



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

OFFICIAL AGENDA

REGULAR VILLAGE COMMISSION MEETING

VILLAGE HALL

1666 KENNEDY CAUSEWAY, #101

NORTH BAY VILLAGE, FL 33141

TUESDAY, FEBRUARY 9, 2016

7:30 P.M.

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE VILLAGE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE WILL 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2. A. PROCLAMATIONS AND AWARDS

B. SPECIAL PRESENTATIONS

A. **Wolfberg/Alvarez & Associates (Architectural & Engineering Services-New Village Hall**

B. **Fabiana Hernandez/NBV Yoga**

C. **Treasure Island Elementary School**

C. ADDITIONS AND DELETIONS

3. GOOD & WELFARE

4. **BOARD REPORTS**

- A. BUSINESS DEVELOPMENT ADVISORY BOARD
- B. COMMUNITY ENHANCEMENT BOARD
- C. PLANNING & ZONING BOARD
- D. YOUTH & EDUCATION SERVICES BOARD

5. **PUBLIC SAFETY DISCUSSION**

6. **COMMISSIONERS' REPORTS**

7. **VILLAGE ATTORNEY'S REPORT**

8. **VILLAGE MANAGER'S REPORT**

- A. Grant Writer's Report

9. **FINANCE REPORT**

10. **CONSENT AGENDA:** (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and will be considered separately.)

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, DIRECTING THE VILLAGE MANAGER TO FORMALLY PURSUE THE ANNEXATION OF THAT PORTION OF THE 79TH STREET/KENNEDY CAUSEWAY AND THE SURROUNDING PROPERTIES CURRENTLY LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MIAMI FROM THE WEST CORPORATE VILLAGE LIMITS TO THE EAST SIDE OF THE MIAMI 79TH STREET BRIDGE; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY COMMISSIONER RICHARD CHERVONY)*

The proposed Resolution will authorize the Village Manager to continue the process to extend the corporate limits of the Village to the west draw bridge.

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SHORTLISTING OF RESPONDENTS TO RFP NUMBER NBV 2015-002 FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE NEW VILLAGE HALL; ACCEPTING THE RANKING OF THE TOP THREE FIRMS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH THE TOP RANKED FIRM AND EACH FIRM THEREAFTER UNTIL AN ACCEPTABLE CONTRACT IS BROUGHT BEFORE THE COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)*

The proposed Resolution will the approve the Shortlist of firms in response to RFP No. 2015-002 for Architectural & Engineering Services for the New Village Hall, accept the top three ranked firms, and authorize the Village Manager to negotiate a contract starting with the topped ranked firm and each firm thereafter if necessary, until an acceptable agreement is reached, pursuant to the Consultants Competitive Negotiation Act (CCNA); such contract to be approved by the Village Commission.

C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH NORTH BEACH MARINA FOR DOCKAGE OF THE VILLAGE POLICE BOAT FOR THE BALANCE OF THE FISCAL YEAR, AT AN AMOUNT NOT TO EXCEED \$4,800; APPROVING FUNDING FROM THE UNRESERVED RESERVES FOR THIS EXPENDITURE; AND FURTHER DIRECTING THE VILLAGE MANAGER TO INCLUDE THE TOTAL ANNUAL DOCKAGE CHARGE IN THE FY 2017 BUDGET PROPOSAL; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

The proposed Resolution will authorize the Village Manager to execute an agreement with North Beach Marina for dockage of the Police Boat; approve the expenditure of \$4,800 from the Unreserved Reserves for the remainder of FY 2016 for this purpose; and include the total annual dockage fee in the FY 2017 Budget Proposal.

1.) Commission Action

11. PLANNING & ZONING CONSENT AGENDA

NO ITEMS.

12. ORDINANCES FOR FIRST READING AND RESOLUTIONS

A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 "MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY) – FIRST READING

The proposed Ordinance will make possession of marijuana in an amount of 20 grams or less and the possession of drug paraphernalia, which are deemed misdemeanors under State Law, eligible for a civil code penalty of \$100 for first time violations and \$250 for repeat violations within one-year, instead of a criminal penalty.

1.) Commission Action

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Ordinance will clarify the calculation of permit fees when permits are being renewed, re-issued or extended.

- 1.) Commission Action**

- C. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER ANDREANA JACKSON)**

The proposed Ordinance will require recycling at all Village sponsored events, as well as events being held on any Village property.

- 1.) Commission Action**

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING ITEMS:

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED “PARKS AND RECREATION” BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON) – SECOND READING**

The proposed Ordinance will set new hours for the opening of the Village parks.

- 1.) Commission Action**

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD”; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS) – SECOND READING**

The proposed Ordinance will create a group of residents and/or business owners or business representatives to address animal issues in the Village.

- 1.) Commission Action**

- C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED “BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS” AND CHAPTER 152, SECTION 152.055 ENTITLED “FENCES, WALLS, AND HEDGES” TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS)* – SECOND READING

The proposed Ordinance will regulate temporary fencing on construction sites and require fencing of all multi-family and commercial vacant properties in the Village.

- 1.) Commission Action

14. UNFINISHED BUSINESS

15. NEW BUSINESS

A. Appointment to Planning & Zoning Board

- 1.) Commission Action

B. Discussion Regarding Potential North Bay Village Name Change
(Vice Mayor Jorge Gonzalez)

C. Public Relations Consultant Proposal *(Commissioner Eddie Lim)*

- 1.) Commission Action

16. APPROVAL OF MINUTES

A. Regular Commission Meeting – January 12, 2016

- 1.) Commission Action

17. ADJOURNMENT



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OFFICIAL MINUTES

NORTH BAY VILLAGE COMMUNITY ENHANCEMENT BOARD

**CAUSEWAY TOWER/SUITE 101
1666 KENNEDY CAUSEWAY**

JANUARY 13, 2016 – 6:00 P.M.

1. CALL TO ORDER

The Chair of the Community Enhancement Board Mercedes Aguilar called the meeting to order at 6:11 p.m. Other Board Members in attendance were Dora Tano, Ana Watson, and Kokoa Woodget. Diana Quintero was absent.

Village Staff Present were Ana DeLeon, HR Clerk/Special Events Coordinator and Village Clerk Yvonne P. Hamilton.

Mayor Connie Leon-Kreps was in attendance.

Mr. & Mrs. Jose Pinto attended the meeting at 6:47 p.m.

2. NEW BUSINESS

A. PLANNING OF J. F. KENNEDY BUST UVEILING EVENT

The unveiling of the J.F. Kennedy Bust Event is being planned for February 11, 2016 from 5:00 p.m. to 7:00 p.m. at Oggi's Restaurant, 1666 Kennedy Causeway, #102. The unveiling will be at 6:00 p.m. The deadline to RSVP to the Village's Special Events Coordinator, Ana DeLeon will be on February 8, 2016. Board Member Watson volunteered to purchase tickets to give to attendees for one free drink.

Mr. Pinto requested that the Village make available a table or pedestal to set the bust at the event. He was reminded that he previously agreed to provide the pedestal and the veil for the Bust, when he attended the last meeting. Mr. Pinto then confirmed that he will transport the Bust with the pedestal to the event location on February 11th. Ms. DeLeon will purchase the veil from the budget for the event.

The Village will assist in transporting the Bust to be set on the pedestal on J.F. Kennedy Causeway on February 12th. Mr. Pinto indicated that he would be better prepared to make the arrangements, if he was paid the balance from the Village for his work. He was referred to the Village Manager regarding payment.

Some of the invitees will include Village Elected Officials, Anthony Shriver, Mayors from Miami-Dade County, City of Miami, City of Miami Beach, Village of Miami Shores, Village of Biscayne Park, Village of El Portal, Town of Surfside, Town of Bal Harbor, City of Sunny Isles Beach, City of Aventura, State Representative David Richardson, Senator Rena Garcia, Senator Gwen Margolis, Commissioner Sally Heyman, CEB Board Members, Principal of Treasure Island Elementary School, Reinaldo Trujillo, and Residents Kevin Vericker, Sissy Shute, and Alvin and Jane Blake.

Discussion took place regarding funding of the event through donations. The Village Clerk confirmed with the Village Attorney that it was proper for the residents to solicit donations, but not in their official capacity as Board Members.

The Village Clerk will provide the Board Members with the Village Business Directory and the Optimist Booklet with the invitation.

Attempts will be made to have media coverage from the *Miami Herald*, *EGRET*-Miami Shores Chamber of Commerce publication, with the Florida League of Cities, Channel 4, Channel 6, and Channel 7.

The Mayor will work on obtaining a photographer for the event.

If available, use of two easels from the Village will be required to hold a picture of the artist, Mr. Pinto and the poster with the sponsors of the event. The Mayor will make an introduction first and Brian Andrews will be invited to M.C. the event (and be provided with a history of the Village/Bust) and Alvin Blake will serve as a backup. Board Member Ana Watson will design the invitation and provide to Ana DeLeon for email distribution.

Mr. Pinto would welcome an award for his work on restoring the Bust to be presented at a Commission Meeting.

The meeting moved to Oggi's at 7:40 p.m.

Mercedes Aguilar made a motion to hold a Special Commission Meeting on January 19, 2016 to continue discussion on planning the event. Kokoa Woodget seconded the motion, which carried 4-0 on a voice vote.

Discussion took place regarding the venue, menu, setup, and cost of the event.

The meeting adjourned at 8:02 p.m.

3. ADJOURNMENT

Prepared by: Yvonne P. Hamilton, Village Clerk

Approved by Community Enhancement Board

this _____ day of _____.

Mercedes Aguilar, Chair

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson



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OFFICIAL MINUTES

NORTH BAY VILLAGE COMMUNITY ENHANCEMENT BOARD

**CAUSEWAY TOWER/1ST FLOOR
1666 KENNEDY CAUSEWAY**

JANUARY 19, 2016 – 5:30 P.M.

1. CALL TO ORDER

The Chair of the Community Enhancement Board Mercedes Aguilar called the meeting to order at 6:10 p.m. Other Board Members in attendance were Dora Tano, Ana Watson, and Kokoa Woodget. Diana Quintero was absent.

Village Staff Present was Ana DeLeon, HR Clerk/Special Events Coordinator and Village Clerk Yvonne P. Hamilton.

2. NEW BUSINESS

A. PLANNING OF J. F. KENNEDY BUST UVEILING EVENT

Board Member Ana Watson made a motion with the following recommendations:

1. That the JFK event be cancelled due to time constraint, funding & considering February 11th is a holiday weekend with other events scheduled, such as the Miami Beach Boat Show.
2. That the Bust be set on the pedestal on J. F. Kennedy Causeway without a function.

Board Member Kokoa Woodget seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Mercedes Aguilar, Dora Tano, Kokoa Woodget, and Ana Watson all voting Yes.

The meeting adjourned at 6:15 p.m.

3. ADJOURNMENT

Prepared by: Yvonne P. Hamilton, Village Clerk

Approved by Community Enhancement Board

this _____ day of _____.

Mercedes Aguilar, Chair

DRAFT

VILLAGE MANAGER'S REPORT

TO

THE MAYOR AND MEMBERS OF THE VILLAGE COMMISSION

FEBRUARY 9, 2016

1. **STATUS OF MIAMI BEACH FORCE MAIN:** Report by Director of Public Works
2. **STATUS OF NBI STORM WATER INJECTION WELL:** Report by Director of Public Works
3. **MANAGER PROPOSED POLITICAL SIGNS ORDINANCE AMENDMENT**
 - a. Report by Manager
 - b. Direction from Commission
4. **STATUS OF AUTOMATING HI PARKING PLAN & TI PARKING PLAN**
 - a. Report by Manager on meeting with Art Noriega, Police Chief &PW
 - b. Art Noriega to prepare some options for Village to consider
5. **GRANT UPDATE:** Report by Village Grant Writer LaKeesha Morris



100 NE 15 Street, Suite 207 ~ Homestead, FL 33030

Phone: (786)232-0771 Toll Free Phone/Fax: (888)778-5930 www.belltowergroup.org

To: North Bay Village Mayor & Village Commission
From: LaKeesha Morris, MSW
Date Submitted: 2/1/2016
Reporting Period: January 1 – 31, 2016

Grants Submitted this Reporting Period:

1. Miami-Dade Metropolitan Planning Organization (MPO)

- a. **Due Date:** January 22, 2016
- b. **Project Title:** North Bay Village Baywalk/Boardwalk Feasibility Study
- c. **Summary:** LaKeesha requested \$50,000 from the MPO to complete a feasibility study that will include an implementation plan for the future Baywalk/Boardwalk Project. This grant will require at 20% match from the Village, if awarded.

2. US Health and Human Services

- a. **Due Date:** February 2, 2016
- b. **Project Title:** TIES Oral Health Project
- c. **Summary:** Borinquen Medical Centers has applied for this grant and has listed Treasure Island Elementary as one of their primary partners to received dental services. LaKeesha worked with Borinquen's grant writer to secure support letters as well as content for the grant as it relates to TIES.

3. Florida Department of Law Enforcement Byrne – Direct

- a. **Due Date:** January 30, 2016
- b. **Project Title:** North Bay Village Automated External Defibrillator Project
- c. **Summary:** This application was submitted to continue the Village's AED Project. North Bay Village will receive \$1,096 to purchase one new portable AED machine. This machine will be used by police officers while on patrol.

Grants "Under Construction"/"For Consideration"

1. Florida Department of Environmental Protection – TMDL Funding

- d. **Due Date:** March 1, 2016
- e. **Project Title:** To Be Determined



100 NE 15 Street, Suite 207 ~ Homestead, FL 33030

Phone: (786)232-0771 Toll Free Phone/Fax: (888)778-5930 www.belltowergroup.org

- f. **Note:** Funding is available for stormwater and water quality improvement projects. A 50% match is required and the project must be 60% designed. This grant may also require water quality testing. Village staff is considering a suitable project.

2. Florida Department of Transportation – Traffic Records Information System

- d. **Due Date:** March 31, 2016
- e. **Project Title:** Police Department “In-Car Printers”
- f. **Note:** The Police Department is working to go paperless and move to a system that will allow electronic crash reports and citations. This grant will potentially fund the purchase of the In-Car printer/scanner to support the new system.

Grant Reporting/Implementation Activities

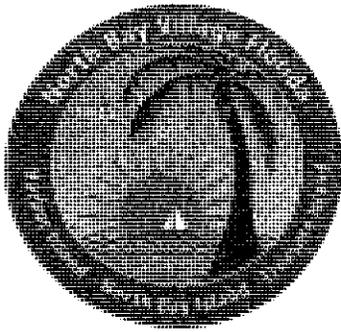
This section contains information on current grants for which LaKeesha provided reporting or help with implementation this reporting period.

- **Florida Department of Law Enforcement Byrne Grants:** LaKeesha submitted the first quarterly report for the Byrne Grant (County).
- **Legislative Appropriation (\$600,000)** – LaKeesha completed the final reimbursement request for the legislative appropriation. The amount requested this reporting period was \$83,402.27. The Village received the first of two reimbursements totaling \$510,372.90 during the 4th quarter of 2015. The Village received \$600,000 through the 2014 Legislative Appropriations to be used for Stormwater Improvements. This project was completed under budget and within the contract period. The actual project cost totaled \$593,775.17.

Other Activities

This section contains information on special initiatives for which LaKeesha provided support this reporting period.

None this reporting period



North Bay Village

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**NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM**

DATE: February 1, 2016

TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Andreana Jackson
Commissioner Eddie Lim

RECOMMENDED BY: Commissioner Richard Chervony

PRESENTED BY: Village Manager Frank K. Rollason 

SUBJECT: Annexation – 79th Street/Kennedy Causeway and the Surrounding Properties Lying within the Corporate Limits of the City of Miami from the West Corporate Village Limits to the East Side of the Miami 79th Street Bridge

RECOMMENDATION:

It is recommended that the Village Commission adopt the attached Resolution directing the Village Manager to formally pursue the Annexation of the 79th Street/Kennedy Cause from the west Village municipal limits to the east side of the Miami 79th Street Bridge to include those portions of land occupied by Miami-Dade County commonly referred to as Pelican Harbor.

