

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
SPECIAL MEETING – SEPTEMBER 6, 2006

A Special Meeting of the Bal Harbour Village Council was held on Wednesday, September 6, 2006, at Bal Harbour Village Hall (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 9:00 a.m. by Mayor Roth. The following were present:

Mayor Seymour "Sy" Roth
 Assistant Mayor Howard J. Berlin
 Councilman Jean Rosenfield
 Councilman Jaime M. Sanz

Alfred J. Treppeda, Village Manager
 Ellisa Horvath, CMC, Village Clerk
 Andrea Greenblatt, Admin. Assistant
 Richard J. Weiss, Village Attorney

Absent: Councilman Joel S. Jacobi

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge was led by Michael Patrizio, WCI.

3. REQUEST FOR APPROVAL TO CHANGE HEALTH INSURANCE COVERAGE TO UNITED HEALTHCARE: Mr. Treppeda explained that the Village is paying extremely high rates for insurance, through Florida Municipal (Florida League of Cities). He reviewed a spreadsheet prepared by the Village's Agent of other insurance plans available and noted that United Healthcare (Plan #2) is the most comparable plan in terms of benefits, but at a lower rate. He noted that the new Plan would result in an annual savings of \$457,205.01. Mr. Treppeda recommended approval to enter into an agreement with United Healthcare, beginning October 1st. Mayor Roth thinks that United is a great company and noted that the Village will save 50% on health insurance costs.

A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve. The motion carried unanimously (3-0).

4. REQUEST FOR APPROVAL OF LICENSE AGREEMENT WITH BAL HARBOUR CLUB FOR THE USE OF PROPERTY FOR A BEACH ACCESS

POINT: Mr. Treppeda explained that at a previous meeting the Bal Harbour Club offered to provide land for a beach access point and WCI offered to provide financial assistance. He noted that the proposed License Agreement was drafted by the Village Attorney and approved by the Bal Harbour Club, to provide a beach access path. He reported that the access will be fenced on both sides and noted that the Plaza has approved the path, as

long as a fence is provided. Mr. Treppeda explained that Mr. Imbesi, Bal Harbour Club, has approved the path for pedestrian access, but not for vehicular parking. He noted that the path will be locked at sundown for safety reasons and to avoid the need for lighting. Mayor Roth explained that numerous residents complained about the north access (at 102nd Street) being temporarily closed and that this is being provided, in response to that. He noted that WCI is helping to resolve the problem. Mr. Treppeda explained that the path at the Club will take two to three weeks to build.

Michael Patrizio, WCI, noted that they plan to open the north access path in January 2007. He explained that WCI is contributing \$25,000 towards the \$37,000 cost. Councilman Rosenfield suggested that WCI pay the entire amount. Mr. Patrizio will look into that.

It was the Consensus of the Council for WCI to cover the complete cost.

A motion was offered by Councilman Sanz and seconded by Councilman Rosenfield to approve the License Agreement. The motion carried unanimously (4-0).

5. REQUEST FOR APPROVAL TO EXPEND FUNDS FOR BEACH ACCESS POINT AT THE BAL HARBOUR CLUB (10201 COLLINS AVENUE): Mr. Treppeda requested approval to expend funds for the beach access path, at the Bal Harbour Club.

A motion was offered by Councilman Sanz and seconded by Mayor Roth to approve proceeding with construction of the Beach Access Path (\$37,000) and for the Manager to negotiate the contribution from WCI (minimum of \$25,000). The motion carried unanimously (4-0).

6. REQUEST FOR APPROVAL OF REIMBURSEMENT TO VILLAGE RESIDENTS FOR MIAMI-DADE COUNTY LIBRARY CARDS: Mr. Treppeda explained that notice was given to Surfside that the Village was not renewing the Library Agreement for the Surf-Bal-Bay Library. Councilman Rosenfield noted that Bay Harbor did not renew the Agreement either. Mr. Treppeda noted that the termination would be effective October 1st. He suggested beginning the reimbursement of Miami-Dade County Library Cards at two cards per household (\$50 per card). He requested permission to reimburse residents and to start advertising the new program.

