

NOTE: A three-minute maximum time limit will be imposed on all comments from the public, regardless of the subject matter. A request form is available; fill it in and return 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
MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET
BAY HARBOR ISLANDS, FL 33154**

ORGANIZATIONAL MEETING

**REVISED
AGENDA**

April 10, 2024

6:30 PM

SPECIAL NOTICE

An Organizational Meeting of the Town Council of the Town of Bay Harbor Islands will take place in-person and virtually through the Zoom platform, on Wednesday, April 10, 2024, at 6:30 p.m.

“In an effort to provide greater public access and comment on pending matters, the Town of Bay Harbor Islands is providing a Zoom link to enable members of the public to comment on pending items on the Town Council agenda. Zoom access is provided under the same terms and conditions as in-person access, including length of time and decorum. Anyone desiring to be heard may utilize the Zoom link. However, members of the public must understand that the provision of Zoom access for comments is a courtesy, not a vested right, and that access is provided subject to the availability and functionality of the Town’s equipment. There is no guarantee that internet service will be reliable or that the Town’s equipment will function as intended. In the event that the Zoom access is unavailable or interrupted for any reason, the Town Council meeting will still proceed forward, and will not be stopped or rescheduled in any regard. Those wishing to be absolutely certain that their comments are heard by the Town Council should present themselves in person at the Council meeting and seek recognition, or alternatively, should submit their comments in advance of the meeting in writing to the Town Clerk, and ask that they be read into the record, subject to the above terms and conditions, such as length and decorum. The validity of any actions taken by the Town Council will in no way be affected by the use or functionality of Zoom access for comments.”

Zoom Meeting Link: <https://us06web.zoom.us/j/87805147756>

Meeting ID: 878 0514 7756

To request to speak during Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free numbers below:

US Toll Free Numbers: 877 853 5247 or 888 788 0099

For higher quality, dial a number based on your current location):

US: 305 224 1968 or 1 646 558 8656 or 1 301 715 8592

Meeting ID: 878 0514 7756

Participant ID: Press the # key.

To request to speak: Dial *9 on your telephone device to activate the “Raise your Hand” feature on the Zoom platform.

Members of the Public can also submit their request to speak and/or comments via email to the Office of the Town Clerk at yhamilton@bayharborislands-fl.gov prior to 4:00 p.m. on the day of the meeting.

CALL TO ORDER: At approximately 6:30 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. **Acceptance** of the Miami-Dade County Elections Department Certification of the April 2, 2024 General Election Results. Enclosed is a copy of the Certification Letter.
2. **Administration** of the Oath of Office to the newly elected Council Members by the Town Clerk.
3. **Distribution** of Annual Salaries to the Town Council, pursuant to Section 2.06 of the Town's Charter.
4. **Selection** of a Mayor by the Town Council, pursuant to Section 2.02 of the Town's Charter.
5. **Selection** of a Vice Mayor by the Town Council, pursuant to Section 2.02 of the Town's Charter.
6. **Administration** of the Oaths of Office to the Mayor and Vice Mayor by the Town Clerk.
7. **Consideration and Approval** of a Resolution appointing Yvonne P. Hamilton as Town Clerk. Enclosed is a copy of the proposed Resolution.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
BAY HARBOR ISLANDS, FLORIDA, APPOINTING A TOWN
CLERK; PROVIDING FOR INCORPORATION OF RECITALS;
AND PROVIDING FOR AN EFFECTIVE DATE.**

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

8. **Consideration and Approval** of a Resolution appointing Greenspoon Marder LLP as the Town Attorneys. Enclosed is a copy of the proposed Resolution.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
BAY HARBOR ISLANDS, FLORIDA APPOINTING A TOWN
ATTORNEY AND ASSISTANT TOWN ATTORNEY;
PROVIDING FOR INCORPORATION OF RECITALS; AND
SETTING AN EFFECTIVE DATE**

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

9. **Administration** of the Oath of Office to the Town Attorney and the Town Clerk by the Mayor.
10. **Consideration and Approval** of a request by Miami-Dade County League of Cities to designate a Director and an alternate Director to serve on the Board of Directors for a period of one year. Enclosed is a copy of the request.

ADJOURNMENT: Approximately 7:00 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, he or she will need a record of the proceedings, and that, for such purposes 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.

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 1.

ITEM: Acceptance of the Miami-Dade County Elections Department Certification of the April 2, 2024 General Election Results. Enclosed is a copy of the Certification Letter.

