



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

OFFICIAL AGENDA

REGULAR VILLAGE COMMISSION MEETING

**TREASURE ISLAND ELEMENTARY SCHOOL
7540 EAST TREASURE DRIVE
NORTH BAY VILLAGE, FL 33141**

TUESDAY, JUNE 11, 2013

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.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION OR A SIGN LANGUAGE INTERPRETER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT (305) 756-7171 NO LATER THAN FOUR DAYS PRIOR TO THE PROCEEDING. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS AT (800) 955-8771 (TDD) OR (800) 955-8700 (VOICE) FOR ASSISTANCE.

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2A. APPOINTMENT OF ADVISORY BOARD MEMBERS (COMMISSIONER RICHARD CHERVONY)

1. CITIZENS BUDGET & OVERSIGHT BOARD

1.) Commission Action

2. COMMUNITY ENHANCEMENT BOARD

1.) Commission Action

2. **PROCLAMATIONS AND AWARDS**
 - A. SPECIAL PRESENTATIONS
 - B. ADDITIONS AND DELETIONS
3. **BOARD REPORTS**
 - A. BUSINESS DEVELOPMENT ADVISORY COMMITTEE
 - B. YOUTH AND EDUCATION SERVICES BOARD
 - C. PLANNING & ZONING BOARD
4. **PUBLIC SAFETY DISCUSSION**
5. **COMMISSIONERS' REPORTS**
6. **VILLAGE ATTORNEY'S REPORT**
7. **VILLAGE MANAGER'S REPORT**
8. **FINANCE REPORT**
9. **GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.**
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 NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE RENEWAL OF A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY AND PROVIDING FOR COMPENSATION TO THE VILLAGE FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)*

The proposed Resolution provides for landscape maintenance services on the FDOT right-of-way from the Intracoastal Waterway on the west to the eastern Village limits on the 79th Street Causeway in the Village.

- B. A RESOLUTION OF NORTH BAY VILLAGE (“VILLAGE”), FLORIDA, INCORPORATING A PUBLIC EMERGENCY POLICY INTO THE VILLAGE EMPLOYEES POLICIES AND PROCEDURES DATED SEPTEMBER 18, 2012 PROVIDING THE METHOD AND AMOUNT OF COMPENSATION TO BE PAID TO VILLAGE EMPLOYEES DURING A PUBLIC EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The proposed Resolution will set policies and pay rates for employees for hours worked during emergencies including but not limited to tropical storms, hurricanes, and general disasters.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS, AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

The proposed Resolution supports the tax-exempted status of municipal bonds.

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 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “CITIZENS BUDGET AND OVERSIGHT BOARD” CHANGING THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFYING THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

The proposed Ordinance will change the number of members on the Citizens Budget & Oversight Board to seven members instead of five and clarify the two-year membership term to be concurrent with the regular scheduled election of the Commission

1.) Commission Action

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “COMMUNITY ENHANCEMENT BOARD” TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFY THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

The proposed Ordinance will change the number of members on the Community Enhancement Board to seven members instead of five and clarify the two-year membership term to be concurrent with the regular scheduled election of the Commission.

1.) Commission Action

- C. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “CITIZENS BUDGET AND OVERSIGHT BOARD” TO CHANGE THE COMPOSITION AND NUMBER OF MEMBERS ON THE BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Ordinance will change the number of members on the Citizens Budget & Oversight Board to seven members instead of five and eliminate the mandatory provision for business representatives.

1.) **Commission Action**

- D. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “COMMUNITY ENHANCEMENT BOARD” TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution will change the number of members on the Community Enhancement Board from seven to five.

1.) **Commission Action**

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING A GRANT APPLICATION AND IMPLEMENTATION OF TWO POLICE OFFICER POSITIONS THROUGH THE COPS HIRING PROGRAM; APPROVING ASSOCIATED PERSONNEL COST; PROVIDING FOR MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The proposed Resolution will authorize the Police Department to apply for grant funding to cover up to 75% of the cost for two police officers.

1.) **Commission Action**

- F. A RESOLUTION OF THE COMMISSION NORTH BAY VILLAGE, FLORIDA, APPROVING THE SCOPE OF SERVICES FOR THE CREATION OF A PARKS AND MASTER PLAN FOR THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ISSUE REQUESTS FOR PROPOSALS FROM QUALIFIED INDIVIDUALS/FIRMS TO PREPARE THE PARKS RECREATION MASTER PLAN; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The proposed Resolution will allow for the preparation of a Parks and Recreation Master Plan to improve the parks and recreational needs of our citizens.

1.) Commission Action

- G. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN ADDENDUM TO AND MODIFICATION OF THE SEPARATION AGREEMENT BETWEEN THE VILLAGE AND ROLAND PANDOLFI, AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The proposed Resolution will authorize payment of \$15,832.39 to Mr. Pandolfi concerning FRS benefits.

1.) Commission Action

- H. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO NORTH BAY VILLAGE, AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution will authorize the renewal of an agreement with FPL for electric service.

1.) Commission Action

- I. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT WITH ETC INSTITUTE, INC. FOR THE IMPLEMENTATION OF A CITIZEN SURVEY; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; BUDGETING AND AUTHORIZING THE EXPENDITURE OF FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE AGREEMENT; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution will allow for the company to conduct a public opinion survey at a cost not to exceed \$15,000.

1.) **Commission Action**

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

- A. **AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY JENICE ROSADO, INTERIM VILLAGE MANAGER) - SECOND READING/PUBLIC HEARING**

The proposed Ordinance will allow properties zoned Commercial Limited in the Bay View Overlay District to utilize the height bonuses already provided to properties in the Commercial General and RM-70 zoning districts.

1.) **Commission Action**

14. **UNFINISHED BUSINESS**

- A. **North Bay Village Scholarship Program (COMMISSIONER JORGE GONZALEZ)**

1.) **Commission Action**

- B. **North Bay Village Special Needs Program (COMMISSIONER JORGE GONZALEZ)**

1.) **Commission Action**

- C. **INSTALLATION OF SPEED HUMPS ON HARBOR ISLAND (COMMISSIONER JORGE GONZALEZ)**

1.) **Commission Action**

**D. UNRESERVED FUND BALANCE/VILLAGE EXPENSES
(COMMISSIONER RICHARD CHERVONY)**

15. NEW BUSINESS

A. VILLAGE MANAGER (COMMISSIONER WENDY DUVALL)

- 1.) Commission Action

B. NORTH BAY VILLAGE MEETINGS:

- 1.) Setting Meeting Dates
- 2.) Cancellation of August Regular Commission Meeting pursuant To Section 3.09 of the Village Charter
- 3.) Rescheduling July 9, 2013 Regular Commission Meeting

- 1.) Commission Action

C. PUBLIC WORKS DEPARTMENT STAFFING (INTERIM VILLAGE MANAGER)

- 1.) Commission Action

D. WORKPLAN FOR REVISING THE VILLAGE'S ZONING CODE AND LAND DEVELOPMENT REGULATIONS (VILLAGE PLANNER JIM LARUE)

- 1.) Commission Action

E. PARK LAND ACQUISITION (MAYOR CONNIE LEON-KREPS)

- 1.) Commission Acton

F. VILLAGE ADMINISTRATIVE OFFICE SPACE FOR HOUSE REPRESENTATIVE DAVE RICHARDSON (MAYOR CONNIE LEON-KREPS)

- 1.) Commission Action

16. APPROVAL OF MINUTES

- A. Regular Commission Meeting-April 9, 2013**
- B. Special Commission Meeting-April 1, 2013**
- C. Regular Commission Meeting –March 12, 2013**
- D. Special Commission Meeting-February 28, 2013**
- E. Regular Commission Meeting-February 12, 2013**

- 1.) Commission Action**

17. ADJOURNMENT

**NORTH BAY VILLAGE
MEETING NOTICE**

THURSDAY, JUNE 13, 2013	6:00 P.M.	WORKSHOP-TREASURE ISLAND GUARD GATES/SECURITY CAMERAS TREASURE ISLAND ELEMENTARY SCHOOL (7540 EAST TREASURE DRIVE)
SATURDAY, JUNE 15, 2013	2-3 P.M.	BOOK MOBILE
MONDAY, JUNE 17, 2013	7:30 P.M.	SPECIAL VILLAGE COMMISSION MEETING TREASURE ISLAND ELEMENTARY SCHOOL (7540 EAST TREASURE DRIVE)
TUESDAY, JUNE 18, 2013	7:30 P.M.	REGULAR PLANNING & ZONING BOARD MEETING TREASURE ISLAND ELEMENTARY SCHOOL (7540 EAST TREASURE DRIVE)
WEDNESDAY, JUNE 19, 2013	7:00 P.M.	BUSINESS DEVELOPMENT ADVISORY BOARD MEETING 1666 KENNEDY CAUSEWAY, 2ND FLOOR
SATURDAY, JUNE 22, 2013	2-3 P.M.	BOOK MOBILE (1841 GALLEON STREET)
SATURDAY, JUNE 29, 2013	2-3 P.M.	BOOK MOBILE (1841 GALLEON STREET)

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).

CODE ENFORCEMENT MONTHLY TOTALS FOR MAY 2013

	TREASURE ISLAND	NORTH BAY ISLAND	HARBOR ISLAND	VILLAGE WIDE	ASSIST OTHER AGENCY	TOTALS
TRASH, RUBBISH & DEBRIS	13		1			14
PUBLIC NUISANCE/DANGER/ASSIST	8	1	2			11
HEALTH HAZARD	2		1			3
OTHER	32	1	2			35
GRAFFITI						0
DUMPSTER WITHOUT PERMITS	2					2
BACKED UP/RAW SEWAGE						0
ILLEGAL AUTO REPAIR/JUNK VEHICLE	1		1			2
OUTSIDE STORAGE	3					3
ILLEGAL SIGNS REMOVED	3		7			10
PHONE CALLS	77	7	17	9		110
MEETINGS	17		4			21
INITIAL INSPECTIONS	66	5	17			88
VERBAL WARNINGS GIVEN	34		7			41
COURTESY CIVIL INFRACTION NOTICE ISSUED	41		2			43
CITATIONS ISSUED						0
RE-INSPECTIONS	49	10	11	3		73
WORK WITHOUT PERMITS/PERMIT VIOLATIONS	3		3			6
STOP WORK ORDER/RED TAG POSTED	1					1
COMPLAINTS RECEIVED	22		4			26
SERVICE OF PROCESS/PERSONAL SERVICE/POSTING		2				2
CASE CLOSED	17	3	4			24

NORTH BAY VILLAGE POLICE DEPARTMENT STATISTICS 2013

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<u>TYPES OF CRIMES</u>												
<u>FELONIES</u>												
<u>HOMICIDE</u>												
TREASURE ISLAND	0	0	0	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
<u>ATTEMPT BURGLARY</u>												
TREASURE ISLAND	0	0	0	0	1							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
<u>BURGLARY STRUCTURE</u>												
TREASURE ISLAND	1	0	0	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
<u>BURGLARY RESIDENCE</u>												
TREASURE ISLAND	2	0	1	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	1	1	1	1							
<u>BURGLARY VEHICLE</u>												
TREASURE ISLAND	1	2	0	0	4							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	1	0	0	0	1							
<u>ROBBERY ARMED</u>												
TREASURE ISLAND	0	0	0	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							

NORTH BAY VILLAGE POLICE DEPARTMENT STATISTICS 2013

<u>ROBBERY/STRONGARM</u>	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
TREASURE ISLAND	0	0	0	0	1	0						
N BAY ISLAND	0	0	0	0	0	0						
HARBOR ISLAND	0	0	0	0	0	0						
<u>SEXUAL BATTERY</u>												
TREASURE ISLAND	0	0	0	0	0	0						
N BAY ISLAND	0	0	0	0	0	0						
HARBOR ISLAND	0	0	0	0	0	1						
<u>AGG BATTERY/ASSAULT</u>												
TREASURE ISLAND	1	1	0	0	0	0						
N BAY ISLAND	0	0	0	0	0	0						
HARBOR ISLAND	0	0	0	0	0	1						
<u>FRAUD GENERAL</u>												
TREASURE ISLAND	1	2	0	0	1	0						
N BAY ISLAND	0	0	1	0	0	0						
HARBOR ISLAND	0	0	0	0	0	0						
<u>CC FRAUD</u>												
TREASURE ISLAND	1	1	0	0	1	0						
N BAY ISLAND	0	0	0	0	0	0						
HARBOR ISLAND	0	1	0	0	0	0						
<u>ID THEFT</u>												
TREASURE ISLAND	1	1	1	2	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	2	3	1	0							

NORTH BAY VILLAGE POLICE DEPARTMENT STATISTICS 2013

<u>INTERNET FRAUD</u>	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
TREASURE ISLAND	0	0	0	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
<u>GRAND THEFT</u>												
TREASURE ISLAND	1	1	4	1	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	2	0	1							
<u>MOTOR VEHICLE THEFT</u>												
TREASURE ISLAND	3	0	1	1	1							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	2	1	0	0							
TOTAL FELONIES	13	14	15	9	11	11	0	0	0	0	0	0
<u>MISDEMEANORS</u>												
<u>SIMPLE BATTERY</u>												
TREASURE ISLAND	4	2	1	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	1	0	0							
<u>DOMESTIC BATTERY</u>												
TREASURE ISLAND	1	0	0	0	1							
N BAY ISLAND	1	0	0	0	0							
HARBOR ISLAND	0	0	1	0	2							
<u>ASSAULT</u>												
TREASURE ISLAND	0	0	0	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							

NORTH BAY VILLAGE POLICE DEPARTMENT STATISTICS 2013

VERBAL THREATS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
TREASURE ISLAND	1	0	0	0	0	0						
N BAY ISLAND	0	0	0	0	0	0						
HARBOR ISLAND	0	0	0	0	0	0						
THEFT GENERAL		0										
TREASURE ISLAND	2	3	2	0	1							
N BAY ISLAND	0	1	0	0	0							
HARBOR ISLAND	2	0	0	0	1							
STOLEN DECAL		0										
TREASURE ISLAND	2	1	1	0	1							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	1	0	0	0							
STOLEN TAG		0										
TREASURE ISLAND	1	1	2	0	1							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
DUI												
TREASURE ISLAND	1	0	1	0	0							
N BAY ISLAND	0	0	0	0	0							
HARBOR ISLAND	0	0	0	0	0							
TOTAL MISDEMEANORS	15	9	9	0	7	0						

NORTH BAY VILLAGE POLICE DEPARTMENT STATISTICS 2013

ARRESTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
ARREST TYPES												
FELONY	1	4	4	2	3							
MISDEMEANOR	7	7	4	8	5							
BENCH WARRANT	0	1	0	0	1							
CRIMINAL CITATIONS	16	4	5	6	2							
TOTAL ARRESTS	24	16	13	16	11	0						
INVESTIGATIONS												
CARRY OVER PRIOR	71	54	55	58	35							
NEW INVESTIGATIONS	16	19	21	8	15							
CASES CLEARED	9	13	9	7	13							
CLEARANCE RATE	10.30%	17.80%	12.00%	10.60%	26%							
BACKGROUND INVEST.		1										



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM North Bay Village

DATE: May 17, 2013

TO: Mayor Connie Leon-Kreps
Vice Mayor Eddie Lim
Commissioner Richard Chervony
Commissioner Wendy Duvall
Commissioner Jorge Gonzalez

FROM: 
Jenice Rosado
Interim Village Manager

SUBJECT: Appointment of Members to the Citizens Budget & Oversight Board

Attached are applications for membership to the Citizens Budget & Oversight Board from the following residents:

1. Ann Bakst, 1865 Kennedy Causeway
2. Robert H. Breiner, 7941 West Drive
3. Max Crown, 1620 South Treasure Drive
4. Mario Garcia, 7540 Cutlass Avenue
5. Maria Haviland, 7537 Mutiny Avenue
6. Oliver Pfeffer, 7610 Miami View Drive

Pursuant to Section 32.72 of the Village Code, the Board shall consist of seven (7) members. Each member of the Commission shall appoint one (1) member, and two (2) members shall be appointed by a majority vote of the Commission. The Board shall be composed of one (1) member from North Bay Island, one (1) member from Harbor Island, one (1) member from Treasure Island, two (2) at-large members, and two (2) members from a commercial business which has been in existence in the Village for at least one (1) year. Applicants must possess a Bachelor's Degree or higher in finance, accounting, or Business Administration or equivalent or a minimum of four (4) years' experience. All of appointees serve for a period of two years concurrent with the regular scheduled election of the Commission.

ZACIA

Attachment: Board Applications

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

- (2) When the Commission repeals the ordinance; or
- (3) After a vote of the electorate on repeal of the ordinance has been certified, and such certification has been accepted by the Commission.

F. Action by Commission

1. *Action by Commission.* When an initiative or referendum petition has been finally determined sufficient by the Miami-Dade County Elections Department, the Commission shall promptly consider the proposed initiative ordinance in the manner provided in Article III or reconsider the referred ordinance by voting its repeal. If within 30 days of the issuance of a certificate of a petition's sufficiency by the Miami-Dade County Elections Department, the Commission fails to either (as the case may be) adopt a proposed initiative ordinance without any change in substance or fails to repeal the referred ordinance, it shall submit the proposed or referred ordinance to the voters of the City.
2. *Submission to voters.* The vote of the City on a proposed or referred ordinance shall be held not less than thirty (30) days and not later than sixty (60) days from issuance of the Miami-Dade County Elections Department's certificate as to petition's sufficiency. If no regular City election is to be held within the period described in this subsection, the Commission shall provide for a special election. Copies of the proposed or referred ordinance shall be made available at the City 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 City by filing with the City 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 city 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 City. Advisory board members must be either residents of the City, or owners of businesses located within the confines of the City, 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 City. 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, responsibilities, terms of membership, length of terms, and conditions for removal of members of the Planning and Zoning Board.

B. Where the Planning and Zoning Board by unanimous vote of its full membership has presented a negative recommendation to the City Commission relating to a request for a variance or special use exception, it shall require the City

Commission to act by at least four (4) affirmative votes in order to grant such request for variance or special use exception.

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

ARTICLE VII. FINANCE AND TAXATION

7.01. State Law applicable.

Matters pertaining to finance and taxation shall be governed by State law.

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

7.02. Independent audits.

At the beginning of each calendar year, or as soon thereafter as practical, the Commission shall designate one or more qualified certified public accountants, who may be the regular auditors of the City and who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transaction of the city government. They shall submit their report to the Commission no later than at a regularly scheduled April Commission meeting. A copy of the audit shall be made available for inspection in the office of the City Manager. The accountants shall have no personal interest, direct or indirect, in the fiscal affairs of the City. Within specifications approved by the Commission the accountants shall post-audit the books and documents kept by or under the direction of the City Manager and any and all separate or subordinate accounts kept by any other office, department or agency of the City government. The Commission may also designate one or more qualified certified public accountants to conduct special audits at other times, or monthly or continuing audits as it may consider in the public interest. A copy of such special audits will also be made available for public inspection.

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

7.03. Preparation and submission of budget.

The City Manager, at least sixty (60) days prior to the beginning of each fiscal year, shall submit to the Commission a budget and an explanatory budget message in the form and with the contents provided by this Charter. For such purpose, he shall obtain from the head of each office, depart-

- (3) To advocate for the needs and involvement of the Village's children and youth in the community.
- (4) To promote the exchange of ideas and resources in order to better meet the needs of the children and youth in the Village.
- (5) To provide input and ideas as to educational programs and initiatives that affect the Village youth, including but not limited to the Treasure Island Elementary IB Program.

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

CITIZENS BUDGET AND OVERSIGHT BOARD

§ 32.72 Citizens Budget and Oversight Board.

A Citizens Budget and Oversight Board is hereby created which shall be composed of seven (7) members appointed by the City Commission to serve at the pleasure of the Commission without compensation. Each member of the Commission shall appoint one (1) member, and two (2) members shall be appointed by a majority vote of the Commission. The Board shall be composed of one (1) member from North Bay Island, one (1) member from Harbor Island, one (1) member from Treasure Island, two (2) at-large members, and two (2) members from a commercial business which has been in existence in the City for at least one (1) year.

(Ord. No. 2010-09, § 1, 12-14-10)

§ 32.73 Qualification of members.

The members of the Citizens Budget and Oversight Board shall be appointed and shall be qualified electors of the City as defined in the Charter or, representatives of a commercial business which has been in existence in the City for at least two (2) years. Qualified electors and businesses shall also be and remain during their respective term of office, residents of the City; or owners of businesses located within the City for at least one (1) year.

Applicants must either possess a Bachelor's Degree or higher in either Finance, Accounting, or Business Administration or equivalent or a minimum of four (4) years experience.

(Ord. No. 2010-09, § 1, 12-14-10)

§ 32.74 Terms; vacancies; removal from office.

(A) Members of the Board shall be appointed by the City Commission for a term of two (2) years to coincide with the City'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, based on the original appointment process.

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

(Ord. No. 2010-09, § 1, 12-14-10)

§ 32.75 Officers.

The Citizens Budget and Oversight Board shall annually, each by majority vote, elect one (1) of its members as Chair and one (1) of its members as Vice-Chair. The Chair shall chair the meetings of the Board, and shall be the representative of the Board to the City Manager and City Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chair shall act in his stead. The City 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.

(Ord. No. 2010-09, § 1, 12-14-10)

§ 32.76 Meetings; quorum; voting period.

(A) The Citizens Budget and Oversight Board shall hold regular monthly meetings, unless the Board chooses not to meet in a particular month, 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

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with the current practice of the City Clerk in noticing meetings of the City 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 (2) other members of the Board mailed three (3) days prior to the called meeting.

(B) All meetings of the Board shall be open to the public and four (4) members shall constitute a quorum.

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

(Ord. No. 2010-09, § 1, 12-14-10)

§ 32.77 Powers and duties.

(A) The Citizens Budget and Oversight Board shall be charged with the duty and responsibilities to act in an advisory capacity to the City Commission and City Manager in matters pertaining to delivery of the following services:

- (1) Examine and analyze the budget.
- (2) Hold monthly meetings as needed.
- (3) Present reports to the Commission indicating whether the expenditures match those promised during the bond campaign.
- (4) Review the annual performance audit to analyze whether the Bond funds have been expended only for the specified project.
- (5) Examine, analyze, and make recommendations on the preliminary budget to the Commission.

(Ord. No. 2010-09, § 1, 12-14-10)

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**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME: HANN BAKST TELEPHONE # 305-865-8296

MAILING ADDRESS: 1865 JF Kennedy Cswy # 7D

CITY RESIDENT: YES NO

BUSINESS OWNER: YES NO

NAME AND ADDRESS OF BUSINESS _____

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? None

CHECK THE BOARD(S)/COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING AND ZONING BOARD
- CITIZEN BUDGET AND OVERSIGHT COMMITTEE
- ANIMAL CONTROL ADVISORY BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

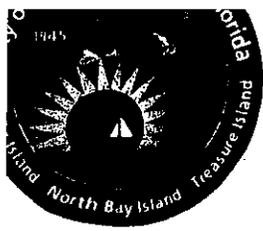
ARE YOU A REGISTERED VOTER? YES NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:
Supervisor, wastewater, Puerto Rodeamento & Mayaguez, the
RA for 34 years, Beautification Board, City of West
Board, Community Enhancement Board, Arts Cultural & Special
Events Board

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE:

My 39 1/2 years in NBV & my concern for the
city to prosper

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City of North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

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

DEC 4 AM 11:57

**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME Robert H BREWER TELEPHONE # 305-299-2229

MAILING ADDRESS 7941 West Drive Unit 102

CITY RESIDENT: YES NO HOW MANY YEARS 8.5

BUSINESS OWNER: YES NO PAST OR PRESENT N/A

NAME AND ADDRESS OF BUSINESS N/A

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? N/A

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO

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

Supervisor Store & Mail Distribution for 22 years as part of my 39 year career at Miami-Dade County Schools

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)

As supervisor I prepared yearly budgets (6 million plus) capital budgets. Respected 10 yearly audits by Internal External & Federal Auditors. I also was responsible for school Board Auctions handling up to 1.6 million dollars in cash one year.

Mayor
Connie Leon-Kreps

Vice-Mayor
Eddie Lim

Commissioner
Stuart Blumberg

Commissioner
Dr. Richard Chervony

2A(1)G



City of North Bay Village

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DEC 3 11:01:08

NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION

NAME MAX CROWN TELEPHONE # 305 864 4308

MAILING ADDRESS 1620 South Treasure Drive

VILLAGE RESIDENT: YES NO HOW MANY YEARS 21

BUSINESS OWNER: YES NO PAST OR PRESENT 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 type="checkbox"/> |
| BUSINESS DEVELOPMENT ADVISORY COMMITTEE | <input type="checkbox"/> | YOUTH SERVICES BOARD | <input type="checkbox"/> |
| CITIZENS BUDGET AND OVERSIGHT BOARD | <input checked="" 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 (SUBMIT COPY OF VOTER REGISTRATION CARD)

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

WORK: FAA AVIATION SAFETY INSPECTOR

CIVIC SERVICE: 3 YEARS ON BUDGET OVERSIGHT BOARD

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 HAVE A BS IN BUSINESS ADMINISTRATION AND HAVE PREVIOUS EXPERIENCE ON THE BUDGET OVERSIGHT BOARD.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

2A(1)H.



City of North Bay Village

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**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME MARIO J GARCIA

TELEPHONE # 917-721-0131

MAILING ADDRESS 7540 CUTLASS AVE NBU 33141

CITY RESIDENT: YES NO

HOW MANY YEARS 2

BUSINESS OWNER: YES NO

PAST OR PRESENT N/A

NAME AND ADDRESS OF BUSINESS N/A

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? _____

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

BUSINES DEVELOPMENT ADVISORY COMMITTEE

YOUTH SERVICES BOARD

CITIZEN BUDGET AND OVERSIGHT BOARD

← only if it meets 7 PM or later

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO

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

See Attached

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)

See Attached

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Mario Garcia
7540 Cutlass Avenue
North Bay Village, Florida 33141
marioigarcianbv@gmail.com

Family Nurse Practitioner Board Certified since 2008. RN Med-Surg Certified since 2003 and currently employed by Bascom Palmer Eye Institute University of Miami Pre-admission

Active member American Academy of Nurse Practitioners

Recipient of Clinical Excellence Award 2008 SUNY Downstate Medical Center

10 years of nursing experience in patient care and advocacy

Recipient of Leadership Award 2008 SUNY Downstate Medical Center

Civic Involvement includes: Vice Chair of Business Development Advisory Board North Bay Village; active participant at all Commission Meeting and Advisory Board Meetings to find out firsthand what our residents concerns really are.

30 years experience in retail attended countless seminars in resolving conflicts, customer service and recovery

Member of the Fifth Avenue Merchants Association from 1988 to 2001 Brooklyn, New York

Served as an advisor to the Board of Directors of the Fifth Avenue Merchants Association

Treasurer 1990 to 1999 Fifth Avenue Merchants Association

Initiated and coordinated an advertising newspaper for the area that was distributed to roughly 20,000 households Park Slope Brooklyn, New York

Met regularly with the Park Slope Community Board to coordinate efforts in the beautification and improvement of the community, including a 20 block Street Fair held once yearly that brought the merchants and residents together in a united effort.

Board member of Boy Scout Troop 45 Boy Scout Explorer 1990 to 1995

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Mario Garcia, RN, MSN, FNP

7540 Cutlass Avenue
North Bay Village, Florida 33141

Home: 786-348-0918

Cell: 917-721-0131

E-mail: fivemg@aol.com

Profile

Compassionate dedicated nurse practitioner, bilingual in English and Spanish, seeking to enhance an interdisciplinary team to deliver evidence based healthcare for the adult population. Nursing professional that can perform independently in the management of chronic and acute illnesses. Team player and self motivated individual, passionate about caring for people. Great attitude, positive thinker can perform under pressure with diligence and caring; love teaching and able to bring out the best in others. Given the opportunity will prove to be an asset to the organization with loyalty and hard work.

Education

Master of Science, Family Nurse Practitioner, SUNY Downstate, Brooklyn, NY-August 31, 2008 graduated with a GPA 3.56 with 720 hours of clinical rotation in pediatric, adult, gyn, obstetric, geriatric primary care at Health and Hospital Corporation East New York Diagnostic and Treatment Center annex of Kings County Hospital; wrote papers on obesity; cultural diversity and leadership and management

Bachelor of Science Nursing, SUNY Downstate Brooklyn, NY-August, 2005 graduated with a GPA 3.61

Associate Applied Science, Nursing, Kingsborough Community College, Brooklyn, NY-June, 2003 graduated with GPA 3.281; VP of Student Nursing Body

Clinical Experience

Bascom Palmer Eye Institute 1/2/2011 to present

- Pre-Admission History and Physical
- Order and evaluate labs and diagnostic test when needed
- Coordinate care of the pre-operative patient
- Refer patient when needed to follow up preexisting uncontrolled diagnosis
- Rapid Response Team Member

Kendall Regional Hospital 11/25/2010 to 4/20/2011

- Unit Leader Telemetry
- Shift assignment; Shift report.
- Narcotic count/Inventory
- Code Cart check; Environment of Care Safety Rounds

- Staff Shift Huddle
- IMC Patient Report and Care Management
- OR Schedule Surgeries Checked
- Bed Assignments meeting criteria
- Core Measures and Checklists
- Evaluate Staffing on Shift, next shift and following day
- Supervise staff/Report to Director
- Manage complaints/Problem solve/Service Recovery
- Provide patient care when needed

Arrhythmia and Syncope Center Mercy Hospital 10/25/2010 to 11/25/2010

- Consults, hospital rounds and clinic follow ups including dictations

(Outpatient Urgent Care Clinic) East New York Diagnostic and Treatment Center 12/31/2008- 8/21/2010

Primary Care Provider as a Nurse Practitioner Board Certified

- Managing acute and chronic diseases including but not limited to Diabetes, Hypertension, Dyslipidimia, Obesity, Asthma, STDs, Depression and CHF. Responsible for the health maintenance of patients with daily review of labs, diagnostic testing, EKG, as well as recommending and ordering appropriate referrals. One day each week, respond to walk in clinic emergencies and member of the Rapid Response Team.

(Hospital) Maimonides Medical Center, Brooklyn, NY- December 15, 2003 to -8/21/2010

Staff Registered Nurse/Float Team (Med/Surg, Teli and/or Step Down)

Facilitate overall nursing care of acute Medical /Surgical unit; apply strong commitment to delivering quality care by adhering to evidence base practice

- Provide direct patient care with emphasis on meeting both physical and emotional needs and highly cultural diversity sensitive.
- Highly experienced and comfortable in the care of patients who are intubated and placed on mechanical respirators; enteral feeding; wound care; pain management and end of life care.
- Promote communication among interdisciplinary care team; documentation, sharp analytical and problem solving skills; patient advocate.
- Administer all facets of medications, monitor, examine, report and follow up; including lab result data.
- Extremely educated in blood transfusions, wound care, pain management, and catheterization.
- Delegate assignments and supervise efforts of nursing staff as floor charge nurse.
- Precept newly graduated nurses and new surgical nurses.
- Work with and care for people from a wide range of ethnic and culturally diversified background.

Palm Garden Rehab & Nursing Home, Brooklyn, NY- June 2003-
December 2003: Staff RN

- Vent Unit, wound care, coordinate patient acute care, Physician's medical orders and monthly medication reconciliation.

Kingsborough Community College, Brooklyn, NY-January 2003 to
June 2003: Student

Celani Inc, Brooklyn N.Y/Capriccio De Uomo, Inc., NY -August
1988-January 2003 Manager

Professional Membership

American Nursing Association
American Academy of Nurse Practitioner

Licensure & Certification

State of Florida ARNP--Active
State of New York, Family Nurse Practitioner -- Active
State of New York, Registered Nurse -- Active
State of New York, Licensed Practical Nurse - Active
American Heart Association- Health Care Provider; CPR & AED, 5/2013 ACLS 9/2014
PALS 5/2013
FNP Certification ANCC 12/2013
Medical Surgical Certification ANCC 6/2015
Awards: Clinical Excellence 2008; Leadership 2008

Interests

Family; Nursing; reading; music; theater; New York Yankees, ; Florida Marlins; the beach and fishing

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City of North Bay Village

Administrative Offices
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NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Maria A. Hamilton TELEPHONE # 786-371-5966
 MAILING ADDRESS 7537 Minerva Avenue, North Bay Village, FL 33141
 VILLAGE RESIDENT: YES NO HOW MANY YEARS 6
 BUSINESS OWNER: YES NO PAST OR PRESENT N/A
 NAME AND ADDRESS OF BUSINESS N/A

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? N/A

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- CITIZENS BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES 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 (SUBMIT COPY OF VOTER REGISTRATION CARD)

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

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)
please see attached

Mayor
Connie Leon-Kraps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

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Maria A. Haviland

**Application for a position on the Citizens Budget and Oversight
Committee of North Bay Village**

Work experience:

I am currently a licensed Florida CPA working in private practice locally. I have also worked as a staff accountant in a private international bank and a non-profit organization.

Background qualifications:

In my last position I worked extensively with budgeting and forecasting for an organization on a tight budget that was subject to strict internal, US and UK regulations. In addition, at the non-profit I helped control waste due to mismanagement of funds. Currently I am working in a nearby small business. Lastly, I am a local home owner with the best interest of North Bay Village at heart.

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City of North Bay Village

Administrative Offices

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REC 11 AM 11/10/11

CITY OF NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Oliver Pfeffer TELEPHONE # 305-606-2767

MAILING ADDRESS 7610 Miami View Drive

CITY RESIDENT: YES [checked] NO HOW MANY YEARS 18

BUSINESS OWNER: YES [checked] NO PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS United Builders LLC, 1666 Kennedy Causeway, Suite 505, N. Bay Village, FL 33141

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? since 2011

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 COMMITTEE [] YOUTH SERVICES BOARD []
CITIZENS BUDGET AND OVERSIGHT BOARD [checked]

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES [checked] NO

HAVE YOU EVER SERVED ON A CITY BOARD/COMMITTEE? YES [checked] NO

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO [checked]

ARE YOU A REGISTERED VOTER? YES [checked] NO (SUBMIT COPY OF VOTER REGISTRATION CARD)

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

Previously served on Arts Cultural & Special Events Board in N.B.V. Board Member at Temple Israel of Greater Miami for past 5 years 20 years experience as real estate developer and general contractor.

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)

As a developer of affordable housing, I have utilized tax exempt bonds for financing and am familiar with some of the guidelines and documents that govern tax exempt bonds.

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

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North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

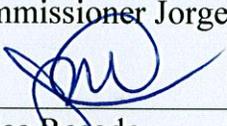
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM City of North Bay Village

DATE: May 17, 2013

TO: Mayor Connie Leon-Kreps
Vice Mayor Eddie Lim
Commissioner Richard Chervony
Commissioner Wendy Duvall
Commissioner Jorge Gonzalez

FROM:


Jenice Rosado
Interim Village Manager

SUBJECT: Appointment of Members to the Community Enhancement Board

Attached are applications for membership to the Community Enhancement Board from the following residents:

1. Ann Bakst, 1865 Kennedy Causeway
2. Odalys M. Becerra, 7928 West Drive
3. Clinton Beard, 1881 79th Street Causeway
4. Penelope Friedland, 7500 Miami View Drive
5. Consuelo Garcia, 7521 Center Bay Drive
6. Anke Graichen, 1625 Kennedy Causeway
7. Andreana D. Jackson, 1801 S. Treasure Drive
8. Candis Mason, 1625 Kennedy Causeway
9. Diana P. Quintera, 1625 Kennedy Causeway

Pursuant to Section 32.11 of the Village Code, the Board shall consist of seven 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 period of two years concurrent with the regular scheduled Commission election.

ZACDA

Attachment: Board Applications

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

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 City 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 City 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 City 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

***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.

of scenic surroundings to tourists, prospective residents, and commercial developments, as well as the citizens and taxpayers of the City, and further to preserve the quality of the environment which is a legitimate concern of the City Commission, there is established a permanent Community Enhancement Board of the City, 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)

§ 32.11 Composition.

There is hereby created the North Bay Village Community Enhancement Board which shall consist of seven members who may reside at any location within the City, 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 as provided in Section 6.01 of the Charter.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04)

§ 32.12 Qualifications.

The members of the Community Enhancement Board shall be appointed and shall be qualified electors of the City or owners of businesses located within the confines of the City, 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 City.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04)

§ 32.13 Terms; removal from office.

The original members of the Community Enhancement Board shall be appointed by the City Commission, by a majority vote of the members present. Members of the Board shall be appointed by the City Commission for a term of two years. Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04)

2A(2)B

§ 32.14 Vacancies.

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.
(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04)

§ 32.15 Power and duties.

The Community Enhancement Board shall be charged with the following duties:

- (1) To continually study the needs of the entire City for floral landscaping, including the entrances of the several islands

2A(2)C



Community Enhancement Bd.
NOV 16 PM 5:06

CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION

NAME: H N N BAKST TELEPHONE # 305-865-8296

MAILING ADDRESS: 1865 JF Kennedy Cswy # 7D

CITY RESIDENT: YES NO

BUSINESS OWNER: YES NO

NAME AND ADDRESS OF BUSINESS _____

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? None

- CHECK THE BOARD(S)/COMMITTEE YOU WOULD LIKE TO SERVE ON:
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
 - COMMUNITY ENHANCEMENT BOARD
 - PLANNING AND ZONING BOARD
 - CITIZEN BUDGET AND OVERSIGHT COMMITTEE
 - ANIMAL CONTROL ADVISORY BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:
Insurance Underwriter Prior to Retirement & Managing the
Rt for 34 years. Beautification Board, Civil Service
Board, Community Enhancement Board, Arts Cultural & Special
Events Board

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE:
my 39 1/2 years in N.B.V & my concern for the
city to prosper

2A(2)D



City of North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

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

**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME Odolys M. BECERRA TELEPHONE # (305) 300-1810

MAILING ADDRESS 7928 West Drive Apt. 503 North Bay Village, FL 33141

CITY RESIDENT: YES NO HOW MANY YEARS 8

BUSINESS OWNER: YES NO PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS n/a

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? n/a

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINES DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO

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

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)

B.A. in Political Science - Over 15 years of experience in customer service. I love this city and want to improve and enhance it's beauty even more.

Mayor
Connie Leon-Kreps

Vice-Mayor
Eddie Lim

Commissioner
Stuart Blumberg

Commissioner
Dr. Richard Chervony

2A(2)E



City of North Bay Village

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OCT 30 PM 4:16

CITY OF NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

email = benardclinton@hotmail.com

NAME Clinton Bernard III

TELEPHONE # 305-417-8110

MAILING ADDRESS 1881 79th Causeway, 1006 North Bay Village, FL 33141

CITY RESIDENT: YES [X] NO

HOW MANY YEARS 3-months

BUSINESS OWNER: YES [X] NO

PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS Miami Dade Intl / Midwest Intl.com

1881 79th Causeway 1006 North Bay Village, FL 33141

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? 3-months

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES [X] NO

HAVE YOU EVER SERVED ON A CITY BOARD/COMMITTEE? YES [X] NO

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO [X]

ARE YOU A REGISTERED VOTER? YES [X] NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE: I have worked with 3 Senators and also work on the Event Board for the state of Michigan House of Representatives. I can also help with business development in the city.

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 have an broad background - Investment Banker, Business Owner, Tutor, Legislative Aid / Director of Student Bar Association

Mayor Connie Leon-Kreps

Vice-Mayor Eddie Lim

Commissioner Stuart Blumberg

Commissioner Dr. Richard Chervovny

2A(2)F

City of North Bay Village

Administrative Offices

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

**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME Penelope Friedland TELEPHONE # 305-495-4901
MAILING ADDRESS 7500 MIAMI VLEN DRIVE, N. BAY VILLAGE
CITY RESIDENT: YES NO HOW MANY YEARS 9
BUSINESS OWNER: YES NO PAST OR PRESENT N/A
NAME AND ADDRESS OF BUSINESS N/A

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? Resident for 9 years

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD ✓
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO
HAVE YOU EVER SERVED ON A CITY BOARD/COMMITTEE? YES NO
HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO
ARE YOU A REGISTERED VOTER? YES NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:
CURRENT CHAIR - COMMUNITY ENHANCEMENT BOARD, NBV ✓
PAST-CHAIRMAN - PLANNING + ZONING BOARD
2018 REP PANEL FOR LANDSCAPING CONTRACT

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)
PLEASE SEE ATTACHMENT

Mayor
Connie Leon-Kreps

Vice-Mayor
Eddie Lim

Commissioner
Stuart Blumberg

Commissioner
Dr. Richard Chervony

2A(2)G



North Bay Village
 Administrative Offices
 1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141
 Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION

NAME Diana P. Quintero TELEPHONE # 305-562-4455
 MAILING ADDRESS 1625 Kennedy Causeway #703 N Bay Village FL 33141
 VILLAGE RESIDENT: YES NO HOW MANY YEARS 6 months
 BUSINESS OWNER: YES NO PAST OR PRESENT
 NAME AND ADDRESS OF BUSINESS N/A

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 checked="" type="checkbox"/> |
| ARTS, CULTURAL & SPECIAL EVENTS BOARD | <input type="checkbox"/> | PLANNING & ZONING BOARD | <input type="checkbox"/> |
| BUSINESS DEVELOPMENT ADVISORY COMMITTEE | <input type="checkbox"/> | YOUTH SERVICES BOARD | <input type="checkbox"/> |
| CITIZENS BUDGET AND OVERSIGHT BOARD | <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 (SUBMIT COPY OF VOTER REGISTRATION CARD)

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:
Sr. Branch Manager for Liberty Mutual Ins. We are highly involved with the community promoting safety. For the past 2 years I have conducted approx. 9 community events a yr. I have also been part missionary trips, & outside the country helping kids with education.

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)
My experience with community involvement and board member of 2 separate Boardman Association will help contribute my ideas in different ways we can enhance our community.

Mayor Connie Leon-Kreps	Vice Mayor Eddie Lim	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Jorge Gonzalez
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2A(2)H



City of North Bay Village

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OCT 24 PM 1:08

**CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION**

NAME CANDIS MASON TELEPHONE # 305-432-8436

MAILING ADDRESS 1625 KENNEDY CSWY

CITY RESIDENT: YES NO HOW MANY YEARS 10

BUSINESS OWNER: YES NO PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS _____

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? _____

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINES DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES NO

ARE YOU A REGISTERED VOTER? YES NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE: AMERICAN AIRLINES 22YRS

MY TRAVEL GIVES ME A UNIQUE PERSPECTIVE TO POSSIBLY ENHANCE NORTH BAY VILLAGE.

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)

Mayor
Connie Leon-Kreps

Vice-Mayor
Eddie Lim

Commissioner
Stuart Blumberg

Commissioner
Dr. Richard Chervony

2A(2)I

Miami Gay and Lesbian Film Festival, Miami, Florida
Membership & Box Office Coordinator Temporary

02/08/2010-05/05/2010

- Administrative duties included answering phones, running the front office and assisting internal and external customers.
- Collaborated with graphic design team in editing festival media guide and event invitation design.
- Responsible for selling and renewing festival memberships, which included cold calling, mailing letters, answering member inquires.
- Responsible for processing and selling festival ticket orders for all events.

U.S. Army Command & General Staff College, Fort Leavenworth, KS

Public Affairs/Event Specialist

09/03/07-09/03/08

- Planned command conferences and ceremonies for 300 - 2,000 attendees. Developed media products for distribution during major events.
- Prepared, coordinated, executed and evaluated major media events and press conference for VIP personnel including General Colin Powell and the Excellency President of Uganda. Managed travel itineraries for distinguished guests and high-ranking world dignitaries.
- Updated, edited, maintained, and composed content for Command website drafted and edited news releases for local and national media.
- Administered public relations training for military officers for war time response to media.
- Conducted literature research and maintained a database of relevant news stories for Professional Military Education College.

Fort Leavenworth Unified School District, Fort Leavenworth, KS

Substitute Teacher

11/06/06-06/10/07

- Taught classroom lessons and monitored students, grades K-12.
- Established excellent rapport with administration, resulting in frequent requests to substitute.
- Enforced strong classroom management strategies.

Full Employment Council, Kansas City, MO

Intern for "Youth to Work" Program

06/07/01-08/01/01

- Synchronized logistical placement of 60 - 80 youth participants, 14-15 years of age, into community work sites.
- Conducted up to 10 weekly work site visits to foster job skill development.
- Briefed participants and managers; and-mediated concerns.

Nordstrom, Kansas City, MO

Customer Service Specialist

11/15/98- 05/10/01

- Served as customer service agent for upscale department store.
- Conducted occasional inventory duties.
- Met and often exceed sales goals.

2 of 2 Andreana D. Jackson

2A(2)J

ANDREANA D. JACKSON
andreana.jackson@gmail.com
(816) 977-5098 Mobile

PROFESSIONAL PROFILE

Accomplished candidates with the proven talent to manage develop, plan and implement organizational training session and conference events. Highly organized with the ability multi-task while maintaining primary focus on priority assignments. Developed a reputation for displaying professionalism and high levels of integrity. Proficient with software packages such as Microsoft Office Suite, Adobe Acrobat, Access, Publisher, and SharePoint.

EDUCATION

- Master of Science Organizational Learning and Leadership
Barry University, Miami Shores, FL May 2011
- Bachelor of General Studies Communications
University of Kansas, Lawrence, KS May 2008

WORK EXPERIENCE

Camber Corporation/ US Southern Command, Doral Florida
Joint Training Facilitator Specialist

07/25/11-6/17/12

- Managed collaboration on various projects that involved aspects of training, instructional/training system planning, analysis, design, development, implementation, evaluation.
- Managed training rooms and facilities scheduling and set-up environment (computers, projectors, whiteboards, and video-conference) for meetings, collaborations, presentations, etc.
- Applied instructional design expertise and supported to the production of a broad range training products which included a wide variety of formats and delivery vehicles: online, hardcopy and storyboards, guides, and briefings.
- Responsible for planning and executing department conferences and events including site selection, contract negotiations, produced all event collateral maintained conference registration website and email blast. Managed coordination for AV support for conferences and events.

US Southern Command, Doral, Florida
Partnering and Military Education Coordinator

02/14/11-07/25/11

- Responsible for logistics of all VIP visits for US Professional Military Education and Partner Nation education institution representatives to the headquarters.
- Developed visit concepts for distinguished visitors and ensured execution with critical points of contact in advance of scheduled events.
- Arranged schedules for general officers, and senior executives to participate in conferences meetings for up to 100-80 attendees.

1 of 2 Andreana D. Jackson

2A(2)K

ANDREANA D. JACKSON
CITY OF NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION

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

Please refer to my attached resume for work experience. Civic service includes being a registered voter since 1995 on my eighteenth birthday and always being an informed citizen on current events that affect my community and the world at large. Since moving to North Bay Village in March of 2009, I knew the city had not reached full potential, as a member of the Community Enhancement Board I would have the opportunity to aid in that process to moving the city forward.

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE:

I have attended the University of Kansas for my undergraduate course work in Communications Studies and Barry University for my master degree in Organizational Learning and Leadership. Both institutions taught me the value of hard work making tough decisions based on need not popularity and the value of team work. I believe my interpersonal and organizational skills would add value to North Bay Village Community Enhancement Board.

2A(2)L

email: <anke.graichen@gmail.com>



North Bay Village

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1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

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

NORTH BAY VILLAGE
BOARD/COMMITTEE APPLICATION

NAME Anke Graichen TELEPHONE # 786 547 9814
MAILING ADDRESS 1625 Kennedy Csway Ptt 4, 33141 North Bay Village
VILLAGE RESIDENT: YES NO HOW MANY YEARS 6
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 checked="" type="checkbox"/> |
| ARTS, CULTURAL & SPECIAL EVENTS BOARD | <input type="checkbox"/> | PLANNING & ZONING BOARD | <input type="checkbox"/> |
| BUSINESS DEVELOPMENT ADVISORY COMMITTEE | <input type="checkbox"/> | YOUTH SERVICES BOARD | <input type="checkbox"/> |
| CITIZENS BUDGET AND OVERSIGHT BOARD | <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

(SUBMIT COPY OF VOTER REGISTRATION CARD)

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

I have lived in NBV for 6 years and would love to serve/enhance the community.

