

# BAL HARBOUR

- V I L L A G E -

Mayor Gabriel Groisman  
Assistant Mayor Seth E. Salver  
Councilman David J. Albaum  
Councilwoman Patricia Cohen  
Councilman Jeffrey P. Freimark

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

## Bal Harbour Village Council

Regular Meeting Agenda

February 20, 2018

At 7:00 PM

Bal Harbour Village Hall • 655 Street • Bal Harbour • Florida 33154

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### CALL TO ORDER/ PLEDGE OF ALLEGIANCE

### REQUESTS FOR ADDITIONS, WITHDRAWALS AND DEFERRALS

### PRESENTATIONS AND AWARDS

**PA1** Sergeant Alvin McFarlane Retirement Proclamation

**PA2** Presentation of CAFR and GFOA recognition by Donovan Maginley, RSM

### CONSENT AGENDA

#### C6 - COUNCIL MINUTES

**C6A** Approval of January 30, 2018 Village Council Minutes  
[RegularCouncilMeetingMinutes\\_Jan30\\_2018.pdf](#)

#### C7 - RESOLUTIONS

**C7A** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE CERTIFIED ANNUAL FINANCIAL REPORT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - CAFR](#)

[Council Memorandum - CAFR](#)

[Resolution - CAFR](#)

[CAFR](#)

**C7B** A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE DETERMINATION OF THE VILLAGE BUILDING OFFICIAL THAT THE BALMORAL CAFE APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ALCOHOLIC BEVERAGES AND TOBACCO FOR AN 11C LICENSE IS COMPATIBLE WITH THE VILLAGE ZONING REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Balmoral Alcoholic Beverage License](#)

[Council Memorandum - Balmoral Alcoholic Beverage License](#)

[Resolution - Balmoral Alcoholic Beverage License](#)

## R5 - ORDINANCES

- R5A** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA; AMENDING CHAPTER 21 "ZONING," ARTICLE III "DISTRICT REGULATIONS," DIVISION 11 "B BUSINESS DISTRICT," SECTION 21-320 "TRAFFIC LEVEL; APPROVAL OF TRAFFIC ANALYSIS" OF THE CODE OF ORDINANCES TO REMOVE RESTRICTION ON ACCESS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, AND AN EFFECTIVE DATE. (Second Reading)  
[Item Summary - B District Traffic Restriction Ordinance \(Second Reading\)](#)  
[Council Memorandum - B District Traffic Restriction Ordinance \(Second Reading\)](#)  
[Ordinance - B District Traffic Restriction Ordinance \(Second Reading\)](#)
- R5B** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, RENAMING AND AMENDING SECTION 2-112 "CONSIDERATION OF ANTI-SEMITISM IN ENFORCING LAWS" OF CHAPTER 2, ARTICLE IV, DIVISION 2 "POLICE" TO REQUIRE CONSIDERATION OF HATE CRIME IN ENFORCING LAWS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, FINDINGS, AND AN EFFECTIVE DATE. (First Reading)  
[Item Summary - Hate Crime Ordinance](#)  
[Council Memorandum - Hate Crime Ordinance](#)  
[Ordinance - Hate Crime Ordinance](#)
- R5C** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES TO ADDRESS SIGNAGE BY AMENDING SECTION 2-191 "SCHEDULE OF CIVIL PENALTIES" TO CLARIFY PENALTIES FOR SIGN CODE VIOLATIONS; AMENDING SECTION 5.5-5 "CRITERIA FOR APPEARANCE" TO INCLUDE STYLE AS A SIGN DESIGN CRITERIA; AMENDING SECTION 6-35 "BUILDING PERMIT FEES" TO REVISE SIGN BUILDING PERMIT FEES; AMENDING SECTION 11-1 "POSTING OF ADVERTISING MATERIAL" TO AMEND THE SECTION TITLE AND REVISE THE PROHIBITION; AMENDING CHAPTER 15 "SIGNS" BY DELETING THE CHAPTER AND ADOPTING NEW SIGN REGULATIONS APPLICABLE THROUGHOUT THE VILLAGE; AMENDING SECTION 17-3 "WRITING ON, DIGGING IN STREET, SIDEWALK; PLACEMENT OF SIGNS, BANNERS," TO DELETE ABILITY TO PLACE SIGNS AND BANNERS IN PUBLIC STREETS OR SIDEWALKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (First Reading)  
[Item Summary - Sign Code Ordinance](#)  
[Council Memorandum - Sign Code Ordinance](#)  
[Ordinance - Sign Code Ordinance](#)  
[Attachment 1 - Memorandum from Weiss Serota - Revisions to the Village Sign Regulations](#)
- R5D** AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA; AMENDING CHAPTER 19 "TRAFFIC AND MOTOR VEHICLES," ARTICLE II "OPERATION OF VEHICLES," SECTION 19-27 "OPERATION ON SIDEWALKS, JOGGING PATH" OF THE CODE OF ORDINANCES TO ALLOW THE USE OF BICYCLES OR TRICYCLES

