



## 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](http://www.nbvillage.com)

### OFFICIAL AGENDA

#### REGULAR VILLAGE COMMISSION MEETING

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

TUESDAY, MAY 13, 2014

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).

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#### 1. CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### 2. A. PROCLAMATIONS AND AWARDS

1. POLICE WEEK
2. TREASURE ISLAND ELEMENTARY SCHOOL  
EMPLOYEES: GAIL ENGELMAN AND  
VIOLET SAMBERG
3. EDDIE CRESPO, UPS
4. CIVILITY MONTH

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Dr. Richard Chervony

Commissioner  
Wendy Duvall

Commissioner  
Jorge Gonzalez

**B. SPECIAL PRESENTATIONS**

- 1. TREASURE ISLAND PRINCIPAL, DR. SHERRY KRUBITCH - IB PROGRAM**
- 2. VILLAGE LOBBYIST – FAUSTO GOMEZ  
LEGISLATIVE REPORT**

**C. ADDITIONS AND DELETIONS**

**3. GOOD & WELFARE**

**4. BOARD REPORTS**

**A. CITIZENS BUDGET & OVERSIGHT BOARD**

**B. COMMUNITY ENHANCEMENT BOARD**

- 1. Removal of Board Member**
- 2. Vision Statement-Landscaping**
- 3. Proposal for Native Landscaping at Island Entrances**

**1.) Commission Action**

**C. PLANNING & ZONING 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 SUPPORTING FLORIDA HOUSE BILL 169, RELATING TO TOBACCO AND NICOTINE PRODUCT REGULATION, INCLUDING CREATING SECTION 569.24, FLORIDA STATUTES TO EXPRESSLY PREEMPT TO THE STATE THE REGULATION OF THE SALE OF TOBACCO PRODUCTS, NICOTINE PRODUCTS, AND NICOTINE DISPENSING DEVICES; DIRECTING THE VILLAGE CLERK TO FORWARD THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS AND COMMISSIONER JORGE GONZALEZ)*

The proposed Resolution will support regulation regulating nicotine dispensing devices.

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA SUPPORTING FLORIDA HOUSE BILL 153 AND FLORIDA SENATE BILL 224, AMENDING FLORIDA STATUTES TO EXTEND THE CURRENT PROHIBITIONS RELATING TO TOBACCO PRODUCTS FOR PERSONS UNDER THE AGE OF 18, TO PROHIBIT THE SALE, GIFTING, POSSESSION OR USE OF NICOTINE DISPENSING DEVICES, INCLUDING, BUT NOT LIMITED TO, ELECTRONIC CIGARETTES, TO AND BY PERSONS UNDER THE AGE OF 18; DIRECTING THE VILLAGE CLERK TO FORWARD THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS AND COMMISSIONER JORGE GONZALEZ)*

The proposed Resolution expresses support, passage, and adoption of legislation to prohibit the sale, gifting, possession or use of nicotine dispensing devices that include electronic cigarettes to and by persons under the age of 18.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A RELEASE AND SETTLEMENT AGREEMENT WITH DENNIS KELLY; AUTHORIZING THE VILLAGE OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE RELEASE AND SETTLEMENT AGREEMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will approve the settlement agreement in the matter of Dennis Kelly versus North Bay Village.

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, URGING GOVERNOR RICK SCOTT AND THE MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FUNDING REQUEST OF \$250,000 FOR THE RENOVATION OF THE MIAMI MARINE STADIUM AND FUNDS IN THE AMOUNT OF UP TO \$8 MILLION, FOR THE ENVIRONMENTAL CLEANUP OF WAGNER CREEK/SEYBOLD CANAL; DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS AND COMMISSIONER JORGE GONZALEZ)**

The proposed Resolution supports the preservation, restoration, and rehabilitation of the Miami Marine Stadium site.

**1.) Commission Action**

**11. PLANNING & ZONING CONSENT AGENDA**

**No Items.**

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

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, 'FLORIDA (VILLAGE), CREATING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND AUTHORIZING THE VILLAGE TO JOININ THE TOWN OF BAY HARBOR ISLANDS, THE TOWN OF SURFSIDE, AND THE VILLAGE OF BISCAYNE PARK IN CREATING THE CLEAN ENERGY COASTAL CORRIDOR PROGRAM IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; ADOPTING AN INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01, FLORIDA STATUTES RELATING TO THE CORRIDOR; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER JORGE GONZALEZ)**

The proposed Resolution will allow the Village to create a Property Assessed Clean Energy Program (PACE) and join the referenced municipalities in a program to finance energy efficient improvements.

