

TOWN OF BAY HARBOR ISLANDS

August 12, 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:

SPECIAL PRESENTATION:

1. Scholarship presented to Explorer - Chief Sean Hemingway

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

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:

2. **Review** of Citizen's Committee's appointments / re-appointments for the Parks & Recreation Committee and the Resiliency and Sustainability Committee. Enclosed is a list of residents that seek a appointment.

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 April 8th, 2019 Organizational Meeting.
4. **Consideration and Approval** of a **resolution** authorizing the Town Manager to enter into a Statewide Mutual Aid Agreement with the Florida Division of Emergency Management to provide emergency aid and assistance in the event of a disaster or emergency. Enclosed is a copy of the agreement.

5. **Consideration and Approval** of a **Resolution** of the Town Council updating the Title VI program plan as required by Miami-Dade Transit and the Federal Transit Administration as part of the grant agreement which funded the Town's bus shelters.
6. **Consideration and Approval** of a **resolution** to accept a grant from the Florida Department of Environmental Protection in the amount of \$70,000 to conduct a Flood Vulnerability Assessment. Enclosed is a copy of the resolution and grant agreement.
7. **Approval** of inland marine insurance policy for the Shepard Broad Causeway Bridge for the year beginning July 15, 2019 to July 14, 2020 in the amount of \$110,039. Enclosed is a copy of a memorandum from Melissa Cruz, Assistant Town Manager/Finance Director.
8. **Consideration and Approval** of a Memorandum of Understanding to implement the Nurse Enhancement Initiative for the 2019/2020 school year. Enclosed is a copy of the agreement and summary report.
9. **Consideration and Approval** of a Memorandum of Understanding between the Town; Town of Surfside, and the Village of Bal Harbour to equally share the employee contribution for a new Part Time Employee to administer the Address Verification Plan at the Ruth K. Broad K-8 Center. Enclosed is a copy of the agreement.

STAFF RECOMMENDATION: Approval

ORDINANCES ON SECOND READING:

10. **Consideration and approval** of an ordinance on **second** reading amending Section 5-20 of the Town Code to require reimbursement to perform a traffic study in connection with a development application. This item was requested at a previous meeting by Council Member Leonard.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S BUILDING AND CONSTRUCTION CODE TO MODIFY PROVISIONS RELATED TO THE CONTENTS OF A PRELIMINARY DEVELOPMENT PLAN APPLICATION, INCLUDING THE SUBMITTAL OF AN IMPACT ANALYSIS REPORT (IAR) DEMONSTRATING COMPLIANCE WITH THE TOWN ADOPTED LEVEL OF SERVICE (LOS) CRITERIA, SPECIFICALLY RELATED TO TRAFFIC IMPACTS; AMENDING SECTION 5-20 OF THE TOWN'S CODE OF ORDINANCES TO REITERATE THAT A TRAFFIC IMPACT LEVEL OF SERVICE ANALYSIS IS REQUIRED AS PART OF PRELIMINARY PLAN SUBMISSION; ADDING A NEW PROVISION IN SECTION 5-20 THAT AUTHORIZES THE TOWN MANAGER TO RETAIN AN ENGINEERING CONSULTANT TO PREPARE A FULL-SCALE TRAFFIC STUDY FOR CERTAIN MAJOR LAND DEVELOPMENT PROJECTS THAT ARE EXPECTED TO GENERATE A SIGNIFICANT AMOUNT OF NEW TRAFFIC OR MAY CREATE NEGATIVE NEIGHBORHOOD IMPACTS AT THE APPLICANT'S EXPENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

11. **Consideration and Approval** of an ordinance on **first** reading amending Section 23-1 of the Town Code to modify the definition for swimming pools by adding hot tubs, Jacuzzi and spas. And amending Section 23-12(15) to modify regulations for swimming pools, by adding provisions for hot tubs, jacuzzi and spas. 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 SWIMMING POOLS, HOT TUBS, JACUZZI, AND SPAS; AMENDING SECTION 23-1 OF THE ZONING AND PLANNING CODE TO ADD NEW DEFINITIONS; AMENDING SECTION 23-12(15) OF THE ZONING AND PLANNING CODE TO MODIFY REGULATIONS FOR SWIMMING POOLS, BY ADDING PROVISIONS FOR HOT TUBS, JACUZZI AND SPAS; 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)*

12. **Approval** of a 3 year contract award to Christmas Designers for Holiday Lighting and Decorations Design and Display Services in the amount of \$70,000 per year. Staff is also recommending the extra option for an additional cost of \$9,650. Enclosed is a copy of the proposed designs and other supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

13. **Consideration and Approval** of a proposal from Rep Services, Inc. in the amount of \$228,600.63 for materials and construction services to add two (2) shade structures; new flexible surfacing and a new tree fort play feature at the Tot Lot Park. The Town will "piggyback" off a Clay County, Florida contract for the services. Enclosed is a copy of the proposal and other supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

14. **Consideration and approval** of Contract award BHI 201 to Miguel Lopez Jr. Inc. in the amount of \$42,895.00 to resurface and re-stripe the 100th Street Municipal Parking Lot. Enclosed is a copy of the Bid Evaluation Report and other supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

15. **Consideration and Approval** of Contract award BC 154 to Heavy Civil Inc. in the amount of \$1,067,846.40 for the Broad Causeway Corridor Enhancements Project. Enclosed is a copy of the bid report and other supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

16. **Discussion** requested by Council Member Leonard and co-sponsored by Council Member Reid to prohibit single use plastic bags. Enclosed is a copy of ordinance from the Village of Bal Harbour.

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.