

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

A Regular Meeting of the Town Council was held on Monday June 10, 2019 at 7:00 p.m. in the Council Chambers. Upon roll call the following members responded:

Vice Mayor Joshua Fuller
Council Member Jordan Leonard Council Member Kelly Reid
Council Member Elizabeth Tricoche Council Member Robert Yaffe

SPECIAL PRESENTATION:

Item 1. Student of the Year Awards

- Ruth K. Broad Bay Harbor K-8 Center - Lena Lascar-Dimitrova
- Miami Beach Senior High School - David Frankel

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

Council Member Leonard would like an future agenda item to discuss the possibility of an in house Town Planning Services.

TOWN MANAGER'S REPORT:

Item 2. Report of the Town investment performance for the period ending March 31, 2019. Presentation will be provided by Gerardo Rodriguez of BNY Mellon.

Gerardo Rodriguez from BNY Mellon came forward and provided an update on the Town investments performance for the period ending in March of 2019.

Town Manager Jimenez provided the following report to the Council:

- Met with vendor Brightview to discuss the residents' concerns on utilizing Round Up in Town. They have identified and provided other alternatives.
- The Human Resources Study was completed and will be provided to the Council soon.
- Staff conducted a Request for Proposal for the Holiday Lighting will be before the Council for Approval soon.
- Reminded the Town Council of the upcoming Florida League of Cities Conference will be held in Orlando. He urged the Council to contact the Clerk's office to process the registrations.

It was the Town Council consensus to allow the Senior staff to attend the Florida League of Cities Conference in Orlando.

Item 3. Town Attorney's Update - Announcement of the Closed Session

Town Attorney Sherman announced the Town Council will hold a Closed Session Meeting on July 16th, 2019 at 7:00 p.m.

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

Council Member Tricoche reported she attended the end of the year award ceremony for the after-school program. She reminded the residents of the upcoming event of Pizza with the Police to be held next Wednesday and the Council Retreat on July 16th, 2019.

Council Member Reid urged the residents to provide any input such as a wish list for the upcoming year.

Council Member Leonard stated he would be attending the Bay Harbor Islands Police Accreditation Ceremony.

Council Member Yaffe reported he attended the awards ceremony for the after-school kids and also invited the residents to attend Pizza with the Police.

Vice Mayor Fuller reported he was in contact with Bal Harbour Officials as it relates to FAA intent to change the flight patterns over Bay Harbor Islands and other neighboring communities. He also reminded the residents that the Miami Shores Aquatic Center was available to the residents.

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 representing if any.

Linda Zilber, 1235 95 street, came forward and noticed that there was a \$46 fee for the Soccer Program. She asked why the fees were not discussed by the Parks and Recreation Committee.

Yaneth Adler, 10350 W. Bay Harbor Drive, came forward and was concerned with proposed developments located at the 1177 Kane Concourse. They are concerned with the traffic impact, the proposed height; and the number of residential units.

Frances Neuhut, 1060 Kane concourse, came forward and asked why wasn't Public Hearing held for the May 17th Planning & Zoning Board Meeting which included the Church by Sea location.

Kathleen Kennedy, 9180 W. Bay Harbor Drive, came forward and was concerned with the parking on 95th street.

John Corral, 9665 W. Bay Harbor Drive, came forward and thanked Council Member Leonard for requesting the financial report for individual securities.

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.)

Item 4. Approval of the following Meeting Minutes:

- a. February 11, 2019 - Regular Council Meeting**
- b. March 11, 2019 - Regular Council Meeting**

Item 5. Consideration and Approval of a resolution requested by Council Member Reid urging Governor Ron DeSantis to veto House Bill 1159, a bill related to tree trimming and regulation. Enclosed is a copy of the proposed resolution.

Item 6. Consideration and Approval of a resolution requested by Council Member Reid condemning anti-semitism, discrimination and bigotry against all minorities.

Item 7. Consideration and Approval requested by Mayor Bruder to endorse and collaborate on the implementation of the Resilient305 Strategy. Enclosed is a copy of the Mayor' Accord and the Resilient 305 Strategy.

Item 8. Consideration and Approval requested by Council Member Leonard of an agreement with Shana Douglas as part of the Glen Douglas Winter Chamber Music Festival in the amount of \$6,000 to host the Winter Classical Music Concert. Enclosed is a copy of the proposal with additional details.

Item 9. Consideration and Approval requested by Council Member Leonard to purchase a sponsorship Package in the amount of \$1,500 to attend the Save Dade 2019 Champions of Equality Event.

Item 10. Approval of an addendum to the Town Manager's contract clarifying the vacation and sick time leave. The addendum matches the current policy for general employees.

Item 11. Consideration and Approval to renew the Mutual Aid Agreement between the Golden Beach and the Town of Bay Harbor Islands Police Department. Enclosed is a copy of the proposed agreement.

Item 12. Consideration and Approval to renew the Mutual Aid Agreement between the North Miami Beach Police Department and the Town of Bay Harbor Islands Police Department.

