



North Bay Village

Administrative Offices

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

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

OFFICIAL AGENDA

REGULAR VILLAGE COMMISSION MEETING

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

TUESDAY, DECEMBER 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).

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2. A. PROCLAMATIONS AND AWARDS

1. Miami Beach Senior High School ROTC-Volunteers at Halloween Party
2. 360 Condominium/Harbor Island Landscaping Improvements
3. Resident William Webb/N. Bay Island Landscaping Improvements
4. Volunteers-Beautification of North Bay Island

B. SPECIAL PRESENTATIONS

C. ADDITIONS AND DELETIONS

3. GOOD & WELFARE

4. **BOARD REPORTS**

A. **COMMUNITY ENHANCEMENT BOARD**

B. **PLANNING & ZONING BOARD**

5. **PUBLIC SAFETY DISCUSSION**

6. **COMMISSIONERS' REPORTS**

7. **VILLAGE ATTORNEY'S REPORT**

8. **VILLAGE MANAGER'S REPORT**

A. **Grant Writer's Report**

B. **Village Planner'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 AMENDING THE FISCAL YEAR 2014 AND FY 2015 BUDGETS; MAKING END OF YEAR ADJUSTMENTS TO THE ANNUAL BUDGET ADOPTED ON SEPTEMBER 25, 2013 FOR FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; REBUDGETING FUNDS FROM FY 2014 TO FY 2015 FOR THREE ONGOING PROJECTS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK ROLLASON)**

The proposed Resolution will allow an adjustment to the FY 2014 budget to account for the departments that were over or under-budget. Three ongoing projects that were unfinished will also be carried over and be re-budgeted.

- B. 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 MIAMI BEACH AND MIAMI SHORES VILLAGE; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the sharing of services between these municipalities when necessary.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF ELDER AFFAIRS COMMUNITIES FOR A LIFETIME INITIATIVE; PROVIDING FOR INSTRUCTIONS TO THE VILLAGE CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution expresses support for the Village to become a “Communities for a Lifetime Initiative” municipality. The goal of the initiative is to help Florida communities become better places for elders to live, as well providing all residents the opportunity to contribute to the betterment of their communities.

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 93 OF THE VILLAGE CODE ENTITLED “FIRE PREVENTION,” TO REQUIRE KNOX BOXES AT NEW COMMERCIAL BUILDINGS, EXISTING COMMERCIAL BUILDINGS, NEW RESIDENTIAL BUILDINGS, AND EXISTING RESIDENTIAL BUILDINGS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution seeks to have all commercial and residential buildings install key lock boxes on the exterior to aid North Bay Village Police Department in gaining access to the structures, when necessary, if they are unoccupied

1.) Commission Action

13. PUBLIC HEARINGS:

A. BROWNFIELD CLEANUP GRANT

B. AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

- 1. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**
- 2. BONUS DENSITY APPROVAL, PURSUANT TO SECTION 152.029(C)(8)H OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.**
- 3. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 54-UNIT, 15-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

1.) Commission Action

C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AND PILINGS AT 8000 WEST DRIVE, PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

1.) Commission Action

14. UNFINISHED BUSINESS (DEFERRED FROM SEPTEMBER 9, 2014)

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)

1.) Commission Action

15. NEW BUSINESS

A. APPOINTMENT OF ADVISORY BOARD MEMBERS

- 1. ARTS, CULTURAL & SPECIAL EVENTS BOARD**
- 2. CITIZENS BUDDGET & OVERSIGHT BOARD**
- 3. COMMUNITY ENHANCEMENT BOARD**
- 4. PLANNING & ZONING BOARD**

1.) Commission Action

**B. CAT TRAP, NEUTER, AND RELEASE PROGRAM
(MAYOR CONNIE LEON-KREPS)**

**C. FUNDING FOR SURVEILLANCE CAMERAS IN THE TWO
VILLAGE PARKS (MAYOR CONNIE LEON-KREPS)**

D. ADVISORY BOARDS (MAYOR CONNIE LEON-KREPS)

**E. ARTS, CULTURAL & SPECIAL EVENTS BOARD
(MAYOR CONNIE LEON-KREPS)**

16. APPROVAL OF MINUTES

A. REGULAR COMMISSION MEETING – OCTOBER 14, 2014

B. REGULAR COMMISSION MEETING – NOVEMBER 18, 2014

1.) Commission Action

17. ADJOURNMENT

VILLAGE MANAGER'S REPORT

TO

THE MAYOR AND MEMBERS OF THE VILLAGE COMMISSION**December 9, 2014**

1. **Village Entrance Welcome Signage:** The westbound sign has been installed and the eastbound sign has had the letters painted blue to make it more visible.
2. **Suggested Workshops:**
 - a. Underground Utilities Workshop
 - b. Baywalk Public Accessibility Workshop
 - c. Harbor Island Parking Plan Workshop



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

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

To: North Bay Village Mayor & Village Commission
From: LaKeesha Morris, MSW
Date Submitted: 12/03/2014
Reporting Period: November 1 – 30, 2014

Grants Submitted this Reporting Period:

1. Cooperative Funding Program (South Florida Water Management District)

Date Submitted: 11/21/2014

Project Title: North Bay Village Water Quality Improvement Project

Amount Requested: \$735,000

Match Committed: 25% - \$245,000.00

Summary: LaKeesha submitted the pre-application requesting funding from the SFWMD to continue the improvements that the Village is currently making to the drainage system. The funding will be used to install flexible valves on the Village's outfall pipes. This will protect the new repairs from saltwater intrusion and sediment.

2. Cooperative Funding Program (South Florida Water Management District)

Date Submitted: 11/21/2014

Project Title: North Bay Village Showerhead Exchange Program

Amount Requested: \$7,500

Match Committed: 50% - \$7,500

Summary: LaKeesha submitted the pre-application requesting funding from the SFWMD to enhance the Village's "green" efforts. The Showerhead Exchange program will assist residents and commercial business owners in reducing water consumption; saving money and the environment. If funded, residents will be able to exchange their old shower heads for new water efficient showerheads. Business Owners (particularly restaurants) will be able to exchange old spray valves with new pre-rinse spray valves.

3. The Children's Trust

Date Submitted: 12/2/2014

Project Title: North Bay Village Out-of-School Program



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

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

Amount Requested: \$189,482

Summary: LaKeesha submitted an application to The Children's Trust requesting funding to continue the Village's Afterschool and Summer Camp programs. If funded, the Village will increase the program from 50 youth to 60 youth that attend Treasure Island Elementary School. Activities provided to youth include; literacy, homework assistance, social skills, fitness, arts and crafts, field trips and other enrichment activities.

Grants "Under Construction"

1. US Environmental Protection Agency

Date Due: 12/19/2014

Grant Title: FY15 Brownfield Cleanup Grants

Grant Amount: up to \$200,000

Match Required: 25%

Summary: The US EPA has funding available for site specific and community Brownfield Assessment and/or Cleanup. The Village has recently completed a Level II Assessment of the property where the new Village Hall will be built. Based on these findings, LaKeesha will prepare and submit an application for funding to implement the Cleanup recommendations found in the report. One of the requirements of the grant is to provide an opportunity for public comment about the Village's plans. This will be done during the Monthly Village Meeting on 12/10/14.

2. Florida Department of Law Enforcement (FDLE) – Formerly Passed through from County

Date Due: ASAP

Grant Amount: \$2,751

Match Required: None

Summary: Miami-Dade County will no longer administer the FDLE – JAG/Byrne grant that the Village once received. As a result the Village will now have to apply directly to the FDLE for this funding. LaKeesha is now working with the representative from Miami-Dade County and the representative from FDLE to complete the transfer and submit the grant request. As per Chief Daniel's request, LaKeesha will request funding to purchase portable AED machines for the patrol cars.

3. Florida Department of Law Enforcement (FDLE) – JAG Funding



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

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

Date Due: January 2015

Grant Amount: \$1,000

Match Required: None

Summary: The Village will continue to have two JAG allocations from the FDLE. As per Chief Daniel's request, LaKeesha will request funding to purchase portable AED machines for the patrol cars.

Grant Reporting/Implementation Activities

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

None this reporting period

Other Activities

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

Communities for a Lifetime

One November 19, 2014, the Village's staff met with Ms. Janine Rogers from the Florida Department of Elder Affairs regarding the benefits of becoming a member of the "Communities for a Lifetime" initiative. This has been a long-standing goal of the Mayor's and is a direct result of feedback from the community.

The purpose of the "Communities for a Lifetime" initiative is to prompt communities to begin to have the discussion regarding how to serve residents as they age. This is not solely for the older adults in the community, but a chance for the Village to begin to look at the services provided across all age groups and how to begin to break down any barriers to access.



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At the request of the Village Manager, LaKeesha assisted with the preparation of the Memo and Resolution for consideration by the Village Commission during the December meeting.

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**NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM****DATE: December 9, 2014****TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Wendy Duvall
Commissioner Eddie Lim****RECOMMENDED BY STAFF: Frank Rollason, Village Manager****PRESENTED BY STAFF: Bert Wrains CGFO Finance Director****SUBJECT: FY 2014 and FY 2015 Budget Amendments****Recommendation:**

It is recommended that the Village Commission adopt the attached Resolution formally approving the Amended FY 2014 General Fund Budget and the Amended FY 2015 General and Building Fund Budgets.

Background:

The Finance Department has received and posted all revenues and expenditures received as of November 19, 2014 for the Fiscal Year 2014. There are many increases and decreases in the individual line items. These proposed adjustments to the FY 2014 budget have been presented to the Commission with each of the monthly financial statement during FY 2014. This will be a one-time Final Amendment to the FY 2014 Adopted General Fund Budget. This amendment contains the Building Fund and the Streets Maintenance Fund because they are included in the Financial Statements within the General Fund and not reported as separate funds.

The Auditor General of Florida requires that the Villages external auditor compare the Amended General Fund Budget to the actual revenues and expenditures and report any variances as a part of the annual audit. This action will eliminate any unforeseen audit comments.

Mayor
Connie Leon-KrepsVice Mayor
Jorge GonzalezCommissioner
Dr. Richard ChervonyCommissioner
Wendy DuvallCommissioner
Eddie Lim

Second, we had 4 projects that were not completed in FY 2014 and are being recommended to be budgeted in FY 2015. They are:

<u>General Fund</u>		
1	Police Dispatch/Public Works building renovations (out for bid)	\$50,000
2	Kennedy Causeway electrical lighting repairs (currently under way)	\$25,000
3	Banners Seasonal and American Flags (partially implemented)	<u>\$ 5,000</u>
		\$80,000
<u>Building Fund</u>		
4	Microfilming Building Permit Documents (project needed)	<u>\$ 7,000</u>
	Total additional Funds Budgeted for FY 2015 from FY 2014	\$87,000

GENERAL and BUILDING FUNDS

The Unreserved Fund Balances as of September 30 of each budget year are listed below:

	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>
General Fund	\$ 385,411	\$ 657,270*	\$ 840,190**
Building Fund	\$ 0	\$ 28,480	\$ 21,480**

* After the transfer
 ** Projected thru September 30, 2015

The required 20 % Reserved Fund Balance is an additional reserve of \$ 1,156,713 for a total Fund Balance of \$1,996,963.

FINANCIAL IMPACT:

The Unreserved Fund Balance increased by \$ 351,859 to a total of \$ 657,270 as of September 30, 2014, (after the recommended transfers).

BUGETARY IMPACT:

The action will adjust the FY 2014 budget to account for the departments that went over or under budget. This action will also carry over and/or re-budget for 4 ongoing projects that were unfinished in FY 2014.

PERSONNEL IMPACT:

None.



North Bay Village

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MEMORANDUM North Bay Village

DATE: November 24, 2014

TO: Yvonne P. Hamilton
Village Clerk

FROM: Frank K. Rollason 
Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING THE FISCAL YEAR 2014 AND FY 2015 BUDGETS; MAKING END OF YEAR ADJUSTMENTS TO THE ANNUAL BUDGET ADOPTED ON SEPTEMBER 25, 2013 FOR FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; REBUDGETING FUNDS FROM FY 2014 TO FY 2015 FOR THREE ONGOING PROJECTS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE.

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

FKR:yph

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING THE FISCAL YEAR 2014 AND FY 2015 BUDGETS; MAKING END OF YEAR ADJUSTMENTS TO THE ANNUAL BUDGET ADOPTED ON SEPTEMBER 25, 2013 FOR FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; REBUDGETING FUNDS FROM FY 2014 TO FY 2015 FOR FOUR ONGOING PROJECTS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK ROLLASON)

WHEREAS, the Village Budget for Fiscal Year October 1, 2013 through September 30, 2014 was adopted on September 25, 2013 ("FY 2014"); and

WHEREAS, the Village Budget for Fiscal Year October 1, 2014 through September 30, 2015 was adopted on September 30, 2014 ("FY 2015"); and

WHEREAS, the Village Commission is authorized and empowered by Section 35.21 of the Village Code and Section 166.241(4), Florida Statutes to amend the annual budget; and

WHEREAS, the Village Manager has determined it is appropriate to amend the two years budgets to reflect changes in revenues and expenditures in accordance with proper governmental accounting and financial reporting practices and to provide funding to three ongoing projects.

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. **Budget Amendment.** The annual budget for the Fiscal Year October 1, 2013 through September 30, 2014 is amended as summarized below and as detailed in "Attachment" attached hereto.

GENERAL FUND	<u>FY 2014</u>	<u>FY 2014</u>
	<u>Original Budget</u>	<u>Amended Budget</u>
FY 2014 Revenues	\$ 5,846,527	\$ 6,044,518
FY 2014 Expenditures & Transfers	\$ 5,822,810	\$ 5,692,659
FY 2014 Increase in Fund Balance	\$ 23,717	\$ 351,859

GENERAL FUND	<u>FY 2015</u>	<u>FY 2015</u>
	<u>Original Budget</u>	<u>Amended Budget</u>
FY 2015 Revenues	\$ 6,194,714	\$ 6,274,714
FY 2015 Expenditures & Transfers	\$ 6,004,073	\$ 6,084,072
FY 2015 Increase in Fund Balance	\$ 190,641	\$ 190,642

BUILDING FUND	<u>FY 2015</u>	<u>FY 2015</u>
	FY 2015 Expenditures Microfilming	\$ 0
Fund Balance	\$ 28,480	\$ 21,480

Section 3. Authorization of Village Officials. The Village Manager is authorized to amend the budget as set forth herein.

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

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

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this 9th day of November 4, 2014.

Connie Leon-Kreps, Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

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

North Bay Village Resolution: Amendment to Fiscal Years 2014 and 2015 Budgets.

ATTACHMENT "A"

GENERAL FUND REVENUES & EXPENDITURES

Account Description	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2015 Adopted Budget	FY 2015 Amended Budget
Ad Valorem Taxes	\$ 3,479,409	\$ 3,579,598	\$ 3,889,534	\$ 3,889,534
Franchise Fees	\$ 432,096	\$ 397,518	\$ 447,500	\$ 447,500
Utility Service Tax	\$ 765,030	\$ 798,188	\$ 796,000	\$ 796,000
Licenses & Permits	\$ 89,000	\$ 174,164	\$ 97,000	\$ 97,000
Intergovernmental Revenue	\$ 738,312	\$ 723,657	\$ 730,000	\$ 730,000
General Service	\$ 66,680	\$ 61,145	\$ 61,680	\$ 61,680
Fines & Forfeitures	\$ 202,000	\$ 135,718	\$ 82,000	\$ 82,000
Miscellaneous Revenue	\$ 74,000	\$ 174,530	\$ 91,000	\$ 91,000
Appropriation of Fund Balance From FY 2014	\$ -	\$ -	\$ -	\$ 80,000
Total General Fund Revenues	\$ 5,846,527	\$ 6,044,518	\$ 6,194,714	\$ 6,274,714
Village Commission	\$ 60,294	\$ 51,194	\$ 49,693	\$ 49,693
Village Manager	\$ 226,730	\$ 253,340	\$ 201,442	\$ 201,442
Village Clerk	\$ 187,057	\$ 122,526	\$ 199,269	\$ 199,269
Legal Services Department	\$ 262,750	\$ 184,975	\$ 166,750	\$ 166,750
Finance	\$ 148,239	\$ 179,036	\$ 156,284	\$ 156,284
Human Resources	\$ -	\$ -	\$ -	\$ -
General Government	\$ 905,915	\$ 855,495	\$ 795,668	\$ 795,668
Police	\$ 3,503,769	\$ 3,623,500	\$ 3,921,460	\$ 3,971,460
Recreation & Human Svces Dep.	\$ 242,531	\$ 225,460	\$ 213,300	\$ 218,300
Comp Absence Liability-Reserve	\$ -	\$ -	\$ 15,000	\$ 15,000
Total Operating Expenses	\$ 5,537,285	\$ 5,495,525	\$ 5,718,867	\$ 5,773,867
Transfers to After School & Summer Fund	\$ 19,938	\$ 23,530	\$ 19,938	\$ 19,938
Transfers to Street Maintenance	\$ 210,339	\$ 118,356	\$ 210,020	\$ 235,019
Transfers to Transportation Fund	\$ 55,248	\$ 55,248	\$ 55,248	\$ 55,248
Totals General Fund Expenditures	\$ 5,822,810	\$ 5,692,659	\$ 6,004,073	\$ 6,084,072

BUILDING FUND

Building Department

Account Description	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2015 Adopted Budget	FY 2015 Amended Budget
Revenue	\$ 506,370	\$ 673,198	\$ 606,863	\$ 606,863
Expenditure	\$ 496,370	\$ 605,405	\$ 578,383	\$ 585,381
Revenue Over (Under) Expenditures	\$ 10,000	\$ 67,793	\$ 28,480	\$ 21,480
Reserves for Building Fund	\$ 10,000	\$ 67,793	\$ 28,480	\$ 21,480

STREET MAINTENANCE FUND

Streets Maintenance Department

Account Description	FY 2014 Adopted Budget	FY 2014 Amended Budget	FY 2015 Adopted Budget	FY 2015 Amended Budget
Revenue- Motor Fuel Taxes	\$ 109,826	\$ 168,427	\$ 163,448	\$ 163,448
FDOT R-O-W Maintenance	\$ 5,300	\$ 5,294	\$ 5,300	\$ 5,300
Transfer from General Fund	\$ 210,339	\$ 118,356	\$ 210,020	\$ 235,020
Total Income	\$ 325,465	\$ 292,077	\$ 378,768	\$ 403,768
Expenditure	\$ 325,465	\$ 292,077	\$ 378,768	\$ 403,768
Revenue Over (Under) Expenditures	\$ -	\$ -	\$ -	\$ -



NORTH BAY VILLAGE POLICE DEPARTMENT 10B

RECOMMENDATION MEMORANDUM

DATE: November 24, 2014

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

RECOMMENDED BY STAFF/COMMISSIONER:
Frank Rollason, Village Manager 

PRESENTED BY STAFF:
Robert Daniels, Police Chief 

SUBJECT: December 2014 Commission Agenda-Request to Execute Law Enforcement Mutual Aid Agreements.

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Law Enforcement Mutual Aid Agreements with the City of Miami Beach and Miami Shores.

BACKGROUND:

Execution of the agreements will allow for the sharing of law enforcement resources and the rendering of assistance amongst the agencies.

BUDGETARY IMPACT:

There will be no impact to the General Fund

PERSONNEL IMPACT:

North Bay Village Officers will assist the various municipalities should the need arise.

CONTACT:

Robert J. Daniels, Chief of Police

1841 GALLEON STREET, NORTH BAY VILLAGE, FL 33141
MIAMI-DADE COUNTY
PHONE #305-758-2626 FAX #305-866-7513



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MEMORANDUM

North Bay Village

DATE: November 24, 2014

TO: Yvonne P. Hamilton
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, 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 MIAMI BEACH AND MIAMI SHORES VILLAGE; SETTING AN EFFECTIVE DATE.

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

FKR:yph

RESOLUTION NO: _____

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 MIAMI BEACH AND MIAMI SHORES VILLAGE; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, it is the responsibility of the governments of North Bay Village and other municipalities to ensure the safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation.

WHEREAS, North Bay Village and the City of Miami Beach and Miami Shores Village have the authority under Chapter 23, Florida Statutes, Florida Mutual Aid Act to enter into a Mutual Aid Agreements for the rendering of law enforcement assistance.

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 Agreement. The Mutual Aid Agreements between the City of Miami Beach and Miami Shores Village for law enforcement services are 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 agreements.

Section 4. Execution of Agreement. The Village Manager and the Police Chief are authorized to execute the agreements 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 _____ . The votes were as follows:

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this 9th day of December, 2014.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton
Village Clerk

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

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

North Bay Village Resolution: Mutual Aid Agreements with City of Miami Beach and Miami Shores Village.

**VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE
MUTUAL AID AGREEMENT
BETWEEN NORTH BAY VILLAGE, FLORIDA AND
THE CITY OF MIAMI BEACH, FLORIDA**

This Voluntary Cooperation and Operational Assistance Mutual Aid Agreement ("Cooperation Agreement") is made as of this ____ day of _____, 2014 (Effective Date), by and between the CITY OF MIAMI BEACH, FLORIDA, a municipal corporation having its principal office at 1700 Convention Center Drive, Miami Beach, Florida 33139, and North Bay Village, Florida, having its principal office at 1666 Kennedy Causeway, North Bay Village, FL 33141, state as follows:

RECITALS

WHEREAS, it is the responsibility of the governments of North Bay Village, Florida, and the City of Miami Beach, Florida, to ensure the public safety of their respective citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, because of the existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the North Bay Village Police Department or the City of Miami Beach Police Department; and

WHEREAS, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of North Bay Village, Florida, and the City of Miami Beach, Florida; and

WHEREAS, it is to the advantage of each law enforcement agency to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Continuing, multi jurisdiction law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and
- (2) Intensive situations including but not limited to emergencies as defined under Section 252.34 of the Florida Statutes, or requests for certain law enforcement services specified herein and as defined under Section 23.1225 of the Florida Statutes; and

WHEREAS, North Bay Village and the City of Miami Beach have the voluntary cooperation and assistance authority under the Florida Mutual Aid Act, Sections 23.12-23.127 of the Florida Statutes, to enter into this Voluntary Cooperation and Operational Assistance Mutual Aid Agreement ("Cooperation Agreement") for law enforcement service which:

- (1) Permits voluntary cooperation and operational assistance of a routine law enforcement nature across jurisdictional lines as allowed under Section 23.1225, of the Florida Statutes; and
- (2) Provides for rendering of assistance in a law enforcement emergency as defined in Section 252.34 of the Florida Statutes.

NOW THEREFORE, BE IT KNOWN that North Bay Village, Florida, and the City of Miami Beach, Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

SECTION I. PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this Cooperation Agreement whereby each of the agencies may request and render law enforcement assistance to the other in dealing with any violations of Florida Statutes to include, but not necessarily be limited to, investigating sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893 of the Florida Statutes, backup services during patrol activities, and interagency task forces and/or joint investigation as set forth pursuant to, and under the authority of Chapter 23 of the Florida Statutes.

SECTION II. PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this Cooperation Agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from, or disturbances within, prisoner processing facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.
11. Major events, e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
12. Security and escort duties for dignitaries.
13. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene and police information.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Joint training in areas of mutual need.
16. Joint multi-jurisdictional marine interdiction operations.

The following procedures will apply in mutual aid operations:

1. Mutual aid requested or rendered will be approved by the Chief of Police, or designee.

2. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such instructions, personnel will report to the ranking on-duty supervisor on the scene.
3. Communications instructions will be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.
4. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency, or directors involved.

SECTION III. PROCEDURE FOR REQUESTING ASSISTANCE AND LIMITATIONS OF ASSISTANCE

In the event that a party to this Cooperation Agreement is in need of assistance as set forth above, the Chief of Police or his/her designee, shall notify the Chief of Police or his/her designee from whom such assistance is requested. The Chief of Police or authorized agency representative whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.

The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.

Should a law enforcement officer be in another subscribed agency's jurisdiction for matters of a routine nature, such as traveling through the area on routine business, attending a meeting or going to or from work, and a violation of Florida Statutes occurs in the presence of said party, representing his/her respective agency, **HE/SHE SHALL ONLY BE EMPOWERED TO RENDER ENFORCEMENT ASSISTANCE AND ACT IN ACCORDANCE WITH FLORIDA LAW.** Should enforcement assistance be taken, said party shall notify the agency having normal jurisdiction, and upon the latter's arrival, turn the situation over to them and offer any assistance requested, including but not limited to, a follow-up written report documenting the event and the actions taken. This provision, so prescribed in this paragraph, shall not grant general authority to conduct investigations, serve warrants, and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life-threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter and such encounter results in a breach of the peace.

The parties acknowledge that the policy of the Florida Mutual Aid Act is to provide a means to deal with disasters, emergencies, and other major law enforcement problems. This Cooperation Agreement shall not extend police powers beyond the specific additional authority granted by the Legislature in Chapter 23 of the Florida Statutes, which intent was to assure the continued functioning of law enforcement in times of emergencies or in areas where major law enforcement efforts were being thwarted by jurisdictional barriers, and the respective parties, police officers and authority are limited to those instances where the subject matter of the investigation originates inside the municipal city limits.

SECTION IV. COMMAND AND SUPERVISORY RESPONSIBILITY

The personnel and equipment that are assigned by the assisting Agency shall be under the immediate command of a supervising officer designated by the assisting Agency. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

SECTION V. CONFLICTS

Whenever an officer is rendering assistance pursuant to this Cooperation Agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

SECTION VI. HANDLING COMPLAINTS

Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this Cooperation Agreement, the Chief of Police or his/her designee of the requesting agency shall be responsible for the documentation of said complaint to ascertain at a minimum:

1. The identity of the complainant.
2. An address where the complaining party can be contacted.
3. The specific allegation
4. The identity of the employees accused without regard as to agency affiliation.

If it is determined that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

SECTION VII. LIABILITY

Each party engaging in any mutual cooperation and assistance, pursuant to this Cooperation Agreement, agrees to assume full and final responsibility for the acts, omissions or conduct of such party's own employees while engaged in rendering such aid pursuant to this Cooperation Agreement, subject to the provisions of Section 768.28 of the Florida Statutes, where applicable.

SECTION VIII. POWERS, PRIVILEGES, IMMUNITIES AND EXPENDITURES

(a) Employees of North Bay Village and the City of Miami Beach, when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this Agreement, shall pursuant to the provisions of Section 23.127(1) of the Florida Statutes (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.

(b) Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this Cooperation Agreement as set forth above; provided however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.

(c) A party that furnishes equipment pursuant to this Cooperation Agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

(d) The agency furnishing aid pursuant to this Cooperation Agreement shall compensate its appointees/employees during the time such aid is rendered and shall defray the actual travel and maintenance expenses of its employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid.

(e) To the extent provided by applicable law, ordinance, or rule, the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this Cooperation Agreement. The provisions of this section shall apply to paid, volunteer, and reserve employees.

(f) Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

(g) Should North Bay Village receive reimbursement for expenditures from a third party for a mutual aid event covered by this Cooperation Agreement, the City of Miami Beach shall be eligible to receive an equitable reimbursement share for any actual costs or expenses incurred that are directly attributable to the event, provided such costs and expenses are authorized by the third party for reimbursement purposes.

(h) Should the City of Miami Beach receive reimbursement for expenditures from a third party for a mutual aid event covered by this Cooperation Agreement, North Bay Village shall be eligible to receive an equitable reimbursement share for any actual costs or expenses incurred that are directly attributable to the event, provided such costs and expenses are authorized by the third party for reimbursement purposes.

(i) The parties acknowledge that the City of Miami Beach is authorized to pursue any property seized pursuant to the Florida Contraband Forfeiture Act. The City of Miami Beach shall have the exclusive authority to initiate forfeiture proceedings under the Florida Contraband Act for any matters which arise from a mutual aid event that is covered by this Cooperation Agreement. The City of Miami Beach, upon successfully prosecuting a forfeiture action, shall equitably share in those proceeds seized, with North Bay Village, as acceptable by the Chief of Police of the City of Miami Beach and Chief of Police for North Bay Village.

SECTION IX. INSURANCE

Each party shall provide satisfactory proof of liability insurance by one or more of the means specified in Section 768.28(16)(a) of the Florida Statutes (2010), in an amount which is, in the judgment of the governing body of that party, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of notice or actual knowledge of such change.

SECTION X. EFFECTIVE DATE

This Agreement shall take effect upon execution and approval by both parties and shall continue in full force and effect until December 31, 2018. Under no circumstances may this agreement be renewed, amended, or extended except in writing.

SECTION XI. CANCELLATION

Either party may cancel its participation in this Agreement at any time upon delivery of written notice to the other party.

In witness whereof, the parties hereto cause to these presents to be signed on the date specified.

AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2014.

CITY OF MIAMI BEACH, FLORIDA

NORTH BAY VILLAGE, FLORIDA

DANIEL J. OATES
POLICE CHIEF

ROBERT DANIELS
POLICE CHIEF

Date: _____

Date: _____

JIMMY MORALES
CITY MANAGER

FRANK ROLLASON
CITY MANAGER

Date: _____

Date: _____

MAYOR PHILIP LEVINE

MAYOR CONNIE LEON-KROPS

Date: _____

Date: _____

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

YVONNE HAMILTON, VILLAGE CLERK

MUTUAL AID AGREEMENT

Between Miami Shores Village
and the City of North Bay Village

Whereas, because of the existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Miami Shores Police Department or the North Bay Village Police Department; and

Whereas, Miami Shores Village and the City of North Bay Village are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to intensive situations, including, but not limited to, natural or manmade disasters or emergencies as defined under § 252.34, Florida Statutes; and,

Whereas, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the participating municipalities; and,

Whereas, Miami Shores Village and the City of North Bay Village have the authority under § 23.12, Florida Statutes, *et seq.*, the Florida Mutual Aid Act, to enter into a mutual aid agreement for law enforcement service which provides for rendering of assistance in a law enforcement emergency.

NOW, THEREFORE, Miami Shores Village, a Florida municipal corporation, and the City of North Bay Village in consideration for mutual promises to render valuable aid in time of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

SECTION I: SHORT TITLE: Mutual Aid Agreement

SECTION II: DESCRIPTION

Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23 Florida Statutes.

SECTION III: DEFINITIONS

- a. **Joint Declaration:** A document which enumerates the various conditions or situations where aid may be requested or rendered pursuant to this Agreement, as determined by concerned agency heads. Subsequent to execution by concerned agency heads, the joint declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this agreement. Said declaration may be amended or

supplemented at any time by the agency heads by filing subsequent declarations with the clerks of the respective political subdivisions.

