

TOWN OF BAY HARBOR ISLANDS

March 12, 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:

SPECIAL PRESENTATION:

1. The St. Regis Bal Harbour Resort

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.

2. **Consideration and Approval** of a request by Miami Dade County League of Cities to designate a Director and an alternate Director to serve on the Board of Directors for a period of one year.

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.*

COMMITTEE REPORTS:

3. Update from the Planning and Zoning Board Chair Steven Hurwitz.

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.)*

4. **Consideration and Approval** of a resolution continuing and extending a temporary moratorium on medical marijuana dispensing facilities with the Town of Bay Harbor Islands for an additional period of one hundred and eighty (180) days. Enclosed is a copy of the proposed resolution.

5. **Consideration** and **approval** of a charity donation requested by Council Member Reid and Council Member Fuller to the Pelican Harbor Seabird Station in the amount of \$1,000 for their annual Fundraising Party to be hosted April 17, 2018. Enclosed is a copy of the funding request form and supporting documents.
6. **Consideration** and **Approval** requested by Council Member Fuller to make a charity donation in the amount of \$1,000 to the Ruth K. Broad Parent Teacher Association (PTA) to help fund an art sculpture to honor the 17 students of the Florida school shooting at Marjorie Stoneman Douglas High School. Enclosed is a copy of the proposed art sculpture.
7. **Approval** regarding the attendance to the 64th Miami-Dade County League of Cities Annual Installation Gala to be held on Saturday, May 12, 2018. The Silver Sponsorship Package in the amount of \$8,050 will include 3 tables and a full page color advertisement. Enclosed are the sponsorship details for the event.

STAFF RECOMMENDATION: Approval

ORDINANCES ON FIRST READING:

8. **Consideration** and **Approval** of an ordinance on **first** reading amending Section 23-12(6) of the Town Code related to floating vessels platforms and floating boat lifts. Enclosed is a copy of the proposed ordinance and supporting documents.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 23 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED ZONING AND PLANNING; AMENDING SECTION 23-12 ENTITLED GENERAL PROVISIONS TO MODIFY SECTION 23-12(6) RELATED TO FLOATING VESSEL PLATFORMS AND FLOATING BOAT LIFTS; CREATING REGULATIONS FOR SUCH DOCKING FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

9. **Consideration and Approval** of an ordinance on **first** reading amending the Town Code to provide enhanced outdoor lighting requirements. Enclosed is a copy of the proposed ordinance and staff report,

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN'S CODE OF ORDINANCES ENTITLED HOUSING BY MODIFYING SECTIONS 10-1 AND 10-2; AMENDING CHAPTER 23 ENTITLED ZONING AND PLANNING BY MODIFYING SECTION 23-19 TO PROVIDE ENHANCED OUTDOOR LIGHTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

- 9.1 **Consideration and Approval** of an ordinance on **first** reading requested by Mayor Leonard relating to bicycle parking on sidewalks, streets, right of way and public property in the Town. Enclosed is a copy of the proposed ordinance and Memorandum from the office of the Town Attorney.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 18 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED STREETS AND SIDEWALKS, BY ADDING SECTION 18-11 ENTITLED BICYCLE PARKING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

- 9.2 **Consideration and Approval** of an ordinance on **first** reading requested Mayor Leonard to prohibit unattended personal property upon public property. Enclosed is a copy of the ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 18 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED STREETS AND SIDEWALKS, BY ADDING SECTION 18-10 ENTITLED PROHIBITION OF UNATTENDED PERSONAL PROPERTY UPON PUBLIC PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

DEFERRED ITEMS:

10. **Discussion and possible action** requested by Council Member Fuller to explore the option of acquiring the property located on the southwest corner of Bay Harbor Terrace and 97 Street (currently being utilized as a parking lot for 1111 Kane Concourse) through eminent domain. Enclosed is a copy of Memorandum provided by Town Attorneys Craig Sherman and Frank Simone.

STAFF RECOMMENDATION: Council Discretion

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

11. **Consideration and Approval** of Contract Award BHI-192 to Arrow Asphalt Inc. in the amount of \$83,725.50 for Resurfacing and Re-striping the Municipal Parking Lot on 95th Street. Enclosed is a copy of the bid results and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

12. **Consideration and Approval** of a proposal from Chen Moore and Associates in the amount of \$96,250.00 to perform an inspection and assessment report of the seawalls around the East and West Island.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

13. **Discussion** requested by Council Member Yaffe regarding mechanical parking lifts regulations.
14. **Discussion and possible action** requested by Council Member Fuller regarding having a closed meeting to discuss the Town's security systems and plans in connection with an active shooter.

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.