

NOTE: A request form is available from the Deputy Town Clerk or on the Town's website; please fill it in and return it no later than the "Public Comment" section of the meeting if you would like to address the Town Council. 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

March 5, 2025
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.

SPECIAL NOTICE

A Regular 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, March 5, 2025, at 7:00 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/88245509105>

Meeting ID: 882 4550 9105

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

Meeting ID: 882 4550 9105
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 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

COUNCIL 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 or on the Town's website; please fill it in and return it to the Deputy Town Clerk no later than the conclusion of "Public Comment" section of the meeting, if you would like to address the Town Council. 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:

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.)*

1. **Consideration and Approval** of the 2025/2026 Budget Preparation Calendar. Enclosed is the proposed schedule provided by the Town Manager.
2. **Consideration and Approval** of a Resolution for the Eighth Extension of the Lease Agreement between Sunshine Gasoline Distributors, Inc. and the Town of Bay Harbor Islands to June 30, 2025, for operation of a motor fuel service station and convenience store at 1501 Broad Causeway, Bay Harbor Islands, Florida. Enclosed are the draft Resolution and the Lease Extension agreement.

A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, PROVIDING FOR THE APPROVAL OF THE EIGHTH LEASE EXTENSION AGREEMENT BETWEEN THE TOWN OF BAY HARBOR ISLANDS AND SUNSHINE GASOLINE DISTRIBUTORS, INC., A FLORIDA CORPORATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

3. **Consideration and Approval** of a resolution accepting a proposal from CHA Consulting, Inc, under the CCNA-Engineering Consulting Services Contract, to Design the Kayak Park and Prepare Construction Bid Documents for public advertisement. Enclosed are the Staff Memo, revised proposal, and draft resolution. **Sponsored by Council Member Stephanie Bruder.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING A PROPOSAL FROM CHA CONSULTING, INC. UNDER THE CCNA-ENGINEERING CONSULTING SERVICES CONTINUING CONTRACT, TO PREPARE DESIGNS AND CONSTRUCTION DOCUMENTS FOR THE KAYAK PARK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF FUNDS; AND SETTING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

ORDINANCES ON SECOND READING:

4. **Consideration and Approval** of an ordinance on Second Reading amending Chapter 19, Article 1 of the Town Code for Speed Detection Systems in School Zones. Enclosed are the Staff Memo and proposed ordinance. Sponsored by Council Member Stephanie Bruder and **Council Member Eric Rappaport.**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO THE USE OF SPEED DETECTION SYSTEMS TO ENFORCE SPEED LIMITS; AMENDING CHAPTER 19, ARTICLE 1, RETITLING FROM RESERVED TO SECTION 19-1 "SPEED DETECTION SYSTEMS OF SCHOOL ZONES"; SECTION 19-2 DEFINITIONS; SECTION 19-3 AUTHORIZATION OF SPEED DETECTION SYSEM, SECTION 19-4 "PUBLIC HEARING AND APPROVAL"; SECTION 19-5 "DETERMINATION OF HEIGHTENED SAFETY RISK"; 19-6 "PUBLIC AWARENESS"; SECTION 19-7 "SPEED DETECTION SYSTEM REQUIREMENTS"; SECTION 19-8 "ENFORCEMENT OF SPEED LIMITS";

SECTION 19-9 “ APPEALS”; SECTION 19-10 “SPEED DETECTION SYSTEMS REPORTING REQUIREMENTS”; ESTABLISHING PROCEDURES FOR IMPLEMENTATION; PROVIDING FOR PUBLIC NOTICE AND AWARENESS CAMPAIGNS; PROVIDING FOR PENALTIES AND THE DISTRIBUTION OF FINES; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

5. **Consideration and Approval** of an ordinance on Second Reading amending Section 5-5.2 of the Town Code regarding notification to certain neighbors for seismic monitoring during construction of multifamily residential, commercial, and other non-residential construction sites. Enclosed is the proposed ordinance. Sponsored by Council Member Robert Yaffe.

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 ARTICLE 1 OF CHAPTER 5 ENTITLED BUILDINGS AND CONSTRUCTION BY REVISING SECTION 5-5.2 PERTAINING TO NOTICE TO CERTAIN PROPERTY OWNERS REGARDING SEISMIC MONITORING DURING CONSTRUCTION OF MULTI-FAMILY RESIDENTIAL, COMMERCIAL, AND OTHER NON-RESIDENTIAL CONSTRUCTION SITES IN THE TOWN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

ORDINANCES ON FIRST READING:

DEFERRED ITEMS:

6. Consideration and Approval of a resolution appointing members to the Design Review Board. Enclosed are the Staff Memo, applications for appointment and draft resolution. Sponsored by Council Member Eric Rappaport

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPOINTING SEVEN (7) MEMBERS TO THE DESIGN REVIEW BOARD; PROVIDING FOR INCORPORATION OF RECITALS; AND SETTING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

7. **Consideration** and **Approval** of a resolution appointing members to the Parks & Recreation Committee. Enclosed are the Staff Memo, applications for membership to the committee and the draft appointment resolution. Sponsored by Council Member Eric Rappaport

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPOINTING FIVE (5) MEMBERS AND TWO (2) ALTERNATES TO THE PARKS & RECREATION COMMITTEE; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

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

DISCUSSION ITEMS:

8. **Discussion** and **Possible** action regarding a request from the 8th Grade Committee of the Ruth K. Broad PTA for a donation of \$4,500 towards the 2025 graduation. Enclosed are the request and the town's Request Funding Form. Sponsored by Council Member Molly Diallo.
9. **Discussion** and **Possible** action regarding the hiring of a Park Ranger. Enclosed is the Staff Memo. Sponsored by Council Member Stephanie Bruder.
10. **Discussion** and **Possible** action regarding the Town Manager hiring process. Sponsored by Council Member Teri D'Amico.
11. **Discussion** and **Possible** action regarding installation of astroturf at the 98th Street Park at a cost not to exceed \$100,000. Sponsored by Council Member Stephanie Bruder and Council Member Molly Diallo.

ADJOURNMENT: Approximately 11:00 p.m.

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.