

**TOWN OF BAY HARBOR ISLANDS
MINUTES OF A REGULAR MEETING**

A Regular Meeting of the Town Council was held on Tuesday, November 12, 2019 at 7:00 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder	
Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

SPECIAL PRESENTATION:

Item 1. Ruth K. Broad Bay Harbor K-8 Center - School Safety Patrols

Mayor Bruder presented Certificates of Appreciation to the Ruth K. Broad Bay Harbor K-8 Center, School Safety Patrols.

Item 2. Florida League of Cities 20 Years of Public Service Recognition to Council Member Isaac Salver

Carole Westmoreland of the Florida League of Cities presented Council Member Salver with 20 years of Public Service Recognition Award.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

Town Manager Jimenez withdrew Item #6 from the Agenda to be brought back to a future meeting.

~~Item 6. Approval of a resolution to update the Town's travel policy. Enclosed is a copy of the proposed resolution.~~

Council Member Tricoche pulled Item # 9 for discussion.

TOWN MANAGER'S REPORT:

- West relief bridge on the Broad Causeway will undergo painting in the upcoming weeks.

Item 4. Report of the Town investment performance for quarter ended September 30, 2019. Presentation will be provided by Gerardo Rodriguez of BNY Mellon.

Gerardo Rodriguez reported on the Town performance investments for the quarter ending September 30, 2019. He provided a full detailed report of each investment and did not recommend any changes to the Town portfolio at this time.

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

Council Member Tricoche congratulated Town Manager Jimenez on his one-year Anniversary and Council Member Salver on his Florida League of Cities appointment as president.

Council Member Reid congratulated Town Manager Jimenez on his first-year anniversary as Town Manager.

Council Member Salver congratulated Town Manager Jimenez for his one-year anniversary as Town Manager. He reported attending a Florida League of Cities Meeting to help draft the state legislative agenda.

Council Member Leonard congratulated Town Manager Jimenez on his one-year anniversary with Town.

Council Member Yaffe also congratulated Town Manager Jimenez on his one-year anniversary and Council Member Salver as the new incoming president to the Florida League of Cities. He also reported attending several meetings in Washington, DC to meet with state senators on issue for our community.

Vice Mayor Fuller congratulated Town Manager Jimenez on his one-year anniversary and Council Member Salver on his installation as president for the Florida League of Cities. He thanked the Town staff on a great Veterans Day Event. He attended meetings in Washington, DC to meet with state senators to lobby against the FAA proposed flight pattern over Bay Harbor Islands.

Mayor Bruder congratulated Town Manager Jimenez on his one-year anniversary as the Town Manager and also congratulated Council Member Salver as the incoming president for the Florida League of Cities. She also asked the residents to be vigilant as there have been several car burglaries. She asked for an article be included on the Town Newsletter to remind residents to stay vigilant.

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; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment. Please come forward to the podium, give your name and address, and the name and address of the organization you are for resenting if any.

Kathleen Kennedy, 9180 W. Bay Harbor Drive, came forward and was concerned with the Town Parks and the Community Center being left open for anyone to access entry.

Kathie Srur, 10301 E. Bay Harbor Drive, came forward and stated that she was opposed to the lack of parking arrangement for the proposed development at 1177 Kane Concourse.

France Neuhut, 1160 Kane Concourse, came forward and reminded the council that she filed an appeal and the Town Council denied it.

Joyce Greene, 1310 99 St, came forward and explained that she had a car breaking in the past and suggested a flyer to the Town residents to remind them to lock their cars.

COMMITTEE REPORTS:

Item 5. Report from the Parks & Recreation Committee.

Chair of the Parks and Recreation Committee, Kathleen Kennedy came forward and thanked the Town Council for re-appointing her to the Parks and Recreation Committee. She came forward to report on the recent recommendations of the Parks and Recreation Committee, the first was to plan a Doogie Event where the residents can come out and enjoy a fun day with their pets.

ACTION: Consensus was to move forward and plan for a Doogie Event in the near future.

The second recommendation of the committee was to obtain an air hockey for the public to be placed at the Community Center.

ACTION: Consensus was to research the prices and purchase an air hockey machine for the Community Center.

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.)

Item 7. Approval of a resolution updating the employee recognition awards. Enclosed is the proposed resolution and the previously approved resolutions regarding the same.

There was a brief discussion on the proposed resolution and suggestion to add a gift along with the bonus, or a gift certificate to a local restaurant.