DESCRIPTION:

The Town's Annual Municipal Election was held on Tuesday, April 2, 2024, to fill two (2) vacant seats on the Town Council. Below are the official results:

Number of registered voters:	3,132
Number of ballots cast:	936
Early Voting-195	
Vote By Mail-331	
Election Day-401	
Percent of turnout:	28.89%
Joshua Fuller	599
Kathleen Kennedy	227
Alexander Rangel	199
Ezzy Eric Rappaport	583

In accordance with Section 6-7 of the Town Charter, the Town Manager, the Town Clerk, and Angela Rivero, Supervisor of Elections Designee sat on the Canvassing Board.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

There is no budget impact for accepting the results.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Memorandum - April 2, 2024 General Election Results
2.	Official Election Results - April 2, 2024 General Election



CERTIFICATION OF ELECTION RESULTS

DATE: April 5, 2024
TO: Town Council Members
FROM: Yvonne R. Hamilton, Town Clerk/Supervisor of Elections and
Canvassing Board Representative
SUBJECT: Results of the April 2, 2024 General Election

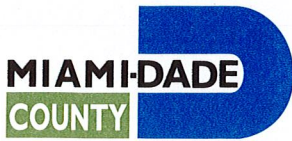
At the closing of the polls, the votes cast in the above election were counted and tabulated with the following results:

Number of registered voters:	3,132
Number of ballots cast:	936
Election Day-410	
Vote By Mail-331	
Early Voting-195	
Percent of turnout:	29.89%
Joshua David Fuller	599
Kathleen Kennedy	227
Alexander Rangel	199
Eric Rappaport	583

Joshua David Fuller and Eric Rappaport were declared elected to office for a four-year term. Enclosed is a copy of Miami-Dade County Certification of the election and the vote tabulation.

Respectfully submitted,

Yvonne P. Hamilton, CMC
Town Clerk



Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY 305-499-8480

miamidade.gov

CERTIFICATION

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

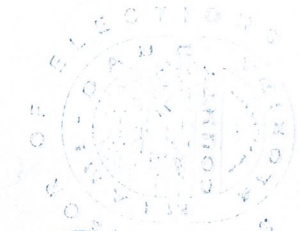
I, Christina White, Supervisor of Elections for Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal office(s) and/or referendum(s) listed below in the **Bay Harbor Islands General Election** conducted on April 2, 2024:

Council Member

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 5TH DAY OF APRIL, 2024

A blue ink handwritten signature of Christina White, consisting of a large, stylized 'C' and 'W'.

Christina White
Supervisor of Elections
Miami-Dade County



Enclosure



SUMMARY REPT-GROUP DETAIL

Official General Election
April 2, 2024
Bay Harbor Islands, FL

OFFICIAL RESULTS

Run Date:04/05/24 09:09 AM

Report EL45A

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	TOTAL VOTES	%	ED	VBM	EV
PRECINCTS COUNTED (OF 1)	1	100.00			
REGISTERED VOTERS - TOTAL	3,132				
BALLOTS CAST - TOTAL	936		410	331	195
BALLOTS CAST - BLANK	0		0	0	0
VOTER TURNOUT - TOTAL		29.89			
VOTER TURNOUT - BLANK					
Council Member					
(VOTE FOR) 2					
Joshua David Fuller	599	37.25	282	196	121
Kathleen Kennedy	227	14.12	103	79	45
Alexander Rangel	199	12.38	79	81	39
Ezzy Eric Rappaport	583	36.26	291	162	130
Total	1,608		755	518	335
Over Votes	2		0	2	0
Under Votes	262		65	142	55

Mauri Lasday
4/5/2024

Michael James

4/5/2024

Angela Russo
4/5/2024

PREC REPORT-GROUP DETAIL

Official General Election
April 2, 2024
Bay Harbor Islands, FL

OFFICIAL RESULTS

Run Date:04/05/24 09:09 AM

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0070 PRECINCT 007.0

	TOTAL VOTES	%	ED	VBM	EV
REGISTERED VOTERS - TOTAL	3,132				
BALLOTS CAST - TOTAL.	936		410	331	195
BALLOTS CAST - BLANK.	0		0	0	0
VOTER TURNOUT - TOTAL		29.89			
VOTER TURNOUT - BLANK					

Council Member

(VOTE FOR) 2

Joshua David Fuller	599	37.25	282	196	121
Kathleen Kennedy	227	14.12	103	79	45
Alexander Rangel	199	12.38	79	81	39
Ezzy Eric Rappaport	583	36.26	291	162	130
Total	1,608		755	518	335
Over Votes	2		0	2	0
Under Votes	262		65	142	55

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 2.

ITEM: Administration of the Oath of Office to the newly elected Council Members by the Town Clerk.

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 3.

ITEM: Distribution of Annual Salaries to the Town Council, pursuant to Section 2.06 of the Town's Charter.

