North Bay Village

Administrative Offices

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

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

OFFICIAL AGENDA

REGULAR VILLAGE COMMISSION MEETING

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

TUESDAY, MAY 14, 2013

7:30 P.M.

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

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

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1. **CALL TO ORDER**

   PLEDGE OF ALLEGIANCE

   ROLL CALL

2. **PROCLAMATIONS AND AWARDS**

   A. **SPECIAL PRESENTATIONS**

      1. **VILLAGE LOBBYIST FAUSTO GOMEZ**

   B. **ADDITIONS AND DELETIONS**

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

3. **BOARD REPORTS**

   A. **BUSINESS DEVELOPMENT ADVISORY COMMITTEE**

   B. **YOUTH AND EDUCATION SERVICES BOARD**

   C. **PLANNING & ZONING BOARD**

4. **PUBLIC SAFETY DISCUSSION**

5. **COMMISSIONERS' REPORTS**

6. **VILLAGE ATTORNEY'S REPORT**

7. **VILLAGE MANAGER'S REPORT**

8. **FINANCE REPORT**

9. **GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.**

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

    A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., FOR THE LEASE AND MAINTENANCE OF A POLICE MOTORCYCLE; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE.** ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

    The proposed Resolution will authorize renewal of an agreement for the lease and maintenance of a motorcycle unit for the Police Department.

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING $50,000 FROM THE GENERAL FUND RESERVE ACCOUNT TO THE SPECIAL EVENT LINE ITEM OF THE GENERAL OPERATING ACCOUNT; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution will transfer $50,000 from the general fund reserve account to the professional services expense account for the cost of updating the Village Zoning Code.

C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE AND MS. JENICE ROSADO, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution ensures that Mrs. Rosado returns to her original position of Deputy Village Manager/HR Director upon completion of her appointment as Interim Village Manager.

1.) Commission Action

11. PLANNING & ZONING CONSENT AGENDA

No Items.

12. ORDINANCES FOR FIRST READING AND RESOLUTIONS

A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A WORK ORDER BETWEEN ENVIROWASTE SERVICES GROUP, INC. AND THE VILLAGE FOR THE RENTAL OF SEVEN (7) FLOW METERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE WORK ORDER; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK ORDER; WAIVING COMPETITIVE BIDDING; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution will approve a Work Order with Envirowaste Services Group, Inc. for rental of seven flow meters to determine if there is infiltration of groundwater and storm water into the sanitary sewer system.

B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. TO UPDATE THE VILLAGE'S SANITARY SEWER EVALUATION STUDY; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS NOT TO EXCEED $11,800.00; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution will allow for the Village Engineer to evaluate the results of the flow meter data from Envirowaste to generate and update a 2013 Sanitary Sewer Evaluation Study as required by DERM.

C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, REVISING THE NORTH BAY VILLAGE COMMISSION MEETING AND AGENDA PROCEDURES TO CHANGE THE TIME OF THE REGULAR COMMISSION MEETINGS TO 6:30 P.M.; AND PROVIDING AN EFFECTIVE DATE** ***(INTRODUCED BY MAYOR CONNIE LEON-KREPS)***

The proposed Resolution will change the time of the Regular Commission Meetings time from 7:30 p.m. to 6:30 p.m.

D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, TERMINATING THE LEASE AGREEMENT WITH LEXI DEVELOPMENT COMPANY, INC. FOR MUNICIPAL OPERATIONS AT 1700 KENNEDY CAUSEWAY; AUTHORIZING APPROPRIATE VILLAGE OFFICIALS TO NEGOTIATE A LEASE WITH CAUSEWAY TOWERS FOR VILLAGE HALL; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; APPROPRIATING AND BUDGETING FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS FOR THE COST OF TERMINATING THE LEASE AND RELATED RELOCATION AND BUILDOUT EXPENSES; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO*

The proposed Resolution seeks to terminate the agreement for the leased office space at 1700 Kennedy Causeway, #132.

1.) Commission Action

E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO LIFT STATIONS "R" US FOR WORK PERFORMED ON THE VILLAGE LIFT STATIONS; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)*

The proposed Resolution will authorize payment for additional emergency lift station repairs to the Village Lift Stations.

1.) Commission Action

F. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO CENTRAL PLUMBING – W.S. COMPANY INC. FOR EMERGENCY REPAIRS TO THE VILLAGE STORM WATER DRAINAGE SYSTEM; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution will authorize payment for unscheduled emergency work on a portion of the Village Storm Drainage System.

1.) Commission Action

G. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING ITS PROPORTIONATE SHARE OF FUNDING FOR A SCHOOL REGISTERED NURSE FOR TREASURE ISLAND ELEMENTARY SCHOOL; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

The proposed Resolution will authorize funding to pay the cost for a Registered Nurse at Treasure Island Elementary School.

1.) Commission Action

13. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING

A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY DEAN SPIEGEL, FOR A VARIANCE PURSUANT TO SECTION 152.0971 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR CONSTRUCTION OF AN EIGHT-FOOT HIGH FENCE AT 7521 HISPANOLA AVENUE, WHERE A SIX-FOOT HIGH FENCE IS REQUIRED; 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

B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1365 BAY TERRACE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST AND WAIVING SECTION 150.11(A) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A DOCK MORE THAN TWENTY-FIVE FEET PERPENDICULAR FROM THE SEAWALL; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

1.) Commission Action

C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AT 7730 MIAMI VIEW 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

D. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AT 7720 MIAMI VIEW DRIVE; PROVIDING FINDINGS; PROVIDING FOR GRANTING THE REQUEST AND WAIVING SECTION 150.11(A) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A DOCK MORE THAN TWENTY-FIVE FEET PERPENDICULAR FROM THE SEAWALL; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

1.) Commission Action

E. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS)* – SECOND READING/PUBLIC HEARING

The proposed Ordinance will regulate garbage and waste containers for commercial developments in order to prevent spillage, unsanitary conditions, and shield garbage from public view.

1.) Commission Action

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

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

1.) Commission Action

14. UNFINISHED BUSINESS *(CONTINUED FROM FEBRUARY 12, 2013 VILLAGE COMMISSION MEETING)*

15D. Approval of Minutes (Deferred from February 2013)

A. SPECIAL COMMISSION MEETING – 01/15/2013
B. REGULAR COMMISSION MEETING–01/08/2013
C. SPECIAL COMMISSION MEETING – 12/03/2012
D. REGULAR COMMISSION MEETING–12/11/2012
E. SPECIAL COMMISSION MEETING – 12/18/2012
F. SPECIAL COMMISSION MEETING – 11/16/2012

1.) Commission Action

15. NEW BUSINESS

A. VILLAGE ADVISORY BOARDS
(COMMISSIONER RICHARD CHERVONY)

B. REMOVAL OF CHAIN-LINK FENCE ON THE SOUTH SIDE OF THE FLAT BRIDGE ON THE 79TH STREET CAUSEWAY WITHIN THE VILLAGE *(MAYOR CONNIE LEON-KREPS)*

1.) Commission Action

16. APPROVAL OF MINUTES

17. ADJOURNMENT

MEETING NOTICE

WEDNESDAY, MAY 15, 2013	**7:00 P.M.**	**BUSINESS DEVELOPMENT ADVISORY BOARD MEETING LOCATION TO BE ANNOUNCED**
SATURDAY, MAY 18, 2013	**2-3 P.M.**	**BOOK MOBILE (1841 GALLEON STREET)**
TUESDAY, MAY 21, 2013	**7:30 P.M.**	**SPECIAL VILLAGE COMMISSION MEETING TREASURE ISLAND ELEMENTARY SCHOOL (7540 EAST TREASURE DRIVE)**
SATURDAY, MAY 25, 2013	**2-3 P.M.**	**BOOK MOBILE (1841 GALLEON STREET)**

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

CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru MARCH 31, 2013

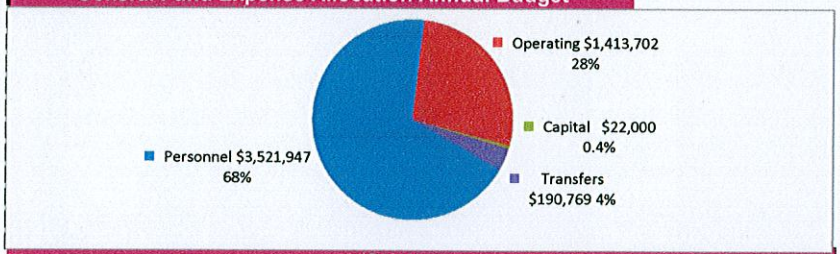
General Fund Revenues

Revenues	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Real & Personal Property Taxes	2,887,033	2,372,377	82%	2,912,766	25,733
Franchise Fees	361,500	146,355	40%	345,963	(15,537)
Utility Service Taxes	430,000	202,085	47%	485,003	55,003
Communication Service Tax	306,049	137,897	45%	314,291	8,242
Licenses & Permits	67,200	23,740	35%	70,018	2,818
Intergovernmental Revenue	701,268	322,915	46%	717,308	16,040
Fines & Forfeitures	72,000	125,242	174%	181,332	109,332
Misc. Revenue	38,500	44,303	115%	82,005	43,505
Charges for Services	49,400	33,621	68%	64,242	14,842
Total Revenues	**4,912,950**	**3,408,535**	**69%**	**5,172,929**	**259,979**
Appropiation of Fund Balance	417,367	-		417,367	-
Total Revenues & Balance	**5,330,317**	**3,408,535**	**64%**	**5,590,296**	**259,979**

General Fund Expenditures

Expenditures	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
City Commission Department	66,967	28,945	43%	65,404	1,563
City Manager Department	261,086	115,502	44%	230,526	30,560
City Clerk Department	148,721	78,012	52%	149,791	(1,070)
Finance Department	134,477	65,468	49%	125,631	8,846
Legal Services Department	262,750	340,498	130%	446,872	(184,122)
General Government Department	1,013,570	461,412	46%	1,032,765	(19,195)
Police Department	3,182,367	1,668,327	52%	3,355,523	(173,156)
Recreation / Human Svces Dept.	69,609	45,403	65%	66,622	2,987
Transfer to After School & Summer	19,938	9,969	50%	19,938	-
Transfer to Street Mtnce Fund	115,583	57,792	50%	115,583	-
Transfer to Transportation Fund	55,248	27,624	50%	55,248	-
Total Expenditures	**5,330,316**	**$ 2,898,951**	**54%**	**5,663,903**	**(333,587)**
NET DIFFERENCE REVENUE/EXPENSE					***(73,608)***

General Fund Expense Allocation Annual Budget



Cash Position

Repo - 3417	4,659,848
FF - 3420	556,813
UTD - 3407	349,521
StateF - 1111	37,477
Checking 3406	261
SBA	59,800
Cstate 4747	218,678
Cstate 7287	40,200
Proj Fund 0190CK	94
Proj Fund 0100 Repo	377,889
	6,300,580

Summary

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

CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru MARCH 31, 2013

UTILITY FUNDS

Revenues	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Water & Sewer Revenues	2,800,000	1,536,085	55%	3,072,171	272,171
Sanitation Revenue	1,500,000	755,755	50%	1,511,510	11,510
Service & Late Fees	70,000	49,233	70%	98,466	28,466
Other Revenue	4,000	3,655	91%	5,771	1,771
Total Revenues	**4,374,000**	**2,344,728**	**54%**	**4,687,918**	**313,918**

Expenditures	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Utilities Administration	1,205,825	516,931	43%	1,167,638	38,187
Water Department Expenditures	760,486	267,610	35%	706,140	54,346
Sewer Department Expenditures	991,065	589,591	59%	1,236,617	(245,552)
Sanitaton Expenditures	780,485	393,913	50%	830,211	(49,726)
Transfer to Water Imprvmnts	50,000	25,000	50%	50,000	-
Transfer to Sanitation Impv. Fund	63,000	31,500	50%	63,000	-
Transfer to Sewer Imprvmnts	239,159	119,580	50%	239,159	-
Total Expenditures	**4,090,020**	**1,944,123**	**48%**	**4,292,764**	**(202,744)**
NET DIFFERENCE REVENUE/EXPENSE					***111,174***

Stormwater Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	115,000	62,029	54%	124,058	9,058
Appropiation of Fund Balance	85,050	-	0%	85,050	-
Total Revenues	**200,050**	**62,029**	**31%**	**209,108**	**9,058**
Total Expenses	**200,050**	**15,283**	**8%**	**178,271**	**21,779**
NET DIFFERENCE REVENUE/EXPENSE					***30,837***

CAPITAL

Capital Project Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues (FIND Grants)	160,148	1,567	1.0%	160,148	-
Appropiation of Fund Balance	1,000,000	-	0%	1,000,000	-
Transfer from Park fund	160,148	-		160,148	-
Total Revenues	**1,320,296**	**1,567**	**0%**	**1,320,296**	**-**
Total Expenses	**1,320,836**	**406,508**	**31%**	**1,320,836**	**-**

Water Improvements	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-		
Transfer from Utility Fund	50,000	25,000	50%	50,000	-
Total Revenues	**50,000**	**25,000**	**50%**	**50,000**	**-**
Total Expenses	**50,000**	**-**	**0%**	**50,000**	**-**

Sewer Improvements	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues (Loan/Debt Proceeds)	240,000	8	0%	240,016	16
Transfer from Utility Fund	239,159	119,580	50%	239,159	-
Total Revenues	**479,159**	**119,588**	**25%**	**479,175**	**16**
Total Expenses	**479,159**	**111,499**	**23%**	**709,159**	**(230,000)**

Sanitation Improvements	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-	-	-
Transfer from Utility Fund	63,000	31,500	50%	63,000	-
Total Revenues	**63,000**	**31,500**	**50%**	**63,000**	**-**
Total Expenses	**63,000**	**-**	**0%**	**63,000**	**-**

CITY OF NORTH BAY VILLAGE
BUDGET-IN-BRIEF thru MARCH 31, 2013

STREET MAINTENANCE FUND - LOCAL OPTION GAS TAX

Street Maintenance Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	115,255	46,763	41%	111,180	(4,075)
Transfer from General Fund	115,583	57,792	50%	115,583	-
Total Revenues	**230,838**	**104,555**	**45%**	**226,763**	**(4,075)**
Total Expenses	**230,838**	**145,037**	**63%**	**292,967**	**(62,129)**

TRANSPORTATION FUND - CITT

Transportation Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	225,000	107,394	48%	257,746	32,746
Transfer from General Fund	55,248	27,624	50%	55,248	-
Appropiation of Fund Balance	-	-		-	-
Total Revenues	**280,248**	**135,018**	**48%**	**312,994**	**32,746**
Total Expenses	**217,146**	**42,457**	**20%**	**97,163**	**119,983**

BUILDING FUND

Building Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues - Permits	163,000	245,542	151%	320,173	157,173
Other Revenues	37,000	18,878	51%	37,756	756
Total Revenues	**200,000**	**264,419**	**132%**	**357,929**	**157,929**
Total Expenses	**197,457**	**234,532**	**119%**	**358,125**	**(160,668)**

DEBT SERVICE FUND

Debt Service Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	746,657	626,758	84%	746,657	-
Total Revenues & Carryover	**746,657**	**626,758**	**84%**	**746,657**	**-**
Total Expenses	**668,672**	**245,049**	**37%**	**668,672**	**-**

AFTER SCHOOL & SUMMER CAMP

After School & Summer Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	134,718	38,352	28%	133,746	(972)
Transfer from General Fund	19,938	9,969	50%	15,651	(4,287)
Total Revenues	**154,656**	**48,321**	**31%**	**149,397**	**(5,259)**
Total Expenses	**154,657**	**43,573**	**28%**	**149,397**	**5,260**

STATE FORFEITURE FUND

State Forfeiture Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	26,525	-	26,500	26,500
Total Revenues	**-**	**26,525**	**-**	**26,500**	26,500
Total Expenses	**-**	**660**	**-**	**1,319**	**(1,319)**
STATE FORFEITURE FUND Projected YEAR END FUND BALANCE					***29,181***

FEDERAL FORFEITURE FUND

Federal Forfeiture Fund	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	36,414	-	53,224	53,224
Total Revenues	**-**	**36,414**	**-**	**53,224**	**53,224**
Total Expenses	**601,900**	**260,353**	**43%**	**490,533**	**111,367**
FEDERAL FORFEITURE FUND Projected YEAR END FUND BALANCE					***122,278***

PARKS IMPROVEMENT FUND

PARKS IMPROVEMENT FUND	Budget	March Year-to-Date	March Year To Date %	Projected Year End 9/30/13	Surplus/ (Deficit)
Revenues	-	-	-	-	-
Total Revenues	-	-	-	-	-
Total Expenses	**167,918**	**-**	**-**	**167,918**	**-**
PARKS IMPROVEMENT FUND Projected YEAR END FUND BALANCE					***174,466***

Prepared by Sandra Zamacona: May 02, 2013

CODE ENFORCEMENT MONTHLY TOTALS FOR APRIL 2013

	TREASURE ISLAND	NORTH BAY ISLAND	HARBOR ISLAND	VILLAGE WIDE	ASSIST OTHER AGENCY	TOTALS
TRASH, RUBBISH & DEBRIS	3		1			**4**
PUBLIC NUISANCE/DANGER/ASSIST	3	1	1			**5**
HEALTH HAZARD		1				**1**
OTHER	8	3	5			**16**
GRAFFITI						
DUMPSTER WITHOUT PERMITS						
BACKED UP/RAW SEWAGE						
ILLEGAL AUTO REPAIR/JUNK VEHICLE						
OUTSIDE STORAGE						
ILLEGAL SIGNS REMOVED	2					**2**
PHONE CALLS	33	8	6	10		**57**
MEETINGS	19	2	2			**23**
INITIAL INSPECTIONS	31	8	6			**45**
VERBAL WARNINGS GIVEN	10	2	1			**13**
COURTESY CIVIL INFRACTION NOTICE ISSUED	4	5	2			**11**
CITATIONS ISSUED						
RE-INSPECTIONS	40	22	3	1		**66**
WORK WITHOUT PERMITS/PERMIT VIOLATIONS	4	1	2			**7**
STOP WORK ORDER/RED TAG POSTED			1			**1**
COMPLAINTS RECEIVED	8		5			**13**
SERVICE OF PROCESS/PERSONAL SERVICE/POSTING						
CASE CLOSED	7	1	1			**9**

CITY OF NORTH BAY VILLAGE

MONTHLY REPORTS 2013

BUILDING DEPT

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
PERMITS/UPFRONT FEES	$7,041.03	$10,323.83	$183,455.15	$16,152.53	$15,175.70	8,567.50	15,261.10						**$255,976.84**
VISITORS	57	66	193	238	*	110	197						**861**
PERMIT APPLICATIONS/ REVISIONS	541	**352**	46	55	50	39	48						**$1,131.00**
HOLD HARMLESS/ EXTENSIONS/ CERT OF COMPLETION/OCCUPANCY/ CHANGE OF CONTRACTORS/ REINSPECTIONS/NOTARY/ *CONTRACTORS REGIS	$901.65	$854.00	$925.00	$1,190.00	$1,030.00	**$575.00**	$1,259.00						**$6,734.65**
													0
BLDG INSPECTIONS/REVIEW	135	87	107	98	*	86	105						**618**
ELEC INSPECTIONS	44	25	19	35	*	23	23						**169**
MECH INSPECTIONS	16	12	10	17	*	6	12						**73**
PLUMBG INSPECTIONS	30	14	21	20	*	6	17						**108**
STRUCTURAL REVIEWS	7	2	8	14	*	**2**	0						**33**

*** INFO NOT AVAILABLE**

CITY OF NORTH BAY VILLAGE
MONTHLY REPORTS 2013
ADMINISTRATION

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
TOTAL TRANSACTIONS (CKS/CREDIT CARDS)	541	352	533	507	*	381	531						**2845**
VISITORS	128	68	112	103	112	*	*						**523**
PASSPORT ISSUED	40	24	11	40	35	0	0						**150**
NOTARY SERVICES	12	4	8	19	18	7	7						**75**
TAX RECEIPTS (OCCUP LICENSES)	$5,330.83	$3,515.79	$7,851.75	$610.25	$414.25	$8.00	$187.50						**$17,918.37**
LIEN SEARCH/REQUESTS FOR INFORMATION:	90	63	34	69	74	57	77						**464**
POST OFFICE	580	536	741	703	0	0	0						**2560**
													0
ATS (AMERICAN TRAFFIC SOLUTIONS PRIOR TO 7/1/10) HEARINGS IN NBV	0	0	0	0	0	0	0						**0**
LAF (NBV-AFTER 7/1/10) HEARINGS IN MDC	44	38	23	40	24	22	26						**217**

*** INFO NOT AVAILABLE**

OFFICIAL MINUTES

NORTH BAY VILLAGE
YOUTH & EDUCATION SERVICES BOARD MEETING

CAUSEWAY TOWERS
1666 KENNEDY CAUSEWAY, 2dRD FLOOR
NORTH BAY VILLAGE, FL 33141

MAY 6, 2013 – 7:00 P.M.

