

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**

January 14, 2026

7:00 p.m. or immediately following the Local Planning Agency 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 Town Council 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, January 14, 2026, at 7:00 p.m. or immediately following the Local Planning Agency 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/81276475293>

Passcode:453864

Phone one-tap:

+13052241968,,81276475293# US

+13126266799,,81276475293# US (Chicago)

Join via audio:

+1 305 224 1968 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 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

+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

Webinar ID: 812 7647 5293

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

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

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 January 13, 2026.

CALL TO ORDER

:

PLEDGE OF ALLEGIANCE

:

ROLL CALL

:

SPECIAL PRESENTATION

:

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

:

1. November 12, 2025 Special Town Council Meeting Minutes
2. November 12, 2025 Regular Town Council Meeting Minutes

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. Consideration and approval of a resolution renewing an agreement between the Town of Bay Harbor Islands and David Caserta Government Relations, Inc. for consulting services related to government relations efforts at the State level. Sponsored by Council Member Joshua Fuller and Council Member Robert Yaffe.
4. Consideration and Approval of a resolution to authorize the Town Manager to enter into a Master Lease Purchase Agreement with NCL Government Capital for the financing of the street sweeper previously approved by the Town Council.
5. Discussion and possible action to enter to authorize the Town Manager to utilize the NASPO ValuePoint cooperative purchasing contract to procure OpenGov's ERP suite. This will allow the Town to transition from its current Tyler Incode 10 system to a modern, cloud-based platform that integrates financial management, budgeting, and utility billing.
6. Consideration and Approval of a resolution updating the signers on the Town's accounts with Bank of America.
7. Discuss and consider a Change Order in favor of Kimley Horn and Associates (KHA) and provide Construction and Inspection (CEI) services in the amount of \$44,580.00, associated with the replacement of Ejector Station A with submersible pumps.
8. Consideration and Approval of a resolution approving the renewal and implementation of a Mutual Aid Agreement and Joint Declaration between the Town of Bay Harbor Islands Police Department and the Town of Surfside Police Department for shared law enforcement services. Enclosed are the agreements and proposed resolution.
9. FY2025-2026 Budget Amendment.
10. Consideration and Approval of a Resolution for the Eleventh Extension of the Lease Agreement between Sunshine Gasoline Distributors, Inc. and the Town of Bay Harbor Islands to April 30, 2026 for operation of a motor fuel service station and convenience store at 1501 Broad Causeway, Bay Harbor Islands, Florida. Sponsored by Council Member Joshua Fuller.

11. Consideration and approval of a resolution executing an addendum to agreements with Chen Moore and Associates and V Engineering Corp for the replacement of the seawall at 9600 W. Bay Harbor Drive to ensure project expenditures are eligible for reimbursement.
12. Discussion and possible action to enter into a piggyback agreement from the Florida Sheriffs Association, Bid Item No. 115 Hydraulic Mini Excavator Bid Award Announcement (FSA23-EQU21.0) with Alta Equipment Company and with De Lage Landen Financial Services, d/b/a De Lage Landen Public Finance LLC for a purchase of a Compact Excavator.
13. Discussion and approval to Piggyback, a contract between Florida Drawbridges Inc., Martin County to maintain and perform repairs to the Broad Causeway movable bridge.
14. Consideration and approval of a resolution to authorize the Town Manager to enter into an agreement with the State of Florida, Division of Emergency Management for the acceptance of a \$900,000 grant.

PUBLIC HEARING-QUASI JUDICIAL

:

15. PUD Overlay Rezoning Application – Bijou Bay Harbor Condominium Association, Inc., 9521 East Bay Harbor Drive, Lots 3 and 4, Block 1 - Town Manager.

ORDINANCES ON SECOND READING

:

ORDINANCES ON FIRST READING

:

16. Comprehensive Plan Text Amendment – Creation of a Property Rights Element and Update to Infrastructure Element. - Town Manager.
17. Consideration and Approval of an ordinance on First Reading amending Chapter 17 of the Sign Code, Section 17-20 to remove the max height requirement. Enclosed are the Staff Memo and the proposed ordinance. Sponsored by Council Member Robert Yaffe.
18. Consideration and approval of an Ordinance on First reading regarding Sec. 5-5 Construction Site Operations to Require On-Site Changing Facilities, Daily Cleanup, and No-Loitering Policy. Sponsored by Council Member Robert Yaffe.

DEFERRED ITEMS

:

TOWN MANAGER ITEMS

: *(Town business items requiring Council approval)*

19. Approval of the Evaluation and Appraisal Report (EAR) Matrix and Authorization to Transmit to State and Regional Agencies for Compliance Review - Town Manager.

DISCUSSION ITEMS

:

20. Eshkol Art Exhibition of artwork by artists in the Eshkol Region to be exhibited next year at the Art Festival. Sponsored by Council Member Teri D'Amico.
21. Discussion, review and possible action regarding Greenspoon and Marder, LLP, Town Attorneys 2025 Invoices, Agreements, Deliverables, Billable Hours with Scope of Services. Sponsored by Council Member Teri D'Amico.
22. Discussion, review and possible action regarding Becker & Poliakoff 2025 Invoices, Agreements, Deliverables, Billable Hours with Scope of Services. Sponsored by Council Member Teri D'Amico.
23. Discussion, review and possible action regarding Rubin, Turnbull & Associates 2025 Invoices, Agreement, Deliverables, Billable Hours with Scope of Services and to request monthly written reports on bridge funding progress to the Town Manager. Sponsored by Council Member Teri D'Amico.
24. Discussion and possible action regarding the agreement with South Beach Construction (SBC). Sponsored by Council Member Teri D'Amico.
25. Discussion and approval of an MOT for TLC OKC Property Owner LLC for the project One Kane Concourse, 9551 East Bay Harbor Drive, Bay Harbor Islands, FL. - Town Manager.
26. Discussion and possible action approving a resolution of a modified improvement agreement with 1177 Bay Harbor Islands, LLC for the Town's Kayak Park located at 9600 West Bay Harbor Drive - Town Manager.

ADJOURNMENT: Approximately 8:00 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.