

**BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES**  
**REGULAR MEETING – DECEMBER 12, 2006**

The Regular Meeting of the Bal Harbour Village Council was held on Tuesday, December 12, 2006, at the Bal Harbour Village Hall Council Chambers (655 – 96<sup>th</sup> 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 Joel S. Jacobi  
 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

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

**2. PLEDGE OF ALLEGIANCE:** The Pledge was led by Lydia Kordalewski (Village Park, Recreation & Transportation Director).

**3. APPROVAL OF MINUTES:** *A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve the minutes of the November 14, 2006, Regular Council Meeting, as submitted. The motion carried unanimously (4-0).*

**4. PRESENTATIONS:**

**Officer of the Month for November 2006:** Chief Hunker presented Detective Paul Eppler with the November 2006 Officer of the Month Plaque, in recognition of his investigation into a fraud ring.

**5. ORDINANCE SECOND READING/PUBLIC HEARING:** None.

**6. ORDINANCE FIRST READING:** The following Ordinance was read by title, by Mrs. Horvath:

AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING PARAGRAPH (A) "NUMBER, TERM AND QUALIFICATION OF MEMBERS" OF SECTION 18-43 "COMPOSITION; APPOINTMENT; VACANCIES; COMPENSATION; REMOVAL FROM OFFICE, ETC." OF DIVISION 2 "RESORT TAX COMMITTEE" OF ARTICLE II "RESORT

<sup>1</sup> Assistant Mayor Berlin arrived during Ordinances First Reading and left during the Request for Approval of Additional Funding for 60<sup>th</sup> Anniversary Party.

**TAX” OF CHAPTER 18 “TAXATION AND FINANCE” OF THE VILLAGE CODE; PROVIDING FOR AN AMENDMENT OF THAT PARAGRAPH OF THE VILLAGE CODE TO EXPAND THE COMMITTEE SIZE FROM FIVE (5) TO SEVEN (7) MEMBERS AND TO MODIFY QUALIFICATION REQUIREMENTS OF COMMITTEE MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Weiss explained the proposed ordinance. He reported that the qualification of the membership was left blank, to allow for Council discussion. He noted that the proposed ordinance increases the number of the members from five to seven and deletes the lines in the current ordinance pertaining to qualifications of the members. Mr. Weiss advised that doing so gives the Council a basis for discussion.

Assistant Mayor Berlin arrived.

*A motion was offered by Councilman Sanz and seconded by Mayor Roth to approve.*

Mayor Roth opened the public hearing.

**Stanley Price, Bilzin Sumberg – representing the Sheraton Bal Harbour Joint Venture and Bal Harbour Club regarding this Ordinance**, noted that he cannot provide any meaningful comments, without knowing the qualifications of the membership and what direction the Council is going in. He explained that it was the enabling Legislation’s intent to recognize that people were needed with expertise in the area. He pointed out that no qualifications or expertise is recommended for the appointments, in the proposed ordinance. Mr. Price doesn’t think that a lay person would have expertise in how to best spend resort tax money collected, in the most efficient way for the community. He noted that the current ordinance has been successful for many years and that the Council has the ability to remove members of the Committee, or to question any conflicts of interest. Mr. Price requested that the Council explain what the qualifications would be, to allow for public comment.

**Babak Raheb, resident - 128 Balfour Drive**, thinks that there are enough qualified people in the Village that are not working at the Shops, which would do a good job. He doesn’t see a problem with citizens being members, since the Council can supersede any decisions. He doesn’t think it makes sense for the Council to be on the Committee. Mr. Raheb thinks that there should be more public input, without any conflict of interest. He thinks the current members have a conflict, because they work in Bal Harbour and benefit from the money that the Committee spends.

**Stanley Whitman, Bal Harbour Shops Developer**, reviewed the formation of the resort tax in the State of Florida and Bal Harbour. He explained that the hoteliers wanted a resort tax in order to create a fund for advertising, which was enabled by the State. He noted that it wasn’t set up as a general fund for the use of the taxpayers, but was set up to be administered by the people in the field (restaurateurs, hoteliers, etc.). He clarified that the fund was set up to advertise and promote tourism, with the people in the tourism industry serving as the advisory committee.