1. CALL TO ORDER

The meeting was called to order by the Chair, Kevin Vericker, at 7:10 P.M. Present were Chair Kevin Vericker, Vice Chair Alex Funkhouser, and Ana Fonseca. Board Members Jorge Piedra and Rosa Neely were absent. As a quorum was determined to be present, the meeting commenced.

Also present were Interim Village Manager Jenice Rosado, and Residents Benjia Morgenstern and Mario Garcia.

2. OLD BUSINESS

A. REPORT ON CLOTHESLINE ARTS SHOW

The success of the Clothesline Art Show that was held on April 26, 2013 was discussed. Discussion also ensued about activities for children such as the preparation of artwork that could be displayed at Village Hall and the painting of white flags that could be installed along the causeway.

Interim Village Manager Rosado mentioned that Village Staff is working on the possibility of having Radio Disney at the 4th of July event with activities and music for kids.

Without objection Item 3E was discussed next on the agenda

ITEM 3E
REVIEW OF SUNSHINE IMPLICATIONS FOR YOUTH & EDUCATION SERVICES BOARD MEMBERS WORKING EVENTS (*KEVIN VERICKER)*

Chair Kevin Vericker expressed concern about cross communication between Board members when planning events outside of a meeting in regards to the Sunshine Regulations. Village Clerk Yvonne Hamilton informed Mr. Vericker that such communication would be improper and would have to be discussed at a public meeting.

B. MASTER RECREATION PLAN – USE OF RECREATION IMPACT FEES (*ROSA NEELY)*

Interim Village Manager Rosado presented the Board with a draft scope of services for the RFP for preparation of the Village Master Recreation Plan, which is expected to be presented to the Commission at the May 21, 2013 meeting. A Board Meeting was scheduled for May 20 to review the document so that input can be provided at the May 21st meeting. It was discussed that workshops could be held for residents to meet with the Village Planner regarding the document.

It was mentioned that the Village mini bus should be used to transport residents to the Farmers' Market and other Village events.

C. UPDATE ON IB COMPACT *(ROSA NEELY)*

Mrs. Rosado informed the Board that the agreement is still being reviewed by the School Board.

REPORT OF MONIES IN DONATED YOUTH SERVICES FUNDS *(KEVIN VERICKER)*

It was noted that there is a balance of $2,000 of the donated funds.

D. REPORT ON SUMMER CAMP PLANS (*KEVIN VERICKER)*

It was discussed that the Village Summer Camp is in its final year. There is a grant that covers the end of the 2014 school year, but an application would have to be made for next summer and the following school year. It was noted that the enrollment is filled with a waiting list.

3. NEW BUSINESS

A. VILLAGE EVENT TO SUPPORT THE SCHOOLS (*ROSA NEELY)*

Mrs. Rosado discussed a request for $12,000 from the Village to fund the hiring of a registered nurse for Treasure Island Elementary School.

B. SEA SCOUTING PRESENTATION BY BARRY EKLE (A CO-ED VENTURE SCOUTING PROGRAM) (*KEVIN VERICKER)*

Mr. Ekle was invited to the meeting to explain the program, but he was unable to attend. The Chair Kevin Vericker explained the co-ed program that is designed towards water activities and boating safety. He was in favor of having such a program in North Bay Village.

C. RELATIONSHIP WITH THE OPTIMIST CLUB (*KEVIN VERICKER)*

The Chair explained the purpose of the Optimist Club and events that it sponsors such as a soccer team at Treasure Island Elementary School (TIES), the Pet Festival to be held this Saturday, and the oratory contest.

Discussion took place on the creation of a tutoring program at TIES.

D. MIAMI-BEACH NAUTILUS/TIES ANTI BULLYING EVENTS FOR FOR NEXT OCTOBER (*KEVIN VERICKER)*

The Chair explained his intent to invite the coordinator of the anti-bullying initiative to address a future Youth and Services Board Meeting regarding the possibility of conducting a Village-wide meeting and joining with Miami Beach who is planning a series of events, such as a movie called "Bullying" about the effects of bullying that is being used as part of the curriculum. It was suggested that the movie could be shown at Dr. Paul Vogel Park and be discussed in a workshop.

ITEM F
REVIEW OF GOALS SET AT THE BEGINNING OF THE YEAR AND REVISIONS *(KEVIN VERICKER)*

This item was deferred to the May 20, 2013 Youth and Education Services Board Meeting.

4. APPROVAL OF MINUTES

A. REGULAR MEETING – APRIL 3, 2013

No action was taken on approval of the Minutes.

5. ADJOURNMENT

The meeting adjourned at 8:37 p.m.

Prepared and submitted by: Yvonne P. Hamilton
Village Clerk

Adopted by the Youth & Education Services Board on this _____ day of _____.

_____
Kevin Vericker, Chair

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the City Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

MINUTES

NORTH BAY VILLAGE
PLANNING & ZONING BOARD MEETING

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

APRIL 6, 2013 – 7:30 P.M.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

The meeting was called to order by the Chair, Reinaldo Trujillo, at 7:39 P.M. and the Pledge of Allegiance was recited. Present at Roll Call were Chair Reinaldo Trujillo, Vice Chair James Carter, and Board Member Bud Farrey. As a quorum was determined to be present, the meeting commenced.

Also present were Village Attorney Kathy Mehaffey, Ben Smith, of LaRue Planning Management, Village Planner, and Village Clerk Yvonne P. Hamilton.

Marvin Wilmoth attended the meeting at 7:39 p.m.

Board Member Barry Beschel was absent.

2. (PUBLIC HEARINGS) ALL INDIVIDUALS DESIRING TO PROVIDE TESTIMONY SHALL BE SWORN IN.

A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

The Village Clerk read the Ordinance by title.

Ben Smith presented the Staff Report. He explained the purpose of the ordinance to adjust the language in the previously adopted ordinance to clarify that the regulations of the Bay View Overlay District would apply to the properties in the CL Zoning District north of the 79th Street Causeway on Treasure Island, which would allow those properties to take advantage of the incentives to build 100 feet higher, if the lot size was big enough; for the creation of view corridors between those buildings; and for construction of thinner buildings.

It was discussed that the ordinance would allow for development of taller, thinner buildings with open view corridors at a maximum of 340 feet if lots were combined to provide a lot width of over 500 feet. For properties with a lot width of under 500 feet, there will be some increments between 240 and 340 feet depending on the setback and the structure being developed.

The Chair opened the Public Hearing.

Mario Garcia, of 7540 Hispanola Avenue, addressed the Board and requested that consideration be given to the fact that the regulations could allow a 35-foot high buildings and whether those buildings would be beneficial to the Village.

The Chair closed the Public Hearing.

A motion was made by the Chair, Reinaldo Trujillo recommending approval of the ordinance. The motion was seconded by Bud Farrey and adopted by a vote of 3-1. The vote was as follows: Marvin Wilmoth, Bud Farrey, and Reinaldo Trujillo all voting Yes. James Carter voted No.

3. APPROVAL OF MINUTES

A. Regular Planning & Zoning Board Meeting – March 19, 2013

A motion was made by the Chair, Reinaldo Trujillo to approve the Minutes as presented. The motion was seconded by Bud Farrey and adopted by a vote of 4-0. The vote was as follows: James Carter, Bud Farrey, Marvin Wilmoth and James Carter all voting Yes.

4. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Prepared and submitted by: Yvonne P. Hamilton, CMC
Village Commission

Adopted by the Planning & Zoning Board on
this _____ day of _____.

_____
Reinaldo Trujillo, Chair

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the City Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

5/9/2013

Good Evening Mayor and Commissioners,

I would like to start off by thanking our Village staff for really pulling together to get a multitude of projects underway. I also want to thank the many residents who have reached out to me to bring an item of concern to my attention and also to offer a helping hand.

I am happy to report that in my short time as interim manager we have been able to access the standing of a good amount of projects and have been able to get a few of those projects underway. One of the mayor projects that we have recently been able to move forward with is the master recreation plan scope of services which will be presented to you at our next commission meeting. The movement of this project is critical as it will ultimately allow an expert to analyze our Village's recreational amenities or lack thereof and be able to recommend a recreation plan that will fit our Village's resident's needs. This is of primary concern to me because the result of this study will provide our staff with a framework for developing Village amenities that will only serve to enhance our resident's quality of life.

I have also been working very closely with our very knowledgeable Interim Public Works Director to analyze critical needs in the areas of general street maintenance, utilities, drainage and landscaping. We are currently working on ways to enhance our Village's drainage by clearing out of shrubbery in the street on a bi-weekly basis and will continue to move in the direction of further enhancing our drainage issues with the next step being a Village wide storm drain cleaning.

Furthermore, I have developed a Budget Wish list for our next fiscal year that will be presented to our Commission as the budget process moves further along. I have in this wish list looked at the big picture items as well as the small detail items that sometimes make a world of difference for our everyday operations. This wish list will be brought to your attention during our budget process for your consideration. I encourage you to continue to reach out to me in your particular items of concern and I will gladly look into the feasibility of adding those items to our wish list.

Lastly, tonight I am ready to bring my recommendation to you on our Village Hall status. I hope that you find the diligent work of each of our staff members in preparing this item of assistance to you when making this important decision that will affect our Village wide operations and efficiency.

Again, thank you for the honor of having me assist the Village during this time of transition.

Jenice Rosado -Interim Village Manager

6(1)

NORTH BAY VILLAGE POLICE DEPARTMENT

RECOMMENDATION MEMORANDUM

DATE: April 11, 2013

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

THROUGH: Jenice Rosado
Interim Village Manager

FROM: Robert J. Daniels
Chief of Police

SUBJECT: To be included in the next Commission Meeting- Request for approval to execute an agreement between the Village and Peterson's Harley Davidson of Miami, L.L.C.

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Resolution approving the appropriation and disbursement of $1,000.00 and authorizing an agreement between the Village and Peterson's Harley Davidson of Miami, L.L.C., for the lease and maintenance of a police motorcycle and waiving the competitive bidding process pursuant to Section 36.25(H) of the Village Code, since Harley-Davidson is the only provider that will allow us to lease the motorcycle that best fits our needs.

BACKGROUND:

The police department has had a motorcycle unit for the last three years. Peterson Harley Davidson offers a leasing program for numerous law enforcement agencies throughout Miami-Dade County. The lease covers all maintenance; the leasing of the motorcycle has proven to be the most cost efficient method of procuring and maintaining a motorcycle for the Village.

1700 JFK CAUSEWAY, SUITE 132, NORTH BAY VILLAGE, FL 33141
MIAMI-DADE COUNTY
PHONE #305-758-2626 FAX #305-866-7513

10A(1)

The North Bay Village Police Department participates in an Equitable Sharing Agreement with the Federal Drug Enforcement Administration (DEA) and the United States Department of Justice. Under the Equitable Sharing Agreement, due to our active participation, we can utilize funds and property seized during investigations. After the funds are awarded, we receive our equitable share, which could range from ten to fifty percent. Expenses charged to the Law Enforcement Trust Fund are recommended by the Police Chief periodically as funding becomes available. These expenditures then require approval by the Village Commission. In October 2012, the Village Commission approved Resolution 2012-50 which allocated $5,000 towards the motorcycle lease. However the lease total will be $6,000, thus requiring an additional $1,000 appropriation and disbursement of funds which are available from the LETF Fund.

FINANCIAL IMPACT:

There will be no cost to the General Fund as the monies are available from the account of the Law Enforcement Trust fund to cover the cost of the lease and maintenance of the motorcycle. L.E.T.F. acct-07.021.521.5401. $5000.00 has been previously appropriated and the attached resolution appropriates the final $1,000.00.

PERSONNEL IMPACT:

There will be no impact on personnel

CONTACT:

Robert J. Daniels, Chief of Police

10A(2)

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

Memo

To: Mayor and Village Commission

From: Kathryn Mehaffey
Village Attorney's Office

Date: April 9, 2012

Re: Use of federal forfeiture funds

We have been asked to review an item for the April 9, 2013 Commission agenda regarding a request from the Chief of Police for appropriation and disbursement of federal forfeiture funds.

Approved federal purposes for the use of these funds are quite broad, and include, amongst other things, temporary law enforcement personnel, law enforcement and detention facilities, overtime for law enforcement operations, training to perform official law enforcement duties, improvements to law enforcement facilities, law enforcement awards and memorials, and equipment and equipment maintenance for law enforcement activities.

The Police Chief has requested funds in the amount of $1,000.00 for the lease and maintenance of a 2013 Harley-Davidson Police solo motorcycle. The authority for the expenditure, based on the federal guidelines, is provided below:

PROPOSED EXPENDITURE	COST	FEDERAL AUTHORITY[1]
Vehicle Lease -- Motorcycle	$ 1,000	VIII.A.1.d.

The proposed expenditure of funds falls within the federal guidelines.

[1] *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* , Department of Justice, Criminal Division, Asset Forfeiture and Money Laundering Section, April 2009.

10A(2)A

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

MEMORANDUM
City of North Bay Village

DATE: May 2, 2013

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: _____
Jenice Rosado, Interim Village Manager

SUBJECT: Introduction of Ordinance

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

> **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., FOR THE LEASE AND MAINTENANCE OF A POLICE MOTORCYCLE; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE.**

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

/yph

10A(3)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., FOR THE LEASE AND MAINTENANCE OF A POLICE MOTORCYCLE; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, visible and active patrol throughout the Village by the Village Police is essential to the safety and welfare of the citizens of North Bay Village; and

WHEREAS, the Village Police Department maintains a motorcycle patrol; and

WHEREAS, the Village determines that leasing of a motorcycle, inclusive of maintenance, is the most cost effective method of procuring and maintaining a motorcycle for the Village use; and

WHEREAS, Section 36.25(H) of the Village of North Bay Village Code of Ordinances authorizes the award of a contract without sealed bidding upon a determination by the Village Manager that there is only one source for the required purchase; and

WHEREAS, Harley-Davidson is the only provider willing to provide a motorcycle lease option and the proposed model is the only motorcycle which fits existing Village equipment; and

WHEREAS, the proposed lease with Peterson's Harley-Davidson of Miami, L.L.C., will provide the motorcycle and full maintenance for a full two year period.

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.

10A(4)

Section 2. **Approval of Agreement.** The Agreement between the Village and Peterson's Harley-Davidson of Miami, L.L.C., for the lease and maintenance of a 2013 Harley-Davidson model FLHP Roadking Solid Black Police solo motorcycle, in substantially the form attached as Exhibit "1," together with such changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney, is approved.

Section 3. **Waiver of Competitive Bidding.** Competitive bidding for the award of the Agreement between the Village and Peterson's Harley-Davidson of Miami, L.L.C., is waived pursuant to Section 36.25(H) of the Village Code.

Section 4. **Authorization of Village Officials.** The Village Manager and/or his designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement. For purposes of this Agreement, the term Village Manager shall include the Interim Village Manager.

Section 5. **Execution of Agreement.** The Village Manager is authorized to execute the Agreement with Peterson's Harley-Davidson of Miami, L.L.C., on behalf of the Village for the lease of a 2013 Harley-Davidson model FLHP Roadking Solid Black Police solo motorcycle in accordance with the proposal attached hereto as Exhibit 1, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this _____day of _____, 2013.

10A(5)

_____

Connie Leon-Kreps, Mayor

ATTEST:

_____

Yvonne P. Hamilton, CMC
Village Clerk

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

_____

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

North Bay Village Resolution: Harley Davidson Lease Agreement-Motor Cycle

10A(6)

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. 305-651-4811 FAX. 305-653-8006 TOLL FREE 800-545-2561

N

PETERSON'S MOTOR CYCLES HARLEY-DAVIDSON MIAMI, FLORIDA

2013 LEASE AGREEMENT FOR HARLEY-DAVIDSON POLICE MODELS

This agreement made and entered into between PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., designated as the lessor, and North bay Village Police Department designated as the lessee, made this _____ day of _____, 2013 for the purpose of leasing to the Lessee HARLEY-DAVIDSON Police motorcycle(s) under the following terms and conditions:

1. EQUIPMENT-

2013 HARLEY-DAVIDSON model FLHP ROADKING Solid Black Police solo motorcycle with the complete description provided on attached specification sheet.

2. AGREEMENT TERM-

The terms of this Agreement shall commence as of the date of delivery of the aforesaid police motorcycles and thereafter for a period of twenty-four (24) months. At the end of the Agreement Term, City of North Bay Village Police Department shall have the option of returning the 2013 models and acquiring 2015 models under the same equipment items and for the same terms and conditions as set forth herein. If Lessee decides not to retain the 2013 model motorcycles, they must be returned to Peterson's Harley-Davidson of Miami, L.L.C. Motorcycles leased under this Agreement are to be used for police and related activities: off-duty details, funeral escorts and parades only. Any other use shall require the prior written consent of Lessor.

3. PAYMENT PERIOD-

Lessee shall pay monthly payments in the amount of $475.00 for each motorcycle. Payments include the cost of equipment, payment of interest, full maintenance and administrative costs less the residual value of the motorcycle. Monthly rental, per motorcycle, shall be payable by the Lessee to Lessor on the 5th day of each month during the term of this lease.

10A(7)

MIAMI'S ONLY AUTHORIZED HARLEY-DAVIDSON DEALERS

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. (305) 651-4811 FAX.(305) 653-8006 TOLL FREE (800) 545-2561

4. INSURANCE-

At its own expense, the lessee shall carry casualty insurance in the amount of $1,500,000 with respect to the motorcycle and shall carry Public Liability and Property Damage Insurance sufficient to protect the actual cash value of the equipment and to protect the Lessor from Liability in all events. The Lessee shall carry Worker's Compensation covering all its employees working on, in, or about the motorcycle.

The Lessee shall furnish to the Lessor certificates or other satisfactory evidence of all insurance coverage described above as required by the terms and conditions of this agreement. The Lessor shall be named as additional insured and loss payee.

5. HOLD HARMLESS INDEMNIFICATION BETWEEN PARTIES-

The Lessee shall and does hereby indemnify and save the Lessor harmless from any and all liability arising out of the leasing, renting, operation, control, use, delivery and/or return of the motorcycle including, but not limited to injuries causing personal injury, property damage and/or death, except for damages resulting from a design fault in the product, but shall be credited with any amounts received by the Lessee with respect thereto from liability insurance by the Lessee. That indemnification shall include all costs and expenses including Attorney's fees incurred by the Lessor in connection with any suits or actions resulting from any special liability.

6. LIENS-

The Lessee shall not directly or indirectly create, incur, assume, or suffer to exist any mortgage, pledge, lien, charge, and encumbrance or claim on or with respect to the motorcycle, except with respect to the respective rights of the Lessor as herein provided. Lessee shall promptly, as its own expense, take such actions as may be necessary to duly discharge any such mortgage, pledge, lien, charge, encumbrance or claim not excepted above if the same shall arise at any time due to the Lessee's action or inaction.

10A(8)

MIAMI'S ONLY AUTHORIZED HARLEY - DAVIDSON DEALERS

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. (305) 651-4811 FAX.(305) 653-8006 TOLL FREE (800) 545-2561

7. TAXES AND FEES-

The Lessee shall pay any necessary taxes or fees, including but not limited to Sales and Use Tax, Excise Tax, Personal Property Tax, assessments, penalties, licenses, fees, registration fees, freight and transportation charges, permits and any similar charges imposed on the ownership, possession or use of the Motorcycle during the term of the Agreement. Both parties recognize that North Bay Village is tax exempt under Florida Law.

8. CARE AND USE OF EQUIPMENT-

The Lessor agrees to maintain the Motorcycle pursuant to the Manufacturer's Standard Preventative maintenance Contract and/or recommendation. All repairs shall be made at PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., 19400 NW 2ND AVE, MIAMI, FLORIDA 33169. The Lessee, at its own cost and expense, shall ensure delivery of the Motorcycle to PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., 19400 NW 2ND AVE, MIAMI, FLORIDA 33169, at regular intervals set up by the Lessor in accordance with the Service Schedule attached hereto as Exhibit 2.