BACKGROUND:

On January 13, 2015, the Village Commission approved Resolution No. 2015-010 (copy attached) wherein the Village Manager was directed “to explore the feasibility” of annexing said property. Since that time, the Manager has met with Miami-Dade County Mayor Carlos Gimenez along with County Commissioner Audrey Edmonson within whose current district this property resides. Commissioner Chervony also attended this meeting to discuss this issue. Both the Mayor and Commissioner Edmonson were opened to exploring further. The Manager also met with City of Miami Mayor Tomas Regalado and Miami City Manager Danny Alfonso, both of whom were supportive of the idea and the Mayor requested the Miami City Attorney to explore the allowable methods of the transfer of the property. In addition, the Village Manager has discussed the issue with County Commissioner Sally Heyman and she, too, was supportive of the idea. With this being said, it makes sense for North Bay Village to pursue incorporating this stretch of the causeway into its municipal boundaries.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

Multiple opportunities to improve the quality of life for our residents would open up – improvements to the park on the south side of the causeway via negotiations with the County, as well as major landscaping improvements to the median as a Grand Entrance into North Bay Village are just a couple of examples of potential opportunities.

BUDGETARY IMPACT:

The immediate budgetary impacts would be insignificant – change in entrance signage location would probably be the initial nominal expense. The Village would also enter into an Agreement with FDOT to receive funding for the maintenance of the median and the swale areas on either side of the causeway. Going forward, improvements in the park area would be negotiated with the County and the landscaping improvements would require funding identification and Commission action on a case by case basis.

PERSONNEL IMPACT:

The impact would be on Public Works crews to maintain the trash accumulation issue which is currently ignored; and our Police Officers would be responsible for traffic enforcement and handling accidents along this portion of the causeway. Currently, our officers respond to all accidents in this stretch, and are usually first on the scene prior to the arrival of the Miami units.

CONTACT:

Frank Rollason, Village Manager



North Bay Village

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Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Dr. Richard Chervony
Commissioner

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, DIRECTING THE VILLAGE MANAGER TO FORMALLY PURSUE THE ANNEXATION OF THAT PORTION OF THE 79TH STREET/KENNEDY CAUSEWAY AND THE SURROUNDING PROPERTIES CURRENTLY LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MIAMI FROM THE WEST CORPORATE VILLAGE LIMITS TO THE EAST SIDE OF THE MIAMI 79TH STREET BRIDGE; PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

RC:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, DIRECTING THE VILLAGE MANAGER TO FORMALLY PURSUE THE ANNEXATION OF THAT PORTION OF THE 79TH STREET/KENNEDY CAUSEWAY AND THE SURROUNDING PROPERTIES CURRENTLY LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MIAMI FROM THE WEST CORPORATE VILLAGE LIMITS TO THE EAST SIDE OF THE MIAMI 79TH STREET BRIDGE; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

WHEREAS, North Bay Village desires to improve the landscaping along the median and shorelines on the 79th Street Causeway adjacent to the west side of the Village, continue plantings of Royal Palms along the median to enhance the Village entrance from the west; and to improve existing park space for the Village residents; and

WHEREAS, the Village Commission believes that extending the corporate limits of the Village to the West inclusive of the shoreline and median of the 79th Street Causeway and the County lands commonly referred to as Pelican Harbor would assist in these improvements becoming beneficial to the community; and

WHEREAS, the Village Manager has followed the direction of the Commission under Resolution No. 2015-010 by conducting several meetings with Miami-Dade County and City of Miami officials to explore the feasibility of this venture; and

WHEREAS, the results of said meetings has been positive and supportive of the concept; and

WHEREAS, the City of Miami has provided the Village Manager with a process by which to further pursue this objective.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted.

Section 2. Direction to the Village Manager. The Village Manager is hereby directed to further formally pursue the Annexation of that portion of the 79th Street/Kennedy Causeway and the surrounding properties currently lying within the corporate limits of the City of Miami from the west corporate Village limits to the east side of the Miami 79th Street Bridge.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

PASSED AND ADOPTED this 9th day of February 2016.

Connie Leon-Kreps, Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE:**

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Annexation of West Corporate Village Limits to the East Side of the Miami 79th Street Bridge.

Yvonne Hamilton

From: Frank Rollason
Sent: Thursday, January 28, 2016 11:44 AM
To: Yvonne Hamilton; Jenorgen Guillen (JGuillen@nbvillage.com)
Cc: 'rswitkes@switkeslaw.com'; DAcosta@switkeslaw.com; Jenice Rosado; Evelyn Herbello
Subject: FW: NORTH BAY VILLAGE - ANNEXATION OF CAUSEWAY PROPERTY BETWEEN NBV TO CITY OF MIAMI EAST SIDE OF 79TH STREET BRIDGE

Yvonne/Jen, please include the below e-mail as back-up for the Causeway Annexation Reso for Feb 9th, thanks, Frank.

From: Min, Barnaby [mailto:bmin@miamigov.com]
Sent: Tuesday, December 08, 2015 11:52 AM
To: Frank Rollason; Goldberg, Daniel S.; Mendez, Victoria
Cc: Jenice Rosado; Evelyn Herbello; Diaz, Daniel D.; Yvonne Hamilton; Jenorgen Guillen; rswitkes@switkeslaw.com; DAcosta@switkeslaw.com
Subject: RE: NORTH BAY VILLAGE - ANNEXATION OF CAUSEWAY PROPERTY BETWEEN NBV TO CITY OF MIAMI EAST SIDE OF 79TH STREET BRIDGE

Sounds good to me.

Barnaby L. Min

Deputy City Attorney

City of Miami Office of the City Attorney
Telephone: (305) 416-1835
Facsimile: (305) 416-1801
bmin@miamigov.com



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Please consider the environment before printing this electronic mail.



From: Frank Rollason [mailto:FRollason@nbvillage.com]
Sent: Monday, December 7, 2015 6:23 PM

To: Goldberg, Daniel S.; Min, Barnaby; Mendez, Victoria
Cc: Jenice Rosado; Evelyn Herbello; Diaz, Daniel D.; Yvonne Hamilton; JGuillen@nbvillage.com; rswitkes@switkeslaw.com; DAcosta@switkeslaw.com
Subject: RE: NORTH BAY VILLAGE - ANNEXATION OF CAUSEWAY PROPERTY BETWEEN NBV TO CITY OF MIAMI EAST SIDE OF 79TH STREET BRIDGE

So, where does the City of Miami suggest NBV go from here? My thoughts:

1. NBV would have to make a decision as to whether or not they want to proceed. This step has not taken place.
2. NBV would approach both the two affected County Commissioners to (Audrey currently has in her District and Sally would get it next time District realignments take place – I assume in connection with 2020 census?)
3. Once County Commissioners give their positions, NBV would approach the City Commissioner of Dist 5 to get his position?
4. If City Dist 5 Commissioner is on-board, we would meet with City Administration and if they are onboard, NBV would make application to annex with the County.

At least, this is the process I envision after reading Dan's e-mail below. City of Miami, please let me know your thoughts, thanks, Frank.

Frank Rollason, Village Manager
North Bay Village
1666 Kennedy Causeway, Ste 300
Tel: 305-756-7171 Ext 21
Fax: 305-756-7722
Mobile: 305-299-7300
frrollason@nbvillage.com
www.nbvillage.com

Do your part in keeping our planet "Green", minimize paper usage. Thank you! - City of North Bay Village.

The City of North Bay Village is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Goldberg, Daniel S. [<mailto:dgoldberg@miamigov.com>]
Sent: Monday, December 07, 2015 3:15 PM
To: Min, Barnaby; Frank Rollason; Mendez, Victoria
Cc: Jenice Rosado; Evelyn Herbello; Diaz, Daniel D.
Subject: RE: NORTH BAY VILLAGE – CAUSEWAY ANNEXATION PROPOSAL

For the annexation request, I have confirmed with Planning that such a boundary change would not diminish our parks LOS for comp plan purposes since it only accounts for City-owned parks within a certain walking distance and Pelican is County-owned.

My reading of the County Code regarding boundary changes initiated by a municipality doesn't appear to contemplate any sort of joint application. My suggestion would be to, as is the case with this bus issue, meet with the Administration. NBV may also want to meet with the County.

Municipally-initiated annexations appear to have to go to the County's Planning Advisory Board after initially going to the BCC (see County Code 20-5, requiring a 20-3 application (municipally initiated) to go to PAB). 20-6(a) states, in part:

In the event any municipality other than the municipality initiating the proposed boundary change appears before the Planning Advisory Board claiming to be materially affected by the proposed boundary change, the Planning Advisory Board recommendations shall include the reason the municipality is materially affected, how the municipality's concerns affect the application, and a recommendation on how the Board of County Commissioners should address the materially affected municipality's concern.

I think this process needs to be driven by NBV and the City's only involvement could be lending support by not claiming to be materially affected and, if subsequently requested by the County, some sort of resolution in support. Again, these are things to discuss with our Administration.

Daniel S. Goldberg, Assistant City Attorney

City of Miami Office of the City Attorney

Telephone: 305-416-1859

Facsimile: 305-416-1801

dgoldberg@miamigov.com



Assistant: Aida Garcia (305) 416-1815



North Bay Village

Administrative Offices

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10B

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: January, 27, 2016

TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Andreana Jackson
Commissioner Eddie Lim

RECOMMENDED BY MANAGER: Frank Rollason, Village Manager

PRESENTED BY STAFF: Rodney Carrero-Santana, Director of Public Works

SUBJECT: CCNA - Consultants Competitive Selection Requirements

RECOMMENDATION: It is recommended that the Village Commission approve the attached Resolution authorizing the Village Manager to negotiate a contract, to be brought before the Commission for approval, with Wolfberg-Alvarez & Partners to provide Architectural and Engineering design work for the New Village Hall Municipal Center as required under Florida Statutes.

BACKGROUND: The Florida Statutes Chapter 287.055, which is referred to as the Consultants Competitive Negotiation Act (CCNA), provides the process for the selection of the services of professional architectural, engineering, landscape architectural or surveying and mapping services.

1. The Village advertised for architectural/engineering design services for the development of the design for the new Village Hall, Police and Fire station at 7903 East Drive. The Village received proposals from nine firms. The next step required by Florida Statutes 287 was for an evaluation committee to review the proposals from the firms for qualifications and conduct oral presentations from the finalists. After this process, the evaluation committee ranked the firms and presented the Village Manager with a minimum of the top 3 ranked firms as follows: Wolfberg-Alvarez & Partners
2. Synalovski Romanik Saye, LLC
3. Arquitectonica

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

The Evaluation Committee was made up of:

1. Rodney Carrero Santana, NBV Public Work Directors, Chair
2. Bert Wrains, NBV Finance Director
3. Brian Collins, NBV Acting Chief of Police *
4. Scott Mendelsberg, Miami-Dade Fire Assistant Director *
5. David Mendez, Senior Project Manager for CAP Government *
6. Bud Farrey, NBV Resident & Chairman of the NBV Planning & Zoning Board *

* Present at Oral Presentations by Finalists

CURRENT: The top three ranked firms are being submitted to the Commission for confirmation and authorization to start negotiations with the top ranked firm. This will be for a contract to provide the required professional services at a compensation that is fair, competitive and reasonable. The manager will present the Commission with a proposed contract for formal acceptance prior to entering into the contract.

If an agreement with the first firm cannot be reached, then negotiations will be formally terminated and negotiations with the second ranked firm will start. If a contract is not reached with the second ranked firm, those negotiations will be formally terminated and negotiations with the third firm will commence.

BUDGETARY IMPACT: Funds for this expense are currently available in Budgeted Account Code No. 325.17.517.6201 earmarked for the New Village Hall Project in the amount of \$1,096,250. The exact amount of the proposed contract will be negotiated and become part of the total item to be presented to the Commission for approval once negotiations are successfully completed. Funds remaining in excess of this contract will go toward additional Commission approved expenses for the New Village Hall Municipal Center.

PERSONNEL IMPACT: None

CONTACT: Frank Rollason, Village Manager



North Bay Village

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Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SHORTLISTING OF RESPONDENTS TO RFP NUMBER NBV 2015-002 FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE NEW VILLAGE HALL; ACCEPTING THE RANKING OF THE TOP THREE FIRMS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH THE TOP RANKED FIRM AND EACH FIRM THEREAFTER UNTIL AN ACCEPTABLE CONTRACT IS BROUGHT BEFORE THE COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SHORTLISTING OF RESPONDENTS TO RFP NUMBER NBV 2015-002 FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE NEW VILLAGE HALL; ACCEPTING THE RANKING OF THE TOP THREE FIRMS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH THE TOP RANKED FIRM AND EACH FIRM THEREAFTER UNTIL AN ACCEPTABLE CONTRACT IS BROUGHT BEFORE THE COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Village issued RFP NO. NBV 2015-002 regarding Architectural & Engineering Services for the New Village Hall at 7903 East Drive on November 15, 2015; and

WHEREAS, a committee comprised of Village Staff, Village Resident, Miami-Dade County Fire Department , and CAP Engineering convened at a properly noticed meeting conducted consistent with the “Sunshine Law”, on December 11, 2015 and ranked the nine respondents to the RFP, and determined a short list of three eligible firms in order of their qualifications; and

WHEREAS, the Evaluation Committee re-convened on January 11, 2016; heard oral presentations; conducted oral interviews; and ranked the three shortlisted firms in highest to lowest ranking order; and

WHEREAS, based on the “Consultants Competitive Negotiation Act”, Florida Statute 287.055, the Village Manager is required to negotiate a contract with the most qualified firm. If the Village Manager is unable to negotiate a satisfactory contract with the firm considered to be the most qualified, the Village Manager will terminate negotiations and then negotiate with the second most qualified and so on.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above Recitals are true and correct and incorporated herein by this reference.

Section 2. Acceptance of Shortlist. The Village Commission hereby accepts the Village Manager’ short list from eleven to three.

Section 3. Top Three Ranked Firms. The top three ranked firms based on qualifications as determined in order by the Evaluation Committee are:

1. Wolfbert-Alvarez & Partners
2. Synalovski Romanik Saye, LLC
3. Arquitectonica

Section 4. Authorization of Village Manager. The Village is authorized to negotiate a contract starting with the topped ranked firm, and each firm thereafter if necessary, until an acceptable agreement is reached. The Village Manager is directed to bring the contract before the Village Commission for final approval.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED AND ADOPTED this 9th day of February 2016.

Connie Leon-Kreps, Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE:**

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Consultant Competitive Selection for New Village Hall-Wolfberg, Alvarez.

November 17, 2015

Yvonne P. Hamilton, CMC
Village Clerk
North Bay Village
1666 Kennedy Causeway, Suite 300
North Bay Village, FL 33141

RE: RFQ NO. 2015-002, A/E DESIGN SERVICES FOR A NEW VILLAGE MUNICIPAL CENTER

Dear Commissioners:

It is with great interest that Wolfberg Alvarez & Partners (WA), submits its qualifications to provide Architecture and Engineering design services for the design and construction of the new Village Municipal Center which will certainly be a project full of civic pride for the small tight knit community that makes up North Bay Village.

As one of the premiere multi-discipline, design and planning firms in South Florida, *WA offers a full-range of in-house comprehensive professional design services in planning, architecture, mechanical, electrical, plumbing, and civil engineering, and cost estimating, and offers the Village a single-source point of contact for 78% of the design tasks required under this contract.* Having been a consultant for the Village for a number of years, Kimely-Horn is very familiar with North Bay Village and will be providing civil and traffic engineering services as well as landscape architecture for the new building.

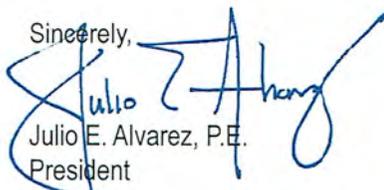
WHAT SETS WA APART FROM THE COMPETITION?

- The Principals are hands-on with every project
- The firm is a service oriented company
- Strong senior management with stability
- We protect the Owner's interest
- LEED practices

WA is the only firm best suited for this municipal center project due to the firm's recent completion of the 25,000 SF, Town of Miami Lakes Government Center as well as several public safety facilities including two police and one emergency operations center. When the Village of Pinecrest incorporated and was looking for a signature new building to define its village, WA was tasked with designing its new municipal center and in doing so established the architectural vocabulary for the village. As you review our proposal you will be able to ascertain that *WA is well versed in all of the necessary components (village halls, police and fire stations, commission chambers, executive offices, community centers and parking garages) listed for a multi-story in your RFP.* For both the Miami Lakes and Pinecrest government centers the police departments are housed in the same building as the administrative functions for the town and village respectively.

