

TOWN OF BAY HARBOR ISLANDS

May 8, 2017

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:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. Legislative Report - State Representative Joseph Geller
2. Formal presentation of the Town's Comprehensive Annual Financial Report for the year ended September 30, 2016. The report was issued March 31st and provided to the Mayor and Council at that time. Mr. Michael Futterman of Marcum LLP represents the Town's auditors.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

3. Report on investment performance. Mr. Dan Brea of BNY Mellon will provide a report on the period ended March 31, 2017.

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:

4. **Consideration and possible action** of a recommendation from the Parks and Recreation Committee to install 6 "Shuttle Stop" signs within the Town. Enclosed find a copy of the proposed signs and supporting documents.

STAFF RECOMMENDATION: Council Discretion

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 a resolution and a Memorandum of Understanding (MOU) between the City of Miami Beach, North Bay Village, Town of Surfside, Bal Harbour Village, and the Miami Beach Chamber Education Foundation to implement a Nurse Initiative for the 2017-2018 school year. Enclosed find a copy of the Agreement.
6. **Approval** of a Mutual Aid Agreement between the City of North Miami Beach, Police Department and the Town of Bay Harbor Islands, Police Department. Enclosed find a copy of the proposed agreement.
7. **Approval** of resolution authorizing the Town Manager to execute an agreement between the City of North Miami and the Town of Bay Harbor Islands to dispense diesel and unleaded fuel as well as compressed natural gas in Emergency Situations for the operation of Town owned vehicles. Enclosed find a copy of the proposed resolution.
8. **Consideration** and **Approval** of a resolution requested by Council Member Tricoche opposing any religious or nationality based registration of persons entering the United States of America. Enclosed find a copy of the proposed resolution.
9. **Consideration** and **Approval** of an expenditure in amount of \$19,040 for the purchase of a new vehicle for the Code Compliance Department. There will be an additional cost for the delivery of the vehicle which is unknown at this time. This expenditure was budgeted for this year. Enclosed find a copy of the bid award contract from the Florida Sheriff's Association and supporting documents.

STAFF RECOMMENDATION: Approval.

POLL VOTE

ORDINANCES ON SECOND READING:

10. **Consideration** and **Approval** of an ordinance on **second** reading requested by Council Member Yaffe amending the parking requirements for existing building uses. Enclosed find a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING SECTION 23-24 OF THE TOWN CODE EXEMPTING EXISTING BUILDINGS IN THE B-1 BUSINESS DISTRICT FROM PARKING REQUIREMENTS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

11. **Consideration** and **Approval** of an ordinance on **second** reading amending Section 2-1.1 of the Town Code regarding procurement limitations and competitive bidding. After this issue was discussed by the Town Council, Town Manager Wasson offered to review the current regulations with the Town Attorney and bring back an ordinance for Council consideration. Enclosed find a copy proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING SECTION 2-1.1 REGARDING PROCUREMENT LIMITATIONS AND COMPETITIVE BIDDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

12. **Consideration** and **Approval** of an ordinance on **first** reading amending Section 20-9 of the Town Code updating the monthly base charges for sewer service. Enclosed find a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTION 20-9 OF THE TOWN CODE UPDATING THE MONTHLY BASE CHARGES FOR SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approval

POLL VOTE

DEFERRED ITEMS:

13. **Consideration** and **Approval** of a Business Tax Receipt (Mobile Permit) Application from EzFill-FL, LLC for an on-demand gas delivery service. Enclosed find a copy of the application and supporting documents.

STAFF RECOMMENDATION: Council Discretion

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

14. **Approval** of a request for an **extension** to close on a TDR agreement between JCG Bay Harbor, LLC. (Bijou development) and the Town. The Council gave the developer an extension to close on the TDR agreement until May 11th, 2017 and in consideration they have been paying 5% of the Purchase Price each month (\$11,875). Attorney Matthew Amster submitted a request on behalf of the developers for an additional extension of six (6) months to obtain a full building permit and has asked that the same arrangement be continued.

STAFF RECOMMENDATION: Council Discretion

15. **Consideration and Approval** of award of contract BHI-179 to Stone Concept Miami Inc. for repairs to the valley gutters on 95th Street, at the vehicular accesses for the Fire Department, in the amount of \$13,610. Enclosed find the cost estimate from Stone Concept Miami.

STAFF RECOMMENDATION: Approval

16. **Discussion and Approval** of Request for Proposal for landscaping and Irrigation maintenance for town properties and rights-of-way. Enclosed find a copy of the Invitation to Bid Package.

STAFF RECOMMENDATION: Approval

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.