

NOTE: A request form is available from the Deputy Town Clerk; please fill it in and return it prior to the start of the meeting if you would like to speak during public comment. 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. Thank you.

**TOWN OF BAY HARBOR ISLANDS
MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET
BAY HARBOR ISLANDS, FL 33154**

**SPECIAL COUNCIL MEETING
AGENDA**

July 27, 2023
6:30 PM

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 6:30 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. Presentation of the Town's Comprehensive Annual Financial Report for the year ended September 30, 2022 by Town auditors Marcum LLP.
2. **Consideration and Approval** of a Resolution adopting the proposed Millage Rate for FY 2023-2024 and setting the dates and times for the Tentative Budget Public Hearing and the Final Budget Public Hearing, pursuant to FS 200.065. It is suggested the Tentative Budget Hearing be held on September 13th at 6:30 p.m. and the Final Budget Hearing on September 27th at 6:30 p.m. Enclosed is a copy of the Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, DETERMINING THE TOWN'S PROPOSED MILLAGE RATES AS REQUIRED BY SECTION 200.065, FLORIDA STATUTES, AND SETTING THE DATE, TIME, AND PLACE OF PUBLIC HEARINGS TO ADOPT THE TENTATIVE AND FINAL MILLAGE AND BUDGET FOR FISCAL YEAR 2023-2024; DIRECTING THE TOWN CLERK AND THE TOWN MANAGER TO FILE THIS RESOLUTION WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AUTHORIZING THE TOWN MANAGER TO CHANGE THE BUDGET HEARING DATES IF NECESSARY; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

3. **Consideration and Approval** of an ordinance on Second Reading amending Sections 5-5 of the Town Code entitled “Construction Site Operations” to create new subsections 5-5.2, 5-5.3 and 5-5.4 23- 12(12) related to lot regrading and revegetation during demolition and construction activities, and during periods of a site being vacant in anticipation of future construction, and to amend Section 24-15 for similar reason. Introduced by Council Member Robert Yaffe. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, TO AMEND CHAPTER 5 OF THE TOWN’S ADOPTED CODE OF ORDINANCES ENTITLED BUILDINGS AND CONSTRUCTION CODE; AMENDING SECTION 5-5 ENTITLED CONSTRUCTION SITE OPERATIONS TO MODIFY SECTION 5-5(e) RELATED TO THE VEGETATION MAINTENANCE; CREATING NEW SECTION 5-5.2 ENTITLED REGRADING AND REVEGETATION PLAN; CREATING NEW SECTION 5-5.3 ENTITLED REGRADING AND REVEGETATION BOND; CREATING NEW SECTION 5-5.4 ENTITLED FAILURE TO REGRADE AND REVEGETATE SITE; AMENDING SECTION 24-15 ENTITLED RESPONSIBILITIES OF OWNERS OF VACANT BUILDINGS, VACANT STRUCTURES AND VACANT OR UNIMPROVED LOTS; CREATING NEW SECTION 24-15(j); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

4. **Consideration and Approval** of an ordinance on Second Reading amending Section Article 1, Sections 5-6 of the Town Code pertaining to development fees to modify Article I, Sections 5-6 entitled “Development Fees, Permits – Required, Fees to be Paid; Penalty of Noncompliance” to modify the provision related to Town actions for noncompliance. Introduced by Council Member Robert Yaffe. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES RELATED TO BUILDING AND CONSTRUCTION ACTIVITIES; AMENDING CHAPTER 5 ENTITLED BUILDINGS AND CONSTRUCTION, ARTICLE I, SECTION 5-6 ENTITLED DEVELOPMENT FEES, PERMITS – REQUIRED, FEES TO BE PAID; PENALTY FOR NONCOMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

ADJOURNMENT: Approximately 8:00 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.