

TOWN OF GOLDEN BEACH

One Golden Beach Drive Golden Beach, FL 33160

Official Minutes for the May 16, 2023 Regular Town Council Meeting called for 6:00 P.M.

Zoom Room Meeting ID: 811 2309 0361 Password: 881453

For Dial In Only: Call 929.205.6099 Meeting ID: 811 2309 0361

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 <u>LPEREZ@GOLDENBEACH.US</u> BY 2:00 P.M. TUESDAY, MAY 16TH, 2023.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:05 p.m.

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Town Attorney Steve Helfman (via zoom), Town Clerk Lissette Perez, Police Chief Rudy Herbello, Police Lt. Yovany Diaz, Finance Director Maria D. Camacho (via zoom), CIP Director Lissett Rovira (via zoom), Office Assistant Kaitlyn Dziedzic

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

94TH ANNIVERSARY CAKE CUTTING

PRESENTATION BY REPRESENTATIVE FABIAN BASABE

PROMOTION OF LT. YOVANY DIAZ TO CAPTAIN OF POLICE

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

NONE

G. MAYOR'S REPORT

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Hurricane season is quickly approaching. If any residents are leaving for the summer, let the Town know for security reasons.

This past Friday was Police Appreciation Day, event was a great success. It was a great turnout by all who attended. The police really appreciated it. They could not thank myself and the other council members enough and enjoyed the whole evening.

Sergeant Joseph Bautista is recovering at home but obviously, he is going to be out for some time. Hopefully, he will make a speedy recovery. Appreciate all of the staff and residents showing great support to him and to his family.

Monday, May 29th is the Memorial Day celebration. Councilwoman Lusskin has been working hard on it. Please show your support for Memorial Day and Councilwoman Lusskin thanks for all of the hard work you do.

Town Manager, Lissett Rovira and I toured the New Town Hall building. It is moving along. The progress is great. The Town Manager is going to give us an update on that project later.

After the election, the Town Council promised to be better communicators to the residents about what is going on in Town. We have made tremendous progress with communication through the Town by sending emails, e-blasts, the two (2) TV monitors on The Strand and the South Gate, fliers going in the mailbox rather than below, the newsletter, robo-calling and constant updates to our website. If a resident has a question on an event that occurred or anything that has occurred, before putting it out there, come talk to the Town Manager, Police Chief or myself or one of my fellow councilmembers. The group chat is good for certain things. Before you put something on that chat, please confirm and verify it. Everyone is always open to call me any time. I just do not want any inaccurate information going out in the chat.

Hope everyone has a great summer. Do have another meeting in June before the summer recess.

H. COUNCIL COMMENTS

Vice Mayor Bernstein

Began by congratulating Captain Diaz and offered his support again to Sergeant Bautista and his family. Passed acknowledgement to how well the Police Department staff and everyone respond, but also to the residents who came together and contributed to help Sgt. Bautista and his family.

Want to thank Representative Basabe for coming. The first thing he said is one of the most important things for him. Was just at the League of Cities and one of the major conversations was the enforcement of laws and how we have a lot of antiquated laws with regards to juveniles and repeat offenders. Strongly believe that if we do not start enforcing these laws or coming up with better laws, we are going to encourage more and more people to do things because they don't believe there is any possibility that they are going to end up in jail. We need to start having a louder voice and be in the reverse position of the defund police position. Hopes that we put a strong message to our state attorney and the state attorney of Broward. By not prosecuting everyone that is with that police officer when he is shot, it weakens the ability for people to know if they are wrong or not. If you keep it on the books that enforces prosecution to everyone who is a conspirator, we are going to be in a better position to discourage those types of activities from going on.

Regarding the group chat, we have close to one hundred and sixty (160) people active on there; there are a lot of beneficial things. We should not be talking about crimes happening in Town and scaring people, because the Town will quickly make a statement afterwards and it is better to get the information straight from the Town rather than get scary messages that often are not true.

Councilmember Einstein

The Town stood up for the Police and very proud of both the Police Department and the Residents who came and showed their appreciation.

Echoed the sentiments made by both the Mayor and the Vice Mayor. We do need to communicate with the State Attorney. Encourages and Supports the Council and the Mayor and the Town Manager to go forward and make our voice heard along with Representative Basabe.