- b. Agency or participating law enforcement agency: Either the Miami Shores Police Department or the North Bay Village Police Department.
- c. Agency Head: Either the Chief of the Miami Shores Police Department, or Chief's designees; and the Chief of the North Bay Village Police Department, or the Chief's designees.
- d. The participating police department: The police department of any municipality in the State of Florida that has approved and executed this Agreement upon the approval of the governing body of that municipality.
- e. Certified law enforcement employee: Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

SECTION IV: OPERATIONS

- a. In the event that a party to this agreement is in need of assistance as set specified in the applicable joint declaration, an authorized representative of the agency requiring assistance shall notify the agency head or his/her designee from whom such assistance is requested. The agency head or authorized agency representative whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors if necessary, and will respond in a manner he/she deems appropriate.
- b. The agency head in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates. The agency head's decision in these matters shall be final.
- c. Each party to this Agreement agrees to furnish necessary personnel, equipment, facilities and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which caused the request; provided, however, that no party shall be required to unreasonably deplete its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid, as determined by the furnishing party.
- d. The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency. However, each employee shall also be subject to the personnel rules, regulations, procedures, and policies applicable to his or her employing agency.

- e. The personnel and equipment that are assigned by the assisting agency head shall be under the immediate command of a supervising officer designated by the assisting agency head. Such supervising officer shall be under the direct supervision and command of the agency head or his/her designee of the agency requesting assistance.
- f. Whenever an officer or other employee is rendering assistance pursuant to this agreement, the officer or employee shall abide by and be subject to the rules and regulations, personnel policies, general orders and standard operating procedures of his/her own employing agency. If any such rule, regulation, personnel policy, general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, personnel policy, general order or procedure shall control and shall supersede the direct order.
- g. Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the agency head or his/her designee of the requesting agency shall be responsible for the documentation of said complaint to ascertain at a minimum:
 - 1. The identity of the complainant.
 - 2. An address where the complaining party can be contacted.
 - 3. The specific allegation.
 - 4. The identity of the accused employee(s) without regard to agency affiliation.

If it is determined that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency head or his/her designee of the assisting agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

SECTION V: POWERS, PRIVILEGES, IMMUNITIES, COSTS

- a. All employees of the participating police department, including certified law enforcement employees as defined in Chapter 943, Florida Statutes, during such time that said employees are actually providing aid outside of the jurisdictional limits of the employing municipality pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the provisions of Chapter 23, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.
- b. The political subdivision having financial responsibility for the law enforcement agency providing services, personnel, equipment, or facilities pursuant to the provisions of this

Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.

- c. The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to this Agreement, during the time of the rendering of such aid, and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.
- d. All exemptions from ordinance and rules, and all pension, insurance, relief, disability, workers' compensation salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency, when performing their respective functions within the territorial limits of their respective agencies, shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extraterritorially under the provisions of the Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.
- e. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.
- f. Nothing in this agreement is intended or is to be construed as any transfer or contracting away of the powers or functions of one party hereto to the other.
- g. This agreement creates no rights or benefits in favor of any third parties and there are no intended third party beneficiaries with regard to the provisions herein.

SECTION VI: INDEMNIFICATION

- a. The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement, agrees to hold harmless, defend, and indemnify the requesting law enforcement agency and its political subdivision in any suit, action or claim for damages resulting from any and all acts or conduct of employees of said providing agency while providing aid pursuant to this Agreement, subject to Chapter 768, Florida Statutes, where applicable.
- b. Each party engaging in any mutual cooperation or assistance, pursuant to this agreement, agrees to assume responsibilities for the acts, omissions, or conduct of such party's own employees while engaged in rendering aid pursuant to this Mutual Aid Agreement, subject to the provisions of § 768.28, Florida Statutes, where applicable.

- c. Each party shall provide satisfactory proof of liability insurance or self insurance by one or more of the means specified in § 768.28(15)(a), Florida Statutes, in an amount which is, in the judgment of the governing body of that party, at least adequate to cover the risk to which that party may be exposed. Should insurance coverage, however provided, of any party be cancelled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of notice or actual knowledge of such change.

SECTION VII: FORFEITURES

- a) In the event that a participating agency seizes any real property, vessel, motor vehicle, aircraft, currency or other property pursuant to the Florida Contraband Forfeiture Act during the performance of this agreement, the agency requesting assistance in the case of requested operational assistance and the seizing agency in the case of voluntary cooperation shall be responsible for maintaining any forfeiture action pursuant to Chapter 932, Florida Statutes. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property in accordance with Chapter 932, Florida Statutes, to include, but not be limited to, the complete discretion to bring the action or dismiss the action.
- b) All proceeds from forfeited property seized as a result of or in accordance with this agreement shall be divided in proportion to the amount of investigation and participation performed by each agency, less the costs associated with the forfeiture action.

SECTION VIII: CONFLICTS

Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23 Florida Statutes.

SECTION IX: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until January 1, 2020. Under no circumstances may this agreement be renewed, amended, or extended except in writing.

SECTION X: CANCELLATION

Any party may cancel its participation in this agreement upon sixty (60) days written notice to the other party or parties. Cancellations will be at the discretion of any subscribing party.

IN WITNESS WHEREOF, the parties hereto cause these presents to be signed on the date specified.



Thomas Benton
Village Manager
Miami Shores Village, FL

Frank Rollason
City Manager
City of North Bay Village

Date: 10-17-14

Date: _____

Attest:

Attest:

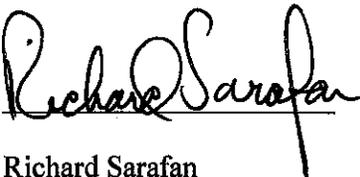


Barbara Estep
Village Clerk
Miami Shores Village, FL

Yvonne Hamilton
City Clerk
City of North Bay Village

Approved as to form
and legal sufficiency:

Approved as to form
and legal sufficiency:



Richard Sarafan
Village Attorney
Miami Shores Village, FL

Joseph Geller
City Attorney
City of North Bay Village

Filing the mutual aid agreement: section 23.1225(4), Florida statutes, requires the filing of a copy of the signed mutual aid agreement with FDLE within 14 days after signature. Filing may be accomplished by either mailing to FDLE, P.O. Box 1489, Tallahassee, FL 32302, attention: mutual aid, or fax to 904-488-1760.

JOINT DECLARATION OF THE CHIEF OF THE
MIAMI SHORES POLICE DEPARTMENT
AND THE CHIEF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT
PURSUANT TO MUTUAL AID AGREEMENT

A police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

- participating in law enforcement activities that are pre-planned and approved by each respective agency head or his/her designee; or
- appropriately dispatched in response to a request for assistance from the other law enforcement agency; or
- spontaneous response where assistance or aid is apparent (see #9 below)

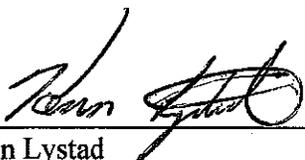
In compliance with, and under the authority of, the Mutual Aid Agreement, heretofore entered into by Miami Shores Village and the City of North Bay Village, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time, as needs dictate by subsequent declarations.

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes and strikes.
3. Any natural, technological or man-made disaster.
4. Incidents which require rescue operations, crowd and traffic control measures, including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from or disturbances within detention facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing persons calls.

9. Participating in exigent situations without a formal request which are spontaneous occurrences such as area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners. Traffic stops near municipal boundaries, request for back-up assistance and no local unit is available or nearby, calls or transmissions indicating an officer is injured, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
10. Enemy attack.
11. Transportation of evidence requiring security.
12. Major events; e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
13. Security and escort duties for dignitaries.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene, marine patrol, and police information.
16. Joint training in areas of mutual need.

DATE: 10/15/2014

DATE: _____


 Kevin Lystad
 Chief of Police
 Miami Shores Police Department

 Robert Daniels
 Chief of Police
 North Bay Village Police Department

ATTEST:

 Village Clerk

ATTEST:

 City Clerk

**North Bay Village**

Administrative Offices

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

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

**NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM****DATE: December 9, 2014****TO: Mayor Connie Leon Kreps
Vice-Mayor Jorge Gonzalez
Commissioner Dr. Richard Chervony
Commissioner Wendy Duvall
Commissioner Eddie Lim****RECOMMENDED BY: Connie Leon-Kreps, Mayor****PRESENTED BY STAFF: Frank K. Rollason, Village Manager
Lakeesha Morris, Grant Writer****SUBJECT: Communities for a Lifetime Designation****RECOMMENDATION:**

It is recommended that the Village Commission approve the attached Resolution in support of North Bay Village becoming a "Communities for a Lifetime (CFAL)" municipality.

BACKGROUND:

On Wednesday, November 19, 2014, Village Staff met with Ms. Janine Rogers of the Florida Department of Elder Affairs to discuss the benefits of North Bay Village joining the Communities for a Lifetime initiative.

Communities for a Lifetime is a statewide initiative, begun in 1999, which assists Florida cities, towns and counties in planning and implementing improvements that benefit residents of all ages. The goal of the initiative is to help Florida communities become better places for elders to live and providing all residents the opportunity to contribute to the betterment of their communities. The ongoing process of self-assessment and improvement can help a community achieve the following goals:

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

- To create an inventory of services and opportunities that promote the independence and quality of life for older adults in the community
- To initiate partnerships to promote the development of senior friendly community amenities

The benefit of becoming a CFAL community is that the Village will begin to look at its current level of service and identify what resources are needed in order to ensure that residents are able to age in place with dignity, security and purpose. Examples of activities include; coordination of transportation, universal home designs and neighborhood interaction, improved access to social services and recreation, effective community planning that includes mixed-use development. These all serve to ensure that North Bay Village remains a place where people live, work, learn, shop and play.

BUDGETARY IMPACT:

There is no budgetary impact at this time.

PERSONNEL IMPACT:

The first step in becoming a CFAL Community is to adopt a Resolution and then begin to seek community input regarding services and resources that may benefit them. Village Staff will host a series of public input meetings to identify the needs of the community. This may also include establishing a CFAL Committee of resident volunteers.

CONTACT:

LaKeesha Morris, MSW
Village Grant Writer



North Bay Village

Administrative Offices

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

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

MEMORANDUM

North Bay Village

DATE: November 24, 2014

TO: Yvonne P. Hamilton
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 Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF ELDER AFFAIRS COMMUNITIES FOR A LIFETIME INITIATIVE; PROVIDING FOR INSTRUCTIONS TO THE VILLAGE CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

CLK:yph

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF ELDER AFFAIRS COMMUNITIES FOR A LIFETIME INITIATIVE; PROVIDING FOR INSTRUCTIONS TO THE VILLAGE CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, North Bay Village supports the Florida Department of Elder Affairs' Communities for a Lifetime initiative to make Florida a friendlier place to live for people of all ages, so that they may be as independent as long as possible, and remain in their homes and in the communities they love; and

WHEREAS, the State of Florida has the highest percentage of elders of any state in the nation, and our elder population will continue to increase; and

WHEREAS, in order to allow all residents to maintain their dignity, security and independence, communities must evaluate, assess and modify their infrastructures to create a Community for a Lifetime; and

WHEREAS, North Bay Village and the Florida Department of Elder Affairs share the vision and responsibility to improve the life of all citizens so they can prepare for and enjoy aging in place throughout their life; and

WHEREAS, in order to achieve our mutual goals, cities and counties should begin to build together a place free of physical, emotional and social barriers.

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

Section 1. **Adoption of Representations.** The foregoing whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. **Expression of Support.** The Village hereby supports all efforts made by the Florida Department of Elder Affairs' Communities for a Lifetime to remove barriers that prevent older adults from being able to remain as independent as long as possible, remain in their homes and in the communities that they love.

Section 3. **Instructions to the Village Clerk.** The Village Clerk is hereby directed to send a copy of this Resolution to the Florida Department of Elder Affairs.

Section 3. Effective Date. That 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 AT ADOPTION:

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

PASSED AND ADOPTED this 9th day of December, 2014.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton
Village Clerk

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

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

North Bay Village Resolution Supporting The Florida Department of Elder Affairs Communities for Lifetime Initiative.

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 93 OF THE VILLAGE CODE ENTITLED "FIRE PREVENTION," TO REQUIRE KNOX BOXES AT NEW COMMERCIAL BUILDINGS, EXISTING COMMERCIAL BUILDINGS, NEW RESIDENTIAL BUILDINGS, AND EXISTING RESIDENTIAL BUILDINGS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, North Bay Village has determined that the health, safety, and welfare of the citizens and business owners of the Village are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the North Bay Village Police Department in gaining access to the structure, when the same is not occupied or when the occupants are unable to grant ingress to the Police Department; and

WHEREAS, the benefits of installing Knox Boxes include providing immediate emergency access to police officers leading to increasing police department efficiency; preventing costly forced entry damage and allowing undamaged doors to be re-secured after the emergency; and protecting property, inventory, equipment and supplies, as well as police officers against possible injuries; and

WHEREAS, an ordinance is necessary to require commercial and residential buildings to install Knox Boxes.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, THAT CHAPTER 93, FIRE PREVENTION, BE AMENDED AS FOLLOWS:

Section 1:

§93-06. Knox Box. For commercial, residential and other locations with restricted access through locked gates.

A. Purpose. The Commission of North Bay Village, Florida has determined that the health, welfare, and safety of the citizens and business owners of North Bay Village are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the North Bay Village Police Department in gaining access to or within a structure, when responding to calls for emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry due to being unoccupied or if the occupants are unable to respond.

B. Definitions.

1. "Commercial Structure" means any building with more than 50 percent of its floor space used for commercial activities, including the sale of products or services.
2. "Knox Box" means a secure rapid entry system used by Police Department Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner provided key(s). All boxes shall be UL (Underwriters Laboratories) certified and approved by the Village's Chief of Police.
3. "Multi-Family Residential Structure" means a structure comprised of 3 or more units used primarily for a dwelling house.

C. Knox Box Required for New Commercial Structures. All new commercial buildings shall have installed a Knox Box 3200 Series in a location specified by the Village's Chief of Police prior to the issuance of the Certificate of Occupancy.

D. Knox Box Required for Existing Commercial Structures. All existing commercial buildings equipped with automatic fire detection and/or suppression system shall have installed a Knox Box 3200 Series in a location specified by the Village's Chief of Police within six (6) months of the effective date of this Ordinance.

E. Knox Box Required for Multi-Family Residential Structures. All multi-family residential structures that have restricted access through gates or doors and have a common corridor for access to the living units shall have installed a Knox Box 3200 Series or 1650 Series in a location specified by the Village's Chief of Police within six (6) months of the effective date of this Ordinance.

F. **Knox Box Contents.** All Knox Boxes shall contain labeled keys, easily identified in the field to provide access into the property and/or building, and to any locked areas within the said building as the Village's Chief of Police may direct. The operator of the building shall immediately notify the Chief of Police or Building Official when any locks are added, changed or rekeyed, which cannot be opened by the current key set in the Knox Box. Additional keys should be added to the Knox Box immediately. The contents of the Knox Box should include (but not limited to) the following:

1. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.
2. Building Access Cards, as needed, or combinations to locks, if needed.
3. Keys to any other areas as requested by the Chief of Police or Building Official.

G. **Installation and Location.** All Knox Boxes shall be recess mounted into the building/structure at a height of not less than six (6) feet above the ground (surface grade) nor more than eight (8) feet above the ground (surface grade). The "face plate" of the Knox Box shall be flushed with the exterior façade of the structure/building. All Knox Boxes shall be located directly above (or as close as reasonably possible to) the main entrance to the structure/building.

H. **Police Department Responsibilities.** Every police department personnel shall carry a Knox Box Master Key, readily available for an emergency scene.

I. **Penalties.**

1. Any property or building owner failing to comply with, or in violation of, the terms of this Ordinance after notice from the Village's Chief of Police shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent North Bay Village or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

2. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such constitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance.

Section 2: If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3: All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 4: This Ordinance shall take effect after final passage and publication according to law.

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

THE VOTES WERE AS FOLLOW:

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 _____.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

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

North Bay Village Ordinance: Knox Box.



North Bay Village

Administrative Offices

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

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

MEMORANDUM

North Bay Village

DATE: November 18, 2014

TO: Yvonne P. Hamilton
Village Clerk

FROM: Frank K. Rollason
Village Manager 

SUBJECT: Introduction of Ordinance

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

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 93 OF THE VILLAGE CODE ENTITLED "FIRE PREVENTION," TO REQUIRE KNOX BOXES AT NEW COMMERCIAL BUILDINGS, EXISTING COMMERCIAL BUILDINGS, NEW RESIDENTIAL BUILDINGS, AND EXISTING RESIDENTIAL BUILDINGS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

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

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village PUBLIC MEETING NOTICE

North Bay Village will be hosting a public meeting on December 9, 2014 during the Regular Commission Meeting at 7:30 p.m. at 1666 Kennedy Causeway, Suite 101, North Bay Village, FL.

The purpose of the meeting is to discuss the Village's intent to apply for a United States Environmental Protection Agency Brownfield Cleanup Grant to ensure the safety of the future site of the Village Hall Building. The public is invited and encouraged to attend. A copy of the draft proposal and Analysis of Brownfield Cleanup Alternatives (ABCA) will be posted on the Village website for public review and comment prior to the meeting. Any interested parties may contact Village Hall at (305) 756-7171 for information.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this meeting 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 meeting.

Yvonne Hamilton, CMC
Village Clerk

Aventura Real Estate Inc.™ Per 7/1/05
 (305) 931-5550
 2979 Aventura Blvd., Aventura, FL 33180
 Established in 1976

Commodore Plaza Condo: 2/2
 2750 N.E. 183rd Street - #2111 - Aventura
 Spectacular Views; Great Value; Location & Opportunity to Customize
\$249,000

Winston Tower 300: 2/2
 230 174th Street - #412
 Large Corner Unit not often on the market; Great Value, walk to beach, shops and restaurants
\$350,000

Highland Lakes House: 4/2
 2045 N.E. 201 Terrace - N. Miami Beach
 Perfect Family Home Large Kitchen; Pool; 24 Hr Security
\$639,000

Sayan Condo: 2/2.5
 16275 Collins Ave - #1902 - Sunny Isles
 Luxury Property; Ocean front; Beach attendant; Split bedroom floorplan; Private elevator;
 Full State of the Art Amenities; Also available for rent
\$1,200,000

St. Tropez 1 Condo: 3/2
 150 Sunny Isles Blvd - #1101 - Sunny Isles
 Panoramic views of Sunrise and Sunset are the best from this luxury unit overlooking
 the Atlantic Ocean, Haulover Beach, Intracoastal and Downtown Miami. Ocean Front;
 Beach attendant; also available for rent
\$1,250,000

Peninsula 1: 2+Den / 3.5
 3201 N.E. 183rd Street - #2805 - Aventura
 Breath taking ocean & intracoastal views from both balconies; Marble & Wood floors throughout;
 Top of the line appliances; In-Unit Laundry Room; Private elevator, close to 3,000 SqFt.
\$1,295,000

Jonathan Lief, Owner/ Broker
 305-586-2207 Cell
 jonathan@aventurarealestateinc.com
 ASK ABOUT OUR NEW DEVELOPMENT INCENTIVE PLAN
WWW.AVENTURAREALSTATEINC.COM

CITY OF NORTH MIAMI BEACH PARKS & R.E.C.
 IN CONJUNCTION WITH THE NORTH MIAMI BEACH POLICE DEPARTMENT

SNOW FEST

AND COMMUNITY SAFETY DAY PARADE

A FREE FAMILY EVENT

**SATURDAY
 DECEMBER 13
 6:00PM - 11:00PM**

**SNOW MOUNTAIN • ICE SKATING • MUSIC
 RIDES • SLIDES • FOOD FOR SALE • RAFFLES
 ARTS & CRAFTS • AND MORE!**

**ALONG
 NE 19TH AVENUE BETWEEN
 168TH AND 172ND STREETS**

FOR MORE INFORMATION CALL (305) 948-2957



Staff Report Special Use Exception

Prepared for: North Bay Village
Commission

Applicant: 7940 West Dr, LLC

Site Address: 7938 & 7940 West Drive

Request: Special exception for up to twenty percent
of required parking spaces designated for
compact vehicles



Larrie Planning
& Management Services, Inc.

1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Applicant:	7940 West Dr LLC
Applicant Address:	1548 Brickell Ave, Miami Fl. 33131
Site Address:	7938 & 7940 West Drive
Contact Person:	Javier Lluch
Applicant Phone Number:	786-280-4280
E-mail Address	javierlluch@gmail.com

Future Land Use	High Density Multi-family Residential
Zoning District	RM-70
Use of Property	Vacant
Acreage	33,600 sq ft

Legal Description of Subject Property

LOTS 38, 40, AND 42 "HARBOUR ISLAND: ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, AT PAGE 72, PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

Request

The applicant is requesting a special use exception pursuant to Sections 152.042(E) and 152.098 of the North Bay Village Code of Ordinances to allow up to twenty (20) percent of the development's required parking spaces to be designed specifically for compact vehicles.

General Description

The proposed site plan for the condominium development shows 29 of the 160 parking spaces to be designed for compact vehicles.

Consistency with Comprehensive Plan

The request for compact spaces, if approved for this site plan, is consistent with the Village's Comprehensive Plan, and the provision of safe on-site traffic flow as per Transportation Policy 3.2.7.



Consistency with Special Use Exception Standards

Allowing up to twenty percent of the required parking spaces to be compact spaces would not "substantially affect adversely the uses permitted in these regulations of adjacent property".

Planning & Zoning Board Recommendation

The North Bay Village Planning and Zoning Board recommended approval of the use of compact parking spaces for up to 20% of the required parking spaces by a vote of 4-0 on October 21, 2014.

Staff Recommendations

Staff finds that the request is consistent with Sections 152.042(E) and 152.098 in that this special use exception will not adversely affect the uses permitted in the regulations of adjacent properties.

Staff recommends **approval** of this request for the parking spaces designated for compact vehicles contingent upon a positive approval of a site plan for this development.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

November 3, 2014

Hearing: North Bay Village Commission, November 11, 2014





Staff Report Site Plan

*Prepared for: North Bay Village
Commission*

Applicant: 7940 West Dr, LLC

Site Address: 7938 & 7940 West Drive

*Request: Site Plan Approval for
Multi-family residential building
(condominium)*



Serving Florida Local Governments Since 1988

General Information

Applicant:	7940 West Dr LLC
Applicant Address:	1548 Brickell Ave, Miami Fl. 33131
Site Address:	7938 & 7940 West Drive
Contact Person:	Javier Lluch
Applicant Phone Number:	786-280-4280
E-mail Address:	javierlluch@gmail.com

Future Land Use:	High Density Multi-family Residential
Zoning District:	RM-70
Use of Property:	Vacant
Acreage:	33,600 sq ft

Legal Description of Subject Property

LOTS 38, 40, AND 42 "HARBOUR ISLAND: ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, AT PAGE 72, PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

Request

The applicant is requesting:

1. Density bonus review in conjunction with site plan approval pursuant to Section 152.029(C)(8)(H) of the North Bay Village Code of Ordinances.
2. Special exception request for use of compact parking, as per Section 152.042(E).
3. Site plan approval pursuant to Section 152.105(C)(9) of the North Bay Village Code of Ordinances for development of a 54 unit, 15 story multi-family condominium structure in the RM-70 (high density multiple-family residential) zoning district. The applicant is submitting a site plan for review under Section 152.0296. This Section provides for flexibility in design, in regard to setbacks, parking and other development factors.



Consistency with Comprehensive Plan

The multifamily residential use is consistent with the description of the Residential Future Land Use category under Policy 2.1.1a of the Future Land Use Element.

Adjacent Land Use Map Classifications and Zoning District

North	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-70
	Existing Land Use	Condominiums
East	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-70
	Existing Land Use	Condominiums
South	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-70
	Existing Land Use	Condominiums
West	Future Land Use	Water
	Zoning District	Water
	Existing Land Use	Biscayne Bay

Adequacy of Public Facilities

Traffic Analysis

We have reviewed the Traffic Study prepared by KBP Consulting, Inc. for the proposed 54-unit high-rise residential condominium development. The Study used Institute of Traffic Engineers (ITE) factors in determining the peak hour traffic generation associated with the proposed use. Based on the ITE factors, the proposed project will generate 45 and 34 peak-hour trips in the AM and PM peak hours, respectively.

When added to the remaining available capacity of Kennedy Causeway and the traffic generation of projects approved but not as yet built, the vehicular traffic associated with the proposed project will not reduce the Level of Service on the roadway below the Village's adopted Level of Service Standard (LOSS) for traffic concurrency of "D".

Water and Sewer Analysis

The applicant has provided evidence that the existing facilities have sufficient capacity or that capacity will be expanded to accommodate the proposed development.



Comparison of Submitted Site Plan With Land Development Regulations

Section	Regulation	Required	Provided
Comprehensive Plan Future Land Use Policy 2.1.1a	Maximum density	70 dwelling units per acre	70 dwelling units per acre
North Bay Village LDC			
152.029(C)(3)	Required lot area per dwelling unit	Unit type	Lot area/unit
		Efficiency	620
		1-br	620
		2-br	685
		3-br	750
		$20 \times 685 = 13,700$ $34 \times 750 = 25,500$ $13,700 + 25,500 =$ $39,200$	39,200 > 33,600 Applicant purchasing bonus density
152.029(C)(5)	Minimum pervious area	20% of total parcel $20\% \text{ of } 33,600 = 6,720$ sq ft	14,250 sq ft
152.029(C)(7)	Baywalk/boardwalk requirement	A public access boardwalk must be provided along shoreline and access to that boardwalk must be provided with a walkway from the ROW. Dedicated easements shall be recorded for the boardwalk and access corridors.	Provided
152.0296(D)(2)	Minimum lot area	Property shall contain at least one legally platted lot for the construction of no less than 10 residential units and 20 parking spaces (off-street), or two, but not more than three, platted lots contiguous	Lot is 33,600 sq ft and is of adequate size to build at least 10 dwelling units.



Section	Regulation	Required	Provided
152.0296(D)(3)	Unity of title	If property consists of two or more lots, unity of title shall be submitted	Has not yet been submitted
152.0296(D)(4)a	FAR	Total gross area of a building or buildings, excluding parking garage structure, on any lot divided by the area of the lots. No structure shall contain a FAR of greater than 3.0 for one lot; 3.75 for two lots; and 4.00 for three lots. <u>Allowed up to 134,400 SF of GFA.</u>	118,552 sq ft of GFA
152.0296(D)(4)c	Amenities sq ft restriction	No more than one-half of a floor area used for amenities can be allocated for dwelling units	In compliance



Section	Regulation	Required	Provided
152.0296(D)(4)d	Maximum building height	No structure shall exceed 170 feet in overall height above base flood elevation (BFE) including all structures for stairways, storage, mechanical, elevator, recreational uses, et cetera. The total area of these uses shall not exceed 30 percent of the footprint of the last residential floor. Moreover, an elevator shaft may exceed 160 feet in height based on evidence of necessity as a result of requirements for elevator construction. The roof of any residential dwelling unit shall not be higher than 150 feet from BFE.	Last residential roof is 150 ft above BFE. Overall height of all structures (including mechanical equipment) will be no more than 170 ft.
152.0296(E)	Uses permitted	Multifamily residential and recreational facilities ancillary thereof	In compliance
152.0296(F)(1)a	Minimum front pedestal setback	20 ft	25 ft
152.0296(F)(1)b	Minimum front tower setback	25 ft	25 ft
152.0296(F)(1)c	Minimum rear pedestal and tower setback	25 ft	25 ft
152.0296(F)(1)d	Minimum pedestal side setbacks	10 ft	South side is 10 ft North side is 15 ft
152.0296(F)(1)d	Minimum tower side setbacks	15 ft on one side. 20% of frontage on the other side	South side is 48 ft, stepping back to 71 ft North side is 15 ft



Section	Regulation	Required	Provided
152.0296(F)(2)	Flex setback	<p>The total floor area of encroachment (which shall exclude a maximum of 25 percent of the total square footage of all the balconies on the plan), into the setbacks must be adjusted by deducting it from the buildable "box" allowed under the standard setback regulations provided below and in no instance is the designer allowed to build more area per floor than what is permitted under this buildable box, and in no instance may any wall length which encroaches into any side yard setback be longer than one-third of the length of a wall (which shall not include balconies with railings or other physical containment which do not exceed 42 inches in height) which is permitted under the buildable box and the standard setback regulations provided below. The length of wall measurement shall be made at the point of maximum encroachment into the flex setback area.</p>	In compliance



Section	Regulation	Required	Provided
152.0296(F)(3)	Maximum building height	No structure shall exceed 150 feet from base flood elevation to the roof of the last residential floor and 160 feet for the overall height of the structure, as defined in section (4)d. further provided, no pedestal shall exceed 30 feet in height.	Last residential roof is 150 ft above BFE. Overall height of all structures (including mechanical equipment) will be no more than 170 ft. Pedestal is 27 ft high
152.0296(F)(4)a	Minimum number of parking spaces	Off-street parking shall be required on a basis of two spaces per residential unit, and such other requirements as defined in section 152.042 except as defined herein. 54 x 2 = 108	160 total parking spaces provided
152.044(A)(2)	Minimum number of guest parking spaces	10% of total required spaces 10% of 108 = 11	
152.0296(F)(4)b	Parking screening	All parking spaces must be screened from ground level view.	In compliance
152.0296(F)(5)	Minimum parking space dimensions	Standard spaces shall be at least 9 by 18 feet. Parallel parking spaces shall be at least 9.5 by 21 feet.	Provided
152.0296(F)(5)	Minimum parking aisles width	90 degree parking aisles shall be at least 22 feet wide.	Provided
152.0296(F)(5)	Minimum number of handicap parking spaces	Not less than two percent of required parking spaces shall be allocated for handicapped usage. 2% of 119 = 3	8 handicap accessible spaces provided



Section	Regulation	Required	Provided
5.2.2(a)(3)	Minimum handicapped parking space dimensions	Must comply with all applicable accessibility standards	Provided
ADA Requirement	Minimum number of handicapped spaces	4	8
5.2.2(a)(2)	Minimum compact parking space dimensions	8 ft by 16 ft	Provided
152.042(E)	Maximum number of compact parking spaces	20% of total required <u>20% of 119 = 23</u>	Out of the 160 total parking spaces 29 are compact spaces. Since there is a surplus of 41 parking spaces, it is permissible to have 6 additional compact spaces.
152.0296(F)(6)	Provision for entrance feature	A covered/sheltered entrance feature shall be permitted to the front property line. Fourteen feet of vertical clearance shall be provided. If loading spaces are provided at this location, 14½ feet of vertical clearance shall be provided. Columns may be provided to support porte cochere.	Provided



