



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the October 24, 2023
Special Town Council Meeting called for 6:00 P.M.

Zoom Room Meeting ID: 897 0122 2652 Password: 567899

For Dial In Only: Call 929.205.6099 Meeting ID: 897 0122 2652

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, OCTOBER 24TH, 2023.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:09 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Kenneth Bernstein, Councilmember Judy Lusskin, Councilmember Bernard Einstein, Councilmember Jaime Mendal (arrived during Mayor's Report)

Staff Present: Town Manager Alexander Diaz, Town Attorney Steve Helfman, Assistant Town Manager Linda Epperson, Town Clerk Lissette Perez, Police Lieutenant Leila Perez, Finance Director Maria D. Camacho, CIP Director Lissett Rovira, Resident Services Director Michael Glidden, Office Assistant Kaitlyn Dziedzic, HR Generalist and Executive Assistant to the Town Clerk Elena Cheung

C. PLEDGE OF ALLEGIANCE

Lt. Perez led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Birthday presentation to Town Clerk Lissette Perez

Recognition for Town Manager Diaz for his Years of Service and hard work on the Civic Center

Recognition of Mayor and Council for their annual dollar for their year of service

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Town Clerk read a letter into the record from resident Dina Nicolella, 522 North Parkway.

G. MAYOR'S REPORT

Heart and prayers go out to Israel and all the families affected by the situation over there. Words cannot express the sadness and the sorrow. Two weeks ago on a Sunday one of our residents in 24 hours put together a memorial that was very touching for the 1,500 people that were ruthlessly killed during that massacre.

Thanked the Golden Beach police department, it was a very very safe event and well attended.

The Halloween party is Tuesday, the 31st in North Park. Hope everyone comes and dresses up and has a great time. I can assure that the event will be very very safe. Have met with the Manager, the Chief and his command staff and they are taking extra precautions to make sure that everyone in the Town feels safe and that it is a safe event.

I have to go back to the Golden Beach Police Department. After the unfortunate situation that happened two weeks ago the police put into high gear and upped the security to a level that I have never seen before. Several residents commented that they feel safe and that the Police Department has done a phenomenal job.

Cannot thank you guys enough for the great job you have done in keeping the Town extremely safe. As they always do have stepped up to the situation and I thank you.

There will be street milling and resurfacing at the Strand and in South Park over the next few weeks. I urge the residents to be patient and to be careful when they are driving.

Town Hall, Town Manager and I walk it almost every day. Coming along great. Had some issues with the chambers, but they are working on it. Would think that we will be in there by December and really looking very nice. Patience is definitely worth it in this situation.

I walk every day the Town and I talk to tons and tons of residents. I just want to clarify that the gym is not going to be in the civic center. That is a separate project that is coming down the road.

H. COUNCIL COMMENTS

Councilmember Einstein

Cannot and will not remain silent. Stand as a second-generation holocaust survivor. My entire extended family were slaughtered by the Nazi's. They endured inhumane conditions, and yet somehow found the strength to endure, to hold on to hope and carry on. As a child of survivors, I have not only inherited the pain of their experiences, but also the profound duty to remember. To honor and to ensure that the world never forgets the horrors of the Holocaust.

We must tell the stories of those who perished of the millions of lives that were extinguished. We must also tell the stories of resilience, of survival, and of the unwavering human spirit that refused to be broken.

The holocaust is not just a chapter in the history books, it is a chilling reminder of the depths of which humanity can sink when hatred, bigotry and intolerance are allowed to thrive. It is a stark warning of what can happen when we turn a blind eye to discrimination and prejudice allowing them to fester and grow.

The Town of Golden Beach remembers the past weeks unmentionable atrocities in Israel. The slaughtering of innocent children, women and men. We must teach our children the lessons of tolerance, empathy and respect for all people.

In a world where hatred still reels its ugly head we must still be vigilant to protect the values of freedom, democracy and human rights. We must ensure that the lessons of

the holocaust are carried forward into the future as living testaments to the power of resilience, compassion and the indomitable human spirit.

