

TOWN OF BAY HARBOR ISLANDS

June 9, 2021

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.

SPECIAL NOTICE – HYBRID MEETING

The Town of Bay Harbor Islands Town Council will take place in a Hybrid format where a quorum of the Town Council will be physically present at the Town Hall Council Chambers. Members of the public are welcome to participate in person or virtually via the Zoom platform.

Zoom Link: <https://zoom.us/j/92376201394>

Meeting ID: 923 7620 1394

To request to speak during Zoom Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

Members of the Public may also be admitted to the Council Chambers in person, for Public Comment, subject to social distancing and facial covering.

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

For higher quality, dial a number based on your current location.

US: 1 646 558 8656 or 1 301 715 8592 or 1 312 626 6799

Meeting ID: 923 7620 1394

Participant ID: Press the # key

To request to speak: Dial *9 on your telephone device to activate the “Raise your Hand” feature on the zoom platform.

Members of the Public can also submit their request to speak and/or comments via e-mail to the Office of the Town Clerk at achang@bayharborislands-fl.gov

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL

SPECIAL PRESENTATION:

1. Legislative Update - Lobbyist David Caserta
2. Student of the Year Award
Miami Beach Senior High School - Luciana Ruggiero

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

TOWN CLERK'S REPORT

TOWN ATTORNEY'S REPORT

3. Legislative Report - Florida House of Representatives, Joseph Geller

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.)*

4. **Consideration and Approval** of the following Meeting Minutes:
 - a. February 10, 2021 - Regular Council Meeting
 - b. March 10, 2021 - Public Hearing
5. **Consideration and Approval** of a resolution requested by Council Member Leonard to designate June 19th "Juneteenth" as an official Town Holiday. Enclosed is a copy of the proposed resolution.
6. **Consideration and Approval** of a resolution requested by Council Member Leonard urging the Miami-Dade County Public School Board to allow the Town to designate a School Based Law Enforcement Officer at the Ruth K. Broad Bay Harbor K-8 center for the 2021 / 2022 school year. Enclosed is a copy of the proposed resolution.
7. **Consideration and Approval** of a resolution amending the fee schedule for the Building Department's Activities and permits. Enclosed is a copy of the proposed resolution.
8. **Consideration and Approval** of a resolution authorizing the Town Manager to allocate and expend the American Rescue Plan Covid-19 Relief Funds in the amount of \$2,434,347. Enclosed is a copy of the proposed resolution.

9. **Consideration and approval** to issue a Request for Proposals (RFP) BC-157 to replace the high voltage electrical conduit, bracketing, and power cable on the north side of the Intra Coastal Waterway Bridge (Bridge No. 875101). Enclosed is a copy of the proposed Request for Proposal Packet.
10. **Consideration and Approval** to piggyback off the City of Fort Lauderdale's Annual Asphalt Mill and Resurfacing Contract with M&M Asphalt Maintenance Inc. (DBA All County Paving Inc.) in the amount of \$272,927.25 for the Milling and Paving of the East Island Internal Streets pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the supporting documents.
11. **Consideration and Approval** to extend the Program Grant Agreement for Address Verification Plan between the Town and the School Board of Miami-Dade County for the 2021/2022 School Year. Enclosed is a copy of the request for extension request and other supporting documents.
12. **Consideration and approval** to piggyback off the Sourcewell Contract #130356-GVR with SGI Builders, Inc. in the amount of \$29,794.44 for the purchase and installation of a new fuel dispenser system for the Town fleet, pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the proposal provided by SGI Builders, Inc.
13. **Consideration and Approval** to piggyback off the City of Fort Lauderdale's Continuing Services Contract with Team Contracting, Inc. for Continuing Services Annual Concrete and Asphalt for the repairs of the existing sidewalk, driveway and roadway in front of Fire Station 76 on 95th Street, pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the supporting documents.
14. **Consideration and Approval** to piggyback off the Town of Palmetto Bay contract with CentralSquare Technologies, LLC in the amount of \$201,180 for the software upgrade to the Business Tax Receipt, Code Compliance and Building Permits Programs, pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the proposed agreement.
15. **Consideration and approval** of the General Ledger and Manual Journal Entries Policy. Enclosed is a copy of the proposed policy and Memorandum provided by Finance Director Peter Kajokas.
16. **Consideration and Approval** to piggyback off the City of Miami Gardens' Contract with Imperial Electric Inc. (ITB No. 16-17-029) to procure and install a solar powered lighting system for all four Town Parks in the amount of \$116,988, pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the supporting documents.
17. **Consideration and Approval** to piggyback off Miami-Dade County Contract No 8254-1/22-1 with Blue Digital Inc. in the amount of \$36,081.49 for records scanning service, pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the proposed agreement and the cost estimates for the project.
18. **Consideration and Approval** of an Agreement between the Town of Bay Harbor Islands and Miami Shores for the usage by the residents of Miami Shore's Aquatic Facilities. Enclosed is a copy of the proposed agreement.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

19. **Consideration** and **approval** of an ordinance on **second** reading amending Section 23-21(e) of the Town Code to modify the Kane Concourse setback requirements for ground level restaurants and certain weatherization. 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 THE TOWN'S ZONING AND PLANNING CODE TO MODIFY THE GATEWAY (G) ZONING DISTRICT, AMENDING SECTION 23-21(e) OF THE CODE OF ORDINANCES TO MODIFY THE KANE CONCOURSE SETBACK REQUIREMENTS FOR GROUND LEVEL RESTAURANTS AND CERTAIN WEATHERIZATION, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

20. **Consideration** and **Approval** of an ordinance on **first** reading requested by Council Member Bruder amending Chapter 12 of the Town Code to modify the decibel noise limits allowed in the Town. Enclosed is a copy of the proposed ordinance and staff report prepared by Town Planner Michael Miller.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO NOISE AND MAXIMUM DECIBEL ALLOWANCES; AMENDING ARTICLE II OF CHAPTER 12 OF THE CODE TO MODIFY THE DECIBEL NOISE LIMITS ALLOWED IN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

21. **Consideration** and **Approval** of an ordinance on **first** reading approving Budget Amendment No. 2 for the 2020/2021 Fiscal Year. Enclosed is a copy of the proposed ordinance and other supporting documents.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING BUDGET AMENDMENT NO. 2 FOR THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

DEFERRED ITEMS:

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

22. **Consideration and possible action** of a request by N/R Wharton Kane Concourse Property Owner, LLC for an assignment of Development Agreement for the property located at 1177 Kane Concourse. Enclosed is a copy of the proposed agreement.

STAFF RECOMMENDATION: Council Discretion

23. **Consideration and possible action** of a contract award for Tennis Professional services to Caniza Tennis Instructors, Inc. for a three (3) year term. Enclosed are copies the proposal received.

STAFF RECOMMENDATION: Approval

24. **Discussion and possible action** regarding the remodel of the interior of Town Hall. Enclosed are renderings, estimated costs, and some options for discussion.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

25. **Discussion and Possible Action** requested by Mayor Fuller with regards to the Planning and Zoning Board's scope and review process. Enclosed is a copy of Section 5-23.1 of the Town Code.

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.