

# 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

April 9, 2024

At 6:30 PM

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

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*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](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** Autism Acceptance Month - Proclamation

### **CONSENT AGENDA**

### **C6 - COUNCIL MINUTES**

**C6A** Approval of Minutes

[VillageCouncilRetreatMinutes\\_February22-23\\_2024.pdf](#)

[VillageCouncil-RegularCouncilMeetingMinutes\\_Feb20\\_2024.pdf](#)

[VillageCouncil-RegularCouncilMeetingMinutes\\_March5\\_2024.pdf](#)

[VillageCouncil-SpecialCouncilMeetingMinutes\\_March27\\_2024.pdf](#)

## C7 - RESOLUTIONS

- C7A** Accepting Liquor License Balmoral Restaurant LLC - 9801 Collins Avenue  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE DETERMINATION OF THE VILLAGE BUILDING OFFICIAL THAT THE BALMORAL RESTAURANT APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ALCOHOLIC BEVERAGES AND TOBACCO FOR A 2COP LICENSE IS COMPATIBLE WITH VILLAGE ZONING REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Balmoral Restaurant LLC Liquor License ADA.pdf](#)

[Memorandum - Balmoral Restaurant LLC Liquor License ADA.pdf](#)

[Resolution - Balmoral Restaurant LLC Liquor License ADA.pdf](#)

[Attachment - Balmoral Restaurant LLC ABT-6001 2COP Application.pdf](#)

[Attachment - Balmoral Restaurant LLC Letter Liquor License ADA.pdf](#)

- C7B** Approving Security & Landscape Assessment Methodology Analysis - The Balmoral Group

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE PROPOSAL FROM THE BALMORAL GROUP TO CONDUCT ANALYSIS OF THE METHOD USED TO ALLOCATE THE SECURITY AND LANDSCAPE ASSESSMENT IN THE GATED RESIDENTIAL SECTION OF BAL HARBOUR VILLAGE, FLORIDA, AS DETAILED WITHIN THE BALMORAL GROUP PROPOSAL DATED MARCH 20, 2024, IN THE AMOUNT NOT TO EXCEED ELEVEN THOUSAND NINE HUNDRED DOLLARS (\$11,900); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Security & Landscape Assessment Methodology Analysis ADA.pdf](#)

[Memorandum - Security & Landscape Assessment Methodology Analysis ADA.pdf](#)

[Resolution - Security & Landscape Assessment Methodology Analysis ADA.pdf](#)

[Attachment - TBG Gated Assessment Quote 20240320 ADA.pdf](#)

[Attachment - BHCA Assessment Review Agreement Minutes 021424 - Signed ADA.pdf](#)

- C7C** Approving Vessel Exclusion Zone Analysis - Cummins Cederberg  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE PROPOSAL FROM CUMMINS CEDERBERG FOR THE PROVISION OF MARINE ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES, TO ANALYZE THE CREATION OF A VESSEL EXCLUSION ZONE AND OTHER MITIGATION OPTIONS, IN THE WATERS OF BISCAYNE BAY WITHIN AND ADJACENT TO VILLAGE CONTROLLED WATERS, AS DETAILED IN THE CUMMINS CEDERBERG PROPOSAL NO. 77815-R1, IN THE AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND NINE HUNDRED DOLLARS (\$28,900); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Vessel Exclusion Zone Analysis ADA.pdf](#)

[Memorandum - Vessel Exclusion Zone Analysis ADA.pdf](#)

[Resolution - Vessel Exclusion Zone Analysis ADA.pdf](#)

[Attachment - Proposal for Vessel Exclusion Zone 77815-R1 ADA.pdf](#)

- C7D** Acceptance of Final Vulnerability Assessment  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE FINAL VULNERABILITY ASSESSMENT, IN COMPLIANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GRANT WORKPLAN NO. 22PLN61; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Final Vulnerability Assessment Acceptance ADA.pdf](#)  
[Memorandum - Final Vulnerability Assessment Acceptance ADA.pdf](#)  
[Resolution - Final Vulnerability Assessment Acceptance ADA.pdf](#)  
[Attachment - Vulnerability Assessment 2024 ADA.pdf](#)

- C7E** Approving Harbourfront Park Phase III Florida Inland Navigation District (FIND) Grant Acceptance

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE SUBMISSION AND ACCEPTANCE OF A FLORIDA INLAND NAVIGATION DISTRICT (FIND), "WATERWAYS ASSISTANCE PROGRAM" GRANT FOR THE HARBOURFRONT PARK PHASE III STRUCTURAL PROJECT, IN THE ESTIMATED GRANT FUNDED AMOUNT OF THREE MILLION DOLLARS (\$3,000,000); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Harbourfront Park Phase III FIND Grant Acceptance ADA.pdf](#)  
[Memorandum - Harbourfront Park Phase III FIND Grant Acceptance ADA.pdf](#)  
[Resolution - Harbourfront Park Phase III FIND Grant Acceptance ADA.pdf](#)  
[Attachment - Village Harbourfront Park WAP 2024 Application ADA.pdf](#)

