

# 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

October 29, 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** Breast Cancer Awareness Month - Proclamation

### **CONSENT AGENDA**

### **C6 - COUNCIL MINUTES**

**C6A** Approval of Minutes  
[VillageCouncil-FirstBudgetHearingMinutes\\_September10\\_2024.pdf](#)  
[VillageCouncil-RegularCouncilMeetingMinutes\\_September17\\_2024.pdf](#)

### **C7 - RESOLUTIONS**

**C7A** Approving Beach Renourishment Related Environmental Consulting Services - Cummins Cederberg  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE TASK AGREEMENT WITH CUMMINS CEDERBERG, INC., FOR THE PROVISION OF ENVIRONMENTAL CONSULTING SERVICES RELATED TO THE PLANNED FLOOD CONTROL AND COASTAL EMERGENCIES (FCCE) PROJECT TO PROVIDE BEACH NOURISHMENT AT BAL HARBOUR BEACH, AS SPECIFIED WITHIN CUMMINS CEDERBERG PROPOSAL NO. 77818, IN THE AMOUNT NOT TO EXCEED TWENTY EIGHT THOUSAND

FIFTY DOLLARS (\$28,050), INCLUSIVE OF A TEN PERCENT (10%) CONTINGENCY ALLOCATION IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$2,550); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Beach Renourishment Related Environmental Consulting Services - Cummins Cederberg ADA.pdf](#)

[Memorandum - Beach Renourishment Related Environmental Consulting Services - Cummins Cederberg ADA.pdf](#)

[Resolution - Beach Renourishment Related Environmental Consulting Services - Cummins Cederberg ADA.pdf](#)

[Attachment - Task Agreement - Cummins Cederberg, Inc. WO No. 77818 ADA.pdf](#)

**C7B** Approving MOU Funding Second School Resource Officer - Ruth K. Broad K-8 Center

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN BAL HARBOUR VILLAGE, THE TOWN OF SURFSIDE, AND THE TOWN OF BAY HARBOR ISLAND TO FUND A POLICE SCHOOL RESOURCE OFFICER AT RUTH K. BROAD K-8 CENTER, AT AN ANNUAL COST NOT TO EXCEED TWENTY-ONE THOUSAND SIX HUNDRED FORTY-TWO DOLLARS AND THIRTY-THREE CENTS (\$21,642.33); PROVIDING FOR IMPLEMENTATION, PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - School Resource Officer MOU - Ruth K. Broad K-8 Center ADA.pdf](#)

[Memorandum - School Resource Officer MOU - Ruth K. Broad K-8 Center ADA.pdf](#)

[Resolution - School Resource Officer MOU - Ruth K. Broad K-8 Center ADA.pdf](#)

[Attachment - MOU School Resource Officer Agreement 2024-2025 ADA.pdf](#)

**C7C** Approving Law Enforcement Trust Fund Expenditures - Rotary Club 5k, Do The Right Thing, & Fathers M.I.A.

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING AND APPROVING THE DONATION OF \$5,000.00 OF LAW ENFORCEMENT TRUST FUNDS TO THE ROTARY CLUB OF BAL HARBOUR; AUTHORIZING AND APPROVING THE DONATION OF \$2,500.00 OF LAW ENFORCEMENT TRUST FUNDS TO "DO THE RIGHT THING OF MIAMI, INC."; AUTHORIZING AND APPROVING THE DONATION OF \$2,500.00 OF LAW ENFORCEMENT TRUST FUNDS TO FATHERS M.I.A, INC; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN FOR EFFECTIVE DATE.

[Item Summary - Law Enforcement Trust Fund Expenditures ADA.pdf](#)

[Memorandum - Law Enforcement Trust Fund Expenditures ADA.pdf](#)

[Resolution - Law Enforcement Trust Fund Expenditures ADA.pdf](#)

[Attachment - Affidavit - Donations ADA.pdf](#)

[Attachment - Invoice - Do The Right Thing ADA.pdf](#)

**C7D** Ratifying Hurricane Milton Emergency Declaration And Termination

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; RATIFYING THE VILLAGE MANAGER'S DECLARATION AND TERMINATION OF A STATE OF EMERGENCY DUE TO HURRICANE MILTON; RATIFYING THE VILLAGE MANAGER'S ACTIONS TAKEN PURSUANT TO HIS

POWERS UNDER THE VILLAGE STATE OF EMERGENCY FOR HURRICANE MILTON; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Hurricane Milton Emergency Declaration And Termination ADA.pdf](#)

[Memorandum - Hurricane Milton Emergency Declaration And Termination ADA.pdf](#)

[Resolution - Hurricane Milton Emergency Declaration And Termination ADA.pdf](#)

[Attachment - Declaration and Termination of State of Emergency - Hurricane Milton ADA.pdf](#)