**Jeffrey S. Bass, Shubin & Bass – representing the Bal Harbour Shops**, submitted his Lobbyist Registration to Mrs. Horvath. He requested that the Council not adopt the Ordinance and to end the process. He discussed the current expertise requirement for the

Committee members, which isn't uncommon, and provides specified resources and expertise focus to the Council. He doesn't think that's a conflict of interest. He discussed other boards comprised of people with expertise. Mr. Bass doesn't think the current Committee has any conflict of interest. He noted that the Ordinance provides a remedy, if there's a conflict, etc. Mr. Bass urged the Council not to change the current ordinance. He pointed out that the Committee members serve for one year and that no true conflicts have been shown. He doesn't think there is anything illegal in the present composition. He discussed that if the Committee composition is changed, then the entire ordinance will need to be re-drafted, which he doesn't see a need to do.

**Brian Mulheren, resident - 10245 Collins Avenue**, thinks evening workshops should be held for this issue. He pointed out that the public doesn't know what is being proposed. He thinks that the residents have a lot of expertise. Mr. Mulheren suggested that the Tourism Director present information to the Committee, who can then ask questions. He thinks citizens should have the right to be on the Committee and noted that citizens don't have a conflict.

**Raj Singh, Sea View Hotel General Manager**, discussed his prior service on the Committee and what the Committee has done over the years. He pointed out the positive contributions of the members through their expertise, contacts, etc. which have made Bal Harbour well known throughout the world. Mr. Singh clarified that the Committee meetings are open to the public.

**Dina Cellini, resident - 211 Bal Cross Drive**, thinks the Committee has done wonderful things, but suggested increasing the number of members to include residents for public input. She would like to know if there is a conflict of interest and if the current members shouldn't be voting. Ms. Cellini suggested that if there isn't a conflict, then the current Committee could coexist with additional public members. Mayor Roth questioned if there is a conflict. Mr. Weiss' recommendation is that the composition should be looked at.

Mayor Roth closed the public hearing.

Councilman Jacobi thinks input is needed from the major sources of tourism income (Shops, Sea View, etc.) and that expanding the Committee may be a good idea, to include the public. He is not in favor of erasing the existing language. He thinks the language should remain to include people who live and work in Bal Harbour. Mr. Weiss clarified that he is not suggesting that language be deleted, but is giving the Council a blank slate.

Assistant Mayor Berlin is not in favor of the proposed ordinance, in its broad sweeping dimensions, because he doesn't know where it goes (who the members of the Committee are, etc.). Mr. Weiss explained that this ordinance gives the Council a place to start, since the Council didn't give direction of qualifications, etc. He agreed that qualifications are needed and should be discussed by the Council. Assistant Mayor Berlin discussed the conflict of interest issue and noted that the ordinances that other State political committees have adopted all have people in their memberships who are involved in the resort industry, due to their specific expertise. He thinks abandoning that would be moving away from the vast majority of thinking on the issue across the State. He suggested having more context and figuring out who the members of the Committee would be. He doesn't know the wisdom of moving forward, without members of the resort tax industry being involved, because the County and other communities have that. Mr. Weiss explained that if the current ordinance is left the way that it is, then the Village could find people to meet the

qualifications, without any conflict. Mr. Weiss noted that there's nothing wrong with the existing ordinance, but the problem is with the implementation of the ordinance. Assistant Mayor Berlin suggested looking at the Committee composition in the current ordinance again.

Councilman Sanz thinks that the Committee has done an excellent job for many years and doesn't think it should be changed. He thinks that the proposed ordinance is too vague. Mr. Weiss explained that the existing ordinance is not broken, but that the situation needs to be fixed. Councilman Rosenfield explained that the purpose of the Committee is to create world awareness of the Village. She thinks all aspects of the Village need to be represented on the Committee, including Councilmembers. Councilman Rosenfield doesn't think that Council involvement on a Committee would intimidate anyone, which was brought up at the last meeting. She thinks that the Council needs to define who the members of the Committee will be. Mayor Roth thinks that the majority of the Committee should be from industry/work in hotel/restaurant, but that there should also be some lay people, with practical/business experience, and some residents that are not directly involved in the hotels or Shops.

