



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the September 17, 2008
Regular Town Council Meeting & First Budget Public Hearing called for 7:30 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:30PM

B. ROLL CALL

The Town Clerk called roll.

Councilmembers Present: Mayor Singer, Vice Mayor Rojas, Councilmember Bernstein, Councilmember Einstein, Councilmember Lusskin.

Staff Present – Town Manager – Alexander Diaz, Town Attorney – Stephen Helfman, Police Chief – James Skinner, Finance Director – Maria Camacho, Executive Assistant to the Town Manager – Lissette Perez, Town Clerk – Elizabeth Sewell.

C. PLEDGE ALLEGIANCE

The Town Council led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Mayor Singer recognized Brian Phillips as the Town Employee of the Month for August 2008.

Mayor Singer recognized Detective Ruggerio as the Town Officer of the Month for August 2008.

E. MOTION TO SET THE AGENDA

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

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – No report for the month of September.

Beautification Committee – No report for the month of September.
Comprehensive Planning Board – Vice Mayor Rojas reported that the Board had a meeting. The Board Members reviewed the proposed Comprehensive Plan that was drafted by Michael Miller Planning, Inc, and there will be a follow up meeting of the Board on October 7, 2008 to make recommendations to the Council.

Michael Miller explained the procedure for the adoption of the Comprehensive Plan for the Town. Once the Comprehensive Planning Board recommends the Comprehensive Plan to the Council, the Town would need to set and publicly notice a Local Planning Agency Meeting, who would recommend the adoption of the plan to the Town Council. At the Council Meeting there will be an ordinance for first reading, after the adopting of the Ordinance on first reading, the plan would be transmitted to the state agencies that would have to review the document, and they would provide feedback. After the Town receives the go ahead for adoption of the plan by the State, the Ordinance adopting the Comprehensive Plan will be publicly noticed for second reading and adoption.

Recreation Committee – No report for the month of September.

Security/Public Safety Committee – No report for the month of September.

G. GOOD AND WELFARE

Dr. Stanley Feinman submitted a letter to the Office of the Town Clerk to be read into the record and attached to the minutes.

H. MAYOR'S REPORT

- **Beach Pavilion Grand Reopening Event**
Mayor Singer congratulated the Beach Advisory and the Recreation Advisory Committees, The Town Manager and the Town Staff for the spectacular Beach Pavilion grand reopening event on Sunday, September 14, 2008.
- **Center Island Bridge**
Mayor Singer and the Town Manager met with Commissioner Sally Heyman, Representative Richard Steinberg and the Town Lobbyist David Caserta to find some funding because they understand the severity of the situation with the bridge.
- **Capital Improvement Program Update**

The ground breaking for this project is tentatively scheduled for November, 2008.

I. COUNCIL COMMENTS

Councilmember Lusskin

- Thanked the Town Manager and the staff for the landscaping work that was done on Massini Avenue.
- In response to Dr. Feinman's comment regarding a recent increase in the homeowners tax rate, but there was no increase in the homeowners' tax rate and the millage rate will remain the same as the current fiscal year.
- Stated that the Beach Pavilion Grand Reopening event was very well attended, and the warmth and friendliness of the residents with each other was very noticeable.
- Asked the Town Manager to make sure that the residents on Center Island is informed about the protocol for handling the delivery of the packages for Center Island residents.

Councilmember Einstein

- Commended the Town Manager, and the Staff for the elegant Beach Pavilion Reopening Event. He stated that there is a tremendous amount of work that happens behind the scene to make these events as successful.
- Concern with the investment vehicles used for investing the Town's Money and to discuss what steps the Town can take to offer more protection.
- He had the opportunity to meet with proposed contractors for the Capital Improvement Project.
- There is a concern resident in reference with a homeowner installing a generator on the rooftop that appears to exceed the height requirement. He has asked the Building Department to look into this matter and the process by which the permit was granted, was it granted by code, variance or by the recently adopted generator ordinance.

Vice Mayor Rojas

- She commended the Town Manager and the staff for successful event for the Beach Pavilion Grand Reopening Ceremony. Everyone enjoyed the evening; former Mayors and councilmembers attended this event and had an enjoyable evening.
- In response to Dr. Feinman's concerns regarding the light poles being in the middle of the sidewalk on the west side of A-I-A was already addressed by the Town Manager that had assured the Town Council that the light poles would be repositioned appropriately.
- She had received several phone calls from residents that knew she had

installed her underground boxes and the residents wanted to know if they can contact someone in the Town to know exactly where they should put their underground boxes.

