

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 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**

**REGULAR COUNCIL MEETING
AGENDA**

October 19, 2022

7:00 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: Set for approximately 7:00 P.M.:

PLEDGE OF ALLEGIANCE:

ROLL CALL

1. Oath of Office- Police Officer Kervens Norvil

SPECIAL PRESENTATION:

2. The Honorable County Commissioner Sally Heyman

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:

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** to award a construction contract to Engineer Control Systems, Corp. for the amount of \$2,868,537.00 for the Rehabilitation of the Broad Causeway Bridge No. 875101 Project (BC-158). Enclosed are copies of the Bid Tabulations among other supporting documents.
4. **Consideration and Approval** to authorize the Town Manager to execute a Grant Agreement (LPA0255) with the FDEP for the amount of \$197,500.00 to upgrade the sanitary sewer system from Bay Harbor Terrace to the Main Pump Station from 15-inch to 18-inch to add more capacity to the system on this segment. Enclosed is a copy of the Grant Agreement.
5. **Consideration and Approval** of a Resolution urging Congress to reauthorize the National Flood Insurance Program, sponsored by Council Member Robert Yaffe. Enclosed is a copy of the draft Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, URGING CONGRESS TO REAUTHORIZE THE NATIONAL FLOOD INSURANCE PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING AN EFFECTIVE DATE.

6. **Consideration and Approval** of a Resolution recognizing the week of October 17-23, 2022 as "Florida City Government, sponsored by Council Member Robert Yaffe. Enclosed is a copy of the draft Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, RECOGNIZING THE WEEK OF OCTOBER 17-23, AS "FLORIDA CITY GOVERNMENT WEEK" AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; PROVIDING FOR INCORPORATION OF RECITALS; AND SETTING AN EFFECTIVE DATE.

7. **Consideration and Approval** of a Resolution honoring the Florida League of Cities on its 100th Anniversary, sponsored by Council Member Robert Yaffe. Enclosed is a copy of the draft Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, RECOGNIZING THE 100TH ANNIVERSARY OF THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR INCORPORATION OF RECITALS; AND SETTING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

PUBLIC HEARING:

8. An application by One Kane Concourse, LLC for approval of site plan development modification and approval of commercial activity on the rooftop, specifically a restaurant associated with the ground floor restaurant, for a Commercial Building, consisting of six (6) stories and two (2) levels of partially below grade parking at 9551 East Bay Harbor Drive, Lots 1 and 2 of Block 1, the Gateway District, which is designated as a Gateway property. Enclosed are the application and other supporting documents.

STAFF RECOMMENDATION: Council's Discretion.

POLL VOTE

ORDINANCES ON SECOND READING:

ORDINANCES ON FIRST READING:

DEFERRED ITEMS:

TOWN MANAGER ITEMS:

9. **Consideration** and **Ratification** of an approved proposal by David Mancini & Sons, Inc. for the amount of \$145,351.97 for the Emergency By-pass work (performed under emergency) for the Town's Sewer Main Pump Station D, in accordance with Section 2-1.3 of the Town Code, Emergency procurements. Enclosed is a copy of the proposal.

STAFF RECOMMENDATION: Approval

POLL VOTE

10. **Discussion** and **Possible Action** regarding a proposal received by David Mancini & Sons, Inc. for the amount of \$1,194,350.00 for the emergency replacement of the three (3) sanitary sewer pumps at Main Pump Station D, in accordance with Section 2-1.3 of the Town Code, Emergency procurements. Enclosed is a copy of the Proposal.

STAFF RECOMMENDATION: For Discussion

POLL VOTE

11. **Consideration** and **Approval** to issue a Request for Qualifications (RFQ) to select a Consultant to evaluate the whole system for infiltration/inflow and capacity of the lift stations. Enclosed is a copy of a Request for Qualifications (RFQ).

12. **Consideration** and **Approval** of a Request for Qualifications (RFQ) to select a Consultant to evaluate the feasibility of installing stormwater injection wells and/or pump stations in the Town, sponsored by Mayor Joshua Fuller. Enclosed is a copy of a Request for Qualifications (RFQ).

13. **Consideration** and **Approval** to authorize the Town Manager to negotiate the cost and enter into an Agreement with Waypoint Contracting, Inc. for the Design-Build Project BHI-228 - 92nd Street Dog Park Extension. Enclosed are the supporting documents.

STAFF RECOMMENDATION: Approve

POLL VOTE

14. **Consideration** and **Approval** of a request by BH Investment LLC, owner of the property located at 1135 103rd Street, to extend the use of the Temporary Sales Center to May 2023, in connection with the development of an eight-story building with 41 high-end residential units. Enclosed is the applicant's Letter of Intent and other supporting documents.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

DISCUSSION ITEMS:

15. **Discussion** and **Possible** action regarding Continuing Services contracts, sponsored by Council Member Stephanie Bruder.
16. **Consideration** and **Approval** of an Employment Agreement between the Town of Bay Harbor Islands and Town Manager Maria Lasday. Enclosed is a copy of the draft agreement.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

17. **Discussion** and **Possible** action regarding revision to Section 23-11(B1)(9) of the Town Code to lower the allowable building height for Multiple-Family single lot sites, introduced by Council Member Isaac Salver. Enclosed are proposed code text revisions and other supporting documents.

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.