

# BAL HARBOUR

- V I L L A G E -

Mayor Seth E. Salver  
Vice Mayor David Wolf  
Councilman Jeffrey P. Freimark  
Councilman Alejandro Levy  
Councilman Buzzy Sklar

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

March 17, 2026

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** Proclamation - Recognizing Athletic Training Month
- PA2** Presentation - Florida Legislative Session Update
- PA3** Presentation - Police Department Operational Review  
[Police Department Operational Review ADA.pdf](#)

### **CONSENT AGENDA**

#### **C6 - COUNCIL MINUTES**

Approval of Minutes - February 17, 2026 Village Council Meeting Minutes  
[VillageCouncil-RegularCouncilMeetingMinutes\\_February17\\_2026.pdf](#)

### **C7 - RESOLUTIONS**

- C7A** Resolution Amending April 2026 Council Meeting Date  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; CHANGING THE DATE OF THE APRIL 2026 REGULAR VILLAGE COUNCIL MEETING TO APRIL 20, 2026; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

## **R5 - ORDINANCES**

### **R5A** Ordinance Prohibiting Electric Bicycles and Motorized Scooters (Second 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 ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND OTHER MOTORIZED MOBILITY 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 Electric Bicycles and Motorized Scooters - Second Reading ADA.pdf](#)  
[Memorandum - Prohibiting Electric Bicycles and Motorized Scooters - Second Reading ADA.pdf](#)  
[Ordinance - Prohibiting Electric Bicycles and Motorized Scooters - Second Reading ADA.pdf](#)  
[Attachment - Regular Council Meeting Minutes 2.15.2022 ADA.pdf](#)  
[Attachment - Regular Council Meeting Minutes 5.21.2024 ADA.pdf](#)  
[Attachment - Business Impact Statement - Prohibiting Electric Bicycles and Motorized Scooters ADA.pdf](#)

## **R7 - RESOLUTIONS**

### **R7A** Resolution Accepting \$1,250,000 FDEP Grant for the Stormwater Pump Station Project

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDING THROUGH A NEW GRANT AGREEMENT (NO. 26SRP24) WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE BAL HARBOUR VILLAGE STORMWATER PUMP STATION PROJECT, IN THE ADDITIONAL GRANT-FUNDED AMOUNT OF ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - \\$1.25M FDEP Pump Station Additional Funds Grant Agreement ADA.pdf](#)  
[Memorandum - \\$1.25M FDEP Pump Station Additional Funds Grant Agreement ADA.pdf](#)  
[Resolution - \\$1.25M FDEP Pump Station Additional Funds Grant Agreement ADA.pdf](#)

**R7B** Resolution Authorizing Purchase of a Generator for Collins Avenue Sewer Pump Station

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO PURCHASE A GILLETTE GENERATOR POWERED BY A VOLVO DIESEL ENGINE FOR SANITARY SEWER PUMP STATION NUMBER TWO (PS-2) LOCATED ON COLLINS AVENUE BEHIND THE TRUIST BUILDING FROM MTS POWER PRODUCTS, IN THE AMOUNT OF \$111,400 SUBJECT TO ANNUAL BUDGET ALLOCATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Purchase of a Generator for Collins Avenue Sewer Pump Station ADA.pdf](#)

[Memorandum - Purchase of a Generator for Collins Avenue Sewer Pump Station ADA.pdf](#)

[Resolution - Purchase of a Generator for Collins Avenue Sewer Pump Station ADA.pdf](#)

[Attachment - MTS Proposal Generator PS-2 With Tank ADA.pdf](#)

**R7C** Resolution Accepting the 2025 Village Attorney Annual Review and Report  
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE ANNUAL REPORT OF THE VILLAGE ATTORNEY AND APPROVING AN INCREASE IN COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - 2025 Village Attorney Annual Review and Report ADA.pdf](#)

[Memorandum - 2025 Village Attorney Annual Review and Report ADA.pdf](#)

[Resolution - 2025 Village Attorney Annual Review and Report ADA.pdf](#)

[Attachment - Village Attorney Annual Report 2025 ADA.pdf](#)

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

**R9A** Discussion Item - Supporting Preservation of the Miami-Dade Urban Development Boundary (UDB) - Vice Mayor David Wolf

[Supporting Preservation of the Miami-Dade UDB - Vice Mayor David Wolf ADA.pdf](#)

[Resolution - Supporting Preservation of the Miami-Dade UDB ADA.pdf](#)

### **R9B PUBLIC COMMENT**

## **R10 - VILLAGE MANAGER REPORT**

## **R11 - VILLAGE CLERK REPORT**

R11A Lobbyist Report

[R11A1\\_Lobbyist Registration Report as of March11\\_2026.pdf](#)

## **R12 - VILLAGE ATTORNEY REPORT**

## **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.



# BAL HARBOUR

- VILLAGE -

Police Department  
Operational Review

# BAL HARBOUR POLICE DEPARTMENT

- Concierge-style policing
- Community relationships
- Blends security with customer service
- Community - Management Bridge

# DEPARTMENT STAFFING & DEPLOYMENT

- 24 hours/day, 7 days per week
- 12 hours shifts
- Village divided into Four Zones

Zone 1 - Gated Community

Zone 2 - Collins Avenue - West

Zone 3 - Collins Avenue- East

Zone 4 - Beach/Ocean

# COMMUNITY ENGAGEMENT



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# COMMUNITY ENGAGEMENT

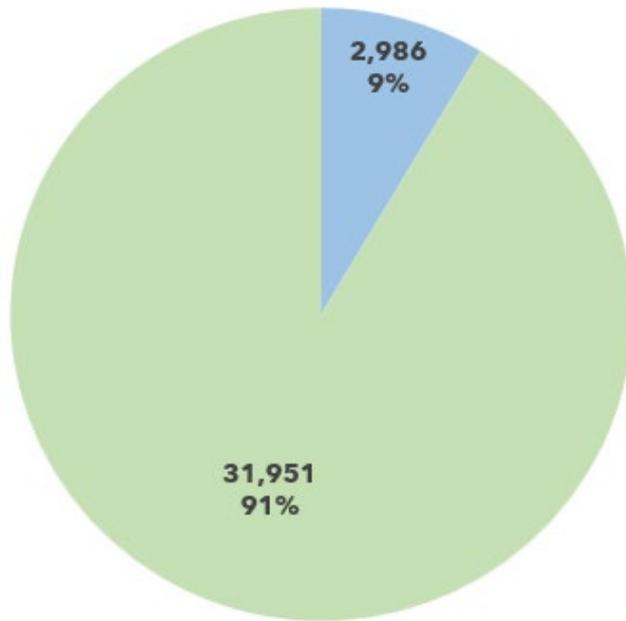


# COMMUNITY OUTREACH



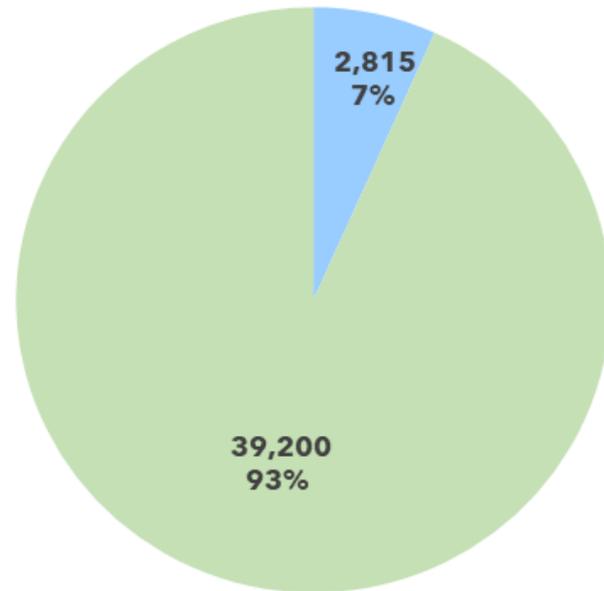
# OVERALL POLICE ACTIVITY

2024 Overall Police Activity



■ Calls for Service   ■ Self Initiated

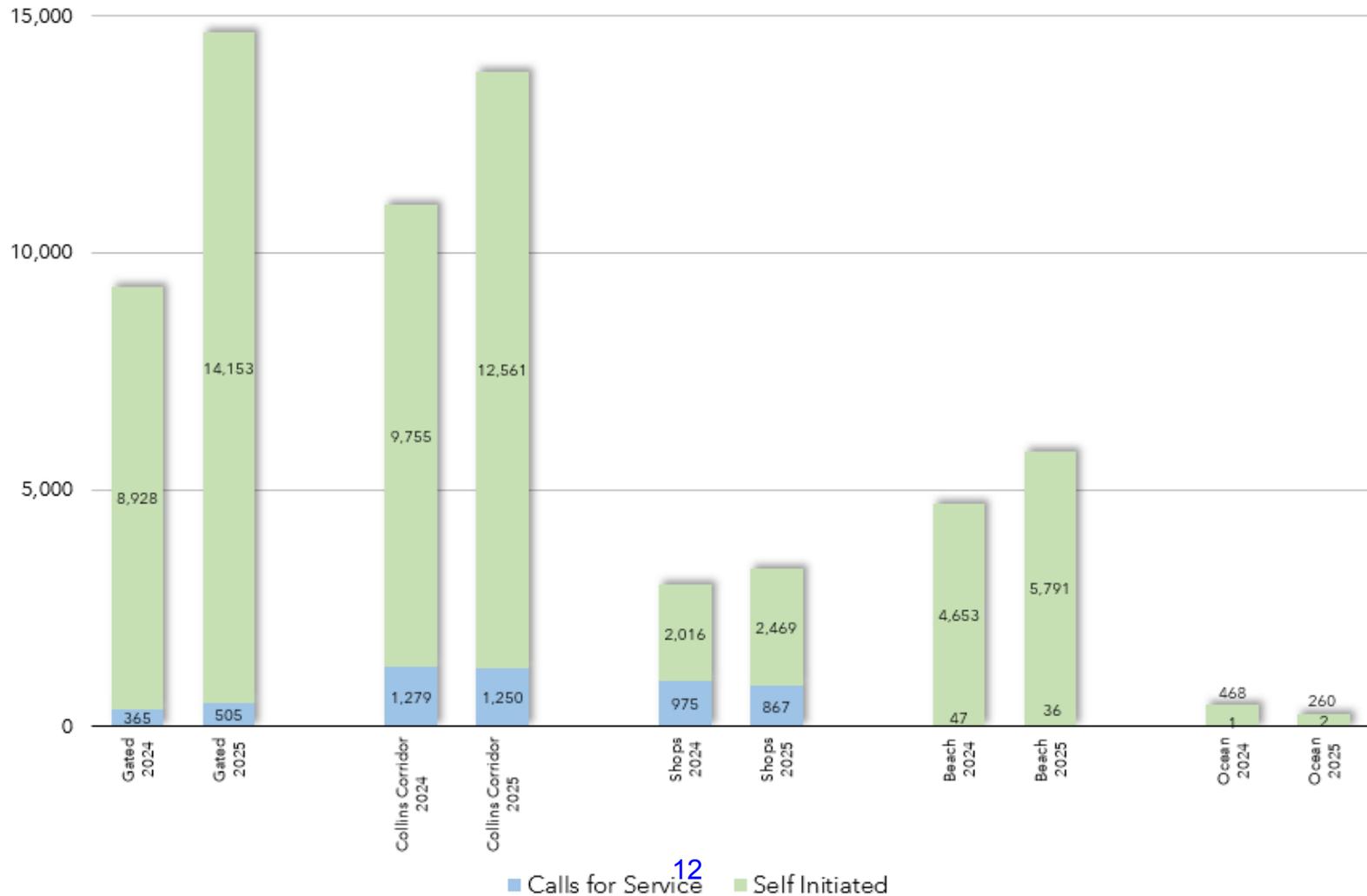
2025 Overall Police Activity



■ Calls for Service   ■ Self Initiated

# CALLS FOR SERVICE

## Calls for Service vs. Self Initiated Activity (2024 & 2025)



# POLICE PATROLS & SECURITY CHECKS

- 2025 Activity Village wide:

<b>Details</b>	<b>2024 Total</b>	<b>2025 Total</b>
Area Checks & High Visibility Details	12,784	14,000
Ordinance Investigations, NPDES Inspections, Warnings & Violations	4,069	7,956
Security Check	5,135	7,625
Code Area Check	1,278	2,553
Traffic Detail (i.e., Radar Details, 20 is Plenty, etc.)	3,109	4,613
Traffic Stops	7,214	5,855

# POLICE PATROLS & SECURITY CHECKS

- 2025 activity in Gated Community:

Details	2024 Total	2025 Total
Area Checks & High Visibility Details	2,389	2,640
Ordinance Investigations, NPDES Inspections, Warnings & Violations	3,633	7,206
Security Check	1,673	2,820
Code Area Check	585	2,553
Traffic Detail (i.e., Radar Details, 20 is Plenty, etc.)	152	145
Traffic Stops	138	165

# CRIME STATISTICS – FIBRS REPORTING

- Overall Crime decreased by 34%
- Overall Clearance Rate increased by 6%

FIBRS Abstract Report for Bal Harbour Village Police Department  
 Data Range of Report: January 1, 2024 - December 31, 2024  
 Date of Report: February 11, 2025

Agency Population for 2024:	3,010
Overall Crime Rate:	6,312.3
Overall Clearance Rate:	37.9

CRIMES AGAINST PERSONS					
Offense Type	Total Offenses	Crime Rate per 100,000 Persons	Clearances by Arrest	Clearances by Exception	Clearance Rate
<b>All Crimes Against Persons</b>	<b>18</b>	<b>596.0</b>	<b>9</b>	<b>12</b>	<b>83.3</b>
Assault Offenses	17	564.8	9	12	88.2
Aggravated Assault	0	0.0	0	0	--
Simple Assault	16	531.6	2	12	87.5
Intimidation	1	33.2	1	0	100.0
Stalking	0	0.0	0	0	--
Homicide Offenses	0	0.0	0	0	--
Murder and Non-Negligent Manslaughter	0	0.0	0	0	--
Negligent Manslaughter	0	0.0	0	0	--
Human Trafficking Offenses	0	0.0	0	0	--
Commercial Sex Acts	0	0.0	0	0	--
Involuntary Servitude	0	0.0	0	0	--
Kidnapping/Abduction	0	0.0	0	0	--
Sex Offenses	1	33.2	0	0	0.0
Rape	1	33.2	0	0	0.0
Sodomy	0	0.0	0	0	--
Sexual Assault With An Object	0	0.0	0	0	--
Fondling	0	0.0	0	0	--
Incest	0	0.0	0	0	--
Statutory Rape	0	0.0	0	0	--

Note: Source of population figure is Florida Estimates of Population, 2024, University of Florida, College of Liberal Arts and Sciences, Bureau of Business and Economic Research.

FIBRS Abstract Report for Bal Harbour Police Department  
 Data Range of Report: January 1, 2023 - December 31, 2023  
 Date of Report: February 7, 2024

Agency Population for 2023:	3,054
Overall Crime Rate for 2023:	7,007.2
Overall Clearance Rate for 2023:	25.2

CRIMES AGAINST PERSONS					
Offense Type	Total Offenses	Crime Rate per 100,000 Persons	Clearances by Arrest	Clearances by Exception	Clearance Rate
<b>All Crimes Against Persons</b>	<b>13</b>	<b>425.7</b>	<b>4</b>	<b>3</b>	<b>53.8</b>
Assault Offenses	12	392.9	4	3	58.3
Aggravated Assault	0	0.0	0	0	--
Simple Assault	11	360.2	4	3	63.6
Intimidation	0	0.0	0	0	--
Stalking	1	32.7	0	0	0.0
Homicide Offenses	0	0.0	0	0	--
Murder and Non-Negligent Manslaughter	0	0.0	0	0	--
Negligent Manslaughter	0	0.0	0	0	--
Human Trafficking Offenses	0	0.0	0	0	--
Commercial Sex Acts	0	0.0	0	0	--
Involuntary Servitude	0	0.0	0	0	--
Kidnapping/Abduction	0	0.0	0	0	--
Sex Offenses	1	32.7	0	0	0.0
Rape	1	32.7	0	0	0.0
Sodomy	0	0.0	0	0	--
Sexual Assault With An Object	0	0.0	0	0	--
Fondling	0	0.0	0	0	--
Incest	0	0.0	0	0	--
Statutory Rape	0	0.0	0	0	--

Note: Source of population figure is Florida Estimates of Population, 2023, University of Florida, College of Liberal Arts and Sciences, Bureau of Business and Economic Research.

- 0 Robberies
- 0 Motor Vehicle Thefts Villagewide
- 0 Sex Offenses

# CRIME STATISTICS

## Arrests

2019	2020	2021	2022	2023	2024	2025
68	61	70	65	85	93	79

## Code Compliance

	2019	2020	2021	2022	2023	2024	2025
Warnings	46	147	172	141	191	124	186
Violations	33	34	37	24	48	48	70

### Additional Code Compliance Workload Measures (2025)

- Ordinance Investigations - 4,011
- NPDES Inspections - 3,688
- NPDES Violations - 5
- Code Area Checks - 2,553

# MAJOR ACCOMPLISHMENTS

- The Bal Harbour Police Department has made significant strides
  - Overall crime decreased by 34%
  - Spearheaded regional law enforcement conference calls
  - Acquired new police radios
  - Coordinated dignitary visits
  - Invest in officer training and preparedness including:
    - Marine Patrol Vessel Operation cross training
    - Part-time to the FBI Joint Terrorism Taskforce
    - Autism Awareness Trainings for Law Enforcement professionals
    - Officer Wellness - Struggle Well

# FUTURE GOALS

- Focus on Technology
  - Expand License Plate Reader Program
  - Develop a Smart Village Surveillance Network
    - Cameras approved in Jetty Project
    - Expand camera coverage
      - Beach Path
      - Collins Corridor & 96<sup>th</sup> Street
- FIND grant - Marine Vessel Replacement
- Traffic mitigation efforts
- Recruitment - Continue to be agency of choice
  - 2025: 5 retirements and 6 new police officers

# CONCLUSION

- Bal Harbour remains one of the safest communities
- Proactive policing and strong visibility
- Strategic focus - leveraging technology
- Community Policing & Outreach



# BAL HARBOUR

- VILLAGE -

# BAL HARBOUR

- V I L L A G E -

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Councilman Buzzy Sklar

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## **Bal Harbour Village Council**

Regular Meeting Minutes

February 17, 2026

At 6:30 PM

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

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**CALL TO ORDER/ PLEDGE OF ALLEGIANCE** –Mayor Salver called this meeting to order at 6:31 P.M.

The following were present:

Mayor Seth E. Salver  
Vice Mayor David Wolf  
Councilman Jeffrey P. Freimark  
Councilman Alejandro Levy  
Councilman Buzzy Sklar

Also present:

Jorge M. Gonzalez, Village Manager  
Dwight S. Danie, Village Clerk  
Susan Trevarthen, Village Attorney

The Pledge of Allegiance was led by Mayor Salver.

## **REQUESTS FOR ADDITIONS, WITHDRAWALS AND DEFERRALS**

Councilman Sklar requested that a discussion item regarding Beach Haus be added to the Agenda. Mayor Salver said the item would be added as R9E, to be discussed before Agenda Item R9D.

## **PRESENTATIONS AND AWARDS**

**PA1** Proclamation - Black History Month

Mayor Salver presented a Black History Month proclamation emphasizing recognition, reflection, education, remembrance, and renewed commitment to equality, noting the

centennial context of national Black history commemorations and acknowledging both historic injustices and the breadth of Black contributions across American life.

**PA2** Presentation - Coastal Management Program Update by Cummins Cederberg

Mayor Salver introduced Danielle Irwin, Cummins Cederberg, and invited her to provide an update on the Coastal Management Program. Mr. Gonzalez added that Ms. Irwin would also be provide an update on ongoing study regarding channel markers on the bay side.

Ms. Irwin said that the FCCE (Flood Control and Coastal Erosion) beach renourishment project had been completed and that the Army Corps of Engineers were replanting areas that had been disturbed.

She then presented summer and winter comparisons of sargassum conditions, noting that levels are typically low in late fall and winter, while spring and summer may bring higher volumes again. She said that the Village had its own field permit to remove accumulated seaweed on the sand if County services and contracts could not keep pace, or if volumes became overwhelming.

Ms. Irwin described a planned dredge by the Army Corps and FDEP (Florida Department of Environmental Protection) in the Intracoastal Waterway, saying that the sand would be compatible with Bal Harbour's sand. She said it would involve an anticipated delivery of roughly 40,000 cubic yards and it was projected for the June-to-August dependent on State permitting, to be coordinated to avoid conflicts with the Jetty construction project. She showed how the dredge pipeline would cross over the Jetty.

She said that the Rivage re-nourishment had been postponed to 2027, to which Mr. Gonzalez added that the postponement was driven by concerns from beachfront condominium associations about repeated disruption during peak season and that staff worked with the proponent to return with better coordination the following year.

Ms. Irwin presented cost estimates for the piling-mounted channel markers on the bay side, \$90,000 for field work and \$80,000 for installation. She said that lighting was not expected based on preliminary Coast Guard communication, but that lighting would add additional cost per piling if later required. She said that seagrass presence would need to be confirmed through field survey.

She said that channel markers alone might not achieve the Council's broader goal of reducing negative vessel interactions and shoreline proximity issues. She suggested that the Village explore dredging of the flood shoal as a borrow area for beach-compatible sand. She estimated that the permitting process would take around 18-24 months.

Mr. Gonzalez then presented ongoing drone-based observations to quantify how many vessels were using the shoal and the channel. He said that winter conditions might underrepresent peak-season crowding, and he advised against making a decision on

installing channel markers until more data points were gathered through higher-use periods.

Councilman Sklar raised the issue of the restaurant boats that were providing food services to other vessels and asked County representatives to look into how such operations were permitted.

Mr. Gonzalez said that dredging, if feasible, would be the more lasting fix, while continuing data collection would clarify whether a buoy/marker approach would materially change conditions.

Ms. Irwin then reviewed King Tide monitoring, explaining that measured water levels during King Tide periods were significantly higher than NOAA predictions.

Councilman Sklar asked about progress on a backflow valve concept, and Mr. Gonzalez indicated the Florida Department of Transportation component had effectively been rejected while the Village continued evaluating backflow preventers independently.

Ms. Irwin described the Florida Shorebird Alliance survey and reported fewer shorebirds observed this year compared to prior years, attributing variability potentially to environmental conditions such as wind and low temperatures.

**PA3** Presentation - Miami-Dade County Grant Award and Overview Presented by Commissioner Micky Steinberg

Mayor Salver introduced Micky Steinberg, Miami-Dade County District 4 Commissioner, who presented a \$25,000 check on behalf of Miami-Dade County and her office for the Harbourway Playground Improvement project, and thanked the Village for working collaboratively.

**CONSENT AGENDA**

This item was considered at 7:11 P.M. following Agenda Item R7A.

**C6 COUNCIL MINUTES**

Approval of Minutes - January 20, 2026, Regular Council Meeting Minutes

**C7 CONSENT AGENDA RESOLUTIONS**

There were no Consent Agenda Resolutions for consideration.

**MOTION: A Motion to approve the Consent Agenda was moved by Mayor Seth E. Salver and seconded by Councilman Alejandro Levy.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

## R5 - ORDINANCES

- R5A** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 21 "ZONING," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," OF THE BAL HARBOUR VILLAGE CODE OF ORDINANCES TO CREATE SECTION 21-367 TO ESTABLISH PROCEDURES FOR THE REVIEW AND APPROVAL OF, AND REASONABLE ACCOMMODATION FOR, CERTIFIED RECOVERY RESIDENCES OR OTHER FEDERALLY PROTECTED RESIDENCES IN ACCORDANCE WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

This item was considered at 7:12 P.M. following Agenda Item R7A.

On second reading, the Council approved a zoning ordinance establishing procedures for review and reasonable accommodation for certified recovery residences and other federally protected residences, with Mr. Gonzalez framing it as consistent with first reading and the Village Attorney explaining it was required by a 2025 Florida legislative bill to ensure the Village maintained a compliant process.

There were no comments from the public.

**MOTION: A motion to approve the ordinance on second reading was moved by Councilman Jeffrey P. Freimark and seconded by Vice Mayor David Wolf.**

<b>ROLL CALL</b>	<b>VOTE</b>
Mayor Seth E. Salver	<b>Yes</b>
Vice Mayor David Wolf	<b>Yes</b>
Councilman Jeffrey P. Freimark	<b>Yes</b>
Councilman Alejandro Levy	<b>Yes</b>
Councilman Buzzy Sklar	<b>Yes</b>

**VOTE: The Motion passed by unanimous roll call vote (5-0).**

- R5B** 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 ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND OTHER MOTORIZED MOBILITY 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.

Mr. Gonzalez introduced the item saying that the Village had authority to regulate the Beach Path, the Jetty cut walk, and the connector area south of Oceana and was not preempted by the State or FDOT (Florida Department of Transportation). He said that the ordinance would prohibit motorized vehicles in those defined locations while still allowing ADA-type mobility devices.

He said that, in the current legislative session, the State was considering granting municipalities the authority to regulate the operation of these devices with the ability to require helmets, government ID and/or age-limits. He recommended that the Council approve the ordinance on first reading but defer second reading until April to see what the Legislature passed, and then incorporate any new provisions into the final ordinance. He said that what the State seemed to be considering regulation rather than outright bans on sidewalks.

Deputy Police Chief Mauricio Escarra said that the proposed ordinance was a targeted ban covering the hard pack, the ocean access paths, and the Jetty Cutwalk. He said that enforcement would be challenging, but the clearer the rule is in those specific locations, the easier it becomes to address behavior. He described the recommended enforcement mechanism as a \$50 civil code violation fine with a 60-day educational period including signage and outreach materials.

Councilman Sklar suggested that the Village should use Miami Beach's signage as an example, but being careful of "over signing." His said was that if the Village was going to prohibit these devices, then clear, consistent, recognizable signs would be essential especially for visitors and casual riders who might not otherwise know local rules.

Vice Mayor Wolf said that he would rather see the ordinance return in March for second reading so the Village could begin putting up signs and making progress immediately, adding that the problem had existed long enough and that delaying second reading to April risked losing momentum.

Mayor Salver said that if the State was moving quickly, the Village should advance what it can while it can, effectively stating that it would be better to get signs up and an ordinance adopted before any potential changes in State preemption narrowed local options.

Ms. Trevarthen said she checked the bills before the meeting. She said the Senate bill had passed three committees, and was headed to the Senate, and there was a matching House bill. She said the main parts of the legislation required that, on sidewalks, an e-bike could not go over 10 miles per hour if it is within 50 feet of a pedestrian, on paths that are not parallel to a roadway, riders would have to give a signal, and riders would also have to yield to pedestrians before passing. She added that the bill would create an "e-bike safety task force that would report back to the Legislature by October 1, 2026 and that police departments statewide would have to collect certain data to be used for the report. She said that the bill was not yet law and that once enacted the Village would need to evaluate whether the statute functioned as a minimum standard that could be exceeded locally or whether it was preemptive.

Penny Sepler, 10275 Collins Avenue, said that she was walking her dog on the Beach Path and said a rider almost hit her. She asked whether the Village could ban the devices and whether the law would prevent an outright ban. Mr. Gonzalez said that the Village could ban these devices on its Beach Path, Jetty, and the connector path, but the Village could not ban them on sidewalks.

Babak Raheb, 128 Balfour Drive, said that enforcement should not be a burden for the Police Department and asked how speed limits could be enforced on the path. He suggested that during the education period the Village consider a warning for first-time offenders, adding that education may not reach everyone immediately and the initial goal should be compliance rather than punishment.

**MOTION: A motion to approve the ordinance on first reading was moved by Councilman Buzzy Sklar and seconded by Vice Mayor David Wolf.**

<b>ROLL CALL</b>	<b>VOTE</b>
Mayor Seth E. Salver	<b>Yes</b>
Vice Mayor David Wolf	<b>Yes</b>
Councilman Jeffrey P. Freimark	<b>Yes</b>
Councilman Alejandro Levy	<b>Yes</b>
Councilman Buzzy Sklar	<b>Yes</b>

**VOTE: The Motion passed by unanimous roll call vote (5-0).**

## **R7 - RESOLUTIONS**

**R7A** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; URGING MIAMI-DADE COUNTY TO RESTORE THE LEVEL OF SERVICE THAT HAS BEEN HISTORICALLY PROVIDED AND PROVIDE ADEQUATE FUNDING FOR THE BEACH CLEANING AND SARGASSUM REMOVAL PERFORMED BY BEACH RAKER, LLC. ON ALL IDENTIFIED HOTSPOTS ON THE SHORELINE IN BAL HARBOUR VILLAGE; PROVIDING FOR IMPLEMENTATION, PROVIDING FOR AN EFFECTIVE DATE.

This item was considered at 7:05 P.M. following Agenda Item PA3.

Mr. Gonzalez introduced the item saying that when the Village was updating its contract with Beach Raker for enhanced beach cleaning and sargassum removal, it was determined that the services provided by Miami-Dade County's contract, awarded by lowest-cost, was not sufficient for the four hot spots. He said that the County had funding was apparently available and that the intent of this resolution was to urge the County to restore its level of service. He introduced Christina White, Director of Miami-Dade County Parks, Recreation and Open Spaces.

Director White thanked the Council for bringing the item forward, saying it was helpful because the County understood the concern and shared it. She said that her department was actively working on a contract amendment intended to restore the service level everyone had been accustomed to, adding that the amendment would need to go before the Board of County Commission for approval. She said that the amendment had the support of Miami-Dade County's Mayor, Daniella Levine Cava.

Councilman Sklar asked why the service level had changed, to which Director White said that the Board of County Commission had provided \$13 million in expenditure authority, and the level of service was tied to that authorized spend level. She said the County expected to return with a contract amendment to revise the scope and, importantly, to expand the ability to spend the additional dollars required to return to the prior service level.

Commissioner Steinberg said that she had been a strong supporter of returning the service levels to what the Village wanted, and she referenced a roughly \$3 million "delta" needed to bring funding back up for the five-year contract. She said that she supported the Village's urging resolution and expressed hope that her colleagues would also support it.

**MOTION: A Motion to approve the Resolution was moved by Councilman Buzzy Sklar and seconded by Councilman Jeffrey P. Freimark.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

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

**R9A** Discussion Item - Traffic Impacts Related to Recent Lane Closures on Collins Avenue - Mayor Seth E. Salver

Mayor Salver introduced the item saying that besides having personally experienced significant traffic delays on Collins Avenue, he had received many emails and phone calls, and that he wanted to talk through the issues, recognize progress that has been made since the closure started, and identify anything constructive that could be done. He said that he had asked for drone footage to begin the discussion.

Chief Flowers then said that the footage reflected conditions when the initial MOT (Maintenance of Traffic) setup was established on February 2. He said the southbound side was reduced to two travel lanes and pointed out where a turning lane into the St. Regis had been blocked off, forcing a closure adjacent to the southbound turning movement. He said that officers had been placed at 9700 and 9800 to help relieve congestion and that with coordination with the Shop's contractor they were able to get "a little bit more runway," which improved stacking and helped the flow. He said that permanent barricades had been installed on a Monday, and that permanent concrete barriers were now in place along the roadway.

Councilman Sklar said that the problem was that a lane was closed and there's nothing being done, and that in the section near Founder's Circle, the closure forced vehicles in the right lane who were not turning right to merge left, creating the primary bottleneck.

Deputy Chief Escarra said that early in the process the Village had asked for the Maintenance of Traffic setup to be removed at the end of each night, but that the standards required concrete barriers once excavation reached a certain point and drop-off condition, and that there was "no room for negotiation" on that requirement. He said that the crosswalk in the 9700 block had been missing for some time, leading pedestrians to cross in unsafe spots but this week, it would be restored. He described how the Founder's Circle work would be phased, saying the first phase would address the first half of Founder's Circle, and once that portion was open it would reduce the pinch point. He said the sidewalks were anticipated to be fully open by the end of the week or early the following week. He added that some work could not occur during the day yet because the project had not reached certain stages.

Councilman Sklar said that the Shops frontage was still experiencing an operational bottleneck and that non-turning drivers were trying to merge. Mr. Gonzalez added that some vehicles were cutting out of the queue and making unsafe/disruptive moves, further worsening the bottleneck.

Councilman Wolf said he had noticed officers stationed near Harbourway in front of the Village sitting in their cars and questioned what they were doing to help traffic. He suggested that if vehicles could be moved through 96th Street during the brief period when all signals were red, similar to how officers were flushing traffic at 9700 and 9800, it could significantly help overall flow.

Chief Flowers said that one concern was that pushing additional southbound flow through 96th Street could create impacts across the entire east-west movements, and he said they could ask the County to take a look.

Mayor Salver said that he believed that the crosswalk just north of CVS contributed to the backups. There was a general discussion regarding an apparent timing imbalance at 96th Street, where one direction seemed to receive a significantly longer green while the opposite direction remained stopped even after the pedestrian signal indicated "don't walk." Mr. Gonzalez said Surfside has not been interested in eliminating the crosswalk.

Mayor Salver said the overall goal is continued incremental improvement and asked about project status, to which Deputy Chief Escarra said progress is on track; safety improvements (sidewalks and reinstated crosswalk) will help even if they don't fully solve traffic; Founder's Circle work is still estimated at about four months, with possible efficiencies but potential delays from unexpected field conditions.

**R9B** Discussion - Proposed Collins Avenue Crosswalk - Vice Mayor David Wolf

Vice Mayor Wolf introduced the item saying the opposed adding a full traffic signal at the crosswalk just north of 9800 Collins, saying that the crossing is not heavily used and a new light would add to congestion. He said that he preferred removing the crosswalk and asked for usage data or a study.

Councilman Sklar said he and staff met with FDOT and all had agreed the current setup is unsafe, but he said that the full-signal concept was not what FDOT previously indicated.

Mr. Gonzalez said FDOT no longer favors typical midblock pedestrian systems because they confuse drivers and are unsynchronized. He said that FDOT's proposal is pedestrian-activated but coordinated with nearby signals and that it would not go red unless activated. He said FDOT's position is to either remove the crosswalk or install a signal.

Mayor Salver said a synchronized, coordinated signal could reduce disruptive stops and is the standard if the Village wants to keep the crossing. He said that driver noncompliance even when lights are activated, make the crossing unsafe without a true signal or removal.

Mike Alvarez, Infrastructure, Operations and Compliance Director, said the pedestrian phase would remain green until pushed and that during Shabbat it would cycle in a synchronized way. He said that FDOT's design timeline is moving quickly and earlier advocacy would matter more.

Councilman Freimark said that current use may be low because people avoid the crossing due to safety concerns and that residents would use it if it were safe.

Mr. Alvarez said FDOT's report can be provided and that construction would occur at night with limited daytime impacts, though median work could affect lanes. He suggested inviting FDOT to a future meeting and discussed a design option for a median refuge/two-stage crossing to reduce red time. Vice Mayor Wolf said that concept could be preferable if feasible.

There was a general consensus with the acceptance that FDOT would decide, and for the report to be distributed to Council before taking a position.

**R9C** Discussion - Exercise Equipment Along the Beach Path - Vice Mayor David Wolf

Vice Mayor Wolf introduced the item saying that on his bike rides to the south he passes through a park area with existing outdoor stations and equipment and that he wanted to discuss enhancing the beachfront walking area by adding fitness equipment to benefit residents and visitors.

Councilman Sklar said he supported the idea and noted that he had raised it years earlier, and that Oceana had funded \$150,000 for this purpose. He suggested installation on the median area between the jogging path and the hard path.

Mr. Gonzalez said that, while the original Oceana development agreement contemplated a restriction on how those funds could be used, that restriction was later released when the agreement was amended, and the money became a grant that the council could allocate for any purpose. He said that path congestion is already an issue with bikes, pedestrians, and other users, so staff would need to assess where equipment could be placed to avoid creating additional conflicts or nuisances.

Councilman Freimark said he supported directing staff to take the lead on assessing where equipment could be placed, adding that it would be a positive addition to the beach area.

There was a general consensus to have staff identify types of equipment and possible locations and bring the item back to Council. Vice Mayor Wolf asked whether staff could bring something back for the next meeting, to which Mr. Gonzalez said that timing was not realistic, and he asked for more time.

#### **R9D - PUBLIC COMMENT**

Penny Sepler, 10275 Collins Avenue, said that she thought that the Beach Haus allowed occupancy levels sounded excessive to her, particularly four people in a studio and eight in a two-bedroom unit, and said it reminded her of conditions she associates with South Beach.

Babak Raheb, 128 Balfour Drive, said that the east-west traffic on 96th Street was also heavily congested due to the Bal Harbour Shops garage exit light and asked that the signal time be reviewed.

Mr. Gonzalez said the Village had addressed the garage-exit signal issue previously but was unsure of its current status, and noted the garage remains under a temporary certificate of occupancy, with correction of the signal issue tied to obtaining a certificate of occupancy.

Deputy Chief Escarra said that the existing video detection system did not reliably detect vehicles, leading the county to place the signal on minimum recall so it cycles regardless of demand. He said that the County permitting process for the system is ongoing, and that the County indicated the issue would be corrected within about four weeks.

The Village Clerk read an email from Richard Wolff regarding the pedestrian crosswalk signals, stating that many people, particularly visitors, do not press the button at some crosswalks, so the signal does not change to allow safe crossing

**R9E** - Discussion regarding Beach Haus added to the Agenda by Councilman Buzzy Sklar

This item was discussed at 8:08 P.M. following Agenda Item R9C.

Councilman Sklar introduced the item saying that he had concerns about the Beach Haus project and the possible impact of allowing short-term rental activity in a condo-hotel setting. He said that he had seen incidents of overcrowding and disruption from other condominium conversions that allowed short-term rentals without on-site supervision. He said he wanted the Village to address the risk before similar issues arise locally.

Mr. Gonzalez explained that the zoning allowing the condo-hotel use is limited to the three buildings in the Beach Haus complex and does not extend beyond them due to changes made around 2010-2011, and that the Village has short-term rental ordinances that apply generally, though these buildings are treated differently because they are grandfathered as a condo-hotel.

He said staff had obtained condominium documents and had been assured that individual buyers would be prohibited from independently short-term renting their units and would instead have to place them into the condo-hotel rental pool managed by Beach Haus Hotel, and he noted that security and staffing were now compliant with current code requirements.

Ramiro Inguanzo, Assistant Village Manager, said that he was reviewing the condominium documents and noted that unit occupancy is required to comply with applicable laws. He cited bylaw provisions setting maximum occupancies of four people for studios, six for one-bedroom units, and eight for two-bedroom units, with limited exceptions for temporary occupancy by visiting guests. He said the property owners had indicated their intent that unit rentals would operate as part of a hotel model, subject to Village Code.

Councilman Sklar said that without a robust check-in process and constant supervision, code limits may not be enforced, especially where access and check-in are handled through passcodes rather than a staffed front desk.

Mr. Inguanzo replied that the owners said a front office would be open approximately from 8 a.m. to 6 p.m., that an office would exist for check-in, that a property manager would live on site, and that private security would be expanded to cover overnight hours, with the stated plan resulting in on-site presence at all times.

Mr. Gonzalez asked whether any ordinance changes would be affected by the 2025 Senate Bill 180, to which Trevarthen said that state legislative activity and related litigation affect the Village's authority. She said that the Village's SB 180 legal challenge remains ongoing after preliminary injunctive relief was denied, and that the court seemed to be waiting for outcomes from the current legislative session.

Councilman Sklar asked what could be done, to which Ms. Trevarthen said the Village can enforce existing rules and continue documenting and requiring compliance through staff engagement with the operator. She said that the approved operating standards for grandfathered condo-hotel uses require management personnel on staff 24/7 and security

personnel, but do not require a traditional front desk, and said the operator’s approach appeared arguably consistent with that language. She added that requiring rentals to go through a centralized pool would be an improvement because it would provide centralized control. She said that the Village’s zoning definition for the grandfathered condo-hotel use is minimal, requiring more than one residential unit and more than one hotel unit, without specifying proportions such as 50/50, and said that limited definition is what the Village has to work with.

**R10 - VILLAGE MANAGER REPORT**

**R11 - VILLAGE CLERK REPORT**

**R11A** Lobbyist Report

**R12 - VILLAGE ATTORNEY REPORT**

**R12A** Village Attorney Report

**END OF REGULAR AGENDA**

**ADJOURNMENT** - The meeting was adjourned at 8:23 P.M.

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Mayor Seth E. Salver



Attest:

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Dwight S. Danie, Village Clerk

# BAL HARBOUR

- V I L L A G E -

## COUNCIL ITEM SUMMARY

### Condensed Title:

**RESOLUTION CHANGING THE DATE OF THE APRIL 2026 VILLAGE COUNCIL MEETING TO APRIL 20, 2026.**

### Issue:

Should the Village Council approve the Resolution changing the date of the April 2026 regular Village Council meeting to April 20, 2026?

### The Bal Harbour Experience:

Beautiful Environment     Safety     Modernized Public Facilities/Infrastructure  
 Destination & Amenities     Unique & Elegant     Resiliency & Sustainable Community  
 Other: Section 22 of the Village Charter requires the Village Council meet at least once each month, with the exception of August.

### Item Summary / Recommendation:

Section 22 of the Village Charter requires that the Village Council meet at least once each month, except for August which is considered Summer Recess.

The Village Council previously established its meeting schedule for the 2026 calendar year, which currently includes a regular Village Council meeting scheduled for April 21, 2026.

Due to a scheduling conflict, it is recommended that the date of the April 2026 regular Village Council meeting be changed to April 20, 2026, while maintaining the regular meeting time of 6:30 p.m.

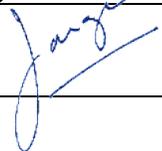
**THE ADMINISTRATION RECOMMENDS APPROVAL OF THIS RESOLUTION.**

### Financial Information:

	Amount	Account	Account #
	X	X	X

### Sign off:

	Village Clerk	Village Manager
	Dwight S. Danie	Jorge M. Gonzalez



# BAL HARBOUR

- VILLAGE -

## COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: March 17, 2026

SUBJECT: **A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; CHANGING THE DATE OF THE APRIL 2026 REGULAR VILLAGE COUNCIL MEETING TO APRIL 20, 2026; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

### **ADMINISTRATIVE RECOMMENDATION**

I am recommending approval of this Resolution.

### **BACKGROUND**

Section 22 of the Village Charter requires that the Village Council meet at least once each month, except for August which is considered Summer Recess. The Village Council previously established its meeting schedule for the 2026 calendar year, which currently includes a regular Village Council meeting scheduled for April 21, 2026.

Due to a scheduling conflict, it is recommended that the date of the April 2026 regular Village Council meeting be changed to April 20, 2026, while maintaining the regular meeting time of 6:30 p.m.

