

TOWN OF BAY HARBOR ISLANDS

September 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 Regular Council Meeting 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://us06web.zoom.us/j/82440074006>
Meeting ID: 824 4007 4006

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: 824 4007 4006

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.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

ROLL CALL:

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:

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.)*

1. **Consideration and Approval** of the following Meeting Minutes:
 - a. March 10, 2021 - Regular Council Meeting
 - b. March 22, 2021 - Special Council Meeting
 - c. April 14, 2021 - Organizational Meeting
 - d. April 14, 2021 - Public Hearing
 - e. April 14, 2021 - Regular Council Meeting
 - f. April 20, 2021 - Regular Council Meeting
 - g. May 12, 2021 - Regular Council Meeting
 - h. May 26, 2021 - Special Council Meeting
 - i. June 9, 2021 - Special Council Meeting
 - j. June 23, 2021 - Special Council Meeting
 - k. June 23, 2021 - Budget Workshop
 - l. July 30, 2021 - Special Council Meeting
2. **Approval and Ratification** of Memoranda of Understanding with the School Board of Miami-Dade County and with Surfside and Bal Harbor for funding of a Town of Bay Harbor Islands appointed School Based Law Enforcement Officer for Ruth K. Broad / Bay Harbor K-8 Center. Enclosed is a copy of the proposed Memorandums of Understanding.
3. **Consideration and Approval** of the annual contract with the health, life, disability, and dental, vision insurance providers for the 2021 / 2022 fiscal year. Enclosed is a Memorandum with detailed information from Human Resources Manager, Shaun Gelvez.
4. **Consideration and Approval** of the annual renewal of insurance (general, professional, automobile, property, and workers' compensation) from the Florida Municipal Insurance Trust (Florida League of Cities) for the 2021 / 2022 fiscal year and authorizing staff to make expenditures at an amount not to exceed the budget request of \$379,350.

5. **Consideration** and **Approval** of Change Order #1 by Jones-Benitez Engineering for BC - 156 Repair of Snapped Tendons in a Concrete U-Channel under the Indian Creek Bridge (Project approved by Town Council on May 12, 2021) in the amount of \$79,051.00 to mobilize and work at night to avoid traffic congestion. Attached please find supporting documentation.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

6. **Consideration** and **approval** of an ordinance on second reading amending Chapter 7 of the Town Code to require Knox Boxes at all new and existing residential buildings. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 7 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED "FIRE PROTECTION AND PREVENTION"; AND SPECIFICALLY ADDING SECTION 7-33 TO REQUIRE KNOX BOXES AT NEW AND EXISTING RESIDENTIAL BUILDINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

7. **Consideration** and **Approval** of an ordinance on first reading requested by Council Member Yaffe amending Section 5-19.3 of the Town Code regarding the emergency power generators. 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 AS RELATED TO EMERGENCY POWER GENERATOR (EPG) LOCATIONS AND SCREENING; AMENDING CHAPTER 5 ENTITLED BUILDING AND CONSTRUCTION; AMENDING SECTION 5-19.3 OF ARTICLE 1 ENTITLED EMERGENCY POWER GENERATORS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

DEFERRED ITEMS:

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

DISCUSSION ITEMS:

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

9. **Discussion** requested by Council Member Salver regarding the Town's policy on charitable donations and contributions. Enclosed is a copy of Resolution No. 981 as it relates to this matter.
10. **Discussion** and **possible action** requested by Council Member Leonard regarding the Town's After School Sports / Activities Program. Enclosed is a list of the After School / Activities Program.
11. **Discussion** and direction regarding the Town's policy on Water and Sewer deposits for condominiums. Enclosed is a copy of Chapter 20 of the Town Code and other supporting documents.

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.