The Lessee shall protect the motorcycle from deterioration other than normal wear and tear, shall use the Motorcycle for Police related activities only, without abuse, and shall not make modifications, alternations or additions to the Motorcycle (other than normal operating accessories or controls) without written consent of the Lessor, which shall not be unreasonably withheld.

The Lessor, shall have the right, during regular business hours to enter upon the premises where the Motorcycle is located in order to inspect, observe or otherwise protect the Lessor's interest and the Lessee shall afford them the opportunity to do so.

9. DAMAGE OR DETERIORATION OF MOTORCYCLES-

In the event the Motorcycle is partially damaged or destroyed due to the actions of the Lessee or its employees prior to the end of this agreement, the Lessee will promptly have the Motorcycle repaired and restored to its original condition and working order. Any damage done to lease motorcycles during the officers training will be repaired as soon as the training is completed at

10A(9)

MIAMI'S ONLY AUTHORIZED HARLEY-DAVIDSON DEALERS

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. (305) 651-4811 FAX.(305) 653-8006 TOLL FREE (800) 545-2561

Lessee's expense. This includes damage done to engine, transmission, clutch, brakes and not just the paint and body parts. All repairs must be done at the Lessor's repair facility. In case of theft or total loss of the Motorcycle, the replacement value of the Motorcycle shall be $22,500.00 minus 2% for each month the agreement is in effect.

10. SELECTION OR RIDER-

The Lessor reserves the right to reject any rider of his Motorcycle so as to be assured that proper handling and care is exercised.

11. RIDER RESPONSIBILITY AND PRIVILEGES-

The rider will be responsible for keeping the motorcycle clean and is required to report any defects or abnormalities. The rider shall be allowed to use the motorcycle to go back and forth to work provided that it is fully insured at all times by the lessee and the distance is no more than thirty (30) miles each way.

12. EVENTS OF DEFAULT AND REMEDIES-

Lessee shall be deemed to be in default hereunder upon the happening of any of the following events of default

A. Lessee shall fail to make any periodic payment, or to pay any other payments required to be paid hereunder, or

B. Lessee shall fail to keep any such other term, covenant or condition contained herein.

Upon the occurrence of an event of default as specified above, and upon the failure of Lessee to remedy such event of default with all reasonable dispatch within a period of thirty (30) days, Lessor or its assigns shall have the right, at its option without any demand or notice, to pursue any of the following remedies:

10A(10)

MIAMI'S ONLY AUTHORIZED HARLEY-DAVIDSON DEALERS

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. (305) 651-4811 FAX.(305) 653-8006 TOLL FREE (800) 545-2561

1) by written notice to Lessee, declare an amount equal to all payments due during the agreement term to be immediately due and payable as liquidated damages and not as a penalty, whereupon the same shall become immediately due and payable.

2) re-enter and take possession of the equipment, enforce this agreement or terminate the agreement, and repossess the equipment and sell or lease the equipment for the account of the Lessee, holding Lessee liable for all payments up to the effective date of such leasing or selling and for the difference in the purchase price, rental and other amounts paid by the Lessee or purchaser pursuant to such lease or sale and the amounts payable by Lessee hereunder, and

3) any action at law or in equity as may appear necessary to collect the payments then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement or covenant of Lessee under this agreement upon failure to comply with any term, covenant or condition contained herein.

13. MAINTENANCE AND EQUIPMENT-

Lessor shall provide full maintenance of the motorcycle at no cost to the Lessee. Lessor shall not supply Lessee with gasoline, tires, radios and clutches worn due to training. All maintenance shall be done at PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., 19400 NW 2ND AVE, MIAMI, FLORIDA 33169.

14. SUBLEASE OR ASSIGNMENT-

Neither the Lessor, nor the Lessee may assign this lease. Neither the Lessor nor the Lessee may effect the subleasing of the motorcycle.

15. TERMINATION-

This agreement may be terminated by either party for any cause, upon thirty (30) days written notice by the terminating party. Lessor shall be entitled to lease payments due or incurred to the date of such termination.

10A(11)

MIAMI'S ONLY AUTHORIZED HARLEY - DAVIDSON DEALERS

PETERSON'S HARLEY-DAVIDSON OF MIAMI L.C. 19400 N. W. 2ND AVE MIAMI, FL 33169 PH. (305) 651-4811 FAX.(305) 653-8006 TOLL FREE (800) 545-2561

In witness whereof, the Lessor and the Lessee have caused this instrument to be signed all on the day and first above written.

LESSOR:

Ace Armstrong, General Manager
Peterson's Harley-Davidson of Miami L.L.C

4/10/13
Date

LESSEE:

Jenice Rosado, Interim Village Manager

Date

WITNESS:

Yvonne Hamilton, Village Clerk

Date

APPROVED AS TO FORM:

Nina Boniske or Kathy Mehaffey, Village Attorney

Date

10A(12)

MIAMI'S ONLY AUTHORIZED HARLEY-DAVIDSON DEALERS

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

To: Jenice Rosado, Interim Village Manager
From: Bert Wrains, CGFO Finance Director
Date: March 26, 2013
Re: FY 2013 Budget Amendment- Transfer of Funds for Zoning Code Update

---

The original FY 2013 Annual Budget was presented to the Village Commission in July 2012. Staff realized that the Village's Zoning Code needed to have a comprehensive review and update. T he last major changes to the building and zoning Codes were made 2008. It was recognized that this project would require the services of a professional planning and zoning person or company. The FY 2013 budget included $50,000 for this project. The Commission moved the line item expenditure from the General Services Department to the Unassigned Fund Balance. The Commission indicated that the funding for the project could be restored from the General Fund Unassigned Fund Balance to the Department expenditure account if there was a need to move forward with the project. There is need to revise the Zoning Code to meet the future plans for the Village.

The project will require several months of work to complete. It will include a comprehensive review of the code as well as changes based on current laws or court cases. The project will also require several public hearings with the Village's Planning and Zoning Board and the Village Commission to provide changes that will meet the local needs of North Bay Village. The final changes to the Code will require the adoption of an Ordinance with two public hearings.

At the September 27, 2012 final budget hearing, the Commission voted to move the $50,000 expenditure from account number 01-019-519-5316 Professional Service to General Fund Unassigned Reserve. This request is for the Commission to restore the $50,000 budget for this project.

10B(1)

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

MEMORANDUM
North Bay Village

DATE: April 3, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

> **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING $50,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO THE PROFESSIONAL SERVICES EXPENSE ACCOUNT IN THE GENERAL SERVICES DEPARTMENT OF THE GENERAL FUND; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY ACTING VILLAGE MANAGER JENICE ROSADO)***

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

JR:yph

10B(2)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING $50,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO THE PROFESSIONAL SERVICES EXPENSE ACCOUNT IN THE GENERAL SERVICES DEPARTMENT OF THE GENERAL FUND; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, the Village desires to update and modernize its Zoning Code and implement regulations to promote the general health and welfare and encourage viable and compatible development and redevelopment patterns that are desirable for the future of the Village; and

WHEREAS, On September 27, 2012, the Commission of North Bay Village, Florida, (the "Village Commission") adopted Resolution No. 2012-46 approving a budget for the Fiscal Year commencing on October 1, 2012 and ending on September 30, 2013; and

WHEREAS, the original FY 2013 Annual Budget proposal recommended the appropriation of $50,000 for updating the Zoning codes; and

WHEREAS, the funds were allocated for reserve until such time as the Village Commission was ready to proceed with the Code rewrite; and

WHEREAS, the Village Manager has recommended that the budget be amended to transfer the $50,000 from the General Fund Unassigned Fund Balance to the General Fund, 01-019-519-5316, Professional Services in order to move forward with Zoning Code Rewrite.

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

10B(3)

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

Section 2. **Budget Amendment.** The Village Manager is hereby authorized to transfer $50,000 from the General Fund Unassigned Fund Balance to the General Fund 01-019-519-5316, Professional Services.

Section 3. **Authorization of Village Officials.** The Village Manager is authorized to take all actions necessary to implement the budget amendment. The term Village Manager shall include the Interim Village Manager.

Section 4. **Performance of Project.** The Village Manager is hereby authorized to retain the services of the Village Planner to update the Zoning Code.

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

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

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this 14th day of May 2013.

_____

Connie Leon-Kreps
Mayor

10B(4)

ATTEST:

_____

Yvonne P. Hamilton
Village Clerk

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

_____

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

North Bay Village Resolution: Budget Transfer-North Bay Village Code Review-$50,000.

10B(5)

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

RECOMMENDATION MEMORANDUM

DATE: **April 26, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER:
Commissioner Jorge Gonzalez

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: **Interim Village Manager Contract**

RECOMMENDATION:

It is recommended that the Village Commission formally approve the attached contract for Interim Village Manager, Jenice Rosado.

BACKGROUND:

Ms. Rosado is employed by the Village as the Deputy Village Manager / Human Resources Director at a salary of $78,039 annually. At the Special Commission Meeting on April, 1st Ms. Rosado was appointed as Interim Village Manager. At the regular Commission meeting in April, the Commission voted to increase Ms. Rosado's pay for Interim Village Manager by 15% of her current pay as Deputy. The 15% increase amounts to $89,745 annually. Ms. Rosado is expected to fill the Interim position of Village Manager until a permanent Village Manager is hired. At the moment that Ms. Rosado steps down from the Interim position either by her will or the will of the Commission, the attached contract will ensure that she reverts to her original position of Deputy Village Manager / HR Director.

10C(1)

FINANCIAL IMPACT:

The 15% pay increase as Interim Village Manager equates to approximately $11,000 annually. There is no cost associated with approving the contract.

BUDGETARY IMPACT (Finance Dept):

PERSONNEL IMPACT:

The Interim Village Manager Contract for Ms. Rosado will ensure that at the moment she steps down from the position either by her will or the will of the Commission, she reverts to her original position of Deputy Village Manager / HR Director with the salary of $78,039 that she received for that position.

10C(2)

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

MEMORANDUM
North Bay Village

DATE: May 7, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE AND MS. JENICE ROSADO, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

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

JR:yph

10C(3)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE AND MS. JENICE ROSADO, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, the Village wishes to enter into an Employment Agreement with Ms. Jenice Rosado.

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

Section 1: **Recitals**. The foregoing recital is hereby confirmed and ratified as being true and the same is made a specific part of this Resolution.

Section 2: **Approval of Agreement.** The Employment Agreement between the Village and Ms. Jenice Rosado, attached hereto as Exhibit "A," is approved.

Section 3. **Execution of the Agreement**. The Mayor is authorized to execute the Employment Agreement on behalf of the Village.

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

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

FINAL VOTE ADOPTION:

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

PASSED AND ADOPTED this ___ day of May, 2013.

_____
Connie Leon-Kreps
Mayor

10C(4)

ATTEST:

_____
Yvonne P. Hamilton, CMC
Village Clerk

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

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

North Bay Village Resolution: Jenice Rosado, Interim Village Manager: Employment Agreement

10C(5)

EMPLOYMENT AGREEMENT

This Employment Agreement ("Agreement") is entered into, by, and between North Bay Village ("Village") and Jenice Rosado ("Ms. Rosado").

WHEREAS, Jenice Rosado is employed by the Village in the position of Deputy Village Manager/Human Resources Director at an annual rate of salary of $78,039.73, plus benefits and other emoluments; and

WHEREAS, Ms. Rosado was appointed to the position of Interim Village Manager on April 2, 2013, at an annual rate of salary of $89,745.55, plus benefits and emoluments; and

WHEREAS, the Village is conducting a search for an individual to employ as permanent Village Manager and intends, in due course, to fill that position; and

WHEREAS, the Village and Ms. Rosado desire that, when Ms. Rosado vacates the position of Interim Village Manager, she shall resume the position of Deputy Village Manager/Human Resources Director with the same rate of salary (i.e., $78,039.73 annually), benefits, and emoluments that she previously enjoyed in that position.

NOW, THEREFORE, in consideration of the mutual promises exchanged and other good and valuable consideration, the adequacy of which is hereby acknowledged, and intending to be legally bound, it is hereby agreed between the Parties as follows:

1. Recitations. The Parties agree that the recitations above are true and correct to the best of their belief and knowledge and incorporate them by reference as if fully set forth here.

2. Employment At Will. As Interim Village Manager, Ms. Rosado is employed at the will and pleasure of the Village Commission. As Deputy Village Manager/Human Resources Director, Ms. Rosado was, is, and shall be employed at will. Nothing in this Agreement shall change Ms. Rosado's status as an at-will employee, subject only to the express limitations stated herein.

3. Entitlement To Resume Position. Immediately upon the vacation, for any reason, at her instance or at the instance of the Village, by Ms. Rosado from the position she presently holds as Interim Village Manager, she may, at her sole option, resume the position of Deputy Village Manager/Human Resources Director that she held immediately prior to accepting the position of Interim Village Manager. Should Ms. Rosado resume the position of Deputy Village Manager/Human Resources Director, she shall be paid at the same rate of salary (i.e., $78,039.73) and shall be entitled to the same emoluments, benefits, and rights that she was paid and to which she was entitled immediately prior to her taking of the position of Interim Village Manager.

4. Miscellaneous. This Agreement is the entire agreement of the Parties on its subject matter and supersedes any and all other agreements, representations, or understandings of any kind thereon. The Parties agree that they have relied solely on the representations express herein in entering into this Agreement and not on any other communication, representation, or

10(6)

understanding of any kind. This Agreement shall be interpreted and construed according to its express language and not strictly against any Party regardless of authorship. This Agreement and disputes arising from it shall be governed by the laws of the State of Florida. Any disputes arising from this Agreement shall be heard by a judge and not a jury in the courts of the State of Florida. Venue shall be proper in Miami-Dade County, Florida, and the Parties agree not to challenge that venue, regardless of convenience or other basis for challenge. The prevailing party in any litigation arising from this Agreement shall be entitled to its reasonable attorney's fees and costs.

5. Effective Date. This Agreement is effective as of the last-dated signature below.

IN WITNESS WHEREOF, the Parties, knowingly and voluntarily and intending to be legally bound, do hereby execute and enter into this Agreement.

NORTH BAY VILLAGE

_____
CONNIE LEON-KREPS
Mayor

_____
DATE

APPROVED as to legality and form only for the benefit of North Bay Village

_____
Bryant Miller Olive, P.A.
Village Labor and Employment Counsel

ATTEST:

_____
YVONNE HAMILTON, CMC
Village Clerk

MS. ROSADO

_____
JENICE ROSADO

_____
DATE

10C(7)

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

RECOMMENDATION MEMORANDUM

DATE: **May 1, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER:
Mayor Connie Leon Kreps

PRESENTED BY STAFF:
Rodney Carrero-Santana, PE, LEED AP
Interim Public Works Director
Through
Jenice Rosado
Interim Village Manager

SUBJECT: **Sanitary Sewer Evaluation Survey (SSES) Flow Meter Placement and Data Collection**

RECOMMENDATION:

It is recommended that the Village rent from Envirowaste Services Group, Inc. seven (7) flow meters, including installation and removal of the flow meters, and extraction and delivery of the flow data to Kimley-Horn and Associates, Inc. (Village Engineering Consultants or KHA).

BACKGROUND:

Based upon the requirements of the Department of Regulatory and Economic Resources (DRER) as part of the Volume Sewer Customer Ordinance required by Second and Final Partial Consent Decree and incorporated into the Code of

12A(1)

BACKGROUND:

Based upon the requirements of the Department of Regulatory and Economic Resources (DRER) as part of the Volume Sewer Customer Ordinance required by Second and Final Partial Consent Decree and incorporated into the Code of Miami-Dade County, the Village is required to provide an updated Sanitary Sewer Evaluation Study for 2013. The Village has authorized KHA to prepare the updated SSES for submittal to the appropriate agencies. In order for KHA to prepare the updated SSES, the data must be collected.

Inflow/Infiltration (I/I) is storm water or groundwater that enters the Village's separate sanitary sewer system, which is designed and intended to handle solely wastewater. Excessive I/I in the sanitary sewer system can lead to excessive processing and load on to the Village sanitary sewer system, which is divided into seven (7) basins. The Village wishes to install seven (7) flow meters during the summer rainy season to record flow information for the majority of the Village's sanitary sewer system.

The data analysis will consist of identifying average dry-weather flow as a baseline, and calculating the observed increases between wet-weather flow and dry-weather flow during and immediately after a measured rain event. Inflow and infiltration data will be evaluated, quantified and tabulated for each of the seven (7) metering basins.

Inflow for the entire system is to be calculated, and each basin is ranked based on the percentage of inflow it contributed to the entire system. Infiltration for each basin is calculated using the flow volume beginning 30 minutes after the conclusion of each rainfall event and ending when the flow volume returned to the baseline dry weather flow. The method that provides the most favorable results will be utilized.

Systems are considered to have potentially excessive Inflow/Infiltration (I/I) if the I/I rates exceed 5,000 gallons per day/inch-dia-mile (gpd/idm) including laterals (total pipe). The 5,000 gpd/idm rate is the threshold above which DERM requires further investigation. In 2010, the data indicated that infiltration exceeded these limits. The collected data will be provided to KHA for preparation of the updated 2013 SSES. (See Agenda item for KHA for additional detail).

12A(2)

FINANCIAL IMPACT:

The total cost for renting of the seven (7) flow meters, installation and removal of the meters, extraction and delivery of the flow data to KHA is $20,000.00

BUDGETARY IMPACT (Finance Dept.):

The funding source for this project is the Sewer Operations Contingency Account. This account contains $50,000.00 for unreserved special needs of the sanitary sewer system.

PERSONNEL IMPACT:

None

12A(3)

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

MEMORANDUM
North Bay Village

DATE: May 7, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

> **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A WORK ORDER BETWEEN ENVIROWASTE SERVICES GROUP, INC. AND THE VILLAGE FOR THE RENTAL OF SEVEN (7) FLOW METERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE WORK ORDER; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK ORDER; WAIVING COMPETITIVE BIDDING; AND PROVIDING AN EFFECTIVE DATE.**

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

JR:yph

12A(4)

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A WORK ORDER BETWEEN ENVIROWASTE SERVICES GROUP, INC. AND THE VILLAGE FOR THE RENTAL OF SEVEN (7) FLOW METERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE WORK ORDER; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK ORDER; WAIVING COMPETITIVE BIDDING; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, as part of the Village's obligation to operate it's wastewater utility, the Village is required to update it's Sanitary Sewer Evaluation Study ("SSES") to quantify the amount of non-wastewater infiltration entering the system; and

WHEREAS, the Village and Envirowaste Services Group, Inc. ("Envirowaste") have negotiated a Work Order for Envirowaste to rent to the Village and install seven (7) sewer flow meters to identify ground water infiltration into the Village's waste water utility as part of the SSES.

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

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

Section 2. **Approval of Work Order.** Approval of the Work Order between the Village and Envirowaste to rent seven (7) flow meters, including installation and removal and extraction and delivery of the flow data to the Village's consulting engineer, Kimley-Horn and Associates, Inc. in substantially the form attached as Exhibit "A" together with such changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney, is approved.

12A(5)

Section 3. **Authorization of Village Officials.** The Village Manager and/or his/her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Work Order.

Section 4. **Expenditure of Funds.** The Village Manager is authorized to expend budgeted funds not to exceed $20,000.00 to implement the Work Order.

Section 5. **Waiver of Competitive Bidding.** Competitive bidding for the procurement from Envirowaste is waived pursuant to Section 36.25(H) of the Village Code.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____
MAYOR CONNIE LEON-KREPS

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

12A(6)

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Envirowaste Services Group, Inc.-Waste Water Flow Meters.

12A(7)

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12A(8)

P U R C H A S E O R D E R
P.O. Number 0000002609 Page 1

NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY
SUITE 132
NORTH BAY VILLAGE, FL 33141
Phone 305 756-7171
Fax 305 756-7722

Order Date 04/02/2013
Ordered By san
Terms NET DUE UPON RE
FOB
Ship Via

Vendor: ENVWSG
ENVIROWASTE SERVICES GROUP, INC.
4 SE 1 STREET, 2ND FLOOR

MIAMI FL 33131 1008
Phone 305 637-9665
Fax 305 637-9659

Ship To:

Line	Item No. / Item Description	Unit Price	Units	Qty Ordered	Qty Received / Qty Open
0001	7 FLOW MONITORS 65.504.535.6531 Sewer Improvements Project	3600.0000		1.000	1.000
0002	INSTALLATION 7 FLOW METERS 65.504.535.6531 Sewer Improvements Project	8400.0000		1.000	1.000

Order Notes:

Order Total
12000.00

Authorized Signature

Authorized Signature

Authorized Signature 4/3/13

12A(9)

ENVIROWASTE SERVICES GROUP, INC.

