

# 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 Meeting Agenda

February 20, 2024

At 6:30 PM

Sea View Hotel - Crystal Ballroom -9909 Collins Avenue • Bal Harbour • Florida 33154

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*This meeting will be conducted in person. The meeting will also be broadcast via a Zoom Webinar for viewing only. To Register for the Webinar click here-> [https://us06web.zoom.us/webinar/register/WN\\_RctvWHBDRKWFvDjNq\\_vA](https://us06web.zoom.us/webinar/register/WN_RctvWHBDRKWFvDjNq_vA) Members of the public are also encouraged to participate by email ([meetings@balharbourfl.gov](mailto: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** Steve Scott - Commemoration
- PA2** Black History Month - Proclamation
- PA3** Beach Management & Erosion Update - Cummins Cederberg  
[Memorandum - Coastal Management Update Slide Deck Transmittal ADA.pdf](#)  
[Presentation - Coastal Management Program Update ADA.pdf](#)

### CONSENT AGENDA

### C6 - COUNCIL MINUTES

January 16, 2024, Regular Council Meeting Minutes  
February 2, 2024, Special Council Meeting Minutes  
[VillageCouncil-RegularCouncilMeetingMinutes\\_Jan16\\_2024.pdf](#)  
[VillageCouncil-SpecialCouncilMeetingMinutes\\_Feb2\\_2024.pdf](#)

## C7 - RESOLUTIONS

- C7A** Approve Unity of Title - 192 Bal Bay & 196 Bal Bay  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; RATIFYING THE BUILDING OFFICIAL'S APPROVAL OF THE UNITY OF TITLE, SUBMITTED BY MICHAEL KOSNITZKY AS TRUSTEE OF 196 BAL BAY LAND TRUST DATED JUNE 17, 2021, FOR THE PROPERTIES LOCATED AT 192 BAL BAY DRIVE AND 196 BAL BAY DRIVE, BAL HARBOUR FLORIDA, 33154, IN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT, TO COMBINE THE TWO LOTS INTO ONE LOT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Unity of Title 192 Bal Bay & 196 Bal Bay ADA.pdf](#)  
[Memorandum - Unity of Title 192 Bal Bay & 196 Bal Bay ADA.pdf](#)  
[Resolution - Unity of Title 192 Bal Bay & 196 Bal Bay ADA.pdf](#)  
[Attachment - Unity of Title 192 Bal Bay and 196 Bal Bay ADA.pdf](#)  
[Attachment - Property Appraiser 192 Bal Bay ADA.pdf](#)  
[Attachment - Property Appraiser 196 Bal Bay ADA.pdf](#)  
[Attachment - Letter to Village ADA.pdf](#)

- C7B** Approve Unity of Title - 209 Bal Bay & 160 Biscay Drive  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; RATIFYING THE BUILDING OFFICIAL'S APPROVAL OF THE UNITY OF TITLE SUBMITTED BY JEROME AND DEBBIE FALIC IN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT OF THE VILLAGE LOCATED AT 209 BAL BAY DRIVE AND 160 BISCAY DRIVE, BAL HARBOUR FLORIDA, 33154, TO COMBINE THE TWO LOTS INTO ONE LOT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Unity of Title 209 Bal Bay & 160 Biscay Drive ADA.pdf](#)  
[Memorandum - Unity of Title 209 Bal Bay & 160 Biscay Drive ADA.pdf](#)  
[Resolution - Unity of Title 209 Bal Bay & 160 Biscay Drive ADA.pdf](#)  
[Attachment - Unity of Title 209 Bal Bay and 160 Biscay Drive ADA.pdf](#)  
[Attachment - 160 Biscay Drive Property Appraiser ADA.pdf](#)  
[Attachment - 209 Bal Bay Property Appraiser ADA.pdf](#)

- C7C** Approve Jogging Path Restoration Proposal  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE AGREEMENT BETWEEN THE VILLAGE AND CONCRETE PRO INC., FOR THE RESTORATION OF THE JOGGING PATH, AS DETAILED WITHIN PROPOSAL NO. 23.1145.R2.BAL, IN THE AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND ONE HUNDRED NINETY THREE DOLLARS (\$55,193); INCLUSIVE OF A TEN PERCENT (10%) CONTINGENCY ALLOCATION IN THE AMOUNT OF FIVE THOUSAND EIGHTEEN DOLLARS (\$5,018), ROUNDED UP TO THE NEAREST DOLLAR; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Jogging Path Restoration ADA.pdf](#)  
[Memorandum - Jogging Path Restoration ADA.pdf](#)  
[Resolution - Jogging Path Restoration ADA.pdf](#)  
[Attachment - Concrete Pro Inc. Proposal 23.1145.R2.BAL ADA.pdf](#)  
[Attachment - Agreement with Concrete Pro for Jogging Path Restoration ADA.pdf](#)