WA prides itself in providing turn-key solutions from the beginning to the end, from clear and precise messages to the community through the use of public workshops to very detailed and error free construction documents that reduce the amount of issues that may arise, therefore streamlining the project. We are confident that our experience, (all of WA's team members assigned to this project have worked on all of the projects listed in our Respondent Qualification Statement) depth and our successful completion of similar city hall projects that the firm will be able to respond to all of the Village's design needs. Equally as important is our positive approach to problem solving, we will not only meet the Village's needs, but will offer a level of professional service that will exceed its expectations.

Sincerely,



Julio E. Alvarez, P.E.
President

Florida Statutes 287.055 Section 4:

(4) COMPETITIVE SELECTION.—

(a) For each proposed project, the agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.

(b) The agency shall select in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the agency shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The agency may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under subsection (5).

(c) This subsection does not apply to a professional service contract for a project the basic construction cost of which is estimated by the agency to be not in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services is not in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO. However, if, in using another procurement process, the majority of the compensation proposed by firms is in excess of the appropriate threshold amount, the agency shall reject all proposals and reinitiate the procurement pursuant to this subsection.

(d) Nothing in this act shall be construed to prohibit a continuing contract between a firm and an agency.

(5) COMPETITIVE NEGOTIATION.—

(a) The agency shall negotiate a contract with the most qualified firm for professional services at compensation which the agency determines is fair, competitive, and reasonable. In making such determination, the agency shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-fixed-fee professional service contract over the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency shall require the firm receiving the award to execute a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required must contain a provision that the original contract price and any

additions thereto will be adjusted to exclude any significant sums by which the agency determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments must be made within 1 year following the end of the contract.

(b) Should the agency be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive, and reasonable, negotiations with that firm must be formally terminated. The agency shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency must terminate negotiations. The agency shall then undertake negotiations with the third most qualified firm.

(c) Should the agency be unable to negotiate a satisfactory contract with any of the selected firms, the agency shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subsection until an agreement is reached.



North Bay Village

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NORTH BAY VILLAGE MEMORANDUM

DATE: January 12, 2016

TO: Frank K. Rollason
Village Manager

FROM: _____
Evaluation Committee
David Mendez, P.E., Interim Chair
Senior Project Manager, CAP Government
Brian Collins, Acting Chief
Bud Farrey, Resident & Planning & Zoning Board Member
Scott Mendelsberg, Assistant Director, Budget, Planning & Grants
Management, Miami-Dade Fire Rescue

DW 1/14/16

SUBJECT: Oral Interviews/Presentations of Shortlisted Proposers/Review Committee
Evaluation & Recommendation Session
RFP No. NBV 2015-002 – Architectural & Engineering Services for New
Village Municipal Center – Evaluation Committee Meeting

The following is a summary of the consultants' interviews held January 11, 2016
for the subject project.

The three (3) firms shortlisted for the subject project are: Wolfberg-Alvarez &
Partners (**WA**), Synalovski Romanik Saye, LLC (**SRS**), and Arquitectnoica (**AR**).

Following is the final ranking by the four members of the Evaluation Committee:

1. Wolfberg-Alvarez & Partners
2. Synalovski Romanik Saye, LLC
3. Arquitectonica

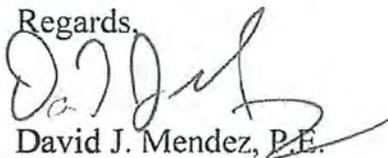
All three firms presented unique, potential solutions for the subject project and provided a good understanding of the Scope of Services. All three firms understood the project priorities and the corresponding budgetary constraints and provided reasonable solutions for consideration.

WA did an excellent job regarding project management (both schedule and budget), and QA/QC process. SRS also provided very good project management methodology, QA/QC provisions and a unique, well thought-out solution to the unique site conditions of the project. While AR provided a stunning conceptual rendering, their overall presentation organization, project management plan and QA/QC process were lacking.

All three firms were engaging and provided excellent, cogent answers to the panel's follow-up questions. However, when asked the pre-Planned panel questions SRS and WA provided more detailed and qualitative answers. SRS was especially detailed responding to questions specific to Fire Station construction and applicable standards. AR did not respond well to these questions and offered that their "*Fire Station expert*" was back in the office.

The Village is fortunate to have three firms of this caliber to vie for the design services for this critical project. Based on the panel's evaluations Wolfberg-Alvarez had the highest aggregate score and is recommended to be awarded the subject contract.

Regards,



David J. Mendez, P.E.

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: WOLFBERG ALVAREZ

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20 20	20
2. Clarity of the Firm's Proposed Project Mgt. Plan	20 20	20
3. Understanding of the Project Issues and Project Intent 58 + 23 PARAGRAPHS	20 20	20
4. Innovative Ideas	15	15
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	5
7. Response to Planned Panel Questions	10	10
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	100

Comments: SEAWALL ? ZONING ? 100
84
98
80 = 90.5

Evaluator: BOB FABRY [Signature]

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: Wolberg - Alvarez

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	18
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	18 17
3. Understanding of the Project Issues and Project Intent	20	18
4. Innovative Ideas	15	12 12
5. QA/QC Process	5	4
6. Construction Cost Estimation Process	5	4
7. Response to Planned Panel Questions	10	7
8. Response to Panel Questions for Clarification	5	4
TOTAL POINTS	100	84

Comments: 75% in-house work / Re-zone to GV / Owner
Access to 'New Forma' / No median work on JFK / Proposes
Exit to JFK for Garage users (Non-emergency) / Priority of
Needs? / Sea wall Tie Backs

Evaluator: D. Mendez 

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: WOIFBERG ALVAREZ & PARTNERS

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	20
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	18
3. Understanding of the Project Issues and Project Intent	20	20
4. Innovative Ideas	15	15
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	5
7. Response to Planned Panel Questions	10	10
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	98

Comments:

Evaluator: OSMAJ COLLINS 1/11/16

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: Wulfberg Alvarez

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	20
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	15
3. Understanding of the Project Issues and Project Intent	20	15
4. Innovative Ideas	15	10
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	2
7. Response to Planned Panel Questions	10	9
8. Response to Panel Questions for Clarification	5	4
TOTAL POINTS	100	80

Comments:

parking spaces 75% in house crusing in house
reparative exhaust City of Miami FCC Station 11
seawall? assume leaving change to 6U fit

Evaluator: Scott Mendelsohn

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: ARCHITECTONICA

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20 18	20 18
2. Clarity of the Firm's Proposed Project Mgt. Plan	20 20	20
3. Understanding of the Project Issues and Project Intent	20 20	20
4. Innovative Ideas	15	15 20
5. QA/QC Process	5	5 20
6. Construction Cost Estimation Process	5	5 20
7. Response to Planned Panel Questions	10	10 20
8. Response to Panel Questions for Clarification	5	5 20
TOTAL POINTS	100	98 100

Comments: _____ 100
 _____ 79
 _____ 70
 _____ 79 = 82

Evaluator: BOB FARREY

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: ARQUITECTONICA

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	15
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	15
3. Understanding of the Project Issues and Project Intent	20	18
4. Innovative Ideas	15	13
5. QA/QC Process	5	3
6. Construction Cost Estimation Process	5	5
7. Response to Planned Panel Questions	10	5
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	79

Comments:

Evaluator: Brian Collins, 1/11/16.

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: Architectonica

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	12
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	12
3. Understanding of the Project Issues and Project Intent	20	17
4. Innovative Ideas	15	15
5. QA/QC Process	5	1
6. Construction Cost Estimation Process	5	3
7. Response to Planned Panel Questions	10	5
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	70

Comments:

Security conscious / Code = two level max /
1/2 level down + 1/2 level up for parsing / Additional Cap.
for columns for Expansion) should use formulae for parking

Evaluator: D. Mendez

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: *Arquitectonica*

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	15
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	15
3. Understanding of the Project Issues and Project Intent	20	15
4. Innovative Ideas	15	15
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	1
7. Response to Planned Panel Questions	10	8
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	79

Comments: *is ramp party, other underground way.*

Evaluator: *Scott Mendelsberg*

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: SRG

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	19
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	20
3. Understanding of the Project Issues and Project Intent 23-24 (75) PARKING	20	20
4. Innovative Ideas	15	15
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	5
7. Response to Planned Panel Questions	10	10
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	98

Comments:

90,000 30,000 CONDITONERS 98

1.5M TO FINISHED FLOOR 84

76

96 = 88.5

Evaluator: Bob Farley 

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: SRS

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	16
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	17 17
3. Understanding of the Project Issues and Project Intent	20	18
4. Innovative Ideas	15	14
5. QA/QC Process	5	3
6. Construction Cost Estimation Process	5	4
7. Response to Planned Panel Questions	10	8
8. Response to Panel Questions for Clarification	5	4
TOTAL POINTS	100	80 84

Comments: 12% grade / 10 with schedule / \$1.5M to
complete unfinished floor

Evaluator: D. Mendez 

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: Symlovski, Romanik Soye LLC

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	15
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	15
3. Understanding of the Project Issues and Project Intent	20	15
4. Innovative Ideas	15	12
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	1
7. Response to Planned Panel Questions	10	7
8. Response to Panel Questions for Clarification	5	4
TOTAL POINTS	100	76

Comments: To how intense?
AK 76-80 +100

Evaluator: Scott Mendelsky

January 11, 2016

**Request for Proposals
New Municipal Center
North Bay Village, Florida
RFP No. NBV 2015-002**

Oral Presentation - EVALUATION SHEET

Name of Firm: SYNALOVSKI, ROMANIK & SAYE, LLC

Criteria	Maximum Points	Reviewer's Score
1. Overall Presentation Organization	20	18
2. Clarity of the Firm's Proposed Project Mgt. Plan	20	20
3. Understanding of the Project Issues and Project Intent	20	18
4. Innovative Ideas	15	15
5. QA/QC Process	5	5
6. Construction Cost Estimation Process	5	5
7. Response to Planned Panel Questions	10	10
8. Response to Panel Questions for Clarification	5	5
TOTAL POINTS	100	96

Comments:

Evaluator: BRIAN COLLINS, 1/11/16

January 11, 2016



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

10C

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: February 2, 2016

TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Andreana Jackson
Commissioner Eddie Lim

RECOMMENDED BY: Village Manager Frank K. Rollason

PRESENTED BY: Police Chief Carlos Noriega

SUBJECT: Dockage of Police Boat

RECOMMENDATION:

It is recommended that the Village Commission authorize the Village Manager to enter into an agreement for dockage of the Village Police Boat at an amount not to exceed \$4,800 for the balance of Fiscal Year 2016, with funding from the Unreserved Reserves; and further directing the Village Manager to include the total cost of dockage on an annual basis in the FY 2017 Budget Proposal.

BACKGROUND:

In an effort to make the Police Boat more responsive in an emergency situation, it is recognized that having the boat readily accessible, in the water, at a dock side is certainly preferable to having it kept on a trailer at the old Village Hall site. To that end, the Police Department has made an effort to locate suitable dockage and has located such a dock at the Grandview Palace through North Beach Marina for an amount of \$400 per month, plus \$50 per month for electric, and up to an additional \$150 per month for hull maintenance for a total of \$600 per month. In addition, the Police Department is still pursuing a free, or greatly reduced fee, dock as this item comes before the Commission. The intent of this Resolution is to allow the Manager to immediately enter into an agreement with North Beach Marina for \$400 per month plus electric (estimated at no more than \$50 per month) in the event that the "free/rate reduced" dock does not materialize.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

BUDGETARY IMPACT:

\$4,800 for the balance of FY '16 coming from the Unreserved Reserves account.

PERSONNEL IMPACT:

No adverse impact on personnel. Be advised that the Police Chief identified a retired Miami Beach Marine Patrol officer who I have hired as a part-time officer with a starting date of Friday, February 5, 2016. The addition of this part-time officer will assure more boat activity and visibility for the residents, as well as an additional enforcement arm of the Police Department on a somewhat regularly scheduled basis.

CONTACT:

Chief Carlos Noriega



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 2, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager 

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH NORTH BEACH MARINA FOR DOCKAGE OF THE VILLAGE POLICE BOAT FOR THE BALANCE OF THE FISCAL YEAR, AT AN AMOUNT NOT TO EXCEED \$4,800; APPROVING FUNDING FROM THE UNRESERVED RESERVES FOR THIS EXPENDITURE; AND FURTHER DIRECTING THE VILLAGE MANAGER TO INCLUDE THE TOTAL ANNUAL DOCKAGE CHARGE IN THE FY 2017 BUDGET PROPOSAL; SETTING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:ypb

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH NORTH BEACH MARINA FOR DOCKAGE OF THE VILLAGE POLICE BOAT FOR THE BALANCE OF THE FISCAL YEAR, AT AN AMOUNT NOT TO EXCEED \$4,800; APPROVING FUNDING FROM THE UNRESERVED RESERVES FOR THIS EXPENDITURE; AND FURTHER DIRECTING THE VILLAGE MANAGER TO INCLUDE THE TOTAL ANNUAL DOCKAGE CHARGE IN THE FY 2017 BUDGET PROPOSAL; SETTING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)*

WHEREAS, North Bay Village desires to improve the response time of its police boat for both emergency and non-emergency events; and

WHEREAS, it is recognized that having the boat docked in the water is certainly preferable to improved response times over being kept on a trailer and having to be towed to a launch site to make the boat operable; and

WHEREAS, the Village Manager was previously requested by the Mayor to locate water-side dockage on a permanent basis suitable to Police Department requirements or consider selling the boat; and

WHEREAS, suitable dockage has been located through the North Beach Marina located at Grandview Palace; and

WHEREAS, the Police Department is continuing its search for “free or greatly reduced fees” for dockage; and

WHEREAS, if such “free or greatly reduced fees” dockage is located no Agreement with North Beach Marina will be executed by the Village Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted.

Section 2. Direction to the Village Manager. The Village Manager is hereby authorized to enter into an Agreement with North Beach Marina in an amount not to exceed \$400 per month for the balance of FY '16 for a total of \$3,200.00; said Agreement to be executed by the Manager if the sought-after “free or greatly reduced fee” dockage does not materialize.

The Village Manager is further authorized to expend an additional \$50 per month for electric, and up to an additional \$150 per month for boat hull maintenance as required.

Section 3. Funding. The Village Manager is hereby authorized to transfer funds from the Unreserved Reserves to cover the total costs incurred for the balance of FY '16 and is further directed to include the total cost of permanent dockage on an annual basis in the FY 2017 Budget Proposal.

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED AND ADOPTED this 9th day of February 2016.

Connie Leon-Kreps, Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE:**

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Dockage of Police Boat.



North Bay Village

Administrative Offices

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12A

NORTH BAY VILLAGE MEMORANDUM

DATE: February 1, 2016

TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Andreana Jackson
Commissioner Eddie Lim

RECOMMENDED BY: Commissioner Richard Chervony

PRESENTED BY: Commissioner Richard Chervony

SUBJECT: Civil Penalties for Possession of Marijuana (under 20 grams) and Drug Paraphernalia

The proposed ordinance is similar to legislation recently adopted by Miami-Dade County, Broward County, Miami Beach, and Hallandale Beach. The Miami Dade County ordinance makes possession of marijuana in an amount of twenty grams or less and the possession of drug paraphernalia, among other offenses deemed misdemeanors under State Law, eligible for prosecution as a civil violation under the County Code and punishable by a \$100.00 fine. Similar to the neighboring Counties and Cities, and in accordance with the Village's existing code violation program, the proposed ordinance makes the possession of marijuana in an amount of twenty grams or less and the possession of drug paraphernalia, which are deemed misdemeanors under State Law, eligible for a civil code penalty of \$100.00 for first time violations and \$250.00 for repeat violations within one-year, instead of a criminal penalty. Because this area of law is not preempted to the State, local governments may enact ordinances so long as they do not conflict with State law. Edwards v. State, 422 So. 2d 84 (Fla. 2d DCA 1982). A conflict would exist, for example, if the ordinance provided for a more severe penalty than prescribed by State law.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

The proposed Village ordinance provides for a less severe civil enforcement option for State misdemeanor offenses of possession of less than twenty grams of marijuana and possession of drug paraphernalia. Adoption of this ordinance would provide an additional deterrent for the violations, an alternative less costly and less time-consuming enforcement option for law enforcement officers, and an opportunity to avoid the stigma associated with a criminal conviction. Under the proposed Village ordinance, law enforcement officers will have the discretion, based upon criteria set forth by the North Bay Village Police Department Policy, to issue a civil citation under the Village Code, or arrest, or not arrest, adults for the commission of a misdemeanor under State law.

