

BAL HARBOUR

- V I L L A G E -

Mayor Jeffrey P. Freimark
Vice Mayor Seth E. Salver
Councilman David J. Albaum
Councilman Buzzy Sklar
Councilman David Wolf

Village Manager Jorge M. Gonzalez
Village Clerk Dwight S. Danie
Village Attorneys Weiss Serota
Helfman Cole & Bierman, P.L.

Bal Harbour Village Council Regular Council Meeting Agenda April 18, 2023 At 6:30 PM

Bal Harbour Village Hall • 655 - 96th Street • Bal Harbour • Florida 33154

This meeting will be conducted in-person. In order to minimize exposure to the Coronavirus to Councilmembers and members of the public, the meeting will also broadcast on the Village's website (www.balharbourfl.gov). Members of the public are also encouraged to participate by email (meetings@balharbourfl.gov) or by telephone at 305-865-6449.

BHV Who We Are, Vision, Mission, Values / The Bal Harbour Experience
[*The Bal Harbour Experience.pdf*](#)

CALL TO ORDER/ PLEDGE OF ALLEGIANCE

REQUESTS FOR ADDITIONS, WITHDRAWALS, AND DEFERRALS

PRESENTATIONS AND AWARDS

- PA1** Autism Acceptance Month Proclamation
- PA2** Jewish Heritage Month Proclamation
- PA3** Miami-Dade Fire Rescue Annual Presentation - Chief Raied "Ray" Jadallah

CONSENT AGENDA

C6 - COUNCIL MINUTES

- C6A** Approval of Minutes - February 23 and 24, 2023 Retreat Minutes and March 27, 2023 Regular Meeting Minutes
[VillageCouncilRetreatMinutes_February23-24_2023_ADA.pdf](#)
[VillageCouncilRegularMeetingMinutes_March27_2023_ADA.pdf](#)

C7 - CONSENT AGENDA RESOLUTIONS

- C7A** Liquor License Approval - 9700 Collins Avenue - Neiman Marcus' Cafe on 3
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE DETERMINATION OF THE VILLAGE BUILDING OFFICIAL THAT THE NEIMAN MARCUS GROUP, LLC APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ALCOHOLIC BEVERAGES AND TOBACCO, WHICH CHANGES THE LICENSE FROM 2COP TO 4COP FOR CAFÉ ON 3, IS COMPATIBLE WITH THE VILLAGE ZONING REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Liquor License - 9700 Collins Avenue - Neiman Marcus Cafe on 3_ADA.pdf](#)

[Council Memorandum - Liquor License - 9700 Collins Avenue - Neiman Marcus Cafe on 3_ADA.pdf](#)

[Resolution - Liquor License - 9700 Collins Avenue - Neiman Marcus Cafe on 3_ADA.pdf](#)

[Attachment 1 ABT-6014 Change in Series 4COP_ADA.pdf](#)

- C7B** Bal Harbour Waterfront Park - Indoor Furniture Purchase
A RESOLUTION APPROVING A PURCHASE OF INDOOR PROGRAM FURNITURE FROM EMPIRE OFFICE INC. FOR THE NEW WATERFRONT PARK, IN AN AMOUNT NOT TO EXCEED \$98,482.97, WHICH INCLUDES A 10% CONTINGENCY AMOUNT OF \$8,952.99; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Bal Harbour Waterfront Park - Indoor Furniture Purchase_ADA.pdf](#)

[Council Memorandum - Bal Harbour Waterfront Park - Indoor Furniture Purchase_ADA.pdf](#)

[Resolution - Bal Harbour Waterfront Park - Indoor Furniture Purchase_ADA.pdf](#)

[Attachment 1 - Estimate from Empire Office Inc._ADA.pdf](#)

[Attachment 2 TIPS 200301 Eko_ADA.pdf](#)

[Attachment 3 TIPS 210305 Leland_ADA.pdf](#)

[Attachment 4 TIPS 210305 Howe_ADA.pdf](#)

- C7C** Approval for the naming of Bal Harbour Waterfront Park
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; DECLARING THE NAME OF THE NEW PARK AT 18 BAL BAY DRIVE AS BAL HARBOUR WATERFRONT PARK; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Naming of Bal Harbour Waterfront Park_ADA.pdf](#)