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)

Working in hospitality helps me understand service, helping out others, enhancing the community

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

2A(2)M



North Bay Village

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1700 Kennedy Causeway, Suite #152 North Bay Village, FL 33141

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

NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Consuelo S. Garcia TELEPHONE # 305-491-3270

MAILING ADDRESS 7521 Center Bay Drive, North Bay Village, FL 33141

VILLAGE RESIDENT: YES NO HOW MANY YEARS 25 yes -

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 COMMUNITY ENHANCEMENT BOARD

ARTS, CULTURAL & SPECIAL EVENTS BOARD PLANNING & ZONING BOARD

BUSINESS DEVELOPMENT ADVISORY COMMITTEE YOUTH SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO *with enough notice -*

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 (SUBMIT COPY OF VOTER REGISTRATION CARD)

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

SERVED ON PREVIOUS YEARS ON THE SAME BOARD I
AM APPLYING FOR:

ALSO SERVED ONE TERM ON THE YOUTH SERVICES
BOARD

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 HAVE WORKED FOR THE ANTERIOR DESIGN BUSINESS INDUSTRY
FOR 15 YEARS -
VERY FAMILIAR WITH MY COMMUNITY -

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

2A(2)N

Penelope Friedland
7500 Miami View Drive
North Bay Island
North Bay Village, FL 33141
Tel: 305-495-4901
Fax: 305-757-0025
Email: penelopefriedland@yahoo.com
www.LuxuryHomesTeam.com

November 4th, 2012

Dear Mayor Kreps, Vice-Mayor Lim & Commissioners,

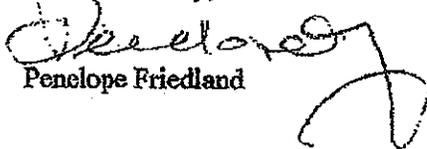
I would like to be considered for the Community Enhancement Board of North Bay Village.

I have served as Chairman on the Community Enhancement Board for the past two years and it has truly been a pleasure. It is clearly evident that the City has taken a much more involved position with our Board and most of our monthly meetings had at least one Commission member present and with helpful input for the board. I believe that through your commitment to our members' suggestions and requests, we have assisted the City in taking some great strides forward.

Now that Phase I of the Enhancement Project has been completed and looks so beautiful, I look forward to working with the City, towards getting Phase II off the ground. It is with this goal in mind that I hope that you will consider my application to continue working with the Community Enhancement Board for the next two (2) years.

The City of North Bay Village is truly a gem and it is important to maintain and enhance its undeniable beauty. For the past nine (9) years, since I became a resident, I have continually served on various boards and my mission has first and foremost been to assist in the City's beautification. I would love to continue to work on the CEB and would consider it an honor to be appointed.

Yours Sincerely,


Penelope Friedland

2A(2)0

OFFICIAL MINUTES

**NORTH BAY VILLAGE
YOUTH & EDUCATION SERVICES BOARD MEETING**

**CAUSEWAY TOWER
1666 KENNEDY CAUSEWAY, 2nd Floor
NORTH BAY VILLAGE, FL 33141**

MAY 20, 2013 – 7:00 P.M.

1. CALL TO ORDER

The meeting was called to order by Kevin Vericker at 7:02 p.m. Present at Roll Call were Chair Kevin Vericker, Vice Chair Alex Funkhouser, Jorge Piedra, Rosa Neely and Ana Fonseca. As a quorum was determined to be present, the meeting commenced.

Also present were Mayor Connie Leon-Kreps, Interim Village Manager Jenice Rosado Records Management Clerk Marie Armand, and Resident Reinaldo Trujillo.

Without objection Item 2B was heard first on the agenda.

2. OLD BUSINESS

B. PRESENTATION ON SEA SCOUTING BY BARRY EKLE

Mr. Barry Ekle made a presentation regarding the Sea Scouting Program for teenagers, and there was discussion about pursuing the program in the Village through sponsorship by private businesses.

A resolution was proposed for the Chair Kevin Vericker to pursue possible sponsors for the program and for Jorge Piedra to find local businesses to accommodate the sailing portion of the program. Their findings will be discussed at the next Board meeting. There was unanimous consent by the Board.

Item 2C was heard next on the agenda.

D. UPDATE ON THE HEALTH CARE SERVICES FOR TIES

The Chair Kevin Vericker provided an update on the program for a nurse and medical assistance for the health program at Treasure Island Elementary School.

Jorge Piedra made a motion to explore the possibility of a health suite for Treasure Island Elementary School as a goal of the Board. Kevin Vericker seconded the motion which was adopted by a unanimous vote. The School Board will be approached regarding this matter.

Sophia Emuriel, Treasure Island Representative, with the Quality Education Committee, will be invited to a Board Meeting to discuss the role of the committee to determine if assistance can be provided to meet some of the needs of the school.

C. FACILITATING A “HOMEWORK CLUB” FOR TIES AFTER SCHOOL

The Chair Kevin Vericker discussed an idea by Benjia Morgenstern of the North Bay Village Optimist for a “Homework Club” where their members would work in conjunction with the Village and volunteer certain number of hours per week tutoring kids at Treasure Island Elementary School, with a possible start date in August. It was suggested that high school students be involved in the program n also.

Item 2A was discussed next on the agenda.

A. INPUT FOR THE RECREATION SERVICES PLAN SCOPE OF SERVICE

Kevin Vericker made a motion approving the following amendment to the proposed scope of services for the Master Recreation Plan as indicated by underlining:

Scope of Services:

The consultant will work under the direction of the Village Manager or designee. The project manager assigned to the Parks and Recreation Master Plan will coordinate with the consultant and representatives of the Youth and Education Services Board and other boards or committees designated by the Village Commission.

Jorge Piedra seconded the motion which was approved by a unanimous vote.

Meetings were scheduled for June 10, 2013 and July 1, 2013 at 7:00 p.m.

At the next meeting, the Board will discuss budget priorities for next year’s youth events.

Member Rosa Neely proposed an idea for a carnival for Treasure Island Elementary School as a reward to the students. She also suggested that a mural of the International Baccalaureate Program (IB) be painted in an area at the school. Discussion ensued about approaching artists and other agencies for this project. Other possible events were discussed such as a Harvest festival, a PEP rally for the FCAT, and having the kids from TIES participate in the official dedication of a plaque of the pelican seabird to Pelican Harbor. It was also noted that the school is in need of musical instruments.

3. **ADJOURNMENT**

The meeting was adjourned at 8:31 P.M.

Respectfully submitted by:
Yvonne P. Hamilton, Village Clerk

Approved by the Youth Services Board
this ___ day of _____.

Kevin Vericker, Chair

(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.)

6/7/13

Good Evening Mayor and Commissioners,

Good news on Village Hall is that the lease with Causeway Tower for the 3rd floor has been fully executed and currently we are working on the logistics to carry out the actual physical movement of equipment and our documents from the Lexi to Causeway Tower later this month. Specifically, in order to facilitate the transition of our operations, we will need to close down Village Hall on Thursday and Friday the 20th and 21st of June in order to allow all of our employees time to pack our offices and we will also need to close Village Hall on Thursday and Friday the 27th and 28th in order to allow us to actually move the furniture and set up our new offices in Causeway tower. If all goes according to plan, we should be fully functioning and open to receive the public at our new facility in Causeway Tower's 3rd floor by Monday July 1st.

I am also working very closely with our department heads and finance director to make sure that we realistically evaluate the Village's needs in order to successfully address them through the budget process. Properly determining our funding needs will allow us to adequately budget for anticipated expenses for the entire fiscal year.

We are also gearing up for our annual 4th of July Celebration which will be held either in Galleon Street or at Treasure Island Elementary school. The event will take place from 1-4 and will feature a multitude of activities and prizes for kids and their family. This event will be hosted by Radio Disney Productions and we also plan on setting up vendor stations for the whole family which will be selling items such as orchids, kettle corn and arts and crafts. We are in need of community volunteers to assist with the event so if you are interested in helping our staff on that day, please contact our Events Coordinator Ms. Ana Deleon.

In closing I would like to advise you that within the next two weeks we will be performing professional cleaning of our storm drains and outfalls. This will greatly reduce flooding throughout the Village.

We are also in the process of revising our Village Circulator Bus route schedule and looking into incorporating routes outside of the City to locations such as Aventura Mall and the design district. This will be increase the usage of our bus by providing a benefit to those residents that wish to take advantage of this new service in the near future. We will need approval from the County to do this and our Legal department is in the process of coordinating this with the County.

We are hopeful and excited that as a team we will continue to move forward with a multitude of projects for the benefit of the Village.

Thank you,

Jenice

7(1)

**CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru April 30, 2013**

General Fund Revenues

Revenues	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Real & Personal Property Taxes	2,887,033	2,485,149	86%	2,907,127	20,094
Franchise Fees	361,500	168,889	47%	389,776	28,276
Utility Service Taxes	430,000	236,884	55%	476,353	46,353
Communication Service Tax	306,049	158,915	52%	314,291	8,242
Licenses & Permits	67,200	27,227	41%	81,719	14,519
Intergovernmental Revenue	701,268	378,743	54%	711,984	10,716
Fines & Forfeitures	72,000	149,930	208%	186,452	114,452
Misc. Revenue	38,500	62,482	162%	97,305	58,805
Charges for Services	49,400	41,146	83%	68,536	19,136
Total Revenues	4,912,950	3,709,364	76%	5,233,543	320,593
Appropriation of Fund Balance	417,367	-		417,367	-
Total Revenues & Balance	5,330,317	3,709,364	70%	5,650,910	320,593

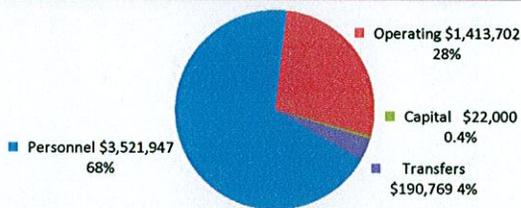
General Fund Expenditures

Expenditures	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
City Commission Department	66,967	33,013	49%	61,058	5,909
City Manager Department	261,086	188,598	72%	245,265	15,821
City Clerk Department	148,721	85,588	58%	147,643	1,078
Finance Department	134,477	73,932	55%	120,579	13,898
Legal Services Department	262,750	306,949	117%	472,051	(209,301)
General Government Department	1,013,570	520,408	51%	1,088,603	(75,033)
Police Department	3,182,367	1,909,091	60%	3,372,775	(190,408)
Recreation / Human Svces Dept.	69,609	46,814	67%	66,376	3,233
Transfer to After School & Summer	19,938	11,631	58%	13,973	5,965
Transfer to Street Mtnce Fund	115,583	67,423	58%	186,939	(71,356)
Transfer to Transportation Fund	55,248	32,228	58%	55,248	-
Total Expenditures	5,330,316	\$ 3,275,676	61%	5,830,510	(500,194)

NET DIFFERENCE REVENUE/EXPENSE

(179,601)

General Fund Expense Allocation Annual Budget



Summary

1 - Bank reconciliation current through:	3/31/2013
2- Financial statements reconciled through:	4/30/2013
3- Status of grants reporting:	Current
4- Journal entry postings through	4/30/2013
have been reviewed by management or designee.	

Cash Position

Repo - 3417	4,668,135
FF - 3420	511,495
UTD - 3407	349,871
StateF - 1111	37,482
Checking 3406	1,577
SBA	83,496
Cstate 4747	218,723
Cstate 7287	40,208
Proj Fund 0190CK	94
Proj Fund 0100 Repo	376,204
	6,287,285

8(1)

**CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru April 30, 2013**

UTILITY FUNDS

Revenues	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Water & Sewer Revenues	2,800,000	1,798,207	64%	3,082,640	282,640
Sanitation Revenue	1,500,000	881,945	59%	1,511,906	11,906
Service & Late Fees	70,000	59,381	85%	101,796	31,796
Other Revenue	4,000	3,986	100%	5,515	1,515
Total Revenues	4,374,000	2,743,519	63%	4,701,857	327,857

Expenditures	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Utilities Administration	1,205,825	596,517	49%	1,237,803	(31,978)
Water Department Expenditures	760,486	273,912	36%	734,139	26,347
Sewer Department Expenditures	991,065	664,957	67%	1,198,425	(207,360)
Sanitation Expenditures	780,485	444,048	57%	799,386	(18,901)
Transfer to Water Imprvmnts	50,000	29,167	58%	50,000	-
Transfer to Sanitation Impv. Fund	63,000	36,750	58%	63,000	-
Transfer to Sewer Imprvmnts	239,159	139,509	58%	239,159	-
Total Expenditures	4,090,020	2,184,860	53%	4,321,912	(231,891)

NET DIFFERENCE REVENUE/EXPENSE **95,966**

Stormwater Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	115,000	73,041	64%	125,212	10,212
Appropriation of Fund Balance	85,050	-	0%	85,050	-
Total Revenues	200,050	73,041	37%	210,262	10,212
Total Expenses	200,050	17,283	9%	177,660	22,390

NET DIFFERENCE REVENUE/EXPENSE **32,602**

CAPITAL

Capital Project Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues (FIND Grants)	160,148	1,730	1.1%	160,148	-
Appropriation of Fund Balance	1,000,000	-	0%	1,000,000	-
Transfer from Park fund	160,148	-	-	160,148	-
Total Revenues	1,320,296	1,730	0%	1,320,296	-
Total Expenses	1,320,836	406,576	31%	1,320,836	-

Water Improvements	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-	-	-
Transfer from Utility Fund	50,000	29,167	58%	50,000	-
Total Revenues	50,000	29,167	58%	50,000	-
Total Expenses	50,000	-	0%	50,000	-

Sewer Improvements	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues (Loan/Debt Proceeds)	240,000	8	0%	240,014	14
Transfer from Utility Fund	239,159	139,509	58%	239,159	-
Total Revenues	479,159	139,518	29%	479,173	14
Total Expenses	479,159	111,499	23%	709,159	(230,000)

Sanitation Improvements	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-	-	-
Transfer from Utility Fund	63,000	36,750	58%	63,000	-
Total Revenues	63,000	36,750	58%	63,000	-
Total Expenses	63,000	-	0%	63,000	-

8(2)

CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru April 30, 2013

STREET MAINTENANCE FUND - LOCAL OPTION GAS TAX

Street Maintenance Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	115,255	55,280	48%	110,565	(4,690)
Transfer from General Fund	115,583	67,423	58%	186,939	71,356
Total Revenues	230,838	122,703	53%	297,505	66,667
Total Expenses	230,838	171,965	74%	297,505	(66,667)

TRANSPORTATION FUND - CITT

Transportation Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	225,000	128,181	57%	256,362	31,362
Transfer from General Fund	55,248	32,228	58%	55,248	-
Appropriation of Fund Balance	-	-	-	-	-
Total Revenues	280,248	160,409	57%	311,610	31,362
Total Expenses	217,146	53,837	25%	113,427	103,719

BUILDING FUND

Building Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues - Permits	163,000	260,803	160%	325,012	162,012
Other Revenues	37,000	20,443	55%	35,046	(1,954)
Total Revenues	200,000	281,246	141%	360,057	160,057
Total Expenses	197,457	246,608	125%	345,439	(147,982)

DEBT SERVICE FUND

Debt Service Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	746,657	655,927	88%	746,657	-
Total Revenues & Carryover	746,657	655,927	88%	746,657	-
Total Expenses	668,672	245,049	37%	668,672	-

AFTER SCHOOL & SUMMER CAMP

After School & Summer Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	134,718	52,883	39%	133,746	(972)
Transfer from General Fund	19,938	11,631	58%	13,973	(5,965)
Total Revenues	154,656	64,513	42%	147,719	(6,937)
Total Expenses	154,657	49,219	32%	147,719	6,938

STATE FORFEITURE FUND

State Forfeiture Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	26,530	-	26,500	26,500
Total Revenues	-	26,530	-	26,500	26,500
Total Expenses	-	724	-	1,241	(1,241)

STATE FORFEITURE FUND Projected YEAR END FUND BALANCE **29,181**

FEDERAL FORFEITURE FUND

Federal Forfeiture Fund	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	52,462	-	68,948	68,948
Total Revenues	-	52,462	-	68,948	68,948
Total Expenses	601,900	297,543	49%	491,698	110,202

FEDERAL FORFEITURE FUND Projected YEAR END FUND BALANCE **122,278**

PARKS IMPROVEMENT FUND

PARKS IMPROVEMENT FUND	Budget	April Year-to-Date	April Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-	-	-
Total Revenues	-	-	-	-	-
Total Expenses	167,918	-	-	167,918	-

PARKS IMPROVEMENT FUND Projected YEAR END FUND BALANCE **174,466**

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North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: May 30, 2013

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

RECOMMENDED BY: Rodney Carreo-Santana
Interim Public Works Director

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Florida Department of Transportation Maintenance Agreement-
Turf and Landscaped Areas on the 79th Street Causeway

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Resolution and authorize the appropriate Village Officials to execute the attached agreement with the Florida Department of Transportation (FDOT) for maintenance of the turf and landscaped areas on the 79th Street Causeway in the Village.

North Bay Village entered into a one-year Turf and Landscape Maintenance Joint Participation Agreement (the "Agreement") with Florida Department of Transportation in September, 2011 to provide landscape maintenance on the FDOT right-of-way from the Intracoastal Waterway on the west to the eastern Village limits of State Road 934 (79th Street Causeway). The original Agreement provided an option for two one-year renewals. A one-year renewal of the Agreement between FDOT and the Village was approved by the Village Commission on July 10, 2012. That renewal will expire on September 30, 2013.

10A(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

MEMO TO VILLAGE COMMISSION

May 8, 2013

PAGE 2 OF 2

The attached Resolution will approve the second one-year renewal of the Agreement, with the same terms and conditions of the original agreement.

The limits of maintenance include cutting the grass and removing debris from all of the FDOT turfed and/or landscaped areas.

Florida Department of Transportation reimburses the Village an annual fee of \$5,294.03 for this service.

FINANCIAL/BUDGETARY IMPACT:

There will no cost to the Village under this agreement since the annual amount of \$5,295.03 for the cost of the service will be provided by FDOT. These funds will be placed in the 01.000.331.3312, FDOT Account.

PERSONNEL IMPACT:

No additional personnel are required for maintaining the FDOT areas.

CONTACT:

Jenice Rosado, Interim Village Manager

Rodney Corroero-Santana, Interim Public Works Director



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: May 17, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Jenice Rosado
Interim 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 RENEWAL OF A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY AND PROVIDING FOR COMPENSATION TO THE VILLAGE FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

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

JR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

10A(3)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE RENEWAL OF A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY AND PROVIDING FOR COMPENSATION TO THE VILLAGE FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

WHEREAS, the Village has continually maintained roadside areas, median strips and right-of-way areas included as part of the State Highway System on State Road 934, also referred to as the 79th Street Causeway, from the Intracoastal Waterway as boundary on the west to the eastern Village limits; and

WHEREAS, on September 20, 2011, the Village Commission approved Resolution No. 2011-39 approving a one-year “Turf and Landscape Maintenance Joint Participation Agreement Between the Florida Department of Transportation and North Bay Village” (the “Agreement”); and

WHEREAS, on July 10, 2012, the Village Commission approved the first of two one-year renewal options in the Agreement; and

WHEREAS, the Village and the Florida Department of Transportation (“FDOT”) wish to renew the Agreement for a period of one year effective October 1, 2013 through September 30, 2014 for continued maintenance of the turf and landscaped areas on the 79th Street Causeway, pursuant to the “Contract Renewal” a copy of which is attached hereto as Exhibit “1”; and

WHEREAS, FDOT agrees to compensate the Village in an annual amount of Five Thousand Two Hundred Ninety-Four Dollars and Three Cents (\$5,294.03) to be paid on a quarterly basis for the Village’s performance of maintaining the turf and landscaped areas on the 79th Street Causeway.

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. Approval of Agreement. The Contract Renewal between North Bay Village and the Florida Department of Transportation for turf and landscape maintenance attached hereto as Exhibit "1", is hereby approved.

Section 3. Authorization of Village Officials. The Village Manager is authorized to take all actions necessary to implement the terms and conditions of the Renewal Agreement.

Section 4. Execution of Agreement. The Village Manager is authorized to execute the Renewal Agreement and any extensions thereto on behalf of the Village subject to the approval as to form and legality by the Village Attorney.

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

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____.

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this ___ day of June 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton
Village Clerk

IDA(5)

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

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Resolution: Florida Department of Transportation Turf and Landscape Agreement/2013-2014



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172

ANANTH PRASAD, P.E.
SECRETARY

May 6, 2013

Ms. Jenice Rosado, Interim City Manager
City of North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141

RE: Turf and Landscape Maintenance Joint Participation Agreement
Contract No.: **AQE 94**
Financial No.: **252473-2-78-01**

Subject: RENEWAL# 2

Dear Ms. Rosado :

The Agreement referenced above will expire on September 30th, 2013. The Department wishes to renew this agreement for a period of one year, starting on October 1st, 2013, and ending on September 30th, 2014. If the City agrees on this renewal, enclosed are two (2) new contract renewal documents to execute. Please leave the date blank on the first page and return the executed documents back to the Department before June 6th, 2013.

Should you have any questions concerning this agreement, please contact me at telephone number (305) 470-5426.

Sincerely,

Shany Ianotti
Project Manager Assistant

cc: R. Marrero, K. Al-Said, A. Perez, file.

10A(7)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CONTRACT RENEWAL

375-020-23
CONTRACTS ADMINISTRATION
OGC - 0405

Contract No.: AQE94 Renewal: (1st, 2nd, etc.) 2nd
Financial Project No(s): 252473-2-78-01
County(ies): Miami-Dade

This Agreement made and entered into this _____ day of _____, by and between the State of Florida Department of Transportation, hereinafter called "Department", and City of North Bay Village hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on this 30th day of September, 2011 entered into an Agreement whereby the Department retained the Contractor to perform Maintenance of all Landscape and/or turfed areas within the Department's Right of Way, having the limits described on Exhibit "B" of the original contract.

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 1 day of October, 2013 and ending the 30 day of September, 2014 at a cost of \$ 5,294.03

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

City of North Bay Village
Name of Contractor

Contractor Name and Title

BY: _____
Authorized Signature

Name of Surety

City State

By: _____
Florida Licensed Insurance Agent or Attorney-In-Fact (Signature) Date

Countersigned: _____
Florida Licensed Insurance Agent Date

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
District Secretary or Designee (Signature)

Title: _____

Legal: _____

Fiscal: _____
Approval as to Availability of Funds

10A(8)

Contract No: AQE94
Financial Project No(s): 252473-2-78-01
Project Description: Turf and Landscape Maintenance Joint Participation Agreement.

Vendor/Consultant acknowledges and agrees to the following:

Vendor/Consultant :

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Consultant during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Company/Firm: City of North Bay Village

Authorized Signature: _____

Title: _____

Date: _____

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**TURF AND LANDSCAPE MAINTENANCE
JOINT PARTICIPATION AGREEMENT
BETWEEN THE
FLORIDA DEPARTMENT OF TRANSPORTATION
AND THE
CITY OF NORTH BAY VILLAGE**

This Agreement, is made and entered into this 30th day of September, 2011, by and between the State of Florida Department of Transportation, a component agency of the State of Florida, hereinafter referred to as the 'DEPARTMENT', and the City of North Bay Village, a municipal corporation of the State of Florida, existing under the Laws of the State of Florida, hereinafter referred to as the 'CITY'.

RECITALS:

WHEREAS, the DEPARTMENT has jurisdiction and maintains the State Road (S.R.) 934/Kennedy Causeway corridor in the CITY; and

WHEREAS, the DEPARTMENT, as part of the continual updating of the State of Florida Highway System and for the purpose of safety, has created roadside areas and median strips on the State Highway System within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT, at the CITY's request, has agreed to reimburse the CITY for the maintenance of turf and landscape, hereinafter referred to as the 'PROJECT', and

WHEREAS, the CITY recognizes that said median strips and roadside areas contain turf and landscape, which shall be maintained in accordance with Exhibit "A", 'Maintenance Responsibilities', which is herein incorporated by reference; and

WHEREAS, the DEPARTMENT has programmed funding for the PROJECT under Financial Project Number 252473-2-78-01, and has agreed to reimburse the CITY for turf and landscape maintenance elements which are outlined in the attached Exhibit "B", 'Project Limits & Financial Summary', which is herein incorporated by reference; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to Section 339.08(e) and 339.12, Florida Statutes (F.S.);

NOW, THEREFORE, in consideration of the premises, the mutual covenants and other valuable considerations contained herein, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

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1. INCORPORATION OF RECITALS

The foregoing recitals are true and correct and are incorporated into the body of this Agreement, as if fully set forth herein.

2. GENERAL REQUIREMENTS

- a. The CITY shall submit this Agreement to its CITY Commission for ratification or approval by resolution. A copy of said resolution is attached hereto as Exhibit "C", 'City of North Bay Village's Resolution', and is herein incorporated by reference.
- b. The CITY:
 - i. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the CITY during the term of this Agreement; and
 - ii. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Agreement term.
- c. The CITY shall not commence the PROJECT until a Notice to Proceed has been provided from the DEPARTMENT, which shall become the effective date of this Agreement and shall not precede the date provided on page one (1) of the Agreement.
- d. The CITY shall be responsible for the maintenance of all areas that have turf and landscape within the DEPARTMENT's right-of-way as described in Exhibit "A", 'Maintenance Responsibilities'.
- e. The CITY shall be responsible for performing the required maintenance with a minimum frequency of twelve (12) times per year.
- f. All turf and landscape maintenance shall be in accordance with the latest edition of the State of Florida "Guide for Roadside Mowing" and the latest edition of the "Maintenance Rating Program".
- g. The CITY shall submit a work schedule to the DEPARTMENT. In addition, before the CITY starts the work, the DEPARTMENT shall be notified, via fax, of the state road(s) and the day(s) in which the CITY will be working. The fax shall be sent to the attention of the North Miami-Dade Maintenance Engineer, at 305-640-7197.
- h. The CITY shall not be responsible for the clean-up, removal and disposal of

10A(10)A

working days to inspect and approve the goods and services. The DEPARTMENT has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved.

- h. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to **Section 55.03(1), F.S.**, will be due and payable, in addition to the invoice amount, to the CITY. Interest penalties of less than one (1) dollar will not be enforced unless the CITY requests payment. Invoices have to be returned to the CITY because of CITY preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the DEPARTMENT.
- i. A Vendor Ombudsman has been established within the Department of Financial Services. The Duties of this individual include acting as an advocate for the CITY who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at 850-413-5516.
- j. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the DEPARTMENT at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the DEPARTMENT upon request. Records of costs incurred include the CITY's general accounting records and the project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the project, and all other records of the contractor and subcontractors considered necessary by the DEPARTMENT for a proper audit of costs.
- k. In the event this contract is for services in excess of \$25,000.00 and a term for a period of more than 1 year, the provisions of **Section 339.135(6)(a), F.S.**, are hereby incorporated:

“The DEPARTMENT, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The DEPARTMENT shall require a statement from the Comptroller of the DEPARTMENT that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the DEPARTMENT which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and which have a term for a period of more than 1 year.”

debris from the DEPARTMENT's right of way following a natural disaster (i.e. hurricane, tornados, etc.). However, the cost of any cycle or part thereof impaired by any such event may be deducted from the DEPARTMENT's affected quarterly payment to the CITY.

- i. It is understood between the parties hereto that all the landscaping covered by this Agreement may be removed, relocated or adjusted at any time in the future as found necessary by the DEPARTMENT in order that the adjacent state road be widened, altered or otherwise changed and maintained to meet with future criteria or planning of the DEPARTMENT.

3. FINANCIAL PROVISIONS

- a. Eligible PROJECT costs may not exceed FIVE THOUSAND TWO HUNDRED NINETY FOUR DOLLARS AND THREE CENTS (\$5,294.03), as outlined in Exhibit "B", 'Project Limits & Financial Summary'.
- b. The DEPARTMENT agrees to pay the CITY for the herein described services at a compensation as detailed in this Agreement.
- c. The CITY shall provide the following quantifiable, measurable and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. Said deliverables consists of:
 - i. Mowing Small Machine
 - ii. Edging & Sweeping
 - iii. Landscape Maintenance
 - iv. Litter Removal
- d. Invoices shall be submitted by the CITY in detail sufficient for a proper pre-audit and post audit thereof, based on the quantifiable, measurable and verifiable units of deliverables as established in Section c above and Exhibit "B". Deliverables must be received and accepted in writing by the DEPARTMENT's Project Manager prior to payments.
- e. Supporting documentation must establish that the deliverables were received and accepted in writing by the CITY and that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in Section c has been met.
- f. Travel costs will not be reimbursed.
- g. The CITY providing goods and services to the DEPARTMENT should be aware of the following time frames. Upon receipt, the DEPARTMENT has five (5)

IDA(12)

1. The DEPARTMENT's obligation to pay is contingent upon an annual appropriation by the Florida Legislature.

4. COMMUNICATIONS

- a. All notices, requests, demands, consents, approvals and other communications which are required to be served or given hereunder, shall be in writing and hand-delivered or sent by either registered or certified U.S. mail , return receipt requested, postage prepaid, addressed to the party to receive such notices as follows:

To DEPARTMENT: Florida Department of Transportation
1000 NW 111th Avenue, Room 6205
Miami, FL 33172-5800
Attention: District Maintenance Engineer

To CITY: City of North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141
Attention: Robert Daniels, Interim City Manager

5. INVOICING

- a. The CITY shall submit quarterly invoices for DEPARTMENT review, approval, and payment in accordance with this Agreement. Quarterly payments will be made upon invoice approval in an amount not to exceed one fourth of the eligible PROJECT costs. All costs charged to the PROJECT, including any approved services contributed by the CITY or others, shall be supported by properly executed payroll, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.
- b. In the event temporary work by the DEPARTMENT's forces or by other Contractors temporarily prevent the CITY from performing the work described in this Agreement, the DEPARTMENT shall deduct from the affected quarterly payment(s) the acreage affected area and only compensate the CITY for the actual work it performs.
 - i. The DEPARTMENT shall initiate this procedure only if the temporary work prevents the CITY from performing it work for a period of one (1) month or longer.
- c. In the event this Agreement is terminated as established in Section 8 herein, no payment will be prorated for the quarter in which termination occurs.

6. MAINTENANCE DEFICIENCIES

If the District Maintenance Engineer determines that the CITY is not accomplishing its

responsibilities under this Agreement, said District Maintenance Engineer may issue written notice, in care of the CITY on notice thereof. Thereafter, the CITY shall have a period of thirty (30) calendar days within which to correct the cited deficiency or deficiencies. If said deficiencies are not corrected within this time period the DEPARTMENT may, at its option, proceed as follows:

- a. Maintain the median or roadside area(s) declared deficient with DEPARTMENT and/or a Contractor's material, equipment and personnel. The actual cost for such work will be deducted from the DEPARTMENT's affected quarterly payment to the CITY; or
- b. Terminate this Agreement.

7. EXPIRATION/RENEWAL

This Agreement is for a term of one (1) year beginning on the date provide in the Notice to Proceed; and may be renewed twice, only if mutually agreed to in writing by the DEPARTMENT and the CITY. Any such renewal shall be subject to the same terms and conditions set forth in this Agreement, and shall be contingent upon both satisfactory CITY performance evaluations by the DEPARTMENT and the availability of funds.

This Agreement may be extended if mutually agreed in writing by both parties, for a period not to exceed six (6) months and shall be subject to the same terms and conditions set forth in this Agreement. There shall be only one (1) extension of this Agreement.

8. TERMINATION

This Agreement, or part hereof, is subject to termination under any one of the following conditions:

- a. In the event the DEPARTMENT exercises the option identified by Section 6 of this Agreement.
- b. As mutually agreed by both parties.
- c. In accordance with **Section 287.058(1)(c)**, F.S., the DEPARTMENT shall reserve the right to unilaterally cancel this Agreement if the CITY refuses to allow public access to any or all documents, papers, letters, or other materials made or received by the CITY pertinent to this Agreement which are subject to provisions of Chapter 119, of the F.S.

9. ENTIRE AGREEMENT

This Joint Participation Agreement is the entire Agreement between the parties hereto, and it may be modified or amended only by mutual consent of the parties in writing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the day and year above written.

CITY OF NORTH BAY VILLAGE:

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION:

BY: [Signature]
CITY MAYOR

BY: [Signature]
DISTRICT SECRETARY

ATTEST: [Signature]
(SEAL) CITY CLERK

ATTEST: [Signature]
(SEAL) EXECUTIVE SECRETARY

LEGAL REVIEW:

[Signature]
CITY ATTORNEY

[Signature]
DISTRICT CHIEF COUNSEL

DA(15)

Exhibit "A"

Maintenance Responsibilities

The CITY shall be responsible for the maintenance of all turf and landscape areas within the DEPARTMENT's right of way on S.R. 934/Kennedy Causeway, as described below:

- a. Mow, cut and/or trim, and edge the grass or turf in accordance with the latest edition of the State of Florida "Guide for Roadside Mowing" and the latest edition of the "Maintenance Rating Program".
- b. Properly prune all plants, which include, but not limited to, plant and tree trimmings, in accordance with the latest edition of the "Maintenance Rating Program". Pruning such parts thereof which may present a visual or other safety hazard for those using or intending to use the right-of-way.
- c. Remove and properly dispose of litter from roadside and median strips.
- d. Remove and properly dispose of dead, diseased or otherwise deteriorated plants in their entirety.
- e. All work by the CITY shall be executed on the roadway under a traffic control plan in accordance with DEPARTMENT's latest edition of the "FDOT Design Standards".

FDOT Financial Project Number: 252473-2-78-01

County: Miami-Dade

FDOT Project Manager: Guy Gladson, P.E. 305-640-7197

CITY Project Manager: Robert Daniels, Interim City Manager

10A(16)

Exhibit "B"
Project Limits & Financial Summary

Below are the PROJECT limits and acreage of the areas to be maintained by the CITY under this Agreement.

STATE ROAD	ROAD NAME	FROM	TO
934	Kennedy Causeway	Intercoastal Waterway	West City Limits
934	Kennedy Causeway	West City Limits	East City Limits

Item Description	Quantity (AC)	# Cycles	Total Agreement (AC)	D6 AVG PRICE (1 yr)	D6 TOTAL (1yr)
Mowing Small Machine (E104 4 3)	0.301	12	3.61	\$ 245.00	\$ 884.45
Edging & Sweeping (E 110 32 1)	0.24	12	2.88	\$ 323.25	\$ 930.96
Landscape Maintenance (E580 3 2)	0.105	12	1.26	\$ 449.49	\$ 566.36
Litter Removal (E110 30)	0.406	24	9.74	\$ 299.00	\$ 2,912.26
					\$ 5,294.03

TOTAL ANNUAL AMOUNT ELIGIBLE FOR REIMBURSEMENT: \$ 5,294.03

10A(17)

Exhibit "C"
City of North Bay Village's Resolution

To be herein incorporated once approved by the CITY Commission.

10A(18)

RESOLUTION NO. 2011-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY AND PROVIDING FOR COMPENSATION TO THE CITY FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*

WHEREAS, the City has continually maintained roadside areas, median strips and right-of-way areas included as part of the State Highway System on State Road 934, also referred to as the 79th Street Causeway, from the Intracoastal Waterway as boundary on the west to the eastern city limits; and

WHEREAS, the City and the Department of Transportation wish to enter into a new agreement for a period of one year effective October 1, 2011 through September 30, 2012 for continued maintenance of the turf and landscaped areas; and

WHEREAS, Florida Department of Transportation agrees to compensate the City in an annual amount of Five Thousand Two Hundred Ninety-Four Dollars and Three Cents (\$5,294.03) to be paid on a quarterly basis for the City's performance of maintaining the turf and landscaped areas on the 79th Street Causeway.

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

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

Section 2. Approval Agreement. The Agreement between the City of North Bay Village and the Florida Department of Transportation for turf and landscape maintenance is hereby approved, a copy of which is attached hereto as Exhibit 1.

Section 3. Authorization of City Officials. The City Manager is authorized to take all actions necessary to implement the terms and conditions of the agreement. For purposes of this Resolution, references to the City Manager shall include the Interim City Manager.

Section 4. Execution of Agreement. The City Manager is authorized to execute the agreement on behalf of the City subject to the approval as to form and legality by the City Attorney.

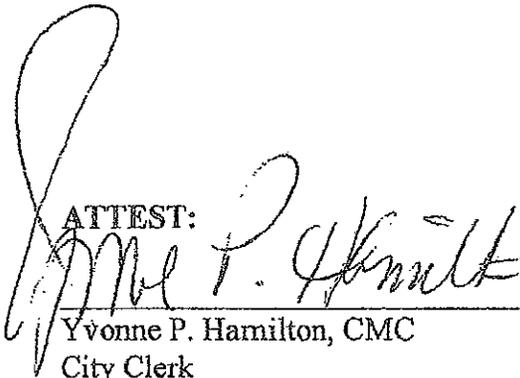
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Mayor Corina S. Esquijarosa, seconded by Vice Mayor Connie Leon-Kreps.

FINAL VOTE AT ADOPTION:

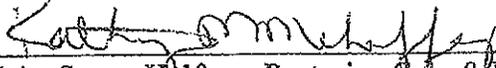
Mayor Corina S. Esquijarosa	<u>Yes</u>
Vice Mayor Connie Leon-Kreps	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>
Commissioner Frank Rodriguez	<u>Yes</u>
Commissioner Paul Vogel	<u>Absent</u>

PASSED AND ADOPTED this 20th day of September, 2011.

ATTEST:

Yvonne P. Hamilton, CMC
City Clerk


Corina S. Esquijarosa, Mayor

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



Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.
City Attorney

City of North Bay Village Resolution: Florida Department of Transportation Turf and Landscape Agreement/2011-2012

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE RENEWAL OF A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY AND PROVIDING FOR COMPENSATION TO THE CITY FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY)

WHEREAS, the City has continually maintained roadside areas, median strips and right-of-way areas included as part of the State Highway System on State Road 934, also referred to as the 79th Street Causeway, from the Intracoastal Waterway as boundary on the west to the eastern city limits; and

WHEREAS, on September 20, 2011, the City Commission approved Resolution No. 2011-39 approving a "Turf and Landscape Maintenance Joint Participation Agreement Between the Florida Department of Transportation and the City of North Bay Village" (the "Agreement"), which Agreement is scheduled to expire on September 30, 2012; and

WHEREAS, the City and the Florida Department of Transportation ("FDOT") wish to renew the Agreement (the "Renewal Agreement") for a period of one year effective October 1, 2012 through September 30, 2013 for continued maintenance of the turf and landscaped areas on the 79th Street Causeway, a copy of which is attached hereto as Exhibit "2"; and

WHEREAS, FDOT agrees to compensate the City in an annual amount of Five Thousand Two Hundred Ninety-Four Dollars and Three Cents (\$5,294.03) to be paid on a quarterly basis for the City's performance of maintaining the turf and landscaped areas on the 79th Street Causeway.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY 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. Approval of Agreement. The Renewal Agreement between the City of North Bay Village and the Florida Department of Transportation for turf and landscape maintenance attached hereto as Exhibit "2", is hereby approved.

Section 3. Authorization of City Officials. The City Manager is authorized to take all actions necessary to implement the terms and conditions of the Renewal Agreement.

Section 4. Execution of Agreement. The City Manager is authorized to execute the Renewal Agreement on behalf of the City subject to the approval as to form and legality by the City Attorney.

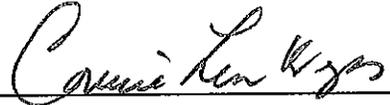
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Stuart Blumberg, seconded by Mayor Connie Leon-Kreps.

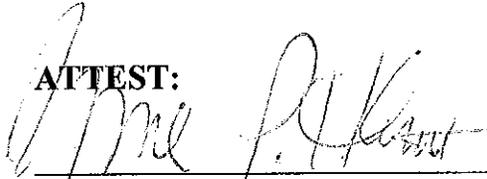
FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this 10th day of July, 2012.



Connie Leon-Kreps
Mayor

ATTEST:


Yvonne P. Hamilton
City Clerk

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



Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

City of North Bay Village Resolution: Florida Department of Transportation Turf and Landscape Agreement/2012-2013



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: April 23, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:
Mayor Connie Leon Kreps

PRESENTED BY STAFF: 
Jenice Rosado
Interim Village Manager

SUBJECT: Exempt Employee pay for Tropical Storm / Hurricane and General
Emergency Disasters

RECOMMENDATION:

It is recommended that the Village Commission approve the attached resolution setting policies and pay rates for employees for hours worked during emergencies including but not limited to tropical storms, hurricanes and general disasters.

BACKGROUND:

Normally, during instances such as hurricanes, tropical storms and other public emergencies, the Village Manager is involved in continuous monitoring of the situation at hand with agencies such as the Division of Emergency Management. It is through the decisions and discussions established as a result of these communications, that the Village Manger comes to the decision to cease normal Village operations (close Village Hall) and the Village begins to function under emergency operations mode with essential personnel in place if need be.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

10B(1)
Commissioner
Jorge Gonzalez

It is imperative that we establish a payment policy for employees including salaried employees who are essential during these critical times who must remain working in order to ensure that Village residents and certain critical operations remain functioning (see Policy attached). If these payment policies are in place before the onset of the disaster, \ the extra pay for the employees is considered eligible for reimbursement to the Village through FEMA. The details of the policy for emergency situations are detailed in the attached resolution 2013-. The policy will be incorporated into the Village's Personnel Policies and Procedures Manual adopted on September 18, 2012.

FINANCIAL IMPACT:

The cost of overtime during a declared emergency event is an eligible expense for FEMA reimbursement if the Village has union contracts or personnel policies approved before the event. This policy would include exempt employees.

BUDGETARY IMPACT (Finance Dept):

None

PERSONNEL IMPACT:

All employees, including salaried employees, will be fairly and adequately compensated for work performed during Emergency Situations.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

108(2)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: May 17, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Jenice Rosado
Interim 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, INCORPORATING A PUBLIC EMERGENCY POLICY INTO THE VILLAGE'S PERSONNEL POLICIES AND PROCEDURES MANUAL DATED SEPTEMBER 18, 2012 PROVIDING THE METHOD AND AMOUNT OF COMPENSATION TO BE PAID TO VILLAGE EMPLOYEES DURING A PUBLIC EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

JR:yph

10B(3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, INCORPORATING A PUBLIC EMERGENCY POLICY INTO THE VILLAGE'S PERSONNEL POLICIES AND PROCEDURES MANUAL DATED SEPTEMBER 18, 2012 PROVIDING THE METHOD AND AMOUNT OF COMPENSATION TO BE PAID TO VILLAGE EMPLOYEES DURING A PUBLIC EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

WHEREAS, it is essential to preserve continuity of government and maintain North Bay Village's essential operations before, during and after a Public Emergency; and

WHEREAS, it is crucial that Village employees be available for the continuity of government and to maintain the Village's essential operations before, during and after a Public Emergency; and

WHEREAS, the Village finds that it is in the best interest of its employees to establish a policy describing the method and amount of compensation to be paid to the Village employees during a Public Emergency; and

WHEREAS, the Village Commission desires to amend the Village's Personnel Policies and Procedures Manual dated September 18, 2012, to incorporate this policy as Chapter 3.17 "Public Emergency Policy"; and

WHEREAS, the Public Emergency Policy is required to facilitate the accounting for and payment to the Village's employees during a Public Emergency.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY NORTH BAY VILLAGE, FLORIDA AS FOLLOWS:

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

10B(4)

Section 2. Public Emergency Policy. The Public Emergency Policy is hereby created and adopted and shall be incorporated into the Village's Personnel Policies and Procedures Manual dated September 18, 2012 as follows:

SECTION 3.17. PUBLIC EMERGENCY POLICY

1. Definitions

- a. Public Emergency: Any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property. For the purpose of this Resolution, the Village Manager or designee may declare a public emergency within the Village with or without a declaration of a State of Emergency.
- b. Emergency Leave: Time off with pay granted to all Village employees once the Village Manager or designee ceases normal Village operations due to a public emergency. Emergency Leave applies only to an employee's regular work hours during the time that the Village Manager or designee has ceased normal Village operations.
- c. Authorized Employee: An employee approved to do Emergency Response Work and/or to staff the Emergency Operations Center once the Village Manager or designee has ceased the normal operations of the Village due to a public emergency. Authorization for the employee to work under emergency situations will be directly provided to the employees by their supervisor/department head or the Village Manager.

10B(5)

- d. Emergency Response Work: Work performed by an Authorized Employee during the time that the Village Manager or designee ceases normal Village operations due to a public emergency.

2. Employee Responsibility

- a. All employees questioning their designation and responsibilities during an Emergency Leave shall contact their Supervisor or Department Director to confirm their duties and responsibilities and the fulfillment of such duties and responsibilities.

3. Pay Policies

- a. All employees, including the Village Manager, are entitled to receive full pay during the time that the Village Manager or designee has ceased Village operations and has authorized Emergency Leave whether or not they work.
 - 1. Employees who do not work during an Emergency Leave will receive their regular compensation.
 - 2. An Authorized Employee who performs Emergency Response Work will receive additional compensation for actual hours worked.

4. Compensation

- a. Compensation for Authorized Employees who perform Emergency Response Work will be as follows:

10B(6)

1. Non-exempt/ non union employees will be compensated at two times their regular hourly rate for all hours actually worked. All overtime hours worked during this time will also be compensated at two times an employee's regular hourly rate.
2. Non-exempt / union employees will be compensated at the rates established per their respective union contracts.
3. Exempt employees, including the Village Manager, will be compensated at two times their regular hourly rate for all hours actually worked. All overtime hours worked during this time will also be compensated at two times an employee's regular hourly rate. An exempt employee's hourly rate will be calculated by dividing an employee's annual salary by fifty-two and then dividing by forty.
4. If an employee, for any reason, does not report to work when the Village resumes normal operations and Emergency Leave is no longer in effect, that employee will utilize accrued leave, in accordance with the Employee Policies and Procedures. In the absence of accrued leave, the employee will take leave without pay. It is the responsibility of all employees to notify his or her Supervisor or Department Director if he or she is unable to report to work.

5. Timesheets

- a. Detailed timesheets for all employees must be submitted to the Finance Department- via ADP to account for all hours worked. For hours worked as “Emergency” the employee will be required to attach to their ADP timesheet a written statement from their supervisor / department director authorizing the work of those emergency hours and the employee must also detail the work performed on each “emergency” work day in the “comments” section of their electronic ADP timesheet.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion to adopt by _____ seconded by _____.

PASSED AND ADOPTED THIS _____ DAY OF _____ 2013.

FINAL VOTE AT ADOPTION

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

CONNIE LEON-KREPS, MAYOR

ATTEST:

VILLAGE CLERK, CMC

10B(8)

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF NORTH BAY VILLAGE, FLORIDA

WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.L.
VILLAGE ATTORNEY

North Bay Village Resolution: Public Emergency Pay Policy



Exempt or Salaried Non-Exempt Employee Overtime

Appeal Brief | [Appeal Letter](#) | [Back](#)

Second Appeal Brief

FEMA3216-EM-

PA ID# 303-45000-00; City of Lubbock

PW ID# Project Worksheet 303; Exempt or Salaried Non-Exempt Employee Overtime

10/23/2007

Citation: FEMA-3216-EM-TX, City of Lubbock, PW 303

Summary:As a result of Hurricane Katrina, residents of several Gulf Coast communities were evacuated to the City of Lubbock (Applicant), Texas, and were provided temporary shelter at the Reese Technology Center Complex and the Lubbock Coliseum. PW 303 was written to reflect the costs for labor, equipment, materials associated with the sheltering operations from September 2, 2005, to October 16, 2005. FEMA determined that \$71,161 in overtime pay and fringe benefits for exempt employees during sheltering operations were ineligible, since there was no published overtime policy in effect prior to the event. The Applicant's first appeal contained a copy of an interoffice memorandum issued by the Applicant's City Manager, dated September 8, 2005, titled "Overtime Pay Related to Emergency Declaration-Salaried Non-Exempt and Exempt Employees." The memo describes the authorization of overtime to these employees as "temporary change in policy." FEMA denied the appeal because the Applicant failed to demonstrate that the overtime policy for exempt employees was in effect prior to the event. The Applicant stated in its second appeal that it was "during the ongoing needs of Katrina the Applicant evaluated the need for a policy..." The Applicant states that the September 8, 2005, memorandum was meant to explain the policy but that a formal policy was adopted "around this period of time."

Issues:Was there a policy in place before the disaster?

Findings:No. The Applicant has not provided documentation of a written, established policy which was in place before the disaster or any payroll history of overtime being paid in any prior event.