Section	Regulation	Required	Provided
152.0296(F)(7)	Balconies	<p>Exterior balconies/terraces and covered walkways excluding rooftops and other non-covered areas may extend into setbacks a maximum of 25 percent of the allowable setback measurement but may not extend beyond the pedestal setback. Balconies projecting into setbacks shall be deemed as encroachments herein, but shall not be calculated as part of the floor area ratio. Notwithstanding anything herein to the contrary, in no event shall the total square footage of balconies exceed more than 25 percent of the total square footage of the buildable box.</p>	In compliance



Section	Regulation	Required	Provided										
152.0296(F)(8)	Landscaping	A minimum of 30 percent of the exposed roof deck of the pedestal and any open areas with amenities shall be landscaped, and in addition "hardscape" (pavers, fountains, awnings, etc.) may be permitted if approved by the Village. An applicant shall be required to submit a detailed landscape plan to the Village. The landscape plan shall be sensitive to surrounding properties and shall be utilized to enhance the subject property.											
152.0296(F)(9)	Minimum unit size	<table border="1"> <thead> <tr> <th>Unit type</th> <th>Floor Area sq ft</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>600</td> </tr> <tr> <td>1-br</td> <td>900</td> </tr> <tr> <td>2-br</td> <td>1,200</td> </tr> <tr> <td>3-br</td> <td>1,350</td> </tr> </tbody> </table>	Unit type	Floor Area sq ft	Efficiency	600	1-br	900	2-br	1,200	3-br	1,350	In compliance
Unit type	Floor Area sq ft												
Efficiency	600												
1-br	900												
2-br	1,200												
3-br	1,350												
152.042(K)	Minimum setback of ROW from parking spaces	20 ft	In compliance										
152.042(M)	Minimum separation of parking from walkways and streets	Parking spaces shall be separated from walkways, sidewalks, streets, or alleys by an approved wall, fence, curbing, or other protective device	In compliance										
152.042(P)	Back-out parking prohibition	Parking spaces shall be designed so that no vehicle shall be required to back into a public ROW to obtain egress	Provided										
152.045(B)	Minimum loading space dimensions	12 ft by 30 ft, and at least 14.5 ft of vertical clearance	Provided										



Section	Regulation	Required	Provided										
152.045(C)	Loading space joint usage	Loading spaces for two or more uses may be collectively provided if so located as to be usable by all.	N/A										
152.045(E)	Loading and standard parking space restriction	No areas supplied to meet required off-street parking facilities may be utilized to meet the requirements for loading spaces.	In compliance										
152.045(F)(2)	Minimum number of loading spaces for multi-family	<table border="1"> <thead> <tr> <th>Gross floor area</th> <th>Spaces</th> </tr> </thead> <tbody> <tr> <td><25,000</td> <td>0</td> </tr> <tr> <td>25,000-50,000</td> <td>1</td> </tr> <tr> <td>50,000-100,000</td> <td>2</td> </tr> <tr> <td>>100,000</td> <td>3</td> </tr> </tbody> </table> <p>GFA is over 100,000 sq ft. 3 load spaces required</p>	Gross floor area	Spaces	<25,000	0	25,000-50,000	1	50,000-100,000	2	>100,000	3	3 loading spaces
Gross floor area	Spaces												
<25,000	0												
25,000-50,000	1												
50,000-100,000	2												
>100,000	3												
155.18(A)3	Dumpster screening	Dumpster enclosures shall be designed in a manner as to visually screen the dumpster from adjacent view and shall be located in visually obscure areas of the site.	Provided										
155.18(A)4	Dumpster placement	Dumpster enclosures shall be placed in such a manner as to allow front end loader sanitation trucks to pick up garbage in a forward motion. Backing out the sanitation truck is prohibited	Provided										



Section	Regulation	Required	Provided
155.18(A)5	Mechanical equipment screening	Roof-mounted mechanical equipment and elevator shafts shall be screened by a parapet wall or grilles, and shall be painted in muted colors or match the building and shall not be visible from the street.	Plans state that roof equipment will be screened.
155.18(A)7	Mechanical equipment screening	Service bays, ground mounted air conditioning units, and other mechanical equipment shall be screened from public and on-site pedestrian view, and buffered.	In compliance
Appendix D	Required benches along bay walk	Benches shall be provided at a minimum of 2.5 ft sections of bench per 100 ft of linear shoreline	Provided
Miami-Dade Landscaping Chapter 18A			
18A-4(C)	Vegetative survey	A vegetation survey shall be provided for all sites at the same scale as the landscape plan.	Not yet provided
18A-4(D)	Irrigation plan	An Irrigation Plan shall be submitted. Where a landscape plan is required, an irrigation plan shall be submitted concurrently.	Not yet provided
18A-6(A)(5)	Maximum lawn area	40% of lot area, less the area covered by buildings	No sod will be used



Section	Regulation	Required	Provided
18A-6(C)(1)	Tree height	Except street trees, all trees shall be a minimum of 10 ft high with a minimum of 2 inch caliper, except that 30% of the tree requirement may be met by native species with a minimum height of 8 ft.	All trees provided meet this requirement.
18A-6(C)(2)	Street trees	Street trees shall be provided along all roadways at a maximum average spacing of 35 feet on center (25' for palms). <u>With 240 linear foot of frontage, either 7 trees or 10 palms are required.</u>	5 street trees 4 palms (which are only 6' to 7' tall, not meeting minimum height requirement)
18A-6(C)(3)	Trees under power lines	Where overhead power lines require low growing trees, street trees shall have a minimum height of 8 ft and a maximum average spacing of 25 feet on center.	A power line is present along the ROW. Applicant must adjust landscape plan for this
18A-6(C)(4)	Palms	Palms which are spaced no more than 25 feet on center and have a 14 foot minimum height or 4 inches minimum caliper diameter may count as a required tree.	24 palms meet this minimum size.
18A-6(C)(5)	Number of required trees	28 trees per acre required in multi-family residential zoning categories <u>28 x 0.77 = 22 required trees</u>	22 trees



Section	Regulation	Required	Provided
18A-6(C)(11)	Limitations on required trees	<p>At least 30% shall be native species.</p> <p>At least 50% shall be low maintenance and drought tolerant.</p> <p>Of the required trees, no more than 30% shall be palms</p>	<p>In compliance.</p> <p>This requirement has been met by native trees.</p> <p>In compliance.</p>
18A-6(C)(12)	Limitations on required trees	80% of required trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.	In compliance.



Section	Regulation	Required	Provided
18A-6(D)(1)	Shrubs	<p>All shrubs must be a minimum of 18 inches at time of planting.</p> <p>10 shrubs are required for each required tree.</p> <p>30% shall be native species</p> <p>50% shall be low maintenance and drought tolerant</p> <p>80% of required shrubs shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.</p>	<p>All required shrubs are at least 18 inches.</p> <p>In compliance</p> <p>In compliance</p> <p>In compliance</p> <p>This requirement has been met.</p>



Section	Regulation	Required	Provided
18A-6(H)	Use buffers	<p>Where dissimilar land uses exist on adjacent properties, that area shall be provided with a buffer consisting of trees spaced to a maximum average of 35-foot on center with shrubs which normally grow to a height of 6 feet, or a 6 foot wall with trees, within a 5 foot wide landscape strip.</p> <p>Shrubs shall be a minimum of 30 inches high and planted at a maximum of 36 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	<p>Buffering is not required as similar uses exist on both sides of the subject property.</p>
18A-6(I)	Parking lot buffers	<p>All parking lots adjacent to a right of way shall be screened by a continuous planting with a 7 foot landscape strip incorporating said planting</p> <p>Shrubs shall be a minimum of 18 inches high and planted at a maximum of 30 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	<p>No exterior parking spaces on plans</p>



Section	Regulation	Required	Provided
18A-6(J)	Parking lot landscaping	<p>10 square feet of landscaped area per parking space shall be provided within a parking lot.</p> <p>Trees shall be planted within the parking lot at a minimum density of one tree per 80 square feet of landscaped area, exclusive of parking lot buffers.</p> <p>Each tree shall have a minimum of 5 feet of planting area width, exclusive of curb dimension.</p>	No exterior parking lot on plans
Miami-Dade Biscayne Bay Management Plan			
33D-38(1)b	Minimum rear setback	<p>50% of building height above 35 ft (measured from mean high water line), up to 75 ft maximum.</p> <p><u>67.5 ft required</u></p>	Only 25 ft
33D-38(2)a	Minimum visual corridor	<p>20% of lot width on one side, with a 20 ft minimum and a 100 ft maximum. Structures not permitted in view corridor.</p> <p><u>48 ft required</u></p>	Only 15 ft
33D-38(3)	Minimum side setback	Minimum of 25 ft	Only 15 ft
33D-33(4)	Waiver from County	A waiver may be obtained from the Miami-Dade Shoreline Review Committee for exemption from the above requirements	Not yet provided



Planning & Zoning Board Recommendation

The North Bay Village Planning and Zoning Board recommended approval of the site plan with the staff recommended conditions by a vote of 4-0 on October 21, 2014.

Staff Recommendations

BUILDING DENSITY BONUS:

Staff recommends **approval** of the building density bonus.

SITE PLAN:

Staff recommends **approval** of the site plan based on our analysis in this report. Approval should also be based on the following conditions being met prior to the issuance of a building permit:

- 1) Applicant shall revise plans to preserve as many right-of-way street parking spaces as possible.
- 2) Submittal of a vegetative survey, irrigation plan, and landscape plan which meets Miami-Dade Chapter 18A requirements.
- 3) Submittal of a Unity of Title, as per Section 152.0296(D)(3).
- 4) The public access easement and boardwalk must be dedicated and recorded. Applicant shall agree, in writing, that boardwalks shall be open to the public from sun-up until either 10:00 pm or at least until any businesses adjacent to the boardwalk remains open to the public, whichever is later; and boardwalk lighting shall remain on until boardwalk is closed to the public.
- 5) Site plan approval from Miami-Dade Shoreline Review Committee.
- 6) Meeting Miami-Dade County School Concurrency requirements as determined by School Board Staff.
- 7) Payment of any applicable impact fees.
- 8) Payment of bonus density fees, as required under Section 152.029(C)8F.
- 9) Tie-in to Village's wastewater system at a connection point determined by the Village and payment of pro-rata costs involved in tying into appropriate connection point.



- 10) Applicant shall agree that no on-site parking spaces may be sold or rented, but must be provided at no cost to the residents and guests of residents. Additionally, residents and guests of residents are prohibited from using existing street parking on West Drive.
- 11) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 12) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 13) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 14) All applicable state and federal permits must be obtained before commencement of construction.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

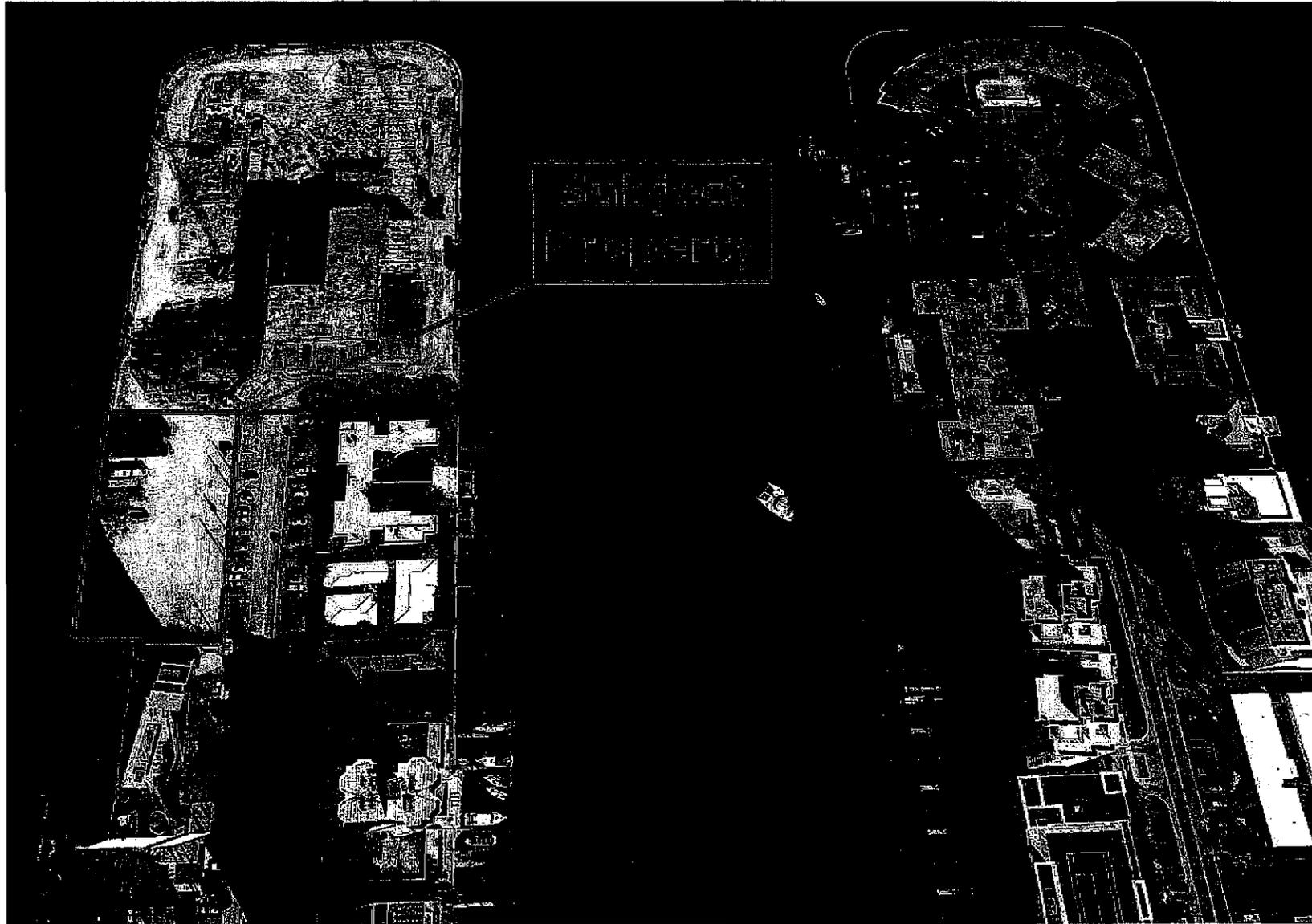
November 3, 2014

Hearing: North Bay Village Commission, November 11, 2014

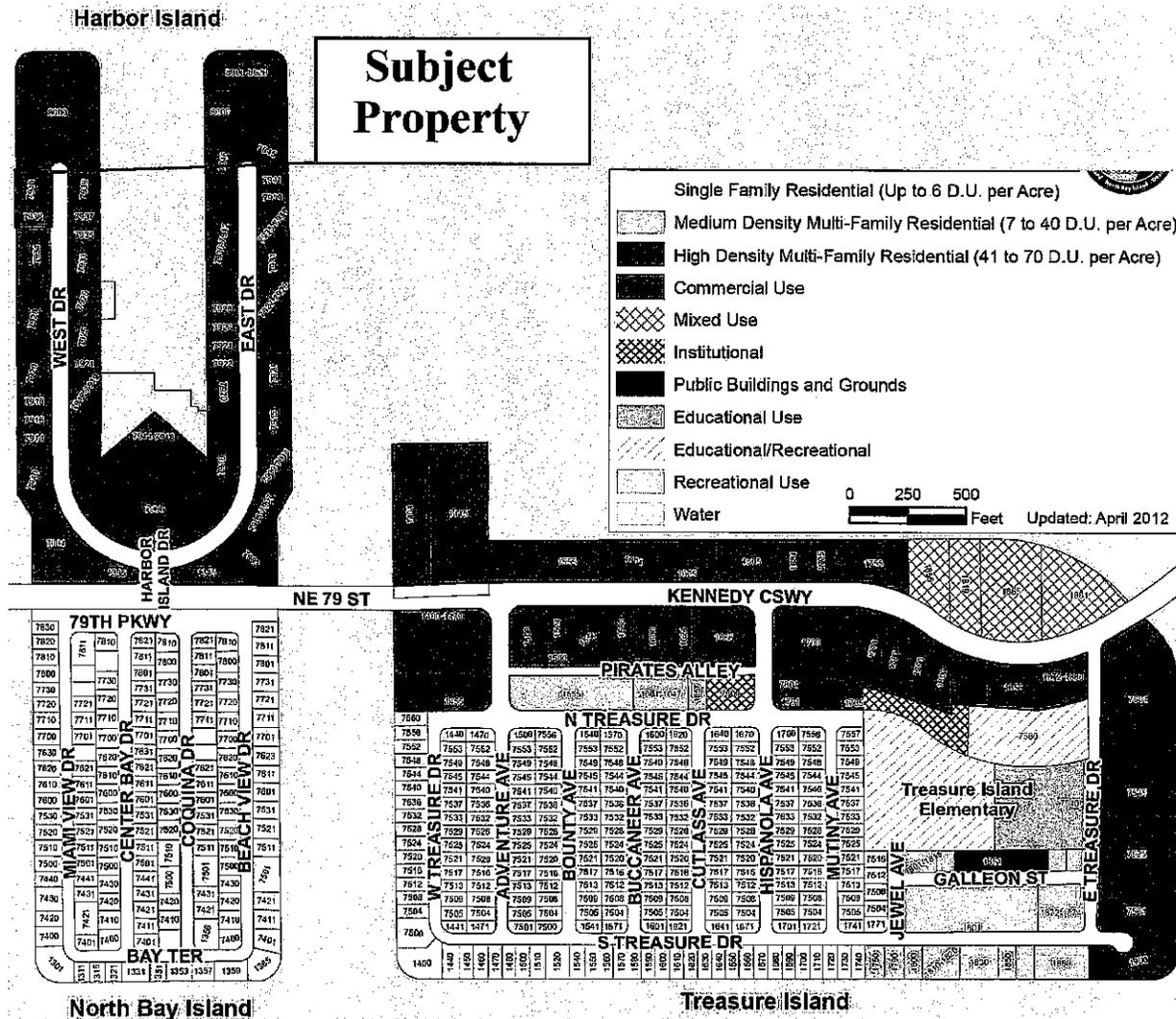
Attachments: Future Land Use Map
Zoning Map
Aerial photograph



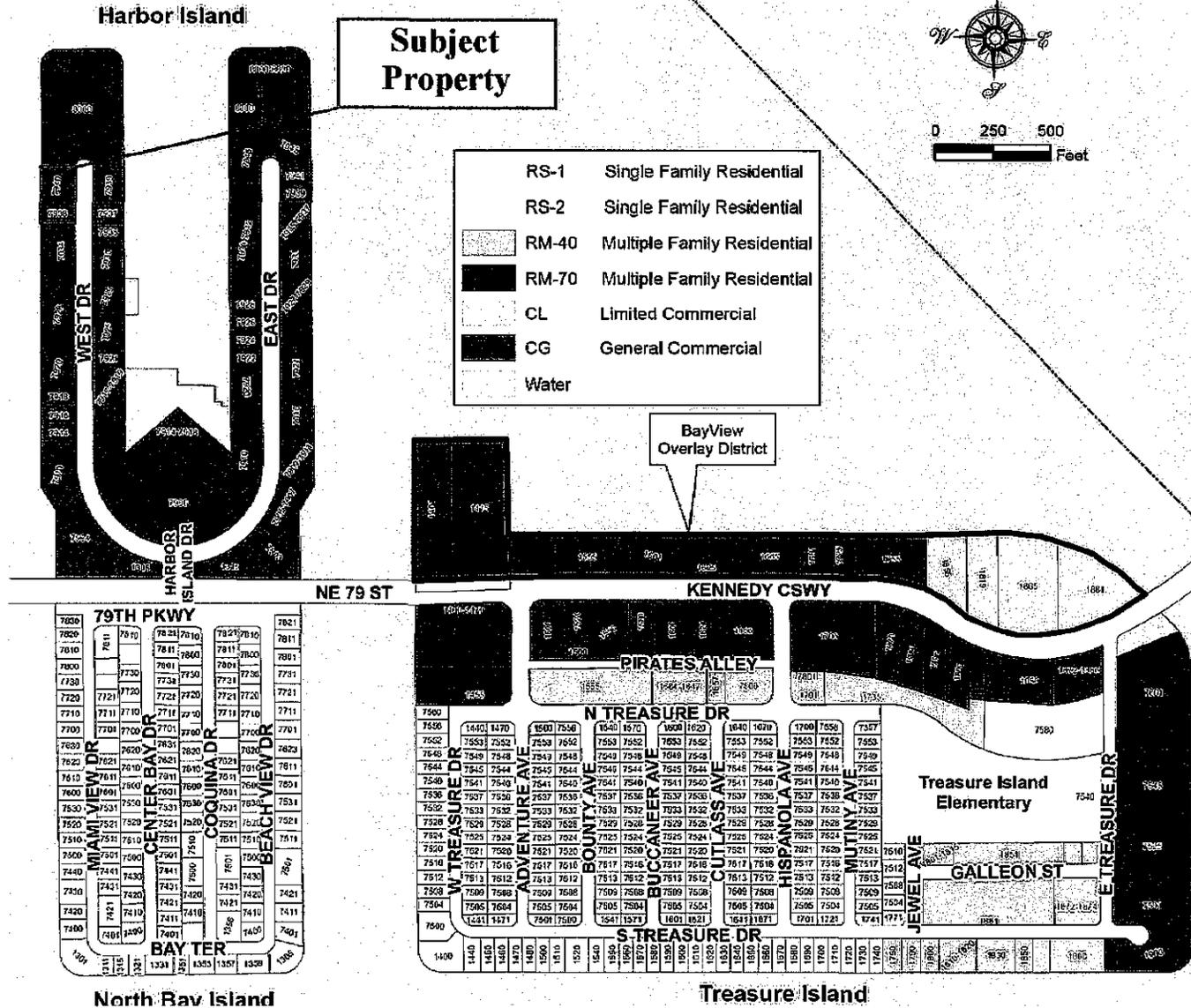
**AERIAL
SUBJECT SITE AND ENVIRONS**



FUTURE LAND USE SUBJECT SITE AND ENVIRONS



**ZONING
SUBJECT SITE AND ENVIRONS**



North Bay Village

Administrative Offices

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

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

SITE PLAN APPLICATION FOR PUBLIC HEARING

Page 1 of 3

Site Address 7938 & 7940 West Dr, N. Bay Village, FL

Owner Name 7940 West Dr LLC Owner Phone # 786-280-4380

Owner Mailing Address 1548 Brickell ave, Miami, Fl 33131

Applicant Name Javier Lluch Applicant Phone # 786-280-4380

Applicant Mailing Address 1548 Brickell ave, Miami, Fl 33131

Contact Person Javier Lluch Contact Phone # 786-280-4380

Contact Email Address javierlluch@gmail.com

Legal Description of Property Harbor Island PB 44-72, Lot 38, Lot Size 80 000 x 140, COC 26244-1114 02 2008 6 AND Harbor Island PB 44-72, Lots 40 & 42, Lot Size 160 000 x 140, COC 26244-1114 02 2008 6

Existing Zoning RM-70 Proposed Zoning _____ Lot Size _____

Folio Number 23-3209-001-0400 AND 23-3209-001-0420

Legal Description _____

Project Description: Residential condominium building (54 units)

Mandatory Submittals (Applicant must check that each item is included with this application)

- € Property survey
- € Site plans which depict:
 - North point
 - Scale at 1/16 inch to the foot, or larger
 - Date of preparation
 - Existing and proposed easements
 - Existing and proposed utilities
 - Property lines
 - Location of streets, alleys and ROW
 - Structures
 - Mechanical equipment
 - Parking and loading spaces
 - Fences
 - Signs
 - Exterior Lighting
 - Any other physical features
- € Floor plans including
 - Layout of each level
 - Layouts for each dwelling unit type
 - Parking and loading space dimensions
- Width of drive aisles
- € Elevations
- € Tabular project summary indicating:
 - Total acreage
 - Dwelling units per acre
 - Number of bedrooms per dwelling unit
 - Number of each dwelling unit type
 - Pervious surface area
 - Open space
 - Structure setbacks
 - Off-street parking and loading spaces
 - Floor area of each dwelling unit type
 - Floor area of each commercial use
 - Gross floor area
 - Building height
 - Floor area ratio
- € Landscape plan
- € Analysis of Services
 - Potable water
 - Sanitary Sewer

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Traffic
€ Application fees

€ Cost recovery deposit

SITE PLAN APPLICATION FOR PUBLIC HEARING

Page 2 of 3

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for site plan approval from the North Bay Village Code shall be considered at Public Hearings before the Planning & Zoning Board and/or the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the application is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

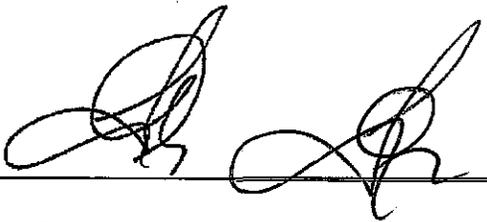
All persons, firms, or corporations requesting site plan approval from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a request, pursuant to Section 152.110 of the Village Code.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held and the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized

Signature  _____

Print Name Javier Lluch _____

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami-Dade _____

Sworn to and subscribed to before me this 21st day of August, 20 14,
by Javier Lluch _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

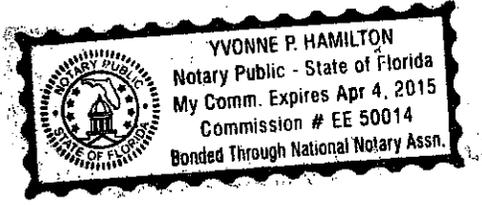
Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

who is personally known to me or who has produced Fla Driver License as identification.

Notary Public Signature *Yvonne P. Hamilton*

Commission Number/Expiration 4/4/2015



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

SITE PLAN APPLICATION FOR PUBLIC HEARING

Page 3 of 3

Office Use Only:

Date Submitted: 08/21/14

Tentative Meeting Date: _____

Fee Paid: \$ 8,500-

Cash or Check # _____

Date Paid: 08/21/14

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



VARIANCE REQUEST APPLICATION FOR PUBLIC HEARING

Page 1 of 3

Site Address 7940 WEST DRIVE

Owner Name 7940 West Dr LLC Owner Phone # 786-280-4380

Owner Mailing Address 1548 BRICKELL AVE, MIAMI, FL 33133

Applicant Name _____ Applicant Phone # _____
(if different from Owner)

Applicant Mailing Address _____

Contact Person JAVIER LUCCH Contact Phone # 786-280-4380

Contact Email Address JAVIER.LUCCH@GMAIL.COM

Legal Description of Property HARBOR ISLAND RB-44-72 lots 38, 40, 42

Existing Zoning RM-70 Lot Size 33,600 Folio Number 23-3209-001-0400 & 0402

Project Description 54 LUXURY RESIDENTIAL BUILDING

Section of North Bay Village Code from which the Applicant is Seeking Relief 152.042

Variance Requested REQUEST FOR 29 COMPACT CAR PARKING SPACES

Reason for Request CODE ALLOWS FOR 20% OF TOTAL PARKING. THE PROJECT HAS LESS THAN THE ALLOWED

Mandatory Submittals (Applicant must check that each item is included with this application.)

- Plans depicting work to be completed
- Property survey
- Application fees

Optional Submittals:

- Response to required findings
- Signed consent letters from neighboring property owners
- Optional plan versions for consideration by Village Commission

Mayor Connie Leon-Kreps	Vice Mayor Eddie Lim	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Jorge Gonzalez
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VARIANCE REQUEST APPLICATION FOR PUBLIC HEARING

Page 3 of 3

Office Use Only:

Date Submitted: 9/19/14

Tentative Meeting Date: 10/7/14

Fee Paid: \$ _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

VARIANCE REQUEST APPLICATION FOR PUBLIC HEARING

Page 2 of 3

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for variances from the North Bay Village Code shall be considered at Public Hearings before the Planning & Zoning Board and/or the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting a variance from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request, pursuant to Section 152.110 of the Village Code.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Planning & Zoning Board and the Village Commission has voted favorable on the proposed request.

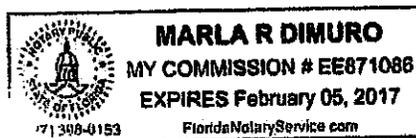
I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized Signature _____

Print Name DAVIDA LUCH

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF MIAMI DADE



Sworn to and subscribed to before me this 19th day of September, 2014,

by Jawin Luch

who is personally known to me or who has produced _____ as identification.

Notary Public Signature Marla R Dimuro

Commission Number/Expiration _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

7940 West Avenue

at North Bay Village

7940 West Drive
North Bay Village, Florida

TRAFFIC STUDY

prepared for:
7940 West Avenue, LLC

KBP CONSULTING, INC.

