



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the March 26, 2024
Special Town Council Meeting called for 6:00 P.M.

Zoom Room Meeting ID: 861 9026 3339 Password: 711665

For Dial In Only: Call 305.224.1968 Meeting ID: 861 9026 3339

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, MARCH 26, 2024.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 6:07 p.m.

B. ROLL CALL

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

Staff Present: Town Manager Alexander Diaz, Town Attorney Steve Helfman, Assistant Town Manager Linda Epperson, Town Clerk Lissette Perez, Police Chief Rudy Herbello, Police Captain Yovany Diaz, Police Lieutenant Leila Perez, CIP Director Lissett Rovira, Finance Director Maria D. Camacho, Public Works Director Kirk McKoy, Resident Services Director Michael Glidden, Office Assistant Eric Garcia, HR Generalist and Executive Assistant to the Town Clerk Elena Cheung

C. PLEDGE OF ALLEGIANCE

Chief Rudy Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

SWEARING-IN OF TWO NEW POLICE OFFICERS

MIAMI-DADE FIRE CHIEF RAIED S. JADALLAH'S ANNUAL REPORT –
postponed for a later date

E. MOTION TO SET THE AGENDA

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

Town Manager asked to move Item N to after his Town Manager's report.

F. GOOD AND WELFARE

Mrs. Dina Nicolella, 522 North Parkway sent a letter to be read into the record

Mr. Andy O spoke about Governor Ron DeSantis

Mr. Chad Bastewell spoke about Governor Ron DeSantis flying to Isreal to sign legislation for this state. Also spoke about inclusivity and how it negatively affects white people.

Mr. Jerome Schwartz, wanted to talk about the anti-racist legislation. Allowed to criticize everyone except one group of people.

***** Various Inappropriate comments from participants on Zoom were made during the Good and Welfare portion of the meeting. *****

G. MAYOR'S REPORT

Wished everyone a Happy Easter and a Happy Purim.

I'm very proud of the Police Department and feel that they have really stepped up security. Marine Patrol has been going down the intracoastal at night. Visibility has improved dramatically. My hats off to the police department; it's imperative that all our residents feel safe. One thing that will add to the town's security is the Code Blue system, which are the call boxes. They have been ordered and should be coming in the next few months. You can see the park's progress as you are driving up. Due date on that project is the end of June. Wellness Center is moving along slowly and steadily. You might have noticed as you enter and exit town, we've put up the new gate arms; they're not completed yet but should be up in the next two weeks.

H. COUNCIL COMMENTS

Vice Mayor Einstein asked about the decorum of the meeting and who has the authority to shut down these speakers. Want to give my apologies to anyone who may have felt hurt or disparaged.

Town Manager an unruly person can be escorted out of the room by the Sergeant of Arms. Everyone has a right to participate in open government. Our rules offer two minutes per speaker which is set by the Chair. On the last page of our agenda, it tells you what the rules are. There is a big movement in Florida to disrupt local government meetings and there are cities who have been sued for not allowing the participation to occur. We will govern accordingly; we won't allow any disrespect.

Councilmember Bernstein when we start hearing belligerent speech, there should be at a certain point where we should be able cut them off.

Councilmember Mendal Happy Easter and Happy Purim

Councilmember Lusskin Happy Holidays to all. I want to say the town is looking very good, clean and impeccable. Public Works is always around. I was impressed with all the rain that there was no flooding. Were all the new pumps working?

Mayor Singer The pumps were all checked and working.

I. TOWN MANAGER REPORT

Know that we are as concerned as you are that we're still not in the building. I think it was the right decision to hold the move-in. We want to make sure that when we open the Civic Center, the first of its kind in the nation as a barrier island bunker building, that we show residents how great a facility it is. With that said, we do have some residents on the north end of town who are going to be inconvenienced for a short period of time as we move into the construction of the Wellness Center and tennis courts. We are building 12-foot gates with hedging while we temporarily use it for the Public Works department. We authorized two 12-foot gates to hide everything. The back of Singer Park will look as beautiful as the front. We are committed to minimizing the impact on our residents.

