

TOWN OF BAY HARBOR ISLANDS

August 13, 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 PM

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. MPS SuperHero Foundation

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

2. Vacation Rentals
Report on Investments Performance - Charles Sachs, BNY Mellon

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:

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. **Approval** of the following Meeting Minutes:
 - a. September 25, 2017 - Budget Public Hearing
 - b. October 24, 2017 - Special Council Meeting
 - c. November 13, 2017 - Regular Council Meeting
 - d. November 20, 2017 - Special Council Meeting
 - e. December 11, 2017 - Public Hearing
 - f. January 8, 2018 - Regular Council Meeting
 - g. February 12, 2018 - Regular Council Meeting
 - h. March 12, 2018 - Regular Council Meeting
 - i. April 16, 2018 - Organizational Meeting
4. **Consideration** and **Approval** for the purchase of a new police marine patrol vessel for \$194,485.00 from Brunswick Commercial and Government Products. The purchase will be through the Florida Sheriffs 1122 Program which piggybacks a federally negotiated pricing/contract. Bids were requested from six (6) boat manufacturers. Documents explaining the program and other quotes are attached.
5. **Approval** of an **agreement** with the Miami Dade County School Board for an address verification system. The agreement will put in place a process to verify address for students attending RKBBHK-8 and would require reporting to the Town.
6. **Approval** of a Memorandum of Understanding between the Miami Dade County School Board through the School Board Police Department and the Town of Bay Harbor Islands Police Department establishing guidelines for the placement of school based law enforcement officers (SBLEOs) at Miami-Dade County Public Schools.
7. **Approval** of a Memorandum of Understanding between the Town of Surfside, Bal Harbour Village and the Town of Bay Harbor Islands to share costs to provide a police officer (resource officer) at RKBBHK-8.
8. **Approval** of inland marine insurance policy for the Shepard Broad Causeway Bridge for the year beginning July 15, 2018 to July 14, 2019 in the amount of \$133,539. Enclosed is a memorandum from Finance Director, Melissa Cruz.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

9. **Consideration and Approval** of an ordinance on **second** reading amending the Town Code to provide enhanced outdoor lighting requirements. Enclosed is a copy of the proposed ordinance and staff report provided by Town Planner Michael Miller.

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

10. **Approval** of an ordinance on **second** reading requested by Council Member Yaffe amending Section 5-23.01 providing for staggered terms for the members of the Planning and Zoning Board. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 5 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED BUILDINGS AND CONSTRUCTION, BY AMENDING SECTION 5-23.01 TO PROVIDE FOR A STAGGERED PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

11. **Approval** of an ordinance on **second reading** amending Chapter 20 of the town code relating to utility billing and collections. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 20 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED UTILITIES, BY AMENDING SECTIONS 20-7, 20-11, AND 20-15.1 TO PROVIDE FOR UNIFORM BILLING, PAYMENT, COLLECTION, AND THE FILING OF LIENS IN CONNECTION WITH UTILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

12. **Consideration and Approval** of an ordinance on **first** reading requested by Council Member Yaffe amending Chapter 23 relating to vehicle parking lifts. Enclosed is a copy of the proposed ordinance.

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, BY ADDING SECTION 23-24(H) ENTITLED VEHICLE PARKING LIFTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

13. **Consideration and approval** of a proposed ordinance on **first** reading amending the Town Code with regard zoning and planning regulations to address the minimum open space requirements and second story building area requirements in the RD Single-Family 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 CODE OF ORDINANCES RELATED TO ZONING AND PLANNING REGULATIONS TO ADDRESS MINIMUM OPEN SPACE REQUIREMENTS AND SECOND STORY BUILDING AREA REQUIREMENTS IN THE RD SINGLE-FAMILY DISTRICT; AMENDING CHAPTER 23-1 OF THE ZONING AND PLANNING CODE ENTITLED DEFINITIONS; 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:

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

14. **Consideration and Approval** of a private Transfer of Development Rights (TDR) transaction for one (1) dwelling unit from the Villas at Bay Harbor Condo Association (1166 98th Street) to Atlantis 103, LLC (10281 West Bay Harbor Drive). Enclosed is a copy of the application, contract, site plans and other supporting documents.

STAFF RECOMMENDATION: Approval

15. **Consideration** and **Approval** of a private Transfer of Development Rights (TDR) transaction for four (4) dwelling units from Northern Start Condo Association (9725-9745 Bay Harbor Terrace) to Atlantis 103, LLC (10281 West bay Harbor Drive). Enclosed is a copy of the application, contract, site plans and other supporting documents.

STAFF RECOMMENDATION: Approval

16. **Consideration** and **approval** of Contract award to Arrow Asphalt and Engineering Inc. in the amount of \$225,000.00, for resurfacing roadways in Zone 2. Enclosed is a copy of the bid tabulations and other pertinent information.

STAFF RECOMMENDATION: Approval

POLL VOTE

17. **Consideration** and **approval** of 95th Street Park Project budget in the total amount of \$181,000 and Contract award to West Construction, Inc. for construction of the 95th Street Park. Enclosed are the bid analysis and a detailed memorandum from the Town Manager.

STAFF RECOMMENDATION: Approval

POLL VOTE

18. **Approval** of contract award to Brute Proof LLC. in the amount of \$29,750 to purchase a HyperV Terminal Server for the administrative computer network. Enclosed is a copy of the proposal.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

19. **Discussion** requested by Council Member Yaffe regarding the meeting date for the Charter and Ordinance Review Committee. The next date of the committee is set by resolution to review the Charter every 10 years, 2022 with the committee becoming active 12 months prior.

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.