

NOTE: A three-minute maximum time limit will be imposed on all comments from the public, regardless of the subject matter. A request form is available from the Deputy Town Clerk; fill it in and return it to her prior to the start of the meeting. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please turn off or mute your cell phone or pager at the start of the meeting.

**TOWN OF BAY HARBOR ISLANDS
ORGANIZATIONAL MEETING
FINAL AGENDA**

April 8, 2019

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

1. Distribution of Annual Salaries to the Town Council.
2. Acceptance of the Certification of Elections presented by the Town Clerk as Supervisor of Elections and Canvassing Board Member. Enclosed is a copy of the Certification of the Elections results.
3. Administration of Oath of Office to the newly elected Council Members. the Oath of Office will administered by Deputy Town Clerk, Alba Chang.
4. Selection of a Mayor by the Town Council
5. Selection of a Vice Mayor by the Town Council.
6. Administration of Oaths of Office to the Mayor and Vice Mayor. These oaths will be administered by Deputy Town Clerk, Alba Chang.
7. **Consideration and Approval** of a Resolution re-appointing the Town Clerk and Deputy Town Clerk. The resolution reflects the current appointments of Marlene M. Siegel and Alba L. Chang. Enclosed is a copy of the proposed resolution.
8. **Consideration and Approval** of a Resolution re-appointing the Town Attorney and Assistant Town Attorneys. The current resolutions reflects the current appointment of Craig B. Sherman as Town Attorney, with Drew B. Sherman and Frank Simone as Assistant Town Attorneys. Enclosed is a copy of the proposed resolution.
9. Administration of oaths of office to the Town Clerk, Deputy Town Clerk, Town Attorney and Assistant Town Attorneys. These oaths will be administered by the Mayor.
10. **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. Enclosed is a copy of the request by Miami Dade County League of Cities.

ADJOURNMENT - Approximately 7:30 p.m.

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.

AGENDA ITEM REPORT

April 8, 2019

ITEM NUMBER: 2.

ITEM: Acceptance of the Certification of Elections presented by the Town Clerk as Supervisor of Elections and Canvassing Board Member. Enclosed is a copy of the Certification of the Elections results.

DESCRIPTION:

Council Members Isaac Salver and Robert Yaffe were unopposed for the April 2nd, 2019 General Election, therefore, they are reelected to a four year term ending April 2023.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Marlene Siegel, Town Clerk

ATTACHMENTS

1. certification - election 2019



CERTIFICATION OF ELECTION RESULTS

Town Council

Stephanie Bruder
Mayor

Joshua D. Fuller
Vice Mayor

Jordan W. Leonard
Council Member

Kelly Reid
Council Member

Isaac Salver
Council Member

Elizabeth Tricoche
Council Member

Robert Yaffe
Council Member

Town Officials

J.C. Jimenez
Town Manager

Marlene M. Siegel
Town Clerk

Craig B. Sherman
Town Attorney

DATE: March 4, 2019

TO: **CANVASSING BOARD** - Town Manager Juan Carlos Jimenez, Miami
Dade County Election Supervisor, Christina White and Town Clerk
Marlene M. Siegel
MAYOR AND TOWN COUNCIL

FROM: MARLENE M. SIEGEL, TOWN CLERK

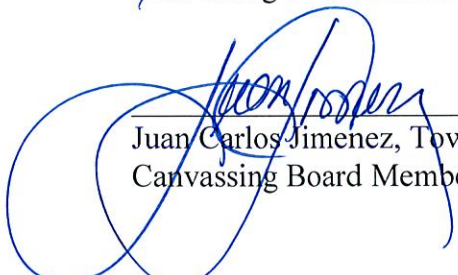
SUBJECT: April 2, 2019 Election

This is to certify that the period of qualification of candidates for the two vacancies for the Office of Council Member on the Town Council of the Town of Bay Harbor Islands ended at 5:00 p.m. on March 1st, 2019, and that Isaac Salver and Robert Yaffe, were the only persons who officially registered as candidates for the office of Council Member, for the April 2, 2019 election prior to the deadline.

In accordance with Florida Statute 101.151(7) the names of unopposed candidates shall not appear on the general election ballot and each unopposed candidate shall be deemed to have voted for himself or herself. Accordingly, Isaac Salver and Robert Yaffe are elected to the office of Council Members.