Our town was probably the only town that did not have any flooding last week. The city was dry; our pumps worked well. I want to congratulate all of the members of the Public Works team under the direction of Kirk McKoy. The team worked phenomenally.

Paul Abbott has joined our team again and I'm so grateful that he is stepping in to help with the Wellness Center and delivering the parks project. He has really stepped up to the plate with the Civic Center.

We will be transitioning Lissett Rovira into Linda Epperson's role as the Building Manager, so congratulations to Lissett.

Our Civic Center is designed to be our Emergency Operations Center. We call it a bunker because it is not a true EOC. Our building will have the resources that we need to provide ice, water, a facility for our police and fire personnel not only by themselves, but with personnel from Sunny Isles, Hollywood and Hallandale Beach. If we need to provide shelter we can do so in that building. It is not an emergency shelter, let me make that clear. As a reminder, the barrier islands community is still a mandatory evacuation.

I want to provide to the Council and the community a budget update. The initial budget was \$5.5 million; today the building is being built for \$8 million. We approved an additional allocation to make the building better, to provide better services, to make it more comfortable, to make it more grand. As it relates to the delays, our code requires for Zone 1, that a building be built within three years with the first pile going in. The three year mark will end on September 9, 2024.

We expect that we will be working out of the building soft open to the staff on the 9th of April; if not, then one week after that. Then on the 16th of April, we will hold the practice Town Council meeting where we get to adjust the cameras, the speakers, work with the A/V equipment. The first official meeting is going to be on May 21st. It is also our birthday week. On May 23rd, we are having a massive ribbon-cutting ceremony. The Governor has been invited to be our keynote speaker. We have an array of festivities, so please save the date. May 23rd is the actual day our city was founded; it is our 95th birthday. We will be celebrating our birthday by welcoming everyone into our new home.

The Wellness Center Advisory Committee will be presented with the final two respondents for the Wellness Center project, and a recommendation will be made to the Council at the May meeting.

Tonight we will be awarding Pump Station #1. We have been able to raise \$950,000 for that project, only asking residents to pay \$10,000.

Tweddle Park—our goal is to give you the sports facilities by the end of the second quarter if not sooner. We hoping by the May 23rd grand opening, at least the tennis courts will be open and ready. We will be working aggressively.

All of our intracoastal residents and 60% of our ocean residents have signed the service agreements allowing us to construct and install cameras behind their properties. Golden Beach will be the safest community to live in. CCTV will be up and running by the end of the year.

J. TOWN ATTORNEY REPORT

Attorney Helfman spoke on the Form 6 litigation. There are now over 100 individual plaintiffs in the amended complaint that's been filed. There are two complaints, one in state court and one in federal court. In addition to that, over 40 municipalities have also joined in litigation. The only reason for the amendment was to add additional parties. There has been a motion for preliminary injunction filed in the federal case, which I will send you all a copy. I don't have a hearing date yet; as soon as I do, I'll get it to you.

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

1. A Resolution of the Town Council Approving Variance Requests for the Property Located at 138 South Island Drive Concerning the Seawall and Dock.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 138 SOUTH ISLAND DRIVE, GOLDEN BEACH, FLORIDA 33160 1). TO PERMIT AN EXISTING SEAWALL TO REMAIN AS-BUILT ENCROACHING 18" INTO THE ADJOINING GRAND CANAL WATERWAY WHEN THE CODE REQUIRES THE SEAWALL TO BE BUILT INSIDE THE PROPERTY LINES. 2. TO PERMIT THE SEAWALL ELEVATION HEIGHT TO BE AT 4.65' NAVD WHEN THE CODE REQUIRES A MAXIMUM HEIGHT OF 4.425' NAVD. 3. TO PERMIT THE MATERIALS OF THE DECK OF THE DOCK TO BE AT 2.7" HIGHER THAN 4.65 NAVD. 4. TO ALLOW THE DOCK TO EXTEND OUTSIDE THE PROPERTY LINE 14'-2" INSTEAD OF THE 10' REQUIRED BY THE CODE.

Exhibit: Agenda Report No. 1
Resolution No. 2927.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2927.24

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

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

The motion passed.