SPECIFIC WORK ORDER
BETWEEN
ENVIROWASTE SERVICES GROUP, INC.
(THE "CONSULTANT")
AND
City of North Bay Village
Site: 7 locations
Att: Rodney

The parties to this Specific Work Order are parties to this Professional Services dated May 3, 2013

RE: Flow Monitors

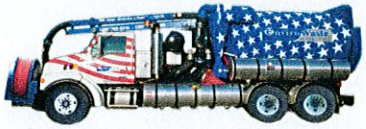
-7 Flow Monitors $ 8,000.00

-At identified locations
Equipment and inspections for an extra month

*********Note: 1.Price is for Flow monitoring. All Manholes need to be accessible. If vactor is needed to draw system down we can supply at 125.00 per hour. This price is only good for 30 days**

SERVICE CHARGE: IF ANY PAYMENT DUE HEREUNDER OR PURSUANT TO ANY SPECIFIC WORK ORDER IS NOT RECEIVED BY THE CONSULTANT WITHIN THIRTY (30) DAYS AFTER ITS DUE DATE, A SERVICE CHARGE IN THE AMOUNT OF ONE AND ONE-HALF PERCENT (1.5%) OF THE UNPAID BALANCE WILL BE CHARGED TO THE CLIENT (THE "SERVICE CHARGE"). THE SERVICE CHARGE SHALL BE APPLIED MONTHLY AND ANY PREVIOUSLY UNPAID SERVICE CHARGE WILL BE ADDED TO THE UNPAID BALANCE. The Client hereby authorizes the Consultant to commence the work (commencement date) required under this Specific Work Order on _____. **IN WITNESS WHEREOF,** the parties have duly executed this Specific Work Order as of the day and year first above written. The fees, cost or prices for the work proposed shall expire thirty (30) days from the date first above written.

"CLIENT"	"CONSULTANT" **ENVIROWASTE SERVICES GROUP, INC,** A Florida Corporation
_____ BY	Julio A. Fojon EnviroWaste Services Group, Inc
_____ TITLE	Director TITLE
_____ DATED	05/03/2013 DATED



Headquarters: 4 S.E. 1st Street, Miami, FL 33131 * (877) 637-9665 * F (305) 637-9659 *
Offices: Miami, FL * Orlando, FL * Dallas, TX
www.envirowastesg.com * Email: Julio.fojon@envirowastesg.com

12A(10)

ENVIROWASTE SERVICES GROUP, INC.

SPECIFIC WORK ORDER
BETWEEN
ENVIROWASTE SERVICES GROUP, INC.
(THE "CONSULTANT")
AND
City of North Bay Village
Site: 7 locations
Att: Sam Zamacona

The parties to this Specific Work Order are parties to this Professional Services dated April 24, 2012 (the "Agreement"). The parties hereto agree that all of the terms and conditions set forth in the Agreement are in full force and effect and incorporated herein by reference. The terms and conditions of the Agreement shall govern and control over any inconsistent terms or conditions contained in this Specific Work Order except as to the scope of work to be performed and the fees for such work which are set forth herein and which shall control. Capitalized terms used in this Specific Work Order that are not otherwise defined herein shall have the meanings ascribed to them in the Agreement.

RE: Flow Monitors

-7 Flow Monitors $ 3,600.00

-At identified locations
Installations

*********Note: 1.Price is for Flow monitoring. All Manholes need to be accessible. If vactor is needed to draw system down we can supply at 125.00 per hour. This price is only good for 30 days**

SERVICE CHARGE: IF ANY PAYMENT DUE HEREUNDER OR PURSUANT TO ANY SPECIFIC WORK ORDER IS NOT RECEIVED BY THE CONSULTANT WITHIN THIRTY (30) DAYS AFTER ITS DUE DATE, A SERVICE CHARGE IN THE AMOUNT OF ONE AND ONE-HALF PERCENT (1.5%) OF THE UNPAID BALANCE WILL BE CHARGED TO THE CLIENT (THE "SERVICE CHARGE"). THE SERVICE CHARGE SHALL BE APPLIED MONTHLY AND ANY PREVIOUSLY UNPAID SERVICE CHARGE WILL BE ADDED TO THE UNPAID BALANCE. The Client hereby authorizes the Consultant to commence the work (commencement date) required under this Specific Work Order on _____. **IN WITNESS WHEREOF,** the parties have duly executed this Specific Work Order as of the day and year first above written. The fees, cost or prices for the work proposed shall expire thirty (30) days from the date first above written.

"CLIENT"

Janice Rosado
BY

Deputy City Mgr
TITLE

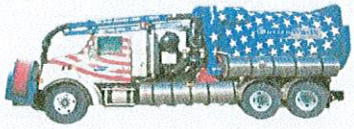
3/29/13
DATED

"CONSULTANT"
ENVIROWASTE SERVICES GROUP, INC,
A Florida Corporation

Julio A. Fojon
EnviroWaste Services Group, Inc

Director
TITLE

04/24/2012
DATED



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12A(11)

ENVIROWASTE SERVICES GROUP, INC.

SPECIFIC WORK ORDER
BETWEEN
ENVIROWASTE SERVICES GROUP, INC.
(THE "CONSULTANT")
AND
City of North Bay Village
Site: 7 locations
Att: Sam Zamacona

The parties to this Specific Work Order are parties to this Professional Services dated April 24, 2012

RE: Flow Monitors

-7 Flow Monitors $ 8,400.00

-At identified locations
Equipment

*********Note: 1.Price is for Flow monitoring. All Manholes need to be accessible. If vactor is needed to draw system down we can supply at 125.00 per hour. This price is only good for 30 days**

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"CLIENT"

Janice Rosado
BY

Deputy City Mgr
TITLE

3/29/13
DATED

"CONSULTANT"
ENVIROWASTE SERVICES GROUP, INC,
A Florida Corporation

Julio A. Fojon
EnviroWaste Services Group, Inc

Director
TITLE

04/24/2012
DATED

Headquarters: 4 S.E. 1st Street, Miami, FL 33131 * (877) 637-9665 * F (305) 637-9659 *
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12A(12)

ADS ENVIRONMENTAL SERVICES®

2270 Northwest Parkway, Ste. 160 • Marietta, Georgia 30067
PHONE: 678.627.0004 • FAX: 678.627.0787

www.adsenv.com

A DIVISION OF ADS LLC

April 2, 2013

Rodney Carrero-Santana, P.E.
Interim Public Works Director
North Bay Village
1700 Kennedy Causeway, #132
North Bay Village, FL 33141
rcarrero@nbvillage.com

RE: Envirowaste Services Group Installation of ADS Flow Monitors

Dear Rodney,

Envirowaste Services Group leases and installs ADS flow monitors in the south Florida market. We do not have another service firm that installs are equipment in the state of Florida. If you should have any additional questions please contact me at (770) 639-7795.

Sincerely,
ADS Environmental Services

W. Scott Helfrick

W. Scott Helfrick
Senior Business Development Manager

CC: J. Fojon, ESG

12A(13)

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

RECOMMENDATION MEMORANDUM

DATE: **May 1, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER:
Mayor Connie Leon Kreps

PRESENTED BY STAFF:
Rodney Carrero-Santana, PE, LEED AP
Interim Public Works Director
Through
Jenice Rosado
Interim Village Manager

SUBJECT: **Sanitary Sewer Evaluation Survey (SSES) Engineering Evaluation and Report**

RECOMMENDATION:

It is recommended that the Village Commission approve a Project Agreement for Work Authorization No. 03-13 with Kimley-Horn & Associates, Inc., ("KHA") the Village's Engineering Consultant to evaluate the results of the flow meter data collected by Envirowaste and to generate an updated 2013 Sanitary Sewer Evaluation Study for delivery to the proper reviewing agencies.

12B(1)

BACKGROUND:

The Village is required to periodically update their Sanitary Sewer Evaluation Study (SSES) to comply with the requirements of the Department of Regulatory and Economic Resources (FRER) as part of the County's Volume Sewer Customer Ordinance required by the Second and Final Partial Consent Decree incorporated into the Miami-Dade County Code.

As part of the updated SSES, the Village is to complete a flow monitoring analysis and survey of the Village's sanitary sewer system to identify areas of the Village subject to excessive inflow and infiltration (I/I). The updated SSES is time sensitive since, as the Village should have the meters measure the flow during the rainy season, which would start at the beginning of July through the end of September.

KHA previously provided professional services to the Village to develop a Sanitary Sewer Evaluation Survey (SSES). The intent of the Survey was to evaluate the levels of infiltration into the Village's sanitary sewer system based on night flow isolation (NFI) testing at sanitary manholes upstream of the Village's three pump stations and one master pump station. KHA coordinated the NFI testing process, administered the fieldwork activities, and prepared the report based on the NFI testing performed. Systems are considered by DERM to have potentially excessive Inflow/Infiltration (I/I) if the I/I rates exceed 5,000 gallons per day/inch-dia-mile (gpd/idm) including laterals (total pipe). The 5,000 gpd/idm rate is the threshold above which DRER requires further investigation. In 2010, the data evaluated by KHA indicated that the Village's I/I exceeded these limits.

Under a separate purchase order the Village is hiring Envirowaste to collect the data necessary for KHA to evaluate the levels of infiltration, provide recommendations for repair of the system to lower infiltration, to collect additional data subsequent to the repairs and to compile the same into an updated 2013 SSES for submittal to the FRER.

FINANCIAL IMPACT:

The total cost for evaluating the flow data and providing the recommendations of the Sanitary Sewer System through an updated 2013 SSES Report, as per the attached Project Agreement is $11,800.00.

12B(2)

BUDGETARY IMPACT (Finance Dept):

The funding source for this project is the Sewer Operations Contingency Account. This account contains $50,000.00 for unreserved special needs of the sanitary sewer system.

PERSONNEL IMPACT:

None

12B(3)

North Bay Village
Administrative Offices
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Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM
North Bay Village

DATE: May 7, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

> **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. TO UPDATE THE VILLAGE'S SANITARY SEWER EVALUATION STUDY; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS NOT TO EXCEED $11,800.00; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

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

JR:yph

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. TO UPDATE THE VILLAGE'S SANITARY SEWER EVALUATION STUDY; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS NOT TO EXCEED $11,800.00; AND PROVIDING FOR AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, the Village is required to periodically update its Sanitary Sewer Evaluation Study (the "SSES") to comply with the requirements of the Department's Regulatory and Economic Resources (FRER) as part of the County's Volume Sewer Customer Ordinance required by the Second and Final Partial Consent Decree incorporated into the Miami-Dade County Code; and

WHEREAS, North Bay Village (the "Village ") has retained the services of Kimley-Horn and Associates, Inc. ("Kimley-Horn") to provide professional engineering services to the Village pursuant to a Continuing Services Agreement dated April 11, 2006; and

WHEREAS, Kimley-Horn has prepared a Project Agreement to provide professional services to update the Village's SSES; and

WHEREAS, the Village Commission finds that approval of the Project Agreement between the Village and Kimley-Horn for evaluating the results of the flow meter data provided by Envirowaste and to generate an updated SSES as required by the FRER, is in the best interest of the Village.

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.

12B(5)

Section 2. Approval of the Project Agreement. The Project Agreement between North Bay Village and Kimley-Horn & Associates, Inc. (the "Project Agreement") to update the Village's Sanitary Sewer Evaluation Study, a copy of which is attached as Exhibit "1," together with such changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney, is approved.

Section 3. Authorization of Village Officials. The Village Manager and/or his/her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Project Agreement.

Section 4. Execution of the Project Agreement. The Village Manager is authorized to execute the Project Agreement on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Project Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 5. Authorization of Fund Expenditure. The Village Manager is authorized to expend budgeted funds in an amount not to exceed $11,800.00 to implement the terms and conditions of the Project Agreement.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED AND ADOPTED this 14th day of May 2013.

_____
Connie Leon-Kreps, Mayor

12B(6)

ATTEST:

_____
Yvonne P. Hamilton, CMC
Village Clerk

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

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

North Bay Village Resolution: Kimley Horn and Associates, Inc.-2013 Sanitary Sewer Evaluation Study-$11,800.

12B(7)

PROJECT AGREEMENT

Between

NORTH BAY VILLAGE

And

KIMLEY-HORN AND ASSOCIATES, INC.

For

Work Authorization No. 03-13

2013 Sanitary Sewer Evaluation Study (SSES) Update

12B(8)

PROJECT AGREEMENT

Between

NORTH BAY VILLAGE

And

KIMLEY-HORN AND ASSOCIATES, INC.

For

Work Authorization No. 03-13

2013 Sanitary Sewer Evaluation Study (SSES) Update

Pursuant to the provisions contained in the "Continuing Services Agreement for Professional Engineering Services" (hereinafter referred to "CONTINUING SERVICES AGREEMENT") between the NORTH BAY VILLAGE (hereinafter referred to as "VILLAGE") and KIMLEY-HORN AND ASSOCIATES, INC. (KHA), (hereinafter referred to as "CONSULTANT") dated April 11, 2006, this Project Agreement authorizes the CONSULTANT to provide the services as set forth below.

The VILLAGE and CONSULTANT agree as follows:

SECTION 1. SCOPE OF SERVICES

1.1 The CONSULTANT shall provide professional services to update the VILLAGE's Sanitary Sewer Evaluation Study based on flow data collected from the rehabilitated sanitary sewer collection system as described in the "Project Description" attached as Exhibit "1."

1.2 The "Scope of Services" and tasks to be provided by the CONSULTANT for this Project are those services and tasks as listed in Exhibit "2."

1.3 The VILLAGE may request changes that would increase, decrease, or otherwise modify the Scope of Services. Such changes must be contained in a written change order executed by the parties in accordance with the provisions of the Continuing Services Agreement, prior to any deviation from the terms of the Project Agreement, including the initiation of any extra work.

12B(9)

SECTION 2. DELIVERABLES

As part of the Scope of Services the CONSULTANT shall provide to the VILLAGE the following Deliverables:

See "Scope of Services" as listed in Exhibit "2."

SECTION 3. TERM/TIME OF PERFORMANCE/DAMAGE

3.1 **Term.** This Project Agreement shall commence on the date this instrument is fully executed by all parties and shall continue in full force and effect until the project is completed, unless otherwise terminated pursuant to Section 6 or other applicable provisions of this Project Agreement. The VILLAGE Manager, in his sole discretion, may extend the term of this Agreement through written notification to the CONSULTANT. Such extension shall not exceed 90 days. No further extensions of this Agreement shall be effective unless authorized by the VILLAGE Commission

3.2 **Commencement.** The CONSULTANT'S services under this Project Agreement and the time frames applicable to this Project Agreement shall commence upon the date provided in a written Notification of Commencement ("Commencement Date") provided to the CONSULTANT from the VILLAGE. The CONSULTANT shall not incur any expenses or obligations for payment to third parties prior to the issuance of the Notification of Commencement. CONSULTANT must receive written notice from the VILLAGE Manager prior to the beginning the performance of services.

3.3 **Contract Time.** Upon receipt of the Notification of Commencement, the CONSULTANT shall commence services to the VILLAGE on the Commencement Date, and shall continuously perform services to the VILLAGE, without interruption, in accordance with the time frames set forth above. The number of calendar days from the Commencement Date, through the date set forth in the Project Schedule for completion of the Project or the date of actual completion of the Project, whichever shall last occur, not to exceed ninety (90) days from the Commencement Date, shall constitute the Contract Time.

3.4 All limitations of time set forth in this Agreement are of the essence.

SECTION 4. AMOUNT, BASIS AND METHOD OF COMPENSATION

4.1 **Lump Sum Compensation.** VILLAGE agrees to pay CONSULTANT as compensation for performance of all services as related to the Project a Lump Sum of $11,800.00. It is understood that the method of compensation is that of Lump Sum which means that CONSULTANT shall perform all services set forth for total compensation in the amount

12B(10)

The CONSULTANT shall deliver to the VILLAGE all documents requested by the VILLAGE evidencing payments to any and all subcontractors, and all final specifications, plans, or other documents as dictated in the Scope of Services and Deliverable. Acceptance of final payment shall constitute a waiver of any and all claims against the VILLAGE by the CONSULTANT.

SECTION 6. TERMINATION/SUSPENSION

6.1 **For Cause.** This Agreement may be terminated by either party upon three (3) calendar days' written notice to the other party should such other party fail substantially to perform in accordance with its material terms through no fault of the party initiating the termination. In the event that CONSULTANT abandons this Agreement or causes it to be terminated by the VILLAGE, the CONSULTANT shall indemnify the VILLAGE against any loss pertaining to this termination. In the event that the CONSULTANT is terminated by the VILLAGE for cause and it is subsequently determined by a court of competent jurisdiction that such termination was without cause, such termination shall thereupon be deemed a termination for convenience under Section 6.2 of this Project Agreement and the provision of Section 6.2 shall apply.

6.2 **For Convenience.** This Agreement may be terminated by the VILLAGE for convenience upon five (5) calendar days' written notice to the CONSULTANT. In the event of termination, the CONSULTANT shall incur no further obligations in connection with the Project and shall, to the extent possible terminate any outstanding subconsultant obligations. The CONSULTANT shall be compensated for all services performed to the satisfaction of the VILLAGE and reimbursable expenses incurred prior to the date of termination. In such event, the CONSULTANT shall promptly submit to the VILLAGE its invoice for final payment and reimbursement which invoice shall comply with the provisions of Paragraph 5.1. Under no circumstances shall the VILLAGE make any payment of profit to the CONSULTANT for services which have not been performed.

6.3 **Assignment upon Termination.** Upon termination of this Project Agreement, the work product of the CONSULTANT shall become the property of the VILLAGE and the CONSULTANT shall, within ten (10) working days of receipt of written direction from the VILLAGE, transfer to either the VILLAGE or its authorized designee, a copy of all work product in its possession, including but not limited to, designs, specifications, drawings, studies, reports and all other documents and data in the possession of the CONSULTANT pertaining to this Project Agreement. Upon the VILLAGE'S request, the CONSULTANT shall additionally assign its rights, title and interest under any subcontractor's agreements to the VILLAGE.

6.4 **Suspension for Convenience**. The VILLAGE shall have the right at any time to direct the CONSULTANT to suspend its performance, or any designated part thereof, for any reason whatsoever or without reason, for a cumulative period of up to 30 calendar days. If any such suspension is directed by the VILLAGE, the CONSULTANT shall immediately comply with same. In the event the VILLAGE directs a suspension of performance as provided for herein, through no fault of the CONSULTANT, the VILLAGE shall pay to the CONSULTANT

12B(11)

as full compensation for such suspension the CONSULTANT'S reasonable cost, actually incurred and paid, of demobilization and remobilization.

SECTION 7. PERSONNEL ASSIGNED TO PROJECT

7.1 The CONSULTANT shall assign only qualified personnel to perform any services concerning this Project. At the time of execution of this Agreement, the parties anticipate that the following named individuals will perform those supervisory or primary functions indicated:

NAME	FUNCTION
Gary R Ratay	Project Manager
Stefano Viola	Engineer
Shanda Layne	Administrative
Jeanine Woll	Administrative

So long as the individuals named above remain actively employed or retained by the CONSULTANT, they shall perform the functions indicated next to their names. Furthermore, the VILLAGE reserves the right to reject any proposed substitution for any of the above-named individuals, and the VILLAGE shall have the further right to require that any individual assigned to the Project by the CONSULTANT be removed from the Project and reassigned for good cause.

SECTION 8. INCORPORATION OF CONTINUING SERVICES AGREEMENT

All terms and conditions of the "Continuing Service Agreement" between the VILLAGE and the CONSULTANT dated April 11, 2006, not specifically modified by this Project Agreement shall remain in full force and effect and are incorporated into and made a part of this Project Agreement by this reference as though set forth in full.

SECTION 9. SEVERABILITY

If any provision of this Project Agreement or its application to any person or situation shall to any extent, be invalid or unenforceable, the remainder of this Project Agreement, and the application of such provisions to persons or situations other than those to which it shall have been held invalid or unenforceable shall not be affected thereby, and shall continue in full force and effect, and be enforced to the fullest extent permitted by law.

[THE REST OF THIS PAGE INTENTIONALLY LEFT BLANK.]