### **THE BAL HARBOUR EXPERIENCE**

Section 22 of the Village Charter requires that the Village Council meet at least once each month, except for August which is considered Summer Recess.

### **CONCLUSION**

Approval of the proposed Resolution will change the April 2026 regular Village Council meeting date to April 20, 2026. The remaining Village Council meeting dates for the 2026 calendar year are as follows:

#### Remaining Monthly Village Council Meetings 2026

- April 20, 2026
- May 19, 2026
- June 16, 2026
- July 21, 2026
- (August Recess)
- September 15, 2026
- October 27, 2026
- November 17, 2026
- December 15, 2026

RESOLUTION NO. 2026-\_\_\_\_

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; CHANGING THE DATE OF THE APRIL 2026 REGULAR VILLAGE COUNCIL MEETING TO APRIL 20, 2026; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 22 of the Village Charter requires that the Village Council meet at least once each month, except for August; and

**WHEREAS**, the Village Council previously established its regular meeting schedule for the 2026 calendar year; and

**WHEREAS**, the Village Council desires to change the date of the April 2026 regular Village Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1.** **Recitals Adopted.** That the above stated recitals are hereby adopted and confirmed.

**Section 2.** **Change of April 2026 Council Meeting Date.** The regular Village Council meeting previously scheduled for April 2026 is hereby changed and shall be held on April 20, 2026, at 6:30 p.m.

**Section 3.** **Implementation.** The Village Manager is hereby authorized to take any actions necessary to implement the purposes of this Resolution.

**Section 4. Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this 17<sup>th</sup> day of March, 2026.



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Mayor Seth E. Salver

ATTEST:

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Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Village Attorney  
Weiss Serota Helfman Cole & Bierman P.L.

# BAL HARBOUR

- VILLAGE -

## COUNCIL ITEM SUMMARY

### Condensed Title:

**AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING SECTION 10-31 "PROHIBITED ACTS" AND SECTION 19-27 "OPERATION OF VEHICLES" OF THE VILLAGE CODE RELATING TO THE OPERATION OF ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND OTHER MOTORIZED MOBILITY DEVICES ON PATHS AND SIDEWALKS; AMENDING SECTION 2-191, "SCHEDULE OF CIVIL PENALTIES"; PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)**

### Issue:

Should the Village Council adopt amendments to the Village Code to prohibit the operation of electric bicycles, motorized scooters, and other motorized mobility devices on the hard pack area of the beach, Jetty cut walk and beach access path south of the Oceana property?

### The Bal Harbour Experience:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Beautiful Environment   | <input checked="" type="checkbox"/> Safety | <input type="checkbox"/> Modernized Public Facilities/Infrastructure |
| <input type="checkbox"/> Destination & Amenities | <input type="checkbox"/> Unique & Elegant  | <input type="checkbox"/> Resiliency & Sustainable Community          |

### Item Summary / Recommendation:

The proliferation of motorized vehicles and devices, such as electric bicycles and motorized scooters, is leading to increased usage on sidewalks and in the hard pack multiuse path on the beach. This increase threatens the public health and safety of pedestrians traveling by foot or on human-powered devices because of the risk and severity of injuries attributable to collisions with these fast-moving vehicles and devices. In order to ensure that these vehicles and devices are directed to more compatible areas away from pedestrian traffic, the Village desires to amend the Village Code of Ordinances to prohibit the operation of electric bicycles, motorized scooters and other motorized mobility devices away from the Village's multiuse path located in the area of hard pack sand on the Village beach, the Jetty cut walk and beach access path south of the Oceana property. This Ordinance was approved on first reading by a vote of 5-0 at the February 17, 2026 Village Council meeting.

**THE ADMINISTRATION RECOMMENDS APPROVAL OF THIS ORDINANCE.**

### Financial Information:

	Amount	Account	Account #
	X	X	X

### Sign off:

	<b>Chief of Police</b> Raleigh Flowers, Jr.	<b>Village Manager</b> Jorge M. Gonzalez
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# BAL HARBOUR

- VILLAGE -

## COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: March 17, 2026

SUBJECT: **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 ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND OTHER MOTORIZED MOBILITY 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. (SECOND READING)**

### **ADMINISTRATIVE RECOMMENDATION**

I am recommending approval of this Ordinance on Second Reading. This recommendation includes prohibiting the operation of electric bicycles and motorized scooters and other motorized mobility devices on the beach path, Jetty cut walk and the beach access path south of the Oceana property (now referred to as the "Beach Paths"). This Ordinance was approved on first reading by a vote of 5-0 at the February 17, 2026 Village Council meeting.

### **BACKGROUND**

#### 2022

On January 18, 2022, at the Village Council Meeting, Councilman Sklar led a discussion item regarding the increased usage of electric bicycles and other motorized devices on the hard pack area of the beach and on Village sidewalks. The discussion focused on the increased pedestrian activity in the Village, and the dangers posed by the increased speeds at which these motorized devices can travel.

The Council was advised that at that time, the Village Code allowed for human powered non-motorized bicycles to utilize both the hard pack area of the beach and Village sidewalks. However, Florida State Statute 316.20655 was adopted in order to regulate the usage of electric bicycles. This statute provided for users of electric bicycles to be entitled

to the same rights and privileges as users of human powered bicycles. This provision could possibly present a conflict in the interpretation of bicycles as it relates to the Village Code.

The Council was also advised that FSS 316.20655 also allowed for the Village to adopt ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction. This statute authorized the municipal adoption of ordinances prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network. Operation of any vehicle other than by human power upon a bicycle path or sidewalk is already prohibited per FSS Section 316.1995(1).

The Council provided direction to create an ordinance for their consideration, which would prohibit the use of electric bicycles and all other motorized means of transportation from all Village sidewalks and the hard park multi-use path adjacent to the beach.

On February 15, 2022, at the Village Council Meeting, the Council considered an Ordinance which proposed to prohibit electric bicycles and all other motorized means of transportation on Village sidewalks and the hardpack. The proposed Ordinance was not adopted on First Reading by a vote of 2-3. See attached minutes for the February 15, 2022, Village Council Meeting.

#### 2024

On February 20, 2024, at the Village Council Meeting, Councilman Sklar led a discussion item regarding the continued proliferation of electric bicycles and other motorized devices on the hard pack area of the beach and recent incidents in other jurisdictions involving these devices. The discussion focused on the increased interactions of pedestrians in the Village with these electric bicycles and scooters, and the dangers posed by the increased speeds at which these motorized devices can travel.

The Council provided direction to create an ordinance for their consideration, which would prohibit the use of electric bicycles and other motorized vehicles and devices from all Village sidewalks, the hard pack multiuse path adjacent to the beach, and throughout the remainder of the Village.

On April 9, 2024, at the Village Council Meeting, the Council considered an Ordinance on First Reading. At that time, the Ordinances were presented with language which would prohibit electric bicycles and motorized vehicles from both the path adjacent to the beach and all sidewalks throughout the Village. However, we advised the feasibility of enforcing the prohibition on the sidewalks on 96<sup>th</sup> Street and Collins within the Village were still under review as they are all within FDOT's right of way. The recommendation was to adopt the Ordinance on First Reading to include the language pertaining to sidewalks, with the ability to remove this language for Second Reading, if needed.

The Council considered the Ordinance; as part of the discussion, some members voiced concerns about restricting the devices on the sidewalks and creating a situation where the

riders' only option would be to utilize the roadways alongside automobiles. The Council passed the Ordinance on First Reading by a vote of 3-2.

At that time, it was still not fully clear that the prohibition of these devices on sidewalks was authorized by FDOT. Therefore, the recommendation was to adopt the Ordinance prohibiting these activities on the beach path, Jetty cut walk and the beach access path south of the Oceana property (the "Beach Paths") but continue to allow for their operation on the sidewalks. The Ordinance was heard for Second Reading at the May 21, 2024, Village Council Meeting. A motion to approve was moved by Councilman Sklar; however, the motion did not move forward for lack of a second. See attached minutes for the May 21, 2024, Village Council Meeting.

## 2026

On January 20, 2026, at the Village Council Meeting, Vice Mayor Wolf led a discussion regarding the increased complaints regarding electric devices interacting with pedestrians along the beach path. Mayor Salver also led a discussion regarding the possibility of creating a dismount zone for electric bicycles, scooters and mobility devices on the sidewalk on the east side of Collins Avenue.

The consensus of the Council after consulting with the Village Attorney was that an Ordinance prohibiting electric bicycles, scooters and mobility devices on the beach path should be drafted for consideration at the Village Council Meeting on February 17, 2026. The question of a dismount zone for the sidewalk on Collins Avenue was deferred for a later determination of if FDOT would prevent such regulations from being applied on their right-of-way.

Additionally, Village Attorney Trevarthen noted that the statute was revised in 2025 to provide for additional regulatory powers. These include the ability to enforce an age limit and photo ID for users of electric bikes, and to provide training, as follows:

### **Section 316.20655 Electric bicycle regulations**

- (8) A local government may adopt an ordinance providing one or more minimum age requirements to operate an electric bicycle and may adopt an ordinance requiring an operator of an electric bicycle to possess a government-issued photographic identification while operating the electric bicycle.
- (9) A local government may provide training on the safe operation of electric bicycles and compliance with the traffic laws of this state that apply to electric bicycles.

While these changes to state law were discussed at the last Council meeting, the Council did not direct us to incorporate these new powers into this ordinance. If the Council so desires, the Ordinance could be amended for second reading to include these requirements.

In addition, the Florida Legislature is currently considering legislation which would add further regulations for the operation of electric bicycles and mobility devices. HB 243 and SB 382 have been filed. CS/SB 382 prohibits the operation of an electric bicycle above 10 mph if within 50 feet of a pedestrian. It also requires operators to yield to pedestrians, and to give an audible signal before overtaking and passing a pedestrian on a shared use path that is not adjacent to a roadway. It creates the Electric Bicycle Safety Task Force and requires preparation of a report to the Legislature by October 1, 2026, with legislative recommendations for improvements to the state law and the regulatory framework governing electric bicycles. Finally, it requires the Florida Highway Patrol and each police department and sheriff's office to maintain a list of all traffic crashes that the respective agency investigates which involve an electric bicycle and specify the details that must be tracked. The lists must be provided to the state DHSMV by mid-October 2026. HB 243 is similar. This is still pending legislation, and we will not know the final outcome until the Legislative Session is completed.

On February 17, 2026, the Village Council considered these Ordinances at the Regular Council Meeting. The Council concluded that the sixty (60) day educational period along with the fifty-dollar (\$50) fine would be appropriate. The Council also discussed the importance of proper signage in the affected areas. Additionally, the Council also provided direction to monitor the pending legislation and bring back any additional changes, if needed, after the Legislative Session was completed.

### **ANALYSIS**

Legal staff conducted a review of the Florida State Statutes which regulate the operation of electric bicycles, motorized scooters, and other motorized mobility devices upon sidewalks or paths. The analysis revealed the following:

- Section 316.007, Florida Statutes, provides that municipalities may only adopt ordinances on matters that are expressly authorized under Chapter 316, the Uniform Traffic Control Law.
- Section 316.008(n), Florida Statutes, provides, among other things, that local authorities are not prevented from "...prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic..." "...with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power..."
- Section 316.20655, Florida Statutes, further provides that a municipality is not prevented from adopting an ordinance "restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network..."

The proposed changes and amendments to the Village Code would include expanding and renaming Section 19-27 "Operation on Sidewalks, Jogging Path." This section currently states:

**Sec. 19-27. Operation on Sidewalks, jogging path.**

It shall be unlawful to operate motorized vehicles on the Village jogging path or any Sidewalk within the Village. Non-motorized vehicles are permitted on Sidewalks, but not on the Village jogging path located just east of the beach vehicle access road.

As such, the proposed Ordinance now only pertains to the Beach Paths. Individuals would still be able to operate their electric bicycles, motorized scooters, and other motorized mobility devices on all roadways within the Village whether they are FDOT right of way or the right of way in the gated community. Even though the Code already says that these devices are prohibited on Village sidewalks, the sidewalks on Collins and 96<sup>th</sup> Street are FDOT rights-of-way, not Village rights-of-way. Therefore, it has not been enforced because FDOT has failed to authorize this regulation of its right-of-way.

The proposed amendment would expand the existing language, which already prohibits motorized vehicles on the Village sidewalks and on the Village jogging path, but is silent on the hardpack. This language adds a new subsection (b) to create specific prohibitions of electric bicycles, motorized scooters, and other motorized mobility devices within designated areas of the Village. The designated areas are defined to include the beach vehicle access road; commonly referred to as the hard pack, along with the Jetty cut walk and the beach access path south of the Oceana property (together, the "Beach Paths"). It also provides for related definitions.

The proposed amendment also provides an exception for the following circumstances:

1. An Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device within Designated Areas by government personnel acting within their official capacity, including on-duty police or emergency personnel.
2. Motorized wheelchairs or similar mobility devices having three or more wheels being operated by a disabled person for mobility purposes.

The proposed amendment to Section 19-27 would read as follows:

**Section 19-27. - Operation of Motorized Vehicles on Sidewalks, and Other Paths**  
**jogging path.**

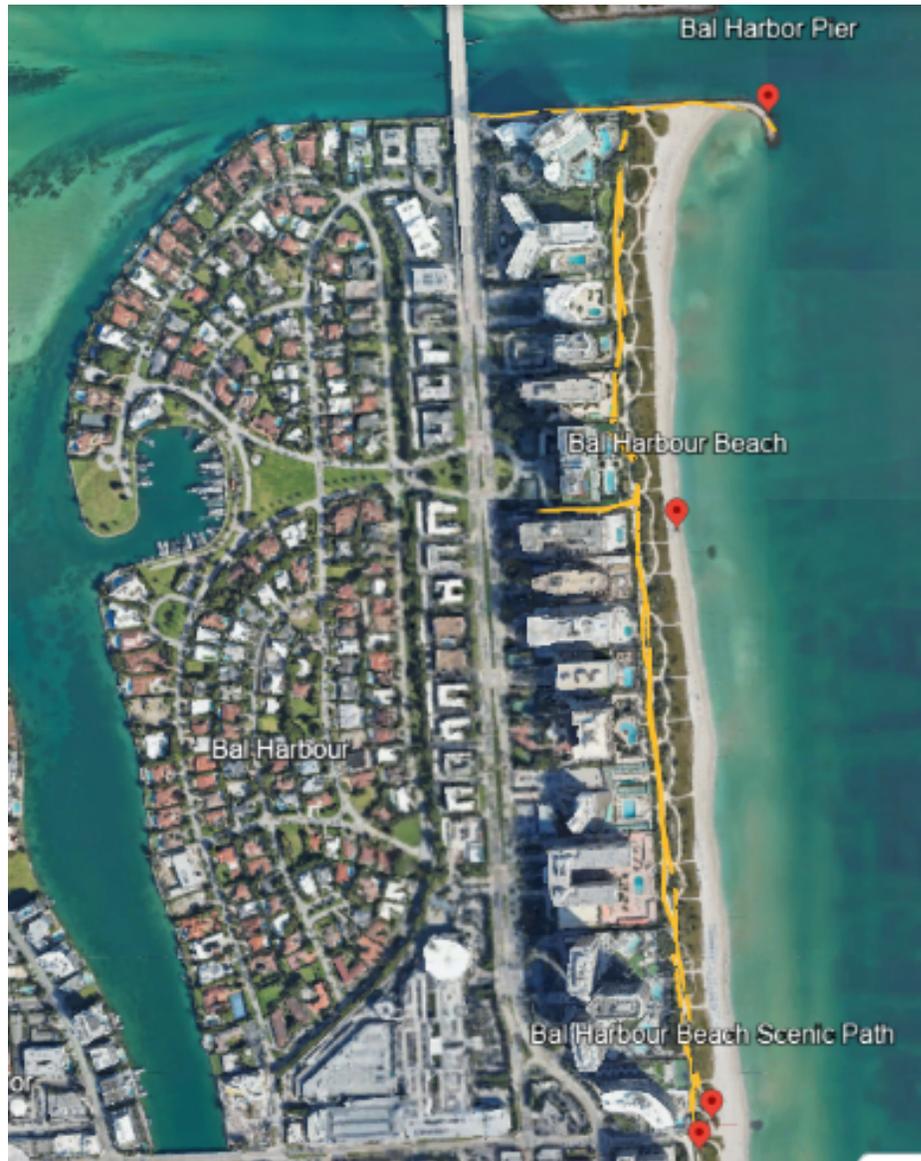
- (a) It shall be unlawful to operate motorized vehicles on the Village jogging path or any Sidewalk within the Village. Non-motorized vehicles are permitted on

Sidewalks, but not on the Village jogging path located just east of the beach vehicle access road.

(b) It is the intent of this Section to prohibit the use of Electric Bicycles, Motorized Scooters, and Other Motorized Mobility Devices within the Designated Areas of the Village.

(1) Definitions. As used in this Section, the following words, terms and phrases, shall have the meanings ascribed to them unless the context otherwise indicates:

a. Designated Area shall mean the beach vehicle access road (hard pack), the beach access path along the Jetty cutwalk, and the beach access path south of Oceana (together, the "Beach Paths"), as shown in the map below.



- b. Electric Bicycle shall mean an electric bicycle as defined by Section 316.003(23), Florida Statutes.
- c. Motorized Scooter shall mean a motorized scooter as defined by Section 316.003(48), Florida Statutes.
- d. Other Motorized Mobility Devices shall mean any personal device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on one or more wheels including, but not limited to, powered boards, powered skateboards, powered skates,

powered hoverboards, or other similar powered personal motorized mobility devices. This definition does not include Electric Bicycles, Motorized Scooters, or motorized wheelchairs or similar mobility devices having three or more wheels being operated by a person who is disabled for mobility purposes.

(2) Unless otherwise authorized under this Section, the operation of an Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device is prohibited within the Designated Areas of the Village. Notwithstanding the foregoing, nothing in this Section shall prohibit the operation of:

- a. An Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device within Designated Areas by government personnel acting within their official capacity, including on-duty police or emergency personnel;
- b. Motorized wheelchairs or similar mobility devices having three or more wheels being operated by a disabled person for mobility purposes.

The Council is also considering whether they wish to amend another section of the Village Code: Section 10-31 "Prohibited Acts", to clearly cross reference and defer to the regulations in Section 19-27. The use of ordinary bicycles would continue to be allowed on the hard pack area of the beach. The amendment would clarify that the operation of electric bicycles, motorized scooters and other motorized mobility devices would be governed by Section 19-27 of the Village Code. The amendment would also include a housekeeping change, to add the maps that clearly depict the areas to which Section 10-31 pertains into the Code itself, rather than simply referencing them.

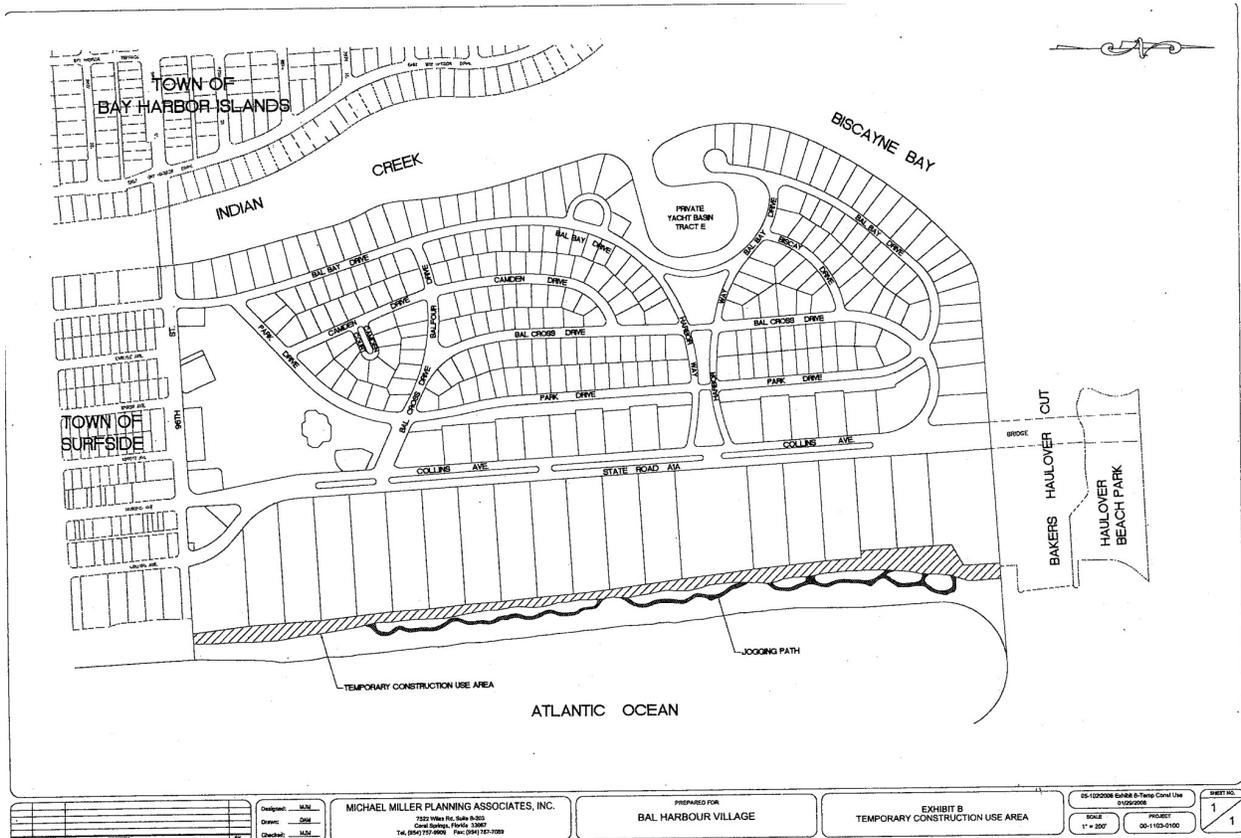
The proposed amendment to Section 10-31 would read as follows:

**Section 10-31. - Prohibited acts.**

It shall be unlawful for any Person to:

- (1) Drive, operate, propel, or place any vehicle (whether or not such vehicle is motorized, propelled by human power or otherwise propelled) on the Public Beach or upon any public land, easement or right-of-way within the Public Beach, except that the operation of Electric Bicycles, Motorized Scooters, and Other Motorized Mobility Devices shall be governed by Section 19-27 of the Village Code. This prohibition does not apply to on-





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The final action to be considered by the Council is the level of fine associated with a violation of any of these codes. The Council may choose to adopt the same fine of \$50 as in Section 10-31 or could choose to adopt a different fine altogether. The Council may also wish to provide that a warning be issued prior to the assessment of a fine, as required with the code that regulates the leashing of dogs.

If the Council adopts the amendment to Section 19-27 with a fine of \$50, then it would also need to amend the civil penalties in Section 2-191 as follows:

**Section 2-191. - Schedule of civil penalties.**

(a) The following table shows the sections of this Code, as they may be amended from time to time, and the dollar amount of civil penalty for the violation of these sections as they may be amended. Each "Description of Violations" below is for informational purposes only and is not meant to limit or define the nature of the violations or the subject matter of the listed Code sections. To determine the exact nature of the activity proscribed or required by this Code, the relevant Code section must be examined.

(b) The following is the schedule of civil penalties:

	Code section	Description of violation	Civil penalty
***			
<del>(47)</del>	<del>19-27</del>	<del>Operation of an Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device in a Designated Area.</del>	<del>50.00</del>
<del>(47)</del> <del>(48)</del>	20-1	Tampering with public utilities	250.00
<del>(48)</del> <del>(49)</del>	21-362	Using property in residential districts for unpermitted purposes	250.00
<del>(49)</del> <del>(50)</del>	21-362(b)	Conducting open houses and garage sales in residential districts	100.00

\* \* \*

The Amendments would take effect immediately upon adoption on Second Reading. However, the Village Manager or his designee will engage in public education to inform all stakeholders of the new provisions. The recommendation would be to provide for a sixty (60) day courtesy period to allow for education and the placement of signage throughout the Village.

A violation of any of these codes could be addressed by a Code Enforcement Officer, a Sworn Police Officer or other authorized personnel. The individual being cited would be able to dispute the violation through the Special Magistrate process.

***THE BAL HARBOUR EXPERIENCE***

This Ordinance corresponds to *The Bal Harbour Experience* by seeking to increase the safety of all residents and visitors.

The proliferation of existing and developing motorized vehicles and devices, including but not limited to electric bicycles and motorized scooters, is leading to the increased usage of such vehicles on the bicycle path located in the area of hard pack sand on the beach.

The use of these motorized vehicles and devices threatens the public health and safety of pedestrians traveling by foot or on human-powered devices because of the increased risk and severity of injuries attributable to collisions.

### **CONCLUSION**

The adoption of this Ordinance seeks to address safety concerns raised by the Village Council and residents. The adoption would ensure that motorized vehicles and devices are directed to more compatible areas away from pedestrian traffic on the Village's multiuse path located in the area of hard pack sand on the Village beach, the Jetty cut walk and beach access path south of the Oceana property. Therefore, it is recommended that the proposed amendments be approved on Second Reading.

### **Attachments:**

1. Bal Harbour Village Council Meeting Minutes - February 15, 2022
2. Bal Harbour Village Council Meeting Minutes - May 21, 2024

ORDINANCE NO. 2026-\_\_\_\_

**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 ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND OTHER MOTORIZED MOBILITY 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.**

**WHEREAS**, pedestrians frequently travel within Bal Harbour Village (the "Village") along the beach vehicle access road on the Public Beach (the hardpack), and the beach access paths at the jetty and south of the Oceana (the "Beach Paths") and the jogging path; and

**WHEREAS**, the operation of motorized vehicles and devices such as electric bicycles and motorized scooters and other motorized mobility devices within the Village along the Beach Paths has increased tremendously over the last couple of years; and

**WHEREAS**, this increase in the operation of these motorized vehicles and devices on the Beach Paths has resulted in vehicular-pedestrian incidents and many near misses within the Village, and has created an unsafe environment for pedestrians; and

**WHEREAS**, the risk of incidents between pedestrians and individuals operating these motorized vehicles and devices is particularly pronounced within this densely populated barrier island community, where residents and tourists can and do walk to all of the Village's destinations and to meet most of their daily needs and religious observances; and

**WHEREAS**, due to this heavy pedestrian traffic, the operation of these motorized vehicles and devices on the Beach Paths is incompatible with the normal and safe movement of traffic within the Village; and

**WHEREAS**, Section 316.007, Florida Statutes, provides that municipalities may only adopt ordinances on matters relating to traffic control that are expressly authorized by Chapter 316, Florida Statutes (also known as, the Florida Uniform Traffic Control Law); and

**WHEREAS**, Section 316.008(n), Florida Statutes, provides, among other things, that local authorities are not prevented from "...prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic..." "...with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power..."; and

**WHEREAS**, Section 316.20655, Florida Statutes, provides that a municipality is not prevented, through the exercise of its powers under Section 316.008, Florida Statutes, from adopting an ordinance "restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network"; and

**WHEREAS**, Section 316.2128, Florida Statutes, further provides that a local government is not prevented, through the exercise of its powers under Section 316.008, Florida Statutes, from adopting an ordinance governing the operation of motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; and

**WHEREAS**, the Village Council finds it necessary to adopt an Ordinance, pursuant to its authority under Article VIII of the Florida Constitution, the Village Charter, and Section 316.20655 of the Florida Statutes, to prohibit the operation of electric bicycles, motorized scooters, and other motorized mobility devices on the Beach Paths; and

**WHEREAS**, the Village Council hereby finds and determines that this Ordinance is in the best interest of the public health, safety, and welfare.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1.** **Recitals Adopted.** That the above-stated recitals are hereby adopted and confirmed.

**Section 2.** **Amending Chapter 19 of the Village Code.** That Section 19-27, "Operation on Sidewalks, jogging path," of Chapter 19, "Traffic and Motor Vehicles," of the Village Code is hereby amended to read as follows: <sup>1</sup>

## **CHAPTER 19 - TRAFFIC AND MOTOR VEHICLES**

\* \* \*

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<sup>1</sup> Additions to existing Village Code text are shown by underline; deletions from existing Village Code text are shown by ~~striketrough~~. Any changes between first and second reading are shown by highlighted double underline and ~~double striketrough~~ font.

## ARTICLE II. - OPERATION OF VEHICLES

\* \* \*

### Section 19-27. - Operation of Motorized Vehicles on Sidewalks, and Other Paths jogging path.

- (a) It shall be unlawful to operate motorized vehicles on the Village jogging path or any Sidewalk within the Village. Non-motorized vehicles are permitted on Sidewalks, but not on the Village jogging path located just east of the beach vehicle access road.
- (b) It is the intent of this Section to prohibit the use of Electric Bicycles, Motorized Scooters, and Other Motorized Mobility Devices within the Designated Areas of the Village.
  - (1) Definitions. As used in this Section, the following words, terms and phrases, shall have the meanings ascribed to them unless the context otherwise indicates:
    - a. Designated Area shall mean the beach vehicle access road (hard pack), the beach access path along the Jetty cutwalk, and the beach access path south of Oceana (together, the "Beach Paths"), as shown in the map below.



- b. Electric Bicycle shall mean an electric bicycle as defined by Section 316.003(23), Florida Statutes.
- c. Motorized Scooter shall mean a motorized scooter as defined by Section 316.003(48), Florida Statutes.
- d. Other Motorized Mobility Devices shall mean any personal device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on one or more wheels including, but not limited to, powered boards, powered skateboards, powered skates, powered hoverboards, or other similar powered personal motorized mobility devices. This definition does not include Electric Bicycles, Motorized Scooters, or motorized wheelchairs or similar mobility devices having three or more wheels being operated by a person who is disabled for mobility purposes.

(2) Unless otherwise authorized under this Section, the operation of an Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device is prohibited within the Designated Areas of the Village. Notwithstanding the foregoing, nothing in this Section shall prohibit the operation of:

- a. An Electric Bicycle, Motorized Scooter, or Other Motorized Mobility Device within Designated Areas by government personnel acting within their official capacity, including on-duty police or emergency personnel;
- b. Motorized wheelchairs or similar mobility devices having three or more wheels being operated by a disabled person for mobility purposes.

\* \* \*

**Section 3. Amending Chapter 10 of the Village Code.** That Section 10-31 of Article II, "Use of Public Beaches," of Chapter 10 of the Village Code is hereby amended to read as follows:

**CHAPTER 10 - MARINE STRUCTURES, ACTIVITIES AND WAYS**

\* \* \*

**ARTICLE II - USE OF PUBLIC BEACHES**

\* \* \*

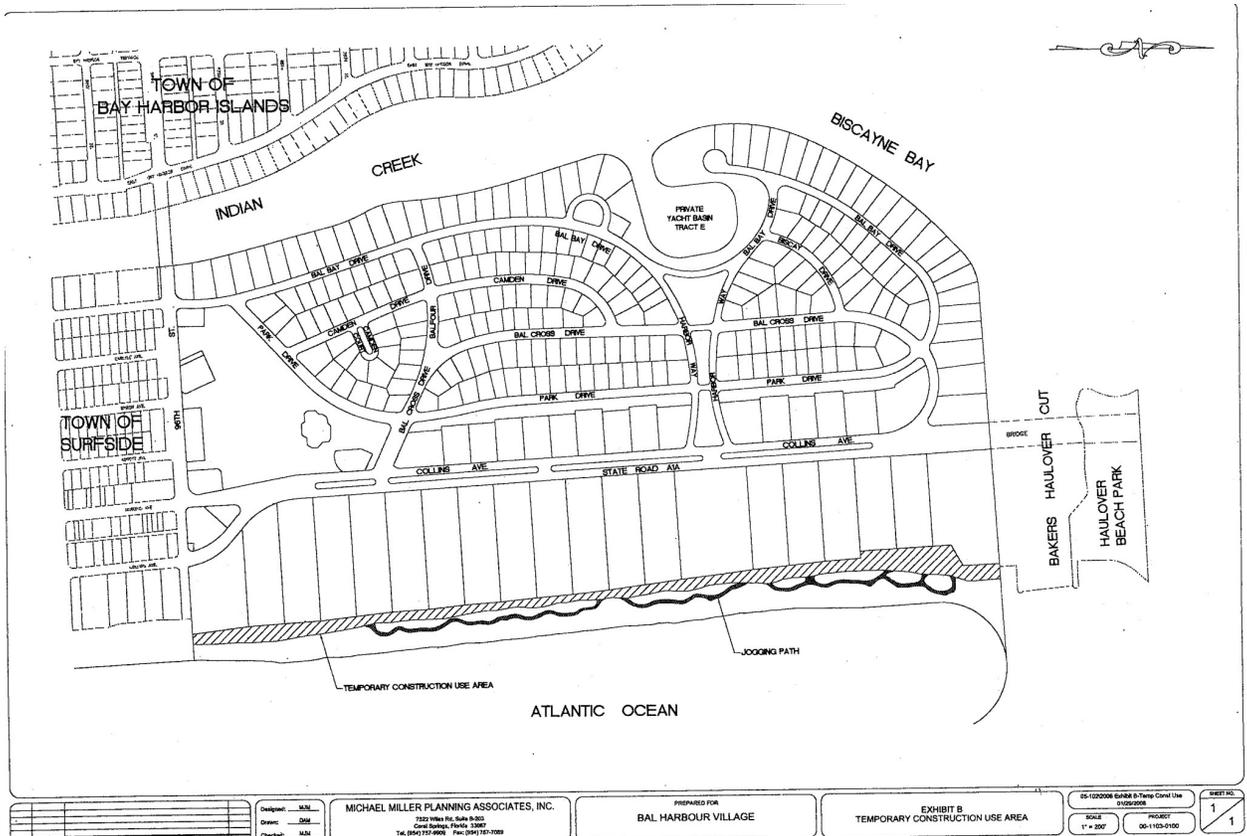
**Section 10-31. - Prohibited acts.**

It shall be unlawful for any Person to:

(1) Drive, operate, propel, or place any vehicle (whether or not such vehicle is motorized, propelled by human power or otherwise propelled) on the Public Beach or upon any public land, easement or right-of-way within the Public Beach, except that the operation of Electric Bicycles, Motorized Scooters, and Other Motorized Mobility Devices shall be governed by Section 19-27 of the Village Code. This prohibition does not apply to on-duty police or emergency vehicles or to the use of human powered, non-motorized bicycles pursuant to paragraph (1)a. below:

- a. The vehicle prohibition which is set forth in paragraph (1) above, is hereby modified so that human powered, non-motorized bicycles may be operated on a limited portion of the Public Beach, within the area shown below ~~which is described in Exhibit "A", a copy of which is attached hereto and incorporated herein,~~ during daylight hours of each day between the time of sunrise and the time of sunset only, subject to posted rules





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**Section 4. Amending Chapter 2 of the Village Code.** That Section 2-191, "Schedule of Civil Penalties," of Chapter 2, "Administration," of the Village Code is hereby amended to read as follows:

**CHAPTER 2 - ADMINISTRATION**

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**ARTICLE V. - CODE ENFORCEMENT**

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**Section 2-191. - Schedule of civil penalties.**

(a) The following table shows the sections of this Code, as they may be amended from time to time, and the dollar amount of civil penalty for the violation of these sections as they may be amended. Each "Description of Violations" below is for informational purposes only and is not meant to limit or define the nature of the violations or the subject matter of the listed Code

sections. To determine the exact nature of the activity proscribed or required by this Code, the relevant Code section must be examined.

(b) The following is the schedule of civil penalties:

	Code section	Description of violation	Civil penalty
***			
<del>(47)</del>	19-27	<u>Operation of an Electric Bicycle or Motorized Scooter or Other Motorized Mobility Device in a Designated Area.</u>	<u>50.00</u>
<del>(47)</del> <del>(48)</del>	20-1	Tampering with public utilities	250.00
<del>(48)</del> <del>(49)</del>	21-362	Using property in residential districts for unpermitted purposes	250.00
<del>(49)</del> <del>(50)</del>	21-362(b)	Conducting open houses and garage sales in residential districts	100.00

\* \* \*

**Section 5. Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 6. Inclusion in the Code.** That it is the intention of the Village Council, and it is hereby ordained that this Ordinance shall become effective and made part of the Village Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 7. Conflict.** That all sections or parts of sections of the Village Code, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this

Ordinance are repealed to the extent of such conflict.

**Section 8. Effective Date.** That this Ordinance shall become effective upon adoption on second reading.

PASSED AND ADOPTED on first reading this 17<sup>th</sup> day of February, 2026.

PASSED AND ADOPTED on second reading this 17<sup>th</sup> day of March, 2026.



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Mayor Seth E. Salver

ATTEST:

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Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Village Attorney  
Weiss Serota Helfman Cole & Bierman P.L.

# BAL HARBOUR

- V I L L A G E -

Mayor Gabriel Groisman  
Vice Mayor Seth E. Salver  
Councilman David J. Albaum  
Councilman Jeffrey P. Freimark  
Councilman Buzzy Sklar

Village Manager Jorge M. Gonzalez  
Village Clerk Dwight S. Danie  
Village Attorneys Weiss Serota  
Helfman Cole & Bierman, P.L.

## **Bal Harbour Village Council** Regular Council Meeting Minutes February 15, 2022 At 6:30 PM

Bal Harbour Village Hall • 655 - 96th Street • Bal Harbour • Florida 33154

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*This meeting was conducted in-person and virtually via "Zoom" in order to minimize exposure to the Coronavirus to Councilmembers and members of the public. The meeting was also broadcast on the Village's website ([www.balharbourfl.gov](http://www.balharbourfl.gov)) and members of the public were encouraged to participate by email ([meetings@balharbourfl.gov](mailto:meetings@balharbourfl.gov)) or by telephone at 305-865-6449.*

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**CALL TO ORDER/ PLEDGE OF ALLEGIANCE** - Mayor Gabriel Groisman called the meeting to order at 6:37 P.M.

The following were present:

Mayor Gabriel Groisman  
Vice Mayor Seth Salver  
Councilman David Albaum  
Councilman Jeffrey Freimark  
Councilman Buzzy Sklar

Also present:

Jorge M. Gonzalez, Village Manager  
Dwight S. Danie, Village Clerk  
Susan Trevarthen, Village Attorney

The Pledge of Allegiance was led by Mayor Groisman.

### **REQUESTS FOR ADDITIONS, WITHDRAWALS AND DEFERRALS**

There were no requests.

### **PRESENTATIONS AND AWARDS**

Introduction of David Whitaker, President & CEO, Greater Miami Convention and Visitors Bureau

Mayor Groisman introduced Mr. David Whitaker and Mr. Gonzalez provided a brief overview of Mr. Whitaker's experience in working with the community. Mr. Whitaker thanked everyone saying that he had met with Mr. Gonzalez and understands the high expectations for tourism destination marketing. He said that the hotel and Shops average daily rate numbers are currently phenomenal and that it will be interesting to see how long they can be maintained with the collaboration with the Village. He said that he is looking forward to working with the Village as partner.

Mayor Groisman thanked Mr. Whitaker and encouraged him to utilized the Village, and get the Village involved as much as possible.

## **CONSENT AGENDA**

### **C6 - COUNCIL MINUTES**

January 18, 2022 Village Council Meeting Minutes

### **C7 - RESOLUTIONS**

**C7A** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; RATIFYING THE BUILDING OFFICIAL'S APPROVAL OF THE UNITY OF TITLE, SUBMITTED BY SHAWN WAX JTRS AND RONALD DOBRIN JTRS, FOR THE PROPERTIES LOCATED AT 10205 COLLINS AVENUE, UNITS 1501 AND 1503, BAL HARBOUR FLORIDA, 33154, TO COMBINE THE TWO CONDOMINIUM UNITS INTO ONE CONDOMINIUM UNIT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: A motion to approve the Consent Agenda was moved by Vice Mayor Seth Salver and seconded by Councilman Buzzy Sklar.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

### **R5 - ORDINANCES**

**R5A** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 13, "PENSIONS AND RETIREMENT BENEFITS," BY AMENDING THE POLICE OFFICERS' PENSION PLAN TO CREATE A NEW SECTION 13-63, "EARLY RETIREMENT INCENTIVE PLAN"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item saying that the ordinance was consistent with the Collective Bargaining Agreement approved in November, and that this being the early retirement portion, he expects that there will be three employees that will participate. He said he was suggesting a slight amendment to the ordinance to allow for the staggering of departures, where the language would be changed to require a release of claims form on the last day of employment, instead of February 28. He then provided a brief progress report of the hiring of new officers.

There were no comments from the public.

Ms. Trevarthen read the language to be amended, adding that she was also suggesting that the word "final" be inserted before "wage cost" in Section (c)4.

**MOTION: A motion to amend the ordinance to change the time for the release of claim form to be required on the last day of employment was moved by Mayor Gabriel Groisman and seconded by Vice Mayor Seth Salver.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

**MOTION: A Motion to pass the Ordinance on second reading as amended was moved by Mayor Gabriel Groisman and seconded by Vice Mayor Seth Salver.**

<b>ROLL CALL</b>	<b>VOTE</b>
Mayor Gabriel Groisman	<b>Yes</b>
Vice Mayor Seth E. Salver	<b>Yes</b>
Councilman David J. Albaum	<b>Yes</b>
Councilman Jeffrey P. Freimark	<b>Yes</b>
Councilman Buzzy Sklar	<b>Yes</b>

**VOTE: The Motion passed on second reading by unanimous roll call vote (5-0).**

**R5B** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA; CREATING SECTION 17-52 OF ARTICLE II, "SIDEWALKS," OF CHAPTER 17 OF THE CODE OF ORDINANCES RELATING TO THE USE OF MOTORIZED MEANS OF TRANSPORTATION ON SIDEWALKS WITHIN THE VILLAGE; AMENDING SECTION 10-31 OF ARTICLE II, "USE OF PUBLIC BEACHES," OF CHAPTER 10 OF THE CODE TO PROHIBIT THE USE OF MOTORIZED MEANS OF

TRANSPORTATION ON THE AREA OF HARD PACK SAND ON VILLAGE BEACHES WEST OF THE SAND DUNES; AMENDING SECTION 19-27 OF CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES," OF THE CODE TO CLARIFY PROHIBITIONS ON THE USE OF MOTORIZED VEHICLES ON VILLAGE SIDEWALKS AND THE VILLAGE JOGGING PATH; AMENDING SECTION 2-191, "SCHEDULE OF CIVIL PENALTIES," OF CHAPTER 2 TO CREATE RELATED PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, AND FOR AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item saying that this ordinance was before the Council per the Council's request following a discussion item in the January 2022 meeting. Captain Mauricio Escarra, Bal Harbour Police, provided an overview of the requirements of the ordinance and State statutes regarding the allowance of the use human powered vehicles, but not motorized vehicles, on sidewalks. He said that the Beach Path fell into the category of multi-use paths, so that unlike sidewalks, vehicles could be restricted.

