



## North Bay Village

Administrative Offices

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### OFFICIAL AGENDA

#### REGULAR VILLAGE COMMISSION MEETING

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

TUESDAY, APRIL 14, 2015

7:30 P.M.

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

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

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#### 1. CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### 2. A. PROCLAMATIONS AND AWARDS

1. **Proclamation – April 2015-Child Abuse Prevention Month**  
*(Mayor Connie Leon-Kreps)*
2. **City of Miami Beach 100<sup>th</sup> Birthday**  
*(Mayor Connie Leon-Kreps)*
3. **Award – Benjamin & Ethan Morris**  
*(Commissioner Dr. Richard Chervony)*

4. Award – Detective Steve Brent
5. Award – Officer Frank Pieiga

**B. SPECIAL PRESENTATIONS**

1. KEEFE, MCCULLOUGH & COMPANY, LLP  
VILLAGE'S FINANCIAL AUDIT/CAFR REPORTS

**C. ADDITIONS AND DELETIONS**

**3. GOOD & WELFARE**

**4. BOARD REPORTS**

**A. COMMUNITY ENHANCEMENT BOARD**

**B. PLANNING & ZONING BOARD**

**C. YOUTH & EDUCATION SERVICES BOARD**

**5. PUBLIC SAFETY DISCUSSION**

**6. COMMISSIONERS' REPORTS**

**7. VILLAGE ATTORNEY'S REPORT**

**8. VILLAGE MANAGER'S REPORT**

**A. Grant Writer's Report**

**B. Revised Trash Removal Schedule**

**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, APPROVING THE BULLETPROOF VEST PARTNERSHIP GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$5,160.87; AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE \$5,160.87 IN MATCH FUNDING FROM THE STATE FORFEITURE FUND; AUTHORIZING THE ACTING POLICE CHIEF TO PURCHASE UP TO 18 BULLET PROOF VESTS TOTALING NO MORE THAN \$10,321.74 FROM THE STATE OF FLORIDA GSA APPROVED VENDOR; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the acceptance of U.S. Department of Justice Grant Award for the purchase of bulletproof vests and approve matching funds of \$5,160.87 from State Forfeiture Funds,

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION AND DISBURSEMENT OF \$5,160.87 FROM THE STATE FORFEITURE ACCOUNT (FUND 05) FOR THE PURCHASE OF BULLETPROOF VESTS AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the appropriation and expenditure of \$5,160.87 from the Police State Forfeiture Account to match grant funding in equal amount for the purchase of bulletproof vests for North Bay Village Police Officers.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER, AND AWARDED RFP NO. NBV 2014-005 FOR VEHICLE TOWING SERVICES TO JUNIOR'S TOW AND STORAGE LLC AND DOWNTOWN TOWING COMPANY; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO THE RELATED CONTRACTS PURSUANT TO THE SCOPE OF SERVICES OUTLINED IN THE RFP; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the selection of two towing companies to work for the Village on a rotation basis.

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXERCISE THE FIRST OF TWO OPTIONS TO RENEW THE LEASE AGREEMENT (“LEASE”) BETWEEN NORTH BAY VILLAGE (“VILLAGE”) AND CAUSEWAY TOWER LLC (“LESSOR”), FOR THE USE OF OFFICE SPACE LOCATED AT 1666 KENNEDY CAUSEWAY, SUITE 300; PROVIDING FOR EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK ROLLASON)**

The proposed Resolution will renew the lease with Causeway Towers for another year under the same terms and conditions with a four percent increase in the base rent.

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXPEND \$18,820 TO SFM SERVICES, INC. FOR REMOVAL OF TREES FROM PHILIP SCHONBERGER PARK AT 1841 GALLEON STREET; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the Village landscaping company, SFM Services, Inc., to remove several trees from the park to facilitate the installation of new playground equipment.

- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PROVIDING FOR RATIFICATION OF A MEMORANDUM OF UNDERSTANDING BETWEEN NORTH BAY VILLAGE AND THE FRATERNAL ORDER OF POLICE ASSOCIATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE VILLAGE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE MEMORANDUM OF UNDERSTANDING; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize a 5% increase to FOPA union employees retroactive to October 3, 2015.

- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER OR HIS DESIGNEE TO SUBMIT A GRANT APPLICATION UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM FOR CONSTRUCTION OF THE NORTH BAY VILLAGE BAYWALK PLAZA AREA PHASE I; PROVIDING CERTIFICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize an application for grant funding to construct the Baywalk Plaza Area north and south of Kennedy Causeway at the east end of the Village into green areas with a passive park, with seating areas and planters on each side next to the water for public use.

- H. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, ACCEPTING A PROPOSAL FROM EASY GRASS UNDER THE PIGGYBACK PURCHASE PROVISION PURSUANT TO SECTION 36.25(J) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES, FOR TURF REMOVAL AND INSTALLATION AT PHILIP SCHONBERGER PARK AT 1841 GALLEON STREET; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROPOSAL; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize the removal of the existing natural turf from Philip Schonberger Park and allow for the installation of artificial turf, which is brighter in color and requires less maintenance.

- I. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A PROPOSAL FROM ADVANCED RECREATIONAL CONCEPTS, LLC, UNDER THE PIGGYBACK PURCHASE PROVISION PURSUANT TO SECTION 36.25(J) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES, FOR REPLACEMENT OF PLAYGROUND EQUIPMENT AT PHILIP SCHONBERGER PARK AT 1841 GALLEON STREET; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROPOSAL; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the hiring of Advanced Recreational Concepts, LLC to replace the existing playground equipment at the Tot Lot on Galleon Street.

