

NOTE: A three-minute maximum time limit will be imposed on all comments from the public, regardless of the subject matter. A request form is available; fill it in and return prior to the start of the meeting. 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.

**TOWN OF BAY HARBOR ISLANDS
ORGANIZATIONAL MEETING**

AGENDA

APRIL 13, 2022

1. **SPECIAL NOTICE – HYBRID/VIRTUAL MEETING**

The Town of Bay Harbor Islands Organizational Meeting will take place in a Hybrid format where a quorum of the 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 Meeting Link: <https://us06web.zoom.us/j/83372290240>
Meeting ID: 833 7229 0240

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: 833 7229 0240
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 yhamilton@bayharborislands-fl.gov

CALL TO ORDER: Set for 6:00 p.m.:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

2. Acceptance of the Certification of Elections presented by the Acting Town Clerk as Supervisor of Elections and Canvassing Board Member, pursuant to Section 6-7 of the Town Charter. Enclosed is a copy of the Certification of the Election results.
3. Administration of Oath of Office to the newly elected Council Member, by the Acting Town Clerk.

4. Distribution of annual compensation to Town Council Members pursuant to Section 2.06 of the Town Charter.
5. Selection of a Mayor by the Town Council, pursuant to Section 2.02 of the Town Charter.
6. Selection of a Vice Mayor by the Town Council, pursuant to 2.02 of the Town Charter.
7. Administration of the Oaths of Office to the Mayor and Vice Mayor, by the Acting Town Clerk.
8. **Consideration and Approval** of a Resolution appointing a Town Attorney and an Assistant Town Attorney. Enclosed is a copy of the draft Resolution.
9. Administration of the Oaths of Office to the Town Attorney and Assistant Town Attorney, by the Mayor.

ADJOURNMENT: Approximately 6:15 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 Planning and Zoning Board 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 purposes 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

April 13, 2022

ITEM NUMBER: 2.

ITEM: Acceptance of the Certification of Elections presented by the Acting Town Clerk as Supervisor of Elections and Canvassing Board Member, pursuant to Section 6-7 of the Town Charter. Enclosed is a copy of the Certification of the Election results.

DESCRIPTION:

The Town's Annual Municipal Election was held on **Tuesday, April 5, 2022** to fill one vacant seat on the Town Council: Below are the unofficial results:

Registered Voters: 3,450

Ballots Cast: 764

Voter Turnout: 22.14%

*Teri D'Amico - 399

Eric Rappaport - 362

In accordance with Section 6-7 of the Town Charter, the Acting Town Clerk, the Town Manager, and

Allison McComb, Miami-Dade County Supervisor of Elections Designee sat on the Canvassing Board.

RECOMMENDED ACTION:

Approval.

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

1.	Certification of April 5, 2022 Election
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CERTIFICATION OF ELECTION RESULTS

DATE: April 8, 2022

TO: The Honorable Mayor, Vice Mayor, and Council Members

FROM: Yvonne P. Hamilton, Acting Town Clerk/Supervisor of Elections and
Canvassing Board Representative

SUBJECT: General Election - April 5, 2022

At the closing of the polls, the votes cast in the above election were counted and tabulated with the following results:

Number of registered voters:	3,450
Number of ballots cast:	764
(Including 533 vote by mail ballots)	
Percent of turnout:	22.14%

Teri D'Amico	399
Eric Rappaport	362

Teri D'Amico was declared elected to office for a four-year term. Enclosed is a copy of Miami-Dade County Certification of the election and the vote tabulation.

Respectfully submitted,

Yvonne P. Hamilton
Acting Town Clerk



Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY: 305-499-8480

miamidade.gov

CERTIFICATION

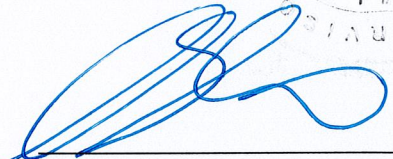
STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Christina White, Supervisor of Elections for Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal office listed below in the **Bay Harbor Islands General Election** conducted on April 5, 2022:

