

TOWN OF BAY HARBOR ISLANDS

May 11, 2022

REGULAR COUNCIL MEETING 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

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. The public and other members of staff are welcome to participate in person or virtually via the Zoom video conferencing platform.

Notice is hereby given that any item on the May 11, 2022, Town Council agenda not finally acted upon at that meeting will be automatically carried over to the Special Council Meeting scheduled for 6:00 p.m. on Thursday, May 12, 2022.

Members of the public are invited to attend the Regular May 11, 2022 Council Meeting in person, or may attend by Zoom, using the following information:

Zoom Meeting Link: <https://us06web.zoom.us/j/86388672414>

Meeting ID: 863 8867 2414

Members of the public who desire to attend the May 12, 2022 Special Council Meeting, if it is held, are invited to attend in person, or may attend by Zoom, using the following information:

Zoom Meeting Link: <https://us06web.zoom.us/j/84563200224>

Meeting ID: 845 6320 0224

To request to speak during 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 numbers below:

US Toll Free Numbers: 877 853 5247 or 888 788 0099

For higher quality, dial a number based on your current location):

US: 1 312 626 6799 or 1 646 558 8656 or 1 301 715 8592

May 11, 2022 Regular Council Meeting

Meeting ID: 863 8867 2414

May 12, 2022 Special Council Meeting

Meeting ID: 845 6320 0224

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 email to the Office of the Town Clerk at yhamilton@bayharborislands-fl.gov

CALL TO ORDER: Set for 7:00 P.M.:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. Presentation of the Town's Annual Comprehensive Financial Report (ACFR) for the year ended September 30, 2021 by the Town's Auditors managing partner Michael Futterman from Marcum LLP.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS::

TOWN MANAGER'S REPORT:

TOWN ATTORNEY'S REPORT:

2. Legislative Updated by State Representative Joseph S.Geller.

COUNCIL REPORTS:: Each Council Member will be afforded two (2) minutes to make their reports.

PUBLIC COMMENTS:

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.)*

3. **Consideration and Approval** of the following Meeting Minutes:
 - a. Regular Council Meeting - March 9, 2022
 - b. Regular Council Meeting - April 13, 2022
 - c. Organizational Meeting - April 13, 2022
4. **Consideration and Approval** to award and enter into an Agreement with DebrisTech, LLC for a two-year period and an optional one-year renewal for Disaster Debris Monitoring Services. DebrisTech will be responsible for the overall monitoring of any debris collection by the Town's Disaster Debris Collector, in accordance with the Stafford Act and FEMA policies and guidelines. Enclosed is a copy of the proposal received by DebrisTech, LLC.
5. **Consideration and approval** of a proposal from Chen Moore in the amount of \$90,246.45 for the conceptual design for the new Public Works Facility in the 95th Street Parking Lot. The amount was previously reported as \$66,556.45.
6. **Consideration and approval** to piggyback off a rental contract with United Rentals through Sourcewell in the amount of \$29,710 to provide onsite backup Emergency generator for Town Hall electrical system in preparation of the upcoming Hurricane Season, pursuant to Section 21.2(6) of the Town Code.
7. **Consideration and approval** of a three-year service agreement with TRANE for the Community Center Air Conditioning Unit.
8. **Consideration and Approval** of a Request for Proposals (RFP) for Electric Vehicle (Level 2) Charging Stations for the Town Parking Locations Project. Enclosed is a copy of the RFP package.
9. **Consideration and Approval** of attendance at the 68th Annual Miami-Dade County League of Cities Gala to be held on June 11, 2022. The Bronze Sponsorship Package for \$3,000 includes a table seating for 10 and recognition the night of the event. Enclosed is detail of the sponsorship packages.

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING::

ORDINANCES FOR FIRST READING::

10. Consideration and Approval of an ordinance on first reading amending Chapter 13, entitled "Local Business Tax Receipt and Regulations by revising Sections 13-4, 13-7, 13-9, 13-14 through 13-16, and 13-18 of the Town Code to update the Business Tax Receipt issuance process; designating the authority to issue Business Tax Receipts to the Town Manager or her designee. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 13 OF THE TOWN CODE, ENTITLED "LOCAL BUSINESS TAXES AND REGULATIONS", BY REVISING SECTIONS 13-4, 13-7, 13-9, 13-14 THROUGH 13-16, AND 13-18 TO UPDATE THE BUSINESS TAX RECEIPT ISSUANCE PROCESS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval.