August 2014

7940 West Avenue
at North Bay Village

7940 West Drive
North Bay Village, Florida

Traffic Study

August 2014

Prepared for:
7940 West Avenue, LLC

Prepared by:
KBP Consulting, Inc.
8400 N. University Drive, Suite 309
Tamarac, Florida 33321
Phone: (954) 560-7103
Fax: (954) 582-0989

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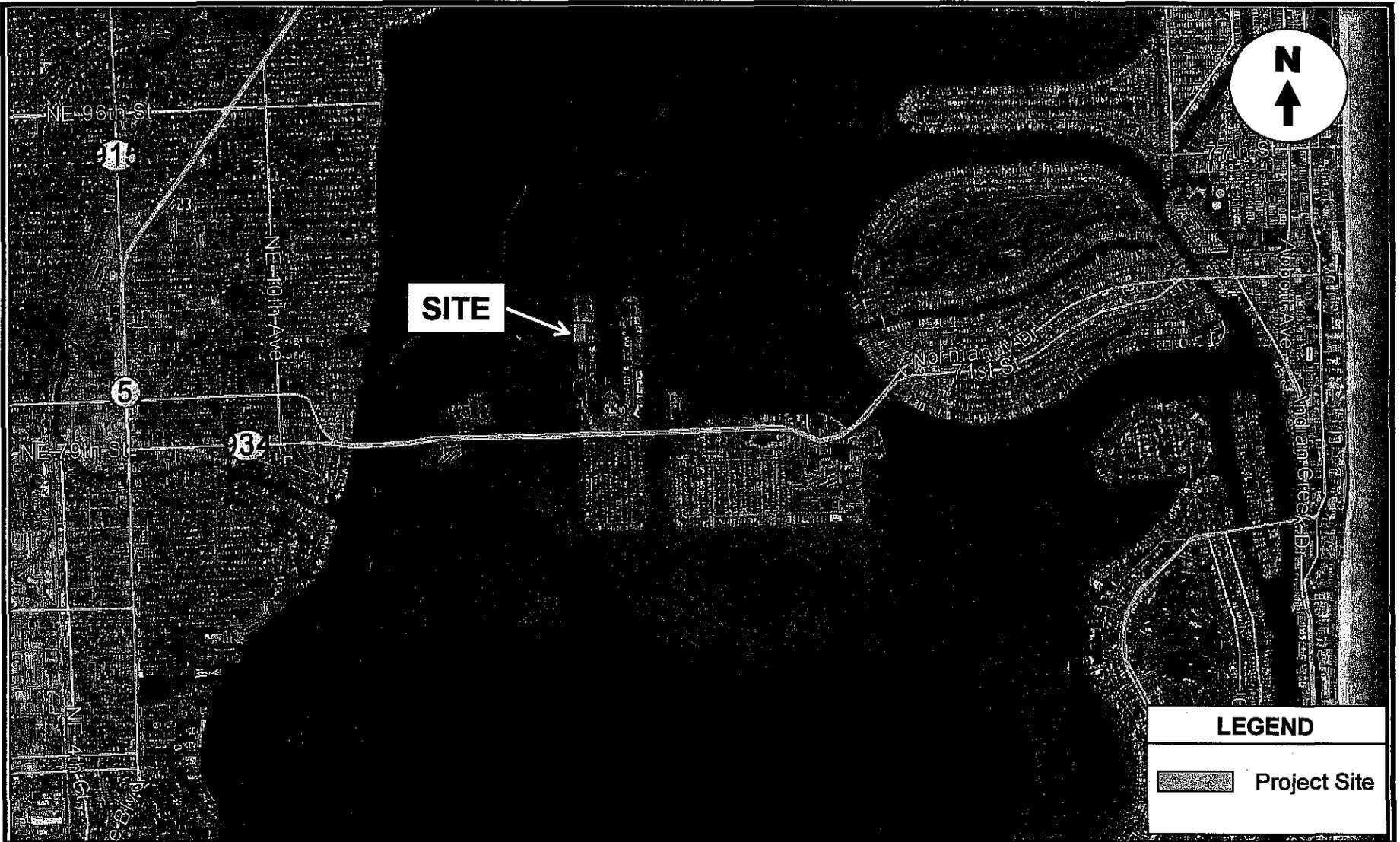
INTRODUCTION

7940 West Avenue at North Bay Village is a planned residential condominium development to be located on the west side of West Drive in North Bay Village, Miami-Dade County, Florida. More specifically, the site is located at 7940 West Drive. The location of this project site is illustrated in Figure 1 on the following page.

KBP Consulting, Inc. has been retained by 7940 West Avenue, LLC to prepare a traffic study in connection with this proposed development project. This study addresses the vehicular traffic volumes expected to be generated by the proposed use and the resulting traffic concurrency impacts on the nearby roadway network.

This traffic study is divided into four (4) sections, as listed below:

1. Inventory
2. Trip Generation
3. Traffic Concurrency Evaluation
4. Summary & Conclusions



KBP
CONSULTING, INC.

Project Location Map

FIGURE 1
7940 West Avenue
North Bay Village, Florida

INVENTORY

Current Land Use and Access

The project site is currently vacant and there is no formal vehicular access to the site.

Proposed Land Uses and Access

The site will be developed with a high-rise residential condominium building containing 54 dwelling units. Vehicular access to the site will be provided via three (3) driveways located on West Drive. Two (2) of the driveways will serve the garage and drop-off area and one (1) driveway will serve the loading area. Appendix A contains the preliminary site plan for the proposed project.

Roadway System

West Drive is a two-lane local roadway generally oriented in the north-south direction. A parallel roadway, East Drive, forms a connection with West Drive at their southern termini which then connects to N. Bay Causeway (State Road 934 / NE 79th Street). Within the project study area, N. Bay Causeway is a six-lane divided state-maintained principal arterial roadway oriented in the east-west direction.

TRIP GENERATION

A trip generation analysis has been conducted for the proposed residential use. The analysis was performed using the trip generation equations published in the Institute of Transportation Engineer's *ITE Trip Generation Manual (9th Edition)*. The trip generation analysis was undertaken for daily, AM peak hour, and PM peak hour conditions. According to the ITE report, the most appropriate land use category for the proposed development is as follows:

HIGH-RISE RESIDENTIAL CONDOMINIUM / TOWNHOUSE (ITE LAND USE #232)

- Weekday Trip Generation: $T = 3.77 (X) + 223.66$
where $T =$ number of trips and $X =$ number of dwelling units
- AM Peak Hour Trip Generation: $T = 0.29 (X) + 28.86$ (19% in / 81% out)
- PM Peak Hour Trip Generation: $T = 0.34 (X) + 15.47$ (62% in / 38% out)

Utilizing the above-listed trip generation equations from the referenced ITE document, a trip generation analysis was undertaken for the proposed residential development. The results of this effort are documented in Table 1 below.

Table 1 Trip Generation Summary 7940 West Avenue - North Bay Village, Florida								
Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Proposed</i> High-Rise Residential Condominium - Pass-By (0%)	54 D.U.	427	9	36	45	21	13	34
		0	0	0	0	0	0	0
Total		427	9	36	45	21	13	34

*Compiled by: KBP Consulting, Inc. (August 2014).
Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition).*

As indicated in Table 1, the proposed project is anticipated to generate 427 daily vehicle trips, 45 AM peak hour vehicle trips (9 inbound and 36 outbound) and 34 vehicle trips (21 inbound and 13 outbound) during the typical afternoon peak hour.

TRAFFIC CONCURRENCY EVALUATION

A review of the traffic concurrency stations likely to be impacted by the net new vehicle trips associated with the 7940 West Avenue at North Bay Village development was performed. This was done for the purposes of determining if sufficient roadway capacity exists in order to absorb the additional vehicle trips. Table 2 below documents the results of this level of service / concurrency evaluation.

Table 2				
Reserve Roadway Capacity				
7940 West Avenue - North Bay Village, Florida				
Station Number	Location	Peak Hour Capacity¹	Peak Hour Trips²	Available Peak Hour Capacity³
142	NE 79th Street - East of N. Bayshore Drive to US 1	3,648	2,680	968
533	NE 79th Street Causeway (SR 934) - East of Treasure Drive between N. Bayshore Drive - Bay Drive	5,508	2,676	2,832

Source: Miami-Dade County MPO and Florida Department of Transportation, August 2014.

¹ Maximum level of service capacity.

² Existing traffic volumes plus peak hour trips associated with approved, but not built, developments.

³ Total capacity minus existing / committed peak hour trips (reserved trips).

As indicated in Table 2, these traffic concurrency stations all have remaining available peak hour capacity that is sufficient to absorb the net new project traffic associated with the proposed 7940 West Avenue at North Bay Village development.

SUMMARY & CONCLUSIONS

7940 West Avenue at North Bay Village is a planned residential condominium development to be located on the west side of West Drive in North Bay Village, Miami-Dade County, Florida. This project will consist of 54 high-rise residential condominium units. Vehicular access to the site will be provided by three (3) driveways located on West Drive.

The trip generation analysis indicates that the proposed project is anticipated to generate approximately 427 daily vehicle trips, 45 AM peak hour vehicle trips (9 inbound and 36 outbound) and 34 vehicle trips (21 inbound and 13 outbound) during the typical afternoon peak hour.

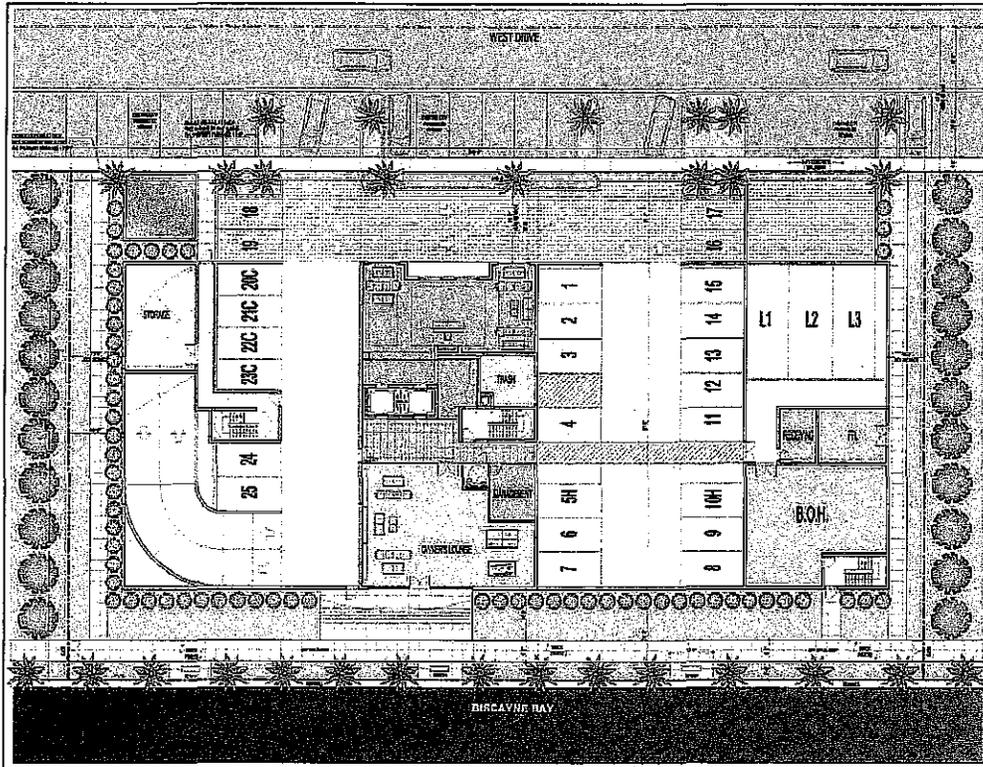
The traffic concurrency evaluation indicates that the roadways in the immediate area of the project have sufficient capacity to absorb the vehicle trips to be generated by the 7940 West Avenue at North Bay Village project.

Appendix A
7940 West Avenue
Preliminary Site Plan

IMPACT ASSESSMENT STUDY

for:

7940 West Drive at North Bay Village



**7940 - 38 West Drive, North Bay Village, Florida
(Harbor Island)**



Engineers ♦ Planners ♦ Surveyors

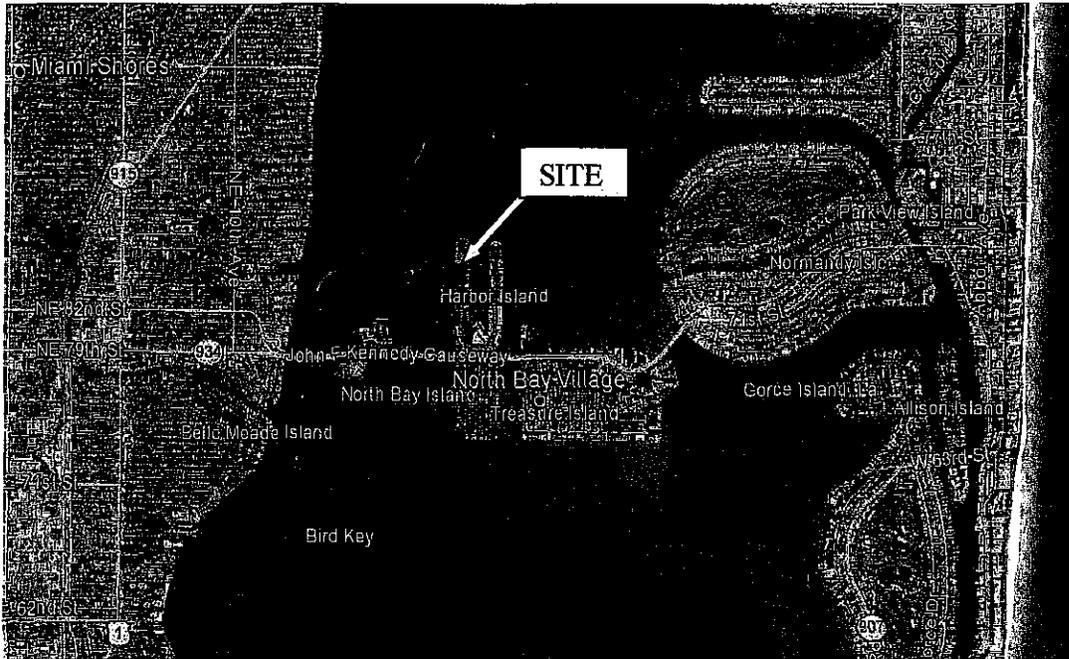
Sun-Tech Engineering, Inc.
Engineers-Planners-Surveyors
1600 West Oakland Park Blvd., Suite 200
Fort Lauderdale, Florida 33311
(954) 777-3123

**Project No. 14-3652
August 2014**

7940 WEST DRIVE AT NORTH BAY VILLAGE

PROJECT INTRODUCTION AND OVERVIEW

7940 West Drive at North Bay Village is a proposed 15 story multi-family residential development, consisting of 54 apartment units, amenities and internal parking facility located at 7938 - 40 West Drive on Harbor Island, in North Bay Village, Florida (See Location map / Aerial photo – Exhibit # 1).



The site is approximately 0.771 acres and is contained within Lot 38, 40 and 42 – Harbor Island plat (P.B. 44, Pg. 72, M.D.C.R. – See Exhibit # 2). The site is bordered by Biscayne Bay on its westerly boundary where its frontage is approximately two hundred and forty linear feet (240 L.F.) along the Bay (See Location Map - Exhibit # 1). The property is currently zoned High density Multiple-Family Residential RM-70 (See Zoning Map - Exhibit # 3) which allows for our proposed use. A typical unit breakdown of our proposed development is shown on Table 1 below.

Table 1 – Unit breakdown

Description	Units
2 bedroom / 2.5 bathrooms	16
3 bedroom / 3.5 bathrooms	30
4 bedroom / 4.5 bathrooms	8
Total units	54

The site is vacant; however, it is currently being used as a temporary construction and staging area for the development of Blu at North Bay Village (See Boundary Survey – Exhibit # 4). . . Based on aerial photography, the site was previously developed, housing two (2) individual condominium buildings. For this report, it is estimated that the buildings contained approximately 24 residential units prior to its demolition in 2006 – 2007. (See 2006 /2007 Aerial photography – Exhibit # 5). Verification of the exact number of units and a modification to the Site impact assessment report will be required prior to building permit approval to allow for accurate analysis of the impact to NBV’ system.

In accordance with Chapter 4 of the North Bay Village Consolidated Land Development Regulations, an impact assessment report is required to demonstrate that the proposed development does not degrade the adopted levels of service in North Bay Village (NBV). This report will analyze the impact of our proposed development on the existing NBV’s infrastructure while taking into consideration credits for the pre-existing condominiums razed during the 2006 / 2007 period. In addition, this report will provide assurance that the proposed level of service remains consistent with NBV’s requirements.

PROJECT POPULATION:

The existing property contained two (2) individual condominium buildings with an estimated total of 24 residential units (information based on aerial maps and similar development adjacent to the site). Our development proposes 54 residential condominium units. Based on a recommended rate of 2.25 people per unit by NBV, the net population increase due to this project is 68 people. See Table 2 below.

Table 2 - Population

Description	Units	No. of people / unit	Population
7940 West Drive at NBV	54	2.25	122
Existing Condos (demolished)	24 (estimated)	2.25	54
Net Increase	30		68

According to the United States Census Bureau (latest available data from the 2010 US Census), the population of North Bay Village is approximately 7,137 people. 7940 West Drive proposes an increase of 68 people, representing a net increase of approximately 0.95 % of the total population of North Bay Village.

POTABLE WATER DISTRIBUTION SYSTEM:

North Bay Village obtains its potable water from a wholesale service agreement with Miami-Dade Water and Sewer Department (MDWASD). Potable water is conveyed to North Bay Village via an existing 30 inch diameter water main, owned and serviced by the City of North Miami Beach Public Utilities.

7940 West Drive at North Bay Village will be served via an existing 8” / 12” DIP water main running north-south along the east right-of-way of West Drive and connected to an existing 12” water main running along Kennedy Causeway (NE 79th Street). The proposed system serving 7940 West Drive (See Figure # 1 – Schematic Water main Connection Exhibit) will be designed in accordance with local, county and state criteria and will serve the potable and fire demand of the proposed development.

Potable water consumption is calculated based on an estimation of 66.67 gpd / capita or 150 gpd / unit per the Miami-Dade County’s Schedule of Daily Gallonage for Various Occupancy Regulations (See Table 3 below).

Table 3: Schedule of Daily Gallonage for Various Occupancy

<u>TYPES OF LAND USES</u>	<u>GALLONS PER DAY (GPD)</u>
RESIDENTIAL LAND USES	
Single Family Residence	220 gpd/unit (under 3000 sq. ft)
	320 gpd/unit (3001-5000 sq. ft.)
	550 gpd/unit (over 5,000 sq. ft.)
Townhouse Residence	180 gpd/unit
Apartment	150 gpd/unit
Mobile Home Residence/Park	180 gpd/unit
Duplex or Twin Home Residence	180 gpd/unit

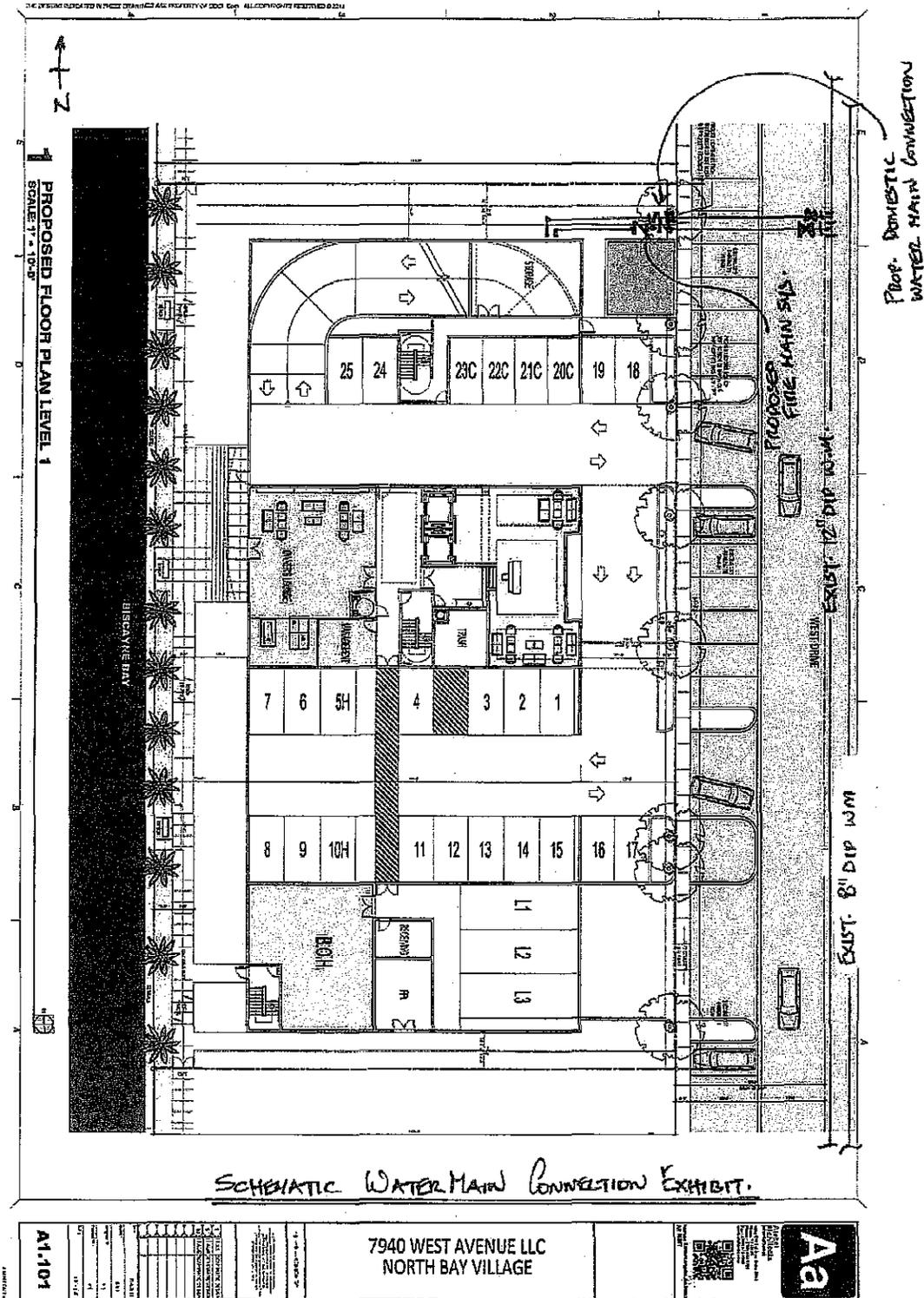
Based on preliminary analysis of the water demand for 7940 West Drive, the proposed project would require an estimated water consumption of 8,133 GPD (54 units x 2.25 x 66.67 gpd/capita); however, a credit of 3,600 GPD (24 units x 2.25 x 66.67 gpd/capita) should be provided for the demolished twenty four (24) residential units resulting in net increase of 4,533 GPD or an increase of 0.95 % of North Bay Village’s total potable water consumption. (See Table 4 below for Water Consumption calculation).

Table 4 – Water Consumption

Description	Unit type	Residential units	Ave. capita per unit	Population	GPD/Capita	Demand (GPD)
Existing Population (2010 US Census)				7,137	66.67	475,824
Water Demand from 7940 West Drive	Apartments	54	2.25	122	66.67	8,133
Estimated credit for Demolished units	Apartments	24	2.25	54	66.67	3,600
Net Increase		30				4,533

In summary, the net increase in potable water demand due to our proposed development should have negligible impact on the City's existing water supply and distribution network.

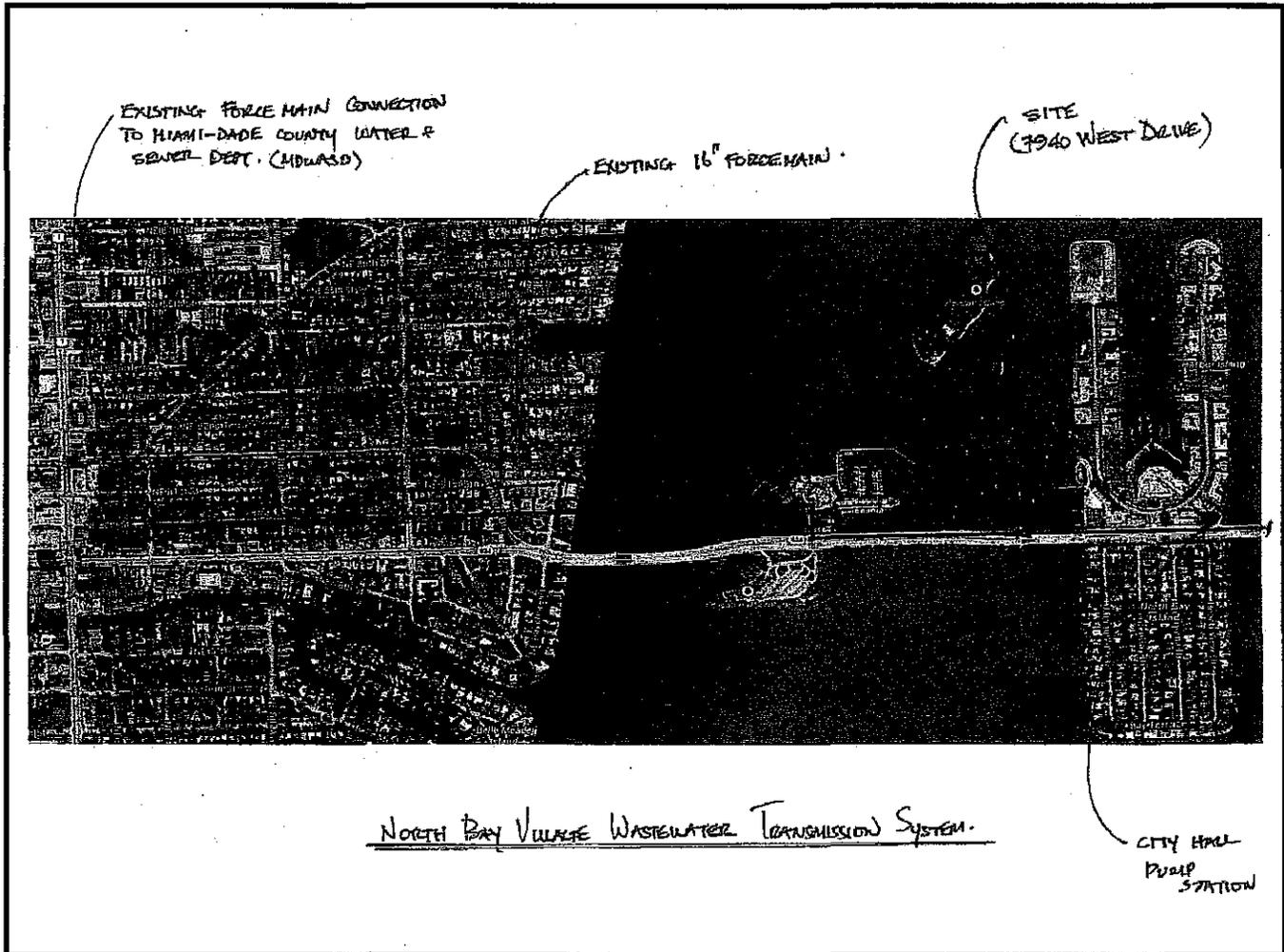
Figure 1 – Schematic Water Distribution System



WASTEWATER COLLECTION AND TRANSMISSION SYSTEM:

The proposed development will be served via an existing 8-inch gravity sewer system located on West Drive. Flow from the proposed development will connect to an existing system via proposed sewer lateral(s) with a direct connection to the existing 8-inch gravity main. This gravity main system, owned, operated and maintained by the City of North Bay Village, runs north-south along West Drive and conveys all flows to an existing Lift station called "City Hall Pump Station" located at 7903 East Drive. (See Figure 2- North Bay Village Wastewater System.) The City Hall Pump station is the main collector for Harbor Island. Flow from this station is then pumped west, via a 16-inch diameter forcemain to Pelican Island along NE 79th Street and then sub-aqueous, beneath Biscayne Bay, to a Miami-Dade Water and Sewer Department forcemain connection at the intersection of NE 80th Street and NE 7th Avenue. (See Figure 2 – North Bay Village Wastewater Transmission System.)

Figure 2 – North Bay Village Wastewater Transmission System



Based on a phone conversation with NBV's Public Works Director, several upgrades to the City's wastewater pumping station has been made over the last several years and there is currently no moratoriums or capacity restrictions on their system. Although there is no current restrictions, NBV is currently re-evaluating their system for infiltration / inflow and is now requiring corrective action to the existing 8" vitrified clay sewer gravity system. As part of our final site approval, NBV will require 7940 West Drive to perform Trenchless Pipe Relining from the upstream manhole to downstream manhole at our proposed lateral sewer connections to the existing gravity sewer system. (See Figure # 3 – Schematic Sanitary Sewer Connection Exhibit)

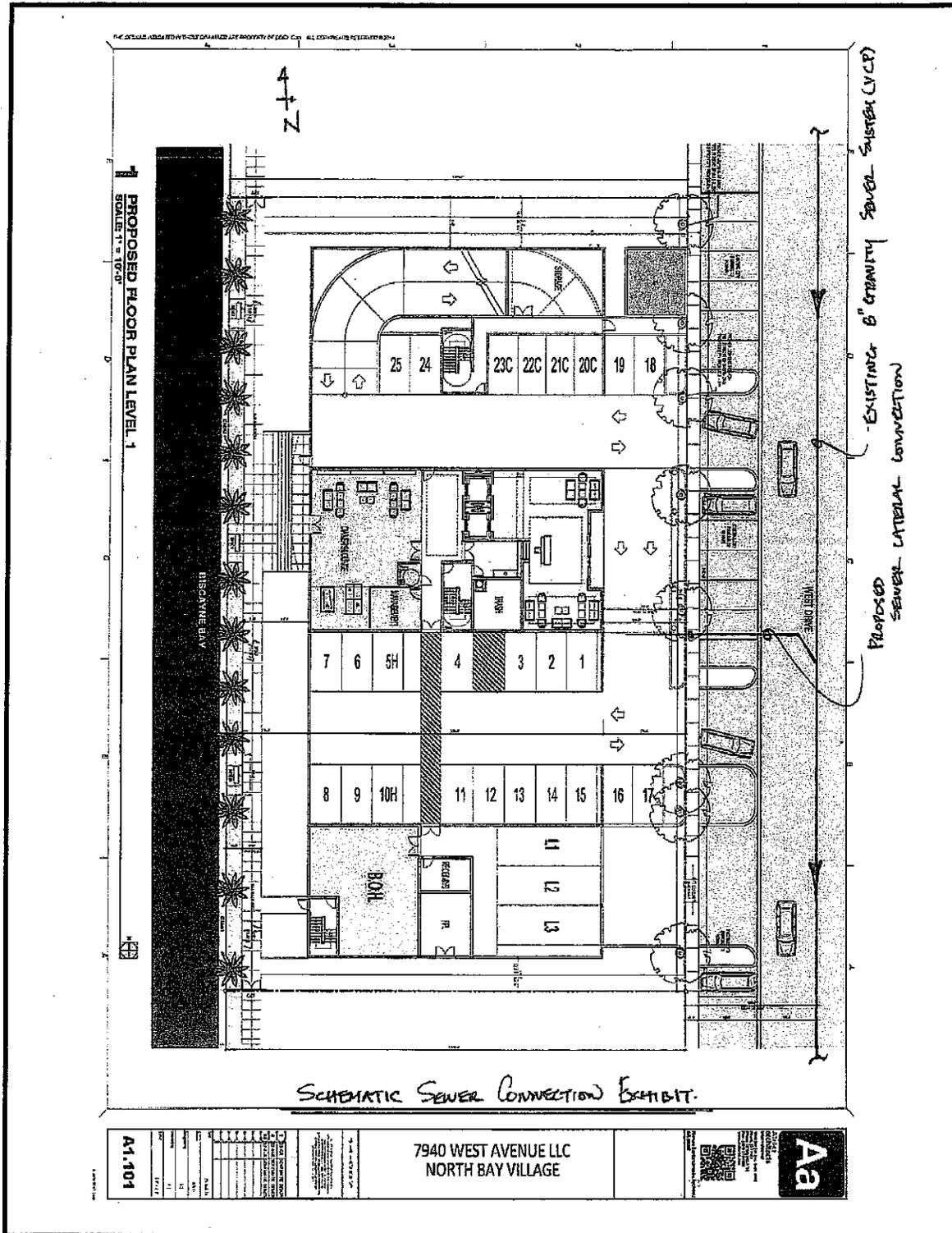
Using an average rate of 2.25 people per unit and 66.67 gpd per person for sewage flows, the total increase in flow from 7940 West Drive will be 4,533 GPD (See Table 5 – Wastewater Flow) or a flow increase of 0.95 %.

