

TOWN OF BAY HARBOR ISLANDS

April 13, 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.

1.

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 Board 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/86184084415>

Meeting ID: 861 8408 4415

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: 861 8408 4415

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

STAFF RECOMMENDATION:

CALL TO ORDER: Set for approximately 7:00 p.m. immediately following the Public Hearing:

PLEDGE OF ALLEGIANCE:

ROLL CALL

SPECIAL PRESENTATION:

2. Presentation by Miami-Dade County Fire Department to increase community outreach.
3. Presentation by Karina Castillo and Patricia Gomez, Miami-Dade County Office of Resiliency, regarding Net Zero.
4. Report on the Town Investment performance. Presentation will be provided by Gerardo Rodriguez of BNY Mellon Wealth Management.

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:

5. Report from the Parks and Recreation Committee regarding their March 30th, 2022 meeting.
6. Report on Litigation Committee's April 1st, 2022 meeting by Town Attorney Joseph S. Geller. A copy of the agenda is attached.

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.)*

7. **Consideration and Approval** of the Minutes of the March 9, 2022 Regular Council Meeting. A copy of the draft Minutes is attached.
8. **Consideration and Approval** of a Resolution adopting Title VI Plan update for the Town of Bay Harbor Islands. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national

origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d). Enclosed is a copy of the Town of Bay Harbor Islands Title VI Program.

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, ADOPTING TITLE VI PLAN UPDATE FOR THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

9. Approval to advertise a Request for Proposals for project BHI - 222 Irrigation and Landscape Maintenance.
10. Authorization for the Town to enter into an Interlocal Agreement with Miami-Dade County concerning additional NPDES testing services.
11. **Consideration and Approval** to enter into a 10-Year Agreement with Florida Power & Light (FPL) for the installation of 240 KW Electric Vehicle Fast Chargers at No-Cost to the Town. FPL will provide design, evaluation, materials, and maintenance (including the cost of electricity). Enclosed is a copy of the supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

12. 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 second 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:

DEFERRED ITEMS:

13. **Discussion and Possible** action regarding the Town Clerk's responsibilities. Staff is seeking direction from the Town Council regarding amendment to the Clerk's responsibilities.

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

14. **Consideration and Approval** of a rate increase for the Town's Shuttle service contract with LSF Shuttle Inc.

STAFF RECOMMENDATION:

POLL VOTE

Approval

15. **Consideration and Approval** of a request by Miami-Dade County League of Cities to designate a Director and an alternate Director to serve on the Board of Directors for a period of one year. Enclosed is a copy of the request.

STAFF RECOMMENDATION: Approval

DISCUSSION ITEMS:

16. **Discussion and Possible Action** regarding a cost proposal from Chen Moore & Associates (a continuing services engineering firm for the Town) in the amount of \$66,556.45 to build a new Public Works Facility on the existing 95th Street parking lot, sponsored by Council Member Bruder.

17. **Discussion and Possible Action** regarding appointments/re-appointments to the Parks and Recreation Committee for the 2021-2023 Term. Enclosed is a list of Committee Members who are seeking re-appointment and three (3) members for possible appointment.

18. **Discussion and Possible Action** regarding appointments/re-appointments to the Design Review Board for the 2021-2023 Term. Enclosed is a list of Board Members who are seeking re-appointment, as well as three (3) new applicants for consideration.

19. **Discussion and Possible** action regarding the Litigation Committee. Introduced by Council Member Stephanie Bruder.

20. **Discussion and Possible** action regarding the Town's 75th Anniversary event.

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.