

NOTE: There is a three-minute time limit on all comments from the public, regardless of the subject matter. A request form is available from the Deputy Town Clerk; please fill it in and return it to her prior to the start of the meeting if you would like to speak during public comment. 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. Thank you.

TOWN OF BAY HARBOR ISLANDS

SPECIAL COUNCIL MEETING REVISED AGENDA

May 14, 2020

SPECIAL NOTICE - VIRTUAL MEETING

This meeting is being held through the Zoom Platform. Members of the Public who wish to participate and/or view the meeting may do so by logging in through the Zoom Platform as follow:

Zoom Link: <https://zoom.us/j/91668175730>
Meeting ID: 916-6817-5730

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free number below:

US Toll Free Number: 877 853 5247 or 888 788 0099
Meeting ID: 916-6817-5730

CALL TO ORDER: 5:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. **Report** by Interim Town Manager Siegel regarding the Coronavirus / COVID-19 Financial impact.
2. **Discussion** and **possible action** requested by Interim Town Manager Siegel on the partial re-opening of the 98th Street Scott Winter Park, 95th Street Park and the Tennis Courts.
3. **Discussion** requested by Interim Town Manager Siegel on the re-opening plan for Town Hall to resume normal operations.
4. **Discussion** requested by Council Member Tricoche on the feasibility to offer Town residents a \$500 rental assistance grant.
5. **Announcement** to the public of a Closed Session Meeting scheduled for Thursday, May 14th, 2020 at 5:05 p.m. for the purpose of discussing settlement negotiation, strategy, cost of litigation and expenditures in the following case:

Cone & Graham, Inc. vs. Town of Bay Harbor Islands
Case #2019-035332-CA-01 filed in Circuit Court of the 11th Judicial Circuit in and for Miami Dade County, Florida.

ADJOURNMENT: Approximately 5:30 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

May 14, 2020

ITEM NUMBER: 2.

ITEM: Discussion and possible action requested by Interim Town Manager Siegel on the partial re-opening of the 98th Street Scott Winter Park, 95th Street Park and the Tennis Courts.

DESCRIPTION:

The proposed plan is before the Town Council for consideration for the re-opening of the following Town Parks and other Recreational Facilities. The plan outlines the staff recommendation for hours of operation and recommendations from the Center of Disease Control, Miami Dade County and Health Department.

98th Street Scott Winter Park and the 95th Street Lot Park

- * Entrance to the Town Parks will be for Town residents ONLY.
- * Facial coverings must be worn in accordance to Miami Dade County Order 21-20 / Center for Disease Center Guidelines.
- * Residents shall exercise a 6 feet social distancing following the (CDC) / Health Department guidelines.
- * Park Hours will be limited to 6 hours a day, 7 days a week, starting May 18th.

7:00 a.m. to 10:00 a.m. (one hour in the morning will be dedicated to the Seniors.)

5:00 p.m. to 8:00 p.m.

- * Each park will be fully staffed to ensure that CDC requirements are enforced.
- * Parks will be cleaned every two hours and will be deep cleaned each night after closure.

Tennis Courts

- * Facial coverings must be worn in accordance to Miami Dade County Order 21-20 / Center for Disease Center Guidelines.
- * Entrance to the Tennis Courts will be Town residents ONLY.
- * One court will be open for single play only
- * The second court will be used by the Tennis pro to provide residents with individual instructions.
- * Hours of operation will be from 8:00 am to 11:00 am and evenings from 5:00 pm to 8:00 pm.

Enclosed is a copy of Miami Dade County Order 21-20 as it relates to Miami Dade County Parks.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Interim Town Clerk
 Marlene Marante Siegel, Interim Town Manager

ATTACHMENTS

1. MDC -emergency-order-21-20



MIAMI-DADE COUNTY EMERGENCY ORDER 21-20

WHEREAS, section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency related to coronavirus disease 2019 (COVID-19) in Florida; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 12, 2020, the County Mayor declared a State of Emergency for all of Miami-Dade County; and

WHEREAS, the County Mayor has filed an affidavit explaining that this State of Emergency, including extensions, may last for more than thirty days; and

WHEREAS, the County Mayor issued Emergency Order 06-20 on March 18, 2020, closing beaches, parks, and recreational facilities; and

