

**NOTE: A request form is available from the Deputy Town Clerk or on the Town's website; please fill it in and return it no later than the "Public Comment" section of the meeting if you would like to address the Town Council. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please mute or turn off your cell phone or electronic devices at the start of the meeting. Thank you.**

**TOWN OF BAY HARBOR ISLANDS  
MORRIS N. BROAD COMMUNITY CENTER  
1175 95TH STREET  
BAY HARBOR ISLANDS, FL 33154**

**REGULAR COUNCIL MEETING  
AGENDA**

April 22, 2026

7:00 PM or immediately following the Organizational Town Council Meeting

**STATEMENT OF DECORUM**

*All comments must be addressed to the Council as a body and not to individuals. Any person making a racial or slanderous remark or who becomes boisterous while addressing the Town Council, staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts, or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. Please mute or turn off your cell phone or other electronic devices at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chambers shall do so quietly.*

**SPECIAL NOTICE**

A Regular Meeting of the Town Council of the Town of Bay Harbor Islands will take place in-person and virtually through the Zoom platform, on Wednesday, April 22, 2026 at 7:00 p.m. or immediately following the Organizational Town Council Meeting at 6:00 p.m..

"In an effort to provide greater public access and comment on pending matters, the Town of Bay Harbor Islands is providing a Zoom link to enable members of the public to comment on pending items on the Town Council agenda. Zoom access is provided under the same terms and conditions as in-person access, including length of time and decorum. Anyone desiring to be heard may utilize the Zoom link. However, members of the public must understand that the provision of Zoom access for comments is a courtesy, not a vested right, and that access is provided subject to the availability and functionality of the Town's equipment. There is no guarantee that internet service will be reliable or that the Town's equipment will function as intended. In the event that the Zoom access is unavailable or interrupted for any reason, the Town Council meeting will still proceed forward, and will not be stopped or rescheduled in any regard. Those wishing to be absolutely certain that their comments are heard by the Town Council should present themselves in person at the Council meeting and seek recognition, or alternatively, should submit their comments in advance of the meeting in writing to the Town Clerk, and ask that they be read into the record, subject to the above terms and conditions, such as length and decorum. The validity of any actions taken by the Town Council will in no way be affected by the use or functionality of Zoom access for comments."

Zoom Meeting Link: <https://us06web.zoom.us/j/89272202574?pwd=MlyOjCuYhaI2mbKHFBvxKB0BR5w33D.1>  
Meeting ID: 892 7220 2574  
Passcode:206054

To request to speak during Public Comment, please utilize the "raise your hand" Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing

the Toll-free numbers below:

US Toll Free Numbers: 877 853 5247 or 888 788 0099  
For higher quality, dial a number based on your current location):  
US: 1 305 224 1968 or 1 646 558 8656 or 1 301 715 8592

Meeting ID: 892 7220 2574  
Passcode:206054

Participant ID: Press the # key.

To request to speak: Dial \*9 on your telephone device to activate the "Raise your Hand" feature on the Zoom platform.

Members of the Public can also submit their request to speak and/or comments via email to the Office of the Town Clerk at [eherbello@bayharborislands-fl.gov](mailto:eherbello@bayharborislands-fl.gov) prior to 4:00 p.m. on April 21, 2026.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**SPECIAL PRESENTATION:**

1. Presentation of Police Officer of the Quarter.
  1. Captain Alan Castellanos
  2. Sergeant John Davilmar

**REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:**

**TOWN MANAGER'S REPORT:**

**COUNCIL REPORTS:**

**MINUTES:**

2.
  - March 20, 2024 Regular Town Council Meeting Minutes
  - May 08, 2024 Regular Town Council Meeting Minutes
  - July 25, 2024 Regular Town Council Meeting Minutes
  - August 14, 2024 Regular Town Council Meeting Minutes
  - September 12, 2024 First Budget Public Hearing Minutes
  - September 12, 2024 Regular Town Council Meeting Minutes
  - September 26, 2024 Final Budget Public Hearing Minutes
  - October 14, 2024 Regular Town Council Meeting Minutes
  - November 4, 2024 Special Town Council Meeting Minutes
  - November 20, 2024 Regular Town Council Meeting Minutes
  - December 4, 2024 Special Town Council Meeting Minutes
  - July 08, 2025 Special Town Council Meeting Minutes
  - February 11, 2026 Regular Town Council Meeting Minutes

**PUBLIC COMMENT**

*Speakers are allowed three (3) minutes and up to no more than five (5) minutes at the discretion of the presiding officer to speak on any items on the agenda only during the Public Comment portion of the meeting. Speakers may apportion their time during Public Comment to various agenda items however they wish. Any person who wishes to speak during a public hearing may be heard for no more than two (2) minutes during each public hearing or ordinance on second reading. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you*

would like to discuss which requires more than five (5) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. A request form is available from staff or on the Town's website; please fill it in and return it to the Deputy Town Clerk no later than the conclusion of "Public Comment" section of the meeting, if you would like to address the Town Council. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.