J. TOWN MANAGER REPORT

- **Beach Pavilion Grand Reopening Event**
He thanked the staff for their hard work in making the event successful and having the town prepared for the event.
- **Massini Avenue Landscaping Project**
Two hundred and Forty-three additional ficus were planted on Massini Avenue, and an automated irrigation system was installed today which will help the accelerated growth of the plants.
- **Dr. Feinman Letter**
Will follow-up with a letter in response to his concerns in reference to the homeowners tax rates, the millage rate and the light poles on the west side of Ocean Boulevard.
- **Councilmember Einstein Concerns**
The Town currently has in cash assets \$20,400,000., which is secured with the Town's investment partner at Northern Trust. Last month by council action, the Town adopted an Investment Policy, which governs how the Town's funds should be invested. He has met briefly with the Chairperson of the pension board and she has assured him that she would ask a pension board meeting to discuss the pension investments and to advise the staff where the pension funds are and how they are being invested.
- **Capital Improvement Program**
This evening Staff is presenting a contract to the Council recommending a firm to serve as the Town contractor
- **Final Budget Public Hearing**
He was asking the Town Council to move the Final Budget Public Hearing from Tuesday, September 23 to Wednesday, September 24, 2008. Mayor Singer made a Motion to move the Final Budget Public Hearing from Tuesday, September 23, 2008 to Wednesday, September 24, 2008 at 7:00 PM, seconded by Councilmember Lusskin. The consensus vote was 4 Ayes 0 Nays. The Motion carried.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

1. Minutes of August 26, 2008 Regular Town Council Meeting.
2. **A Resolution of the Town Council Renewing and Extending the Agreement for the Provision of a Comprehensive Health Insurance Plan, Including a Vision Provision and a Dental Plan for the Benefit of the Town's Employees.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING AND EXTENDING THE AGREEMENT FOR THE PROVISION OF A COMPREHENSIVE HEALTH INSURANCE PLAN, INCLUDING A VISION PROVISION AND A DENTAL PLAN, FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR CONDITION OF AWARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 1945.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1945.08

3. **A Resolution of the Town Council Authorizing Purchase of One John Deer Backhoe and One All Terrain Vehicle.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING PURCHASE OF ONE (1) JOHN DEER BACKHOE AND ONE (1) ALL TERRAIN VEHICLE FOR THE GOLDEN BEACH PUBLIC WORKS DEPARTMENT AND THE GOLDEN BEACH POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 1946.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1946.08

4. A Resolution of the Town Council Amending the Town's Schedule of Permit Processing Fees

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S SCHEDULE OF PERMIT PROCESSING FEES BY INCREASING THE AMOUNT OF VARIOUS FEES; PROVIDING FOR CONFLICT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 1947.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1947.08

Motion made to approve items on the Consent Agenda by Vice Mayor Rojas, seconded by Councilmember Einstein. The consensus vote was 4 Ayes 0 Nays. The Motion carried.

P. TOWN RESOLUTIONS

5. A Resolution of the Town Council Determining the Proposed Millage Rate, the Current Year Rolled-Back Rate and Establishing Date, Time and Place for Second Public Budget Hearing.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ADOPTING THE PROPOSED MILLAGE RATE OF THE TOWN OF GOLDEN

BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 1948.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1948.08

The Town Manager stated that at the last Council Meeting the proposed millage rate was set at 7.605 for the General Operating millage, and a Debt Service Millage at 1.41 mills. The combined proposed millage was set at 9.00 mills. However, during the last few weeks the Administration had an opportunity to revisit the proposed debt service millage, and have determined that a millage of .895 would be sufficient to meet the voted debt service needs of the Town. Therefore, the Administration is recommending that Town Council reduce the debt service millage, and keep the General Fund millage rate at 7.605. Thus setting the proposed operating millage rate at 7.605 and .895 mills for Debt Service expenses. The .500 mills transferred from the Debt Service Millage Rate to the Operating Budget have been designated for Capital and Repair Replacement Related costs. The combined proposed millage rate of 8.5 mills is consistent with the Town's millage rate of the 2007/2008 Fiscal Year.

A Motion to table Resolution No. 1948.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas, all voted in favor, the Motion carried.

A Motion to approve Resolution No. 1948.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas.

A Motion to remove Resolution No. 1948.08 from the table by Mayor Singer, seconded by Councilmember Einstein. All voted in favor, the Motion carried.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Einstein – Aye; Councilmember Bernstein - Aye; Councilmember Lusskin - Aye.

