

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 mute or turn off your cell phone or electronic devices 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**

REGULAR COUNCIL MEETING

**REVISED AGENDA – ITEM #12 ADDED
AGENDA**

October 11, 2023
7:00 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 in being barred from the meeting. Persons exiting the Chambers shall do so quietly.

CALL TO ORDER: Approximately 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. Proclamation - Red Ribbon Week – October 23-31, 2023

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. Update on the Art Festival.

CONSENT AGENDA: Set for approximately 7:55 p.m. (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. Approval of the following meeting minutes:
 - A. Regular Council Meeting - April 10, 2023
 - B. Special Council Meeting - May 1, 2023
 - C. Special Council Meeting - May 4, 2023
 - D. Regular Council Meeting - May 10, 2023
4. **Consideration and Approval** of a Resolution regarding Budget Amendment No. 4 to the FY 2022-2023 Budget. Attached is a copy of the proposed Resolution with supporting documents.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, ADJUSTING REVENUES AND EXPENDITURES OF FUNDS ESTABLISHED AND REFLECTED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

5. **Consideration and Approval** of a Resolution permitting Hatzalah of Miami-Dade County, Inc., d/b/a Hatzalah of South Florida, to park on town property while providing emergency medical service.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AUTHORIZING HATZALAH OF MIAMI- DADE COUNTY, INC., D/B/A HATZALAH OF SOUTH FLORIDA, TO PARK THEIR EMERGENCY AMBULANCE ON TOWN PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS AND AN EFFECTIVE DATE.

6. **Consideration and Approval** of a Resolution updating the list of authorized signers for the town's accounts with Bank of America. Enclosed is a copy of the Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AUTHORIZING DEPOSITS AND WITHDRAWALS OF TOWN FUNDS IN CERTAIN ACCOUNTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

7. **Consideration and Approval** of a Resolution extending the contract with Marcum LLP, for auditing services for Fiscal Year ended September 30, 2023 and Fiscal Year ending September 30, 2024, pursuant to the September 9, 2022 Engagement Letter. Enclosed are the copies of the proposed resolution and agreements.

A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, EXTENDING THE AUDIT ENGAGEMENT LETTER WITH MARCUM LLP; PROVIDING INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

8. **Consideration and Approval** of Task Order #3 with Atkins North America, Inc. for the amount of \$2,847,254 for the Project Development and Environmental (PD&E) Study Services for the Broad Causeway Drawbridge Replacement Project. Enclosed are copies of the Scope of Services and Fee Estimates.

STAFF RECOMMENDATION: Approve

POLL VOTE

ORDINANCES ON SECOND READING:

9. **Consideration and Approval** of an ordinance on Second Reading amending Sections 20-5 and 20-6 of the Town Code to increase the monthly rate for water service to pass through the increase charged by Miami-Dade County Water & Sewer Department.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTIONS 20-5 AND 20-6 OF THE CODE OF BAY HARBOR ISLANDS TO INCREASE THE MONTHLY CHARGE FOR WATER SERVICE TO \$5.48 PER ONE THOUSAND GALLONS AND TO INCREASE THE MINIMUM MONTHLY SERVICE CHARGES FOR EACH WATER METER TO \$25.49; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

10. **Consideration and Approval** of an ordinance on Second Reading amending Sections 20-9 of the Town Code to increase the monthly base and flow charges for sewer service to pass through the increase charged by Miami-Dade County Water & Sewer Department. Attached is a copy of the proposed ordinance.

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 TO \$24.19 AND \$9.25 RESPECTIVELY; 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

ORDINANCES ON FIRST READING:

DEFERRED ITEMS:

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

11. **Discussion and Appointment** of a Council Member to the Board of Trustees of the Town's Retirement System. Enclosed is a copy of the regulations.
12. [Discussion regarding demolition of Town Hall facilities. Sponsored by Council Member Stephanie Bruder.](#)

DISCUSSION ITEMS:

ADJOURNMENT: Approximately 10:00 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.