**A motion was offered by Councilman Rosenfield and seconded by Councilman Jacobi to table the discussion.**

Assistant Mayor Berlin questioned if Mayor Roth is suggesting to keep the current language for the Committee and to add two resident members. Mayor Roth thinks it's a good balance, along with two resident members that have business experience and common sense. Mr. Weiss will define the Committee to consist of seven members (two residents with business or tourism related experience, with the language for the other five members remaining the same).

**Councilman Rosenfield withdrew her motion to table the discussion.**

**Mr. Weiss clarified that the Council is recommending increasing the membership to seven, with the following language: two members will be residents with experience in tourism, marketing or business activities, at least four of the other five members will be persons that work or reside and have experience in tourism and/or tourism related activities, one of the five members may not work or reside in the Village if they have experience in tourism and/or tourism related activities, and one of the seven members shall be a member of the Village Council).**

Mr. Treppeda suggested that a Village Attorney start attending the Committee meetings. The Council agreed.

**A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to amend the ordinance per Mr. Weiss' comments.**

Mayor opened the public hearing.

**Babak Raheb, resident – 128 Balfour Drive**, doesn't think that anybody should be on the Committee that works within the industry in the Village. He is against the managers of Village hotels and Shops being on the Committee, since they have a conflict of interest (by voting on issues to advertise, etc. for their own properties). He thinks that the language should state that members cannot have a direct conflict. Mr. Weiss noted that the Council will be appointing a new Committee and reported that if there is a potential conflict with

respect to a member, then Mr. Weiss will discuss it with that member. He explained that the members will be subject to the State Conflict of Interest Ordinance Provisions (in Chapter 112) and applicable County Ordinances. He thinks that some of the issues being raised deal with the actual appointments to the Committee, as opposed to the ordinance.

Assistant Mayor Berlin suggested that Mr. Weiss attend the next Committee meeting and make a presentation on the conflict of interest issue, so that any applicable members could recuse themselves from participating in a vote that would have any conflict for them. Mr. Weiss clarified that there may be certain people who are prohibited from serving on the Committee and some may just be able to recuse themselves on certain votes, because of a conflict of interest, which would be dealt with on a case bases. He clarified that the problem is not with the proposed ordinance, but the implementation of it.

**Jeffrey Bass, Shubin & Bass – on behalf of Bal Harbour Shops**, reserved comments until second reading. He suggested that the Village prepare a study analysis of what is being proposed, why it's being proposed, how the Committee works, how other resort tax committees are comprised, etc. for the public to understand.

**Michael Krop, resident - 9601 Collins Avenue**, doesn't think that any change will be meaningful, unless it is changed that a member with a vested interested cannot vote on issues that benefit them. He suggested that each Councilmember select one Committee member, for a total of five members. He discussed problems with having seven people (quorum, agreement, etc.). Dr. Krop doesn't think the members need to have experience in the field, but just need to be smart and interested.

**Brian Mulheren, resident - 10245 Collins Avenue**, suggested having workshops. He pointed out that the Council doesn't need to have experience to be a Councilmember and he doesn't think that the Committee should be any different.

Mayor Roth is in favor of a workshop meeting before January 16th. He is also in favor of the composition previously discussed. He agreed that if someone has a conflict, then they could recuse themselves on that item. He thinks that the Council needs to move forward, since the Committee hasn't functioned in three to four months. Councilman Jacobi agreed that an issue of direct impact should be recused. He also thinks that a Village Attorney should attend the meetings.

**Stanley Whitman, Bal Harbour Shops**, explained that the tax came about from hoteliers to get advertising money, so the State created a fund for the tourism industry, not the public. He noted that's how the State Tourism Bureau, Dade County, etc. are set up (with people from the hotels, restaurants, etc. on the Boards). Mr. Whitman noted that if there's a conflict, then all the tourism committees in the State would be in violation of a conflict of interest, because they are all set up with people in the industry. He explained the expertise of the people at the Shops, hotels, restaurants, etc. in marketing, etc.

**Dina Cellini, resident - 211 Bal Cross Drive**, agreed that it's not the composition of the Committee, but the voting on the issues, which can be resolved by recusing. She thinks the proposed qualifications of residents should be abolished and is unfair. She doesn't see the necessity of a Councilmember serving on the Committee, since all recommendations come to the Council, and thinks that a Councilmember serving could create an intimidation factor. Ms. Cellini thinks three of the seven members or two of the five members should be residents at large and the other four/five should be appointed from the tourism industry.