Mayor Roth explained that this new system will save the Village approximately \$50,000 per year. He suggested advertising the change on Channel 77 and mailing a flyer to all residents, for the program to start October 1st. He also suggested having the County applications available at Village Hall and handling the applications in bulk.

Neil Alter, resident - 9801 Collins Avenue, questioned how the system would work. Mr. Treppeda explained that the Village would reimburse residents \$50 per card, when proof is shown that a library card was purchased. He noted that this approach is better than if the Village joined the library taxing district, because then it would cost \$1 million per year, instead of \$30,000-\$40,000 per year.

A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve. The motion carried unanimously (4-0).

7. OTHER BUSINESS:

Mr. Weiss explained that the Village is being sued by the Bal Harbour Shops. In accordance with Florida Statutes, he requested an Executive Session, to discuss litigation strategy and expenses. He noted that the meeting will be held on September 12th (after the budget hearing).

Neil Alter, resident – 9801 Collins Avenue, questioned if this is the first time that Mr. Whitman has initiated litigation against the Village. Stanley Whitman, Bal Harbour Shops, responded that it is. Mr. Weiss noted that this is the first time that he is aware of.

Mr. Treppeda introduced the Village Health Insurance Agent, Steven Olsen - Acordia.

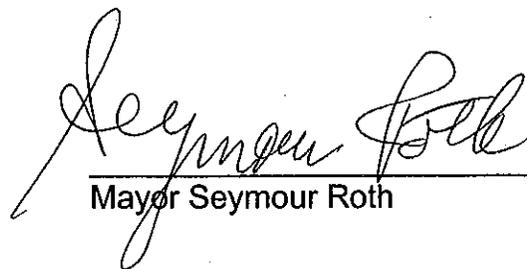
Councilman Rosenfield discussed the County letter directing Surfside to open 96th Street by July 31st. Chief Hunker explained that the Surfside Police Chief has told him that Surfside won't open the Street, unless a court order is received. Mr. Treppeda noted that the County would have to get the court order.

Stanley Whitman, Bal Harbour Shops, discussed the traffic issue with Surfside. He noted that he employed Cliff Schulman as the Attorney and Transport Analysis to study the traffic issues. Mr. Whitman discussed the meetings held with the Municipality Mayors (Bal Harbour, Bay Harbor, Surfside, and Indian Creek) and noted that County Commissioner Sally Heyman attended one of the three meetings. He further explained that the topic was placed on a MPO (Metropolitan Planning Organization) agenda and, as a result, FDOT hired the Corradino Group to conduct a traffic study. He noted that study showed that the best solution was to open Abbot Avenue and the second alternative was to provide three right turn lanes for the east bound traffic, turning right at Harding Avenue (that alternative was not liked by FDOT). Mr. Whitman explained that a public hearing was held, which Surfside Mayor Tim Will and numerous Surfside residents attended. He reported that the outcome of the hearing was for the Corradino Group to restudy the issue. He noted that the next solution was a frontal road on Abbot Avenue for the residents, with the public using the thoroughfare lane, and a median between the two, as a landscaped buffer. He reported that the idea was presented to the Surfside Manager and the Town responded that they were hiring a Town Planner and the aspects of the opening of Abbot Avenue would be handled by them. He discussed the letters sent from FDOT to Surfside.

Dina Cellini, resident - 211 Bal Cross Drive, noted that Mr. Jacobi did not win the Judicial seat and questioned how the Council will proceed in filling the vacancy, since he filed a resign to run. She believes that the seat should be opened to other residents. Mr. Weiss noted that his seat would become vacant at the time that the Judge elected takes office or at the time that the Council replaces him. Mr. Weiss suggested that an item be placed on the next Council agenda, to discuss how to proceed with the seat.

Mr. Weiss thinks that the Abbot Avenue discussion should also be placed on the regular Council agenda (September 19th) for discussion, so people who are interested in those topics can attend and participate.

8. ADJOURN: There being no further business, *a motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to adjourn. The motion carried unanimously (4-0), and the meeting was adjourned at 9:25 a.m.*



Mayor Seymour Roth

Attest:



Ellisa Horvath, CMC
Village Clerk