

TOWN OF BAY HARBOR ISLANDS

February 15, 2022

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/82408753849>

Meeting ID: 824 0875 3849

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.

The staff, members of the public and the applicants are strongly encouraged to attend virtually but will not be denied access to the physical meeting, consistent with public safety and health considerations.

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 0875 3849

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:

U.S. Congresswoman Debbie Wasserman Schultz

1. Presentation by Jim Murly of Miami-Dade County Office of Resiliency on the Miami Dade County Climate Action Strategy.

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.)*

2. **Consideration and Approval** of the January 19, 2022 Regular Council Meeting Minutes. Enclosed is a copy of the draft minutes.
3. **Consideration and Approval** of an MOU between the Town of Bay Harbor Islands ("The Town"), the Town of Bay Harbor Islands Police Department ("BHIPD"), and the South Florida Police Benevolent Association regarding Article 12. (Promotions) of the current Collective Bargaining Agreement.
4. **Consideration and Approval** of a request by Council Member Leonard for a charity donation in the amount of \$500 to the Ellie's Army Foundation for their "Dirty Socks 5K Run and Walkathon" to benefit children with life-threatening illnesses. The event will be held on Sunday, February 27, 2022. Enclosed is a copy of the funding request form and other supporting documents.

5. **Consideration and Approval** to issue a Request for Proposals (RFP) to hire a Contractor for the structural Rehabilitation of Broad Causeway Bridge No. 875010. The work includes restoring cracked and palled concrete on the superstructure, bridge deck, top and underside. Enclosed is a copy of the proposed Request for Proposal Packet.
6. **Consideration and Approval** to issue a Request for Proposals (RFP) for Disaster Debris Monitoring Services. The selected firm through this RFP will be responsible for the overall monitoring of debris collections performed by the Town's Disaster Debris Collector in accordance with the Stafford Act and FEMA policies and guidelines. Enclosed is a copy of the proposed Request for Proposal Packet.
7. **Consideration and Approval** to renew the Mutual Aid Agreement between Biscayne Park Village and the Town of Bay Harbor Islands Police Department. Enclosed is a copy of the proposed agreement.
8. **Consideration and Approval** to renew the Mutual Aid Agreement, Municipal Ordinance Violation Contract for 2022 between the Miami-Dade County State Attorney and the Town of Bay Harbor Islands Police Department.

STAFF RECOMMENDATION: Approval

ORDINANCES ON SECOND READING:

9. **Consideration and Approval** of an ordinance on second reading requested by Vice Mayor Tricoche amending Chapter 23 of the Town Code to establish additional regulations for vacation rentals on the Town's East Island. Enclosed is a copy of the proposed ordinance on first reading.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA; AMENDING THE TOWN'S CODE OF ORDINANCES; AMENDING CHAPTER 23 ENTITLED ZONING AND PLANNING; AMENDING ARTICLE VI, SECTIONS 23-72 – 23-76 ENTITLED VACATION RENTALS; TO ESTABLISH ADDITIONAL REGULATIONS FOR VACATION RENTALS ON THE TOWN'S EAST ISLAND; 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

ORDINANCES ON FIRST READING - PUBLIC HEARING :

10. **Consideration and Approval** of an ordinance on first reading amending Chapter 23 of the Town Code to establish a new method of measuring a building's height from the Base Flood Elevation (BFE) plus any additional freeboard, pursuant to the Florida Building Code; or as otherwise prescribed by federal, state, county flood control laws or regulations. Enclosed is a copy of the proposed ordinance and staff report provided by the Town Planner.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES; AMENDING CHAPTER 23 ENTITLED ZONING AND PLANNING; ARTICLE I, SECTION 23-1 DEFINITIONS AND SECTIONS 23-11 – 23-12 ENTITLED BUILDING SETBACK, COVERAGE, AND HEIGHT REQUIREMENTS; TO ESTABLISH THE METHOD OF MEASURING A BUILDING HEIGHT TO START FROM THE BASE FLOOD ELEVATION PLUS ANY ADDITIONAL FREEBOARD PER THE FLORIDA BUILDING CODE; 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 to consider amending the Town Code to add new incentives, including possible reduction in parking for the Town's Sustainable Building Program. Enclosed is a copy of the staff report prepared by Michael Miller, Town Planner.

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

DISCUSSION ITEMS:

12. **Review** and **possible action** requested by Council Member Bruder regarding the Town Clerk's re-appointment. Enclosed is a copy of Section 3.02 as it relates to the Town Clerk.
13. **Discussion** and **Possible** action regarding the FPL and Utility Undergrounding in the Town. On October 13, 2021 Town staff was directed by the Council to reach out to the City of Sunny Isles Beach design consultant providing engineering and land surveying services for their undergrounding project to provide accurate design and land surveying costs for the Town to evaluate. Enclosed is copy of the proposal received by Craven Thompson & Associates, Inc.

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.