

TOWN OF BAY HARBOR ISLANDS

May 14, 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. Recognition to the winners of the After School Program Art Contest
2. Legislative Report - Senator Daphne Campbell
3. Legislative Report - State Representative Joseph Geller

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

4. Report on Investments Performance - Dan Brea, BNY Mellon
5. Report - Bay Harbor Terrace Parking

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.

COMMITTEE REPORTS:

6. **Consideration and Approval** of a request for appointments and re-appointment to the Planning & Zoning Board for the term 2018 - 2020. Enclosed is a list of Board Member that seek re-appointment and five (5) new request from residents seeking appointment.

STAFF RECOMMENDATION: Council Discretion

7. **Consideration and Approval** of a request for appointment to the Parks & Recreation Committee. The Committee currently has one vacant seat . Enclosed are copies of resumes and letter of interest from residents.

STAFF RECOMMENDATION: Council Discretion

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.)*

8. **Consideration and Approval** of a resolution requested by Council Member Leonard expressing support and encouragement to the City of Weston and other municipalities regarding their pending litigation seeking a declaration that the provisions set forth in Section 790.33, Florida Statutes, punishing elected officials for violating the preemption relating to the regulation of firearms and ammunition, are invalid. Enclosed is a copy of the proposed resolution.
9. **Approval** of the Federally Funded Sub award and Grant Agreement with the Federal Emergency Management Agency reimbursing the Town \$215,44.27 for expenses incurred for cleanup and recovery efforts after Hurricane Irma.
10. **Consideration and Approval** of an agreement with the State of Florida, State Attorney Office to reimburse the state for the cost of state attorney prosecution of certain criminal violations. Enclosed find a copy of the proposed agreement.

STAFF RECOMMENDATION: Approval

ORDINANCES ON SECOND READING:

11. **Consideration and approval** of an ordinance on **second** reading to implement the Planning and Zoning Board's initial recommended Code amendments for single-family home development (front yard open space / building façade criteria). Attached is the proposed ordinance and the Town Planer's staff report.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA; AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO BUILDING ARTICULATION AND OPEN SPACE REQUIREMENTS IN THE RD SINGLE-FAMILY DISTRICT; AMENDING CHAPTER 23-11 OF THE ZONING AND PLANNING CODE ENTITLED LAND DEVELOPMENT REGULATIONS; PROVIDING REQUIREMENTS AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

DEFERRED ITEMS:

12. **Consideration and Approval** of a request for a six (6) month extension to file a Building Permit for site development plan for One Kane Concourse, LLC located at 9551 East Bay Harbor Drive. Enclosed is a letter from Attorney Mathew Amster and approved site plans.

STAFF RECOMMENDATION: Council Discretion

13. **Consideration and Approval** of a request for a Business Tax Receipt for Immobile Assets Corp. to perform vehicle immobilization for property located at 1108 Kane Concourse. Enclosed is a copy of the Business Tax Receipt Application.

STAFF RECOMMENDATION: Council Discretion

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

14. **Consideration and Approval** of contract award BHI-189 Street Sweeping Services to Star Cleaning, USA in the amount of \$104,644.80 for street sweeping service three times per week and for emergency street sweeping services as deemed necessary by the Town.

STAFF RECOMMENDATION: Approval.

POLL VOTE

15. **Consideration and Approval** of an expenditure in the amount of \$89,367 in favor of Miller Pipeline, LLC to CCTV and line five (5) storm water outfalls with Cured in Place Pipe (CIPP). Enclosed is a copy of the agreement and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

16. **Consideration and Approval** of an Engineering Proposal from Keith and Schnars to provide the specifications of a new stand by generator for Town Hall, in the amount of \$48,400.00. Details of the proposal are attached; details of the project are included in Exhibit 1 of the Proposal.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

17. **Discussion** requested by Mayor Bruder and Council Member Yaffe regarding a location for a temporary basketball court. Town Manager to report on the agreement with Bal Harbour to use their basketball court for the Town's Parks and Recreation aftercare program.
18. **Discussion** requested by Council Member Reid to adopt an ordinance that would prohibit campaign contributions by any Town vendors and developers. Enclosed is a copy of an ordinance adopted by the City of Miami Beach.
19. **Discussion** requested by Council Member Reid relating to utility billing and collections. Enclosed is a copy of Chapter 20 of the Town Code.
20. **Discussion** requested by Council Member Reid regarding a memorial for former Council Member Doris Marano.
21. **Discussion** requested by Council Member Yaffe to establish a policy regarding Council Members representing the Town at meetings or functions before other organizations.

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.