RC/yph



North Bay Village

Administrative Offices

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Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Dr. Richard Chervony
Commissioner

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 "MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

RC:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 "MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

WHEREAS, North Bay Village has the authority under the Municipal Home Rule Powers Act, Fla. Stat. § 166.021 et seq., to enact regulations for the public peace, morals, and welfare of the Village so long as the regulations do not conflict with State Law; and

WHEREAS, North Bay Village, as part of efforts maintain the public peace, morals, and welfare of the Village, has adopted Sections 133.04, which prohibits any act, within the Village, that is, or shall be recognized, by the laws of the State of Florida as a misdemeanor; and

WHEREAS, filing criminal charges for possession of twenty (20) grams or less of marijuana for personal use is expensive and time consuming for law enforcement officers, who would otherwise be spending their time addressing more serious crimes; and

WHEREAS, a person convicted for commission of an act defined as a misdemeanor pursuant to Section 133.04, will be punished by a fine or imprisonment or both, but in no case shall the fine and/or imprisonment imposed be greater than the maximum fine or penalty for the same offense under the Florida Statutes; and

WHEREAS, several states and municipalities have modified their drug laws to create civil violations for possession of de minimis amounts of marijuana, which is only enforceable by a monetary fine and does not subject that person to the negative stigma associated with an arrest or criminal prosecution; and

WHEREAS, this ordinance will provide an alternative and additional mechanism under the Village's Code to enforce these violations for individuals that are more than eighteen (18) years of age and that are based upon the commission of certain enumerated misdemeanors; and

WHEREAS, the North Bay Village Police Department will have the discretion, with adults, to issue a civil citation pursuant to this ordinance, or arrest, or not arrest a person for the commission of a misdemeanor under State law; and

WHEREAS, the Commission of North Bay Village have further determined that a civil citation fine of one hundred dollars (\$100.00) for first time violations and two hundred and fifty dollars (\$250.00) for repeat violations is the appropriate penalty for the possession of less than twenty (20) grams of marijuana or misdemeanor possession of marijuana drug paraphernalia.

NOW, THEREFORE, BE IT ORDAINED by the Commission of North Bay Village, Florida:

Section 1. The foregoing recitals are true and correct.

Section 2. Section 133.04 of the North Bay Village Code of Ordinances is created to read as follows:

§133.04

- a. The following misdemeanor(s) under State law are eligible to receive a civil violation notice. This shall only apply towards individuals more than eighteen (18) years of age and at the discretion of a law enforcement officer, provided that such violations are not charged in conjunction with any charge that is a felony, driving under the influence, incident involving domestic violence, or violent crime, as those terms are defined under State law:

1. Possession of Cannabis in an amount of 20 grams or less, as set forth in section 893.13(6)(b) of the Florida Statutes, as may be amended, and/or

2. Possession of Drug Paraphernalia, as set forth in section 893.146 and 893.147(1)(b) of the Florida Statutes, as may be amended.

3. Penalties and Enforcement.

- a. An individual issued a civil violation notice for a violation of subsection (a)(1) or (2) shall receive a civil fine of \$100.00 for first time violators and \$250.00 for repeat violations within a one-year period.
- b. Enforcement. The North Bay Village Police Department shall enforce this section. This shall not preclude other law enforcement agencies from any action to assure compliance with this section and all applicable laws. If a police officer finds a violation of (a)(1) or (a)(2) the police officer will be authorized to issue a notice of violation. The notice shall inform the violator of the nature of the violation amount of fine for which the violator is liable, instructions and due date for paying the fine, that the violation may be appealed by requesting an administrative hearing before a special magistrate within ten (10) days after service of the notice of violation, and that the failure to appeal the violation within ten (10) days of service shall constitute an admission of the violation and a waiver of the right to a hearing.

b. Rights of violators' payment of fine; right to appear; failure to pay civil fine or to appeal; appeals from decisions of the special magistrate.

1. A violator who has been served with a notice of violation must elect to either:
 - a. Pay the civil fine in the manner indicated on the notice of violation; or
 - b. Request an administrative hearing before a special magistrate, to appeal the notice of violation, which must be requested within ten (10) days of the service of notice of violation.
2. The procedures for appeal by administrative hearing of the notice of violation shall be as set forth in section 153.03 of this Code. Applications for hearings must be accompanied by a fifty dollar (\$50.00) administrative fee, which shall be refunded if the named violator prevails in the appeal.
3. If the named violator, after issuance of the notice of violation, fails to pay the civil fine, or fails to timely request an administrative hearing before a special magistrate, the special magistrate may be informed of such failure by report from the police officer. The failure of the named violator to appeal the decision of the police officer within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special magistrate and shall be treated as an admission of the violation for which fines and penalties shall be assessed accordingly.
4. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's real or personal property. On or after the sixty-first (61) day following the recording of any such lien that remains unpaid, the Village may foreclose or otherwise execute upon the lien.
5. Any party aggrieved by a decision of a special magistrate may appeal that decision to a court of competent jurisdiction.

c.

1. The special magistrate shall be prohibited from hearing the merits of the notice of violation or considering the timeliness of a request for an administrative hearing if the violator has failed to request an administrative hearing within ten (10) days of the service of the notice of violation.
2. The special magistrate shall not have the discretion to alter the penalties in subsection (a)(3)(a).

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall be held invalid by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. All other Village ordinances and resolutions or parts thereof in conflict with the provisions of this Ordinance are hereby superseded and repealed.

Section 5. It is the intention of the Commission of North Bay Village, Florida and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of North Bay Village, Florida. The Sections of this Ordinance may be renumbered or re-lettered to accomplish this intention and the word "Ordinance" may be changed to "Section," "Article," or other word as the codifier may deem appropriate.

Section 6. This Ordinance shall be effective upon its adoption by the Commission of North Bay Village.

A motion to approve the foregoing Ordinance on first reading on _____ was offered by _____; seconded by _____.

THE VOTES WERE AS FOLLOWS:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

A motion to adopt the ordinance was offered by _____, seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

DULY PASSED AND ADOPTED this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Marijuana

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "BUILDINGS" BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Commission of North Bay Village, Florida, desires to amend the North Bay Village Code of Ordinances, Chapter 151, Section 151.11(B) to clarify the fees for renewal, re-issuance, and extension of permits.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Village Code Amended. Chapter 32, Sections 32.92 through 32.99 of the North Bay Village Code of Ordinances is created to read as follows¹:

§ 151.11 - Permits; fees.

(B)

A permit shall expire and become null and void if the work authorized by the permit is not commenced within 180 days from the date of issuance of the permit or if the work when commenced is suspended or abandoned at any time for a period of 180 days.

Work shall be considered to have commenced and be in active progress when, in the opinion of the Building Official a full complement of workmen and equipment is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting, until the structure is completed.

Addition shown by underline and deletion shown by ~~strikethrough~~

Page 1 of 3

Such work on only one day or testing, shall not be considered commencement of work. If the work covered by the permit has not commenced, or has been commenced and been suspended or abandoned, the Building Official may extend such permit for a single period of 180 days from the date of expiration of the initial permit, if request for extension is made and received by the city prior to the expiration date of the initial permit. If the work covered by the permit has commenced, is in progress, has not been completed and is being carried on progressively in a substantial manner in accordance with the definition set forth herein, the permit shall be in effect until completion of the job.

If work has commenced and the permit becomes null and void or expires because of a lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work. If a new building permit is not obtained within 180 days from the date the initial permit became null and void, the Building Official shall require that any work which has been commenced or completed be removed from the building site; or he may issue a new permit, on application, providing the working place and requirements to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and regulations which may have become effective between the date of expiration and the date of issuance of the new permit. The fee for renewal, re-issuance and extension of permit shall be:

- (1) Within six months of the expiration date, the fee will be 50 percent of the original base permit fees, plus a \$125.00 processing fee; or
- (2) After six months of the expiration date, the fee will be 100 percent of the original base permit fees plus a \$125.00 processing fee.
- (3) Extension of a permit before the expiration date, the fee will be 125.00.

Section 2. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 3. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 4. Severability. If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective Date. This Ordinance shall take effect immediately upon enactment.

A motion to approve the foregoing Ordinance on first reading on _____ was offered by _____; seconded by _____.

The Votes were as follows:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

A motion to adopt the foregoing Ordinance was offered by _____; seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

DULY PASSED AND ADOPTED this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Amending fees for renewal, re-issuance, and extension of permit.

Addition shown by underline and deletion shown by ~~striketrough~~



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "BUILDINGS" BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

[A] 105.4 Conditions of the permit.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a *permit* prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within six months after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of six months after the time the work is commenced.

105.4.1.1 If work has commenced and the *permit* is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new *permit* covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new *permit* is not obtained within 180 days from the date the initial *permit* became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new *permit* may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial *permit* became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new *permit*.

105.4.1.3 Work shall be considered to be in active progress when the *permit* has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

105.4.1.4 The fee for renewal reissuance and extension of a *permit* shall be set forth by the administrative authority.

[A] 105.5 Expiration. Reserved.

[A] 105.6 Denial or revocation. Whenever a *permit* required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the *permit* applicant. If the local building code administra-

tor or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the *permit* applicant.

[A] 105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building *permit*, the authority issuing such *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require each building *permit* for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the *permit* is issued to and another copy for the building *permit* files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon approval of the *building official*, the scope of work delineated in the building *permit* application and plan may be started prior to the final approval and issuance of the *permit*, provided any work completed is entirely at risk of the *permit* applicant and the work does not proceed past the first required inspection.

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER ANDREANA JACKSON)

WHEREAS, Special Events at publicly owned streets, parks, sites, and other public facilities within North Bay Village generate a significant amount of waste within a short time-frame; and

WHEREAS, a substantial portion of our waste can be broken down into their original elements and be used to produce new materials. In this way, we can reduce the harmful waste we discard into the environment; and

WHEREAS, the Village Commission feels that it is in the safety and welfare of the general public to implement recycling at all events sponsored by the Village; and special events being held on all properties of the Village.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1: Village Code Amended. Section 94.22 of the Village Code of Ordinances entitled “Recycling” is created to read as follows:

Section 94.22 Special Events Recycling

- A. *Definitions.* For the purpose of Section 94.22, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:
1. *Recycling Container or Recycling Receptacle* means a receptacle or container for collecting and storing recycling materials pending collection and includes, but is not limited to, cans, automatic lift containers, bins, and other receptacles.
- B. Any applicant seeking permission for the temporary use or occupancy of a publicly owned street, park, site, or other such public facility within North Bay Village for a civic, commercial, recreational, social, or other community special event shall, provide recycling receptacles throughout the event venue for the separated collection of recyclable and nonrecyclable materials.

1. The number of recycling receptacles shall equal the number of solid waste receptacles available.
 2. The solid waste and recycling receptacles shall be placed next to one another throughout the event venue in a convenient location. Recycling receptacles/containers shall be placed in convenient locations, meaning either at or next to each current solid waste or disposal area, or as close as possible to these areas and/or high pedestrian traffic areas. Recycling receptacles shall be paired with solid waste containers of equivalent volume capacity at each waste disposal area.
 3. Each recycling receptacle shall be clearly identified as a recycling receptacle and shall display a list of the types of recyclable materials that may be deposited into the recycling receptacle.
 4. The types of recyclable materials suitable for deposit into each recycling receptacle shall include, at a minimum, aluminum and metal cans, and glass and plastic bottles and jar.
 5. Recyclable materials deposited into the recycling receptacles must be delivered to a recycling facility for recycling, not a landfill for disposal.
- C. The Village Manager may exempt certain events from the recycling program requirements of this chapter if it is demonstrated that significant amounts of recyclable materials will not be generated at a particular event.
- D. North Bay Village shall provide its own recyclable containers, and recycling materials shall be placed in these containers for proper disposal at any and all Village sponsored events.

Section 2. **Repeal.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 3. **Severability.** The provisions of this Ordinance are declared to be non-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 render this Ordinance void in its entirety.

Section 5. **Inclusion in the Code.** It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by _____, who moved for its approval on first reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

THE VOTES WERE AS FOLLOW:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

APPROVED ON FIRST READING during a regular session of the North Bay Village Commission Meeting this ___ day of _____ 2016.

The foregoing Ordinance was offered by _____, who moved for its enactment. This motion was seconded by _____ and upon being put to a vote, the vote was as follows:

FINAL VOTE ON ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

PASSED AND ENACTED by the Commission of North Bay Village this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne Hamilton, Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Village Attorney
Robert L. Switkes & Associates, P.A.

North Bay Village Ordinance-Recycling for Special Events in the Village.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 3, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Commissioner Andreana Jackson

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "GARBAGE, TRASH, AND WEEDS" TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

AJ:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

ORDINANCE NO: _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED "PARKS AND RECREATION" BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the goal of the Village Commission is to provide a fun and safe environment appropriate for children and families who utilize the Philip Schonberger Tot Lot Park and the Dr. Paul Vogel Community Park; and

WHEREAS, the Village Commission wishes to ensure that the parks' hours of operation are appropriate for the community.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1: **Recitals Adopted.** The foregoing whereas clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Ordinance.

Section 2: **Village Code Amended.** That Section 97.02 of the Village Code of Ordinances is created to read as follows:

Chapter 97 – Parks and Recreation (Philip Schonberger Tot Lot Park and Dr. Paul Vogel PAUL VOGEL WEST DRIVE COMMUNITY PARK Community Park)

§ 97.01 - Fees.

§ 97.02 - Hours.

§ 97.03 - Closed areas.

§ 97.04 - Rules and regulations.

§ 97.05 - Vehicles.

§ 97.06 - Alcoholic beverages, intoxicated persons prohibited.

§ 97.07 - Noise.

§ 97.08 - Animals, pets.

§ 97.09 - Injury to buildings or property. § 97.10 - Proper attire.

§ 97.11 - Toddler Park.

§ 97.12 - Organized games.

§ 97.13 - Fires prohibited.

§ 97.14 - Ejection from park.

§ 97.99 - Penalty.

§ 97.01 - Fees.

(a)

The Village parks are to be used for activities conducted by or under the authority of the Village primarily for citizens of the Village. These park and facilities may be rented to recognized recreation groups or residents, when not in conflict with the Village's activities. Fees for the use of facilities shall be as follows:

Dr. Paul Vogel ~~West Drive~~ Community Park

Residents: \$100.00 for each event

Non-Residents: \$175.00 for each event

Philip Schonberger Tot Lot Park

Residents: ~~\$50.00~~ \$100.00 for each event

Non-Residents: ~~\$100.00~~ \$175.00 for each event

New text shown by underlining; deletion shown by ~~strikethrough~~.

All fees shall be paid by credit card upon approval of reservations.

1. Rental of the park will be guaranteed for the period specified in the Park Reservation Form provided by the Village.
2. Rental of the park shall be limited to exclusive use of the pavilion, picnic tables, and benches. The park will remain open to the public.
3. All waste from each event must be disposed of by renter in the Village trash receptacles provided. A \$100.00 ~~fine~~ fee will be imposed for the removal of trash left in the parks. Such fees will be automatically charged to the renter's credit card.
4. No barbecues or open fires are allowed, ~~unless specifically authorized by the Village Manager.~~
5. No drinking of alcoholic beverages is allowed on the premises.
6. Cooking of food on the premises is prohibited, ~~unless specifically authorized by the Village Manager.~~
7. Renters of the park shall be responsible for supervising their guests, presents, and other supplies.
8. Renters of the park shall comply with regulations set forth herein regarding animals, motorized vehicles, bicycles, skateboards, skates or other wheeled vehicles.
9. No bounce houses, water slides, inflatables or carnival rides are permitted, ~~unless specifically authorized by the Village Manager.~~
10. Renters of the park shall hold the Village harmless from any personal injuries or damages occurring during any event.
11. The use of Styrofoam food containers or drinking glasses/cups is prohibited.

New text shown by underlining; deletion shown by ~~strikethrough~~.

An additional \$200.00 per hour will be charged for all events in excess of four hours. It shall be the responsibility of each renter of the park to remove all garbage from the park after each event.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.02 - Hours.