**C7E** Approving FDOT Use And Occupancy Agreement For Lease Of Parking Lot Under Bakers Haulover Bridge

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A NEW USE AND OCCUPANCY AGREEMENT BETWEEN BAL HARBOUR VILLAGE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE LEASE OF PARCEL 3120 UNDER THE BAKER'S HAULOVER BRIDGE; APPROVING THE INCORPORATED ADDENDUM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - FDOT Use And Occupancy Agreement For Lease Of Parking Lot ADA.pdf](#)

[Memorandum - FDOT Use And Occupancy Agreement For Lease Of Parking Lot ADA.pdf](#)

[Resolution - FDOT Use And Occupancy Agreement For Lease Of Parking Lot ADA.pdf](#)

[Attachment - Exhibit A - FDOT Parcel 3120 Use and Occupancy Agreement with Addendum ADA.pdf](#)

**C7F1** Approving Miami Art Week Temporary Art Exhibits In Bal Harbour - Andreina Ron Pedrique

A RESOLUTION APPROVING AN AGREEMENT WITH ANDREINA RON PEDRIQUE FOR THE CREATION AND INSTALLATION OF THE PROPOSED TEMPORARY ART EXHIBIT AT THE 102nd STREET BEACH ACCESS PATH IN BAL HARBOUR VILLAGE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Miami Art Week 2024 Installations ADA.pdf](#)

[Memorandum - Miami Art Week 2024 Installations ADA.pdf](#)

[Resolution - Miami Art Week 2024 Installation - Andreina Ron Pedrique ADA.pdf](#)

[Attachment - Dreaming in Color Proposal - Andreina Ron Pedrique ADA.pdf](#)

[Attachment - Professional Services Agreement - Andreina Ron Pedrique ADA.pdf](#)

**C7F2** Approving Miami Art Week Temporary Art Exhibits In Bal Harbour - Igal Fedida  
A RESOLUTION APPROVING AN AGREEMENT WITH FEDIDA FINE ART LLC. FOR THE CREATION AND INSTALLATION OF A TEMPORARY ART EXHIBIT AT THE BAL HARBOUR WATERFRONT PARK IN BAL HARBOUR VILLAGE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Miami Art Week 2024 Installations ADA.pdf](#)

[Memorandum - Miami Art Week 2024 Installations ADA.pdf](#)

[Resolution - Miami Art Week 2024 Installation - Igal Fedida ADA.pdf](#)

[Attachment - A Philosophical Journey in Being Proposal - Igal Fedida ADA.pdf](#)

[Attachment - Professional Services Agreement - Igal Fedida ADA.pdf](#)

**C7G** Approving Waterfront Park Holiday Lighting - Light Er Up LLC  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING A ONE-YEAR AGREEMENT WITH LIGHT ER UP LLC FOR THE PROVISION OF HOLIDAY DÉCOR AND LIGHTING DISPLAYS AT THE BAL

HARBOUR WATERFRONT PARK IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND (\$25,000) DOLLARS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Waterfront Park Holiday Lighting ADA.pdf](#)

[Memorandum - Waterfront Park Holiday Lighting ADA.pdf](#)

[Resolution - Waterfront Park Holiday Lighting ADA.pdf](#)

[Attachment - Holiday Proposal 2024 - Light Er Up Mia ADA.pdf](#)

[Attachment - Professional Services Agreement - Light Er Up Mia ADA.pdf](#)

## **R5 - ORDINANCES**

**R5A** Ordinance - Amending Zoning Related To Fair Housing (Second Reading)  
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 21 "ZONING" OF THE CODE OF ORDINANCES TO CLARIFY AND REVISE DEFINITIONS AND REGULATIONS APPLICABLE TO THE RESIDENTIAL ZONING DISTRICTS, AND TO PROVIDE REGULATORY INCENTIVES FOR AFFORDABLE RENTAL DWELLINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

[Item Summary - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Memorandum - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Ordinance - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Attachment - Miller BHV Fair Housing Staff Report July 2 2024 ADA.pdf](#)

[Attachment - Discussion Item Proposed Ordinance Amendments Related To Fair Housing Opportunities ADA.pdf](#)

[Attachment - Business Impact Statement - Fair Housing ADA.pdf](#)

**R5B** Ordinance - Amending Zoning To Prohibit Marijuana Retail Uses (Second Reading)  
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 21 "ZONING" OF THE CODE OF ORDINANCES TO ESTABLISH DEFINITIONS AND REGULATIONS APPLICABLE TO MARIJUANA USES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

[Item Summary - Amending Zoning To Prohibit Marijuana Retail Uses ADA.pdf](#)

[Memorandum - Amending Zoning To Prohibit Marijuana Retail Uses ADA.pdf](#)