Council Sklar proposed that use of an ordinary bicycle under human power should be allowed on the Beach Path. He suggested that there should be a ban on electric bicycles, whether or not they are being operated with human power only, to which Councilman Freimark said that thought that that idea was too restrictive.

Mayor Groisman said that non-electric bicycles are also problematic in that they are easily capable of being operated at speeds in excess of twenty miles per hour. He said that many people, including seniors, operate electric bikes at much slower speeds. He said that he would not be opposed to regulating electric bikes on the Beach Path. He suggested that any further regulation of sidewalks be removed from this ordinance so as not to push traffic into Collins Avenue, which he said is dangerous. He also suggested that the penalties should be tiered, with a written warning being the first step.

Vice Mayor Salver said that the sidewalks were more dangerous and compact with existing pedestrian and vehicular traffic. He said that he was okay with electric bicycles, that were diverted from the Beach Path, being operated under human-power-only on the sidewalks.

Babak Raheb, 128 Balfour Drive, said that it should not matter whether or not a bicycle is powered manually or with an electric motor. He said that electric bikes are generally safer than manual bikes, and that more older people use electric bikes for that reason.

Councilman Albaum said both manually powered bikes and electric bikes can be operated at high speeds and asked what was the goal of this ordinance, to which Councilman Sklar said that electric bikes allow for a non-athletic person at the same speeds as an athletic person.

David Wolf, 223 Bal Bay Drive, asked what was the impetus of the ordinance, and asked if there had been accidents. He asked if this ordinance could actually be enforced. He added that other electric vehicles, i.e. scooters, were not capable of reaching higher speeds.

Councilman Sklar responded he had observed that the traffic on the Beach Walk was getting more congested that he had presented the item to be proactive in maintaining safety.

Penny Sepler, 10275 Collins Avenue, said that the sidewalks were more problematic than the Beach Path, in that the bus stops and be sidewalks being narrow, make the sidewalks more dangerous.

**MOTION: A motion pass the ordinance as written was moved by Vice Mayor Salver and seconded by Councilman Sklar.**

Councilman Freimark said that he felt that the Council was lurching from on issue to another in regards to the sidewalks and the Beach Path, and said that with all the money being invested ongoing projects, a professional guidance and a plan are needed to layout the public areas.

Mayor Groisman said that the intent of the ordinance is right, but nothing would be changed, adding that design is the only way effectively solve the issue. Councilman Freimark added that there has to be a better way for children to get to the new park, other than using Collins Avenue.

**MOTION: A Motion carve out the sidewalks from the Ordinance on was moved by Mayor Gabriel Groisman. There was no second.**

Councilman Albaum said that he had proposed a comprehensive plan at the time the leash ordinance was under consideration, and that he felt that he was not so sure the Council was prepared to consider this item.

<b>ROLL CALL</b>	<b>VOTE</b>
Mayor Gabriel Groisman	<b>No</b>
Vice Mayor Seth E. Salver	<b>Yes</b>
Councilman David J. Albaum	<b>No</b>
Councilman Jeffrey P. Freimark	<b>No</b>
Councilman Buzzy Sklar	<b>Yes</b>

**VOTE: The Motion failed by roll call vote (2-3).**

There was a general consensus that a comprehensive plan, backed by data, was the next step. Mr. Gonzalez said that he would seek proposals from those that have the unique of skill sets required.

## **R7 - RESOLUTIONS**

There were not resolutions to consider.

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

### **R9A** Discussion Item regarding an On-Demand Shuttle Service - Village Manager Jorge Gonzalez

Mr. Gonzalez provided a recap of the discussion held during the January Council meeting regard the On-Demand Shuttle Service. He reviewed pricing information, provided by Jason Spiegel, Freebee, the provider of the on-demand ride service, who was attending the meeting via Zoom.

He then presented vehicle options and showed maps of the geographic areas covered by a 3-mile radius and a 5-mile radius. He said that the Village was being asked to share the costs equally with Bay Harbor Island and Surfside, resulting in a \$67,000 cost for Bal Harbour, which would include 2 cars and a third for an ADA compliant vehicle. Grant money, \$34,000 for the Village, would also be available. He then presented stand-alone costs of around \$101,000 for one vehicle and an ADA backup solely for Village residents. He said that the question before the Council was whether or not we wanted a unified service with the other communities or have our own service.

Vice Mayor Salver said he was assured that the grant was renewable, and that there was little to lose to enter into a MOU with the other communities, in a spirit of cooperation and comradery, adding that if it doesn't work, we can bring it in house and do better.

Councilman Sklar said that the importance of a service like this was the convenience to the residents.

Councilman Albaum said that he agreed with Councilman Sklar, but that he did question the need for the service. He added that he would like to see the service extend to Mt. Sinai.

Mayor Groisman said that he also agreed with Councilman Sklar. He said that since this service is becoming commonplace, and that it is being used more and more, it will be used a lot by residents of Bay Harbor and Surfside to the detriment of Village residents. He suggested that the geo-fence be narrow, encompassing Haulover, Surfside and Bay Harbor, so that trips and waiting times would be short.

Councilman Freimark said Jeffrey said that he would like to see more facts to make a decision and that the need to provide a service to Mt. Sinai can't be understated.

Mr. Spiegel said that geo-fences can be fully customized depending on the goals of the municipality, whether it be for longer travel distances with longer waiting times or shorter distances and shorter waiting times. He said that the services would be for 56 hours per week, 8 hours per day. He said that the average waiting time in Coral Gables was eight minutes, while the average waiting time in Miami Beach was fifteen to twenty-minutes.

There was a general consensus from the Council for Mr. Gonzalez to meet with Mr. Spiegel to present different options available to the Village with the goal of keeping wait times from ten to fifteen minutes.

Babak Raheb, 128 Balfour Drive, said that the service should be for Bal Harbour residents and agreed with the goal of a ten-to-fifteen-minute wait time.

Penny Sepler, 10275 Collins Avenue, said that she agreed that the service should be the Village's alone, and if successful it could be expanded. She said that if someone need to wait more than fifteen minutes, they just as easily take a bus, which would also be free for elders. She added that Uber is also available.

David Wolf, 223 Bal Bay Drive said that it was important to understand what the goals of the service are, for example, serving residents or serving anybody in the area, adding that he liked the ability to have control.

## **R9B PUBLIC COMMENT**

Penny Sepler, 10275 Collins Avenue, asked why the traffic on Collins Avenue was so terrible up until 96<sup>th</sup> Street. Vice Mayor Salver said the problem stemmed from lane alignment, to which Mayor Groisman added that the it is also due to traffic light timing and generally more full-time residents.

Babak Raheb, 128 Balfour Drive said that he was experience and issue caused by zoning. He explained that a new house was being constructed next to his on a property whose back boundary faces the side of his property, and that zoning code does not require tiered setbacks on the back, as it does on the sides, thus presenting the effect of a thirty-foot wall the entire length of his property. He said that he was hoping for an ordinance change that would address this particular issue. He said that the Architectural Review Board could only recommend that he address the issue with the neighbor, since the project was in compliance with zoning. Mayor Groisman offered to help Mr. Raheb mediate with the neighbor.

**R10 - VILLAGE MANAGER REPORT**

**R11 - VILLAGE CLERK REPORT**

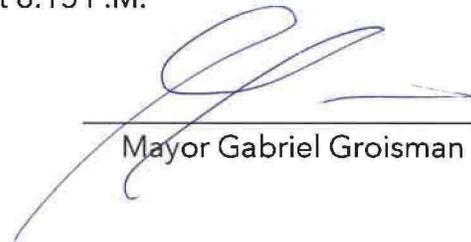
R11A Lobbyist Report

**R12 - VILLAGE ATTORNEY REPORT**

R12A Village Attorney Report

**END OF REGULAR AGENDA**

**ADJOURNMENT** - The meeting was adjourned at 8:15 P.M.



Mayor Gabriel Groisman



Attest:



Dwight S. Danie, Village Clerk

# 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 Minutes

May 21, 2024

At 6:30 PM

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

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*This meeting was conducted in person. The meeting was also broadcast on our website at <https://balharbourfl.gov/government/village-clerk/minutes-and-agendas/>. Members of the public were also encouraged to participate by email ([meetings@balharbourfl.gov](mailto:meetings@balharbourfl.gov)) or by telephone at 305-865-6449.*

**CALL TO ORDER/ PLEDGE OF ALLEGIANCE** - Mayor Freimark called the meeting to order at 7:12 P.M. following the Local Planning Agency Meeting.

The following were present:

Mayor Jeffrey P. Freimark  
Vice Mayor Seth E. Salver  
Councilman David J. Albaum  
Councilman David Wolf  
Councilman Buzzy Sklar

Also present:

Jorge M. Gonzalez, Village Manager  
Dwight S. Danie, Village Clerk  
Susan Trevarthen, Village Attorney

The Pledge of Allegiance was led by Mayor Freimark.

## **REQUESTS FOR ADDITIONS, WITHDRAWALS AND DEFERRALS**

Councilman Sklar requested that Agenda Item C7A be pulled from the Consent Agenda to be considered at the end of the Regular Agenda.

## **PRESENTATIONS AND AWARDS**

- PA1** Jewish American Heritage Month - Proclamation  
> Maor Elbaz Starinsky - Consul General  
> Brian Siegal - Regional Director American Jewish Committee

Councilman Freimark introduced Consul General Maor Elbaz-Starinsky and Dana Kamilar, American Jewish Committee, then read a proclamation commemorating Jewish American Heritage Month.

Maor Elbaz-Starinsky thanked the Mayor and the Council for inviting him to attend the meeting. He said that Israel is a proud, prosperous, sovereign and successful country and that its relationship with the US remains strong.

Ms. Kamilar thanked the Mayor and the Council saying her organization was honored and happy to have a community like Bal Harbour to champion the values that they fight so hard to protect.

Mayor Freimark then read a statement saying that antisemitic incidents have risen and underscoring the importance of the national strategy to counter antisemitism, which focuses on increasing awareness, enhancing security, countering antisemitic normalization, and building cross-community solidarity.

**PA2** Peace Officers Memorial Day and Police Officer Week - Proclamation

Mayor Freimark read a proclamation for Peace Officers' Memorial day and Police Officer Week, after which Bal Harbour Police Chief Raleigh Flowers acknowledged the officers that had fallen in the line of duty, Lt. Robert Staab and Ofc. John Melendez, and then introduced Cynthia Rivera, sister of Ofc. Melendez and presented her with commemorative shirt. He then presented a video of Bal Harbour's first Police Memorial Bike Ride.

**PA3** National Public Works Week - Proclamation

Mayor Freimark read a proclamation for National Public Works Week and acknowledge the dedicated staff of the Bal Harbour Public Works Department. John Oldenburg, Director of Public Works and Beautification Department, thanked the Mayor, Village Council and residents of Bal Harbour for their continued support.

**PA4** The Government Finance Officers Association (GFOA) Award - Presentation

This item was combined heard with Agenda Item R7A.

**CONSENT AGENDA**

**C6 - COUNCIL MINUTES**

**C6A** April 9, 2024 Bal Harbour Village Council Regular Meeting Minutes

**C7 - RESOLUTIONS**

**C7A** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE DETERMINATION OF THE VILLAGE BUILDING OFFICIAL THAT HARBOUR RESTAURANT PARTNERS LLC, DBA MAKOTO APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ALCOHOLIC BEVERAGES AND TOBACCO TO EXTEND THE RESTAURANT’S 4COP LICENSE TO THE TERRACE AREA ACROSS FROM RESTAURANT IS COMPATIBLE WITH VILLAGE ZONING REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Agenda and considered at 8:14 PM after Councilman Sklar had recused himself and left the dais.

Mr. Gonzalez introduced the item. There were no comments from the public.

**MOTION: A Motion to approve the Resolution was moved by Mayor Jeffrey Freimark and seconded by Vice Mayor Seth Salver.**

**VOTE: The Motion passed by unanimous voice vote (4-0) with Councilman Sklar not being present.**

**C7B** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE AGREEMENT BETWEEN THE VILLAGE AND SOUTHERN ASPHALT ENGINEERING, INC., FOR THE RESTORATION OF THE JOGGING PATH, AS DETAILED WITHIN PROPOSAL NO. 20240069, IN THE AMOUNT NOT TO EXCEED SIXTY -TWO THOUSAND TWO HUNDRED NINETY-NINE DOLLARS (\$62,299); INCLUSIVE OF A TEN PERCENT (10%) CONTINGENCY ALLOCATION IN THE AMOUNT OF FIVE THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS (\$5,664), ROUNDED UP TO THE NEAREST DOLLAR; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**C7C** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE FLORIDA THANKING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS FOR PASSING RESOLUTION 281-24, COMMENCING THE PROCESS FOR CREATING A PUBLICLY-ACCESSIBLE WEBSITE FOR THE POSTING OF NOTICES AND ADVERTISEMENTS BY MUNICIPAL GOVERNMENTS IN ACCORDANCE WITH FLORIDA STATUTES SECTION 50.0311; URGING THE MAYOR OF MIAMI-DADE COUNTY TO MEET THE NINETY-DAY IMPLEMENTATION GOAL SET FORTH IN THE RESOLUTION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: A Motion to approve the Consent Agenda was moved by Councilman Buzzy Sklar and seconded by Mayor Jeffrey Freimark.**

**VOTE: The Motion passed by unanimous voice vote (4-0) with Councilman Wolf being not present.**

## **R5 - ORDINANCES**

**R5A** 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.

Mr. Gonzalez introduced the item saying that this ordinance would amend the commercial vehicle ordinance to align it with the recently-passed noise ordinance to include all Federal Holidays as the listed prohibition dates.

Deputy Police Chief, Mauricio Escarra, said that the ordinance would add four additional days to the list of dates and that the ordinance would take effect on June 1, 2024.

There were no comments from the public.

**MOTION: A motion to approve the ordinance on second reading was moved by Councilman Buzzy Sklar and seconded by Councilman David Wolf.**

<b>ROLL CALL</b>	<b>VOTE</b>
Mayor Jeffrey P. Freimark	<b>Yes</b>
Vice Mayor Seth E. Salver	<b>Yes</b>
Councilman David J. Albaum	<b>Yes</b>
Councilman Buzzy Sklar	<b>Yes</b>
Councilman David Wolf	<b>Yes</b>

**VOTE: The Motion passed by unanimous roll call vote (5-0).**

**R5B** 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.

Mr. Gonzalez introduced the item saying that for second reading he had removed the prohibition on sidewalks due the Village's jurisdiction being unclear. He said that he had inserted the prohibition on the Cutwalk to the Jetty and on the pedestrian path south of the Oceana.

Deputy Police Chief Escarra added that a fifty-dollar fine was recommended for a first violation and there would be a sixty-day education period and proper signage.

Councilman Sklar said he was in agreement with the removal of the sidewalks until legal counsel could provide clarity on the Village's jurisdiction.

Councilman Wolf said he was in agreement with the removal of the sidewalks and asked if there had been consideration of segregating a portion of the beach path for electric vehicles. Councilman Sklar said that going forward that would be the easiest cure, and that consideration of this had been put on hold pending the creation of a master plan.

Vice Mayor Salver added that it is a lot more difficult to navigate the walking path, especially those with strollers, than on the hard pack. He recommend that there should be a holistic approach.

Patricia Cohen, 10275 Collins Avenue, suggested removing some of the hedges and widening the beach access path to allow a dedicated space for electric vehicles.

Penny Sepler, 10275 Collins Avenue, said that banning electric vehicles on the beach path would shift this traffic to the sidewalks and streets, and would create more of a problem. She agreed with creating a meandering path.

Neca Logan, 64 Camden Drive, said she agreed with shifting this traffic to the sidewalks and streets would not solve the problem. She added that creating more shade on the walking path would shift foot traffic off of the hard pack.

Mayor Freimark said that a more strategic approach was needed including review of all paths. He said he was concerned with shifting traffic to the sidewalks and streets.

**MOTION: A motion to approve the ordinance on second reading was moved by Councilman Sklar.**

**The motion died for lack of a second.**

## **R7 - RESOLUTIONS**

**R7A** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023, RELATING TO THE ANNUAL AUDIT PERFORMED BY THE VILLAGE'S INDEPENDENT AUDITOR, RSM US LLP; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item and introduced Robert Feldman and Anil Harris from RSM who provided their report on the Annual Comprehensive Financial Report. Mr. Feldman commended Chief Financial Officer Claudia Dixon and her staff for receiving a Certificate of Achievement for Excellence in Financial Reporting for the ninth consecutive year.

Mr. Harris presented highlights of the audit saying that an unmodified opinion had been issued and there had been no audit adjustments or disagreements with management.

There were no comments from the public.

**MOTION: A Motion to approve the Resolution was moved by Vice Mayor Seth Salver and seconded by Councilman David Wolf.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

**R7B** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2023-24 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Gonzalez introduced the item saying that it closes the fiscal year and amends items that carry forward into 2024, and provides for the disposition of the year-end surplus. He said the General Fund non-capital budget closed with a ten million dollar surplus.

Ms. Dixon said the Fiscal Year 2023 ended with a positive position in all funds. She then provided an overview of revenue and expenditure authority by fund. She then provided fund performance snapshots in terms of revenue in excess of expenditure of the General Fund (\$26.7 thousand), the Resort Tax Fund (\$1.7 million), the Security and Landscape Assessment Fund (\$844 thousand), and the Water and Sewer Utility Fund (\$1.4 million).

Mr. Gonzalez said that monies carried forward are from multi-year projects that had been approved that are yet to be spent and carried into the next fiscal year, and he

recommended that for the remaining balance of \$8.4 million, \$2 million added to the Capital Reserve and \$6.4 or the Undesignated Fund Balance.

Mayor Freimark commended Ms. Dixon for her stellar knowledge and grasp of the entire financial process.

**MOTION: A Motion to approve the Resolution was moved by Councilman David Wolf and seconded by Vice Mayor Seth Salver.**

Patricia Cohen, 10275 Collins Avenue, recommended that materials that are being presented should be projected in a manner that members of the public are able to read.

**VOTE: The Motion passed by unanimous voice vote (5-0).**

**R7C** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE AGREEMENT BETWEEN THE VILLAGE AND BRIGHTVIEW LANDSCAPE SERVICES INC., FOR THE PROVISION OF VILLAGE WIDE LANDSCAPE MAINTENANCE AND BEAUTIFICATION SERVICES; APPROVING THE AGREEMENT BETWEEN THE VILLAGE AND BRIGHTVIEW LANDSCAPE SERVICES INC., FOR THE PROVISION OF LANDSCAPE MAINTENANCE AND BEAUTIFICATION SERVICES WITHIN THE GATED RESIDENTIAL COMMUNITY; AT ESTABLISHED RATES, IN THE AMOUNT NOT TO EXCEED ANNUAL BUDGETARY ALLOCATIONS FOR ALL MATERIALS AND RELATED SERVICES AS DEFINED WITHIN THE AGREEMENTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item saying that several years ago the outsourcing of landscaping services had been spit into two separate contracts to clearly delineate the services in the Gated Community, which is funded by a special assessment, separate from the rest of the Village. He said five companies responded and an evaluation committee with representation from the Civic Association ranked the lowest and best selected firm.

Mr. Oldenburg provided overview of the process saying that in this RFP there had been an addition of a cost differential for battery operated equipment and organic pesticides and fertilizer. He said quarterly cleaning of the Jetty, and more frequent maintenance of and stations and trash receptacles had also been included.

He said he was confident that the selected firm could do the work per specifications.

Patricia Cohen, 10275 Collins Avenue, asked what percentage of chemicals currently being used are organic and how would one request more trash receptacles for the beach. Mr. Oldenburg said that regulations pertaining to the beach require environmentally

friendly methods, but this contract would ensure it everywhere. He said he would speak with Ms. Cohen regarding additional trash receptacles.

**MOTION: A Motion to approve the Resolution was moved by Mayor Jeffrey Freimark and seconded by Councilman David Wolf.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

**R7D** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING A SECOND AMENDMENT TO THE AGREEMENT WITH AAMUSICIANS (D/B/A BEACHSIDE EVENTS) FOR EVENT PRODUCTION IN THE AMOUNT OF \$95,000; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item saying that this item was to fund the Independence Day Celebration and other events for the remainder of the fiscal year. He added that the Village has been satisfied with the vendor’s performance. Sylvia Flores, Director of. Recreation, Arts and Culture, said that the vendor, Beachside Events, has been responsive, flexible and work very well with the Village and that she would like to continue working with them.

There were no comments from the public.

**MOTION: A Motion to approve the Resolution was moved by Vice Mayor Seth Salver and seconded by Mayor Jeffrey Freimark.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

**R7E** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT REGARDING OCEANA, WITH OCEANA BAL HARBOUR CONDOMINIUM ASSOCIATION, INC.; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gonzalez introduced the item saying that the agreement that has been reached with the Oceana wherein they will put \$200 in escrow for the improvement of the crescent area and access path, until after they have concluded their construction of exterior improvements, and \$2 million for municipal purposes which is earmarked for a Jetty play area.

Micky Marrero, attorney for the Oceana added that the timeline for payment of the \$2 million was dependent on the issuance of a special assessment.

Neca Logan, 64 Camden Drive, said she would like to have swings installed in the play area.

Patricia Cohen, 10275 Collins Avenue, suggest providing shade and comfortable benches in the crescent area.

Penny Sepler, 10275 Collins Avenue, agreed with Ms. Cohen in the need for comfortable seating.

**MOTION: A Motion to approve the Resolution was moved by Mayor Jeffrey Freimark and seconded by Councilman David Albaum.**

**VOTE: The Motion passed by unanimous voice vote (5-0).**

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

**R9A** Discussion Item - Proposed Ordinance Amendments Related to Fair Housing Opportunities - Village Manager Jorge M. Gonzalez

Mr. Gonzalez introduce the item saying that this discussion item was to present findings by the Village's zoning consultant, Michael Miller, on improving the Village Code to enhance greater opportunity for workforce/affordable housing. He said he was presenting this to Council for consideration and to obtain direction for proceeding.

Ms. Trevarthen said that the code currently allows for guest houses and accessory dwelling but the language is antiquated. She said the proposed changes would include modernizing the language changing the word 'servants' to 'workers', clarify language for minimum floor area requirements, considering allowing encroachment into side setbacks and rear setbacks, and considering allowing higher structures. She also said there would be consideration for allowing incentives for affordable housing including a reduced FAR, reduced parking requirements, increased maximum lot coverage and allowing accessory quarters to occupy a greater lot coverage.

Vice Mayor Salver said he had reservations that these changes may allow for exploitation within homes zoned single-family, adding that he could envision a value to the homeowner, but no value for workforce housing. Councilman Sklar said he agreed with Vice Mayor Salver.

Councilman Wolf said that these were good overarching concepts but that he was unclear to what the nuts-and-bolts mean. He said that this didn't make sense for the gated community.

There was a general consensus to provide direction to the Manage to bring something back to the Council for its discussion and consideration.

**R9B- PUBLIC COMMENT**

Patricia Cohen, 10275 Collins Avenue, said the Village needs to be careful of allowing any encroachment into the setback within the Gated Community, and urged the Council to limit what is currently being allowed.

**R10 - VILLAGE MANAGER REPORT**

**R11 - VILLAGE CLERK REPORT**

**R11A** Lobbyist Report

**R12 - VILLAGE ATTORNEY REPORT**

**R12A** Monthly Attorney Report

Ms. Trevarthen announced that she would be asking for an attorney client session regarding Case # 2024-001246-CA-01 for the discussion of litigation expenditures and a possible settlement.

**END OF REGULAR AGENDA**

**ADJOURNMENT** - The meeting was adjourned at 8:14 PM.

  
\_\_\_\_\_  
Mayor Jeffrey Freimark



Attest:

  
\_\_\_\_\_  
Dwight S. Danie, Village Clerk

Dwight S. Danie, Village Clerk

# BAL HARBOUR

- VILLAGE -

## BUSINESS IMPACT STATEMENT

### Proposed Ordinance Title:

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 ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER MOTORIZED 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.

### Summary of Proposed Ordinance and Statement of Purpose to be Served:

The proposed ordinance amends Chapters 10 and 19 of the Village Code to prohibit the operation of electric bicycles, motorized scooters, and other motorized mobility devices on designated beach paths (hardpack, Jetty cutwalk, and south of Oceana beach access path), the Village jogging path, within the Village.

The ordinance is adopted pursuant to Sections 316.008, 316.20655, and 316.2128, Florida Statutes, and is intended to promote pedestrian safety, reduce vehicular-pedestrian conflicts, and protect the public health, safety, and welfare within the Village.

### Estimate of Direct Economic Impact on Private/For Profit Businesses:

- a. **Estimate of Direct Business Compliance Costs:** This ordinance is not expected to have any direct business compliance cost impacts.
- b. **New Charges/Fees on Business Impacted:** This ordinance is not expected to have any new charges or fees on businesses.
- c. **Estimate of Regulatory Cost:** This ordinance is not expected to have any additional regulatory costs.

### Good Faith Estimate of Number of Businesses Likely Impacted:

There is no expectation that any business within the Village are expected to be impacted by this ordinance, including the approximately 110 businesses in the Business District and any businesses located elsewhere in the Village.



# BAL HARBOUR

- VILLAGE -

## COUNCIL ITEM SUMMARY

### Condensed Title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDING THROUGH A NEW GRANT AGREEMENT (NO. 26SRP24) WITH THE FDEP UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE BAL HARBOUR VILLAGE STORMWATER PUMP STATION PROJECT, IN THE ADDITIONAL GRANT-FUNDED AMOUNT OF \$1,250,000.**

### Issue:

Should the Village Council approve acceptance of \$1,250,000 in Resilient Florida Program grant funding from FDEP for the Bal Harbour Village stormwater pump station project inside the gated community and authorize execution of Grant Agreement No. 26SRP24.

### The Bal Harbour Experience:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Beautiful Environment   | <input checked="" type="checkbox"/> Safety | <input checked="" type="checkbox"/> Modernized Public Facilities/Infrastructure |
| <input type="checkbox"/> Destination & Amenities | <input type="checkbox"/> Unique & Elegant  | <input checked="" type="checkbox"/> Resiliency & Sustainable Community          |

### Item Summary / Recommendation:

The Bal Harbour Village stormwater pump station project is a critical resilience and public safety initiative that supports continued improvements to the Village's stormwater pump station within the gated community, with new pumps, motors, generator, structural and electrical upgrades. These enhancements strengthen system reliability, improve operational performance, and reinforce long-term flood mitigation capacity during heavy rainfall and storm events. The Village was awarded \$1,250,000 in additional grant funding from the Florida Department of Environmental Protection under the Resilient Florida Program through Grant Agreement No. 26SRP24. Acceptance of this grant secures the funding necessary to complete these essential infrastructure improvements while reducing reliance on the General Fund. It is recommended that the Village Council approve the acceptance of the grant funds and authorize the Village Manager to execute the grant agreement and any necessary amendments.

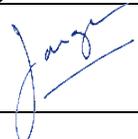
**THE ADMINISTRATION RECOMMENDS APPROVAL OF THIS RESOLUTION.**

### Financial Information:

	Amount	Account	Account #
	X	X	X

### Sign off:

<b>Public Works &amp; Beautification Director</b>	<b>Chief Financial Officer</b>	<b>Village Manager</b>
<b>Julio E. Magrisso</b>	<b>Claudia Dixon</b>	<b>Jorge M. Gonzalez</b>



# BAL HARBOUR

- VILLAGE -

## COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: March 17, 2026

SUBJECT: **A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDING THROUGH A NEW GRANT AGREEMENT (NO. 26SRP24) WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE BAL HARBOUR VILLAGE STORMWATER PUMP STATION PROJECT, IN THE ADDITIONAL GRANT-FUNDED AMOUNT OF ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

### **ADMINISTRATIVE RECOMMENDATION**

I am recommending approval of this Resolution.

### **BACKGROUND**

In the Summer of 2025, Bal Harbour Village submitted a grant application to the Florida Department of Environmental Protection (FDEP) under the Resilient Florida Program seeking additional funding for the Stormwater pump station project. On December 9, 2025, FDEP notified the Village that the project was awarded an additional \$1,250,000 through a new grant agreement No. 26SRP24. The finalized grant agreement for signature by the Village will be transmitted to the Village at a later date.

This new grant will help fund the on-going improvements to the stormwater pump station inside the gated community, further reducing the General Fund allocation to the project.

### **ANALYSIS**

The stormwater pump station PS No. 2, at the intersection of Bal Bay Drive and West Harbour Way inside the gated community, is currently undergoing substantial work to replace the existing and aging stormwater pump station. After an RFP and selection process, the project was approved by Council at your July 15, 2025 Council meeting in the amount of \$ 7,322,417 and is scheduled for completion in early 2027.

The scope of work includes structural and electrical upgrades to the stormwater pump station, including replacement of pumps, motors, wells, pipes, a new generator, and all related system components, as detailed in the Grant Work Plan. These improvements are necessary to ensure reliable operation of the facility, improve system performance, and strengthen the Village's long-term flood mitigation capacity.

Including this grant, to date, the Village has secured \$5,131,850 in grant funding to support this project. In addition, \$2,600,000 has been set aside in the General Fund for Stormwater reserves plus an advance of \$ 838,567 from the General Fund- Fund Balance. With this Resilient Florida Program funding, the Village further reduces reliance on the General Fund, while advancing critical stormwater infrastructure improvements within the gated community.

The \$1,250,000 award is administered as a cost-reimbursement grant. The Work Plan establishes the specific tasks, deliverables, timeline, and budget associated with the additional funds.

**THE BAL HARBOUR EXPERIENCE**

The Stormwater Pump Station Improvement Project advances the Village’s commitment to Modernized Public Facilities Infrastructure and a Safe and Resilient Sustainable Community. These improvements safeguard residents while ensuring long-term reliability of critical drainage infrastructure.

**CONCLUSION**

I am seeking your approval of this Resolution which authorizes me to execute Grant Agreement No. 26SRP24 with the Florida Department of Environmental Protection, and any subsequent amendments. Approval will allow the Village to receive and expend the grant funds, execute any necessary amendments, and complete the stormwater pump station improvements that are vital to the Village’s drainage resilience and public safety.

RESOLUTION NO. 2026-\_\_\_\_

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDING THROUGH A NEW GRANT AGREEMENT (NO. 26SRP24) WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE BAL HARBOUR VILLAGE STORMWATER PUMP STATION PROJECT, IN THE ADDITIONAL GRANT-FUNDED AMOUNT OF ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Bal Harbour Village stormwater pump station is a critical component of the Village’s drainage infrastructure within the gated community, serving to mitigate flooding risks and protect public and private property during heavy rainfall events; and

**WHEREAS**, in the summer of 2025, the Village submitted a grant application to the Florida Department of Environmental Protection (FDEP) under the Resilient Florida Program seeking additional funding for the Bal Harbour Village stormwater pump station project; and

**WHEREAS**, on December 9, 2025, FDEP notified the Village that the project was awarded additional grant funding in the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000); and the finalized grant agreement for signature by the Village will be transmitted to the Village at a later date; and

**WHEREAS**, this grant will further fund the on-going improvements to the stormwater pump station inside the gated community, which requires the replacement of pumps, motors, a new generator, and related components, including structural and electrical upgrades to ensure continued reliable operation; and

**WHEREAS**, the funding will be provided through Grant Agreement No. 26SRP24, which references existing Grant Agreement No. 22FRP36, provides cost-reimbursement funding and further reduces the General Fund allocation of the stormwater pump station improvements; and

**WHEREAS**, the Village Council has determined that it is in the best interest of the Village to approve the acceptance of the additional grant funds and execute Grant Agreement No. 26SRP24 with FDEP.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval of Grant Acceptance.** The Village Council hereby approves the acceptance of additional grant funds in the amount of \$1,250,000 from the Florida Department of Environmental Protection under the Resilient Florida Program and authorizes the Village Manager or designee to execute Grant Agreement No. 26SRP24, including any necessary amendments.

**Section 3. Implementation.** The Village Manager is hereby authorized to take all actions necessary to implement the grant agreement, including receiving and expending the funds and ensuring compliance with the terms and conditions of the agreement, for the purpose of completing the Bal Harbour Village stormwater pump station project.

**Section 4. Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this 17<sup>th</sup> day of March, 2026.



\_\_\_\_\_  
Mayor Seth E. Salver

ATTEST:

\_\_\_\_\_  
Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Village Attorney  
Weiss Serota Helfman Cole & Bierman P.L.



# BAL HARBOUR

- V I L L A G E -

## COUNCIL ITEM SUMMARY

### Condensed Title:

**A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO PURCHASE A GILLETTE GENERATOR POWERED BY VOLVO DIESEL ENGINE FOR SANITARY SEWER PUMP STATION NUMBER TWO (PS-2) LOCATED ON COLLINS AVENUE BEHIND THE TRUIST BUILDING FROM MTS POWER PRODUCTS, IN THE AMOUNT OF \$111,400 SUBJECT TO ANNUAL BUDGET ALLOCATIONS.**

### Issue:

Should the Village Council approve the Resolution to authorize the Village Manager to purchase a generator for the sanitary sewer pump station PS-2?

### The Bal Harbour Experience:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Beautiful Environment   | <input checked="" type="checkbox"/> Safety | <input checked="" type="checkbox"/> Modernized Public Facilities/Infrastructure |
| <input type="checkbox"/> Destination & Amenities | <input type="checkbox"/> Unique & Elegant  | <input type="checkbox"/> Resiliency & Sustainable Community                     |

### Item Summary / Recommendation:

The Village is required by Chapter 62-604 of the Florida Administrative Code (FAC) to maintain the proper operation of the two Village sanitary sewer pump stations, the collection/transmission system, and to eliminate sanitary sewer overflows. Both pump stations utilize commercial grade generators to power the pump station during power outages therefore minimizing the possibility of sanitary sewer overflows. The operational life of the generator at PS-2, which is operational and has been in service for over 20 years, is nearing its useful life. In anticipation of having to replace PS-2 when it fails, the Village requested and received a proposal from MTS Power Products for its replacement in the amount of \$111,400. This Resolution provides authorization to purchase a generator for the sanitary sewer station PS-2 in emergency cases when power from FPL is out.

**THE ADMINISTRATION RECOMMENDS THE APPROVAL OF THIS RESOLUTION.**

### Financial Information:

Amount	Account	Account #
\$111,400	Utility Fund - Machinery and Equipment	40-36-506400

### Sign off:

Director Public Works & Beautification Department	Chief Financial Officer	Village Manager
Julio E. Magrisso	Claudia Dixon	Jorge M. Gonzalez
		

# BAL HARBOUR

- V I L L A G E -

## COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: March 17, 2026

SUBJECT: **A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO PURCHASE A GILLETTE GENERATOR POWERED BY A VOLVO DIESEL ENGINE FOR SANITARY SEWER PUMP STATION NUMBER TWO (PS-2) LOCATED ON COLLINS AVENUE BEHIND THE TRUIST BUILDING FROM MTS POWER PRODUCTS, IN THE AMOUNT OF \$111,400 SUBJECT TO ANNUAL BUDGET ALLOCATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

### ADMINISTRATIVE RECOMMENDATION

I am recommending approval of this Resolution.

### BACKGROUND

Bal Harbour Village maintains two sanitary sewer pump stations, one of which is located at Collins and 96<sup>th</sup> Street, Pump Station No.2 (PS-2) and Pump Station No.1 (PS-1), which is located at 184 Bal Bay Drive. Both pump stations utilize commercial grade generators to power the pump station during power outages, therefore minimizing the possibility of sanitary sewer overflows.

The Village is required by Chapter 62-604 of the Florida Administrative Code (FAC) to provide minimum design, operation, and maintenance standards for domestic wastewater collection/transmission systems. A back-up generator ensures proper operation of the system during emergency situations.

### ANALYSIS

During the summer of 2025, the Public Works and Beautification Department determined that both generators that service the sewer pump stations require replacement. Shortly thereafter, and after soliciting quotes from three qualified vendors on the required specifications for PS-1, the Village Council approved the purchase of a Gillette generator powered by a John Deere diesel engine for Pump Station No. 1 (PS-1) at its December 9, 2025 Council meeting from MTS Power Products. The old generator had reached its useful life and was currently not serviceable or operational. The new generator is scheduled to arrive and be installed within the next couple of months.

Pump Station No. 2 (PS-2), on Collins Avenue behind the Truist building, directly services approximately 50% of the high-rise buildings on Collins, including the Bal Harbour Shops,

also handles all the sewer flow from PS-1, and then transmits southbound to the City of Miami Beach sewer force main, to then be further moved on to the Miami Dade Wastewater plant in Virginia Key. The operational life of the generator at PS-2, which is operational and has been in service for over 20 years, is also nearing its useful life. PS-2 operates with four (4) one hundred fifteen (115) horsepower pumps and is powered by a 400KW generator.

In anticipation of having to replace this generator when it fails, the Public Works and Beautification Department requested a proposal from MTS Power Products, the same vendor that won the bid for the replacement of PS-1. We believe that soliciting various quotes for this generator is not compulsory given that MTS Power Products was 20% lower than the next lowest bid for the PS-1 generator replacement. Additionally, the department is carefully evaluating, as a prudent long-term solution, to also replace the aging fuel tank, as was the case with the replacement of PS-1. The cost of the 2000-gallon diesel tank is also included in the proposal.

The pricing obtained from MTS for this generator is consistent, given the size and scope necessary for PS-2 as outlined below.

				<b>MTS Proposal</b>
<b>Generator</b>	Gillete	Model SPVD4000		
<b>Engine- Diesel</b>	Volvo Penta	Model TAD1353GE		
<b>Rated</b>	400 kw			
<b>Includes:</b>				
	Removal and Disposal of Old Unit			
	Delivery and Placement of New Unit			
	Enclosure, Programming and Training			
<b>Net Price</b>				\$ 89,400
<b>2000 Gallon Tank</b>				\$ 22,000
	Including removal of old and Install new			
<b>Total</b>				<b>\$ 111,400</b>

The comprehensive scope requested for PS-2 from MTS includes a well-known generator brand and power source, USA factory-built set, meeting National Fire Protection Association (NFPA) standards, a standard control system warranty and a two (2) year generator and engine warranty governed by each manufacturer. A major component of the scope of services includes the labor to remove and dispose of the old generator, and installation of the new generator its components and accessories. Delivery is expected to take anywhere between 20-24 weeks.

MTS has been in business selling and servicing generators for over thirty (30) years in South Florida, carrying state-of-the-art generator sets and engines. MTS's proposal includes a Gillette Generator Model SPVD-4000 powered by a Volvo Penta Genset diesel engine Model TAD1353GE, with the required specifications for PS-2.

Gillette Generators introduced its first generator in the early 1960's, beginning a history of manufacturing quality generators. Fifty (50) years later, Gillette has grown into a diversified company supplying standby and prime power generators into wastewater, institutional, commercial, industrial, oil/gas, telecom, military, and high-end residential markets. Gillette has 3 plants of 75,000 square feet, located on an industrial campus in Elkhart, Indiana.

Volvo Penta engines are known for their fuel efficiency, ease of installation and optimal load performance.

### **THE BAL HARBOUR EXPERIENCE**

The authorization to purchase the generator for the sewer pump station PS-2 ensures compliance with Chapter 62-604, of the Florida Administrative Code and directly corresponds to the *Bal Harbour Experience* stated goals of Modernized Public Facilities/Infrastructure and Safety.

### **CONCLUSION**

The Village is required by Chapter 62-604, of the Florida Administrative Code (FAC) for the proper operation of the collection/transmission system and to eliminate sanitary sewer overflows. A back-up generator ensures proper operation of the system during emergency situations. I have reviewed the proposal submitted and have also reviewed the required specifications for operating the sanitary sewer station PS-2.

This Resolution provides authorization to purchase the Gillette/Volvo Penta generator set from MTS Power in the amount of \$111,400 to ensure the Village sewer pump station PS-2 operates effectively and adheres to our maintenance responsibilities.

Therefore, I recommend your approval of this Resolution.

Attachments:

1. MTS Proposal and all machinery specifications

RESOLUTION NO. 2026-\_\_\_\_

**A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO PURCHASE A GILLETTE GENERATOR POWERED BY A VOLVO DIESEL ENGINE FOR SANITARY SEWER PUMP STATION NUMBER TWO (PS-2) LOCATED ON COLLINS AVENUE BEHIND THE TRUIST BUILDING FROM MTS POWER PRODUCTS, IN THE AMOUNT OF \$111,400 SUBJECT TO ANNUAL BUDGET ALLOCATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Bal Harbour Village ("Village") maintains two sanitary sewer pump stations, one which is located at Collins and 96<sup>th</sup> Street, Pump Station No. 2 (PS-2) and Pump Station No.1 (PS-1), which is located at 184 Bal Bay Drive; and

**WHEREAS**, both pump stations utilize commercial grade generators to power the pump station during power outages therefore minimizing the possibility of sanitary sewer overflows; and

**WHEREAS**, the Village is required by Chapter 62-604 of the Florida Administrative Code ("FAC") to provide minimum design, operation, and maintenance standards for domestic wastewater collection/transmission systems; and

**WHEREAS**, the Public Works and Beautification Department determined that both generators that service the sewer pump stations require replacement; and

**WHEREAS**, at the December 9, 2025 Council meeting, the Village Council approved the purchase of generator for PS-1 from MTS Power Products ("MTS"); and

**WHEREAS**, the operational life of the generator at PS-2, which is fully operational and has been in service for over 20 years, is nearing its useful life; and

**WHEREAS**, in anticipation of having to replace PS-2 when it fails, the Village requested a proposal from MTS for its replacement, including the cost to replace the fuel tank; and

**WHEREAS**, this Council has determined that it is in the best interest of the Village to approve the generator purchase from MTS in the amount of \$111,400.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That the above stated recitals are hereby adopted and confirmed.

**Section 2. Approving Future Generator Purchase.** That the Village Council hereby approves the generator purchase for the sewer pump station PS-2 on Collins Avenue behind the Truist building from MTS Power Products in the amount of \$111,400.

**Section 3. Implementation.** That the Village Manager is hereby authorized to take all actions necessary to implement the purpose of this Resolution.

**Section 4. Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this 17<sup>th</sup> day of March, 2026



\_\_\_\_\_  
Mayor Seth E. Salver

ATTEST:

\_\_\_\_\_  
Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Village Attorney  
Weiss Serota Helfman Cole & Bierman P.L.

# MTS POWER PRODUCTS

**Bal Harbour Village**

**Att: Felix Alvarez**

**email:falvarez@balharbourfl.gov**

**655 96th St.**

**Bal Harbour, Fl.**

We are please to offer the following Complete Generator Set to replace the existing unit.