**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, UPDATING THE FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE VILLAGE'S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES, SECTION 163.3177(3)(B); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. (*FIRST READING*)**

The proposed Ordinance will adopt a 5-year schedule that outlines the Capital Improvement Projects (transportation, parks, drainage, water, sewer, and stormwater), which are required to maintain the Comprehensive Plan's adopted level of service criteria for concurrency.

**1.) Commission Action**

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES BY REPEALING SECTION NUMBERS 32.40 THROUGH 32.44 AND CREATING A NEW CHAPTER 39 ENTITLED "POLICE DEPARTMENT" WITH SECTIONS 39.01 THROUGH 39.05; AMENDING SECTION 39.05, POLICE IMPACT FEE IMPOSITION, BY REVISING SECTIONS C, G, H, I, K, L AND M; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. (*INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON*)**

The proposed Ordinance will move the Police Department Regulations from Chapter 32 into a new Chapter 39 and clarify the unit of calculation for certain police impact fee formula.

**1.) Commission Action**

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TOWN OF GOLDEN BEACH, FLORIDA, FOR THE PURCHASE OF A 2005 29-FOOT DONZI POLICE BOAT AND THE ACCOMPANYING 2005 GRAY BOAT TRAILER FROM THE TOWN OF GOLDEN BEACH POLICE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON).**

The proposed Resolution will authorize the purchase of a police boat from the Town of Golden Beach.

**1.) Commission Action**

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION AND DISBURSEMENT OF \$48,000 FROM THE STATE FORFEITURE ACCOUNT (FUND 05) FOR THE PURCHASE OF A POLICE BOAT, MOTORS, AND TRAILER, INCLUDING ANTICIPATED REPAIRS AND MODIFICATIONS OUTLINED IN THE BOAT MOTOR MECHANIC'S REPORT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will approve the funding for the purchase of the police boat and any necessary repairs.

**1.) Commission Action**

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO CREATE A RESIDENTIAL PERMIT PARKING AREA ON HARBOR ISLAND, PURSUANT TO SECTION 70.07(D) OF THE VILLAGE CODE; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize a decal parking program on Harbor Island to assist in alleviating the parking hardships on the island.

**1.) Commission Action**

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

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES ENTITLED “CONFLICT OF INTEREST AND CODE OF ETHICS” BY REVISING SECTION 38.36 TO REMOVE THE REQUIREMENT FOR ELECTED OFFICIALS, ADVISORY BOARDS AND COMMITTEE MEMBERS TO RECEIVE ETHICS TRAINING THROUGH LIVE INSTRUCTIONS ONLY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE ATTORNEY ROBERT SWITKES)**

The proposed Ordinance will revise existing regulations to allow for ethics training by both live and electronics means, instead of only by live training.

**1.) Commission Action**

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 36 OF THE VILLAGE CODE ENTITLED “PROCUREMENT REQUIREMENTS” BY REVISING SECTION 36.25(J) GIVING PREFERENCE TO FLORIDA VENDORS FOR SELECTION UNDER THE PIGGY-BACK PURCHASE PROVISION; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY; AND AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Ordinance will add language to the purchasing regulations to allow qualified Florida vendors to be considered first, when the Village uses the piggy-back purchase provision, thereby foregoing the bidding process, and selecting a vendor who was already chosen by another agency for similar service through a competitive process within the last 36 months.

**1.) Commission Action**

- C. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES RELATING TO “BUILDING PERMIT FEES” BY REVISING SECTION 151.11; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Ordinance will clarify payments for nonrefundable and plan review fees.

**1.) Commission Action**

D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO 1755 NBV, LLC UNDER RESOLUTION 2014-35 IN CONNECTION WITH THE DEVELOPMENT OF A 132 UNIT, 25 STORY CONDOMINIUM HOTEL STRUCTURE, AT 1755 KENNEDY CAUSEWAY, TO ALLOW UP TO TWENTY PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNATED SPECIFICALLY FOR COMPACT PARKING VEHICLES PURSUANT TO SECTIONS 152.098 AND 152.042(E) OF THE VILLAGE CODE; SETTING AN EFFECTIVE DATE.

E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF A VARIANCE GRANTED TO 1755 NBV, LLC UNDER RESOLUTION 2014-34 IN CONNECTION WITH THE DEVELOPMENT OF A 132 UNIT, 25 STORY CONDOMINIUM HOTEL STRUCTURE, AT 1755 KENNEDY CAUSEWAY, TO ALLOW LESS THAN THE SIDE-YARD SETBACK AS REQUIRED BY SECTION 152.032(C)(2)(C) OF THE VILLAGE CODE; SETTING AN EFFECTIVE DATE.

1.) Commission Action

14. **UNFINISHED BUSINESS**

15. **NEW BUSINESS**

A. DISCUSSION ON PUBLIC EASEMENTS TO PROPERTIES:  
(*COMMISSIONER RICHARD CHERVONY*)

1. BRIDGEWATER CONDOMINIUM
2. BAY VIEW TERRACE
3. 360 CONDOMINIUM

B. PUBLIC/RECREATIONAL DOCKS ON DR. PAUL  
VOGEL PARK (*COMMISSIONER RICHARD CHERVONY*)

16. **APPROVAL OF MINUTES**

None.

17. **ADJOURNMENT**