## **R5 - ORDINANCES**

- R5A** Ordinance - Live Local Regulations (Second Reading)  
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 21 "ZONING," OF THE CODE OF ORDINANCES TO ESTABLISH AND AMEND 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, AS AMENDED) 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](#)  
[Attachment - Notice of LPA & Second Reading ADA.pdf](#)

**R5B** Ordinance - Amend Noise Regulations (Second Reading)  
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 - Noise Regulations ADA.pdf](#)  
[Memorandum - Noise Regulations ADA.pdf](#)  
[Ordinance - Noise Regulations ADA.pdf](#)  
[Attachment - Notice of LPA & Second Reading ADA.pdf](#)

**R5C** Ordinance - Amend Parking of Commercial Vehicles (First Reading)  
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 19 "TRAFFIC AND MOTOR VEHICLES," ARTICLE I "IN GENERAL", "SECTION 19-7 "PARKING OF COMMERCIAL VEHICLES AND VEHICLES DISPLAYING SIGNAGE" OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.  
[Item Summary - Parking of Commercial Vehicles ADA.pdf](#)  
[Memorandum - Parking of Commercial Vehicles ADA.pdf](#)  
[Ordinance - Parking of Commercial Vehicles ADA.pdf](#)

**R5D** Ordinance - Prohibiting Motorized Means of Transportation on Sidewalks and Beach Path (First Reading)  
AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 10, "MARINE STRUCTURES, ACTIVITIES AND WAYS," ARTICLE II, "USE OF PUBLIC BEACHES," SECTION 10-31 "PROHIBITED ACTS" AND CHAPTER 19 "TRAFFIC AND MOTOR VEHICLES," ARTICLE II, "OPERATION OF VEHICLES," SECTION 19-27 OF THE VILLAGE CODE RELATING TO THE OPERATION OF MOTORIZED VEHICLES AND DEVICES ON PATHS AND SIDEWALKS; AMENDING SECTION 2-191, "SCHEDULE OF CIVIL PENALTIES" OF CHAPTER 2 "ADMINISTRATION" TO CREATE RELATED PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, AND FOR AN EFFECTIVE DATE.  
[Item Summary - Prohibiting Motorized Means of Transportation ADA.pdf](#)  
[Memorandum - Prohibiting Motorized Means of Transportation ADA.pdf](#)  
[Ordinance - Prohibiting Motorized Means of Transportation ADA.pdf](#)  
[Attachment - Council Meeting Minutes February 15, 2022 ADA.pdf](#)

## **R7 - RESOLUTIONS**

**R7A** Bal Harbour Village General Election - November 5, 2024  
A RESOLUTION CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, IN BAL HARBOUR VILLAGE FOR THE PURPOSE OF ELECTING TWO VILLAGE COUNCILMEMBERS FROM VILLAGE COUNCIL DISTRICTS 2 AND 4; PROVIDING THAT MIAMI-DADE COUNTY ELECTIONS DEPARTMENT SHALL CONDUCT SAID ELECTION; PROVIDING THAT THE

VOTING PRECINCT FOR SAID ELECTION SHALL BE ESTABLISHED BY MIAMI-DADE COUNTY; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR A RUNOFF ELECTION, IF NECESSARY; PROVIDING FOR THE FORMS OF BALLOT AND REGISTRATION OF VOTERS IN ACCORDANCE WITH STATE LAW; PROVIDING FOR PAYMENT FOR CONDUCTING ELECTIONS TO MIAMI-DADE COUNTY.

[Item Summary - 2024 General Municipal Election ADA.pdf](#)

[Memorandum- 2024 General Municipal Election ADA.pdf](#)

[Resolution - 2024 General Municipal Election ADA.pdf](#)

- R7B** Resolution For Ice Cream We Love 2024 Sponsorship  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING AND APPROVING THE SPONSORSHIP OF UP TO \$50,000 FOR THE ICE CREAM WE LOVE EVENT AT THE BAL HARBOUR SHOPS TO BENEFIT THE HOLTZ CHILDREN'S HOSPITAL / UNIVERSITY OF MIAMI-JACKSON HEALTH SYSTEM; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Ice Cream We Love 2024 ADA.pdf](#)

[Memorandum - Ice Cream We Love 2024 ADA.pdf](#)

[Resolution - Ice Cream We Love 2024 ADA.pdf](#)

[Attachment - ICWL Sponsorship Program Details ADA.pdf](#)

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

- R9A** Discussion Item - Update on the Boat Issues Off the Bal Harbour Sandbar - Councilman Buzzy Sklar

[Update on the Boat Issues Off the Bal Harbour Sandbar - Councilman Buzzy Sklar ADA.pdf](#)

- R9B** Discussion Item - Artificial Turf Inside The Gated Community - Councilman David Wolf

[Artificial Turf Inside The Gated Community - Councilman David Wolf ADA.pdf](#)

## **R9C - PUBLIC COMMENT**

## **R10 - VILLAGE MANAGER REPORT**

## **R11 - VILLAGE CLERK REPORT**

- R11A** Lobbyist Report

[R11A1\\_Lobbyist Registration Report as of April3\\_2024.pdf](#)

## **R12 - VILLAGE ATTORNEY REPORT**

### **R12A** Monthly Attorney Report [February - 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.