Councilmember Lusskin

Echoes everyone's sentiments concerning police appreciation. They are our family. When you have an emergency and you dial 9-1-1 or call the substation the first person that is there is a police officer and they are like family. It is very hurtful. I was very upset when I heard that Joseph was shot.

Concerning the chat group, aside from the importance of the information and how correct it is, it is social media. On those chats is everybody's phone numbers, which is not always good. Not convinced that everyone on the chat is a resident of Golden Beach.

I have been doing Memorial Day for years. I put a lot of time into it and it becomes near and dear to my heart. When researching what to do this year and do differently, I had read about burning flags. At first I thought how horrible and disrespectful. After reading and researching some more and consulting with the Sentinel for Tomb of the Unknown Soldier who comes to Town every Veterans Day and Memorial Day who said it was the best way to honor flags that are not fit for use anymore. The Golden Beach Police Department has four (4) flags that we will be using for Memorial Day. It will be called Memorial Day Watchfire. Wishes the ceremony could be at night. Encouraging all residents and their families to come. It will be followed by a barbecue.

Councilmember Mendal

Apologized for not being here in person. Will be here at the next meeting. Expressed his heartfelt congratulations to Captain Diaz.

I. TOWN MANAGER REPORT

Five Hundred and Five (505) vehicles have been stolen from Northeast Miami-Dade County over the last four (4) months. Back in February, I went before Channel 10 and called the State Attorney out for her inaction to prosecute crimes in relation to car thefts and juveniles.

The week prior, the Mayor had an over hour-long conversation with the State Attorney trying to persuade her to take action.

Two weeks prior to Sergeant Bautistas shooting, I, while working as a police officer, arrested four (4) juveniles trying to steal a Maybach off South Island. When the juveniles were apprehended, the mother showed up to Golden Beach demanding for her child to be released. When informed that the Police were going to make the arrest and the juvenile was going to be transported to the Juvenile Assessment Center (JAC), the mother stated that no one has ever done that. When running the child's criminal history, there was nothing. However, they had been arrested with twenty-one (21) charges throughout Broward and West Palm Beach. The issue of car thefts and crime by minors is very real.

On the morning of April 29th at 3 A.M., at the direction of the Council and because of a project that we created, the Council asked the Chief and I to come up with a plan to combat auto thefts in our community. We created a joint task force with Sunny Isles (Sunny Isles-Golden Beach Auto-Theft Task Force). That evening, a car that was stolen, went through Bal Harbor. Bal Harbor decided to not continue pursuit of the

vehicle and Sunny Isles and Golden Beach Police picked it up. While chasing the vehicle into Hallandale Beach, the suspects ran into the bridge on Hallandale Beach, exited the vehicle and hid from the police. A perimeter was set up with dogs and K-9s and unfortunately, Sgt. Bautista was shot in the arm.

Thanked the residents and council for the overwhelming amount of support they have provided Sergeant Bautista and his family. We will support him in every step of the way, even if this ends up being a career ending injury.

People need to know that when you perpetuate crime, you will not get away from it. With permission from the Mayor, we are exploring into filing for civil suit against the families of the children to hold them accountable for the loss of revenue that the Town has experienced.

It is unprecedented for a city to ever explore these charges, but we are making it clear. We want to make it clear that when a person commits a crime, there are consequences. We still have a joint task force to combat auto thefts.

There are more vagrants and homeless coming to this warm sunny environment.

We are going to be as aggressive as we can and adding two-hundred and eight (208) additional cameras to help us fight crime. We will be as aggressive as we can to keep our community safe and to keep our home values where they are.

The legislative session came to an end just two weeks ago.

Let us put pressure on the Governor to make sure he does not veto our new appropriations as he has done in the past.

Know that it is the summer. We do have a great event that scheduled for Memorial Day. We hope and encourage that all of the residents will attend.

The June Council Meeting has been moved to June 6th at 6 P.M. We will be putting together a very light agenda.

Mrs. Natalie Eilemberg, 137 Golden Beach Drive asked what does it mean that the state is not prosecuting.

Town Manager provided the example that when he made the arrest on four (4) people, we charged them with eight crimes. The state wanted to reduce the charges and trying to plea the cases out. This one person had 21 charges in other counties, but there is no history of him. He has never served time in jail, because they are taking pleas.