DESCRIPTION:

Pursuant to Section 2.06 of the Charter of Bay Harbor Islands regarding compensation, the annual salary for Council Members shall be one dollar (\$1.00) per year, until amended by ordinance (a "Salary Adjustment Ordinance").

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

Each Council Member is paid \$1.00 per annum.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Section 2.06. Compensation.
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Section 2.06. Compensation.

The annual salary of Council Members shall be one dollar (\$1.00) per year until amended by ordinance (a "Salary Adjustment Ordinance"). A Salary Adjustment Ordinance shall not take effect until the current term of all Council Members voting on the Salary Adjustment Ordinance has expired.

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 4.

ITEM: Selection of a Mayor by the Town Council, pursuant to Section 2.02 of the Town's Charter.

DESCRIPTION:

Section 2.02. Mayor; Vice-Mayor.

(a) Election. The Council shall elect a Council Member to serve as Mayor and another to serve as Vice-Mayor at the first Council meeting following each election.

(b) Mayor. The Mayor shall have the following powers and duties:

(1) Preside over meetings of the Council.

(2) Be recognized as the head of the Town government for all ceremonial purposes and for the purposes of administering martial law as directed by the Governor.

(c) Vice-Mayor. In the absence or disability of the Mayor, the Vice Mayor shall assume all the powers, authority, duties and responsibilities of the Mayor. Where the office of the Mayor has been vacated, the Vice-Mayor shall succeed the Mayor and assume his/her powers and duties for the remainder of the Mayor's unexpired mayoral term.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

The mayor is paid \$1.00 per year.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Section 2.02. ___ Mayor ___ Vice Mayor.
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Section 2.02. Mayor; Vice-Mayor.

- (a) Election. The Council shall elect a Council Member to serve as Mayor and another to serve as Vice-Mayor at the first Council meeting following each election.
- (b) Mayor. The Mayor shall have the following powers and duties:
 - (1) Preside over meetings of the Council.
 - (2) Be recognized as the head of the Town government for all ceremonial purposes and for the purposes of administering martial law as directed by the Governor.
- (c) Vice-Mayor. In the absence or disability of the Mayor, the Vice Mayor shall assume all the powers, authority, duties and responsibilities of the Mayor. Where the office of the Mayor has been vacated, the Vice-Mayor shall succeed the Mayor and assume his/her powers and duties for the remainder of the Mayor's unexpired mayoral term.

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 5.

ITEM: Selection of a Vice Mayor by the Town Council, pursuant to Section 2.02 of the Town's Charter.

DESCRIPTION:

Section 2.02. Mayor; Vice-Mayor.

(a) Election. The Council shall elect a Council Member to serve as Mayor and another to serve as Vice-Mayor at the first Council meeting following each election.

(b) Mayor. The Mayor shall have the following powers and duties:

(1) Preside over meetings of the Council.

(2) Be recognized as the head of the Town government for all ceremonial purposes and for the purposes of administering martial law as directed by the Governor.

(c) Vice-Mayor. In the absence or disability of the Mayor, the Vice Mayor shall assume all the powers, authority, duties and responsibilities of the Mayor. Where the office of the Mayor has been vacated, the Vice-Mayor shall succeed the Mayor and assume his/her powers and duties for the remainder of the Mayor's unexpired mayoral term.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

The vice mayor is paid \$1.00 per year.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 6.

ITEM: Administration of the Oaths of Office to the Mayor and Vice Mayor by the Town Clerk.

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 7.

ITEM: Consideration and Approval of a Resolution appointing Yvonne P. Hamilton as Town Clerk. Enclosed is a copy of the proposed Resolution.

DESCRIPTION:

RECOMMENDED ACTION:

Council's Discretion

FINANCIAL ANALYSIS:

An amount of \$142,467 has been appropriated in the FY 2023-2024 General Operating Budget for the Town Clerk's compensation, which includes the budgeted COLA and a 2.5% merit. There is no additional cost with the appointment.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Resolution - Appointment of Town Clerk 2024
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RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPOINTING A TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the authority of the Town Council of the Town of Bay Harbor Islands to appoint a Town Clerk in accordance to Section 3.02(a) of the Town Charter; and

WHEREAS, pursuant to Section 3.02(b) of the Town Charter, the Town Clerk shall give notice of Council meetings to its members and the public, shall maintain minutes of its proceedings, shall have the authority to administer oaths, shall have charge of the conduct of municipal elections in coordination with the County Supervisor of Elections and shall perform such other duties as the Council may prescribe from time to time; and

WHEREAS, the Town Clerk shall fulfill and perform all duties, responsibilities, and obligations set forth in the Town Code, and all requirements of the Town's Employee Policies & Procedures Manual ("Employee Manual"), as may be amended from time to time; and

WHEREAS, The Town Clerk is entitled to the same benefits that the other Town employees receive, as set forth in the Employee Manual; and

WHEREAS, compensation for the Town Clerk shall be as appropriated in the Town's Fiscal Year 2023-2024 General Operating Budget.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. That Yvonne P. Hamilton be appointed as Town Clerk.