Rationale:Recovery Division Policy 9525.7, Labor Costs – Emergency Work, Section 7.D

10B(10)

RESOLUTION NO. _____

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS, AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS.
(INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

WHEREAS, First, several proposals are being discussed in the ongoing Federal budget negotiations that would either reduce or eliminate the current tax exemption on the interest earned from tax-exempt municipal bonds; and

WHEREAS, Second, the United States House of Representatives Ways and Means Committee is considering various changes to Federal tax provisions on reducing or eliminating the current tax exemption on the interest earned from tax-exempt municipal bonds, along with the ability of individual taxpayers who itemize to deduct their State and local income and property taxes when filing their Federal tax return and other tax related issues; and

WHEREAS, Third, for state and local governments, tax-exempt municipal bonds are the most important tool available for financing critical infrastructure projects such as primary and secondary schools, hospitals, water and sewer systems, roads, highways and streets, public power facilities, mass transit projects, airports, solid waste, sanitation and recycling, multi-family housing, police and fire stations and equipment, bridges, tunnels and other infrastructure projects; and

WHEREAS, Fourth, together, state and local governments are responsible for building and maintaining 75 percent of the nation's infrastructure, which is financed mostly by tax- exempt municipal bonds; and

WHEREAS, Fifth, on average, state and local governments save up to two percentage points on their borrowing rates through use of tax-exempt municipal

bonds; and

WHEREAS, Sixth, these savings allow state and local governments to invest more in critical infrastructure and essential services while holding down the cost to taxpayers; and

WHEREAS, Seventh, approximately \$3.7 trillion in tax exempt municipal bonds are currently outstanding; and

WHEREAS, Eighth, the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties, with assistance from the Government Finance Officers Association, issued a joint report (the "Report") in February 2013 titled "Protecting Bonds to Save Infrastructure and Jobs 2013" to determine the impact of the proposals to limit (by imposing a 28% cap) or fully eliminate the exemption on interest from municipal bonds; and

WHEREAS, Ninth, the Report shows that state and local governments issued 57,754 tax- exempt bonds for more than \$1.65 trillion of infrastructure investment over the last decade, with over 6,600 tax-exempt bonds financing over \$173 billion in infrastructure projects in 2012 alone; and

WHEREAS, Tenth, of those totals, 1,250 tax exempt state and local tax-exempt bonds financing over \$103 billion in infrastructure improvements were issued over the last decade in the State of Florida; and

WHEREAS, Eleventh, the Report shows that if the 28% cap on interest earned from tax- exempt municipal bonds was in effect over the last decade, it would have cost state and local governments an additional \$173 billion in interest expense over the last decade; and

WHEREAS, Twelfth, the Report shows that if the tax-exemption had been fully eliminated, it would have cost state and local governments an additional \$495 billion in interest expense over the last decade; and

WHEREAS, Thirteenth, while on first appearance it might seem that the 28 percent cap on interest earned from tax-exempt bonds may only affect high-income taxpayers, in effect the increased cost would be borne almost exclusively by state and local governments, and therefore all taxpayers within those respective jurisdictions, in the form of higher interest rates on their borrowing; and

WHEREAS, Fourteenth, it is being proposed that the 28 percent cap be applied retroactively, meaning that it would be applied to all tax-exempt bonds already outstanding in addition to bonds issued in the future, and in the nearly 200 year history of the tax-exemption Congress has never applied a retroactive tax to bonds already held by investors; and

WHEREAS, Fifteenth, this would hurt middle-class taxpayers as state and local governments would be forced to increase property and sales taxes on local taxpayers to offset higher borrowing rates on infrastructure investments; and

WHEREAS, Sixteenth, if state and local governments choose not to increase property and sales taxes on local taxpayers to offset higher borrowing rates on infrastructure investments, the alternate option would be to decrease investment in infrastructure, negatively impacting jobs and resulting in needed infrastructure improvements being postponed and resulting in a more deteriorated infrastructure base; and

WHEREAS, Seventeenth, 2010 IRS data show that 57 percent of municipal bond interest is paid to individuals 65 years of age and older who largely live on fixed incomes, and 52 percent of municipal bond interest is paid to individuals who earn less than \$250,000 annually; and

WHEREAS, Eighteenth, the Federal government should not adversely effect, by limiting or providing obstacles to needed infrastructure financing, the

10C(3)

right of state and local governments to borrow and decide what infrastructure and services to provide to their citizens.

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

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The Village Commission urges the Administration and Congress of the United States to preserve the current tax-exempt status of municipal bonds which has successfully provided trillions of dollars in low-cost financing for critical infrastructure investments that serve citizens in all states and local communities.

Section 3: The Village Commission urges the Administration and Congress of the United States to reject any proposal that would reduce or eliminate the federal tax exemption on interest earned from tax-exempt municipal bonds.

Section 4: The Village Clerk is directed to distribute this Resolution to the President of the United States, the Florida members of the Senate and House of Representatives of the United States, the Florida League of Cities, the Florida Association of Counties, the Florida City County Management Association, the Miami-Dade County Board of County Commissioners, the Miami-Dade County League of Cities, and each of the municipalities in Miami-Dade County.

Section 5: This Resolution shall take effect upon its adoption.

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____.

FINAL VOTE AT ADOPTION:

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

10CC4)

PASSED AND ADOPTED this ___ day of June, 2013.

Connie Leon-Kreps, Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.
Village Attorney

North Bay Village Resolution: In support of preserving the current tax-exempt status of Municipal Bonds.

10C(5)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: June 5, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM:  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, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS, AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS.

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

RC:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

10C(6)

H.Res.112 - Celebrating the history of municipal bonds, the 100-year precedent of the Federal tax exemption for municipal bond interest, and the important contribution municipal bonds have made to economic growth and wellbeing in each State and municipality in our great Nation.

113th Congress (2013-2014)

Overview: House Resolution

Sponsor: [Rep. Terry, Lee \[R-NE-2\]](#) (Introduced 03/13/2013)

Cosponsors: [71](#)

Latest Action: 03/13/2013 Referred to the House Committee on Ways and Means.

Major Recorded Votes: There are no Roll Call votes for this bill

Tracker:

Introduced Passed House

[Hide Overview](#)

Subjects:
 Primary Subject:
 Economics and
 Public Finance

[View all subjects](#)

Summary (1)	Text (1)	Actions (1)	Titles (1)	Amendments (0)	Cosponsors (71)
Committees (1)	Related Bills (0)				

Text: H.Res.112 — 113th Congress (2013-2014)

There is one version of the bill.

Bill text available as: [TXT](#) | [PDF](#) | [HTML/XML](#)

10CC(7)

Shown Here:

Introduced in House (03/13/2013)

1DC(8)

[Congressional Bills 113th Congress]
[From the U.S. Government Printing Office]
[H. Res. 112 Introduced in House (IH)]

113th CONGRESS
1st Session
H. RES. 112

Celebrating the history of municipal bonds, the 100-year precedent of the Federal tax exemption for municipal bond interest, and the important contribution municipal bonds have made to economic growth and wellbeing in each State and municipality in our great Nation.

IN THE HOUSE OF REPRESENTATIVES

March 13, 2013

Mr. Terry (for himself and Mr. Neal) submitted the following resolution; which was referred to the Committee on Ways and Means

RESOLUTION

Celebrating the history of municipal bonds, the 100-year precedent of the Federal tax exemption for municipal bond interest, and the important contribution municipal bonds have made to economic growth and wellbeing in each State and municipality in our great Nation.

Whereas in the 200 years since the first recorded municipal bond was issued by the City of New York to build a canal, municipal bonds have helped build a strong economy and provide for the health and welfare of our citizenry;

Whereas three-quarters of all infrastructure investments made in the United States are financed by municipal bonds;

Whereas municipal bonds finance infrastructure projects that touch the daily lives of every American citizen and business--roads we drive on, schools and education for our children, affordable family housing, water systems that supply safe drinking water, courthouses, hospitals and clinics to treat the sick, airports and ports that help move products domestically and overseas, and utility plants that power our homes, businesses, and factories;

Whereas interest on municipal bonds is exempt from Federal taxation as part of the principle of reciprocal immunity under which the Federal Government is exempt from State and local taxation and State and local governments are exempt from Federal taxation;

Whereas the Federal Revenue Act of 1913 codified this principle as part of the Federal income tax by exempting from income tax the interest on

10C(9)

municipal bonds;

Whereas exempting municipal bond interest from Federal taxation reduces the cost of infrastructure financing by State and local governments;

Whereas reduced infrastructure costs for State and local governments allow for greater infrastructure investments and savings passed directly to taxpayers and ratepayers in the form of reduced taxes and fees;

Whereas, because of critical infrastructure needs, it is estimated that in 2013, \$300 billion of municipal bonds will be issued;

Whereas keeping infrastructure costs low is critical for job creation and rebuilding infrastructure is crucial to our Nation's State and local economies, including power generation, distribution, and transmission;

Whereas the ability of municipal bonds and the 100-year precedent of the Federal income tax exemption for municipal bonds provides State and local governments timely access to cost-effective capital; and

Whereas the Federal tax exemption for municipal bond interest is a cost-effective financing vehicle available to State and local governments:

Now, therefore, be it

Resolved, That the House of Representatives--

(1) celebrates the history of municipal bonds;

(2) celebrates the 100-year precedent of the Federal tax exemption for municipal bond interest; and

(3) celebrates the important contribution municipal bonds have made to the economic growth and wellbeing in each State and municipality in our great Nation.

100 (10)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: May 16, 2013

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

RECOMMENDED BY:
Commissioner Richard Chervony

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Citizens Budget & Oversight Board

RECOMMENDATION:

It is recommended that the Village Commissioner consider the proposed ordinance to amend the Citizens Budget & Oversight Board regulations to reduce the number of members to five and clarify the term of office for two years concurrent with the regular scheduled election of the Commission.

BACKGROUND:

The Citizens Budget & Oversight Board was initially created with five members. The regulations were subsequently amended for a seven-member board with the addition of two members from commercial businesses. While Section 6.01 of the Village Charter allows for membership by either residents or business owners, it is not mandatory for such appointments.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12A(1)

FINANCIAL IMPACT /BUDGETARY IMPACT:

None

PERSONNEL IMPACT:

None

12A(2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

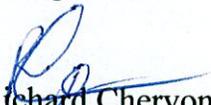
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: June 5, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: 
Richard Chervony
Commissioner

SUBJECT: Introduction of Resolution

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, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "CITIZENS BUDGET AND OVERSIGHT BOARD" TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFY THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

RC:yph

12A(3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "CITIZENS BUDGET AND OVERSIGHT BOARD" TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFY THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

WHEREAS, the Citizens Budget and Oversight Board (the "Board") has dutifully provided valuable services and recommendations to the Village Commission; and

WHEREAS, the Village Commission desires to revise the number of members required on the Board in order to improve participation and attendance.

BE IT ENACTED BY THE 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. Section 32.72 of the North Bay Village Code of Ordinances is amended to read as follows¹:

CITIZENS BUDGET AND OVERSIGHT BOARD

§ 32.72 Citizens Budget and Oversight Board.

A. A Citizens Budget and Oversight Board is hereby created which shall be composed of ~~seven (7)~~ five (5) members appointed by the ~~City~~ Village Commission to serve at the pleasure of the Commission without compensation. Each member of the Commission shall appoint one member, and two members shall be appointed by a majority vote of the 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., ~~and two members from a commercial business which has been in existence in the Village for at least one (1) year.~~

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

12A(4)

§ 32.73 Qualification of members.

The members of the Citizens Budget and Oversight Board shall be appointed and shall be qualified electors of the City Village as defined in the Charter or, representatives of a commercial business which has been in existence in the Village for at least two (2) years. Qualified electors and businesses shall also be and remain during their respective term of office, residents of the City Village; or owners of businesses located within the City Village for at least one (1) year. Applicants must either possess a Bachelor's Degree or higher in either Finance, Accounting, or Business Administration or equivalent or a minimum of four (4) years experience.

§ 32.74 Terms; vacancies; removal from office.

(A) Members of the Board shall be appointed by the City Village Commission for a term of two years concurrent with the regular scheduled election of the Commission. 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, based on the original appointment process.

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

§ 32.75 Officers.

The Citizens Budget and Oversight Board shall annually, each by majority vote, elect one of its members as Chair and one of its members as Vice-Chair. The Chair 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-Chair shall act in his stead. The City 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 may designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings.

§ 32.76 Meetings; quorum; voting period.

(A) The Citizens Budget and Oversight Board shall hold regular monthly meetings, unless the Board chooses not to meet in a particular month, 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 City Village Clerk in noticing meetings of the City 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 by postal mailed or via email three days prior to the called meeting.

(B) All meetings of the Board shall be open to the public and ~~four (4)~~ three (3) members shall constitute a quorum.

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

§ 32.77 Powers and duties.

(A) The Citizens Budget and Oversight Board shall be charged with the duty and responsibilities to act in an advisory capacity to the City Village Commission and City Village Manager in matters pertaining to delivery of the following services:

1. Examine and analyze the budget.
2. Hold monthly meetings as needed .
3. Present reports to the Commission indicating whether the expenditures match those promised during the bond campaign.
4. Review the annual performance audit to analyze whether the Bond funds have been expended only for the specified project.
5. Examine, analyze, and make recommendations on the preliminary budget to the Commission.

Section 3. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 4. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

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

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

12A(7)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: June 5, 2013

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

**RECOMMENDED BY:
Commissioner Richard Chervony**

**PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager**

SUBJECT: Community Enhancement Board

RECOMMENDATION:

It is recommended that the Village Commissioner consider the proposed ordinance to amend the Community Enhancement Board regulations to reduce the number of members to five and clarify the term of office for two years concurrent with the regular scheduled election of the Commission.

BACKGROUND:

During the 2010-2012 term, the Community Enhancement Board had to cancel many meetings due to the lack of a quorum. With seven members on the Board, it was very difficult to gather four members for each meeting.

12B(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Reducing the number of members to five will allow for the Board to move forward with the business of the community since we have found that there are always three dedicated members who make themselves available for meetings.

FINANCIAL IMPACT /BUDGETARY IMPACT:

None

PERSONNEL IMPACT:

None

12B(2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



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: June 5, 2013
TO: Yvonne P. Hamilton, CMC
Village Clerk
FROM: Richard Chervony
Commissioner
SUBJECT: Introduction of Resolution

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, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "COMMUNITY ENHANCEMENT BOARD" TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFY THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

RC:yph

12B(3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “COMMUNITY ENHANCEMENT BOARD” TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD AND CLARIFY THE TERM OF OFFICE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

WHEREAS, the Community Enhancement Board (the “Board”) has dutifully provided valuable services and recommendations to the Village Commission; and

WHEREAS, the Village Commission desires to revise the number of members required on the Board in order to improve participation and attendance.

BE IT ENACTED BY THE 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. Chapter 32, Departments and Boards, of the North Bay Village Code of Ordinances is amended to read as follows¹:

* * *

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 ~~City~~, Village and further to preserve the quality of the environment which is a legitimate concern of the ~~City Village~~ Commission, there is established a permanent Community Enhancement Board of the ~~City 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.

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

12B(4)

§ 32.11 Composition

There is hereby created the North Bay Village Community Enhancement Board which shall consist of ~~seven~~ five members who may reside at any location within the City 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.

§ 32.12 Qualifications

The members of the Community Enhancement Board shall be appointed and shall be qualified electors of the City Village or owners of businesses located within the confines of the City 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 City Village.

§ 32.13 Terms; removal from office.

~~The original members of the Community Enhancement Board shall be appointed by the City Commission, by a majority vote of the members present.~~ Members of the Board shall be appointed by the City Village Commission, by a majority vote of the members present, for a term of two years concurrent with the regular scheduled election of the Commission. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

§ 32.14

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.

§ 32.16 Power and duties

The Community Enhancement Board shall be charged with the following duties:

1. To continually study the needs of the entire City Village for floral landscaping, including the entrances of the several islands and the median strips, including both privately owned and publicly owned property.
2. Determine the existence of alleged violations of law which adversely affect the aesthetics of the City Village.
3. Entertain complaints from citizens regarding existence of conditions which are detrimental to the aesthetic values and quality of life of the City Village.
4. To file a report of its activities with the City Village Commission and the City Village Manager, including the recommendations to the Commission for the beautification of the City Village at least once per year.
- 5.

§ 32.16 Officers

The Community Enhancement 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 City Village Manager and the City Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead.

The City 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 City Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the City Village Manager monthly.

§ 32.17 Meetings; quorum; voting period.

- (A) The Community Enhancement 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 publicly noticed to residents, homeowners, and property owners by publication on the City's Village bulletin boards. 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 five members shall constitute a quorum.
- (C) A majority vote of the Board shall be required on all recommendations made to the City Village Commission.

* * *

Section 3. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 4. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

12 B(6)

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

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

12 B(7)

Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Ordinance: Community Enhancement Board-5/2013

12.B(8)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: May 16, 2013

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

RECOMMENDED BY:
Mayor Connie Leon-Kreps

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Citizens Budget & Oversight Board

RECOMMENDATION:

It is recommended that the Village Commissioner consider the proposed ordinance to amend the Citizens Budget & Oversight Board regulations to reduce the number of members to five and change the composition to eliminate the requirement for mandatory business representative.

BACKGROUND:

The Citizens Budget & Oversight Board was initially created with five members. The regulations were subsequently amended for a seven-member board with the addition of two members from commercial businesses. While Section 6.01 of the Village Charter allows for membership by either residents or business owners, it is not mandatory for such appointments.

12C(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

It has been proven that a seven-member board poses difficulty in conducting meetings since four members have to be present.

FINANCIAL IMPACT /BUDGETARY IMPACT:

None

PERSONNEL IMPACT:

None

12C(2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: June 5, 2013
TO: Yvonne P. Hamilton, CMC
Village Clerk
FROM: Connie Leon-Kreps
Mayor
SUBJECT: Introduction of Resolution

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, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "CITIZENS BUDGET AND OVERSIGHT BOARD" TO CHANGE THE NUMBER AND COMPOSITION OF THE MEMBERS ON THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

CLK:yph

12C(3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.72 THROUGH 32.77 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "CITIZENS BUDGET AND OVERSIGHT BOARD" TO CHANGE THE NUMBER AND COMPOSITION OF THE MEMBERS ON THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS)*

WHEREAS, the Citizens Budget and Oversight Board (the "Board") has dutifully provided valuable services and recommendations to the Village Commission; and

WHEREAS, the Village Commission desires to revise the number of members required on the Board in order to improve participation and attendance.

BE IT ENACTED BY THE 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. Section 32.72 of the North Bay Village Code of Ordinances is amended to read as follows¹:

CITIZENS BUDGET AND OVERSIGHT BOARD

§ 32.72 Citizens Budget and Oversight Board.

A. A Citizens Budget and Oversight Board is hereby created which shall be composed of ~~seven~~~~(7)~~ five (5) members appointed by the City Village Commission to serve at the pleasure of the Commission without compensation. Each member of the Commission shall appoint one member, and two members shall be appointed by a majority vote of the 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.~~and two members from a commercial business which has been in existence in the Village for at least one (1) year.~~

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

§ 32.73 Qualification of members.

The members of the Citizens Budget and Oversight Board shall be appointed and shall be qualified electors of the ~~City~~ Village as defined in the Charter or, representatives of a commercial business which has been in existence in the Village for at least two (2) years. Qualified electors and businesses shall also be and remain during their respective term of office, residents of the ~~City~~-Village; or owners of businesses located within the ~~City~~ Village for at least one (1) year. Applicants must either possess a Bachelor's Degree or higher in either Finance, Accounting, or Business Administration or equivalent or a minimum of four (4) years experience.

§ 32.74 Terms; vacancies; removal from office.

(A) Members of the Board shall be appointed by the ~~City~~ Village Commission for a term of two years concurrent with the regular scheduled election of the Commission. 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, based on the original appointment process.

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

§ 32.75 Officers.

The Citizens Budget and Oversight Board shall annually, each by majority vote, elect one of its members as Chair and one of its members as Vice-Chair. The Chair 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-Chair shall act in his stead. The ~~City~~ 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~~ may designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings.

§ 32.76 Meetings; quorum; voting period.

(A) The Citizens Budget and Oversight Board shall hold regular monthly meetings, unless the Board chooses not to meet in a particular month, 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 City Village Clerk in noticing meetings of the City 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 by postal mailed or via email three days prior to the called meeting.

(B) All meetings of the Board shall be open to the public and ~~four (4)~~ three (3) members shall constitute a quorum.

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

§ 32.77 Powers and duties.

(A) The Citizens Budget and Oversight Board shall be charged with the duty and responsibilities to act in an advisory capacity to the City Village Commission and City Village Manager in matters pertaining to delivery of the following services:

1. Examine and analyze the budget.
2. Hold monthly meetings as needed .
3. Present reports to the Commission indicating whether the expenditures match those promised during the bond campaign.
4. Review the annual performance audit to analyze whether the Bond funds have been expended only for the specified project.
5. Examine, analyze, and make recommendations on the preliminary budget to the Commission.

Section 3. **Conflicts.** All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 4. **Codification.** This ordinance shall be codified and included in the code of ordinances.

Section 5. **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 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

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

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Ordinance: Citizens Budget & Oversight Board-5/2013



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: June 5, 2013

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

RECOMMENDED BY:
Mayor Connie Leon-Kreps

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Community Enhancement Board

RECOMMENDATION:

It is recommended that the Village Commissioner consider the proposed ordinance to amend the Community Enhancement Board regulations to reduce the number of members to five.

BACKGROUND:

During the 2010-2012 term, the Community Enhancement Board had to cancel many meetings due to the lack of a quorum. With seven members on the Board, it was very difficult to gather four members for each meeting.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12 D(1)

Reducing the number of members to five will allow for the Board to move forward with the business of the community since we have found that there are always three dedicated members who make themselves available for meetings.

FINANCIAL IMPACT /BUDGETARY IMPACT:

None

PERSONNEL IMPACT:

None

12 D (2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



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: June 5, 2013
TO: Yvonne P. Hamilton, CMC
Village Clerk
FROM: Connie Leon-Kreps
Mayor
SUBJECT: Introduction of Resolution

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, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO "COMMUNITY ENHANCEMENT BOARD" TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

CLK:yph

128 (3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, SUBSECTIONS 32.10 THROUGH 32.17 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “COMMUNITY ENHANCEMENT BOARD” TO CHANGE THE NUMBER OF MEMBERS ON THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, the Community Enhancement Board (the “Board”) has dutifully provided valuable services and recommendations to the Village Commission; and

WHEREAS, the Village Commission desires to revise the number of members required on the Board in order to improve participation and attendance.

BE IT ENACTED BY THE 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. Chapter 32, Departments and Boards, of the North Bay Village Code of Ordinances is amended to read as follows¹:

* * *

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 City, Village and further to preserve the quality of the environment which is a legitimate concern of the ~~City~~ Village Commission, there is established a permanent Community Enhancement Board of the ~~City~~ 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.

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

120 (4)

§ 32.11 Composition

There is hereby created the North Bay Village Community Enhancement Board which shall consist of ~~seven~~ five members who may reside at any location within the City 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.

§ 32.12 Qualifications

The members of the Community Enhancement Board shall be appointed and shall be qualified electors of the City Village or owners of businesses located within the confines of the City 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 City Village.

§ 32.13 Terms; removal from office.

~~The original members of the Community Enhancement Board shall be appointed by the City Commission, by a majority vote of the members present.~~ Members of the Board shall be appointed by the City Village Commission, by a majority vote of the members present, for a term of two years concurrent with the regular scheduled election of the Commission. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

§ 32.14

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.

§ 32.16 Power and duties

The Community Enhancement Board shall be charged with the following duties:

1. To continually study the needs of the entire City Village for floral landscaping, including the entrances of the several islands and the median strips, including both privately owned and publicly owned property.
2. Determine the existence of alleged violations of law which adversely affect the aesthetics of the City Village.
3. Entertain complaints from citizens regarding existence of conditions which are detrimental to the aesthetic values and quality of life of the City Village.
4. To file a report of its activities with the City Village Commission and the City Village Manager, including the recommendations to the Commission for the beautification of the City Village at least once per year.
- 5.

§ 32.16 Officers

120(5)

The Community Enhancement 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 City Village Manager and the City Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead.

The City 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 City Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the City Village Manager monthly.

§ 32.17 Meetings; quorum; voting period.

- (A) The Community Enhancement 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 publicly noticed to residents, homeowners, and property owners by publication on the City's Village bulletin boards. 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 five members shall constitute a quorum.
- (C) A majority vote of the Board shall be required on all recommendations made to the City Village Commission.

* * *

Section 3. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 4. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

12 D (6)

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

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

12 Δ (7)

Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Ordinance: Community Enhancement Board-5/2013



NORTH BAY VILLAGE POLICE DEPARTMENT

RECOMMENDATION MEMORANDUM

DATE: May 15, 2013

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

RECOMMENDED BY STAFF: Chief Daniels/LaKeesha Morris –Grant Writer

PRESENTED BY STAFF: Robert Daniels
Chief of Police

SUBJECT: Authorize grant application and implementation for two police officer positions through COPS.

RECOMMENDATION:

It is recommended that the Village Commission approve the grant application, twenty-five percent (25%) match, associated personnel costs, and implementation of the grant for two (2) police officer positions.

BACKGROUND:

The Fiscal Year 2013 Community Oriented Policing Services (COPS) Hiring Program (CHP) grant program has opened their solicitation for grant applications. The grant is for the hiring and rehiring of additional career law enforcement officers in an effort to create and preserve jobs and increase their community policing capacity and crime prevention efforts. All local, state, and tribal law enforcement agencies that have primary law enforcement authority are eligible to apply. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Complete applications must be submitted by 7:59 PM, EDT, on May 22, 2013 to be considered for FY2013 CHP funding. The grant will fund 75% of the starting salary for a sworn police officer with a federal matching share of \$125,000 for three years.

12ECN

FINANCIAL IMPACT:

Twenty-five percent (25%) funding for two (2) Full-Time police officer positions and related expenses are as follows:

<u>Expense</u>	<u>Cost</u>
(2)Full-Time Police Officers (25%)(for the first year)	\$ 75,142.00
Uniforms & Equipments	\$ 11,000.00
(2)Fully equipped Police Vehicles	\$ 60,000.00
<hr/>	
	\$ 146,142.00

BUGETARY IMPACT (Finance Dept):

The funds for two (2) Full-time police officers positions will be derived from Community Oriented Policing Services (COPS) Hiring Grant Program. The equipment and vehicles will be paid out of Law Enforcement Trust Funds if available.

PERSONNEL IMPACT:

Approval for this grant application with a 25% matching funds will entail authorizing two (2) additional full-time police officer positions in the Police Department.



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: May 17, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Jenice Rosado 
Interim 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 A GRANT APPLICATION AND IMPLEMENTATION OF TWO POLICE OFFICER POSITIONS THROUGH THE COPS HIRING PROGRAM; APPROVING ASSOCIATED PERSONNEL COST; PROVIDING FOR MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

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

JR:yph

12E(3)

Mayer
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING A GRANT APPLICATION AND IMPLEMENTATION OF TWO POLICE OFFICER POSITIONS THROUGH THE COPS HIRING PROGRAM; APPROVING ASSOCIATED PERSONNEL COST; PROVIDING FOR MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

WHEREAS, North Bay Village (the “Village”) desires to apply for grant funding under the 2013 COPS Hiring Program (“CHP”); and

WHEREAS, the CHP grant will provide coverage of 75% of the approved entry level salary and benefits for three years for newly hired, full-time sworn officer positions; and

WHEREAS, the grant regulations require a 25% funding match by the Village; and

WHEREAS, the CHP grants are limited to a maximum federal contribution of \$125,000 per position over the three year period; and

WHEREAS, given the program funding capabilities and local matching requirements, the required local match funding for the two positions applied for is \$75,152 for the first year with a total first year personnel cost of \$158,475; and

WHEREAS, the remaining cost of \$71,000 for equipment and vehicles will be paid from the Law Enforcement Trust Funds; and

WHEREAS, the Village Commission desires to fund the local match in each of the next three years for the two positions applied for; and

12E(4)

WHEREAS, the Village Commission finds that it is in the best interest of the Village to submit the 2013 CHP application.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND 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. COPS Hiring Program Local Match. The Village Commission hereby approves submittal of the COPS Grant Application for Fiscal Year 2014 and agrees to provide a cash match for a total first year cost of \$146,142.

Section 3. Authorization of Village Officials. The Village Manager and the appropriate Village Staff are authorized to complete and submit the grant application for the COPS Hiring Program.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____. The votes were as follows:

FINAL VOTE ADOPTION:

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

PASSED AND ADOPTED this ___ day of May, 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR USE ONLY BY
NORTH BAY VILLAGE:

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.
Village Attorney

North Bay Village Resolution: 2013 Cops Hiring Grant Program

12E(6)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: May 16, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:

Jenice Rosado
Interim Village Manager

PRESENTED BY STAFF:

James G. LaRue
Village Planner

SUBJECT: Parks and Recreation Master Plan

RECOMMENDATION:

It is recommended that the Village Commission approve the enclosed scope of services for a Parks and Recreation Master Plan and authorize a Request for Proposal (RFP) to be prepared for advertisement.

BACKGROUND:

From time to time issues have come before the Village Commission and staff concerning future parks and/or recreation areas and possible acquisition of individual parcels for recreational purposes. Without a Parks and Recreation Master Plan outlining the needs of our residents it is difficult to respond comprehensively and evaluate what is the best approach to meet the Village's parks and recreational needs. Since the comprehensive approach seems to be the direction desired by the Village Commission, staff has responded by developing a scope of services for a Parks and Recreation Master Plan.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12F(1)

If this approach is agreed upon by the Commission the basic scope of services will be placed in the formal RFP format, including the required legal forms and instructions that comprise the full RFP. Consultants will respond to the RFP when it is advertised and the Village Commission will then be able to select the best proposal based on objective selection criteria.

This particular scope of services was written to be clear, concise, and yet not over reaching for a community of our size. We request the Village Commission's input with regard to the draft of this scope of services and whether additional revisions are necessary before proceeding further with this process. Having a master plan for parks and recreation usage in the Village is consistent with the Recreation and Open Space Element of the Village's Comprehensive Plan.

FINANCIAL IMPACT:

The cost of the Master Plan will depend upon prices submitted by the respondents to the RFP. The cost is estimated to be in the \$20,000 - \$25,000 range and the Village can set a budget limitation in the RFP. It should also be noted that the cost of the Master Plan is an eligible expenditure under the Parks and Recreation Impact Fee line item. The Village code provides in Section 151.100 (E) (1) (a) Planning, design and construction plan preparation, is an eligible expense from the impact fee fund.

BUDGETARY IMPACT (Finance Dept):

The Local Parks Improvement Fund had a restricted fund balance of \$352,384 as of October 1, 2012. In December 2012 the Village Commission approved 2 grants from Florida Inland Navigation District (FIND) totaling \$160,418 as matching funds from the Local Parks Improvement Fund, (Impact Fee) which leave a balance of \$191,966 available for expenditure on eligible projects. It is recommended that the independent contract expenses for this project be included in the project costs. When the RFP is brought the Commission for award it is recommended that the budget amount for this project be established by resolution.

PERSONNEL IMPACT:

There will be staff time involved in preparing the RFP and reviewing the proposals. Additionally, the Planning Department will coordinate the work to be done by the selected consultant.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12F(2)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: May 17, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Jenice Rosado
Interim 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 NORTH BAY VILLAGE, FLORIDA, APPROVING THE SCOPE OF SERVICES FOR THE CREATION OF A PARKS AND RECREATION MASTER PLAN FOR THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ISSUE REQUESTS FOR PROPOSALS FROM QUALIFIED INDIVIDUALS/FIRMS TO PREPARE THE PARKS RECREATION MASTER PLAN; PROVIDING FOR AN EFFECTIVE DATE.

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

JR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12F(3)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION NORTH BAY VILLAGE, FLORIDA, APPROVING THE SCOPE OF SERVICES FOR THE CREATION OF A PARKS AND RECREATION MASTER PLAN FOR THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ISSUE REQUESTS FOR PROPOSALS FROM QUALIFIED INDIVIDUALS/FIRMS TO PREPARE THE PARKS RECREATION MASTER PLAN; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

WHEREAS, the Village Commission is desirous of creating a Parks and Recreation Master Plan to improve and maintain recreational activities for the residents of North Bay Village; and

WHEREAS, the Village Staff has prepared the “Scope of Services” attached hereto as “Exhibit 1” for preparation of the Parks and Recreation Master Plan; and

WHEREAS, the Village Manager requests that the Village Commission accepts the “Scope of Services” and grant authorization for staff to solicit “Requests for Proposals” from qualified individual/firms to create the Parks and Recreation Master Plan.

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. Approval of Scope of Services. The “Scope of Services” attached hereto as Exhibit “1” for the Parks and Recreation Master Plan is hereby approved.

Section 3. Authorization of Village Officials. The Village Manager is authorized to solicit Request for Proposals from qualified individuals/firms to prepare a Parks and Recreation Master Plan for the Village.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by _____,
seconded by _____.

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this ___ day of June 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton
Village Clerk

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

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Resolution: Parks and Recreation Master Plan-5/2013

12F(5)

North Bay Village Parks and Recreation Master Plan

PART I. Background

North Bay Village, located in Miami-Dade County, is a small community of approximately 7,200 residents on 512 acres in Biscayne Bay. Originally the Village was created out of spoil islands and retains beautiful water views of Biscayne Bay.

Prior to 1940, most of what is now North Bay Village lay beneath the waters of Biscayne Bay. The only dry land was Broadcast Key, a five-acre island from which pioneer radio station WIOD began broadcasting in 1926. In 1940, dredging and bulk-heading created North Bay Island. By 1941, palm-lined streets had been laid out, and 12 homes had been built and occupied.

During the mid 1940's dredging and filling created Harbor Island and Treasure Island. Harbor Island is composed primarily of multi-family buildings. North Bay Village was incorporated in 1945, with Harbor Island and Treasure Islands' annexation following several years later. Broadcast Key, also known as Cameo Island, was annexed in 1963. During its early years, North Bay Village was primarily a haven for winter residents. The city became widely known for its popular restaurants and nightclubs, which attracted celebrities like Frank Sinatra and Judy Garland. North Bay Village continues to be home to several of South Florida's most popular restaurants, as well as a variety of business enterprises, apartment buildings, condominiums and 376 single-family homes.

Today, most of North Bay's residents live there year-round, with almost two-thirds of the occupied housing as rental reflecting a rather mobile population. Approximately one-third of the residents are between the ages of 25 and 39, and 17% are 18 years of age or younger; the median age is 37, thus supporting the notion that North Bay Village is not a retirement oriented community.

PART II: Purpose, Scope of Services and Deliverables

Purpose

To develop a Parks and Recreation Master Plan that will provide a future blueprint for meeting the existing and future needs of the residents of North Bay Village.

Scope of Services

The consultant will work under the direction of the Village Manager or designee. The project manager assigned to the Parks and Recreation Master Plan will coordinate with the consultant and representatives of the Youth & Education Services Board. The consultant will be responsible for developing, conducting, analyzing, and providing the results of the Parks and Recreation Master Plan, according to the following Scope of Services.

1. Review Goals, Objectives, and Policies

Review and confirm with the Youth and Education Services Board that the Village's Recreation and Open Space Comprehensive Plan Element appropriately reflects the community's needs. Suggested updates/revisions to the Comprehensive Plan shall be provided as a part of this project, as necessary.



2. Existing Park and Recreational Facility Standards and Inventory

A. Analyze Existing Conditions

- a) Inventory of existing public parks, private parks, school playgrounds, and open spaces;
- b) Develop a map and database which include geographic location and physical characteristics of the parks and open space system. (Include park classifications, list of amenities, programs offered, and planned improvements.)

B. Assess and Survey of Public Facilities

- a) Site visits to assess maintenance conditions, signs of overuse, overcrowding and general condition;
- b) Interview Village staff and users; and
- c) Photograph sites.

3. Park and Recreational Facility Needs Assessment

A. Compile Data of Prospective Park Users

Survey citizens to determine how they do and would ideally use and access the parks and recreation system. Gather information about demographic factors including: age group, household income, and household size. Survey questions should include, but not be limited to:

1. Their current use of the parks? How often? Which ones? When? What amenities?
2. What amenities should parks include to serve their needs?
3. Current user satisfaction?
4. Additional comments/suggestions.

B. Develop Profiles of Prospective Park Users Based on Demographic Factors.

C. Assess Needs for Existing and Future Park and Recreational Facilities

- a) Use the most recent Census data to project population and demographic distribution based on anticipated development patterns.
- b) Compile the projected population and demographic factors for each park's established service area.
- c) Determine how each park contributes to the needs of the population served based on the profile of prospective park users.

D. Map Park Needs

Develop a mapping and scoring methodology to identify areas of the Village that are:

1. Adequately served now;
2. Expected to adequately serve the projected population;
3. Lacking needed specific parks, facilities, and/or amenities to serve the projected population;
4. Over served; and
5. Not expected to serve the needs of the current and projected population (functionally obsolete).

E. Identify Priority Projects, Programs, and Areas

- a) Based on findings from Park and Recreation Needs Assessment identify specific projects, programs or areas where new or enhanced park and recreation services are needed.
- b) Develop a rating system to prioritize needs.



4. Determine Funding, Operations and Maintenance Feasibility

A. Determine Fiscal Capacity for Public Parks

- a) Identify how parks and recreation maintenance, operations and capital improvements are identified, prioritized and funded. Include budgets for funding the construction of new parks, maintaining existing parks, and operating park facilities and programs.
- b) Identify deficiencies in resourcing for existing parks and recreation programs and functions, relative to best practices and demand.
- c) Identify resources needed to support future parks and recreation programs based on the existing and historical trends for funding, operating and maintaining public parks.

B. Analyze Costs to Support Community's Desired Level of Service

- a) Using the park needs assessment; determine what funding and resources would be required to meet all park and recreation needs.
- b) Based on population projections and anticipated development patterns projected over the next 10 — 20 years, determine when existing funding and resources would cease to meet needs in different areas of the Village.

C. Develop Scenarios for Different Levels of Service

- a) Define levels of service provided for existing parks based on current funding structure (current conditions).
- b) Based on the analysis of cost above, determine level of service options to support future growth. Identify where:
 1. Current levels of service can and should be supported by current funding structure;
 2. Levels of service can/should be reduced; and
 3. Levels of service can/should be increased.

D. Identify Alternative Funding Options

- a) Identify best practices for how parks and recreation systems are funded and maintained in other cities. Include breakdown for capital vs. operations costs.
- b) Determine what methods may be feasible in North Bay Village, such as:
 1. Sources of Revenue (fees, admissions, etc.);
 2. Legislation;
 3. Endowments;
 4. Private Foundations; and
 5. Dedicated sales tax.
- c) Identify options to help mitigate the funding gap and recommend resource alternatives for the different level of service scenarios.

5. Determine Optimum Structure for Public/Private Park System Management

- a) Identify best practices for park system management and programming.
- b) Identify responsibilities of the Village relative to these best practices.
- c) Identify entities/mechanisms (such as conservancies, foundations, public schools, neighborhood groups, etc.) that should be established or included to accomplish implementation goals beyond those identified as Village responsibilities.
- d) Determine opportunities for public/private partnerships where some parks and recreation system functions may be managed by non-Village entities. Recommend appropriate responsibilities and priorities for identified entities.



6. Implementation

A. Identify Partnership Opportunities

- a) Identify potential partnerships (neighborhood groups, public schools, community organizations, etc.) to provide desired levels of service for parks and recreation functions.
- b) Define roles for each group in providing input, services, maintenance, funding, programs, etc.
- c) Identify how to engage partners in assigned roles in most effective and cost efficient manner.

B. Assign Priority Projects and Programs to Funding Sources

- a) Identify timeframes for completing priority projects, programs, or other implementation measures.
- b) Identify responsible parties to affect identified projects, programs, or other implementation measures.

C. Develop Guidelines for Maintenance of Public Spaces

Develop maintenance and interaction guidelines for partners and other outside groups.

D. Determine Approach to Increase Public Awareness & Involvement

- a) Recommend means for engaging with the community and targeted partners about:
 1. partnership opportunities;
 2. responsibilities;
 3. involvement; and
 4. maintenance.
- b) Recommend methods for establishing an acknowledgement and recognition campaign for community and targeted partners.

Deliverables

The consultant will compile the information developed through the above tasks into a draft 10-year Parks and Recreation Master Plan document for review and comment by Village staff. The plan will be provided in an electronic format for reproduction by the Village, as needed. Staff will review the plan and provide comments to the consultant. The consultant will incorporate staff comments into the plan document. The consultant will present the 10-year Parks and Recreation Master Plan to the Village Commission and incorporate Village Commission comments into the final draft.

The consultant will provide a list of deliverables associated with the project:



Method of Evaluation and Award

An Evaluation Team selected by the Village Manager will review and evaluate the proposals. The criteria listed below will be used to evaluate the proposals for the purpose of ranking them in relative position based on how fully each proposal meets the criteria for each task.

Project Approach.....20 points

Does the proposal show specific understanding and familiarity with the particular requirements of this project and how to address them?

Project Team Qualifications & Experience 20 points

How do the project team members qualifications compare to other respondents? And does the firm and/or project team member(s) have experience with similar projects involving parks and recreation master planning?

Method(s) Presented to Implement Village's Program20 points

Project Schedule and Budget.....20 points

How does the project schedule and budget compare to other respondents?

Involvement of Village Staff..... 10 points

Compliance 10 points

Does the firm comply with regulatory requirements, licenses, etc.

Each Proposal will be evaluated individually and in the context of all other proposals. Proposals must be fully responsive to the requirements described in this RFP and to any subsequent requests for clarification or additional information made by the Village through written addenda to this RFP. Proposals failing to comply with the submission requirements, or those unresponsive to any part of this RFP, may be disqualified.



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North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: June 4, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:

**Jenice Rosado
Interim Village Manager**

PRESENTED BY STAFF:

**Jenice Rosado
Interim Village Manager**

SUBJECT: Roland Pandolfi Severance

RECOMMENDATION:

It is recommended that the Village Commission approve the attached addendum to and modification of employment separation agreement by and between North Bay Village and Roland Pandolfi and reimburse Pandolfi for the total of \$15,832.39 dollars.

BACKGROUND:

The Village entered into a separation agreement with former police chief Roland Pandolfi dated March 16, 2010 (see attached). Per the separation agreement, the Parties agreed to certain undertakings, one of those being that the Village would make certain payments to Mr. Pandolfi and that Mr. Pandolfi would receive "FRS benefits" contribution on such payment. The Village's intent was to fully comply with the terms of Mr. Pandolfi's separation agreement. However, when the time came for the Village to pay FRS Contributions on Mr. Pandolfi's banked sick time the Village was then informed by FRS that their regulations precluded contribution to that particular form of banked

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

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time. Mr. Pandolfi was made aware of this at the time and has requested that the total amount of funds that would have otherwise been contributed to FRS be paid directly to him. The total monetary amount that the Village would have contributed to Mr. Pandolfi's FRS banked time per the separation agreement amounts to a total of \$15,832.39. This change is addressed by issuing an addendum to and modification of the Mr. Pandolfi's separation agreement (see attached). It is legal counsel's opinion that it is in the Village's best interest to move forward with modifying the separation agreement and to pay Mr. Pandolfi the sum of \$15,832.39. Mr. Pandolfi's attorneys chart calculated the amount to be \$15,832.39 using a straight 20% FRS contributions. The required contributions were 23% prior to July 2011 and were changed to 14.1% in July. (Chart attached)

FINANCIAL IMPACT:

Onetime payment of \$15,832.39

BUDGETARY IMPACT (Finance Dept):

This expense will be funded from the General Fund Unreserved Balance. The current General Fund Unreserved Fund Balance as of June 6, 2013 is \$231,428 and does include any other expenditure on the Village Commission agenda of June 11, 2013.

PERSONNEL IMPACT:

None

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

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**ADDENDUM TO AND MODIFICATION OF
EMPLOYMENT SEPARATION AGREEMENT**

This Addendum To And Modification Of Employment Separation Agreement (“Agreement”) is entered into, by, and between North Bay Village (“Village”) and Roland Pandolfi (“Pandolfi”).

WHEREAS, the Village and Pandolfi entered into that certain Employment Separation Agreement (“Separation Agreement”) dated March 16, 2010, a true and correct copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to the Separation Agreement, the Parties agreed to certain undertakings, including that the Village would make certain payments to Pandolfi and that Pandolfi would receive “FRS benefits” attendant on such payment, including during the “Leave Bank Period” defined in the Separation Agreement; and

WHEREAS, such “FRS benefits” took the form of contributions to the Florida Retirement System on behalf of Pandolfi by the City, the amount of which were based on Pandolfi’s gross pay; and

WHEREAS, it was later discovered that regulations governing the Florida Retirement System precluded a number of those contributions from being made, the total amount of such contributions being \$15,832.39; and

WHEREAS, the Parties wish to resolve any possible dispute that could arise between them regarding such contributions.

NOW, THEREFORE, the Parties, intending to be legally bound, agree as follows.

1. Recitals. The Parties agree that the Recitals above are accurate and true to the best of their knowledge and belief and the Recitals are incorporated by reference as if set forth here in full.

2. Addendum/Modification. The Parties agree and intend that this Agreement is an addendum to and modification of the Separation Agreement. To the extent that any provision of the Agreement conflicts with any provision of the Separation Agreement, the Agreement’s provision shall control. Any and all non-conflicting provisions of the Separation Agreement shall continue in full force and effect.

3. Paragraph IV of the Separation Agreement is hereby modified as follows, with ~~struck through~~ language deleted and underlined language added:

IV. At the end of the Six (6) month Severance Period, Employee will no longer receive use of a City vehicle, educational incentive or payment of cell phone or other expenses, but will continue to accrue sick time and holiday pay as well as receive health insurance coverage (employee and dependents), life and FRS benefits until Employee has used all

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accumulated sick and vacation leave (the "Leave Bank Period"). (See Attachment B for detailed pay-out). During this time, Employee's title, duties and responsibilities shall continue to be as set forth in Paragraph III above. Notwithstanding any provision to the contrary, the City shall not make contributions to the FRS and Employee shall not accrue FRS benefits based on service or payments made to him for any payroll period ending on or after April 8, 2011. In lieu of such contributions and benefits, the City shall pay to Employee the sum of \$16,881.20 according to the terms of that certain Addendum To And Modification Of Employment Separation Agreement.

4. Payment, Consideration. The City shall pay to Pandolfi a lump sum of \$16,881.20 in lieu of making the contributions to the Florida Retirement System that were precluded by regulation. This payment shall be made within 10 business days of the effective date of this Agreement. No amounts will be deducted or withheld from this payment, which will be reported to the IRS on a Form 1099. Pandolfi will be responsible for all taxes applicable to the payment. The Parties agree that the consideration each has received or will receive for entering into this Agreement is good, valuable, and adequate.

5. Miscellaneous. This Agreement shall be governed by the laws of the State of Florida. This Agreement shall be construed according to its express language and not strictly against any Party, regardless of authorship. This Agreement and the Separation Agreement of which it is an addendum and modification are the entire agreement between the Parties regarding their subject matter and the Parties have entered into this Agreement based solely upon the mutual promises and representations herein and not upon any other promise, representation, understanding, or communication of any kind, written or oral. Any dispute arising from this Agreement or its alleged breach shall be heard by a judge and not a jury in the courts of the State of Florida in Miami-Dade County, Florida, and no Party shall challenge that venue, regardless of convenience. The effective date of this agreement is the last-entered date affixed below.

IN WITNESS WHEREOF, the Parties, desiring to enter into this Agreement and thereby to enjoy the benefits thereof and intending to be legally bound, do hereby affix the signatures below.

NORTH BAY VILLAGE

By _____
Jenice Rosado
Interim City Manager

Roland Pandolfi

Date _____

Date: _____

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North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

MEMORANDUM

North Bay Village

DATE: June 4, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Jenice Rosado 
Interim 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 VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN ADDENDUM TO AND MODIFICATION OF THE SEPARATION AGREEMENT BETWEEN THE VILLAGE AND ROLAND PANDOLFI, AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

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

JR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12G(5)

RESOLUTION NO. _____

A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN ADDENDUM TO AND MODIFICATION OF THE SEPARATION AGREEMENT BETWEEN THE VILLAGE AND ROLAND PANDOLFI, AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)

WHEREAS, the Village wishes to enter into an Addendum To and Modification of Separation Agreement with Roland Pandolfi.