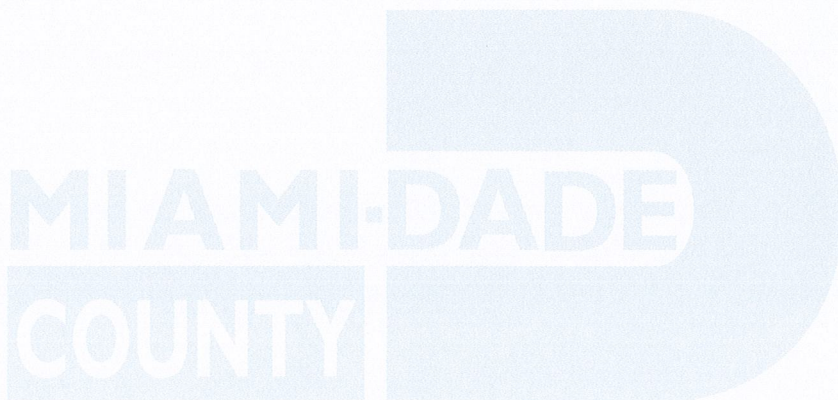
Council Member

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 8TH DAY OF APRIL, 2022

Christina White
Supervisor of Elections
Miami-Dade County

Enclosure





miamidade.gov

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY 305-499-8480

ELECTION: **Bay Harbor Islands General Election**

DATE OF ELECTION: **April 5, 2022**

CERTIFICATION OF ELECTION TABULATION

I, the undersigned, County Judge, do by my signature hereto, certify that to the best of my knowledge:

1. On **April 5, 2022**, commencing at approximately **7:00 p.m.** the Miami-Dade County Supervisor of Elections had the absentee ballot tabulating equipment tested to ascertain that the equipment will correctly count the votes cast for the candidates and/or issues, which have been voted in **Bay Harbor Islands General Election**, held on **April 5, 2022**.

2. The testing materials of the Public Test, delivered still under Seal No. **0051632**, opened in my presence, were used and the procedures of Paragraph Two, Certification of Logic and Accuracy were followed.

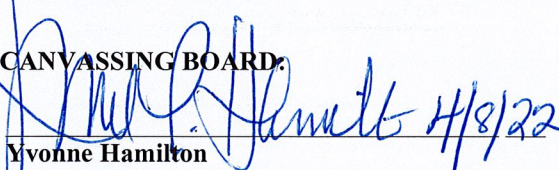
3. At the completion of the above test all counters were zeroed, and all votes cast in the above election were counted. Steps have been taken to ensure the security of said materials prior to, during and subsequent to the election, except when said materials were properly in the possession of the Elections Department staff appointed to conduct the election.

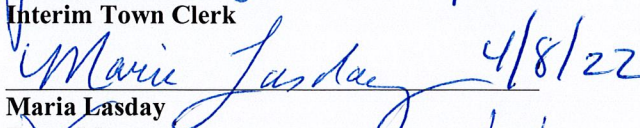
4. Except as otherwise specifically set forth and declared in this certification, in our presence and sight, no absentee ballot was removed from or added, and no absentee ballot was in any manner altered or tampered with by any person, and no person touched any absentee ballot, except a person authorized to do so pursuant to Section 101.5612, Florida Statutes.

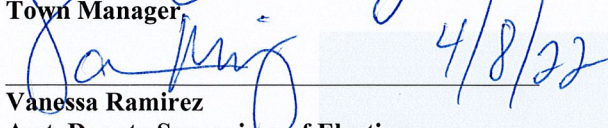
5. At the completion of the vote count, the absentee ballot tabulating equipment was again tested to ascertain that the equipment correctly counted the votes cast for the candidates and/or issues.

6. Stored in a container(s), sealed, dated and signed by me, were placed the voted absentee ballots [], voided ballots [], Logic and Accuracy reports [], and test materials []. The sealed container(s) was/were delivered to the undersigned and placed in my custody.

CANVASSING BOARD:

 4/8/22
Yvonne Hamilton
Interim Town Clerk

 4/8/22
Maria Lasday
Town Manager

 4/8/22
Vanessa Ramirez
Asst. Deputy Supervisor of Elections



SUMMARY REPT-GROUP DETAIL

Official General Election
April 5, 2022
Bay Harbor Islands, FL

Official Results

Run Date:04/08/22 10:12 AM

Report EL45A

Page 001

	TOTAL VOTES	%	ED	VBM	PROV
PRECINCTS COUNTED (OF 2)	2	100.00			
REGISTERED VOTERS - TOTAL	3,450				
BALLOTS CAST - TOTAL	764		432	332	0
BALLOTS CAST - BLANK	3	.39	1	2	0
VOTER TURNOUT - TOTAL		22.14			
VOTER TURNOUT - BLANK		.09			
Council Member					
(VOTE FOR) 1					
Teri D'Amico	399	52.43	194	205	0
Eric Rappaport	362	47.57	237	125	0
Total	761		431	330	0
Over Votes	0		0	0	0
Under Votes	3		1	2	0

Marie Janday 4/8/22
M. J. J. 4/8/22
J. J. J. 4/8/22

PREC REPORT-GROUP DETAIL

Official General Election
April 5, 2022
Bay Harbor Islands, FL

Official Results

Run Date:04/08/22 10:12 AM

Report EL30A Page 0070-01

0070 PRECINCT 007.0

	TOTAL VOTES	%	ED	VBM	PROV
REGISTERED VOTERS - TOTAL	2,180				
BALLOTS CAST - TOTAL.	509		293	216	0
BALLOTS CAST - BLANK.	1	.20	1	0	0
VOTER TURNOUT - TOTAL		23.35			
VOTER TURNOUT - BLANK		.05			

