



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, MAY 12, 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).

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

2. A. PROCLAMATIONS AND AWARDS

- 1. CODE ENFORCEMENT OFFICERS APPRECIATION WEEK-
JUNE 1-5, 2015**

B. SPECIAL PRESENTATIONS

- 1. GEORGE PUIG-KIMLEY-HORN & ASSOCIATES, BAY
WALK PLAZA PROJECT**

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, GRANTING A THREE PERCENT MERIT INCREASE TO VILLAGE CLERK YVONNE P. HAMILTON; PROVIDING FOR AN EFFECTIVE DATE. (*INTRODUCED BY VICE MAYOR JORGE GONZALEZ*)

The proposed Resolution will accept a favorable employee performance evaluation and grant a merit increase to the Village Clerk.
 - B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE RENEWAL OF A HIGHWAY LANDSCAPING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF THE TURF AND LANDSCAPED AREAS ON THE 79TH STREET CAUSEWAY, IN THE VILLAGE; PROVIDING FOR COMPENSATION TO THE VILLAGE FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE. (*INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON*)

The proposed Resolution will renew the first of two one-year renewals with the Florida Department of Transportation effective from October 1, 2015 through September 30, 2016 for maintenance of the turf and landscaped areas in the Village.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING A FIVE-YEAR MASTER LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT INCLUSIVE OF A VEHICLE MAINTENANCE AGREEMENT; UTILIZING THE PIGGYBACK PROVISION PURSUANT TO SECTION 36.25(J) OF THE VILLAGE CODE; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will permit a 5-year lease agreement with Enterprise Fleet Management including vehicle maintenance agreement for replacement of seven Public Works vehicles (7 pickups and one van)

- D. A RESOLUTION OF THE COMMISSION NORTH BAY VILLAGE, FLORIDA, SUPPORTING SENATE BILL 378 (2015) TO EXPAND LAW ENFORCEMENT OFFICERS' ABILITY TO GIVE A WARNING, INFORM THE PARENTS/GUARDIAN OR ISSUE CIVIL CITATIONS FOR A DIVERSION PROGRAM TO JUVENILES IN LIEU OF ARREST; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS AND VICE MAYOR JORGE GONZALEZ)**

The proposed Resolution supports legislature that would mandate law enforcement officers to issue warnings, notices to parents/guardians, participation in diversion programs, or prescribing community service in lieu of arrests to juveniles beyond first-time offenders of minor crimes.

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ENCOURAGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITE SOLAR POWER AND EXPRESSING SUPPORT FOR THE FLORIDIANS FOR SOLAR CHOICE BALLOT PETITION; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**

The proposed Resolution urges the Florida Legislature to remove barriers that limits the sale of solar-generated electricity directly to a customer by anyone other than a power company and supporting the *Floridians for Solar Choice* ballot petition to amend the Florida Constitution to remove the barrier to customer-sited solar power.

1.) Commission Action

11. **PLANNING & ZONING CONSENT AGENDA**

No Items.

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

- A. **A RESOLUTION OF THE COMMISSION NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY CLPF-NBV, L.P. FOR PLACEMENT OF A 16-FOOT TALL SCULPTURE IN THE ROUNDABOUT IN FRONT OF THE PROPERTY AT 8000 WEST DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed Resolution will grant permission for a sculpture to be installed in the roundabout in front of the MODA Apartment Building at 8000 West Drive.

- 1.) **Commission Action**

- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE REMOVAL OF BULB-OUTS WITH LANDSCAPING FROM DIRECTLY IN FRONT OF 7529 BOUNTY AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the removal of the bulb-outs in front of the property to provide parking spaces.

- 1.) **Commission Action**

13. **ORDINANCES FOR SECOND READING AND PUBLIC HEARING ITEMS:**

- 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. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON) – SECOND 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) –
SECOND READING***

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. AN APPLICATION BY CEDAR ISLAND L.P. CONCERNING PROPERTY LOCATED AT 7922 EAST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING: FIRST PUBLIC HEARING**

- 1. A LAND DEVELOPMENT CODE TEXT AMENDMENT TO SECTIONS 152.0296, 152.042 AND 152.003 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES IN ORDER TO PERMIT THE USE OF MECHANICAL PARKING LIFTS TO PROVIDE 2 PARKING SPACES PER LIFT AND TO ALLOW DRIVE AISLES NARROWER THAN 22 FEET IN THE PRD ZONING OVERLAY; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**
- 2. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 16-UNIT, 13-STORY MIXED USE CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

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. DISCUSSION REGARDING PUBLIC RECREATION DOCKS AT DR. PAUL VOGEL PARK (COMMISSIONER RICHARD CHERVONY)**
- C. APPOINTMENT OF NORTH BAY VILLAGE PELICAN HARBOR SEABIRD COORDINATOR (VICE MAYOR JORGE GONZALEZ)**
 - 1.) Commission Action**
- D. NORTH BAY VILLAGE PARKS' HOURS (COMMISSIONER RICHARD CHERVONY)**
 - 1.) Commission Action**
- E. DISCUSSION REGARDING POLICE BODY WORN CAMERAS FEDERAL GRANT (MAYOR CONNIE LEON-KREPS)**
- F. EVALUATION OF VILLAGE MANAGER AND VILLAGE ATTORNEY (MAYOR CONNIE LEON-KREPS)**
 - 1.) Commission Action**
- G. DISCUSSION REGARDING PARKING ON TREASURE ISLAND (MAYOR CONNIE LEON-KREPS)**

16. APPROVAL OF MINUTES

- A. REGULAR COMMISSION MEETING – APRIL 14, 2015**
 - B. REGULAR COMMISSION MEETING – MARCH 10, 2015**
 - C. SPECIAL COMMISSION MEETING – FEBRUARY 24, 2015**
 - D. SPECIAL COMMISSION MEETING – JANUARY 27, 2015**
- 1.) Commission Action**

17. ADJOURNMENT