Section 3. This resolution shall take effect as of April 10th, 2024.

PASSED and ADOPTED this 10th day of April 2024.

MAYOR

ATTEST:

**MARIA LASDAY
TOWN MANAGER**

**APPROVED AS TO FORM AND LEGAL
SUFFIENCY:**

**GREENSPOON MARDER LLP
TOWN ATTORNEYS
BY: JOSEPH S. GELLER, ESQ.**

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 8.

ITEM: Consideration and Approval of a Resolution appointing Greenspoon Marder LLP as Town Attorneys. Enclosed is a copy of the proposed Resolution.

DESCRIPTION:

RECOMMENDED ACTION:

Council's Discretion

FINANCIAL ANALYSIS:

The Town Attorney is paid a monthly retainer of \$15,000 plus \$225 per hour for special matters. Funds have been appropriated in the FY 2024 General Operating Budget to cover this legal expense.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Resolution - Appointing Town Attorneys - 2024
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RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF BAY HARBOR ISLANDS, FLORIDA
APPOINTING A TOWN ATTORNEY AND
ASSISTANT TOWN ATTORNEY; PROVIDING FOR
INCORPORATION OF RECITALS; AND SETTING
AN EFFECTIVE DATE.**

WHEREAS, it is incumbent upon the Town Council to appoint a Town Attorney and Assistant Town Attorney; and

WHEREAS, an appropriation for these officials have been provided for in the Fiscal Year 2024 General Operating Budget.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. That Greenspoon Marder LLP by Joseph S. Geller, Esq. shall be appointed to serve the Town as Town Attorney to handle all legal details for the current appointive year for a monthly retainer of \$15,000 plus \$ \$225 per hour for special matters. That Morris "Skip" Miller, of Greenspoon Marder LLP, shall be appointed as Assistant Town Attorney.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 10th day of April 2024.

**ELIZABETH TRICOCHÉ
MAYOR**

ATTEST:

**YVONNE P. HAMILTON
TOWN CLERK**

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 9.

ITEM: Administration of the Oath of Office to the Town Attorney and the Town Clerk by the Mayor.

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

None

AGENDA ITEM REPORT

April 10, 2024

ITEM NUMBER: 10.

ITEM: Consideration and Approval of a request by Miami-Dade County League of Cities to designate a Director and an alternate Director to serve on the Board of Directors for a period of one year. Enclosed is a copy of the request.

DESCRIPTION:

At the April 10, 2023 Regular Council Meeting, the Town Council designated Council Member Robert Yaffe as the Director and Council Member Molly Diallo as Alternate Director.

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

There is no cost associated with designating the officers. However, there is a \$60 charge for each Council Member's attendance at the Miami-Dade County Board of Director's monthly meetings.

BUDGET IMPACT:

Submitted By: Yvonne Hamilton, Town Clerk

ATTACHMENTS

1.	Miami-Dade County League of Cities Board Appointments
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Yvonne Hamilton

From: MDCLC <MDCLC@BELLSOUTH.NET>
Sent: Friday, February 23, 2024 9:30 AM
To: Elizabeth Tricoche
Cc: Yvonne Hamilton
Subject: MDCLC Board appointment

Importance: High



Dear Mayor Tricoche:

Allow me this opportunity to first thank you for your continued participation in and support of the Miami-Dade County League of Cities (MDCLC). President Rodney Harris, and myself are well aware that MDCLC's success is a direct result of the hard work and dedication of its members. For this reason, we need your cooperation in making appointments to the Board.

Each member municipality designates one of its elected officials to serve as a **Director** and one as an **alternate Director** of the League for a period of one year. The term commences at the date of the Annual Meeting in the month of May, and runs until the following May.

Allow this letter to serve as a kind reminder that you are required to designate a Director and an alternate to represent your municipality on the MDCLC's Board preferably before **April 12, 2024**. Please send us a note to the League office naming your appointments.

Thank you for your continued cooperation and support.

Sincerely,

Richard Kuper, Esq.
Executive Director
Miami-Dade County League of Cities
2655 S. Le Jeune Road, Suite 1014
Coral Gables, FL 33134
(305) 416-4155
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www.mdclc.org