

TOWN OF BAY HARBOR ISLANDS

November 10, 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 Members 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/81455752245>
Meeting ID: 814 5575 2245

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: 814 5575 2245
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: Approximately 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

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:

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 October 13, 2021 Regular Council Meeting Minutes. Enclosed is a copy of the draft Minutes.
2. **Consideration and Approval** of the Regular Council Meeting dates for the 2022 Calendar Year. Enclosed is a copy of the calendar with the proposed dates.
3. **Consideration and approval** for issuance of a Request for Proposals (RFP) to procure twenty-six (26) Dell laptops for the Police Department to replace out of life cycle equipment. Enclosed is a copy of the Request for Proposal.
4. **Consideration and approval** of a Mutual Aid Agreement between the City of North Miami Police Department and the Town of Bay Harbor Islands Police Department. Enclosed is a copy of the proposed agreement and Joint Declaration.
5. **Consideration and approval** of a proposal from AXON Technologies for the procurement of Police Officers Body Worn Cameras (BWC) equipment, technology, and Taser Bundle in the amount of \$236,199.98 for a 60-month term, pursuant to Section 2-1.2(a)(8) of the Town Code for service contracts, which are only available from a sole source of supply. Enclosed is a copy of the proposal and other supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

6. **Consideration and approval** of an ordinance on second reading requested by Council Member Yaffe and co-sponsored by Council Members Salver and Leonard amending Chapter 24 of the Town Code, establishing registration requirements for condominiums and requiring the delivery of engineering reports; which reflect building conditions, including structural and life safety components. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 24 OF THE TOWN CODE, ENTITLED "PROPERTY MAINTENANCE STANDARDS"; BY CREATING SECTION 24-18 ESTABLISHING REGISTRATION REQUIREMENTS FOR CONDOMINIUM, MULTI-FAMILY HOMEOWNERS AND COOPERATIVE ASSOCIATIONS WITHIN THE TOWN; ", BY CREATING SECTION 24-19 TO REQUIRE THE DELIVERY TO THE TOWN BUILDING ENGINEERING REPORTS, WHICH REFLECT BUILDING CONDITIONS, INCLUDING STRUCTURAL AND LIFE SAFETY COMPONENTS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

7. **Consideration and Approval** of an ordinance on second reading approving Budget Amendment No. 3 for the Fiscal Year 2020/2021 Budget. Enclosed is 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. 3 FOR THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

8. **Consideration and Approval** of an ordinance on second reading to increase the monthly charges for water service to \$5.00 per one thousand gallons and to increase the minimum monthly service charges for each water meter to \$23.25. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTIONS 20-5 AND 20-6 OF THE CODE OF BAY HARBOR ISLANDS TO INCREASE THE MONTHLY CHARGE FOR WATER SERVICE TO \$5.00 PER ONE THOUSAND GALLONS AND TO INCREASE THE MINIMUM MONTHLY SERVICE CHARGES FOR EACH WATER METER TO \$23.25; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

9. **Consideration and Approval** of an ordinance on second reading amending Section 20--9 of the Town Code increasing the monthly base and flow charges for sewer service. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTION 20-9 OF THE TOWN CODE INCREASING THE MONTHLY BASE AND FLOW CHARGES FOR SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON FIRST READING:

10. **Consideration and Approval** of an ordinance on first reading amending Sections 5-20 - 5-25 of Article 2 of the Town Code entitled Planning, Design and Zoning Board Approval. 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, AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO THE PLANNING AND ZONING BOARD; AMENDING CHAPTER 5 ENTITLED BUILDING AND CONSTRUCTION; AMENDING SECTIONS 5-20 – 5-25 OF ARTICLE 2 ENTITLED PLANNING, DESIGN AND ZONING BOARD APPROVAL; 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:

11. **Discussion** requested by Council Member Leonard and co-sponsored by Vice Mayor Tricoche regarding the use of American Rescue Plan funds to include in part tutoring services.
12. **Discussion** requested by Vice Mayor Tricoche to direct staff to research and create a Town-wide Climate Action Plan to help decrease and minimize greenhouse gas emissions to meet Miami-Dade County's goal to become net zero for emissions by 2050. Enclosed is a copy of Miami Dade County Climate Action Strategy.

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

DISCUSSION ITEMS:

13. **Discussion** and possible action requested by Mayor Fuller to allocate \$1,000 to Camillus House, a non-profit organization, in recognition of their humanitarian efforts in rendering aid to Bay Harbor Islands' families, whose homes were declared as "Unsafe Structures".
14. **Discussion** requested by Council Member Bruder regarding future plans for Block 11 Parking and the feasibility of building a Municipal Parking Garage behind Town Hall.
15. **Discussion** requested by Council Member Leonard regarding the possibility of amending the Town Code to permit graphics, art work, and advertisement directly related to the project under construction on temporary construction fences for aesthetic enhancement. Enclosed is a copy of Section 5-5 of the Town Code.
16. **Discussion** requested by Vice Mayor Tricoche regarding the Town's regulations for Short Term rentals on the East Island. Enclosed is a copy of Section 23-70 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.