My family's history is a haunting reminder of the importance of remembrance and responsibility we all share to ensure that such horrors are never repeated.

Please do not remain silent.

Councilmember Mendal

Just want to echo what the Mayor said about the Police Department. Has seen that a lot of people feel alone right now. Have had many residents comment that they feel safe because of the police presence. It feels like someone has our backs. Very big Thank you to the Police Department.

Councilmember Lusskin

Echo Councilmember Einstein's sentiments. In my lifetime this is one of the worst I have seen. It looks like it is getting worse and that more and more countries are getting involved, so it is very comforting to know that the Golden Beach Police are out there and watching our backs.

Asked the Town Manager to bring up the king tides, and to comment on the temporary pump on the North end of Town. Veteran's Day is November 11th this year, a Saturday. We are doing it on Veteran's Day and I hope that everyone comes.

Vice Mayor Bernstein

Thoughts and prayers go out to all those in Israel, that the hostages are returned safely and that peace finds itself within the region. Wanted to acknowledge the Town Staff and the Town Manager with the incredible job they have been doing at making sure everyone stays safe. The way everyone has handled the situation has been remarkable. Looking forward to Halloween. Happy that Town is moving forward with the event.

I. TOWN MANAGER REPORT

Mayor, Council and residents know that the Administration stands with you as we see the challenges we are facing globally. Immediately after the events that occurred over in Israel our Police Department jumped into action. Our men and women came to work and we provided security at the synagogues and we are doing something that no other city is doing. We will not stand by and allow cowardice acts keep people from exercising their religion. We have increased our police presence, enhanced our security measures and will not cancel any of our events. Halloween is moving forward with a few changes.

All job sites will be closing as of noon that day and we will be closing the strand to visitors as of 2 pm. Only residents with a registered vehicle with a decal will be allowed to enter through the strand. Any guests who wish to attend must enter via walking either through the South gate or the gate at The Strand. All guests attending Halloween will be wanded and we will have more than enough security on hand.

The goal is to try to keep people out of our community via car.

All job sites will be closed as of noon. There is a flyer on the dais and it will be sent to each home and is included in the newsletter of our safety protocols for the event.

Vice Mayor Bernstein asked if the event can go on an hour later.

Town Manager stated that there is no need for the event to go on later because there are no lights in the park and we have the DJ until 8 p.m. If the Council wishes to talk about how we are going to illuminate the park and have a safer later event in the evening, that can be looked at towards next years event.

Councilmember Einstein stated that typically the kids in Golden Beach start trick or treating after the event ends at 8 p.m. asked if the Town could restrict traffic as long as possible that would be great.

Vice Mayor Bernstein stated that if kids are here with their friends, the parents can drive them out.

Town Manager stated that any resident who wishes to drive someone in or out will be allowed to do that. This year's protocols are a little different because we cannot afford for there to be an incident. If there are any more questions in relation to the Halloween event, please call at 786.236.4211.

Town Manager stated that we started our new fiscal year on October 1st. for the first time ever the budget is on our website and it is interactive.

Town Manager stated Residents, we know that you have your own messaging group that has nothing to do with the Administration but you have an opportunity to be informed through BuildingLinks. That is our new portal. It will also be what we use for the Town's reservation system. It will be a one stop shop. I'm also, pleased to share with the community our ad for the year in ArtBasel.

As it relates to flooding. As you know this is the time of the year when we have the winter solstice. There are two (2) areas in Town that occasionally flood, which are the intersection at South Island, and the area behind Singer Park. We have deployed rented temporary pumps. The way they operate is that they come on automatically when there is water in the roads. We know that they are loud and that they are a nuisance. From 7 p.m. to 7 a.m. the pumps are not running. Between the hours of 7 pm. and 7 a.m. there may be flooding in the road and we advise you not to drive through it. There is no plans for the Town to put pumps in those areas underground, we do not have the real estate nor do we have the resources. The temporary pumps that we were awarded through a grant is our temporary solution to a permanent problem. Know that we are doing everything possible to keep our community safe.

