

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**

October 8, 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 Special 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, October 8, 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: Join from PC, Mac, iPad, or Android:

<https://us06web.zoom.us/j/88243461951?pwd=GZ5JTQvmcTszpIMjwbPyxhPgcihodC.1>

Passcode:798222

Phone one-tap:

+13052241968,,88243461951# US

+16469313860,,88243461951# US

Join via audio:

+1 305 224 1968 US
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 689 278 1000 US
+1 719 359 4580 US
+1 720 707 2699 US (Denver)
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US

Webinar ID: 882 4346 1951

International numbers available: <https://us06web.zoom.us/j/88243461951>

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:

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 eherbello@bayharborislands-fl.gov prior to 4:00 p.m. on October 7, 2025.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. Special Presentation by County Commissioner Micky Steinberg

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER’S REPORT:

COUNCIL REPORTS:

PUBLIC COMMENT

Speakers are allowed three (3) minutes and up to no more than five (5) minutes at the discretion of the presiding officer to speak on any items on the agenda only during the Public Comment portion of the meeting. Speakers may apportion their time during Public Comment to various agenda items however they wish. Any person who wishes to speak during a public hearing may be heard for no more than two (2) minutes during each public hearing or ordinance on second reading. 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 five (5) 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:

MINUTES

2. Approval of Minutes for the following meeting dates: January 8, 2025 Town Council Meeting, February 20, 2025 Town Council Meeting, March 5, 2025 Town Council Meeting, April 9, 2025 Organizational Meeting, April 9, 2025 Town Council Meeting, May 14, 2025 Town Council Meeting, June 11, 2025 Town Council Meeting, June 17, 2025 Town Budget Workshop Meeting, July 29, 2025 Town Budget Workshop Meeting, August 13, 2025 Town Council Meeting, September 11, 2025 First Budget Hearing Meeting, September 11, 2025 Town Council Meeting, September 25, 2025 Final Budget Hearing Meeting and September 25, 2025 Town Council Meeting.

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.)*

3. Discussion and Approval of a Resolution to adopt the Miami-Dade County Local Mitigation Strategy (LMS) Plan. Sponsored by Town Manager Lindsley Noel.
4. A Resolution to enter into an agreement with Pay by Phone. Sponsored by Town Manager Lindsley Noel.
5. Consideration and Approval of a resolution approving 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 2025-2026, at a pro rata share of \$10,140. Sponsored by Town Manager Lindsley Noel.
6. Consideration and Approval of a resolution of the Town council of the Town of Bay Harbor Islands approving memorandums of understanding with the School Board of Miami-Dade County and with the Town of Surfside and Village of Bal Harbour for School Resource Officers at Ruth K. Broad. Sponsored by Town Manager Lindsley Noel.
7. Consideration and Approval of a resolution approving property insurance policy for the Shepard Broad Causeway Bridge from Lloyds of London and Starstone Specialty Insurance Company, for a term beginning October 1, 2025, to September 30, 2026, with a total premium not to exceed \$425,658.00. Sponsored by Town Manager Lindsley Noel.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY
HARBOR ISLANDS, FLORIDA, RENEWING BRIDGE PROPERTY**

INSURANCE FOR THE SHEPARD BROAD CAUSEWAY FOR FISCAL YEAR 2025-2026, WITH LLOYDS OF LONDON AND STARSTONE SPECIALTY INSURANCE COMPANY; PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY AGREEMENT OR RELATED DOCUMENTS; AND SETTING AN EFFECTIVE DATE.

8. **Consideration and Approval** of a resolution approving a proposal from Florida Municipal Insurance Trust (Florida League of Cities) for Property & Casualty and Workers Compensation Insurance for the 2025-2026 Fiscal Year, in the amount of \$775,967. Sponsored by Town Manager Lindsley Noel.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, RENEWING PROPERTY & CASUALTY LIABILITY AND WORKERS COMPENSATION INSURANCE FOR FISCAL YEAR 2025-2026 WITH FLORIDA MUNICIPAL INSURANCE TRUST (FMIT); PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY AGREEMENT OR RELATED DOCUMENTS; AND SETTING AN EFFECTIVE DATE.

9. **Consideration and Approval** of a resolution approving Cigna Healthcare to provide health and MetLife to provide dental, vision insurance and to provide life, disability, and Accidental Death & Dismemberment insurance for town employees for Fiscal Year 2025-2026. Sponsored by Town Manager Lindsley Noel.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA APPROVING CIGNA HEALTHCARE TO PROVIDE HEALTH INSURANCE, METLIFE TO PROVIDE DENTAL, VISION AND LIFE, DISABILITY AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR TOWN EMPLOYEES FOR FISCAL YEAR 2025-2026; PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY AGREEMENT OR RELATED DOCUMENTS; AND SETTING AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Approve

POLL VOTE

10. Request for approval to Piggyback on the City of Plantation contract for Micro Transit Program. Sponsored by Town Manager Lindsley Noel.
11. Authorize renewal of consulting agreement with Caballero Fierman Llerena & Garcia, LLP, for financial audit support services for the fiscal year ending September 30, 2025. Sponsored by Town Manager Lindsley Noel.
12. Discussion and possible action approving a resolution to enter into an agreement with Civic Smart for license plate readers. Sponsored by Vice Mayor Stephanie Bruder.

DEFERRED ITEMS:

13. Discussion and Possible Action to approve the Letter of Intent (LOI) and enter into a lease agreement with Church by the Sea for property located at 1045 95th Street, Bay Harbor Islands, FL. Placed on the agenda for discussion by Town Manager Lindsley Noel.
14. Discussion and possible action regarding an agreement between SBC USA, LLC and the Town to utilize space on the south side of Causeway Island for the transfer of debris. Sponsored by Vice Mayor Stephanie Bruder.

