

TOWN OF BAY HARBOR ISLANDS

September 16, 2015

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: Set for Approximately 7:30 p.m.

SPECIAL PRESENTATION:

1. Proclamation: Hunger Action Month
2. Proclamation: Childhood Cancer Awareness Month

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

COUNCIL REPORTS:

TOWN MANAGER'S REPORT:

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:

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.)*

3. **Consideration and Approval** of a resolution requested by Council Member Salver urging Florida State Congressional Representatives to disapprove the proposed nuclear agreement with Iran. Enclose find a copy of the proposed resolution.
4. **Consideration and Approval** of a Resolution to extend Council Meetings requested by Mayor Leonard. The resolution will give the Town Council the ability to extend the meetings beyond 11:00 PM.
5. **Consideration and Approval** of a resolution requested by the Town Council updating and adopting new values for Town owned TDR (Transfer of Development Rights) units.

6. **Consideration and Approval** of a Mutual Aid Agreement between the Town of Bay Harbor Islands and Miami-Dade County Police Department. Enclosed find a copy of the agreement.
7. **Consideration and Approval** of a proposal for Insurance (General liability, Professional, Automobile, Property and Workers' Compensation) from Preferred Governmental Insurance Trust for the fiscal years 2015/2016 and 2016/2017 in the amount of \$241,541 first year premium. Enclosed is a memorandum with detailed information from Alan Short, Finance Director.
8. **Consideration and Approval** of a construction trailer to be located at 1133-35 102nd Street as required by Section 23-4(7) of the Bay Harbor Islands Town Code. Enclosed find the supporting documents submitted in connection with this request.

STAFF RECOMMENDATION: Approval.

POLL VOTE

ORDINANCES ON FIRST READING:

9. **Consideration and Approval** of an ordinance on **first** reading amending Section 5-23 of the Town Code, entitled building and construction in order to amend the date in which final working plans are required to be submitted. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 5 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED BUILDING AND CONSTRUCTION, AND SPECIFICALLY AMENDING SECTION 5-23, ENTITLED TIME FOR SUBMITTING FINAL WORKING PLANS IN ORDER TO AMEND THE DATE IN WHICH FINAL WORKING PLANS ARE REQUIRED TO BE SUBMITTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

10. **Consideration and Approval** of an ordinance on **first** reading amending Section 23-21(J) of the Town Code, entitled Gateway (G) Zoning District in order to amend the date in which final working plans are required to be submitted. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 23 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED ZONING AND PLANNING, AND SPECIFICALLY AMENDING SECTION 23-21(j), ENTITLED GATEWAY (G) ZONING DISTRICT IN ORDER TO AMEND THE DATE IN WHICH FINAL WORKING PLANS ARE REQUIRED TO BE SUBMITTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

11. **Consideration and Approval** of an ordinance on **first** reading amending Section 23-18 of the Town Code, entitled Planned Unit Development (PUD) Zoning Overlay District in order to amend the date in which final working plans are required to be submitted. Enclosed is a copy of the propose ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 23 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED ZONING AND PLANNING, AND SPECIFICALLY AMENDING SECTION 23-18, ENTITLED PLANNED UNI DEVELOPMENT (PUD) ZONING OVERLAY DISTRICT IN ORDER TO AMEND THE DATE IN WHICH FINAL WORKING PLANS ARE REQUIRED TO BE SUBMITTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

12. **Consideration and Approval** of an ordinance on **first** reading amending Section 20-9 of the Town Code increasing the monthly base and flow charges for sewer service. Enclosed find the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTION 20-9 OF THE TOWN CODE INCREASING THE MONTHLY BASE AND FLOW CHARGES FOR SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

13. **Consideration and approval** of an ordinance on **first** reading amending Section 9-38 of the Town Code increasing the solid waste fees. Enclosed find the proposed ordinance.

AN ORDINANCE AMENDING SECTION 9-38 (B)(C) OF THE TOWN OF BAY HARBOR ISLANDS CODE INCREASING THE MONTHLY SOLID WASTE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion.

POLL VOTE

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

14. **Consideration and Approval** of a private TDR transaction of the transfer of five (5) dwelling units from 9201 WBH, LLC (9201 W. Bay Harbor Drive) to Islands Club Towers, LLC (9161 & 9201 E. Bay Harbor Drive). Enclosed is a copy of the application, contract, site plans, and other supporting documents.

STAFF RECOMMENDATION: Council Discretion

15. **Consideration and Approval** of a Transfer of Development Rights (TDR) application requesting to purchase three (3) units from the Town's TDR bank for construction of a previously approved project on January 6, 2015, to be located at 1170 - 101 Street. Enclosed is a copy of the application, plans and supporting documents.

STAFF RECOMMENDATION: Council Discretion.

16. **Consideration and Approval** of a Transfer of Development Rights (TDR) transaction of the transfer of six (6) dwelling units from the Town TDR Bank for construction of a previously approved project on January 6, 2015, to be located at 1150-60 102nd Street. Enclosed is a copy of the application, contract, site plans and other supporting documents.

STAFF RECOMMENDATION: Council Discretion.

17. **Appointment** of two Council Members to the Board of Trustees (Retirement Board). One appointment will be for a two year term and the other one will be for three years.

STAFF RECOMMENDATION: Council Discretion

18. **Consideration and Approval** of the 2014-2017 Collective Bargaining Agreement Between the Town Of Bay Harbor Islands Police and Miami-Dade County Police Benevolent Association. Enclosed find a copy of the contract highlights.

STAFF RECOMMENDATION: Approval.

19. **Consideration and Approval** of Change Order #10 in the amount of \$96,775.02 to provide shoring to support for additional concrete pier caps. The Council previously approved a change order for similar work on other piers, the ones included in this change order are in addition to those already approved.

STAFF RECOMMENDATION: Approval.

POLL VOTE

DISCUSSION ITEMS:

20. **Discussion and approval** requested by Mayor Leonard to develop an incentive program/ordinance to encourage the construction of LEED (Leadership in Energy & Environmental Design) Certified Residential and Commercial Buildings in the Town.

STAFF RECOMMENDATION: Approval

21. **Discussion** requested by Council Member Reid regarding the noise ordinance. Enclose find a copy Chapter 12 of the Town Code and supporting documents.

STAFF RECOMMENDATION: Council Discretion.

22. **Discussion and direction** to staff on proposed changes to the ordinance regulating single family driveways, driveway materials and related items.

STAFF RECOMMENDATION: Council Discretion.

23. **Discussion and approval** of conceptual design for landscaping submitted by O'Leary Richards Design Associates, Inc. This item was originally requested by Council Member Fuller and staff was directed by the Town Council to research and bring back for approval.

STAFF RECOMMENDATION: Council Discretion.

24. **Discussion and selection** of Entrance Signage Feature for the Town to be located on the Shepard Broad Causeway Island. Enclose find copies of the proposed sign features.

STAFF RECOMMENDATION: Council Discretion.

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.