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

- Section 1:** Recitals. The foregoing recital is hereby confirmed and ratified as being true and the same is made a specific part of this Resolution.
- Section 2:** Approval of Agreement. The Addendum To And Modification Of Separation Agreement between the Village and Roland Pandolfi, attached hereto as Exhibit "A," is approved.
- Section 3.** Execution of the Agreement. The Interim Village Manager is authorized to execute the Employment Agreement on behalf of the Village.
- Section 4.** Authorization of Expenditure: The Village Manager is authorized to expend budgeted funds to implement the terms the agreement.
- Section 5.** Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____. The votes were as follows:

FINAL VOTE ADOPTION:

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

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PASSED AND ADOPTED this ___ day of June, 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR USE ONLY BY
NORTH BAY VILLAGE:

Village Labor Attorney

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Check View - Rollup Totals

Name: **Pandolfi Jr, Roland D**

Selected checks

Year/Week #	Pay Date	Period End	Gross	Lf Ins. In		
01/1/2012	01/5/2012	12/29/2011	4192.32	(6.92)	4,185.40	590.14
2012 - 01 - 1	01/05/2012	12/29/2011	4,604.16	(6.92)	4,597.24	648.21
2012 - 01 - 1	01/05/2012	12/29/2011	5,495.17	(6.92)	5,488.25	773.84
2011 - 51 - 1	12/22/2011	12/15/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 49 - 1	12/08/2011	12/01/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 47 - 1	11/23/2011	11/17/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 45 - 1	11/10/2011	11/03/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 43 - 1	10/27/2011	10/20/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 41 - 1	10/13/2011	10/06/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 39 - 1	09/29/2011	09/22/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 37 - 1	09/15/2011	09/08/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 35 - 1	09/01/2011	08/25/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 33 - 1	08/18/2011	08/11/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 31 - 1	08/04/2011	07/28/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 29 - 1	07/21/2011	07/14/2011	4,192.32	(6.92)	4,185.40	590.14
2011 - 27 - 1	07/07/2011	06/30/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 25 - 1	06/23/2011	06/16/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 23 - 1	06/09/2011	06/02/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 21 - 1	05/26/2011	05/19/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 19 - 1	05/12/2011	05/05/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 17 - 1	04/28/2011	04/21/2011	4,192.32	(6.92)	4,185.40	962.64
2011 - 15 - 1	04/14/2011	04/07/2011	4,192.32	(6.92)	4,185.40	962.64
						15,832.39

Earnings Statement Summary

Earnings	Code	Field #	Hours	Amount
Regular				75,337.20
	11 - Lf Ins In	3		138.40
	CHU - Hol Used	3	848.00	4,604.16
	H - Holiday	3	56.00	418.54
	P - Personal	3	24.00	1,255.68
	S - Sick	3	665.03	5,913.57
	V - Vacation	3	200.00	6,278.18

Gross Pay

93,945.73

Deductions

Statutory

Amount

Federal Income Tax		12,087.68
Social Security		3,853.31
Medicare		1,362.21

Other

Amount

LIX - Life Ins Out	138.40
V - Checking 1	76,504.13

Net Pay

0.00

Memos

Code

Amount

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GREENSPOON MARDER, P.A.

ATTORNEYS AT LAW

From the desk of:

Joseph S. Geller
Trade Centre South, Suite 700
100 W. Cypress Creek Road
Fort Lauderdale, Florida 33309-2140
Phone: (954) 491-1120
Fax: (954) 771-9264
Direct Phone: (954) 331-2036
Direct Fax: (954) 331-2037
Email: Joseph.Geller@gmlaw.com

March 16, 2010

Matthew P. Leto
Hall, Lamb and Hall, P.A.
Offices At Grand Bay Plaza
2665 S. Bayshore Drive
Miami, FL 33131

Re: Roland Pandolfi Separation Agreement

Dear Mr. Leto:

Reference is made to the separation agreement which your client, Roland Pandolfi, is executing today. You asked whether or not this agreement required submission to the City Commission.

In my opinion, the agreement does not need to be submitted for approval to the City Commission in that all of its relevant terms have already been approved by the City Commission. Specifically, Mr. Pandolfi's contract as chief of police was previously approved by the City Commission. That contract calls for a Notice Period of up to 90 days. The parties have agreed in paragraph I of the Employment Separation Agreement to a 60 day notice. That notice is within the terms contemplated by Mr. Pandolfi's employment contract.

In addition, the Severance Period in paragraph III is also consistent with the employment contract, and is the exact period provided for as severance in the event of resignation. Accordingly, it has already been approved by the Commission.

The reimbursement of health insurance premiums in paragraph II of the Employment Separation Agreement is also in keeping with the provisions of the original Employment Agreement.

Finally, the provision that Mr. Pandolfi is entitled to receive or use his accrued sick/personal and vacation time is also as provided for in his employment agreement.

www.greenspoonmarder.com
888-491-1120

Locations Throughout Florida

Fort Lauderdale

Orlando

Aventura

Boca Raton

West Palm Beach

Stuart

*MET W/CHIEF DANIELS AND
ROLAND PANDOLFI ON 4/24/12
11:30 A.M. TO HEAR HIS REQUEST ON
COMING BACK TO WORK.
RE 4/24/12
11:50 A.M.*

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Matthew P. Leto
March 16, 2010
Page No. 2

As such, this provision does not require separate City Commission approval.

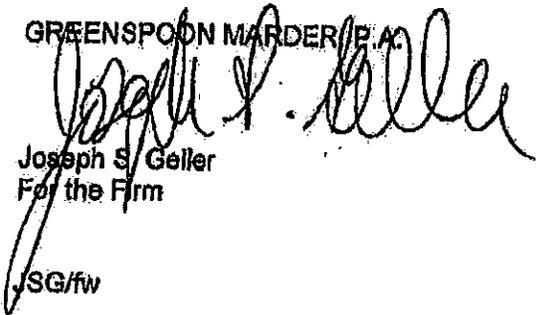
There may be some small items that are not fully dealt with, such as the use of a City vehicle during the six month Severance Period, but this is justified in that Mr. Pandolfi will continue to perform duties for the City at the direction of the City Manager during this period. In addition, this is clearly far less than \$9,000.00 in value and is certainly within the Manager's authority.

To conclude, while you are correct that benefits such as those set forth above requires the City Commission's approval, the Commission has already approved these benefits at the time it approved Mr. Pandolfi's employment agreement, specifically including the terms of a Notice Period and of a Severance Period. Accordingly, it is my opinion that the matter does not need to be resubmitted to the City Commission for further approval.

I trust that this answers your question.

Sincerely,

GREENSPOON MARDER P.A.


Joseph S. Geller
For the Firm

SG/fw

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EMPLOYMENT SEPARATION AGREEMENT

This Separation Agreement (this "Agreement") is made this 16TH day of March 2010 by and between the City of North Bay Village, a Florida municipal corporation, ("The City") and Roland Pandolfi, ("The Employee"). In consideration of the mutual undertakings set forth herein and in keeping with the terms outlined in the Employment Agreement signed on October 15th 2008 (Attachment A).

Terms of Separation:

- I. The execution of this Agreement on this date is to serve as written Sixty (60) day notice of resignation by the Employee. Effective immediately upon execution of this Agreement, Employee shall no longer serve in the capacity of Chief of Police, shall no longer hold that title, and shall no longer have the duties, powers and responsibilities of that office. Rather, immediately upon execution of this Agreement, for the duration of the sixty (60) day notice period ("Notice Period"), and thereafter as set forth below, Employee's title and duties shall be as set forth in Paragraph III below. Employee shall not serve as a law enforcement officer of the City during this time except as specifically directed by the City Manager, at his discretion. However, employee shall maintain his status as a police officer during the Notice Period, Severance Period and Leave Bank Period.
- II. In paycheck of 4/1/2010 Employee will receive as additional retroactive pay any bi-weekly expenses incurred in health insurance premium charges since October 15th 2008. Beginning 4/1/2010 Employee will no longer be liable for bi-weekly insurance premiums, rather City will cover full cost for employee and dependents coverage, per Attachment A. At such time as Employee can transfer his wife to health insurance with her employer he shall do so.
- III. The employee's severance will consist of Six (6) months full salary with full benefits, including health insurance for employee and dependents ("Severance Period"), which will commence upon the expiration of the Sixty (60) day Notice Period set forth in Paragraph I. above. During the Six (6) month Severance Period, Employee will continue to accrue time (vacation, sick, etc.). Employee will be allowed the use of a City vehicle during these Six (6) months, but employee will not be reimbursed for gas, mileage or other vehicle expenses. If vehicle provided needs maintenance or repairs, the City will pay for those as long as Employee obtains pre-approval for the services from the Employer. During the Six (6) month Severance Period, and the Sixty (60) day Notice Period, during which Employee will receive all benefits of a full time employee, Employee's title will be "Advisor to the City Manager for Homeland Security and Emergency Management". During the Notice Period, the Employee will be expected to report for work on a regular, full-time basis, to work directly with the City Manager, as instructed. Thereafter, during the Severance Period, the Employee shall perform such duties as the City Manager may assign to him, including being required to assist the City in emergency situations, in preparation for or attendance at arbitrations or court proceedings, as a law enforcement officer upon specific direction by the City Manager, or otherwise as the City Manager deems appropriate. If Employee is required to assist the City in this manner, this will be at no cost to the City and there shall be no additional compensation to the Employee. During the Six (6) month Severance Period and time

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following thereafter, the City will not place any restrictions on the Employee's outside employment.

- IV. At the end of the Six (6) month Severance Period, Employee will no longer receive use of a City vehicle, educational incentive or payment of cell phone or other expenses, but will continue to accrue sick time and holiday pay as well as receive health insurance coverage (employee and dependents), life and FRS benefits until Employee has used all accumulated sick and vacation leave (the "Leave Bank Period"). (See Attachment B for detailed pay-out). During this time, Employee's title, duties and responsibilities shall continue to be as set forth in Paragraph III above.
- V. By signing this Agreement, the Employee understands he is waiving the right to file a grievance, arbitrate, bring a lawsuit, or otherwise challenge any terms and/or conditions of this Agreement. Employee understands that this Agreement is a legal document and is binding and enforceable, and agrees that his execution of this Agreement is voluntary and has not been coerced in any way and is an expression of the Employee's own free will as to his future employment with the City. Employee has been represented by legal counsel of his choice in the negotiation and execution of this Agreement and is satisfied with the services of his counsel. This Agreement shall not be construed as if drafted by either party. This Agreement represents the full and complete agreement of the parties, and there are no other representations, promises or agreements, oral or otherwise, between the parties, except what is written here.

Witness:

[Signature]
Amparo Vargas
Print Name

CITY OF NORTH BAY VILLAGE

By: [Signature]
Matthew Schwartz, City Manager

Date: March 17, 2010

Witness:

Print Name

EMPLOYEE:

Witness:

[Signature]
Jackie Stephens
Print Name

By: [Signature]
Roland Pandolfi, Chief of Police

Date: MARCH 16, 2010

Witness:

Print Name

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ATTACHMENT A

12G(13)

EMPLOYMENT AGREEMENT

This Employment Agreement (this "Agreement") is made this 15th day of October, 2008 by and between the City of North Bay Village, a Florida municipal corporation, ("The City") and Roland Pandolfi, ("The Employee") in consideration of the mutual undertakings set forth herein.

1. **EMPLOYMENT:** The City shall employ the Employee and the Employee hereby accepts employment in the position of Chief of Police in the City's Police Department. The Employee shall report to the City Manager, and shall perform those duties set forth in accordance with the Policy and Procedures Manual of the City and the Standard Operating Procedures of the Police Department of the City (the "Manuals"). This position shall be deemed a management position and thereby be considered exempt from the provisions of the Fair Labor Standards Act (FLSA).

2. **DURATION:** Employment under this Agreement shall commence on the date of this Agreement and terminate in accordance with the termination provisions of Section 11 of this Agreement.

3. **SCHEDULE:** While the demands of the Employee's position will require occasional work outside the normal schedule, the Employee's normal schedule shall be Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. although his responsibilities will require irregular hours and availability 24 hours a day, 7 days a week.

4. **LEAVE:** The Chief of Police shall be entitled to the following paid leave

A. **Holiday:** As defined in the Collective Bargaining Agreement between the City and the Dade County Police Benevolent Association, the City identifies twelve paid holidays per year. Additionally, the Employee is entitled to his birthday as a paid day of leave.

B. **Annual Leave:** One hundred twenty (120) hours for the first year shall be accrued at the Chief's specified hourly rate of pay, with an additional twenty hours of accrued leave per year for two consecutive years, not to exceed a maximum of 200 hours of accrued annual leave per year for the period of employment. Unused accrued annual leave hours remaining at the expiration of this Agreement shall be paid out to the Employee. Annual leave may be carried forward to the next year of this Agreement.

C. **Sick:** As granted to other management positions, the Chief shall be entitled to twelve paid sick days per year.



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D. Other Leave: All other types of leave, (such as leaves of absence, seminars, family medical, etc.), shall be in accordance with such leave granted to other assistant or deputy department heads, subject to the approval of the City Manager.

E. Suspension: The City Manager may suspend the Employee at any time during the term of this Agreement: (i) for just cause, provided, that the Employee is given written notice setting forth any charges at least 10 days prior to the date of suspension; or (ii) upon loss of certification or court or regulatory agency action with jurisdiction over the matter.

5. SALARY: The Employee's salary shall be \$108,820.60 per year paid in accordance with the City's rules regarding Police Department payroll. The Chief shall receive an annual performance evaluation, and based on an annual satisfactory performance evaluation, shall receive an annual increase as do other management employees of the City.

6. EXPENSES: Reimbursement of expenses, travel costs, training expenses, seminar and convention fees, uniform maintenance, food and lodging shall be in accordance with the City's rules and policies which apply to sworn Police Department exempt non-bargaining unit employees.

7. EDUCATION: The Employee shall be reimbursed up to \$2,000.00 per year for educational expenses for graduate level courses that are relative to the profession, subject to the prior approval of the City Manager, which includes tuition, books, and lab fees, provided that the Employee provides proof of passing grades.

9. INSURANCE AND RETIREMENT BENEFITS: The Employee shall be covered by the City's worker's compensation, liability and other insurance policies as any other Police Department employee. The Employee shall be eligible for disability benefits from the Retirement Plan of the City or private plan offering similar benefits. The City shall pay the full cost of the Employee's health insurance coverage up to the cost of the Family Coverage, which will include dental insurance with dependent coverage. The Employee has the right to choose a health plan offered by the city, if dual plans are offered. In addition, the City shall provide a life insurance policy which applies to sworn Police Department Officers. The City shall further contribute to a pension for Employee as follows: The standard FRS granted to City department heads and middle managers.

10. AUTOMOBILE AND EQUIPMENT: The City shall provide the Chief of Police with a full size automobile, and equipment which includes but is not limited to cellular phone with unrestricted use in accordance with the established rate plan, pager, cellular phone, firearm, vest, ammunition, badge, rank insignia, uniforms and other appropriate paraphernalia). The Chief of Police shall have the exclusive and unrestricted use of an

automobile at all times during this employment with the City. The City shall be responsible for paying for the fuel, liability, property damage and comprehensive insurance and for the purchase or rental, maintenance and repair of the automobile.

11. **TERMINATION:** This Agreement may be terminated by either party upon ninety (90) days advance written notice to the other party. If during the term of this Agreement, the Employee is terminated without cause or injured in the line of duty, and it is agreed that if he is unable to return to duty, the City agrees to continue benefits and pay Employee either a lump sum cash payment equal to one-year salary and benefits, and in addition, the City must pay: (i) 100% of unused sick leave; (ii) 100% of unused annual leave; and (iii) any other accrued benefits to date upon separation including Holiday Pay at 100%. In the event of an on-the-job injury to the employee, not as a result of negligence or an intentional act by the employee, or employee resigns such employee will be entitled to full pay and benefits for a period of time not to exceed six (6) months in addition to employees accrued time earned. In the event Employee is terminated for cause, the City may terminate Employee with 60 days of severance pay, and must pay to Employee: (i) 100% of accrued sick leave; (ii) 100% of accrued annual leave; and (iii) any other accrued benefits to date upon separation including holiday pay at 100%. The City may not terminate this Agreement due to a layoff, reduction in force or failure of the City to appropriate sufficient funds to budget the position. The City may not at any time during the term of this Agreement reduce the salary, or other financial benefits of the Employee. In the event employee is separated from employment with the City, at any point after vesting in the pension system, the City will provide Employee with a complete set of "retirement credentials" evidencing Employee's current rank.

12. **DISPUTE RESOLUTION:** In the event of any dispute over this Agreement and/or arising out of or in any way connected to Employee's employment with the City, the parties agree the sole and exclusive resolution for any dispute shall be final and binding arbitration by a mutually selected arbitrator in accordance with Employment Arbitration pursuant to Florida Statutes, with each party to bear its/his own attorneys' fees and to evenly split the costs, fees and expenses of the arbitration. By entering into this Agreement, the Employee expressly waives any right to pursue any legal, equitable and/or administrative action against the City, except for the forgoing arbitration proceeding.

13. **MEMBERSHIP:** The Employee will be provided with the ability to have membership paid in professional organizations that are relative to the position, subject to prior approval by the City Manager.

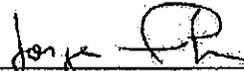
14. **TRAVEL:** The Employee will be permitted to attend professional seminars, conventions, and training that are related to the position of Police Chief, subject to prior approval by the City Manager. The City shall allow the Employee to participate and pay for the registration fee, travel, food, lodging, and car rental if applicable.

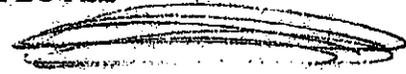
15. LEGAL DEFENSE: The City will provide legal defense to Employee to the extent permitted by state law and/ or city liability insurance contract, coverage in relation to claims against the Employee arising out of his employment. Employee shall have the right to retain counsel of his choice in the event a conflict arises, so long as it is approved by the insurance carrier.

1p. BONDING: The City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

CITY OF NORTH BAY VILLAGE

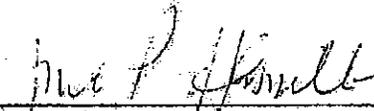
EMPLOYEE

By: 
Jorge Forte, City Manager

By: 
Roland Pandolfi

Date: 10/15/08

Date: 10/15/08

Attest: 
City Clerk

APPROVED AS TO FORM:

Jim Crosland
City Attorney

ATTACHMENT B

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ATTACHMENT B

Pay-Out Time Line

3/12/10: Agreement is signed- Two (2) months notice, employee is on full payroll and no change in benefits. Title becomes "Advisor to the City Manager for Homeland Security and Emergencies" and Employee is no longer Chief of Police. Employee to work full-time at direction of City Manager.

5/12/10 – 11/12/10: Six (6) months of severance begins (full pay, benefits and accruals continue)

- *6/9/10:* Employee receives 200 hours of vacation time added to leave bank on his anniversary
- *6/9/10:* Employee receives longevity pay
- *No Cola, No Merit or other pay increases during Severance Period or Leave Bank Period.*

11/12/10 and after: – Time accrued and balance to date is calculated. Time accrued and balance to date of 11/12/10 will begin to be paid out on a bi-weekly basis and hours will be calculated and paid out so that the bi-weekly payments are approximately in the amount of \$3,130.00 bi-weekly. This bi-weekly amount will be paid out until all time accrued and unused balances to date of 11/12/10 are all paid out.

After the time accrued and unused balance to date of 11/12/10 is all paid out, Employee will begin to receive payment for time accrued after 11/12/10 through the last bi-weekly period for which Employee received pay for said amount. Bi-weekly pay for time accrued after 11/12/10 will also be on a bi-weekly basis at the rate of approximately \$3,130.00. Employee will receive bi-weekly pay until all of accrued hours after 11/12/10 are paid out.

***Assuming no sick time, vacation time, personal or comp time is used during 3/12/10- 5/12/10; this is the breakdown of hours accrued to date:**

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Recap	60 days (5 pay periods)	3/12/10 - 5/12/2010 4,185.40	5	20,927.00
	6 months (13 pay periods)	5/13/2010 - 11/13/2010 4,185.40	13	54,410.20
	Educational Inc (8 pay period)	3/12/10 - 11/13/10 126.00	8.00	960.00
	Chu	52,3175		44,365.24
	Per	52,3175		3,766.86
	Sic	52,3175		35,960.43
	Vac	52,3175		27,885.23
				188,274.96

Beg Bal + 2 yr
 Beg Bal + 48 pperiods
 Beg bal + 2 yr -200 each

12G(20) RP

	CHU	PER	SICK	VAC
2/26/2010	848.00	24.00	506.54	133.00
3/11/2010			3.69	
3/18/2010				
5/21/2010			3.69	
6/4/2010			3.69	200.00
6/17/2010			3.69	
6/18/2010			3.69	
7/1/2010			3.69	
7/2/2010			3.69	
7/15/2010			3.69	
7/29/2010			3.69	
8/5/2010			3.69	
8/12/2010			3.69	
8/26/2010			3.69	
9/9/2010			3.69	
9/23/2010			3.69	
10/7/2010			3.69	
10/21/2010			3.69	
11/4/2010			3.69	
11/18/2010			3.69	
12/2/2010			3.69	
12/9/2010			3.69	
				333.00
				580.34
				24.00

6 months - May 13 - Nov 13, 2010

6 months - May 13 - Nov 13, 2010
 Nov 14, 2010 start paying accruals

As of 0301

12G(21) RP

12/3/2010	12/16/2010	12/23/2010	(80.00)		
12/17/2010	12/30/2010	1/6/2011	3.69		
12/31/2010	1/13/2011	1/20/2011	3.69		
1/14/2011	1/27/2011	2/3/2011	24.00		
1/28/2011	2/10/2011	2/17/2011	3.69		
2/11/2011	2/24/2011	3/3/2011	3.69		
2/25/2011	3/10/2011	3/17/2011	3.69		
3/11/2011	3/24/2011	3/31/2011	3.69		
3/25/2011	4/7/2011	4/14/2011	3.69		
4/8/2011	4/21/2011	4/28/2011	3.69		
4/22/2011	5/5/2011	5/12/2011	3.69		
5/6/2011	5/19/2011	5/26/2011	48.00		
5/20/2011	6/2/2011	6/9/2011	624.62		Includes 200 vac hours
6/3/2011	6/16/2011	6/23/2011	(32.00)		
6/17/2011	6/30/2011	7/7/2011	600.00		533.00
7/1/2011	7/14/2011	7/21/2011	(80.00)		
7/15/2011	7/28/2011	8/4/2011	(80.00)		
7/29/2011	8/11/2011	8/18/2011	(80.00)		
8/12/2011	8/25/2011	9/1/2011	(80.00)		
8/26/2011	9/8/2011	9/15/2011	(80.00)		
9/9/2011	9/22/2011	9/29/2011	(80.00)		
9/23/2011	10/6/2011	10/13/2011	(40.00)		
10/7/2011	10/20/2011	10/27/2011	(40.00)		
10/21/2011	11/3/2011	11/10/2011	33.21		Includes 3.69 of sick X 9 p/p
11/4/2011	11/17/2011	11/24/2011	3.69		
11/18/2011	12/1/2011	12/8/2011	3.69		
12/2/2011	12/15/2011	12/22/2011	3.69		
12/16/2011	12/29/2011	1/5/2012	3.69		
12/30/2011	1/12/2012	1/19/2012	24.00		
1/13/2012	1/26/2012	2/2/2012	3.69		
			24.00		
			50.04		13.00
			(74.00)		(13.00)
			(59.99)		
					Last payment 2/2/2010

Pandolfi
2

12G(22) 

ROLAND D PANDOLFI JR. Hewitt Associates - 02-04-2012 9:44 a.m. Eastern Standard Time

Manage Your Investments

[Your Portfolio Performance](#) | [Your Personal Return](#) | [Fund Performance](#)

[Your Investment Activity Summary](#) | [Your Investment Activity Details](#)

Your Investment Activity Details

Date Range Select a range -- Choose One --

Enter a range 01-03-2010 to 02-03-2012
 (Between 12-26-2009 and 02-03-2012)

View All Activity

FRS Investment Plan - All Activity (01-03-2010 to 02-03-2012)

Fund	Activity Date	Activity	Amount	NAV/Price	Units/Shares
FRS Select Conservative Balanced Fund (A10)			-\$19,407.76		-1,325.773
	03-08-2010	Fund Reallocation	-\$19,407.76	\$14.638826	-1,325.773
FRS Select Moderate Balanced Fund (A20)			\$106,854.32		6,533.294
	01-08-2010	IP Employer	\$1,698.16	\$16.213603	104.737
	02-10-2010	IP Employer	\$1,698.16	\$15.609012	108.794
	03-08-2010	Fund Reallocation	\$76,255.38	\$16.194726	4,708.655
	03-09-2010	IP Employer	\$1,698.16	\$16.201690	104.814
	04-07-2010	IP Employer	\$1,698.16	\$16.502339	102.904
	05-10-2010	IP Employer	\$3,722.84	\$16.278453	228.697
	06-08-2010	IP Employer	\$1,674.16	\$15.655721	106.936
	07-09-2010	IP Employer	\$1,674.16	\$16.016058	104.530
	08-09-2010	IP Employer	\$1,674.16	\$16.602358	100.839
	09-10-2010	IP Employer	\$1,674.16	\$16.495850	101.490
	10-11-2010	IP Employer	\$2,511.24	\$17.154808	146.387
	11-09-2010	IP Employer	\$1,674.16	\$17.401952	96.205
	12-08-2010	IP Employer	\$1,679.70	\$17.269520	97.264
	01-10-2011	IP Employer	\$1,674.16	\$17.494785	95.695
	02-09-2011	IP Employer	\$1,674.16	\$17.851302	93.784
	03-08-2011	IP Employer	\$1,674.16	\$17.950581	93.265
	04-08-2011	IP Employer	\$2,511.24	\$16.067214	138.924
	10-03-2011	Plan Expenses	-\$6.00	\$16.697063	-0.359
	01-03-2012	Plan Expenses	-\$6.00	\$17.849910	-0.336
FRS Select Aggressive Balanced Fund (A30)			-\$56,847.62		-3,473.137
	03-08-2010	Fund Reallocation	-\$56,847.62	\$16.367804	-3,473.137
Total 01-03-2010 to 02-03-2012			\$30,898.94	N/A	N/A

→ LAST PAYMENT INTO FRS.

Answer Center

Your Customer ID and PIN
for Quicken® or Mint

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North Bay Village

Administrative Offices

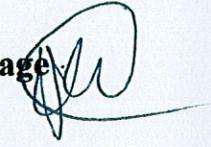
1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: June 11, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Jenice Rosado, Interim Village Manager 

PRESENTED BY STAFF: Jenice Rosado, Interim Village Manager, Nina Boniske, Village Attorney

SUBJECT: Renewal of Franchise Agreement with Florida Power & Light

RECOMMENDATION:

It is recommended that the Village Commission adopt an Ordinance approving a new Franchise Agreement with Florida Power & Light ("FP&L"). (attached)

BACKGROUND:

In 1983 the Village adopted Ordinance 83-15, which authorized a 30-year franchise with FP&L for the use of the Village's rights-of-ways to provide electricity throughout the Village. The franchise is set to expire in August of 2013. Under the existing franchise, FP&L pays the Village a 6% franchise fee based upon its revenues from the sale of electrical energy to residential, commercial and industrial customers within the Village, deducts from this payment any ad-valorem taxes paid to the Village for FP&L facilities located in the Village, and makes payment in monthly installments of 90% of the franchise fees, with the balance of the 10% paid at the end of the year. In exchange for the payment of the franchise fee and the issuance of the franchise to FP&L, the Village agrees not to be in the business of providing electric utilities.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12H(1)

In Ordinance No. 89-81, Miami-Dade County granted FP&L a franchise throughout all of the unincorporated and incorporated areas of the County. That Ordinance provides that the franchise is “subject to all franchises in existence on the effective date hereof which have been granted...by municipalities within the limits of Miami-Dade, County, Florida, including any renewals or extensions of such municipal franchises, and subject to any franchises which may be granted to FP&L by any municipality which was incorporated within Miami-Dade County prior to the effective date hereof.” The County’s franchise recognizes the existence of municipal franchises in effect prior to 1989, and directly authorizes renewals or the same. As the Village’s franchise was in existence prior to this date, Miami-Dade County’s franchise does not negatively affect the Village’s franchise with FP&L.

The newly proposed franchise (the “Franchise”) is for a term of 30 years, pays the Village a 6% franchise fee without deducting the payment of ad-valorem taxes and pays 100% of the annual franchise fee in monthly installments. The Franchise also recognizes the Village’s ability to utilize alternative energy delivery methods (for example, solar) without negatively affecting the Franchise. Under the new Franchise, the Village would have 12 months to conduct an audit of any previous franchise payments under the existing franchise. The Village would also coordinate the location of facilities in the rights-of-ways.

FINANCIAL IMPACT:

This historical revenues received by the Village from the existing franchise for the last 2 years have been an average of \$ 356,777 per year. The Village is projected to receive \$ 354,573 for the Fiscal Year ending September 30, 2013. Under the new Franchise, the Village is projected to receive approximately \$392,348 in franchise fees for Fiscal-Year 2013-14. (See attached chart from FP&L) As the Village has recently approved new development, and it is anticipated that other vacant and developed parcels will be developed/redeveloped in the near future, when those projects are completed and on-line, the Village’s franchise fee revenues should increase.

BUDGETARY IMPACT (FINANCE DEPT):

The FY 2013 projected General Fund revenues will increase by \$6,337 which will be for August and September 2013. The FP&L franchise fee revenue in the FY 2014 proposed budget will increase by the full \$38,023 to \$392,348.

PERSONNEL IMPACT:

None.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

124(2)

**FPL's Franchise Fee Payment Calculation
Current Contract vs. New Contract**

City of North Bay Village
Franchise is scheduled to expire on 8/26/13

Current Contract Terms ¹:
Franchise Fee + Property Taxes + Permits/Fees = 6% of specified revenue

New Contract Terms ¹:
Franchise Fee + Permits/Fees = 6% of specified revenue (less uncollectibles)

Example: ³

Revenue Type	City of North Bay Village	
	Current	New
Residential	\$ 3,735,448	\$ 3,735,448
Commercial	2,807,818	2,807,818
Industrial	-	-
Total Revenue ²	\$ 6,543,266	\$ 6,543,266
Less: Uncollectibles	-	4,132
Net Revenue	\$ 6,543,266	\$ 6,539,134
	x 6 %	x 6 %
6% / 6% of revenue	\$ 392,596	\$ 392,348
Other payments by FPL:		
Permits/Fees	\$ -	\$ -
Property Taxes	38,023	-
Franchise Fees	\$ 354,573	\$ 392,348

\$ 392,348
\$ 354,573
\$ 37,775

This is the increased amount that would be made up by the City's franchise customers.

• Under the current agreement - a typical residential bill for 1,200 kWh is \$134.07; \$6.73 of that is for franchise fees and \$9.88 is for municipal taxes.

• Under the new agreement - a typical residential bill for 1,200 kWh would be \$134.63; \$7.24 of that is for franchise fees and \$9.93 is for municipal taxes.

The average residential customer would see a monthly increase in their bill of \$0.56 per month.

Summary:

Current Contract Terms ¹:
Franchise Fee + Property Taxes + Permits/Fees = 6% of specified revenue
354,573 + 38,023 + - = **392,596 (Total payments)**

New Contract Terms ¹:
Franchise Fee + Permits/Fees = 6% of specified revenue + Property Taxes
392,348 + - = 392,348 + 38,023 = **430,371 (Total payments)**

¹ Current Contract Terms call for 90% payment each month for the first eleven months of each franchise year, with that 10% added to the final payment; under the new contract, 100% is paid each month.

² Franchise revenues are actual 12 months ended April 2013

RH(3)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

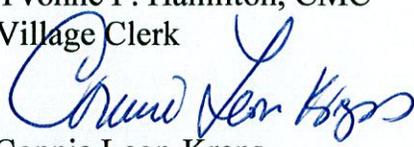
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: June 5, 2013

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 NORTH BAY VILLAGE, FLORIDA GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO NORTH BAY VILLAGE, AND PROVIDING FOR AN EFFECTIVE DATE.

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

CLK:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12H(4)

ORDINANCE NO. _____

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO NORTH BAY VILLAGE, AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, the Commission of North Bay Village, Florida recognizes that North Bay Village and its citizens need and desire the continued benefits of electric service; and

WHEREAS, the provision of such service requires substantial investments of capital and other resources in order to construct, maintain and operate facilities essential to the provision of such service in addition to costly administrative functions, and North Bay Village does not desire to undertake to provide such services; and

WHEREAS, Florida Power & Light Company (FPL) is a public utility which has the demonstrated ability to supply such services; and

WHEREAS, there is currently in effect a franchise agreement between North Bay Village and FPL, the terms of which are set forth in North Bay Village Ordinance No. 83-15, passed and adopted August 24, 1983, and FPL's written acceptance thereof dated August 26, 1983, granting to FPL, its successors and assigns, a thirty (30) year electric franchise ("Current Franchise Agreement"); and

WHEREAS, FPL and North Bay Village desire to enter into a new agreement (New Franchise Agreement) providing for the payment of fees to North Bay Village in exchange for the nonexclusive right and privilege of supplying electricity and other services within North Bay Village free of competition from North Bay Village, pursuant to certain terms and conditions, and

WHEREAS, the Village Commission of North Bay Village deems it to be in the best interest of North Bay Village and its citizens to enter into the New Franchise Agreement prior to expiration of the Current Franchise Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA:

Section 1. There is hereby granted to Florida Power & Light Company, its successors and assigns (hereinafter called the "Grantee"), for the period of 30 years from the effective date hereof, the nonexclusive right, privilege and franchise (hereinafter called "franchise") to construct, operate and maintain in, under, upon, along, over and across the present and future roads, streets, alleys, bridges, easements, rights-of-way and other public places (hereinafter called "public rights-of-way") throughout all of the incorporated areas, as such incorporated areas may be constituted from time to time, of North Bay Village, Florida, and its successors (hereinafter called the "Grantor"), in accordance with the Grantee's customary practice with respect to construction and maintenance, electric light and power facilities, including, without limitation, conduits, poles, wires, transmission and distribution lines, and all other facilities installed in conjunction with or ancillary to all of the Grantee's operations (hereinafter called "facilities"), for the purpose of supplying electricity and other services to the Grantor and its successors, the inhabitants thereof, and persons beyond the limits thereof.

Section 2. The facilities of the Grantee shall be installed, located or relocated so as to not unreasonably interfere with traffic over the public rights-of-way or with reasonable egress from and ingress to abutting property.

To avoid conflicts with traffic, the location or relocation of all facilities shall be made as representatives of the Grantor may prescribe and approve in accordance with the Grantor's reasonable rules and regulations with reference to the placing and maintaining in, under, upon, along, over and across said public rights-of-way taking into account the Grantor's existing utilities, proposed utilities and planned infrastructure improvements; provided, however, that such rules or regulations (a) shall not prohibit the exercise of the Grantee's right to use said public rights-of-way for reasons other than unreasonable interference with motor vehicular traffic, (b) shall not unreasonably interfere with the Grantee's ability to furnish reasonably sufficient, adequate and efficient electric service to all of its customers, and (c) shall not require the relocation of any of the Grantee's facilities installed before or after the effective date hereof (provided Grantee's facilities installed after the effective date have been installed and located in accordance with the provisions of this Section 2) in public rights-of-way unless or until widening or otherwise changing the configuration of the paved portion of any public right-of-way used by motor vehicles causes such installed facilities to unreasonably interfere with motor vehicular traffic. Such rules and regulations shall recognize that above-grade facilities of the Grantee installed after the effective date hereof should be installed near the outer boundaries of the public rights-of-way to the extent possible, recognizing that Grantor's reasonable rules and regulations may prescribe placement of Grantee's facilities in other locations within the public rights-of-way to avoid interference with existing utilities of the Grantor, proposed utilities and planned infrastructure improvements of the Grantor.

When any portion of a public right-of-way is excavated by the Grantee in the location or relocation of any of its facilities, the portion of the public right-of-way so excavated shall within a reasonable time be replaced by the Grantee at its expense and in as good condition as it was at the time of such excavation. The Grantor shall not be liable to the Grantee for any cost or expense in connection with any relocation of the Grantee's facilities required under subsection (c) of this Section, except, however, the Grantee shall be entitled to reimbursement of its costs from others and as may be provided by law.

Section 3. The Grantor shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its facilities hereunder, and the acceptance of this ordinance shall be deemed an agreement on the part of the Grantee to indemnify the Grantor and hold it harmless against any and all liability, loss, cost, damage or expense which may accrue to the Grantor by reason of the negligence, default or misconduct of the Grantee in the construction, operation or maintenance of its facilities hereunder.

Section 4. All rates and rules and regulations established by the Grantee from time to time shall be subject to such regulation as may be provided by law.

Section 5. As a consideration for this franchise, the Grantee shall pay to the Grantor, commencing 90 days after the effective date hereof, and each month thereafter for the remainder of the term of this franchise, an amount which added to the amount of all licenses, excises, fees, charges and other impositions of any kind whatsoever (except ad valorem property taxes and non-ad valorem tax assessments on property) levied or imposed by the Grantor against the Grantee's property, business or operations and those of its subsidiaries during the Grantee's monthly billing period ending 60 days prior to each

such payment will equal 6.0 percent of the Grantee's billed revenues, less actual write-offs, from the sale of electrical energy to residential, commercial and industrial customers (as such customers are defined by FPL's tariff) within the incorporated areas of the Grantor for the monthly billing period ending 60 days prior to each such payment, and in no event shall payment for the rights and privileges granted herein exceed 6.0 percent of such revenues for any monthly billing period of the Grantee.

The Grantor understands and agrees that such revenues as described in the preceding paragraph are limited, as in the existing franchise Ordinance No. 83-15, to the precise revenues described therein, and that such revenues do not include, by way of example and not limitation: (a) revenues from the sale of electrical energy for Public Street and Highway Lighting (service for lighting public ways and areas); (b) revenues from Other Sales to Public Authorities (service with eligibility restricted to governmental entities); (c) revenues from Sales to Railroads and Railways (service supplied for propulsion of electric transit vehicles); (d) revenues from Sales for Resale (service to other utilities for resale purposes); (e) franchise fees; (f) Late Payment Charges; (g) Field Collection Charges; (h) other service charges.

Section 6. As a further consideration, during the term of this franchise or any extension thereof, the Grantor agrees: (a) not to engage in the distribution and/or sale, in competition with the Grantee, of electric capacity and/or electric energy to any ultimate consumer of electric utility service (herein called a "retail customer") or to any electrical distribution system established solely to serve any retail customer formerly served by the Grantee, (b) not to participate in any proceeding or contractual arrangement, the purpose or terms of which would be to obligate the Grantee to transmit and/or distribute, electric

capacity and/or electric energy from any third party(ies) to any other retail customer's facility(ies), and (c) not to seek to have the Grantee transmit and/or distribute electric capacity and/or electric energy generated by or on behalf of the Grantor at one location to the Grantor's facility(ies) at any other location(s). Nothing specified herein shall prohibit the Grantor from engaging with other utilities or persons in wholesale transactions which are subject to the provisions of the Federal Power Act.

Nothing herein shall prohibit the Grantor, if permitted by law, (i) from purchasing electric capacity and/or electric energy from any other person, or (ii) from seeking to have the Grantee transmit and/or distribute to any facility(ies) of the Grantor electric capacity and/or electric energy purchased by the Grantor from any other person; provided, however, that before the Grantor elects to purchase electric capacity and/or electric energy from any other person, the Grantor shall notify the Grantee. Such notice shall include a summary of the specific rates, terms and conditions which have been offered by the other person and identify the Grantor's facilities to be served under the offer. The Grantee shall thereafter have 90 days to evaluate the offer and, if the Grantee offers rates, terms and conditions which are equal to or better than those offered by the other person, the Grantor shall be obligated to continue to purchase from the Grantee electric capacity and/or electric energy to serve the previously-identified facilities of the Grantor for a term no shorter than that offered by the other person. If the Grantee does not agree to rates, terms and conditions which equal or better the other person's offer, all of the terms and conditions of this franchise shall remain in effect.

Section 7. If the Grantor grants a right, privilege or franchise to any other person or otherwise enables any other such person to construct, operate or maintain electric light and power facilities within any part of the incorporated areas of the Grantor in which the Grantee may lawfully serve or compete on terms and conditions which the Grantee determines are more favorable than the terms and conditions contained herein, the Grantee may at any time thereafter terminate this franchise if such terms and conditions are not remedied within the time period provided hereafter. The Grantee shall give the Grantor at least 60 days advance written notice of its intent to terminate. Such notice shall, without prejudice to any of the rights reserved for the Grantee herein, advise the Grantor of such terms and conditions that it considers more favorable. The Grantor shall then have 60 days in which to correct or otherwise remedy the terms and conditions complained of by the Grantee. If the Grantee determines that such terms or conditions are not remedied by the Grantor within said time period, the Grantee may terminate this franchise agreement by delivering written notice to the Grantor's Clerk and termination shall be effective on the date of delivery of such notice.

Section 8. If as a direct or indirect consequence of any legislative, regulatory or other action by the United States of America or the State of Florida (or any department, agency, authority, instrumentality or political subdivision of either of them) any person is permitted to provide electric service within the incorporated areas of the Grantor to a customer then being served by the Grantee, or to any new applicant for electric service within any part of the incorporated areas of the Grantor in which the Grantee may lawfully serve, and the Grantee determines that its obligations hereunder, or otherwise resulting from this franchise in respect to rates and service, place it at a competitive disadvantage

with respect to such other person, the Grantee may, at any time after the taking of such action, terminate this franchise if such competitive disadvantage is not remedied within the time period provided hereafter. The Grantee shall give the Grantor at least 90 days advance written notice of its intent to terminate. Such notice shall, without prejudice to any of the rights reserved for the Grantee herein, advise the Grantor of the consequences of such action which resulted in the competitive disadvantage. The Grantor shall then have 90 days in which to correct or otherwise remedy the competitive disadvantage. If such competitive disadvantage is not remedied by the Grantor within said time period, the Grantee may terminate this franchise agreement by delivering written notice to the Grantor's Clerk and termination shall take effect on the date of delivery of such notice.

Section 9. Failure on the part of the Grantee to comply in any substantial respect with any of the provisions of this franchise shall be grounds for forfeiture, but no such forfeiture shall take effect if the reasonableness or propriety thereof is protested by the Grantee until there is final determination (after the expiration or exhaustion of all rights of appeal) by a court of competent jurisdiction that the Grantee has failed to comply in a substantial respect with any of the provisions of this franchise, and the Grantee shall have six months after such final determination to make good the default before a forfeiture shall result with the right of the Grantor at its discretion to grant such additional time to the Grantee for compliance as necessities in the case require.

Section 10. Failure on the part of the Grantor to comply in substantial respect with any of the provisions of this ordinance, including but not limited to: (a) denying the Grantee use of public rights-of-way for reasons other than unreasonable interference with motor vehicular traffic; (b) imposing conditions for use of public rights-of-way contrary to

Florida law or the terms and conditions of this franchise; (c) unreasonable delay in issuing the Grantee a use permit, if any, to construct its facilities in public rights-of-way, shall constitute breach of this franchise and entitle the Grantee to withhold such portion of the payments provided for in Section 5 as a court of competent jurisdiction determines to be just and reasonable under all circumstances hereof until such time as a use permit is issued or a court of competent jurisdiction has reached a final determination dispositive of the matter. The Grantor recognizes and agrees that nothing in this franchise agreement constitutes or shall be deemed to constitute a waiver of the Grantee's delegated sovereign right of condemnation and that the Grantee, in its sole discretion, may exercise such right.

Section 11. The Grantor may, upon reasonable notice and within 180 days after each anniversary date of this franchise, at the Grantor's expense, examine the records of the Grantee relating to the calculation of the franchise payment for the year preceding such anniversary date. Such examination shall be during normal business hours at the Grantee's office where such records are maintained. Records not prepared by the Grantee in the ordinary course of business may be provided at the Grantor's expense and as the Grantor and the Grantee may agree in writing. Information identifying the Grantee's customers by name or their electric consumption shall not be taken from the Grantee's premises. Such audit shall be impartial and all audit findings, whether they decrease or increase payment to the Grantor, shall be reported to the Grantee. The Grantor's right to examine the records of the Grantee in accordance with this Section shall not be conducted by any third party employed by the Grantor whose fee, in whole or part, for conducting such audit is contingent on findings of the audit.

After approval of this New Franchise Agreement, Grantor shall have 12 months to commence an audit of franchise payments under the franchise agreement embodied in Ordinance No. 83-15 or else Grantor shall be deemed to have waived all claims relating in any way to the amounts paid by the Grantee under the franchise agreement embodied in Ordinance No. 83-15.

Section 12. Grantor and Grantee recognize that it is in the best interests of the Village, its residents, businesses and inhabitants thereof to reduce and control the growth rates of electric consumption; to reduce the growth rates of weather-sensitive peak demand; to increase the overall efficiency and cost-effectiveness of electricity production and use and to encourage further development of demand-side renewable energy systems. To that end Grantor and Grantee agree to use their best efforts to cooperatively work each with the other to promote incentives for customer-owned and utility owned-energy efficiency and demand-side renewable energy intended to offset all or part of a customer's electricity requirements. Nothing contained in this franchise shall be construed as prohibiting or impeding the residents, businesses, and inhabitants within the incorporated area of the Village from installing and using renewable energy systems provided the renewable energy systems referred to are otherwise permitted by Florida law.

(b) Grantor may, if permitted by law, (i) generate electric capacity and/or energy at any facility owned by the Grantor for storage or utilization at that facility or other Grantor facilities, operations or equipment; (ii) use renewable energy sources to generate electric capacity and/or energy for use in demonstration projects or at Grantor's facilities, operations or its equipment; and (iii) sell electric capacity and/or energy to Grantee or

other wholesale purchaser in compliance with applicable rules and regulations controlling such transactions.

Section 13. Grantor acknowledges it is fully informed concerning the existing franchise granted by Miami-Dade County, Florida, to the Grantee herein, and accepted by the Grantee as set out in Ordinance No. 60-16 adopted on May 3, 1960, and subsequently renewed and accepted by the Grantee as set out in Ordinance 89-81 adopted on September 5, 1989 by the Board of County Commissioners of Miami-Dade County, Florida. Grantor agrees to indemnify and hold Grantee harmless against any and all liability, loss, cost, damage and expense incurred by Grantee in respect of any claim asserted by Miami-Dade County against Grantee arising out of the Franchise set out in the above referenced ordinances for the recovery of any sums of money paid by Grantee to Grantor under the terms of this New Franchise Agreement. Grantee acknowledges and Grantor hereby relies on then Dade County Resolution No. R-709-78 adopted on June 20, 1978 in the granting of this franchise.

Section 14. The Grantee understands and acknowledges that the Grantor's policies strongly favor undergrounding of utilities and improvement of safety and aesthetics. The Grantee has filed a tariff and has adopted a Mechanism for Governmental Recovery of Undergrounding Fees (MGRUF), along with other underground conversion tariffs. The parties agree that they will use their best efforts to provide for undergrounding in accordance with currently applicable and successor Grantee tariffs.

Section 15. The provisions of this ordinance are interdependent upon one another, and if any of the provisions of this ordinance are found or adjudged to be invalid,

illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 16. As used herein "person" means an individual, a partnership, a corporation, a business trust, a joint stock company, a trust, an incorporated association, a joint venture, a governmental authority or any other entity of whatever nature.

Section 17. Ordinance No. 83-15, passed and adopted August 24, 1983 and all other ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith, are hereby repealed.

Section 18. As a condition precedent to the taking effect of this ordinance, the Grantee shall file its acceptance hereof with the Grantor's Clerk within 30 days of adoption of this ordinance. The effective date of this ordinance shall be the date upon which the Grantee files such acceptance.

PASSED on first reading this _____ day of _____, 2013.

PASSED AND ADOPTED on second reading this _____ day of _____, 2013.

NORTH BAY VILLAGE, FLORIDA

By: _____

ATTEST:

By: _____
(Village) Clerk of North Bay Village, Florida

(SEAL)

12H(16)

APPROVED AS TO FORM AND LEGALITY

(Village) Attorney, North Bay Village, Florida

12H(17)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

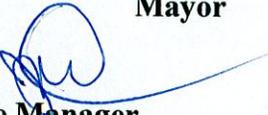
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: June 5, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Connie Leon Kreps
Mayor

PRESENTED BY STAFF: Jenice Rosado 
Interim Village Manager

SUBJECT: North Bay Village 2013 Resident Survey

RECOMMENDATION:

It is recommended that the Village Commission approve the expenditure of funds not to exceed \$15,000 to approve the hiring of ETC Institute to conduct a resident survey in order to achieve the Village's goals of a more efficient government. The survey will essentially seek to provide and achieve a greater level of accountability and customer service with respect to the Village's delivery of services.