## R5 - ORDINANCES

**R5A** Ordinance - Advertising on Website instead of Newspaper of General Circulation (Second Reading)

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AMENDING SECTION 2-384 "NOTICE BY PUBLICATION AND NOTICE BY MAIL; SECTION 6-61 "ESTABLISHMENT; DURATION; TERMINATION"; SECTION 18-116 "PUBLICATION OF RESOLUTION"; SECTION 18-117 "ASSESSMENT ROLL"; SECTION 21-52 "SAME-PUBLIC HEARING; NOTICE OF VILLAGE COUNCIL AND LOCAL PLANNING AGENCY HEARINGS" OF THE VILLAGE'S CODE TO REMOVE THE REQUIREMENT OF NEWSPAPER OF GENERAL CIRCULATION AND AUTHORIZE PUBLICATION IN ACCORDANCE WITH CHAPTER 50, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Newspaper of General Circulation ADA.pdf](#)

[Memorandum - Newspaper of General Circulation ADA.pdf](#)

[Ordinance - Newspaper of General Circulation ADA.pdf](#)

**R5B** Ordinance - Live Local Regulations

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 21 "ZONING," OF THE CODE OF ORDINANCES TO ESTABLISH PROCEDURES AND REGULATIONS TO IMPLEMENT SECTION 166.04151(7), FLORIDA STATUTES, AS CREATED BY CHAPTER 2023-17, LAWS OF FLORIDA (THE LIVE LOCAL ACT OF 2023) FOR DEVELOPMENT OF STATUTORILY AUTHORIZED MIXED-USE MULTIFAMILY RESIDENTIAL DEVELOPMENT INCLUDING AFFORDABLE HOUSING; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, EXPIRATION, AND FOR AN EFFECTIVE DATE.

[Item Summary - Live Local Regulations ADA.pdf](#)

[Memorandum - Live Local Regulations ADA.pdf](#)

[Ordinance - Live Local Regulations ADA.pdf](#)

**R5C** Ordinance - Amend OF Oceanfront District Zoning

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 21 "ZONING," ARTICLE III "DISTRICT REGULATIONS," DIVISION 10 "OF OCEAN FRONT DISTRICT" OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

[Item Summary - OF Oceanfront District Zoning ADA.pdf](#)

[Memorandum - OF Oceanfront District Zoning ADA.pdf](#)

[Ordinance - OF Oceanfront District Zoning ADA.pdf](#)

**R5D** Ordinance - Amend Zoning Administration In General

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 21 "ZONING," ARTICLE I "IN GENERAL,"

ARTICLE II "ADMINISTRATION," AND ARTICLE V "OFF-STREET PARKING FACILITIES" OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

[Item Summary - Amend Zoning Administration In General ADA.pdf](#)

[Memorandum - Amend Zoning Administration In General ADA.pdf](#)

[Ordinance - Amend Zoning Administration In General ADA.pdf](#)

- R5E** Ordinance - Amend Noise Regulations  
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 11 "NUISANCES," ARTICLE II "NOISE" OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Amend Noise Regulations ADA.pdf](#)

[Memorandum - Amend Noise Regulations ADA.pdf](#)

[Ordinance - Amend Noise Regulations ADA.pdf](#)

## **R7 - RESOLUTIONS**

## **R9 - NEW BUSINESS AND COUNCIL DISCUSSION**

- R9A** Discussion Item - Update On Negotiations Regarding The Oceana Development Agreement - Village Manager Jorge M. Gonzalez

[Update On Negotiations Regarding The Oceana Development Agreement - Village Manager Jorge M. Gonzalez ADA.pdf](#)

[Attachment- Enea - Oceana Concept Presentation ADA.pdf](#)

- R9B** Discussion Item - Electric Bikes - Councilman Buzzy Sklar

[Electric Bikes - Councilman Buzzy Sklar ADA.pdf](#)

- R9C** Discussion Item - Filming on the Jetty - Councilman Buzzy Sklar

[Filming On The Jetty - Councilman Buzzy Sklar ADA.pdf](#)

## **R9D - PUBLIC COMMENT**

## **R10 - VILLAGE MANAGER REPORT**

## **R11 - VILLAGE CLERK REPORT**

- R11A** Lobbyist Report

[R11A1\\_Lobbyist Registration Report as of February13\\_2024.pdf](#)

## **R12 - VILLAGE ATTORNEY REPORT**

- R12A** Attorney Report

[Monthly Attorney Report January 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.