

BAL HARBOUR

- V I L L A G E -

Mayor Jeffrey P. Freimark
Vice Mayor Seth E. Salver
Councilman Alejandro Levy
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 Meeting Agenda

November 19, 2024

At 6:30 PM

Bal Harbour Village Hall • Council Chamber • 655 96th Street • Bal Harbour • Florida 33154

This meeting will be conducted in person. The meeting will also be broadcast on our website at <https://balharbourfl.gov/government/village-clerk/minutes-and-agendas/>. 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** Veterans Day Recognition - Elias Sussman
- PA2** Alzheimer's Awareness Month - Proclamation
- PA3** Florida Department Of Transportation (FDOT) - Presentation

CONSENT AGENDA

C6 - COUNCIL MINUTES

- C6A** Approval of Minutes
[VillageCouncil-RegularCouncilWorkshopMinutes_October29_2024.pdf](#)
[VillageCouncil-RegularCouncilMeetingMinutes_October29_2024.pdf](#)

C7 - CONSENT AGENDA RESOLUTIONS

- C7A** Accepting Liquor License Toscana Divino LLC - 10275 Collins Avenue
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE DETERMINATION OF THE VILLAGE BUILDING OFFICIAL THAT TOSCANA DIVINO LLC, DBA TOSCANINO HARBOUR HOUSE APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ALCOHOLIC

BEVERAGES AND TOBACCO FOR THE RESTAURANT'S 2COP LICENSE THAT IS LOCATED INSIDE THE HARBOUR HOUSE CONDOMINIUM RESTAURANT IS COMPATIBLE WITH VILLAGE ZONING REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Toscanino Harbour House Liquor License ADA.pdf](#)

[Memorandum - Toscanino Harbour House Liquor License ADA.pdf](#)

[Resolution - Toscanino Harbour House Liquor License ADA.pdf](#)

[Attachment - Toscanino Harbour House DBPR ABT-6001 ADA.pdf](#)

[Attachment - Toscanino Harbour House Condo Letter ADA.pdf](#)

- C7B** Approving The Purchase Of Vertical Mast Light Towers - Kelly Tractor Company A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE PURCHASE OF THREE WACKER NEUSON VERTICAL MAST LIGHT TOWERS, MODEL NO. LTV6L, FROM KELLY TRACTOR COMPANY FOR THE VILLAGE, IN THE AMOUNT NOT TO EXCEED FORTY-ONE THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$41,925); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Purchase Of Vertical Mast Light Towers ADA.pdf](#)

[Memorandum - Purchase Of Vertical Mast Light Towers ADA.pdf](#)

[Resolution - Purchase Of Vertical Mast Light Towers ADA.pdf](#)

[Attachment - Wacker Neuson - Quote for Light Tower ADA.pdf](#)

R5 - ORDINANCES

- R5A** Ordinance - Regulating Public Camping & Sleeping (First Reading) AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 12 "OFFENSES" OF THE CODE OF ORDINANCES TO CREATE SECTION 12-11 "PUBLIC CAMPING OR SLEEPING" TO ESTABLISH DEFINITIONS AND REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Public Camping and Sleeping ADA.pdf](#)

[Memorandum - Public Camping and Sleeping ADA.pdf](#)

[Ordinance - Public Camping or Sleeping ADA.pdf](#)

R7 - RESOLUTIONS

- R7A** Approving BHCA Legal Representation Related To FPL Electrical Reliability A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE EXPENDITURE OF LANDSCAPE AND SECURITY ASSESSMENT FUNDS FOR CERTAIN LEGAL EXPENDITURES IN THE ASSESSMENT DISTRICT IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND (\$50,000) DOLLARS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - BHCA Legal Representation ADA.pdf](#)

[Memorandum - BHCA Legal Representation ADA.pdf](#)

[Resolution - BHCA Legal Representation ADA.pdf](#)

[Attachment - GBW Engagement Letter ADA.pdf](#)

- R7B** Approving Fiscal Year 2024 Operating & Capital Budget Amendment
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AMENDING THE FY 2024 BUDGET BY REVISING THE 2024 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Year End Budget Amendment for FY 2024 ADA.pdf](#)

[Memorandum - Year End Budget Amendment for FY 2024 ADA.pdf](#)

[Resolution - Year End Budget Amendment for FY 2024 ADA.pdf](#)

[Attachment - Exhibit A - FY 2024 Revenues and Expenditures Summary Amendment ADA.pdf](#)