Mrs. Eilemberg asked if that was because we do not have enough funding or space for individuals in jail.

State Representative Fabian Basabe stated that we have the money. Is the money being allocated and going where it is supposed to go? Is the money serving its purpose? That is a question for your district attorneys. A lot of it is a paper shuffle.

Vice Mayor Bernstein added that the individual District and State Attorneys and their elected officials set these policies.

Councilmember Lusskin added that she wanted to thank resident Madison Berndt for putting together the gofundme page for Sergeant Bautista along with Uzi Hardoon.

J. TOWN ATTORNEY REPORT

Stated that he signed the Hotwire Contract and he is moving along with that project with Lissett Rovira and Chief Herbello. We are well underway.

K. ORDINANCES – SECOND READING

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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

Even though it seems the project is moving at a snail's pace. All of the dry wall is up, all of the electrical, the wiring. It is a smart, safe, and green building. We are hoping to hear from the elevator company about a final agreement opening as to when the elevator shafts can be built. The elevator company has committed to us that both elevators will be going in at the same time. Final stucco and painting will be going in next week. Flooring will be going in as soon as the terrazzo floor is installed. We just approved the furniture order, so that will be delivered in time with the building as well. There are a few owner-driven change orders that will be presented to the Council after the summer recess. The gold façade frame is there, we are holding off installing it until the building is painted. My goal that we will have our September budget meeting in the building. At your August Council Meeting will be when we bring the changes to you.

We finally signed an executed Addendum to our Hotwire contract for CCTV. Adding an additional 84 locations, on top of the 77 locations that we currently have for CCTV with 208 additional lenses. That is a 10-year agreement. Will see no increases to our residents whatsoever.

We will bring to you at your June council meeting for approval the poles. The most difficult place to install poles is on the ocean and the Intracoastal. The state of Florida has no objection to our cameras being installed on the state shoreline.

Hotwire will be absorbing the cost for the most difficult places to install the poles as part of the final agreement. We will have full delivery of the project no later than January of next year. We hope to have it by November, but this gives us a little bit of buffer room.

Some of your existing cameras we have already updated and have the analytics and the analytics have already worked. The CCTV is finally executed and underway.

We had a meeting this morning for the reimagined Tweddle Park. We are very comfortable with the budget we proposed for the park. We always proposed a \$1.5 Million park. Representative Basabe has been able to deliver \$300,000 for our park project, which will help offset our cost for the youth lot. We are going to be doing all of the Stormwater improvements in the park, including the North side of the Park and all of the recreational facilities. We are going to be installing the wall on the North Side of the Park. As of right now the proposal after the \$237,000 credit that we are going to get from Gerrits Construction, we are looking at an \$800,000 project for the recreational facilities to include retaining walls around the tennis courts and the pickle ball courts. There is a new product that a lot of courts are going to that has zero maintenance. What more and more communities are going towards is a cushion court. It is a little bit more expensive. We will be bringing this to your June Council Meeting for your consideration.

Going to find a couple locations in South Florida that has it for us to tour it. Should the council approve the change order, we will be bringing you the change order to update the facilities.

We hope to bring to the council at your September meeting a contract for award for the Stormwater upgrade. We still plan to go out to bid for the Tot Lot design and have a Recreational facility. Projects are moving along and there will be a few changes brought to you and contracts to approve as it relates to those facilities.

Councilmember Einstein asked if the bill we sent could be vetoed.

Town Manager stated that we do not count on those dollars for our projects, but it is always helpful when our state partners recognize that a small community can help build these projects.

Mayor Singer asked if the manager could provide a timeline on the security cameras.

Town Manager stated that we are going to do Ocean Boulevard first. Pole installation will start sometime in July if the council approves them in June. The whole system is required to be installed by January of next year; we hope to have it installed by November.

Mayor Singer asked if the whole system will go up immediately once it is installed.

Town Manager stated that the first phase of installation is Ocean Boulevard, then move to the ocean, then the Intracoastal and then the interior of Town. The plan is to do the perimeter and then the interior.

Mrs. Eilemberg asked in terms of the recreation part will that still be demolished in phases.