**1.) Commission Action**

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER AND APPROVING KIMLEY-HORN & ASSOCIATES, INC. AS THE NUMBER ONE RANKED PROPOSER FOR RFQ NO. NBV 2014-001 FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE DEVELOPMENT OF DESIGNS AND CONSTRUCTION DOCUMENTS FOR THE CONSTRUCTION OF THE BAYWALK PLAZA AREA PROJECT; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT FOR THE SCOPE OF SERVICES; DIRECTING VILLAGE OFFICIALS TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the hiring of Kimley-Horn & Associates, Inc. to prepare the design documents for construction of the Baywalk Plaza areas, which will consist of two plaza areas at the base of the bridge that links North Bay Village to Miami Beach at the Village's easternmost area to offer public access to the Intracoastal Waterway.

**1.) Commission Meeting**

**13. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING:**

**A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A REQUEST BY 7914 BUILDING LLC FOR SITE PLAN APPROVAL PURSUANT TO SECTIONS 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE AT 7914, 7916 AND 7918 WEST DRIVE; PROVIDING FOR FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**1.) Commission Action**

**B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY 7914 BUILDING LLC FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTION 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**1.) Commission Action**

**14. UNFINISHED BUSINESS**

**15. NEW BUSINESS**

**A. APPOINTMENT OF MEMBERS TO THE BUSINESS DEVELOPMENT ADVISORY COMMITTEE**

**1.) Commission Action**

**B. APPOINTMENT OF MEMBER TO THE COMMUNITY ENHANCEMENT BOARD**

**1.) Commission Action**

**C. APPOINTMENT OF MEMBERS TO THE PLANNING & ZONING BOARD**

**1.) Commission Action**

**D. APPOINTMENT OF MEMBERS TO THE YOUTH & EDUCATION SERVICES BOARD/SCHOLARSHIP COMMITTEE**

**1.) Commission Action**

**16. APPROVAL OF MINUTES**

**A. REGULAR COMMISSION MEETING – APRIL 8, 2014**

**1.) Commission Action**

**17. ADJOURNMENT**

**NORTH BAY VILLAGE  
MEETING NOTICE**

<b>THURSDAY, MAY 15, 2014</b>	<b>7:00 P.M.</b>	<b>SPECIAL COMMISSION MEETING (BARRY UNIVERSITY PRESENTATION ON CITIZEN SURVEY) VILLAGE HALL 1666 KENNEDY CAUSEWAY, #101</b>
<b>TUESDAY, MAY 20, 2014</b>	<b>7:30 P.M.</b>	<b>REGULAR PLANNING &amp; ZONING BOARD VILLAGE HALL 1666 KENNEDY CAUSEWAY, #101</b>
<b>THURSDAY, MAY 22, 2014</b>	<b>7:30 P.M.</b>	<b>BUDGET WORKSHOP VILLAGE HALL 1666 KENNEDY CAUSEWAY, #101</b>
<b>WEDNESDAY, MAY 28, 2014</b>	<b>4:00 P.M.</b>	<b>CODE ENFORCEMENT SPECIAL MASTER HEARING VILLAGE ADMINISTRATIVE OFFICES 1666 KENNEDY CAUSEWAY, 3<sup>RD</sup> FLOOR</b>

Any meeting may be opened and continued and, under such circumstances, additional legal notice would not be provided. Any person may contact the Village Clerk at (305) 756-7171 for information. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 756-7171 no later than four (4) days prior to the proceedings. TTY users may also call 711 (Florida Relay Service).

**FARMERS' MARKET  
SUNDAYS  
11:00 A.M. – 3:00 P.M.**

**FOOD TRUCKS  
WEDNESDAY, MAY 7, 2014  
5:00 P.M. – 10:00 P.M.**

**1755 KENNEDY CAUSEWAY (WEST OF  
BEST WESTERN)  
NORTH BAY VILLAGE, FLORIDA**

Mayor  
**Connie Leon-Kreps**

Vice Mayor  
**Eddie Lim**

Commissioner  
**Dr. Richard Chervony**

Commissioner  
**Wendy Duvall**

Commissioner  
**Jorge Gonzalez**