- R7C** Approving Rivage Condominium Voluntary Contribution Agreement With Carlton Terrace Owner, LLC - \$3 Million
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE VOLUNTARY CONTRIBUTION AGREEMENT REGARDING RIVAGE WITH CARLTON TERRACE OWNER, LLC; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Rivage Condominium Voluntary Contribution Agreement ADA.pdf](#)

[Memorandum - Rivage Condominium Voluntary Contribution Agreement ADA.pdf](#)

[Resolution - Rivage Condominium Voluntary Contribution Agreement ADA.pdf](#)

[Attachment - Voluntary Contribution Agreement executed by Rivage ADA.pdf](#)

- R7D** Ratifying Grant Agreement With Florida Inland Navigation District (FIND) For The Harbourfront Park Project - \$3 Million
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, RATIFYING THE EXECUTION OF THE GRANT AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) FOR THE HARBOURFRONT PARK PHASE III STRUCTURAL PROJECT (SEGMENT B) IN THE AMOUNT OF THREE MILLION DOLLARS (\$3,000,000); AUTHORIZING THE VILLAGE MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Harbourfront Park Phase III FIND Grant Agreement ADA.pdf](#)

[Memorandum - Harbourfront Park Phase III FIND Grant Agreement ADA.pdf](#)

[Resolution - Harbourfront Park Phase III FIND Grant Agreement ADA.pdf](#)

[Attachment - Exhibit A - DA-BHV-24-293 Village Jetty and Cutwalk Segment B Agreement Signed ADA.pdf](#)

- R7E** Approving Additional Services For The Harbourfront Park Project - Moffatt & Nichol

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING ADDITIONAL SERVICES TO THE PROFESSIONAL SERVICES AGREEMENT WITH CHARLES H. BENSON & ASSOCIATES ARCHITECTS FOR THE PROVISION OF ADDITIONAL STRUCTURAL ENGINEERING SERVICES WITH MOFFATT & NICHOL, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$177,800); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Additional Services For Harbourfront Park Project - Moffatt & Nichol ADA.pdf](#)

[Memorandum - Additional Services For Harbourfront Park Project - Moffatt & Nichol ADA.pdf](#)
[Resolution - Additional Services For Harbourfront Park Project - Moffatt & Nichol ADA.pdf](#)
[Attachment - Exhibit A - Moffatt & Nichol - Additional Services Fee Proposal ADA.pdf](#)

R7F Authorizing Bal Harbour Village To Act As Fiscal Agent and The Village Manager To Execute Addendums Related To The Harbourfront Park Project

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AUTHORIZING BAL HARBOUR VILLAGE TO ACT AS THE FISCAL AGENT FOR ALL SUBCONSULTANT ARCHITECTURE AND ENGINEERING AGREEMENTS ASSOCIATED WITH THE HARBOURFRONT PARK, JETTY, AND CUTWALK PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ADDENDUMS AS FISCAL AGENT TO THE SUBCONSULTANT CONTRACTS FOR SERVICES AS REQUIRED BY CHARLES H. BENSON & ASSOCIATES, ARCHITECTS, P.A., FOLLOWING THE ASSIGNMENT OF SERVICES FROM MIKYOUNG KIM DESIGN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Village Fiscal Agent for Subconsultants Harbourfront Park Project ADA.pdf](#)
[Memorandum - Village Fiscal Agent for Subconsultants Harbourfront Park Project ADA.pdf](#)
[Resolution - Village Fiscal Agent for Subconsultants Harbourfront Park Project ADA.pdf](#)
[Attachment - Assignment of Agreement - Charles Benson and Associates Executed ADA.pdf](#)
[Attachment - Exhibit A - Addendum to Subconsultant Contract for Services ADA.pdf](#)

R9 - NEW BUSINESS AND COUNCIL DISCUSSION

R9A Discussion Regarding Upcoming Meeting Dates - Jorge M. Gonzalez, Village Manager

[Upcoming Meeting Dates - Jorge M. Gonzalez, Village Manager ADA.pdf](#)

R9B - PUBLIC COMMENT

R10 - VILLAGE MANAGER REPORT

R11 - VILLAGE CLERK REPORT

Lobbyist Report

[R11A1_Lobbyist Registration Report as of November13_2024.pdf](#)

R12 - VILLAGE ATTORNEY REPORT

R12A Monthly Attorney Report

[October - Monthly Attorney Report 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.