Except for ~~unusual~~ special events and unforeseen emergencies, parks shall be open to the public every day of the year. ~~from sunrise sunup to sundown.~~ Dr. Paul Vogel Community Park at 7920 West Drive hours shall be from sunrise to 9:00 p.m. Philip Schonberger Park at 1841 Galleon Street hours shall be from sunrise to sunset.

No person shall enter, be, or remain in the park after closing hours.

Ord. No. 2009-05, § 1, 7-14-09)

§ 97.03 - Closed areas.

Any section or part of the park may be declared closed to the public at any time as the Village's representative in charge finds reasonably necessary.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.04 - Rules and regulations.

No person shall, within any public park situated within the boundaries of the Village:

- (1) Disobey the lawful and reasonable order of a police officer in the discharge of such officer's duties or disobey or disregard the notices, prohibitions, instructions or directions on any park sign, including rules and regulations posted on the grounds in the parks.
- (2) Willfully mark, deface, disfigure, injure, tamper with or displace or remove any park property or appurtenances whatsoever.
- (3) Endanger the safety of any person by any conduct or act.
- (4) Smoke in areas prohibited by designated signs posted by the Village mManager.

New text shown by underlining; deletion shown by ~~strikethrough~~.

- (5) Interfere with, encumber, obstruct or render dangerous any part of a park.
- (6) Enter or leave any park facility, except at established entranceways or exits or at established times.
- (7) Commit any assault or battery or engage in, instigate or encourage a contention or fight.
- (8) Destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any growing thing, including but not limited to any plant, flower, flower bed, shrub, tree, growth or any branch, stem, fruit or leaf thereof, or bring into or have in such person's possession in any park any tool or instrument intended to be used for cutting thereof or any garden or agricultural implements or tools which could be used for the removal thereof.
- (9) Attach any posters, fliers, banners, notices or directional signs to trees.
- (10) Change clothing in any park area.
- (11) Dump, deposit or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other trash anywhere on the grounds of the parks, other than in proper receptacles provided therefore, and no such refuse or trash shall be placed in any waters in or contiguous to the parks or beach areas. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the parks by the person responsible for its presence and properly disposed of elsewhere.
- (12) Operate a concession; or peddle, solicit, sell, advertise or distribute any articles, merchandise, pamphlets or objects of any kind whatsoever in any park without written approval of the Village manager.
- (13) It shall be unlawful for any person to use, carry, place, or discard any expanded polystyrene product (as defined in Section 94.21 of the Village Code) in any park within the Village.
(Ord. No. 2009-05, § 1, 7-14-09; Ord. No. 2015-003, § 3, 3-10-15)

§ 97.05 - Vehicles.

(A)

No person shall operate a motorized vehicle of any type in the park except upon designated paved roadways or improved driveways or park a vehicle on property other than in areas designated for parking that type of vehicle.

(B)

No bicycles, skateboards, skates, or other wheeled vehicles shall be permitted except in areas designated for their use.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.06 - Alcoholic beverages, intoxicated persons prohibited.

(A)

Alcoholic beverages. No person shall bring onto, consume, serve or sell any alcoholic or intoxicating beverages in the park, unless there has been specific prior authorization by the Village Commission pursuant to a written agreement or resolution.

(B)

Drunkness. No intoxicated person shall enter, be, or remain in the park. Such persons ~~but~~ shall be removed by the police.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.07 - Noise.

No person shall play loud music or create loud noise, except during authorized functions.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.08 - Animals, pets.

Dogs, other domestic animals, or similar pets shall not be allowed in the park.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.09 - Injury to buildings or property.

New text shown by underlining; deletion shown by ~~strikethrough~~.

No person shall willfully mark, deface, or injure any structure, equipment, trees, shrubbery, grass, or park property of any kind.

(Ord. No. 2009-05, § 1, 7-14-09)

97.10 - Proper attire.

When participating in basketball or handball, basketball or tennis shoes must be worn at all times. When participating in tennis activities, tennis shoes and proper attire must be worn at all times.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.11 – Toddler Park.

No child over the age of eight shall be permitted in the Toddler Park. Any child under four years of age shall have proper supervision.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.12 - Organized games.

The playing of organized games such as softball, baseball, soccer, or the like is prohibited except on fields, courts, or areas designated for such use or as directed by the Village's authorized representative.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.13 - Fires prohibited.

No person shall build or attempt to build a fire in any park within the Village., unless specifically authorized by the Village Manager.

(Ord. No. 2009-05, § 1, 7-14-09)

§ 97.14 - Ejection from park.

Any person found violating any provision of this chapter, or other municipal or county ordinance, or state or federal law shall be either ejected or arrested by the police.

(Ord. No. 2009-05, § 1, 7-14-09)

New text shown by underlining; deletion shown by ~~strikethrough~~.

§ 97.15 – Villager Manager’s Authority.

The Village Manager is authorized to grant exceptions to any and all regulations set forth herein at his sole discretion.

§ 97.99 - Penalty.

Any person convicted of violating provisions of this chapter shall be punished by a fine not less than \$250.00 but not to exceed \$1,000.00, imprisonment not exceeding 180 days, or both.

(Ord. No. 2009-05, § 1, 7-14-09)

Section 3: Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 4: Severability. 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, and they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5: Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “section” or other appropriate word.

Section 6: Effective Date. This Ordinance shall take effect immediately upon approval.

A motion to approve the foregoing Ordinance was offered by Commissioner Richard Chervony and seconded by Mayor Connie Leon-Kreps.

THE VOTES WERE AS FOLLOWS:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

APPROVED ON FIRST READING this 8th day of December, 2015.

A motion to approve the foregoing Ordinance on second reading was offered by _____,
seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Andreana Jackson	_____
Commissioner Eddie Lim	_____

DULY PASSED AND ADOPTED this _____ day of _____, 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:**

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Hours of Operation on Village Parks



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 24, 2015

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED "PARKS AND RECREATION" BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, FEBRUARY 9, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED "PARKS AND RECREATION" BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. *(SECOND READING)*
2. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN "ANIMAL CONTROL ADVISORY BOARD" PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *(SECOND READING)*
3. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED "BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS" AND CHAPTER 152, SECTION 152.055 ENTITLED "FENCES, WALLS, AND HEDGES" TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. *(SECOND READING)*

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141. THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(January 21, 2016)

MIAMI BEACH

NOTICE OF APPEAL HEARING

The City of Miami Beach Historic Preservation Special Master, pursuant to City Code §118-537, will hold a hearing/oral argument on **Friday, February 26, 2016, at 10:00 a.m.**, at City Hall, 1700 Convention Center Drive, Commission Chambers, 3rd Floor, Miami Beach, Florida 33139, to consider the appeals filed by Setai Resort and Residences Condominium Association, Inc., Dr. Stephen Soloway and Setai Hotel Acquisitions, LLC (Appellant I) and 15-005 G200 Exchange, LLC (Appellant II) (collectively the Appellants), regarding the following:

Appeals of the orders rendered by the Historic Preservation Board, on May 18, 2015 and on September 14, 2015, which approved an application by the Shore Property Owner, LLC for a Certificate of Appropriateness for the partial demolition and renovation of the existing "Contributing" structures on the site, total demolition of the existing 2-story cabana structure, the construction of two 2-story "Non-Contributing" structure and landscape and hardscape modifications, with the exception of the landscape modifications, with the exception of the demolition proposed for the Cromwell Hotel structure located along 20th Street.

The Special Master consolidated the appeals for briefing and oral argument.

- Property: 1901 Collins Avenue, Miami Beach, Florida
 Appellant #1: Setai Resort and Residences Condominium Association, Inc.,
 Dr. Stephen Soloway and Setai Hotel Acquisitions, LLC
 Appellant #2: G200 Exchange, LLC (Appellant II) (collectively the Appellants)
 Appellee: The Shore Club Property Owner, LLC and the City of Miami Beach
 HPB File: 7515

The Appeal Request is available for public inspection during normal business hours in the Office of the City Clerk, 1st Floor, 1700 Convention Center Drive, City Hall.

All documents pertaining to File No. 7515, including all proceedings before the Historic Preservation Board, are available for public inspection during normal business hours in the Planning Department, 2nd Floor, 1700 Convention Center Drive, City Hall.

Inquiries may be directed to the Office of the Special Master at 305.673.7181.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the Special Master with respect to any matter considered at its meeting or its hearing, such person must 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. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. This Appeal Hearing is open to viewing by the public, but it is not a public hearing, and only the Appellant, the Appellees, and or their representatives, as parties to the appeal may participate.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado
City Clerk

Ad 1098
HPSM – 15-004 and 15-005

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD” PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, the Village Commission desires to create an Animal Control Advisory Board to advise on all matters pertaining to animal control in North Bay Village.

WHEREAS, the Village Commission

BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Village Code Amended. Chapter 32, Sections 32.92 through 32.99 of the North Bay Village Code of Ordinances is created to read as follows¹:

ANIMAL CONTROL ADVISORY BOARD

§ 32.92 Establishment

There is hereby created an Animal Control Advisory Board to consider matters relating to animal control within the Village limits in order to improve the Village’s ability to handle animal issues effectively.

§ 32.93 Composition

There is hereby created the North Bay Village Animal Control Advisory Board which shall consist of five (5) members who may reside at any location within the Village, or owners of businesses located within the confines, or designees of such business owners; all of whom shall serve for a period of two years concurrent with the regular scheduled election of the Commission as provided in §6.01 of the Charter.

§ 32.94 Qualifications

The members of the Animal Control Advisory Board shall be appointed and shall be qualified electors of the Village or owners of businesses located within the confines of the Village or designees of such business owners as defined in the Charter. Resident members of the Board shall also be and remain during their respective terms of office, residents of the Village.

§ 32.95 Terms; removal from office.

Members of the Board shall be appointed by the Village Commission, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

§ 32.96

In the event that a vacancy shall occur on the Board by resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

§ 32.97 Power and duties

The Animal Control Advisory Board shall be charged with the following duties:

1. Discuss animal matters and make recommendations to the Village on animal care and control issues.
2. Review and make appropriate recommendations for amendments to existing animal control ordinances.
3. Make recommendations to the Village Commission for the betterment of the community concerning operations, policies, procedures, and new programs.
4. Promote safe and healthy use of public spaces by pets and pet owners.
5. Other duties as prescribed by the Village Commission.

§ 32.98 Officers

The Animal Control Advisory Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and the Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his/her stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Commission as to the attendance of the meetings and submit the minutes of its meetings to the Village Commission.

§ 32.99 Meetings; quorum; voting period.

- (A) The Animal Control Advisory Board shall hold regular and special meetings as necessary. All meetings shall be publicly noticed to residents, homeowners, and property owners by publication on the Village bulletin board. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.
- (B) All meetings of the Board shall be open to the public and three members shall constitute a quorum.
- (C) A majority vote of the Board shall be required on all recommendations made to the Village Commission.

* * *

Section 2. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 3. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 4. Severability. If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective Date. This Ordinance shall take effect immediately upon enactment.

A motion to approve the foregoing Ordinance on first reading on December 8, 2015 was offered by Mayor Connie Leon-Kreps, seconded by Commissioner Richard Chervony.

The Votes were as follows:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

A motion to adopt the ordinance was offered by _____, seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

DULY PASSED AND ADOPTED this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Animal Control Advisory Board



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: November 25, 2015

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Connie Leon-Kreps
Mayor

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN "ANIMAL CONTROL ADVISORY BOARD"; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

CLK:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, FEBRUARY 9, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED "PARKS AND RECREATION" BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. *(SECOND READING)*
2. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN "ANIMAL CONTROL ADVISORY BOARD" PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *(SECOND READING)*
3. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED "BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS" AND CHAPTER 152, SECTION 152.055 ENTITLED "FENCES, WALLS, AND HEDGES" TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. *(SECOND READING)*

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141. THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

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TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(January 21, 2016)

MIAMI BEACH

NOTICE OF APPEAL HEARING

The City of Miami Beach Historic Preservation Special Master, pursuant to City Code §118-537, will hold a hearing/oral argument on **Friday, February 26, 2016, at 10:00 a.m.**, at City Hall, 1700 Convention Center Drive, Commission Chambers, 3rd Floor, Miami Beach, Florida 33139, to consider the appeals filed by Setai Resort and Residences Condominium Association, Inc., Dr. Stephen Soloway and Setai Hotel Acquisitions, LLC (Appellant I) and 15-005 G200 Exchange, LLC (Appellant II) (collectively the Appellants), regarding the following:

Appeals of the orders rendered by the Historic Preservation Board, on May 18, 2015 and on September 14, 2015, which approved an application by the Shore Property Owner, LLC for a Certificate of Appropriateness for the partial demolition and renovation of the existing "Contributing" structures on the site, total demolition of the existing 2-story cabana structure, the construction of two 2-story "Non-Contributing" structure and landscape and hardscape modifications, with the exception of the landscape modifications, with the exception of the demolition proposed for the Cromwell Hotel structure located along 20th Street.

The Special Master consolidated the appeals for briefing and oral argument.

- Property: 1901 Collins Avenue, Miami Beach, Florida
 Appellant #1: Setai Resort and Residences Condominium Association, Inc.,
 Dr. Stephen Soloway and Setai Hotel Acquisitions, LLC
 Appellant #2: G200 Exchange, LLC (Appellant II) (collectively the Appellants)
 Appellee: The Shore Club Property Owner, LLC and the City of Miami Beach
 HPB File: 7515

The Appeal Request is available for public inspection during normal business hours in the Office of the City Clerk, 1st Floor, 1700 Convention Center Drive, City Hall.

All documents pertaining to File No. 7515, including all proceedings before the Historic Preservation Board, are available for public inspection during normal business hours in the Planning Department, 2nd Floor, 1700 Convention Center Drive, City Hall.

Inquiries may be directed to the Office of the Special Master at 305.673.7181.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the Special Master with respect to any matter considered at its meeting or its hearing, such person must 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. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. This Appeal Hearing is open to viewing by the public, but it is not a public hearing, and only the Appellant, the Appellees, and or their representatives, as parties to the appeal may participate.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado
City Clerk

Ad 1098
HPSM – 15-004 and 15-005

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED “BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS” AND CHAPTER 152, SECTION 152.055 ENTITLED “FENCES, WALLS, AND HEDGES” TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, the Commission of North Bay Village has determined that construction sites and vacant properties must be secured from unauthorized access; and

WHEREAS, the Commission of North Bay Village has determined that it is necessary to regulate fences on construction sites and vacant commercial and multi-family lots in the Village.

NOW, THEREFORE, BE IT ENACTED BY THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 2. Village Code Amended. Sections 152.055 and 155.03 of the North Bay Village Code of Ordinances are hereby amended to read as follows:

§ 152.055 - Fences, walls, and hedges.

(A)

When required.

(1)

An eight-foot high wall, hedge, or fence shall be required along all side and rear commercial property lines which are contiguous to a residential zoned property, subject to vision clearance requirements established elsewhere in this section.

(2)

All permitted outdoor storage areas in multifamily residential and commercial zones shall be visually screened from public view by an eight-foot high solid wood or masonry fence or wall.

(3)

Fences or walls to be built in connection with other permitted recreational uses such as baseball backstops, tennis courts, handball courts, and the like shall be permitted at the height necessary for the particular use.

(4)

All vacant lots adjacent to Kennedy Causeway shall be hedged along that portion of the lot which is adjacent to Kennedy Causeway. The hedge shall not exceed four feet in height and not be lower than two feet in height and shall be of sufficient thickness and density so as to provide a physical barrier similar in effect to a fence. The hedges shall be continuously and regularly trimmed, and any dead plants, or plants which fail to bear leaves, shall be regularly and timely replaced. ~~The remainder of the lots shall be fenced or hedged so as to prevent the unauthorized entry of motor vehicles thereon.~~

(5)

All vacant commercial and vacant multi-family lots (including properties adjacent to Kennedy Causeway) shall be fenced around the entire perimeter of the property; with five foot fencing in the front yard setback and 6 foot fencing around the remainder of the lot. A landscape buffer shall also be provided between the fence and the right-of-way, according to Section 152.055(B)(3). Gates shall be utilized which are wide enough to allow emergency access by utility representatives, fire, police, and emergency medical services (EMS). The size and location(s) of any gate(s) and means of access shall be approved by the utility, fire, police and EMS.