Wished the Town Clerk a happy birthday and recognized all of the directors for all of their hard work.

Councilmember Lusskin asked about the homes being directly affected by the flooding and the issues the adjacent residents are facing with the king tides.

Town Manager stated that on a case-by-case basis, individual homeowners should call Town Hall to see how we can assist them. Most times when we see water coming through properties is mostly because of seawall negligence and is not necessarily something that the Town can do.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

None

N. TOWN MAJOR PROJECTS REPORT/UPDATE

- Civic Center Construction Update
- Closed Circuit Television (CCTV) Update
- Re-Imagined Tweddle Park Update
- Wellness Center Update

Town Manager stated that as it relates to the Civic Center Project, the project was due on September 28th and we are a little behind on the project, but that is a good thing. We want to deliver a project that is built to perfection. The chambers is what is mostly holding up the majority of the work that is left for the building. We were also struggling with the water tap in order to have running water in the building, but as of today it is an asbestos pipe that is holding up the work and we now have to order a new piece for the pipe for the water tap to connect the running water. I'm anticipating our first council meeting in that building to be in January. Staff will begin the move-in as early as late December. On January 3rd when you come to visit Golden Beach you'll be going to the new Civic Center to conduct business. The building is that far along. There are things that we know that are holding us back like the chambers, but they are not going to hold us back from moving in there. There have been some small changes to the building that will make it more sturdy and less exposed to the elements. Thanks to Lissett Rovira our Capital Projects Director we have been able to design a good option to protect our exposed elevators from the elements. Mastech started moving the Transformer this week, and once that transformer is out of the way, we will be able to pour the main plaza. Once the plaza is poured we'll be able to put up the panels to the atrium.

We did extend our builder's risk insurance through November 30th. Know that we have been working with the insurance company to get better rates for our insurance. We have been looking at some really competitive rates to insure the building at \$7.5 million with a 5% deductible and thanks to the Mayor's vision, we are looking at a \$5 million with 5% deductible to get our premiums even further down. We are currently looking at a premium of \$278,000.

The building is moving right along. With the building development is the development of our park. What is holding it up is that we are waiting for the lighting plan to be approved. All of the Earth work has been done, we are now waiting on the design of the retaining walls. We are not required to deliver anything recreational until the end of the second quarter of next year. We are working aggressively towards that.

There is roadwork that will be going on the week of November 8th. We are going to be doing South Parkway Road Restoration and The Strand will be sealed. Want to get the community looking nice and pretty for the holidays.

When we redo the force main down the center of golden beach drive we will be raising the crown of the road by 6 inches as part of the sewer lateral placement.

The Closed Circuit Television Program is going well. We took the liberty of the Intercoastal poles last week and the Town Attorney has sent the easements to the residents. Residents on the Intercoastal, we are going to have a joint meeting for all of the residents being asked to sign an easement for the CCTV installation. Our poles are not expected to be delivered until some time in January. We are working with Hotwire to

get the Intercoastal cameras up and running as early as this month. Know that we are in the final design phases for the pump in Tweddle Park.

The Wellness Center – At your November meeting, we will be bringing an item to you on the Wellness Center with conceptual drawings and conceptual floorplans for the Wellness Center. Based on the feedback we get at the November meeting, we will work over the holiday break to discuss what process to bring to you for the Wellness Center design approval award. We are looking at the fountains on A1A to find a way to make them look a little bit nicer.

Councilmember Einstein asked how raising the crown of the road would effect flooding in driveways.

Town Manager stated that we are looking at doing a better pitch in the road to get the water into our curbs and gutters. Right now we have a flat road, so as part of the new Miami-Dade Water and Sewer Project when they rip everything out, we are going to ask them to have a pitch in the road so the water does not stay stagnant. Raising the crown of the road six (6) inches will not impede on our driveways. We are looking to raise the pitch so the water goes into our Stormwater system. With the exception of South Island and Singer Park we do not have a lot of flooding in Town during king tides. The only reason you have seen occasional flooding in the streets is because of Pump Station #1 because it has been offline for six months. Through the efforts of the Council and through David Caserta, we were able to get a grant last year to renew Pump Station #1. King tides is affecting South Island and Singer Park and we are doing everything we can to minimize the impact of those two areas affected to our residents.