6. A Resolution of the Town Council Adopting the Proposed Operating and Capital Budget for Fiscal Year 2008/2009

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA ADOPTING THE TENTATIVE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 1949.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1949.08

The Town Manager explained that the 2008/2009 Budget sets the operating millage at 7.605 mills, which is equal to \$5,239,320 in ad valorem revenues. The difference of .5 mills or \$344,465. was re-allocated from the Debt Service Millage for the following items; \$317,931 allocated for the Center Island Bridge; \$29,850. added to the Repair Replacement and Maintenance of the General Government Account for ongoing operational needs, and \$40,000 allocated for the 80th Anniversary Celebration of the Town. There were also nominal line item changes and adjustments made to balance the budget. Line items such as; insurance adjustments, reductions in our contribution to the employee pension from 19.91% as originally presented 19.41% as revised in the proposed budget, changes related to employee compensation as determined in consultation with the Mayor, and increases to meet the growing costs associated with utilities. There were significant changes in the total allocation for the Town's Capital Improvement Program. In this year's budget \$944,888 were set aside for Capital Improvement related expenditures. He stated that he was presenting to the Town Council a balance general fund budget \$5,239,320 and a balanced capital improvement Program budget of \$22,496,369. There will also be additional revenues from the General Obligation Bond investment interest revenues in an estimated amount of \$250,000.

A Motion to approve Resolution No. 1949.08 by Councilmember Lusskin, seconded by Vice Mayor Rojas.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Einstein – Aye; Councilmember Bernstein - Aye; Councilmember Lusskin - Aye.

- 7. A Resolution of the Town Council Awarding Bid to Southeastern Engineering Contractors, Inc. for the Town's Capital Improvement Program Project.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AWARDED BID TO SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR THE TOWN OF GOLDEN BEACH CAPITAL IMPROVEMENT PROGRAM PROJECT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

Exhibit: Agenda Report No. 7
Resolution No. 1950.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1950.08

The Mayor provided a brief explanation of the process that was used for the selection and recommendation of Southeastern Engineering Contractors for the construction of the Capital Improvement Program. At the June 24, 2008 Regular Town Council Meeting the Town Council pre-qualified seven firms to bid on the Capital Improvement Program, of the seven firms, five firms submitted their final proposal. After evaluation of the bid proposals it was determined that Southeastern Engineering Contractors was the lowest most responsive bidder. They have performed work in several cities, such as Sunny Isles, City of North Miami, North Miami Beach, and Miami Dade Water and Sewer. There is no pending litigation, and the firm has the bonding capacity to handle this project. The Mayor and most of the Town Council had an opportunity to meet personally with Southeastern Engineering Contractors.

The Town Manager stated that he, the CIP Design Team and the Owners Representative met, reviewed and evaluated the bid proposals submitted. After which, the Mayor and I met with the principals of Southeastern and the second lowest bidders to evaluate their commitment to the project and the Town. The Owners Representative and I then met independently with Southeastern, and discussed our expectations and tried to gain a better understanding of their business model and methodology. It was evident that their strength was in controlling the cost of the project because they were going to do the work and they would not be dependent on subcontractors to perform the work. The Town Manager also stated that he had spoken with four other municipalities that Southeastern had performed work for and the municipalities spoke very highly regarding Southeastern Engineering Contractors performance. The contract to be awarded to Southeastern Engineering Contractors is an amount of \$13,927,065.65.

The Design Team and the Town's Owner Representative was in agreement with recommending Southeastern Engineering Contractors as the lowest most responsive bidder and should be awarded the contract for the Capital Improvement Project construction.

A Motion to approve Resolution No. 1950.08 by Councilmember Einstein, seconded by Vice Mayor Rojas.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Einstein – Aye; Councilmember Bernstein - Aye; Councilmember Lusskin - Aye.

8. A Resolution of the Town Council Approving Amendment #5 to the 2007-2008 Fiscal Year Operating Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #5 TO THE 2007-2008 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 1951.08

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 1951.08

A Motion to approve Resolution No. 1951.08 by Councilmember Lusskin, seconded by Councilmember Bernstein.

Roll call vote was as follows:

Mayor Singer - Aye; Vice Mayor Rojas - Aye; Councilmember Einstein - Aye; Councilmember Bernstein - Aye; Councilmember Lusskin - Aye.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Rojas:
None Requested

Councilmember Ben Einstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Ken Bernstein:
None Requested

Town Manager Alexander Diaz

R. ADJOURNMENT:

A Motion made to adjourn the Council Meeting by Mayor Singer, seconded by Councilmember Lusskin. Consensus votes 5 Ayes 0 Nays.
The Motion carried.

The meeting was adjourned at 9:10 PM.

Respectfully submitted

Elizabeth Sewell

Elizabeth Sewell
Town Clerk