney to solicit from the Florida Attorney General a formal opinion substantially in the form and context attached hereto as Exhibit "A".

Section 3. Effective Date. That this Resolution shall be effective immediately upon adoption.

Sponsored by **Town Administration.**

The Motion to adopt the foregoing Resolution was offered by Councilmember Mendal, seconded by Councilmember Einstein and 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>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 20th day of April, 2021.



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

MEMORANDUM

Date: April 20, 2021

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, 
Town Manager

Subject: **Resolution No. 2742.21 – Authorizing the Town Attorney to
Submit A Request to the Attorney General for Opinion
Regarding Authorization to Impose a Special Assessment for
Telecommunication Services**

Item Number:

9

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2742.21 as presented.

Background:

The Town has proposed providing high-speed fiber internet at a rate of 1 gig minimum to each home. In determining a responsible manner to fund this new service, we are exploring all of our options.

The attached resolution allows the Town to seek an Attorney General Opinion on one of the possible funding vehicles.

This, in no way binds the Town to using this funding source; it simply seeks clarity on possible funding opportunities.

Fiscal Impact:

None