BACKGROUND:

The North Bay Village Administration and the Commission recognizes the need to conduct a resident survey. The purpose of conducting this survey is to seek out residents' feedback concerning the Village's current programs and services. The resident survey is key to the Village's ongoing efforts to identify and address residents' concerns, expectations and other items of priority in the community of North Bay Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

12I(1)

After researching and evaluating several cost effective options, while not compromising quality of results, we have determined that ETC Institute (ETC) would be the most appropriate to formulate, distribute and analyze the data for this survey in order to receive an optimal number of responses. ETC Institute will work with North Bay Village staff to maximize the design of the survey instrument proposed. The survey instrument will be tailored to the needs of the Village. ETC will then test 20 households prior to administering the survey and work closely with Village staff to take any corrective measures, if deemed necessary. Once the surveys have been mailed, ETC will begin follow-up calls to serve as reminders to complete the survey or the option of completing the survey by phone will be available. Once ETC has acquired the necessary samples they will then provide a formal report with major findings, the importance-satisfaction analysis, benchmarking analysis, and GIS Mapping, a copy of the survey instruments, as well as an on-site presentation of the final results which will be delivered at a date to be determined by the Village.

Attached we have provided a side-by-side comparison of five (5), well-qualified and established research firms that specialize in conducting resident surveys. The detailed spreadsheet addresses how questions are selected, sample size, method of distribution, how respondents are screened, languages, cost, and time frame for results. In addition, we have included a spreadsheet with responses from other municipalities as to the frequency in which they conduct surveys of their communities (see attached). It should be noted that our Village has never conducted a survey of our residents.

**Attached is supporting information provided by the organizations*

BUGETARY/FINANCIAL IMPACT (FINANCE DEPARTMENT):

The funds for the survey will be derived from the unreserved fund balance line. The Village's Administration strongly believes that the survey can be successfully accomplished for under \$15,000. The Village Commission formally moved \$20,000 for this survey from the Village Manager's recommended FY 2013 budget to the General Fund Unreserved Fund Balance. This action would return \$15,000 to budget line item 01.019.519.5458.

The current General Fund Unreserved Fund Balance as of June 6, 2013 is \$231,428 and does include any other expenditure on the Village Commission agenda of June 11, 2013.

PERSONNEL IMPACT:

Assigned personnel will oversee the project to ensure compliance and work closely to assist in providing any information needed by the research firm.

12 I (2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

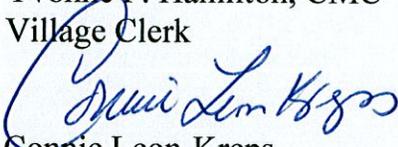
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: June 5, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: 
Connie Leon-Kreps
Mayor

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 AN AGREEMENT WITH ETC INSTITUTE, INC. FOR THE IMPLEMENTATION OF A CITIZEN SURVEY; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; BUDGETING AND AUTHORIZING THE EXPENDITURE OF FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE AGREEMENT; SETTING AN EFFECTIVE DATE.

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

CLK:yph

12I(3)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT WITH ETC INSTITUTE, INC. FOR THE IMPLEMENTATION OF A CITIZEN SURVEY; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; BUDGETING AND AUTHORIZING THE EXPENDITURE OF FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE AGREEMENT; SETTING AN EFFECTIVE DATE. (INTRODUCED BY CONNIE LEON-KREPS)

WHEREAS, the Village is committed to providing the citizens we serve with timely and professional services; and

WHEREAS, the Village Commission wishes to conduct a citizen survey to measure and improve the level of services provided; and

WHEREAS, Section 36.25(J) of the North Bay Village Code of Ordinances authorizes the award of a contract without sealed bidding upon a determination by the Village Manager that the purchase meets acceptability criteria and the supplier has been selected in a competitive process within the last 36-month period by another governmental entity in the State of Florida; and

WHEREAS, the City of Coral Springs, Florida awarded a contract to ETC Institute, Inc. on October 5, 2010 for similar public opinion survey services, and the Manager has determined that the purchase of these surveys under the same terms and conditions meets acceptability criteria.

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.

121 (4)

Section 2. Approval of Agreement. The Agreement between the Village and ETC Institute, Inc. for the implementation of a resident survey, in substantially the form attached as Exhibit "1," together with such changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney, is approved.

Section 3. Waiver of Competitive Bidding. Competitive bidding for the award of the Agreement between the Village and ETC Institute, Inc. is waived pursuant to Section 36.25 of the Village Code.

Section 4. Execution of Agreement. The Village Manager is authorized to execute the Agreement with ETC Institute, Inc. on behalf of the Village for conducting a citizen survey in accordance with the proposal attached hereto as Exhibit 1, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 5. Budget Appropriation and Fund Expenditure. The Village Commission appropriates \$15,000.00 from the Unreserved Fund Balance to the General Government Department, Account Number 01.019.519.5458 and further authorizes the expenditure of such funds to be used to implement the citizen survey.

Section 6. Authorization of Village Officials. The Village Manager and/or her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by _____, seconded by _____.

FINAL VOTE AT ADOPTION:

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

121(5)

PASSED and ADOPTED this _____ day of June 2013.

MAYOR CONNIE LEON-KREPS

ATTEST:

YVONNE P. HAMILTON, CMC
City Clerk

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

Weiss Serota Helfman
Pastoriza Cole & Boniske, P.L.
Village Attorney

City of North Bay Village Resolution: ETC Institute-Resident Survey-June 2013

12I(6)



ETC INSTITUTE

MARKETING RESEARCH, DEMOGRAPHY, STATISTICAL APPLICATIONS

725 W. FRONTIER CIRCLE, OLATHE, KANSAS 66061
(913) 829-1215 FAX: (913) 829-1591

April 30, 2013

Tes Cutino
Executive Assistant to the Village Manager and Commission
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141

Subject: Letter of Agreement to Conduct a Resident Survey

Based on our conversations, the following scope and fees are provided to conduct a resident survey for North Bay Village, FL.

Scope of Services:

Task 1: Conduct a Resident Survey.

1.1 Survey Design. ETC Institute will work with North Bay Village staff to maximize the design of the survey instrument proposed. The survey instrument will be tailored to the needs of the City. It is anticipated that 2-3 drafts of the survey will be prepared before the survey is approved by Village staff. ETC Institute has provided pricing options for a 4 or 7 page (10 minute) mail/phone survey.

1.2 Sampling Plan. ETC Institute will design the sampling plan in a manner that ensures the completion of at least 400 surveys from a random sample of 2,000 North Bay Village residents. A random sample of **400 completed surveys** will provide results that have a precision of at least +/- 5% at the 95% level of confidence. The sample will be selected at random from all known residents in the City. This selection methodology will ensure that the sample is representative of the City's residents.

12I(7)

1.3 Administer the Survey. ETC Institute will administer the survey by mail, phone, and the internet. Specifically, ETC Institute will do the following:

- ETC Institute will test the survey with at least 20 households before the survey is administered. Any problems or issues that are identified will be reported to the City staff and corrective action will be recommended and taken as appropriate.
- Surveys will be mailed to 2,000 randomly selected households in the City. Postage-paid envelopes will be provided by ETC Institute for each respondent. North Bay Village will provide a cover letter for the mailed survey that will contain an address for the electronic survey.
- 10 days after the surveys are mailed, ETC Institute’s phone interviewers will begin making follow-up phone calls to each of the residents in the sample frame. Respondents who indicate that have already returned the survey will be thanked. Those who have not completed the survey will be given the opportunity to complete the survey by phone.
- The administration of the survey by phone will continue until a minimum of at least 400 surveys are completed.

1.4 Analyze Data and Prepare a Final Report. ETC Institute will submit a final report to the North Bay Village. At a minimum, this report will include the following items:

- Formal report that includes an executive summary of survey methodology, a description of major findings, and charts that show the overall results of each survey
- Importance-Satisfaction Analysis, Benchmarking Analysis, and GIS Mapping
- A copy of the survey instrument
- An on-site presentation of the final results which will be delivered at a date to be determined by the City.
- 10 hard copies of the final report, an electronic copy and, final presentation will be made available to the City.

Project Schedule for the Survey

The following schedule is provided;

- ***Mid-May to Mid-June***
Design Survey Instrument
- ***Mid-June to August***
Survey Administration
- ***Mid- August***
Final Report/On-site presentation

12I(8)

Fees

The fees for the resident survey are listed below.

Resident Survey. The basic fee for the design and administration of the survey to 400 residents in North Bay Village, FL.

RESIDENT SURVEY FEES	
Description	Survey Length up to 10 minutes
Survey design/refinement	\$750.00
Sample Selection (no cost if City provides)	\$-0-
Survey Administration (400 completed surveys)	\$7,720.00
Final Report with charts/graphs	\$1,750.00
GIS Mapping	\$1,000
One on-site visit for presentation of results	included
Total Maximum Fee for Resident Survey	\$11,220

Resident Survey – Alternate Plan. The basic fee for the design and administration of the survey to 400 residents in North Bay Village, FL. – Sample size raised to 3,000

RESIDENT SURVEY FEES	
Description	Survey Length up to 10 minutes
Survey design/refinement	\$750.00
Sample Selection	\$1,700
Survey Administration (400 completed surveys)	\$7,720.00
Additional 1000 surveys mailed	\$850.00
Final Report with charts/graphs	\$1,750.00
GIS Mapping	\$1,000
One on-site visit for presentation of results	included
Total Maximum Fee for Resident Survey	\$13,770

Resident Survey – Second Alternate Plan. The basic fee for the design and administration of the survey to 400 residents in North Bay Village, FL. – Survey length is 7 pages and mailing sample remains 2000.

RESIDENT SURVEY FEES	
Description	Survey Length up to 10 minutes
Survey design/refinement	\$750.00
Sample Selection	\$1,700
Survey Administration (400 completed surveys) Standard 7-page survey	\$11,400.00
Final Report with charts/graphs	\$1,750.00
GIS Mapping	\$1,000
One on-site visit for presentation of results	included
Total Maximum Fee for Resident Survey	\$14,850

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CLOSING: When the proposal is approved, please have the letter signed **and indicate the preferred plan.** I look forward to working with you. If you have any questions, don't hesitate to call me at (913) 829-1215.

Sincerely,



Karen Falk, Vice President, ETC Institute

North Bay Village, Florida

Date

12I(10)

Research Firms

North Bay Village 2013 Resident Survey

Research Firm	Question Selection	Sample Size	Method of Distribution	Respondent Screening	Number of Questions	Language(s)	Approximate Cost	Data Collection/Time Frame for Results	Proposal Provided
Florida International University	Preliminary questions will be provided for review and revisions by client	400	Telephone	Yes	50	S/E	\$ 17,200.00	Approximately two months for final results	Yes
ETC Institute	Questions will be formulated with the assistance of the Commission and Administration	2,000	Telephone/Printed Mail	Yes - Use Broker purchased list to ensure accuracy	Comprehensive 7-Page Survey	S/E	\$ 14,850.00	Approximately three to four months for results	Yes
Kerr & Downs Research	Questions will be formulated with the assistance of the Commission and Administration	450	Telephone/Supplement w/Internet	Yes - Use Broker purchased list to ensure accuracy	30-50 Questions	S/E	\$ 15,000.00	6-8 Weeks to Complete	Yes
National Citizens Survey	List of pre-drafted questions provided with up to an additional three customized questions allowed	1,200/3,000	Printed Mail	N/A	20 Multi-part Questionnaire	S/E	\$ 17,750.00	Approximately five months from the time ICMA is contacted to completion	No
Dark Horse Strategies	Questions will be formulated with the assistance of the Commission and Administration	3,100	Printed Mail	Yes - Use of Registered Voters in North Bay Village	20	S/E	\$ 13,425.00	45 days from Commencement	Yes

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Municipalities Resident Survey Frequency
 North Bay Village 2013 Resident Survey

Municipality	Type of Survey	Frequency	Company
Coral Springs	Resident and Community Business	Every other year alternating between the two surveys	ETC Institute
Miami Shores Villages	Has Not Conducted Survey	N/A	N/A
City of Hialeah Gardens	Has Not Conducted Survey	N/A	N/A
Town of Surfside	Resident	No specific time frame	N/A
City of Tamarac	Resident and Business	Every 2 years	N/A
Village of Pinecrest	Resident	No specific time frame	N/A
City of Pompano Beach	Resident	Every 2 years	N/A
City of Coral Gables	Has Not Conducted Survey	N/A	N/A
Village of Key Biscayne	Has Not Conducted Survey	N/A	N/A
City of North Miami	Resident	No specific time frame	FIU
City of Plantation	Has Not Conducted Survey	N/A	N/A

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PUBLIC OPINION SURVEYING SERVICES AGREEMENT

THIS AGREEMENT, made and entered into the 5 day of October, 2010 by and between:

CITY OF CORAL SPRINGS, FLORIDA
a municipal corporation
9551 West Sample Road
Coral Springs, Florida 33065
(hereinafter referred to as "CITY")

AND

ETC INSTITUTE INC.
a foreign corporation
725 West Frontier Circle
Olathe, Kansas 66061
(hereinafter referred to as "CONTRACTOR")

WHEREAS, on June 29, 2010, CITY issued Request for Proposals No. 10-A-081 for Public Opinion Surveying Services; and

WHEREAS, the staff recommends that CITY award a contract to ETC Institute Inc.; and

WHEREAS, the City Commission concurs with the staff recommendation and believes it is in the best interest of the City; now, therefore,

IN CONSIDERATION of the mutual covenants and undertakings and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties do mutually covenant and agree as follows:

1. STATEMENT OF WORK

- 1.1 CONTRACTOR shall provide services to conduct public opinion surveys as requested by CITY. The surveys will provide a statistically credible benchmark of attitudes and perceptions toward CITY services and community needs in order to meet or exceed customers' expectations.
- 1.2 CONTRACTOR shall complete the Statement of Work as outlined in Exhibit "A", attached hereto and incorporated herein. The parties acknowledge that there are two separate surveys to be completed under this Statement of Work. There is a residential component and a business component. Each component shall be completed separately with the

appropriate reports, study instrument, design plan, pre-test results, data entry and analysis for each component. CONTRACTOR shall submit all required reports electronically to the CITY'S Project Administrator, with a copy to the Purchasing Administrator, for each component. In addition, CONTRACTOR shall provide CITY with five copies of the final report for each component. The Project Administrator for the residential survey is Susan Grant, Director of Financial Services and Human Resources (sgrant@coralsprings.org). The Project Administrator for the business component is Larry Stanearth, Director of Development Services (lstanearth@coralsprings.org).

- 1.3 The Statement of Work, pursuant to Section 1.2, shall be based upon a project component of one thousand (1,000) completed random sample surveys among residents of Coral Springs and two hundred fifty (250) completed random sample surveys among community businesses. The parties acknowledge that the CITY will provide a separate Notice to Proceed for each component.
- 1.4 CONTRACTOR shall advise CITY staff on methodologies and analytical techniques for the following:
 - (a) refining and understanding of customer requirements for programs and initiatives and identifying "drivers" and key attributes that affect customer satisfaction with the City generally and for specific programs and initiatives;
 - (b) identifying sub-populations that differ significantly from the city population at large in their requirements for program and/or their satisfaction with City programs;
 - (c) determining what actions can be taken to increase residents and sub-populations of residents satisfaction with the City generally and specific programs; and
 - (d) determining support for possible initiatives or changes in programming or policy; and
 - (e) assisting CITY staff in questionnaire construction, item generation, response format and item selection to achieve both reliability and validity, and increase relevance to strategic planning and business planning process.

2. RESPONSIBILITIES OF CITY

- 2.1 CITY shall prepare initial survey questions and revise as needed based upon review by CONTRACTOR.

- 2.2 Provide additional assistance to CONTRACTOR, as required, to ensure completion of Statement of Work.
- 2.3 The Statement of Work herein contemplates that CITY will provide any required information to CONTRACTOR on a timely basis.

3. CONTRACT TERM

- 3.1 This Agreement shall be effective upon the approval of the City Commission, and shall terminate on September 30, 2012, with an option to renew for two (2) additional two (2) year terms, under the same terms and conditions, provided that funds are available and appropriated by the City Commission.
- 3.2 CONTRACTOR acknowledges that during the term of this Agreement, CONTRACTOR shall commence and perform surveys as required by CITY upon the issuance of a Notice to Proceed by the Purchasing Administrator.
- 3.3 CONTRACTOR acknowledges that the Statement of Work pursuant to Section 1.2 of this agreement shall be completed no later than six-weeks after the issuance of the Notice to Proceed. The Purchasing Administrator may approved an extension of time should it be determined to be necessary and warranted.

4. COMPENSATION

- 4.1 For the services provided in section 1.2 of this Agreement, CONTRACTOR shall be paid an amount not to exceed forty four thousand two hundred dollars (\$44,200.00) as follows:

Not to Exceed

Residential Survey Component..... \$20,600.00
 (including cross-tabulations, importance –
 satisfaction priorities analysis and
 geocoding and one meeting in Coral Springs)

Commercial Survey Component.....\$20,600.00
 (including cross-tabulations, importance –
 satisfaction priorities analysis and
 one meeting in Coral Springs)

Travel (to cover one additional meeting for
 each component, if requested by the City)..... \$1,500.00 each

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Any additional travel costs and related expenses shall be billed in conformance with section 112.061, Florida Statutes, subject to prior approval of travel by Purchasing Administrator.

- 4.2 Project costs will be billed and payable upon project completion, submission of a final report, and acceptance by CITY, payable within thirty (30) calendar days of invoice date.
- 4.3 CONTRACTOR and CITY acknowledge that CONTRACTOR may be requested to undertake additional public opinion surveys. The Statement of Work for any additional surveys and compensation shall be agreed to by the parties and included as an amendment to this Agreement. The Purchasing Administrator is authorized to approve an additional Statement of Work for additional surveys not to exceed a total of twenty thousand dollars (\$20,000.00).
- 4.4 CONTRACTOR shall submit invoices upon completion of the work in duplicate and itemized as to quantity, description, and applicable discount (if any) to:

City of Coral Springs
Human Resources Department
9551 West Sample Road
Coral Springs, FL 33065
Attn: Director

Invoices must clearly indicate the City of Coral Springs' name, address to which the material was delivered or services provided, and the correct purchase order number.

- 4.5 Payment shall be made by CITY within thirty (30) calendar days after receipt of the invoice(s), provided that said invoice(s) has been approved by CITY and the work has been accepted by CITY.

Section 5. TAXES

- 5.1 CONTRACTOR shall pay all applicable sales, consumer use and other similar taxes required by law.

Section 6. PATENTS

- 6.1 CONTRACTOR shall pay all license fees and royalties and assume all costs arising out of or from the use of any invention, design, process, product or device which is the subject of patent rights of copyrights held by others and used in the performance of the work which is the subject of this Agreement.

Section 7. INDEMNIFICATION

7.1 GENERAL INDEMNIFICATION: CONTRACTOR shall indemnify, defend, save and hold harmless CITY, its officers, agents and employees, from all claims, damages, losses, liabilities and expenses direct, indirect or consequential, arising out of or alleged to have arisen out of or in consequence of the operations of CONTRACTOR or his subcontractors, agents, officers, servants, independent contractors or employees pursuant to this Agreement, specifically including but not limited to those caused by or arising out of (a) a defective condition in any services provided pursuant to this Agreement, whether patent or latent; (b) any act, omission, default or negligence of CONTRACTOR in the provision of the services under this Agreement; (c) the breach of any warranty and/or term of this agreement by CONTRACTOR (d) the violation of federal, state, county or municipal laws, ordinances or regulations by CONTRACTOR.

7.2 PATENT AND COPYRIGHT INDEMNIFICATION: CONTRACTOR shall indemnify, defend, save and hold harmless, CITY, its officers, agents and employees from all claims, damages, losses, liabilities and expenses arising out of an alleged infringement of copyrights, patent rights, the unauthorized or unlicensed use of any material, property or other work in connection with the performance of the services provided pursuant to this Agreement.

7.3 CONTRACTOR shall pay all claims, losses, liens, fines, settlements or judgments of any nature whatsoever in connection with the foregoing indemnifications including, but not limited to reasonable attorney's fees and court and arbitration costs. These indemnifications shall survive the term of this Agreement.

7.4 CONTRACTOR shall defend all actions in the name of CITY when applicable, however, CITY reserves the right to select its own legal counsel to conduct any defense in any such proceeding and all costs and fees associated therewith shall be the responsibility of CONTRACTOR under this indemnification agreement. Nothing contained herein is intended nor shall be construed to waive CITY'S rights and immunities under the common law or Florida Statutes 768.28 as amended from time to time.

Section 8. WARRANTIES

8.1 CONTRACTOR warrants to CITY that it shall comply with all applicable federal, state and local laws, regulations and orders in carrying out its obligations under the Agreement.

- 8.2 CONTRACTOR warrants to CITY that it is not insolvent, it is not in bankruptcy proceedings or receivership, nor is it engaged in or threatened with any litigation or other legal or administrative proceedings or investigations of any kind which would have an adverse effect on its ability to perform its obligations under the Agreement.
- 8.3 CONTRACTOR warrants to CITY that the consummation of the work provided for in this Agreement will not result in the breach of any term or provision of or constitute a default under any indenture, mortgage, contract or agreement to which CONTRACTOR is a party.
- 8.4 CONTRACTOR warrants that the sample size chosen will yield a 95% confidence interval with a maximum sample error of +/- five percent (5%).
- 8.5 No warranty, either express or implied, may be modified, excluded, or disclaimed in any way by CONTRACTOR. All warranties shall remain in full force, notwithstanding acceptance and payment by CITY.

Section 9. INSURANCE

- 9.1 **UPON EXECUTION OF THIS AGREEMENT BY CONTRACTOR, CONTRACTOR SHALL SUBMIT TO CITY COPIES OF ITS CERTIFICATE(S) OF INSURANCE EVIDENCING THE REQUIRED COVERAGES AND SPECIFICALLY PROVIDING THAT THE CITY OF CORAL SPRINGS (DEFINED TO MEAN THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES, VOLUNTEERS AND REPRESENTATIVES) IS AN ADDITIONAL INSURED OR ADDITIONAL NAMED INSURED WITH RESPECT TO THE REQUIRED COVERAGES AND THE OPERATIONS OF CONTRACTOR UNDER THE AGREEMENT.** In the event the insurance certificate provided indicates that the insurance shall terminate and lapse during the period of this Agreement, then in that event, CONTRACTOR shall furnish, at least thirty (30) calendar days prior to expiration of the date of such insurance, a renewed certificate of insurance as proof that equal and like coverage for the balance of that period of the contract and extension thereunder is in effect. CONTRACTOR shall not continue to perform the services required by this Agreement unless all required insurance remains in full force and effect.
- 9.2 CONTRACTOR shall procure and maintain at its own expense and keep in effect during the full term of the Agreement a policy or policies of insurance which must include the following coverages and minimum limits of liability:
- (a) Worker's Compensation Insurance for all employees of CONTRACTOR engaged in work under the Agreement in

accordance with the laws of the State of Florida. CONTRACTOR shall agree to be responsible for the employment, control, and conduct of its employees and for any injury sustained by such employees in the course of their employment.

- (b) Comprehensive General Liability Insurance with the following minimum limits of liability:

\$1,000,000.00 Combined Single Limit, Bodily Injury and Property Damage per occurrence.

Coverage shall specifically include the following minimum limits not less than those required for Bodily Injury Liability and Property Damage:

\$1,000,000.00 Combined Single Limit, Bodily Injury and Property Damage per occurrence.

- (1) Premises and Operations;
- (2) Independent Contractors;
- (3) Products and Completed Operations;
- (4) Broad Form Property Damage;
- (5) Broad Form Contractual Coverage applicable to the Agreement and specifically confirming the indemnification and hold harmless agreement in the Agreement;
- (6) Personal Injury Coverage with employment and contractual exclusions removed and deleted; and

- (c) Comprehensive Automobile Liability Insurance for all owned, non-owned and hired automobiles and other vehicles used by CONTRACTOR in the performance of the work with the following minimum limits of liability:

\$ 500,000.00 Combined Single Limit, Bodily Injury and Property Damage Liability per occurrence

- 9.3 The required insurance coverage shall be issued by an insurance company duly authorized and licensed to do business in the State of Florida with the following minimum qualifications in accordance with the latest edition of A.M. Best's Insurance Guide:

Financial Stability B+ to A+

- 9.4 CONTRACTOR shall not commence performance of its obligations under this Agreement until after it has obtained all of the minimum insurance herein described and the same has been approved.

- 9.5 Violation of the terms of this Paragraph and its subparts shall constitute a breach of the Agreement and CITY, at its sole discretion, may cancel the Agreement and all rights, title and interest of CONTRACTOR shall thereupon cease and terminate.

Section 10. TERMINATION

- 10.1 TERMINATION FOR CAUSE: In the event CONTRACTOR shall default in or violate any of the terms, obligations, restrictions or conditions of this Agreement, the CITY shall give CONTRACTOR written notice by certified mail of the default and that such default shall be corrected or actions taken to correct such default shall be commenced within ten (10) calendar days thereof. In the event CONTRACTOR has failed to correct the condition(s) of the default or the default is not remedied to the satisfaction and approval of CITY, CITY shall have all legal remedies available to it, including, but not limited to, termination of this Agreement in which case CONTRACTOR shall be liable for all procurement costs and any and all damages permitted by law arising from the default and breach of this Agreement.

- 10.2 VOLUNTARY TERMINATION: CITY or CONTRACTOR may terminate this Agreement by providing thirty (30) calendar days advance written notice of termination in the manner specified in Section 21 herein.

Section 11. SURVIVAL OF OBLIGATIONS

- 11.1 All representations, indemnifications, warranties and guarantees made in, required by, or given in accordance with this Agreement, as well as all continuing obligations shall survive final payment, completion and acceptance of the work and termination or completion of the Agreement.

Section 12. DOCUMENTS

- 12.1 All documents, electronic media, and other data developed by CONTRACTOR in connection with the Public Opinion Surveys shall be reproduced and made available to CITY by CONTRACTOR at any time upon request of CITY. When any work contemplated under this Agreement is completed or for any reason is terminated prior to contemplation, all of the above data shall be timely reproduced and delivered to CITY upon written request.

Section 13. PERMITS, FEES AND LICENSES

- 13.1 CONTRACTOR shall secure and pay for all permits and governmental fees, licenses and charges necessary for the proper execution and completion of the work.

Section 14. AUDIT RIGHTS

14.1 CITY reserves the right to audit the records of CONTRACTOR relating to the performance of this Agreement at any time during the performance and term of the Agreement and for a period of three (3) years after completion and acceptance by CITY. If required by CITY, CONTRACTOR agrees to submit to an audit by an independent certified public accountant selected by CITY. CONTRACTOR shall allow CITY to inspect, examine and review the records of CONTRACTOR at any and all times during normal business hours during the term of the Agreement.

Section 15. INDEPENDENT CONTRACTOR STATUS

15.1 CONTRACTOR and its employees, volunteers and agents shall be and remain an independent contractors and not agents or employees of CITY with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking or venture between the parties hereto.

Section 16. ASSIGNMENT

16.1 CONTRACTOR shall not assign, or transfer its rights, title or interests in the Agreement nor shall CONTRACTOR delegate any of the duties and obligations undertaken by CONTRACTOR without CITY'S prior written approval.

Section 17. NON-EXCLUSIVITY

17.1 This Agreement is considered a non-exclusive Agreement between the parties. CITY shall have the right to purchase the same kind of services to be provided by CONTRACTOR hereunder from other sources during the term of this Agreement.

Section 18. GOVERNING LAW; VENUE

18.1 The validity, construction and effect of this Agreement shall be governed by the laws of the State of Florida.

18.2 Any claim, objection or dispute arising out of the terms of this Agreement shall be litigated in the Seventeenth Judicial Circuit in and for Broward County, Florida.

Section 19. ENTIRE AGREEMENT

19.1 This Agreement contains the entire understanding of the parties relating to the subject matter hereof superseding all prior communications between the parties whether oral or written. This Agreement may not be altered, amended, modified or otherwise changed nor may any of the terms hereof be waived, except by a written instrument executed by both parties. The failure of a party to seek redress for violation of or to insist on strict performance of any of the covenants of this Agreement shall not be construed as a waiver or relinquishment for the future of any covenant, term, condition or election but the same shall continue and remain in full force and effect.

Section 20. CUMULATIVE REMEDIES

20.1 The remedies expressly provided in this Agreement to CITY shall not be deemed to be exclusive but shall be cumulative and in addition to all other remedies in favor of CITY now or hereafter existing at law or in equity.

Section 21. SEVERABILITY

21.1 Should any part, term or provision of this Agreement be by the courts decided to be invalid, illegal or in conflict with any law of this State, the validity of the remaining portions or provisions shall not be affected thereby.

Section 22. PARAGRAPH HEADINGS

22.1 All paragraph headings in this Agreement are included for convenience only and are not to be construed as a part hereof or in any way as limiting or expanding the terms set out in this Agreement.

Section 23. NOTICES

23.1 All notices or other communications required by this Agreement shall be in writing and deemed delivered upon mailing by certified mail, return receipt requested to the following persons and addresses:

CITY: Susan Grant, Director of Financial Services and Human Resources
City of Coral Springs
9551 West Sample Road
Coral Springs, Florida 33065
(954) 344-1150
sgrant@coralsprings.org

COPY TO: Angelo Salomone, Purchasing Administrator
City of Coral Springs
9551 West Sample Road
Coral Springs, Florida 33065
(954) 344-1011
asalomone@coralsprings.org

CONTRACTOR: Christopher Tatham, Vice President
ETC Institute Inc.
725 West Frontier Circle
Olathe, Kansas 66061
Telephone: (913) 829-1215
Email: ctatham@etcinstitute.com

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

CITY OF CORAL SPRINGS, a municipal corporation, organized and existing under the laws of the State of Florida

ATTEST:

By: *Scott J. Brook*
SCOTT J. BROOK, Mayor

Josephine Chavez, CRM
Josephine Chavez, CRM,
Interim City Clerk

Approved as to form:

By: *Ryan James Fodurham*
Assistant City Attorney

State of Florida
County of Broward

The foregoing instrument was acknowledged before me, the undersigned Notary Public in and for the State of Florida, on this, the 20th day of October, 2010, by Josephine Chavez, CRM, and Scott J. Brook, Interim City Clerk and Mayor, respectively.

Francine G. Bostinto
Notary Public, State of Florida

NOTARY PUBLIC
SEAL OF OFFICE

Francine G. Bostinto
Printed, typed or stamped name of Notary Public exactly as commissioned

NOTARY PUBLIC-STATE OF FLORIDA
 Francine G. Bostinto
Commission #DD1000303
Expires: JUNE 10, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

Personally known to me, or
Produced identification:

(type of identification produced)

ETC INSTITUTE INC.

By: Elaine L. Tatham

Print Name: Elaine L. Tatham

Title: President

State of Kansas
County of Johnson

On this, the 30th day of September, 2010, before me, the undersigned Notary Public of the State of Kansas, the foregoing instrument was acknowledged by Elaine L. Tatham, (name of corporate officer) President, (title) of ETC Institute, (corporation) a foreign corporation, on behalf of the corporation.

WITNESS my hand and official seal

PATRICIA R. RYAN
NOTARY PUBLIC
STATE OF KANSAS
COUNTY OF JOHNSON
My Appt. Expires 03-01-14

Patricia R. Ryan
Notary Public, State of Kansas

Patricia R. Ryan

Printed, typed or stamped name of Notary Public exactly as commissioned

Personally known to me, or
Produced identification:

(type of identification produced)

Exhibit "A"

Statement of Work

Overview

It is our understanding that the City of Coral Springs is requesting public opinion survey services from a professional research firm to conduct surveys for the purpose of evaluating citizen and business satisfaction. It is a credit to the City to see these tools as "listening devices" and to garner public opinion about programming, budgeting and strategic planning.

Listening first to your residents and measuring City progress over time, is most important. Then, comparing your ratings to other similar communities provides a standard of measure for Coral Springs with other municipalities. The national survey that ETC Institute conducts, and our family of client cities can provide valuable benchmarks for City progress.

What follows are the principles that direct all of our survey activities, and then specifics of our methodologies and the many internal resources that ETC Institute is able to provide.

Guiding Principles

ETC Institute has been helping state and local governments use community surveys as a guiding force for setting community priorities and improving organizational effectiveness for more than two decades. Our ability to help organizations succeed is based on an approach that adheres to three fundamental principles:

- **Strategic Value.** In order for survey research to serve as a powerful tool for decision-making, community leaders must see value in the results. Our approach is designed to ensure that the information gathered meets the informational needs of decision-makers in order to encourage community leaders to use the survey data as part of their decision-making process. If the survey results have strategic value, they will inherently become part of the process for setting short- and long-term priorities for the City.
- **Continuity.** Our approach will involve a review of the goals and objectives of the City to ensure the research is designed to support these goals and objectives. For example, a review of the City of Fort Worth's strategic plan by ETC Institute led to the creation of a series of questions that now link the City's annual citizen survey with the City's strategic plan.
- **Performance Measurement.** Since the results of the survey will be used to help guide City decisions, the survey instruments and data analysis methodology will be designed in a manner that generates objective performance measurements. The surveys will be

ETC Institute

Work Plan - 1

ETC Institute Inc.
public opinion surveying
Doc. 101489, File 10-0276

Exhibit "A", page 1 of 14

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Statement of Work

designed to provide objective feedback for the City so that departmental managers can understand the needs of residents. ETC Institute will work with the City to develop performance indices that allow city leaders to objectively assess the change in their performance over time.

Statement of Work

In order to accomplish the objectives for this project, ETC Institute recommends the following approach to the design and administration of the resident survey first, and then the business survey.

Task 1: SURVEY REVIEW AND PRETEST

Task 1.1 Design Surveys. Within two weeks of being selected for the project, Karen Falk, ETC Institute's project manager, will meet with members of the City's project steering committee to ensure that everyone involved in the project has the same understanding of the goals and objectives for the project. At this meeting details of the research design strategy will be discussed and the sampling plan will be finalized. To maximize the historic trend information that the City has gathered, the previous surveys will be the starting point. To assist the City with the development of any additional questions, ETC Institute will provide the City with samples of surveys that have been administered by ETC Institute for similar projects. Questions unique to Coral Springs will be developed.

Based on input from the City, ETC Institute will develop a draft of the surveys. It is anticipated that 2-3 drafts of the survey will be prepared before the surveys are approved by the City.

Conduct Pretest. In the case of the resident survey, ETC Institute will test the survey with at least 20 residents before the surveys are administered. The role of the pretest is a critical one in the study. For this important assignment, ETC will design and implement an evaluation plan for the pretest that will include detailed criteria for evaluating each question and each distinct procedural element. The individual criteria will start with a clear purpose for the data item or the research procedure, the standard for acceptance, the steps for resolving any problem, and the final decision making procedure. Any problems or issues that are identified will be reported to the City and corrective action will be recommended and taken as appropriate.

Deliverable Task 1.1: A copy of the approved survey instruments.

Task 1.2 Develop the Sampling Plan. It is our understanding that the City of Coral Springs wants the overall results of the resident survey to be statistically representative of the City as a

Statement of Work

whole. With a sample size of completed surveys for residents of 1,000, the overall results will provide a 95% level of confidence with a 3% margin of error.

We would recommend the following, if budgetary considerations will allow:

- **1000 resident surveys:** A sample of 1000 residents would allow the City to conduct a high level of analysis of the data, based on a wide variety of demographic variables and for 6 subareas. The overall results would have a precision of +/-3% at the 95% level of confidence.

As the total number of completed surveys increases, the precision of the survey improves, particularly at the subgroup level. Cost is a function of two major variables: (1) the length of the survey and (2) the number of completed surveys. ETC Institute will work with City staff to find the right combination of these two variables to maximize your investment in our services. Our cost proposal contains the cost for administering a 10, 15, and 20-minute resident survey for the completion of 1000 surveys.

The business survey will be conducted with a list supplied by the City. A completion of 250 surveys is planned. With a smaller number, confidence levels and margins of error are not addressed, but will be discussed with the City.

Deliverable Task 1.2: A copy of the approved sampling plan that shows the exact number of surveys that will be completed and the overall level of confidence and precision for the sample for the resident survey and the survey instrument and plan for the business survey.

Task 2: SURVEY ADMINISTRATION

Administering the Survey. ETC Institute understands that the City would like the surveys administered by phone. ETC has an in-house call center. We are capable of administering the survey entirely by phone or entirely by mail. One option that might be considered is the negative impact that caller ID has had on phone survey response rates in recent years. Because of that, we often administer surveys using a combination of mail and phone to maximize the overall level of response. Even if people do not respond by mail, people who receive the mailed version of the survey are significantly more likely to respond to the survey by phone because they know the survey is legitimate. The costs for administering the survey by phone only or a combination of mail/phone are the same.

Specifically, we recommend the following strategy for administering the surveys.

- Phone interviewers working in ETC Institute's call center will rehearse the phone version of each survey. All interviewers will review the protocol for the administration of the

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Statement of Work

survey with a supervisor; special attention will be paid to the treatment of non-English speaking respondents, *particularly those who speak Spanish.*

- ETC Institute will test the surveys with at least 20 residents before the surveys are administered. Any problems or issues that are identified will be reported to the City and corrective action will be recommended and taken as appropriate.
- ETC will provide the City with sample press releases that can be used to notify the public about the survey.

Should the City choose the combination phone and mail survey option, the following strategies for administering the survey would be implemented.

- A toll-free phone number to assist respondents with the survey will be operational three-days before the surveys are mailed (if the mail option is selected).
- Surveys will be mailed to each of the residents in the sample frame. Only one survey per household will be sent. Postage-paid envelopes will be provided to each respondent. A 30-second recorded message is sent to everyone in the sample, to alert them to the arrival of the survey and address the importance of their input for the City.
- Seven days after the surveys are mailed ETC Institute's phone interviewers will begin making follow-up phone calls to each of the persons in the sample frame. Phone follow-ups will significantly increase the response rate. This will *greatly reduce the probability that the results are affected by non-response bias.* Non-response bias can be a major drawback to surveys that are administered by mail or phone alone. Persons who indicate that they have already returned the survey will be thanked. Persons who have not completed the survey will be given the opportunity to complete the survey by phone.
- Phone follow-ups will be concentrated in areas where the response to the mail survey is low to ensure the survey is representative of the entire City.

Ensuring Representation for Non-English Speaking Populations. ETC Institute has administered surveys in many communities across the United States where a high percentage of the population does not speak English as a first language. As a result, we are sensitive to the importance of ensuring that non-English speaking populations are properly represented in the survey. In order to ensure that the non-English speaking residents of Coral Springs are well represented, ETC Institute will do the following:

- If the mail/phone combination is chosen, the cover letter that is sent with the mail version of the survey will contain information that is translated into Spanish (and other languages if needed).

Statement of Work

- ETC Institute will establish a toll-free phone number that non-English (and English) speaking residents can call. Spanish speaking interviewers from our firm will be available to administer the survey over the phone in Spanish. Other languages can be made available if needed.
- A demographic question will be included in the survey that asks which languages other than English are spoken in the home. This will allow us to ensure that non-English speaking populations are well represented in the sample.

Maintain Quality Control. ETC Institute recognizes that quality control will be critical to the overall success of the project. If the City's decision makers do not believe that the survey data are accurate, the results of this study will have little value to the community.

The project's success, in many ways, will be dependent on the management of data collection and processing activities. Although it is important to ensure that high standards of quality are maintained during all tasks in the project, failure to achieve these standards during the data collection and data processing portions of the project will jeopardize the overall success of the project.

ETC Institute has an ongoing quality assurance program in place. This program has been developed and refined through our experience with hundreds of studies that involved the design and administration of surveys. Our quality assurance program is directly monitored by the company President, Dr. Elaine Tatham, and the company vice-president, Christopher Tatham. The program is designed to give clients "error free" results, and all employees at ETC Institute are directly involved in the program.

Dr. Elaine Tatham and Chris Tatham are active members of the Market Research Association. The quality control methods used by ETC Institute have been reviewed by external organizations including the American Water Works Association Research Foundation and the United States Office of Management and Budget. Some of the basic elements of ETC Institute's quality assurance process include the following:

- **Training of phone interviewers.** All phone interviewers are required to complete ETC Institute's in-house training program. The program teaches new employees the appropriate methods for conducting interviews, how to respond to different situations that may occur, and how to properly record responses. All interviewers work directly under the supervision of an experienced supervisor. All interviewers will receive specialized training for these surveys before they begin conducting interviews.
- **Comprehensive survey design and review process.** All survey instruments will be reviewed by each member of the City's project management team and all senior members of ETC Institute's team to ensure that all issues are adequately addressed.

Statement of Work

- Data entry fields will be limited to specific ranges to minimize the probability of error. The data processing system that will be used by our firm for the study alerts data entry personnel with an audible alarm if entries do not conform to these specifications.
- ETC Institute will select at least 10% of the records at random for verification. A supervisor will match records in the data bases against the corresponding survey to ensure that the data entry is accurate and complete.
- Sampling Methodology. Demographic questions will be included on each of the survey instruments. The demographic data will be used to monitor the distribution of the respondents to ensure that the responding population for each survey is representative of the universe for each sample.

Deliverable Task 2: ETC Institute will provide a copy of the overall results to each question on the survey.

Task 3: ANALYSIS AND REPORT

ETC Institute will submit a final report to the City of Coral Springs. This report will include but not be limited to the following items:

- Executive summary of survey methodology and findings (resident/business)
- Charts depicting the overall results of the survey (resident/business)
- Benchmarking comparisons with other communities both nationally and in the mid-west (resident only)
- An importance-satisfaction analysis (resident only)
- Tabular data that shows the overall results for each question on the survey (resident/business)
- Cross tabular data for the sub-sections the City chooses (resident only)
- A copy of the survey instrument. (resident/business)

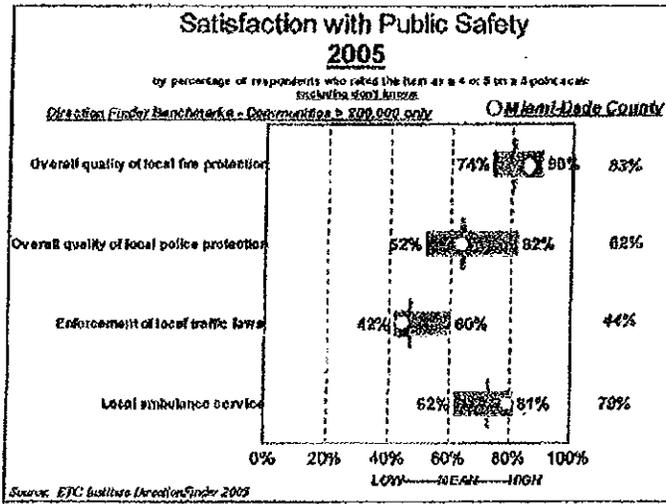
Deliverable Task 3: ETC Institute will prepare and submit 10 bound copies of the final report and 1 electronic copy of the final report in a pdf format.

12I(31)

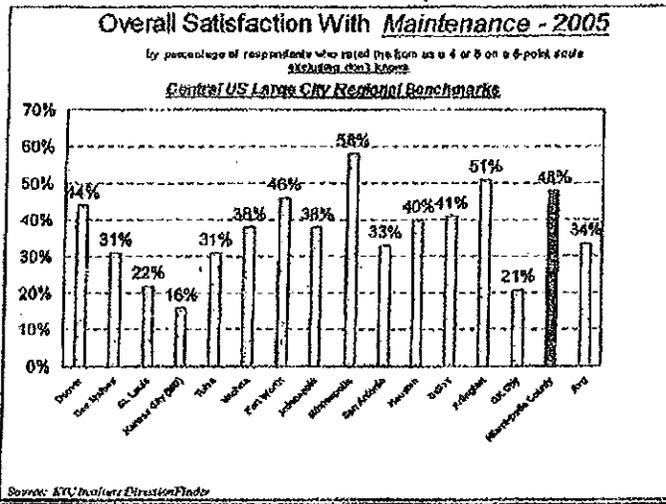
Statement of Work

Benchmarking Data Analysis. ETC Institute's experience with community satisfaction surveys for local governmental organizations provides us a unique capability for assessing the meaning of survey results. For example, suppose that 70% of the residents surveyed are satisfied with the maintenance of City streets. Is that good or bad? Without comparative data, it is often difficult to interpret the significance of survey findings, which makes it even more difficult to make meaningful recommendations.

Samples of ETC Institute's citizen survey benchmarking data are provided below and on the following page.



12I (32)



12I (33)

Statement of Work

Importance-Satisfaction Matrix Analysis. The Importance-Satisfaction rating is based on the concept that public agencies will maximize overall customer satisfaction by emphasizing improvements in those areas where the level of satisfaction is relatively low and the perceived importance of the service is relatively high. ETC Institute will develop an Importance-Satisfaction Matrix to display the perceived importance of core services against the perceived quality of service delivery. The two axes on the matrix will represent Satisfaction and relative Importance.

ETC Institute currently provides this analysis for dozens of governmental organizations. The I-S (Importance-Satisfaction) matrix allows public officials to analyze the survey data as described below. A copy of a matrix is provided on the following page.

- *Continued Emphasis (above average importance and above average satisfaction).* This area shows where the agency is meeting customer expectations. Items in this area have a significant impact on the customer's overall level of satisfaction. The agency should maintain (or slightly increase) emphasis on items in this area.
- *Exceeding Expectations (below average importance and above average satisfaction).* This area shows where the agency is performing significantly better than customers expect the organization to perform. Items in this area do not significantly impact the customer's overall level of satisfaction. The agency should maintain (or slightly decrease) emphasis on items in this area.
- *Opportunities for Improvement (above average importance and below average satisfaction).* This area shows where the agency is not performing as well as residents expect the agency to perform. This area has a significant impact on customer satisfaction. The agency should DEFINITELY increase emphasis on items in this area.
- *Less Important (below average importance and below average satisfaction).* This area shows where the agency is not performing well relative to the agency's performance in other areas; however, this area is generally considered to be less important to residents. This area does not significantly impact the customer's overall level of satisfaction because the items rated are less important to residents. The agency should maintain current levels of emphasis on items in this area.