Table 5 – Wastewater Flow

Description	Unit type	Residential units	Ave. capita per unit	Population	GPD/Capita	Demand (GPD)
Existing Population (2010 US Census)				7,137	66.67	475,824
7940 West Drive	Apartments	54	2.25	122	66.67	8,133
Estimated credit for Demolished units	Apartments	24	2.25	54	66.67	3,600
Net Increase		30				4,533

In summary, the proposed development should have minimal impact on the existing sanitary sewer system or receiving pump stations.

Figure 3 – Schematic Sanitary Sewer Collection System



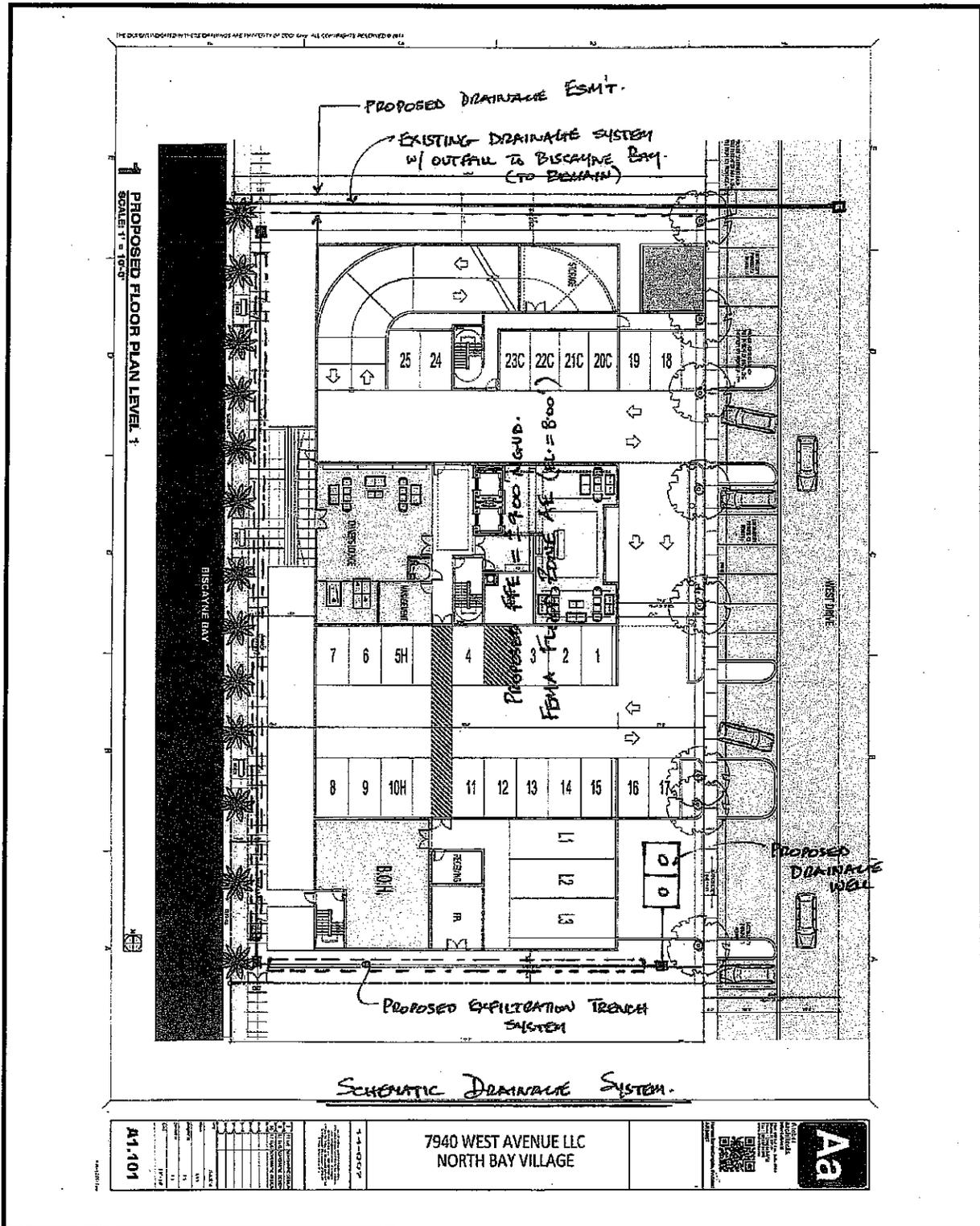
SURFACE WATER MANAGEMENT SYSTEM:

The proposed drainage system for 7940 West Drive at North Bay Village will be a private self-contained system and will consist of drainage well(s) in combination with exfiltration trench. Water quality and quantity will be provided within the exfiltration trench and drainage well systems and sized accordingly to the requirements of South Florida Water Management District (SFWMD), Miami-Dade County Permitting, Environment and Regulatory Affairs (PERA) and Florida Department of Environmental Protection (FDEP). Finish floor elevations has been set at elevation 9.00' NGVD which is 1' higher than the FEMA Flood Zone elevation of AE = El. 8.00' (See Exhibit # 6 – FEMA Flood Zone Map). The perimeter berm elevation will be set in accordance with elevations generated by the 25 year / 3 day storm event and site grading parameters will be in accordance with SFWMD / PERA requirements. (See Figure 5 – Schematic Drainage Plan).

Discharge from 7940 West Drive to Biscayne Bay is not proposed at this time; however, an existing 12" Corrugated Metal Pipe (CMP) serving West Drive currently traverses the site's north property line. As part of the site's final approval, NBV will require a grant of easement to maintain and service the existing system. This system currently serves as the drainage system and outfall for runoff within West Drive.

In summary, the proposed drainage system, once permitted and installed, will exceed the level of service mandated by the requirements of North Bay Village and other regulatory agencies.

Figure 5 – Schematic Drainage Plan



SOLID WASTE:

Solid waste generated from the 7940 West Drive has been calculated at 7 lbs per capita per day based on the City's Consolidate Land Development Regulations. (See Table 6 – Solid Waste Demand).

Table 6 – Solid Waste

Description	Unit type	Residential units	Ave. capita per unit	Population	Lbs/capita	Demand (lbs)
Solid waste from 7940 West Drive	Apartments	54	2.25	122	7	854
Estimated credit for Demolished units	Apartments	24	2.25	54	7	378
Net Increase		30				476

Based on the 2010 US census (7,137 people) and the above solid waste generation rate, an additional increase of 476 lbs or 0.95 % is projected. The minimal increase generated for this development should not have a detrimental impact on the existing capacity of the system.

SUMMARY:

In conclusion, based upon our review of the potable water distribution system, wastewater collection transmission system, surface water management and solid waste systems, it is our opinion that the additional demand required of the proposed development (7940 West Drive at North Bay Village) is not expected to adversely impact the existing infrastructure of North Bay Village and therefore recommend approval of the development based on the minimal increase to the overall system.

Exhibit 1 - Location Map / Aerial Photo

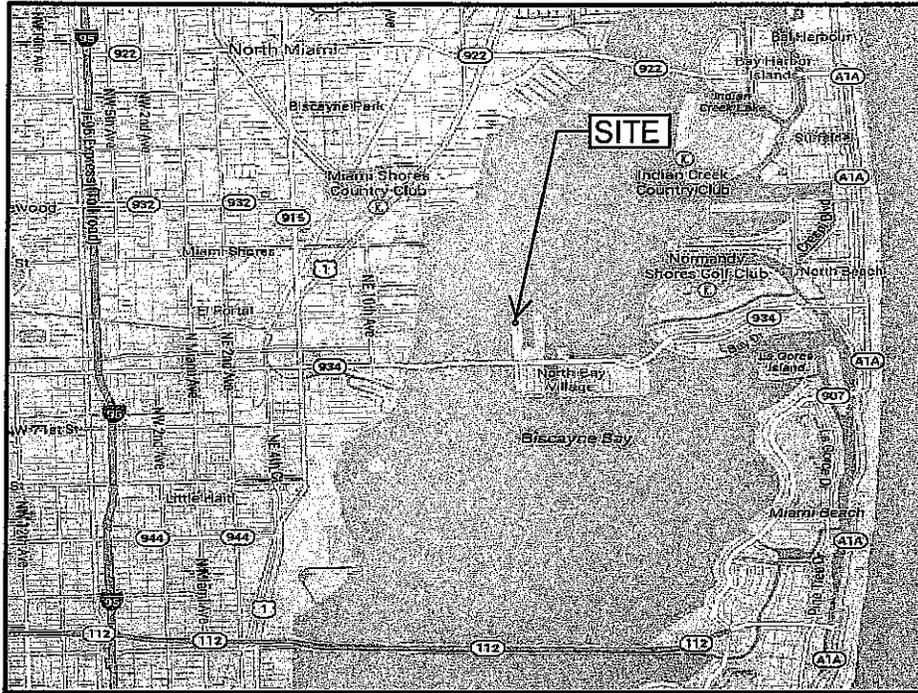


Exhibit 2 - Harbor Island Plat

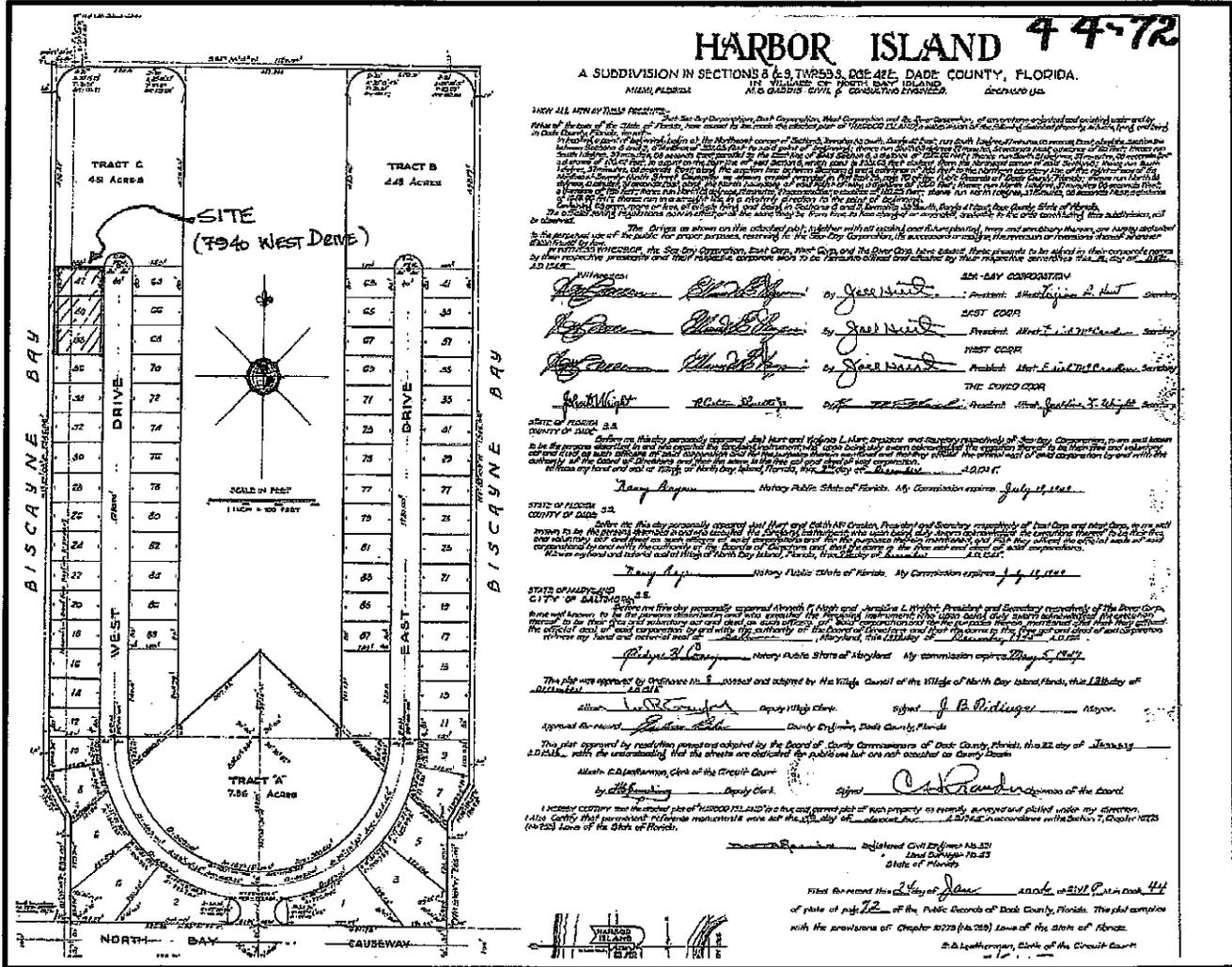


Exhibit 3 - Zoning map

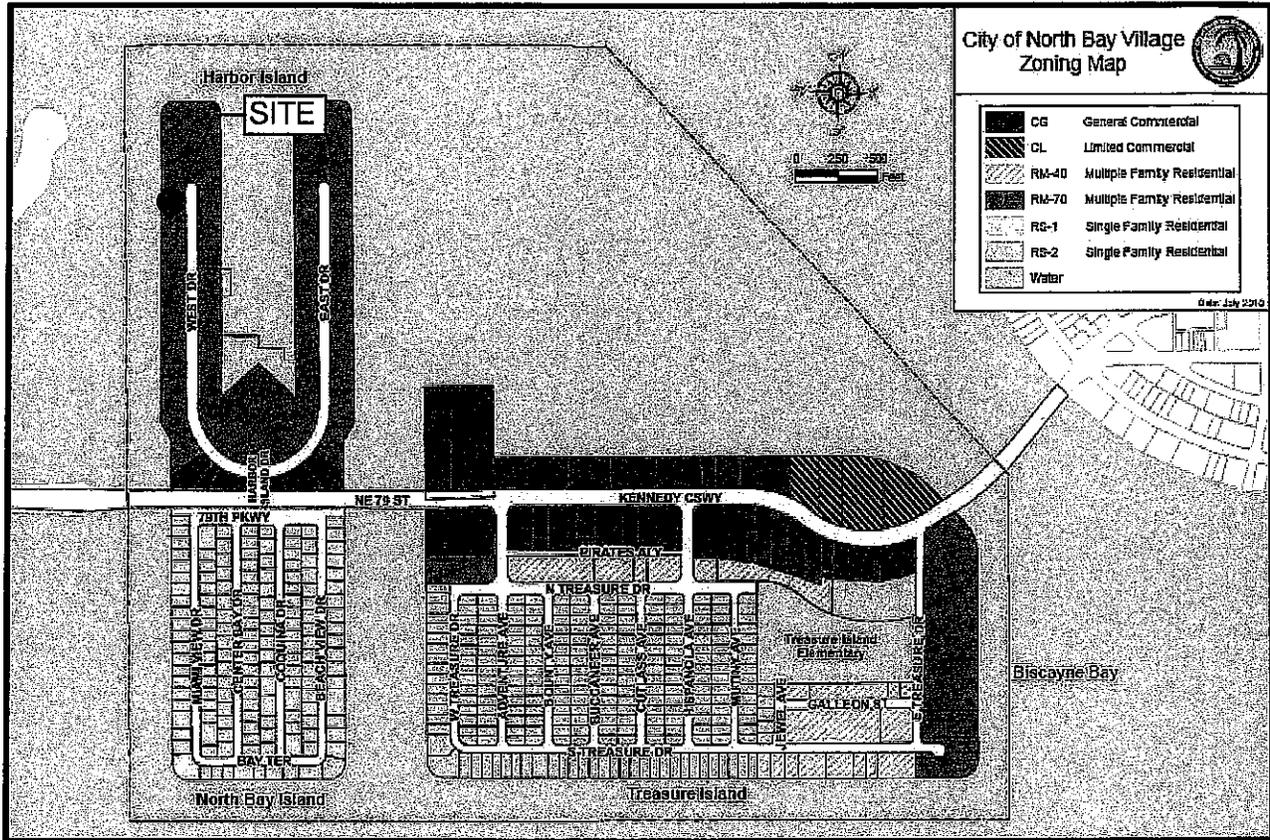
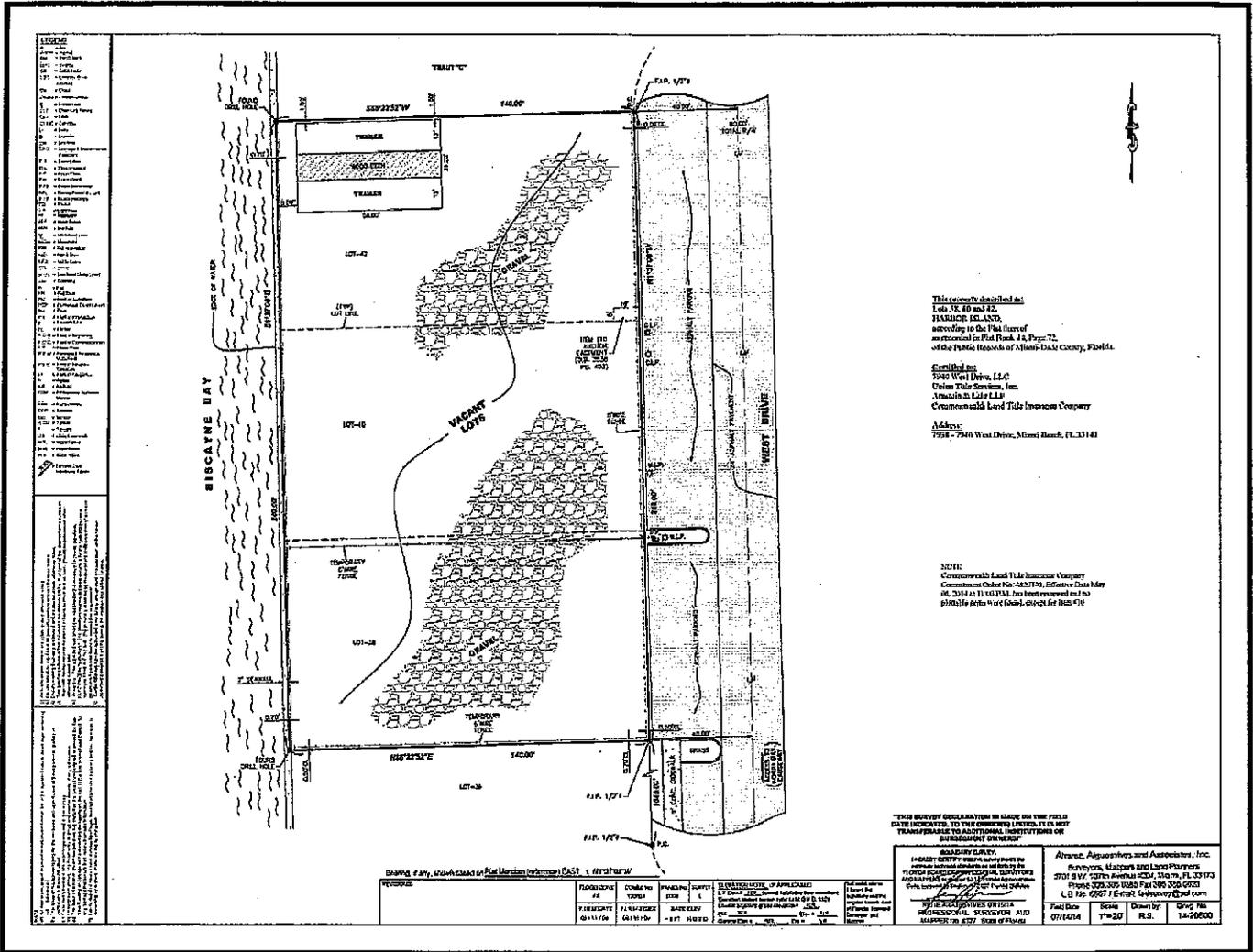
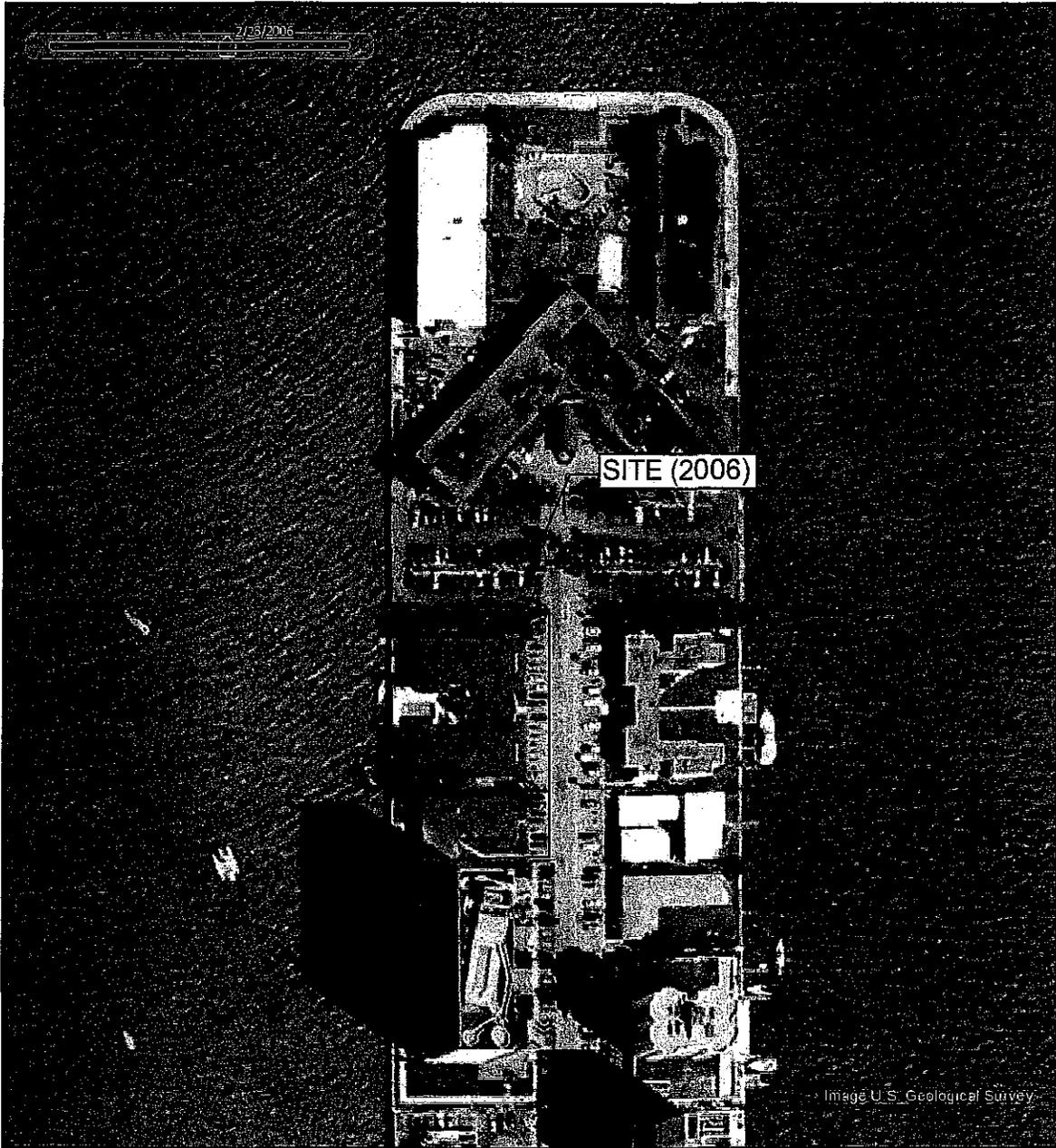


Exhibit 4 - Boundary Survey



2006 Aerial Photo

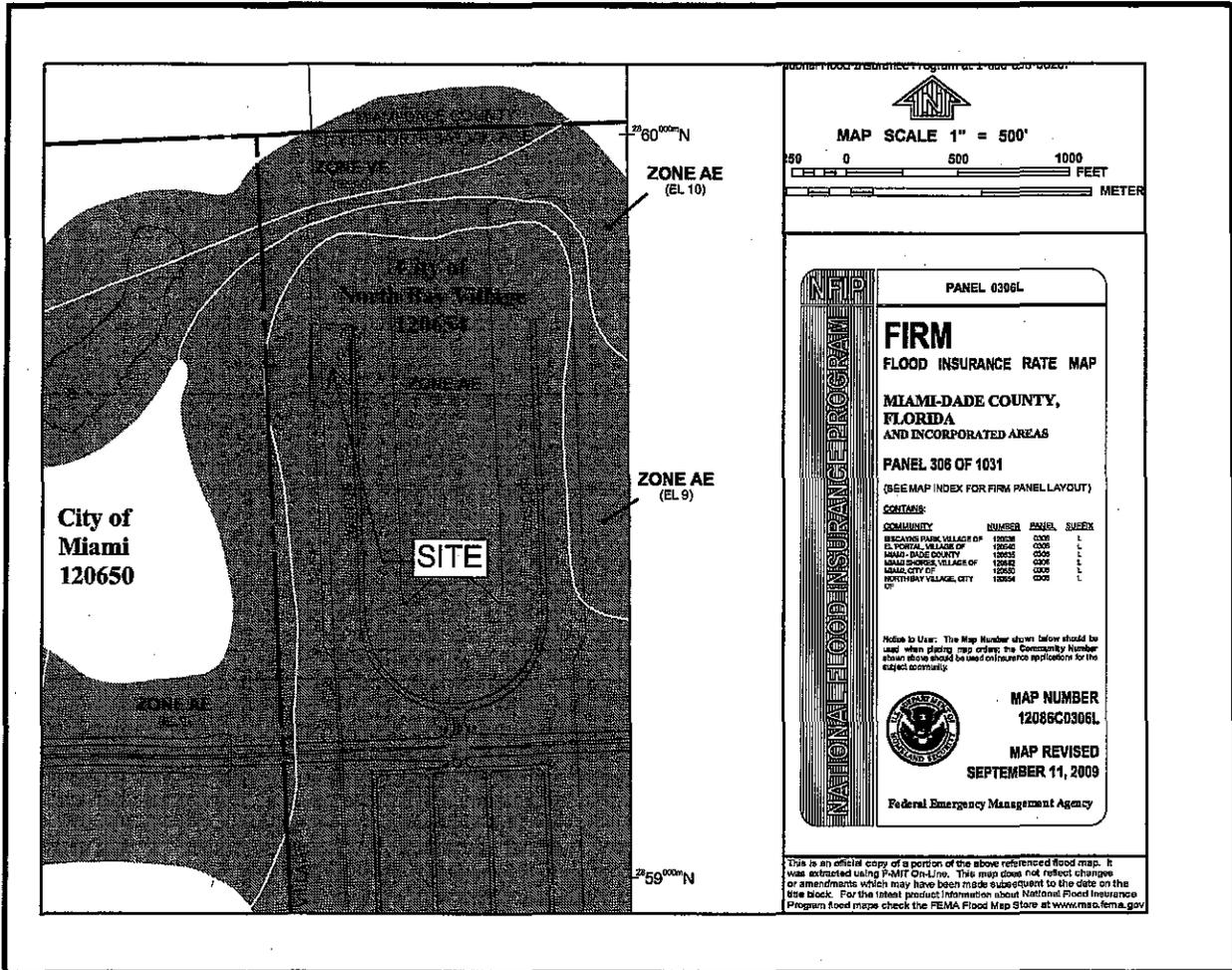


2007 Aerial Photo



Image USDA Farm Service Agency

Exhibit 6 - FEMA map





North Bay Village

Administrative Offices

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

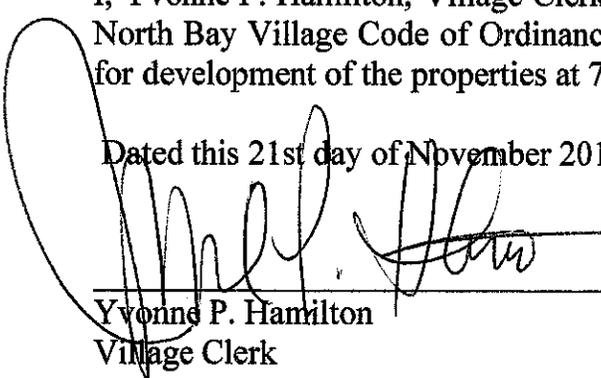
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

RE: AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

- A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**
- B. BONUS DENSITY APPROVAL, PURSUANT TO SECTION 152.029(C)(8)H OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.**
- C. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 54-UNIT, 15-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by 7940 West Drive, LLC for development of the properties at 7938 and 7940 West Drive is complete.

Dated this 21st day of November 2014.


Yvonne P. Hamilton
Village Clerk

(Commission Meeting-12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

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

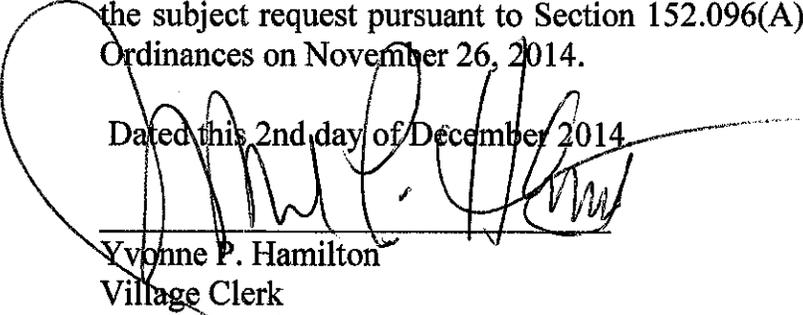
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- C. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 54-UNIT, 15-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on November 26, 2014.

Dated this 2nd day of December 2014


Yvonne P. Hamilton
Village Clerk

(Commission Meeting -12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

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

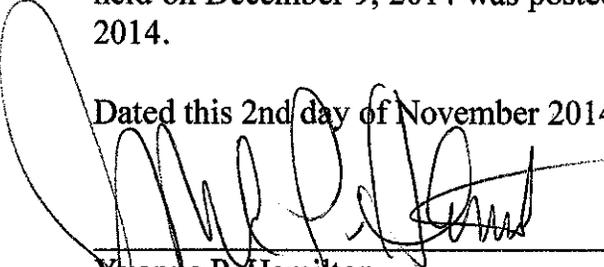
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

RE: AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

- A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**
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I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on December 9, 2014 was posted at the above-referenced property on November 21, 2014.