**Steve Sorensen, Vice President Hotel Division WCI Communities**, thinks balance is important and that expertise is fundamental. He discussed the expertise of the Regent General Manager, who he thinks should be given the opportunity to serve the community.

**Guenter Richter, The Regent Bal Harbour General Manager**, thinks the Committee should be a balance of people with different backgrounds and talents. He discussed the taxing and marketing contributions that the Regent will be making. He thinks that everyone should work as a team, to serve the Village better.

Mayor Roth closed the public hearing.

Councilman Jacobi requested that the qualifications for the two resident members be deleted.

*A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to amend the proposed amendment, in order to delete the qualifications required for the two new additional resident members. The motion carried unanimously (5-0).*

*A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve the amended ordinance. The motion carried with the vote as follows: Mayor Roth aye; Assistant Mayor Berlin aye; Councilman Jacobi aye; Councilman Rosenfield aye; Councilman Sanz aye.*

Mayor Roth doesn't think that a workshop is needed, since the ordinance was passed on first reading.

**7. RESOLUTIONS/PUBLIC HEARINGS:** None.

**8. RESOLUTION:** The following Resolution was read by title, by Mrs. Horvath:

**RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, APPROVING LEASE AGREEMENTS BETWEEN BAL HARBOUR VILLAGE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") ALLOWING VILLAGE TO UTILIZE FDOT RIGHT-OF-WAY AT STATE ROAD A-1-A FOR PARKING AND PUBLIC BEACH ACCESS (AS TO THE SOUTH LOT) AND FOR TEMPORARY COMMERCIAL PURPOSES PENDING COMPLETION OF CONSTRUCTION PROJECTS IN THE VICINITY (AS TO THE NORTH PARKING LOT); PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Roth opened the meeting for public comment. There being none, the meeting continued.

Mr. Treppeda explained that approval would give the Village Manager authorization to enter into the agreements. He reported that the monthly fee collected from WCI, for use of the north lot, will be remitted to FDOT (Florida Department of Transportation) and the south lot will be open for public parking, without a fee.

*A motion was offered by Assistant Mayor Berlin and seconded by Councilman Jacobi to approve the resolution. The motion carried unanimously (5-0); thus becoming Resolution No. 693.*

## **9. REPORTS AND RECOMMENDATIONS:**

### **A. MAYOR AND COUNCIL:**

Mayor Roth reported on the 60th Anniversary event and thanked Village staff for their work (1,103 people attended).

*Jordan Cohen, resident - Balmoral*, thought it was a fantastic party and commended Mr. Treppeda.

Councilman Rosenfield, Councilman Jacobi, and Councilman Sanz discussed the success of the party and thanked the Village staff for their work. Mayor Roth requested that Mr. Treppeda send a thank you letter to Craig Stevens, Channel 7, who did a great job as emcee.

*Brian Mulheren, resident – 10245 Collins Avenue*, commended Randy Mathews, Public Works Director, and the public works department staff.

### **B. VILLAGE ATTORNEY:**

**Request for Ratification of the Collective Bargaining Agreement with the Police Benevolent Association on behalf of Bal Harbour Police Officers:** Mr. Treppeda reported that the new contract was approved by the Police Officers, with a vote of 19-0 in favor of it.

*A motion was offered by Councilman Sanz and seconded by Mayor Roth to approve. The motion carried unanimously (5-0).*

Mr. Weiss thanked Village Attorney James Baker for his work on the contract. Chief Hunker thanked James Baker, Sergeant Paul Deitado, Detective Paul Eppler, Sergeant Mike Daddario, PBA Attorney Mike Braverman, Village Manager Alfred Treppeda, and Captain Jay Smith.

*Dina Cellini, resident – 211 Bal Cross Drive*, questioned the status of the report on the Sheraton sign issue. Mr. Weiss reported that is still being reviewed.

### **C. VILLAGE CLERK:**

**Lobbyist Registration Report: As of December 8, 2006:** Mrs. Horvath reviewed the list of Lobbyists currently registered with the Village. She noted that the following two lobbyists have registered since last month: Michael Katz and Jeffrey Bass, both for the Bal Harbour Shops.