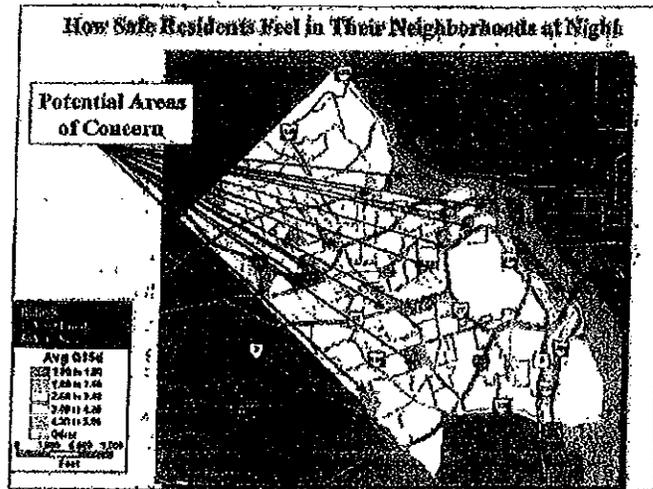
12I(34)

Importance-Satisfaction Rating						
City of Fort Worth - 2003						
PARKS and RECREATION						
Category of Service	Most Important %	Most Important Rank	Satisfaction %	Satisfaction Rank	Importance-Satisfaction Rating	2003 I-S Rating Rank
High Priority (I.S. 10-30)						
Outdoor Swimming pools	20%	5	27%	14	0.1480	1
Number of walking/biking trails	24%	2	49%	9	0.1224	2
Quality of Facilities at City Parks	24%	2	54%	4	0.1104	3
The City's youth athletic programs	19%	6	45%	10	0.1045	4
Medium Priority (I.S. 5-10)						
Indoor Swimming Pools	13%	9	26%	15	0.0975	5
Maintenance of City parks	27%	1	67%	2	0.0891	6
Summer Recreation Programs	14%	8	44%	11	0.0784	7
The number of City parks	17%	7	54%	4	0.0782	8
Maintenance of Community Centers	11%	10	56%	3	0.0484	9
City Libraries	21%	4	79%	1	0.0441	10
The City's adult athletic programs	7%	13	39%	13	0.0427	11
Availability of Meeting Space	8%	11	61%	8	0.0392	12
Outdoor athletic fields	8%	11	62%	6	0.0384	13
Ease of registering for programs	5%	14	42%	12	0.0290	14
City Golf Courses	5%	14	62%	6	0.0240	15

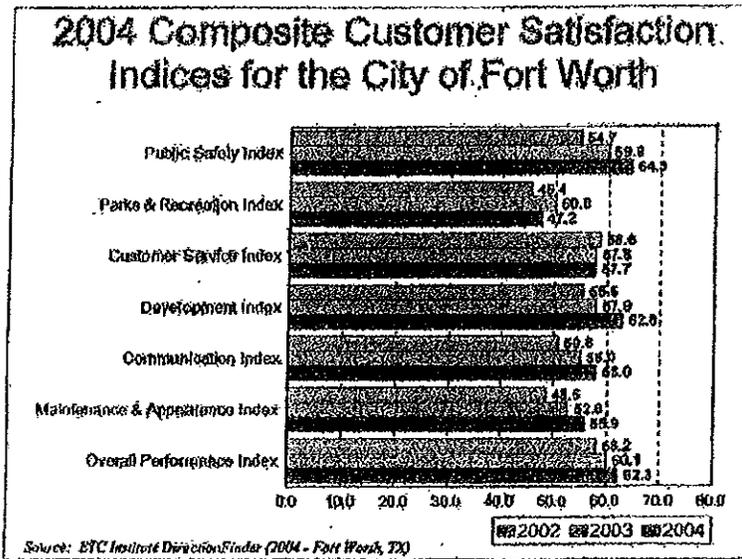
12I(36)

Statement of Work

OPTIONAL Task 3.1: Geocoding/GIS Applications: ETC Institute can geocode the address of the responding households to latitude and longitude coordinates. This will allow the results of the survey to be displayed graphically on maps of the City. ETC Institute will create up to 15 maps that show which parts of the city have the lowest and highest concentrations of satisfaction. GIS mapping is an effective tool for communicating the results of the survey to elected officials and the general public. For example, the map on the following page identifies areas of Arlington County, Virginia, where residents do not feel safe in their neighborhoods at night. The shaded colors on the map correspond to the level of satisfaction.



OPTIONAL Task 3.2: Develop Performance Measures/Indices. We recommend using survey data to create performance indices that can be used to objectively assess the City's performance in key areas of over time. ETC Institute routinely develops such measurements for a wide range of governmental agencies, including public utilities, departments of transportation, city and county governments, and others. The chart below shows the composite performance index that was generated from customer satisfaction survey data collected by ETC Institute for the City of Fort Worth.



OPTIONAL Task 3.3: Conduct Consensus Building Workshops. At the end of the project, ETC Institute could facilitate a workshop with senior managers and/or elected officials from the City. The workshop will be designed to build consensus around four to five "top priorities" for the City based on the results of the surveys. The workshop will help set the stage for acceptance of the recommendations as well as action that will lead to the implementation of initiatives that will support the recommendations.

12I(38)

Project Schedule for the Resident and Business Surveys

ETC Institute's research plan has been designed to complete each project in a 10-12 week window. Work could begin as early as October 7, 2010 for your 2011 resident survey. Since the surveys will be administered in-house, the completion date for each project is completely within our control. If desired, we can meet a more ambitious timeline. Here is a sample timeline for the resident survey:

December 15 -- January 30

- Initial meeting with City staff to discuss survey goals & objectives
- Survey schedule and contract are finalized
- ETC Institute provides the City with draft resident survey
- City staff review the content of the draft survey and provides feedback to ETC Institute
- ETC Institute revises the survey based on input from staff
- ETC Institute provides the City with the final sampling plan specifications
- ETC Institute conducts a pretest of the survey
- Results of the pretest are reported to the City and discussed
- ETC Institute revises the survey as necessary
- City approves the survey instruments

January 30 -- March 15

- Press releases issued
- Data collection begins
- Data collection is completed
- First line tabular results provided to the City
- Draft report submitted
- Discuss changes to draft report
- Final Report delivered TBA

- On site visit to conduct formal presentations

12I(39)

BEST AND FINAL OFFER

Coral Springs, Florida - Community/Business Surveys Cost Proposal

Submitted by ETC Institute Questions: Chris Tatham 913-254-4512

FOR SERVICES REQUESTED IN THE RFP

RESIDENT SURVEY (1000 completed surveys, 20 minutes in length; includes all services requested in the RFP)	\$	25,400
BUSINESS SURVEY (250 completed surveys; includes all services requested in the RFP)	\$	9,500
TOTAL FOR SERVICES REQUESTED IN THE RFP		\$34,900

Additional Cost Information for the Resident Survey Including Pricing For Services Not Requested in the RFP

Impact on Sample Size and Survey Length on the Total Fee for the Requested Services	precision w/95% level of confidence	# of Completed Surveys	
10-minute survey (approx 4 pages)	+/-5%	400	\$7,920
15-minute survey (approx 5-6 pages)	+/-3.5%	800	\$11,840
20-minute survey (approx 7-8 pages)	+/-3.1%	1000	\$14,800
			\$20,320
			\$25,400
			\$30,480
			\$17,760
			\$25,560
			\$30,480

Optional Services for Resident Survey

Service	included	included	included
Benchmarking Analysis			
Crosstabulations	\$2,500	\$3,500	\$4,500
Option A: Importance-Satisfaction Priorities Analysis	\$1,500	\$1,500	\$1,500
Option B: Geocoding of Respondent Data & GIS maps	\$2,500	\$3,250	\$3,900
Additional On Site Visits (per day): 1 visit included in base price	\$1,500	\$1,500	\$1,500
Additional Analysis Options (billed at hourly rate)	\$135/hour	\$135/hour	\$135/hour

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ETC INSTITUTE

MARKETING RESEARCH, DEMOGRAPHY, STATISTICAL APPLICATIONS

725 W. FRONTIER CIRCLE, OLATHE, KANSAS 66061
(913) 829-1215 FAX: (913) 829-1591

April, 2013

Tes Cutino
North Bay Village, FL

Dear Tes,

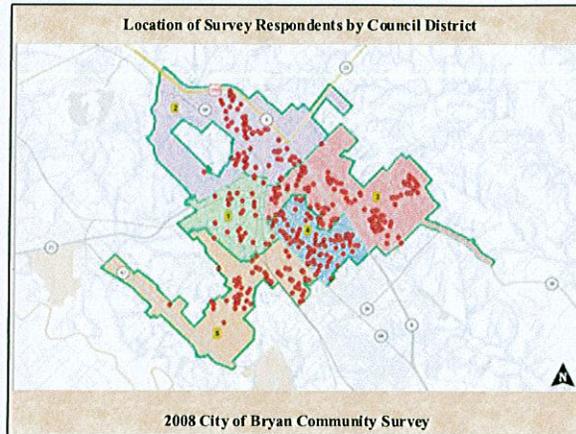
This is the easiest way to take a look at our services – it is a marketing letter that I provide to interested Cities.

There is a service that identifies resident satisfaction with existing city services, compares that rating with communities similar to your city, and illustrates where problems exist on a map of the City. It is the **DirectionFinder®** community survey, administered in over 400 communities around the Country including many in Florida - most recently **Hallandale Beach, and Fort Lauderdale.**

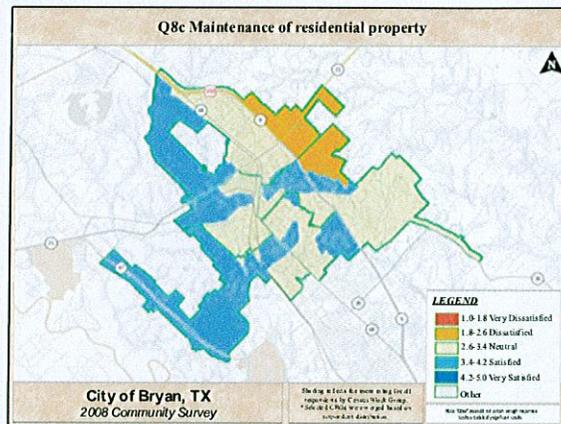
DirectionFinder® is a product of ETC Institute. It was designed specifically to help city and county governments take the speculation out of decision making. Through statistically valid random sampling, the survey gathers ratings of standard services provided to the community, along with current issues that are unique to the City. The results are compared to regional and national benchmarks, priorities are established based on resident preference, trend comparisons are maximized, and geocoded mapping is provided. From the results, future decision making can be based on community levels of satisfaction. The commitment of dollars is then influenced by the community response, and not just the opinions of a few.

- **Benchmarking** ETC Institute's **DirectionFinder®** database only includes data from surveys that have been administered during the past three years. This ensures that our comparative norms are truly representative of existing attitudes and expectations regarding the delivery of local governmental services. As a result of the nation's economic crisis, ETC Institute does not use data collected prior to 2008 as part of our comparative norms.
- **Importance-Satisfaction Analysis** Respondents are asked for their level of satisfaction on many issues, and also the relative importance of those issues. It is logical to assume that if they are dissatisfied with a service, they will see it as important for the City to emphasize in the future, but that isn't always the case. This feature helps you see where you are currently spending enough on a service and where you are not, based on resident perspective.

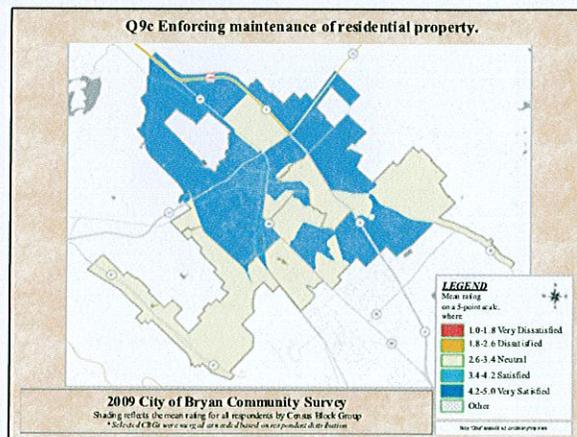
- Geocoded Mapping** In many cases, the location of the response to a question can be very helpful for the City to “see”. Our geocoded mapping shows you first the coverage of survey distribution with the scatter map. This is Bryan, Texas.



The mean response for any one question can then be provided on the map, based on census block outline or zip code. The mean response determines the color that is then applied to that physical area. In this example, the maintenance of residential property in Bryan on the 2008 map showed dissatisfaction in the dark gold area of the City.



That information allowed the City to focus on that area and by 2009 the same area had been significantly improved to show “satisfied”.



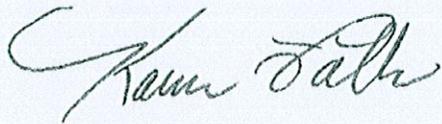
- **Current Issues** Every community has a few issues that can easily be resolved on the survey. Some examples from our experience are: 1) is the train noise bothersome to our residents, 2) are we managing our Halloween Event to the satisfaction of our residents, and 3) larger issues like service reduction, service change, and annexation.
- **Funding** Along with measuring interest in new amenities for the community, ask if residents are willing to approve the funding that might be needed. You might be surprised at the answer.

In Closing

Any community that provides *DirectionFinder*®, makes an investment in their future. We work very closely with communities to ensure that their investment succeeds. The survey instrument is tailored to your community needs, the performance measures (benchmarks) from ETC Institute are second to none, the Importance-Satisfaction Analysis will leave no doubt about the budgeting priorities supported by residents, and the geocoded maps will provide a valuable visual perspective.

Please visit our web site at www.etcinstitute.com and contact me directly with any questions.

Sincerely,



Karen Falk
Vice President
kfalk@etcinstitute.com
ETC Institute main phone: 913-829-1215
Direct line: 913-254-4509



ETC INSTITUTE

MARKETING RESEARCH, DEMOGRAPHY, STATISTICAL APPLICATIONS

725 W. FRONTIER CIRCLE, OLATHE, KANSAS 66061
(913) 829-1215 FAX: (913) 829-1591

Sept 1, 2010

City of Coral Springs
Attn: Angelo Salomone, Purchasing Administrator
9551 West Sample Road
Coral Springs, Florida 33065

Regarding: Best and Final Offer from ETC Institute to Provide Public Opinion Survey Services, RFP No. 10-A-081

Dear Mr. Salomne:

In response to your request, I have attached ETC Institute's Best and Final Offer to provide public opinion services.

Normally, ETC Institute would reduce our fees at this stage of the procurement process. However, during my review of the proposal we originally submitted, I noticed that we made an error in the price for the business survey. We originally submitted a fee of \$4500 to conduct 250 business surveys. The fee should have been \$9,500. We sincerely apologize for this oversight.

Our updated cost worksheet, which reflects our BEST AND FINAL OFFER is attached. Our FINAL fee for administering the Resident Survey is \$25,400. Our FINAL fee for administering the Business Survey is \$9,500 for a TOTAL FEE of 34,900.

We have also included pricing for additional services related to the Resident Survey that were not requested in the RFP.

If you have any questions or need more information, please let me know.

Sincerely,

Christopher E. Tatham
Vice President
725 W. Frontier Circle
Olathe, Kansas 66061
Phone: (913) 254-4512
Fax: (913) 829-15914-4512
E-Mail: ctatham@etcinstitute.com

12I(44)



Memorandum

To: North Bay Village Planning & Zoning Board Members
From: James G. LaRue
Date: April 10, 2013
Subject: Revisions to Commercial Limited (CL) Zoning District Relating to the Bay View Overlay District

On December 18, 2012, the Bay View Overlay Ordinance No. 2012-08 (see attached) was adopted in an effort to encourage properties on the north side of the Causeway to develop and redevelop with taller thinner buildings. The defined area of the Overlay District includes both CG and CL zoned properties.

The enclosed revisions to the CL Zoning District clarify the applicability of the Bay View Overlay District and state that CL zoned properties may utilize all provisions and incentives provided by the Bay View Overlay Ordinance. Additionally, the bonus height provisions of the RM-70 Zoning District also apply to CL zoned properties if they develop or redevelop under the Bay View Overlay District regulations.

The proposed revisions to the CL Zoning District are consistent with the City's Comprehensive Plan as well as the City's vision plan expressed by the charrette study of 2007. Any specific questions concerning these recommended revisions will be answered at the April 16th meeting.

CC: Jenice Rosado, Interim Village Manager
Yvonne Hamilton, Village Clerk
Kathryn Mehaffey, Assistant Village Attorney

ORDINANCE NO. 2013 _____

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY JENICE ROSADO, INTERIM VILLAGE MANAGER)*

WHEREAS, the North Bay Village 2007 Charrette Master Plan envisioned future development and redevelopment on the north side of the Kennedy Causeway featuring taller thinner buildings allowing unimpeded northward views of Biscayne Bay; and

WHEREAS, North Bay Village (the "Village") seeks to encourage the efficient use of land by providing additional flexibility for development on properties with unobstructed northward views of Biscayne Bay; and

WHEREAS, the Village has recognized that providing for additional building height will encourage innovative mixed-use infill development; and

WHEREAS, the Village recognizes that certain limits on height may decrease the ability to accommodate economic development; and

WHEREAS, the Village desires to ensure adequate economic redevelopment opportunities; and

WHEREAS, the Village created a Bay View Overlay District to encourage taller and thinner buildings for CL and CG zoned properties located on the north side of Kennedy Causeway; and

WHEREAS, the Planning and Zoning Board has reviewed this Ordinance at a duly advertised public hearing and recommended adoption of the Ordinance; and

WHEREAS, the Village Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND 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 Created. Section 152.031(C)(4) of the Code of Ordinances for North Bay Village is hereby amended to read as follows:

- (4) *Maximum building height.* 130 feet or 12 stories, whichever is less, two stories of which may be utilized for a parking structure. When a CL zoned property is located in the Bay View Overlay District, all provisions of Sec. 152.032 shall apply. When the provisions of the Bay View Overlay District are applied to a property in this zoning district, the bonus height provisions of Sec. 152.029(C)(8) shall also apply.

Section 3. Findings. The Village Commission, in considering the amendment of Section 152.031(C)(4), finds that:

- (1) This amendment will allow properties zoned Commercial Limited in the Bay View Overlay District to utilize the height bonuses already provided to properties in the Commercial General and RM-70 zoning districts.
- (2) This amendment is in the general public interest, and not merely in the interest of an individual or small group of people.
- (3) The character of the neighborhood will not be materially and adversely affected by this amendment.
- (4) The proposed change is in accord with the comprehensive master plan and sound comprehensive planning and zoning principles.

Section 4. Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 5. 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 6. 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 7. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

A motion to approve the foregoing Ordinance on first reading on May 14, 2013 was offered by Commissioner Richard Chervony, seconded by Vice Mayor Eddie Lim.

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, Village Clerk, CMC

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

Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Resolution: Bay View Overlay District Revised/Limited Commercial District

ORDINANCE NO. 2012-08

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY CREATING SECTION 152.032 ENTITLED "BAY VIEW OVERLAY (BVO) DISTRICT" TO ESTABLISH AND PROVIDE REGULATIONS FOR THE BAY VIEW OVERLAY DISTRICT; ZONING PROPERTIES AS SHOWN ON MAP 1 AND LEGALLY DESCRIBED IN EXHIBIT A AS "BAY VIEW OVERLAY DISTRICT" IN ADDITION TO THE EXISTING ZONING DESIGNATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)

WHEREAS, the North Bay Village 2007 Charrette Master Plan envisioned future development and redevelopment on the north side of the Kennedy Causeway featuring taller thinner buildings allowing unimpeded northward views of Biscayne Bay; and

WHEREAS, the North Bay Village (the "Village") seeks to encourage the efficient use of land by providing additional flexibility for development on properties with unobstructed northward views of Biscayne Bay; and

WHEREAS, the Village has recognized that providing for additional building height and larger setbacks will encourage innovative mixed-use infill development; and

WHEREAS, increasing building setbacks will create larger view corridors, resulting in smaller building footprints, greater open space and expanded bay vistas; and

WHEREAS, the Village recognizes that certain limits on height, including the height of parking structures, may decrease the ability to accommodate economic development or necessary parking in the smaller footprints resulting from the use of these incentives; and

WHEREAS, the Village desires to ensure adequate parking and economic redevelopment opportunities while improving the public and private access to and view and enjoyment of Biscayne Bay.

WHEREAS, the Planning and Zoning Board has reviewed this Ordinance at a duly advertised public hearing and recommended approval of the Ordinance; and

WHEREAS, the Village Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public's interest.

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND 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 Created. Section 152.032 of the Code of Ordinances for the North Bay Village is hereby created to read as follows:

§ 152.032 –Bay View Overlay (BVO) District

(A) General requirements.

(1) Purpose and intent. The BVO District is intended to encourage taller, narrower, mixed use buildings on commercial lots on the north side of Kennedy Causeway where such lots front directly on, and provide unimpeded views north to Biscayne Bay. As such, this District provides the opportunity for development and redevelopment of mixed use residential buildings at greater heights than are otherwise permitted in the CG or CL Zoning Districts if certain requirements are met. In order to provide incentives for re-development and streamline the development approval process, the BVO District has been pre-designated on the Official Zoning Map. Application of the development incentives available in the BVO District to individual properties will be reviewed and approved by the Planning and Zoning Board and Village Commission concurrently with the site plan approval process.

(2) Applicability.

(a) The BVO District provides for an optional set of development regulations that may be voluntarily employed in the mixed use development of lands located within geographic limits of the BVO District shown on the Official Zoning Map.

(b) All regulations of the underlying zoning district that are not otherwise addressed in these regulations shall apply. Where the underlying zoning district and the BVO District both apply, the BVO District shall govern.

(c) If a property owner should elect not to develop under these optional regulations, only the regulations of the underlying zoning district shall apply.

(3) Procedure.

(a) BVO Standards Review. Applications to use the development standards provided in the BVO District shall be processed concurrently with all other required development applications. At a minimum, the following applications are necessary and shall be considered in the following order:

1. Special Use Exception review required by 152.030(C)(3), if the property is located in the CG zoning district;
2. Building Height Bonus review to 240 feet pursuant to Section 152.029(C)(8)8(A) through 8(F);
3. Bay View Overlay District standards review; and
4. Site Plan review required by 152.105(C)(9).

(b) Approval. Applications require approval by the Village Commission following a single public hearing and a recommendation from the Planning & Zoning Board. In order to approve an application, the Village Commission shall find that the development proposed:

1. Is compatible with surrounding intensities and densities of development;
2. Provides access to adequate light and air for surrounding properties; and
3. Preserves views of, and view corridors to, Biscayne Bay consistent with the Village's 2007 Master Charrette Plan.

(B) Allowable uses. All uses listed as permitted or special exception uses in the underlying zoning district shall be permitted equally in the BVO District, and such use shall be subject to all conditions, requirements or limitations applicable to the use in the underlying zoning district, except as may otherwise be set forth in this section.

(C) Building heights. A building height of up to a maximum of 340 feet may be proposed under the following conditions:

- (1) Lots over 500 feet in depth. For parcels where the lot depth is more than 500 feet, the following conditions shall apply:

- (a) The property is approved for a building height of 240 feet under the building height bonus provisions of Sec. 152.029(C)(8)8(A) through 8(F).
 - (b) The portion of any building that is more than 240 feet in height must be set back from the front property line by a distance that is not less than the height of said portion of the building.
 - (c) If any portion of a building on the site exceeds 240 feet in height, no part of any building on the site may be closer to either side property line than a distance equal to 20% of the width of the lot.
- (2) Lots under 500 feet in depth. For parcels where the lot depth is less than 500 feet, the following conditions shall apply:
- (a) The property is approved for a building height of 240 feet under the building height bonus provisions of Sec. 152.029(C)(8)8(A) through 8(F);
 - (b) The entire portion of a building that is more than 240 feet in height must be set back from the front property line by a distance that is at least 40 feet, plus two feet for each foot of the highest building height in excess of 240 feet.
 - (c) If any portion of a building on the site exceeds 240 feet in height, the two side yards together must total 60 percent of the width of the lot, provided the smallest side yard may not be less than 20 percent of the width of the lot.
- (D) Parking. If the building height provisions of Section (C) above are utilized, the limitations for parking structure stories of Section 152.029(C)(4) shall not apply if the structure is architecturally designed or screened so that no part of the parking structure, other than the entrance, is visible or discernable from the public right of way.

Section 3. Findings. The Village Commission, in considering the designation of the "Bay View Overlay District," finds that:

- (1) All property similarly situated will be placed in the Bay View Overlay District.
- (2) All uses permitted under the Bay View Overlay District classification will be in the general public interest, and not merely in the interest of an individual or small group of people.
- (3) All uses permitted in the Bay View Overlay District classification are appropriate in the area included in the proposed change.
- (4) The character of the neighborhood will not be materially and adversely affected by any use permitted in the Bay View Overlay District.

(5) The proposed change is in accord with the comprehensive master plan and sound comprehensive planning and zoning principles.

Section 4. Zoning Map Amendment. Pursuant to Section 152.100 "Amendments and changes to zoning, comprehensive plan regulations," the zoning designation of Bay View Overlay District for the Properties shown on Map 1 and described in Exhibit A, attached hereto and incorporated herein, is hereby approved.

Section 5. Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 6. 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 7. 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 8. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

A motion to approve the foregoing Ordinance on first reading on December 3, 2012 was offered by Commissioner Richard Chervony, seconded by Commissioner Jorge Gonzalez.

The Votes were as follows:

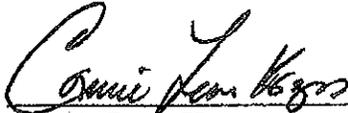
Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Eddie Lim	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Jorge Gonzalez	<u>Yes</u>

A motion to approve the foregoing Ordinance on final reading was offered by Commissioner Richard Chervony, seconded by Vice Mayor Eddie Lim.

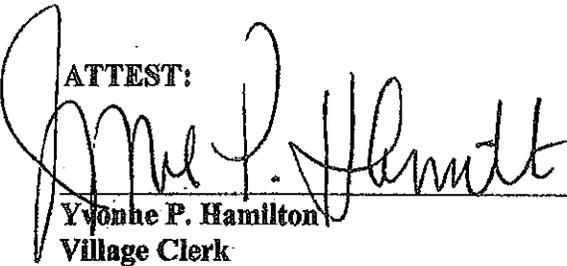
FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED 18th day of December 2012.

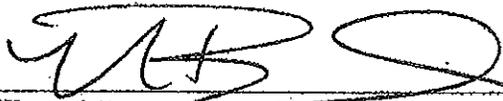


Connie Leon-Kreps
Mayor

ATTEST:


Yvonne P. Hamilton
Village Clerk

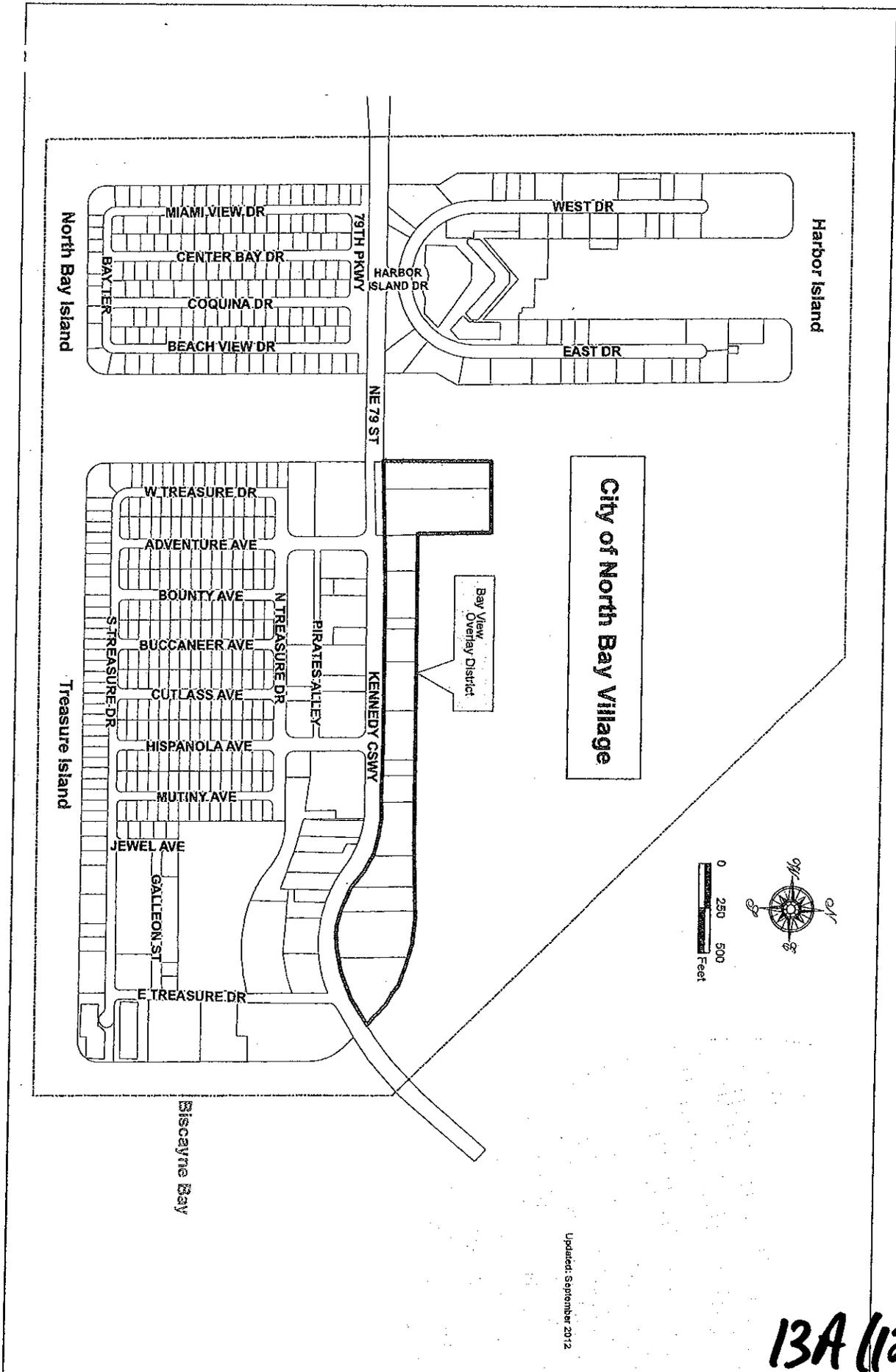
**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:**



Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Ordinance: Bay View Overlay

13A(11)



Updated: September 2012

13A (12)

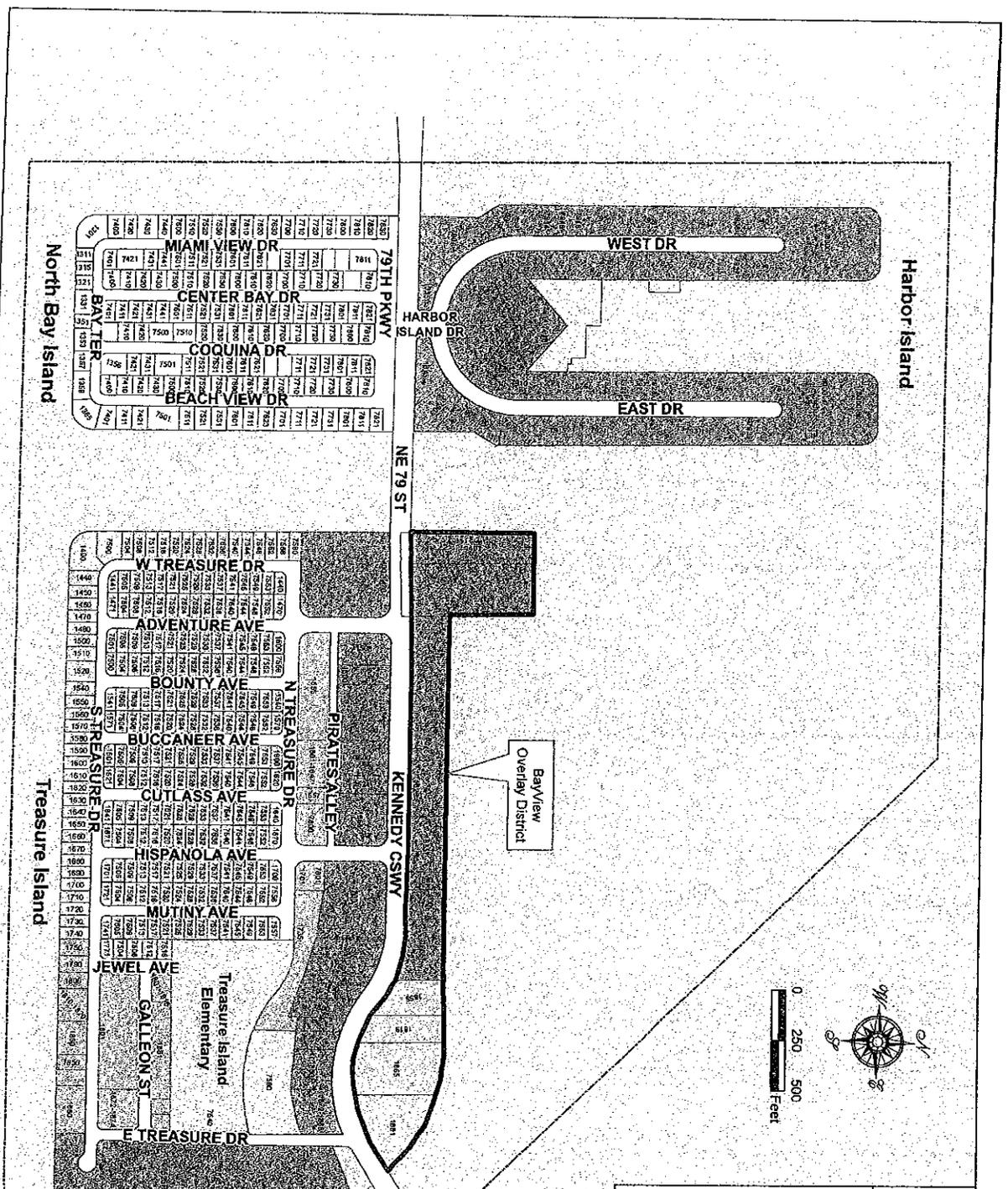
13A(13)



City of North Bay Village
Zoning Map

	RS-1	Single Family Residential
	RS-2	Single Family Residential
	RM-40	Multiple Family Residential
	RM-70	Multiple Family Residential
	CL	Limited Commercial
	CG	General Commercial
	Water	

Updated: September 2012



Biscayne Bay



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: May 4, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Jorge Gonzalez
Commissioner

PRESENTED BY STAFF: Jenice Rosado
Interim Village Manager

SUBJECT: North Bay Village Scholarship Program

RECOMMENDATION:

It is recommended that the Village Commission approve the development of a scholarship program to benefit the youth within the community who are interested in pursuing a career in public services/government.

BACKGROUND:

The North Bay Village Scholarship program would require proper funding and planning. The first step would be to determine all viable avenues of funding available for the award(s). There are several options such as fully funding the scholarship, collaborating with sponsors or possibly by soliciting donations. Legal will need to be involved to determine that the programs meet all requirements and complies with all federal and state tax laws. The amount of the scholarship to be paid will be paid as a one-time award.

Secondly, scholarship criteria must be established to identify qualified applicants. A Trust Document must be prepared to set forth eligibility and selection criteria which contains the amounts and conditions. The Youth and Education Services Board will

review scholarship applications and select the top three (3) applicants to bring to the Commission for selection based on a tier system (1st, 2nd and 3rd Place).

Additionally, the Village must look at how it intends to select the scholarship recipient(s) if only by application along with a student essay, as well as how it would like to promote the scholarship. Further, the Village must designate a staff member to monitor the scholarship recipient(s) to ensure compliance with the program. Depending on the number of recipients, the Village will require adequate response to support and manage the program.

Sample Eligibility/Criteria

The sample scholarship is what the Village has envisioned for the scholarship offering.

In order for students to be eligible for the scholarship they must meet the following criteria

- Be a resident of North Bay Village (Proof of residency must be provided using a Utility Bill or Driver's License, etc.)
- Be a High School Senior who wishes to pursue a career in Public Service/Government
- Have a Financial Need (Single-parent household, Economically Disadvantaged)
- The scholarship is based on Academic Achievement (3.0 GPA or above)
- Community involvement (May be waived by the Youth and Education Services Board)
- The applicant must submit a personal statement on what motivates him/her to pursue a career in public service (Essay will be judged on creativity, grammar, etc.)
- Letters of reference (2 from teachers that are familiar with the student's academic accomplishments and (1 from a supervisors, if the student is employed)
- Scholarship applications and essays are due by April 1st and decisions will be made no later than July 1st for the Fall Term
- The scholarship will be awarded on a tier system with awards in the amount of \$2,500, \$2,000 and \$1,000 (nonrenewable; one-time award). The scholarship will be payable to the student and a receipt of payment must be provided.

The scholarship will be announced via the North Bay Village Web Site.

****Candidates who are related to Village Staff and/or Commission are ineligible to apply for the scholarship.**

BUGETARY/FINANCIAL IMPACT (FINANCE DEPARTMENT):

Funding for the scholarship program will require a total of \$5,500. Funding or the full amount of \$5,500 will be allocated through the budget process for FY 2013-14. If sponsorships funds will be solicited from local businesses and if monies are received they will serve to replenish the already budgeted funds thereby reducing the actual money needed from the Village General Operating Fund.. The Village may also seek sponsors such as the state of Florida, Miami-Dade County or other organizations within the County.

PERSONNEL IMPACT:

A staff member will be needed to work collaboratively with the Youth and Education Services Board to select five (5) applicants to submit for Commission selection.

CONTACT:

Jenice Rosado / Interim Village Manager



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DATE: May 4, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Jorge Gonzalez
Commissioner

PRESENTED BY STAFF: Jenice Rosado
Interim Village Manager

SUBJECT: North Bay Village Special Needs Program

RECOMMENDATION:

It is recommended that the Village Commission approve a limited Special Needs Program in North Bay Village.

BACKGROUND:

There are currently 70 Special Needs or ESE students at Treasure Island Elementary with 28 of those students residing in North Bay Village. Most of the special needs appear to be the result of a learning disability. There are several special needs programs offered by various municipalities as well as the county that are provided through the Department of Parks and Recreation. County programs are available to children county-wide. These programs include reading, sports and recreation and other activities.

When considering implementing a special needs program in North Bay Village, the Commission must also take into consideration the special needs of the child and/or individual. This would govern the type of programs that the Village can make available; the qualifications of the staff that the Village will be required to hire in order to address each need properly; the location(s) where the Village would provide these programs from. At this time, we are permitted to use Treasure Island Elementary School solely for the children trust funded after-school program. Our after-school program has the capacity for a total of 10 special needs slots of which all those slots are filled at the moment.

BUGETARY/FINANCIAL IMPACT (FINANCE DEPARTMENT):

The cost of establishing special needs programs can be estimated at a minimum \$150,000 annually provided that we have a location that is readily available and can accommodate the special needs population. Cost of operating The Children's Trust is \$137,000 annually without having to pay for the space.

PERSONNEL IMPACT:

The Village will need to establish a Parks and Recreation Department and hire special needs certified staff members with specialized training to meet the needs of the children.

CONTACT:

Jenice Rosado / Interim Village Manager

Activities for Children with Disabilities



Sports Development for children with Autism takes place on Saturdays during the school year with a rotating schedule of sports and activities.

Afterschool and seasonal camps for children of all disabilities age 6-21 at the following locations:

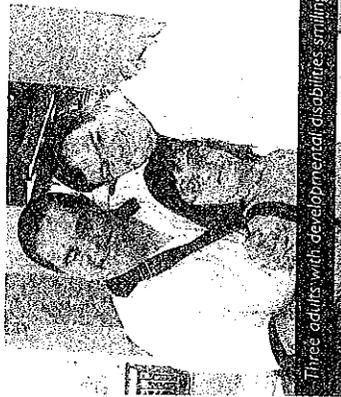
Golf & Art Camp (3550 NE 22nd Avenue)
 305-575-3755
 Miami Art Camp (1201 SW 24th Street)
 305-522-5108
 Camp Reading (18747 SW 170th St)
 305-572-4956
 Wheelchair Art (3805 NW 159th Avenue)
 305-580-9106
 Golf & Art Camp (1055 SW 97th Avenue)
 305-575-1629
 Golf & Art Camp (11650 SW 26th Street)
 305-574-1677
 Oak Grove Park (691 NE 15th Street)
 305-575-1212
 Partially funded by The Children's Fund.

Zot Artz Tools are designed for groups of children with and without disabilities to create art together. Call us about our Zot Artz Loaner Program.



The Leisure Access Center in AD Barnes Park

The Center runs full day and weekend social, recreation, and independent life skills training programs for adults with developmental disabilities. The Center also offers Special Olympics training programs.



Groups and organizations can rent the Leisure Access Center for meetings or overnight camping on weekends. The Center is a fully wheelchair accessible camping facility with full kitchen, 2 cabins (ten beds each) and a lodge in a beautiful natural setting (305-665-5319).

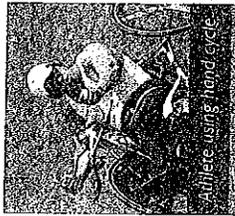


Volunteers are always welcome in our programs and events. You can view volunteer requirements and opportunities on our website at www.miamidade.gov/parks.

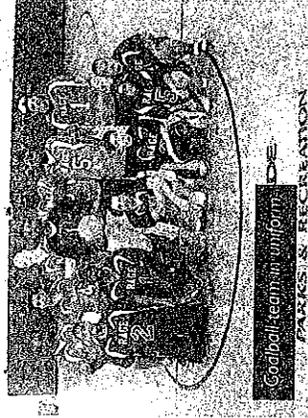
Paralympic Sports Club



US PARALYMPICS



Parks Disability Services is designated as a training site for athletes with physical and visual disabilities. Individuals with visual impairments can participate in a competitive Goalball Team. Individuals with physical disabilities can participate in fencing, wheelchair tennis and wheelchair basketball teams. Swim lessons and competitive swimming is offered to all potential Paralympians.



The Leisure Access Foundation is a not-for-profit 501(c3) that works with Parks Disability Services to further promote sports and recreation for persons with disabilities. Read more on our website.

Water Exercise



Certified Therapeutic Recreation Specialists provide experiences for persons with and without disabilities that increase their health, fitness and well being.

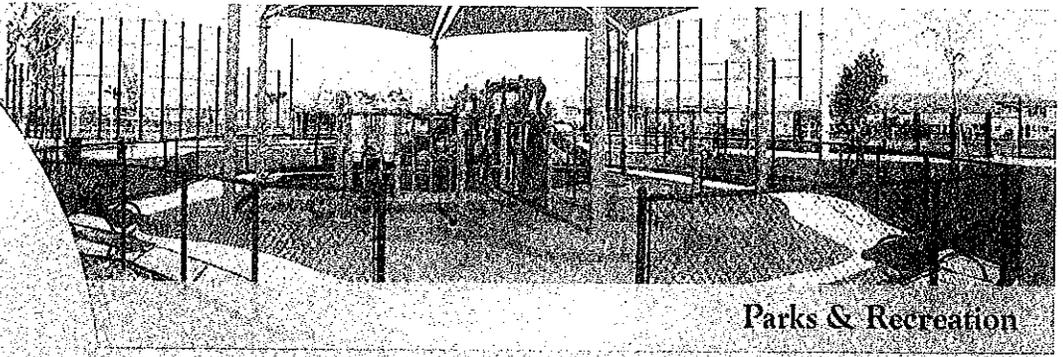
Water Exercise classes are held at Tamiami, Gould's and AD Barnes Pools.

Parks Disability Services Certified Therapeutic Recreation Specialists offer **Therapeutic Recreation Internships** that meet guidelines put forth by the National Council for Therapeutic Recreation Certification. Internships are geared toward students interested in community recreation, disability sports, and specialized camps for children with disabilities. To apply, send a resume, transcripts and requested dates of internship to Binhack@miamidade.gov.



Woman waves while sitting on pool lift

144A(6)



Parks & Recreation

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Parks and Recreation



Special Needs Programs

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Doral Teen Programs

Get Fit Doral

Morgan Levy Park

Silver Club

Tennis

Special Needs

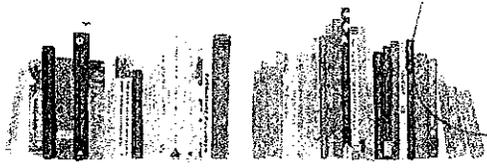
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Reading Enrichment Program



behavior links
Creating Links to Learning

Reading Program for Students with Special Needs
* Goal is to improve phonics, sequential memory and comprehension!*



Reading Enrichment is an educational-based program part of the City of Doral Special Needs Afterschool Educational Program Series. The program addresses literacy difficulties with individualized instruction in a small-group setting. The program is led by a Special Education Teacher and an Educational Psychologist who is also an Occupational Therapist and Behavioral Analyst. Parent training is an integral part of the program.

Registration OPENS on Tuesday, April 2 at 9:30am! Space is limited!
Registration is on a **FIRST-COME** Basis. Priority will be given to Doral Residents.
Please do not leave a voicemail, either call again or send an email in order to ensure the time-date you registered.
Registration Deadline: Thursday, April 4 at 8:00pm!

How Often: 7-week program meeting one time per week for 60 minutes

Dates: Tuesdays April 30 - June 4, 2013

***Evaluation Date:** Week of April 15, 2013*

Time: 4:00-5:00pm

Location: Morgan Levy Park Community Center

Registration Fee: Residents: \$20.00
Non-Residents: \$24.00

Requirements:

- Ages 6-13 with a documented diagnosis
- Reading level must be at least 1 grade level behind their current grade
- Participant must attend ALL sessions
- A parent or designated adult and participant must attend ALL sessions

For Registration:
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5300 NW 102nd Ave
305-482-9590
doralparksinfo@cityofdoral.com
www.cityofdoral.com

For More Information:
Behavior Links
954-237-3340
info@behaviorlinks.org
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Volunteer Opportunities Available!

If you are interested in learning more information, please contact:

Anna-Marie Martinez
305-593-6600

Anna-Marie.Martinez@cityofdoral.com
www.cityofdoral.com



Special Olympics
Florida
youngathletes™

Young Athletes Program



The City of Doral is inviting all children ages 2-7 with special needs to participate in an innovative sports play program. This pre-special Olympics program is designed to foster physical, cognitive and social development, while playing in a fun atmosphere, using simple-to-follow activities.

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achievement

Big achievements in life start with small successes. Like learning how to be part of a team or figuring out that excellence comes from a daily commitment of time and hard work. Doral's parks give children a chance to learn those life lessons, to experience success early, and to dream big. Parks build future leaders by giving youth the opportunity to lead. Personal Achievement

It starts
in parks



Florida Recreation and Park Association

11000 N. Pine Drive • Tampa, FL 33613 • (813) 976-1321

www.frpa.org



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 411 Office Plaza Drive | Tallahassee, Florida 32301 | (904) 676-3221
www.frpa.org

CITY OF DORAL

Next Council Meeting: Wednesday May 8th, 2013 at 6:00 PM at the Doral Government Center



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ROAD IMPROVEMENT CONSTRUCTION UPDATES





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Administrative Offices

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

**NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM**

DATE: May 4, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Jorge Gonzalez
Commissioner

PRESENTED BY STAFF: Jenice Rosado
Interim Village Manager

SUBJECT: North Bay Village Special Needs Program

RECOMMENDATION:

It is recommended that the Village Commission approve a limited Special Needs Program in North Bay Village.

BACKGROUND:

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14B(1)

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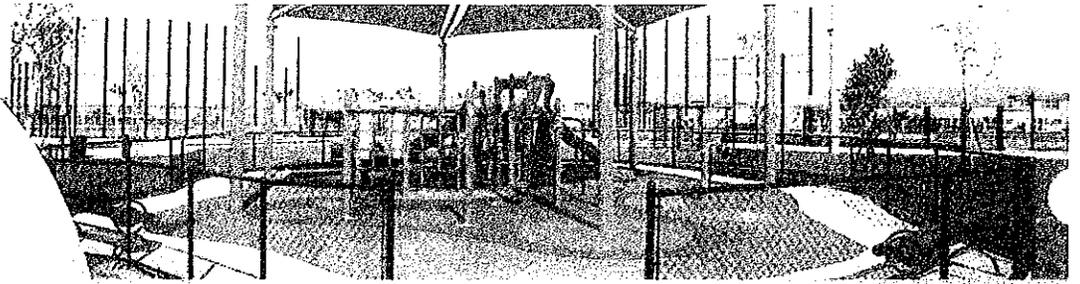
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CONTACT:

Jenice Rosado / Interim Village Manager



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Special Needs Programs

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CITY OF
DORAL

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behavior
links
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14 B (4)

CITY OF DORAL

For all the right reasons!

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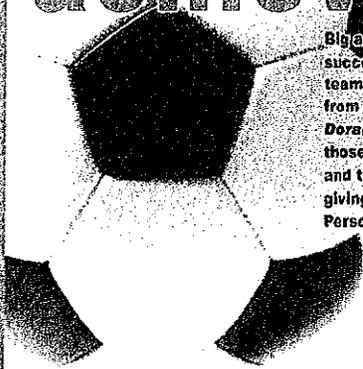
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14B(6)

achievement



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It starts in parks



Florida Recreation and Park Association

11100 N. Peninsula - Suite 100 - Ft. Lauderdale, FL 33308

www.frpa.org



CITY OF DORAL

FLORIDA'S PREMIER CITY

14B(7)

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Big achievements in life start with small successes. Like learning how to be part of a team or figuring out that excellence comes from a daily commitment of time and hard work. Doral's parks give children a chance to learn those life lessons, to experience success early, and to dream. City Parks build future leaders by giving youth the opportunity to lead. Personal Achievement... It starts in parks.

Florida Recreation and Park Association
 411 Okech Plaza Drive - Tallahassee, Florida 32301 - 850 378-3211
www.frpa.org

CITY OF DORAL
 THE CITY OF DORAL, FLORIDA

Next Council Meeting: Wednesday May 8th, 2013 at 6:00 PM at the Doral Government Center



EMERGENCY MESSAGING SYSTEM



DASHBOARD Keep tabs on your city's government!