1- New Gillette Generators Powered by Volvo Diesel Engine for MTS

Model: SPVD4000-3-4

Rated: 400Kw/500Kva – 277/480V/3Phase/60Hz/600Amp

Unit Equipped with the Following:

Engine: Volvo Diesel Engine Model: TAD1353GE

Alternator: Stamford Model: S4L1D-F311

- All generator sets are USA prototype built and thoroughly tested. Production models are USA factory built and 100% load tested.
- All generator sets meet NFPA-110. Level 1, when equipped with the necessary accessories and installed per NFPA standards.
- All generators are UL-1446 & UL-2200 certified.
- Solid state, frequency compensated voltage regulation is standard.
- Electronic engine governor for precise isochronous frequency regulation.
- Basler DGC2020 digital controller allows programming to basic engine functions in the field. Controller has stop-manual-auto mode and engine shutdowns, signaled by full text LCD indicators.
- Heavy Duty 100%-125% rated Circuit Breaker is standard on all gen-sets.
- All generator set control systems components and accessories provide a 1-year limited warranty at time of initial start-up. Generators and engines are governed by separate warranties.

4501 NW 27 Avenue  
Miami, Florida 33142

Telf: 305-634-1511  
Email: sales@mtspowerproducts.com

# MTS POWER

# S

<b>Generator Cost with Aluminum Sound Enclosure</b>	<b>\$82,900.00</b>
<b>Removal and Disposal of Old Unit and Delivery and Placement Of New Unit, Anchoring of New Unit in Existing Tank and Enclosure, Installation, Start up, Programming, and OnSite Training</b>	<b>\$ 6,500.00</b>
<b>TOTAL PROJECT PRICE (Less Applicable Sales Tax)</b>	<b>\$89,400.00</b>
<b>Adder: 2000 Gallon Double Walled Fuel Tank w/ Hardware</b>	<b>\$22,000.00</b>

**Delivery: (20-24 Weeks)**

**Price Validity 30 Days**

**Terms: 50% Deposit Balance on Completion of Project.**

**NOTE: If the Existing tank and Enclosure are not used and we replace with a complete new unit deduct \$1500.00 from the quoted price of \$6500.00. The difference is the cost of the time of the crane and crew.**

**Juan E Meireles**

**President**

**MTS Power Products**

4501 NW 27 Avenue  
Miami, Florida 33142

Tel: 305-634-1511  
Email: sales@mtspowerproducts.com



# GILLETTE GENERATORS

60 HZ MODEL  
**SPVD-4000**

**LIQUID COOLED DIESEL ENGINE GENERATOR SET**

Model	HZ	STANDBY 120°C RISE
	60	400
<b>SPVD-4000-60 HERTZ</b>		



All generator sets are USA prototype built and thoroughly tested. Production models are USA factory built and 100% load tested.



**UL2200, UL1446, UL508, UL142, UL498**



**NFPA 110, 99, 70, 37**

All generator sets meet NFPA-110 Level 1, when equipped with the necessary accessories and installed per NFPA standards.



**NEC 700, 701, 702, 708**



**NEMA ICS10, MG1, ICS6, AB1**



**ANSI C62.41, 27, 59, 32, 480, 40Q, 81U, 360-05**

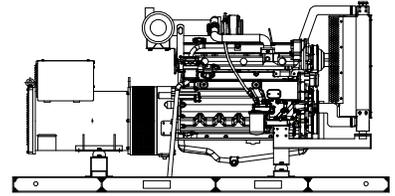


**ASCE 7-05 & 7-10**

All generator sets meet 180 MPH rating.

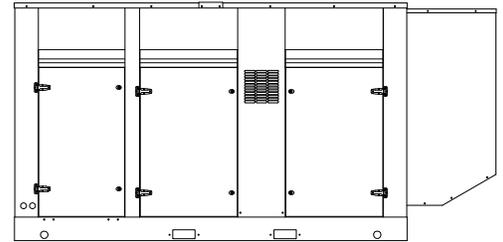


**EPA 40CFR Part 60, 1048, 1054, 1065, 1068**



“OPEN” GEN-SET

There is no enclosure, so gen-set must be placed within a weather protected area, uninhabited by humans or animals, with proper ventilation. Silencer not supplied, as installation requirements are not known. However, this item is available as optional equipment.



“LEVEL 2” HOUSED GEN-SET

Full aluminum weather protection and superior sound attenuation for specific low noise applications. Critical grade muffler is standard.

**GENERATOR RATINGS**

GENERATOR MODEL	VOLTAGE		PH	HZ	120°C RISE STANDBY RATING		POWER LEAD CONNECTIONS
	L-N	L-L			KW/KVA	AMP	
SPVD-4000-3-2	120	208	3	60	400/500	1390	12 LEAD LOW WYE
SPVD-4000-3-3	120	240	3	60	400/500	1200	12 LEAD HIGH DELTA
SPVD-4000-3-4	277	480	3	60	400/500	600	12 LEAD HIGH WYE
SPVD-4000-3-5	127	220	3	60	400/500	1314	12 LEAD LOW WYE
SPVD-4000-3-16	346	600	3	60	400/500	481	4 LEAD DEDICATED 3 PH

RATINGS: All single phase gen-sets are dedicated 4 lead windings, rated at unity (1.0) power factor. All three phase gen-sets are 12 lead windings, rated at .8 power factor. 120° C “STANDBY RATINGS” are strictly for gen-sets that are used for back-up emergency power to a failed normal utility power source. This standby rating allows varying loads, with no overload capability, for the entire duration of utility power outage. All gen-set power ratings are based on temperature rise measured by resistance method as defined by MIL-STD 705C and IEEE STD 115, METHOD 6.4.4. All generators have class H (180°C) insulation system on both rotor and stator windings. All factory tests and KW/KVA charts shown above are based 120°C (standby) R/R winding temperature, within a maximum 40°C ambient condition. Generators operated at standby power ratings must not exceed the temperature rise limitation for class H insulation system, as specified in NEMA MG1-22.40. Specifications & ratings are subject to change without prior notice.

# APPLICATION & ENGINEERING DATA FOR MODEL SPVD-4000-60 HZ

## GENERATOR SPECIFICATIONS

Manufacturer.....Stamford Electric Generators  
Model & Type..... S4L1D-G311, 4 Pole, 12 Lead, Three Phase  
.....S4L1D-F311, 4 Pole, 12 Lead, 480V, Three Phase  
.....HCI434F-17, 4 Pole, 6 Lead, 600V, Three Phase  
Exciter.....Brushless, shunt excited  
Voltage Regulator.....Solid State, HZ/Volts  
Voltage Regulation.....%, No load to full load  
Frequency.....60 HZ  
Frequency Regulation..... $\pm$  % (1/2 cycle, no load to full load)  
Unbalanced Load Capability.....100% of standby amps  
One Step Load Acceptance.....100% of nameplate rating  
Total Stator and Load Insulation.....Class H, 180°C  
Temperature Rise.....120°C R/R, standby rating @ 40°C amb.  
3 Ø Motor Starting @ 30% Voltage Dip (208-240V).....490 kVA  
3 Ø Motor Starting @ 30% Voltage Dip (480V).....1100 kVA  
3 Ø Motor Starting @ 30% Voltage Dip (600V).....1260 kVA  
Bearing.....1, Pre-lubed and sealed  
Coupling.....Direct flexible disc.  
Total Harmonic Distortion.....Max 3½% (MIL-STD705B)  
Telephone Interference Factor.....Max 50 (NEMA MG1-22)  
Deviation Factor.....Max 5% (MIL-STD 405B)  
Alternator.....Self ventilating and drip-proof  
Ltd. Warranty Period.....24 Months from start-up date or  
.....1000 hours use, first to occur.

## GENERATOR FEATURES

- World Renown Stamford Electric Generator having UL-1446 certification.
- Full generator protection with **Basler DGC-2020** controller, having UL-508 certification.
- Automatic voltage regulator with over-excitation, under-frequency compensation, under-speed protection, and EMI filtering. Entire solid-state board is encapsulated for moisture protection.
- Generator power ratings are based on temperature rise, measured by resistance method, as defined in MIL-STD 705C and IEEE STD 115, Method 6.4.4.
- Power ratings will not exceed temperature rise limitation for class H insulation as per NEMA MG1-22.40.
- Insulation resistance to ground, exceeds 1.5 meg-ohm.
- Stator receives 2000 V. hi-potential test on main windings, and rotor windings receive a 1500 V. hi-potential test, as per MIL-STD 705B.
- Full amortisseur windings with UL-1446 certification.
- Complete engine-generator torsional acceptance, confirmed during initial prototype testing.
- Full load testing on all engine-generator sets, before shipping.

## ENGINE SPECIFICATIONS AND APPLICATIONS DATA

### ENGINE

Manufacturer.....VOLVO-PENTA  
Model and Type.....TAD1353GE, 4 cycle, liquid Cooled  
Aspiration.....Turbo After Cooler, Air to Air  
Charged Air Cooled System.....Air to Air  
Cylinder Arrangement.....6 Cylinders, In-Line  
Displacement Cu. In. (Liters).....780(12.8)  
Bore & Stroke in (Cm).....5.16 x 6.22 (13.1 x 15.8)  
Compression Ratio.....18:1  
Main Bearings.....Tin Overlay with Babbit Backing  
Cylinder Head.....Cast Iron with overhead Cam  
Pistons.....Aluminum Alloy with Graphite Coating  
Crankshaft.....Induction Hardened, Heat Treated Forged  
Valves.....Heat Treated and Hardened Exhaust Valve  
Governor.....Electronic, EMS 2.2  
Frequency Regulation..... $\pm$  1/4%  
Air Cleaner.....Dry, Replaceable Cartridge  
Engine Speed.....1800 rpm  
Max Power, bhp (kwm) Standby.....611 (449)  
BMEP: psi (MPa) Standby.....340 (2.3)  
Ltd. Warranty Period.....2 Year or 1000 hrs, first to occur

### FUEL SYSTEM

Type.....Diesel Fuel Oil (ASTM No. 2-D)  
Combustion System.....Direct Injection  
Fuel Injection Pump.....Electronic, Delphi E3  
24 VDC Coolant heaters.....Optional Equipment  
Fuel Filter.....Yes with Water Separator

### FUEL CONSUMPTION

GAL/HR (LITER/HR)	STANDBY
100% LOAD	27.9 (105.6)
75% LOAD	21.9 (82.9)
50% LOAD	15.0 (56.8)

### OIL SYSTEM

Type.....Full Pressure  
Oil Pan Capacity qt. (L).....31.6 (29.9)  
Oil Pan Cap. W/ filter qt. (L).....38 (35.9)  
Oil Filter.....3, Replaceable Cartridge type

### ELECTRICAL SYSTEM

Ignition System.....Electronic  
Eng. Alternator/Starter: 24 VDC, negative ground, 80 amp/hr.

Recommended battery to -18°C (0° F): ....(2) 12 VDC, BCI# 27, Max. Dimensions: 12”lg x 6 3/4” wi x 9” hi, with standard round posts. Min output 700 CCA. Battery tray (max. dim. at 12”lg x 7”wi). This model has (2) battery trays, (2) hold down straps, (2) sets of battery cables, and (1) battery charger. Installation of (2) 12VDC starting batteries connected in series for 24VDC output is required, with possible higher AMP/HR rating, as described above, if the normal environment temperature averages -13° F (-25°C) or cooler.

### CERTIFICATIONS

All engines are EPA emissions certified. All emergency stationary diesel engines are Tier III compliant.

# APPLICATION & ENGINEERING DATA FOR MODEL SPVD-4000-60 HZ

## COOLING SYSTEM

Type of System ..... Air to Air, Charged Air Cooler  
 Coolant Pump .....Pre-lubricated, self-sealing  
 Cooling Fan Type .....Pusher  
 Fan Diameter inches (cm).....35.1 (89)  
 Fan drive ratio..... 0.99:1  
 Ambient Capacity of Radiator °F (°C)..... 131 (55)  
 Engine Jacket Coolant Capacity gal. (L).....5.28 (20)  
 Radiator Coolant Capacity gal. (L) ..... 11.7 (44)  
 Water Pump Capacity gpm (L/min)..... 87.0 (329)  
 Heat Reject Coolant: Btu/min .....10,123  
 Air to Air Heat Reject, BTU/min. ....5,346  
 Heat Radiated to Ambient, BTU/min .....3,415  
 Low Radiator Coolant Level Shutdown.....Standard  
 Note: Coolant temp. shut-down switch setting at 228°F (109°C) with 50/50 (water/antifreeze) mix.

## COOLING AIR REQUIREMENTS

Combustion Air cfm (m<sup>3</sup>/min) ..... 1,102 (31.2)  
 Max Air Intake Restrictions:  
     Clean Air Cleaner, KPA (psi) ..... 5 (1.5)  
 Radiator Cooling Air, SCFM (m<sup>3</sup>/min).....24,175 (684)

## EXHAUST SYSTEM

Exhaust Outlet Size .....6"  
 Max. Back Pressure in KPA (in. H<sub>2</sub>O) ..... 10 (40)  
 Exhaust Flow, at rated KW, CFM (m<sup>3</sup>/min)..... 2,790 (79)  
 Exhaust Temp, (Stack) °F (°C) .....923 (495)

## SOUND LEVELS MEASURED IN dB(A)

	<u>Open Set</u>	<u>Level 2 Encl.</u>
Level 2, Critical Silencer .....	90	80
Level 3, Hospital Silencer.....		75

Note: Open sets (no enclosure) have optional silencer system choices due to unknown job-site applications. Level 2 enclosure has installed critical silencer with upgrade to Level 3 hospital silencer. Sound tests are averaged from several test points and taken at 23 ft. (7 m) from source of noise at normal operation.

## DERATE GENERATOR FOR ALTITUDE

3% per 1000 ft.(305 meters) above 3000 ft. (914 meters) from sea level.

## DERATE GENERATOR FOR TEMPERATURE

2% per 10°F (12°C) above 104°F (40°C)

## DIMENSIONS AND WEIGHTS

	<u>Open Set</u>	<u>Level 2 Enclosure</u>
Length in (cm).....	132 (335)	174 (442)
Width in (cm).....	52 (132)	52 (132)
Height in (cm).....	65 (165)	80 (203)
Net Weight lbs (kg).....	7292 (3308)	8699 (3946)
Ship Weight lbs (kg).....	7593 (3444)	9064 (4111)

# BASLER DGC-2020 DIGITAL MICROPROCESSOR CONTROLLER

### Basler DGC-2020



The “2020” controller is a highly advanced integrated gen-set control system for single gen-set applications. This controller includes a backlit LCD display which continuously displays the status of the engine and generator at all times.

Basler “DGC-2020” includes: Generator metering (including three phase) • Engine – Generator protections including IEEE-[27] under voltage, [32] power, [40] loss of excitation, [59] over voltage, [81] over and under frequency, Exercise timer • SAE J1939 engine ECU communications • Expansion capabilities for both inputs and outputs with expansion • Remote communications through RS-485 to Basler’s RDP110 remote Display panel • (16) programmable contact inputs • (15) programmable contact outputs- (3) for up to 30AmpDC and (12) for up to 2 Amp DC • Illuminated Text Display • Front panel menu scroll buttons • Front panel operation mode buttons for STOP, RUN and AUTO • Alarm Silence and Lamp Test buttons

This controller includes expansion features including, RS485 (using MODBUS), direct USB connection with PC, expansion optioned using BESTCOMSPPlus for remote annunciation and remote relay interfacing for a distance of up to 3300FT. The controller software is freely downloadable from the internet and allows monitoring with direct USB cable, LAN, or by internet via the built in web interface.



Further expansion is available by adding the optional RDP-110 remote display panel module. This featured device will allow Four programmable LEDs (2) alarms and (2) pre-alarms • (17) alarms and pre-alarms displayed from Basler controller • audible alarm horn • lamp test and alarm silence buttons • RD100 local power supply inputs of either 12vdc or 24vdc • connects through Basler controller through RS-485 communications protocol • conduit box included for (2) mounting configurations- either surface mount or semi-flush mounting.

# STANDARD FEATURES FOR MODEL SPVD-4000-60 HZ

## STANDARD FEATURES

### CONTROL PANEL:

- Basler DGC-2020 digital microprocessor with logic allows programming in the field. Controller has:
- STOP-MANUAL-AUTO modes and automatic engine shutdowns, signaled by full text LCD indicators:
  - Low oil pressure                      • Engine fail to start
  - High engine temp                      • Engine over speed
  - Low Radiator Level                      • Engine under speed
  - Three auxiliary alarms                      • Over & under voltage
  - Battery fail alarm

Also included is tamper-proof engine hour meter

### ENGINE:

- Fuel filter • Full flow Oil filter • Air filter • Fuel pump • Oil pump • Solenoid type starter motor • Hi-temp radiator • Jacket water pump • Thermostat • Pusher fan and guard • Exhaust manifold • Electronic Governor • 24 VDC battery charging alternator • Flexible fuel and exhaust connectors • Vibration isolators • Open coolant recovery system with 50/50 water to anti-freeze mixture • flexible oil & radiator hose • Shut-down sensors for low oil pressure, high coolant temp., low coolant level, high ambient temp.

### AC GENERATOR SYSTEM:

- AC generator • Shunt excited • Brushless design • Circuit Breaker installed and wired to gen-set • Direct connection to engine with flex disc • Class H, 180°C insulation • Self ventilated • Drip proof construction • UL Certified

### VOLTAGE REGULATOR:

- 1% Voltage regulation • EMI filter • Under-speed protection • Over-excitation protection • total encapsulation

### DC ELECTRICAL SYSTEM:

- Battery trays • Battery cables • Battery hold down straps • 3-stage battery charger with float, absorption, & bulk automatic charge stages

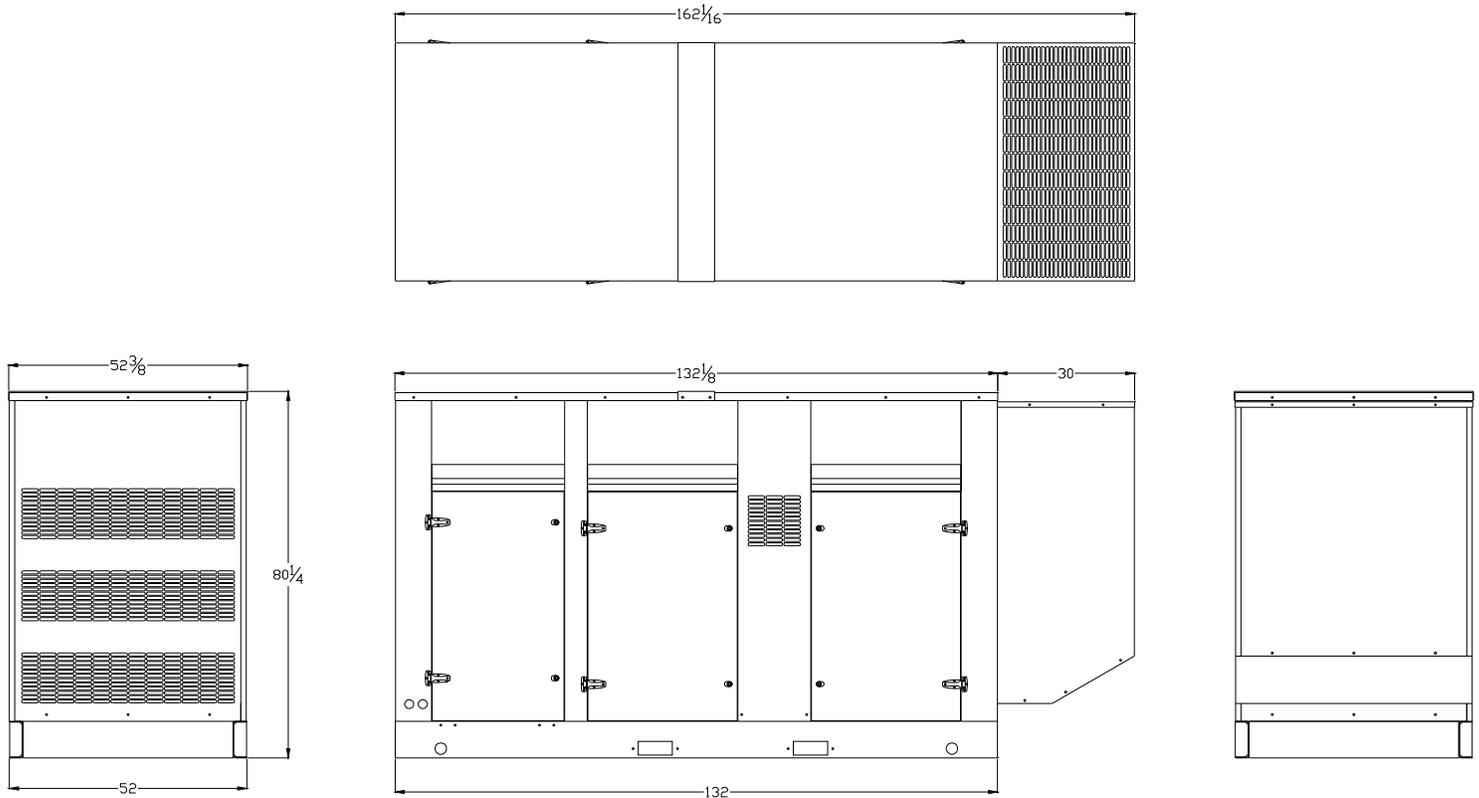
### WEATHER / SOUNDPROOF ALUMINUM HOUSING:

Corrosion Resistant Protection consisting of:

- (9) Heated and Agitated Wash Stages
- Zinc Phosphate Etching-Coating Stage
- Final Baked on Enamel Powder Coat
- 18/8 Stainless Steel Hardware

Design & specifications subject to change without prior notice. Dimensions shown are approximate. Contact Gillette for certified drawings.

DO NOT USE DIMENSIONS FOR INSTALLATION PURPOSES.



# VOLVO PENTA GENSET ENGINE

# TAD1353GE

449 kW (611 hp) at 1800 rpm, acc. ISO 3046

The TAD1353GE is a powerful, reliable and economical Generating Set Diesel Engine built on the dependable Volvo in-line six concept.

## Durability & low noise

Designed for easy, fast and economical installation. Field tested to ensure highest standard of durability and long life. Well-balanced to produce smooth and vibration-free operation with low noise level.

To maintain a controlled working temperature in cylinders and combustion chambers, the engine is equipped with piston cooling. The engine is also fitted with replaceable cylinder liners and valve seats/guides to ensure maximum durability and service life of the engine.

## Low exhaust emission

The state of the art, high-tech injection and highly efficient charge air system with low internal losses contributes to excellent combustion and low fuel consumption.

The TAD1353GE is EPA/CARB Tier 3 emission certified. These regulations are met by using V-ACT™ (Volvo Advanced Combustion technology).

V-ACT includes a flexible high pressure fuel injection system, an air management system including an internal exhaust gas recirculation device and an enhanced electronic controller.

## Easy service & maintenance

Easily accessible service and maintenance points contribute to the ease of service of the engine.

## Technical description

### Engine and block

- Cast iron cylinder block with optimum distribution of forces without the block being unnecessarily heavy.
- Wet, replaceable cylinder liners
- Piston cooling for low piston temperature and reduced ring temperature
- Tapered connecting rods for increased piston lifetime
- Crankshaft induction hardened bearing surfaces and fillets with seven bearings for moderate load on main and high-end bearings
- Case hardened and Nitrocarburized transmission gears for heavy duty operation
- Keystone top compression rings for long service life



## Features

- Excellent load acceptance
- High efficient cooling system (AOT 59 °C at Standby power)
- Optimized for 1800 rpm
- EMS 2
- EPA/CARB Tier 3 emission certified
- Wide range of optional equipment
- Compact design

- Viscous type crankshaft vibration dampers to withstand single bearing alternator torsional vibrations
- Replaceable valve guides and valve seats
- Over head camshaft and four valves per cylinder

### Lubrication system

- Full flow oil cooler
- Full flow disposable spin-on oil filter, for extra high filtration
- The lubricating oil level can be measured during operation
- Gear type lubricating oil pump, gear driven by the transmission

### Fuel system

- Electronic high pressure unit injectors
- Fuel prefilter with water separator and water-in-fuel indicator / alarm
- Gear driven low-pressure fuel pump
- Fine fuel filter with manual feed pump and fuel pressure switch

### Cooling system

- Efficient cooling with accurate coolant control through a water distribution duct in the cylinder block. Reliable sleeve thermostat with minimum pressure drop

- Belt driven coolant pump with high degree of efficiency

### Turbo charger

- Efficient and reliable turbo charger
- Electronically controlled Waste-gate
- Extra oil filter for the turbo charger

### Electrical system

- Engine Management System 2 (EMS 2), an electronically controlled processing system which optimizes engine performance. It also includes advanced facilities for diagnostics and fault tracing
- The instruments and controls connect to the engine via the CAN SAE J1939 interface, either through the Control Interface Unit (CIU) or the Digital Control Unit (DCU). The CIU converts the digital CAN bus signal to an analog signal, making it possible to connect a variety of instruments. The DCU is a control panel with display, engine control, monitoring, alarm, parameter setting and diagnostic functions. The DCU also presents error codes in clear text.
- Sensors for oil pressure, oil temp, boost pressure, boost temp, coolant temp, fuel temp, water in fuel, fuel pressure and two speed sensors.

**VOLVO  
PENTA**

# TAD1353GE

## Technical Data

### General

Engine designation .....	TAD1353GE
No. of cylinders and configuration .....	in-line 6
Method of operation .....	4-stroke
Bore, mm (in.) .....	131 (5.16)
Stroke, mm (in.) .....	158 (6.22)
Displacement, l (in <sup>3</sup> ) .....	12.78 (780)
Compression ratio .....	18.1:1
Dry weight, kg (lb) .....	1295 (2855)
Dry weight with Gen Pac, kg (lb) .....	1715 (3781)
Wet weight, kg (lb) .....	1325 (2921)
Wet weight ith Gen Pac, kg (lb) .....	1790 (3946)

### Performance

	<b>1800 rpm</b>
with fan, kW (hp) at:	
Prime Power	391 (532)
Standby Power	430 (585)

### Lubrication system

	<b>1800 rpm</b>
Oil consumption, liter/h (US gal/h) at:	
Prime Power	0.04 (0.011)
Standby Power	0.05 (0.013)
Oil system capacity incl filters, liter .....	36

### Fuel system

	<b>1800 rpm</b>
Specific fuel consumption at:	
Prime Power, g/kWh (lb/hph)	
25 %	250 (0.405)
50 %	219 (0.355)
75 %	210 (0.340)
100 %	201 (0.326)
Standby Power, g/kWh (lb/hph)	
25 %	247 (0.400)
50 %	215 (0.349)
75 %	209 (0.339)
100 %	200 (0.324)

### Intake and exhaust system

	<b>1800 rpm</b>
Air consumption, m <sup>3</sup> /min (cfm) at:	
Prime Power	29 (1038)
Standby Power	31 (1102)
Max allowable air intake restriction, kPa (PSI) .....	5 (0.7)
Heat rejection to exhaust, kW (BTU/min) at:	
Prime Power	306 (17402)
Standby Power	338 (19222)
Exhaust gas temperature after turbine, °C (°F) at:	
Prime Power	485 (905)
Standby Power	495 (923)
Max allowable back-pressure in exhaust line, kPa (PSI) .....	10 (1.5)
Exhaust gas flow, m <sup>3</sup> /min (cfm) at:	
Prime power	74.0 (2613)
Standby Power	79.0 (2790)

### Cooling system

	<b>1800 rpm</b>
Heat rejection radiation from engine, kW (BTU/min) at:	
Prime Power	10 (569)
Standby Power	11 (626)
Heat rejection to coolant kW (BTU/min) at:	
Prime Power	165 (9383)
Standby Power	178 (10123)
Fan power consumption, kW (hp)	19 (26)

## Standard equipment

### Engine

- Automatic belt tensioner
- Lift eyelets

### Flywheel

- Flywheel housing with conn. acc. to SAE 1
- Flywheel for 14" flex. plate and flexible coupling

### Engine suspension

- Fixed front suspension

### Lubrication system

- Oil dipstick
- Full-flow oil filter of spin-on type
- By-pass oil filter of spin-on type
- Oil cooler, side mounted
- Low noise oil sump

### Fuel system

- Fuel filters of disposable type
- Electronic unit injectors
- Pre-filter with water separator

### Intake and exhaust system

- Air filter with replaceable paper insert
- Air restriction indicator
- Air cooled exhaust manifold
- Connecting flange for exhaust pipe
- Exhaust flange
- Turbo charger, low right side

### Cooling system

- Radiator incl intercooler
- Coolant pump
- Fan hub
- Thrust fan
- Fan guard
- Belt guard

### Control system

- Engine Management System (EMS) with CAN-bus interface SAE J1939

### Alternator

- Alternator 80 A

### Starting system

- Starter motor
- Connection facility for extra starter motor

### Instruments and senders

- Temp.- and oil pressure for automatic stop/alarm

### Other equipment

- Expandable base frame

### Engine Packing

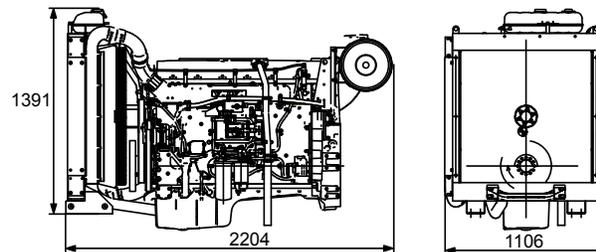
- Plastic wrapping

- <sup>1)</sup> must be ordered, see order specification
- optional equipment or not applicable
- included in standard specification

For our wide range of optional equipment, please see Order specification.

## Dimensions TAD1353GE

Not for installation



Note! Not all models, standard equipment and accessories are available in all countries. All specifications are subject to change without notice. The engine illustrated may not be entirely identical to production standard engines.

### Power Standards

The engine performance corresponds to ISO 3046, BS 5514 and DIN 6271. The technical data applies to an engine without cooling fan and operating on a fuel with calorific value of 42.7 MJ/kg (18360 BTU/lb) and a density of 0.84 kg/liter (7.01 lb/US gal), also where this involves a deviation from the standards. Power output guaranteed within 0 to +2% at rated ambient conditions at delivery. Ratings are based on ISO 8528. Engine speed governing in accordance with ISO 3046/IV, class A1 and ISO 8528-5 class G3

### Exhaust emissions

The engine complies with EU stage 3 emission legislation according to the Non Road Directive EU 97/68/EEC. The engine also complies with TA-luft -50% exhaust emission regulations.

### Rating Guidelines

PRIME POWER rating corresponds to ISO Standard Power for continuous operation. It is applicable for supplying electrical power at variable load for an unlimited number of hours instead of commercially purchased power. A10 % overload capability for governing purpose is available for this rating. STANDBY POWER rating corresponds to ISO Standard Fuel Stop Power. It is applicable for supplying standby electrical power at variable load in areas with well established electrical networks in the event of normal utility power failure. No overload capability is available for this rating. 1 hp = 1 kW x 1.36

# VOLVO PENTA

AB Volvo Penta

SE-405 08 Göteborg, Sweden  
www.volvopenta.com

## S4L1D-G41 Wdg.311 - Technical Data Sheet

### Standards

Stamford industrial alternators meet the requirements of the relevant parts of the BS EN 60034 and the relevant section of other international standards such as BS5000, VDE 0530, NEMA MG1-32, IEC34, CSA C22.2-100 and AS1359. Other standards and certifications can be considered on request.

### Quality Assurance

Alternators are manufactured using production procedures having a quality assurance level to BS EN ISO 9001.



### Excitation and Voltage Regulators

Excitation System					
AVR Type	AS440	MX341	MX321		
Voltage Regulation	± 1%	± 1%	± 0.5%		with 4% Engine Governing
AVR Power	Self-Excited	PMG	PMG		

No Load Excitation Voltage (V)	12-10
No Load Excitation Current (A)	0.7-0.6
Full Load Excitation Voltage (V)	48-45
Full Load Excitation Current (A)	2.6-2.4
Exciter Time Constant (seconds)	0.105

# STAMFORD

## S4L1D-G41 Wdg.311

Electrical Data								
Insulation System	Class H							
Stator Winding	Double Layer Lap							
Winding Pitch	Two Thirds							
Winding Leads	12							
Winding Number	311							
Number of Poles	4							
IP Rating	IP23							
RFI Suppression	BS EN 61000-6-2 & BS EN 61000-6-4, VDE 0875G, VDE 0875N. Refer to factory for others							
Waveform Distortion	NO LOAD < 1.5% NON-DISTORTING BALANCED LINEAR LOAD < 5.0%							
Short Circuit Ratio	1/Xd							
Steady State X/R Ratio	15.8292							
	50 Hz				60 Hz			
Telephone Interference	THF<2%				TIF<50			
Cooling Air	0.78 m /sec				0.94 m /sec			
Voltage Star	380	400	415	440	416	440	460	480
kVA Base Rating (Class H) for Reactance Values	430	450	450	430	500	535	540	560
Saturated Values in Per Unit at Base Ratings and Voltages								
Xd Dir. Axis Synchronous	3.39	3.20	2.97	2.53	3.96	3.79	3.50	3.33
X'd Dir. Axis Transient	0.18	0.17	0.16	0.13	0.20	0.19	0.18	0.17
X''d Dir. Axis Subtransient	0.11	0.10	0.09	0.08	0.13	0.12	0.11	0.11
Xq Quad. Axis Reactance	2.63	2.48	2.31	1.96	3.07	2.93	2.71	2.58
X''q Quad. Axis Subtransient	0.32	0.30	0.28	0.24	0.37	0.36	0.33	0.31
XL Stator Leakage Reactance	0.09	0.09	0.08	0.07	0.10	0.10	0.09	0.09
X2 Negative Sequence Reactance	0.19	0.18	0.17	0.15	0.22	0.21	0.19	0.19
X0 Zero Sequence Reactance	0.03	0.03	0.02	0.02	0.03	0.03	0.03	0.02
Unsaturated Values in Per Unit at Base Ratings and Voltages								
Xd Dir. Axis Synchronous	4.07	3.84	3.57	3.03	4.75	4.54	4.20	4.00
X'd Dir. Axis Transient	0.20	0.19	0.18	0.15	0.23	0.22	0.20	0.19
X''d Dir. Axis Subtransient	0.13	0.12	0.11	0.09	0.15	0.14	0.13	0.13
Xq Quad. Axis Reactance	2.71	2.56	2.38	2.02	3.16	3.02	2.79	2.66
X''q Quad. Axis Subtransient	0.38	0.36	0.34	0.29	0.45	0.43	0.39	0.38
XL Stator Leakage Reactance	0.10	0.10	0.09	0.08	0.12	0.11	0.10	0.10
Xlr Rotor Leakage Reactance	0.11	0.11	0.10	0.09	0.13	0.13	0.12	0.11
X2 Negative Sequence Reactance	0.23	0.22	0.21	0.17	0.26	0.25	0.23	0.22
X0 Zero Sequence Reactance	0.03	0.03	0.03	0.02	0.03	0.03	0.03	0.03

# STAMFORD

## S4L1D-G41 Wdg.311

Time Constants (Seconds)		
T'd TRANSIENT TIME CONST.	0.068	
T" d SUB-TRANSTIME CONST.	0.014	
T'do O.C. FIELD TIME CONST.	2.1	
Ta ARMATURE TIME CONST.	0.016	
T"q SUB-TRANSTIME CONST.	0.0092	
Resistances in Ohms ( $\Omega$ ) at 22°C		
Stator Winding Resistance (Ra), per phase for series connected	0.0066	
Rotor Winding Resistance (Rf)	1.44	
Exciter Stator Winding Resistance	18	
Exciter Rotor Winding Resistance per phase	0.068	
PMG Phase Resistance (Rpmg) per phase	1.9	
Positive Sequence Resistance (R1)	0.00825	
Negative Sequence Resistance (R2)	0.009504	
Zero Sequence Resistance (R0)	0.00825	
Saturation Factors	400V	480V
SG1.0	0.24	0.24
SG1.2	0.99	0.99
Mechanical Data		
Shaft and Keys	All alternator rotors are dynamically balanced to better than BS6861: Part 1 Grade 2.5 for minimum vibration in operation. Two bearing generators are balanced with a half key.	
	1 Bearing	2 Bearings
SAE Adaptor	SAE 0.5, 1	N/A
Moment of Inertia	5.6754kgm <sup>2</sup>	N/A
Weight Wound Stator	561kg	N/A
Weight Wound Rotor	482kg	N/A
Weight Complete Alternator	1190kg	N/A
Shipping weight in a Crate	1260kg	N/A
Packing Crate Size	155 x 87 x 107 (cm)	N/A
Maximum Over Speed	2250 RPM for two minutes	
Bearing Drive End	N/A	N/A
Bearing Non-Drive End	Ball 6314	N/A

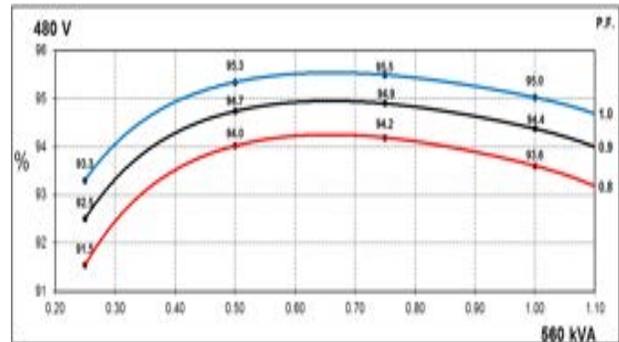
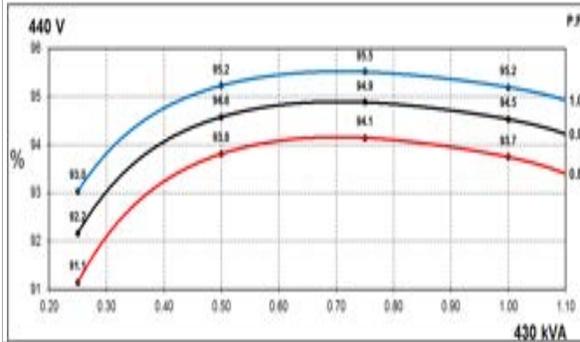
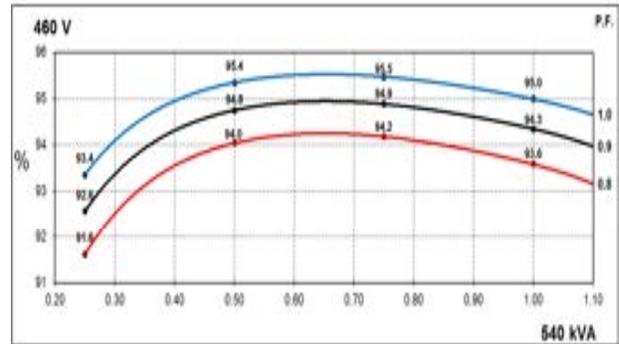
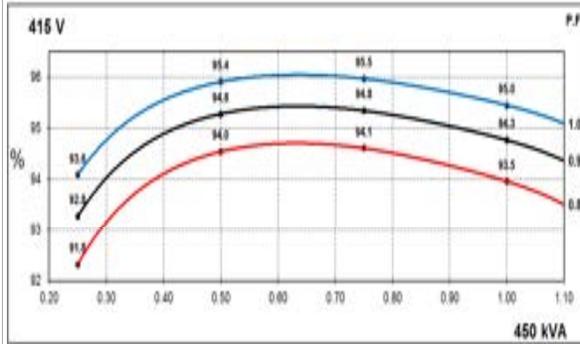
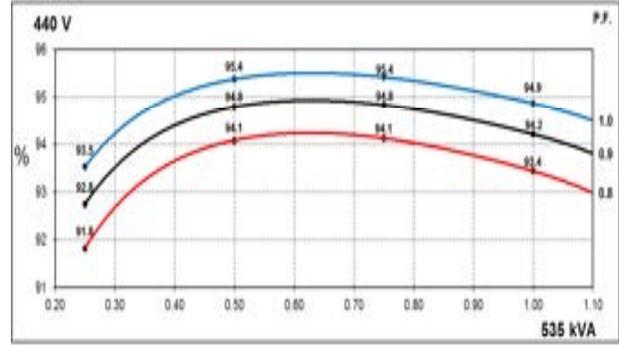
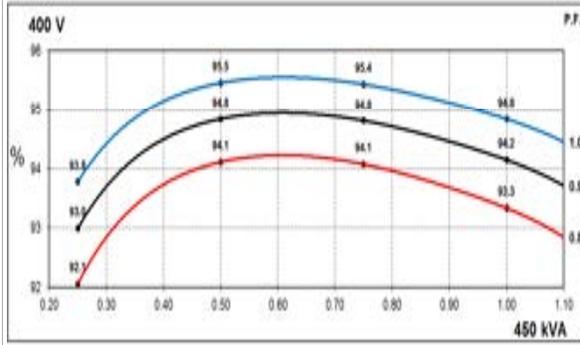
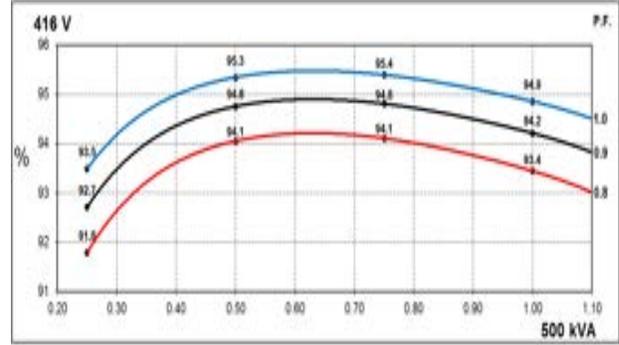
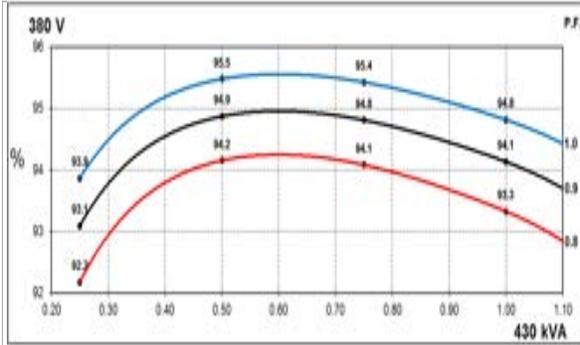
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S4L1D-G41 Wdg.311