### **D. VILLAGE MANAGER:**

**FIU Biscayne Bay Society Request for Contribution:** Mr. Treppeda explained that in 2004 and 2005 the Village made \$5,000.00 contributions to the Biscayne Bay Society.

**Stanley Greenstein, Biscayne Bay Society Chair**, discussed the Biscayne Bay Society, which provides educational, cultural, and entertainment events for adults at the FIU campus, in North Miami. He noted that Bal Harbour Resident Sandra Lansing is a Co-Chair of the Society. He requested a \$5,000 contribution.

Councilman Jacobi noted that he attended two wonderful events last year.

**Babak Raheb, resident – 128 Balfour Drive**, discussed his prior request to donate money for the Sunami Relief. He is not in favor of approving this, since it will not benefit him. Mayor Roth pointed out that the Village contributed \$10,000 to the Red Cross, after Hurricane Wilma. He noted that the Village also supports the children programs at Bay Harbor and thinks the adults also need something. He is in favor of the contribution.

**Jordan Cohen, resident - Balmoral**, advised that he attends the Society events monthly and thinks that the programs are educational and fantastic. He thinks that everyone who attends the events gets a tremendous benefit. He is in favor of the Village's participation.

*A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve a \$5,000 contribution. The motion carried unanimously (5-0).*

#### Request for Approval of Additional Funding for 60<sup>th</sup>

**Anniversary Party:** Mr. Treppeda requested approval of \$21,684.00 for the 60<sup>th</sup> Anniversary Party. Mayor Roth suggested that amount be taken from resort tax funds.

**Stanley Whitman, Bal Harbour Shops Developer**, commended the Village on a wonderful party and thanked the Village for the Visionary Award that he was presented with. He doesn't think it's appropriate to spend resort tax funds for a Village party, since it wasn't a tourism event.

Assistant Mayor Berlin left the meeting.

**Babak Raheb, resident – 128 Balfour Drive**, is in favor of using resort tax funds.

**Brian Mulheren, resident – 10245 Collins Avenue**, thinks the party was the best tourism money that was spent.

*A motion was offered by Councilman Jacobi and seconded by Mayor Roth to approve the expenditure of resort tax funds. The motion carried unanimously (4-0).*

#### Request for Approval of Funds for Concrete Slab for Storage

**Containers:** Mr. Treppeda requested approval of \$18,750.00 for Vila & Son (the low bidder) to provide a concrete slab, for storage containers at the sewer pump station, near the trash transfer station.

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

#### Request to Expend Police Forfeiture Funds: Mr. Treppeda

explained that Chief Hunker is requesting approval to expend police forfeiture funds, for the following item:

**Purchase of Surveillance Equipment**                      \$3,249.00

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

**Request for Approval to Expend Police Budgeted Funds:** Mr. Treppeda requested approval of \$10,341.52 to purchase four handheld police radios from Cooper-General Corporation, per Chief Hunker.

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

### **Request for Approval of General Employees Performance**

**Bonuses for 2006:** Mr. Treppeda requested approval of \$73,410.72 for the 2006 General Employee Performance Bonuses.

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

**Consideration of Annual Performance Bonuses for Village Manager and Village Clerk:** Mr. Treppeda and Mrs. Horvath left the meeting.

Councilman Jacobi thinks that Mrs. Horvath has done a great job as Village Clerk.

*A motion was offered by Councilman Sanz and seconded by Councilman Jacobi to approve a 5% bonus for both the Village Manager and Village Clerk. The motion carried unanimously (4-0).*

Mr. Treppeda and Mrs. Horvath returned to the meeting.

## **10. OTHER BUSINESS:**

***Babak Raheb, resident – 128 Balfour Drive,*** commended Lydia Kordalewski, the Police, and the Bal Harbour Club on the 60<sup>th</sup> Anniversary party.

