

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
AGENDA**

April 9, 2025

7:00 PM
Or immediately following the Organizational
Meeting

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, April 9, 2025, at 7:00 p.m. or immediately following the 6:00 p.m. meeting.

"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/81430938821>
Meeting ID: 814 3093 8821

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: 814 3093 8821

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 7:00 p.m. or immediately following the Organizational Meeting

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. BHIPD 2024 Officer of The Year
2. BHIPD 2024 Civilian of The Year.
3. Employee of the month of February - Ayanidys Martinez

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.)*

4. **Consideration and approval** of a resolution revising Section 9-38 of Town Code, adjusting the monthly Solid Waste Fees and amending Budget Amendment No. 2 to the FY 2025 Budget adjusting the Solid Waste Fund. Enclosed are the Staff Memo and draft resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AUTHORIZING A RATE ADJUSTMENT FOR SOLID WASTE COLLECTION SERVICES BASED ON THE 2025 CONSUMER PRICE INDEX (CPI), IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE TOWN AND COASTAL WASTE & RECYCLING; PROVIDING FOR BUDGET AMENDMENT NO. 2 TO THE FISCAL YEAR 2025 BUDGET ADJUSTING THE SOLID WASTE FUND; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY AND REPEALER; AUTHORIZING THE TOWN MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

5. **Consideration and Approval** of a Resolution approving a proposal (Change Order No. 1) from Chen Moore and Associates in the amount of \$63,520 to include the Block 11 Water Mains Design with the Block 11 Alleyway Design. Enclosed are the Staff Memo, the draft resolution, and the proposal.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING A PROPOSAL (CHANGE ORDER NO. 1) FROM CHEN MOORE AND ASSOCIATES IN THE AMOUNT OF \$63,520 TO INCLUDE THE BLOCK 11 WATER MAINS DESIGN WITH THE BLOCK 11 ALLEYWAY DESIGN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF FUNDS; AND SETTING AN EFFECTIVE DATE.

6. **Consideration and Approval** of a resolution urging the Florida Department of Transportation (FDOT) to remove the crosswalk at the intersection of 96th Street and Harding Avenue in Surfside, Florida. Enclosed is the draft resolution. Sponsored by Mayor Joshua D. Fuller, Council Member Stephanie Bruder, and Council Member Robert Yaffe.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLAND, FLORIDA, URGING FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO CONSIDER REMOVING THE CROSSWALK AT THE INTERSECTION OF 96TH STREET & HARDING AVENUE, IN SURFSIDE, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; AND SETTING AN EFFECTIVE DATE.

7. **Consideration and Approval** of a resolution approving a contract with RedSpeed Florida LLC, under the Piggy-Back purchasing provisions, pursuant to section 2-1.2 (6) of the Town Code. Enclosed are the Staff Memo, draft resolution, and service agreement. Sponsored by Council Member Stephanie Bruder and Council Member Eric Rappaport.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING A SPEED DETECTION SYSTEMS CONTRACT WITH REDSPEED FLORIDA LLC UNDER THE PIGGY BACK PURCHASE PROVISION PURSUANT TO SECTION 2-1.2(6) OF THE TOWN CODE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF FUNDS; AND SETTING AN EFFECTIVE DATE.

8. **Consideration and Approval** of a resolution approving a Proposal in the amount of \$121,875.00 (\$60,760 for Permitting and \$61,115 for Designs) from Chen Moore and Associates to Design the Kayak Park at 9600 West Bay Harbor Drive.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, APPROVING A PROPOSAL FROM CHEN MOORE AND ASSOCIATES TO DESIGN THE KAYAK PARK AT 9600 WEST BAY HARBOR DRIVE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF FUNDS; AND SETTING AN EFFECTIVE DATE.