Vice Mayor Bernstein asked if there was anyone from Miami-Dade Water and Sewer monitoring.

Town Manager stated that as part of the Miami-Dade Water and Sewer gravity-sewer forcemain replacement, they are putting cameras of the laterals. In addition to that, we have convinced Miami-Dade Water and Sewer to do a major Pump Station renovation for a Pump Station with a new basin, increased capacity, and a new forcemain down Golden Beach Drive without paying a single penny. With that, we have asked that they re-do our roads, and re-do our pavers. That sewer lateral replacement the Town has been able to get \$1.4 million in new roadwork as part of that project.

O. CONSENT AGENDA

- 1. Official Minutes of the September 26, 2023 Final Budget Hearing & Special Town Council Meeting**
- 2. A Resolution of the Town Council Approving a Mutual Aid Agreement with the City of Miami.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE MIAMI POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2903.23

3. A Resolution of the Town Council Approving the Donation of \$10,000 to Best Buddies International.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE DONATION OF \$10,000.00 TO BEST BUDDIES INTERNATIONAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2904.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2904.23

4. 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 RELATIONS, INC. FOR CONSULTING SERVICES FOR THE PERIOD BEGINNING NOVEMBER 1, 2023 THROUGH OCTOBER 31, 2024; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2905.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2905.23

Consensus vote 5 **Ayes,** 0 **Nays. Items O1-O4 pass.**

Councilmember Einstein asked the Town Attorney about the political correctness about sending in such large donations and how it all works and how we are allowed to do it.

Town Attorney Helfman stated that local governments will contribute funding to typically not-for-profits. During the budgetary season for Miami-Dade County, multiple not-for-profits will be presented to the Council for donations, contributions, etc. for support to their ventures. It is more of a proper use of public funds rather than a matter of political correctness.

Town Manager stated that when we appropriate dollars in our budget, we used a non-ad valorem. We look at our miscellaneous revenues as dollars that we appropriate. Before we make donations, I look to see how much of the non-ad valorem or miscellaneous revenues we have collected for the year before we make donations. It is important that we use non-ad valorem and miscellaneous revenues for this purpose.

P. TOWN RESOLUTIONS

5. A Resolution of the Town Council Authorizing the Donation of \$20,000.00 to the Magen David Adom (MDA).

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE DONATION OF \$20,000.00 TO THE MAGEN DAVID ADOM (MDA); PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2906.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2906.23

A motion to approve was made by Vice Mayor Bernstein, seconded by Councilmember Lusskin, and on roll call the following vote ensued:

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

The motion passed.

Mayor Singer asked if we want to split it and donate it to two organizations instead of one.

Town Manager stated that over the course of the last few weeks we have been trying to identify an organization that will directly assist the area. This organization will serve anyone in the area who has been affected. This organization is a very reputable organization. 100% of the donations are going directly to the affected area with no overhead fee taken. We could look at later in the year at giving it to another organization if the Council chooses to.

Councilmember Einstein stated that he was approached by another organization that is sponsored by the Jewish Federation of South Florida and it is an emergency relief fund. It is a great cause. It would be a suggestion and asked if it were more meaningful that the full amount goes to one organization or if it were split.

Mrs. Tania Murciano, 405 Center Island Drive stated that all organizations in Israel will never ask about religious background.

Mrs. Arati Batta, 625 Golden Beach Drive stated that to Councilmember Einstein's point stated that she would also be in favor of spreading those funds to other organizations in need.