## THREE PHASE EFFICIENCY CURVES

50Hz

60Hz

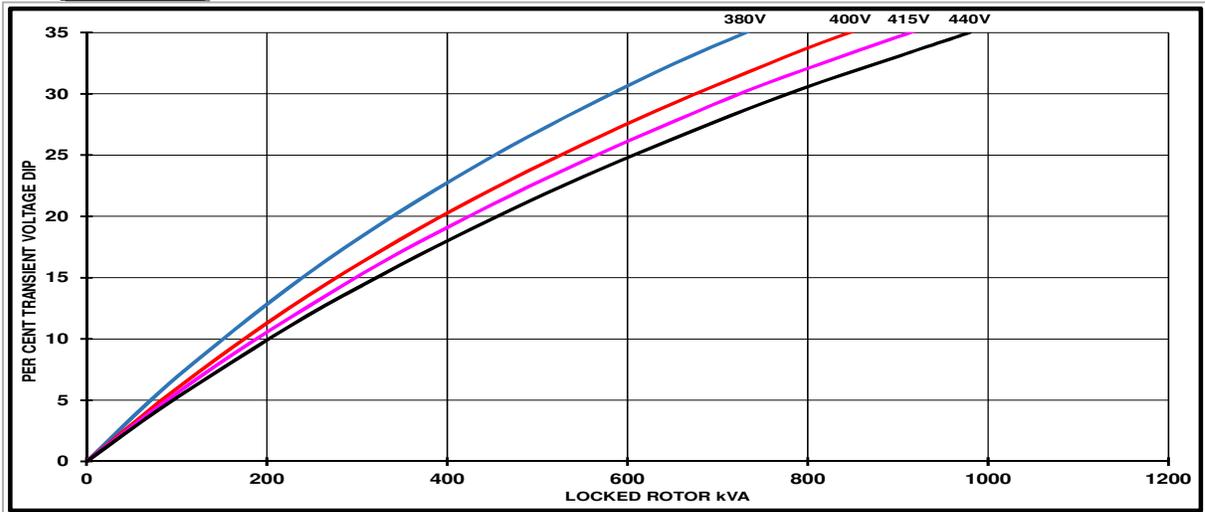


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S4L1D-G41 Wdg.311

## Locked Rotor Motor Starting Curves - Separately Excited

**50Hz**



**60Hz**



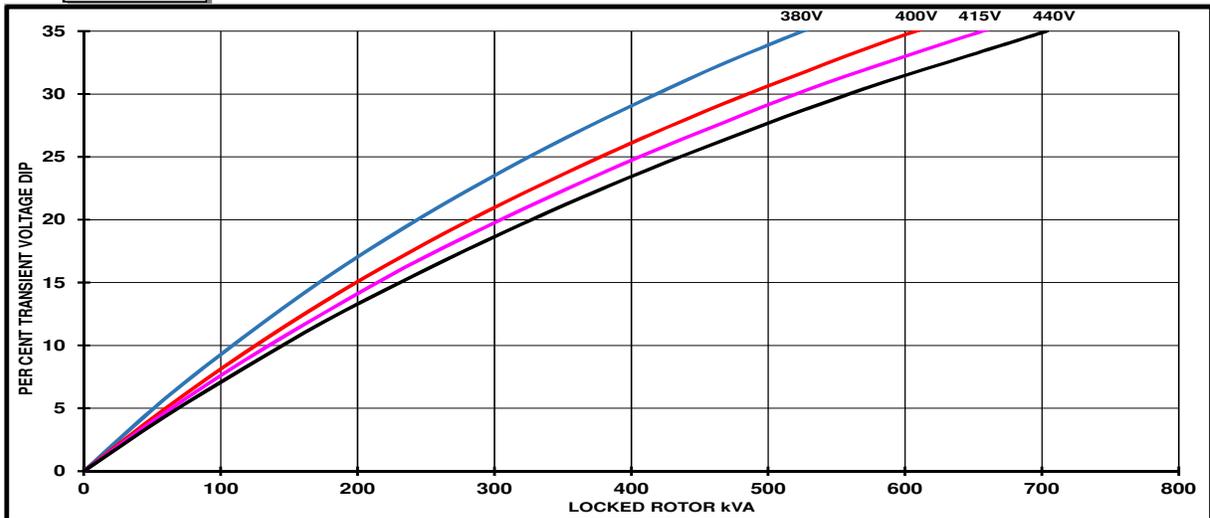
Transient Voltage Dip Scaling Factor		Transient Voltage Rise Scaling Factor
PF	Factor	For voltage rise multiply voltage dip by 1.25
< 0.5	1	
0.5	0.97	
0.6	0.93	
0.7	0.9	
0.8	0.85	
0.9	0.83	

# STAMFORD

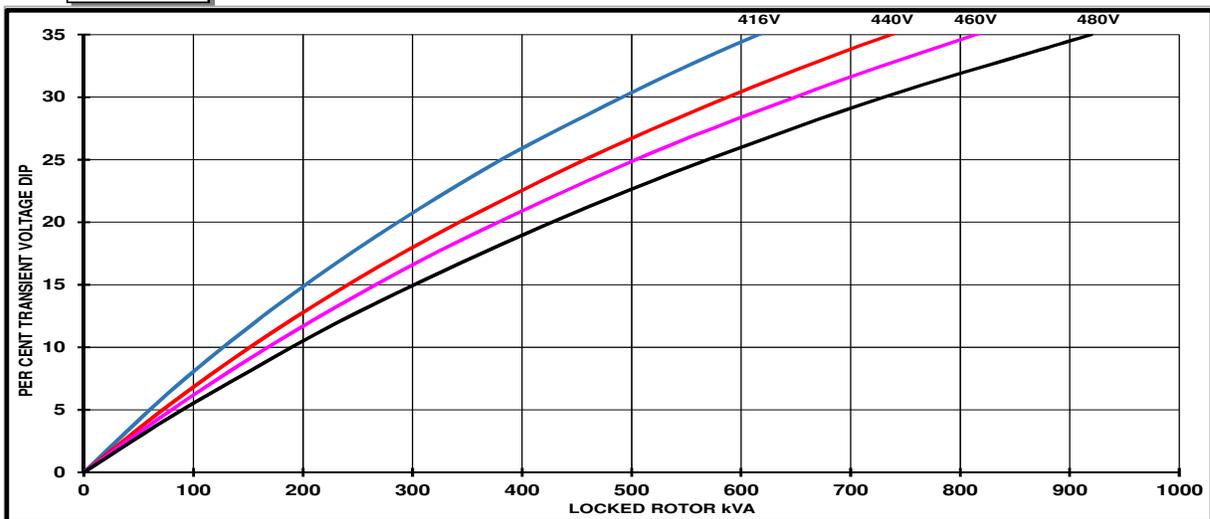
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## Locked Rotor Motor Starting Curves - Self Excited

**50Hz**



**60Hz**



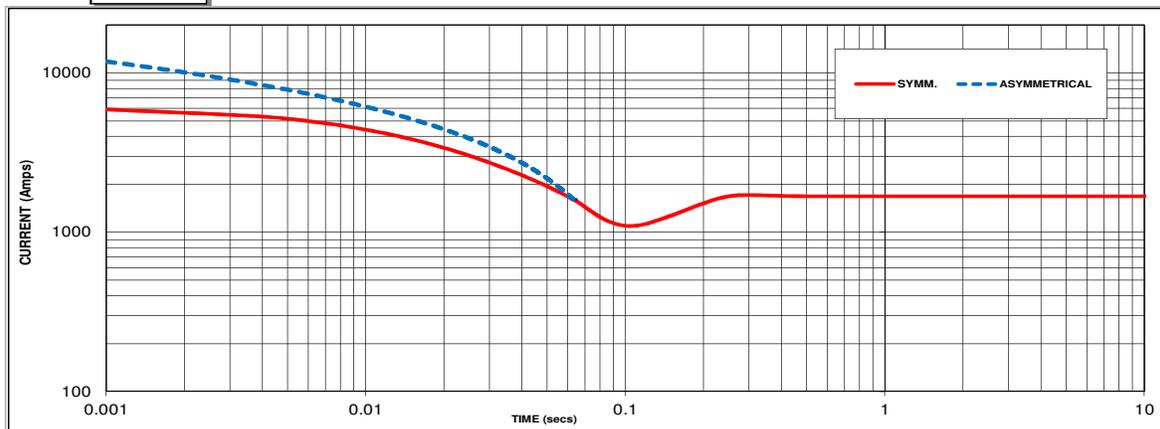
Transient Voltage Dip Scaling Factor		Transient Voltage Rise Scaling Factor
PF	Factor	
< 0.5	1	For voltage rise multiply voltage dip by 1.25
0.5	0.97	
0.6	0.93	
0.7	0.9	
0.8	0.85	
0.9	0.83	

# STAMFORD

S4L1D-G41 Wdg.311

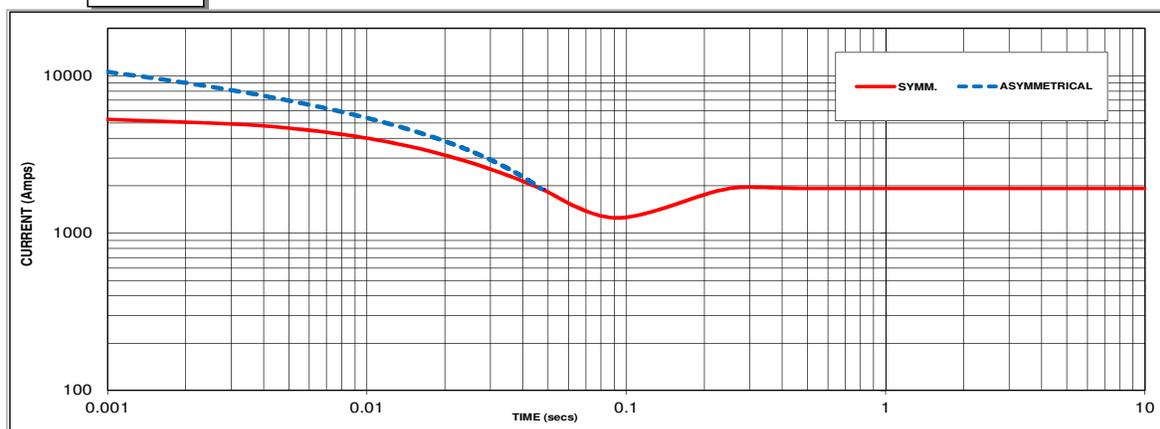
## Three-phase Short Circuit Decrement Curve

**50Hz**



Sustained Short Circuit = 1680 Amps

**60Hz**



Sustained Short Circuit = 1920 Amps

**Note 1**

The following multiplication factors should be used to adjust the values from curve between time 0.001 seconds and the minimum current point in respect of nominal operating voltage :

50Hz		60Hz	
Voltage	Factor	Voltage	Factor
380V	X 1.00	416V	X 1.00
400V	X 1.05	440V	X 1.06
415V	X 1.09	460V	X 1.10
440V	X 1.16	480V	X 1.15

The sustained current value is constant irrespective of voltage level

**Note 2**

The following multiplication factor should be used to convert the values calculated in accordance with NOTE 1 to those applicable to the various types of short circuit :

	3-phase	2-phase L-L	1-phase L-N
Instantaneous	x 1.00	x 0.87	x 1.30
Minimum	x 1.00	x 1.80	x 3.20
Sustained	x 1.00	x 1.50	x 2.50
Max. sustained duration	10 sec.	5 sec.	2 sec.

All other times are unchanged

**Note 3**

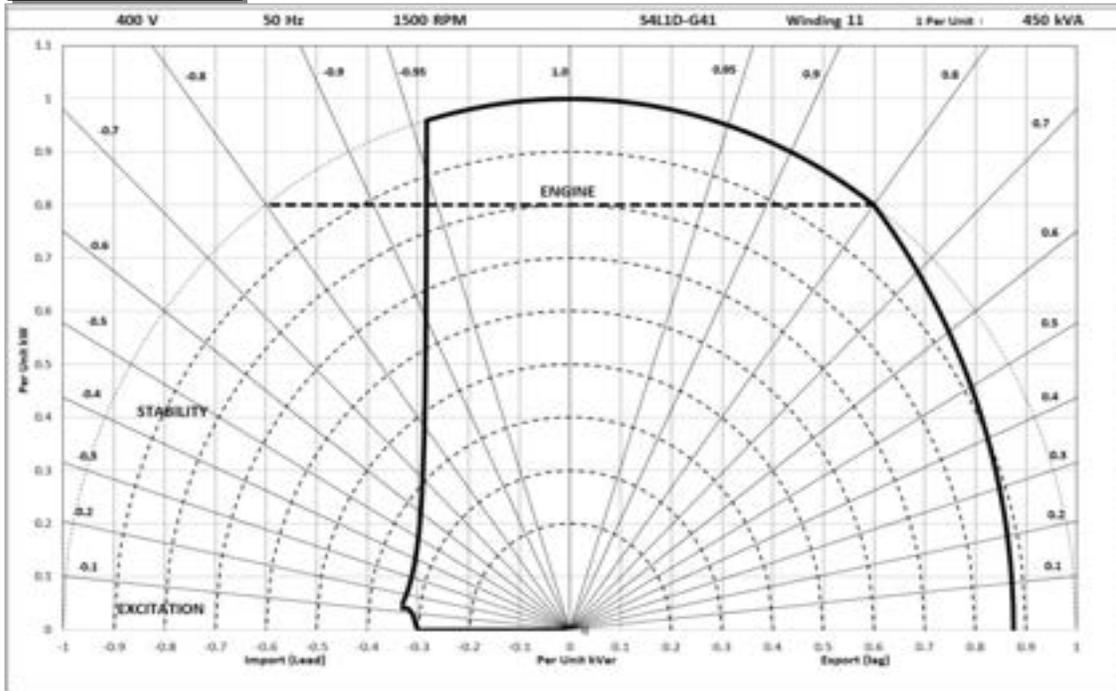
Curves are drawn for Star connected machines under no-load excitation at rated speeds. For other connection the following multipliers should be applied to current values as shown :  
 Parallel Star = Curve current value X 2  
 Series Delta = Curve current value X 1.732

# STAMFORD

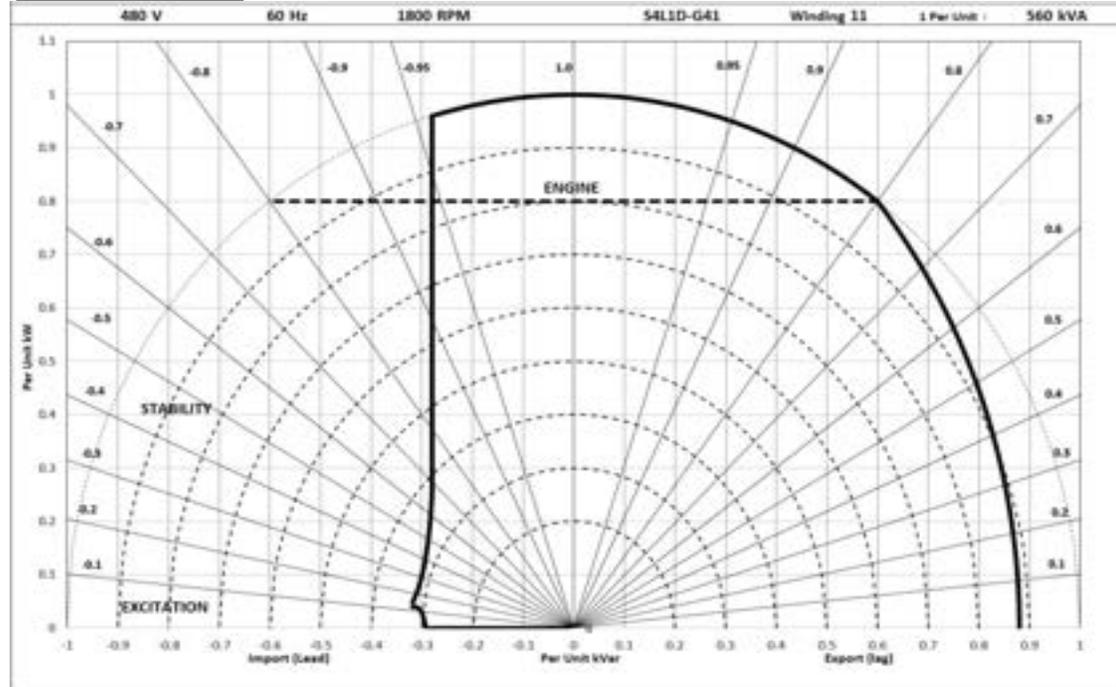
S4L1D-G41 Wdg.311

## Typical Alternator Operating Charts

**400V/50Hz**



**480V/60Hz**



# STAMFORD

## S4L1D-G41 Wdg.311

### RATINGS AT 0.8 POWER FACTOR

Class - Temp Rise		Standby - 163/27°C				Standby - 150/40°C				Cont. H - 125/40°C				Cont. F - 105/40°C			
<b>50 Hz</b>	Series Star (V)	380	400	415	440	380	400	415	440	380	400	415	440	380	400	415	440
	kVA	475	500	500	475	455	480	480	455	430	450	450	430	390	410	410	390
	kW	380	400	400	380	364	384	384	364	344	360	360	344	312	328	328	312
	Efficiency (%)	92.9	92.8	93.0	93.4	93.1	93.0	93.2	93.6	93.3	93.3	93.5	93.7	93.7	93.7	93.8	94.0
	kW Input	409	431	430	407	391	413	412	389	369	386	385	367	333	350	350	332

<b>60 Hz</b>	Series Star (V)	416	440	460	480	416	440	460	480	416	440	460	480	416	440	460	480
	kVA	565	600	600	625	535	575	575	600	500	535	540	560	455	485	490	510
	kW	452	480	480	500	428	460	460	480	400	428	432	448	364	388	392	408
	Efficiency (%)	92.9	92.9	93.1	93.1	93.2	93.1	93.3	93.3	93.4	93.4	93.6	93.6	93.7	93.8	93.9	93.9
	kW Input	487	517	515	537	459	494	493	514	428	458	462	479	388	414	418	435

#### De-Rates

All values tabulated above are subject to the following reductions:

- 5% when air inlet filters are fitted
- 3% for every 500 meters by which the operating altitude exceeds 1000 meters above mean sea level
- 3% for every 5°C by which the operational ambient temperature exceeds 40°C
- For any other operating conditions impacting the cooling circuit please refer to applications

Note: Requirement for operating in an ambient exceeding 60°C and altitude exceeding 4000 meters must be referred to applications.

#### Dimensional and Torsional Drawing

For dimensional and torsional information please refer to the alternator General Arrangement and rotor drawings available on our website (<http://stamford-avk.com/>)

**Note:** Continuous development of our products means that the information contained in our data sheets can change without notice, and specifications should always be confirmed with Cummins Generator Technologies prior to purchase.



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## S4L1D-F41 Wdg.311 - Technical Data Sheet

### Standards

Stamford industrial alternators meet the requirements of the relevant parts of the BS EN 60034 and the relevant section of other international standards such as BS5000, VDE 0530, NEMA MG1-32, IEC34, CSA C22.2-100 and AS1359. Other standards and certifications can be considered on request.

### Quality Assurance

Alternators are manufactured using production procedures having a quality assurance level to BS EN ISO 9001.



### Excitation and Voltage Regulators

Excitation System					
<b>AVR Type</b>	AS440	MX341	MX321		
<b>Voltage Regulation</b>	± 1%	± 1%	± 0.5%		with 4% Engine Governing
<b>Excitation Type</b>	Self-Excited	PMG	PMG		

<b>No Load Excitation Voltage (V)</b>	10 - 8
<b>No Load Excitation Current (A)</b>	0.7 - 0.5
<b>Full Load Excitation Voltage (V)</b>	41 - 37.5
<b>Full Load Excitation Current (A)</b>	2.3 - 2.1
<b>Exciter Time Constant (seconds)</b>	0.105

# STAMFORD

## S4L1D-F41 Wdg.311

Electrical Data								
Insulation System	Class H							
Stator Winding	Double Layer Lap							
Winding Pitch	Two Thirds							
Winding Leads	12							
Winding Number	311							
Number of Poles	4							
IP Rating	IP23							
RFI Suppression	BS EN 61000-6-2 & BS EN 61000-6-4, VDE 0875G, VDE 0875N. Refer to factory for others							
Waveform Distortion	NO LOAD < 1.5% NON-DISTORTING BALANCED LINEAR LOAD < 5.0%							
Short Circuit Ratio	1/Xd							
Steady State X/R Ratio	13.7389							
	50 Hz				60 Hz			
Telephone Interference	THF<2%				TIF<50			
Cooling Air	0.76 m /sec				0.92 m /sec			
Voltage Star	380	400	415	440	416	440	460	480
kVA Base Rating (Class H) for Reactance Values	400	415	415	400	455	500	500	520
Saturated Values in Per Unit at Base Ratings and Voltages								
Xd Dir. Axis Synchronous	2.71	2.54	2.36	2.02	3.28	3.23	2.95	2.82
X'd Dir. Axis Transient	0.18	0.17	0.16	0.13	0.18	0.18	0.16	0.16
X''d Dir. Axis Subtransient	0.13	0.13	0.12	0.10	0.13	0.13	0.12	0.11
Xq Quad. Axis Reactance	2.34	2.19	2.03	1.74	2.90	2.84	2.60	2.49
X''q Quad. Axis Subtransient	0.31	0.29	0.27	0.23	0.42	0.42	0.38	0.36
XL Stator Leakage Reactance	0.06	0.05	0.05	0.04	0.07	0.07	0.07	0.06
X2 Negative Sequence Reactance	0.22	0.21	0.20	0.17	0.29	0.29	0.26	0.25
X0 Zero Sequence Reactance	0.09	0.08	0.08	0.07	0.10	0.10	0.09	0.08
Unsaturated Values in Per Unit at Base Ratings and Voltages								
Xd Dir. Axis Synchronous	3.26	3.05	2.83	2.43	3.94	3.87	3.54	3.38
X'd Dir. Axis Transient	0.21	0.19	0.18	0.15	0.21	0.21	0.19	0.18
X''d Dir. Axis Subtransient	0.16	0.15	0.14	0.12	0.16	0.15	0.14	0.13
Xq Quad. Axis Reactance	2.41	2.26	2.10	1.80	2.98	2.93	2.68	2.56
X''q Quad. Axis Subtransient	0.37	0.35	0.32	0.28	0.51	0.50	0.46	0.44
XL Stator Leakage Reactance	0.06	0.06	0.05	0.05	0.08	0.08	0.07	0.07
Xlr Rotor Leakage Reactance	0.10	0.09	0.09	0.07	0.11	0.11	0.10	0.10
X2 Negative Sequence Reactance	0.27	0.25	0.23	0.20	0.35	0.34	0.31	0.30
X0 Zero Sequence Reactance	0.10	0.10	0.09	0.08	0.11	0.11	0.10	0.10

# STAMFORD

## S4L1D-F41 Wdg.311

Time Constants (Seconds)		
T'd TRANSIENT TIME CONST.	0.08	
T"o SUB-TRANSTIME CONST.	0.019	
T'do O.C. FIELD TIME CONST.	1.7	
Ta ARMATURE TIME CONST.	0.018	
T"q SUB-TRANSTIME CONST.	0.009	
Resistances in Ohms ( $\Omega$ ) at 22°C		
Stator Winding Resistance (Ra), per phase for series connected	0.0073	
Rotor Winding Resistance (Rf)	1.37	
Exciter Stator Winding Resistance	18	
Exciter Rotor Winding Resistance per phase	0.068	
PMG Phase Resistance (Rpmg) per phase	1.9	
Positive Sequence Resistance (R1)	0.009125	
Negative Sequence Resistance (R2)	0.010512	
Zero Sequence Resistance (R0)	0.009125	
Saturation Factors	400V	480V
SG1.0	0.36	0.38
SG1.2	1.46	1.52
Mechanical Data		
Shaft and Keys	All alternator rotors are dynamically balanced to better than BS6861: Part 1 Grade 2.5 for minimum vibration in operation. Two bearing generators are balanced with a half key.	
	1 Bearing	2 Bearings
SAE Adaptor	SAE 0.5, 1	N/A
Moment of Inertia	5.4292kgm <sup>2</sup>	N/A
Weight Wound Stator	535kg	N/A
Weight Wound Rotor	463kg	N/A
Weight Complete Alternator	1160kg	N/A
Shipping weight in a Crate	1230kg	N/A
Packing Crate Size	155 x 87 x 107 (cm)	N/A
Maximum Over Speed	2250 RPM for two minutes	
Bearing Drive End	N/A	N/A
Bearing Non-Drive End	Ball 6314	N/A

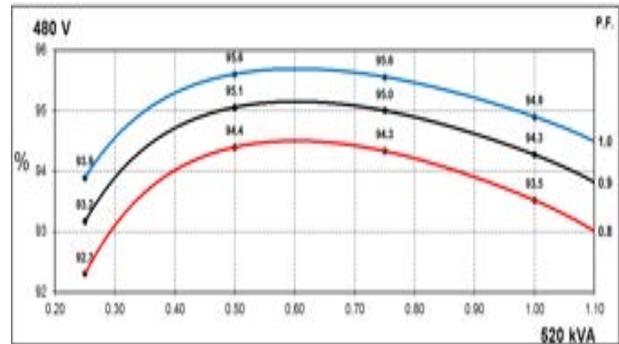
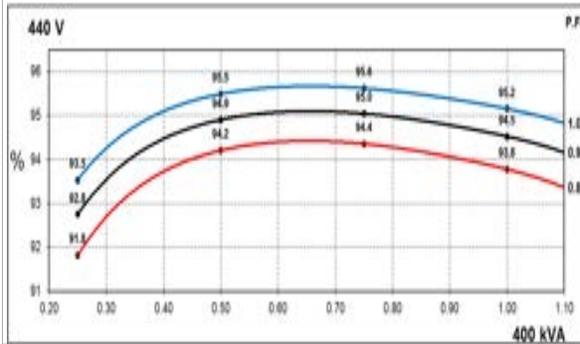
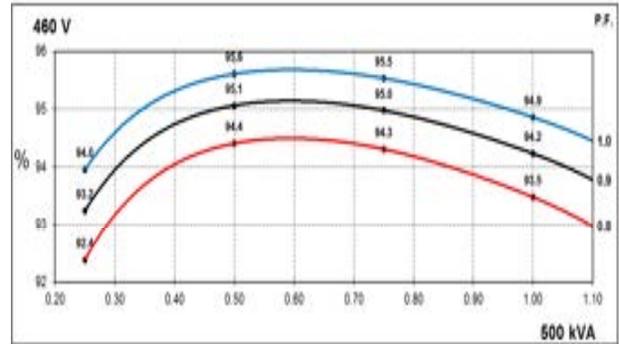
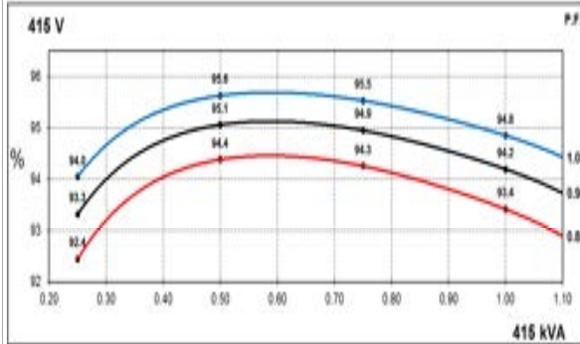
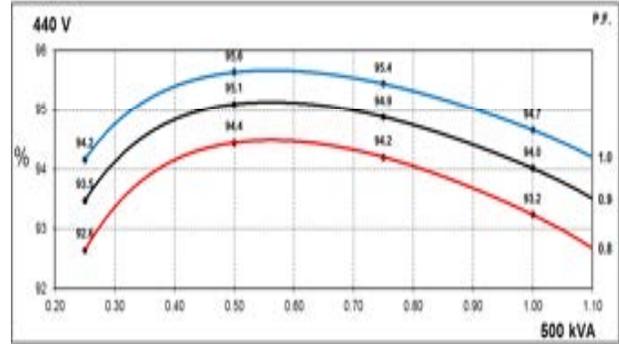
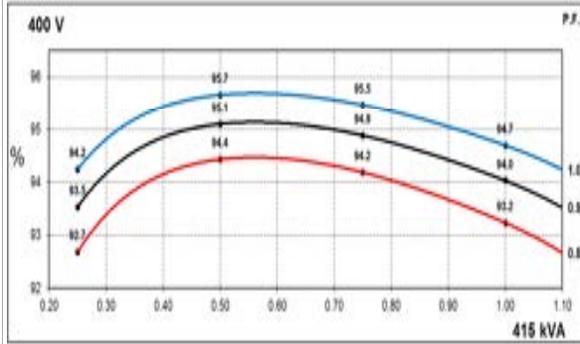
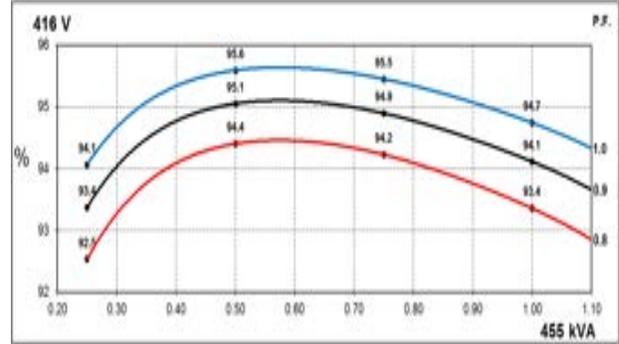
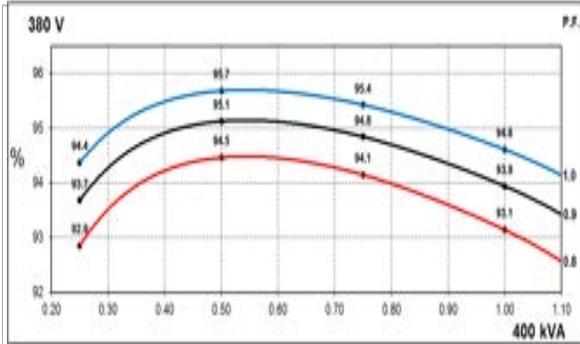
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S4L1D-F41 Wdg.311

## THREE PHASE EFFICIENCY CURVES

50Hz

60Hz

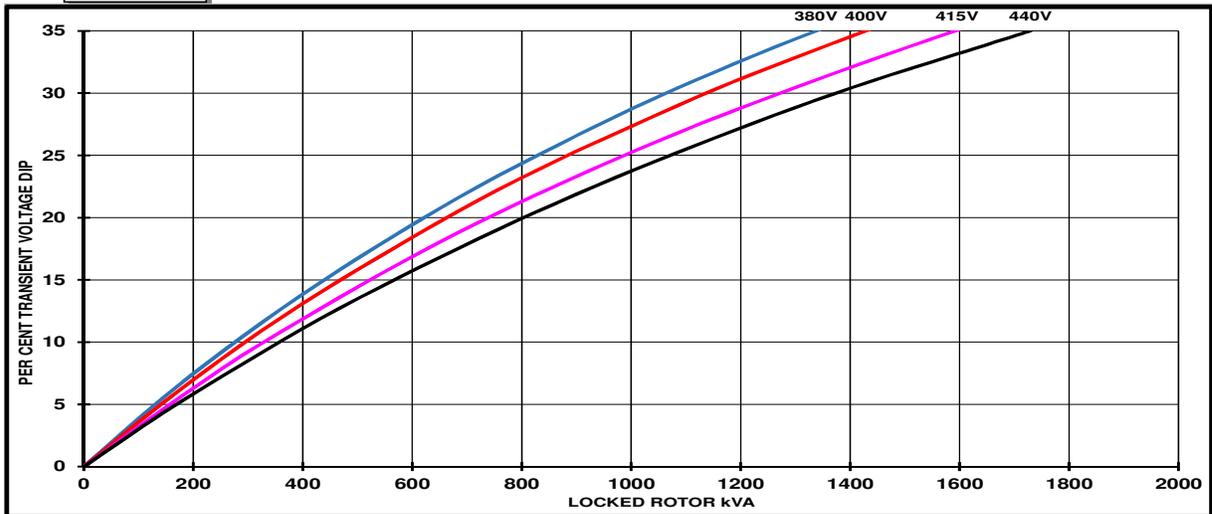


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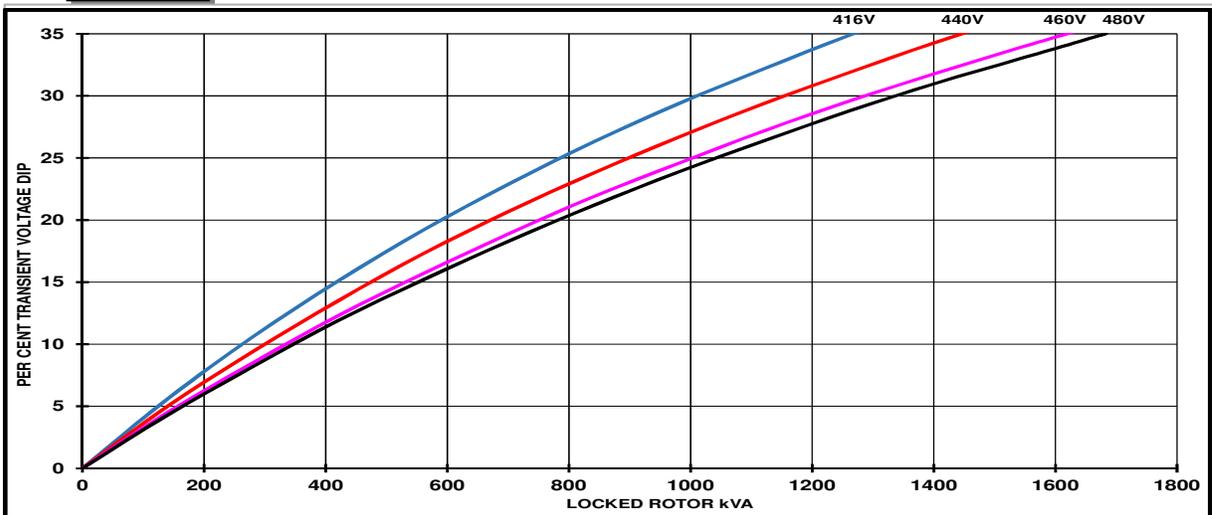
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## Locked Rotor Motor Starting Curves - Separately Excited

**50Hz**



**60Hz**



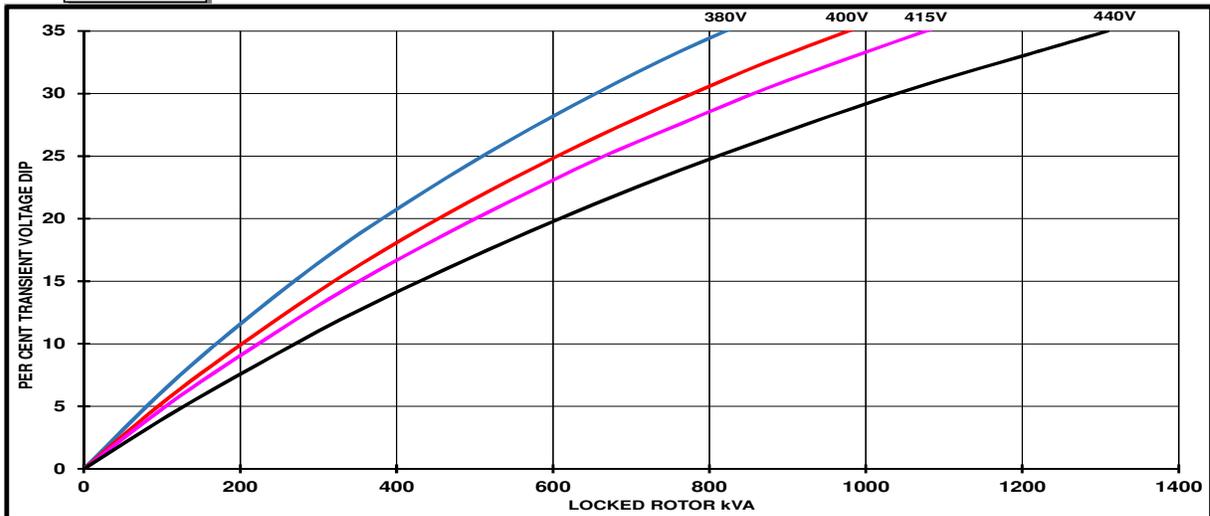
Transient Voltage Dip Scaling Factor		Transient Voltage Rise Scaling Factor
PF	Factor	
< 0.5	1	For voltage rise multiply voltage dip by 1.25
0.5	0.97	
0.6	0.93	
0.7	0.9	
0.8	0.85	
0.9	0.83	

# STAMFORD

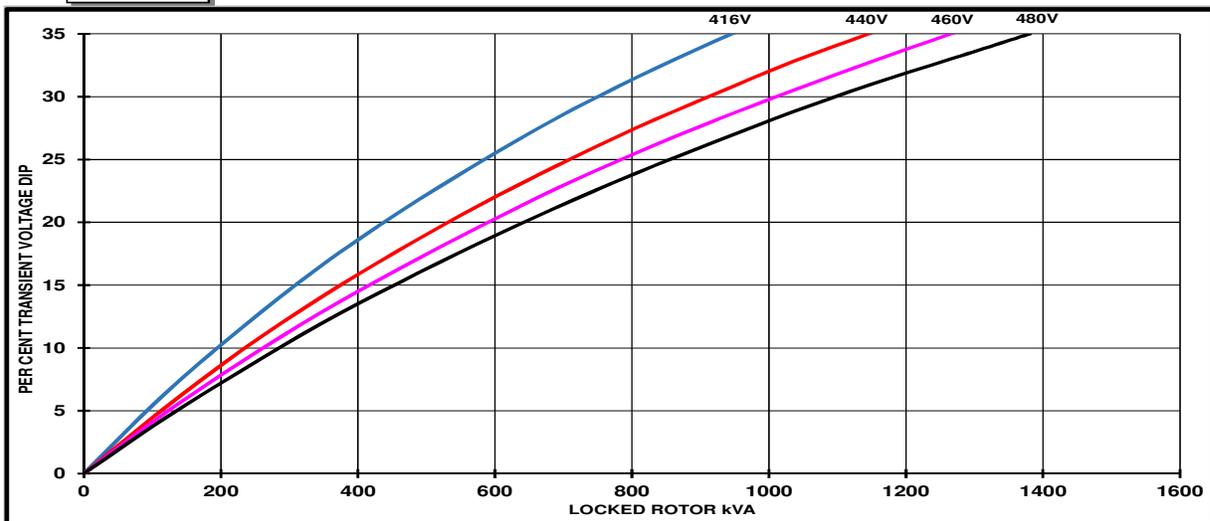
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## Locked Rotor Motor Starting Curves - Self Excited

**50Hz**



**60Hz**



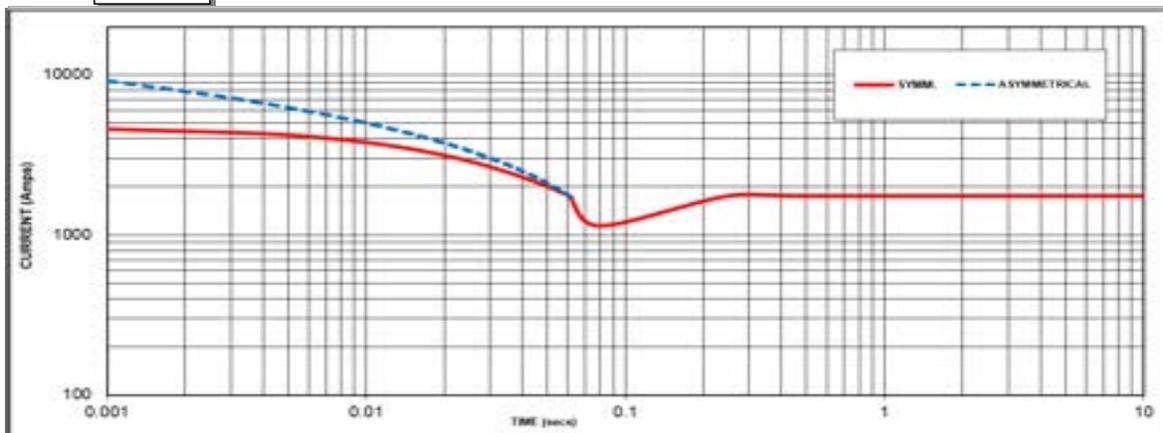
Transient Voltage Dip Scaling Factor		Transient Voltage Rise Scaling Factor
PF	Factor	For voltage rise multiply voltage dip by 1.25
< 0.5	1	
0.5	0.97	
0.6	0.93	
0.7	0.9	
0.8	0.85	
0.9	0.83	

# STAMFORD

S4L1D-F41 Wdg.311

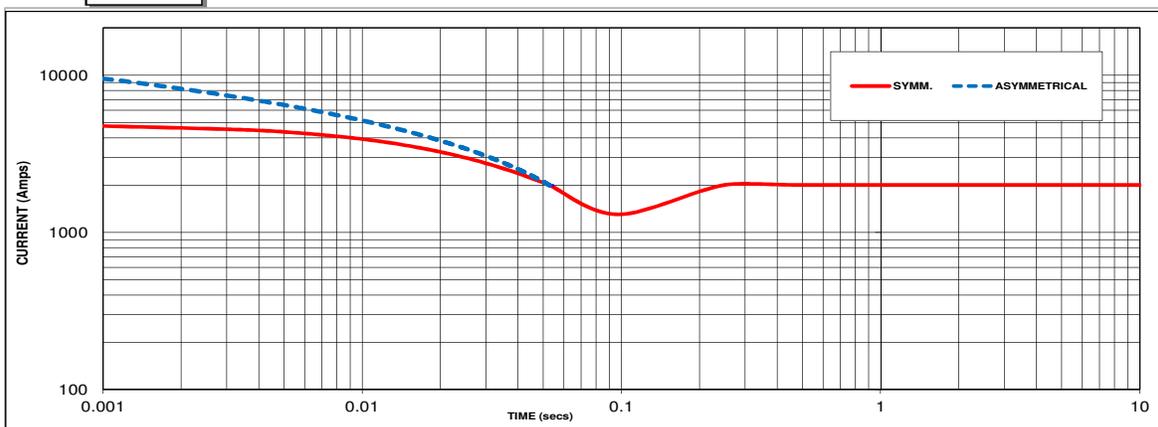
## Three-phase Short Circuit Decrement Curve

**50Hz**



Sustained Short Circuit = 1750 Amps

**60Hz**



Sustained Short Circuit = 2000 Amps

**Note 1**

The following multiplication factors should be used to adjust the values from curve between time 0.001 seconds and the minimum current point in respect of nominal operating voltage :

50Hz		60Hz	
Voltage	Factor	Voltage	Factor
380V	X 1.00	416V	X 1.00
400V	X 1.05	440V	X 1.06
415V	X 1.09	460V	X 1.10
440V	X 1.16	480V	X 1.15

The sustained current value is constant irrespective of voltage level

**Note 2**

The following multiplication factor should be used to convert the values calculated in accordance with NOTE 1 to those applicable to the various types of short circuit :

	3-phase	2-phase L-L	1-phase L-N
Instantaneous	x 1.00	x 0.87	x 1.30
Minimum	x 1.00	x 1.80	x 3.20
Sustained	x 1.00	x 1.50	x 2.50
Max. sustained duration	10 sec.	5 sec.	2 sec.