12B(12)

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: The VILLAGE, signing by and through its _____, attested to by its VILLAGE Clerk, duly authorized to execute same, and by CONSULTANT, by and through its __Senior Associate__, duly authorized officer to execute same.

ATTEST:

_____
Village Clerk

NORTH BAY VILLAGE

By:_____

Date: _____

APPROVED AS TO FORM:

_____
Village Attorney

ATTEST:

_____
Secretary

_____
Print Name

KIMLEY-HORN AND ASSOCIATES, INC.

By:_____
Gary R. Ratay, P.E.

Date: _____

(CORPORATE SEAL)

WITNESSES:

_____
Print Name: _____

_____
Print Name: _____

12B(13)

Exhibit "1"

Project Description

KHA is pleased to submit this proposal to assist the Village in developing an update to their Sanitary Sewer Evaluation Study (SSES) based on flow data to be collected from the rehabilitated sanitary sewer collection system. This study update is required by the Department of Regulatory and Economic Resources (DRER) as part of the Volume Sewer Customer Ordinance (VSCO) required by the Second and Final Partial Consent Decree (SFPCD) and incorporated into the Code of Miami-Dade County.

The intent of the SSES program is to determine if inflow/infiltration flows into the Village's sanitary sewer system are in compliance with the SFPCD. The Village has cleaned and video recorded the sanitary sewer system to identify and prioritize inflow/infiltration problems, repaired the highest priority sanitary sewer issues, and submitted an initial SSES report to DRER prior to an October 31, 2010 deadline. The initial SSES report was reviewed by DRER and comments were provided because three of the Village's seven sanitary sewer basins exceeded the minimum inflow/infiltration flows allowable by DRER. As a result, the Village continued repairing the sanitary sewer system so that new inflow/infiltration rates could be measured and an updated SSES report could be submitted to DRER on or before October 30, 2012 which was the next deadline. Testing was completed, but after the deadline for data collection and during a very high rain event. After completion of the second analysis, the Village determined not to submit the updated report and to coordinate with DRER on a later submittal date.

For the 2013 SSES update, the Village intends to perform two flow test/data collection processes. One test in early summer as a preliminary test to determine primary areas requiring additional repair, and a second test prior to the DRER deadline for collecting field data after completing identified repairs that summer.

Upon receipt of the preliminary flow data from the Village, KHA will review the results and assist the Village in determining and prioritizing which sanitary sewer basins require repairs. Identifying, prioritizing, and completing specific repairs in the various basins and determining associated cost estimates/budgets will be the responsibility of the Village and their flow testing contractor.

After the Village completes the necessary repairs, performs the second test, and provides the final flow data to KHA, we will prepare and submit the SSES report update. Based on a letter from DRER dated March 9, 2011, DRER is also requiring an electronic copy of the Village's water atlas including distribution lines, transmission lines, valves, and fire hydrants as part of the SSES Update. KHA will provide the water atlas electronically.

As part of this SSES update, KHA will also provide a revised version of the 2010 report addressing the initial DRER comments referenced above.

12B(14)

Exhibit "2"

Scope of Services

The scope of services will be completed by KHA and the following task will be performed in close coordination with Village staff.

Task 1 – SSES Update

1.1 As part of this SSES update, KHA will provide a revised version of the 2010 SSES report addressing the initial DRER comments included in their letter dated December 3, 2010. The revisions will be based on available 2010 data and provided as a follow-up to close-out the 2010 report. No additional data collection, testing, or responses to new DRER comments are included in this task for the 2010 report.

1.2 Upon receipt of the preliminary 2013 flow data from the Village, KHA will review the results and assist the Village in determining and prioritizing which sanitary sewer basins require repairs. Identifying, prioritizing, and completing specific repairs in the various basins and determining associated cost estimates/budgets will be the responsibility of the Village and their flow testing contractor.

All data collection and Night Flow Isolation (NFI) testing will be performed at night by others and provided by the Village to KHA. The data collection and flow testing must include measuring sewage flows on a basin-wide basis and isolate clusters of sewer pipes to quantify sewage flows and amounts of infiltration. Clusters are groups of line segments that collect flows from a contributory area and convey those flows through a common downstream manhole or pump station. Flow testing must occur during a high tide event, all flow testing (preliminary and final) must be completed between June 15, 2013 and September 15, 2013, and testing shall be monitored at various locations throughout the Village to determine an estimated rate of infiltration into the Village's entire system. This scope of services is based on locating flow meters in the same locations as previously tested.

1.3 Upon receipt of the final 2013 flow data from the Village, KHA will provide an update to the SSES that will address data evaluation and analysis to document inflow/infiltration levels throughout the Village's sanitary sewer system. The report will include basin information, field testing layout, testing results, and be based on NFI testing. As part of the report, KHA will compare the new inflow/infiltration levels to DRER's compliance criteria.

1.4 KHA will coordinate with the Village and their flow testing contractor to discuss/confirm the NFI testing methodology for the preliminary testing and the final testing results prior to preparing the SSES report.

12B(15)

1.5 As part of the final testing process, KHA will attend one meeting with DRER to address one round of review comments.

1.6 KHA will provide an electronic copy of the Village's water atlas including distribution lines, valves, and fire hydrants.

1.7 If all of the sanitary sewer basins are in compliance with DRER flow requirements, no remedial action plan (RAP) or Capacity Management Operations and Maintenance (CMOM) Plan will be required and this phase of the SSES will be complete. If additional flow testing, a RAP, or a CMOM are required for any basin, KHA will provide a proposal for those additional services associated with those plan(s).

DELIVERABLES

- Three (3) copies of the revised 2010 SSES report
- Review of preliminary and final 2013 flow data
- Three (3) copies of the 2013 SSES report
- Electronic copy of the Village's water atlas

SCHEDULE

KHA will provide our services as expeditiously as practicable and will commence work upon receipt of the new inflow/infiltration flow data.

12B(16)

Exhibit "3"

Payment Schedule

The Consultant will accomplish the services outlined in Task 1 for the lump sum budget of $11,800.00.

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

RECOMMENDATION MEMORANDUM

DATE: **May 9, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER:
Mayor Connie Leon Kreps

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Commission Meeting Change of Time

RECOMMENDATION:

That the Village Commission amend Resolution No. 2011-17 to change Commission Meetings start time from 7:30pm to 6:30pm.

BACKGROUND:

At the moment, Commission meetings begin at 7:30 p.m. This time was established in the agenda procedures resolution. The proposition to begin the meeting earlier will allow Commission and staff adequate time to address sufficient business during the meetings and ensure that the meetings are concluded at a reasonable time of the night. Beginning Commission meetings at 7:30 p.m. will allow the Commission and Staff to conduct business in an efficient manner. Therefore, it is in the best interest of the Village business that the meeting time be moved to begin earlier at 6:30 p.m.

12C(1)

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

FINANCIAL IMPACT:

None

BUDGETARY IMPACT (Finance Dept):

None

PERSONNEL IMPACT:

Beginning the meeting time will allow staff to efficiently address Village business during a reasonable time of the night.

12CUA

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

MEMORANDUM
North Bay Village

DATE: May 7, 2013

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, REVISING THE NORTH BAY VILLAGE COMMISSION MEETING AND AGENDA PROCEDURES TO CHANGE THE TIME OF THE REGULAR COMMISSION MEETINGS TO 6:30 P.M.; AND PROVIDING AN EFFECTIVE DATE *(INTRODUCED BY MAYOR CONNIE LEON KREPS)***

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

JR:yph

12C(2)

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, REVISING THE NORTH BAY VILLAGE COMMISSION MEETING AND AGENDA PROCEDURES TO CHANGE THE TIME OF THE REGULAR COMMISSION MEETINGS TO 6:30 P.M.; AND PROVIDING AN EFFECTIVE DATE *(INTRODUCED BY MAYOR CONNIE LEON KREPS)*

WHEREAS, Section 30.05, "Agenda Meeting procedures", of the Village's Code of Ordinances provides that the "Village Commission shall establish meeting and agenda procedures by Resolution"; and

WHEREAS, the Village Commission adopted Resolution No. 2011-17 providing for Village Commission Meeting and Agenda Procedures in; and

WHEREAS, the Village Commission desires to amend the Meeting and Agenda Procedures to change the date of the Village Commission Meeting from 6:30 p.m. to 7:30 p.m.; and

WHEREAS, the Village Commission finds that amending the Resolution will be in the best interest of the Village.

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

Section 1. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. The Village's Meeting and Agenda Procedures are amended to read as follows:

North Bay Village Commission Meeting and Agenda Procedures

1. Regular meetings; notice.

A. *Meetings*. The Village Commission shall hold one regular meeting per month on the second Tuesday at ~~7:30 pm~~ 6:30 p.m., unless the Commission, by majority vote, elects not to have a regular meeting in the month of July or the month of August for the purposes of allowing summer vacations. The Village Commission may hold a second regular meeting each month, called by the Village Manager or Acting Village Manager whenever in his or her opinion the public business may require it or at the express written request of the Mayor or any two members of the Commission, as necessary for the orderly conduct of Village business.

12C(3)

Quasi judicial matters, as defined in Chapter 29, Section 29.02(a) of the Code of Ordinances,[1] may be heard at any regular or special meeting of the Commission.

(B) *Notice.* Notice of each regular meeting of the Village Commission shall be published at least four days prior to such meeting in a newspaper of general circulation within the Village and made in any other manner deemed appropriate by the Village Manager.

(1) Pending notices of meetings of the Civil Service and Planning and Zoning Boards shall be included in such notices without time limitation.

(2) The Village Manager shall also maintain signs on the public right-of-way, announcing such meetings prior to 8:00 a.m. on the day of each meeting, and notice of all commission meetings and boards shall be posted in a conspicuous place in Village Hall at least 24 hours before said meeting.

2. Special meetings.

As provided in Section 30.03 of the Code of Ordinances, the Village Manager or Acting Village Manager shall call special meetings of the Village Commission whenever in his or her opinion the public business may require it or at the express written request of any two members of the Commission. Whenever a special meeting shall be called, a notice in writing signed by the Village Manager or Acting Village Manager shall be served on each member of the Commission either in person or by notice left at his place of residence, stating the date and hour of the meeting and the purpose for which the meeting is called, and no business shall be transacted thereat, except such as is stated in the notice.

3. Meetings open to the public.

All meetings of the Village Commission shall be open to the public pursuant to the "Government in the Sunshine Law."

4. Workshop Meetings.

The Village Commission shall meet at least once every three months in a workshop to be conducted as a public meeting, but without public comment, except as public comment may be permitted by the Chair or majority vote of the Village Commissioners present. Additionally, the Village Commission may call additional workshop meetings as needed. A workshop may be recessed to a later date certain which is announced at the workshop. The Village Commission shall discuss the agenda items and provide feedback, but shall not take action at workshops.

---

[1] **Section 29.02(a):** ***Quasi-judicial.*** Refers to an action or proceeding by the City Commission for a site-specific rezoning, variance, conditional use permit, design review approval, or other request (other than a comprehensive plan amendment) which has impact on a limited number of persons or property owners, on identifiable parties interests, where the decision is contingent on a fact or facts arrived from distinct alternatives presented at a hearing, and where the decision can be functionally viewed as policy application, rather than policy setting, or as may otherwise be defined by case law.

12C(4)

The Village Manager shall attend the workshop, prepare an agenda with appropriate backup, and assure that relevant staff persons are present for the items on the agenda. The Village Attorney shall attend workshops.

5. Agenda.

A. *Agenda items.* All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Village Commission shall be delivered to the Village Manager no later than ten (10) business days prior to the scheduled Commission Meeting and shall be accompanied by, or in the form of, a signed memorandum from the party submitting the materials. No additional items shall be added to the agenda after the agenda closing date unless it is deemed to be an emergency as provided below. All agenda items, including materials in support of the agenda item, are to be submitted to the Village Attorney, the Finance Director, and the Village Planner, if required, for review and submittal of their recommendation to the Village Manager. The final agenda shall be distributed to the members of the Village Commission no later than five (5) business days prior to the Village Commission meeting. Matters of an urgent or emergency nature may be presented to the Commission without strictly complying with these requirements, and such emergency matters shall be heard by the Village Commission if a majority of the Commission approves.

B. *Who may place.* The Mayor, Village Commissioners, Village Manager, and Village Attorney are authorized to place matters on the agenda of the Village Commission Meeting for discussion and/or approval by the Village Commission.

C. *Manager meeting with Commissioners.* The Village Manager shall make available an opportunity for an individual meeting with each member of the Commission prior to each Commission meeting for presentation and discussion of the agenda items.

D. *Order of business; Consent agenda.* The Village Manager shall prepare the order of business. Items which, in the opinion of the Village Manager or the Village Commission, are non-controversial and may be handled and implemented without necessity for discussion, shall be placed on the Consent Agenda. Unless a Commission Member specifically requests that an item be removed from the Consent Agenda, such items shall be approved and adopted by a single motion and roll call vote. Any item deemed not to be ready for discussion or approval by the Commission shall be pulled from the Agenda at the Village Commission meeting.

12C(5)

E. *Taking items out of order.* Upon request by the Mayor or a Commissioner, items on the agenda may be moved out of sequence in order to expedite the matters before the Village Commission, or assure that items that are related to each other are considered in context.

6. Presiding officer.

A. *Who may preside.* The Mayor, or in the Mayor's absence, the Vice-Mayor act as the presiding officer and shall take the chair at the hour appointed for the meeting and call the Village Commission to order. In the absence of the Mayor and Vice-Mayor, the Village Manager or Acting Village Manager shall call the Commission to order, whereupon an acting chairman shall be elected by the members of the Commission present. Upon the arrival of the Mayor or Vice-Mayor, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Commission. Where appropriate, references to the Mayor will be considered references to the Presiding Officer

B. *Decorum; Questions of order.* The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Commission. He or she shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order, subject however to an appeal to the Commission, in which event a majority vote of the Commission shall govern and conclusively determine such question of order.

7. Roll call; quorum.

Before proceeding with the business of the Village Commission, the Village Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes. A majority of the Commission shall be necessary to constitute a quorum, but less than a quorum may adjourn or recess to a specified time, pursuant to § 3.09 C. of the Charter.

8. Order of business.

A. *Regular meetings of the Commission.* Regular meetings of the Village Commission shall be held at least once per month. Regular Commission meetings may be canceled, postponed, or the time of commencement changed by a majority vote of the Commission, provided that the Charter requirement of one meeting per month is met.

B. *Order of Agenda.* The Village Commission shall convene on the day and time of each regular meeting, and take up the business of the Commission in the following order unless changed by action of a majority of the Commission. Certain matters may be given a certain time for consideration.

12C(6)

(1) Call to Order, Pledge of Allegiance, Roll Call.
(2) A. Proclamations and Awards.
B. Special Presentations.
(3) Board Reports.
(4) Public Safety Discussion.
(5) Commissioners' Reports.
(6) Village Attorney's Report.
(7) Village Manager's Report.
(8) Finance Report
(9) Good and Welfare.

(10) Consent Agenda.
(11) Planning & Zoning Consent Agenda.
(12) Ordinances for First Reading and Resolutions.
(13) Public Hearings Including Ordinances for Second Reading.
(14) Unfinished Business.
(15) New Business.
(16) Approval of Minutes.
(17) Adjournment.

9. Approval of minutes.

Unless a reading of the minutes of a Village Commission meeting is requested by a member of the Commission, the minutes may be approved without reading if each member has been furnished with a copy of the minutes at least three (3) days prior to the meeting.

10. Rules of debate.

A. *Presiding officer not deprived of rights as commissioner.* The Mayor or Vice-Mayor, or such other member of the Village Commission as may be presiding, may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a commissioner by reason of his acting as the presiding officer.

B. *Obtaining the floor.* Every member desiring to speak shall address the chair, shall be recognized by the presiding officer, and shall confine himself to the question under debate, avoiding all personalities and indecorous language.

C. *Interruptions.* A member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a member while speaking, is called to order, he or she shall cease speaking until the question of order is determined and, if in order, he or she shall be permitted to proceed.

12C(7)

D. *Motion to reconsider.* A motion to reconsider any action taken by the Commission may be made only on the day the action was taken or at the next meeting of the Commission whether a regular or special meeting. The motion must be made by one of the prevailing side, but may be seconded by any member and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

E. *Recorded remarks of commissioner.* A commissioner may request, through the presiding officer, the privilege of having an abstract of his statement on any subject under consideration by the Commission entered in the minutes.

F. *Synopsis of debate.* The Village Clerk may be directed by the presiding officer, with consent of the Commission, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commission.

G. *Limitation on debate.* Upon motion duly adopted by a majority of the Commission, debate on any one subject before the Commission may be limited to seven (7) minutes per member of the Commission, at the expiration of which the pending question will be moved to a vote.

H. *Parliamentary procedure.* Any issue of procedure not addressed in these procedures shall be governed by the rules of procedure provided by Robert's Rules of Order, Newly Revised, in the most current edition. Unless objection thereto is made by some member of the Village Commission, the Mayor may refrain from a too rigid enforcement of such rules, to the end of expediting the transaction of business.

11. Voting; filing of reasons.

A. *Roll call vote.* The Village Clerk shall call the roll commencing with the commissioner seated immediately adjacent to the right of the commissioner who made the motion under consideration. All commissioners shall vote "yes" or "no", or "aye" or "nay" in accordance with the provisions of state law. The records of the roll call vote shall be incorporated in the minutes of the meeting.

B. *Reasons for vote.* Upon the conclusion of any vote, any member of the Village Commission shall have the right to have the reasons for his or her vote entered upon the minutes.

12. Motion to table or adjourn.

A. *Table.* A motion to table any matter then under consideration, except during a public hearing, shall always be in order and decided without debate.

12c.(8)

B. *Adjourn.* A motion to adjourn shall always be in order and decided without debate.

13. Decorum.

A. *Commission members.* While the Village Commission is in session, the members must preserve order and decorum and a member shall, neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission or disturb any member while speaking or refuse to obey the orders of the Commission or its presiding officer, except as otherwise herein provided.

B. *Impertinent remarks.* Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission shall not be permitted to continue speaking before the Commission, unless permission to continue is granted by a majority vote of the Commission. This remedy shall be in addition to the provisions of Section 135.03(A).[2]

C. *Public comment.* Individual's wishing to speak on agenda items other than advertised public hearings shall fill out a speaker's card and be recognized by the Mayor. This requirement shall not prevent the Mayor from recognizing additional speakers.

D. *Public hearings.* Individuals wishing to speak on matters that appear on the agenda as "Public Hearings" need only to be recognized by the Mayor. The public shall be permitted to speak after the Mayor opens an item for Public Hearing. After the Public Hearing is closed by the Mayor, only members of the Village Commission or Village administration shall discuss the item.

E. *Addressing Commission, manner and time.* Public discussion at public hearings or at items which are opened to public discussion shall be limited to three (3) minutes maximum per person; however, the Mayor may authorize the extension of the aforesaid time frame, after due consideration for the substance, content, and relative importance of the subject. Each person who addresses the Commission shall step up to or present themselves at the speaker's podium and shall give his/her name and address. No other person other than the Commission and the person recognized by the Mayor as having the floor shall be permitted to enter into discussion without the permission of the Mayor. All questions from the public to the Commission; shall be addressed through the Mayor.

---

[2] **§ 135.03 Disturbing public meetings.** (A) It shall be unlawful for any person to behave in a riotous or disorderly manner in any public meeting of the City Commission, any committee thereof, agency, department, board, or other authority of the city, or to cause any unnecessary disturbance therein, by force, shouting, or any other action to disrupt the meeting, or to refuse to obey any proper ruling of the presiding officer of the meeting relative to the orderly process thereof. Any person violating any of the provisions of this division (A) upon conviction thereof may be punished by the maximum penalty provided by the Charter.

12C(9)

14. Good and welfare presentations to commission.

Unless extended by the Commission, the Good and Welfare session_shall begin one (1) hour after the meeting is scheduled to begin, or as soon as the item being discussed at that time is finished. Any person desiring to address the Village Commission shall first secure the permission of the presiding officer to do so.

A. *Written communications.* Interested parties, or their authorized representatives, may address the Commission by written communication in regard to matters then under discussion, a copy of which shall be provided to the Village Clerk.