POLL VOTE

11. **Consideration and Approval** of an ordinance on first reading to rezone a 20-foot strip of land at 9110 West Bay Harbor Drive from RM-3, Multiple-Family Residential District to RM-1, Multiple-Family District. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, RELATING TO THE REZONING OF A CERTAIN PARCEL OF LAND, AS MORE PARTICULARLY DESCRIBED HEREIN, THE NORTHWESTERLY 20 FEET OF TRACT "A", 9110 WEST BAY HARBOR DRIVE, FROM THE RM-3, MULTIPLE-FAMILY DISTRICT TO THE RM-1, MULTIPLE-FAMILY DISTRICT; AMENDING SECTION 23-2 OF THE TOWN CODE AND THE OFFICIAL ZONING MAP TO REFLECT SAID ZONING; 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's Discretion

POLL VOTE

12. **Consideration and approval** of an ordinance on first reading amending Section 23-12(15)(a) of the Zoning and Planning Code to establish regulations for balconies in the "B-1" Business District and the "G" Gateway District.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO THE REGULATION OF EXTERIOR BALCONIES; AMENDING SECTION 23-12(15)(a) OF THE ZONING AND PLANNING CODE TO ESTABLISH REGULATIONS FOR BALCONIES IN THE "B-1" BUSINESS DISTRICT AND "G" GATEWAY DISTRICT; 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's Discretion

POLL VOTE

13. **Consideration and approval** of an ordinance on first reading amending Chapter 16, Section 16-1(i) of the Town Code for average final compensation to be calculated based on a member's highest annual pay received during the member's last three years prior to retirement.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS GENERAL EMPLOYEES' RETIREMENT SYSTEM, AMENDING, ARTICLE I, SECTION 16-1(i), DEFINITIONS AND TERMS, PROVIDING FOR AVERAGE FINAL COMPENSATION TO BE CALCULATED BASED ON A MEMBER'S HIGHEST ANNUAL PAY RECEIVED DURING THE MEMBER'S LAST THREE YEARS PRIOR TO RETIREMENT; 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's Discretion

POLL VOTE

DEFERRED ITEMS:

14. **Discussion and Possible Action** regarding appointments/re-appointments to the Design Review Board for the 2021-2023 Term. Enclosed is a list of current Board Members and other residents who are seeking re-appointment/appointment respectively.

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

15. **Consideration and Approval** of a Resolution for continued funding of the Nurse Initiative Program at Ruth K. Broad Elementary for School Year 22-23.

A RESOLUTION OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING AMENDMENT NO. 5 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR ISLANDS, THE TOWN OF SURFSIDE, BAL HARBOUR VILLAGE, AND THE MIAMI BEACH CHAMBER OF COMMERCE EDUCATION FOUNDATION, INC. TO FUND A NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2022/2023 FOR RUTH K. BROAD BAY HARBOR K-8 CENTER; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE MOU; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION:

POLL VOTE

Approval and Renewal of Enhanced Nurse Initiative Program for school year 22-23

16. Consideration and approval to piggyback off the City of Fort Lauderdale's Annual Asphalt Mill and Resurfacing Contract with M&M Asphalt Maintenance, Inc. (DBA All County Paving, Inc.) in the amount of \$299,751.75 for the Milling and Paving of the East Island North Side Internal Streets (Zone 6) pursuant to Section 2-1.2(6) of the Town Code. Enclosed is a copy of the supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

17. Consideration and approval to piggyback off the Punta Gorda Contract/Services Agreement with HG2 Emergency Lighting to outfit six (6) new police vehicles with emergency lights and equipment in the amount of \$58,968, pursuant to Section 2-1(6) of the Town Code.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

18. **Discussion and possible** amendment to the Town of Bay Harbor Islands Budget Calendar for the Fiscal Year of 2022-2023. Enclosed is a copy of the current approved Budget Calendar for the FY 2022-2023.
19. **Discussion and possible** action regarding the BC-160 Broad Causeway Drawbridge Replacement (#875101)-SR-922 – Concept Design RFQ.
20. **Discussion and possible** action on the Shuttle / On-Demand program for the Town of Bay Harbor Islands.

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.