Council Member

(VOTE FOR) 1

Teri D'Amico	257	50.59	123	134	0
Eric Rappaport.	251	49.41	169	82	0
Total	508		292	216	0
Over Votes	0		0	0	0
Under Votes	1		1	0	0

PREC REPORT-GROUP DETAIL

Official General Election

Official Results

April 5, 2022

Bay Harbor Islands, FL

Run Date:04/08/22 10:12 AM

Report EL30A Page 0080-01

0080 PRECINCT 008.0

	TOTAL VOTES	%	ED	VBM	PROV
REGISTERED VOTERS - TOTAL	1,270				
BALLOTS CAST - TOTAL.	255		139	116	0
BALLOTS CAST - BLANK.	2	.78	0	2	0
VOTER TURNOUT - TOTAL		20.08			
VOTER TURNOUT - BLANK		.16			

Council Member

(VOTE FOR) 1

Teri D'Amico	142	56.13	71	71	0
Eric Rappaport.	111	43.87	68	43	0
Total	253		139	114	0
Over Votes	0		0	0	0
Under Votes	2		0	2	0

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 3.

ITEM: Administration of Oath of Office to the newly elected Council Member, by the Acting Town Clerk.

DESCRIPTION:

Acting Town Clerk Yvonne P. Hamilton will administer the Oath of Office to newly elected Council Member Teri D'Amico.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 4.

ITEM: Distribution of annual compensation to Town Council Members pursuant to Section 2.06 of the Town Charter.

DESCRIPTION:

In accordance with Section 2.06 of the Town Charter, Council Members are to be paid an annual salary of One Dollar (\$1.00) per year).

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 5.

ITEM: Selection of a Mayor by the Town Council, pursuant to Section 2.02 of the Town Charter.

DESCRIPTION:

Pursuant to Section 2.02 of the Town Charter, the Town Council will elect one of its members to serve as Mayor, following each election.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 6.

ITEM: Selection of a Vice Mayor by the Town Council, pursuant to 2.02 of the Town Charter.

DESCRIPTION:

Pursuant to Section 2.02 of the Town Charter, the Town Council is to elect one of its members as Vice Mayor, after each election.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 7.

ITEM: Administration of the Oaths of Office to the Mayor and Vice Mayor, by the Acting Town Clerk.

DESCRIPTION:

Town Clerk Yvonne P. Hamilton will administer the Oath of Office to the new Mayor and Vice Mayor.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 8.

ITEM: Consideration and Approval of a Resolution appointing a Town Attorney and an Assistant Town Attorney. Enclosed is a copy of the draft Resolution.

DESCRIPTION:

Pursuant to Section 3.03(a) of the Town Charter, the Town Council shall appoint an individual Town Attorney or law firm to act as the Town Attorney. The Town Attorney shall be a member in good standing with the Florida Bar.

The proposed Resolution seeks to re-appoint of Joseph S. Geller, by Greenspoon Marder, LLP, as the Town Attorney and appointment of Morris "Skip" Miller as Assistant Town Attorney.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

1.	Resolution - Appointing Town Attorneys - 2022
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RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF BAY HARBOR ISLANDS, FLORIDA
APPOINTING A TOWN ATTORNEY AND AN
ASSISTANT TOWN ATTORNEY.**

WHEREAS, it is incumbent upon the Town Council to appoint a Town Attorney and Assistant Town Attorney; and

WHEREAS, an appropriation for these officials has been provided for in the Operating Budget.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands:

Section 1. That the following shall be appointed to serve the Town as Town Attorney for the current appointive year for an annual retainer of \$ ____ plus \$ ____ per hour for special matters:

GREENSPOON MARDER LLP
By: JOSEPH S. GELLER

Section 2. That the following be appointed as Assistant Town Attorney to serve only in the absence of the Town Attorney under the supervision and direction of the Town Attorney as a single entity in accordance with the compensation established above.

GREENSPOON MARDER LLP
By: SKIP MILLER

PASSED and ADOPTED this 13th day of April 2022.

MAYOR

ATTEST:

ACTING TOWN CLERK

AGENDA ITEM REPORT

April 13, 2022

ITEM NUMBER: 9.

ITEM: Administration of the Oaths of Office to the Town Attorney and Assistant Town Attorney, by the Mayor.

DESCRIPTION:

The Mayor will administer the Oath of Office to the Town Attorney and Assistant Town Attorney.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Acting Town Clerk

ATTACHMENTS

None