Town Manager Jimenez stated that the proposed resolution was to update the policy on how the long-term employees are recognize.

Consensus was to also include a gift along with the employee recognition bonus.

ACTION: Council Member Yaffe made a motion to approve the proposed resolution. Council Member Leonard seconded the motion and it passed unanimously.

Item 8. Approval of an Inter-Agency Agreement Between Miami-Dade County / Miami-Dade Police Department and the Bay Harbor Islands Police Department to access the information systems known as FCIC / NCIC for criminal justice information. Enclosed is a copy of the proposed agreement.

ACTION: Council Member Yaffe made a motion not approve the proposed agreement. Council Member Leonard seconded the motion and it passed unanimously.

Item 9. Approval of an amendment to the Address Verification Plan Agreement between the Town and Miami-Dade County School Board. Enclosed is a copy of the proposed revised agreement.

Town Manager Jimenez reported he had a meeting with Bal Harbour Village Manager and the City of Miami Beach regards to STEM; International Bachelorette and engineering programs being proposed at the Ruth K. Broad School.

Consensus was for staff to continue to work with the school Board on new innovative programs.

PUBLIC COMMENT

Joyce Green, 1360 99 Street, came forward on the ongoing issues with the school address verification program and stated there were students that she personally knew of that did not live in the Town. There were reports of parents purchasing rights to utilize a Town address so kids could attend the local school.

Shanta Wise, 9202 W. Bay Harbor Drive, came forward and reported that the school was not in compliance with the Town lighting plan.

CLOSED PUBLIC COMMENT

ACTION: Vice Mayor Fuller made a motion to approve the propose agreement. Council Member Yaffe seconded the motion and it passed unanimously.

At this time Item #19 was taken out of order for discussion.

Item 19. Discussion and possible action of the Surf Bal Bay Interlocal Shuttle System Final Report conducted by Florida International University. This item is sponsored by Council Member Jordan W. Leonard. Enclosed is a copy of the report.

Council Member Leonard suggested that the ride sharing program portion can be provided through an electronic app and will be a free service. He also reported that the Town has been awarded a grant that will pay 50% of the program.

Town Manager Jimenez stated that the final report was recommending the Trolley and the ride sharing.

Consensus was to proceed with procurement and ride sharing.

ACTION: Council Member Leonard made a motion to approve the final report. Vice Mayor Fuller seconded the motion and it passed unanimously.

At this time Mayor Bruder left the meeting.

ORDINANCES ON SECOND READING:

Item 10. Consideration and Approval of an ordinance on second reading requested by Council Member Leonard and Council Member Reid to prohibit plastic beverage straws and plastic beverage stirrers. Attach is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 9 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED SOLID WASTE COLLECTION; AND SPECIFICALLY ADDING AND REVISING DEFINITIONS TO SECTION 9.1 AND ADDING A NEW SECTION 9-28 PROHIBITING PLASTIC BEVERAGE STRAWS AND PLASTIC BEVERAGE STIRRERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Council Member Leonard made a motion to approve the proposed ordinance on second reading. Council Member Reid seconded the motion and it passed by unanimous poll vote.

Item 11. Consideration and Approval of an ordinance on second reading amending the Chapter 5 Town Code to require a demolition Bond. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 5 ENTITLED BUILDINGS AND CONSTRUCTION OF THE TOWN'S ADOPTED CODE OF ORDINANCES AND SPECIFICALLY ADDING A NEW SECTION 5.3.1 TO REQUIRE A DEMOLITION BOND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

At this time Council Member Leonard left the meeting.

PUBLIC COMMENT

Vincent Martino, 1050 93 street, came forward and was in favor of the proposed ordinance.

Frances Neuhut, 1060 Kane Concourse, came forward and suggested to add language to include single family homes to the ordinance.