Dated this 2nd day of November 2014.


Yvonne P. Hamilton
Village Clerk

(Commission Meeting-12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, DECEMBER 9, 2014** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

- 1. AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**
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INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR 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).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(November 24, 2014)

WEST BAY CONDOMINIUM
7935 WEST DRIVE
N. BAY VILLAGE, FL 33141

West Bay Condominium Assoc.
C/O Lorenzo Brito
7935 West Drive, #4
North Bay Village, FL 33141

SPACE 1 CONDOMINIUM
7934 WEST DRIVE
N. BAY VILLAGE, FL 33141

Chateau Isle, Inc.
7939 West Drive, Apt. 103
North Bay Village, FL 33141

American Prime
C/O Absolute Demolition
2955 N.W. 73rd Street
Miami, FL 33147

NAFDOF NBVMF LLC
7937 WEST DRIVE
NORTH BAY VILLAGE, FL 33141

VIEW LLC
C/O JAMES EDWARDS
7940 WEST DR
NORTH BAY VILLAGE, FL 33141

CHATEAU ISLE CO-OP
7939 WEST DRIVE
N. BAY VILLAGE, FL 33141

7940 West Drive Building, LLC
1548 Brickell Avenue
Miami, FL 33131



RESIDENT
7928 WEST DR., APT 301
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 302
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 303
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 304
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 305
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7928 WEST DR., APT 306
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 311
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 401
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 402
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 403
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 405
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7928 WEST DR., APT 603
N. BAY VILLAGE, FL 33141

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7928 WEST DR., APT 604
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7928 WEST DR., APT 609
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7928 WEST DR., APT 701
N. BAY VILLAGE, FL 33141

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N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 703
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 704
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 705
N. BAY VILLAGE, FL 33141

RESIDENT
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RESIDENT
7928 WEST DR., APT 707
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 708
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 709
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 710
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 711
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 801
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 802
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 803
N. BAY VILLAGE, FL 33141

RESIDENT
7928 WEST DR., APT 804
N. BAY VILLAGE, FL 33141

Owner/Occupant
7933 West Drive, #1131
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #1132
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #401
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #402
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #403
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #404
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #505
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #506
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #507
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #508
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #608
N. Bay Village, FL 33141

Owner/Occupant
7933 West Drive, #609
N. Bay Village, FL 33141

Owner/Occupant
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7935 West Drive, Unit #7
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Owner/Occupant
7935 West Drive, Unit #8
North Bay Village, FL 33141

Owner/Occupant
7935 West Drive, Unit #2
North Bay Village, FL 33141

RESIDENT
7937 WEST DR., APT B
N. BAY VILLAGE, FL 33141

RESIDENT
7937 WEST DR., APT A
N. BAY VILLAGE, FL 33141

RESIDENT
7937 WEST DR., APT F
N. BAY VILLAGE, FL 33141

RESIDENT
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RESIDENT
7939 WEST DR., APT 103
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RESIDENT
7939 WEST DR., APT 203
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RESIDENT
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RESIDENT
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RESIDENT
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N. BAY VILLAGE, FL 33141

RESIDENT
7937 WEST DR., APT E
N. BAY VILLAGE, FL 33141

NEIGHBORS CALENDAR

• CALENDAR, FROM 12NE

Island Parrot Jungle Trail, Miami. **Kangaroo Konnection** Interact and "konnnect with the Kangaroos" at the Kangaroo Paddock. Nov. 27-Nov. 28 11:30 a.m., 2 p.m.; Nov. 29-Nov. 30 11:30 a.m., 2 p.m., 3:30 p.m.; Dec. 1-Dec. 4 11:30 a.m., 2 p.m. Included in admission Jungle Island Parrot Jungle Trail, Miami.

Kaziranga Camp Rhino Encounter Watch the Greater One-Horned Indian Rhino step up to you, open his enormous mouth and gladly take food from your hand with his prehensile lip. His noisy chewing is a treat to behold, and after swallowing, he will open his mouth asking for more. He will even let you rub his horn. This is a not-to-be-missed encounter. Nov. 27-Nov. 30 12:30 p.m.-3 p.m. \$3 per person (feed or other type of encounter) Zoo Miami 12400 S.W. 152nd St., Miami.

Little Havana Food Tour Taste some of the best Cuban bites in Miami on this culinary tour. Nov. 27-Nov. 30, Dec. 4 12:50 p.m.-3 p.m. \$59 Little Havana SW Eighth St., Miami.

Magical Snowfall Enjoy a winter wonderland experience complete with a magical snowfall. Visitors will get to enjoy a bevy of snow flurries on the Rambles Plaza every night at 7 pm, with an additional snowfall at 9 pm on Thursday, Friday, Saturday and Sunday. To create a more memorable snowfall, Dolphin Mall will give away magical wands to children under the ages of 12. Once the clock strikes 7 pm and 9 pm, young magicians can wave their wondrous wands to unleash the snowstorm and create a glistening winter wonderland. Children can retrieve the enchanted wands 30 minutes prior to the snowfall. Nov. 27-Nov. 30 7 p.m., 9 p.m.; Dec. 1-Dec. 3 7 p.m.; Dec. 4 7 p.m., 9 p.m. Dolphin Mall 1401 NW 12th St., Miami.

Making Space: Beyond a Room This exhibition examines the current status of creative space for female artists today and how this space is constructed and defended by both male and female artists. Nov. 27 9 a.m.-3 p.m.; Nov. 28 10 a.m.-1 p.m.; Dec. 1-Dec. 2 9 a.m.-3 p.m.; Dec. 3 10 a.m.-7 p.m.; Dec. 4 9 a.m.-3 p.m. Broward College - Rosemary Duffy Larson Gallery 3501 S.W. Davie Rd., Davie.

Manatees At the Manatee Exhibit, guests come face-to-face with Florida's state marine mammal through poolside and underwater viewing areas. The Manatee Presentation provides an opportunity to learn about this fascinating and federally endangered animal and, more importantly, explains ways that guests can help save these gentle creatures of the sea. The manatees featured are part of the rescue and rehabilitation program at Miami Seaquarium. Nov. 27-Nov. 30 9:30 a.m.-6 p.m. Included in admission Miami Seaquarium 4400 Ricken-

• TURN TO CALENDAR, 14NE

MEETING NOTICES

December 1 - 5, 2014

MONDAY, December 1

5:00 p.m. Affordable Housing Advisory Committee City Manager's Large Conf. Room, 4th Floor, City Hall

TUESDAY, December 2

8:30 a.m. Design Review Board* Commission Chambers Third Floor, City Hall
 11:00 a.m. Mayor's Blue Ribbon Panel on Flooding and Sea Rise Convention Center
 12:00 noon MBCC Executive Board Rm. Advisory Board
 2:00 p.m. RFQ 2015-016-YG Pre-Proposal Conference Architectural & Engineering Design Services for the Altos del Mar Park Project
 3:30 p.m. Human Rights Committee City Manager's Small Conf. Room, 4th Floor, City Hall
 4:30 p.m. Budget Advisory Committee City Manager's Large Conf. Room, 4th Floor, City Hall
 5:01 p.m. Special Budget Hearing / Truth-In-Millage* Commission Chambers Third Floor, City Hall

WEDNESDAY, December 3

5:30 p.m. Parks and Recreation Facilities Advisory Board Miami Beach Golf Club, 2301 Alton Road

THURSDAY, December 4

8:00 a.m. Mayor's Blue Ribbon Panel on North Beach Normandy Shores Golf Club 2401 Biarritz Drive
 9:00 a.m. Special Master Hearings Commission Chambers Third Floor, City Hall
 2:00 p.m. Special Master Special Setting City Manager's Large Conf. Room, 4th Floor, City Hall

FRIDAY, December 5

9:00 a.m. Board of Adjustment* Commission Chambers Third Floor, City Hall

For any and/or all of the above meetings, one or more members of the Miami Beach City Commission may be in attendance and participate in discussions.

* Aired live on MBTV: AT&T U-verse 99, Atlantic Broadband 77, Digital 90 & 107.3

** Commission Committee meeting aired live on MBTV

*** Commission Committee meeting with delayed broadcasting on MBTV

No. 0000830550-01



We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historical community.

City Hall is located at 1700 Convention Center Drive; and the Miami Beach Convention Center is located at 1901 Convention Center Drive. Any meeting may be opened and continued, and under such circumstances, additional legal notice will not be provided. To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceedings call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service). A meeting not noticed in the Weekly Meeting Notice ad and determined to be an emergency meeting will be posted on the bulletin boards throughout City Hall and will be available on the City's website at web.miami-beach.fl.gov/citycenter/.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may 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.



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, DECEMBER 9, 2014** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

1. AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
 - B. BONUS DENSITY APPROVAL, PURSUANT TO SECTION 152.029(C)(8)H OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - C. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 54-UNIT, 15-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.
2. AN APPLICATION BY CLFP-NBV, LP CONCERNING PROPERTY LOCATED AT 8000 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE CONSTRUCTION OF AN ANCHLARY DOCK, PURSUANT TO SECTION 152.059 AND SECTION 150.11(A) OF THE VILLAGE CODE AND THE APPROVAL OF A WAIVER PURSUANT TO SECTION 150.11(A) AND 150.11(G) TO CONSTRUCT DOCK STRUCTURES EXTENDING FARTHER THAN 25 FEET FROM THE SHORELINE.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR 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).

YVONNE P. HAMILTON, CMC
 VILLAGE CLERK
 (November 21, 2014)



Staff Report

Permit Application for Pier

Prepared for: North Bay Village Commission

Applicant: ZF Development, LLC

Address: 8000 West Drive

Request: Permit for a pier (dock) and pilings projecting more than 25 feet from the bulkhead line.



Serving Florida Local Governments Since 1988

General Information

Applicant	ZF Development, LLC
Applicant Address	200 E Broward Blvd, Suite 1200 Fort Lauderdale, Fl. 33301
Site Address	8000 West Drive
Contact Person	Brett Gelsomino
Contact Phone Number	954-779-7950
E-mail Address	bjg@zomusa.com
Zoning District	RM-70
Use of Property	Mixed-use Condominium

General Description

The applicant is requesting a permit to construct a new dock at a Mixed-use development in the RM-70 zoning district. The proposed dock will extend 25 feet from the existing seawall into Biscayne Bay, with mooring pilings placed up to 40 feet from the seawall.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 150.11 and specifically subsections (A) and (F).

Section 150.11 reads as follows:

“(A) No person, firm, or corporation shall construct, reconstruct, or repair any docks, piers, dolphins, wharfs, pilings, similar structures of any kind more than twenty-five (25) feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the city. Provided however, if construction of a docking facility is prevented by the requirement of federal, state or preemptive local environmental laws, rules and regulations (laws) whereby in order to obtain a permit for construction of a docking facility, it is necessary to exceed the same more than twenty-five (25) feet perpendicular from the seawall or shoreline, the docking facility may be constructed such distance from the seawall or shoreline as may be required in order to comply with such laws by obtaining a waiver from the City Commission in accordance with subsection (G), provided further, however the furthestmost distance seaward from the seawall or shoreline shall not exceed seventy-five (75) feet including all dolphins or pilings installed beyond the seaward



most line of the dock or pier but not including required rip-rap.

- (B) Plans and specifications for construction, reconstruction, or repair of docks, piers, dolphins, wharfs, pilings, or similar structures shall comply with all provisions of the City Code, shall be approved by the City Manager, and shall be kept permanently in the records of the city. Repair or reconstruction may be made in accordance with the original plans.*
- (C) No dock, pier, wharf, dolphin, piling, or similar structure shall be erected in the city unless the structure is set back at least seven and one-half feet from the lot line on each side; and the structure shall not exceed five (5) feet above ground level, except a joint or "party" dock may be permitted on the property line if approved by the City Commission.*
- (D) No person, firm, or corporation shall build, maintain, extend, or make any structural alteration on any building, dock, pier, dolphin, wharf, piling, bulkhead, seawall, or similar structure in, upon, or over the waters adjacent to Harbor Island, Treasurer Island, North Bay Island, and Cameo Island within the corporate limits of the city, or do any filling, excavating, or dredging in the waters without first obtaining a written permit to do so from the City Manager.*
- (E) Application for any permit or the transfer of any permit required by this section shall be made to the City Manager in writing on forms provided therefore. The permit shall constitute an agreement by the applicant to comply with all conditions imposed upon granting of the permit. The application shall be accompanied by plans and specifications setting forth in detail the work to be done.*
- (F) All applications for construction or structural alterations of any building, dock, pier, dolphin, wharf, piling, bulkhead, seawall, or similar structure in, upon, or over the waters within the corporate limits of the city shall require the approval of the City Commission after a public hearing. During the public hearing the City Commission shall consider safety and compatibility as criteria for approving the application.*
- (G) Notwithstanding the provisions of paragraph (F), if an applicant seeks a dock or pier length greater than twenty-five (25) feet, the City Commission shall additionally consider the following criteria to determine if a waiver shall be granted:
 - (i) If Miami Dade Department of Environmental Management has required specific depth or location criteria; and*
 - (ii) If the Applicant has provided to the City notarized letter(s) of consent from adjoining riparian property owners, and*
 - (iii) If the City has received any letter(s) of objection from adjoining riparian property owners; and*
 - (iv) Any other factors relevant to the specific site.**



- (H) *The City Commission may deny, approve, or modify the request and/or impose conditions in the permit, pursuant to paragraph (F), or granting of a waiver, pursuant to paragraph (G), which it deems necessary to protect the waterways of the City in accordance with the public safety and the general welfare. The requirement of approval by the City Commission shall not include applications for repair of existing structures.*
- (I) *A public hearing held pursuant to this Section shall be quasi judicial and follow the hearing procedures provided in Section 29.02 of the Code.*
- (J) *Nothing contained in this section shall be construed or apply to prohibiting repair or reconstruction or otherwise limiting those structures which exist at the time of adoption of this section, however, the provisions of subsections (D) and (E) above shall be complied with."*

The location of boats, docks and piers is also governed by Section 152.059, most specifically subsection (B) which reads as follows:

"(B) No docks, piers, mooring posts, or combinations thereof, may project more than twenty-five (25) feet from any bulkhead line, nor extend nearer than seven and one-half feet to any adjacent property line. A waiver may be granted by the City Commission pursuant to Section 150.11(A), upon completion of a marine survey demonstrating the minimum distances from the seawall necessary to meet the minimum depth requirements, approved by DERM, and completed by a licensed professional surveyor and mapper registered to practice in the State of Florida."

Staff Comments

The dock will be located so that the 7.5 foot side setbacks from the property lines are met. However, the proposed mooring pilings are depicted at 40 feet from the shoreline. Section 150.11(A) requires that construction in the waterway past 25 feet from the shoreline requires a waiver from the Village Commission. Sections 150.11(A) and 150.11(G) provide criteria by which this waiver should be considered. The Applicant has made verbal and written statements to Staff that Miami-Dade DERM has required the margin dock (where the boats can begin) to be placed such that the boats are in at least 4' of water depth, which requires extending further into the waterway. However, the Applicant has not provided any documentation from Miami-Dade which validates the need to extend 15 feet past the 25 foot limitation.

Based on this lack of documentation, and the plans presented by the Applicant at the time of the writing of this staff report, the proposed structures are not currently eligible to receive a waiver to extend past 25 feet from the shoreline.



Recommendation

Staff cannot recommend approval of this application until the Applicant submits documentation from the appropriate agency which justifies the waiver to extend 15 feet past the 25 foot limitation from the shoreline.

At such time as the Applicant provides the above mentioned documentation, a building permit may be issued once the following conditions have been met:

1. Verification of the 5 foot height restriction (Section 150.11C) at the time of building permit issuance.
2. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
3. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
4. Cost Recovery changes must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
5. Authorization or issue of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

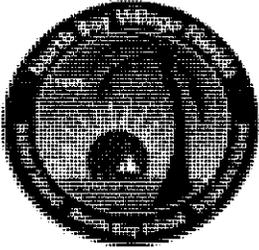
Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

November 25, 2014

Hearing: Village Commission, December 9, 2014





North Bay Village
 Administrative Offices
 1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141
 Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

DOCK APPLICATION FOR PUBLIC HEARING

Page 1 of 3

Site Address 8000 WEST DRIVE

Owner Name CLPF-NBV, LP Owner Phone # 954-779-7950

Owner Mailing Address 200 E BROWARD BLVD, SUITE 1200, FORT LAUDERDALE, FL 33301

Applicant Name ZF DEVELOPMENT, LLC Applicant Phone # 954-779-7950

Applicant Mailing Address 200 E BROWARD BLVD, SUITE 1200, FORT LAUDERDALE, FL 33301

Contact Person BRETT GELSOMINO Contact Phone # 954-779-7950

Contact Email Address BJG@ZOMUSA.COM

Legal Description of Property TRACT C, BOOK 44, PAGE 72, MIAMI-DADE

Existing Zoning RM-7D Lot Size 4.4 ACRES Folio Number 23-3209-001-0040

Legal Description TRACT C, BOOK 44, PAGE 72 MIAMI-DADE

Project Description "BLU" APARTMENT COMMUNITY - DOCK FACILITY, PRIVATE - 13 SLIPS

Dock Length Measured Perpendicular from Seawall DOCK - 17', PILES - 40'

Mandatory Submittals (Applicant must check that each item is included with this application)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Site plans which depict: (1- Full size, (17) x 11-1/2) | <input checked="" type="checkbox"/> Property survey - provided |
| North point ✓ | <input checked="" type="checkbox"/> Elevations - shown |
| Scale at 1/16 inch to the foot, or larger ✓ | <input type="checkbox"/> DERM approval - in process |
| Date of preparation ✓ | <input type="checkbox"/> Application fees |
| Dock structures ✓ | <input type="checkbox"/> Cost recovery deposit |
| Any mechanical equipment | |
| Any exterior lighting ✓ | |
| Any other physical features ✓ | |

11-10-14P03:29 RCVD

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

DOCK APPLICATION FOR PUBLIC HEARING

Page 2 of 3

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for dock approval from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting dock approval from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request, pursuant to Section 152.110 of the Village Code.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission has voted favorable on the proposed request.

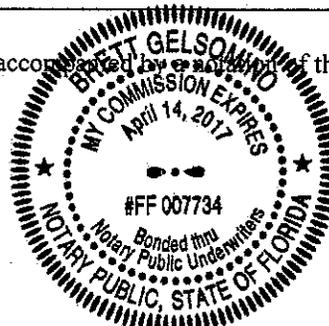
I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Village Commission revoked.

Authorized Signature 

Print Name Greg West

(In case of corporate ownership, the authorized signature shall be accompanied by a notary of the signer's position in the corporation and embossed with the corporate seal.)

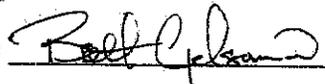
STATE OF FLORIDA
COUNTY OF BROWARD



Sworn to and subscribed to before me this 10th day of November, 2014

by GREG WEST, AGENT

who is personally known to me or who has produced _____ as identification.

Notary Public Signature 

Commission Number/Expiration FF007734, 4/14/17

11-10-14P03:29 RCVD

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

DOCK APPLICATION FOR PUBLIC HEARING

Page 3 of 3

Office Use Only:

Date Submitted: 11/7/14

Tentative Meeting Date: 12/9/14

Fee Paid: \$ 300.00

Cash or Check # Credit Card

Date Paid: 11/12/14

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

BIOLOGICAL SOLUTIONS, INC.

Wetland and Marine Studies and Consulting



(954) 772-5398 Fax (954) 776-1813

November 25, 2014

ZOM Florida
200 E. Broward Blvd., Suite 1200
Fort Lauderdale, FL 33301

RE: The Blu
8000 West Drive
North Bay Village, FL

Attn: Brett J. Gelsomino

Regarding the installation of (13) thirteen boat slips at the above subject location the following was noted:

Dade County DERM requirement for any boat dock requires a minimum of 4' of water depth at mean low tide. This requirement is to insure that there will be no scouring from prop wash to protect the berm from any resources that might exist, (i.e. coral seagrasses, sponges, etc.) and also to avoid turbidity from boat props.

Based upon our initial inspection of the property along with our Bathometric survey which is in line with DERM survey it was found that to allow the mooring of all vessels at the subject site the closest to the new bulk head they would be allowed is approx. 16'

After several designs and locations it was agreed upon by DERM that this design would have the least impact environmentally.

This design however will require the installation of approx. (13) thirteen wood mooring pile to be placed approx. 40' from the existing bulk head to properly moor the proposed (13) thirteen boats.

It is our understanding that any structure exceeding 25' from the shore line is an action that requires a waiver from the Village Commission.

In order to avoid any environmental impacts this waiver will be needed to accommodate these boat slips at this time.

Stephanie Voris
Biologist



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources

Environmental Resources Management

701 NW 1st Court, 6th Floor

Miami, Florida 33136-3912

T 305-372-6567 F 305-372-6407

miamidade.gov

July 17, 2014

CLPF NBV, L.P.
c/o Rim Bright, Grantee
601 13th Streey NW, Suite 700N
Washington, DC 20005

Re: Class I Permit Application CLI-2014-0204: CLPF NBV, L.P. – Dock at 8000 West Drive, North Bay Village, Miami-Dade County, Florida (Folio No. 23-3209-001-0040)

Dear Mr. Bright:

Please accept this letter in response to your submittal of a Class I permit application for the above referenced property. DERM staff has the following recommendations to continue processing your permit application.

The Code of Miami-Dade County (Code) requires that DERM's evaluation of applications for a Class I permits shall be based on several evaluation factors; these include, but are not limited to, a project's potential adverse environmental impact upon hydrology, water quality, navigation, wildlife habitats, floral and faunal values, rare, threatened and endangered species, as well as a proposed project's consistency with the Miami-Dade County Manatee Protection Plan (MPP). Pursuant to the MPP, the project site is located within an area identified as Essential Manatee Habitat and recommended for "Residential Docking: 1 Motorboat per 100 feet of Shoreline". Based on the recommendations of the MPP, a maximum of 13 powerboat slips to be utilized by residents of the adjacent uplands may be authorized. The information submitted with the Class I permit application does not include the proposed use of the facility, and therefore, additional information is needed in order for DERM to fully evaluate the proposed docking facility. Please submit detailed information on the proposed use of the facility, including the types (power/sail) and manufacturer's specifications (length, maximum draft with engines down and fully loaded) for the vessels proposed to be moored on-site.

Please be advised that a Restrictive Covenant Running with the Land in Favor of Miami-Dade County that limits the type of use and the number of powerboats at the property may be requested. Please note, the review for legal sufficiency of a Restrictive Covenant requires the submittal of an Opinion of Title for the property that will be encumbered by the Restrictive Covenant. DERM recommends that a draft Opinion of Title be submitted for review by the County Attorney's Office prior to submittal of a final, executed version.

DERM staff completed a biological assessment, and determined that the minimum Code-required water depth of 4 feet N.O.A.A. Mean Low Water (MLW) is not obtained throughout the slips areas of the proposed dock configuration. In addition, adequate water depth for the vessels proposed to be moored on-site is required, and is determined based on the maximum draft of the vessels with engines down and fully loaded. Please contact us to discuss alternative configurations that may be approved once the vessel information requested above has been provided to DERM for review.

Mitigation is required to compensate for the long term and short term environmental impacts associated with the construction and operation of the docking facility and will be calculated once the configuration has been finalized. DERM is willing to accept a contribution to the Biscayne Bay Environmental Enhancement Trust Fund or an off-site mitigation project in order to satisfy the mitigation requirements.

A search of County records revealed that the proposed work will occur over submerged lands that were deeded to Sea Bay Corporation of Miami-Beach. Authorization for the use of the subject submerged lands is required prior to issuance of a Class I permit.

Delivering Excellence Every Day

A Marine Facilities Annual Operating Permit (MOP) is required for docking facilities with 10 or more boat slips, moorings, davit spaces, and vessel tie-up spaces. If the final approved docking facility provides for the mooring of 10 or more vessels, a valid MOP will be required prior to operation, including the mooring of vessels. Please contact Jesus Delgado in the DERM Coastal and Wetlands Resources Section at (305) 372-6575 for additional information.

The biological assessment revealed the presence of submerged debris on-site. The Class I permit shall include a condition that requires all of the submerged debris to be removed prior to the start of construction.

Attached please find a Completeness Summary detailing items required in order to complete your Class I Permit Application Package. Attached please also find a State and Federal Delegated Review Checklist containing additional information and indicating additional items to be submitted prior to Class I permit issuance. **Please submit all of the required items within thirty (30) days of the date of issuance of this letter in order for your application to remain in active status.** Should you have further questions or need additional information, please contact me at (305) 372-6582 or fresan@miamidade.gov.

Sincerely,



Nicole Fresard, Biologist II
Coastal and Wetlands Resources Section

cc: Robert Kirby – U.S. Army Corps of Engineers (Robert.J.Kirby@usace.army.mil)
Benny Luedike – Florida Department of Environmental Protection (Benny.Luedike@dep.state.fl.us)
Ray Qualmann Marine Construction, Inc. – Authorized permit agent (mitchell@qualmannmarine.com)
Kellie Youmans – Florida Fish and Wildlife Conservation Commission (Kellie.Youmans@myFWC.com)

COMPLETENESS SUMMARY
COASTAL CONSTRUCTION PERMIT APPLICATION
PROJECT NO. CLI-2014-0204

PROJECT NAME: CLPF NBV, LP
PROJECT ADDRESS: 8000 West Drive
North Bay Village, Florida
DATE: July 17, 2014
PROJECT MANAGER: Nicole Fresard

THE FOLLOWING DOCUMENTS SHALL BE SUBMITTED TO CONTINUE PROCESSING YOUR PERMIT APPLICATION:

- Information related to the use of the docking facility and vessel specifications as specified in the cover letter.
- Revised sketches will be requested once the facility configuration has been finalized.

DOCUMENTS REQUIRED PRIOR TO PERMIT ISSUANCE:

- A minimum of 4 sets of plans signed and sealed by Professional Engineer Licensed in the State of Florida.
- Restrictive Covenant Running with the Land in Favor of Miami-Dade County.
- Opinion of Title will be requested.
- Restrictive Covenant recording fees in an amount to be determined.
- Structural & zoning approvals from the City of Miami.
- Permit fee in the amount of \$1,820.00
- Mitigation bond and associated bond documents or a BBEETF contribution in an amount to be determined.
- Authorization for the use of the submerged lands.

STATE AND FEDERAL CHECKLIST

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)

DERM has been delegated the authority to review the proposed project and grant proprietary authorization for the use of sovereign submerged lands pursuant to an operating agreement between DERM and FDEP.

Not applicable.

UNITED STATES ARMY CORPS OF ENGINEERS (USACE)

DERM has been authorized to administer the programmatic general permit SAJ-42 in conjunction with the issuance of a Class I permit pursuant to an operating agreement with the USACE.

DERM has reviewed the proposed work and determined that the project does not qualify for the Federal general permit (SAJ-42). Direct approval or exemption from the USACE may be required for the proposed work. Please contact Rosalinda Rodriguez at the USACE at (305) 526-7181 for more information.

PLEASE SUBMIT THIS INFORMATION AS SOON AS POSSIBLE SO THAT WE MAY COMPLETE THE PROCESSING OF YOUR APPLICATION. ANY QUESTIONS SHOULD BE DIRECTED TO THE DERM PROJECT MANAGER LISTED ABOVE.

Please see below for information on the MDC Code water depth requirements.

Section 24-48.3.3:

In addition to the applicable evaluation factors found in Section 24-48.3(1)(a) through (i) above, boat slips created by the construction or placement of fixed or floating docks, piers, piles and other structures requiring a permit under this article and located in tidal waters within the geographical boundaries of Miami-Dade County, Florida shall have a minimum water depth of four feet N.O.A.A. mean low water datum. It shall be unlawful to moor or store vessels at fixed and floating docks, piers, piles and any structure requiring a permit under this article in tidal waters within the geographical boundaries of Miami-Dade County in areas with less than four feet of depth N.O.A.A. mean low water datum except for those existing structures which were constructed or placed in accordance with all of the requirements of the Code of Miami-Dade County, Florida prior to October 11, 1985. The foregoing requirements in this subsection (3) shall not apply to:

(a)

Fixed or floating docks or piers in tidal waters which are utilized exclusively for fishing, viewing Biscayne Bay, or swimming and which do not have one or more slips or mooring or fender piles present or proposed at or adjacent to the dock or pier, or

(b)

Fixed or floating docks or piers in tidal waters which are utilized exclusively for launching canoes or kayaks, or

(c)

Construction or placement of davits in tidal waters, provided that the davits are attached to seawalls or bulkheads, or

(d)

Fixed or floating docks, piers or boat slips in tidal waters created by work requiring a permit under this Article if located in artificially created canals, provided the canal is bulkheaded and bordered by uplands on both sides of the canal, or

(e)

Floating vessel platforms and floating boat lifts in tidal waters which qualify for the exemption contained within Section 403.813(2)(s), Florida Statutes.

(f)

Installation of boat lifts, davits and mooring piles, in slips at existing permitted docks and piers.

(g)

Repair or reconstruction of existing legal docks provided there is a minimum water depth of three feet N.O.A.A. mean low water datum.

Additionally, no permit shall be issued for a proposed slip or for any other proposed work requiring a permit under this Article which is to be used for the mooring or securing of a vessel, unless adequate water depth exists, including when the vessel is fully loaded.



North Bay Village

Administrative Offices

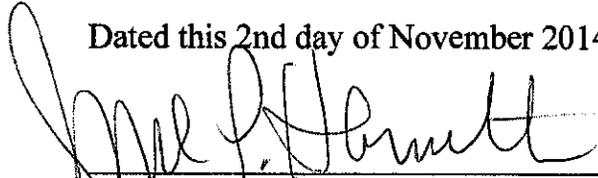
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

RE: AN APPLICATION BY ZF DEVELOPMENT CONCERNING PROPERTY LOCATED AT 8000 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE CONSTRUCTION OF AN ANCILLARY DOCK, PURSUANT TO SECTION 152.059 AND SECTION 150.11(A) OF THE VILLAGE CODE AND THE APPROVAL OF A WAIVER PURSUANT TO SECTION 150.11(A) AND 150.11(G) TO CONSTRUCT DOCK STRUCTURES EXTENDING FARTHER THAN 25 FEET FROM THE SHORELINE.