B. *Oral communications.* Taxpayers or residents of the Village, or their authorized legal representatives may address the Commission under Good and Welfare on any matter concerning Village business, or any matters over which the Commission has control. Additionally, any residents or taxpayers who desires to make a special presentation to the Commission under Good and Welfare and wishes to have the item placed on the agenda of the next regular Village Commission Meeting shall notify the Village Manager, in writing, subsequent to the previous Village Commission Meeting, but at least five business days in advance of the next regular meeting.

C. *Decorum.* Each person addressing the Commission under Good and Welfare and Public Hearings shall step up to the microphone provided for the public and shall give his name and address in an audible tone of voice for the records. Unless further time is granted by the Commission, each speaker shall limit his address to three (180 seconds) minutes. In the case of quasi-judicial hearings, the Village Commission shall allow parties sufficient time to present their case, provided that no one shall be allowed to speak more than thirty minutes without the express permission of the Village Commission. No person other than the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the presiding officer. No questions shall be asked of a commissioner except through the presiding officer.

15. Public safety discussion.

The chief of the Village's Police, and if needed, fire and emergency medical service providers will attend each regular Commission meeting, and be available to answer questions from the Commission on their activities during this section of the agenda.

16. City Financial Report.

The City Financial Report shall be prepared by, or at the direction of the City Manager and, pursuant to Sections 4.01 G. 10. and 7.04 of the City Charter, shall, at a minimum, include a detailed report of the City expenditures for the prior month which shall identify separately all expenditures over $1,500.00.

12c(10)

17. Public hearings.

As provided in Section 30.06 of the Code of Ordinances, whenever a public hearing is held pursuant to the Charter or ordinance or by direction of the Village Commission, the presiding officer shall read the title of the item on which the public hearing will be held.

The presiding officer shall then recognize any interested persons or their authorized representatives, who may address the Commission in regard to the matter then under consideration. During the public hearing there shall be no debate by the Commission, although questions may be asked of the persons making such presentation by commissioners. Upon the conclusion of the presentation of the views by the public, the presiding officer shall declare the public hearing closed and the Commission may take action upon the subject matter of the public hearing.

18. Maintenance of records; parliamentarian.

The Village Manager shall maintain time records, and the Village Attorney shall serve as parliamentarian.

Section 4. Severability. If any word, clause, phrase, sentence, paragraph, or section of this Resolution is held to be invalid by a Court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph, or section of this Resolution.

Section 5. Conflicts. Any resolutions or parts thereof found to be in conflict with any provision of this Resolution are hereby repealed.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____

MAYOR CONNIE LEON-KREPS

12C(11)

ATTEST:

_____

YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

_____

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

City of North Bay Village Resolution: Agenda Procedures Changing Regular Commission Meetings to 6:30 p.m.

12C(12)

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

RECOMMENDATION MEMORANDUM

DATE: **April 29, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER:
Jenice Rosado
Interim Village Manager

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: **Village Hall**

RECOMMENDATION:

It is recommended that the Village Commission terminate the lease with Lexi Development for the Village Hall/Post Office and Police Headquarters located at 1700 Kennedy Causeway, Suite 132, North Bay Village Florida, 33141, and authorize Village staff to negotiate a lease with Causeway Towers, LLC for Village Hall/Post Office and Police Headquarters.

BACKGROUND:

In 2009, the Village entered into a five (5) year lease agreement (ending December 18, 2014) for Village Hall at the LEXI. Pursuant to the LEXI lease, the Village may terminate the lease early; however, an early termination penalty is required in order to do so. On March 5, 2013 five (5) Village employees suffered unexplained illness at work.

12D(1)

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

Two (2) of those employees collapsed and suffered multiple symptoms of a similar nature, on the same day, at the same time and both were transported by fire rescue to Mt. Sinai Hospital. The other employees suffered symptoms that were less critical and were treated on the scene by Fire Rescue 27. Village Hall was evacuated on that same day which resulted in the temporary relocation of our office space to 1666 Kennedy Causeway in order to continue vital business operations.

The Village hired an industrial hygienist, ECO Advisors, to perform air quality testing of the space to determine the cause of the unexplained illness. The report (Attachment A) detailed multiple items that should be remedied in the space prior to allowing employees to reoccupy the LEXI. ECO Advisors, however, was unable to detect any foreign substance(s) in the air or other factors that may have caused the illnesses suffered by employees during the March 5th incident.

Village employees have needed to reenter the LEXI space to retrieve documents critical to conducting work. ECO Advisors and FMIT have recommended that we restrict entry to the building to a minimum of two minutes each time – in and out- while accompanied by someone else, only to retrieve critical information.

In order to resolve the matter and ensure that nothing has been overlooked, the Village shared the results of the report with outside agencies such as Miami-Dade County HAZMAT, the Florida Department of Health (DOH), Miami-Dade County Department of Environmental Resources Management (DERM), the Centers for Disease Control and Prevention (CDC) and the Village's insurance provider, Florida Municipal Insurance Trust (FMIT), for feedback as to the process that should be undertaken to re-occupy the space at the Lexi. The DOH has advised us that, at a minimum, the Village needs to remedy the issues in the report before returning to the space or the Village may need to seek alternate office space for its employees. FMIT has stated that they are not comfortable with allowing employees to return to the space without further and more exhaustive testing and continuous monitoring of the air quality once and if the space is re-occupied. As our insurance provider, they do not wish to incur any liability by allowing employees' to re-occupy (Attachment B).

At the moment, the Village is facing a difficult dilemma. The ECO report states that the air does not contain an identifiable contaminant, yet employees who have reentered the space feel ill. The Village staff has met on numerous occasions and has arrived at a consensus on the best possible solution for our staff and residents alike. The Village Staff has obtained price quotes on the items that need to be done to either relocate Village Hall or return to the LEXI.

12D(2)

It is the recommendation of the Village Department Heads that the Commission review the attached spreadsheet detailing both the cost of returning to the LEXI versus the cost of vacating the premises, and to strongly entertain the option to relocate staff, (Attachment C). The attached spreadsheet was developed by reviewing the Village's lease agreement with the LEXI. Our Village Attorney has determined if the lease is terminated for convenience there is a one-time Termination Fee of $50,000 payable to the Landlord plus normal rent for the 60 days' notice period. This termination of the lease can occur any time after 30 months. The 30-month mark was reached May 2013. In earlier discussions with representatives of Causeway Tower, it is anticipated that the cost to renovate the 1st floor would be absorbed by the Landlord.

As for alternate office space, the only practicable space that proves functional for Village operations is at the Causeway Towers, 1666 Kennedy Causeway. All public related services such as the post office, building department, utility billing and Commission Chambers would be situated on the 1st floor of Causeway Tower (vacant bank space); this will continue to provide easy public access to the most frequently visited departments. Administrative and police office's would be located on the 3rd floor (vacant law firm). See Attachment D for details.

The Commission should also take into consideration when analyzing the situation at hand that nothing was found to substantiate the illness suffered by the employees on March 5, 2013 and despite remediation of all items listed in the ECO report, it does not guarantee or prevent a similar event from reoccurring. We do not wish to force Village staff to return by placing this psychological burden on them or the general public, which also frequent our facility.

If the Commission approves staff moving forward with the termination of the LEXI lease at the May 14 meeting, then a final lease for the Causeway Tower facilities will be prepared and brought to the Commission at the May 21st meeting. . The earliest that we will be able to occupy the space will be June 15 but it may be until July 1, 2013 depending on the landlord's timeframe.

We wish for a decision to be made and the process to move forward quickly as this displacement has not only caused an undue hardship on staff but also on the availability of services provided to our residents.

12D(3)

FINANCIAL IMPACT:

The space available at the Causeway Towers is almost twice the space in the current LEXI lease. The cost to either vacate the LEXI office space or to lease and move into the Causeway Towers is detailed in the attached report prepared by the Finance Director.
See Attachment E (Spreadsheet) for details.

BUDGETARY IMPACT (Finance Dept):

The funds are available in the General Fund Unreserved Fund Balance that has a current balance of $550,117 or the General Fund Emergency Reserve funds which have a balance of $1,114,181.

PERSONNEL IMPACT:

Relocating Village employees and general public operations to a clean and safe working environment will not only lead to increased employee morale and productivity but also public confidence.

12D(4)

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

MEMORANDUM
North Bay Village

DATE: May 9, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, TERMINATING THE LEASE AGREEMENT WITH LEXI DEVELOPMENT COMPANY, INC. FOR MUNICIPAL OPERATIONS AT 1700 KENNEDY CAUSEWAY; AUTHORIZING APPROPRIATE VILLAGE OFFICIALS TO NEGOTIATE A LEASE WITH CAUSEWAY TOWERS FOR VILLAGE HALL; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; APPROPRIATING AND BUDGETING FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS FOR THE COST OF TERMINATING THE LEASE AND RELATED RELOCATION AND BUILDOUT EXPENSES; AND PROVIDING AN EFFECTIVE DATE.

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

JR:yph

12D(4)A

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA TERMINATING THE LEASE AGREEMENT WITH LEXI DEVELOPMENT COMPANY, INC. FOR MUNICIPAL OPERATIONS AT 1700 KENNEDY CAUSEWAY; AUTHORIZING APPROPRIATE VILLAGE OFFICIALS TO NEGOTIATE A LEASE WITH CAUSEWAY TOWERS FOR VILLAGE HALL; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; APPROPRIATING AND BUDGETING FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS FOR THE COST OF TERMINATING THE LEASE AND RELATED RELOCATION AND BUILDOUT EXPENSES; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, the Village entered into a lease agreement with Lexi Development Company, Inc. on December 18, 2009 (the "Lexi Lease"), for the lease of office space located at 1700 Kennedy Causeway, Suite 132, North Bay Village, Florida (the "Property") for its municipal operations; and

WHEREAS, the Village desires to terminate the Lexi Lease prior to its expiration date; and

WHEREAS, Village staff has investigated the availability of office facilities within the Village suitable to house the Village's municipal operations until a new Village Hall is constructed; and

WHEREAS, the only available office space suitable to meet the needs of the Village is located in the Causeway Towers office building located at 1666 Kennedy Causeway ("Causeway Towers"); and

12D(5)

WHEREAS, the Village desires to provide funds for the termination of the Lexi Lease and for related relocation and build-out expenses for the procurement of new space in Causeway Towers; and

WHEREAS, the Village finds that this relocation is in the best interests of the Village, its employees and residents.

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. Waiver of Competitive Bidding. Competitive bidding for the procurement of goods and services to effect the relocation of Village Hall from the Property to Causeway Towers and for any other directly related purchases is waived pursuant to Section 36.25(I) of the Village Code.

Section 3. Authorization of Village Officials. The Village Manager and the Village Attorney are authorized to take necessary steps to negotiate and terminate the Lexi Lease at the earliest possible date to allow for proper transition and relocation of the Village's municipal operations, to negotiate a lease for facilities at Causeway Towers for subsequent approval of the Village Commission, and to make such additional arrangements and enter into agreements/purchase orders for the permanent relocation of the Village's municipal operations from the Property to Causeway Towers (and further relocation from its temporary location at Causeway Tower to permanent facilities), the procurement of services for the removal,

12D(6)

cleaning and proper transfer of all Village personal property located at the Property, and to procure services needed for the build-out of new facilities necessary to effect the safe and efficient move from the Property to a new Village municipal operations center.

Section 4. **Budget Appropriation.** The Village Commission appropriates the sum of $_____ from the unassigned Fund Balance and further authorizes the expenditure of such funds to be used to implement the tasks authorized in this Resolution.

Section 5. **Authorization of expenditure of Budgeted Funds**. Notwithstanding the limitations of the Village's Purchasing provisions, the Village Manager is authorized to expend budgeted funds as specified in Section 4 of this Resolution to implement the terms and conditions pertaining to termination of the Lease Agreement and to further expend budgeted funds to perform the tasks identified in this Resolution.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____
MAYOR CONNIE LEON-KREPS

12D(7)

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

North Bay Village Resolution: Termination of Lexi Lease Agreement-5/14/2013

12D(8)

ATTACHMENT

A

12D(9)

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Engineering A Sustainable Future
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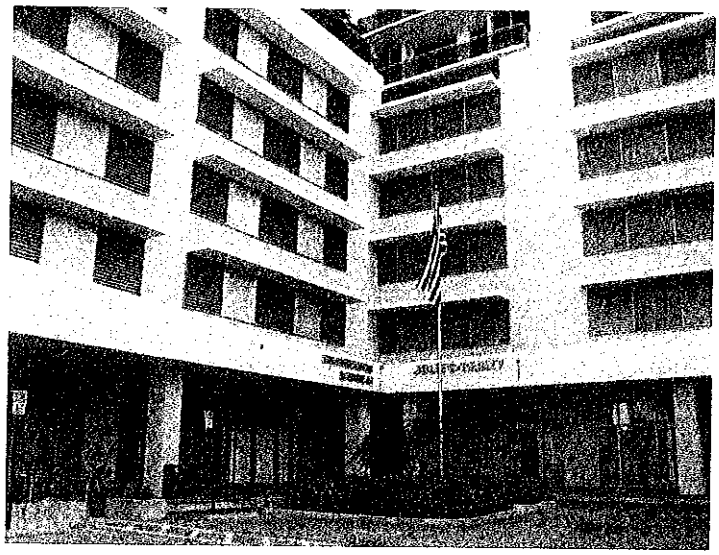

INDUSTRIAL HYGIENE EVALUATION

North Bay Village
City Hall and Police Department
1700 Kennedy Causeway, Suite 132
North Bay Village, Florida 33141

Prepared for:

North Bay Village
Village Manager

1700 Kennedy Causeway, Suite 132
North Bay Village, Florida 33141
Contact: Mr. Dennis Kelly
Telephone: 305-756-7171

Prepared by:
Eco Advisors, LLC

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Contact: David Johanson, CIE, FLMA
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March 2013

12D(10)

Executive Summary

Eco Advisors, LLC (Eco Advisors) completed an Industrial Hygiene Evaluation (IHE) for North Bay Village City Hall and Police Department, Suite #132 located at 1700 Kennedy Causeway, North Bay Village, Florida. The IHE was authorized by Mr. Dennis Kelly, Village Manager and Mr. Bert Wrains, Financial Director, North Bay Village. Eco Advisors' scope of services was to provide consultation services to assist the Village with investigating the March 5th event when two village employees fainted (and temporarily lost consciousness) and to advise the Village whether the Suite can be re-occupied.

Our IHE indicates that Suite 132 is safe and free from known or recognized hazards as defined in the OSHA Act of 1970, Section 5, Duties. The IHE involved a visual inspection of Suite 132 and the collection of indoor environment-related parameters including: particle counts, Total Volatile Organic compounds (TVOCs), temperature, relative humidity, dew point, carbon dioxide, hydrogen sulfide, LELs, oxygen, carbon monoxide and differential air pressure readings. Carbon monoxide and some VOCs can cause dizziness and possible fainting. The aforementioned parameter measurements and analysis were satisfactory within the Suite at the time of our inspection.

Eco Advisors was not able to identify a specific air contaminant or physical hazard which would have caused the two Village employees to faint, however, we identified several conditions that could have had an affect on the Suite's indoor environment that particular morning and could affect the indoor environment in the future.

Eco Advisors lists below conditions identified that have a high priority and our recommendations to correct or improve those conditions. Please refer to Section 6 for all of our recommendations that would assist the Village in improving the Suite's indoor environment.

- Police department restrooms/locker room exhausts not working
  - Repair these exhaust fans to insure negative pressure within the restrooms/lockers and to prevent sewer gases, if present, from entering the work place.
- Sewer backup in adjoined spaces, blockage identified under building slab
  - Confirm integrity of all sewer lines under the building to insure no sewer gases escaping from cracks or breaks in the lines ultimately enter the Suite, unbeknownst to Village employees. Insure walls joining the Suite and adjacent unfinished space/service corridor are fire-rated and all openings, cracks and crevices are sealed with fire stop.
- Fresh air intakes on east wall are exposed to vent stack emissions (carbon monoxide, particulate) from restaurant, nursing home, and emergency generator and exhaust from the Suite.
  - Confirm integrity of vented gas appliances within pizza place and check placement of their exhaust vent in relation to fresh air intake. Consider elevating emergency generator exhaust vent and placement of carbon monoxide (CO) monitors within fresh air intakes to warn of CO at those points of entry.
- The hygiene of the air conditioning systems is poor.
  - Remove and replace air handler filters and vacuum (equipped with High Efficiency (HEPA) filter then clean the coils and other internal air handler surfaces with non-acid cleaners if possible, and the return grills/ducts and supply diffusers with soapy water. The return grills and supply diffusers can be removed for cleaning by janitorial staff. HEPA vacuum the tops of ceiling panels with a heavy dust buildup.

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- The custodial closet has an operable exhaust fan and a drain (water in the trap). Cleaning chemicals in the closet included 409 general cleaner and Clorox cleaning wipes, and Lysol disinfectant. These are household cleaners and no concerns were identified.

- The wood baseboard on the east wall of the break room near the refrigerator is separated from the drywall, a sign of water entry. There was no SVM on the surfaces and no moisture in drywall. There were household cleaners and dishwashing soap in the break room but no other conditions, contaminants, or hazards that would cause an employee to faint.

- The squad room closet had 13 boxes of Type ABC fire extinguishers. There was no evidence of any discharge or leakage.

- All restroom and the janitor closet drains had water in the traps, minimizing the potential for sewer gases to enter the indoor environment.

- With the exception of the Police Dept. restrooms/locker, all restroom exhaust fans were in good working order.

- General housekeeping was poor with moderate to heavy dust accumulation on file cabinets, return and supply diffusers, and carpeted edges along or under furniture or corners of the floor. (Note: Dust reservoirs can harbor allergens such as dust mites, mold and pollen).

- SVM identified on the back side of the black leather sofa in the reception hallway.

Exterior Observations:

- The drywall in the un-finished retail space to the north of City Hall has been removed opening the wall cavity and leaving one layer of drywall between the unfinished space and the Village Suite. This allows for unconditioned (dusty, humid air) to enter the Village Suite (fugitive) and bypass the Village's air conditioning system.

- Several pipes come out of the ground in the north un-finished space and only one pipe was capped.

- A natural gas powered emergency generator is located on the east side of the building, northeast of the fresh air intakes. There was no evidence of leaks and the unit is some distance from the fresh air intakes, however, the prevalent offshore breezes are out of the east.

- A storm drain, located in the drainage ditch on the east side of the building, was clean with clear water in the bottom of the basin. The drain is north of the fresh air intakes.

- The existing retail service corridors to the south and northeast are accessed through the emergency exit doors in the Suite. The service corridors have concrete floors and were relatively clean with the only odors detected in the north corridor from the pizza business.

12DU2

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APPENDICES

Appendix A **Floor Plan and Site Photographs**
Appendix B **Data Log Ventilation Graphs**
Appendix C **Particle Counts, Temperature, Relative Humidity, and Total Volatile Organics**
Appendix D **Volatile Organic Compound Laboratory Report**

12D(13)

1. Introduction

Eco Advisors, LLC (Eco Advisors) completed an Industrial Hygiene Evaluation (IHE) for North Bay Village City Hall and Police Department, Suite #132 located at 1700 Kennedy Causeway, North Bay Village, Florida. The IHE was authorized by Mr. Dennis Kelly, Village Manager and Mr. Bert Wrains, Financial Director, North Bay Village. Eco Advisors' scope of services was to provide consultation services to assist the Village with investigating the March 5th event when two village employees fainted (and temporarily lost consciousness) and to advise the Village whether the Suite can be re-occupied.

2. Background

North Bay Village City Hall and the Police Department are in a multi-story building having retail/office suites on the ground floor, parking garage on second and third floors, and amenities and apartments above the parking garage. North Bay Village Suite 132 is located on the ground floor of the eastern portion of the building. The space is provided conditioned air from four (4) HVAC air handler units.

On the morning of March 5, 2013 two Village employees, a police officer and a custodian both fainted and temporarily lost consciousness. The custodian fainted in the Break Room and the police office fainted in the Squad Room, two separate locations under two separate air conditioning systems. Miami-Dade Fire Rescue responded first to assess and care for two patients who were transported to the hospital for evaluation, then requested HAZ Mat for air monitoring. HAZ MAT performed a battery of tests within the Suite, inspected the surrounding areas (garage and pool on third floor) and since they did not identify any hazardous materials they ventilated the space for approximately two hours and released the Suite back to the Village. Miami-Dade Fire Rescue was called back a second time at approximately 2:15 with two employees not feeling well, and complaints of headaches. These employees were evaluated on site but not transported to the hospital. Village management evacuated the offices and sent employees home for the day. Temporarily Village employees worked in the same building but moved to a temporary location across the street where they are operating at this time.