All other times are unchanged

**Note 3**

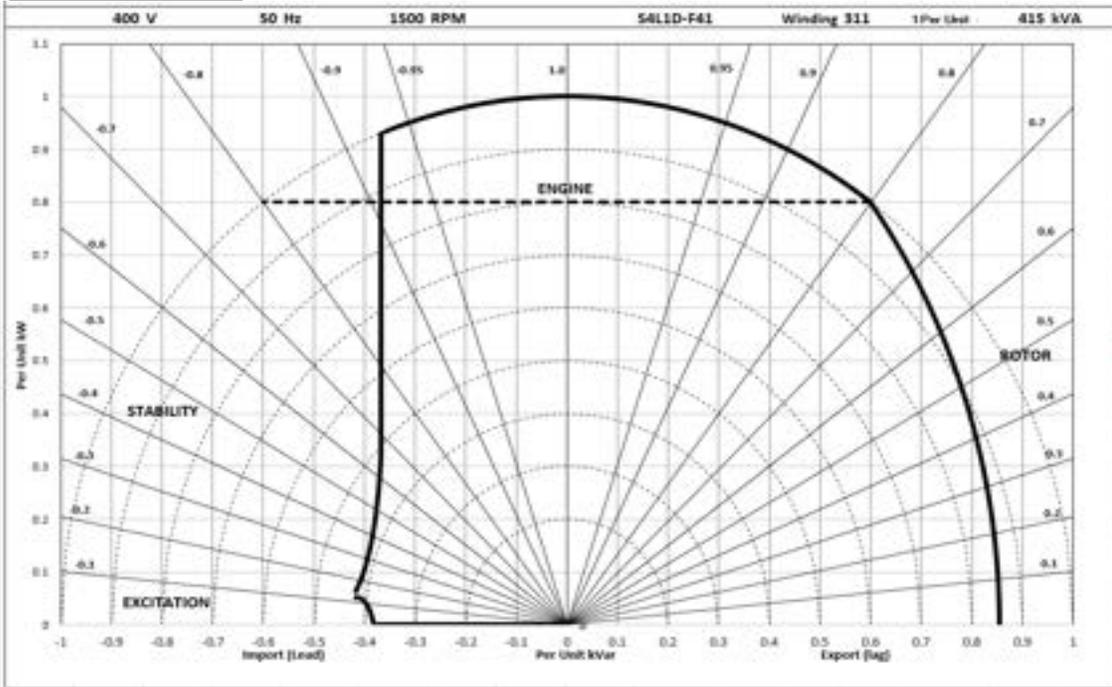
Curves are drawn for Star connected machines under no-load excitation at rated speeds. For other connection the following multipliers should be applied to current values as shown :  
 Parallel Star = Curve current value X 2  
 Series Delta = Curve current value X 1.732

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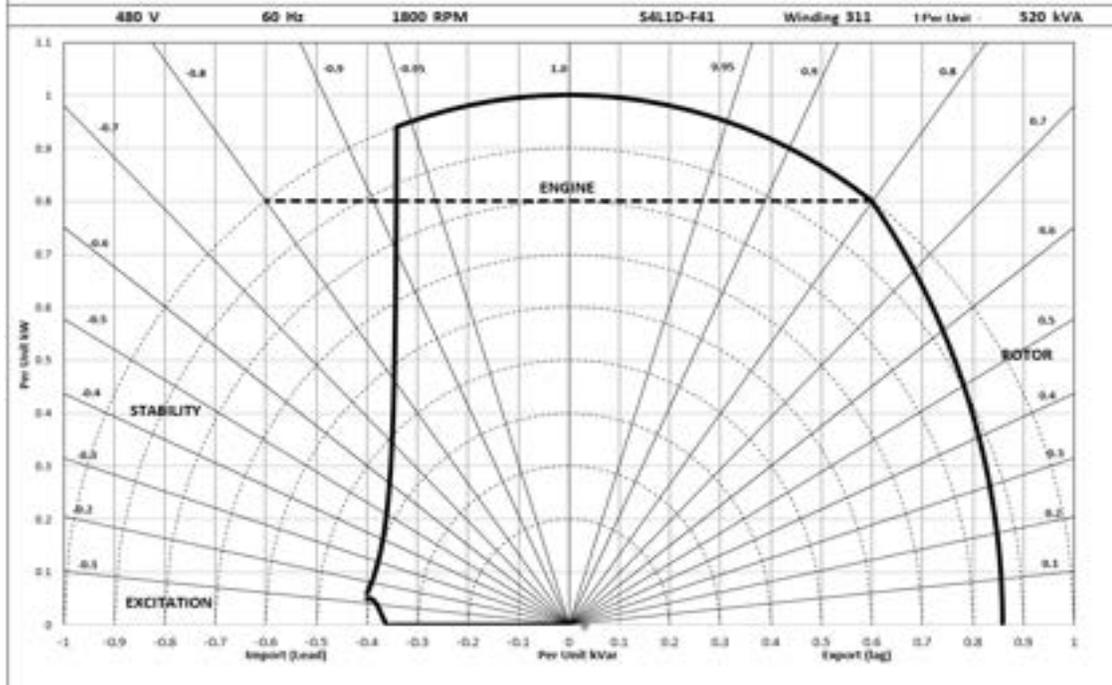
S4L1D-F41 Wdg.311

## Typical Alternator Operating Charts

**400V/50Hz**



**480V/60Hz**



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## S4L1D-F41 Wdg.311

### RATINGS AT 0.8 POWER FACTOR

Class - Temp Rise		Standby - 163/27°C				Standby - 150/40°C				Cont. H - 125/40°C				Cont. F - 105/40°C			
<b>50</b> Hz	Series Star (V)	380	400	415	440	380	400	415	440	380	400	415	440	380	400	415	440
	kVA	425	465	455	440	415	445	445	430	400	415	415	400	370	380	380	370
	kW	340	372	364	352	332	356	356	344	320	332	332	320	296	304	304	296
	Efficiency (%)	92.8	92.6	92.9	93.4	92.9	92.9	93.1	93.5	93.1	93.2	93.4	93.8	93.5	93.6	93.8	94.0
	kW Input	366	402	392	377	357	383	383	368	344	356	355	341	317	325	324	315

<b>60</b> Hz	Series Star (V)	416	440	460	480	416	440	460	480	416	440	460	480	416	440	460	480
	kVA	500	550	550	575	485	535	535	555	455	500	500	520	420	465	465	480
	kW	400	440	440	460	388	428	428	444	364	400	400	416	336	372	372	384
	Efficiency (%)	92.9	92.7	93.0	93.0	93.0	92.9	93.2	93.2	93.4	93.2	93.5	93.5	93.7	93.6	93.8	93.8
	kW Input	431	475	473	495	417	461	459	476	390	429	428	445	359	398	397	409

#### De-Rates

All values tabulated above are subject to the following reductions:

- 5% when air inlet filters are fitted
- 3% for every 500 meters by which the operating altitude exceeds 1000 meters above mean sea level
- 3% for every 5°C by which the operational ambient temperature exceeds 40°C
- For any other operating conditions impacting the cooling circuit please refer to applications

Note: Requirement for operating in an ambient exceeding 60°C and altitude exceeding 4000 meters must be referred to applications.

#### Dimensional and Torsional Drawing

For dimensional and torsional information please refer to the alternator General Arrangement and rotor drawings available on our website (<http://stamford-avk.com/>)

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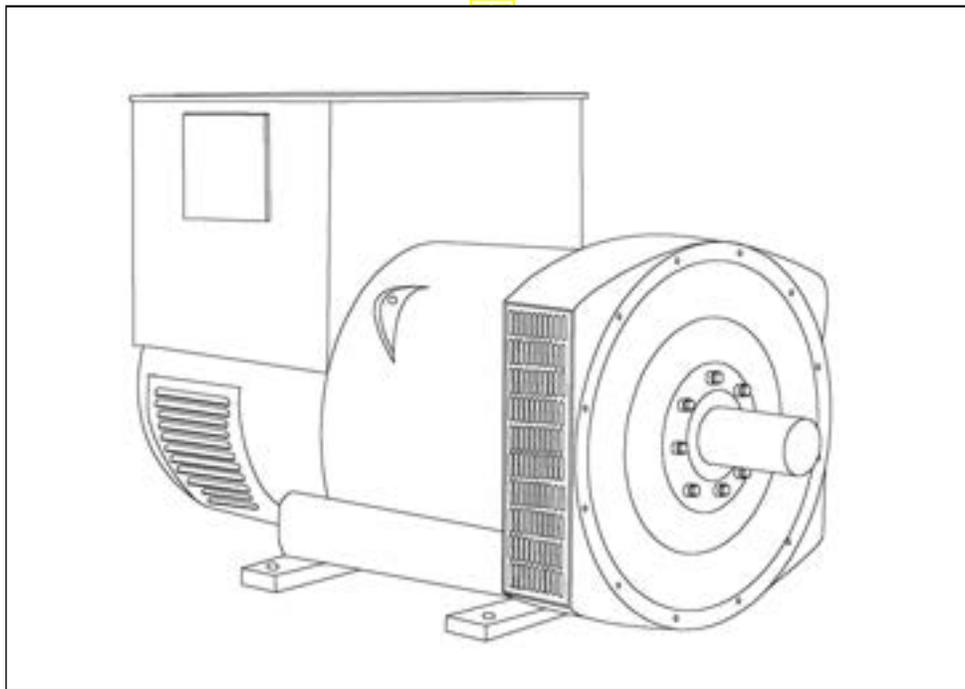
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# STAMFORD®

HCI434F/444F - Winding 17

Technical Data Sheet



# HCI434F/444F

## SPECIFICATIONS & OPTIONS

**STAMFORD**

### STANDARDS

Stamford industrial generators meet the requirements of BS EN 60034 and the relevant section of other international standards such as BS5000, VDE 0530, NEMA MG1-32, IEC34, CSA C22.2-100, AS1359. Other standards and certifications can be considered on request.

### VOLTAGE REGULATORS

#### AS440 AVR - STANDARD

With this self-excited system the main stator provides power via the Automatic Voltage Regulator (AVR) to the exciter stator. The high efficiency semi-conductors of the AVR ensure positive build-up from initial low levels of residual voltage.

The exciter rotor output is fed to the main rotor through a three-phase full-wave bridge rectifier. The rectifier is protected by a surge suppressor against surges caused, for example, by short circuit or out-of-phase paralleling.

The AS440 will support a range of electronic accessories, including a 'droop' Current Transformer (CT) to permit parallel operation with other ac generators.

#### MX341 AVR

This sophisticated AVR is incorporated into the Stamford Permanent Magnet Generator (PMG) control system.

The PMG provides power via the AVR to the main exciter, giving a source of constant excitation power independent of generator output. The main exciter output is then fed to the main rotor, through a full wave bridge, protected by a surge suppressor. The AVR has in-built protection against sustained over-excitation, caused by internal or external faults. This de-excites the machine after a minimum of 5 seconds.

An engine relief load acceptance feature can enable full load to be applied to the generator in a single step.

If three-phase sensing is required with the PMG system the MX321 AVR must be used.

We recommend three-phase sensing for applications with greatly unbalanced or highly non-linear loads.

#### MX321 AVR

The most sophisticated of all our AVRs combines all the features of the MX341 with, additionally, three-phase rms sensing, for improved regulation and performance.

Over voltage protection is built-in and short circuit current level adjustments is an optional facility.

### WINDINGS & ELECTRICAL PERFORMANCE

All generator stators are wound to 2/3 pitch. This eliminates triplen (3rd, 9th, 15th ...) harmonics on the voltage waveform and is found to be the optimum design for trouble-free supply of non-linear loads. The 2/3 pitch design avoids excessive neutral currents sometimes seen with higher winding pitches, when in parallel with the mains. A fully connected damper winding reduces oscillations during paralleling. This winding, with the 2/3 pitch and carefully selected pole and tooth designs, ensures very low waveform distortion.

### TERMINALS & TERMINAL BOX

Standard generators are 3-phase reconnectable with 12 ends brought out to the terminals, which are mounted on a cover at the non-drive end of the generator. A sheet steel terminal box contains the AVR and provides ample space for the customers' wiring and gland arrangements. It has removable panels for easy access.

### SHAFT & KEYS

All generator rotors are dynamically balanced to better than BS6861:Part 1 Grade 2.5 for minimum vibration in operation. Two bearing generators are balanced with a half key.

### INSULATION/IMPREGNATION

The insulation system is class 'H'.

All wound components are impregnated with materials and processes designed specifically to provide the high build required for static windings and the high mechanical strength required for rotating components.

### QUALITY ASSURANCE

Generators are manufactured using production procedures having a quality assurance level to BS EN ISO 9001.

The stated voltage regulation may not be maintained in the presence of certain radio transmitted signals. Any change in performance will fall within the limits of Criteria 'B' of EN 61000-6-2:2001. At no time will the steady-state voltage regulation exceed 2%.

### DE RATES

All values tabulated on page 6 are subject to the following reductions

5% when air inlet filters are fitted.

3% for every 500 metres by which the operating altitude exceeds 1000 metres above mean sea level.

3% for every 5 C by which the operational ambient temperature exceeds 40 C.

Note: Requirement for operating in an ambient exceeding 60 C must be referred to the factory.

*NB Continuous development of our products entitles us to change specification details without notice, therefore they must not be regarded as binding.*

*Front cover drawing typical of product range.*

APPROVED DOCUMENT

# HCI434F/444F

**STAMFORD**

## WINDING 17

CONTROL SYSTEM	SEPARATELY EXCITED BY P.M.G.		
A.V.R.	MX321	MX341	
VOLTAGE REGULATION	± 0.5 %	± 1.0 %	With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	REFER TO SHORT CIRCUIT DECREMENT CURVES (page 5)		
CONTROL SYSTEM	SELF EXCITED		
A.V.R.	AS440		
VOLTAGE REGULATION	± 1.0 %		With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	WILL NOT SUSTAIN A SHORT CIRCUIT		
INSULATION SYSTEM	CLASS H		
PROTECTION	IP23		
RATED POWER FACTOR	0.8		
STATOR WINDING	DOUBLE LAYER LAP		
WINDING PITCH	TWO THIRDS		
WINDING LEADS	12		
STATOR WDG. RESISTANCE	0.011 Ohms PER PHASE AT 22°C SERIES STAR CONNECTED		
ROTOR WDG. RESISTANCE	1.37 Ohms at 22°C		
EXCITER STATOR RESISTANCE	18 Ohms at 22°C		
EXCITER ROTOR RESISTANCE	0.068 Ohms PER PHASE AT 22°C		
R.F.I. SUPPRESSION	BS EN 61000-6-2 & BS EN 61000-6-4, VDE 0875G, VDE 0875N. refer to factory for others		
WAVEFORM DISTORTION	NO LOAD < 1.5% NON-DISTORTING BALANCED LINEAR LOAD < 5.0%		
MAXIMUM OVERSPEED	2250 Rev/Min		
BEARING DRIVE END	BALL. 6317 (ISO)		
BEARING NON-DRIVE END	BALL. 6314 (ISO)		
	1 BEARING		2 BEARING
WEIGHT COMP. GENERATOR	1160 kg		1160 kg
WEIGHT WOUND STATOR	535 kg		535 kg
WEIGHT WOUND ROTOR	463 kg		440 kg
WR <sup>2</sup> INERTIA	5.4292 kgm <sup>2</sup>		5.2304 kgm <sup>2</sup>
SHIPPING WEIGHTS in a crate	1230 kg		1230 kg
PACKING CRATE SIZE	155 x 87 x 107 (cm)		155 x 87 x 107 (cm)
TELEPHONE INTERFERENCE	THF<2%		TIF<50
COOLING AIR	0.99 m <sup>3</sup> /sec 2100 cfm		
VOLTAGE SERIES STAR	600V		
VOLTAGE PARALLEL STAR	300V		
VOLTAGE SERIES DELTA	346V		
kVA BASE RATING FOR REACTANCE VALUES	500		
X <sub>d</sub> DIR. AXIS SYNCHRONOUS	2.73		
X' <sub>d</sub> DIR. AXIS TRANSIENT	0.19		
X'' <sub>d</sub> DIR. AXIS SUBTRANSIENT	0.13		
X <sub>q</sub> QUAD. AXIS REACTANCE	2.40		
X'' <sub>q</sub> QUAD. AXIS SUBTRANSIENT	0.36		
X <sub>L</sub> LEAKAGE REACTANCE	0.06		
X <sub>2</sub> NEGATIVE SEQUENCE	0.24		
X <sub>0</sub> ZERO SEQUENCE	0.08		
REACTANCES ARE SATURATED		VALUES ARE PER UNIT AT RATING AND VOLTAGE INDICATED	
T' <sub>d</sub> TRANSIENT TIME CONST.	0.08s		
T'' <sub>d</sub> SUB-TRANSTIME CONST.	0.019s		
T' <sub>do</sub> O.C. FIELD TIME CONST.	1.7s		
T <sub>a</sub> ARMATURE TIME CONST.	0.018s		
SHORT CIRCUIT RATIO	1/X <sub>d</sub>		

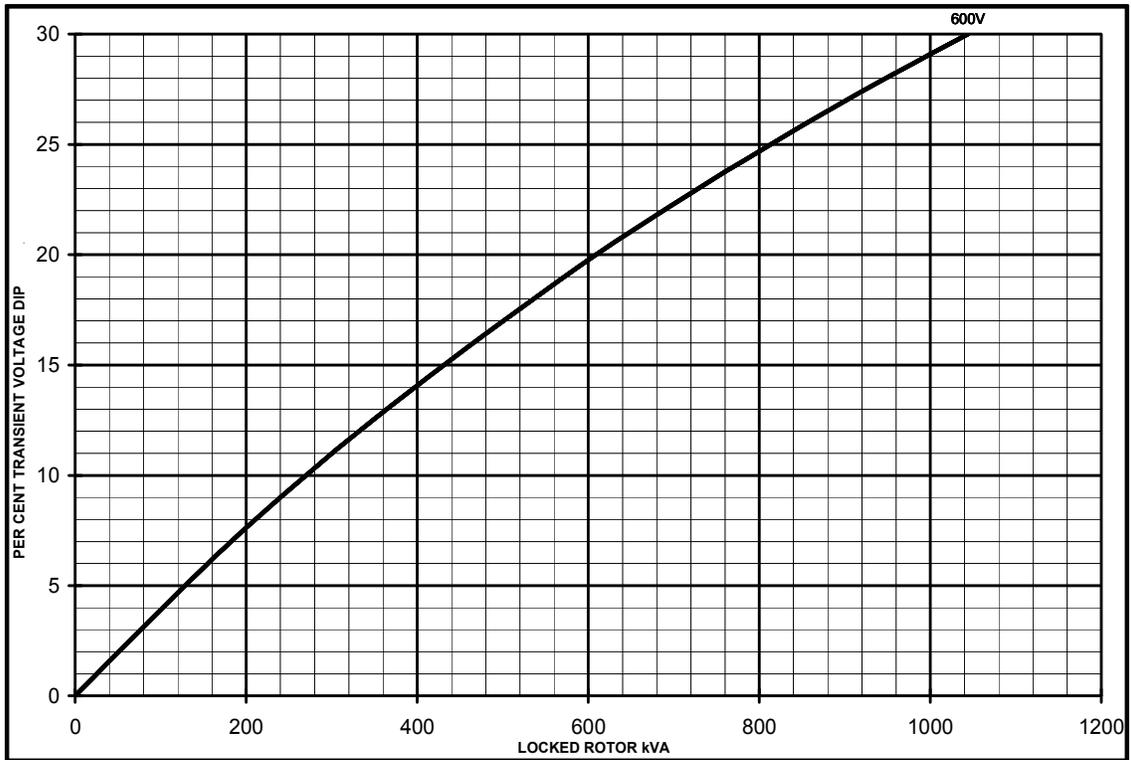
# HCI434F/444F

**STAMFORD**

Winding 17

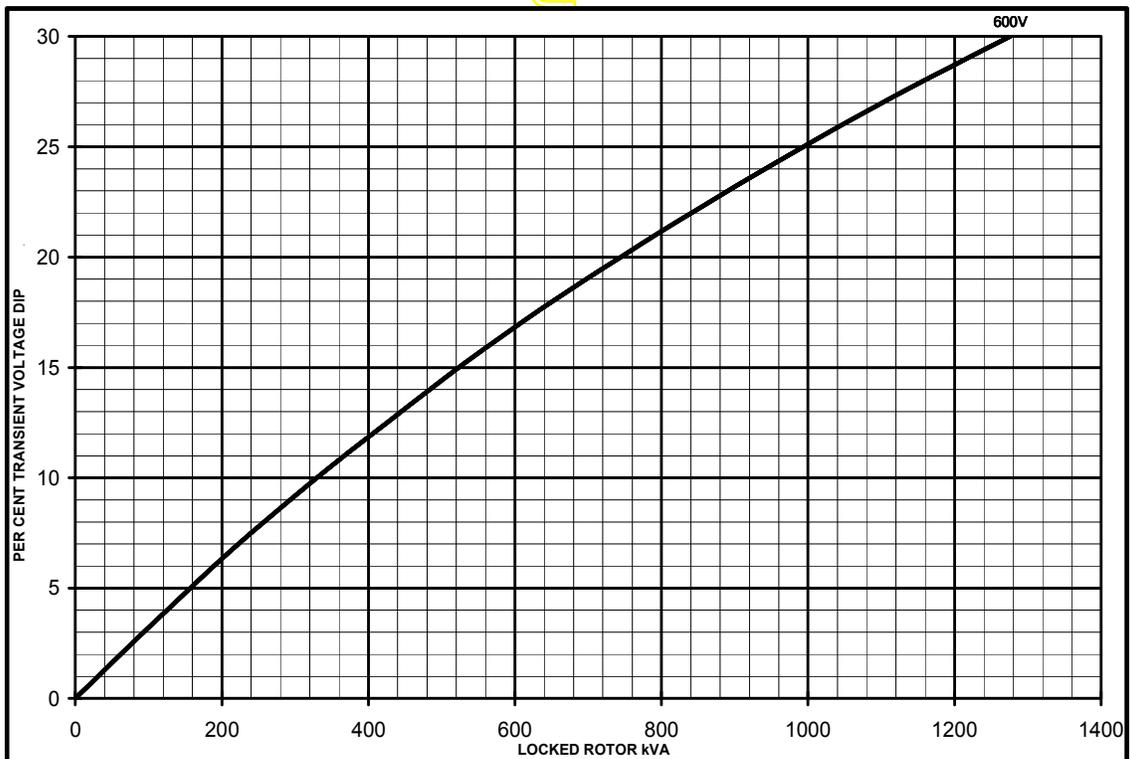
**SX**

## Locked Rotor Motor Starting Curves



**MX**

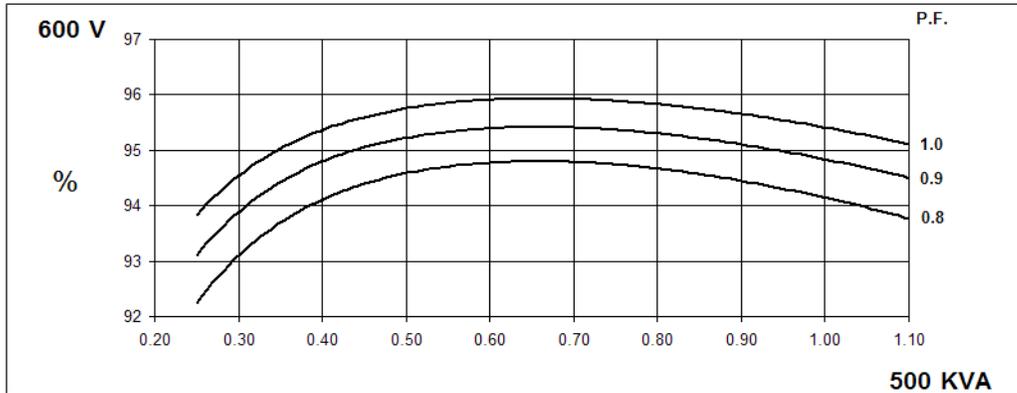
OCU



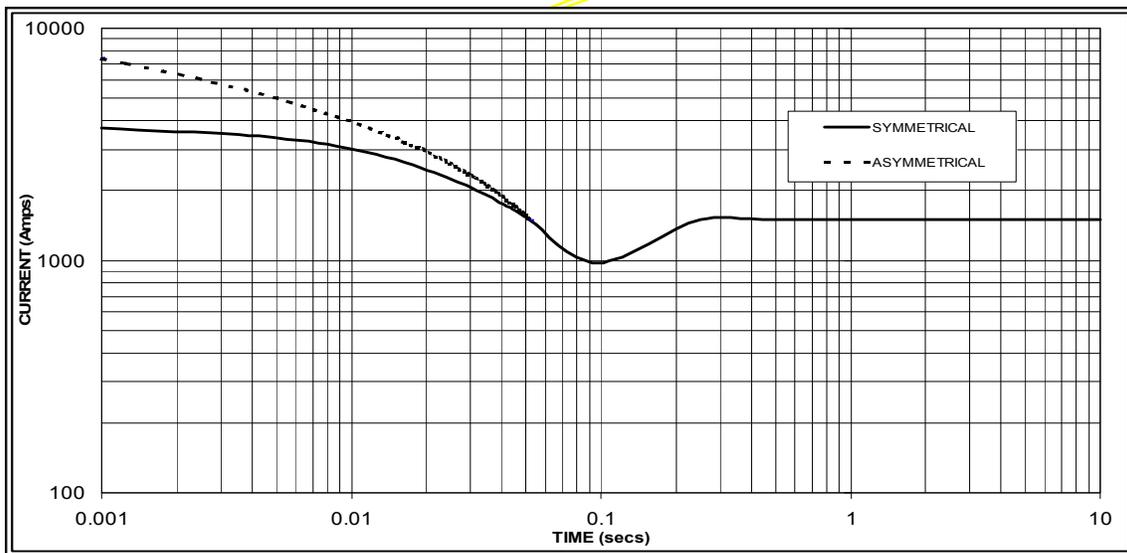
**HCI434F/444F**  
Winding 17

**STAMFORD**

**THREE PHASE EFFICIENCY CURVES**



**Three-phase Short Circuit Decrement Curve. No-load Excitation at Rated Speed Based on star (wye) connection.**



Sustained Short Circuit = 1500 Amps

**Note**

The following multiplication factor should be used to convert the values from curve for the various types of short circuit :

	3-phase	2-phase L-L	1-phase L-N
Instantaneous	x 1.00	x 0.87	x 1.30
Minimum	x 1.00	x 1.80	x 3.20
Sustained	x 1.00	x 1.50	x 2.50
Max. sustained duration	10 sec.	5 sec.	2 sec.

All other times are unchanged

# HCI434F/444F

**STAMFORD**

Winding 17 / 0.8 Power Factor

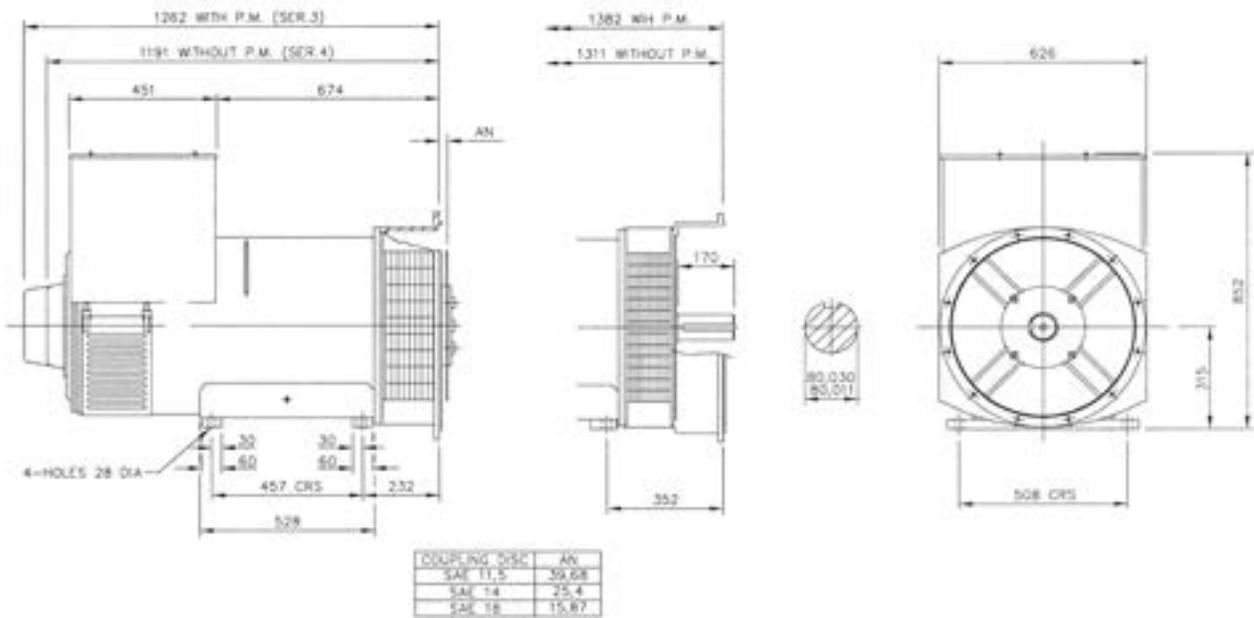
**60Hz**

## RATINGS

Class - Temp Rise	Cont. F - 105/40°C	Cont. H - 125/40°C	Standby - 150/40°C	Standby - 163/27°C
Series Star (V)	600	600	600	600
Parallel Star (V)	300	300	300	300
Series Delta (V)	346	346	346	346
kVA	465	500	535	550
kW	372	400	428	440
Efficiency (%)	94.4	94.1	93.9	93.8
kW Input	394	425	456	469

APPROXIMATE

## DIMENSIONS



APPROVED DOCUMENT

**STAMFORD**

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[www.cumminsgeneratortechnologies.com](http://www.cumminsgeneratortechnologies.com)

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A highly advanced integrated genset control system, this device provides genset control, transfer switch control, metering, protection, and programmable logic in a simple, easy-to-use, reliable, rugged, and cost effective package.

**FEATURES**

- Generator metering (includes three-phase mains)
- Engine and generator protection: 27, 32R, 40Q, 59, 810/U
- Optional enhanced generator protection: 47, 51, 78, and 81ROCOF
- Load sharing and generator sequencing (via LSM-200 Load Share Module)
- Var sharing over Ethernet (via LSM-200)
- BESTCOMSP<sup>Plus</sup>® Software
  - Programming and setup
  - Intuitive and powerful
  - Remote control and monitoring
  - Programmable logic
  - USB communications
- Automatic transfer switch control
- Automatic synchronizer (optional)
- Exercise timer
- SAE J1939 engine ECU communications
- Automatic generator configuration detection
- Expandable functionality via add-on modules
  - [LSM-200 Load Share Module](#)
  - [CEM-200 Contact Expansion Module](#)
  - [AEM-200 Analog Expansion Module](#)
- Multilingual capability
- Remote communications to Basler's RDP-110 (remote display panel)
- Sixteen programmable contact inputs
- Up to 15 contact outputs: 3 contacts rated for 30 Adc and up to 12 programmable contacts rated for 2 Adc

**BENEFITS**

- Provides integrated engine-genset control, protection, and metering in a single package.
- The Offline Simulator, provided in BESTlogic™*Plus*, helps test and troubleshoot logic without the need for expensive hardware.
- Flexible programmable logic and programmable I/O make it easy to expand the DGC-200's inputs and outputs with the CEM-200 (Contact Expansion Module) and the AEM-200 (Analog Expansion Module). This saves time and money by eliminating unnecessary external PLCs and control relaying.

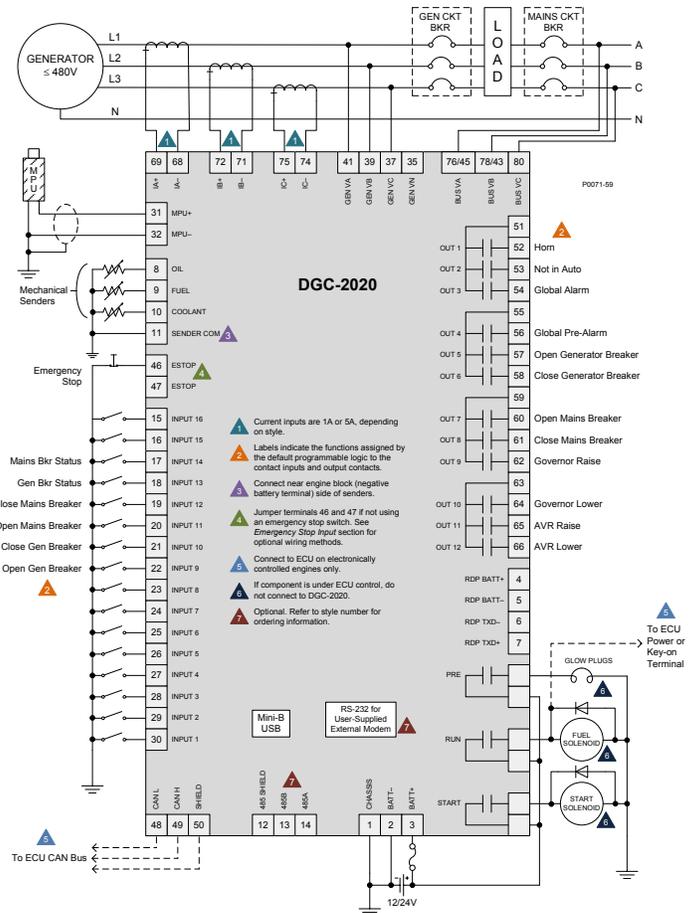


Figure 1 - DGC-200 Connection Diagram for a Typical Application

Visit [www.basler.com](http://www.basler.com)  
FOR ADDITIONAL INFORMATION.

**SPECIFICATIONS**

**Power Supply**

Nominal: 12 or 24 Vdc  
 Range: 6 to 32 Vdc  
 Battery Ride Through: Starting at 10 Vdc, withstands cranking ride-through down to 0 V for 50 ms

**Power Consumption**

Sleep Mode: 5 W  
 Normal Operational Mode: 7.9 W  
 Maximum: 14.2 W

**Current Sensing**

1 A Sensing: 0.02 to 1.0 Aac, continuous  
 2 Aac for 1 second  
 5 A Sensing: 0.1 to 5.0 Aac, continuous  
 10 Aac for 1 second  
 Burden: 1 VA

**Voltage Sensing**

Range: 12 to 576 Vrms L-L  
 Frequency Range: 10 to 72 Hz for 50/60 Hz style, 10 to 480 Hz for 400 Hz style  
 Burden: 1 VA  
 One-second Rating: 720 Vrms

**Contact Sensing**

Contact Inputs (16): Accepts normally open (N.O.), Dry Contacts, programmable  
 Emergency Stop: Normally closed (N.C.), Dry Contact

**Engine Speed Sensing**

Magnetic Pickup:  
 Voltage Range: 6 to 70 Vpp  
 Frequency Range: 32 to 10,000 Hz  
 Generator Frequency:  
 Generator Voltage Range: 12 to 576 Vrms  
 Via ECU over J1939

**Resistive Senders**

Fuel Level Sender: 0 to 250 Ω nominal  
 Coolant Temp Sender: 10 to 2,750 Ω nominal  
 Oil Pressure Sender: 0 to 250 Ω nominal

**Output Contacts**

Fuel Solenoid, Engine Crank,  
 Pre-Start Relays Rating: 30 Adc at 28 Vdc-make, break, and carry  
 Programmable Relays: Up to 12  
 Rating: 2 Adc at 28 Vdc-make, break, and carry

**Protection**

Generator: 27, 32R, 40Q, 59, 810/U (standard)  
 47, 51, 78, 81 ROCOF (optional)  
 Engine: Oil pressure, coolant temperature, overcrank, ECU-specific elements, and diagnostic reporting.

**Agency Approvals**

CSA certified, NFPA compliant, CE compliant,  
 UL recognized (Hazardous Location certification available upon request), EAC certified

**Communication**

USB Port: USB 2.0, Mini-B jack  
 RS-485 (optional): 9600 baud, 8 data bits, no parity  
 RDP-110 (optional): 4,000 ft (1,219 m) max wire length, 20 AWG (0.52 mm<sup>2</sup>) min wire size  
 Modem (optional): DB-9 connector (male)  
 CAN bus: 250 kb/s communication rate, 1.5 to 3 Vdc differential bus

**Environmental**

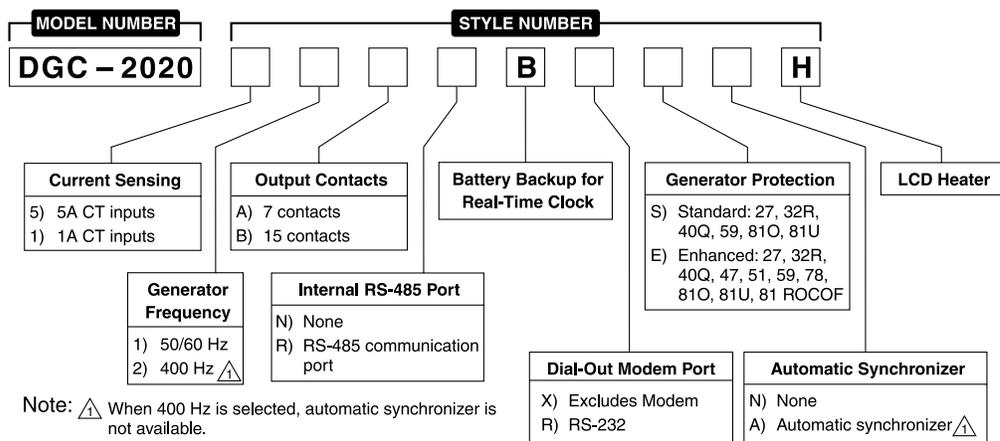
Operating Temp: -40°C to 70°C (-40°F to 158°F)  
 Storage Temp: -40°C to 85°C (-40°F to 185°F)  
 Humidity: IEC 68-2-38  
 Salt Fog: ASTM B 17-73, IEC 68-2-11  
 Ingress Protection: IEC IP54 for front panel  
 Shock: 15 G in three perpendicular planes  
 Vibration:  
 5 to 29 Hz: 1.5 G peak  
 29 to 52 Hz: 0.036" (0.914 mm) double amplitude  
 52 to 500 Hz: 5 G peak

**Physical**

Weight: 4.4 lb (2 kg)  
 Dimensions (WxHxD): 11.77 x 8.27 x 2.69 inches (299 x 210 x 69 mm)

For complete specifications, download the instruction manual at [www.basler.com](http://www.basler.com).

**STYLE CHART**



**RELATED PRODUCTS**

- [BE1-11g Generator Protection System](#)
  - A complete generator protection system.
- [DECS-250 Digital Excitation Control System](#)
  - Total control in a compact package provides precise voltage, var and power factor regulation, exceptional system response, and generator protection.

**ACCESSORIES**

- [AEM-2020 Analog Expansion Module](#)
  - Easily increases the functionality by seamlessly adding analog inputs and outputs.
- [CEM-2020, CEM-2020H Contact Expansion Module](#)
  - Each module adds 10 inputs and up to 24 outputs that are easily programmed through BESTCOMSPUs<sup>®</sup> for easy integration into the system.
- [LSM-2020 Load Share Module](#)
  - The simple-to-use LSM-2020 easily adds paralleling capabilities with little effort and expense.
- [RDP-110 Remote Display Panel](#)
  - Provides remote alarm and pre-alarm indication and annunciation of system status, easily meeting the annunciation requirements of NFPA-110 applications.



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 e-mail: singaporeinfo@basler.com

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG33G0600B2NJNNNNNN**



Datasheet creation date: 02/12/2019

**PRODUCT VIEW** *(Use Mouse to Rotate and Zoom)*

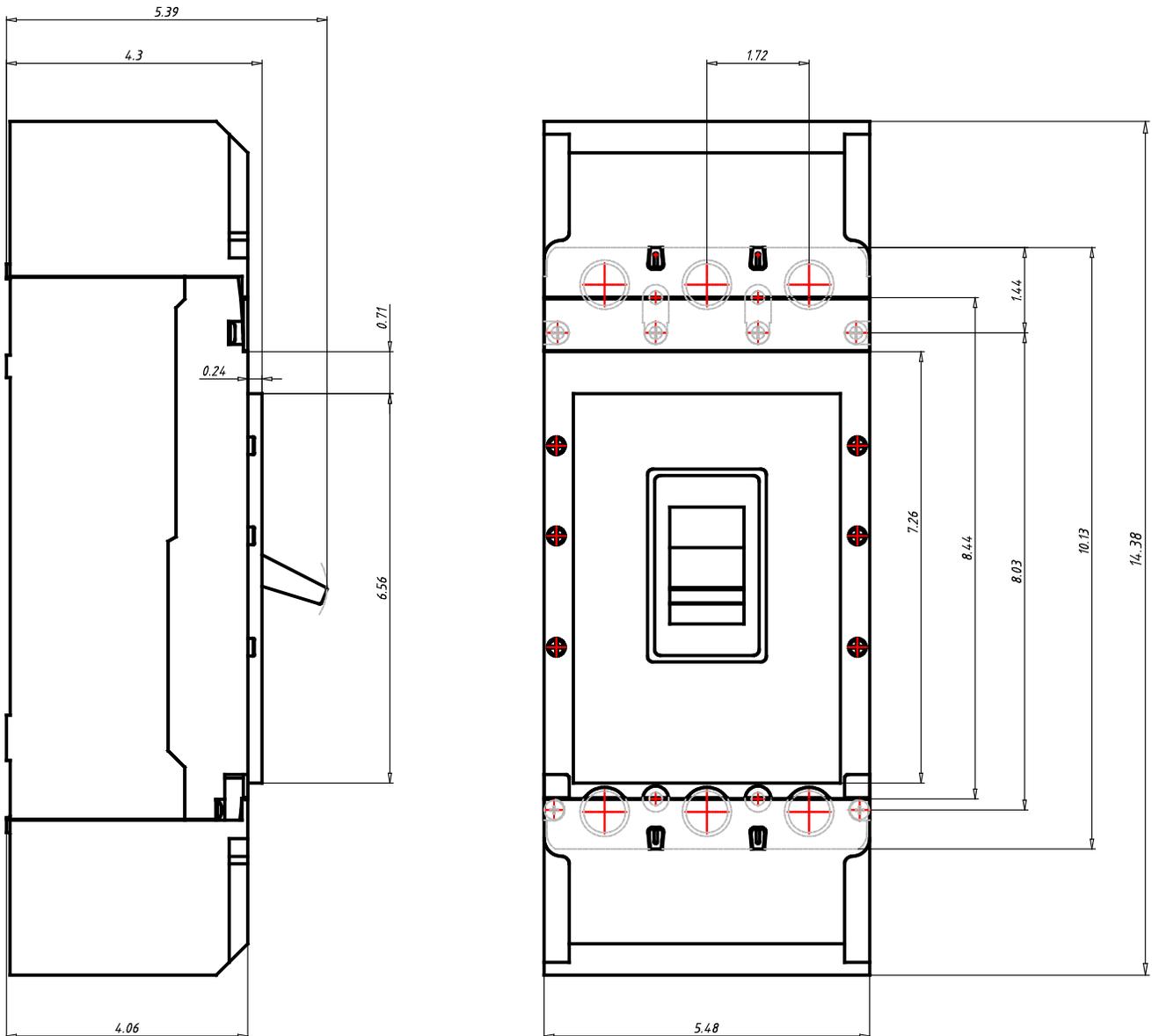
Eaton's Power Defense™ molded case circuit breakers, a globally rated platform designed to help keep your power system safe with latest protection technology. Engineered for the future: IoT and Industry 4.0 features such as built-in communications, advanced energy metering, and algorithms that signal breaker maintenance; zone selective interlock technology that clears faults quickly and locally; ArcFlash reduction options that help protect your people, and not to mention Eaton's best-in-class support and service.