WHEREAS, Emergency Order 06-20 was amended on March 22, 2020, to close marinas and boat ramps; and

WHEREAS, on March 30, 2020, the Governor issued Executive Order Number 20-89, restricting the operation of non-essential businesses in certain South Florida counties and requiring such establishments to take reasonable actions to comply with the United States Centers for Disease Control and Prevention (CDC) guidelines on social distancing; and

WHEREAS, the CDC believes that social distancing is the most effective way of slowing the spread of COVID-19; and

WHEREAS, on April 3, 2020, the CDC recommended that persons wear facial coverings, including cloth masks or other facial coverings, in situations where it is difficult to attain social distancing; and

WHEREAS, on April 7, 2020, the Board of County Commissioners ratified both the declared State of Emergency and Emergency Order 06-20, as amended; and

Miami-Dade County Declaration of Local State of Emergency

WHEREAS, COVID-19 poses a health risk to Miami-Dade County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, COVID-19 spread continues to occur in Miami-Dade County, although at a lower rate; and

WHEREAS, it is important for the physical and mental health of the community that outdoor recreation be allowed to the extent it is safe to do so; and

WHEREAS, the County, in consultation with medical experts, industry experts, and municipalities within Miami-Dade County, has determined that it is possible to open, with restrictions, parks, golf courses, marinas and boat ramps,

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

1. Effective as of 6:00 a.m. on April 29, 2020, Emergency Order 06-20, as amended, is cancelled.

2. Defined terms:

As used herein,

- the term “facial covering” shall refer to a facial covering as described in Emergency Order 20-20;
- the term “family” shall mean an individual and spouse, domestic partner, parents, children, or legal guardians who reside in the same household, and inclusive of children whose custody is shared between two parents in different households;
- “parks” shall mean parks and recreational facilities but shall not include beaches; and
- the term “social distancing” shall mean a minimum of six feet distance between persons. Social distancing, where required herein, shall not apply to family members residing in the same dwelling solely with respect to other such family members.

3. If the CDC issues guidelines that are more restrictive than is provided for in this order, persons shall comply with the CDC guidelines.

4. Effective as of 6:00 a.m. on April 29, 2020, all parks and recreational facilities in the incorporated and unincorporated areas of Miami-Dade County may be open, but only under the limited circumstances set forth herein:

- All parks and recreational facilities may be open only from the hours of 7 a.m. to 8 p.m. Within this time period, a park or recreational facility may be open for a shorter time period if prescribed by their normal operating hours or, with respect to parks operated by municipalities, by municipal regulation.

Miami-Dade County Declaration of Local State of Emergency

- Use of parks and recreational facilities shall be for limited active and passive uses by individuals and families, as permitted by this order and following current CDC and State Health Department guidelines.
- No groups of 10 or more persons shall congregate in parks or recreational facilities. All persons, excepting family, shall observe social distancing, both within groups and with others.
- Only the following limited active uses are allowed: walking, jogging, hiking, skating, cycling, nature walks on trails, and sports skills practice by individuals or between family members. Sports skills practice includes, but is not limited to, activities such as shooting a basketball, dribbling a soccer ball, solo racquetball, family members throwing a ball, or similar activities.
- To ensure that social distancing is maintained and to ensure access to facilities by patrons, parks staff may limit the number of persons using trails, paths, fields, or courts, and may limit the time any person spends on such trail, path, field, or court.
- Organized or competitive play on courts and fields is prohibited, except singles tennis play may be allowed.
- Passive uses of parks are allowed if social distancing is maintained, provided however, that table games, picnics, and parties are prohibited.
- Selected park trails and walkways shall be one-way flow only, except where the existing configurations does not allow such flow. Where designated for one-way flow, persons shall only move in the designated direction.
- Facial coverings shall be worn, except children under the age of 2, persons who have trouble breathing due to a chronic pre-existing condition, or persons engaged in strenuous physical activity.
- An attendant shall be provided for each restroom. Restrooms shall be cleaned no less than once every two hours with CDC approved products. Restroom use shall be one person or one family at a time.
- Vehicle parking capacity in parks shall be reduced by no less than 25 percent when practicable.
- Sports field lighting shall remain off.
- Use of the following amenities is prohibited:
 - bike racks;
 - playgrounds and exercise equipment;
 - dog parks;
 - recreation buildings, picnic shelters, gyms, campgrounds;
 - skate parks;
 - splashpads and swimming pools;
 - mechanical attractions; and
 - concessions.