Town Manager stated that we are going to be shutting down all recreation as it relates to the tennis courts relatively soon. After the Council approves the change order, we need to start digging everything up to install pipe into the ground to put in catch basins and wells. Then we are going to protect our Tot Lot so that residents can continue to enjoy it while we work installing the new wall. As we install the wall on the north side of the park and the tennis courts are delivered, we will demo the Stormwater system to work on the site. Then at the end, we will demo the pavilion and Tot Lot.

We will put in the new tot lot before we tear down the old building.

Our commitment is to keep and provide different elements of the project open while we work on the construction.

Mr. Michael Klinger, 572 North Island Drive asked a question about the electrical panels and boxes and if we have gotten delivery of them.

Town Manager stated that we are basically using the same electrical that we are using in the building to service the Park.

Mr. Klinger stated that there is certain gear that just is not available.

Town Manager stated that we are starting to see good things moving along in the building.

O. CONSENT AGENDA

1. Official Minutes of the April 18, 2023 Regular Town Council Meeting

2. A Resolution of the Town Council Appointing Members to the Building Regulation Advisory Board.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING MEMBERS TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2 Resolution No. 2868.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2868.23

3. A Resolution of the Town Council Appointing Members to the Security and Public Safety Advisory Committee.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; APPOINTING ONE MEMBER TO THE TOWN OF GOLDEN BEACH SECURITY AND PUBLIC SAFETY ADVISORY COMMITTEE PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3 Resolution No. 2869.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2869.23

4. A Resolution of the Town Council Approving an Employment Agreement with Marie Talley.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT FOR CONTRACT EMPLOYEE MARIE TALLEY TO PROVIDE SUPPORT SERVICES IN THE ADMINISTRATIVE AND RESIDENT SERVICES DEPARTMENTS; PROVIDING FOR IMPLEMENTATION AND FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4 Resolution No. 2870.23 **Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2870.23

5. A Resolution of the Town Council Approving the Interlocal Agreement between the Town and Miami-Dade County for the Enforcement of Civil Penalties for Code Violations.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE TOWN AND MIAMI-DADE COUNTY, FLORIDA FOR THE ENFORCEMENT OF CIVIL PENALTIES FOR CODE VIOLATIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5 Resolution No. 2871.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2871.23

Consensus vote <u>4</u> Ayes, <u>0</u> Nays. Items O1 –O5 pass.

P. TOWN RESOLUTIONS

6. A Resolution of the Town Council Authorizing the Use of Available LETF Monies for Costs Associated with the New Civic Center Building.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES FOR COSTS ASSOCIATED WITH THE CONSTRUCTION AND UNIQUE EQUIPMENT OF THE NEW CIVIC CENTER BUILDING; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6 Resolution No. 2872.23

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2872.23

A motion to approve was made by <u>Councilmember Lusskin</u>, seconded by <u>Councilmember</u> <u>Einstein</u>, and on roll call the following vote ensued:

Mayor Glenn Singer	Aye
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Bernard Einstein	Aye

Councilmember Judy Lusskin Councilmember Jaime Mendal <u>Aye</u> Absent

The motion passed.

Town Manager spoke on the item. Part of the building is housing our police department and the bunker, so we have allocated 1.7-million dollars of LETF money to pay for our building. This saves our residents money by not using their tax dollars towards the building. The council is aware that this is a \$6 Million project and currently, we do have a \$4 Million note with City National Bank and we are already paying down \$300,000. This has always been a part of our intended funding for the project. Using the Council's authority and allowing me to use the Town's investment policy, given that our City National Bank interest is competitive, we have shifted money around and using our LETF dollars to pay for our \$1.5 Million commitment that the Town was going to use and not pay that note as aggressively as we thought. We are seeing some really good rates in return. Right now, the state is paying us 5.06 and we are looking at 5.27 in our investments. What we do is play cash management. We are looking to make sure that we can leverage that money to get better rates.

Mayor Singer asked the Town Manager to explain how the Town obtains the LETF money.

Town Manager stated that the way that federally forfeited assets work is that if you are part of their initiative, anything that is seized the agencies that are participating get a share. We currently have three police officers that are detached. We have been able to buy a new boat with LETF dollars, K-9 dogs; we can use it for projects like the civic center and wellness center so long as there is a police component to it. You cannot use it to offset your budget but you can use it for a one-time purchase. They are dollars that are seized for combating crime.