## **COMMITTEE REPORTS:**

**CONSENT AGENDA:** (Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)

3. Council authorization to auction and dispose capital asset (surplus police vehicles) - Town Manager
4. Consideration and Approval FY 2025-2026 Budget Amendment — Town Manager
5. Discussion and consideration to approve a contract with Hazen and Sawyer in the amount of \$76,510 to provide engineering support associated with Cycle 3 SSES Phase 1 RFI and Phase 2 Regulatory Reporting. - Town Manager
6. Consideration and approval of a resolution adopting new Solid Waste Fees. - Town Manager

## **PUBLIC HEARING-QUASI JUDICIAL:**

7. PUD Overlay Rezoning Application – Bijou Bay Harbor Condominium Association, Inc., 9521 East Bay Harbor Drive, Lots 3 and 4, Block 1 - Town Manager.
8. Discussion for the purpose of hearing public comments with respect to an application for a variance from Section 23-11(C)(14) of the Town Code to allow seating in lieu of a required pedestrian walkway, where the Code requires a minimum five-foot walkway and prohibits the placement of chairs or tables along the side of the property. The applicant, Arnold Bergman, is requesting a variance to allow seating to be placed in an area otherwise required to remain as a pedestrian walkway. The Code provision requires periodic pedestrian walkways from the sidewalk on Kane Concourse, 95th Street, or 97th Street to rear parking areas, with a minimum width of five feet, unless otherwise approved by the town council during site plan consideration. Because the proposed seating would encroach into the area designated for the walkway, the variance is required in order to proceed. The application is being submitted by the applicant Arnold Bergman for the property located at 9580 Bay Harbor Terrace, Bay Harbor Islands, Florida. - Town Manager
9. Approval or Denial of a variance request for the property located at 9580 Bay Harbor Terrace. In accordance with Section 2-22 of the Town Code, the Town Council shall determine whether to grant or deny the application for a variance. An affirmative vote of five (5) Council Members is necessary in order to grant the variance request. The decision of the Town Council is final. If the request is granted, the decision of the Town Council shall be recorded in a resolution to be prepared by the Town Attorney. It should be noted

that any approval of the Town Council is subject to other requirements of the Town Code, Miami-Dade County Code, Florida Building Code, FEMA or any other applicable governing agency. - Town Manager

### **ORDINANCES ON SECOND READING:**

### **ORDINANCES ON FIRST READING:**

10. Consideration and approval of an ordinance on first reading to strengthen enforcement against businesses operating in violation of Town Code. Sponsored by Council Member Yaffe.
11. An ordinance on first reading amending the Town's Code of Ordinances by creating Article III of Chapter 2, to be designated as Sections 2-30 through 2-34 and to establish general waiver provisions for the land development code. Sponsored by Council Member Joshua Fuller and Council Member Robert Yaffe.

### **DEFERRED ITEMS:**

12. Additional Design Alternatives for 3-Dimension Printing of modules associated with the Artificial Reefs at Causeway Island and the Bay Harbor Waterway. - Sponsored by Council Member Joshua Fuller.

### **TOWN MANAGER ITEMS:** *(Town business items requiring Council approval)*

13. Ratification of 2<sup>nd</sup> Emergency Procurement Contract in the amount of \$670,879.26 with Florida Draw Bridges Inc. (FDI) to perform Emergency Repairs at the Broad Causeway Intracoastal Waterway Bridge (Bridge #875101) - Town Manager
14. Ratification of a contract in favor of Ardurra Group Inc., in the amount of \$253,880 to provide Construction Engineering Inspection (CEI) services associated with the emergency repairs for the Broad Causeway Intracoastal Waterway Bridge. - Town Manager
15. Discussion and required action regarding the Town's new branding. - Town Manager

### **DISCUSSION ITEMS:**

16. Consideration and approval of a Resolution Indicating the Official Intent of the Town to Issue Tax-Exempt Bonds or Notes in the amount of up to \$75,000,000 to Finance the Costs of Development, and Construction of a New Municipal Complex and to Use a portion of the Proceeds of Such Bonds or Notes to Reimburse Expenditures Paid or Incurred prior to the Date of Issuance. - Town Manager.
17. Discussion and possible action regarding additional Tot Lot designs. Sponsored by Council Member Eric Rappaport.

18. Consideration and approval of a 3<sup>rd</sup> Proposal from Florida Draw Bridges Inc. (FDI) in the amount of \$149,361 to perform joint, header and barrier wall repairs at the Broad Causeway Intracoastal Waterway Bridge and rental of snooper truck. - Town Manager
19. Appointment of Town Council Members to the Mitigation Committee. - Town Manager
20. Discussion and possible action to install traffic deterrents in the East Island. Sponsored by Vice Mayor Stephanie Bruder.
21. Discussion and possible action to discuss early voting for town elections. Sponsored by Council Member Robert Yaffe.
22. Discussion and possible action regarding a policy on adding items to special town council meeting, regular town council meeting and workshops. Sponsored by Council Member Robert Yaffe.
23. Discussion regarding the Sign ordinance, Section 17-20(x). Sponsored by Council Member Robert Yaffe.

**ADJOURNMENT:** Approximately 11:00 p.m.

*Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she 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.*