5. Effective as of 6:00 a.m. on April 29, 2020, all marinas, boat launches, docking, fueling, marine supply, and other marina services in the incorporated and unincorporated areas of Miami-Dade County may be open, but only under the limited circumstances:

Miami-Dade County Declaration of Local State of Emergency

BOAT RAMP PROTOCOL:

- Ramps may be open between 6 a.m. and 8 p.m. daily.
- Facial coverings shall be worn while on shore and until such time as the vessel is fully loaded and has departed the marina.
- One boat per launch ramp shall be permitted at a time; vessels shall be prepared in advance to launch, such as plug secured, dock lines tied, and safety equipment and provisions already onboard; all passengers shall board the vessel once it is launched.
- Upon returning to the dock, all passengers shall remain on the vessel until the boat is ready to be loaded onto the trailer; once loaded, all passengers shall return to their vehicles and exit the launch facility immediately.

FISH CLEANING STATIONS:

- One person per station at a time. Fish cleaning stations shall be cleaned with soap and water or a disinfecting agent between each use.
- Social distancing shall be practiced.

FISHING PIERS:

- A minimum of 10 feet between persons fishing shall be maintained, with the exception of family members.
- Persons shall wear facial coverings while fishing.

PUBLIC RESTROOMS/SHIP STORES:

- Access to public restrooms shall be available. Restrooms shall be cleaned no less than once every two hours using CDC approved products.
- Those entering ship or bait and tackle stores shall be required to practice social distancing and wear facial coverings.
- Floor markings shall be used to assist customers in observing social distancing.

CHARTER VESSELS:

- Captain, crew and patrons shall wear facial coverings and practice social distancing both on shore and on the vessel.
- "Six-Pack" vessels shall have no more than four guests per vessel.
- Drift Fishing Vessels shall provide for social distancing, which shall include delineating safe social distancing positions, including, but not limited to, tape or markings for patrons on seats, vessel railings and the deck. All persons fishing shall have his/her own fishing poles and tackle. Equipment rental is prohibited.
- CDC cleanliness guidelines shall be posted in restrooms/heads; restrooms shall be sanitized and disinfected at least hourly and after each trip, or more frequently as needed; and water and soap, hand sanitizer, or both, shall be provided for patrons.
- Fish cleaning and bait table stations shall be limited to one person per station at a time. Fish cleaning and bait table stations shall be cleaned with soap and water or a disinfecting agent between each charter.

Miami-Dade County Declaration of Local State of Emergency

- If crew members are filleting fish a patron caught, only one person per table.
- All persons shall practice social distancing and utilize facial coverings at landside and including check-in locations.
- Vessels shall delineate safe social distance positions for those waiting in line to check in or out with tape or other markings.

ON-WATER ACTIVITY:*

- Boats shall remain 50 feet apart at all times.
- Tying up to posts or structures that are condemned or unoccupied in Stiltsville is prohibited.
- Gatherings of more than 10 people are prohibited.
- Rafting up or beaching of boats is prohibited.
- Landings and anchoring at sandbars are prohibited.
- Capacity of boats:
 - Boats less than 25 feet: 4 adults maximum, plus children 17 and under. Maximum of 8 people on the boat.
 - Boats 25 feet to 36 feet: 6 adults maximum, plus children 17 and under. Maximum of 10 people on the boat.
 - Boats greater than 36 feet: 8 adults maximum, plus children 17 and under. Maximum of 10 people on the boat.
 - No boat shall exceed the maximum persons capacity per “maximum capacity label.”
 - Jet ski rental operations shall be single riders only. Jet skis shall be sanitized on return with CDC approved products.