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on December 9, 2014 was posted at the above-referenced property on November 21, 2014.

Dated this 2nd day of November 2014.



Yvonne P. Hamilton
Village Clerk

(Commission Meeting-12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

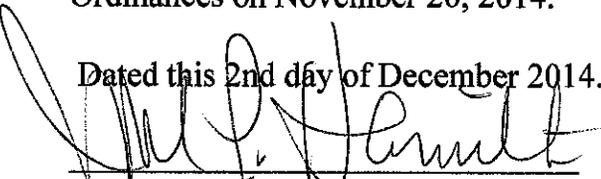
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

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I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on November 26, 2014.

Dated this 2nd day of December 2014.


Yvonne P. Hamilton
Village Clerk

(Commission Meeting -12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

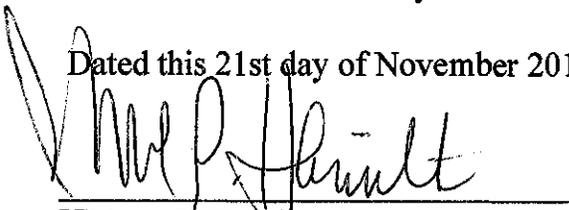
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

RE. AN APPLICATION BY ZF DEVELOPMENT CONCERNING PROPERTY LOCATED AT 8000 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE CONSTRUCTION OF AN ANCILLARY DOCK, PURSUANT TO SECTION 152.059 AND SECTION 150.11(A) OF THE VILLAGE CODE AND THE APPROVAL OF A WAIVER PURSUANT TO SECTION 150.11(A) AND 150.11(G) TO CONSTRUCT DOCK STRUCTURES EXTENDING FARTHER THAN 25 FEET FROM THE SHORELINE.

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by CLFP-NBV, LP for construction of an ancillary dock is complete.

Dated this 21st day of November 2014.


Yvonne P. Hamilton
Village Clerk

(Commission Meeting-12/9/2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON **TUESDAY, DECEMBER 9, 2014** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUEST:

1. **AN APPLICATION BY CLFP-NBV, LP CONCERNING PROPERTY LOCATED AT 8000 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE CONSTRUCTION OF AN ANCILLARY DOCK, PURSUANT TO SECTION 152.059 AND SECTION 150.11(A) OF THE VILLAGE CODE AND THE APPROVAL OF A WAIVER PURSUANT TO SECTION 150.11(A) AND 150.11(G) TO CONSTRUCT DOCK STRUCTURES EXTENDING FARTHER THAN 25 FEET FROM THE SHORELINE.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR 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).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(November 24, 2014)

WEST BAY CONDOMINIUM
7935 WEST DRIVE
N. BAY VILLAGE, FL 33141

West Bay Condominium Assoc.
C/O Lorenzo Brito
7935 West Drive, #4
North Bay Village, FL 33141

Stonemason Partners, LP
1205 Lincoln Road
Suite 211
Miami Beach, FL 33139

Chateau Isle, Inc.
7939 West Drive, Apt. 103
North Bay Village, FL 33141

American Prime
C/O Absolute Demolition
2955 N.W. 73rd Street
Miami, FL 33147

NAFDOF NBVMF LLC
7937 WEST DRIVE
NORTH BAY VILLAGE, FL 33141

VIEW LLC
C/O JAMES EDWARDS
7940 WEST DR
NORTH BAY VILLAGE, FL 33141

SPACE 01 CONDOMINIUM
7934 WEST DRIVE
N BAY VILALGE, FL 33141

CHATEAU ISLE CO-OP
7939 WEST DRIVE
N. BAY VILLAGE, FL 33141

7940 West Drive Building, LLC
1548 Brickell Avenue
Miami, FL 33131

Owner/Occupant
7934 West Drive, #1401
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #902
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1404
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1002
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1604
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #903
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #605
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1103
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1004
North Bay Village, FL 33141

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7934 West Drive, #1202
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Owner/Occupant
7934 West Drive, #1102
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7934 West Drive, #1502
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7934 West Drive, #1605
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #804
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1504
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1204
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #504
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1402
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #702
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1503
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1603
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #701
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1101
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #703
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #801
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1203
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #803
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #805
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #704
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #602
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1104
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #802
North Bay Village, FL 33141

Owner/Occupant
7934 West Drive, #1005
North Bay Village, FL 33141

Owner/Occupant
7935 West Drive, #1
N. Bay Village, FL 33141

Owner/Occupant
7935 West Drive, #2
N. Bay Village, FL 33141

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7935 West Drive, #3
N. Bay Village, FL 33141

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N. Bay Village, FL 33141

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7935 West Drive, #5
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Owner/Occupant
7935 West Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
7935 West Drive, #7
N. Bay Village, FL 33141

Owner/Occupant
7935 West Drive, #8
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #1
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #2
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #3
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #4
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #5
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #7
N. Bay Village, FL 33141

Owner/Occupant
7937 West Drive, #8
N. Bay Village, FL 33141

NEIGHBORS CALENDAR

• CALENDAR, FROM TIME

Island Ill Parrot Jungle Trail, Miami.
Kanawoo Connection Interact and "connect with the kangaroos" at the Kanawoo Predator, Nov. 27-Nov. 28 12:30 a.m., 2 p.m., Nov. 29-Nov. 30 12:30 a.m., 2 p.m., 3:30 p.m., Dec. 1-Dec. 4 12:30 a.m., 2 p.m. Included in admission. Jungle Island Ill Parrot Jungle Trail, Miami.
Kaziranga Camp Rhino Encounter Watch the Greater One-Horned Indian Rhino step up to you, open his enormous mouth and gleefully take food from your hand with his prehensile lip. His noisy chewing is a treat to behold, and after swallowing, he will open his mouth asking for more. He will even let you rub his horn. This is a not-to-be-missed encounter. Nov. 27-Nov. 30 12:30 p.m.-5 p.m. \$5 per person (feed or other type of encounter) Zoo Miami 12400 S.W. 152nd St., Miami.
Little Havana Food Tour Taste some of the best Cuban bites in Miami on this culinary tour. Nov. 27-Nov. 30, Dec. 4 12:30 p.m.-3 p.m. \$59. Little Havana S.W. Eighth St., Miami.
Magical Snowfall Enjoy a winter wonderland experience complete with a magical snowfall. Visitors will get to enjoy a bay of snow burries on the Parables Plaza every night at 9 p.m. with an additional snowfall at 9 p.m. on Thursday, Friday, Saturday and Sunday. To create a more memorable snowfall, Dolphin Mall will give away magical wands to children under the ages of 12. Once the clock strikes 7 p.m. and 9 p.m., young magicians can wave their wondrous wands to unleash the snowstorm and create a glistening winter wonderland. Children can retrieve the enchanted wands 30 minutes prior to the snowfall. Nov. 27-Nov. 30 7 p.m., 9 p.m.; Dec. 1-Dec. 3 7 p.m.; Dec. 4 9 a.m.-3 p.m., Dec. 5 7 p.m.; Dec. 6 9 a.m.-3 p.m., Dec. 7 7 p.m.; Dec. 8 9 a.m.-3 p.m., Dec. 9 7 p.m.; Dec. 10 9 a.m.-3 p.m., Dec. 11 7 p.m.; Dec. 12 9 a.m.-3 p.m., Dec. 13 7 p.m.; Dec. 14 9 a.m.-3 p.m., Dec. 15 7 p.m.; Dec. 16 9 a.m.-3 p.m., Dec. 17 7 p.m.; Dec. 18 9 a.m.-3 p.m., Dec. 19 7 p.m.; Dec. 20 9 a.m.-3 p.m., Dec. 21 7 p.m.; Dec. 22 9 a.m.-3 p.m., Dec. 23 7 p.m.; Dec. 24 9 a.m.-3 p.m., Dec. 25 7 p.m.; Dec. 26 9 a.m.-3 p.m., Dec. 27 7 p.m.; Dec. 28 9 a.m.-3 p.m., Dec. 29 7 p.m.; Dec. 30 9 a.m.-3 p.m., Dec. 31 7 p.m.
Making Space: Beyond a Room This exhibition examines the current status of creative space for female artists today and how this space is constructed and defended by both male and female artists. Nov. 27 9 a.m.-3 p.m.; Nov. 28 10 a.m.-4 p.m.; Dec. 1-Dec. 2 9 a.m.-3 p.m.; Dec. 3 10 a.m.-7 p.m.; Dec. 4 9 a.m.-3 p.m., Dec. 5 9 a.m.-3 p.m., Dec. 6 9 a.m.-3 p.m., Dec. 7 9 a.m.-3 p.m., Dec. 8 9 a.m.-3 p.m., Dec. 9 9 a.m.-3 p.m., Dec. 10 9 a.m.-3 p.m., Dec. 11 9 a.m.-3 p.m., Dec. 12 9 a.m.-3 p.m., Dec. 13 9 a.m.-3 p.m., Dec. 14 9 a.m.-3 p.m., Dec. 15 9 a.m.-3 p.m., Dec. 16 9 a.m.-3 p.m., Dec. 17 9 a.m.-3 p.m., Dec. 18 9 a.m.-3 p.m., Dec. 19 9 a.m.-3 p.m., Dec. 20 9 a.m.-3 p.m., Dec. 21 9 a.m.-3 p.m., Dec. 22 9 a.m.-3 p.m., Dec. 23 9 a.m.-3 p.m., Dec. 24 9 a.m.-3 p.m., Dec. 25 9 a.m.-3 p.m., Dec. 26 9 a.m.-3 p.m., Dec. 27 9 a.m.-3 p.m., Dec. 28 9 a.m.-3 p.m., Dec. 29 9 a.m.-3 p.m., Dec. 30 9 a.m.-3 p.m., Dec. 31 9 a.m.-3 p.m.
Mantaees At the Mantaees Exhibit guests come face-to-face with Florida's state marine mammal through poolside and underwater viewing areas. The Mantaees Present-also provides an opportunity to learn about this fascinating and federally endangered animal and more importantly, explains ways that guests can help save these gentle creatures of the sea. The mantaees featured are part of the rescue and rehabilitation program at Miami Seaquarium. Nov. 27-Nov. 30 9:30 a.m.-6 p.m. Included in admission Miami Seaquarium 4400 Ricken-

• TURN TO CALENDAR, NINE

MEETING NOTICES

December 1 - 5, 2014

MONDAY, December 1

5:00 p.m. Affordable Housing Advisory Committee Room, 4th Floor, City Hall

TUESDAY, December 2

8:30 a.m. Design Review Board* Commission Chambers Third Floor, City Hall
 11:00 a.m. Mayor's Blue Ribbon Panel on Flooding and Sea Rise City Manager's Large Conf. Room, 4th Floor, City Hall
 12:00 noon MBCC Executive Board Rm. Advisory Board 1901 Convention Center Dr.
 2:00 p.m. RFO 2015-016-YG City Manager's Small Conf. Room, 4th Floor, City Hall
 Pre-Proposal Conferences Architectural & Engineering Design Services for the Altos del Mar Park Project Human Rights Committee City Manager's Small Conf. Room, 4th Floor, City Hall
 4:30 p.m. Budget Advisory Committee City Manager's Large Conf. Room, 4th Floor, City Hall
 5:01 p.m. Special Budget Hearing/Truth-In-Millage* Commission Chambers Third Floor, City Hall

WEDNESDAY, December 3

5:30 p.m. Parks and Recreation Facilities Advisory Board Miami Beach Golf Club, 2301 Alton Road

THURSDAY, December 4

8:00 a.m. Mayor's Blue Ribbon Panel on North Beach Normandy Shores Golf Club 2401 Biantz Drive
 9:00 a.m. Special Master Hearings Commission Chambers Third Floor, City Hall
 2:00 p.m. Special Master Special Hearing City Manager's Large Conf. Room, 4th Floor, City Hall

FRIDAY, December 5

9:00 a.m. Board of Adjustment* Commission Chambers Third Floor, City Hall

For any and/or all of the above meetings, one or more members of the Miami Beach City Commission may be in attendance and participate in discussions.

* Aired live on MBTV: AL&I Channel 59, Atlantic Broadband Z2 Digital 90 & 1023

** Commission Committee meeting aired live on MBTV

*** Commission Committee meeting with delayed broadcasting on MBTV

No. 0000830550-01



We are committed to providing excellent public services and safety to all who live, work and play in our vibrant, tropical, historical community.
 City Hall is located at 1790 Convention Center Drive, and the Miami Beach Convention Center is located at 1901 Convention Center Drive. Any meeting may be opened and continued, and under such circumstances, additional legal notice will not be provided. To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceedings call 305.004.2488 and select 1 for English or 2 for Spanish. Then option 6. TTY users may call via 711 (Florida Relay Service). A meeting not noticed in the Weekly Meeting Notice and determined to be an emergency meeting will be posted on the bulletin board throughout City Hall and will be available on the City's website at www.miamibeachfl.gov.
 Pursuant to Section 286.0106, Fla. Stat., the City hereby advises the public that if a person desires to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purposes, he or she may 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.



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A REGULAR MEETING ON TUESDAY, DECEMBER 2, 2014 AT 7:30 PM, OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS:

1. AN APPLICATION BY 7940 WEST DRIVE, LLC CONCERNING PROPERTY LOCATED AT 7938 AND 7940 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
 - B. BONUS DENSITY APPROVAL, PURSUANT TO SECTION 152.029(C)(6)(H) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - C. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 54-UNIT, 15-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.
2. AN APPLICATION BY CLFF-NBY, LP CONCERNING PROPERTY LOCATED AT 8000 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE CONSTRUCTION OF AN ANCHILARY DOCK, PURSUANT TO SECTION 152.059 AND SECTION 150.11(A) OF THE VILLAGE CODE AND THE APPROVAL OF A WAIVER PURSUANT TO SECTION 150.11(G) AND 150.11(H) TO CONSTRUCT DOCK STRUCTURES EXTENDING FARTHER THAN 25 FEET FROM THE SHORELINE.

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

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR 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).

YVONNE R. HAMILTON, CMC
 VILLAGE CLERK

(November 21, 2014)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AND PILINGS AT 8000 WEST DRIVE, PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, ZF Development has applied to North Bay Village for permission to construct a dock and pilings, which project more than 25 feet from the bulkhead line at 8000 West Drive in the RM-70, High Density Multiple-Family Residential Zoning District; and

WHEREAS, Section 150.11(F) of the North Bay Village Code of Ordinances requires all applications for construction of docks to be approved by the Village Commission; and.

WHEREAS, Section 150.11(A) of the Code limits the construction of any dock more than twenty-five (25) feet perpendicular from the seawall or shoreline into any waterway within the corporate limits of the Village; and

WHEREAS, in accordance with Section 150.11(F) of the Village Code, a public hearing by the Village Commission was noticed for Tuesday, December 9, 2014 at 7:30 p.m. at Village Hall, 1666 Kennedy Causeway, Suite 101, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

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 into this Resolution by this reference.

Section 2. Findings.

In accordance with Section 150.11(F) of the Village Code, the Village Commission, having considered the testimony and evidence in the record presented by all parties, finds that the dock is safe and environmentally compatible

Section 3. Grant.

In accordance with Section 150.11(A) of the North Bay Village Code of Ordinances, approval is granted to construct a dock at 8000 West Drive in accordance with the Site Plan submitted to the Village Clerk's Office.

Section 4. Conditions.

1. Submittal of evidence from the appropriate agency for granting a waiver to extend 15 feet past the 25 foot limitation from the shoreline, pursuant to Section 150.11(A) of the Village Code.
2. Verification of the 5 foot height restriction (Section 150.11C) at the time of building permit issuance.
3. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
4. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
5. Cost Recovery changes must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
6. Authorization or issue of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

Section 5. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 6. Violation of Terms and Conditions.

Failure to adhere to the terms and conditions contained in this Resolution in Section 4 shall be considered a violation of this Resolution and persons found violating the conditions shall be subject to the penalties prescribed by the Village Code, including but not limited to the revocation of any of the approval(s) granted in this Resolution.

The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Village Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the Village at any time upon a determination that the Applicant is in non-compliance with the Village Code.

Section 7. Effective Date.

This Resolution shall become effective 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 Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Wendy Duvall _____
Commissioner Eddie Lim _____

PASSED and ADOPTED this 9th day of December 2014.

MAYOR CONNIE LEON-KREPS

ATTEST:

YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

North Bay Village Resolution: Dock Construction-8000 West Drive.

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY CREATING SUBSECTIONS 32.86 THROUGH 32.90 OF THE VILLAGE CODE FOR THE DEVELOPMENT OF A SPECIAL NEEDS ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER JORGE GONZALEZ)

WHEREAS, the Village Commission finds that it is in the best interest of the community to establish a Special Needs Advisory Board,

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

32.86 – Special Needs Advisory Board

A Special Needs Advisory Board (the “Board”) is hereby created which shall be composed of three members appointed by the Village Commission to serve at the pleasure of the Commission. Each member shall be appointed by a majority vote of the Village Commission.

32.87 – Purpose

The Board will act in an advisory capacity to provide the Village Commission, Village Manager, and Village residents with information regarding matters pertaining to the needs of community residents with functional impairments, disabilities, and other such special needs, as well as seniors and children.

32.88 – Powers and Duties

The powers and duties of the Board shall include the following:

- (1) Promote the exchange of ideas and resources in order to better meet the needs of residents with special needs;
- (2) Provide input and information as to government and/or private agencies that provide services for residents with special needs.

32.89 – Meetings; Selections of Officers

- (1) The Board shall hold quarterly meetings to carry out its purpose and duties, as called by its Chairman or the Village Commission.
- (2) The Board shall annually, each by majority vote, elect a Chairman and a Vice-Chairman from among its members. The Chairman shall chair meetings of the Board, and shall be the representative of the Board to the Village Manager and the Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his or her stead. The Board shall designate its own secretary, and the Secretary shall make and furnish minutes of the Board's meetings and submit the minutes of its meetings to the Village Manager monthly.

32.90 – Terms; Vacancies; Removal

- (1) Members of the Board shall be appointed by the Village Commission for a term of two years to coincide with the Village's general election; however, in order to maintain continuity, members shall serve until the new board is appointed after the 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.
- (2) The Village Commission shall have the authority to remove any member of the Board for misconduct, or for more than three unexcused absences in any calendar year.

Section 1. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 2. Codification. This ordinance shall be codified and included in the code of ordinances.

Section 3. 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.

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

THE VOTES WERE AS FOLLOW:

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

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 Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Wendy Duvall _____
Commissioner Eddie Lim _____

DULY PASSED AND ADOPTED this ____ day of _____.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

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

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



North Bay Village

Administrative Offices

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

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

MEMORANDUM

North Bay Village

DATE: August 27, 2014

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jorge Gonzalez
Commissioner

SUBJECT: Introduction of Ordinance

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

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 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.

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

JG:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

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

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

15A

NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM

DATE: December 9, 2014

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

FROM: Frank K. Rollason
Village Manager

SUBJECT: Advisory Board Members Appointments

Pursuant to Section 6.01 of the Village Charter, the terms of the Advisory Boards run concurrent with the Village's General Election, which occurred on November 4, 2014. Additionally, any vacancies occurring on the Boards are to be filled within 30 days. Applications have been received from the residents listed below. All Boards are to consist of five (5) members.

Arts & Special Events Board

1. Scott Grenald, 7700 Beach View Drive

Citizens Budget & Oversight Board

1. Temante Leary, 7900 Harbor Island Drive

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

Community Enhancement Board

1. Ana Watson, 7945 East Drive
2. Scott Grenald, 7700 Beach View Drive

Planning & Zoning Board Members

1. J. Bud Farrey, 1315 Bay Terrace
2. Dr. Douglas Hornsby, 1315 Bay Terrace
3. Bonifacio Lopez, 7601 E. Treasure Drive
4. Michael Tannhauser, 7512 Mutiny Avenue
5. Reinaldo Trujillo, 7601 E. Treasure Drive
6. Marvin Wilmoth, 7900 Harbor Island Drive

In accordance with Section 32.30 of the Village Code, the Planning & Zoning Board is to consist of one member from North Bay Island, one member from Treasure Island, one member from Harbor Island, and two at-large members.

BUDGETARY IMPACT:

There is no impact to the budget for appointing the members.

PERSONNEL IMPACT:

Village Staff will attend the meetings.

CONTACT:

Frank K. Rollason, Village Manager
Yvonne P. Hamilton, Village Clerk

Chapter 32

DEPARTMENTS AND BOARDS

General Provisions

- § 32.01 Village manager as appointing officer and head of Village Departments.
- § 32.02 Vacancies of membership on Village Boards.
- § 32.03 Reserved.
- § 32.04 Reserved.

Youth and Education Services Board

- § 32.66 Youth and Education Services Board.
- § 32.67 Qualification of members.
- § 32.68 Terms; vacancies; removal from office.
- § 32.69 Officers.
- § 32.70 Meetings; quorum; voting period.
- § 32.71 Powers and duties.

Community Enhancement Board

- § 32.10 Establishment.
- § 32.11 Composition.
- § 32.12 Qualifications.
- § 32.13 Terms; removal from office.
- § 32.14 Vacancies.
- § 32.15 Power and duties.
- § 32.16 Officers.
- § 32.17 Meetings; quorum; voting period.

Citizens Budget and Oversight Board

- § 32.72 Citizens Budget and Oversight Board.
- § 32.73 Qualification of members.
- § 32.74 Terms; vacancies; removal from office.
- § 32.75 Officers.
- § 32.76 Meetings; quorum; voting period.
- § 32.77 Powers and duties.

Civil Service Board

- § 32.20 Establishment.

Planning and Zoning Board

- § 32.30 Creation; members.
- § 32.31 Vacancy.
- § 32.32 Officers.
- § 32.33 Meetings.
- § 32.34 Powers; rules and regulations.

Police Department

- § 32.40 Arrests without warrant.
- § 32.41 Searches.
- § 32.42 Salary incentive program.
- § 32.43 Reserve police officers.
- § 32.44 Police impact fee imposition.

Rent Control Board

- § 32.50 Establishment.

Arts, Cultural and Special Events Board

- § 32.60 Arts, cultural and special events Board.
- § 32.61 Qualification of members.
- § 32.62 Terms; vacancies; removed from office.
- § 32.63 Officers.
- § 32.64 Meetings; quorum; voting period.
- § 32.65 Powers and duties.

GENERAL PROVISIONS

§ 32.01 Village Manager as appointing officer and head of Village Departments.

(A) The Village Manager is designated as the appointing officer of each and every Department within the classified service of the Village. (1964 Code, § 2-1; Ord. 119, passed 1-30-57)

(B) The Village Manager is designated and appointed as the head of the Police Department, Maintenance Department, Water Department, and Clerical Department of the Village. The Village Manager is hereby authorized, empowered, and instructed to direct the operations of each of the Departments. (1964 Code, § 2-2; Ord. 118, passed 2-15-57)

§ 32.02 Vacancies of membership on Village Boards.

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

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

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

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

§ 32.03 Reserved.

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

§ 32.04 Reserved.

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

COMMUNITY ENHANCEMENT BOARD*

§ 32.10 Establishment.

In order to enhance the aesthetic appeal of this community by properly exercising its police power

***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.

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

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

§ 32.11 Composition.

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

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

§ 32.12 Qualifications.

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

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

§ 32.13 Terms; removal from office.

Members of the Board shall be appointed by the Village Commission, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve

**ARTS, CULTURAL & SPECIAL EVENTS
BOARD**



North Bay Village

Administrative Offices
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

BOARD/COMMITTEE APPLICATION

NAME Scott Grenalda DATE 12/3/14
MAILING ADDRESS 7700 Beach View Dr
EMAIL Scott.Grenalda@SobeJewelry.com TELEPHONE # 786-261-7582
VILLAGE RESIDENT: YES NO HOW MANY YEARS 17
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 BOARD YOUTH & EDUCATION SERVICES BOARD
- CITIZENS BUDGET AND OVERSIGHT BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO
HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE? YES NO
HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES NO
ARE YOU A REGISTERED VOTER? YES NO
(Attach copy of Voter Registration Card)

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:
Good knowledge in land planning

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)

(Members of the Planning & Zoning Board are required to file a Statement of Financial Interest annually with the Miami-Dade Elections Department. Additionally, at least four hours of Ethics Training is required for all Board members during their term of Office.)

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

event // trix

Certificate of Completion

This is to certify that

Scott Grenald

has successfully completed the EventTrix

Event and Hospitality Management Course



Date of Award:

November 2014


Jaren Taylor
CEO

**ARTS, CULTURAL AND SPECIAL
EVENTS BOARD**

§ 32.60 Arts, Cultural and Special Events Board.

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

§ 32.61 Qualification of members.

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

§ 32.62 Terms; vacancies; removed from office.

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

Any member may be removed from the office by the Commission upon majority vote of the Commission. (Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.63 Officers.

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

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

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

§ 32.64 Meetings; quorum; voting period.

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

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

(C) A majority vote of the Board shall be required on all recommendations made to the Village Commission. (Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

§ 32.65 Powers and duties.

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

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

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

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

YOUTH AND EDUCATION SERVICES BOARD

§ 32.66 Youth and Education Services Board.

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

§ 32.67 Qualification of members.

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

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

§ 32.68 Terms; vacancies; removal from office.

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

(B) Any member may be removed from the office by the Commission upon majority vote of the Commission. (Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.69 Officers.

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

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

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

§ 32.70 Meetings; quorum; voting period.

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

**CITIZENS BUDGET & OVERSIGHT
BOARD**



North Bay Village

Administrative Offices

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

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

BOARD/COMMITTEE APPLICATION

NAME **Temante Leary**

TELEPHONE # (919) 280-3165

MAILING ADDRESS 7900 Harbor Island Drive, APT. 1408, North Bay Village, FL 33141

VILLAGE RESIDENT: YES NO HOW MANY YEARS 5 and 1/2

BUSINESS OWNER: YES NO PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS _____

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? _____

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- | | | | |
|---------------------------------------|-------------------------------------|----------------------------------|--------------------------|
| ANIMAL CONTROL ADVISORY COMMITTEE | <input type="checkbox"/> | COMMUNITY ENHANCEMENT BOARD | <input type="checkbox"/> |
| ARTS, CULTURAL & SPECIAL EVENTS BOARD | <input type="checkbox"/> | PLANNING & ZONING BOARD | <input type="checkbox"/> |
| BUSINESS DEVELOPMENT ADVISORY BOARD | <input type="checkbox"/> | YOUTH & EDUCATION 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 (Attach copy of Voter Registration Card)

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

I have been a member of the North Bay Village Optimist Club for nearly two years. Currently, I am an Adjunct Professor at Miami-Dade College - Hialeah Campus (MDC is the largest college in the country), Brown Mackie College Miami (Brown Mackie's parent company, EDMC, is second largest for profit education company in the country). I also teach at San Ignacio College in Doral, Florida (San Ignacio College is part of a prestigious university system in Peru with their first U.S. campus in Doral). I have a law degree (J.D.) and a Master's of Business Administration (M.B.A.) from St. Thomas University School of Law in Miami Gardens, FL. I have participated in numerous food drives, clothing drives, "get out the vote campaigns," tutoring and youth literacy programs.

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

I am currently the Vice-Chair of this Board and have taken great pride in serving in this role. I am intimately familiar with the budget for the City. I also know how certain budget decisions could affect residents positively or in the inverse and can use this knowledge to be an effective board member when it comes to what is best for our city and its residents. I have been a resident of North Bay Village since I graduate from St. Thomas University School of Law, for 5 1/2 years.

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

Mayor Connie Leon-Kreps	Vice Mayor Eddie Lim	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Jorge Gonzalez
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practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

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

(C) A majority vote of the Board shall be required on all recommendations made to the Village Commission.
(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

§ 32.71 Powers and duties.

(A) The Youth and Education Services Board shall be charged with the duty and responsibilities to act in an advisory capacity to the Village Commission and Village Manager in matters pertaining to the needs of the children and youth in the community including:

- (1) Recreation and park planning activities.
- (2) Physical components of outdoor and indoor leisure, cultural and recreational activities.
- (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 five

members appointed by the Village Commission to serve at the pleasure of the Commission without compensation. All members shall be appointed as provided in Section 32.02. 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.
(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

§ 32.73 Qualification of members.

The members of the Citizens Budget and Oversight Board shall be appointed and shall be qualified electors of the Village as defined in the Charter. Qualified electors shall also be and remain during their respective term of office, residents of the Village and the geographic area they represent. Applicants must possess a Bachelor's Degree or higher in either Finance, Accounting, or Business Administration or equivalent or a minimum of four years' experience.
(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

§ 32.74 Terms; vacancies; removal from office.

(A) Members of the Board shall be appointed by the Village Commission, for a term of two years concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new Board is appointed after the election. Board members shall be appointed as soon as possible after new Commissioners are sworn in to office. 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; Ord. No. 2013-07, § 2, 10-10-13)

§ 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 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 may 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; Ord. No. 2013-07, § 2, 10-10-13)

§ 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 Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board by postal mail or by email three days prior to the called meeting.

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

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

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

§ 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 Village Commission and 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.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

**COMMUNITY ENHANCEMENT
BOARD**



North Bay Village

Administrative Offices

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

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

BOARD/COMMITTEE APPLICATION

NAME ana watson TELEPHONE # 786.468.7168

MAILING ADDRESS 7945 east dr. # 104. Mz FL. 33141

EMAIL ADDRESS: watsonisland@gmail.com

VILLAGE RESIDENT: YES NO

HOW MANY YEARS 35

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

COMMUNITY ENHANCEMENT BOARD

ARTS, CULTURAL & SPECIAL EVENTS BOARD

PLANNING & ZONING BOARD

BUSINESS DEVELOPMENT ADVISORY BOARD

YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES NO

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

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES NO

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

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

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)

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

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

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

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

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

§ 32.03 Reserved.

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

§ 32.04 Reserved.

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

COMMUNITY ENHANCEMENT BOARD*

§ 32.10 Establishment.

In order to enhance the aesthetic appeal of this community by properly exercising its police power

***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.

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

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

§ 32.11 Composition.

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

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

§ 32.12 Qualifications.

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

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

§ 32.13 Terms; removal from office.

Members of the Board shall be appointed by the Village Commission, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve

until the new Board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

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

§ 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 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 Village.
- (3) Entertain complaints from citizens regarding existence of conditions which are detrimental to the aesthetic values and quality of life of the Village.
- (4) To file a report of its activities with the Village Commission and the Village Manager, including the recommendations to the Commission for the beautification of the Village at least once per year.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 05-04, 3-15-05; Ord. No. 2013-08, § 2, 10-8-13)

§ 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 Village Manager and the Village Commission. In the case of the absence of

the Chairman at any meetings, the Vice-Chairman shall act in his stead. The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager monthly.

