

TOWN OF BAY HARBOR ISLANDS

January 8, 2018

AGENDA

STATEMENT OF DECORUM

All comments must be addressed to the Council as a body and not to individuals. Any person making a racial or slanderous remark or who becomes boisterous while addressing the Town Council, staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. Please mute or turn off your cell phone or other electronic devices at the start of the meeting. Failure to do so may result on being barred from the meeting. Persons exiting the Chambers shall do so quietly.

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

PUBLIC COMMENT:

*There is a three (3) minute time limit for each speaker during public comment and a two (2) minute time limit for each speaker during all other agenda items. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than three (3) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. **A request form is available from staff; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment.** Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.*

CONSENT AGENDA: *(Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)*

1. **Approval** of the following Meeting Minutes:
 - a. Budget Workshop - July 24, 2017
 - b. Regular Council Meeting held August 14, 2017
 - c. Budget Hearing held on September 18, 2017
 - d. Public Hearing held on September 18, 2017
 - e. Special Council Meeting held on September 18, 2017
2. **Consideration and Approval** of a resolution amending the schedule for Building permits to decrease the fee for change of contractor. Enclosed is a copy of the proposed resolution.
3. **Consideration and Approval** of the Council Meeting dates for the 2018 calendar year. Enclosed is a copy of the calendar of the proposed dates.

4. **Approval** of a resolution updating and adopting new values for town owned TDR (Transfer of Development Rights) units in the residential districts and establishing a value for Town owned units in the B-1 Commercial District. Enclosed is a copy of the resolution and supporting documents.
- 4.5 **Approval** of a resolution authorizing deposits and withdrawals of the Town Funds in certain accounts pursuant to the authority given under Chapter 655.043, Florida Statutes. Enclosed is a copy of the proposed resolution.
5. **Consideration** and **Approval** of a Memorandum of Understanding (MOU) between the Town of Surfside, the Village of Bal Harbour and the Town of Bay Harbor Islands to research and assess the development of a more cost-effective shuttle bus operation of all three municipalities. Enclosed is a copy of the proposed MOU.

STAFF RECOMMENDATION: Approval

ORDINANCES ON SECOND READING:

6. **Consideration** and **Approval** of an ordinance on **second** reading amending Chapter 16 of the Town Code to permit payroll deductions for the payment of purchases of credited service for past military and/or police service. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS EMPLOYEES RETIREMENT SYSTEM, OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES, TO PERMIT PAYROLL DEDUCTIONS FOR THE PAYMENT OF PURCHASES OF CREDITED SERVICE FOR PAST MILITARY AND/OR POLICE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

7. **Consideration** and **Approval** of an ordinance on **second** reading amending Section 18-22 of the Town Code to require property owners to underground the service lines. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING SECTION 18-22 ENTITLED NEW CONSTRUCTION AND REHABILITATED STRUCTURES, TO REQUIRE PROPERTY OWNERS TO UNDERGROUND THE SERVICE LINE OR LATERAL FROM THE BUILDING TO THE UTILITY POLES OR UNDERGROUND FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

8. **Consideration** and **Approval** of an ordinance on **second** reading amending Section 23-11 of the Town Code to allow for additional building height in the B-1 Business District. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S ZONING AND PLANNING CODE TO AMEND SECTION 23-11(C) TO ALLOW FOR ADDITIONAL BUILDING HEIGHT IN THE B-1 BUSINESS DISTRICT PROVIDED A DEVELOPER PARTICIPATES IN THE TOWN'S PUBLIC BENEFITS PROGRAM; ESTABLISHING A PUBLIC BENEFITS PROGRAM FOR ADDITIONAL BUILDING HEIGHT INCLUDING SPECIFIC PUBLIC BENEFITS DESIRED BY THE TOWN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

9. **Consideration** and **approval** of an ordinance on **first** reading amending Chapter 16 to provide a five (5) year cliff vesting schedule for police officer members of the Retirement System. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS EMPLOYEES RETIREMENT SYSTEM, OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES, PROVIDING FOR A FIVE-YEAR CLIFF VESTING SCHEDULE FOR POLICE OFFICER MEMBERS OF THE RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

TOWN MANAGER ITEMS: *(Town business items requiring Council approval)*

10. **Discussion** and **direction** with regard to Council Member Fuller's request to design an amphitheater and passive park at the lot located on 95th Street and West Bay Harbor Drive. Staff is proposing a budget in the amount of \$156,000, if approved the Town will solicit a request for proposals (RFP) for the project. Enclosed is a cost estimate and renderings on the proposed park location.

STAFF RECOMMENDATION: Council Discretion

11. **Consideration and Approval** to extend contract BHI-128 with LMK Pipe Renewal LLC. in the amount of \$250,000 to continue sewer lateral lining to reduce the volume of infiltration that enter the sanitary collection system. Enclosed is a Memo from Randy Daniel, Town Engineer.

STAFF RECOMMENDATION: Approval

POLL VOTE

12. **Approval** of contract award BHI 188 to perform the lining of the sewer main to Miller Pipeline Corporation the amount of \$29,337.50 . Enclosed is a copy of the bids and contract.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

13. **Discussion** regarding an amendment to the Town Code to establish additional lighting requirements for new multi-family developments.
14. **Discussion** requested by Council Member Reid regarding parking regulations that allow underground parking garages.

ADJOURNMENT: Set for 11:00 p.m. (Any items not addressed by 11:00 PM, will be continued to the following day at 7:00 PM)

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.