Mr. Raheb expressed concern that Mr. Weiss' firm also represents the Town of Surfside, which he thinks will raise a lot of conflicts. He suggested that if Mr. Weiss' firm wants to remain with Surfside, then the Village should find another attorney. Mr. Weiss reported that he spoke with the Village Councilmembers, before taking the position in Surfside. He noted that there have been very few issues between Bal Harbour and Surfside over the years. Mr. Weiss clarified that he has been with the Village for over 20 years and that if there's an issue, then an outside firm can be brought in. He explained that if the Village needs legal advice on any Surfside issues, then outside counsel can be brought in. He will not represent either city against the other. Mr. Raheb doesn't want his Village Counsel representing another entity that is violating the law. Mr. Weiss noted that there is no conflict in representing the two cities and that it is not uncommon to do so. Mr. Raheb thinks that the Town of Surfside is hiding behind the fact that they have the same attorney as the

Village.

**Stanley Whitman, Bal Harbour Shops**, thinks that Abbot Avenue is a policy problem, not a legal one. He discussed meetings held with the neighboring communities, Attorney Cliff Schulman, and Miami-Dade Commissioner Sally Heyman regarding the traffic issues and the closing of Abbot Avenue. He reported that the Florida Department of Transportation (FDOT) has presented alternate plans to alleviate the traffic, by reopening Abbot Avenue, which everyone has endorsed except for Surfside. Mr. Whitman advised that Surfside is reporting recommendations to make Collins and Harding Avenue two way streets, putting in a round-a-bout at 96th and Harding, etc. He discussed the new Surfside Commission, which he thinks the Village should work with. Mr. Whitman doesn't see any conflict with the Village Attorney. He doesn't think it's a legal matter, unless the Village is going to sue.

Mr. Raheb reported that the County has determined that it's a legal matter and has threatened to sue, if Surfside doesn't open the streets, and are moving forward with it. He explained that FDOT has the right to determine what signs can be used and they are removing the signs/barriers that Surfside is putting up. He reported that the County will take legal action, so the Village won't have to. Mr. Raheb explained that his concern is that sometimes the Village may need to talk to Surfside, but can't, because the Village has the same attorney.

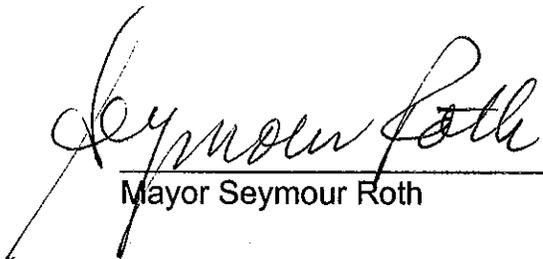
**Dina Cellini, resident - 211 Bal Cross Drive**, thanked Mayor Roth and Councilman Sanz for their support in ensuring that Bal Harbour didn't fall victim to the wave of political correctness. She requested that Channel 77 note that Village Hall is closed on December 25<sup>th</sup>, specifically for Christmas Day. She explained that the Village Clerk had placed notice on that Channel that Village Hall was closed on December 25<sup>th</sup>, for the holidays. Ms. Cellini provided copies of documents showing that Christmas Day is a paid national holiday.

**Stanley Whitman, Bal Harbour Shops**, requested that the Council direct the Village Manager to have Lobbyist Ron Book do whatever is necessary to rectify the County water restriction ordinance, regarding the operation of outdoor fountains. Mayor Roth will discuss that with Mr. Treppeda. Mr. Whitman discussed problems with the Haulover Bridge, which he thinks should be widened to six lanes. He requested that the Council direct the Village Manager to have Lobbyist Ron Book look into having that issue being placed on the MPO (Metropolitan Planning Organization) Agenda, or whatever it takes to get that done.

Mr. Whitman announced the establishment of the Whitman Family Foundation, for the benefit of Bal Harbour Village. He is endowing it with a seed contribution of \$1 million and advised that it is open to anyone wishing to participate in it. Mayor Roth thanked Mr. Whitman for his efforts, good work, contributions, etc. to the Village.

**Brian Mulheren, resident – 10245 Collins Avenue**, commended the Village Manager for having the beach cleaned by a company and thinks that should continue.

**11. ADJOURN:** There being no further business, a motion was offered by Mayor Roth and seconded by Councilman Jacobi to adjourn. The motion carried unanimously (4-0), and the meeting adjourned at 10:57 a.m.

  
\_\_\_\_\_  
Mayor Seymour Roth

Attest:

  
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Ellisa Horvath, CMC  
Village Clerk