Respectfully submitted,


Marlene M. Siegel, Town Clerk
Canvassing Board Member


Juan Carlos Jimenez, Town Manager
Canvassing Board Member

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MAYOR JOSEPH J. GARDNER GOVERNMENT CENTER

89-338; s. 555, ch. 95-147; s. 61, ch. 2001-40; s. 28, ch. 2005-277; s. 27, ch. 2011-40.

Note.—Former s. 100.45.

101.151 Specifications for ballots.—

(1)(a) Marksense ballots shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Early voting sites may employ a ballot-on-demand production system to print individual marksense ballots, including provisional ballots, for eligible electors pursuant to s. 101.657. Ballot-on-demand technology may be used to produce marksense vote-by-mail and election-day ballots.

(2)(a) The ballot must include the following office titles above the names of the candidates for the respective offices in the following order:

1. The office titles of President and Vice President above the names of the candidates for President and Vice President of the United States nominated by the political party that received the highest vote for Governor in the last general election of the Governor in this state, followed by the names of other candidates for President and Vice President of the United States who have been properly nominated.

2. The office titles of United States Senator and Representative in Congress.

3. The office titles of Governor and Lieutenant Governor; Attorney General; Chief Financial Officer; Commissioner of Agriculture; State Attorney, with the applicable judicial circuit; and Public Defender, with the applicable judicial circuit.

4. The office titles of State Senator and State Representative, with the applicable district for the office printed beneath.

5. The office titles of Clerk of the Circuit Court or, when the Clerk of the Circuit Court also serves as the County Comptroller, Clerk of the Circuit Court and Comptroller, when authorized by law; Clerk of the County Court, when authorized by law; Sheriff; Property Appraiser; Tax Collector; District Superintendent of Schools; and Supervisor of Elections.

6. The office titles of Board of County Commissioners, with the applicable district printed beneath each office, and such other county and district offices as are involved in the election, in the order fixed by the Department of State, followed, in the year of their election, by "Party Offices," and thereunder the offices of state and county party executive committee members.

(b) In a general election, in addition to the names printed on the ballot, a blank space shall be provided under each office for which a write-in candidate has qualified. With respect to write-in candidates, if two or more candidates are seeking election to one office, only one blank space shall be provided.

(c) When more than one candidate is nominated for office, the candidates for such office shall qualify and run in a group or district, and the group or district number shall be printed beneath the name of the office. Each nominee of a political party chosen in a primary shall appear on the general election ballot in the same

numbered group or district as on the primary election ballot.

(d) If in any election all the offices as set forth in paragraph (a) are not involved, those offices not to be filled shall be omitted and the remaining offices shall be arranged on the ballot in the order named.

(3)(a) The names of the candidates of the party that received the highest number of votes for Governor in the last election in which a Governor was elected shall be placed first for each office on the general election ballot, together with an appropriate abbreviation of the party name; the names of the candidates of the party that received the second highest vote for Governor shall be placed second for each office, together with an appropriate abbreviation of the party name.

(b) Minor political party candidates shall have their names appear on the general election ballot following the names of recognized political parties, in the same order as they were qualified, followed by the names of candidates with no party affiliation, in the order as they were qualified.

(4)(a) The names of candidates for each office shall be arranged alphabetically as to surnames on a primary election ballot.

(b) When two or more candidates running for the same office on a primary election ballot have the same or a similar surname, the word "incumbent" shall appear next to the incumbent's name.

(5) The primary election ballot shall be arranged so that the offices of Governor and Lieutenant Governor are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for Governor and Lieutenant Governor, if applicable.

(6) The general election ballot shall be arranged so that the offices of President and Vice President are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for President and Vice President and so that the offices of Governor and Lieutenant Governor are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for Governor and Lieutenant Governor.

(7) Except for justices or judges seeking retention, the names of unopposed candidates shall not appear on the general election ballot. Each unopposed candidate shall be deemed to have voted for himself or herself.

(8) In counties subject to multi-language ballot requirements, the supervisor may petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots for each minority language required.

(9)(a) The Department of State shall adopt rules prescribing a uniform primary and general election ballot for each certified voting system. The rules shall incorporate the requirements set forth in this section and shall prescribe additional matters and forms that include, without limitation:

1. Clear and unambiguous ballot instructions and directions;
2. Individual race layout; and
3. Overall ballot layout.

AGENDA ITEM REPORT

April 8, 2019

ITEM NUMBER: 7.

ITEM: Consideration and Approval of a Resolution re-appointing the Town Clerk and Deputy Town Clerk. The resolution reflects the current appointments of Marlene M. Siegel and Alba L. Chang. Enclosed is a copy of the proposed resolution.