IN THE NEWS



ROAD IMPROVEMENT CONSTRUCTION UPDATES

14B(8)



NORTH BAY VILLAGE

DATE: May 10, 2013
TO: Jenice Rosado, Interim Village City Manager
FROM: Rodney Carrero-Santana, PE LEED AP, Interim Public Works Director
SUBJECT: Speed Humps at North Bay Village

Ms. Rosado

In response to your subject request and pursuant to our recent conversation regarding the feasibility of installing speed humps on Harbor Island, the Miami-Dade County Public Works and Waste Management Department (PWWM) performed a traffic study pertaining to the items needed for this to move forward. The department has indicated that they have no objections for the Village to install speed humps that are funded through the municipality's traffic calming program. As such, if the Village is willing to proceed with the speed hump construction, the following items need to be submitted for review and approval:

- Signed and sealed design plans.
- Letters from the affected entities, such as Police and Fire Departments, stating that they concur with the proposed speed humps and that it will not adversely impact their services.
- 100% concurrence from the affected residents/property owners. In lieu of concurrence from the affected residents/property owners, the City Commission may pass a resolution, after a public hearing.
- An executed Intergovernmental Agency Agreement (IAA)

Please note that speed humps will not be considered in, or along the approaches to a horizontal or vertical curve where visibility of the hump is restricted (see attached policy). In addition, the proposed speed humps may impact existing parking along the roadway segment.

Miami-Dade has also provide the following documents:

- Speed Humps Policy
- Intergovernmental Agency Agreement (IAA) that needs to be executed
- Several Speed Hump design details to include in the design documents.

The estimated cost for each speed hump following the provided design details is approximately \$3,000.00 each. The total construction cost for six speed humps is approximately \$18,000.00. The estimated engineering cost for the design and construction documents is approximately \$6,000.00.

1401

POLICY ON SPEED HUMPS

PURPOSE:

The purpose of this policy is to provide guidelines for the installation of speed humps along local residential streets within Miami-Dade County.

POLICY:

Miami-Dade County has the sole discretion, subject to all applicable laws, to approve, modify, remove, continue or deny speed hump(s) request regardless of any support or lack thereof via the petition process. The approval or denial issued by the Director of PWD for a speed hump(s) is final. Speed humps will be considered on a case-by-case basis, only on local residential streets which meet the following criteria.

CRITERION:

- The street must strictly be a local residential road, specifically excluding arterial or collector roadways.
- The street shall not have more than one traffic lane in each direction.
- The street must be at least 750 feet long with no intersecting roadways in between.
- Traffic volumes on the street must range between 750 and 1500 vehicles per day.
- The street is posted at or has a speed limit of 30 MPH or less.
- The traffic engineering study has determined that the 85th percentile speed on the street is at least 10 MPH over the speed limit.
- The speed humps will not be considered within 250 feet of a traffic signal, within 50 feet of an intersection, in front of a driveway, within an intersection or adjacent to fire hydrants.
- The speed humps will not be considered in or on the approach to a horizontal or a vertical curve where visibility of the hump is restricted.
- The street should not be located along an emergency response routes, such as streets that feed into hospitals, transit routes, school bus route or truck routes, and must be approved by the respective agencies for the installation of speed humps. (These routes will be evaluated on a case by case basis at the time of review.)
- Installation of these devices shall not cause the traffic to divert to other neighborhood streets.
- 100% of the residents/property owners immediately adjacent to the proposed speed hump (one vote per residence) and two-thirds of the residents/property owners of the block(s) shall concur with the installation of the speed humps.

APPLICATION PROCEDURE:

- Individual residents, neighborhood associations or the entity having municipal jurisdiction over the area may initiate the request for a speed hump installation. The applicant must submit a request, in writing, to the Chief of the Traffic Engineering Division, Miami-Dade Public Works Department, 111 NW 1 Street, Suite 1510, Miami, Florida, 33128-1970.

14C(2)

- After a request for speed humps is received, the Traffic Engineering Division will conduct an initial study to determine if the street meets the aforementioned criteria for the installation of said devices, or if other alternative measures may be taken to resolve the residents' traffic concerns.
- If the above criteria are not met, the street will not be considered for speed hump installation and the applicant(s) will be notified of the denial.
- If after the initial study it is determined that the street qualifies for speed hump installation, a petition packet consisting of the speed hump petition will be mailed to the applicant(s). The project applicant(s) will be responsible for circulating the petition in the applicable area.
- Once the approved petition is received, the applicant will be notified of the PWD's recommendations.
- If approval is granted, the Traffic Engineering Division will seek approval for allocation of PTP funding from the District Commissioner.
- Upon approval, PWD will initiate the design and subsequently proceed with the installation of the permanent traffic calming devices.
- The initial installation will be allowed for a six-month trial period. The final determination on the retention/removal of the hump(s) will be made at the expiration of the trial period.

SPEED HUMP REMOVAL:

The process for speed hump removal is as follows:

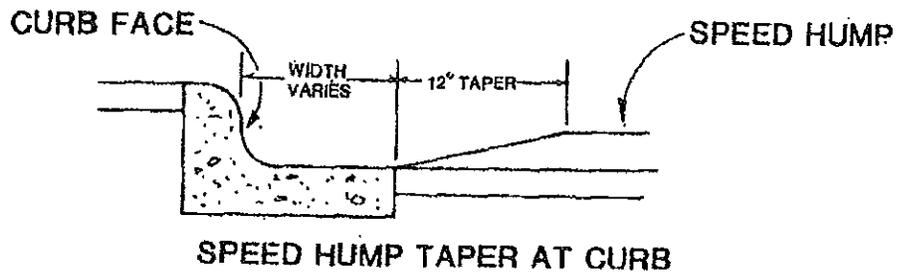
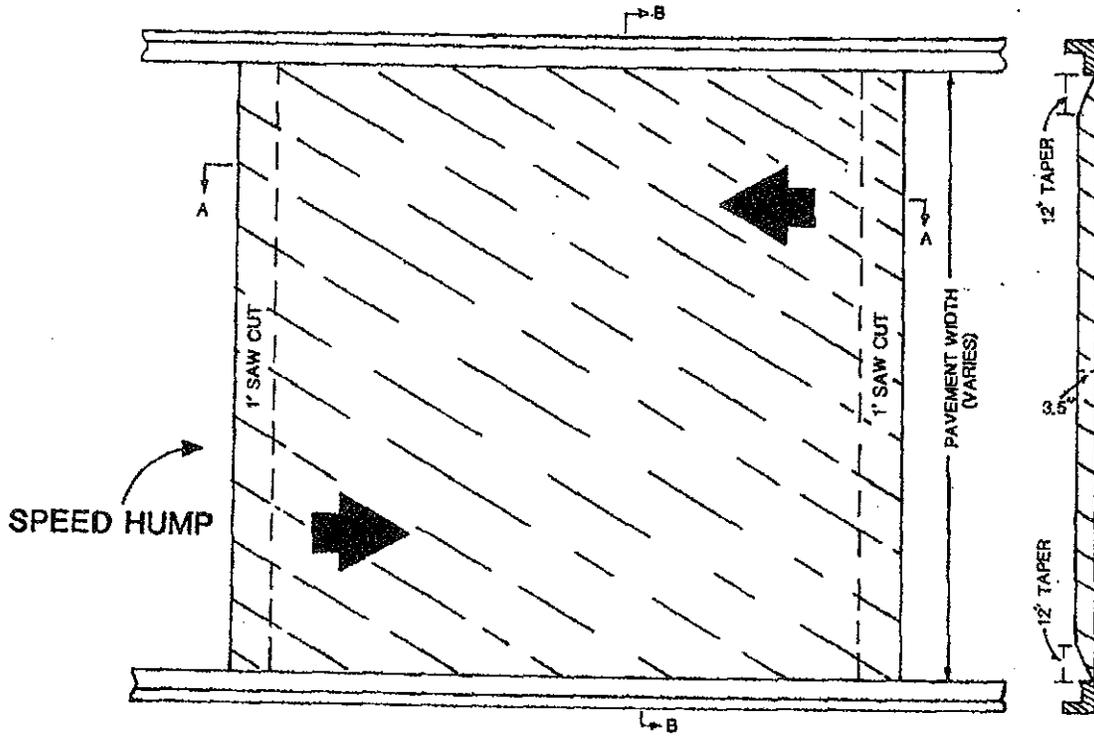
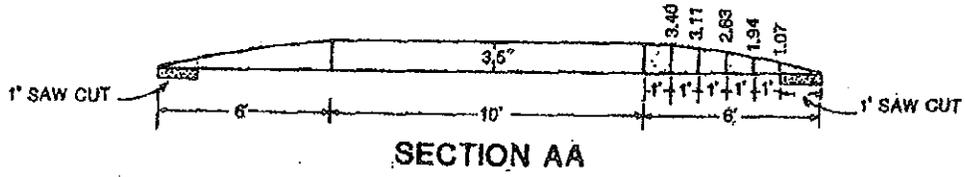
- Individual residents, neighborhood associations or the entity having municipal jurisdiction over the area if not satisfied with the devices may initiate the request for speed hump removal.
- The applicant must submit a request in writing to the Chief of the Traffic Engineering Division, Miami-Dade Public Works Department, 111 NW 1st Street, Suite 1510, Miami, Florida, 33128-1970.
- The application must accompany a petition signed by 100% of the residents/property owners immediately adjacent to the existing speed hump(s) (one vote per residence) and two-thirds of the property owners of the block(s) in favor of the removal of the speed hump.
- In case the PWD determines that an unforeseen problem exists as a result of the humps, the devices may be redesigned or removed by the County. In such a case, the County will bear the full cost of the speed hump removal.
- If the device is installed by a municipal jurisdiction, then such entity will be responsible for the removal of such device(s) upon approval from PWD at no cost to the County.

DESIGN:

The following design is adopted by PWD as the County's Standard for Speed Hump(s).

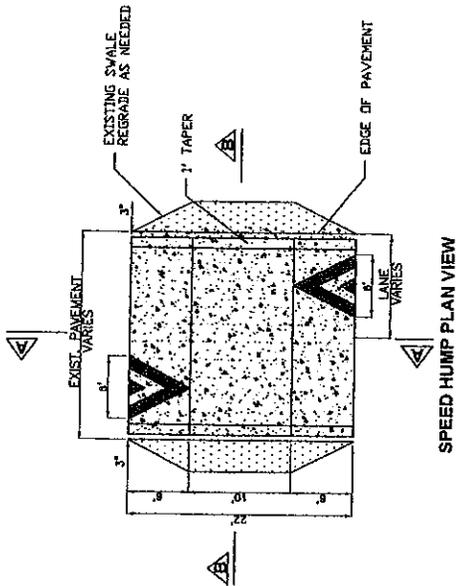
14C(3)

FLAT-TOPPED SPEED HUMP DESIGN

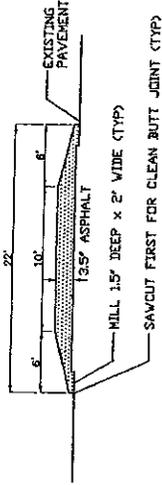


14C(4)

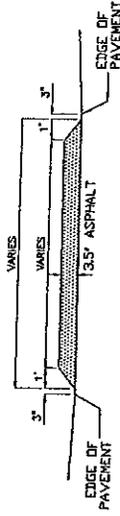
SPEED HUMP GENERAL DETAILS



SPEED HUMP PLAN VIEW



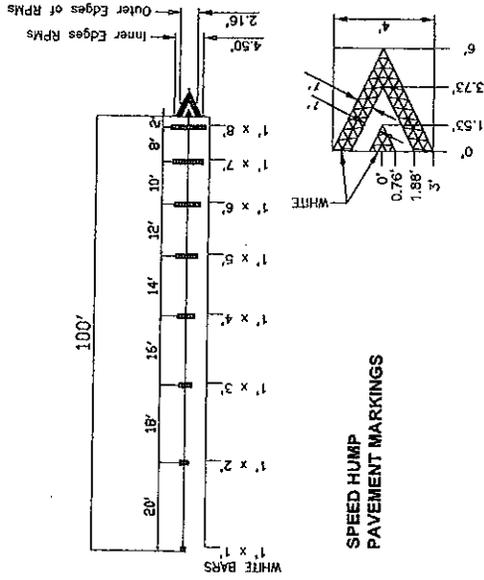
SECTION A - A
N.T.S.



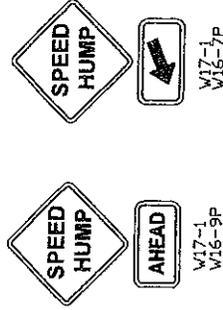
SECTION B - B
N.T.S.

REFERENCE: MUTCD SECTION-3B.25 & 3B.26
 -24' RPM total for Center Line & Speed Hump as shown.
 -Paint:
 250' of 2-6" Yellow Each Hump
 100' of 12" White Each Hump

DRAINAGE NOTE:
 HUMP TO BE AT LEAST 3" AWAY FROM THE EDGE OF PAVEMENT ON BOTH SIDES IN ORDER TO ALLOW PROPER FLOW OF RUNOFF INTO THE EXISTING CATCH BASINS.
 REGRADE EXISTING SWALE IF NEEDED.
 NOTE:
 LOCATE SPEED HUMP AND SIGNS TO MINIMIZE IMPACT ON DRIVEWAYS



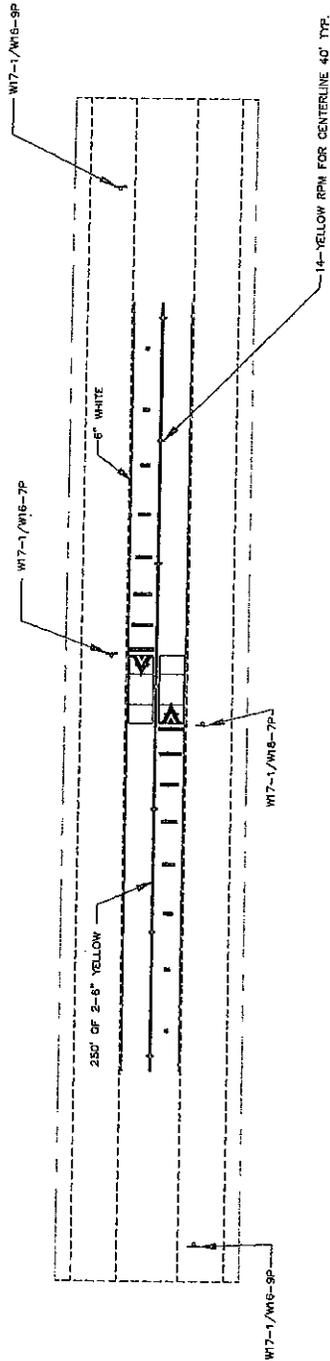
SIGNS DETAILS



		MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT TRAFFIC ENGINEERING DIVISION		SPEED HUMPS GENERAL DETAILS	
		PROJECT No.	SHEET 1 OF 4	REV. DATE	DESCRIPTION
				DESIGN	A. SUAREZ
				DATE	07/25/12

14C(5)

SPEED HUMP ON SCHOOL ZONE



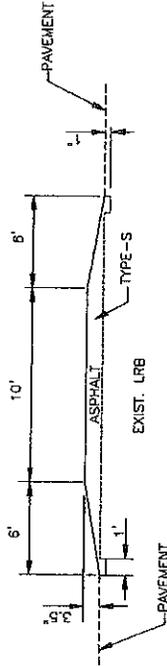
W17-1
W16-SP

W17-1
W16-SP

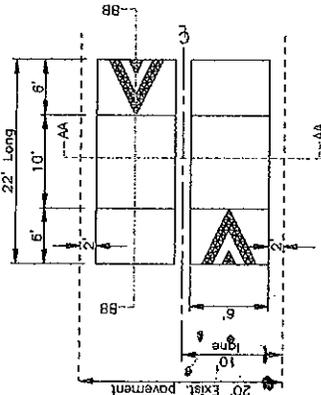


W17-1
W16-7P

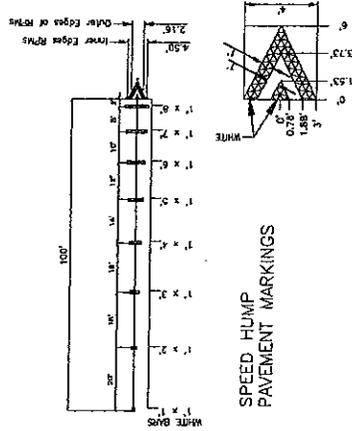
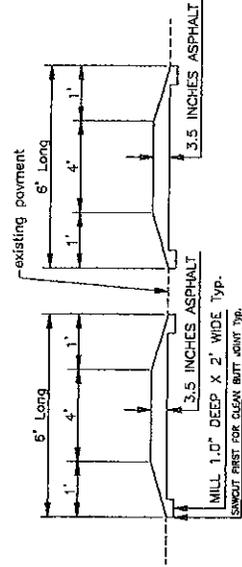
SPEED HUMP DETAIL--BB



SPEED HUMP - PLAN VIEW



SPEED HUMP - CROSS SECTION--AA



24 RPM total for Center Line & Speed Hump as shown.

Paint:
250' of 2-6" Yellow Each Hump
100' of 12" White Each Hump

NOTE: LOCATE SPEED HUMP AND SIGNS TO MINIMIZE IMPACT ON DRIVEWAYS
REFERENCE: MUTCD SECTION-3B.25

146(17)

**INTERGOVERNMENTAL AGENCY AGREEMENT
TO PERFORM TRAFFIC ENGINEERING FUNCTIONS**

THIS INTERGOVERNMENTAL AGENCY AGREEMENT TO PERFORM TRAFFIC ENGINEERING FUNCTIONS (**AGREEMENT**), made and entered into this ____ day of _____, 2009, by and between the (name of municipality), **FLORIDA**, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the _____ (**CITY, VILLAGE, TOWN**) and **MIAMI-DADE COUNTY (COUNTY)**, a political subdivision of the STATE OF FLORIDA, MIAMI-DADE County.

WITNESSETH

WHEREAS, pursuant to Section 2-96.1 of the Miami-Dade County Code, all traffic control and traffic engineering services in Miami-Dade County are under the exclusive jurisdiction of the **COUNTY**; and

WHEREAS, the _____ (**CITY, VILLAGE, TOWN**) desires to assume the installation and maintenance responsibilities of certain traffic engineering functions pertaining to its local municipal streets only; and

WHEREAS, the **COUNTY** has determined that the _____ (**CITY, VILLAGE, TOWN**) is both equipped and able to perform the traffic engineering functions as herein specified on its local streets; and

WHEREAS the _____ (**CITY, VILLAGE, TOWN**) has, by proper resolution attached hereto and by reference made a part hereof, authorized its officer(s) to enter into this **AGREEMENT**.

NOW THEREFORE, the _____ (**CITY, VILLAGE, TOWN**) and the **COUNTY** agree as follows:

1. The recitals set forth above are incorporated herein by reference.

2. The _____(CITY, VILLAGE, TOWN) will only install and maintain the following designated types of traffic control devices and only on those local municipal streets operated and maintained by the _____(CITY, VILLAGE, TOWN) within its boundaries:

(List devices)

Traffic calming devices may be installed on local municipal streets only after an appropriate traffic engineering study has been performed and sealed and signed plans have been submitted to the Public Works Department of the COUNTY for its review and approval.

3. The _____(CITY, VILLAGE, TOWN) shall attach a decal to the back of the sign panels indicating ownership and date of installation.

4. The _____(CITY, VILLAGE, TOWN) assumes sole and complete responsibility for the maintenance of all such signs that are installed by the _____(CITY, VILLAGE, TOWN) within its boundaries.

5. The _____(CITY, VILLAGE, TOWN) assumes sole and complete liability for any accidents and/or injuries which may or are alleged to occur or arise out of the installation, operation or maintenance of said traffic control devices, and hereby indemnifies and saves harmless the COUNTY from any and all claims of negligence as a result of the installation, operation or maintenance of said signs.

6. All traffic control signs installed by the _____(CITY, VILLAGE, TOWN) in accordance with this AGREEMENT shall conform to the applicable requirements established by the following publications:

Florida Department of Transportation's Standard Specifications for Road and Bridge Construction.

Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.1e-1989), including latest revisions.

Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.

Miami-Dade County Public Works Manual (available from the Public Works Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128)

7. For installation of traffic control devices, the _____(CITY, VILLAGE, TOWN) shall hire a COUNTY licensed contractor or perform the work in-house by the _____(CITY, VILLAGE, TOWN) Public Works crew.

8. Should the _____(CITY, VILLAGE, TOWN) install street name signs at the same site where a stop-top street name exists, then the _____(CITY, VILLAGE, TOWN) shall utilize the other corners of the intersection. Subsequently, the (CITY, VILLAGE, TOWN), shall remove the COUNTY'S stop-top street name signs by an approved sign contractor. All signs and hardware removed shall be dismantled and returned to the Traffic Signals and Signs Division of the COUNTY'S Public Works Department.

9. The _____(CITY, VILLAGE, TOWN) shall be responsible for keeping records of any and all installations and repairs, and furnishing pertinent documents as and when said records may be requested.

10. Failure to carry out any of the duties and responsibilities assumed herein by the _____(CITY, VILLAGE, TOWN) may result in termination of this AGREEMENT, at the sole discretion of the COUNTY.

IN WITNESS WHEREOF, the CITY and the COUNTY have set their hands the day and year above written.

Attest:

MIAMI-DADE COUNTY

HARVEY RUVIN, CLERK

By: _____
County Manager

By: _____
County Deputy Clerk

Approved as to form and legal sufficiency:

Assistant County Attorney

Attest:

CITY OF MIAMI

By: _____
City Clerk

By: _____
City Manager

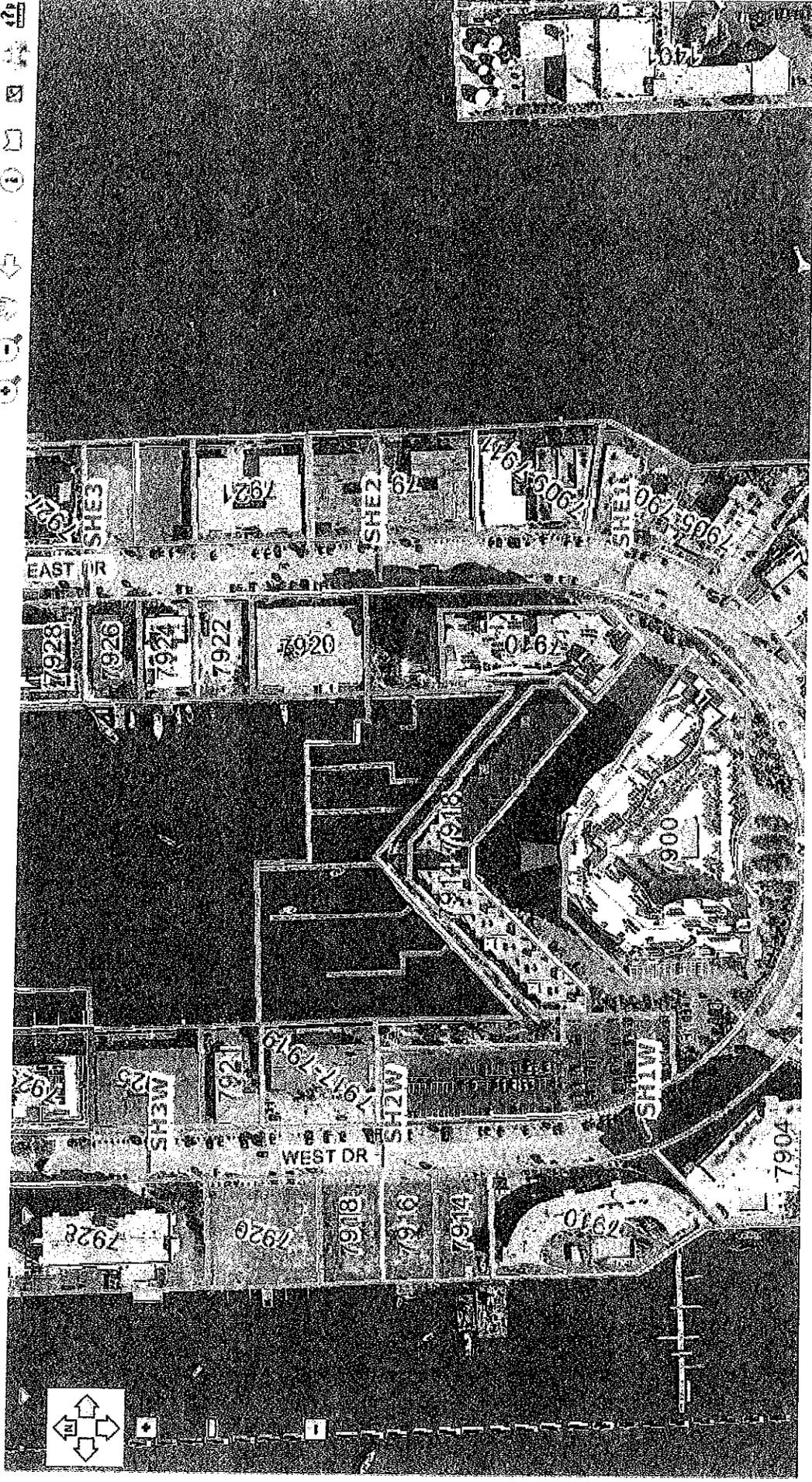
Approved as to form and legal sufficiency:

City Attorney

146 (11)

North Bay Village GIS

Search Results Layers



146(12)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: May 17, 2013

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

RECOMMENDED BY STAFF / COMMISSIONER:
Commissioner Chervony

PRESENTED BY STAFF: Bert Wrains, CGFO
Finance Director

SUBJECT: Unreserved Fund Balance review

RECOMMENDATION:

Commissioner Chervony has requested that the attached chart be placed on the agenda for review and discussion.

BACKGROUND:

Commissioner Chervony prepared the attached chart and I have provided updated figures and comments. There were 2 items that were listed but would be funded through other Village funds and have no impact on the General Fund. I have moved these to page 2.

FINANCIAL IMPACT:

There is no fiscal impact because this is a review and discussion item

BUGETARY IMPACT (Finance Department): None

PERSONNEL IMPACT: None

14D(1)

14D(2)

Unreserved Fund Balance \$ 550,117.00

Cherony's
Department Finance
Comments \$ 550,117.00

The Market Company Banner	\$ 1,500.00	\$	5,000	Commission Approved
Increase salary of Interim CM (\$11706/yr)	\$ 5,853.00	Apr /Sept	5,000	Only Assignment Pay
Zoning Study (P and Z Board)	\$ 50,000.00		50,000	Commission action
Visiting Nurse	\$ 2,166.00		2,166	Resolution
Move out of Levi	\$ 122,000.00		122,000	Commission action
Increase in Rent at Causeway Towers*a	\$ 3,624.99	3 months	-	3 Months July - Sept
Additional Storage	\$ 1,250.00		1,250	3 Months July - Sept
Steve Mc Vay Back Pay	\$ 125,000.00		125,000	Gross less any earnings
John Costa Accrual Payout	\$ 108,007.00	*5	108,007	Actual
Mark Weinstein Deductible	\$ 25,000.00	FIC deductible	25,000	unknown (if we lose or settle)
P - Law Suit Represented by League *b	\$ 25,000.00	FIC deductible	???	
Pandolfi FRS Payment	\$ 16,881.00		16,881	Pending Labor Attorney
Sub total	\$ 486,281.99		\$ 460,304	

Proposed Additional Expenses:

Citizens Survey	\$ 15,000.00	\$	15,000	one time
Scholarship	\$ 5,000.00		5,500	ongoing
PAAL Program	\$ 42,200.00	*1	42,200	Forfeiture funds
Matching Grant 2 Police Officers	\$ 57,105.00		75,000	FY 2014 thru FY 2016
Funds for Storm Drain Cleaning	unknown	*2	25,000	Stormwater Fund
Funds for Special Needs Children Program	unknown		unknown	
Speed Humpos for Harbor Island	unknown		12,000	Transportation Fund
Non Budgeted Litigation	\$ 25,000.00	*3	25,000	Estimate
New Plantings, Mulch, etc	\$ 30,000.00	*4	30,000	Estimate
Difference in Salary from Costa to Mc Vay	unknown		1,635.00	3 mo July/Sept
Projected General Fund Deficit	\$ 73,608.00		73,608	
Sub Total	\$ 247,913.00		\$ 225,743	
				\$ (135,930)

We are a MINIMUM of \$184,078 short!!!!

New on going expenses to be budgeted for 2013-14

IB Program	\$ 100,000.00	In the current budget
Visiting Nurse	\$ 10,000.00	\$ 13,000
PAAL Program	\$ 42,200.00	Forfeiture Funds (What forfeiture funds for 2013-14)
LITIGATION	???????????????	unknown
New Plantings, Mulch, etc.	???????????????	unknown

*a NBV/PD Locker Room Build Out

*b Citizen law suit resulting in accident to be heard in Aug

*1 In the proposed budget given by the NBV/PD there is NO RESERVES in the LETF to cover this item. If you are taking funds from OVERTIME and then the Village will have to pay the needed funds from the UNBUDGETED RESERVES we don't have the funds

*2 Less than \$20K in Sewer Operations Contingency and we just spent \$12,000 from the \$150K reserve in Storm Water Utility Fund.

*3 Poor Estimate as we are already \$77748 over budget and you are calculating only a projected general deficit of \$73608. We have yet to receive bills for legal for April to Sept plus litigation. We have three ongoing cases as of today. Plus hourly bills from labor for work not related to Union Work.

*4 We already spent monies on the planting in April. If they last to September 30 (doubtful). We need four palm trees in median and we need Paul Vogel Parl leveled and resodded. Poor estimate

*5 Pay out updated as of 9 pm 5/17/13



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: June 8, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:
Commissioner Wendy Duvall

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Village Manager

RECOMMENDATION:

It is recommended that the Village Commission reopen the advertisement process, without a closing date, for Village Manager applicants in order to evaluate other candidates.

BACKGROUND:

Following review of the applications for Village Manager, the Village Commission selected three candidates on May 30, 2013 for public interview on June 5, 2013 and one of the candidates withdrew his application. The interviews were conducted and after careful consideration, it is recommended that HR re-open the advertisement process.

BUDGETARY IMPACT (Finance Dept):

None.

PERSONNEL IMPACT:

None.

15A(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

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RECOMMENDATION MEMORANDUM

DATE: June 4, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:

Jenice Rosado
Interim Village Manager

PRESENTED BY STAFF:

Jenice Rosado
Interim Village Manager

SUBJECT: Setting Commission Meetings

RECOMMENDATION:

It is recommended that the Village Commission move the regular July Commission Meeting from July 9th to July 16th at 7:30 p.m.; that the Commission cancel the regular August Commission Meeting pursuant to Section 3.09 of the Village Charter; that the Commission set the budget workshop date for July 18th to begin at 6:00 p.m.; that the Commission set a Special Commission Meeting for July 31st at 6:00 p.m. to finalize changes to the budget, adopt a proposed millage rate and set 2 public hearing dates for September 2013.

BACKGROUND:

In order to assist us with planning the remainder of this fiscal year, and in light of the fact that the Village is busy moving our facilities, we ask that the Commission adopt the recommendations for the above-stated meetings.

15B(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

FINANCIAL IMPACT:

None

BUDGETARY IMPACT (Finance Dept):

None

PERSONNEL IMPACT:

This schedule will allow our staff to appropriately plan the remainder of this fiscal year and be in line to adopt a budget for next fiscal year.

15B(2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

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RECOMMENDATION MEMORANDUM

DATE: June 5, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:
Jenice Rosado / Rodney Carrero Santana

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Public Works Department Staffing.

RECOMMENDATION:

It is recommended that the Village Commission hire a public works supervisor consultant from CAP Government to assist our Interim Public Works Director with various critical time sensitive projects. It is further recommended that the Village Commission approve maintaining the existing Interim Public Works Director personnel, Mr. Rodney Carrero-Santana and a public works supervisor (if approved) through the end of this fiscal year (Sept 30, 2013).

BACKGROUND:

At the moment, the Village Public Works Department is working under the management of an Interim Public Works Director, Mr. Rodney Carrero-Santana. Mr. Carrero-Santana is a professional engineer employed by CAP government and working for us as a consultant. CAP government's rate for Mr. Carrero-Santana's work for the Village is \$75 an hour for an average of 30 hours a week. It is advised that Mr. Carrero should remain with the Village through the end of this fiscal year.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

15C(1)

The reason the Village should not move forward with the hiring of a permanent public works director at the moment is that the Village is not in functioning with stability at the moment due to the fact that the Village is in the process of transitioning office space, hiring of a Village Manager and trying to finalize the budget for next fiscal year. hat; Mr. Carrero has been able to obtain a good handle of very important and time sensitive projects that are critical to the daily functioning of the Village that this department status not be disrupted at the moment.

Due to the high demands that this department has and the amount of time sensitive projects that are needed to remain on track, Mr. Carrero-Santana finds that the department to function properly is lacking the supervisory personnel assistance needed to assist with the multitude of projects as well as assistance needed with maintenance of quality control and management of the staff. A few of the time sensitive projects Mr. Carrero-Santana is working on that he is in need of assistance on are following: conducting our SSES study which is long overdue, wrapping up the Causeway improvements, a comprehensive analysis of our drainage systems, improvements to Vogel Park, working with a new landscaping company to make sure that all is done correctly, analyzing the Causeways electrical system and the Village's aging underground infrastructure, working with the grant writer to make sure that all Public Works grant funded projects are on track and the list goes on. Employing a public works supervisor from CAP that will work under Mr. Carrero-Santana's supervision through the end of this fiscal year, will ensure that for the time Mr, Carrero-Santana is with us, he will have the adequate assistance needed to make sure that all projects are fulfilled which is extremely important in order to meet financial and state deadlines.

It is estimated that the village operations as a whole (new office space, budget completed, possible hire of Village Manager etc.) should stabilize by September 2013 and that at that point we will be able to have our Interim Public Works Director, Mr. Carrero-Santana assist the transition of the new hire for the permanent position of public works director. Furthermore, the need for a public works supervisor position after a permanent Director is hired, would still be an existing need that will be addressed through the budget process and we are also partnering with FIU to help us provide additional assistance through a paid internship.

FINANCIAL IMPACT:

The amended schedule of services from CAP will be sixty five (\$65) an hour for 20 hours of work each week. This would total \$1,300 a week or a total of 15 weeks through September 30, 2013, for a total FY 2013 cost of \$19,500.

BUDGETARY IMPACT (Finance Dept):

The salary for the Public Works Director position was budgeted at \$72,500. The total annual personnel costs budgeted for the position including the pay plan adjustment and the 2% COLA is \$98,396. The Public Works Director position was filled with a full time employee for the first 18 weeks of the current budget year at a cost of \$34,056.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

15C(2)
Commissioner
Jorge Gonzalez

a cost of \$34,056. The Interim Public Works Director cost is estimated for the remaining 34 weeks totaling \$76,500 for a combined total for FY 2013 of \$110,556 or \$12,160 over budget.

The additional supervisor position is estimated to cost \$19,500 for the remaining 15 weeks of the FY 2013 budget year. The total amount of additional funds to maintain our Interim Public Works Director (Mr. Carrero-Santana) and a newly hired public works supervisor through the end of this fiscal year will require a \$31,660 adjustment in the Utility Fund Administration Division budget. If this additional part time position is approved through September 30, 2013 finance department will build this into the FY 2013 Projected Department expenditures. If there is not sufficient saving in other accounts within the Utility Fund then this additional expense will be from the Utility Fund's fund balance. The Utility Fund Reserve Account currently has a balance of \$167,749.

The Utility Fund did not incur any additional expenses for the payout of the former Public Works Director's leave accruals as this is an Enterprise Fund. In Enterprise Funds leave accruals are expenses in the year they are earned, not the year paid out. They are carried on the balance sheet as a liability until paid.

PERSONNEL IMPACT:

This position will assist the Interim Public Works Director with multiple projects with sensitive deadlines.



May 1, 2013

Jenice Rosado
Interim Village Manager
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141

Re: Proposal for Public Works Administrator to Assist the Public Works Director at North Bay Village, FL.

Dear Ms. Rosado:

We appreciate the opportunity extended to **C.A.P. Government, Inc. (CAP)** by requesting the submittal of this proposal for a Public Works Administrator to assist the Public Works Director. The following Scope of Services is hereby submitted for your review and approval.

Scope of Services

The position of Public Works Administrator is under the direction of the Village Manager and Public Works Director. The position will be responsible for assisting the Public Works director to oversee the day-to-day

- Implementation of programs, policies and procedures for assigned division.
- Execution of the planning, organization and direction of the staff involved in Water, Sewer, Transit, Maintenance and Solid Waste Management.
- Exercises general supervision over union professional, supervisory and technical staff.
- Perform assessment of existing and future equipment and facility needs.
- Assist the Public Works Director in preparing the departmental operating budget including, revenues and expenditures for enterprise funds, and capital projects.
- Reviews various operations and formulates proposals for contract services.
- Performs contract administration duties, including negotiating and recommending contract terms, evaluating performance and ensuring compliance to warranty and contract agreements.
- Participates and leads various interdepartmental project groups, special projects and task forces.

15C(4)



Proposal for Public Works Administrator to Assist the Public Works Director, North Bay Village, FL.

CAP proposes to provide the Public Works Administrator on an "on-needed basis" in order to complete the tasks outlined above. As an average **CAP**, will provide a Public Works Administrator for approximately 20 to 25 hours a week, as required by the Village Manager.

Estimated Fee Summary for Public Works Administrator

Classification	Billing Hourly Rate	Est. Hours	Est. Weekly Fee
Public Works Administrator	\$65.00	20	\$ \$1,300.00

Compensation

Services to be provided in accordance to the North Bay Village Interim Building & Permitting Services Agreement executed on 10/23/2012.

A monthly invoice will be submitted by CAP to the City detailing the hours worked. Payment will be per North Bay Village Interim Building & Permitting Services Agreement executed on 10/23/2012.

Should you find this proposal acceptable, please execute below and return a copy to our office. This will serve as our notice to proceed. If you have any questions, or wish to discuss this proposal further, please contact me at (305) 458-6000 or Mr. Raul Rodriguez at (305) 542-3727 at your earliest convenience.

Very truly yours,
C.A.P. Government, Inc.

Carlos A. Penin, PE
President

ACCEPTED BY:

NAME: _____

TITLE: _____

DATE: _____

15C(5)



North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite 132 North Bay Village, FL 33141

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

RECOMMENDATION MEMORANDUM

DATE: May 28, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER:

Jenice Rosado 
Interim Village Manager

PRESENTED BY STAFF:

James G. LaRue
Village Planner

SUBJECT: Work Plan for Revising the Village's Zoning
Code and Land Development Regulations

RECOMMENDATION:

Based on budget approval of \$50,000.00 by the Village Commission at their May 14 Commission meeting, we recommend the following work plan (see attached). This scope of Services delineates the various tasks included in revising and updating the Village's Zoning Code and Land Development Regulations. A cost breakdown is also included.

BACKGROUND:

For years the Village has operated with certain conflicting provisions in the existing zoning and land use related regulations. Parking, sign and dwelling unit size are only a few examples that have resulted in difficult interpretations due to conflicting language between Chapter 152 (Zoning) and the Land Development Regulations.

Pursuant to recent Charter revisions, the Zoning Code re-write would need to at a minimum begin before the end of the 2013 calendar year.

FINANCIAL IMPACT:

This item was approved at a cost of \$50,000 at the May 14th Commission Meeting and the amount have been budgeted. Attached you will find the disbursement schedule. The legal review of the documents is included in the flat fee portion of the agreement. Please note, however, that the Village Attorney's role is limited to review of the materials drafted by Mr. Larue and not actually drafting the documents. Should the Village Attorney be required to draft particular sections of the code, prior to having Mr. Larue start certain sections we will obtain a cost estimate from the Village Attorneys and determine if it is more appropriate for Mr. Larue to draft or the Village Attorneys to draft those sections that may have more legal constitutional risk. (for example, sign code, telecommunications, et). The overall financial impact should be the same as the Village would either pay the Village Planner or the Village Attorney to prepare those sections of the code.

BUDGETARY IMPACT (Finance Dept):

The Commission approved Resolution # 2013-32 which provided \$50,000 for this project.

PERSONNEL IMPACT:

Our planning staff along with staff from the attorney's office will be Involved in the project but it should not deter normal duties. The end result will be a more customer friendly document which is easier to understand and without conflicts.



**North Bay Village
Land Development Regulations Work Tasks**

1. The first step would be to develop a new streamlined order, format and numbering system for the Unified Land Development Regulations (LDR) that will enable Village Officials and staff, as well as the professional and lay public to understand the regulations and implement its provisions with confidence.

- a. Draft new format and numbering system

Based on our recent experiences, a starting point for an outline of the Unified LDR may take form along the following lines:

Chapter 1 – General Provisions (generally includes purpose and intent, interpretation, abrogation and sometimes includes fee schedules.)

Chapter 2 – Definitions (We believe that the definitions and fees are better located in the front of an LDR.)

Chapter 3 – Administrative, Legislative, and Enforcement Procedures

Chapter 4 – Relationship to the Comprehensive Plan

Chapter 5 – Permits and Development Approvals (generally including zoning compliance, building permits, plats, development reviews, consistency and concurrency, and special exception standards and procedures)

Chapter 6 – Nonconformities

Chapter 7 – Variances (to zoning, design standards and flood damage prevention)

Chapter 8 – Zoning (generally including establishment of the zoning districts, zoning district map, district regulations, supplemental use regulations, and supplemental development standards)

Chapter 9 – General Site and Design Standards (generally including parking, loading, vehicular and pedestrian circulation, storm water management, landscaping, tree protection, shoreline protection/development, and design guidelines)

Chapter 10 – Flood Damage Prevention/Floodplain Management

Chapter 11 – Signs

Chapter 12 – Telecommunications

- b. Submit draft format and numbering to Staff for review and input
- c. Modify per Staff

input Estimated Cost: \$2,300.00

15D(3)

2. Create a cross-index table of contents showing existing and proposed locations of LDR sections and subsections.

Estimated Cost: \$3,105.00

3. Conduct interviews and/or meet with policymakers, administrative staff and the Village attorney staff to obtain input from these sources as to problems they have identified or encountered over the years.

Estimated Cost: \$4,255.00

4. Review the current regulations and identify duplications, inconsistencies and conflicts between or among the various documents. Where conflicts or inconsistencies are found, we will recommend the most appropriate provisions to be included in the new Unified Land Development Regulations. For example, we are already aware of conflicts between Chapter 152 and the LDRs with regard to parking requirements and parking space sizes.

Estimated Cost: \$4,025.00

5. The fifth step would be to formulate a draft of the Unified LDR for review by Village Manager Staff and the Village Attorney staff and modify it as a result of comments received. We initially envision working on the sections of the new LDR in the following groupings and order:

- General Provisions
- Relationship to the Comprehensive Plan
- Administrative, Legislative and Enforcement Procedures

- Permits and Development Approvals

- Nonconformities
- Variances
 - Zoning districts and district regulations

- Supplemental use regulations and supplemental development standards

- General site design standards



- Flood Damage Preventions/Floodplain Management
- Telecommunications
- Definitions (except sign definitions)
- Signs (including sign definitions)

Estimated Cost: \$32,200.00

6. We will be prepared to marshal the proposed Unified Land Development Regulations through the adoption process.

Estimated Cost: \$4,025.00

The Land Development Regulations Work Tasks have a Total Estimated Cost of \$49,910.00, and an anticipated time frame of 6 months to 1 year for completion.

PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.

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

CLK:yph

15D(5)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

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

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: June 11, 2013

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

**RECOMMENDED BY STAFF / COMMISSIONER: Connie Leon Kreps
Mayor**

**PRESENTED BY STAFF: Jenice Rosado 
Interim Village Manager**

SUBJECT: Park Land Acquisition

RECOMMENDATION:

It is recommended that Village Commission review an available vacant lot for parks and open space purposes.

BACKGROUND:

The Village staff has previously met with a property owner that lives in the Village and began discussion with him regarding the purchase of a vacant parcel of land that he and his family own. He said that he would like to see the Village own the property for a future park.

15E(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

The property owner is:

Royal Jonas & W Barbara Jonas. The property owner's representative is:

Dr. Stanley Jonas,
1560 South Treasure Drive.

The property information is:
Folio # 2332090140090
1850 South Treasure Drive
12,000 square feet (.275 acres)

In 2012 the Village Manager, Deputy Manager, Finance Director and the Mayor met 3 times with Dr. Jonas. This is one of the last pieces of vacant property in this section of the Village. The discussions centered on this being a future neighborhood park. The Village authorized having an official appraisal prepared to provide a market value for the property.

The following chart displays the values placed on the property by the 2 appraisal and the Miami-Dade Property Appraiser.

North Bay Village appraisal	\$ 780,000
Dr. Jonas' appraisal	\$ 888,000
Miami Dade Property Appraiser	\$ 840,000

We discussed the appraisals with Dr. Jonas and we both agreed that the property values through out Miami Dade County are at their lowest values in past several years. Dr. Jonas provided the City with a firm price that he felt the family could agree to and that the sale could close with minimum legal work. He made the Village an offer as a willing seller for a price of \$980,000. This is \$ 92,000 or 10.4% above Dr. Jonas' appraisal price and 25.6 % above the city's appraisal. The staff felt that this property should be considered for purchase for future parks and open space use. This item was discussed by the Commission in December 2012.

The property owner has recently offered this property for sale with a listed price of \$1,200,000. The Village Clerk's office has had some inquiries about the zoning and use of this property since the "for sale" sign appeared on the property.

15E(2)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

I have recently made contact with Dr. Jonas to see if the Village could possibly lease the property for 2 years, or until the study was completed. This would be with a right for the Village to purchase the property for an agreed upon price. This would provide Dr. Jonas with a firm commitment from the Village if he wants to take it off the market at this time. Dr. Jonas stated that they had a tentative contract for sale on the property. He is still willing to sell the property to the Village if this contract does not produce a sale of the property. He would have to discuss more details before agreeing to a lease to purchase contract, but he was not opposed to the concept. Dr. Jonas said that he would keep the Village informed about the status of the sale of the property.

The Commission on June 11, 2013 will be considering the authorizing of an RFP for the development of a Recreation and Parks Master Plan. This property could be one of the parcels that the study considers in it final recommendations. This agenda item is to request that the Commission review and give staff direction regarding this parcel during the development of the Recreation Plan.

FINANCIAL IMPACT:

The voters of North Bay Village approved a General Obligation Bond (GOB) issue in 2008 that authorized the Village to issue GOB debt up to \$9,400,000 for the purpose of purchasing land for parks and open space as well as development of future parks in the Village and related cost of issuance. The Village in 2008 borrowed \$5,208,000 for the voter approved parks and open space project. The Village developed Dr. Paul Vogel Park with these initial funds. The Village has the voter approval to issue an additional \$4,192,000 of ad valorem backed debt for the purchase and development of future parks and open space.

BUGETARY IMPACT (Finance Dept):

There would be an impact to the debt service fund if the Commission authorized the additional borrowing. However, for the first 2 year lease payment would be eligible for funding through the Local Parks Improvement Trust Fund as provide for in Section 151.100 (E) (1) (c) or possibly could be included in the final cost to purchase the property if that occurs.

PERSONNEL IMPACT:

None.

15E(13)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

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NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: June 5, 2013

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

RECOMMENDED BY STAFF/COMMISSIONER: Connie Leon Kreps
Mayor

PRESENTED BY STAFF: Jenice Rosado 
Interim Village Manager

SUBJECT: Florida House Representative David Richardson

RECOMMENDATION:

It is recommended that the Village Commission entertain the idea of dedicating an office in Village Hall to House Representative Richardson.

BACKGROUND:

It is believed that the Village would benefit and be best represented if we are able to provide an office space for House Representative David Richardson within our Village offices. As our representative, Mr. Richardson has pledged his dedication to serving the needs of our Village. Mr. Richardson was instrumental in achieving the recent removal of our Causeway bridge fence. Providing an office space for Representative Richardson which he will be able to utilize to meet with our key staff and conduct local business is beneficial to our Village.

BUGETARY/FINANCIAL IMPACT (FINANCE DEPARTMENT):

Approximately \$400.00 for the cost of a desk, office chair and supplies.

15F(1)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

PERSONNEL IMPACT:

If it is determined that no private office space is available to accommodate House Representative Richardson, then the administration would recommend shared office space with a member of our staff and or Commission.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

BF(2)
Commissioner
Jorge Gonzalez

OFFICIAL MINUTES

REGULAR VILLAGE COMMISSION MEETING
TREASURE ISLAND ELEMENTARY SCHOOL

NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, 132
NORTH BAY VILLAGE, FL 33141

April 9, 2013

7:30 P.M.