Vice Mayor Bernstein stated that he participated in the 75th Anniversary Jewish Federation Tour. Israel is composed 20% of Palestinians. Magen David does not ask for religion or background, they just want to take care of the sick. All the blood is coming from Magen David. Having all this money go here right now is especially important because Michael Bloomberg has offered to match dollar for dollar all the money that is going over there. Right now to have an act of solidarity where we are doing something peaceful where we are trying to help people, this was the strongest organization.

Mayor Singer stated that it is a very smart and generous donation.

Mr. Ernesto Cohen, 254 Golden Beach Drive – our neighbor on the North has had for many years issues with the seawall. Sometimes it is just the seal that needs some maintenance. Know the Town did something to the North side of their wall to prevent the water from coming over, but her wall is slightly slanted to the North so when it rains it floods. Do not know if there is something the Town can do to abate the flooding in his house.

Town Manager stated that the Town is very aware of the situation and we will provide you with some relief. We are dealing with a very long-term resident with little resources available, but we will provide you with some relief.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:

- Discussion of privatization of the Town's streets

Town Attorney Helfman spoke on the issue explaining the back-story. When the municipality was created in 1929, the physical town was created and land was subdivided into streets, lots, blocks, and parks. One thing that was done at the time by the developer was to put in the subdivision plaque language that said the streets and roadways are dedicated to the public. That allows people to drive in and out of the community even if they are not owners in the community. The governmental part of privatizing streets is relatively simple. They can pass a resolution that vacates the public dedication of the streets. When they make that decision under Florida law, the streets revert to each owner of the street. It does not go to an association or anybody else except the property owners. What the community has to do once they get ownership, they then have to figure out what to do in maintaining the community. You would have to get 100% of the owners to agree to place their property into a Home Owners Association that would then take responsibility of the roadway system. You would also need 100% of the owners to finance and pay for the roadways, the upkeep, the milling, drainage, the pumps, and then you would need the HOA to bill everyone every year to take care of it. The public police would not be able to patrol the streets, you would need

to get a private security company. There is one arrangement under State law where you can hire the police to enforce traffic, but you cannot hire the public agency to provide the private community with law enforcement. This becomes an extremely complicated process and takes 100% of the owners of the community to get together and create a mandatory association where everybody is going to contribute.

Vice Mayor Bernstein stated that the agreement with the utilities provides services to cities but not to private entities. It is no longer under the contract of the city.

Town Attorney stated that the agencies will have to deal with the private owners. There is another issue of much of the work that has been done on our streets was done with public money from the State. The money was granted to us because it was a public road. If we change to a private road, then there is a strong likelihood that the State may ask for the money back. I have never seen it done in a community this large.

Town Manager stated that his was brought to light partially about what happened in Israel, but a lot of it has to do with our residents and how are we secure. A lot of it falls on me for not effectively communicating with our residents about what goes on here.

Mr. Cohen stated that it would be important would be if the cameras worked especially on The Strand.

Town Manager stated that the new system has not been deployed yet. As part of our new CCTV program, we have a whole new system. We currently have 77 cameras deployed and they are not as effective as we would like for them to be which is why the Council approved to replace those cameras.

Mrs. Murciano stated that there are many other communities that are private. Understand that it is not easy, but it is doable. Wants to know if she can get a copy of the plats of Golden Beach to do some research and get some ideas. But maybe there is something that other people have seen.

Town Attorney stated that Gables Estates, Old Cutler Bay and Coco Plum have tried to do this and have not been successful doing it. If you look at some of these places like Coco Plum, there's an area at the back called Tahiti Beach and they made that area private. The County will not give you the money for a private system.

Councilmember Bernard Einstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Jaime Mendal:
None Requested

Town Manager Alexander Diaz
None Requested

Town Manager requested that the November meeting be moved to November 28th, but there was a conflict. Although the Council has never met in December, would the Council be opposed to meet on December 5th?

Mayor Singer asked about availability on Thursday, November 30th.

Town Manager stated that the November Council Meeting will be held on Thursday, November 30th. Also stated to save the date on Saturday, December 16th at 6 p.m. for the Annual Employee Holiday Event.

R. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Councilmember Einstein seconded by Councilmember 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