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Marlene Siegel, Town Clerk

ATTACHMENTS

1. Reso - appointing town clerk -deputy 2019

RESOLUTION NO.

**A RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF BAY HARBOR ISLANDS,
FLORIDA, APPOINTING A TOWN CLERK AND A
DEPUTY TOWN CLERK.**

WHEREAS, it is incumbent upon the Town Council to appoint a Town Clerk and a Deputy Town Clerk; and

WHEREAS, appropriations for these officials has been provided for in the Operating Budget; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands:

Section 1. That the following be appointed as Town Clerk:

MARLENE M. SIEGEL

Section 2. That the following be appointed as Deputy Town Clerk:

ALBA L. CHANG

PASSED and ADOPTED this 8th day of April 2019.

MAYOR

ATTEST:

TOWN MANAGER

AGENDA ITEM REPORT

April 8, 2019

ITEM NUMBER: 8.

ITEM: Consideration and Approval of a Resolution re-appointing the Town Attorney and Assistant Town Attorneys. The current resolutions reflects the current appointment of Craig B. Sherman as Town Attorney, with Drew B. Sherman and Frank Simone as Assistant Town Attorneys. Enclosed is a copy of the proposed resolution.

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Marlene Siegel, Town Clerk

ATTACHMENTS

1. Reso - appointing Town Attorneys 2019

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF BAY HARBOR ISLANDS, FLORIDA
APPOINTING A TOWN ATTORNEY AND
ASSISTANT TOWN ATTORNEYS.**

WHEREAS, it is incumbent upon the newly elected Town Council to appoint a Town Attorney and Assistant Town Attorneys; and

WHEREAS, an appropriation for these officials has been provided for in the Operating Budget; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands:

Section 1. That the following shall be appointed to serve the Town as Town Attorney to handle all legal details for the current appointive year for an annual retainer of \$60,000.00 plus \$ 395.00 per hour for matters in litigation:

CRAIG B. SHERMAN

Section 2. That the following be appointed as Assistant Town Attorneys to serve only in the absence of the Town Attorney under the supervision and direction of the Town Attorney as a single entity in accordance with the compensation established above.

FRANK C. SIMONE

DREW B. SHERMAN

PASSED and ADOPTED this 8th day of April 2019.

MAYOR

ATTEST:

TOWN CLERK

AGENDA ITEM REPORT

April 8, 2019

ITEM NUMBER: 9.

ITEM: Administration of oaths of office to the Town Clerk, Deputy Town Clerk, Town Attorney and Assistant Town Attorneys. These oaths will be administered by the Mayor.

DESCRIPTION:

Not present at this meeting is Town Clerk Marlene M. Siegel. The Mayor will administer the oath of office upon her return.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Marlene Siegel, Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 8, 2019

ITEM NUMBER: 10.

ITEM: 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. Enclosed is a copy of the request by Miami Dade County League of Cities.

DESCRIPTION:

At the March 12, 2018, Regular Council Meeting, the Town Council designated Council Member Robert Yaffe to serve as Director and Council Member Kelly Reid as an alternate Director.

Enclosed is the e-mail correspondence received from Miami Dade County League of Cities.

RECOMMENDED ACTION:

Council Discretion

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk

ATTACHMENTS

1. FW_ MDCLC Board appointment

From: MDCLC
To: Alba Chang
Subject: FW: MDCLC Board appointment
Date: Wednesday, April 03, 2019 11:27:16 AM
Attachments: MDCLC Banner.png

From: MDCLC [mailto:mdclc@bellsouth.net]

Sent: Thursday, February 14, 2019 2:22 PM



Dear Mayor Bruder:

Allow me this opportunity to first thank you for your continued participation in and support of the Miami-Dade County League of Cities (MDCLC). President Jordan W. Leonard, and myself are well aware that MDCLC's success is a direct result of the hard work and dedication of its members. For this reason, we need your cooperation in making appointments to the Board.

Each member municipality designates one of its elected officials to serve as a **Director** and one as an **alternate Director** of the League for a period of one year. The term commences at the date of the Annual Meeting in the month of May, and runs until the following May.

Allow this letter to serve as a kind reminder that you are required to designate a Director and an alternate to represent your municipality on the MDCLC's Board preferably before **April 1st, 2019**. Please send us a note to the League office naming your appointments.

Thank you for your continued cooperation and support.

Sincerely,

Richard Kuper, Esq.
Executive Director,
Miami-Dade County League of Cities
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