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

§ 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 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 three members shall constitute a quorum.

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

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

CIVIL SERVICE BOARD

§ 32.20 Establishment.

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

PLANNING AND ZONING BOARD

§ 32.30 Creation; members.

(A) *Created; composition.* A Planning & Zoning Board is hereby created which shall be composed of five members to be appointed by the Village

PLANNING & ZONING BOARD

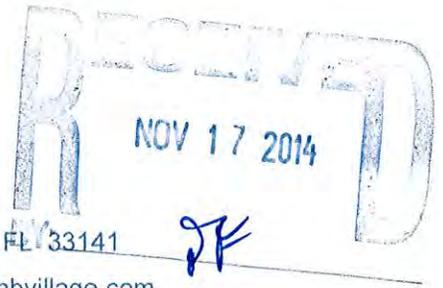


North Bay Village

Administrative Offices

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

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



BOARD/COMMITTEE APPLICATION

NAME John F. (Bud) FARRERT TELEPHONE # 305-542-3583

MAILING ADDRESS 1315 Bay Terr, North Bay Village FL 33141

EMAIL ADDRESS: BUD.FARRERT@FARRERTS.COM

VILLAGE RESIDENT: YES X NO _____ HOW MANY YEARS 39

BUSINESS OWNER: YES X NO _____ PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS FARRERT'S WHOLESALE
1850 N.W. 14th St, North Miami FL 33181

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? - 0 -

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY BOARD
- CITIZENS BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH & EDUCATION 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 _____ (Attach copy of Voter Registration Card)

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

Presently Serving on P&Z Board

CHAIRMAN OF BUILDING & GROUNDS MIAMI COUNTY DAY SCHOOL 28 YEARS

CHAIRMAN OF NORTH MIAMI INDUSTRIAL DEVELOPMENT BOARD 3 YEARS

STAFF ON THE BOARD OF CATHOLIC HEALTH SERVICES 15 YEARS

PAST CHAIRMAN OF THE MARIAN CENTER 20 PLUS YEARS

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 BUSINESS IS DIRECTLY RELATED TO THE CONSTRUCTION INDUSTRY

HAVE SERVED AS PRESIDENT & CEO SINCE 1978

HAVE LIVED IN N.B.V. SINCE 1976

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



North Bay Village

Administrative Offices

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

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

BOARD/COMMITTEE APPLICATION

NAME Douglas N. Hornsby MD TELEPHONE H 305-756-7427 W 305-259-9293 C 286-257-6060

MAILING ADDRESS 1353 Bay Terrace

VILLAGE RESIDENT: YES [checked] NO [] HOW MANY YEARS 16

BUSINESS OWNER: YES [checked] NO [] PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS Digital Radiology, Inc. 1353 Bay Terrace, N. Bay Village, FL 33141

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? 11

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 [checked]
BUSINESS DEVELOPMENT ADVISORY COMMITTEE [] YOUTH & EDUCATION SERVICES BOARD []
CITIZENS BUDGET AND OVERSIGHT BOARD []

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

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

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

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

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

see attached cv and Florida Radiology Society award letter

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

I am an interested long term resident of NBV. I have attended numerous C/H Meetings. Many times petitions for variances have been sent by my neighbors. I want to contribute and will be able to attend meetings since my work

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

Douglas N. Hornsby M.D.

1353 Bay Terrace
North Bay Village, FL 33141

Work (305) 759-9293
Home (305) 756-7427
Cell (786) 257-6060
Fax (305) 759-9960

Current Positions President
Digital Radiology, Inc.
1353 Bay Terrace
North Bay Village, FL 33141
2002-present

Previous Position Chairman Department of Radiology
South Shore Hospital
Miami Beach, Florida 33139 2002-04

Fellowship Brigham and Women's Hospital, Harvard Medical School
Boston, Massachusetts
Radiology Management and Body Imaging
2002

J. Rutherford Internship at the American College of Radiology
Reston, Virginia
2002

University of Miami, Miami, Florida
Fellowship in Musculoskeletal Radiology
July through September 2002

Residency Mount Sinai Medical Center
Miami Beach, Florida
PGY II-V, Diagnostic Radiology, 1997-2000
Chief Resident, 2000 - 2001
Class Representative, 1997 - 2000

Internship University of Tennessee
Memphis, Tennessee PGY-I,
Medicine 1996 - 1997

Medical Schools Spartan Health Sciences University
St. Lucia, West Indies 1993 - 1995, 2ND
MD with Honors

CETEC University
Santa Domingo, Dominican Republic
1981 - 1983, 1 MD

Medical Schools
Continued

University of Tennessee
College of Medicine
Memphis, Tennessee
1977 - 1980

Undergraduate
Degree

Lemoyne-Owen College
Memphis, Tennessee
1974 - 1981, BS, Magna Cum Laude

Military

Combat Medic (91C20)
Republic of South Vietnam, 1969
US Army 1967 - 1973

Honor Graduate
NCO Academy
Schofield Barracks, Hawaii, 1969

US Navy Reserves
1973 - 1982

Scholarships

Health Professionals Scholarship
1974- 1977

Honors

First Recipient of the Annual
Douglas N. Hornsby Leadership Award
Presented annually in Dr. Hornsby's honor, by F.R.S.
2004 - 2005

Alternate Counselor from FRS to
American College of Radiology
2007 - 2008

Marconi-Picker Award as
Best Resident in Florida by
Florida Radiology Society
Presented at the Breakers in Palm Beach, Florida
2001

The Evelyn and Harry Indursky Award
for Best Residence at
Mount Sinai Medical Center
2000

Neuroradiology Award
Mount Sinai Medical Center
1997

**Organizational
Positions**

Board of Governors
Florida Medical Association
2000 - 2002

Member of the House of Delegates
Florida Medical Association
2000 - 2001 & 2005

Florida Radiology Society
Board of Governors
2002 - Present

Florida Medical Associations
Council of Ethical and Judicial Affairs
2000 - 2001
Council of Medical and Socio-Economics
2000 - 2002

American College of Radiology
Task Force of Medical Services
2002

Representative from the American College of
Radiology to the Joint Meeting with the ASRT
For Consensus position on credentialing requirements
For Radiology Assistants, Washington, DC
2002

Board of Directors
Florida Physicians Association
2002 - 2001

Founder and President of
The Resident and Fellow Section Florida
Radiology Society
2000 - 2001

Chair of the Florida Delegation to the Resident
Fellow section of the American
Medical Association Annual Meeting (A-00)
Chicago, Illinois
2000 - 2001

Organizational
Positions
Continued

Chair and Florida Resident of the
Fellow Delegation to the
American Medical Association
Interim Business Meetings
San Diego, California (1-99)
Orlando, Florida (1-00)
San Francisco, California (1-01)

American Medical Association
Credentials Committee
Interim Meeting (1-00)
Orlando, Florida

President
Resident and Fellow Section
Florida Medical Association
2002

Vice President
Resident and Fellow Section
Florida Medical Association
1999 - 2001

Mount Sinai Medical Center
Resident Representative to the
Florida Medical Association
1999 - 2001

Board of Directors
Dade County Medical Association
Miami, Florida
2000 - 2001

Legislative Committee
Dade County Medical Association
Miami, Florida
1999 - 2001

Membership Committee
Dade County Medical Association
Miami, Florida 1999 - 2001

**Organizational
Positions
Continued**

Mount Sinai Medical Center
Medical Educational Committee
Emergency Room Committee
2000 - 2001

University of Tennessee
Medical Student Delegate to the
American Medical Association
1978 - 1980

Florida Representative to the
American College of Radiology
National Conventions
1999 - 2001

Resident Delegate to the
Florida Radiology Society
1998 - 2001

Southeast Regional Director of
American Medical Student Association
1980

President of the University of Tennessee
American Medical Student Association
1978 - 1980

Vice President of the University of Tennessee
American Medical Student Association
1977 - 1978

Employment

President and Owner
Digital Radiology, Inc.
2002 - Present

Director of Radiology
South Shore Hospital
Miami, Beach, Florida
2003 - 2004

Adjunct Professor in Radiology
Barry University
Miami Shores, Florida
1999 - 2000 & 2005

Employment
Continued

President and Owner
American Medical Consultants
Memphis, Tennessee
1988 - 1996

President and Owner of
Helping Hands Nursing, Inc.
Helping Hands Private Nursing, Inc.
With 16 Offices in TN, IL, MO, AR, AL and MS
1979 - 1991

President and Owner of
American Nursing Resources, Inc.
Memphis, Tennessee
1983 - 1987

President and Owner of
Med-Gas, Inc.
Memphis, Tennessee
1983 - 1987

Research

American College of Radiology
Imaging Network
1999

American College of Radiology Imaging Network
Lung Committee with Dr. D. Aberle, UCLA
1999

American Medical Student Association
Community Technical Assistance Program
Kalihi Valley Medical Clinic
Honolulu, Hawaii
June - September 1978

Presentations

"CT Pulmonary Angiography an Overview"
Presented at the Annual Meeting of the
Florida Radiological Society at
The Breakers, Palm Beach, Florida
2001

Publications

"Radiology Scheduling: Preferences of users of radiological services
And Impact on referral base retention and extension" Mozumdar, B.C.
M.D.; Hornsby, D. M.D.; Intriere, LA, MD; Ros, P, MD, MPH.
Accepted for publication,
Society of Chairman of Academic Radiology (SCAR)
2003

"Outcomes of a Management Arrangement between a radiology group and a university based hospital" Hornsby, D. MD; Doubilet, P, MD; Ros, P, MD MPH
Accepted for RSNA
2003

"Foundation for the Future: Residence and the ACR State Chapters"
ACR Bulletin
2002

Professional Organizations

American Medical Association
Florida Medical Association
Dade County Medical Association
American College of Radiology
American Roentgen Ray Society
Radiology Society of North America
Florida Radiology Society
American Association of Academic Chief Residents in Radiology (A3CR2)
Association of University Radiologist
Southern Medical Association
American College of Physicians
Massachusetts Medical Society
Massachusetts Radiology Society
Martin County Medical Association

Civic Organizations

Special Olympics

Social Organizations

Mensa
Military Order of the Purple Heart
Disabled American Veterans

Awards for Valor

Silver Star
Bronze Star with V Device x 4
Air Medal with V Device
Army Commendation Medal with V Device
Vietnamese Cross-of-Gallantry with palm

Other Combat Medals

Purple Heart x 2
Combat Medic Badge
Flight Crew Member Wings

Medical Licenses

Florida
Arkansas

Board Certification

American Board of Radiology
Diagnostic Radiology



North Bay Village

Administrative Offices

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NOV24 3:16PM

BOARD/COMMITTEE APPLICATION

NAME BONIFACIO LOPEZ. TELEPHONE # 786-488-2576

MAILING ADDRESS 7601 E. TREASURE DR. PH115, NORTH BAY VILLAGE, 33141

EMAIL ADDRESS: LOPEZBONI@YAHOO.COM

VILLAGE RESIDENT: YES [checked] NO

HOW MANY YEARS 3

BUSINESS OWNER: YES [checked] NO

PAST OR PRESENT PRESENT.

NAME AND ADDRESS OF BUSINESS NATIONAL BUILDERS GROUP, CORP. 14 NE 1ST AV, 2ND FLOOR, MIAMI, FL. 33132

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? 9 YRS.

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

[checked]

BUSINESS DEVELOPMENT ADVISORY BOARD

[]

YOUTH & EDUCATION SERVICES BOARD

[]

CITIZENS BUDGET AND OVERSIGHT BOARD

[]

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

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

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

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

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

I'M A CERTIFIED GENERAL CONTRACTOR. I'M A CERTIFIED HOME/COMMERCIAL INSPECTOR. I HAVE WORKED IN A FULL STRUCTURAL, A PUBLIC RITE OF WAY FOR MANY CITY PROJECTS.

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 THINK THAT MY BACKGROUND IN CONSTRUCTION, PUBLIC WORKS & PASSION FOR MY CITY WILL GIVE ME THE NECESSARY TOOLS TO PERFORM A GREAT JOB.

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

Mayor Connie Leon-Kreps

Vice Mayor Eddie Lim

Commissioner Dr. Richard Chervony

Commissioner Wendy Duvall

Commissioner Jorge Gonzalez



City of North Bay Village

City Administrative Offices
1700 Kennedy Causeway, #132
N. Bay Village, FL 33141
(305) 756-7171 Fax (305) 756-7722
Website - nbvillage.com

JAN 20 AM 8:23

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

NAME MICHAEL TANNHAWER TELEPHONE # 305 861-1262

MAILING ADDRESS 7512 MARTIN AVE

CITY RESIDENT: YES NO

BUSINESS OWNER: YES NO (Retired this year)

NAME AND ADDRESS OF BUSINESS global search inc

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? _____

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

ARTS, CULTURAL & SPECIAL EVENTS BOARD YOUTH SERVICES BOARD

COMMUNITY ENHANCEMENT BOARD ANIMAL CONTROL ADVISORY COMMITTEE

CITIZEN BUDGET AND OVERSIGHT BOARD PLANNING & ZONING 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:

florida foster care child services

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

Concerned citizen

Mayor
Corina S. Esquijarosa

Vice Mayor
Connie Leon-Kreps

Commissioner
Frank Rodriguez

Commissioner
Eddie Lim

Commissioner
Dr. Paul Vogel

Yvonne Hamilton

Subject: FW: Planning & Zoning Board Member

From: globalsearchinc@earthlink.net [<mailto:globalsearchinc@earthlink.net>]

Sent: Wednesday, December 03, 2014 12:48 PM

To: Yvonne Hamilton

Subject: Re: Planning & Zoning Board Member

I am looking forward to extending my stay with Planning and Zoning and stay on a steep learning curve....Mike Tannhauser



North Bay Village

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BOARD/COMMITTEE APPLICATION

NAME Marvin Wilmoth

TELEPHONE # 917-331-0136

MAILING ADDRESS 7900 Harbor Island Drive, PH 10, North Bay Village, FL 33141

VILLAGE RESIDENT: YES X NO _____

HOW MANY YEARS 5

BUSINESS OWNER: YES _____ NO X

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 BOARD

YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES X NO _____

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

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

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

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

North Bay Village Planning and Zoning Board

Senior Developer and Co-head of the Southeast Region – Miller Valentine Group (Real Estate Development Company)

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 real estate, I have worked through the planning and zoning process throughout the southeast. I am very cognizant of the positive effect that proper planning and zoning policies can have on the economic and social fabric of the community. An engaged planning and zoning board can not only ensure the enforcement of enacted regulations but also suggest amendments and best practices from both within and outside of North Bay Village.

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

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

until the new Board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

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

§ 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 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 Village.
- (3) Entertain complaints from citizens regarding existence of conditions which are detrimental to the aesthetic values and quality of life of the Village.
- (4) To file a report of its activities with the Village Commission and the Village Manager, including the recommendations to the Commission for the beautification of the Village at least once per year.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 05-04, 3-15-05; Ord. No. 2013-08, § 2, 10-8-13)

§ 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 Village Manager and the Village Commission. In the case of the absence of

the Chairman at any meetings, the Vice-Chairman shall act in his stead. The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager monthly.

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

§ 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 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 three members shall constitute a quorum.

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

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

CIVIL SERVICE BOARD

§ 32.20 Establishment.

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

PLANNING AND ZONING BOARD

§ 32.30 Creation; members.

(A) *Created; composition.* A Planning & Zoning Board is hereby created which shall be composed of five members to be appointed by the Village

Commission. The Board shall be composed of one member from North Bay Island, one member from Harbor Island, one member from Treasure Island and two at-large members.

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

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

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

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

§ 32.31 Vacancy.

In the event that a vacancy shall occur on the Planning and Zoning Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term of the member. Any member may be removed from office by the Village Commission upon majority vote of the Commission. (1964 Code, § 2-40(c); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

§ 32.32 Officers.

The Planning and Zoning Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. At all meetings the Vice-Chairman, in case of the absence of the Chairman, shall act in his stead. The Board shall designate its own

Secretary and professional advisors, the compensation thereof to be fixed by the Village Commission.

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

§ 32.33 Meetings.

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

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

§ 32.34 Powers; rules and regulations.

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

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

POLICE DEPARTMENT

§ 32.40 Arrests without warrant.

Any officer of the Village may arrest, without a warrant, any person committing a crime against the state, in his sight or presence, whether it be

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

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

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

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

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

(Ord., passed 4-1-83)

§ 152.101 Planning and zoning board; authority and duties.

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

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

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

(C) Decisions.

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

(Ord., passed 4-1-83)

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

§ 152.102 Action by Village Commission.

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

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

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

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

(Ord., passed 4-1-83)

§ 152.103 Lapse of special exception or variance.

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



North Bay Village

Administrative Offices

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

OFFICIAL MINUTES

REGULAR VILLAGE COMMISSION MEETING

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

OCTOBER 14, 2014 - 7:30 P.M.

1. **CALL TO ORDER**

The meeting was called to order by Mayor Connie Leon-Kreps 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 Jorge Gonzalez
Commissioner Wendy Duvall

Village Manager Frank K. Rollason
Deputy Village Manager/HR Director Jenice Rosado
Village Attorney Robert L. Switkes
Finance Director Bert Wrains
Public Works Director Rodney Carrero-Santana
Chief Robert Daniels
Village Clerk Yvonne P. Hamilton
Deputy Village Clerk Jenorgen Guillen
Village Planner Jim LaRue

2. **A. PROCLAMATIONS AND AWARDS**

There were no proclamations and awards.

B. SPECIAL PRESENTATIONS

There were no special presentations.

C. ADDITIONS AND DELETIONS

Commissioner Richard Chervony moved Item 10J from the Consent Agenda to be discussed separately.

3. **GOOD & WELFARE**

Al Coletta, of 7904 West Drive, Reinaldo Trujillo, of 7601 E. Treasure Drive, Ann Bakst, of 1865 Kennedy Causeway, Kevin Vericker, of 7520 Hispanola Avenue, and Resident Jorge Brito addressed the Commission.

4. **BOARD REPORTS**

A. BUSINESS DEVELOPMENT ADVISORY BOARD

A report was not provided.

B. CITIZENS BUDGET & OVERSIGHT BOARD

A report was not provided.

C. COMMUNITY ENHANCEMENT BOARD

A report was not provided.

D. PLANNING & ZONING BOARD

A report was not provided.

E. YOUTH & EDUCATION SERVICES BOARD

A report was not provided.

5. PUBLIC SAFETY DISCUSSION

Chief Daniels presented the report.

6. COMMISSIONERS' REPORTS

Commissioner Richard Chervony, Commissioner Jorge Gonzalez, Commissioner Wendy Duvall, Vice Mayor Eddie Lim, and Mayor Connie Leon-Kreps all gave oral reports.

Item 15B, Flower Planning, was added to the Agenda to be discussed under "New Business".

7. VILLAGE ATTORNEY'S REPORT

1.) 7904 West Drive Penthouse Units

Village Attorney Robert L. Switkes provided a report and discussed issues relating to the 7904 West Drive Penthouse Units.

8. VILLAGE MANAGER'S REPORT

Lakeesha Morris, Grant Writer and Frank K. Rollason, Village Manager discussed their reports, which were included as part of the agenda package.

9. FINANCE REPORT

Finance Director Bert Wrains discussed the Financial Report for the period ending August 31, 2014.

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.

Commissioner Richard Chervony made a motion to remove Item 10J from the Consent Agenda to be discussed separately. Vice Mayor Eddie Lim seconded the motion, which was adopted by a 5-0 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.

- 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 MUTUAL AID AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE BETWEEN THESE AGENCIES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR TRANSMISSION AND DISTRIBUTION WATER LINES PROJECT; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR THE WASTEWATER SYSTEM PROJECT; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR WATER METER AND SERVICE LINE REPLACEMENT; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES FOR THE VILLAGE'S SANITARY SEWER REHABILITATION 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES FOR THE VILLAGE'S WATER METER REPLACEMENT 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES FOR THE VILLAGE'S WATER MAIN REHABILITATION 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- H. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES FOR THE VILLAGE'S STORM WATER OUTFALL IMPROVEMENT 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

- I. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE ENGAGEMENT OF PHYSICIANS HEALTH CENTER FOR THE PURPOSE OF PROVIDING OCCUPATIONAL HEALTH SERVICES FOR VILLAGE EMPLOYEES; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- K. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA FOR THE REIMBURSEMENT OF PARKING FINES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- L. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A FISCAL YEAR 2014-2015 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) GRANT IN THE AMOUNT OF \$600,000; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THIS GRANT CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- M. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE VILLAGE MANAGER TO PIGGY-BACK ON AN EXISTING CITY OF MIAMI BEACH CONTRACT WITH THE NATIONAL JOINT POWERS ALLIANCE CO-OPERATIVE, PURSUANT TO SECTION 36.25(J) OF THE VILLAGE CODE; AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH DAVID MANCINI & SONS, INC., FOR THE REPAIR AND RENOVATION OF TWO DEEP STORM WATER INJECTION WELLS, ONE ON TREASURE ISLAND AND ONE ON NORTH BAY ISLAND, IN AN AMOUNT NOT TO EXCEED \$800,000, SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

Commissioner Richard Chervony moved to approve the Consent Agenda. Commissioner Jorge Gonzalez seconded the motion, which was adopted by a 5-0 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.

11. PLANNING & ZONING CONSENT AGENDA

No Items.

10J. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA COMMENCING A CAMPAIGN AND PLEDGE AGAINST TEXTING WHILE DRIVING; ENCOURAGING PARTICIPATION OF THE ENTIRE COMMUNITY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER JORGE GONZALEZ)

Vice Mayor Eddie Lim moved to approve Item 10J, and Commissioner Jorge Gonzalez seconded the motion.

The Mayor opened the floor to public comments.

Reinaldo Trujillo, of 7601 E. Treasure Drive, addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 5-0 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 all voting Yes.

12. ORDINANCES FOR FIRST READING AND RESOLUTION

A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING AN AGREEMENT WITH DIBRI, INC. FOR COMPUTER NETWORK SUPPORT SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; 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 Village Clerk read the Resolution by title.

Commissioner Richard Chervony moved to approve the Resolution, and Commissioner Wendy Duvall seconded the motion.

The Mayor opened the floor to public comments.

Ann Bakst, of 1865 Kennedy Causeway and Reinaldo Trujillo, of 7601 E. Treasure Drive addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 5-0 roll call vote with an amendment to include iPhones and Ipads in the agreement with DIBRI. The votes were 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 COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FY 2015 GENERAL OPERATING BUDGET BY DECREASING THE GENERAL FUND, UNRESERVED FUND BALANCE AND INCREASING THE POLICE BUDGET BY \$67,845 FOR THE HIRING OF A FULL TIME POLICE OFFICER; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

The Village Clerk read the Resolution by title.

Commissioner Richard Chervony moved to approve the Resolution, and Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the floor to public comments.

Al Coletta, of 7904 West Drive and Reinaldo Trujillo, of 7601 E. Treasure Drive addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 5-0 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.

13. PUBLIC HEARINGS:

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY HUMBERTO AND REBECCA OCARIZ 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 STRUCTURE AT 1460 SOUTH TREASURE DRIVE TO PERMIT A BUILDING HEIGHT OF 37 FEET, WHERE THE CODE REQUIRES A MAXIMUM BUILDING HEIGHT OF 35 FEET; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Village Clerk read the Resolution by title.

The Village Planner, Jim LaRue, made a brief presentation on the request recommending approval.

The Village Attorney Robert L. Switkes swore in those individuals who indicated that they would provide testimony. He discussed the process for the quasi judicial hearing and advised the members of the Commission that they were required to disclose any exparte communication they may have had regarding the requests.

The Commission members indicated that there was no exparte communication.

The Mayor opened the Public Hearing.

The property owner, Rebecca Ocariz and the architect for the project Callum Gibb, of Callum Gibb Architect PA, 115 Madeira Avenue, 2nd Floor, Coral Gables, FL 33134, addressed the Commission.

The Mayor closed the Public Hearing.

Commissioner Jorge Gonzalez moved to approve the Resolution. Mayor Connie Leon-Kreps seconded the motion, which was adopted by 5-0 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. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AT 1321 BAY TERRACE, PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Village Clerk read the Resolution by title.

The Village Planner Jim LaRue made a brief presentation on the request recommending approval with the following conditions:

1. Verification of the 5 foot height restriction at the time of building permit issuance.
2. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
3. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
4. Cost Recovery changes must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
5. Authorization or issue of a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

The Mayor opened the public hearing. There were no speakers, she closed the public hearing.

Commissioner Jorge Gonzalez moved to approve the Resolution with the conditions outlined by the Village Planner. Commissioner Richard Chervony seconded the motion, which was adopted by 5-0 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.

14. UNFINISHED BUSINESS (DEFERRED FROM SEPTEMBER 9, 2014)

A. APPOINTMENT OF MEMBER OF THE BUSINESS DEVELOPMENT ADVISORY BOARD

Commissioner Jorge Gonzalez moved to defer the item to the December meeting. Vice Mayor Eddie Lim seconded the motion, and all voted in favor.

B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY 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)

Commissioner Richard Chervony moved to defer the item to the December Meeting for further review. Commissioner Wendy Duvall seconded the motion, which was adopted by a 5-0 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.

15. NEW BUSINESS

A. NOVEMBER COMMISSION MEETING

The Village Clerk will schedule a Regular Meeting upon receipt of the Certified Results election results from Miami-Dade County Canvassing Board, with four days' notice of the meeting, pursuant to law.

B. FLOWER PLANTING

Commissioner Jorge Gonzalez made a motion for the Village to accept donations of landscaping improvements from 360 Condominium Association for landscaping the median area at the entrance to Harbor Island and from Resident William Webb to landscape the entrance to North Bay Island. Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the floor to public comments.

Ann Bakst, of 1865 Kennedy Causeway and Reinaldo Trujillo, of 7601 E. Treasure Drive addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 5-0 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.

Kevin Vericker, of 7520 Hispanola Avenue, requested that the Village Commission adopt a Resolution rejecting homophobia. No action was taken.

16. APPROVAL OF MINUTES

- A. FINAL BUDGET PUBLIC HEARING – SEPTEMBER 30, 2014**
- B. FINAL BUDGET PUBLIC HEARING- SEPTEMBER 22, 2014**
- C. TENTATIVE BUDGET PUBLIC HEARING – SEPTEMBER 11, 2014**
- D. REGULAR COMMISSION MEETING – SEPTEMBER 9, 2014**
- E. BUDGET WORKSHOP – JULY 17, 2014**

Commissioner Richard Chervony made a motion to approve the Minutes as submitted. Commissioner Wendy Duvall seconded the motion, which was adopted by a 5-0 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.

17. ADJOURNMENT

The meeting adjourned at 10:24 p.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by North Bay Village on

This 9th day of December, 2014.

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

REGULAR VILLAGE COMMISSION MEETING

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

NOVEMBER 18, 2014 - 7:30 P.M.

1. **CALL TO ORDER**

The meeting was called to order by Mayor Connie Leon-Kreps 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 Jorge Gonzalez
Commissioner Wendy Duvall

Village Manager Frank K. Rollason
Deputy Village Manager/HR Director Jenice Rosado
Village Attorney Robert L. Switkes
Finance Director Bert Wrains
Public Works Director Rodney Carrero-Santana
Chief Robert Daniels
Village Clerk Yvonne P. Hamilton
Deputy Village Clerk Jenorgen Guillen
Village Planner Jim LaRue
Chief Building Official Raul Rodriguez

Good and Welfare was heard next on the agenda.

3. GOOD & WELFARE

Al Coletta, of 7904 West Drive and Mitch Edelstein, of 7524 Adventure Avenue addressed the Commission.

1A. RESOLUTION

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CONCERNING THE VILLAGE GENERAL ELECTION OF NOVEMBER 4, 2014; DECLARING QUALIFIED UNOPPOSED CANDIDATE ELECTED TO OFFICE; ACCEPTING AND ADOPTING THE RESULTS FOR THE OFFICES OF MAYOR AND AT-LARGE COMMISSIONER AS CERTIFIED BY MIAMI-DADE COUNTY CANVASSING BOARD AND ATTACHED HERETO; DECLARING CANDIDATES ELECTED TO OFFICE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE CLERK YVONNE P. HAMILTON)

The Village Clerk read the Resolution by title.

Commissioner Wendy Duvall moved to approve the Resolution, and Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments, and there be no speakers she closed the floor to public comments.

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

1B. OATH OF OFFICE

- 1. HARBOR ISLAND COMMISSIONER**
- 2. AT-LARGE COMMISSIONER**
- 3. MAYOR**

The Honorable County Court Judge Ivonne Cuesta administered the Oath of Office to Commissioner Eddie Lim, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps.

1C. ELECTION OF VICE MAYOR (Pursuant to Section 3.05 of the Village Charter)

Commissioner Wendy Duvall moved to appoint Commissioner Jorge Gonzalez as Vice Mayor, and Mayor Connie Leon-Kreps seconded the motion. The Mayor asked if there were any further Commission discussion or comments. There being no further nominations, the question was called, and the motion carried 5-0 on a roll call vote. The vote was as follows: Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon- Kreps, Commissioner Jorge Gonzalez and Commissioner Wendy Duvall all voting Yes.

2. A. PROCLAMATIONS AND AWARDS

None

B. SPECIAL PRESENTATIONS

None

C. ADDITIONS AND DELETIONS

None

4. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY BOARD

None

B. CITIZENS BUDGET & OVERSIGHT BOARD

None

C. COMMUNITY ENHANCEMENT BOARD

None

D. PLANNING & ZONING BOARD

None

E. YOUTH & EDUCATION SERVICES BOARD

None

5. PUBLIC SAFETY DISCUSSION

A report was not provided.

6. COMMISSIONERS' REPORTS

Mayor Connie Leon-Kreps, Vice Mayor Jorge Gonzalez, Commissioner Eddie Lim, Commissioner Wendy Duvall, and Commissioner Richard Chervony all gave a verbal report.

7. VILLAGE ATTORNEY'S REPORT

A report was not provided.

8. VILLAGE MANAGER'S REPORT

The Village Manager addressed the Commission.

9. FINANCE REPORT

Finance Director Bert Wrains reported on the Financial Statement as of September 30, 2014.

10. CONSENT AGENDA

None

11. PLANNING & ZONING CONSENT AGENDA

None

12. ORDINANCES FOR FIRST READING AND RESOLUTION

None

13. PUBLIC HEARINGS:

None

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

None

16. APPROVAL OF MINUTES

None

17. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by North Bay Village on

This 9th day of December, 2014.

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.)