



## **North Bay Village**

Administrative Offices

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### **OFFICIAL AGENDA**

#### **REGULAR VILLAGE COMMISSION MEETING**

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

**TUESDAY, SEPTEMBER 9, 2014**

**7:30 P.M.**

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

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

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#### **1. CALL TO ORDER**

##### **PLEDGE OF ALLEGIANCE**

##### **ROLL CALL**

#### **2. A. PROCLAMATIONS AND AWARDS**

- 1. FIRE STATION 27 CREW  
(COMMISSIONER JORGE GONZALEZ)**
- 2. TREASURE ISLES NURSING HOME  
(MAYOR CONNIE LEON-KREPS)**
- 3. SISTER CITY – ISPARTA, TURKEY  
(COMMISSIONER JORGE GONZALEZ)**

**B. SPECIAL PRESENTATIONS**

- 1. JOSEPH SPECTOR, YGRENE – PACE PROGRAM  
(COMMISSIONER JORGE GONZALEZ)**

**C. ADDITIONS AND DELETIONS**

**3. GOOD & WELFARE**

**4. BOARD REPORTS**

**A. BUSINESS DEVELOPMENT ADVISORY BOARD**

**B. CITIZENS BUDGET & OVERSIGHT BOARD**

**C. COMMUNITY ENHANCEMENT BOARD**

**D. PLANNING & ZONING BOARD**

**E. YOUTH & EDUCATION SERVICES BOARD**

**5. PUBLIC SAFETY DISCUSSION**

**6. COMMISSIONERS' REPORTS**

**7. VILLAGE ATTORNEY'S REPORT**

**8. VILLAGE MANAGER'S REPORT**

**Grant Writer's Report**

**9. FINANCE REPORT**

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

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE TRANSFER OF \$25,000 FROM THE UNRESERVED FUND BALANCE ACCOUNT TO THE GENERAL INSURANCE ACCOUNT TO PAY THE INSURANCE DEDUCTIBLE TO THE FLORIDA LEAGUE OF CITIES FOR SETTLEMENT PURPOSES IN THE MATTER OF WEINSTEIN VS. NORTH BAY VILLAGE, ET AL; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow for the appropriation and expenditure of funds to pay the Village's insurance deductible.

- B. 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 79<sup>TH</sup> STREET CAUSEWAY WITHIN THE VILLAGE LIMITS AND PROVIDING FOR COMPENSATION TO THE VILLAGE FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize an agreement with FDOT for the Village to clean the turf and landscaped areas on the 79<sup>th</sup> Street Causeway within the Village. An annual fee of \$2,832.18 will be paid to the Village for this service.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING THE POLICE IMPACT FEE BUDGET; AUTHORIZING THE PURCHASE OF TWO POLICE VEHICLES UNDER THE PIGGY BACK PURCHASE PROVISION, PURSUANT TO SECTION 36.25(J) OF THE VILLAGE CODE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will amend the previously approved Police Impact Fee Budget to allow an increase in the amount for the purchase of two All-Wheel Drive Police SUV vehicles including warranty, equipment, and decals from \$60,000 to \$64,000 and a decrease to the amount for a Dispatch Recording System from \$14,000 to \$10,000.

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO SEEK AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY GRANTING NORTH BAY VILLAGE AUTONOMY REGARDING STREET SAFETY AND TRAFFIC CALMING ON ALL STREETS IN THE VILLAGE THAT ARE NOT DESIGNATED COUNTY, STATE, OR FEDERAL STREETS; PROVIDING FOR SEVERABILITY; RESOLUTIONS AND ORDINANCES IN CONFLICT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution will allow the Village to assume responsibility of the streets in the Village not owned by the State or FDOT for the installation and maintenance of street name signs, warning signs, construction warning signs, markings and barricades, pavement markings, traffic maintenance and traffic calming devices.

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER AND AWARDED RFP NO. 2014-002 TO CDI ENTERPRISES, INC. FOR THE INSTALLATION OF WINTER HOLIDAY DECORATIONS AT THE BID PRICE OF \$37,000; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT FOR THE SCOPE OF SERVICES; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; DIRECTING VILLAGE OFFICIALS TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIM OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow for a contract with the Village to provide holiday decorations for 2014, 2015, and 2016.

- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, APPROVING AN AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS FOR THE LEASE OF A DIGITAL COPIER MACHINE FOR THE POLICE DEPARTMENT UNDER THE PIGGYBACK PROVISION PURSUANT TO SECTION 36.25(J) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES; AUTHORIZING 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 FRANK K. ROLLASON)**

The proposed Resolution will authorize a renewal agreement for the lease of a copier machine for the Police Department administrative office to replace an expired lease.

- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROADWAY UTILITY ADJUSTMENT SERVICES; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the Village Manager to enter into an agreement with FDOT for making adjustments to the Village utility services on the 79<sup>th</sup> Street Causeway that will be affected by the planned Repaving, Restoration, and Rehabilitation (RRR) project at a lump sum cost of \$21,560.

- H. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA ADOPTING THE NORTH BAY VILLAGE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN ("CEMP") WITH PROVISIONS AS STATED HEREIN AND AS MORE PARTICULARLY DESCRIBED IN THE CEMP; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK ROLLASON)**

The propose Resolution will adopt a Comprehensive Emergency Management Plan to provide a framework for the development of detailed operating procedures to protect the public's health and safety from natural and technological disasters.

- I. A RESOLUTION OF THE COMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE RENEWAL OF AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the renewal of an Interlocal Agreement with Miami-Dade County for the Municipal Mini Bus to provide public transportation to residents within the Village and to other locations outside of the Village, as well as the authority to charge a fare.

- J. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR AND ACCEPT HIGHWAY BEAUTIFICATION GRANT, AND ENTER INTO A HIGHWAY BEAUTIFICATION COUNCIL GRANT, LANDSCAPE CONSTRUCTION, AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE FORM ATTACHED HERETO; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize an application and acceptance of grant funding, if awarded, for Phase 2 of landscaping the 79<sup>th</sup> Street Causeway within the Village.

- K. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA RATIFYING EXPENDITURE OF \$30,319.88 TO DYNAMIC POWER HYDRAULIC FOR RETROFITTING THE 2007 MIAMI-DADE COUNTY DONATED MACK SANITATION COLLECTION TRUCK; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will accept the Village Manager's prior expenditure of \$30,319.88 without competitive bidding for the repair of a sanitation truck that was donated to the Village from Miami-Dade County.

- L. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING MARRIAGE EQUALITY; URGING THE STATE OF FLORIDA TO STOP OPPOSING MARRIAGE EQUALITY THROUGH THE COURTS; SETTING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

The proposed Resolution expresses the Commission's support to equal access to legal marriage for same sex couples, and opposes laws and constitutional amendments that deny equal access to legal marriage for same-sex couples.

**1.) Commission Action**

**11. PLANNING & ZONING CONSENT AGENDA**

**No Items.**

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

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY CREATING SUBSECTIONS 32.86 THROUGH 32.93 OF THE VILLAGE CODE FOR THE DEVELOPMENT OF A SPECIAL NEEDS ADVISORY BOARD; REPEALING RESOLUTIONS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER JORGE GONZALEZ)**

The proposed Resolution will develop a Special Needs Advisory Board to identify structured activity programs to meet the needs of residents with functional impairments, as well as seniors and children.

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.30(E) TO PROVIDE ALTERNATE MEMBERS TO THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER JORGE GONZALEZ)**

The proposed Resolution will provide for alternates to the Planning & Zoning Board in an effort to meet quorum when members of the Board are unable to attend meetings, whether through conflict of interest or other circumstances.

**1.) Commission Action**

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING RENEWAL PRICING FOR THE VILLAGE'S GROUP INSURANCE PROGRAM WITH NEIGHBORHOOD/UNITED HEALTH CARE FOR HEALTH, VISION, AND DENTAL INSURANCE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ANY REQUIRED AGREEMENTS; AUTHORIZING THE VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF ANY AGREEMENTS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the renewal of insurance coverage for Village Employees.