1. CALL TO ORDER

Mayor Connie Leon-Kreps called the meeting to order at 7:34 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were the following:

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

Interim Village Manager Jenice Rosado
Village Attorney Nina Boniske
Assistant Village Attorney Kathy Mehaffey
Finance Director Bert Wrains
Police Chief Robert Daniels
Public Works Director Rodney Carrero
Village Clerk Yvonne P. Hamilton

16A(1)

2. PROCLAMATIONS AND AWARDS

1. COMMUNICATIONS DISPATCH PERSONNEL

Lieutenant Brian Collins read a letter into the record recognizing National Communications Week.

2. CHRISTOPHER ROBINSON – LIFE SAVING AWARD

Mr. Robinson was presented with an award for rescuing a drowning man from the bay on January 27, 2013.

3. RESIDENT JORGE BRITO

Mayor Connie Leon-Kreps recognized Mr. Brito for his dedication to the community for assisting the Village with finding alternate office space.

**A. SPECIAL PRESENTATIONS: KEEFE MCCULLOUGH
QUARTERLY FINANCIAL REPORT**

Ken Smith, of Keefe McCullough, presented the quarterly financial report.

B. ADDITIONS AND DELETIONS

Item 11E was added to the agenda.

3. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY COMMITTEE

A report was not presented.

B. YOUTH AND EDUCATION SERVICES BOARD

Chair Kevin Vericker reported on the possibility of postponing the Clothesline Art Show to April 26, 2013 in the event of bad weather. He further discussed items addressed by the Board at its April 3 meeting, such as planting of trees for Arbor Day, a Scout Program for adolescent kids, and a program for special needs children, and the creation of a Master Recreation Plan. The next Board Meeting was announced for the first Monday of May.

C. PLANNING & ZONING BOARD

Chair Reinaldo Trujillo reported on the March 19, 2013 Board Meeting where a request for a variance by William Webb of 1357 Bay Terrace was approved by a vote of 3-1 and a request to use compact parking spaces for the Blu project was approved with certain conditions.

4. PUBLIC SAFETY DISCUSSION

Lieutenant Brian Collins presented the report.

5. COMMISSIONERS' REPORTS

Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall provided reports.

6. VILLAGE ATTORNEY'S REPORT

Village Attorney Nina Boniske informed the Commission that a Conflict of Interest Waiver would be required from the Village in order for her to work on renewing the FPL Franchise Agreement, since her firm previously had previously represented the company. FPL had already granted a waiver.

Mayor Connie Leon-Kreps made a motion waiving any conflict of interest with the Village Attorney preparing the Franchise Agreement with FPL. Commissioner Richard Chervony seconded the motion which was adopted on a unanimous roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

7. **VILLAGE MANAGER'S REPORT**

A. Finance Report

Finance Director Bert Wrains presented the report.

Village Manager Dennis Kelly reported that an agreement was being negotiated with ATS and the agreement with CAP was being changed to address the compensation;

8. **GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.**

The following addressed the Commission: Jane Blake, of 7601 Coquina Drive, Ann Bakst, of 1865 Kennedy Causeway, and Reinaldo Trujillo, of 7601 East Treasure Drive.

9. **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, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH THE CITY OF NORTH MIAMI BEACH, THE VILLAGE OF EL PORTAL, THE TOWN OF SURFSIDE, THE TOWN OF GOLDEN BEACH; AND THE CITY OF SUNNY ISLES BEACH; SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

B. **A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION PROCLAIMING 2013 AS THE 500TH ANNIVERSARY OF THE EUROPEAN DISCOVERY OF FLORIDA; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PROCLAIMING THE MONTH OF APRIL AS WATER CONSERVATION MONTH; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**
- D. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, DECLARING MAY 25TH AS NATIONAL MISSING CHILDREN'S DAY AND EXPRESSING SUPPORT FOR THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN'S TAKE 25 CAMPAIGN; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**
- E. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PROCLAIMING APRIL 17, 2013 AS MILITARY FAMILY AND COMMUNITY COVENANT DAY; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Jorge Gonzalez made a motion approving the Consent Agenda Items. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall and Commissioner Jorge Gonzalez.

The following item was removed from the Consent Agenda by Commissioner Richard Chervony and considered separately by the Commission.

- F. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., FOR THE LEASE AND MAINTENANCE OF A POLICE MOTORCYCLE; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The Village Clerk read the resolution by title.

Commissioner Jorge Gonzalez made a motion approving the Resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

10. PLANNING & ZONING CONSENT AGENDA

There were no Planning & Zoning Consent Agenda items.

11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

- A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SUBMITTAL OF AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER THE FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION FLORIDA BOATING IMPROVEMENT PROGRAM FOR DESIGN AND PLANNING OF THE DR. PAUL VOGEL COMMUNITY PARK RECREATIONAL BOAT DOCK; PROVIDING CERTIFICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The Village Clerk read the Resolution by title.

The Village Grant Writer Leekesha Davis made a presentation regarding the proposed grant application.

The Mayor opened the floor to public comments.

The following addressed the Commission: Kevin Vericker, of 7520 Hispanola Avenue, Mario Garcia, of 7540 Hispanola Avenue, Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, Robert Rainer, of 7941 West Drive, Gudrin Volker, of 7517 Cutlass Avenue, and Mrs. Barnes of, 1625 Kennedy Causeway.

Commissioner Wendy Duvall made a motion denying the Resolution to move forward with the grant application subject to budget restraint and to revisit the matter once the funds were available. The motion was seconded by Vice Mayor Eddie Lim and adopted by a 3-2 roll call vote. The vote was as follows: Commissioner Richard Chervony, Vice Mayor Eddie Lim and Commissioner Wendy Duvall all voting Yes. Mayor Connie Leon-Kreps and Commissioner Jorge Gonzalez voted No.

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY CREATING AN "ASSIGNED FOR FY 2013 EXPENDITURES" LINE ITEM IN THE AMOUNT OF \$200,000 WITHIN THE FUND BALANCE OF THE GENERAL FUND; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE PROVISIONS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

The Village Clerk read the Resolution by title.

Mayor Connie Leon-Kreps opened the floor to public comments.

The following addressed the Commission: Reinaldo Trujillo, of 7601 East Treasure Drive and Mario Garcia, of 7540 Hispanola Avenue.

Commissioner Richard Chervony made a motion to approve the Resolution. The motion was seconded by Vice Mayor Eddie Lim and failed by a 3-2 roll call vote. The vote was as follows: Commissioner Wendy Duvall Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting No. Commissioner Richard Chervony and Vice Mayor Eddie Lim voted Yes.

C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, REVISING THE NORTH BAY VILLAGE COMMISSION MEETING AND AGENDA PROCEDURES TO PROVIDE FOR TWO COMMISSION MEETINGS PER MONTH; AND PROVIDING AN EFFECTIVE DATE (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

The Village Clerk read the Resolution by title.

The Mayor opened the floor to public comments.

The following addressed the Commission: Nancy Sonnett-Selwyn, 7512 Cutlass Avenue, Reinaldo Trujillo, 7601 East Treasure Drive, Kevin Vericker, 7520 Hispanola Avenue, Mario Garcia, 7540 Hispanola Avenue, and Gudrin Volker, of 7517 Cutlass Avenue.

No action was taken on the item.

Item 12A was heard next on the agenda.

12A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF FLORIDA, APPROVING A REQUEST BY CLPF-NBV, L.P. 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; AND PROVIDING FOR AN EFFECTIVE DATE. – PUBLIC HEARING

The Village Clerk read the request into the record.

Assistant Village Attorney Kathy Mehaffey read the provisions for conduct of quasi-judicial public hearings and asked the Board Members to disclose any ex-parte communication regarding the request.

The members of the Commission disclosed that there was no ex-parte communication regarding the item.

The Village Planner Jim LaRue made a presentation on the item.

Steve Wernick, of Akerman Senterfitt, addressed the Commission on behalf of the request.

The Mayor opened the Public Hearing.

Reinaldo Trujillo addressed the Commission.

The Mayor closed the public hearing.

Mayor Connie Leon-Kreps made a motion to approve the request with the following conditions:

1. Submittal of a modified Site Plan by the Applicant, which will be reviewed by Village staff and determined to be in conformance with the Village Land Development Regulations. No required parking spaces will be removed.
2. Acceptance by the Village Manager of the administrative approval process for this modification.
3. Cost recovery charges 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. If parking spaces are ever assigned, a minimum of one standard size parking space shall be assigned to each unit.

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

- D. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING \$50,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO THE PROFESSIONAL SERVICES EXPENSE ACCOUNT IN THE GENERAL SERVICES DEPARTMENT OF THE GENERAL FUND; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

Item 12D was deferred to the next Commission Meeting.

- E. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING \$25,000 FROM THE GENERAL FUND RESERVE ACCOUNT TO THE SPECIAL EVENT LINE ITEM OF THE GENERAL OPERATING ACCOUNT; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

Item 11E was deferred to the next Commission Meeting.

- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING AMENDMENT NO. 2 TO THE CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT, NO. WW803060, BETWEEN THE VILLAGE AND THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT PERTAINING TO THE PROJECT COST AND LOAN REPAYMENT; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The Village Clerk read the Resolution by title.

Commissioner Jorge Gonzalez made a motion to approve the Resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting yes.

- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PURCHASE AND INSTALLATION OF A PRE-FABRICATED PUBLIC RESTROOM BUILDING FOR DR. PAUL VOGEL COMMUNITY PARK FROM PUBLIC RESTROOM COMPANY, INC.; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PURCHASE AND ALL NECESSARY PREPARATION OF THE SITE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)**

The Village Clerk read the Resolution by title.

Public Works Director Rodney Carrero Santana presented the item.

The Mayor opened the floor to public comments. There were no speakers.

Commissioner Richard Chervony made a motion approving the Resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

12. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF FLORIDA, APPROVING A REQUEST BY CLPF-NBV, L.P. 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; AND PROVIDING FOR AN EFFECTIVE DATE. – PUBLIC HEARD**

This item was heard earlier in the agenda.

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY WILLIAM C. WEBB, JR. FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES IN CONNECTION WITH THE REDEVELOPMENT OF A SINGLE-FAMILY RESIDENCE AT 1357 BAY TERRACE TO PERMIT A 15-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED BY CODE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. – PUBLIC HEARING**

The Village Clerk read the Resolution by title.

Assistant Village Attorney Kathy Mehaffey read the provisions for conduct of quasi-judicial public hearings and asked the Board Members to disclose any ex-parte communication regarding the request.

The Commission disclosed that there was no exparte communication regarding the item.

The Village Planner Jim LaRue made a presentation on the request. He informed the Commission that the Planning & Zoning Board had recommended a 3-foot setback Variance.

The Village Clerk swore in those individuals who testified.

The applicant Mr. William Webb addressed the Commission.

The Mayor opened the public hearing and there were no speakers. Commissioner Jorge Gonzalez made a motion approving the grant of a 3-foot variance with the following conditions:

1. The variance approval is specifically limited to the site plan attached hereto as Exhibit 1, provided at the April 9, 2013 Village Commission Public Hearing showing a minimum front yard setback of 17 feet, as modified by this approval, said final site plan and building permits being subject to review by the Village Planner for consistency with this approval.
2. Cost recovery charges 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.
3. The Applicant shall obtain a building permit for all requests approved herein within one 1 year of the date of this approval. If a building permit is not obtained or an extension granted within the prescribed time limit then this approval shall become null and void.

The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

- C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, MENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; 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/PUBLIC HEARING**

Item 12C was deferred to the next Commission Meeting.

13. UNFINISHED BUSINESS (CONTINUED FROM FEBRUARY 12, 2013 VILLAGE COMMISSION MEETING)

14B. ADVISORY BOARDS/COMMITTEES (MAYOR CONNIE LEON-KREP)

Item 14B was deferred to the next Commission Meeting.

14C. VILLAGE SUPERMARKET (COMMISSIONER JORGE GONZALEZ)

Item 14C was deferred to the next Commission Meeting.

14D. NORTH BAY VILLAGE SCHOLARSHIP PROGRAM (COMMISSIONER JORGE GONZALEZ)

Item 14D was deferred to the next Commission Meeting.

**14F. GUARD GATES (TREASURE ISLAND STREET CLOSURE)
(MAYOR CONNIE LEON-KREPS)**

Item 14F was deferred to the next Commission Meeting.

14G. Village Newsletter.

Item 14G was deferred to the next meeting.

15. APPROVAL OF MINUTES

- A. SPECIAL COMMISSION MEETING – 01/15/2013**
- B. REGULAR COMMISSION MEETING–01/08/2013**
- C. SPECIAL COMMISSION MEETING – 12/03/2012**
- D. REGULAR COMMISSION MEETING–12/11/2012**
- E. SPECIAL COMMISSION MEETING – 12/18/2012**
- F. SPECIAL COMMISSION MEETING – 11/16/2012**

Item 15 was deferred to the next Commission Meeting.

14. NEW BUSINESS

**A. POPULATION - SPECIAL NEEDS CHILDREN
(COMMISSIONER JORGE GONZALEZ)**

Item 14A was deferred to the next Commission Meeting.

**B. CITY HALL COMPLEX (COMMISSIONER RICHARD
CHERVONY)**

Item 14B was deferred to the next Commission Meeting.

**C. COMPENSATION FOR INTERIM VILLAGE MANAGER
(COMMISSIONER JORGE GONZALEZ)**

Commissioner Wendy Duvall made a motion approving a 15% increase for Interim Village Manager Jenice Rosado. The motion was seconded by Commissioner Jorge Gonzalez and adopted by a 4-1 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Wendy Duvall all voting Yes. Commissioner Richard Chervony voted No.

D. ADVERTISEMENT – PERMANENT VILLAGE MANAGER

Commissioner Jorge Gonzalez made a motion to direct staff to advertise for a permanent Village Manager. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a 4-1 roll call vote. Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

15. ADJOURNMENT

The meeting adjourned at 11:38 p.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by the City of North Bay Village on

this _____ day of _____.

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.)

OFFICIAL MINUTES

**SPECIAL VILLAGE COMMISSION MEETING
CAUSEWAY TOWER, 3RD FLOOR
1666 KENNEDY CAUSEWAY**

April 1, 2013

6:00 P.M.

1. CALL TO ORDER.

The meeting was called to order by Mayor Connie Leon-Kreps at 6:12 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present at Roll Call were Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. As a quorum was determined to be present, the meeting commenced.

Also present were: Village Manager Dennis Kelly, Village Attorney Nina Boniske, Deputy Village Manager/HR Director Jenice Rosado, Public Works Director Rodney Carerro Santana, Finance Director Bert Wrains, Lieutenant James McCready and Village Clerk Yvonne P. Hamilton.

Mr. Kelly left the meeting at 6:16 p.m. His legal counsel, Lynn Danheisser, was present on his behalf.

4. **RESOLUTIONS**

- A. **A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, TERMINATING THE EMPLOYMENT AGREEMENT BETWEEN DENNIS KELLY AND NORTH BAY VILLAGE; AUTHORIZING THE MAYOR TO EXECUTE A SEVERANCE AND GENERAL RELEASE AGREEMENT ON BEHALF OF THE VILLAGE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Resolution by title.

Village Attorney Nina Boniske discussed the Severance Agreement.

Finance Director Bert Wrains discussed the financial impact of the severance package.

The Mayor opened the floor to public comments.

The following addressed the Commission: Al Coletta, business owner of 7904 West Drive, Fane Lozman, of 7914 West Drive, Jorge Brito, of 1865 Kennedy Causeway, Scott Greenwald, developer of 1700 Kennedy Causeway, Alvin Blake, of 7601 Coquina Drive, Ann Bakst, of 1865 Kennedy Causeway, Tim Oregan, of Treasure Island, Mario Garcia, of 7540 Hispanola Avenue, Kevin Vericker, of 7520 Hispanola Avenue, and Reinaldo Trujillo, of 7601 Treasure Drive, Elaine Beutel, of 7533 Hispanola Avenue, Max Crown, of 1640 S. Treasure Drive, and Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue.

The members of the Commission discussed their dissatisfaction with Mr. Kelly's job performance.

Commissioner Jorge Gonzalez made a motion to approve the Resolution. Vice Mayor Eddie Lim seconded the motion which was adopted by a unanimous vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

B. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPOINTING AN INTERIM VILLAGE MANAGER; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

The Village Clerk read the Resolution by title.

Commissioner Wendy Duvall made a motion to appoint Deputy Village Manager/HR Director as the Interim Village Manager.

The following addressed the Commission: Fane Lozman, of 7914 West Drive, Mario Gonzalez, Kevin Vericker, Jorge Brito, Scott Greenwald, Al Coletta, and Nancy Sonnett-Selwyn.

Commissioner Richard Chervony seconded the motion which was adopted by a unanimous roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Wendy Duvall all voting Yes.

Finance Director Bert Wrains clarified that the total impact of Mr. Kelly's severance package was \$57,789.

5. ADJOURNMENT

The meeting adjourned at 6:25 p.m.

Prepared and submitted by: Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ day of _____.

*_____
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.)

OFFICIAL MINUTES

**REGULAR VILLAGE COMMISSION MEETING
TREASURE ISLAND ELEMENTARY SCHOOL**

**NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, 132
NORTH BAY VILLAGE, FL 33141**

March 12, 2013

7:30 P.M.

1. CALL TO ORDER.

The meeting was called to order by Mayor Connie Leon-Kreps at 7:38 p.m., and she read the rules of conduct for the proceedings.

PLEDGE OF ALLEGIANCE

Developer Scott Greenwald led the Pledge of Allegiance.

ROLL CALL

Present were the following:

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

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Village Manager Dennis Kelly
Village Attorney Nina Boniske
Assistant Village Attorney Kathy Mehaffey
Finance Director Bert Wrains
Police Chief Robert Daniels
Public Works Director Rodney Carrero
Village Clerk Yvonne P. Hamilton

2. **PROCLAMATIONS AND AWARDS**

A. **SPECIAL PRESENTATIONS**

There were no special presentations.

B. **ADDITIONS AND DELETIONS**

Commissioner Richard Chervony made a motion to add an item to the agenda as 11C. Vice Mayor Eddie Lim seconded the motion, which carried unanimously on a roll call vote.

3. **BOARD REPORTS**

A. **BUSINESS DEVELOPMENT ADVISORY BOARD**

A report was not presented.

B. **YOUTH AND EDUCATION SERVICES BOARD**

Chair Kevin Vericker announced a Children Art Show for April 5, 2013 in conjunction with the Farmer's Market. Mr. Vericker discussed items addressed by Board for more parents' participation in the Treasure Island PTA, update on a Recreation Master Plan for the Village, a draft IB agreement, a recreational service newsletter, activating the PAL program, and other recreational programs for the Village. The Board Meetings were scheduled for the first Monday of the month.

16CC2

C. PLANNING & ZONING BOARD

Vice Chair Reinaldo Trujillo announced the next Board Meeting for March 19, 2013 and reminded the Commission of the need to review the Zoning Code.

4. PUBLIC SAFETY DISCUSSION

Chief Robert Daniels presented the safety report.

5. COMMISSIONERS' REPORTS

Commissioner Duvall, Vice Mayor Lim, Commissioner Gonzalez, and Mayor Connie Leon-Kreps presented reports.

6. VILLAGE ATTORNEY'S REPORT

The Village Attorney and Finance Director Bert Wrains provided an update on the environmental issue at Village Hall.

7. VILLAGE MANAGER'S REPORT

A. Finance Report

There was no financial report.

Village Manager Dennis Kelly reported on an air quality issue at the Lexi office which resulted in employees becoming sick and forcing the Village Administrative Offices to temporarily relocate to the Causeway Tower at 1666 Kennedy Causeway, Suites 208, 209, and 210.

8. GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.

The Mayor opened the Good and Welfare session at 8:30 pm.

The following addressed the Commission: Reinaldo Trujillo, of 7601 East Treasure Drive, Jorge Brito, of 1865 Kennedy Causeway, Scott Greenwald, of 1700 Kennedy Causeway, Dulce Noguera, of 7512 Hispanola Avenue, Kevin Vericker, of 7520 Hispanola Avenue, and Ann Bakst, of 1865 Kennedy Causeway.

Doris Acosta, of 1790 South Treasure Drive and President of the Optimist Club announced a pet festival at Treasure Island Elementary School on May 11, 2013 from 1:00 to 5:00 p.m.

9. **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 FIRST AMENDMENT TO THE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NORTH BAY VILLAGE FOR THE DEVELOPMENT AND IMPLEMENTATION OF AN INTERFACE FOR THE VILLAGES PARTICIPATION IN A COUNTYWIDE PRISONER PROCESSING PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

Commissioner Richard Chervony made a motion approving the Consent Agenda item. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

10. **PLANNING & ZONING CONSENT AGENDA**

No Items.

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11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING THE SUBMITTAL OF AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT 2013 WATERWAYS ASSISTANCE PROGRAM FOR DEVELOPMENT OF THE NORTH BAY VILLAGE BAYWALK; PROVIDING CERTIFICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the Resolution by title.

Village Manager Kelly discussed the request for \$500,000 to construct the baywalk. Following discussion on funding for the project, a new Village Hall as a development priority, and identifying the necessary easements for the boardwalk, it was the consensus of the Commission to put the project on hold, and concentrate on the development of the new Village Hall. The Village Manager withdrew the application as the sponsor.

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING AN AGREEMENT BETWEEN CARLOS ALVES AND NORTH BAY VILLAGE FOR COMMISSIONING OF NATURE SIGNAGE AT DR. PAUL VOGEL PARK AS REQUIRED UNDER THE SAFE NEIGHBORHOOD PARKS GRANT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the Resolution by title.

A motion was made by Mayor Connie Leon-Kreps to approve the Resolution. The motion was seconded by Vice Mayor Eddie Lim and adopted by a 4-1 voice vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, an Mayor Connie Leon-Kreps all voting Yes. Commissioner Richard Chervony voted No.

- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, MAKING A FINDING OF AN EMERGENCY PERTAINING TO THE USE OF VILLAGE HALL; APPROVING A LEASE AGREEMENT BETWEEN THE VILLAGE AND CAUSEWAY TOWER, LLC. FOR THE TEMPORARY LEASING OF OFFICE SPACE LOCATED AT 1666 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THE LEASE AGREEMENT AND FOR ANY OTHER DIRECTLY RELATED PURCHASES; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS OF THE LEASE AGREEMENT AND TEMPORARY RELOCATION OF VILLAGE HALL; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE LEASE AGREEMENT AND OTHER RELATED PURCHASE AGREEMENTS; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the Resolution by title.

Commissioner Richard Chervony made a motion to approve the Resolution with an amendment to Section 6 that the \$ 15,000 be appropriated from the Reserve Fund since the situation qualifies as an emergency. Commissioner Wendy Duvall seconded the motion which was adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

12. **PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING**

There were no items for public hearing or ordinances for second reading.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

There was no new business.

15. **ADJOURNMENT**

The meeting adjourned at 10:02 p.m.

Respectfully submitted:

Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ day of _____.

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.)

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OFFICIAL MINUTES

SPECIAL VILLAGE COMMISSION MEETING

NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, #132
NORTH BAY VILLAGE, FL 33141

FEBRUARY 28, 2013

7:30 P.M.

1. **CALL TO ORDER.**

The meeting was called to order by Mayor Connie Leon-Kreps at 7:35 p.m., and she read the rules of conduct for the proceeding.

2. **PLEDGE OF ALLEGIANCE**

Manny Reyes with the office of Gomez Barker Associates, Village Lobbyist, led the pledge of allegiance.

3. **ROLL CALL**

Present at Roll Call were Commissioner Richard Chervony, Vice Mayor Eddie Lim, and Mayor Connie Leon-Kreps. As a quorum was determined to be present, the meeting commenced.

Commissioner Jorge Gonzalez arrived at the meeting at 6:40 p.m.

Commissioner Wendy Duvall was absent.

Also present were: Village Manager Dennis Kelly, Assistant Village Attorney Kathy Mehaffey, Finance Director Bert Wrains, Lieutenant Brian Collins, and Village Clerk Yvonne P. Hamilton.

Mayor Connie Leon-Kreps made a motion to hear Item 5 prior to Item 4. Vice Mayor Eddie Lim seconded the motion. The motion was approved by a 3-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Mayor Connie Leon-Kreps all voting Yes.

5. **RESOLUTION**

- A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, DECLARING SUPPORT FOR SENATE BILL 1002 AND HOUSE BILL 739 PROPOSING CHANGES TO SECTION 287.055, FLORIDA STATUTE, ALSO KNOWN AS “THE CONSULTANTS COMPETITIVE NEGOTIATION ACT” OR “CCNA”; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the Resolution by title.

Village Manager Dennis Kelly discussed the Resolution pertaining to the Florida Consulting Competitive Negotiation Act (CCNA) bidding process in regards to procurement of professional architecture, engineering, landscaping architecture, and surveying which would allow an agency to request to request firms to submit a compensation plan for the proposed work and to select multiple firms for a single project in an effort to create the best value for the agency.

Manny Reyes was present on behalf of the Village’s lobbyist, Fausto Gomez, and made a short presentation on the item.

Commissioner Richard Chervony made a motion to approve the Resolution. Mayor Connie Leon-Kreps seconded the motion which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

4. **LEGISLATIVE PRIORITIES**

Mr. Reyes discussed the following priorities:

LEGISLATION

- *Wireless Communications Devices While Driving*
North Bay Village **supports/opposes/will monitor** CS/SB52 by Senator Nancy Detert and its companion legislation HB13 by Representative Doug Holder that is commonly known as the “Florida Ban on Texting While Driving Law.” The bill is modeled after a Sample Law developed by the United States Department of Transportation and a cross-section of safety and industry organizations.

It would prohibit the operation of a motor vehicle while manually typing or entering multiple letters, numbers, symbols, or other text in a handheld wireless communication device, or sending or reading data in the device, for the purpose of non-voice interpersonal communication.

The legislation makes exceptions for emergency workers performing official duties, reporting emergencies or suspicious activities, and for receiving various types of navigation information, emergency traffic data, radio broadcasts, and autonomous vehicles. The bill also makes an exception for interpersonal communications that can be conducted without the need to manually type messages. The prohibition is enforceable as a secondary offense. A first violation is punishable as a nonmoving violation, with a fine of \$30 plus court costs which vary by county. A second violation committed within 5 years of the first is a moving violation punishable by a \$60 fine plus court costs.

North Bay Village also supports the other approaches to banning texting while driving that are incorporated in SB708 by Senator Darrin Soto, SB152 by Senator Thad Altman, SB396 by Senator Joe Abruzzo, and HB61 by Representative Irv Slosberg. These mostly with prohibit drivers under 18 years of age from engaging in this practice.

Commissioner Richard Chervony, Vice Mayor Eddie Lim, and Mayor Connie Leon-Kreps expressed support for the above legislative priority. Commissioner Jorge Gonzalez suggested that the issue be monitored.

Florida Retirement System (FRS)

North Bay Village **supports/opposes/will monitor** proposed changes to the FRS making new public employees after January 1st of next year join 401(k)-style investment plans rather than the traditional “defined benefit” pension system.

Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps and Commissioner Jorge Gonzalez all expressed support for the above legislation.

Citizens Insurance

North Bay Village supports SB96 by Senator Anitere Flores and its companion legislation HB107 by Representative Jose Diaz that would provide restrictions on annual rate increases so that they apply to both new and renewal policies. The Village also supports SB386 by Senator Joe Abruzzo and HB433 by Representative David Richardson that would mandate an Inspector General for Citizens Insurance Company and would classify Citizens Insurance as a state agency.

- *Sober Homes*
North Bay Village **supports/opposes/will monitor** legislation that defines and establishes minimum regulatory standards for sober home facilities and allows for more stringent local regulation of these facilities. (SB738 by Senator Jeff Clemons)
- *Open Parties (support)*
North Bay Village **supports/opposes/will monitor** legislation that expands the definition 856.015, F.S., that makes it a second degree misdemeanor for a person who has control of a residence to allow an open house party to take place at such residence if any alcoholic beverage or drug is possessed or consumed at the residence by a minor. The expansion would include vacant structures and open acreage with or without a structure. (HB5 by Representative Ray Pilon)

It was the consensus of the Commission to support this legislation provided that amendments can be made to protect the absent vacant property owners with minimal to no cost to those property owners.

Traffic Infraction Devices

North Bay Village **opposes/supports/will monitor** legislation that would prohibit a local government from utilizing “Red Light Cameras” and/or redirect additional revenues from same to the state. (HB91 by Representative Daphne Campbell)

Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps, and Commissioner Jorge Gonzalez all opposed the above legislation. Vice Mayor Eddie Lim suggested that it be monitored.

Commissioner Richard Chervony made a motion to approve the rest of the legislative package. The motion was seconded by Mayor Connie Leon-Kreps and passed by a unanimous vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony.

State Government should focus on state-level issues and allow local governments to operate with minimal state interference. North Bay Village will oppose legislation that increases the involvement of state government in municipal affairs and preempts local governing prerogatives.

For Florida’s economy to prosper, cities need to succeed. North Bay Village will promote state investments in municipal infrastructure in order to create jobs and promote municipal revitalization. This will include funding for wastewater and storm water improvements, local transportation projects, park and recreational activities, green technologies, and energy-saving initiatives.

State Government should not be allowed to continue disrupting the relationship between citizens and their city elected officials' authority to make decisions impacting the provision of municipal services and quality of life. North Bay Village will oppose additional arbitrary limits on property assessments, municipal expenditures, and local revenues.

State mandates should be funded with state resources and should not seek to access local tax dollars. North Bay Village will oppose unfunded mandates and support policies that require full funding of state initiatives and mandates to cities.

APPROPRIATIONS

North Bay Village supports grant and legislative line item funding that enhances local financial capacity to address water resource and water supply development. The Town further supports enhanced funding of the Water Protection and Sustainability Program within the Department of Environmental Protection for comprehensive water supply infrastructure needs.

1. *Application submitted to the South Florida Water Management District for "North Bay Village Stormwater Outfall Valves" in the amount of \$740,000.*

North Bay Village supports grant and legislative line item funding that dedicates to small businesses state economic development resources. Small businesses are the strength of Florida's economy; but they are often overlooked or do not qualify for existing economic development initiatives.

1. *Senator Gwen Margolis will be submitting a budget request to the Transportation and Economic Development Appropriations Subcommittee for "North Bay Village Causeway Redevelopment" at a level of \$125,000.*

North Bay Village supports legislative funding of "Local Service Programs" which fund in Miami-Dade and select other counties programs focused on the nutritional needs of low income senior citizens.

1. *North Bay Village will be requesting \$50,000 in LSP funds to begin a hot meals program for the elderly. The funds would be distributed by the Alliance for Aging of Miami-Dade and Monroe Counties who will provide technical assistance in the design of same.*

- State Government should focus on state-level issues and allow local governments to operate with minimal state interference. North Bay Village will oppose legislation that increases the involvement of state government in municipal affairs and preempts local governing prerogatives.
- For Florida's economy to prosper, cities need to succeed. North Bay Village will promote state investments in municipal infrastructure in order to create jobs and promote municipal revitalization. This will include funding for wastewater and stormwater improvements, local transportation projects, park and recreational activities, green technologies, and energy-saving initiatives.
- State Government should not be allowed to continue disrupting the relationship between citizens and their city elected officials' authority to make decisions impacting the provision of municipal services and quality of life. North Bay Village will oppose additional arbitrary limits on property assessments, municipal expenditures, and local revenues.
- State mandates should be funded with state resources and should not seek to access local tax dollars. North Bay Village will oppose unfunded mandates and support policies that require full funding of state initiatives and mandates to cities.
- *Traffic Infraction Devices*
North Bay Village **opposes/supports/will monitor** legislation that would prohibit

6. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Prepared and submitted by: Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ day of _____.

*_____
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.)

OFFICIAL MINUTES

REGULAR VILLAGE COMMISSION MEETING

**NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, #132
NORTH BAY VILLAGE, FL 33141**

February 12, 2013

7:30 P.M.

1. CALL TO ORDER.

The meeting was called to order at 7:34 P.M. by Mayor Connie Leon-Kreps who read the rules of conduct for the proceedings.

PLEDGE OF ALLEGIANCE

North Miami Beach Councilwoman Phyllis Smith led the recitation of the pledge of allegiance to the flag

ROLL CALL

Present were Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. As a quorum was determined to be present, the meeting commenced.

Also present were: Village Manager Dennis Kelly, Village Attorney Nina Boniske, Assistant Village Attorney Kathy Mehaffey, Deputy Village Manager/HR Director Jenice Rosado, Interim Public Works Director Rodney Carrero-Santana, Finance Director Bert Wrains, Acting Police Chief Brian Collins, and Village Clerk Yvonne P. Hamilton.

2. PROCLAMATIONS AND AWARDS

A. SPECIAL PRESENTATIONS

1. LEGISLATIVE PRIORITIES

Village Lobbyist Fausto Gomez reviewed the legislative issues, and it was the consensus of the Commission to hold a Special Meeting to consider the items.

2. PARTICIPANTS – JR. ORANGE BOWL PARADE

Participants and sponsors of the 2013 Jr. Orange Bowl Parade were recognized and presented with Certificates of Awards for their participation with the Village's float.

3. PRESENTATION OF INDEPENDENT AUDIT REPORT FOR FISCAL YEAR 2011-2012 – KEEFE, MCCULLOUGH & CO., LLP

Kenneth Smith, of Keefe, McCullough & Co., presented the audit report to the Village Commission. Commissioner Duvall suggested that a process be developed to address the deficiencies in internal controls a outlined by Mr. Smith.

11C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA EXTENDING THE ENGAGEMENT OF KEEFE, MCCULLOUGH & CO., LLP, A CERTIFIED PUBLIC ACCOUNTANT, TO CONDUCT THE ANNUAL FINANCIAL AUDIT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)

The Village Clerk read the resolution by title.

Village Auditor Ken Smith confirmed that quarterly audit reports will be provided.

The Mayor opened the floor to public comments.

Resident Jane Blake, of 7601 Coquina Drive, addressed the Commission.

A motion was offered by Commissioner Richard Chervony to approve the resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

- 11D. A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION APPROVING AN AGREEMENT WITH THE FIRM OF BRYANT MILLER OLIVE TO PROVIDE LEGAL REPRESENTATION AND LEGAL COUNSEL IN LABOR AND EMPLOYMENT MATTERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the resolution by title.

Norman Powell, the Village Special Counsel on the matter, presented the item to the Commission.

The Mayor opened the floor to public comments.

Jane Blake, of 7601 Coquina Drive, addressed the Commission.

The Mayor closed the floor to public comments.

Commissioner Gonzalez made a motion to approve the Resolution. The motion was seconded by Commissioner Wendy Duvall and adopted by a 4-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Chervony voted No.

- 11E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT WITH WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.L., FOR PROVIDING GENERAL MUNICIPAL AND LAND USE MATTERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the resolution by title.

Norman Powell, the Village Special Counsel on the matter, presented the item to the Commission.

Commissioner Gonzalez made a motion to approve the Resolution with an amendment to the agreement to change 30 days to 45 days in Section 5. The motion was seconded by Commissioner Richard Chervony and adopted by a unanimous roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

B. ADDITIONS AND DELETIONS

Mayor Connie Leon-Kreps removed Item 14E from the agenda as the sponsor.

Mayor Connie Leon-Kreps made a motion to hear Items 11C, 11D, and 11E after Item 3 and to remove Items 9D, 9E, and 9I from the Consent Agenda. Commissioner Jorge Gonzalez seconded the motion and all voted in favor.

Mayor Connie Leon-Kreps made a motion to approve the agenda as amended. Vice Mayor Eddie Lim seconded the motion and all voted in favor.

3. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY BOARD

Vice Chair Mario Garcia discussed the requests of the committee for the Village's 2008 Marketing Plan, emails of businesses in the Village, review of the street building signage by the Planning & Zoning Board, update on the status of deco bikes, and a digital billboard for the Village. He suggested that the Commission hear a website presentation by Committee Member Henrik Risvang that was previously heard by the Business Development Advisory Committee.

He informed the Commission that the Committee had discussed approaching Channel 7 for a billboard sign to advertise Village events and meetings, which would be no cost to the Village. He advised the Commission that their approval was required in order for the Committee to move forward on the projects.

B. YOUTH AND EDUCATION SERVICES BOARD

Chair Kevin Vericker requested permission from the Village Commission to utilize \$150 of the balance of the donations for Jr. Orange Bowl Parade float for an art show. He discussed the low PTA attendance at Treasure Island Elementary School and the Board's plan to address the improvement of parents' participation at their March 4 meeting.

Commissioner Richard Chervony made a motion authorizing the expenditure of \$150 for an art show from the balance of the monies contributed for the Jr. Orange Bowl Parade float. Commissioner Wendy Duvall seconded the motion. The motion was approved by a unanimous voice vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting yes.

C. PLANNING & ZONING BOARD

Chair of the Board, Reinaldo Trujillo, discussed inconsistencies in the Village Code, particularly the parking requirements in Section 152.044 and the need for the Village Commission to appropriate funds to review the Zoning Code.

4. **PUBLIC SAFETY DISCUSSION**

Lieutenant Brian Collins presented the report. He also announced the department's plan to hold its annual Law Enforcement Memorial on March 15, 2013.

Commissioner Chervony reiterated his requests for information on the hiring of a school crossing guard, the re-implementation of the PAAL program, and a plan to address the \$300,000 overage in the police budget. He noted that there was diminished code enforcement last month.

5. **COMMISSIONERS' REPORTS**

Commissioner Richard Chervony, Commissioner Wendy Duvall, Vice Mayor Eddie Lim, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all provided reports.

6. **VILLAGE ATTORNEY'S REPORT**

A report was not provided.

7. **VILLAGE MANAGER'S REPORT**

Village Manager Kelly advised the Commission that the following items will be addressed in March: Deco Bikes, ATS Contract, updating the website. He noted that all of the vacant positions had been filled.

8. **GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.**

The Mayor opened the Good and Welfare session at 8:52 pm.

Ann Bakst, of 1865 Kennedy Causeway, Jane Blake, of 7601 Coquina Drive Gudrin Volker, of 7517 Cutlass Avenue, Kevin Vericker, of 7520 Hispanola Avenue, Mario Garcia, of 7540 Hispanola Avenue, Claire Tomlim, owner of the Farmers' Market, and Benjia Morgenstern, of North Bay Island, addressed the Commission during Good and Welfare.

The session closed at 9:13 p.m.

The Mayor recessed the meeting at 9:28 p.m.

9. **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, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO A LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH THE CITY OF AVENTURA; SETTING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*
- B. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND CAR2GO N.A., LLC FOR OPERATION OF A ONE- YEAR POINT-TO-POINT CAR SHARING PILOT PROGRAM; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*
- C. A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION RELATING TO EARTH HOUR PARTICIPATION ON MARCH 23, 2013; URGING OTHER MUNICIPALITIES TO REGISTER AND PARTICIPATE IN EARTH HOUR; SETTING AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS)*

- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER TO THE DESIGN BUILD AGREEMENT BETWEEN THE VILLAGE AND METRO EQUIPMENT SERVICE, INC., FOR CONSTRUCTION SERVICES TO CONNECT THE CITY HALL PUMP STATION TO THE VILLAGE'S NEW FORCE MAIN SYSTEM; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS W. KELLY)*
- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC., IN THE AMOUNT OF \$19,800, FOR CONSTRUCTION PHASE SERVICES FOR COMPLETION OF THE CITY HALL PUMP STATION FORCE MAIN INSTALLATION PROJECT; 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; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*
- H. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA; APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND SFM SERVICES, INC., IN THE AMOUNT OF \$261,348, FOR PERFORMING LANDSCAPE MAINTENANCE SERVICES; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*

Commissioner Richard Chervony made a motion approving the Consent Agenda items. The motion was seconded by Vice Mayor Eddie Lim and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

The following item was removed from the Consent Agenda by Mayor Connie Leon-Kreps and considered separately by the Commission:

The following Items were removed from the Consent Agenda and discussed separately: 9D, 9E and 9I were removed from the Consent Agenda.

D. A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH BELLTOWER CONSULTING GROUP, LLC FOR THE PURPOSE OF PROVIDING PROFESSIONAL GRANT WRITING SERVICES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)

The Village Clerk read the resolution by title.

Lakeesha Davis, of Belltower Consulting Group, LLC, addressed the Commission.

The Mayor opened the floor to public comments. There were no speakers.

A motion was offered by Commissioner Richard Chervony to approve the Resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

E. A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION ADJUSTING THE EMPLOYEES PAY SCALE PLAN TO INCREASE THE PAY GRADE FOR THE DIRECTOR OF PUBLIC WORKS POSITION; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)

The Village Clerk read the resolution by title.

Village Manager Dennis Kelly and Deputy Village Manager/HR Director Jenice Rosado discussed the request to increase the pay scale for the vacant Public Works Director position in order to attract qualified, experienced candidates with a Professional Engineering license. It was the consensus of the Commission not to change the pay scale.

- I. **A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SETTLEMENT OF THE LITIGATION STYLED *DADE COUNTY POLICE BENEVOLENT ASSOCIATION INCORPORATED V. CITY OF NORTH BAY VILLAGE, FLORIDA*, CASE NO. 12-37897CA, FILED IN THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE ANY DOCUMENTS REQUIRED TO SETTLE THE LITIGATION; AUTHORIZING THE VILLAGE ATTORNEY TO EXECUTE AND FILE ANY REQUIRED DOCUMENTS WITH THE COURT TO CONCLUDE THE LITIGATION; APPROVING A BUDGET EXPENDITURE; AND PROVIDING AN EFFECTIVE DATE. (*INTRODUCED BY VILLAGE ATTORNEY, NINA BONISKE*)**

The Village Clerk read the resolution by title.

A motion was offered by Commissioner Richard Chervony to approve the Resolution. The motion was seconded by Vice Mayor Eddie Lim and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

10. PLANNING & ZONING CONSENT AGENDA

There were no planning and zoning items considered by the Commission.

11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

- A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the ordinance by title.

Interim Public Works Director Rodney Santana Carrero presented the item to the Commission.

The Mayor opened the floor to public comments.

The following addressed the Commission: Mario Garcia, of 7540 Hispanola Avenue, and Reinaldo Trujillo, of 7601 East Treasure Drive, spoke in support of the ordinance.

Commissioner Richard Chervony made a motion approving the ordinance on first reading. The motion was seconded by Vice Mayor Eddie Lim and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

- B. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN DENNIS KELLY AND NORTH BAY VILLAGE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)**

The Village Clerk read the resolution by title.

Commissioner Jorge Gonzalez made a motion to approve the resolution. The motion was seconded by Mayor Connie Leon-Kreps and adopted by a unanimous roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

12. **PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING**

- A. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 35 OF THE NORTH BAY VILLAGE CODE ENTITLED "TAXATION AND FINANCE" BY REVISING SECTION 35.03 TO PROVIDE FOR AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING SENIOR CITIZENS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER DENNIS KELLY) – SECOND READING**

The Village Clerk read the ordinance by title.

Finance Director Bert Wrains presented the item to the Commission.

Mayor Connie Leon-Kreps opened the public hearing. There were no speakers.

A motion was made by Vice Mayor Eddie Lim to approve the ordinance on first reading. The motion was seconded by Commissioner Richard Chervony and adopted by a unanimous roll call vote. The vote was as follows: Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, and Vice Mayor Eddie Lim.

- B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES ENTITLED "CONFLICT OF INTEREST AND CODE OF ETHICS" BY CREATING SECTION 38.36 TO ADD REQUIREMENTS FOR ELECTED OFFICIALS AND ADVISORY BOARDS AND COMMITTEE MEMBERS TO RECEIVE ETHICS TRAINING; 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 Village Clerk read the ordinance by title.

The Mayor opened the public hearing. There were no speakers.

A motion was made by Commissioner Wendy Duvall to approve the ordinance as amended to provide for live ethics training:

D) The Ethics Training required under this section shall be offered through live instructions from the Miami-Dade County Commission on Ethics, the Florida League of Cities, the Florida Institute of Government at any recognized Florida university or any related entity that offers a course covering the statutes and codes specified in Subsection 38-36(B).

Commissioner Jorge Gonzalez seconded the motion which was adopted by a unanimous roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Wendy Duvall.

13. UNFINISHED BUSINESS

- A. A REQUEST BY JOAQUIN RAMIREZ FOR THE COMMISSION'S RECONSIDERATION OF ITS JANUARY 15, 2013 APPROVAL WITH CONDITIONS FOR A SPECIAL USE EXCEPTION UNDER SECTION 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR THE OPERATION OF BOAT, JET SKI, KAYAK RENTAL BUSINESS AT COMMERCIAL MARINA AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA.**

The applicant, Joaquin Ramirez, submitted a letter to the Village Clerk withdrawing the item from the agenda.

A motion was made by Vice Mayor Eddie Lim to hear Item 14G next on the agenda. Commissioner Jorge Gonzalez seconded the motion which carried unanimously on a roll call vote.

G. ELECTRONIC BILLBOARD (*VICE MAYOR EDDIE LIM*)

Village Manager Dennis Kelly sought approval from the Village Commission for the purchase of a billboard sign to advertise Village events. Jim Crum, of Datronics, made a presentation to the Commission regarding the signs made by his company.

A motion was made by Mayor Connie Leon-Kreps to extend the meeting to 1:00 a.m. The motion was seconded by Vice Mayor Eddie Lim and approved by a unanimous voice vote.

The Mayor opened the floor to public comments.

The following addressed the Commission: Gudrin Volker, of 7517 Cutlass Avenue, and Mario Garcia, of 7540 Hispanola Avenue.

Commissioner Chervony left the meeting at 12:42 a.m.

The Mayor suggested that any signs installed be compatible with the aesthetics of the village, meet the sign standards, be evaluated by the Village Planner and be reviewed for traffic hazards. She suggested that a workshop be held to address the presentation made by FAU on the 79th Street Corridor.

It was the consensus of the Commission to obtain a digital billboard sign.

14. NEW BUSINESS

A. BUSINESS DEVELOPMENT ADVISORY COMMITTEE REQUEST TO USE EMAIL ADDRESSES ON FILE WITH THE VILLAGE UTILITIES DEPARTMENT TO SEND OUT MESSAGES AND INFORMATION TO VILLAGE RESIDENTS AND BUSINESSES

Mario Garcia, Vice Chair of the Business Development Advisory Committee, clarified the request for the emails to advertise Village events.

There was no Commission action on the item.

A motion was made by Mayor Connie Leon-Kreps to extend the meeting to 1:30 a.m. The motion was seconded by Vice Mayor and approved by a unanimous voice vote.

B. ADVISORY BOARDS/COMMITTEES (*MAYOR CONNIE LEON-KREPS*)

Item 14B was deferred to the next regular Commission Meeting.

C. VILLAGE SUPERMARKET (*COMMISSIONER GONZALEZ*)

Item 14C was deferred to the next regular Commission Meeting.

D. NORTH BAY VILLAGE SCHOLARSHIP PROGRAM (*COMMISSIONER JORGE GONZALEZ*)

Item 14D was deferred to the next regular Commission Meeting.

E. RESIDENTS' SURVEY (*MAYOR CONNIE LEON-KREPS*)

Mayor Connie Leon-Kreps withdrew the item from the agenda.

F. GUARD GATES (*TREASURE ISLAND STREET CLOSURE*)

In regards to a previous meeting that was held regarding guard gates, Commissioner Duvall requested that she be invited to meetings held in the future to address guard gates on Treasure Island. Village Manager Dennis Kelly announced that a workshop will be held to discuss the impacts of having guard gates on the island.

H. WINTER WONDERLAND

1.) Commission Action

Item 14H was deferred to the next Regular Commission Meeting.

15. APPROVAL OF MINUTES

- A. SPECIAL COMMISSION MEETING – 01/15/2013**
- B. REGULAR COMMISSION MEETING–01/08/2013**
- C. SPECIAL COMMISSION MEETING – 12/03/2012**
- D. REGULAR COMMISSION MEETING–12/11/2012**
- E. SPECIAL COMMISSION MEETING – 12/18/2012**
- F. SPECIAL COMMISSION MEETING – 11/16/2012**

Item 15 was deferred to the next Commission Meeting.

16. ADJOURNMENT

The meeting adjourned at 1:58 a.m.

Respectfully submitted:

Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ day of _____.

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.)