Councilmember Lusskin asked what is the current balance of that fund.

Town Manager stated that we currently have \$1 Million in there. As you will see in the audit, we float the money from the general fund and as we get the dollars, we pay it back. We are going to be spending \$1 Million for those intended purposes.

Town Manager stated that we allow our members to participate via zoom, but since the Governor passed legislation, doing away with virtual meetings a member's attendance via zoom is a ceremonial thing. The vote does not count towards passage of the item.

7. A Resolution of the Town Council Amending the Town's Employee Manual To Include Law Enforcement Appreciation Day As A Holiday.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S EMPLOYEE MANUAL TO PROVIDE FOR THE ADDITION OF LAW ENFORCEMENT APPRECIATION DAY AS A PAID LEGAL HOLIDAY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7 Resolution No. 2873.23 **Sponsor:** Town Administration

Recommendation: Motion to Approve Resolution No. 2873.23

A motion to approve was made by <u>Councilmember Einstein</u>, seconded by <u>Councilmember Lusskin</u>, and on roll call the following vote ensued:

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

The motion passed.

Town Manager stated that Miami-Dade County and the State of Florida have passed this legal holiday. By passing this holiday, the general employees will have 17 and the police will have 18 holidays if they have been with the city 1 to 4 years, 19 if they have been with the town for 5 to 9 years, and 20 if they have been with the Town 10 years or more.

Vice Mayor Bernstein stated that productivity is way down working off-site than working on-site. Just thinks the council should look at this in the aggregate of days off and we have just added two days in the past two years. We have not fully recovered from COVID and people not being in Town Hall as often as they used to before. It is something we need to look at as we keep adding more and more time.

Councilmember Einstein stated that it is a touchy subject and need to be fiscally responsible as to whether or not we can afford this as a town. Thinks as a whole as council we have been generous to our employees.

Mayor Singer stated that they both bring up a great point and when we discuss salaries for next year's budget. Golden Beach employees do not take advantage of Golden Beach and they work hard for the town. At first, he was against it and the more he thought about it, he thinks they deserve it.

Vice Mayor Bernstein stated that as we keep doing more and more we need to look at the aggregate.

Councilmember Einstein stated that we are cash positive.

Mayor Singer stated that when the Town Manager and he do the budget they go five years out. This is including pension, salaries, additional positions, etc. They do a five-year projection. Very prudent and very conservative.

Councilmember Lusskin stated that when they talked about it last year she felt bad about saying no to it. Does not want to be that city that says no to it and manager stated that it would not be a major hit to us financially.

Town Manager stated that he is extremely encouraged that our newly re-elected Councilmembers want to be more involved in the day-to-day operations of the town. The Council and are residents need to be aware that we are living in a new era. The hiring environment and climate have changed. They are employee driven. More Page 10 of 11 (Regular Town Council Meeting Minutes – 5/16/23)

importantly, what I fear is to retain our employees. We have to be competitive with our neighboring cities.

Town Manager stated that at your June meeting I am brining you another pension reform item for our general employees to make sure that they want to continue to work for us. No one is more concerned about our pension program, our pension is currently at 98% funding. We look at these trends because we need to be competitive with our neighboring communities. We are looking at what is going on in terms of hiring ability. And Vice Mayor, you are right. I do not know what happened after COVID but people just do not want to work. COVID changed the climate of hiring.

Vice Mayor Bernstein reiterated again that he does support police appreciation day. Secondly, we should do an analysis to see where we are at in comparison to everyone.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer: None Requested

Vice Mayor Kenneth Bernstein: None Requested

Councilmember Bernard Einstein: None Requested

Councilmember Judy Lusskin: None Requested

Councilmember Jaime Mendal: None Requested

Town Manager Alexander Diaz None Requested Next meeting will be June 6 at 6 PM It will be a light agenda. Reminded the council that Memorial Day is May 29th from 5-7 P.M.

R. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by <u>Councilmember Lusskin</u> seconded by <u>Vice Mayor Bernstein</u>.

Consensus vote <u>4</u> Ayes <u>0</u> Nays. Motion passes.

The meeting adjourned at <u>7:45 p.m.</u>

Respectfully submitted,

Lissette Perez Lissette Perez Town Clerk

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