(65)

~~Concrete Block Walls. No fence,~~ solid contiguous wall or ledge consisting of blocks or concrete shall be erected, constructed, installed or maintained in any manner parallel to the 79th Street Causeway.

(B)

Prohibitions.

(1)

No fence, wall, or hedge may be constructed, installed, or maintained within six feet of any fire hydrant or other emergency apparatus.

(2)

No fence, wall, or hedge may be constructed, installed, or maintained which in any manner creates a visual obstruction to vehicular traffic. In no event shall any fence which obstructs or obscures vision, or any wall or hedge exceed four feet in height within 30 feet of the intersection of official right-of-way lines.

- (3) No wall or fence shall exceed five feet in height within any required front yard setback, provided such fence or wall does not create a visual obstruction to pedestrian or vehicular traffic. Additionally, landscaping shall be required on the street side of any such wall or fence. Any concrete wall or concrete block wall shall be sustained in a finished condition. Hedges shall not exceed 12 feet in height in the RS-1 and RS-2 Districts.
- (4) Walls and fence in the rear and side setbacks will be limited to a height of six feet. Hedge heights will be limited to twelve (12) feet in the front, rear and side setbacks in the RS-1 and RS-2 Districts, provided that such hedges do not interfere with vehicular traffic or visibility on public rights-of-way and are neatly trimmed. The property owner responsible for planting the hedge shall maintain the entire hedge, including the sides facing the neighboring properties in order to avoid any hindrance to said neighboring property. Hedge planting is strictly prohibited within the Village right-of-way or easement area.
- (5) No ~~wood, chain link, wire or cable fencing,~~ or fences similar in appearance to any of the foregoing, ~~or any vinyl clad fencing~~ will be permitted within front setbacks. (This includes all areas past the front edge of the house running towards the street.)
- (6) Ornamental entrances, fountains, plant containers, and similar architectural features exceeding the wall height restriction will be permitted, provided that:
- (a) No such feature shall exceed in height the wall height restriction for that district plus three feet; and
- (b) There shall be only one such feature in any front, side or rear yard, except that there may be two entrance gates.
- (7) Planting of vegetation in easement areas shall conform to the following:
- (a) No trees may be planted within any easement or public right-of-way area as shown on the recorded plats of the various subdivisions of the Village ("easement areas"). Nothing in this section shall be construed to prohibit the planting of low growth landscaping in the easement or right-of-way areas ("easement landscaping"). Easement or right-of-way landscaping is subject to removal by the Village without notice in the event that this landscaping impedes access to these areas. The Village shall not be responsible for damage to the removed landscaping;

Words ~~stricken~~ are deletion; words added are underlined.

(b) Prior to planting such easement or right-of-way areas, a landscaping plan shall be provided to the Village for review to ensure compliance with subsection (a) above; and

(c) Prior to planting such easement landscaping in easement areas, the property owner shall execute a permission for removal, release and indemnification agreement, in a form acceptable to the Village, pertaining to such easement.

(8)

North Bay Island. The linear footage of any property's street front Village easement or right-of-way area must maintain a greenspace (pervious) area whereby the permissible paved area is to be limited to only 40 percent of that total linear footage. The protected greenspace shall be restricted from any paving materials including but not limited to asphalt, concrete, brick, pavers, gravel or solid cover of mulch. The depth of that protected pervious area must be maintained at full easement depth from the street to the property boundaries. Any paving of the property frontage beyond the easement area (within front yard), and greater than 40 percent of the permitted linear footage must create a green landscape facade to decrease the sight line of that paved surface from the street view.

All islands. Front yard area may be paved up to 40 percent of the total linear footage. The balance of footage may only be paved if a greenspace is created between the Village's sidewalk and the paved area, for a depth of no less than 48 inches, and heavily landscaped to create green landscape facade to decrease the sight line of that paved surface from the street.

(9)

Nonconforming uses of land. The lawful use of land existing at the time of the passage of this ordinance or an amendment thereto, although such uses do not conform to the provisions of this ordinance, may be continued subject to the following provisions:

(a)

Front yard areas may not be increased in paved areas.

(b)

All rights and obligations subject to the nonconforming use of the land run with the land and are not personal to the present owner or tenant of the nonconforming use of land and are not affected by a change in ownership or tenancy.

(C)

General requirements.

(1)

Construction and materials. No fence or wall may be constructed of materials which will be hazardous to the health, safety, or welfare of persons or animals.

Fences which are erected with sheathing, pickets or slats on one side only shall have such materials placed on the side of the fence facing the adjacent property in such a manner as to conceal the structural elements of the fence from off premises view. Walls or fences constructed of concrete block shall be constructed so that the side facing away from the property on which the wall or fence is located shall be finished with stucco or some other approved material.

(2)

Maintenance. All fences, walls, and hedges shall be maintained in a safe, attractive, and non-hazardous condition. Hedges shall not extend over or into the public right-of-way for the full height of the hedge.

(3)

Maximum height.

(a)

No fence or wall shall exceed six feet in height and no hedge shall exceed six feet except as may be permitted or further restricted elsewhere in this section.

(b)

The height of a wall, fence, or hedge shall be the vertical distance measured from the average elevation of the finished building site to the top of the wall, fence, or hedge. The average elevation shall be measured along the wall, fence, or hedge line that the same is to be placed. The land within the area which the wall, fence, or hedge is to be placed may not be increased or decreased to effect the permitted height unless the entire building site is to be graded to level off this area.

(D)

Temporary fence around construction site. ~~Nothing in this section shall be deemed to prohibit the erection and maintenance of a~~ temporary fence shall be erected around the entire perimeter of construction sites on which actual construction activity is taking place pursuant to a valid active building permit. The fence may exceed the height limitations in this zoning code if the fence is constructed of solid wood (or plywood) and is decorated in an attractive and artful design as shall be determined by the Village Beautification consistent with the mural type signage standards developed by the Code Enhancement Board and approved by the Village Commission. In no event shall the fence exceed eight feet in height. Chain link fences shall not be ~~the~~ permitted around construction sites unless screening, with canvas or other similar material, is used with the chain link to conceal construction materials from outside view.

§ 155.03 - Building and site design relationships shall conform to the following standards.

- 1) Buildings or structures located along strips of land or on single sites and not part of a unified multi-building complex shall strive to achieve visual harmony with the surroundings.
- 2) Retail or office establishments, which are located on corners, are recommended to place windows on each wall that faces a street, parking area or driveways.
- 3) In the case of buildings with multiple storefronts and shopping centers with out-parcel development, facade treatment shall be coordinated. Such facade treatments include: building colors, windows, storefronts, signage and awnings.
- 4) All vending machines, any facility dispensing merchandise, or a service on private property shall be confined to a space built into the building or buildings, or enclosed in a separate structure compatible with the main building.
- 5) When garage structures are provided, such shall be designed to incorporate a decorative grid treatment into the structure's facade at ground level.
- 6) Storefronts shall have easily identifiable entrances.
- 7) Window displays shall be done in such a manner as to capture the attention of pedestrians~~-customers~~ attention, establishing a positive and professional image for the business, and informing the potential customers of the merchandise.
- 8) "Take out" or "pick up" windows for retail or other establishments shall not be located on a building facade that faces a public right-of-way, unless they are designed in such a manner as to be an aesthetic asset to the building and neighborhood.
- 9) Roof-mounted mechanical equipment and elevator shafts shall be screened by a parapet wall or grills and shall be painted in muted colors or match the building and shall not be visible from the street.
- 10) All service bays, mechanical (HVAC) equipment and delivery areas shall be located away from and not visible from the streets, waterways, sidewalks and adjacent properties.

Words ~~stricken~~ are deletion; words added are underlined.

- 11) Service bays, ground-mounted air conditioning units and other mechanical equipment shall be buffered and completely screened from public and on-site pedestrian view.
- 12) Exterior service bays and delivery areas shall not be used for the storage of vehicles or materials.
- 13) The sale, dismantling or servicing of any vehicles, equipment, materials, or supplies shall not take place within the service area or delivery area.
- 14) Driveways and loading spaces associated with exterior service bays shall be so that vehicles using the space do not hinder the use of traffic lanes, streets, or adjacent properties.
- 15) Pre-fabricated homes are prohibited in new construction.
- 16) Fences shall be made of wrought iron or aluminum bars with intermittent posts. Masonry walls are also permitted, with 40 percent of the wall opaque. Chain link fences and privacy wood fences are prohibited along the Corridors. Sharp projections, barbed wire or other hazardous materials are not permitted as any part of a fence or wall. Wrought iron and aluminum bar fences shall be either black, white or match the color of the building. Masonry walls shall match the building color or reflect Florida coastal themes. Color shall be muted tones.
- ~~17) Temporary construction shall be enclosed by black vinyl coated chain link fences. Construction walls/fences are encouraged to contain art work and graphics. Commercial advertisements are prohibited.~~
- ~~18)17) Reflective/mirrored glass shall be discouraged.~~
- ~~19)18) Buildings shall not have unfinished surfaces visible to the public.~~

Section 3. Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 4. Severability. The provisions of this Ordinance are declared to be non-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 render this Ordinance void in its entirety.

Section 5. Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

A motion to approve the foregoing Ordinance on first reading on November 10, 2015 was offered by Mayor Connie Leon-Kreps, seconded by Commissioner Richard Chervony.

The Votes were as follows:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

DULY PASSED AND ADOPTED __ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:**

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance-Fencing of Vacant Lots and Construction Sites.



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, FEBRUARY 9, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(January 21, 2016)

MIAMI BEACH

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 Dr. Stephen Soloway and Setai Hotel Acquisitions, LLC
 Appellant #2: G200 Exchange, LLC (Appellant II) (collectively the Appellants)
 Appellee: The Shore Club Property Owner, LLC and the City of Miami Beach
 HPB File: 7515

The Appeal Request is available for public inspection during normal business hours in the Office of the City Clerk, 1st Floor, 1700 Convention Center Drive, City Hall.

All documents pertaining to File No. 7515, including all proceedings before the Historic Preservation Board, are available for public inspection during normal business hours in the Planning Department, 2nd Floor, 1700 Convention Center Drive, City Hall.

Inquiries may be directed to the Office of the Special Master at 305.673.7181.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the Special Master with respect to any matter considered at its meeting or its hearing, such person must 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. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. This Appeal Hearing is open to viewing by the public, but it is not a public hearing, and only the Appellant, the Appellees, and or their representatives, as parties to the appeal may participate.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado
City Clerk

Ad 1098
HPSM – 15-004 and 15-005



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

15A

MEMORANDUM

DATE: February 9, 2016

TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Andreana Jackson
Commissioner Eddie Lim

FROM: Yvonne P. Hamilton
Village Clerk

SUBJECT: Appointment of Member to the Planning & Zoning Board

It is recommended that the Village Commission consider the appointment of Doris O'Hare, of 1790 South Treasure Drive, Treasure Island, to the Planning & Zoning Board.

The Board shall consist of one member from North Bay Island, one member from Treasure Island, one member from Harbor Island, and two at-large members from any location within the Village.

The following members currently serve on the Board:

1. Bud Farrey, Chair
North Bay Island
2. Marvin Wilmoth, Vice Chair
Harbor Island
3. Dr. Joshua Furman
Treasure Island
4. Dr. Douglas Hornsby
North Bay Island

Two other applications were received, but it could not be verified that they are qualified voters of the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

§ 32.02 Vacancies of membership on Village Boards.

(A) Upon a vacancy, for any reason, of a Village Commission appointed membership on any Village Board, the Village Commission shall appoint a new member to fill the vacancy within 30 days of the occurrence of vacancy, or the next regular Village Commission meeting, whichever later occurs.

(B) Appointment of members to the various Boards of the Village, on their annual appointment or otherwise, shall be from a list of nominees. The Mayor and each Commissioner shall be entitled to nominate, without the necessity for a second, as many nominees as they desire. The Mayor and each Commissioner shall be entitled to vote for as many seats as are vacant and for which the Commission may make an appointment. The Mayor and the Commissioners shall vote by stating the names of their selections. Nominees receiving a vote from a majority of the Commission shall be appointed. Successive votes may be taken if required to select a nominee by a majority vote until each vacancy has been filled.

(C) If a member of any Board fails to attend two consecutive meetings without prior notification or fails to attend five meetings during a 12-month period, the Board, upon a majority vote, may request the Village Commission to remove the member and to appoint a successor for the unexpired term.

(Ord. 82-10, passed 12-22-82; Ord. No. 02-05, § 1, 3-12-02)

§ 32.03 Reserved.

Editor's note—Ord. No. 04-04, adopted Feb. 17, 2004, has been treated as superceding the provisions of § 32.03. Formerly, said section pertained to conclusion of term of all Village Boards as enacted by Ord. No. 83-09, adopted April 13, 1983; as amended.

§ 32.04 Reserved.

Editor's note—Ord. No. 04-04, adopted Feb. 17, 2004, has been treated as superceding the provisions of § 32.04. Formerly, said section pertained to nonresident appointments to Village Boards as enacted by Ord. No. 86-02, adopted May 27, 1986.

COMMUNITY ENHANCEMENT BOARD*

§ 32.10 Establishment.

In order to enhance the aesthetic appeal of this community by properly exercising its police power in accordance with the provisions of the Florida Home Rule Power Act, and recognizing the value of scenic surroundings to tourists, prospective residents, and commercial developments, as well as the citizens and taxpayers of the Village, and further to preserve the quality of the environment which is a legitimate concern of the Village Commission, there is established a permanent Community Enhancement Board of the Village, it being understood that this Board and the powers and responsibilities granted it pursuant to this subchapter shall be in addition to any existing laws and remedies which presently exist or shall be enacted in the future.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

§ 32.11 Composition.

There is hereby created the North Bay Village Community Enhancement Board which shall consist of five members who may reside at any location within the Village, or owners of businesses located within the confines, or designees of such business owners; all of whom shall serve for a period of two years concurrent with the regular scheduled election of the Commission as provided in Section 6.01 of the Charter.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

§ 32.12 Qualifications.

The members of the Community Enhancement Board shall be appointed and shall be qualified electors of the Village or owners of businesses located within the confines of the Village, or designees of such business owners as defined in

***Editor's note**—Ord. No. 04-04, adopted Feb. 17, 2004 amended ch. 32 by combining the provisions of the Beautification Board, §§ 32.10—32.13, with the Arts, Cultural and Special Events Board, §§ 32.55—32.60. Sections 32.55—32.60 have been renumbered as §§ 32.12—32.17 to conform to the numbering style of this Code.

Commission shall provide for a special election. Copies of the proposed or referred ordinance shall be made available at the Village Clerk's office.

3. *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the tenth day preceding the day scheduled for a vote of the Village by filing with the Village Clerk a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon the filing of such request the petition shall have no further force or effect and all proceedings shall be terminated.

G. *Results of election.*

1. *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon acceptance by the Commission of the certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Commission. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. If an initiative ordinance is voted upon by the Village electors and is defeated, it may not be brought forth for consideration as an initiative within one year from date of this election.
2. *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote for its repeal, it shall be considered repealed upon the Commission's acceptance of the certification of the election results. Should a majority defeat the referendum for repeal of the ordinance, such referendum action cannot be brought up again for a period of one year from the date of the election.

(Res. No. 2000-41, 11-8-00, Election of 11-7-00; Res. No. 2006-45, Pt. K, 8-28-06, Election of 11-7-06)

ARTICLE VI. BOARDS

6.01. Advisory boards.

The Commission may by ordinance establish advisory boards to assist the Commission or the

Village. Advisory board members must be either residents of the Village, or owners of businesses located within the confines of the Village, or designees of such business owners. Advisory Board members shall serve a two (2) year term concurrent with the regular scheduled election of the Commission. A majority of the members of each advisory board must be residents of the Village. The Commission may appoint ex officio non-voting members to the board who do not meet the requirements set forth above. The members of advisory boards shall serve without compensation and may be removed at any time by a majority vote of the entire Commission. The Commission may also terminate any advisory board at any time that it deems that such board has fulfilled its purpose. Any vacancy occurring on an advisory board shall be filled within 30 days of the occurrence of the vacancy, in the same manner as the original appointment.

(Res. No. 2000-41, 11-8-00, Election of 11-7-00)

6.02. Civil service.

A. *Civil Service Board.*

1. The Commission may by ordinance establish a civil service system and appoint the members, other than employee members, to the Civil Service Board, who are registered voters. Such ordinance shall provide the duties, responsibilities, terms of membership and conditions for removal of members from the Civil Service Board as well as all other terms and provisions of the civil service system.