Town Manager This is an existing seawall that was built 4” higher than the existing code. The applicant is asking to put the dock in the exact location where it is, to keep the height of the seawall, to keep the encroachment because it is consistent with code of having a contiguous seawall. These four requests are in line with what we’ve done in the past. This is one of those radius homes because it’s on the cul-de-sac so this is an exception.

Mayor Singer stated that he understands that this is an exception but doesn’t want to get into the habit of doing this.

2. A Resolution of the Town Council Approving a Variance Request for the Property Located at 101 Ocean Boulevard Concerning the First Floor Finished Elevation.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR PROPERTY LOCATED AT 101 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 1. TO PERMIT THE REAR YARD SETBACK TO MATCH THAT OF THE EXISTING HOME, AS THE SOUTHERN PROPERTY LINE IS THE TOWN’S BOUNDARY LINE AND THERE IS NO PROPERTY TO THE SOUTH TO ESTABLISH THE SOUTH REAR YARD SETBACK. 2. TO PERMIT THE SOUTH SIDE YARD SETBACK TO BE AT 5’-2”, WHERE 7.5’ IS REQUIRED BY CODE. 3. TO ALLOW THE SOUTHWEST CORNER OF THE SECOND FLOOR TO PROJECT AT 5’-6”, AND 8’-6” AT THE SOUTHEAST CORNER OF THE SECOND FLOOR, WHERE 4’ IS REQUIRED BY THE CODE.

Exhibit: Agenda Report No. 2
Resolution No. 2928.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2928.24

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

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

The motion passed.

Town Manager The architect of record for this property happens to be a resident and she has done a phenomenal job with this project. This is the first house as you're coming into town. This variance doesn't affect anyone but our neighbors to the south.

N. TOWN MAJOR PROJECTS REPORT/UPDATE

- Civic Center Construction Update
- Closed Circuit Television (CCTV) Update
- Re-Imagined Tweddle Park Update
- Pump Station #1 Replacement RFP
- Wellness Center Project Update

O. CONSENT AGENDA

- 3. Official Minutes of the February 27, 2024 Special Town Council Meeting**
- 4. A Resolution of the Town Council Approving the Mutual Aid Agreements between the Town and Several Local Police Departments.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE FOLLOWING POLICE DEPARTMENTS; MIAMI BEACH POLICE DEPARTMENT; NORTH BAY VILLAGE POLICE DEPARTMENT, BAL HARBOR POLICE DEPARTMENT, BAY HARBOUR POLICE DEPARTMENT, SURFSIDE POLICE DEPARTMENT, INDIAN CREEK POLICE DEPARTMENT AND HALLANDALE POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2929.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2929.24

5. A Resolution of the Town Council Approving the Agreement between the Department of Health and the Town for Quality Water Testing.

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH AND THE TOWN OF GOLDEN BEACH FOR QUALITY WATER TESTING; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2930.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2930.24

6. A Resolution of the Town Council Approving the Purchase of an Access Control Barrier Gate System for the Town.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF ACCESS CONTROL BARRIER GATE SYSTEMS FOR THE TOWN INCLUDING THE PARKING AREAS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2931.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2931.24

Consensus vote 5 Ayes, 0 Nays. Items 07-08 pass.

P. TOWN RESOLUTIONS

7. A Resolution of the Town Council Accepting the General Purpose Financial Statements for Fiscal Year 2022/2023.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE GENERAL PURPOSE FINANCIAL STATEMENTS FOR FISCAL YEAR 2022/2023 ENDING SEPTEMBER 30, 2023 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7

Resolution No. 2932.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2932.24

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

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

The motion passed.

Town Manager This makes the 17th audit that I served as your manager for. Another audit where it shows that we have a very strong financial footing. It shows that we're fiscally conservative, that we're tightening the belt, and that we're spending money in a very responsible way. A lot has to do with the fiscal productivity of our Building Department. I want to thank Maria Camacho, Finance Director. Under her leadership we're able to keep our city strong. One criticism from our auditors, they said we don't reconcile our due-to due-froms. We don't do that on a monthly basis, we do it at the end of the year. The auditors would like to do it monthly. When we buy our new software this year, we will make sure that it will allow us to do that. Our pension audit passed with flying colors as well. We should be very proud of our finance team – Maria, Ingrid and Gaby. This is the 17th year in a row that we had a clean audit. Citrin Cooperman will be our new auditing firm next year and they're willing to keep our rates.

