

NOTE: There is a three-minute time limit on all comments from the public, regardless of the subject matter. A request form is available from the Deputy Town Clerk; please fill it in and return it to her 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

March 10, 2014

AGENDA

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

Recognition and presentation of certificate to nine year old Alexander Miroli-Aubery, a resident, for his actions on finding and turning in a wallet with a large amount of cash into the police department.

REPORTS:

1. Planning and Zoning Board Approvals
2. Public Relations status report
3. Update on Community Center

COUNCIL REPORTS:

GOOD AND WELFARE:

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.)*

4. **Approval** of Minutes of the following meetings:
 - A. Minutes of Budget Workshop held July 25, 2012
 - B. Minutes of Budget Workshop meeting held July 30, 2013
 - C. Minutes of TDR Workshop held July 31, 2013
 - D. Minutes of Regular meeting held October 14, 2013
 - E. Minutes of Regular meeting held November 12, 2013
 - F. Minutes of Workshop meeting held on December 2, 2013
 - G. Minutes of Regular meeting held on December 9, 2013
 - H. Minutes of Public Hearing held on January 13, 2014

5. Approval of the Ruth K. Broad K-8 Center Nurse Initiative Memorandum of Understanding between the City of Miami Beach ("CMB"), North Bay Village ("NBV"), the Town of Bay Harbor Islands ("TBHI"), the Town of Surfside ("TS"), Bal Harbour Village ("BHV"), and the Miami Beach Chamber Education Foundation, Inc. ("MBCEF") (collectively, the "Parties"), to provide for funding and for the implementation of a Nurse Initiative for the school year 2014-2015.
6. Request for approval to attend the Florida League of Cities Legislative Action Days and the Miami-Dade County Days in Tallahassee by Council Members Kelly Reid and Isaac Salver. Other Council Members are encouraged to attend as well.
7. Approval of the location of construction trailer at 9940 West Bay Harbor Drive as required by Section 23-4(7) of the Bay Harbor Islands Town Code. Enclosed is a copy of the location of the trailer, the pertinent section of the Code, and a copy of the trailer specs.
8. Approval of the location of construction trailer at 9241-9261 East Bay Harbor Drive as required by Section 23-4(7) of the Bay Harbor Islands Town Code. Enclosed is a copy of the location of the trailer, the pertinent section of the Code, and a copy of the trailer specs.
9. Approval of the location of sales office at 9821 East Bay Harbor Drive as required by Section 23-4(7) of the Bay Harbor Islands Town Code. Enclosed is a letter of request and a copy of the floor plan for the unit being utilized as the sales office.

STAFF RECOMMENDATION: Approval

UNFINISHED BUSINESS: Approximately 8:15 p.m.

10. Approval on first reading of an ordinance amending the Town Code Section 23-29.1(5) and (7) to delete the option to lease spaces into the parking trust. This ordinance was requested by Mayor Yaffe. There are two Exhibit A's attached to this ordinance (Option 1) deletes the lease option (Option 2) increases the price per space to \$1,000 and requires an annual payment. The Council will need to specify which option they are approving.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S ZONING AND PLANNING CODE TO MODIFY THE EXISTING CODE PROVISIONS THAT ALLOW MONETARY CONTRIBUTIONS TO BE MADE TO A TOWN PARKING TRUST IN LIEU OF PROVIDING REQUIRED PARKING SPACES ON-SITE OR ON ANOTHER SITE WITHIN 500 FEET OF A PROPERTY; PROVIDING FOR PAYMENT TERMS, OPTIONS AND FEES FOR SUCH PAYMENTS; AMENDING SECTION 23-29.1(3) OF THE CODE OF ORDINANCES, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

11. Discussion requested by Mayor Robert Yaffe regarding the distribution of TDRs.

STAFF RECOMMENDATION: Establish a policy for the distribution of TDRs.

12. Approval of a resolution updating and adopting new values for Town-owned TDR units. Enclosed is a copy of the proposed resolution and the appraisal from Quinlivan Appraisal, P.A.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, UPDATING AND ADOPTING NEW VALUES FOR THE TOWN-OWNED TDR DWELLING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

13. Discussion and possible action requested by Vice Mayor Leonard regarding the naming of the 98 Street Park. At the last meeting Vice Mayor Leonard discussed the possibility of naming the 98 Street park after Scott Adams Winters.

STAFF RECOMMENDATION: Council Discretion

NEW BUSINESS: Approximately 8:45 p.m.

14. Approval on first reading an ordinance amending Chapter 23 of the Town Code to modify the list of prohibited uses to include (and prohibit) the sale of live animals. This ordinance was requested by Council Member Reid.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 23 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED ZONING AND PLANNING; AMENDING SECTION 23-5 ENTITLED USE REGULATIONS, B-1 BUSINESS DISTRICT TO MODIFY THE LIST OF PROHIBITED USES TO INCLUDE (AND PROHIBIT) THE SALE OF LIVE ANIMALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

15. Approval of a resolution urging the Miami Dade County Mayor and Commission to support the Town's desire to join the Library Taxing District and providing library services to the community by establishing a Branch Library in the Town. This resolution was requested by Vice Mayor Leonard and also sponsored by Council Member Reid.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA; URGING THE HONORABLE MAYOR AND MIAMI DADE COUNTY COMMISSIONERS TO SUPPORT THE TOWN'S EFFORT TO JOIN THE LIBRARY TAXING DISTRICT AND ESTABLISH A BRANCH LIBRARY IN THE TOWN; PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

16. Appointment of one resident to fill the vacancy created by the resignation of Nina Gladstone. This term will expire May 2014. Enclosed are resumes of several residents who have expressed an interest to serve on the board.

STAFF RECOMMENDATION: Select one resident to fill the vacancy.

17. Town Manager Wasson requests that a Council Workshop Meeting be held to help with prioritizing future town projects and capital plans prior to the budgetary process begins.

STAFF RECOMMENDATION: Approval

ADJOURNMENT: Approximately 9:15 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.