CLOSED PUBLIC COMMENT

ACTION: Council Member Salver made a motion to approve the proposed ordinance on second reading. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

ORDINANCES ON FIRST READING:

Item 12. Consideration and Approval of an ordinance on first reading requested by Council Member Reid amending Section 23-9 of the Town Code to revise the size of living units in the B-1 Business District. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO THE MINIMUM SIZE OF LIVING UNITS IN ALL USE DISTRICTS; AMENDING SECTION 23-9 OF THE ZONING AND PLANNING CODE TO MODIFY REGULATIONS FOR THE SIZE OF LIVING UNITS IN THE B-1 BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Council Member Reid made a motion to approve the proposed ordinance on first reading. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

Item 13. Consideration and Approval of an ordinance on first reading amending Chapter 20 of the Town Code providing for water meters and sub-meters for potable water that do not not utilize the Town sanitary sewage system. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 20 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED UTILITIES, BY AMENDING SECTIONS 20-3, AND 20-9 TO PROVIDE FOR THE INSTALLATION, INSPECTION, AND COST OF WATER METERS, WATER SUB-METERS, WATERBOXES, DEPOSITS, AND TAPPING CHARGES; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

Jerry Blair, 10250 W. Bay Harbor Drive, came forward and represented the condo association of Island Pointe and expressed support for the proposed ordinance.

CLOSED PUBLIC COMMENT

ACTION: Council Member Yaffe made a motion to approve the proposed ordinance on first reading. Vice Mayor Fuller seconded the motion and it passed by unanimous poll vote.

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

Item 14. Consideration and approval to award project BHI-204 Parking Garage Expansion Joint Replacement and Repairs to Concrete Protection & Restoration in the amount of \$54,880.50 to remove and replace all horizontal and vertical elastomeric concrete joints on the top level of the parking garage.

ACTION: Council Member Salver made a motion to award project BHI-204 to Concrete Protection & Restoration in the amount of \$54,880.50. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

Item 15. Approval of a proposal from Coastal Risk Consulting in the amount of \$73,500 to conduct a Vulnerability Assessment and Adaptation Recommendations Study. Enclosed is a copy of the proposal submitted by Coastal Risk Consulting.

ACTION: Council Member Yaffe made a motion to approve the proposed from Coastal Risk Consulting in the amount of \$73,500. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

At this time Council Member Yaffe recused himself for Items 16 and 17.

Item 16. Consideration and Approval of a private Transfer of Development Rights (TDR) transaction of eight (8) dwelling units from the Villas at Bay Harbor Condominium Association (1150 98th Street) to Millenium Ambienta Corporation (9901 W. Bay Harbor Drive). Enclosed is a copy of the application, contract, site plans and other supporting documents.

ACTION: Council Member Tricoche made a motion to approve the private TDR transaction. Council Member Salver seconded the motion and it passed unanimously.

Item 17. Consideration and Approval of a private Transfer of Development Rights (TDR) transaction for four (4) dwelling units from the Northern Star Condominium Association, Inc (9725-9745 Bay Harbor Terrace) to Millenium Ambienta Corporation (9901 W. Bay Harbor Drive). Enclosed is a copy of the application, contract, site plans and other supporting documents.

ACTION: Council Member Tricoche made a motion to approve the private TDR transaction. Council Member Salver seconded the motion and it passed unanimously.

At this time Council Member Yaffe returned to the meeting.

Item 18. Approval of the Town's 2020-2025 Strategic Plan as prepared by Management Partners. Enclosed is a copy of the Strategic Plan.

PUBLIC COMMENT

Frances Neuhut, 1060 Kane Concourse, came forward and was concerned should the plan overlap with the Town Comprehensive Plan.

CLOSED PUBLIC COMMENT

ACTION: Council Member Tricoche made a motion to approve the 2020-2025 Strategic Plan. Council Member Reid seconded the motion and it passed unanimously.

DISCUSSION ITEMS:

Item 20. Discussion requested by Council Member Reid regarding possible charter amendments to address the size of the Town Council and an elected Mayor.

Council Member Reid asked for the Town Council consideration and comments on a possible charter amendment to address the size of the Town Council and an elected Mayor.

PUBLIC COMMENT

Paul Ruthfield, 1231 95 Street, came forward and was opposed to the smaller Town Council but suggested for the Council to have a salary.

Linda Zilber, 1231 95 Street, came forward and was opposed to a smaller group for Town Council.

Frances Neuhut, 1060 Kane Concourse, came forward and suggested term limits for the Town Council and an elected Mayor.

CLOSED PUBLIC COMMENT

Council Member Salver felt the changes to the Town Charter should come from the public.

Item 21. Discussion requested by Council Member Leonard regarding the density cap, parking requirements, and other zoning regulations in the B-1 District.

Item deferred to the next regular Council Meeting.

There being no further business to discuss meeting was adjourned at 9:55 p.m.

MAYOR

ATTEST

DEPUTY TOWN CLERK