B. *Employees covered by collective bargaining agreement.*

Any civil service system established by ordinance and the civil service rules and regulations adopted pursuant thereto shall not apply to nor be maintained for regular employees in the classified service who are covered by a collective bargaining agreement, unless otherwise provided in such agreement.

6.03. Planning and Zoning Board.

A. The Commission shall establish by ordinance a Planning and Zoning Board. Such ordinance shall provide the powers, duties, responsi-

(C) A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

CIVIL SERVICE BOARD

§ 32.20 Establishment.

For provisions concerning the Civil Service Board, see § 33.021.

PLANNING AND ZONING BOARD

§ 32.30 Creation; members.

(A) *Created; composition.* A Planning & Zoning Board is hereby created which shall be composed of five members to be appointed by the Village Commission. The Board shall be composed of one member from North Bay Island, one member from Harbor Island, one member from Treasure Island and two at-large members.

(B) *Qualifications of members.* The members of the Board shall be appointed and shall be qualified electors of the Village as defined in the Charter, and shall also be and remain during their respective terms of office, residents of the Village.

(C) *Terms, vacancies, removal from office.* The original members of the Board shall be appointed by the Village Commission at the meeting in which this section is finally adopted. Members of the Board shall be appointed by the Village Commission for a term of two years.

(D) *Participation of ex officio members.* The Mayor and the Village Manager shall serve as ex officio members of the Planning and Zoning Board; however, their participation in matters before the Board shall be limited to discussion and their presence shall not constitute a quorum in the absence of other members, nor shall they be entitled to vote or otherwise participate in making recommendations to the Village Commission. (1964 Code, § 2-40; Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76; Ord. No. 04-15, 7-27-04)

State law reference—Municipal planning and zoning, F.S. § 163.01 et seq.

§ 32.31 Vacancy.

In the event that a vacancy shall occur on the Planning and Zoning Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term of the member. Any member may be removed from office by the Village Commission upon majority vote of the Commission.

(1964 Code, § 2-40(c); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

§ 32.32 Officers.

The Planning and Zoning Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. At all meetings the Vice-Chairman, in case of the absence of the Chairman, shall act in his stead. The Board shall designate its own Secretary and professional advisors, the compensation thereof to be fixed by the Village Commission.

(1964 Code, § 2-40(d); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

§ 32.33 Meetings.

The Planning and Zoning Board shall hold regular meetings at such time and place as the Mayor and Commission may establish by Resolution and may hold special meetings at any other time on written call of the Chairman, mailed three days prior to the called meeting. Notices of all meetings shall be sent to residents, home owners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairman shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting. All meetings of the Board shall be open to the public and three members shall constitute a quorum. A

majority vote of the Board shall be required on all recommendations made to the Village Commission.

(1964, Code, § 2-40(e); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76; Ord. No. 01-03, § 1, 3-27-01)

§ 32.34 Powers; rules and regulations.

(A) The Planning and Zoning Board shall have the authority and duties set forth in § 152.101.

(B) The Board shall adopt its own rules and regulations and rules of procedure including but not limited to rules and regulations in connection with the processing of applications for variances. (1964 Code, § 2-40(f) and (g); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

§§ 32.40—32.44 Reserved.

Ord. No. 2015-008, § 2, adopted May 15, 2015, amended the Code by repealing former §§ 32.40—32.44 in their entirety. Former §§ 32.40—32.44 pertained to the police department, and derived from the 1964 Code, §§ 15-7—15-9; Ord. 2, adopted August 9, 1945; Ord. 241, adopted May 24, 1972; Ord. 81-13, adopted July 15, 1981; Ord. No. 2008-22, adopted October 14, 2008. For similar provisions, see Ch. 39.

RENT CONTROL BOARD

§ 32.50 Establishment.

For provisions concerning the Rent Control Board, see §§ 95.13 and 95.14.

avoid spot zoning, spot zoning, for the purposes of these regulations, is defined as having one or more of the following characteristics:

- (a) Individuals seeking to have property rezoned for their private use, with the application showing little or no evidence of consideration of the general welfare of the public, the effect on the surrounding property (including adequate buffers), whether all uses permitted in the classification sought are appropriate to the location proposed, or conformity to the comprehensive master plan or to generally accepted comprehensive planning and zoning principles (including alterations to the population density patterns and increase of load on utilities, schools, and traffic).
 - (b) The amount of land involved is small (one acre or less).
 - (c) The proposed rezoning would grant privileges not generally extended to property similarly located in the area.
- (2) No proposed zoning amendment shall be approved unless:
- (a) The proposed amendment will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
 - (b) There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest, and not merely in the interest of an individual or small group of people.
 - (c) There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district

requirements, and not merely uses which an applicant states he intends to make of the property involved).

- (d) There is convincing evidence that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- (e) The proposed change is in accord with the comprehensive master plan and sound comprehensive planning and zoning principles.

(C) Reconsideration of district boundary changes. When a proposed change in district boundaries has been acted upon by the Village Commission and disapproved or failed of passage, such proposed change, in the same or substantially similar form, shall not be reconsidered by the Village Commission for a period of at least six months following the date of such action. (Ord., passed 4-1-83)

§ 152.101 Planning and zoning board; authority and duties.

(A) The Planning and Zoning Board as established in §§ 32.30 through 32.34 shall have the authority and duty to consider, act upon, and recommend to the Village Commission as to all petitions for amendments, changes, or supplements to these regulations; variances or special exceptions thereto; amendments; changes in the district boundaries of the Zoning District Map; or petitions appealing an administrative decision. The Board shall also have the power to study and recommend to the Village Commission on all matters within the general purview of comprehensive planning and zoning.

(B) Periodic review. It shall also be the duty of the Planning and Zoning Board, in cooperation with the Village Attorney, to continuously review the provisions of these regulations, the comprehensive master plan, and the Zoning District Map to offer recommendations for the improvement thereof to the Village Commission. At maximum intervals of five years, these regulations, the comprehensive master plan, and the Zoning District Map shall also be subject to a comprehensive review and a report thereof, with recommenda-

tions submitted jointly by the planning and Zoning Board and the Village Attorney, and shall be presented to the Village Commission at a public meeting.

(C) Decisions.

- (1) All recommendations of the planning and Zoning Board shall be made by motion at a public hearing of the Board. Any member who has a special financial interest, direct or indirect, shall make that interest known and shall abstain from participation therein in any manner. Willful violation of this provision shall constitute malfeasance in office and shall render the action voidable by the Village Commission. No action shall be taken without a quorum, and majority vote of those present shall prevail.
- (2) The Village Clerk shall forward copies of all petitions to the Planning and Zoning Board, at least two weeks prior to the public hearing called for any such petition. The Planning and Zoning Board, or any of its members, may inspect the premises and area under consideration. Prior to making its recommendation the Board shall consider the written recommendations thereon of the Building Official and Plan Examiner.
- (3) After the public hearing, the report and recommendation of the Planning and Zoning Board shall be transmitted in writing to the Village Commission as a part of the record. The report of the Planning and Zoning Board shall include a recommendation on each and every request by the petitioner, but shall not be necessarily limited by the scope of the petition.

(Ord., passed 4-1-83)

Cross reference—Establishment, organization of Planning and Zoning Board, §§ 32.30—32.34.

§ 152.102 Action by Village Commission.

(A) If an application is before the Village Commission pursuant to this subchapter, accompanied by a Planning and Zoning Board recommendation, the Commission shall have authority to consider and take final action upon any and all

matters and requests contained in the application, any other provisions in this subchapter to the contrary notwithstanding. In making any final decision, the Commission shall be guided by these regulations and the purposes thereof stated in § 152.107 of this subchapter, and by sound comprehensive planning and zoning principles, and may take any action within the confines of such guides and standards. The action of the Commission may impose conditions or be more restrictive than any petition being considered. No further variances may be granted without prior notice and hearing before the Planning and Zoning Board. When any final action has been taken by the Village Commission, its record together with a certified copy of its minutes and the motion pertaining to such action shall be transmitted to the Building Official and Plan Examiner, and shall be open to the public for inspection during the normal hours of business for Village Hall.

(B) Before action is taken by the Village Commission on any petition, the Commission shall consider the recommendations and reports of the Planning and Zoning Board and of the Building Official and Plan Examiner.

(C) If a written protest against an amendment, supplement, change, variance, or special use exception is filed with the Village Clerk, signed by the owners of 50% or more within 500 feet of the perimeter of the property being considered, or if the Planning and Zoning Board recommends, after a public hearing as described above, that the proposed amendment, supplement, change, variance, or special use exception be disapproved by a unanimous vote of the full Planning and Zoning Board, such amendment, supplement, change, variance, or special use exception shall not become effective except by a favorable vote of at least 4/5 of all of the members of the Village Commission.

(Ord., passed 4-1-83)

§ 152.103 Lapse of special exception or variance.

After the Village Commission has approved a special use exception or granted a variance, the special use exception or variance so approved or granted shall lapse after the expiration of one

**ARTS, CULTURAL AND SPECIAL
EVENTS BOARD**

§ 32.60 Arts, Cultural and Special Events Board.

An Arts, Cultural and Special Events Board is hereby created which shall be composed of five members, appointed by the Village Commission to serve at the pleasure of the Commission without compensation. Each member shall be appointed by a majority vote of the Village Commission. (Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.61 Qualification of members.

The members of the Arts, Cultural and Special Events Board shall be appointed and shall be qualified electors of the Village as defined in the Charter and shall also be and remain during their respective terms of office, residents of the Village. (Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07)

§ 32.62 Terms; vacancies; removed from office.

Members of the Board shall be appointed by the Village Commission for a term of two years. In the event that a vacancy shall occur on the Board by reason or resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.63 Officers.

The Arts, Cultural and Special Events Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead. The Village Manager is

directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager not later than two weeks after each meeting.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.64 Meetings; quorum; voting period.

(A) The Arts, Cultural and Special Events Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be open to the public. All meetings shall be publicly noticed to residents, homeowners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

(B) All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C) A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.65 Powers and duties.

(A) The Arts, Cultural and Special Events Board shall be charged with the duty and responsibilities to act in an advisory capacity to the Village Commission and Village Manager in matters pertaining to the delivery of the following human services:

- (1) Recreation and park planning activities.
- (2) Program financing and services.

- (3) Physical components of outdoor and indoor leisure, cultural and recreational activities to meet the needs of as many kinds of people as possible.
- (4) Social services and other human resources program planning with special emphasis on the needs of residents of the Village.
- (5) Cooperate with all other similar governmental agencies and all public or private organizations working for the same or similar objectives.

(B) The Board shall submit to the Village Manager and through him or her to the Village Commission interim reports as to the performance of its duties and responsibilities as set forth above. (Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

YOUTH AND EDUCATION SERVICES BOARD

§ 32.66 Youth and Education Services Board.

A Youth and Education Services Board is hereby created which shall be composed of five members appointed by the Village Commission to serve at the pleasure of the Commission without compensation. Each member shall be appointed by a majority vote of the Village Commission. (Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.67 Qualification of members.

The members of the Youth and Education Services Board shall be appointed with one member having a professional background in education and shall be at least 15 years in age and shall also be and remain during their respective terms of office, residents of the Village.

Minors between the ages of 15—17 must obtain parental consent and must be accompanied to the meeting by a parent. (Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.68 Terms; vacancies; removal from office.

(A) Members of the Board shall be appointed by the Village Commission for a term of two years to coincide with the Village's general election. In the event that a vacancy shall occur on the Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

(B) Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.69 Officers.

The Youth and Education Services Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager no later than two weeks after each meeting.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.70 Meetings; quorum; voting period.

(A) The Youth and Education Services Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be open to the public. All meetings shall be publicly noticed to residents, homeowners, and property owners in accordance with the current



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

BOARD/COMMITTEE APPLICATION

NAME Aniley Perez TELEPHONE # 305 318 9190
 MAILING ADDRESS 7900 Harbor Island Dr #1407 Miami, FL 33141
 EMAIL ADDRESS: Aniley.miami@gmail.com
 VILLAGE RESIDENT: YES NO HOW MANY YEARS 1+
 BUSINESS OWNER: YES NO PAST OR PRESENT _____
 NAME AND ADDRESS OF BUSINESS _____

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? _____

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- | | | | |
|---------------------------------------|--------------------------|----------------------------------|-------------------------------------|
| ANIMAL CONTROL ADVISORY COMMITTEE | <input type="checkbox"/> | COMMUNITY ENHANCEMENT BOARD | <input type="checkbox"/> |
| ARTS, CULTURAL & SPECIAL EVENTS BOARD | <input type="checkbox"/> | PLANNING & ZONING BOARD | <input checked="" type="checkbox"/> |
| BUSINESS DEVELOPMENT ADVISORY BOARD | <input type="checkbox"/> | YOUTH & EDUCATION SERVICES BOARD | <input type="checkbox"/> |
| CITIZENS BUDGET AND OVERSIGHT BOARD | <input type="checkbox"/> | SPECIAL NEEDS ADVISORY BOARD | <input type="checkbox"/> |
| SIGNAGE REVIEW COMMITTEE | <input type="checkbox"/> | | |

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE? YES NO

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO (Attach copy of Voter Registration Card)

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:

I have participated in donating to children in need with my company Turbberny. I've done a 4 month internship at Relisted ISG and helped manage incoming staff understand what company offers them and what is expected of them. I seek to help in anyway I can to better our town NBV.

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

I am a real estate broker for Turbberny International Realty. Have extensive knowledge on contracts and laws. I also have a Bachelors Degree in Supervision and management with Certificate in Business Specialist.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement".

Mayor Connie Leon-Kreps Vice Mayor Jorge Gonzalez Commissioner Dr. Richard Chervony Commissioner Wendy Duvall Commissioner Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

BOARD/COMMITTEE APPLICATION

NAME Doris O'Hare TELEPHONE # 305-301-1799

MAILING ADDRESS 1790 S Treasure Dr. # 5C, North Bay Village, FL 33141

EMAIL ADDRESS: lwant2emaildoris@yahoo.com

VILLAGE RESIDENT: YES X NO _____

HOW MANY YEARS 10 years

BUSINESS OWNER: YES X NO _____

PAST OR PRESENT Present

NAME AND ADDRESS OF BUSINESS I'm a contractor Broker-Associate with EWM Realtors

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? 7 years

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY COMMITTEE COMMUNITY ENHANCEMENT BOARD

ARTS, CULTURAL & SPECIAL EVENTS BOARD **PLANNING & ZONING BOARD**

BUSINESS DEVELOPMENT ADVISORY BOARD YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD SPECIAL NEEDS ADVISORY BOARD

SIGNAGE REVIEW COMMITTEE

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES X NO _____

HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE? YES X NO _____

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES _____ NO X

ARE YOU A REGISTERED VOTER? YES X NO _____ (Attach copy of Voter Registration Card)

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:

I have been in the real estate industry for over 15 years. Volunteer with the Realtor Association of Miami-Dade County for over 6 years as their Hearing Panel member for Ethics and Commission disputes. 4 years with the North Bay Village Optimist Club and 5 years working with Village and area business owners for the production and distribution of Annual Village Directory.

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

During all my years of work, I have worked with developers, architects, and construction companies. My main priority is to improve property values and the long lasting effects of construction in our town. I want what is best for our Village.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement".

Mayor	Vice Mayor	Commissioner	Commissioner	Commissioner
Connie Leon-Kreps	Jorge Gonzalez	Dr. Richard Chervony	Wendy Duvall	Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel. (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

BOARD/COMMITTEE APPLICATION

NAME: Prof. Thomas Spiegelhalter TELEPHONE # 305-348-4266

MAILING ADDRESS: 7900 Harbor Island Dr, North Bay Village, 33141, Apt #1425

EMAIL ADDRESS: spiegelhalterstudio@gmail.com

VILLAGE RESIDENT: YES NO HOW MANY YEARS Since August 2015!