ON THE SIDEWALKS IN THE VILLAGE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, AND AN EFFECTIVE DATE. (First Reading)

[Item Summary - Permitting Non Motorized Vehicles on Sidewalks](#)

[Council Memorandum - Permitting Non Motorized Vehicles on Sidewalks](#)

[Ordinance - Permitting Non Motorized Vehicles on Sidewalks](#)

[Attachment 1 - Ordinance 89-331](#)

**Q1 - QUASI-JUDICIAL** - *Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment upon an item, please inform the Mayor when he asks for public input on the item. An opportunity for persons to speak will be made available after the applicant and staff has made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Mayor to ask questions of staff or witnesses on his behalf. Persons representing organizations must present evidence of their authority to speak for their organization. Further details of the quasi-judicial procedures may be obtained from the Village Clerk.*

*Disclosure of Ex-Parte Communications.*

*Swearing In of Speakers by the Village Clerk.*

**QJ1** A RESOLUTION OF BAL HARBOUR VILLAGE, FLORIDA, APPROVING A MINOR AMENDMENT TO THE SITE PLAN FOR THE BAL HARBOUR SHOPS EXPANSION REVISING THE NORTHERN ENTRANCE PURSUANT TO SECTION 21-322 OF THE CODE OF ORDINANCES; AND PROVIDING FOR CONFLICTS, CONDITIONS AND FOR AN EFFECTIVE DATE.

[Item Summary - Shops Minor Site Plan Amendment](#)

[Council Memorandum - Shops Minor Site Plan Amendment](#)

[Resolution - Shops Minor Site Plan Amendment](#)

[Attachment 1 - BHV BHS Site Plan Rev Staff Report Jan 2018](#)

[Attachments 2-5 - BHS Site Plan Resolution Attachments](#)

[Attachment 6 - Bal Cross Drive Easement v11](#)

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

**R9A** Update regarding Benches on West Beach Path - Councilman Freimark  
[Discussion Item - Freimark - Benches](#)

**R9B** Discussion regarding Periodic Resort Tax Committee Reporting to Council and Public - Councilman Freimark  
[Discussion Item - Freimark - Periodic RTC Reporting](#)

**R9C** Discussion on expected decorum of Bal Harbour Village Board members - Mayor Groisman  
[Discussion Item - Groisman - Decorum of Board Members](#)

**R9D** Discussion regarding the placement of seating at Founders Circle and in the greenspace area located west of Collins Avenue and between Harbour Way (greenspace area outside gated community entrance known to some as Gate Park) - Councilwoman Cohen  
[Discussion Item - Seating on Harbour Way - Cohen](#)

#### **R9E - PUBLIC COMMENT**

#### **R10 - VILLAGE MANAGER REPORT**

#### **R11 - VILLAGE CLERK REPORT**

**R11A** Lobbyist Report  
[R11A1\\_Lobbyist Registration Report as of Feb13\\_2018.pdf](#)

#### **R12 - VILLAGE ATTORNEY REPORT**

#### **END OF REGULAR AGENDA**

#### **ADJOURNMENT - Motion**

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).

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.