**Tech Data for Configured Product**

<b>Power Defense Catalog Number</b>	PDG33G0600B2NJNNNNNN
<b>Frame Size</b>	Frame 3
<b>Poles</b>	3 Pole
<b>Voltage</b>	480V AC
<b>Interruption or Breaking Capacity ( Icu/Ics)</b>	35kA
<b>Continuous Current Rating (In)</b>	600A
<b>Trip Unit Type</b>	PXR10
<b>Trip Unit Options 1</b>	LSI
<b>Trip Unit Options 2</b>	None
<b>Indicating Accessories</b>	None
<b>Indicating Accessories Terminal</b>	None
<b>Tripping Accessories</b>	None
<b>Tripping Accessory Terminal</b>	None
<b>Tripping Accessory Voltage</b>	None
<b>Line Type Description</b>	Option 1 - Standard Terminal
<b>Line Conductor Options</b>	(2) 2 - 500
<b>Line Terminal Type</b>	Aluminum
<b>Load Type Description</b>	Option 1 - Standard Terminal
<b>Load Conductor Options</b>	(2) 2 - 500
<b>Load Terminal Type</b>	Aluminum
<b>Special Options - Type of Modification</b>	None
<b>Details</b>	None
<b>Additional Description</b>	None

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG33G0600B2NJNNNNNN**

**Technical drawings**



**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG33G0600B2NJNNNNNN**



Datasheet creation date: 02/12/2019

**General Technical Data**

Frame Rating (In)	600A
Reference Standard	UL489, CSA 22.2, IEC 60947-2 & GB
Number of poles	3
Neutral rating	-
Interruption Rating Designator	F / G / K / M / N / P
UL Interruption Rating to UL 489 (240Vac)	35 / 65 / 85 / 100 / 150 / 200kA
UL Interruption Rating to UL 489 (480Vac)	25 / 35 / 50 / 65(a) / 85 / 100kA
UL Interruption Rating to UL 489 (600Vac)	14 / 18 / 25 / 35 / 50 / 65kA
UL Interruption Rating to UL 489 (125/250Vdc)	
UL Current Limiting	N / N / N / N / Y / Y
Rated breaking capacity to IEC 60947-2 (220-240 Vac Icu)	35 / 55 / 85 / 100 / 150 / 200kA
Rated breaking capacity to IEC 60947-2 (220-240 Vac Ics)	35 / 55 / 85 / 100 / 100 / 150kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Icu)	25 / 36 / 50 / 70 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Ics)	25 / 36 / 50 / 53 / 70 / 70kA
Rated breaking capacity to IEC 60947-2 (440 Vac Icu)	25 / 30 / 35 / 50 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (440 Vac Ics)	20 / 22.5 / 35 / 40 / 50 / 50kA
Rated breaking capacity to IEC 60947-2 (525 Vac Icu)	18 / 20 / 25 / 30 / 35 / 40kA
Rated breaking capacity to IEC 60947-2 (525 Vac Ics)	5 / 7.5 / 10 / 15 / 25 / 25kA
Rated breaking capacity to IEC 60947-2 (690 Vac Icu)	- / 8 / 10 / 15 / 20 / 20kA
Rated breaking capacity to IEC 60947-2 (690 Vac Ics)	- / 4 / 5 / 7.5 / 10 / 10kA
Rated breaking capacity to IEC 60947-2 (125V DC Icu)	
Rated breaking capacity to IEC 60947-2 (250V DC 2P in series Ics)	10 / 10 / 10 / 22 / 22 / 22kA
Frequency	50/60Hz
Trip Unit Type	PXR10
Continuous Current Range	250 - 600A
100% UL489 Rated	Yes
Instantaneous/Short Circuit Range	2 - 10 In
Magnetic/Instantaneous Override	7200A
Dimensions H x W x D (inches)	10.125 x 5.47 x 4.297
Pole to pole distance inches	1,719
Approx Weight lbs	16
RoHS Compliance	Yes
UL File Number	E7819
Ambient Temp Calibration	
Derating at 50C	
Derating at 60C	
Derating at 70C	

1. 480Vac corresponds to 277Vac for 1P
2. 600Vac corresponds to 347Vac for 1P

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG43G0800B2NJNNNNNN**



Datasheet creation date: 20/11/2019

**PRODUCT VIEW** *(Use Mouse to Rotate and Zoom)*

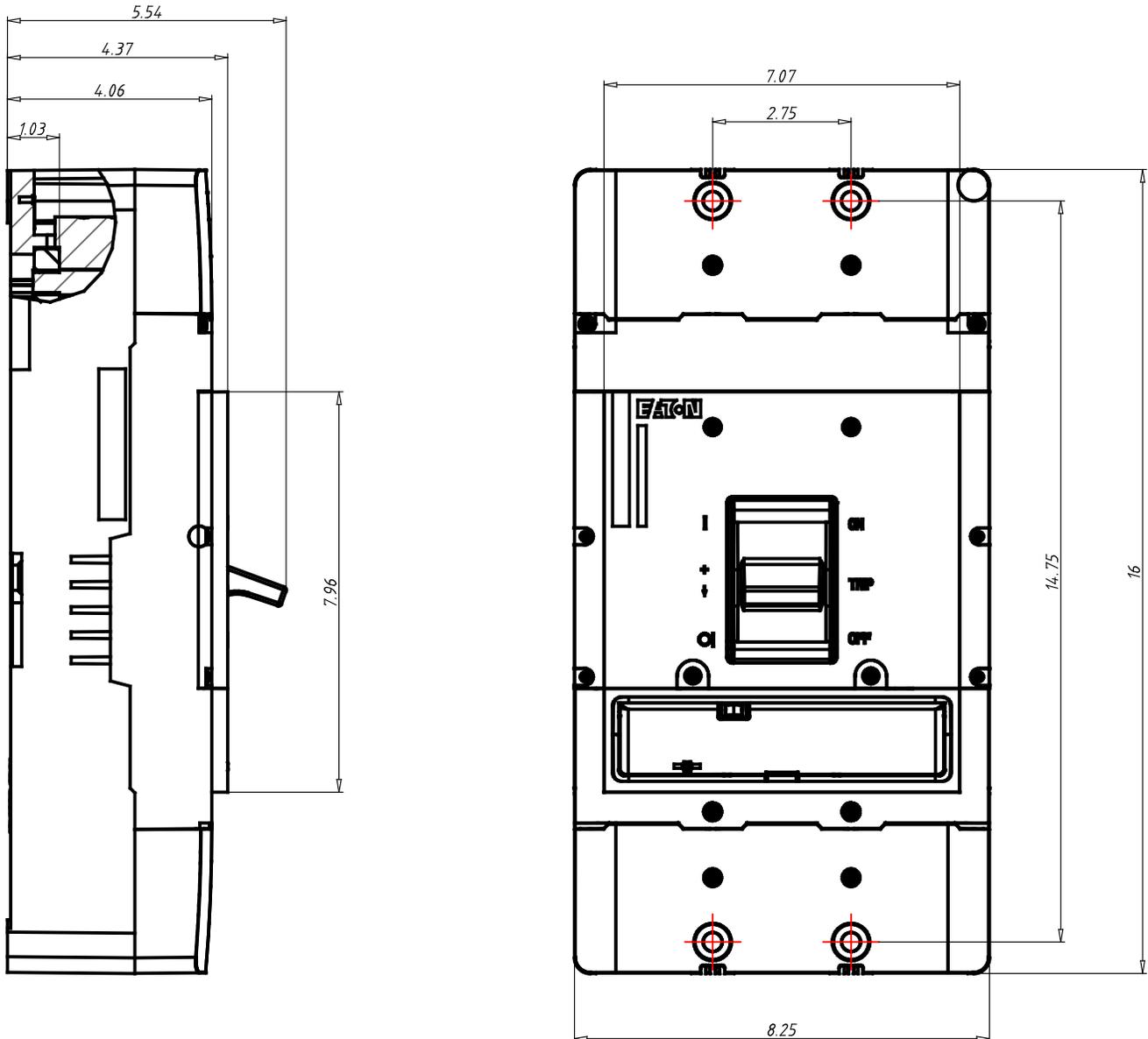
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**Tech Data for Configured Product**

<b>Power Defense Catalog Number</b>	PDG43G0800B2NJNNNNNN
<b>Frame Size</b>	Frame 4
<b>Poles</b>	3 Pole
<b>Voltage</b>	240V AC
<b>Interruption or Breaking Capacity ( Icu/Ics)</b>	55kA
<b>Continuous Current Rating (In)</b>	800A
<b>Trip Unit Type</b>	PXR10
<b>Trip Unit Options 1</b>	LSI
<b>Trip Unit Options 2</b>	None
<b>Indicating Accessories</b>	None
<b>Indicating Accessories Terminal</b>	None
<b>Tripping Accessories</b>	None
<b>Tripping Accessory Terminal</b>	None
<b>Tripping Accessory Voltage</b>	None
<b>Line Type Description</b>	Option 1 - Standard Terminal
<b>Line Conductor Options</b>	(3) 3/0 - 400
<b>Line Terminal Type</b>	Aluminum
<b>Load Type Description</b>	Option 1 - Standard Terminal
<b>Load Conductor Options</b>	(3) 3/0 - 400
<b>Load Terminal Type</b>	Aluminum
<b>Special Options - Type of Modification</b>	None
<b>Details</b>	None
<b>Additional Description</b>	None

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG43G0800B2NJNNNNNN**

**Technical drawings**



**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG43G0800B2NJNNNNNN**



Datasheet creation date: 20/11/2019

**General Technical Data**

Frame Rating (In)	800A
Reference Standard	UL489, CSA 22.2, IEC 60947-2 & GB
Number of poles	3
Neutral rating	-
Interruption Rating Designator	G / K / M
UL Interruption Rating to UL 489 (240Vac)	65 / 85 / 100kA
UL Interruption Rating to UL 489 (480Vac)	35 / 50 / 65(a)kA
UL Interruption Rating to UL 489 (600Vac)	18 / 25 / 35kA
UL Interruption Rating to UL 489 (125/250Vdc)	
UL Current Limiting	-
Rated breaking capacity to IEC 60947-2 (220-240 Vac Icu)	55 / 85 / 100 / 100kA
Rated breaking capacity to IEC 60947-2 (220-240 Vac Ics)	55 / 85 / 100 / 100kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Icu)	36 / 50 / 70 / 70kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Ics)	36 / 50 / 53 / 70kA
Rated breaking capacity to IEC 60947-2 (440 Vac Icu)	30 / 35 / 50 / 65kA
Rated breaking capacity to IEC 60947-2 (440 Vac Ics)	22.5 / 35 / 40 / 50kA
Rated breaking capacity to IEC 60947-2 (525 Vac Icu)	20 / 25 / 30 / 35kA
Rated breaking capacity to IEC 60947-2 (525 Vac Ics)	16.5 / 20 / 25 / 25kA
Rated breaking capacity to IEC 60947-2 (690 Vac Icu)	8 / 10 / 15 / 20kA
Rated breaking capacity to IEC 60947-2 (690 Vac Ics)	4 / 5 / 7.5 / 10kA
Rated breaking capacity to IEC 60947-2 (125V DC Icu)	
Rated breaking capacity to IEC 60947-2 (250V DC 2P in series Ics)	22 / 22 / 25kA
Frequency	50/60Hz
Trip Unit Type	PXR10
Continuous Current Range	320 - 800A
100% UL489 Rated	Yes
Instantaneous/Short Circuit Range	2 - 8 In
Magnetic/Instantaneous Override	6800A
Dimensions H x W x D (inches)	16 x 8.25 x 4.38
Pole to pole distance inches	2,75
Approx Weight lbs	29,98
RoHS Compliance	Yes
UL File Number	E7819
Ambient Temp Calibration	
Derating at 50C	
Derating at 60C	
Derating at 70C	

1. 480Vac corresponds to 277Vac for 1P
2. 600Vac corresponds to 347Vac for 1P

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG53K1200E3RNNNNNNN**



Datasheet creation date: 19/08/2019

**PRODUCT VIEW** *(Use Mouse to Rotate and Zoom)*

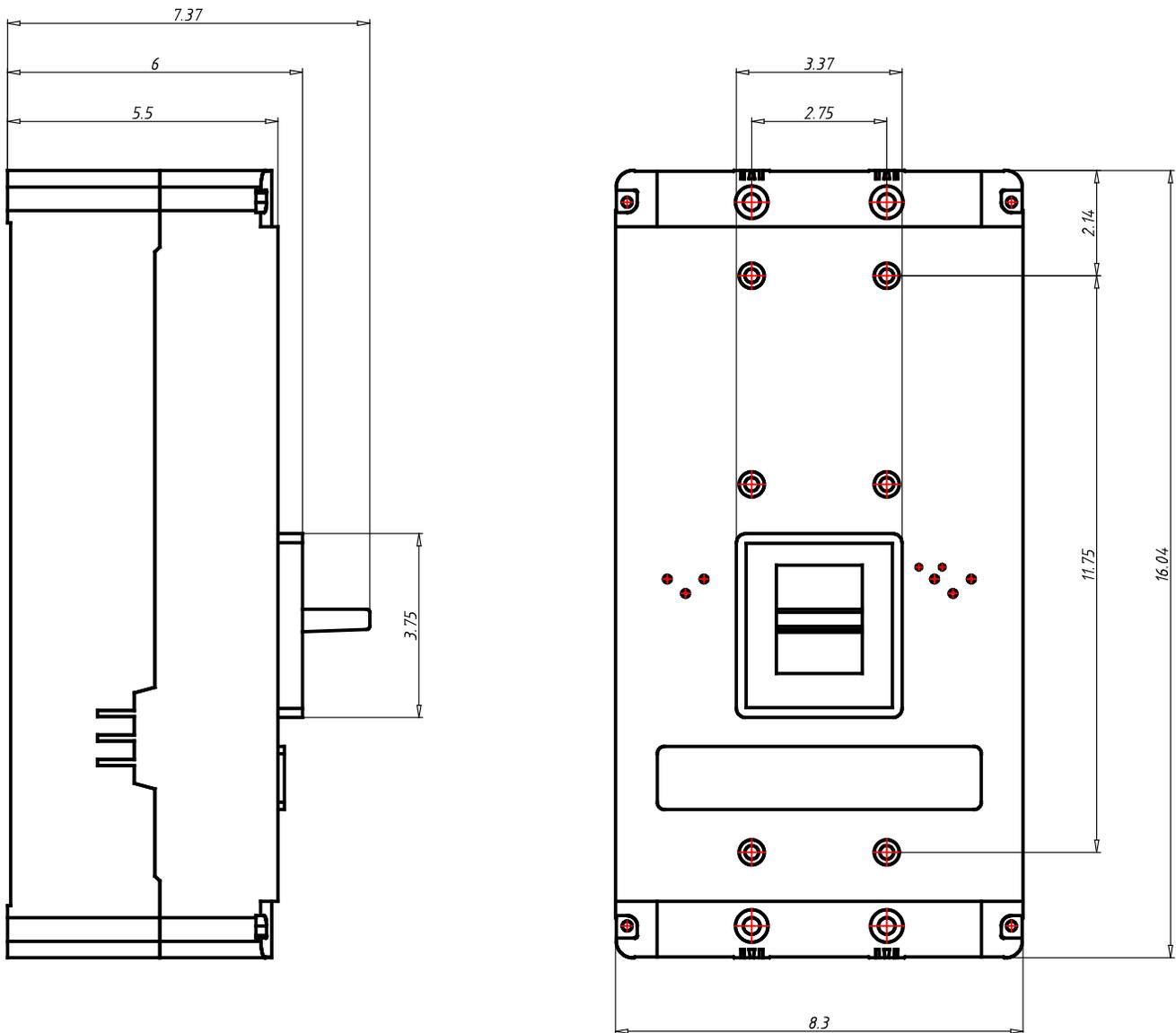
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**Tech Data for Configured Product**

<b>Power Defense Catalog Number</b>	PDG53K1200E3RNNNNNNN
<b>Frame Size</b>	Frame 5
<b>Poles</b>	3 Pole
<b>Voltage</b>	480V AC
<b>Interruption or Breaking Capacity ( Icu/Ics)</b>	50kA
<b>Continuous Current Rating (In)</b>	1200A
<b>Trip Unit Type</b>	PXR20
<b>Trip Unit Options 1</b>	LSIG
<b>Trip Unit Options 2</b>	Relays
<b>Indicating Accessories</b>	None
<b>Indicating Accessories Terminal</b>	None
<b>Tripping Accessories</b>	None
<b>Tripping Accessory Terminal</b>	None
<b>Tripping Accessory Voltage</b>	None
<b>Line Type Description</b>	None
<b>Line Conductor Options</b>	N/A
<b>Line Terminal Type</b>	N/A
<b>Load Type Description</b>	None
<b>Load Conductor Options</b>	N/A
<b>Load Terminal Type</b>	N/A
<b>Special Options - Type of Modification</b>	None
<b>Details</b>	None
<b>Additional Description</b>	None

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG53K1200E3RNNNNNN**

**Technical drawings**



**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG53K1200E3RNNNNNNN**



Datasheet creation date: 19/08/2019

**General Technical Data**

Frame Rating (In)	1200A
Reference Standard	UL489, CSA 22.2, IEC 60947-2 & GB
Number of poles	3
Neutral rating	-
Interruption Rating Designator	K / M / N / P / T
UL Interruption Rating to UL 489 (240Vac)	85 / 100 / 150 / 200 / 200kA
UL Interruption Rating to UL 489 (480Vac)	50 / 65 / 85 / 100 / 150kA
UL Interruption Rating to UL 489 (600Vac)	25 / 35 / 50 / 65 / 65kA
UL Interruption Rating to UL 489 (125/250Vdc)	
UL Current Limiting	-
Rated breaking capacity to IEC 60947-2 (220-240 Vac Icu)	85 / 100 / 150 / 200kA
Rated breaking capacity to IEC 60947-2 (220-240 Vac Ics)	85 / 100 / 100 / 150kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Icu)	50 / 70 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Ics)	50 / 50 / 50 / 50kA
Rated breaking capacity to IEC 60947-2 (440 Vac Icu)	35 / 50 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (440 Vac Ics)	35 / 40 / 50 / 50kA
Rated breaking capacity to IEC 60947-2 (525 Vac Icu)	25 / 30 / 35 / 40kA
Rated breaking capacity to IEC 60947-2 (525 Vac Ics)	20 / 25 / 25 / 25kA
Rated breaking capacity to IEC 60947-2 (690 Vac Icu)	10 / 15 / 20 / 35kA
Rated breaking capacity to IEC 60947-2 (690 Vac Ics)	5 / 7.5 / 10 / 18kA
Rated breaking capacity to IEC 60947-2 (125V DC Icu)	
Rated breaking capacity to IEC 60947-2 (250V DC 2P in series Ics)	25
Frequency	50/60Hz
Trip Unit Type	PXR20
Continuous Current Range	500 - 1200A
100% UL489 Rated	Yes
Instantaneous/Short Circuit Range	2 - 10 In
Magnetic/Instantaneous Override	14400A
Dimensions H x W x D (inches)	16 x 8.25 x 5.5
Pole to pole distance inches	2,75
Approx Weight lbs	45
RoHS Compliance	Yes
UL File Number	E7819
Ambient Temp Calibration	
Derating at 50C	
Derating at 60C	
Derating at 70C	

1. 480Vac corresponds to 277Vac for 1P
2. 600Vac corresponds to 347Vac for 1P

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG63M1600E3RNNNNNNN**



Datasheet creation date: 26/08/2019

**PRODUCT VIEW** *(Use Mouse to Rotate and Zoom)*

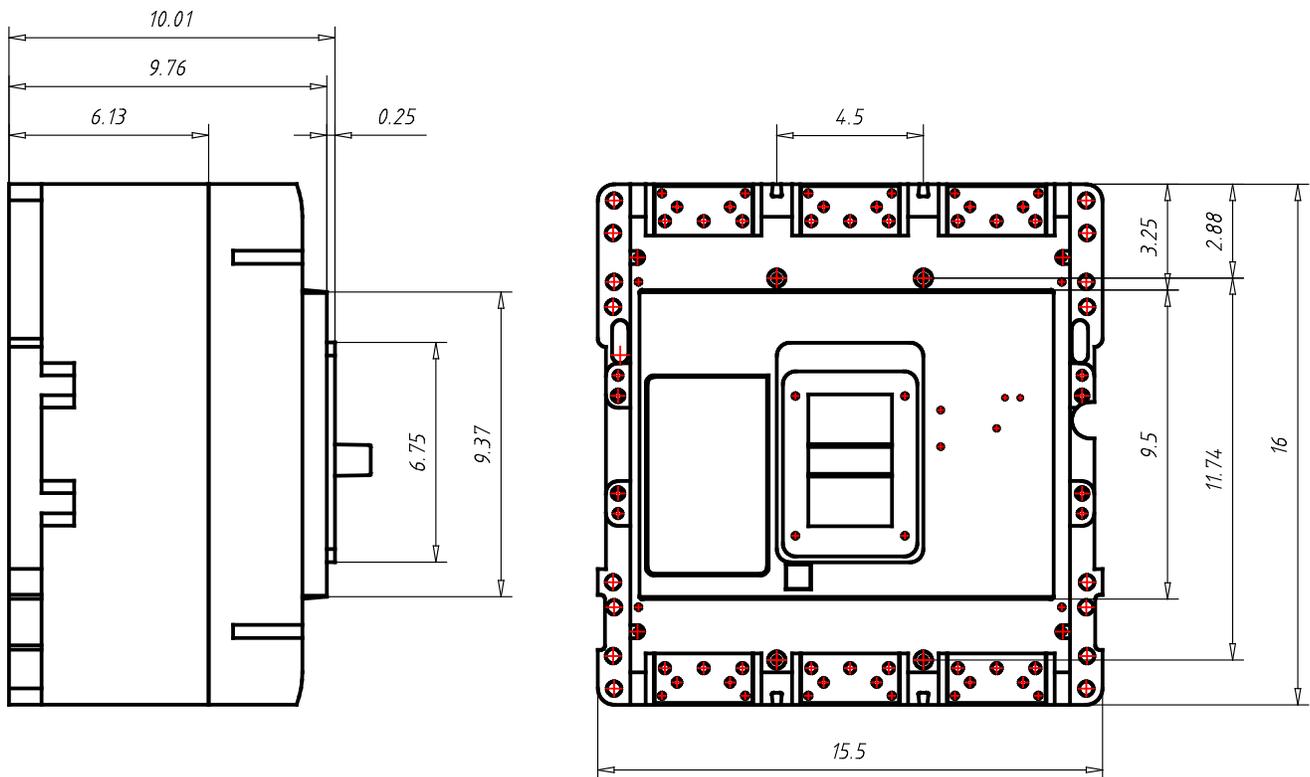
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**Tech Data for Configured Product**

<b>Power Defense Catalog Number</b>	PDG63M1600E3RNNNNNNN
<b>Frame Size</b>	Frame 6
<b>Poles</b>	3 Pole
<b>Voltage</b>	480V AC
<b>Interruption or Breaking Capacity ( Icu/Ics)</b>	65kA
<b>Continuous Current Rating (In)</b>	1600A
<b>Trip Unit Type</b>	PXR20
<b>Trip Unit Options 1</b>	LSIG
<b>Trip Unit Options 2</b>	Relays
<b>Indicating Accessories</b>	None
<b>Indicating Accessories Terminal</b>	None
<b>Tripping Accessories</b>	None
<b>Tripping Accessory Terminal</b>	None
<b>Tripping Accessory Voltage</b>	None
<b>Line Type Description</b>	None
<b>Line Conductor Options</b>	N/A
<b>Line Terminal Type</b>	N/A
<b>Load Type Description</b>	None
<b>Load Conductor Options</b>	N/A
<b>Load Terminal Type</b>	N/A
<b>Special Options - Type of Modification</b>	None
<b>Details</b>	None
<b>Additional Description</b>	None

**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG63M1600E3RNNNNNNN**

**Technical drawings**



**Molded Case Circuit Breakers**  
**Power Defense™ UL Global Series**  
**Part Number: PDG63M1600E3RNNNNNNN**



Datasheet creation date: 26/08/2019

**General Technical Data**

Frame Rating (In)	1600A
Reference Standard	UL489, CSA 22.2, IEC 60947-2 & GB
Number of poles	3
Neutral rating	-
Interruption Rating Designator	M / N / P
UL Interruption Rating to UL 489 (240Vac)	125 / 150 / 200kA
UL Interruption Rating to UL 489 (480Vac)	65 / 85 / 100kA
UL Interruption Rating to UL 489 (600Vac)	35 / 50 / 65kA
UL Interruption Rating to UL 489 (125/250Vdc)	
UL Current Limiting	-
Rated breaking capacity to IEC 60947-2 (220-240 Vac Icu)	135 / 150 / 200kA
Rated breaking capacity to IEC 60947-2 (220-240 Vac Ics)	100 / 100 / 100kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Icu)	70 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (380-415 Vac Ics)	50 / 50 / 50kA
Rated breaking capacity to IEC 60947-2 (440 Vac Icu)	50 / 70 / 100kA
Rated breaking capacity to IEC 60947-2 (440 Vac Ics)	40 / 50 / 50kA
Rated breaking capacity to IEC 60947-2 (525 Vac Icu)	30 / 35 / 40kA
Rated breaking capacity to IEC 60947-2 (525 Vac Ics)	25 / 25 / 25kA
Rated breaking capacity to IEC 60947-2 (690 Vac Icu)	15 / 20 / 35kA
Rated breaking capacity to IEC 60947-2 (690 Vac Ics)	7.5 / 13 / 18kA
Rated breaking capacity to IEC 60947-2 (125V DC Icu)	
Rated breaking capacity to IEC 60947-2 (250V DC 2P in series Ics)	25
Frequency	50/60Hz
Trip Unit Type	PXR20
Continuous Current Range	Fixed
100% UL489 Rated	Yes
Instantaneous/Short Circuit Range	Adjustable
Magnetic/Instantaneous Override	17500A
Dimensions H x W x D (inches)	16 x 15.5 x 9.75
Pole to pole distance inches	4,5
Approx Weight lbs	135
RoHS Compliance	Yes
UL File Number	E7819
Ambient Temp Calibration	
Derating at 50C	
Derating at 60C	
Derating at 70C	

1. 480Vac corresponds to 277Vac for 1P
2. 600Vac corresponds to 347Vac for 1P

# Digital Linear Chargers

## Specifications

- Waterproof, shock-and vibration-resistant aluminum construction
- Saltwater tested and fully corrosion-resistant
- Short circuit, reverse polarity, and ignition protected
- For use with 12V/6 cell batteries that are flooded/wet cell, maintenance free or starved electrolyte (AGM) only
- FCC compliant
- UL listed to marine standard 1236
- 3 year warranty
- Replaces all existing current on-board chargers (excluding portables)
- No Price Increase
- Availability: November 2010



### DIGITAL LINEAR ON-BOARD CHARGERS

PRODUCT CODE	PRODUCT DESCRIPTION
1821065	MK 106D (1 bank x 6 amps)
1821105	MK-110D (1 bank x 10 amps)
1822105	MK-210D (2 bank x 5 amps)
1823155	MK-315D (3 bank x 5 amps)
1822205	MK-220D (2 bank x 10 amps)
1823305	MK-330D (3 bank x 10 amps)
1824405	MK-440D (4 bank x 10 amps)
1822305	MK-230D (2 bank x 15 amps)
1823455	MK-345D (3 bank x 15 amps)
1824605	MK-460D (4 bank x 15 amps)

# Digital Linear Chargers

## Specifications (cont.)

- New 4-color package design

minnkotamotors.com

**MINN KOTA**

**ON-BOARD MARINE BATTERY CHARGER**

DIGITALLY CONTROLLED 2X FASTER CHARGING PROTECTS BATTERIES

**Digital+ CONTROL**

**MK210D**

MK 210D  
2 CHARGING BANKS  
5 AMPS PER BANK  
10 AMPS TOTAL OUTPUT

FC 10AMPS

**CHARGING TECHNOLOGY**

CHARGING TECHNOLOGY

**DIGITALLY CONTROLLED.**  
Microprocessor design protects your batteries so you can stay on the water longer. It monitors temperature and state of charge to create a faster, regulated, more precise charge. Also includes automatic shut-off when charging is complete to extend battery life.

**DIGITALLY CONTROLLED.**  
Microprocessor design protects your batteries so you can stay on the water longer. It monitors temperature and state of charge to create a faster, regulated, more precise charge. Also includes automatic shut-off when charging is complete to extend battery life.

**ENHANCED STATUS CODES.**  
Provides comprehensive feedback on charge stage, maintenance mode status, error notification and full charge.

**ENHANCED STATUS CODES.**  
Provides comprehensive feedback on charge stage, maintenance mode status, error notification and full charge.

**Digital+ CONTROL**

**MULTI-STAGE CHARGING.**  
Delivers a fast, precise charge profile by automatically controlling current and voltage without overcharging your batteries.

**MULTI-STAGE CHARGING.**  
Delivers a fast, precise charge profile by automatically controlling current and voltage without overcharging your batteries.

**AUTOMATIC TEMPERATURE COMPENSATION.**  
Adjusts output voltage based on ambient temperature to ensure a full charge and protect your batteries.

**AUTOMATIC TEMPERATURE COMPENSATION.**  
Adjusts output voltage based on ambient temperature to ensure a full charge and protect your batteries.

**MULTI-STAGE CHARGING**  
WELL ABSORPTION MAINTENANCE  
AMPS & VOLTS  
TIME (THREE STAGE CHARGE)  
BATTERY CHARGER TEMPERATURE COMPENSATION  
BATTERY TEMPERATURE (deg. F)

2010

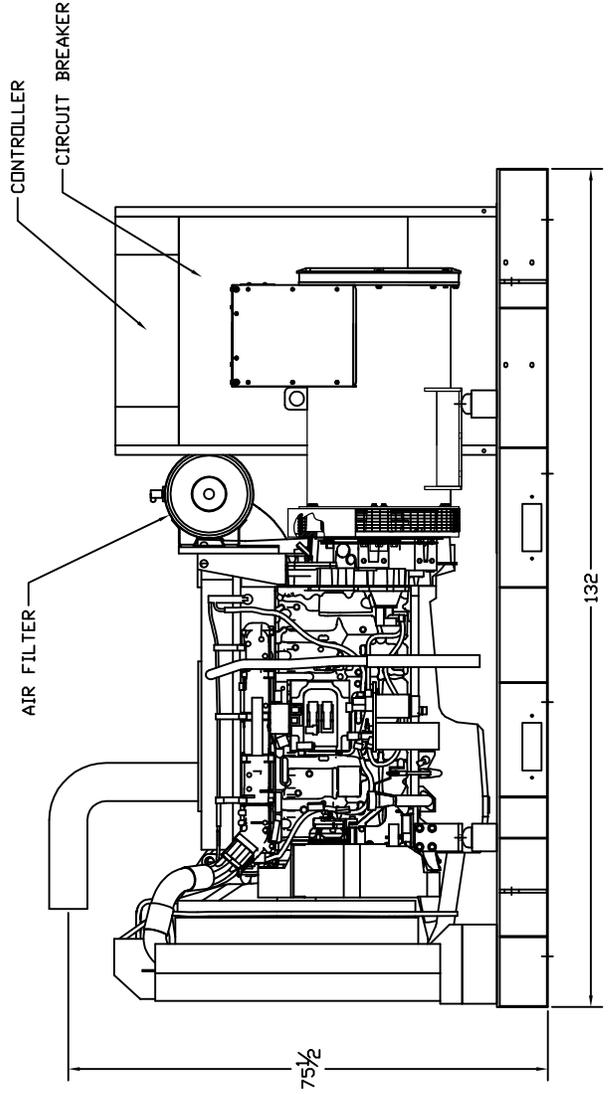
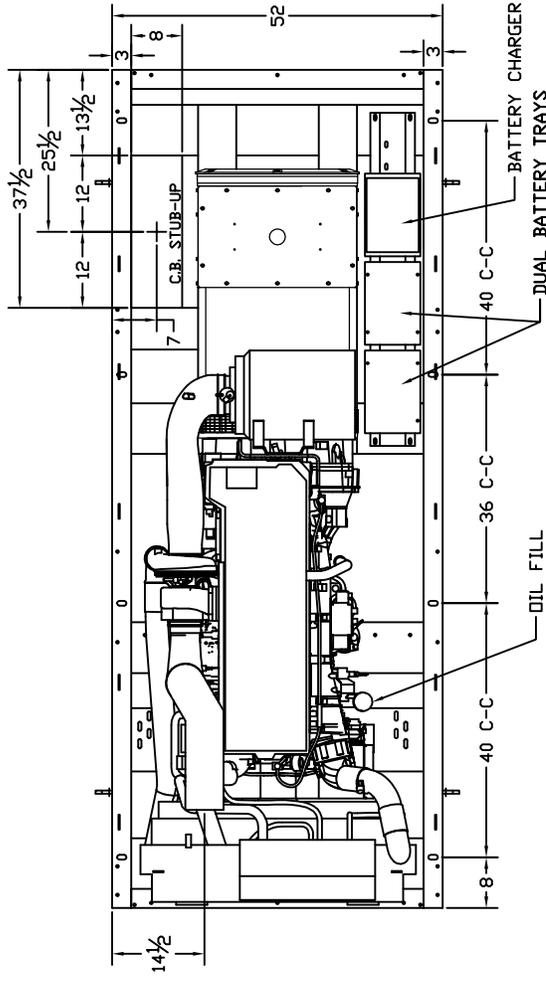
**MINN KOTA**

**HUMMINBIRD**

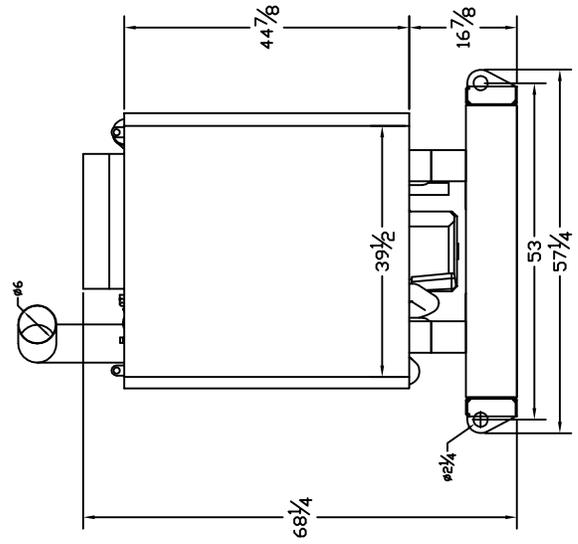
**CANNON**

# OUTLINE DIMENSIONS FOR SPVD-4000 OPEN

## TOP VIEW



## RIGHT SIDE VIEW



## RADIATOR END VIEW

# BAL HARBOUR

- VILLAGE -

## COUNCIL ITEM SUMMARY

### Condensed Title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, ACCEPTING THE ANNUAL REPORT OF THE VILLAGE ATTORNEY AND APPROVING AN INCREASE IN COMPENSATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

### Issue:

Should the Village Council accept the Village Attorney's Annual Report, and approve an increase in compensation if the Village Council finds the performance to be satisfactory?

### The Bal Harbour Experience:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Beautiful Environment   | <input checked="" type="checkbox"/> Safety           | <input checked="" type="checkbox"/> Modernized Public Facilities/Infrastructure |
| <input checked="" type="checkbox"/> Destination & Amenities | <input checked="" type="checkbox"/> Unique & Elegant | <input checked="" type="checkbox"/> Resiliency & Sustainable Community          |

### Item Summary / Recommendation:

It is recommended that the Village Council accept the Annual Report of the Village Attorney, and authorize an increase in compensation if the Village Council determines the performance to be satisfactory.

In July 2021, the Council expressed its satisfaction with Weiss Serota Helfman Cole & Bierman P.L.'s performance, and approved an amended engagement letter. The Village Attorney is required to submit an Annual Report so that the Council can review the performance each year, and determine whether to adjust the compensation. The performance of the Village Attorney was discussed this evening at a Council workshop, and the consensus on the Village Attorney's increase in compensation was that a \_\_\_\_\_percent (\_\_\_%) increase is justified.

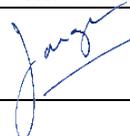
**THE ADMINISTRATION RECOMMENDS ACCEPTANCE OF THE REPORT AND THE RESOLUTION.**

### Financial Information:

	Amount	Account	Account #
	X	X	X

### Sign off:

<b>Village Attorney</b> Susan Trevarthen	<b>Chief Financial Officer</b> Claudia Dixon	<b>Village Manager</b> Jorge M. Gonzalez
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# BAL HARBOUR

- V I L L A G E -

## COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: March 17, 2026

SUBJECT: **A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE ANNUAL REPORT OF THE VILLAGE ATTORNEY AND APPROVING AN INCREASE IN COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

### **ADMINISTRATIVE RECOMMENDATION**

It is recommended that the Village Council accept the Annual Report of the Village Attorney, and authorize an increase in compensation, if the Village Council determines the performance of the Village Attorney is satisfactory.

### **BACKGROUND**

The law firm of Weiss Serota Helfman Cole & Bierman, PL ("Weiss Serota") currently serves as Village Attorney for Bal Harbour Village, in accordance with Division 3, "Village Attorney", Article IV, "Officers and Employees" of Chapter 2, "Administration" of the Village Code of Ordinances.

At the July 2021 Village Council meeting, the Village Council expressed its satisfaction with the representation provided by Weiss Serota, approved an amendment to the agreement to serve as Village Attorney adjusting the review and evaluation process, and approved an increase in compensation representing three percent (3%) for each year of service from 2018 - 2021. The amended agreement provides for the Village Attorney to submit an Annual Report for Village Council consideration each March, and provides for an increase in compensation for each performance review in the amount deemed appropriate by the Village Council.<sup>1</sup>

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<sup>1</sup> At the March 2022 Village Council meeting, the Council authorized an increase in compensation of 5% in the hourly rate for attorneys, paralegals and the fixed fee for FY 2022-23. At the March 2023 Village Council meeting, the Council authorized an increase in compensation of 3% in the hourly rate for attorneys, paralegals and the fixed fee for FY 2023-24. At the July 2024 Village Council meeting, the Council authorized an increase in compensation of 5% in the hourly rate for attorneys, paralegals and the fixed fee for the remainder of FY 2024-25. At the March 2025 Village Council meeting, the Council authorized an increase in compensation of 5% in the hourly rate for attorneys and paralegals for FY 2025-26. No increase was requested in the fixed fee component.

**ANALYSIS**

The Village Attorney has submitted the Annual Report and met with each member of the Village Council. At a Council workshop this evening, the Council discussed its evaluation of the Village Attorney, determined the performance was \_\_\_\_\_, and that a \_\_\_\_\_percent (\_\_\_%) increase is justified.

**THE BAL HARBOUR EXPERIENCE**

The Village Attorney supports the development and implementation of activities related to all aspects of the Village operations and therefore, this item supports all elements of the *Bal Harbour Experience*.

**CONCLUSION**

I recommend that the Village Council accept the Annual Report of the Village Attorney, and authorize an increase in compensation if the Village Council determines the performance of the Village Attorney to be satisfactory.

Attachments:

1. 2025 Village Attorney Annual Report

RESOLUTION NO. 2026-\_\_\_\_

**A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE ANNUAL REPORT OF THE VILLAGE ATTORNEY AND APPROVING AN INCREASE IN COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the law firm of Weiss Serota Helfman Cole & Bierman, PL ("Weiss Serota") currently serves as Village Attorney for Bal Harbour, in accordance with Division 3, "Village Attorney," Article IV, "Officers and Employees," of Chapter 2, "Administration" of the Village Code of Ordinances; and

**WHEREAS**, the Village entered into an Engagement Letter on March 20, 2018, to continue the firm's service as Village Attorney; and

**WHEREAS**, in July 2021, the Council expressed its satisfaction with Weiss Serota's performance, and approved an amended engagement letter, attached as Exhibit "1" to the Village Attorney Annual Report (the "Agreement"); and

**WHEREAS**, in accordance with the Agreement, the Village Attorney submitted the Annual Report and met with the members of the Village Council, and the Village Council discussed the review at a Council workshop this evening; and

**WHEREAS**, the Village Council continues to be satisfied with the firm's performance, and therefore accepts the Annual Report as provided therein and approves an increase in the hourly rates of the compensation.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That the above stated recitals are hereby adopted and confirmed.

**Section 2. Acceptance of Annual Report.** That the Village Council accepts the Village Attorney's annual report and determines that the firm's performance is satisfactory.

**Section 3. Increase in Compensation.** That the Village Council awards the Village Attorney a \_\_\_\_ percent (\_\_\_%) increase in the hourly rate (from \$327 to \$\_\_\_\_ for

attorneys and from \$149 to \$\_\_\_ for paralegals) in recognition of the continued satisfactory performance on behalf of the Village, effective April 1, 2026.

**Section 4. Implementation.** That the Village Manager is hereby authorized to take all actions necessary to implement the Agreement and the purposes of this Resolution.

**Section 5. Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this 17<sup>th</sup> day of March, 2026.



\_\_\_\_\_  
Mayor Seth E. Salver

ATTEST:

\_\_\_\_\_  
Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Village Attorney  
Weiss Serota Helfman Cole & Bierman, P.L.



**To:** Mayor and Village Council, Bal Harbour Village

**Cc:** Village Manager Jorge M. Gonzalez

**From:** Susan L. Trevarthen, Village Attorney *SLT*

**Date:** February 16, 2026

**RE: Annual Report of Village Attorney for 2025**

In 2021, the Council established a process that I provide an annual report to them, on a calendar year basis beginning in 2022. The purpose of this Report is to provide a framework for an evaluation of the Village Attorney in accordance with the Amended Engagement Letter dated 7.20.21, attached as **Exhibit 1**. Distribution of this Report will be followed by the option for individual meetings with each Councilmember, and then the scheduling of a workshop.<sup>1</sup>

### **The Village Attorney's Report for 2025 (January 1, 2025 – December 31, 2025)**

Our role as the Village Attorney is to advise and to assist the Village Council in achieving what is in the best interest of the Village. As such, the majority of what we do is in partnership with Village Administration to carry out the Council's vision and strategic plan. We have a productive relationship with the Administration and, in a real sense, our accomplishments are shared. As you will see below, 2025 continued the recent trend of exceptionally active and busy years covering a wide range of issues for the Village.