Item 13. Consideration and Approval to a Mutual Aid Agreement between the Miami Dade Island Chiefs Regional Multi-Agency Mobile Field Force Units and the Town of Bay Harbor Islands Police Department.

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

ORDINANCES ON SECOND READING:

Item 14. Consideration and Approval of an ordinance on second reading amending Section 23-11 of the Town Code regarding the open space requirements in the RD Single-Family District.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA; AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO OPEN SPACE REQUIREMENTS IN THE RD SINGLE-FAMILY DISTRICT; AMENDING CHAPTER 23-11 OF THE ZONING AND PLANNING CODE ENTITLED LAND DEVELOPMENT REGULATIONS; PROVIDING REQUIREMENTS AND STANDARDS; 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 Yaffe seconded the motion it passed by unanimous poll vote.

ORDINANCES ON FIRST READING:

Item 15. Consideration and approval of an ordinance on first reading amending Section 5-20 of the Town Code to require reimbursement to perform a traffic study in connection with a development application. This item was requested at a previous meeting by Council Member Leonard.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S BUILDING AND CONSTRUCTION CODE TO MODIFY PROVISIONS RELATED TO THE CONTENTS OF A PRELIMINARY DEVELOPMENT PLAN APPLICATION, INCLUDING THE SUBMITTAL OF AN IMPACT ANALYSIS DEMONSTRATING COMPLIANCE WITH THE TOWN ADOPTED LEVEL OF SERVICE (LOS) CRITERIA, SPECIFICALLY RELATED TO TRAFFIC IMPACTS; AMENDING SECTION 5-20 OF THE TOWN'S CODE OF ORDINANCES TO REITERATE THAT A TRAFFIC IMPACT LEVEL OF SERVICE ANALYSIS IS REQUIRED AS PART OF PRELIMINARY PLAN SUBMISSION, AND TO CLARIFY THAT THE TOWN MAY REQUIRE AN APPLICANT TO PREPARE AND SUBMIT A FULL-SCALE TRAFFIC STUDY FOR APPROVAL AT THE APPLICANT'S EXPENSE; FURTHER TO ADD A PROVISION IN SECTION 5-20 THAT EXISTS IN OTHER TOWN CODE PROVISIONS THAT ALLOWS THE TOWN TO RETAIN CONSULTANTS TO PREPARE OR REVIEW INDEPENDENT TRAFFIC ANALYSIS OR STUDIES AT THE APPLICANT'S EXPENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Council Member Leonard clarified that a revised version of the ordinance was provided by the Town Attorney and clarifies that the traffic study will not be required for every project. The proposed amendment will allow the Town to retain a consultant to conduct a traffic analysis at the applicant expense.

PUBLIC COMMENT

Frances Neuhut, 1060 Kane Concourse, came forward and urged the Town Council to follow the Town Code.

CLOSED PUBLIC COMMENT

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

DEFERRED ITEMS:

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

Item 16. Request from the Florida League of Cities to designate one voting delegate for this year Annual Business Session. This year the Florida League of Cities will hold its 93rd Annual Conference on August 15-17, 2019. Enclosed is a correspondence from the Florida League of Cities.

ACTION: Vice Mayor Fuller made a motion to designate Council Member Leonard as the voting delegate. Council Member Yaffe seconded it and it passed unanimously.

PUBLIC COMMENT

Frances Nuehut, 1060 Kane Concourse, came forward and urged the Town Council to allow other members of the Town Council to be part of other committees.

Item 17. Consideration and Approval of Award of contract to Bold Nation in the amount of \$46,000 to provide services for the Town's soccer program. Enclosed is a copy of a memorandum from the Community Services Director, Regine Choute, the proposal and other supporting documents.

PUBLIC COMMENT

Kathleen Kennedy, 9180 W. Bay Harbor Drive, came forward did not previously understand the process of the bidding for the soccer management services.

Bold Nation owner, Christian Lando, came forward and stated that he was a long time Town residents and former Bobcat that attended the Ruth K. Broad K-8 Center. He thanked the for the opportunity to serve the Town residents with his services.

ACTION: Council Member Yaffe made a motion to award Contract to Bold Nation. Council Member Leonard seconded the motion and it passed by unanimous poll vote.

DISCUSSION ITEMS:

Item 18. Discussion requested by Council Member Tricoche on a possible shade structure / canopy for the 98th Street Dog Park. Enclosed are pictures and samples of the proposed shade structures.

Council Member Tricoche asked for the Town Council consideration to possible ad a shade structure to the 98th street she noticed that there was limited shade for the Dog Park section.

There was a brief discussion on the type of shade structure; shade trees, and for the committee to discuss ideas.

Consensus was for the Parks and Recreation Committee to have a discussion on the shade designs and shade trees that could be utilize on the Dog Park Section.

There being no further business to discuss meeting was adjourned at 8:11 p.m.

MAYOR

ATTEST

TOWN CLERK