3. Scope of Work and Methodology

3.1 Scope of Work

David Johanson, CIE, FLMA, and Eco Advisors Project Manager, conducted the following on March 14 and 15, 2013:

- Visual inspection of the interior and exterior conditions of the Suite and adjacent areas including the air conditioning and ventilation system components and visual characterization of office conditions;
- Collection of parameters including temperature, relative humidity, dew point, carbon dioxide, carbon monoxide and moisture content in building materials using both infrared thermal camera and moisture meters;
- Collection of particle counts and differential pressure using a micro-manometer;
- Direct read instrumentation for real time measurements of oxygen, hydrogen sulfide, carbon monoxide, LEL, and total Volatile Organic Compounds (TVOCs);

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- Placement of laboratory provided media to assess Volatile Organic Compounds (VOCs) over a 24 hour from various locations in the Suite and outside of the Suite.

3.2 Methodology

Eco Advisors' employed the following specific methodology and equipment for this IEE:

- Airborne particle counts: Lighthouse Laser Particle Counter
- Temperature, dew point, and relative humidity: Particle Counter (real time) and Onset Sensors (log data over 24 hour period)
- Oxygen, hydrogen sulfide, carbon monoxide and LEL: RAE Multi-gas monitor
- Moisture screening of building materials:
  Initial thermal differentials ("suspect locations"): FLIR B-2 Thermal Imaging Camera
  Verification: Pin-type/pinless moisture meter
- Relative air pressure differential between the subject office and inside other parts of the building: Direct Read Micro-manometer.
- Volatile Organic Compounds: Advanced Chemical Sensors charcoal badge
  Thermo Scientific Organic Vapor Analyzer

4.0 Findings

This section describes the general site observations (interior and exterior), air sampling/measurements, and HVAC inspection. A copy of the Client-provided **Site Plan** and **Site Photographs** depicting some of the findings discussed below are presented in **Appendix A.**

4.1 General Site Observations

Interior Observations:

- Five (5) rooms had missing ceiling panels allowing dust and odors to enter the space and decreasing air conditioning efforts to control temperature, humidity, and particulate with these environments. The five rooms were the break room, chamber hall, squad room, city clerk office, and the reception office.
- Water-stained ceiling panels in the hallway outside the break room (A/C condensate leak) and in the southeast hallway (fire sprinkler leak). There was no Suspect Visible Mold (SVM) associated with these water stains.
- The Commission Chambers had a musty/vinyl odor. The flooring is a thick vinyl backed carpet square which is glued to the concrete floor. The air handler unit did not kick on very often, thereby limiting air flow.

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APPENDIX B

Data Logger Sensor Graphs

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- The second floor parking garage was clean and well ventilated. There was no evidence of any chemical spills or waste in floor drains above the police department at the time of the inspection.

4.2 Field Measurements

The high winds on the days of the inspection prevented accurate measurements of the building to outdoor differential pressure. This included the communication between the unfinished retail space and the Suite.

The restrooms in the City Hall portion are under a negative air pressure condition with respect to the hallways (-0.6 to -1.7 Pascal). This is a satisfactory condition whereas the restroom and/or sewer gas odors are removed from the restroom and prevented from migrating into the work space.

The Police department's restroom/locker rooms are positive with respect to the hallways. This is unsatisfactory and will allow air intrusion (along with odors, humidity and particulates) to enter the office space. The exhaust fans in both restrooms were not operable.

A RAE Systems multi-gas meter was used to survey in real time oxygen, hydrogen sulfide, carbon monoxide and LEL from the squad room, break room, police men's and woman's restroom/lockers, City Hall north restrooms and the custodial closet. The oxygen level was normal at 20.9% and carbon monoxide and hydrogen sulfide were less than 1 ppm and LEL was less than 1%. These results are consistent with Miami-Dade Fire Rescue.

Our moisture screening of walls, floors, and ceiling with infrared thermal scans and moisture meters did not identify any building materials with moisture (damp or wet). The water-stained ceiling panels outside the break room and in the southeast hallway measured "dry" at the time of the inspection.

Data log sensors were placed in each air handler zone to monitor temperature, dew point, relative humidity, and carbon dioxide. Average air temperature during the unoccupied period of March 14th through March 15th was 68.9°F, on the low side of the ASHRAE comfort zone for temperate winter/summer conditions. The average relative humidity was 41.6%, within the suggested ASHRAE humidity ratio comfort zone for temperate winter/summer conditions. The average outdoor carbon dioxide was 389 ppm. The average interior carbon dioxide was 425ppm. Data log sensor report is provided in **Appendix B**.

The average indoor airborne particle counts in the 0.3 to 10.0 micron range (instrument range) were less than outdoors. The North Entry, Chamber Hall, Reception Hall and Reception office elevated particle counts were a result of public works employees removing a printer and cables to transfer to the temporary offices. Even though the average indoor particle count was lower than outdoors, those offices with efficient filtration have indoor counts 25% to 50% lower than outdoors in each particle size. Particle count spreadsheet is included as **Appendix C**.

A Thermo Scientific Organic Vapor Monitor (OVA) screens in real time for a total of all volatile organic compounds. The VOC measurements ranged from 1.55 ppm to 1.82 ppm. The OVA results are provided in **Appendix C** (last column on particle count spreadsheet).

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Eco Advisors set out laboratory provide charcoal media badges to evaluate Volatile Organic Compounds (VOC). Eight badges were deployed indoors and outdoors for a period exceeding 24 hours. These locations were chosen to check suspect source pathways and to collect air from all four HVAC air handler zones. Refer to **Table 1** for the Total Volatile Organic Compound results below with copies of the laboratory reports included as **Appendix D.**

Table 1- Total Volatile Organic Compound (TVOCs)

Sample Number	Location	Result micrograms per cubic meter of air (µg/m³)	USGBC LEED Indoor Office New Construction Standard (µg/m³)
63798	Squad room (AHU#4)	1.2	500
63799	Break room (AHU#3)	1.9	500
63800	Reception (AHU#1)	2.5	500
63801	Vice Mayor (AHU#3)	1.1	500
63804	Hall @ Woman's RR (AHU#4)	3.3	500
63805	Finance Office (AHU#3)	2.3	500
63802	Fresh Air Intake Outdoors	1.4	N/A outdoors
63803	2nd Floor Parking Garage	0.75	N/A outdoors

The TVOCs do not exceed the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standard for new construction in an office space. Laboratory and health-based literature seem to agree that less than 300 $\mu g/m^3$ represents an acceptable TVOC level within the non-industrial work environment such as an office environment. Many of the indoor results exceed outdoors and the parking garage. The only contaminant identified outdoors was acetone, whereas indoors results included acetone, ethyl alcohol, toluene, and methyl-heptane. These chemicals are found in personal products, odorants, cleaning products. Acetone, ethanol, and toluene are also included on a list as volatile organics associated with certain molds. Overall the results of the volatile organic compound testing are low for a typical indoor office environment, and for chemically-sensitive individuals.

4.3 HVAC Inspection

The Suite is provided conditioned air by four air handling units (AHUs). AHU#1 services the Commission chamber and reception hall. AHU#2 services the City Clerk, Capital Projects, and Vice Mayor. AHU#3 services the remainder of the administrative offices, Public Works, and the break room. AHU#4 services the Police Department.

The thermostats are digital and the fan setting for AHU#2 and #4 appeared to be fan "on." When the fan is in the "on" mode, moisture which collects on the coil during compressor operation will be carried back into the subject room, thereby increasing the relative humidity during compressor cycles. When the fan is in the "auto" mode, the fan will stop when the compressor stops, allowing moisture on the coil to fall into the "drip pan" beneath the coil before the next cycle starts. These are split compressor units so the fan "on" setting may be required. Consult with your HVAC contractor to determine the appropriate setting for each AHU.

All of the air filters were dirty with heavy dust load. AHU#3 was missing one of the air filters allowing dust and debris to flow into the air system, and had a small area of SVM on the coil. The remaining AHU coils had low dust accumulation and no SVM. Most of the return air ducts had a

moderate dust load. The return air vent in the Sergeant's office had a heavy dust load. Other return vent and supply diffusers (in the ceiling panels) had low to moderate dust loads.

The fresh air return vents are located on the east side of the building and have screened hoods covering the intakes. The dampers were open to the units. There are also exhaust vents from the restrooms and break room within a couple feet of the intakes. Several of the exhaust vent screens were clogged with dust and debris.

4.4 Interviews

Eco Advisors interviewed Sergeant Hatley with the N. Bay Village Police Department. The Sergeant opened all access doors for the inspection and then described what transpired the morning of March 5, 2013. The female police officer entered the police department from the SE service corridor and walked to the sergeant's office and stated she was feeling dizzy. She did not sit down but walked across the squad room to pick up an AED and collapsed onto the floor. The sergeant attended to her. The cleaning person had been in the building and came into the squad room to look and then went to the break room where she became dizzy and collapsed.

Miami-Dade Fire Rescue and the Hazmat team were called two separate times on March 5th and that morning and again in the afternoon they tested the Suite but could find no concerns. Hazmat tested for Hydrocarbons, Freon, VOCs, oxygen, hydrogen sulfide, carbon monoxide, LEL and found no obvious hazardous materials. The Suite was ventilated for about two hours each time. Hazmat inspected the parking garage above and the pool pump and pool chemical storage on 3rd floor and found everything in order. TECO gas was called and performed tests for any natural gas leaks from the adjoining pizza business but found no leaks. Village management sent employees home, found temporary office space within the same building for a couple of days, and now are in temporary office space across the street.

Eco Advisors interviewed Julie Sidorevskaya, manager of Julie's Realty in Suite #130 which abuts the west side of the Commission Chambers and has an entrance off of the service corridor used by the police officer that fainted. Reportedly employees were sick at the Realty office on March 4th. Ms. Sidorevskaya stated her employees have had no headaches or concerns during the week of the City Hall incident. One of her employees did have a stomach ache at 2:00pm on the 4th but believe it to be a result of food poisoning.

Eco Advisors interviewed Maritzai, manager of D'Bella Pizza and Pasta in Suite #110 which abuts the Village Suite's northeast service corridor. She stated that her business has had to have their trap emptied several times in the last 3 months where normally it should only need to be cleaned once a year. She stated she visited the un-finished space next door on Monday 3/4 after it was reported that a sewer backup had occurred in the space. The odor was strong and bothered her throat. She observed a crew pumping and clearing the sewer line. Later they used a camera in the line for diagnostics. The crew reported a dip in the sewer line approximately 75 feet into the line and a break in the line at 100 plus feet under the City Hall slab. No reports available.

Eco Advisors interviewed Alicia Cuza, Custodian, one of the employees who fainted. Reportedly she entered at the lobby around 6:00A. She checked the Chambers, lobby and the offices for what might need to be done. Her husband went to the Break Room and got a big garbage bag and began picking up the garbage from each office. Around 6:40A – 7:00A she went to the Break Room and gave her husband his medicine. She did not go into the Police Department section at all. She sat down and felt weird, had stomach pains and tried to get up to go to the restroom but her legs were numb and

everything went black. She did not smell or taste anything at the time. There were no employees on the Administrative side at that time. Her husband called their daughter, who reportedly called 911. Her husband sat her up and when she came to she said her legs hurt, muscles were tight and she was dizzy. Police officers came into the Break Room but she only remembers Officer Kennedy who sat with her until the paramedics came. Her husband had no problems. She was sent to the emergency room and checked out and released the same day. She did not know that Officer Gittner fainted until she saw the paramedics also attending to her. This information is in direct conflict with Sergeant Hatley who said that the custodian came into the Squad Room and looked, then fainted.

Eco Advisors interviewed Officer Lisa Gittner, the second employee who fainted. She entered the Suite from the Service Corridor, east door. She went to the Sergeants office to check in, was asked if she felt okay and told the Sergeant she was dizzy and not feeling good. She went to the Squad room to pick up the AED, lost strength and fainted. Just prior to that she felt like vomiting and had a headache. She was attended to by Miami-Dade Fire Rescue, transported to the emergency room, released and was taken home by the Lieutenant. She reported to duty the next day.

Officer Gittner offered additional information for incidents that took place at the Suite. This information was also offered by Lt. Collins and Jenice Rosado. Reportedly Detective Costa had a bad headache and a taste in his mouth and was helped out of the Suite. Reportedly Elana, in Building and Zoning felt dizzy and had a shortness of breath. The Miami-Dade Fire Rescue report identifies attending to two individuals on site during the second call in the afternoon but neither individual was transported to the emergency room.

Two employees (custodian's husband and Sergeant) were in the Suite at the time of the event and reportedly neither experienced any problems nor noticed any odors or anything unusual.

5. Conclusions

To provide an assurance that the office environment is safe and free from known or recognized hazards, as defined in the OSHA Act of 1970, Section 5, Duties, Eco Advisors proceeded with due diligence and proposed testing the indoor environment for air contaminants that could have resulted in employees fainting, as well as conditions that could have allowed for contaminants to enter at the time of the event on March 5th.

The indoor environmental measurements and analysis were considered satisfactory within the Suite and we conclude that the Suite can be occupied. Eco Advisors was not able to identify a specific air contaminant or physical hazard which would have caused the two Village employees to faint, however, we identified several conditions that could have had an affect on the Suite's indoor environment that particular morning and could affect the indoor environment in the future, and provide the Village with recommendations and/or corrective actions to undertake.

6. Recommendations

Eco Advisors lists below conditions and our recommendations to correct or improve those conditions, which should assist the Village in improving the Suite's indoor environment.

- Police department restrooms/locker room exhausts not working
  - Repair these exhaust fans to insure negative pressure within the restrooms/lockers and to prevent sewer gases, if present, from entering the work place.

- Sewer backup in adjoined spaces, blockage identified under building slab
  - Confirm integrity of all sewer lines under the building to insure no sewer gases escaping from cracks or breaks in the lines ultimately enter the Suite, unbeknownst to Village employees.
  - Insure walls adjoining the Suite and adjacent unfinished space/service corridor are fire-rated and all openings, cracks and crevices are sealed with fire stop.

- Fresh air intakes on east wall are exposed to vent stack emissions (carbon monoxide, particulate) from restaurant, nursing home, and emergency generator and exhaust from the Suite.
  - Confirm integrity of vented gas appliances within pizza place and check placement of their exhaust vent in relation to fresh air intake. Consider elevating emergency generator exhaust vent and placement of carbon monoxide (CO) monitors within fresh air intakes to warn of CO at those points of entry.
  - Evaluate a redesign of the current exhaust vents on the east wall to minimize contaminants from the restroom and other exhausts to directly enter the indoor environment through the fresh air intakes.

- The hygiene of the air conditioning systems is poor.
  - Remove and replace air handler filters and vacuum (equipped with High Efficiency (HEPA) filter then clean the coils and other internal air handler surfaces with non-acid cleaners if possible, and the return grills/ducts and supply diffusers with soapy water. The return grills and supply diffusers can be removed for cleaning by janitorial staff. HEPA vacuum the tops of ceiling panels with a heavy dust buildup.

- Fans set to "on" position.
  - Review with the HVAC design engineer as to the appropriate setting for the fans, but in most cases setting fans to the "auto" position reduces relative humidity.

- Commission Chambers relative humidity raised during the evening hours even though the temperature remained consistent.
  - Review with the HVAC design engineer the heat load calculations for AHU#1 as the Commission Chambers is a large room which is not occupied a majority of the time which may limit the air movement and humidity control in that space and possibly have an affect on the adjacent Squad Room.

- Water-stained ceiling panels in the hall outside the break room and the southeast hallway and missing or open ceiling panels throughout the Suite.
  - Replace water-stained ceiling panels to minimize the potential for mold activity

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- Replace missing ceiling panels to minimize the potential for dusts, odors, humidity, etc. within the plenum space to directly enter the indoor environment, bypassing the air filtration and humidity control of the air conditioning system.

- The back surface of the reception hall black leather sofa and wall surface have suspect visible mold.
  - Remove the SVM with soapy water and let both surfaces thoroughly dry. Leave space between the wall and the couch to allow for air flow which minimizes dust accumulation and mold activity.

- Dust accumulations observed under and behind furniture throughout can result in dust and pet allergens that affect many individuals.
  - Thoroughly vacuum (equipped with HEPA filter is the best type) carpets and periodically schedule moving furnishings, boxes on floor, and other items that prevent a thorough vacuum to remove dust accumulations and allergens.

7. Closing

This report was prepared for the exclusive use of the client. The contents of the report shall not be used or relied upon in any way by others without prior written approval of Eco Advisors, LLC. The opinions and recommendations presented herein are based upon our professional expertise, the information provided to Eco Advisors by the client and, the conditions of the space at the time of the inspection.

Report Prepared By:
Eco Advisors, LLC

David C. Johanson, CIE, FLMA
Project Manager

Report Reviewed By:
Eco Advisors, LLC

Karen M. Meyer, CIH
Executive Vice President

12D(22)

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APPENDIX A

Site Plan and Site Photographs

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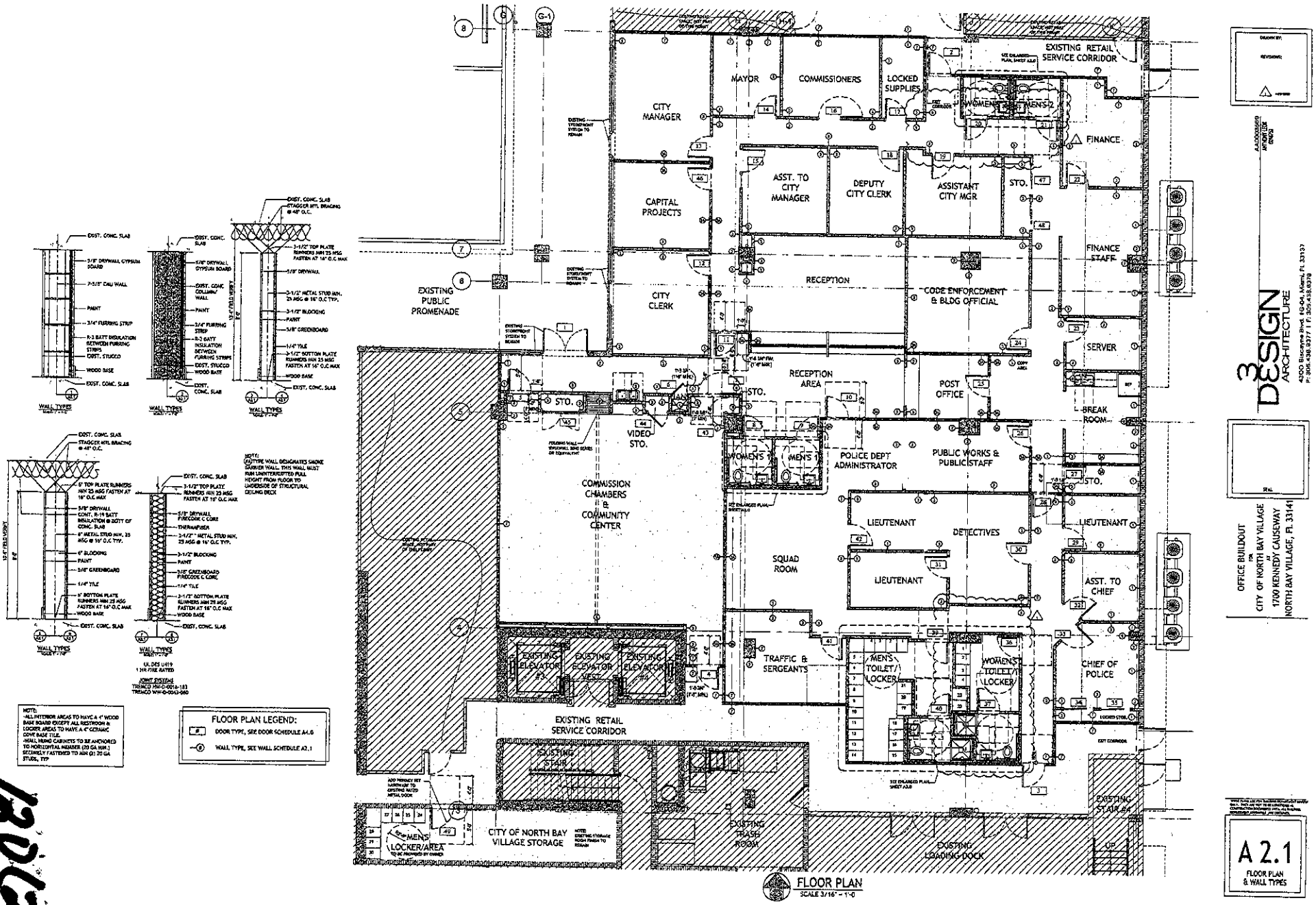
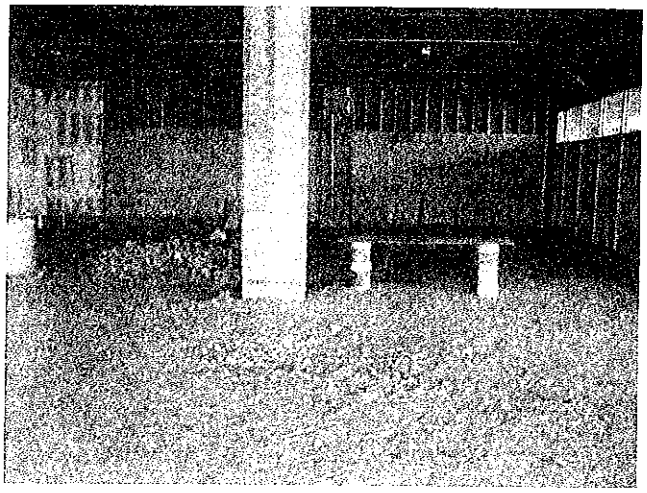
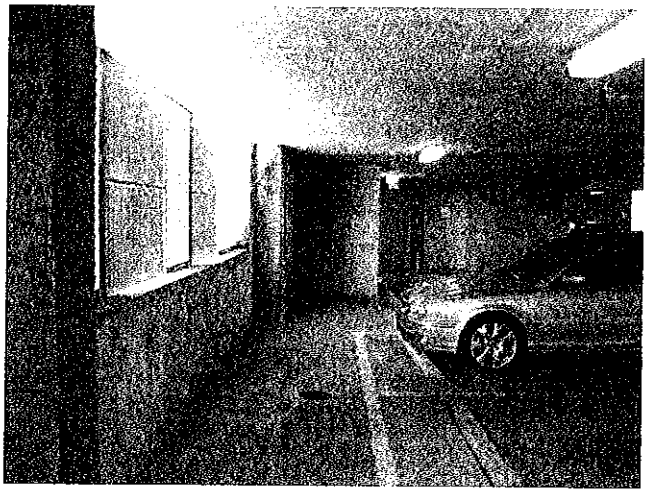

