

TOWN OF BAY HARBOR ISLANDS

June 13, 2016

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.

CALL TO ORDER: 7:15 PM

PLEDGE OF ALLEGIANCE:

1. Raffaella "Raffy" Swail, 3rd Grade Student from Ruth K. Broad Bay Harbor K-8 Center

ROLL CALL

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:

2. **Consideration** of a request for an appointment to fill a vacancy to the Planning & Zoning Board by residents Terri D'Amico, Nicole Gomez, Miguel Rionda, Robert Saland and Michael Falke. Enclosed find copies of the applicants resumes.
3. **Consideration** of a recommendation by the Parks and Recreation Committee to dedicate a bench to former Councilmember Doris Marano and placed on the causeway island.
4. **Consideration** and possible **action** to dissolve the Environmental Impact Committee. Enclosed find a letter from Chairperson Vincent Martino.

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.)*

5. **Approval** of Minutes for the following Meetings:
 - a. May 11, 2016 - Organizational Meeting
 - b. May 11, 2016 - Regular Council Meeting
6. **Consideration** and **Approval** of a construction trailer to be located at 1150/52 - 102 Street as required by Section 23-4(7) of the Town Code. Enclosed find a copy of the application and supporting documents.
7. **Approval** of an Inter Local Agreement with Miami-Dade County for the reimbursements of the Municipal Parking Fines Program. Enclosed find a copy of the proposed agreement and supporting documents.

STAFF RECOMMENDATION: Approval

ORDINANCES ON SECOND READING:

ORDINANCES ON FIRST READING:

8. **Consideration** and **approval** of an ordinance on first reading amending section 23-12 entitled general provisions to modify sub-section 23-12(6)(a) related to the allowable height of docks. Enclosed is a staff report from Town Planner Michael Miller and a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 23 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED ZONING AND PLANNING; AMENDING SECTION 23-12 ENTITLED GENERAL PROVISIONS TO MODIFY SUB-SECTION 23-12(6)(a) RELATED TO THE ALLOWABLE HEIGHT OF DOCKS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

9. **Consideration and approval** of an ordinance on first reading amending Section 24-16 entitled minimum landscape standards, to modify the landscape requirements for compliance by nonconforming properties. Enclosed is a report from the Town Planner Michael Miller and a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 23 OF THE TOWN'S CODE OF ORDINANCES ENTITLED PROPERTY MAINTENANCE STANDARDS; AMENDING SECTION 24-16 ENTITLED MINIMUM LANDSCAPE STANDARDS, TO MODIFY THE LANDSCAPE REQUIREMENTS FOR COMPLIANCE BY NONCONFORMING PROPERTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

10. **Consideration and Approval** of an ordinance on **first** reading amending Chapter 16 of the Town Code, providing for a renewed eligibility window for the participation of the Town Manager to the Employees Retirement System. Enclosed find a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS EMPLOYEES RETIREMENT SYSTEM, OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES, PROVIDING FOR A RENEWED ELIGIBILITY WINDOW FOR THE PARTICIPATION OF THE TOWN MANAGER IN THE RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

11. **Consideration** and **approval** of an ordinance on **first** reading amending Chapter 16, of the Town Code entitled Employees Retirement System providing for compliance requirements for prior military and police service. Enclosed find a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS EMPLOYEES RETIREMENT SYSTEM, OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES, PROVIDING FOR THE USE OF PREMIUM TAX REVENUES PURSUANT TO CHAPTER 185, FLORIDA STATUTES; PROVIDING FOR CONTINUED COMPLIANCE WITH THE REQUIREMENTS FOR QUALIFIED PLANS UNDER SECTION 401(a) OF THE INTERNAL REVENUE CODE; PROVIDING FOR PURCHASE OF CREDITED SERVICE FOR PRIOR MILITARY AND POLICE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

DEFERRED ITEMS:

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

12. **Discussion** and possible action on two (2) bids that were received on the possible sale of parcel of property located on the NW corner of West Bay Harbor Driven and 95th Street. Enclosed find a copy of the 2 proposals.

STAFF RECOMMENDATION: Re-advertised the Request for Proposal.

13. **Approval** of a proposal from Field Turf USA, Inc. to replace the grass field at the Officer Scott Winters (98 Street) Park with field turf in the amount of \$156,694.87.

STAFF RECOMMENDATION: Approval

POLL VOTE

14. **Consideration** and **Approval** of an award of contract to R&D Electric in the amount of \$363,596 to supply and install the lighting fixtures for the Shepard Broad Causeway Bridge. Enclosed find a copy of the bid documents and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

15. **Approval** of Change Orders 17, 18, 19 and 20 in favor of M&J Construction of Pinellas County Inc. in the total amount of \$1,945,118.18. Enclosed find copies of the change of orders.

STAFF RECOMMENDATION: Approval

POLL VOTE

DISCUSSION ITEMS:

16. **Discussion and possible action** requested by Mayor Leonard regarding the installation of safety lights at critical intersections in the town. Enclosed find a copy of the quote and supporting documents.

STAFF RECOMMENDATION: Council Discretion

17. **Discussion** requested by Mayor Leonard regarding the upcoming 70th Anniversary of the Town's incorporation April 28, 1947.

STAFF RECOMMENDATION: Council Discretion

18. **Discussion** and possible action requested by Council Member Fuller on a design submitted by Calvin, Giordano & Associates for a possible Dog Park to be located on Kane Concourse and West Broadview Drive. Enclosed find the cost estimate and sketch that was provided by Calvin, Giordano & Associates.

STAFF RECOMMENDATION: Council Discretion

19. **Discussion** requested by Council Member Fuller of our lobbying approach, and the possibility of engaging additional lobbying services in Tallahassee.

STAFF RECOMMENDATION: Council Discretion

20. **Discussion and possible action** of a recommendation from the Board of Trustees (Retirement Board) regarding possible enhancements to the General Employees benefits under the retirement plan.

STAFF RECOMMENDATION: Council Discretion

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.