[Council Memorandum - Naming of Bal Harbour Waterfront Park_ADA.pdf](#)

[Resolution - Naming of Bal Harbour Waterfront Park_ADA.pdf](#)

R5 - ORDINANCES

R5A FDEP Pollution Control Ordinance - Second Reading

AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, COMPREHENSIVELY UPDATING AND AMENDING SECTION 14-6 OF CHAPTER 14 "PROVISIONS OF DRAINAGE AND STORMWATER MANAGEMENT" OF THE VILLAGE'S CODE OF ORDINANCES BY CREATING SECTION 14-6(A), TO BE ENTITLED "WATER QUALITY," CREATING SECTION 14-6(B) TO BE ENTITLED "SEDIMENT AND EROSION CONTROL," AND CREATING SECTION 14-6(C) TO BE ENTITLED, "ADOPTION OF SECTION D4, WATER CONTROL, OF PART 2–PUBLIC WORKS MANUAL OF MIAMI-DADE COUNTY, FLORIDA"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Ordinance Amendment Drainage and Stormwater Management - Second Reading_ADA.pdf](#)

[Council Memorandum - Stormwater and Erosion Control Ordinance_ADA.pdf](#)

[Ordinance - Stormwater and Erosion Control Ordinance - Second Reading_ADA.pdf](#)

R5B Election Redistricting Ordinance - First Reading

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE FLORIDA, PURSUANT TO VILLAGE CHARTER SECTION 14(C), ALTERING THE ELECTION DISTRICT BOUNDARIES (REDISTRICTING) AS DEFINED IN SECTION 8.2 OF THE VILLAGE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Election Redistricting Ordinance - First Reading_ADA.pdf](#)

[Council Memorandum - Redistricting Ordinance - First Reading_ADA.pdf](#)

[Ordinance - Election Redistricting Ordinance - First Reading_ADA.pdf](#)

[Attachment A - Redistricting Map 3_ADA.pdf](#)

[Attachment B - BHV-Plats_ADA.pdf](#)

R5C Village Parks Rules Ordinance - First Reading

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AMENDING CHAPTER 2 "ADMINISTRATION", AND CHAPTER 17 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" OF THE VILLAGE CODE TO CREATE AND DEFINE "PUBLIC PARKS" AND AUTHORIZE RELATED RULES AND PENALTIES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Village Parks Rules Ordinance - First Reading_ADA.pdf](#)

[Council Memorandum - Village Parks Rules Ordinance - First Reading_ADA.pdf](#)

[Ordinance - Village Parks Rule Ordinance - First Reading_ADA.pdf](#)

R7 - RESOLUTIONS

R7A Additional Services Task Agreement with CGA Sanitary Sewer Design UIIP Phase 5(B)

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE TASK AGREEMENT WITH CALVIN GIORDANO AND ASSOCIATES INC. FOR THE PROVISION OF PROFESSIONAL SURVEYING, CIVIL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE SANITARY SEWER AND ASSOCIATED WORK RELATED TO THE UTILITIES INFRASTRUCTURE IMPROVEMENTS PROJECT PHASE 5(B), AS SPECIFIED WITHIN CGA PROPOSAL NO. 17-9868.74, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-FIVE THOUSAND FOUR HUNDRED THIRTY-TWO DOLLARS (\$155,432), INCLUSIVE OF A TEN PERCENT (10%) CONTINGENCY ALLOCATION IN THE AMOUNT OF FOURTEEN THOUSAND ONE HUNDRED THIRTY-ONE (\$14,131) ROUNDED UP TO THE NEAREST DOLLAR; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Task Agreement CGA UIIP phase 5b -Sewer_ADA.pdf](#)

[Council Memorandum - Task Agreement CGA-Sewer system design-UIIP phase 5B_ADA.pdf](#)

[Resolution - Task Agreement CGA-UIIP-5\(B\) Sewer_ADA.pdf](#)

[Attachment 1 - CGA Proposal For Project 5B_ADA.pdf](#)