**1.) Commission Action**

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA DIRECTING THE VILLAGE ATTORNEY TO ANALYZE THE CURRENT STATUS OF THE PROPERTY CURRENTLY IDENTIFIED IN THE COUNTY'S TAX ASSESSOR'S OFFICE AS 23-3209-000-0100, 7904 WEST DRIVE, BAYSHORE YACHT & TENNIS CLUB CONDOMINIUM, LOTS 4 AND 6, TRACK C, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, AND SPECIFICALLY THE PENTHOUSE OF THIS CONDOMINIUM; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VICE MAYOR EDDIE LIM)**

The proposed Resolution will direct the Village Attorney to analyze the status of the Penthouse Units and advise the Commission as to what action can be taken to resolve the zoning issue pertaining to use of the Penthouse Units, in accordance with the Village's Comprehensive Plan, the Village's Zoning Code, as well as State County, and other Village Laws.

**1.) Commission Action**

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA SETTING POLICY FOR NORTH BAY VILLAGE; REQUIRING ALL VILLAGE INFRASTRUCTURE PROJECTS TO CONSIDER POTENTIAL IMPACTS OF SEA LEVEL RISE DURING ALL PROJECT PHASES, INCLUDING BUT NOT LIMITED TO PLANNING, DESIGN, AND CONSTRUCTION, AND FURTHER DIRECTING THE VILLAGE MANAGER TO EVALUATE THE EXISTING INFRASTRUCTURE IN THE FACE OF SEA LEVEL RISE; SETTING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY AND COMMISSIONER JORGE GONZALEZ)**

The proposed Resolution will direct the Village Manager to establish recommended priorities to consider sea level rise projections and potential impacts on Village infrastructure projects.

**1.) Commission Action**

**13. ORDINANCES FOR SECOND READING (PUBLIC HEARING):**

- A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.056, SETBACK ENCROACHMENTS, BY ADDING SECTION "D"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed Ordinance will allow certain mechanical equipment such as ground mounted mechanical equipment, including air conditioning equipment, pool equipment, heat pumps, water heaters, generators and other similar equipment to be placed in a side-yard setback.

**1.) Commission Action**

- B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 38.05(D) OF THE VILLAGE CODE PERTAINING TO "GIFTS"; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE ATTORNEY ROBERT L. SWITKES)**

The proposed ordinance will require the reporting of only those gifts in excess of \$100 to the Ethics Commission pursuant to State law, rather than those gifts over \$25 as currently required by the Village Code.

**1.) Commission Action**

**14. UNFINISHED BUSINESS**

- A. REQUEST FOR PROPOSAL – FINANCIAL AUDITING SERVICES**

**1.) Commission Action**

**15. NEW BUSINESS**

- A. APPOINTMENT OF MEMBER TO THE BUSINESS DEVELOPMENT ADVISORY BOARD**

**1.) Commission Action**

**16. APPROVAL OF MINUTES**

**A. Regular Commission Meeting – July 8, 2014**

**B. Special Commission Meeting – July 29, 2014**

**1.) Commission Action**

**17. ADJOURNMENT**

**NORTH BAY VILLAGE  
MEETING NOTICE**

<b>THURSDAY, SEPTEMBER 11, 2014</b>	<b>7:00 P.M.</b>	<b>FIRST BUDGET PUBLIC HEARING VILLAGE HALL 1666 KENNEDY CAUSEWAY, #101 NORTH BAY VILLAGE, FL 33141</b>
<b>TUESDAY, SEPTEMBER 16, 2014</b>	<b>7:00 P.M.</b>	<b>BUSINESS DEVELOPMENT ADVISORY BOARD MEETING 1666 KENNEDY CAUSEWAY, 3<sup>RD</sup> FLOOR</b>
<b>THURSDAY, SEPTEMBER 18, 2014</b>	<b>6:30 P.M.</b>	<b>COMMUNITY ENHANCEMENT BOARD MEETING VILLAGE ADMINISTRATIVE OFFICE 1666 KENNEDY CAUSEWAY, 3<sup>RD</sup> FLOOR</b>
<b>MONDAY, SEPTEMBER 22, 2014</b>	<b>7:00 P.M.</b>	<b>FINAL BUDGET PUBLIC HEARING VILLAGE HALL 1666 KENNEDY CAUSEWAY, #101 NORTH BAY VILLAGE, FL 33141</b>

**Any meeting may be opened and continued and, under such circumstances, additional legal notice would not be provided. Any person may contact the Village Clerk at (305) 756-7171 for information. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 756-7171 no later than four (4) days prior to the proceedings. TTY users may also call 711 (Florida Relay Service). Meetings are held at Village Hall at 1666 Kennedy Causeway, #101 (First Floor), unless otherwise noted.**