PUBLIC HEARING:

15. Discussion for the purpose of hearing public comments with respect to an application for a variance from Section 23-12(15)(a)(iii) of the Town Code to allow encroachments into the required street-side setback on a non-waterfront single-family property, where the Code does not permit any encroachments. The applicant is requesting two variances: the first to allow the construction of a flat roof with a total width of 18 feet 2 inches, of which 15 feet would encroach into the street-side setback; and the second to allow the construction of a second-floor balcony with a total width of 9 feet 4 inches, which would project 6 feet 2 inches into the same setback. Both proposed structures exceed the allowable building envelope and therefore require approval of the variance in order to proceed. The application is being submitted by the property owner Brian and Brittany Riemer for the property located at 9625 Broadview Drive, Bay Harbor Islands, Florida.
16. Approval or Denial of a variance request for the property located at 9625 West Broadview Terrace. In accordance with Section 2-22 of the Town Code, the Town Council shall determine whether to grant or deny the application for a variance. An affirmative vote of five (5) Council Members are necessary in order to grant the variance request. The decision of the Town Council is final. If the request is granted, the decision of the Town Council shall be recorded in a resolution to be prepared by the Town Attorney. It should be noted that any approval of the Town Council is subject to other requirements of the Town Code, Miami-Dade County Code, Florida Building Code, FEMA or any other applicable governing agency.

ORDINANCES ON SECOND READING:

17. Consideration and approval of an Ordinance on Second Reading Amending Section 23-5 of the Town Code for the B-1 Business District to remove automobile showrooms for display and sales from the list of prohibited uses, thereby allowing them as a permitted use. Sponsored by Vice Mayor Stephanie Bruder.
18. Consideration and approval of an Ordinance on Second Reading regarding a B-1 Med Spa. Sponsored by Vice Mayor Stephanie Bruder and Council Member Robert Yaffe.
19. Consideration and approval of an Ordinance on Second Reading of the Town Council of the Town of Bay Harbor Islands, Florida, amending Chapter 16, the Town of Bay Harbor Islands employees retirement system, to provide an election for an increased contribution rate for members who are appointed to serve as Town Manager. Sponsored by Vice Mayor Stephanie Bruder, Council Member Teri D'Amico, Council Member Joshua Fuller and Council Member Robert Yaffe.

20. Consideration and approval of an Ordinance on Second Reading of the Town Council of the Town of Bay Harbor Islands, Florida, amending Chapter 16, Article IV, Retirement Benefits, Section 16-40, Schedule, to increase the monthly retirement subsidy to \$425. In accordance with the current collective bargaining agreement between the Town and the Bargaining representative of the Police Officers. Sponsored by Vice Mayor Stephanie Bruder, Council Member Teri D'Amico, Council Member Joshua Fuller, and Council Member Robert Yaffe.
21. Consideration and approval of an Ordinance on Second Reading Amending Section 23-80 of the Town Code for to establish survey requirements for new construction, additions, and site modifications. Sponsored by Vice Mayor Stephanie Bruder.
22. Consideration and approval of an Ordinance on Second reading regarding construction parking. Sponsored by Vice Mayor Stephanie Bruder and Council Member Robert Yaffe.
23. Consideration and approval of an Ordinance on Second Reading Amending Section 5.17 of the Town Code entitled "Garage and Carport Elevation and Enclosure Requirements". Sponsored by Council Member Robert Yaffe.
24. Consideration and approval of an Ordinance on Second Reading incorporating Fats, Oils, and Grease (FOG) Regulations. Sponsored by Vice Mayor Stephanie Bruder.
25. Consideration and Approval of an Ordinance on Second Reading Permit Expiration and Progress Regulations. Sponsored by Vice Mayor Stephanie Bruder and Council Member Robert Yaffe.
26. Consideration and Approval of an Ordinance on Second Reading Amending Sections 20-5 and 20-6 of the Town Code adopting Miami-Dade County's water service pass-through increase effective October 1, 2025. Sponsored by Town Manager Lindsley Noel.
27. Consideration and Approval of an Ordinance on Second Reading Amending Section 20-9 of the Town Code adopting Miami-Dade County's sewer service pass-through increase effective October 1, 2025. Sponsored by Town Manager Lindsley Noel.

ORDINANCES ON FIRST READING:

28. Consideration and approval of an Ordinance on first reading creating Chapter 2, Article III for "Lobbyist Registration Fee". Sponsored by Town Manager Lindsley Noel.

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

29. Discussion and possible action to authorize the Town Manager to expend an amount not to exceed \$200,000 for the build-out and necessary improvements of the Town's office space located at 1045 95th Street. This funding will support construction, furnishing, and related costs required to make the space operational and suitable for municipal use. Sponsored by Town Manager Lindsley Noel.

DISCUSSION ITEMS:

30. Discussion and possible action regarding a sales center extension at 1170 Kane Concourse. Sponsored by Town Manager Lindsley Noel.
31. **Request for approval** of an extension of a temporary Sales Center, 1177 Bay Harbor Islands, LLC, in connection with the development of a mixed-use development under construction on the northeast corner of Kane Concourse and West Bay Harbor Drive (1177 Kane Concourse). The applicant is requesting the Sales Center located at 1160 Kane Concourse until September 30, 2025. Placed on the agenda for discussion by Town Manager Lindsley Noel.

STAFF RECOMMENDATION: Council's Discretion

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.