Vice Mayor Einstein met with Paul Abbott who was instrumental in the capital improvement project and he said that he didn't recognize the place. The Town has changed that much.

8. A Resolution of the Town Council Authorizing Additional Scope of Work to the Design-Build Agreement with Gerrits Construction, Inc. for the Civic Center Project.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING ADDITIONAL SCOPE OF WORK TO THE DESIGN-BUILD AGREEMENT WITH GERRITS CONSTRUCTION, INC. FOR THE TOWN CIVIC CENTER PROJECT, IN AN AMOUNT NOT TO EXCEED \$99,712.22; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2933.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2933.24

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

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

The motion passed.

Town Manager This is for the enclosure for the vestibule in the lobby area. As you know the atrium was always designed as an open atrium. And there's a lot of pros and cons of having that natural air flow. But the wisest thing we can do is to enclose the area of the elevator vestibule. This item first came in at \$175,000. Thanks to Lissett Rovira and Paul Abbott, we were able to get this down to \$99,712.22. We have the revenues and funds for this; it is not touching the GO Bond.

Mayor Singer said that it's a plus for not just weather but also for security.

Councilmember Bernstein mentioned that if they can look at something to do with the door at the second floor vestibule landing.

Mr. Jacques Miodowich asked about installing a permanent stormwater pump in the north end of town.

Town Manager The town is looking for the real estate and the funding to put in that project. Will be asking the state for more money for a permanent submerged pump in that area.

9. A Resolution of the Town Council Assigning Each Councilmember the Duty to Inquire Into An Area of Governmental Responsibility.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ASSIGNING EACH COUNCILMEMBER THE DUTY TO INQUIRE INTO THE OPERATION OF A PARTICULAR AREA OF GOVERNMENTAL RESPONSIBILITY; PROVIDING FOR CONFLICT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2934.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2934.24

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

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

The motion passed.

Town Manager This is required by your Charter. Each Councilmember has an area of responsibility. We changed the titles because this past year with Golden Beach 2.0 we realigned our governmental services. We now have five silos and silo directors are responsible for areas of expertise.

10. A Resolution of the Town Council Awarding RFP 2024-001, Tweddle Park Pump Station Retrofit Project to Southeastern Engineering, Inc.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AWARDED RFP 2024-001 TWEDDLE PARK PUMP STATION RETROFIT PROJECT TO SOUTHEASTERN ENGINEERING, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2935.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2935.24

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

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

The motion passed.

Town Manager explained Pump Station #1 is the oldest pump in town. It used to be a deep well injection pump; the wells continue to fail year after year. Because of the number of homes impacted, the priority was to get the pump retrofitted.

Town Manager took a moment to officially announce to the South Florida community that the Town of Golden Beach will be having road closures as part of a FDOT sidewalk repair project. Sometime next week we will be closing one lane on Ocean Blvd (A1A) during peak hours to remove the old sidewalk to put in the new sidewalk.

Town Council agreed with the lane closures.

11. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund (LETF) Dollars for the Purchase of Thirty (30) Police Radios.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) DOLLARS FOR THE PURCHASE OF THIRTY (30) POLICE MOBILE RADIOS AND ALL EQUIPMENT AND LICENSING FOR SUCH; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No.11
Resolution No. 2936.24

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2936.24

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

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

The motion passed.

Town Manager The County has upgraded the radio system; our radio system is over 18 years old. We're providing all our officers with a radio. We're using LETF dollars; this is a direct purchase from the County.

Mayor Singer asked how much money do we have available on LETF monies. How much have we allocated of LETF money?

Town Manager explained the LETF process. Answering the Mayor's question regarding allocation of LETF money, only the Civic Center, the radios and two cars. And we never have to return money once we receive it.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Bernard Einstein:
None Requested

Councilmember Kenneth Bernstein:

None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Jaime Mendal:
None Requested

Town Manager Alexander Diaz
None Requested

R. ADJOURNMENT:

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

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Lissette Perez

Lissette Perez
Town Clerk