BUSINESS OWNER: YES NO PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS President of Spiegelhalter Associates, Architects, Engineers, Town Planners, Miami-Freiburg (Germany)
Prof. at Florida International University, College of Architecture, Co-Director of the Structures and Environmental Technologies Lab, 11200 SW 8th St, Miami and Prof. at the FIU Miami Beach Urban Studios on 420 Lincoln Mall, Miami Beach

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? 7 years through projects at FIU that include Miami Beach and other coastal islands in Miami

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY BOARD
- CITIZENS BUDGET AND OVERSIGHT BOARD
- SIGNAGE REVIEW COMMITTEE
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH & EDUCATION SERVICES BOARD
- SPECIAL NEEDS ADVISORY BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE? YES NO

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO (Attach copy of Voter Registration Card)

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:

I have 26 years professional and academic experience as an licensed Architect, Engineer, Town Planners and designed, master-planned, evaluated, consulted, benchmarked and developed over hundreds of communities, net-zero and carbon neutral buildings, infrastructures and bridges in the US, Germany, France, Belgium, Italy, Central America, Carribbean, South America (Brazil and Chile) for private, governmental and international organizations and developers such as the EPA, DOE, NSF, Department of State, Intelligent Energy Europe, etc.

I won over 52 awards, prizes and awards. I serve on the FIU Sea Level Rise Solution Center at FIU and I'm the Co-Director o the SET LAB. At FIU we conduct FIU-by-Design services for communities in Miami.

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

To make participatory contributions with indicators, analysis strategies and scenario proposals to improve North Bay Village.
There are many challenges in the planning and zoning efforts they need to be further identified, improved and solutions developed.
The list of indicators and benchmarks of the existing and further to be developed gap analysis is too long to begin with.
My for mentioned experience and the resources available would be a asset to the community of North Bay Village.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement".

Mayor	Vice Mayor	Commissioner	Commissioner
Connie Leon-Kreps	Jorge Gonzalez	Dr. Richard Chervony	Wendy Duvall
			Eddie Lim

January 26, 2015

Mr. Frank Rollason
North Bay Village Manager
1666 Kennedy Causeway #300
North Bay Village, FL 33141

Dear Mr. Manager:

Please consider the following unsolicited offer of our professional services in the areas of media strategy and crisis communications consulting.

SCOPE OF SERVICES:

1. Serve as ON CALL advisers to the Manager, and/or Village Attorney in the areas of crisis media relations and unscheduled events garnering media attention in North Bay Village. Advisement will be made in-person or by phone, whichever is most convenient to both parties and necessary to effectively communicate during the time of need. All assignments will be made by the Village Manager and/or Village Attorney. North Bay Village will provide consultant with a media@nbvillage.com for use in all official duties and assignments so records may be preserved in accordance with Florida's Public Records Law.
2. Assist the Village Manager and/or Village Attorney, with response strategy to unscheduled, "out of the ordinary," or sensitive media situations. Routine media matters and inquiries will be handled by NBV employees assigned Public Information Officer duties. We will provide assistance with best practices for delivering positive outcomes to potentially unfavorable coverage involving North Bay Village.
3. When directed by the Village Manager and/or Village Attorney, Brian Andrews may be asked to serve as on-camera or quoted spokesperson for North Bay Village.

TERM OF AGREEMENT:

4. The initial term of this agreement will be for 8 months, from February 1, 2016 until September 30, 2016, the end of the fiscal year. The agreement is renewable on it's anniversary date for maximum time period allowed by North Bay Village Charter.

5. The agreement may be terminated by either party, at any time and for any reason, without penalty, provided the terminating party gives 30 days advance written notice. Notice shall be made by certified letter. All outstanding balances must be paid by North Bay Village within 14 days after the agreement end date. . The agreement may be modified or extended upon the mutual consent of both parties.

FEES:

6. North Bay Village shall pay for services on an as needed basis at a rate of \$250.00 per hour.
7. Due to the sensitive and confidential nature of crisis advisement, invoice wording of "strategic media advisement" will be agreed upon as acceptable wording for description of services rendered in any invoice sent to North Bay Village for payment of monthly retainer. Services provided at an hourly rate will be invoiced using the short description of "professional consulting services per contract " and number of/fraction of hours used. Work will be billed by the hour in 15 minute increments.

Thank you for your consideration of our proposal of professional services.

Sincerely,



Brian Andrews
Member/Manager
Brian Andrews USA LLC, d.b.a. The News Directors
255 Mockingbird Trail
Palm Beach, FL 33480
(305) 906-1030



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REGULAR VILLAGE COMMISSION MEETING

VILLAGE HALL
1666 KENNEDY CAUSEWAY, #101
NORTH BAY VILLAGE, FL 33141

TUESDAY, JANUARY 12, 2016
7:30 P.M.

1. A. **CALL TO ORDER**

The meeting was called to order at 7:32 p.m. by Mayor, Connie Leon-Kreps.

SWEARING IN OF NEW TREASURE ISLAND COMMISSIONER

A. **ANDREANA JACKSON**

The Village Clerk administered the Oath of Office to the new Treasure Island Commissioner Andreana Jackson.

PLEDGE OF ALLEGIANCE

Resident Alvin Blake led the Pledge of Allegiance.

ROLL CALL

All members of the dais were present:

Commissioner Richard Chervony
Commissioner Eddie Lim
Mayor Connie Leon-Kreps
Vice Mayor Jorge Gonzalez
Commissioner Andreana Jackson

Also Present:

Village Manager Frank K. Rollason
Deputy Village Manager/HR Director Jenice Rosado
Village Attorney Robert L. Switkes
Finance Director Bert Wrains
Acting Police Chief Brian Collins
Village Planner Jim LaRue
Village Clerk Yvonne P. Hamilton
Deputy Village Clerk Jenorgen Guillen

2. **A. PROCLAMATIONS AND AWARDS**

1. **Shucker's Dockside Grill Restaurant** (*Mayor Connie Leon-Kreps*)
2. **Philip Schonberger Park Grand Opening Contributors** (*Vice Mayor Jorge Gonzalez*)
 - A. **A America Pressure Cleaning & Painting, Inc.**
 - B. **B Developments**
 - C. **Brick Village 79, LLC**
 - D. **Di'Bella Pizza and Pasta, Inc.**
 - E. **Pizza D'Light**
 - F. **Saal Group**
 - G. **Shuckers Dockside Grill Restaurant**
 - H. **Sunshine Groceries**
 - I. **The Greenwald Group – Isle of Dreams, LLC**
 - J. **360 Condominium**

Awards were presented to those in attendance.

3. **Problem Gambling Awareness Month – March 2016** (*Mayor Connie Leon-Kreps*)

Mayor Connie Leon-Kreps read a proclamation into the record recognizing March 2016 as Gambling Awareness Month.

B. SPECIAL PRESENTATIONS

- A. **Kevin Crowder, RMA Economic Development** (*Mayor Connie Leon-Kreps*)

This item was deferred to the next Commission Meeting.

- B. **Vacation Home Rental Report – Mary Kramer**

Mary Kramer presented the Committee's report and requested that the Village prepare an ordinance to incorporate the standards recommended. The Village Attorney will draft an ordinance with those issues that are appropriate.

C. Michael Hyman - Update on Bayshore Parking

Mr. Hyman reported that the Parking Agreement with Al Coletta had been extended to March 18, 2016. He requested that parking decals be issued by the Village for the overage of cars that are not able to park on the lot.

The Mayor recognized Council Member Kelly Reid from the Village of Bay Harbor who was in the audience.

C. ADDITIONS AND DELETIONS

Commissioner Richard Chervony requested that Item 12A be heard after "Good and Welfare" and that discussion items Code Red and Vacation Home Rentals Report be added under "New Business". Mayor Connie Leon-Kreps requested that Item 15A be moved after "Good and Welfare" and that Website Photographs item be added.

Commissioner Richard Chervony made a motion to accept the amendments to the agenda as set forth above. Commissioner Eddie Lim seconded the motion, and all voted in favor.

3. GOOD & WELFARE

Alvin Blake, of 7601 Coquina Drive, Al Coletta, of 7904 West Drive, Kenneth Stowe, of 7631 Center Bay Drive, Jane Blake, of 7601 Coquina Drive, Carl Muller, of 7915 East Drive, Mitch Edelstein, of 7524 Adventure Avenue, Kevin Vericker, of 7520 Hispanola Avenue, Brian Oppenheimer, of 7939 West Drive, and Maria Garcia, of 7904 West Drive, addressed the Commission.

12A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CONFIRMING THE APPOINTMENT OF CARLOS NORIEGA AS POLICE CHIEF, PURSUANT TO SECTION 4.01(G)(2) OF THE VILLAGE CHARTER; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

The Village Clerk read the Resolution by title.

The Village Manager Frank K. Rollason made a brief presentation on the item outlining Mr. Noriega's qualifications and experience.

Commissioner Richard Chervony made a motion confirming the appointment of Carlos Noriega as the New Police Chief of North Bay Village, and Commissioner Eddie Lim seconded the motion.

The Mayor opened the floor to public comments.

Former Miami Beach Police Officer Larry Hancoff, Resident Mitch Edelstein, and Alvin Blake addressed the Commission.

The motion was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Mayor Connie Leon-Kreps made a motion directing the Village Administration to hold a formal swearing-in ceremony for Chief Noriega. Vice Mayor Jorge Gonzalez seconded the motion, and all voted in favor.

15. NEW BUSINESS

A. DISCUSSION REGARDING ROLE OF COMMISSION/VILLAGE MANAGER (*Commissioner Richard Chervony*)

Commissioner Richard Chervony suggested that the Mayor present a report to the Commission when she attends various meetings on behalf of the Village. He further recommended that an Ex Officio Member be appointed to each Advisory Board to provide guidance at the meetings and to bring back Resolutions with the Board's recommendations at the Commission Meeting.

The Administration will submit a list of organizations that the Village has membership in at the next Commission Meeting.

Members of the Commission will notify the Administration of which Advisory Board they wish to represent in Ex Officio capacity.

B. Photographs for New Village Website (CEB) – Mayor Leon-Kreps

The Chair of the Community Enhancement Board, Mercedes Aguilar, will bring back pictures to be considered for the Village Website at the next Commission Meeting.

C. Code Red – Commissioner Chervony

The Code Red Program will be discussed with the company because of recent glitches, to see why numbers are being dropped; and the Village Manager will follow up with the Police Chief to see how the program can be improved.

D. Vacation Home Rentals – Commissioner Chervony

The Village Attorney will submit an ordinance with those appropriate standards recommended by the Short-Term Vacation Rentals Committee at the next Commission Meeting.

4. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY BOARD

A report was not provided.

B. COMMUNITY ENHANCEMENT BOARD

The Chair Mercedes Aguilar presented the report from the December 14, 2015 Board Meeting.

C. PLANNING & ZONING BOARD

A report was not provided.

D. YOUTH & EDUCATION SERVICES BOARD

A report was not provided.

5. PUBLIC SAFETY DISCUSSION

Lieutenant Brian Collins report on public safety issues.

The Village Manager was directed to look into getting a K-9 dog from K-9 Knights.

The Village Manager will have the Police Chief evaluate options for docking the Police Boat and report back to the Commission.

6. COMMISSIONERS' REPORTS

Mayor Connie Leon-Kreps, Vice Mayor Jorge Gonzalez, Commissioner Richard Chervony, Commissioner Eddie Lim, and Commissioner Andreana Jackson all provided verbal reports.

7. VILLAGE ATTORNEY'S REPORT

The Village Attorney gave a verbal report.

8. **VILLAGE MANAGER'S REPORT**

The Village Manager discussed his written report to the Commission and responded to questions.

Commissioner Richard Chervony made a motion to approve the transfer of \$14,400 from the Reserves to cover the cost of the salary for a temporary, Certified After School Care Director until June 2016, and Vice Mayor Jorge Gonzalez seconded the motion.

The Mayor opened the floor to public comments. There being no speakers, she closed the floor to public comments.

The motion was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Commissioner Richard Chervony made a motion authorizing the Village Manager to expend up to \$250 for attendance at the Pelican Harbor Annual Fund Raising Event. Vice Mayor Jorge Gonzalez seconded the motion, which carried 5-0 on a roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Commissioner Richard Chervony made a motion that a Solid Waste Workshop not be held. Mayor Connie Leon-Kreps seconded the motion, which carried 5-0 on a roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

A. **Grant Writer's Report**

The Grant Writer was not present due to medical reason.

9. **FINANCE REPORT**

Finance Director Bert Wrains gave the financial report.

10. **CONSENT AGENDA: (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and will be considered separately.)**

- A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN & ASSOCIATES, INC. (WORK AUTHORIZATION NO. 16-01) FOR THE SANITARY SEWER REHABILITATION PROGRAM CONSTRUCTION PHASE SERVICES AT A LUMP SUM COST OF \$341,500; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A FISCAL YEAR 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)–COUNTY-WIDE AWARD IN THE AMOUNT OF \$2,256; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE GRANT DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

Commissioner Richard Chervony made a motion to approve the Consent Agenda items. Vice Mayor Jorge Gonzalez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

11. **PLANNING & ZONING CONSENT AGENDA**
NO ITEMS.

12. **ORDINANCES FOR FIRST READING AND RESOLUTIONS**

- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE RECOMMENDATIONS OF THE COMMUNITY ENHANCEMENT BOARD; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Vice Mayor Jorge Gonzalez made a motion to table Item 12B. Commissioner Andreana Jackson seconded the motion, and all voted in favor.

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING ITEMS:

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED “PARKS AND RECREATION” BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON) – SECOND READING**

The Village Clerk read the Ordinance by title.

Commissioner Richard Chervony made a motion to defer Item 13A to the next Commission Meeting. Commissioner Eddie Lim seconded the motion and all voted in favor.

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD”; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS) – SECOND READING**

Item 13B was deferred to the next Commission Meeting by Mayor Connie Leon-Kreps, as the sponsor.

- C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED “BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS” AND CHAPTER 152, SECTION 152.055 ENTITLED “FENCES, WALLS, AND HEDGES” TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

Item 13C was deferred to the next Commission Meeting by Mayor Connie Leon-Kreps, as the sponsor.

D. PUBLIC HEARING ITEM: A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY THE PROPERTY OWNER OF 1860 SOUTH TREASURE DRIVE FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.028(D) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO CONSTRUCT A SINGLE-FAMILY RESIDENCE IN THE RM-40 ZONING DISTRICT; PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY FRANK K. ROLLASON)

The Village Clerk read the request into the record.

The Village Planner Jim LaRue presented the Staff Report recommending approval of the project with the following conditions:

1. Building permits and related approvals for the single family home must be obtained from the Building Official prior to commencement of construction.
2. Impact fees must be paid prior to issuance of a building permit.
3. Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
4. Authorization or issuance of a special exception use or a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a special exception use or a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
5. All applicable state and federal permits must be obtained before commencement of construction.

The Village Attorney Robert L. Switkes advised the Commission on the requirements for the quasi-judicial proceeding and swore in those

The Mayor opened the Public Hearing.

Gudrin Volker, of 7517 Cutlass Avenue and the property owner of 1860 South Treasure Drive, Gail Westgate, addressed the Commission.

Mrs. Westgate accepted the conditions of approval recommended by the Village Planner, as set forth above.

Commissioner Richard Chervony made a motion to approve the request with the conditions recommended by the Village Planner, and Vice Mayor Jorge Gonzalez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

E. PUBLIC HEARING ITEM: A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE INSTALLATION OF A DOCK AND BOATLIFT AT 1860 SOUTH TREASURE DRIVE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

The Village Clerk read the request into the record.

The Village Planner Jim LaRue presented the Staff Report recommending approval of the request with the following conditions:

1. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
2. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
3. Cost Recovery changes must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
4. Authorization or issue of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

The Mayor opened the floor to public comments, and there were no speakers.

The property owner, Gail Westgate, accepted the conditions of approval recommended by the Village Planner, as set forth above.

Commissioner Richard Chervony made a motion to approve the request with the conditions recommended by the Village Planner. Vice Mayor Jorge Gonzalez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

14. UNFINISHED BUSINESS

There was no unfinished business.

16. APPROVAL OF MINUTES

- A. Regular Commission Meeting – December 8, 2015
- B. Tentative Budget Public Hearing – September 8, 2015
- C. Final Budget Public Hearing – September 24, 2015

Commissioner Richard Chervony made a motion to approve the Minutes as submitted. Commissioner Eddie Lim seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Andreana Jackson, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

17. ADJOURNMENT

Meeting adjourned at 11:53 p.m.

Prepared by: Yvonne P. Hamilton
Village Clerk

Adopted by North Bay Village on

this 12th day of January 2016.

Connie Leon-Kreps, Mayor

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the Village Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)