9. **Consideration and Approval** of a resolution designating authorized signatories with Mellon Bank for the town investment accounts. Enclosed is the draft resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, UPDATING THE AUTHORIZED SIGNATORIES FOR THE TOWN'S INVESTMENT ACCOUNTS HELD WITH MELLON BANK, N.A.; PROVIDING FOR INCORPORATION OF RECITALS AND AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

ORDINANCES ON SECOND READING:

ORDINANCES ON FIRST READING:

10. **Consideration and Approval** of an ordinance on First Reading amending Chapter 17 of the Sign Code, by retitling Section 17-2 from Indoor Signs to Indoor Signs and Window Signs. Enclosed are the Staff Memo and the proposed ordinance. Sponsored by Council Member Stephanie Bruder.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO WINDOW SIGNS; AMENDING ARTICLE I OF CHAPTER 17 ENTITLED SIGNS; RETITLING SECTION 17-21 FROM "INDOOR SIGNS" TO "INDOOR SIGNS AND WINDOW SIGNS"; 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

DEFERRED ITEMS:

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

11. **Consideration and Approval** of the 2025/2026 Budget Preparation Calendar. Enclosed is the proposed schedule provided by the Interim Town Manager.
12. **Consideration and Approval** of an award of contract to Momentum Marketing Group Corp, under RFP No. 1-1026-GM-2025/FVR, for the organization and production of the Bay Harbor Islands Art Festival. Enclosed are the Staff Memo and proposal.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

DISCUSSION ITEMS:

13. **Consideration and Approval** of a resolution concerning Town Council Public Comment Rules of Procedures and Decorum.
Choose one of the following alternatives. Option A Sponsored by Council Member Yaffe and Council Member Bruder. Option B sponsored by Vice Mayor Isaac Salver.
Note-Amendments are permitted.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING RESOLUTION NO. 2345 REGARDING TOWN COUNCIL PUBLIC COMMENT RULES OF PROCEDURE AND DECORUM; PROVIDING FOR INCORPORATION OF RECITALS AND AN EFFECTIVE DATE.

14. **Consideration** and **Approval** of appointment of Interim Town Manager Lindsley Noel to Town Manager and authorizing the Town Attorney to enter into contract negotiations with the Town Manager. Sponsored by Mayor Joshua D. Fuller and Council Member Stephanie Bruder, Council Member Teri D'Amico, and Council Member Robert Yaffe.
15. **Discussion** and **Possible** action regarding 1177 Kane Concourse Improvement Agreement. Sponsored by Council Member Stephanie Bruder.
16. **Consideration** and **Approval** of a resolution approving the proposed Action Plan for amending the Town of Bay Harbor Islands Comprehensive Plan. Enclosed are the Staff Memo, draft resolution, Action Plan, 2009 Comprehensive Plan Review, and Letter from Bureau Planning & Growth. Sponsored by Council Member Teri D'Amico

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY
HARBOR ISLANDS, FLORIDA, APPROVING THE PROPOSED ACTION
PLAN FOR AMENDING THE TOWN OF BAY HARBOR ISLANDS
COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION OF
RECITALS, AND SETTING AN EFFECTIVE DATE.**

17. **Discussion** and **Possible** action regarding hours of operation of the large and small dog park and reconfiguration of the 92nd Street Park along with some general improvements, in an amount not to exceed \$50,000. Enclosed are the Staff Memo, draft resolution, and proposal. Sponsored by Council Member Teri D'Amico.

STAFF RECOMMENDATION: Council's Discretion

POLL VOTE

18. **Discussion** regarding Town Council appointments to various committees and project liaison along with their roles. Sponsored by Council Member Teri D'Amico
19. **Discussion** and **Possible** action regarding the License Agreements for Temporary Parking Space. Sponsored by Council Member Stephanie Bruder. Enclosed are the lease application documents.
20. **Discussion** and **Action** on scheduling a date, within the next 30 days, for a Land Planning Agency Meeting/Workshop to begin the process to amend the Town of Bay Harbor Islands Comprehensive Plan, pursuant to Section 23.42 of the Town Code. Sponsored by Council Member Teri D'Amico

ADJOURNMENT: Approximately 11:00 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.