


# BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

NO. 094-2020

To: Mayor Gabriel Groisman and Members of the Village Council  
From: Jorge M. Gonzalez, Village Manager   
Date: July 2, 2020  
Subject: **Update on "The Future of Bal Harbour" Charter Amendment Petition**

The purpose of this Letter to Council (LTC) is to inform you that the committee named "The Future of Bal Harbour" filed petitions with the Office of the Village Clerk on Wednesday, July 1, 2020, which in turn were delivered to the Miami-Dade County Elections Department today, July 2, 2020. Below is a sample of the petition language.

<p style="text-align: center;"><b><u>CHARTER REFERENDUM PETITION</u></b></p> <p>We, the undersigned qualified electors of the Bal Harbour Village, Florida, do hereby petition the Bal Harbour Village Council to submit to the qualified electors of Bal Harbour Village the following amendment to the Bal Harbour Village Charter:</p> <p><b>Sec. 80. - Building height</b></p> <p>Building height allowed on any property shall not exceed the permitted height for that property set forth in the Village's comprehensive plan or municipal code, in effect <del>the date this amendment is approved on November 7, 2006</del> whichever provisions are most restrictive, <u>except that the height of buildings or structures on property in the Special Business Improvement Area may exceed the permitted height set forth in the Village's comprehensive plan or municipal code subject to Village Council approval at public hearings.</u> Unless otherwise specified in the comprehensive plan or municipal code in effect <del>the date this amendment is approved on November 7, 2006</del>, each building "story" shall mean 11 feet in height.</p> <p>(Underlined text indicates amendments)</p>
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The Committee collected the petitions for a Charter Amendment Referendum per Florida Statutes 166.031, which requires a petition signed by 10 percent of the registered electors as of the last preceding municipal election. The number of registered electors in Bal Harbour's last municipal election was 1,855, so 185 valid signatures are required. The number of signatures filed is 179.

The Village Attorney has determined that Section 58 of the Village Charter is applicable. Section 58 states that "*An initiative or referendum petition may be amended at any time within ten (10) days after the notification of insufficiency has been sent by the Village Clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition*". The Clerk will coordinate the submission of any additional signatures, with the Committee and the Elections Department.

If a valid number of signatures are collected and certified by the Supervisor of Elections, the item will be placed on the Agenda of the July 21, 2020 Regular Village Council meeting for your ratification.

JMG