[Ordinance - Amending Zoning To Prohibit Marijuana Retail Uses ADA.pdf](#)

[Attachment - Business Impact Statement Marijuana ADA.pdf](#)

## **R7 - RESOLUTIONS**

**R7A** Authorizing The Village Manager To Negotiate An Agreement For Architectural, Engineering, & Construction Administration Services For New Village Hall  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT WITH THE FIRST RANKED FIRM, PERKINS & WILL ARCHITECT, INC. FOR THE PROVISION OF ARCHITECTURAL, ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE CONSTRUCTION OF THE BAL HARBOUR VILLAGE HALL; IN THE EVENT AN AGREEMENT CANNOT

BE REACHED WITH THE FIRST RANKED FIRM, AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND RANKED FIRM WJ ARCHITECTS IN COLLABORATION WITH WOLFBURG ALVAREZ & PARTNERS; IN THE EVENT AN AGREEMENT CANNOT BE REACHED WITH THE SECOND RANKED FIRM, AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT WITH THE THIRD RANKED FIRM MC HARRY ARCHITECTS IN COLLABORATION WITH ZAS ARCHITECTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Architectural, Engineering, & Construction Administration Services For New Village Hall ADA.pdf](#)

[Memorandum - Architectural, Engineering, & Construction Administration Services For New Village Hall ADA.pdf](#)

[Resolution - Architectural, Engineering, & Construction Administration Services For New Village Hall ADA.pdf](#)

[Attachment - Reso 2024-1619 Rescinding Village Hall Architect Selection.pdf](#)

[Attachment - Perkins & Will - Technical Presentation ADA.pdf](#)

[Attachment - WJArchitects Wolfberg Alvarez & Partners - Technical Presentation ADA.pdf](#)

[Attachment - McHarry Architects & ZAS Architects - Technical Presentation ADA.pdf](#)

- R7B** Accepting FDEP Funded Coastal Adaptation Plan - Cummins Cederberg  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), GRANT FUNDED VILLAGE COASTAL ADAPTATION PLAN, IN COMPLIANCE WITH WORKPLAN NO. 22PLN61; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - FDEP Funded Coastal Adaptation Plan Acceptance - Cummins Cederberg ADA.pdf](#)

[Memorandum - FDEP Funded Coastal Adaptation Plan Acceptance - Cummins Cederberg ADA.pdf](#)

[Resolution - FDEP Funded Coastal Adaptation Plan Acceptance - Cummins Cederberg ADA.pdf](#)

[Attachment - FDEP approved Coastal Adaptation Plan ADA.pdf](#)

[Attachment - Coastal Adaptation Plan Power Point Presentation ADA.pdf](#)

- R7C** Approving Vegetation Management And Widening Of The Beach Vehicle Access Road - BrightView Landscape Services  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ADDITIONAL SERVICES PROPOSAL FROM BRIGHTVIEW LANDSCAPE SERVICES, INC., FOR THE VEGETATIVE MANAGEMENT OF THE BAL HARBOUR BEACH VEHICLE ACCESS ROAD AS DETAILED WITHIN PROPOSAL NO. 8490340, IN THE AMOUNT NOT TO EXCEED NINETY-FOUR THOUSAND NINE HUNDRED TWELVE DOLLARS (\$94,912), ROUNDED UP TO THE NEAREST DOLLAR; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Widening Of The Beach Vehicle Access Road - BrightView ADA.pdf](#)

[Memorandum - Widening Of The Beach Vehicle Access Road - BrightView ADA.pdf](#)

[Resolution - Widening Of The Beach Vehicle Access Road - BrightView ADA.pdf](#)

[Attachment - Brightview Landscape Services, Inc. Proposal No. 8490340 ADA.pdf](#)

[Attachment - Widening Of The Beach Vehicle Access Road Presentation - BrightView ADA.pdf](#)

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

**R9A** Discussion Item - Relocation Of Electrical Equipment To The Front Of Homes - Councilman David Wolf

[Relocation Of Electrical Equipment to the Front of Homes - Councilman David Wolf ADA.pdf](#)  
[Attachment - BHCA Board Meeting Minutes - September 9, 2024 ADA.pdf](#)

**R9B** Discussion Item - Pickle Ball Courts - Councilman Buzzy Sklar

[Pickle Ball Courts - Councilman Buzzy Sklar ADA.pdf](#)

## **R9C - PUBLIC COMMENT**

## **R10 - VILLAGE MANAGER REPORT**

## **R11 - VILLAGE CLERK REPORT**

**R11A** Lobbyist Report

[R11A1\\_Lobbyist Registration Report as of October22\\_2024.pdf](#)

## **R12 - VILLAGE ATTORNEY REPORT**

**R12A** Monthly Attorney Report

[September 2024 - 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.