There is ongoing litigation of the Village Council's actions in relation to the Bal Harbour Shops (the "Shops"), the design of the waterfront park, and a few other matters, as reported in greater detail below. In alignment with the Council's wishes, we have worked with your Administration to avoid litigation where possible, to resolve it efficiently where it was unavoidable, and to work with additional counsel when the Council so directs. While we remain ready and able to fight for the Village where the Council deems it necessary to do so, our first effort is always to find a way to accomplish Village goals in a less costly and antagonistic manner.

Another major goal was to maintain the quality of the Firm's longstanding representation of the Village, with a strong team of attorneys who are expert in the practices most important to the Village. We strive to work efficiently and effectively, while remaining attuned to the Village's organizational culture as well as its goals. Our results are the best evidence of having accomplished this goal. The Village's expense for its Village Attorney function has stabilized

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<sup>1</sup> **Exhibit 2** is an updated list of the Village Attorney Team. **Exhibit 3** is an evaluation form is provided that can be used if desired to provide written performance feedback. **Exhibit 4** to this Report includes background information on the duties of the office and the Firm's approach to providing those duties.

while supporting an ambitious and widespread agenda of improvement established by the Village Council and led by the Village Administration.

While the following does not capture everything we do for the Village and the vast majority of what we do is in partnership with the Village Administration as outlined in the Village Manager's 2025 Annual Report, our significant accomplishments have included the following, organized by department or topic:

### **Legislation and Advice to Administration<sup>2</sup>**

- Drafted an indepth legal analysis of the impact of recent state laws prohibiting referenda on land development regulations on the Village Charter's height limits for Council consideration and discussion.
- Drafted an ordinance directed by Council in response to the legal analysis, amending the Village Code to provide meaningful alternative safeguards for residents when the Village considers height increases in any Village zoning district, while aligning the method of height measurement with FEMA based flood elevation standards and setting a height limit for municipal buildings.
- Began the process of drafting an amendment to Village Code for the approval of certified recovery residences and related reasonable accommodations, as required by state law.
- Worked with Village planner and Village staff to analyze inquiries related to potential designs for Village Hall.
- Conferred with Village Planner and evaluate options for RM-5 standards.
- Analyzed issues regarding potential splits of unified lots with Village planner and administration.
- Analyzed inquiries regarding potential operational changes to Beach Haus, including title search of private restrictions, and advised staff regarding Code requirements for same.
- Analyzed procedures for changing an ARB approval and advised on ARB review in the B District.
- Worked with staff regarding the status of the Shops' compliance with conditions of approval of the expansion. Analyzed issues, worked with staff and drafted notices of default to the Shops, and followed up.
- Continued to work with staff on analyzing and developing concepts for revision of the Village's stormwater and landscaping regulations to address Village needs and respond to County action, including the response to state preemption of County and Village action re artificial turf.
- Reviewed and advised staff on the retroactive application of SB 180 to prohibit referenda on Land Development Regulations and related land use and zoning matters.

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<sup>2</sup> All references to drafting ordinances to revise the Code may be understood to refer to adopted ordinances. Where we drafted something that was not adopted during the timeframe of this Report, it will be so noted.

- Analyzed issues re utility codes and improvements, including potential relocation of a water main.
- Continued to work with staff and meet with the union on collective bargaining, leading to approval of a new collective bargaining agreement, and advise on implementation of same.
- Prepared for the arbitration and handled the eventual settlement of a PBA grievance regarding longevity pay.
- Addressed disciplinary matters and resignations, FMLA, leave donation, and other personnel inquiries.
- Devoted considerable time conferring and strategizing with Village staff and police concerning the *McDaniels* decisions regarding open carry of firearms and its application to sensitive locations.
- Worked closely with the Police Department by providing advice on the enforcement of illegal entry statutes.
- Analyzed and addressed inquiries re immigration enforcement, including monitoring of related litigation, and Village's hate crime ordinance.
- Analyzed and advised on the We Care program and trespass policies.
- Reviewed the statutes, analyzed inquiries and provided guidance to staff on the police pension board appointment process.
- Addressed pension inquiries, including regarding employees who participate in both the general employee and police pensions.
- Continued to advise on the red light camera program.
- Drafted an ordinance to provide for an increase to business tax receipts to keep Village fees current with inflation, comparable to neighboring communities and in accordance with state law.
- Reviewed and analyzed Miami Beach Sewer Connection Fee Ordinance and conferred with staff regarding same matter.
- Advised on changes to the enforcement of the solid waste assessment, and drafted a revised and clarified version of the solid waste assessment resolution for the current year.
- Worked with staff to analyze stormwater issues and related financing concerns.
- Advised and assisted Finance Department to update and standardize vendor forms and analyzed/summarized the changes to the Prompt Payment Act.
- Advised on sole source procurement, and on procuring pursuant to prior Council approvals or need for new Council approval.
- Conferred with staff and drafted correspondence regarding DOGE inquiries.
- Reviewed and consulted with building staff on new legislation, analyzing case law on building and code enforcement related matters.

- Analyzed the chain of title for submerged lands in relation to regulatory jurisdiction for enforcement, and worked with an aquatic surveyor.
- Researched property history, met with staff, and drafted an unsafe structures notice for a Collins Avenue property.
- Advised and assisted staff with violations at an OF condo hotel property.
- Spent significant time working with staff and reviewing, amended and consolidating easements concerning One Bal Harbour and the jetty project, and addressing related agreements.
- Advised on the Ritz cabana approval process, including related inquiries concerning authority over the property at issue.
- Conferred with Oceana counsel re performance of agreement for additional improvements.
- Worked with staff to analyze issues, document, and respond to the expiration of the staging agreement on the Fairfield property with the Shops.
- Analyzed inquiries re water intrusion at the Waterfront Park.
- Conferred with and analyzed jetty-related issues including Construction Management at Risk agreement and the intellectual property rights retained by MYKD.
- Drafted an RFP for project management services for Village Hall.
- Conferred with staff and reviewed Village artificial intelligence and information security policies and activities, including an agreement for the Village to participate in beta testing of a Prophecy product.
- Conferred with staff and drafted a participant waiver form for park activities.
- Analyzed and drafted revisions for Park Facility Use Policy in light of issues experienced with multi-day institutional rentals.
- Trained new board members as required in sunshine law and public records. Trained Administration officials in ethics. Presented on ethics for the Resort Tax Committee. Draft correspondence re ethics and gift disclosures.
- Advised regarding an inquiry under the County Citizens Bill of Rights.
- Prepared for and participated in a variety of issues for the annual Village Council retreat and new August mini retreat.
- Analyzed procedures for special meetings of the Village Council.

### **Significant Agreements**

- Drafted an agreement to provide for the cleaning and maintenance of the Village's stormwater infrastructure recognizing the vulnerability of the Village as a coastal location.
- Drafted an agreement authorizing the purchase of submersible sewer pumps to maintain spare pumps at all times, helping to prevent emergencies situations and mitigating against the risk of pump failure.

- Drafted an agreement for the migration, rehosting and disaster recovery of the CAD system for the Police Department.
- Drafted an agreement for the purchase of state of the art portable radios and related equipment that allow Police Department communication by traditional radio by also through Wi-Fi.
- Drafted agreement for a new advanced metering infrastructure system for Village water distribution.
- Drafted various agreements demonstrating the Village's support of the arts and art installations throughout the Village.
- Drafted agreements for the purchase of equipment and furniture at the Waterfront Park.
- Drafted agreement for surveying, civil engineering and construction administration services to modernize underground infrastructure, ensure system reliability and provide long-term service quality.
- Drafted agreement for the purchase and installation of a closed-circuit camera system for the Harbourfront Park, Jetty, and Cutwalk project.
- Drafted a professional services agreement to secure additional lobbying on legislative and intergovernmental matters.
- Drafted an agreement to execute a memorandum of understanding with FDOT for non-standard improvements with the FDOT right of way and a use and occupancy agreement with same agency for the parcel under the Bakers Haulover bridge, including coordination with FDOT.
- Drafted several new professional services agreements for marketing and public relations services tied to promoting the Village as a tourist destination.
- Entered into a statewide mutual aid agreement with the Florida Division of Emergency Management in conjunction with emergencies and disaster relief efforts.
- Drafted a professional services agreement with various partners to secure the provision of architectural, engineering and construction administrative services for the design and development of the new Bal Harbour Village Hall.
- Drafted an agreement to restructure the project design team and appoint a new engineer of record for the Harbourfront Park, Jetty and Cutwalk project.
- Drafted an amendment to the Waste Connections agreement for solid waste services.

### **Gated Community Activities**

- Drafted an ordinance amending Village Code to require easements, at the time of ARB review or electrical service revision, for the installation of utility facilities at the front of residential properties in the gated community in order to facilitate the FPL grid upgrade (Council declined to adopt).
- Analyzed the use of assessment monies for legal representation related to FPL service, and coordinated with Civic Association counsel hired for that purpose. Analyzed issues regarding the MOU between FPL and the Association.

- Drafted an agreement enabling the Bal Harbour Civic Association to hire a construction operations liaison to manage, oversee and mitigate the impacts of active construction within the gated community.
- Drafted an agreement with BHCA and a vendor to provide shuttle services for the transport of private construction personnel.
- Drafted an agreement to provide enhanced security guard services within the gated community.
- Drafted a template for BHCA agreements.
- Met with BHCA special counsel re potential stormwater assessment for gated community.
- Analyzed inquiries re use of utility easements by private utilities, and other easement inquiries.
- Drafted an agreement to purchase a generator for the pump station located inside the gated community and another agreement for the installation of dedicated electrical service at three gated community access points.
- Continued to review and approve legal expenditures for compliance with the authorized uses of the assessment funds.
- Drafted the resolution relating to the provision of security and landscape services, facilities and programs in the gated community and describing the method of assessing security and landscape cost against assessed property.
- Continued to advise the Administration on various other inquiries.

### **State and County Legislation**

- Examined new Florida statute requiring drafting and adoption of an ordinance related to certified recovery residences, which are uses protected by state and federal statutes and caselaw.
- Examined new immigration laws for the impact on the Village's police function.
- Reviewed and analyzed a new statute concerning automatic tipping.
- Reviewed and analyzed law of citation procedures under Chapter 162.
- Analyzed state law concerning tourist taxes and local option taxes, and opined on whether catering services could be subject to tourist taxes.
- Reviewed and analyzed HB 683 regarding the regulation of artificial turf and landscaping.
- Continued review and analysis of proposed and enacted bills impacting the Live Local Act.
- Reviewed and analyzed a proposed bill amending code enforcement inspection procedures.
- Filed a lawsuit challenging the validity of SB 180. Reviewed and analyzed bills filed in 2025 which proposed to lessen the impact of SB 180.

## **Litigation:**

- Bal Harbour Shops lawsuits
  - Worked closely with litigation counsel Mark Migdal & Hayden to research, analyze, and develop litigation strategy, and generally support their defense of the Village from the Live Local Act, Noise, FLUEDRA, and Supermajority lawsuits and related claims.
  - Supported, analyzed strategy and issues, and participated in mediation sessions regarding the Shops' lawsuits.
  - Worked closely with insurance counsel Johnson Anselmo to research, analyze, and develop litigation strategy and generally support their defense of the Village from the newly filed taking/illegal taxation lawsuit, and assure coordination with the several other pending lawsuits.
  - Worked with litigators and staff to respond to public records requests from the Shops related to the litigation.
- Waterfront Park design claims - Worked closely with Village staff to evaluate design errors and omissions by Zyscovich Architects related to the plans for the Waterfront Park, and at the direction of the Village, filed a lawsuit to pursue them. Following direction to attempt to resolve the matter prior to substantial litigation, worked with an expert to evaluate and develop the Village's claim. Prepared for and participated in settlement discussions with Zyscovich and its subcontractors, which continued into 2026.
- SB 180 litigation- Represented the Village (along with a large group of other local governments) in litigation to challenge SB 180 which stripped local governments of a large swath of their home rule land use and zoning powers. Preliminary injunction relief was denied, while motions to dismiss were argued and remain pending.
- Form 6 litigation – Continued to represent the Village and its councilmembers (along with a large group of other local governments and elected officials) in litigation to stop the state from implementing Form 6 financial disclosure for municipal officers. Obtained a federal preliminary injunction accomplishing that objective, and the state withdrew implementation of the requirement, while litigation continues regarding permanent injunctive relief. Advised the Village on compliance with the enhanced Form 1 requirements.
- Resolved a Kent Security claim for nonpayment of invoices.
- Continued to work with the Village Manager to work proactively to resolve various controversies that could lead to litigation. This sometimes involves engaging Firm litigators to assist in resolving matters before the filing of any claim.
- Where appropriate, continue to provide regular email updates to Council on significant developments in any significant pending litigation, and schedule Council executive sessions if needed to manage litigation.
- Supported police regarding employment actions.
- Supported Village Clerk in records requests and maintenance activities related to litigation matters.
- Supported staff and liability insurance counsel in defending claims against the Village.

## **The Review Process**

There are many examples of performance evaluations of municipal attorneys who are full-time employees of an individual local government, usually serving under a contract assuring them a defined term of service accompanied by benefits, pensions, and protections such as severance packages. Performance involves two main dimensions: what is accomplished, including the extent, efficiency and effectiveness of accomplishment of expectations, and how it is accomplished, including leadership skills, personal qualities, and other subjective factors that can be hard to define and measure.

Evaluations of municipal attorneys are usually conducted on a one-on-one basis with each Councilmember. Like any review process, these meetings should be candid but constructive and based on the overall performance, backed up by specific comments or examples as appropriate. The Council has indicated that, following such individual meetings, it will convene in a workshop to discuss the evaluation.

I have prepared an evaluation form that may be used, if desired, to structure each Councilmember's approach to the process. See **Exhibit 3**. Please recall that written information related to the review is subject to Sunshine Law. Alternatively, it is understood that the Councilmember may choose to forego use of the form, and only provide oral feedback through the one-on-one meeting and/or at the workshop.

## **Conclusion**

In conclusion, it is an honor and a privilege to continue to serve as the Village Attorney for Bal Harbour Village, and we look forward to receiving your feedback so that we can keep doing what is working well and learn where improvements or changes are needed.

## **Exhibits**

1. 7.20.21 Executed Amended Engagement Letter to Serve as Village Attorney
2. Updated Village Attorney Team 1.31.26
3. Optional Form for Evaluation of Village Attorney
4. Background Information on the Village Attorney



Susan L. Trevarthen, BCS, FAICP  
Member  
slt@wsh-law.com

July 20, 2021

Mayor Gabriel Groisman and Village Council  
Bal Harbour Village  
655 96th Street  
Bal Harbour Village, FL 33154

**RE: Amended Engagement Letter of Weiss Serota Helfman Cole & Bierman, P.L., to Serve as Village Attorney**

Dear Mayor Groisman and Council Members:

We are pleased that Bal Harbour Village wishes to continue to engage our Firm to provide legal services as the Village Attorney, and have prepared this amended engagement letter consistent with Village Council direction at the May 2021 retreat and June 2021 workshop and Council meeting. Our Firm is the preeminent full-service municipal law firm in Florida, serving as the "one-stop shop" law firm for municipalities seeking the expertise to handle virtually all municipal legal issues.

From our experience, we have found that clients appreciate a frank and open discussion and understanding of the services that we will perform, and the basis upon which they will be expected to pay for those services. This letter is intended to set forth our understanding as to the nature and scope of the legal services we have agreed to render for the Village, the amount of our fees for those services, the manner in which our fees for those services will be determined, and the terms upon which you will make payment.

1. **Nature of Legal Services.** You have engaged our Firm to serve as Village Attorney for Bal Harbour Village. Unless otherwise directed by the Village Council, we will act as the chief legal advisor for all Village matters and represent the Village in all legal proceedings in accordance with Section 2-127 of the Village Code, which requires the Village Attorney to perform all services as may be required by the Village Code, the Village Charter, and Florida Statutes.

2. **Personnel.** Susan L. Trevarthen will continue to serve as the designated Village Attorney, and will continue to be assisted by Robert Meyers and the team of attorneys currently serving the Village's needs, as listed in **Exhibit 1**. This list may be updated from time to time, by the Firm submitting an updated written list to the Village Council and Village Manager. On very rare occasions, a matter may arise which we cannot handle or for which we have a conflict; if so, we will assist the Village in retaining legal professionals with the relevant expertise to handle those matters. Currently, the Village's pension law needs are provided by Lewis Longman & Walker and Holland & Knight on an hourly basis, and it is anticipated that these services will continue to be provided in this manner or by another qualified law firm.

3. **Fees for Services.**

A. **Flat Fee Component:** The Firm will provide general Village Attorney services to the Village at a flat fee of \$32,782 monthly (totaling \$393,384 annually). The flat fee includes general Village Attorney services and excludes other specified services (Hourly Services) as set forth in **Exhibit 2**.

B. **Hourly Services:** The flat fee for general Village Attorney services will not include Hourly Services, which will instead be performed and billed by the Firm on an hourly basis at a blended, discounted

governmental rate of \$273.00 per hour for attorneys and \$125.00 per hour for paralegals. For Hourly Services, it is our practice to charge for actual time expended on your behalf, but not less than 2/10ths of an hour for each activity.

C. **Additional Flat Fees:** If mutually agreed by the Firm and the Village, matters involving Hourly Services may alternatively be provided at flat rates, to be individually negotiated as those matters arise.

D. **Amendments:** The parties may further amend this Agreement at any time as mutually agreed by the Firm and the Village.

E. **Evaluation:** The Village Attorney will submit a written report to the Village Council of the prior year's activities by February 1. The Village Council will evaluate the Village Attorney's performance and this Agreement on a calendar year basis, no later than March 31 of the following year. The Flat Fee and Hourly rates herein may be increased for each performance review in the amount deemed appropriate by the Village Council.

4. **Costs.** In addition to the fees discussed in paragraph 3, we anticipate that certain expenses may be incurred and advanced on your behalf. These expenses may include filing fees, recording costs, out-of-town travel expenses, delivery charges, long distance telephone charges, photocopies (xerox), special postage (express mail, certified mail and the like), computer research charges, court reporter expenses (including cost of transcript and court reporter's fee for attendance), court costs (such as filing fees, service of process, newspaper publication costs, subpoena costs, witness fees, recording fees, etc.), accounting and appraisal fees, fees and expenses of experts necessary to assist in the preparation and hearing of your case, investigation costs, word processing fees, computer charges and applicable lobbyist registration fees. In addition to our fees for legal services, you agree to pay us for such out-of-pocket expenditures. In the event unusually large costs or advances are anticipated, we reserve the right to require an additional cost deposit from you prior to undertaking the expenditures of funds on your behalf.

5. **Payment of Fees and Costs.** Our invoices are submitted to you on a monthly basis and each invoice is due and payable when rendered. The flat fee component will be billed as a single charge, without detailed time entries; any charges for Hourly Services will be accompanied by detailed time entries. You must understand that if any invoice remains unpaid for more than 30 days after it is rendered, we reserve the right, in our discretion, to cease to provide further legal services to you. You will, however, be liable to us for the payment of any fees earned and any costs incurred by us to the date of termination.

6. **Termination or Withdrawal of Representation.** We serve at the pleasure of the Village Council, and may be terminated at any time, with or without cause, with the Village only being liable for any fees and costs incurred through the date of termination. We, likewise, reserve the right to withdraw from representing the Village if you have misrepresented or failed to disclose material facts to us, or if we disagree about the course of action which should be pursued.

7. **Representation of Other Clients.** We are bound by rules of legal ethics not to represent any client if the representation of that client will be directly adverse to the interests of another client, unless each such client consents to such representation after consultation. Should such a situation arise, you will be immediately informed, and we will propose a method of addressing the conflict.

If this agreement is acceptable, please acknowledge your understanding and agreement by signing this letter and delivering it to us. We appreciate your confidence in our Firm and we assure you that we will continue to make every effort to perform our services in a prompt and efficient manner.

Sincerely,

WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.

By:   
Susan L. Trevarthen

APPROVED BY VILLAGE COUNCIL

ON July 20, 2021

AGREED AND ACCEPTED

By:   
Jorge Gonzalez, Village Manager

ON July 23, 2021

cc: Jorge Gonzalez, Village Manager  
Dwight S. Danie, Village Clerk

Attest:  
  
Dwight Danie



# Exhibit 1

## Updated Village Attorney Team

Village Attorney: Susan L. Trevarthen  
Deputy Village Attorney: Robert Meyers

### Team:

\*Jose L. Arango: Code enforcement, municipal  
Candice Balmori: Municipal  
Mitchell Burnstein: Eminent domain and real property litigation  
Milton R. Collins: Collective bargaining and labor/employment advice  
Elizabeth Coppolecchia: Litigation, construction agreements  
\*Maria Victoria Currais: Real estate, agreements  
Jeff DeCarlo: Public finance, bond  
Elen Gantner: Municipal  
Paul Gougelman: Municipal, land use  
\*Edward G. Guedes: Appellate, litigation  
Eric Hockman: IT, Litigation  
Sarah L. Johnston: Municipal  
\*Michael S. Kantor: Labor/employment claims  
\*Michael J. Kurzman: Construction  
\*Lori Smith-Lalla: Public finance, bond  
\*Matthew Mandel: Litigation, Police defense  
\*Aleida Martinez Molina: Bankruptcy, litigation  
\*Ed Martos: Environmental, Value Adjustment Board, Land Use  
\*Robert Meyers: Ethics, municipal  
\*Joseph Natiello: Police, litigation, municipal  
Matthew J. Pearl: Municipal  
Roger C. Pou: Municipal  
John J. Quick: Litigation, ADA  
Joseph H. Serota: Litigation  
\*Brett J. Schneider: Collective bargaining and labor/employment  
David N. Tolces: Municipal  
\*Peter Waldman: Eminent domain, utilities, litigation  
Richard Jay Weiss: Municipal, County issues  
Laura Wendell: Appellate, litigation  
James E. White: Land use, municipal  
David M. Wolpin: Municipal, finance  
\*Chanae Wood: Land use, telecommunications  
Samuel I. Zeskind: Litigation, public records

\*Key contact for practice area or pending matters

*Note: Litigation contact depends on the case. Ed Guedes and Matt Mandel lead the appellate and litigation practices*

**Exhibit 2**  
**Village Attorney Services**  
**Included in Flat Fee <sup>1</sup>**

- General Legal Counseling and advice as generally provided by a chief legal advisor.
- All in-person meetings, telephone calls, emails, teleconferences and video conferences with individual Village Councilpersons, the Village Manager, Village residents, and Village staff.
- Preparation or review and revision of ordinances and resolutions.
- Preparation of agenda memos and item summaries for agenda items for any Village Board or the Village Council originated by the Village Attorney or as discussed with Village Manager.
- Review, comment and revision of agenda materials originated by the Village Manager, Village staff, or Councilpersons for Village Council or other Village Board meetings.
- Preparation for and attendance at Village Council meetings, workshops and retreats.
- Preparation for and attendance at Architectural Review Board meetings.
- Preparation for and attendance at Resort Tax Committee meetings.
- Training of Village Council or Village Boards on request.
- Orientation of newly elected Councilpersons or Mayors.
- Legal research, analysis, and drafting of memos and correspondence responding to inquiries.
- Drafting, review and revision of contracts/agreements.
- Provide on site (Village Hall) office hours by an attorney listed on Exhibit 1 averaging one day a week or whatever alternative schedule is agreed between the Village Manager and Village Attorney. The intent is for the office hours to be productive time handling Village business, and they will be scheduled accordingly. As such, some weeks may involve multiple sessions while others may not have any scheduled office hour sessions, in response to the deadlines and demands of Village business.

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<sup>1</sup> Any services listed below that relate to a matter not included in the Flat Fee, such as research/meeting/correspondence/drafting related to a lawsuit or a special project, will be billed as part of that separate matter.

## Exhibit 2

### Village Attorney Services Not Included in Flat Fee

- All services provided on **litigation** matters, including all adversarial proceedings before any administrative tribunals, courts, mediators, arbitrators and appellate tribunals.<sup>2</sup>
- All services provided on behalf of the **Residential Gated Community**, funded in through the residential gated special assessment.
- All services provided on **special projects**, such as but not limited to a rewrite of the Code of Ordinances or Land Development Regulations, collective bargaining with unions, development or substantial redevelopment application reviews and negotiations for ocean front properties and for projects greater than 1 acre (excluding a single family residential dwelling unit), an opinion of title, or a general obligation bond issue.

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<sup>2</sup> The Village carries liability insurance, and insurance counsel currently defends covered matters. It is expected that this will continue to be the Village's preferred approach. On occasion, there may be a need for the Village Attorney to participate in the defense of such matters to protect the Village's interests. If provided, such services will be handled and billed as Hourly Services.

## Exhibit 2

### Updated Village Attorney Team

Village Attorney: Susan L. Trevarthen  
Deputy Village Attorney: Robert Meyers

Team:

\*Jose L. Arango: Code enforcement, municipal  
Candice Balmori: Municipal  
Mitchell Burnstein: Eminent domain and real property litigation  
Milton R. Collins: Collective bargaining and labor/employment advice  
Elizabeth Coppolecchia: Litigation, construction agreements  
\*Maria Victoria Currais: Real estate, agreements  
Jeff DeCarlo: Public finance, bond  
Alicia Gonzalez: Eminent domain, utilities, litigation  
\*Edward G. Guedes: Appellate, litigation  
Eric Hockman: IT, Litigation  
Judelande Jeune: Municipal  
\*Michael S. Kantor: Labor/employment claims  
\*Michael J. Kurzman: Construction  
\*Lori Smith-Lalla: Public finance, bond  
\*Matthew Mandel: Litigation, Police defense  
\*Ed Martos: Environmental, Value Adjustment Board, Land Use  
\*Robert Meyers: Ethics, municipal  
\*Joseph Natiello: Police, litigation, municipal  
Matthew J. Pearl: Municipal  
Roger C. Pou: Municipal  
John J. Quick: Litigation, ADA  
Joseph H. Serota: Litigation  
\*Brett J. Schneider: Collective bargaining and labor/employment advice  
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David M. Wolpin: Municipal, finance  
\*Chanae Wood: Land use, telecommunications  
Samuel I. Zeskind: Litigation, public records

\*Key contact for practice area or pending matters

*Note: Litigation contact depends on the case. Ed Guedes and Matt Mandel lead the appellate and litigation practices*

1.31.26

## Exhibit 3

### Village Council Evaluation Form for Village Attorney

The purpose of the review is to strengthen the working relationship between the Council and the Village Attorney, identify performance objectives, and provide feedback regarding those aspects of the representation that are going well and those where improvement may be needed. This process recognizes that the Village Attorney is a private law firm retained by the Village Council.

The intent is that each Councilmember will review the Village Attorney's report, complete this form if desired, and meet one-on-one with the lead Village Attorney for the firm.

Please rate performance based on the following categories. References to the Village Attorney should be construed to refer to the Firm's team serving in this role. Where appropriate, detailed comments should mention which individual attorney is referenced.

- |   |  |  |
|---|--|--|
| 0 | <b>N/A:</b> No Opinion   | The evaluator lacks sufficient information to evaluate the criteria, or does not have an opinion on the criteria.  |
| 1 | <b>Poor:</b> Fails to meet most expectations                       | Performance is well below expectations in most areas of responsibility. Serious performance deficiencies that inhibit adequate performance in the position. Should be evaluated for termination.   |
| 2 | <b>Fair:</b> Meets most expectations                               | Often fails to meet performance expectations of the position. Performance is generally adequate but is deficient in one or more key areas and will require improvement.  |
| 3 | <b>Good:</b> Meets expectations                                    | Meets all expectations of the position and is competent in the performance of responsibilities.  |
| 4 | <b>Very Good:</b> Meets expectations and exceeds some expectations | Occasionally exceeds performance expectations of the position. Performs the most difficult parts of the job competently and thoroughly. Contributes significant results on their own initiative. Works with a high level of independence, initiative and concern for the quality of the service produced by and for the Village. |
| 5 | <b>Excellent:</b> Exceeds expectations                             | Overall skills and abilities consistently exceed the expectations of the position. Demonstrates strong expertise within key areas of responsibilities. Occasionally receives outstanding results beyond those contemplated in key areas of responsibility. Anticipates needs and executes plans.                                 |

**Quality and Competency:** Possesses and applies a comprehensive understanding and knowledge of the Village Charter, Code of Ordinances, County Code of Ethics and Florida Statutes. Possesses and provides an efficient and effective knowledge of and judgment concerning case law regarding municipal government and issues involving the Village. Has an extensive understanding of legal issues faced by local governments. Has the ability to effectively formulate and advance legal strategies that further the goals of the Village. Provides high caliber recommendations given all existing legal issues and their ramifications. Regularly provides the legal expertise necessary to meet the Village’s needs on legal and policy issues that arise, and proactively identifies potential issues of interest to the Village. Maintains the Council and the Administration’s confidence while informing them of risks that proposed actions may generate for the Village. Works proactively to avoid litigation, while applying effective litigation skills before trial and appellate level courts and administrative agencies where necessary.

5. Excellent	4. Very Good	3. Good
2. Fair	1. Poor	0. Not Applicable

Comments:

**Professionalism:** Deals effectively and appropriately with Village Administration, Village Council, and all stakeholders using common sense and judgment. Works to keep politics and personal perspectives out of the decision-making process. Follows Council direction impartially. Devotes sufficient time and energy to the job, and addresses questions and concerns in a timely manner in light of all of the priorities of the Village. Demonstrates high ethical standards in the organization. Stays active in professional organizations and stays abreast of current developments in the law applicable to the Village. Respected in the field of municipal law. Performs work in a positive and collegial manner. Understands the unique identity of the Village and tailors the representation appropriately.

5. Excellent	4. Very Good	3. Good
2. Fair	1. Poor	0. Not Applicable

Comments:

**Management:** Effective in the management, supervisory and interpersonal skills in the context of both the legal function and the Village, including the ability to establish and maintain effective working relationships with Village Manager, Village Council, Departments, boards and committees. Oriented to accomplishing the Village’s objectives rather than identifying obstacles. Seeks early engagement so that legal issues can be anticipated and avoided. Creates a collaborative, team-building environment. Recognizes the accomplishments of staff and other agencies working on behalf of the Village. Develops standard forms and approaches where appropriate to increase predictability, ensure uniform quality, and streamline work processes. Accepts full accountability for legal staff and the outcome of Village projects or decisions. Identifies organizational problems and takes remedial action.

5. Excellent	4. Very Good	3. Good
2. Fair	1. Poor	0. Not Applicable

Comments:

**Effectiveness in Working with Village Administration:** Demonstrates a positive legal consultative relationship with the Village Administration in the pursuit of meeting the goals and objectives of the Village. Responsive to the priorities of the Administration and Council. Respects the difference between legal and policy determinations, but provides relevant and helpful input in both areas where appropriate. Works collaboratively with the Administration and thinks creatively, with an orientation toward solving problems.

5. Excellent	4. Very Good	3. Good
2. Fair	1. Poor	0. Not Applicable

Comments:

**Communication:** Positive, courteous and open in communications. Effectively communicates (orally and in writing) complex issues to Village officials and stakeholders where diverse viewpoints and goals exist. Ensures that Councilmembers receive important information in a timely and effective manner. Maintains confidentiality. Presents the Council with clear and accurate written work product. Responds to correspondence, requests, and complaints quickly and appropriately in light of all obligations to the Village. Facilitates open two-way communication and encourages mutual honesty and respect with the Council, Village Manager, and staff.

5. Excellent	4. Very Good	3. Good
2. Fair	1. Poor	0. Not Applicable

Comments:

**Achievements:** Identify any particular achievements or strong points you have observed in the Village Attorney’s performance over the review period.

Comments:

**Objectives:** List two to three performance objectives that you feel are important for the Village Attorney to focus on in the coming year, whether as an improvement to performance or as additional tasks/goals.

Comments:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Exhibit 4

### Background Information on Village Attorney

#### Duties of the Village Attorney

The Village Code defines the duties of the Village Attorney as follows:

The Village Attorney shall be the chief legal adviser of all offices and departments and of all officers and employees in matters relating to their official powers and duties. He shall represent the Village in all legal proceedings. It shall be his duty to perform all services incident to his position as may be required by statute, by the Village Charter or by ordinance. The compensation of the Village Attorney shall be fixed by the Council.

It also provides that the Village Attorney shall be appointed by and be responsible to the Village Council.

#### The Firm as Village Attorney

Similar to most other small municipalities, the Village has hired a law firm to serve as the Village Attorney for decades.<sup>1</sup> Weiss Serota Helfman currently serves in this role pursuant to the 2021 Engagement Letter agreement, attached as **Exhibit 1** to the Annual Report. That agreement specifies that I act as the lead attorney for the firm in this representation, and that my deputy is Robert Meyers. The Firm serves as the Village Attorney using a team approach to the representation, and each member of that team also represents other municipal clients. This allows the Village to use only as much of a wide range of experience and expertise as it needs, just when it is needed. Experience with similar work performed for other municipal clients enhances the quality of the services that the Village receives from the Firm, and allows the Village to benefit from the experience of other communities. The updated team of attorneys serving the Village is attached as **Exhibit 2** to the Annual Report.

While we refer the Village to other counsel for areas outside of our core competencies, the Firm was created as and continues to be a one-stop shop for the vast majority of legal specialties and practices that a local government like the Village requires. Within the timeframe covered by this evaluation, the Village Council chose to engage additional litigation counsel to respond to the Bal Harbour Shops litigation matters. In years past, we have also brought in special counsel to address pension tax issues. We have been able to handle the Village's other needs within the Firm.

Our Firm was founded over 30 years ago and is organized around the conviction that local governments deserve the same high-level professional legal services as for-profit

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<sup>1</sup> The Village carries liability insurance with the Florida Municipal Insurance Trust, which assigns litigators to handle liability cases separately from the Firm's agreement.

<sup>2</sup> As far as I have been able to determine, I am the first woman to serve the Village in that capacity.

businesses. We understand that the Village is a multi-million dollar entity with employees, complex regulatory systems, and demanding stakeholders, namely, the residents and businesses within the community. There are few firms in Florida that can match our experience counseling local governments. We regularly advise local governments, elected officials, law enforcement personnel, and individual departments of local governments. The Firm’s “in the trenches” experience representing dozens of public sector clients, whether administratively or in litigation, gives us a unique insight that we leverage to your benefit.

As former and current city and county attorneys, our municipal lawyers understand how to provide top-level legal advice that is not clouded by political influences in an effective, cost-efficient, and clear manner. We efficiently draft and review a multitude of resolutions and ordinances each year. We strive to draft legislation that is both understandable to the general public and able to survive legal challenge.

We also serve as expert outside counsel to dozens of in-house city attorneys for their most important and, often times, sensitive matters all over the state of Florida. The following represents a small selection of our areas of expertise as special counsel:

Appellate	Election	Litigation	Real Estate	Ethics
Asset forfeiture	Eminent Domain	Land Use/Zoning	Solid Waste Management	Constitutional
Code Enforcement	Employment/Labor	Police Legal Advisor	Special Districts	Foreclosure
Community Redevelopment	Environmental	Procurement and Contracts	Sustainable Development	Construction

We keep abreast of the latest legislative and judicial developments in municipal law through a program of in-house training and continuing education. We monitor issues of home rule authority, which are of such importance to local government effectiveness. We are frequently requested to publish articles and make presentations to our peers, local state and national bar associations, related professional organizations, and the Florida League of Cities.

Most importantly, we understand our role is not to make policy, but to counsel and assist our clients by providing a legal framework for decision-making. Our services enable our local government clients to meet their responsibilities, and to earn and retain their constituents' confidence and trust.

# BAL HARBOUR

- V I L L A G E -

## DISCUSSION ITEM

TO: Jorge M. Gonzalez, Village Manager

FROM: David Wolf, Vice Mayor

DATE: March 17, 2026

SUBJECT: **Discussion Regarding Support for Preservation of the Miami-Dade Urban Development Boundary (UDB)**

Please place an item on the March 17, 2026, Village Council Meeting Agenda for a discussion regarding the preservation of the Miami-Dade Urban Development Boundary ("UDB").

A draft resolution supporting the preservation of the UDB is attached for the Village Council's consideration.

RESOLUTION NO. 2026-\_\_\_\_

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AFFIRMING SUPPORT FOR THE PRESERVATION OF THE MIAMI-DADE URBAN DEVELOPMENT BOUNDARY (“UDB”) AS IT CURRENTLY EXISTS TO PROTECT DOWNSTREAM WATER RESOURCES, INCLUDING THE BISCAYNE AQUIFER, REGIONAL GROUNDWATER SUPPLIES, AND CONNECTED COASTAL WATERS, AS WELL AS THE EVERGLADES, WETLANDS, AND AGRICULTURAL LANDS; URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO UPHOLD COUNTY MAYOR DANIELLA LEVINE CAVA’S VETO OF THE PROPOSED DEVELOPMENT OUTSIDE THE UDB; URGING THE FLORIDA STATE LEGISLATURE TO OPPOSE ANY LEGISLATION THAT WOULD WEAKEN THE UDB IN THE MIAMI-DADE COUNTY CHARTER; ENCOURAGING ADVANCEMENT OF ATTAINABLE AND WORKFORCE HOUSING WITHIN THE UDB TO ADDRESS HOUSING AFFORDABILITY WITHOUT EXPANDING DEVELOPMENT INTO ENVIRONMENTALLY SENSITIVE LANDS; DESIGNATING THE PRESERVATION OF THE UDB AS A STATE LEGISLATIVE PRIORITY FOR BAL HARBOUR VILLAGE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Urban Development Boundary (“UDB”) in Miami-Dade County was established as a core growth-management tool to limit urban sprawl, protect environmentally sensitive lands, preserve agricultural areas, and safeguard natural systems critical to regional water supply and flood resilience; and

**WHEREAS**, lands located outside the current UDB include wetlands, agricultural soils, and open spaces that play a vital role in protecting downstream water resources, including the Biscayne Aquifer, regional groundwater supplies, and connected coastal waters, upon which Bal Harbour Village and other coastal communities depend for drinking water, environmental health, and resilience to flooding and sea level rise; and

**WHEREAS**, wetlands and prairies west of the UDB function as natural filtration and storage systems that support groundwater recharge, reduce pollutant loads, and maintain hydrologic connections between inland ecosystems, the Everglades, and downstream coastal waters; and

**WHEREAS**, the UDB also serves to protect South Dade agricultural lands by maintaining contiguous farming areas, preserving permeable soils, supporting food production, and preventing land-speculation pressures that arise when urban development expands into rural areas; and

**WHEREAS**, in January 2026, the Miami-Dade County Commission approved amendments to the County's Comprehensive Development Master Plan to allow development of a large heavy-equipment facility on hundreds of acres of predominantly protected wetlands outside the existing UDB, raising significant concerns regarding impacts to wetlands, water resources, flood control, and long-standing growth-management policies; and

**WHEREAS**, on February 2, 2026, Miami-Dade County Mayor Daniella Levine Cava vetoed the proposed development, citing the County's obligation to protect environmentally sensitive lands, uphold the integrity of the UDB, and ensure that development outside the boundary occurs only when there is a demonstrated and compelling public need consistent with long-range planning principles; and

**WHEREAS**, weakening or bypassing the UDB through legislative or administrative action risks accelerating sprawl into wetlands and agricultural lands, undermining Everglades restoration efforts, and increasing long-term public costs associated with infrastructure expansion, flood mitigation, and environmental degradation; and

**WHEREAS**, the Village Council of Bal Harbour Village recognizes that addressing housing affordability is a critical public-policy goal, and acknowledges that some developers have argued for expanding the UDB westward to accommodate industrial and commercial projects as a means to preserve sufficient land within the UDB for affordable and workforce housing; however, the Village Council believes that such housing objectives are best achieved through strategies within the existing UDB, including infill development, redevelopment, zoning reforms, and infrastructure-efficient growth, rather than by encroaching upon environmentally sensitive lands; and

**WHEREAS**, protecting upstream lands and water systems is directly tied to the long-term environmental, economic, and public-health interests of coastal communities such as Bal Harbour Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That the above stated recitals are hereby adopted and confirmed.

**Section 2. Support for Preservation of the Urban Development Boundary.** The Village Council hereby affirms its support for the preservation of the Miami-Dade Urban Development Boundary ("UDB") as it currently exists to protect downstream water resources, including the Biscayne Aquifer, regional groundwater supplies, and connected coastal waters, as well as the Everglades, wetlands, and agricultural lands.

**Section 3. Support for Mayor's Veto and Legislative Protection.** The Village Council urges the Miami-Dade County Board of County Commissioners to uphold County Mayor Daniella Levine Cava's veto of the proposed development outside the UDB and urges the Florida State Legislature to oppose any legislation that would weaken the UDB in the Miami-Dade County Charter.

**Section 4. Housing Policy.** The Village Council encourages the advancement of attainable and workforce housing within the UDB to address housing affordability without expanding development into environmentally sensitive lands.

**Section 5. Implementation.** The Village Clerk is hereby directed to transmit a copy of this Resolution to the Miami-Dade County Mayor, each member of the Miami-Dade County Board of County Commissioners, the Speaker of the Florida House of Representatives, the President of the Florida Senate, the Miami-Dade State Legislative Delegation, and other municipalities within Miami-Dade County.

**Section 6. Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this 17<sup>th</sup> day of March, 2026.



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Mayor Seth E. Salver

ATTEST:

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Dwight S. Danie, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Village Attorney  
Weiss Serota Helfman Cole & Bierman P.L.



# BAL HARBOUR

- VILLAGE -

## MEMORANDUM

TO: Honorable Mayor and Council

FROM: Dwight S. Danie, Village Clerk 

DATE: March 11, 2026

RE: Lobbyist Registration Report

Name of Lobbyist	Principal Represented	Date Registered
Ian DeMello	Mathew Whitman Lazenby	12/23/25
John Shubin	Mathew Whitman Lazenby	12/23/25
Robert Lincoln	Mathew Whitman Lazenby	12/23/25
Thomas Robertson	Bal Harbour Civic Association	01/13/26
Wesley Hevia	Richard Alman & Robin Alman	01/20/26
Carter McDowell	LK Hotel, LLC	01/20/26
Nicholas Noto	Carlton Terrace Owner	01/20/26
Caroline Travis	Bal Harbour Shops LLC	01/27/26
Ivor Nicholas Massey	Bal Harbour Shops LLC	01/27/26
Benjamin Elias	Bal Harbour Shops LLC	01/27/26

