

TOWN OF BAY HARBOR ISLANDS

February 11, 2019

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:

1. **Report** of the Town investment performance for the period ending December 31, 2018. Presentation will be provided by Daniel Brea & Gerardo Rodriguez of BNY Mellon.

COUNCIL 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:

2. **Consideration and Approval** of a request for appointment to the Sustainability and Resiliency Committee. Enclosed is a copy of information submitted by Mr. John Corral and Edward Kazanjian.

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.)*

3. **Consideration and Approval** of the following Meeting Minutes:
 - a. August 13, 2018 - Regular Council Meeting
 - b. September 17, 2018 - First Budget Public Hearing
 - c. September 17, 2018 - Public Hearing
 - d. September 17, 2018 - Regular Council Meeting
 - d. September 26, 2018 - Second Budget Public Hearing
 - e. October 10, 2018 - Regular Council Meeting

4. **Consideration** and **Approval** requested by Council Member Leonard to purchase the Bronze Sponsorship Package in the amount of \$3,000 to attend the Miami Dade County League of Cities 65th Annual Installation Gala which will be held on Saturday, May 4th, 2019. Enclosed is a copy of the Sponsorship Packages available.
5. **Consideration** and **Approval** of a request from the David L. Singer Foundation of the Town customary donation in the amount of \$500 for the Special Olympics Event. Enclosed is a copy of the funding request from the David Singer Foundation.
6. **Consideration** and **Approval** requested by Council Member Reid and Vice Mayor Fuller of a customary charity donation in the amount of \$1,000 to the Pelican Harbour Seabird Station. Enclosed is a copy of the sponsorship packages.
7. **Consideration** and **Approval** of a proposal from Parkeon in the amount of \$84,080 for the purchase of twelve (12) Pay by Plate Parking Meters. The meters will be located at the municipal lots on 103rd Street, 100 Street and 92nd Street, as well as, Bay Harbor Terrace and the parking garage. Enclosed is a copy of the proposal and supporting documents.
8. **Consideration** and **Approval** of a request by Council Member Leonard to provide the Bay Harbor Islands Police Department \$5,000 in LETF Trust funds for the purpose of providing scholarships to current Bay Harbor Islands Police Explorers.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

9. **Consideration** and **Approval** of an ordinance on **second** reading to prohibit medical marijuana dispensing facilities within the Town. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 23, ARTICLE I OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES BY ADDING SECTION 23-5.3 TO PROHIBIT MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE BOUNDARIES OF THE TOWN OF BAY HARBOR ISLANDS AS AUTHORIZED BY SECTION 381.986(11)(B), FLORIDA STATUTES; PROVIDING LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION, PROVIDING FOR MORATORIUM CONTINGENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

10. **Consideration and approval** of an ordinance on **first** reading amending Chapter 5 1/4 of the Town Code creating the "Communications Rights-of-Way Ordinance" providing for registration for placing or maintaining communications facilities in the public rights of way. Enclosed is a copy of the proposed ordinance and supporting documents.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE TOWN OF BAY HARBOR ISLANDS BY AMENDING CHAPTER 5¼, SECTIONS 5¼-1 – 5¼-17, CREATING THE “COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE,” AS PROVIDED HEREIN; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A PERFORMANCE CONSTRUCTION BOND; PROVIDING FOR CONSTRUCTION METHODS; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

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

11. **Consideration and approval** of contract award to People's Choice Pressure Cleaning & Painting in the amount of \$18,975 for the exterior cleaning and painting of the Town Hall Complex. This is require to comply with the forty-year inspection. Enclosed is a copy of the Inspection results and proposals.

STAFF RECOMMENDATION: Approval

12. **Approval** of an assignment/transfer of the Town's solid waste and recycling contract from World Waste Recycling to Coastal Waste and Recycling Holdco, LLC. Enclosed is the letter from World Waste and Coastal Waste and Recycling.

STAFF RECOMMENDATION: Approval

13. **Consideration** of a request by Council Member Leonard of a scholarship donation to the Rotary Club of Bal Harbour. Enclosed is a copy of the Funding Request form and supporting documents.

STAFF RECOMMENDATION: Council Discretion

14. **Discussion and direction** requested by Town Manager Jimenez regarding the manner of bidding for the this year's holiday decorations.

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.