**Limitations on use of vessels on-water shall be enforced as permitted by Florida Law by any law enforcement entity having jurisdiction.*

6. Effective as of 6:00 a.m. on April 29, 2020, golf courses may open, if the following conditions are met:

ON-COURSE FACILITY

- Staff and players shall practice social distancing and wear facial coverings while inside the facility.
- No clubs or other equipment shall be transported by golf course staff. Players shall be responsible for bringing their own golf equipment to designated areas prior to play.
- Designated signage shall be placed outside the pro-shop and clubhouse outlining the required social distancing and facial covering guidelines.
- Designated signage shall be placed on carts and around the clubhouse with the phone number to call for food orders and an explanation of how to pay.
- Indoor events shall be prohibited.
- Pro-shop display areas shall be closed, but patrons may be allowed to purchase goods and supplies at the pro-shop door on a walk-up basis.
 - Payment shall be made at the front door observing social distancing.
 - Glass or plastic screens shall be installed between pro-shop staff and customers.
 - Staff shall wear facial coverings at all times.

Miami-Dade County Declaration of Local State of Emergency

- Where possible, separate entry and exit doors shall be designated.
- Usage of locker room and bag storage areas is prohibited.
- For all pro-shop lines, markers shall be placed on the floor to assist patrons to comply with social distancing guidelines.
- Hand sanitizer shall be provided in restrooms and payment areas.
- Restroom use shall be one person or one family at a time, with appropriate signage to be provided.
- Each cart and any rental equipment shall be cleaned and disinfected prior to players' use.
 - All sand containers, scorecards, pencils, tees, towels, coolers or other shared materials shall be removed from golf carts.
- All restrooms and touch-point areas shall be disinfected no less than every two hours with CDC approved products.
- Driving-range hitting areas shall be spaced at least 10 feet apart.
- Scorecard, pencil and tees shall only be issued to individuals when requested from starter, and then discarded after their initial use.

GOLF-COURSE PREPARATION

- Cup Modifications:
 - A pool noodle or other blocking mechanism shall be used to fill the hole, or the cup shall be raised an inch above ground to prevent the ball from going in the hole.
 - Alternatively, an E-Z lyft touchless golf ball retrieval system or similar touchless system may be used.
- Rakes in all bunkers shall be removed:
 - United States Golf Association recommendations shall be followed on bunker play depending on the course and its resources.
- All water stations shall be removed.
- All ball wash units shall be removed or locked down.
- All practice facility bag stands, chairs and PVC pipes for picking up balls shall be removed.
- All range-balls shall be cleaned, with water and soap, after every pick-up prior to making them available for golfers.
- Where possible, clientele 60 years of age and older shall be separated from younger clientele.

PLAYING

- Players shall not touch or remove the flagstick from the cup.
- All players shall stay at minimum six feet apart at all times, and a course ranger or other staff member shall monitor player compliance on the course.
- More than one player per each cart is prohibited.
- Walking is allowed while maintaining social distancing.
- To eliminate congestion and gathering on the property or in the parking lot, each golfer shall leave the golf course immediately after playing.

Miami-Dade County Declaration of Local State of Emergency

FOOD AND BEVERAGE

- Beverage carts on the golf course are permitted under the following circumstances:
 - Beverage cart staff shall wear facial coverings at all times.
 - Beverage carts shall bear signage stating that players are prohibited from touching anything on the beverage cart.
 - Only a cart attendant shall distribute items from the cart. To ensure social distancing:
 - Beverage cart attendant shall place purchased items on opposite side of the players golf cart; and
 - For players that are walking, the beverage cart attendant shall place the purchased items on the ground for the player to pick it up.
 - Players shall be encouraged to pay with credit card and cart attendants shall wipe down the credit card machine after each use.

STAFF

- Facial coverings shall be worn by all staff at all times.
- Shaking hands is prohibited.

7. All beaches in the unincorporated and incorporated areas of Miami-Dade County shall remain closed.

8. This order shall apply to both publicly-owned and privately-owned beaches, parks and recreational facilities, marinas and boat landings, and golf courses. This order does not apply to beaches, parks and recreational facilities, marinas and boat landings, or golf courses under the jurisdiction of the State of Florida or the federal government.

9. These provisions shall serve as minimum standards. Municipalities may impose more stringent standards within their jurisdictions as may be authorized by law.

10. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, except that if such State of Local Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled earlier by action of the County Mayor.

11. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:
Signed: _____


COUNTY MAYOR

Date: 4/27/2020

Time: 16:40

Witness: _____



Miami-Dade County Declaration of Local State of Emergency

Miami-Dade County Declaration of Local State of Emergency

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____

Time: __:__

Witness: _____