[Task Agreement-CGA Design-Construction Admin -UIIP Phase 5B-Sewer-2023.4.7.23-JMG_ADA.pdf](#)

R7B Task Agreement-CGA-Water Services Design UIIP 5(A)

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE TASK AGREEMENT WITH CALVIN GIORDANO AND ASSOCIATES INC. FOR THE PROVISION OF PROFESSIONAL SURVEYING, CIVIL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE WATER MAIN REPLACEMENT, RELOCATION OF RESIDENTIAL WATER METERS AND ASSOCIATED WORK RELATED TO THE UTILITIES INFRASTRUCTURE IMPROVEMENTS PROJECT PHASE 5(A), AS SPECIFIED WITHIN CGA PROPOSAL NO. 17-9868.75, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SEVENTY-FOUR DOLLARS (\$141,974), INCLUSIVE OF A TEN PERCENT (10%) CONTINGENCY ALLOCATION IN THE AMOUNT OF TWELVE THOUSAND NINE HUNDRED SEVEN DOLLARS (\$12,907) ROUNDED UP TO THE NEAREST DOLLAR; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Task Agreement CGA UIIP phase 5\(A\)-Water Main_ADA.pdf](#)

[Council Memorandum - Task Agreement CGA-Water Main design-UIIP phase 5\(A\)_ADA.pdf](#)

[Resolution - Task Agreement CGA-UIIP-5\(A\) Water Main_ADA.pdf](#)

[Attachment 1 - CGA_Proposal_For_Professional_Services-Phase_5A_Water_Main_ADA.pdf](#)

[Task Agreement - CGA_Design-Construction_Admin_-UIIP_Phase_5A-Water-2023-complete_ADA.pdf](#)

R7C Mid-Year Budget Amendment

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2022-23 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

[1 - Mid-Year Budget Amendment - Item Summary v_7.pdf](#)

[Council Memorandum - Mid-Year Budget Amendment_ADA.pdf](#)

[Resolution - Mid-Year Budget Amendment_ADA.pdf](#)

[Exhibit A - Mid-Year Budget Amendment_ADA.pdf](#)

R9 - NEW BUSINESS AND COUNCIL DISCUSSION

R9A Discussion item - Facilitation of a Condominium Owner Rights and Responsibilities Workshop - Vice Mayor Seth E. Salver

[Discussion Item - Facilitation of a Condominium Owner Rights and Responsibilities Workshop - Vice Mayor Seth E. Salver_ADA](#)

R9B - PUBLIC COMMENT

R10 - VILLAGE MANAGER REPORT

R11 - VILLAGE CLERK REPORT

R11A Lobbyist Report

[R11A1_Lobbyist Registration Report as of April11_2023.pdf](#)

R12 - VILLAGE ATTORNEY REPORT

R12A Village Attorney Report

[Monthly Attorney Report March_ADA.pdf](#)

END OF REGULAR AGENDA

ADJOURNMENT

One or more members of any Village Committee/Board may attend this meeting of the Council and may discuss matters which may later come before their respective Boards/Committees.

The New Business and Council Discussion Section includes a section for Public Comment. On public comment matters, any person is entitled to be heard by this Council on any matter; however, no action shall be taken by the Council on a matter of public comment, unless the item is specifically listed on the agenda, or is added to the agenda by Council action.

Any person who acts as a lobbyist, pursuant to Village Code Section 2-301 (Lobbyists), must register with the Village Clerk, prior to engaging in lobbying activities before Village staff, boards, committees, and/or the Village Council. A copy of the Ordinance is available in the Village Clerk's Office at Village Hall.

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at a meeting or hearing, that person will need a record of the proceedings and, for such purpose, 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 (F.S. 286.0105).

All persons who need assistance or special accommodations to participate in virtual meetings please contact the Village Clerk's Office (305-866-4633), not later than two business days prior to such proceeding.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Village Clerk's Office (305-866-4633), not later than two business days prior to such proceeding.

All Village Council meeting attendees, including Village staff and consultants, are subject to security screening utilizing a metal detector and/or wand, prior to entering the Council Chamber, Conference Room, or other meeting area located within Village Hall. This is for the safety of everyone. Thanks for your cooperation.