

NOTE: A three-minute maximum time limit will be imposed on all comments from the public. A request form is available; fill it in and return to the Deputy Clerk 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
9665 BAY HARBOR TERRACE
BAY HARBOR ISLANDS, FL 33154**

**SPECIAL COUNCIL MEETING
AGENDA**

September 28, 2022

6:15 P.M.

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 at approximately 6:15 p.m.:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. Oath of Office - Police Officer Kervens Norvil

CONSENT AGENDA::

2. **Consideration and Approval** of a contract award to BruteProof, LLC for BHI HyperV Servers Replacement Project, RFP No. 2022-002. Enclosed is a copy of the proposal.

STAFF RECOMMENDATION: Approve

POLL VOTE

3. **Consideration and Approval** of Marcum LLP, the Town's Auditors Engagement Letter for the Town of Bay Harbor Islands, Florida (the "Town") and the Town of Bay Harbor Islands Employees Retirement System (the "Plan") audit services for the Fiscal Year ended September 30, 2022. The Town retains the right to extend this contract for two (2) additional years to include Fiscal Years ending September 30, 2023 and September 30, 2024. The professional audit services will be completed for an estimated fee of \$66,300 for the Fiscal Year ending September 30, 2022, excluding any Federal or Florida single audit requirement.

STAFF RECOMMENDATION: Approve

POLL VOTE

4. **Consideration and Approval** of BHI Investment Policy. The investment policy shall apply to funds under the control of the Town of Bay Harbor Islands in excess of those required to meet current expenses. This investment policy shall not apply to pension funds, including those funds in Chapters 175 and 185, Florida Statutes. The investment of funds shall comply with all controlling State statutes, ordinances, and covenants covering the Town of Bay Harbor Islands' investments.

STAFF RECOMMENDATION: Adopt

5. **Consideration and Approval** to authorize the Town Manager to sign a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for the amount of \$310,000 for the Stormwater Project on West Bay Harbor Drive. In addition, staff seek **Approval** for the Design Services required for this project, in an amount Not-to-Exceed \$100,000 with one of our Approved Civil Engineering Firms. Enclosed is a copy of the Grant Agreement and Attachments.

STAFF RECOMMENDATION: Approval.

POLL VOTE

6. **Consideration and Approval** to authorize the Town Manager to sign a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for the amount of \$225,000 for the 9600 West Bay Harbor Drive Seawall Replacement Project.

ORDINANCES ON SECOND READING:

7. **Consideration and Approval** of an ordinance on second reading amending the Town Code by creating Chapter 25, entitled “Environment”, pertaining to stormwater management and treatment regulations; to safeguard persons, protect property, and prevent damage to the environment, Bay Harbor Islands’ surface waters, and Biscayne Bay through the regulation of non-stormwater discharges and pollutants into the Town's municipal separate storm sewer system (MS4), Biscayne Bay, and surface waters, to the maximum extent practicable. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING THE TOWN’S CODE OF ORDINANCES BY CREATING CHAPTER 25, ENTITLED “ENVIRONMENT”; PERTAINING TO STORMWATER MANAGEMENT AND TREATMENT REGULATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT AND REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

8. **Consideration and Approval** of an Ordinance on Second Reading amending Section 20-9 of the Town Code to increase the monthly base and flow charges for sewer service. Enclosed is a copy of the proposed Ordinance and supporting documents.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING SECTION 20-9 OF THE TOWN CODE TO INCREASE THE MONTHLY BASE AND FLOW CHARGES FOR SEWER SERVICE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT AND REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

ADJOURNMENT: Approximately 7:30 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 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.