CITY MANAGER
MAYOR
COMMISSIONERS
LOCKED SUPPLIES
EXISTING RETAIL SERVICE CORRIDOR
WOMEN'S
MEN'S 2
FINANCE
CAPITAL PROJECTS
ASST. TO CITY MANAGER
DEPUTY CITY CLERK
ASSISTANT CITY MGR
STO.
FINANCE STAFF
EXISTING PUBLIC PROMENADE
CITY CLERK
RECEPTION
CODE ENFORCEMENT & BLDG OFFICIAL
SERVER
RECEPTION AREA
POST OFFICE
BREAK ROOM
VIDEO STO.
WOMEN'S 1
MEN'S 1
POLICE DEPT ADMINISTRATOR
PUBLIC WORKS & PUBLIC STAFF
COMMISSION CHAMBERS & COMMUNITY CENTER
LIEUTENANT
DETECTIVES
SQUAD ROOM
ASST. TO CHIEF
EXISTING ELEVATOR #3
EXISTING ELEVATOR #2
EXISTING ELEVATOR #1
TRAFFIC & SERGEANTS
MEN'S TOILET/ LOCKER
WOMEN'S TOILET/ LOCKER
CHIEF OF POLICE
EXISTING RETAIL SERVICE CORRIDOR
EXISTING STAIR
EXISTING STAIR #4
MEN'S LOCKER/AREA
CITY OF NORTH BAY VILLAGE STORAGE
EXISTING TRASH ROOM
EXISTING LOADING DOCK
FLOOR PLAN
SCALE 3/16" = 1'-0
WALL TYPES
FLOOR PLAN LEGEND:
DOOR TYPE, SEE DOOR SCHEDULE A4.0
WALL TYPE, SEE WALL SCHEDULE A2.1
3 DESIGN ARCHITECTURE
OFFICE BUILDOUT FOR CITY OF NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY
NORTH BAY VILLAGE, FL 33141
A 2.1
FLOOR PLAN & WALL TYPES

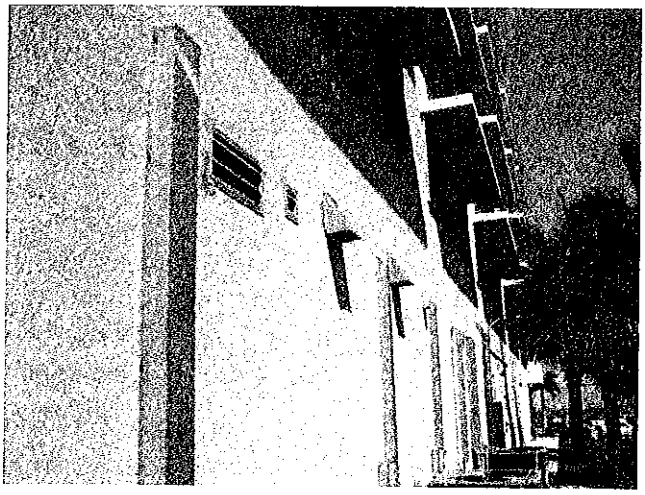
12024



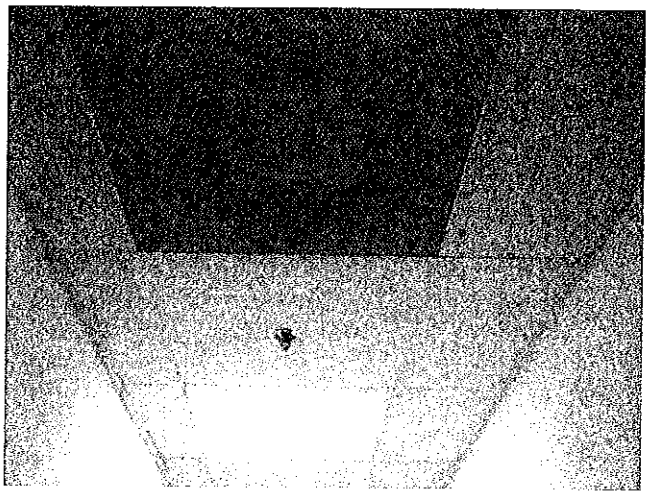
Unfinished space north of the Suite.



Second floor parking garage above police department.



View of hooded fresh air intakes and open exhaust grills located on east side of building.



Water stained ceiling panel in Police Department southeast hallway.

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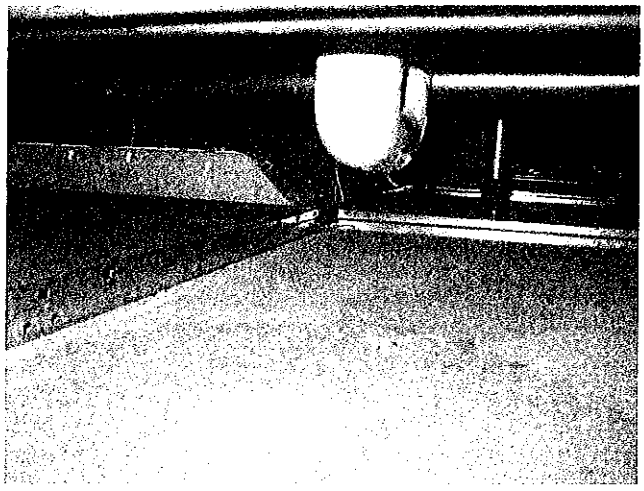
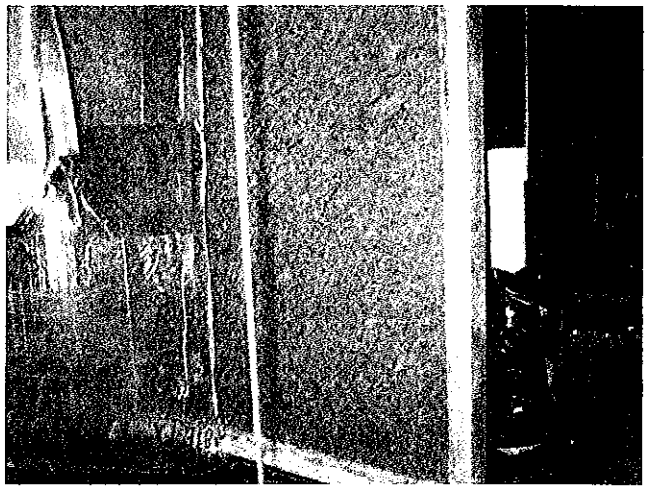
Client :	**North Bay Village**
Location:	**1700 Kennedy Causeway**
REP Ref:	**North Bay Village, FL**
Date of photo:	**March 2013**

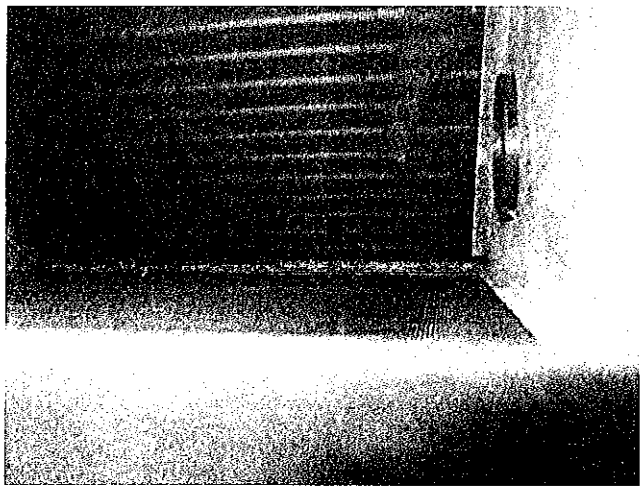
12D(25)



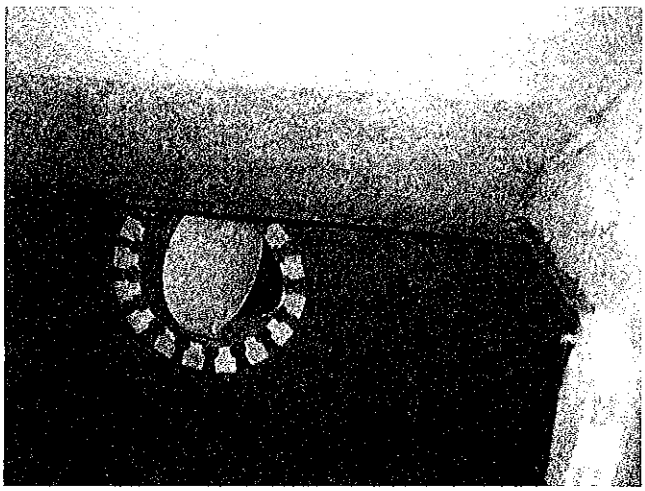
Water stained ceiling panel just outside the break room. HVAC air handler condensate leak.



Air Handler Unit (AHU) #2 air filter clogged with dust and debris.



AHU #2 Coil with low dust accumulation and some debris.



AHU #2 return air duct with low dust accumulation open fresh air damper.

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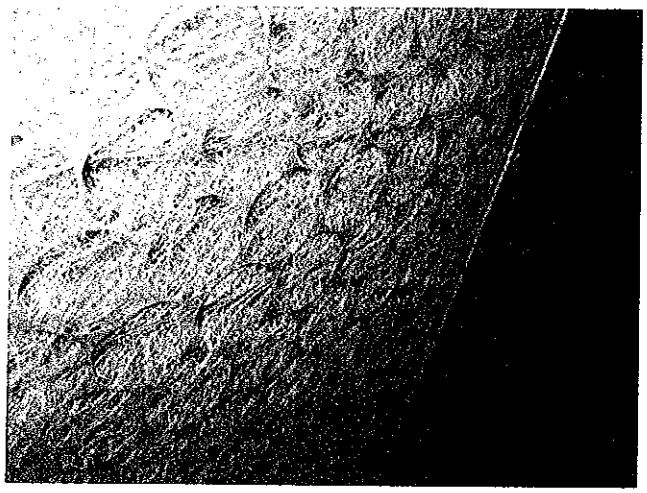
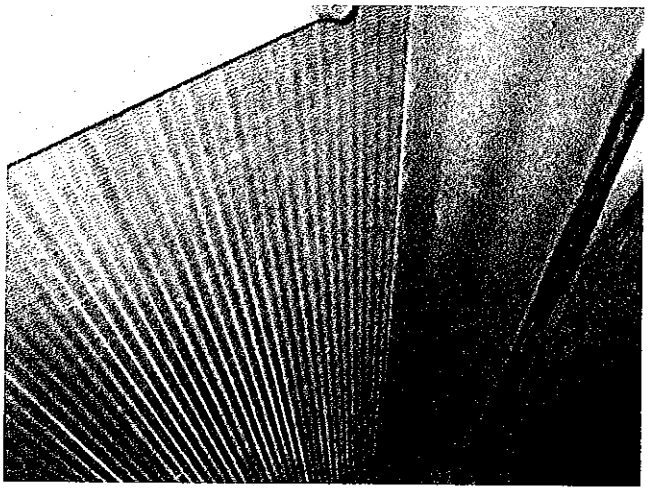
Client :	**North Bay Village**
Location:	**1700 Kennedy Causeway**
REP Ref:	**North Bay Village, FL**
Date of photo:	**March 2013**

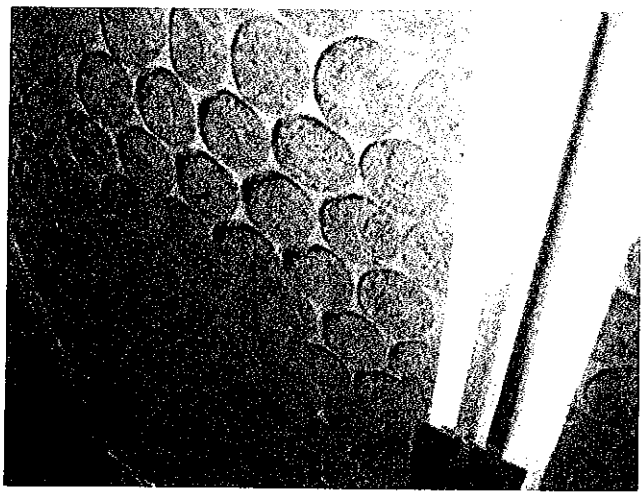
12D(26)



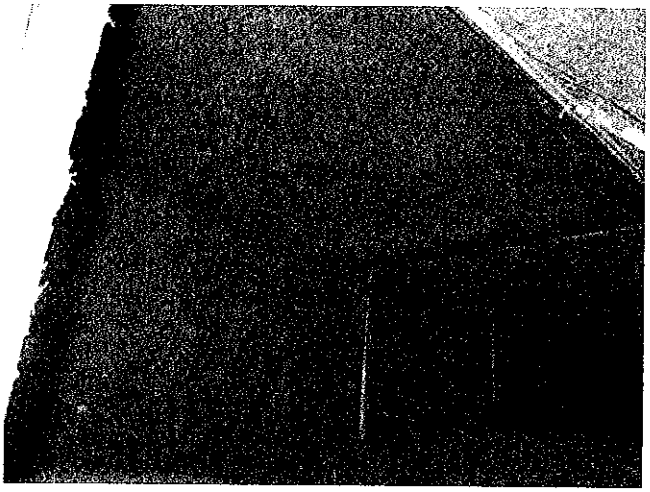
AHU #1 air filter with low dust accumulation.



AHU #1 Coil with low dust accumulation.



AHU #4 Air filter with heavy dust and debris accumulation.



AHU #4 return air duct with low dust accumulation

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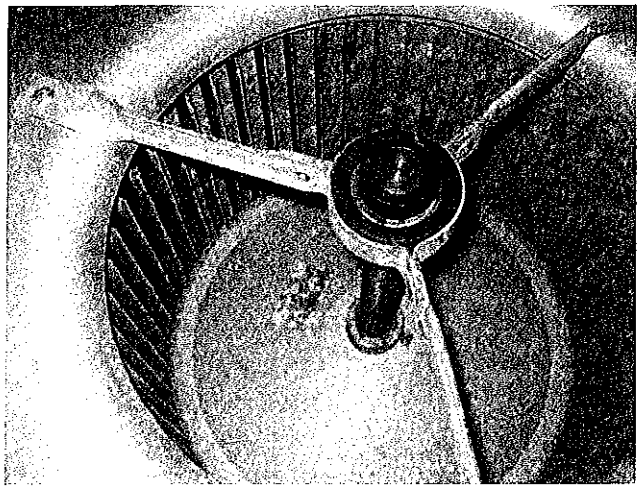
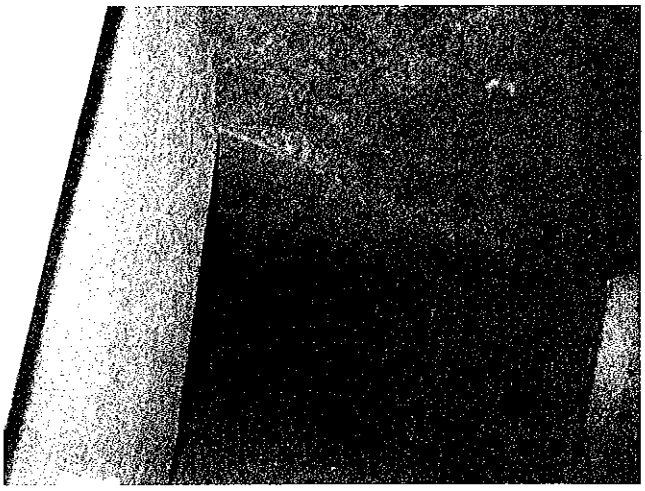
Client :	**North Bay Village**
Location:	**1700 Kennedy Causeway**
REP Ref:	**North Bay Village, FL**
Date of photo:	**March 2013**

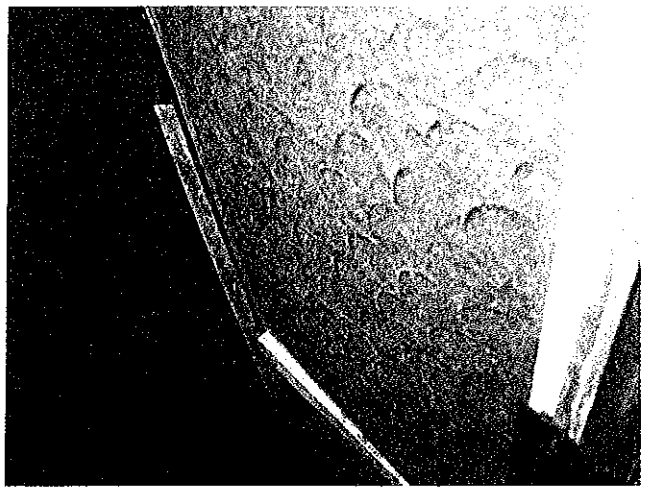
12D(27)



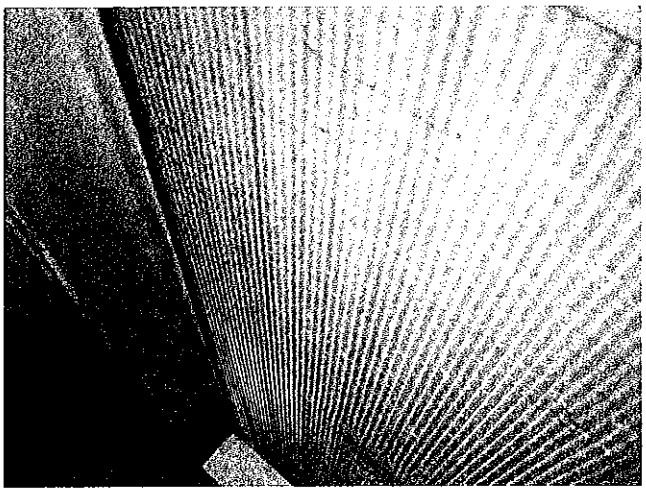
AHU #3 fan cage assembly with low dust accumulation.



AHU #3 Return air duct with low dust accumulation.



AHU #3 Air filter with moderate dust and debris accumulation and rust.



AHU #3 Coil with light dust load and suspect visible mold (SVM) on section without filter.

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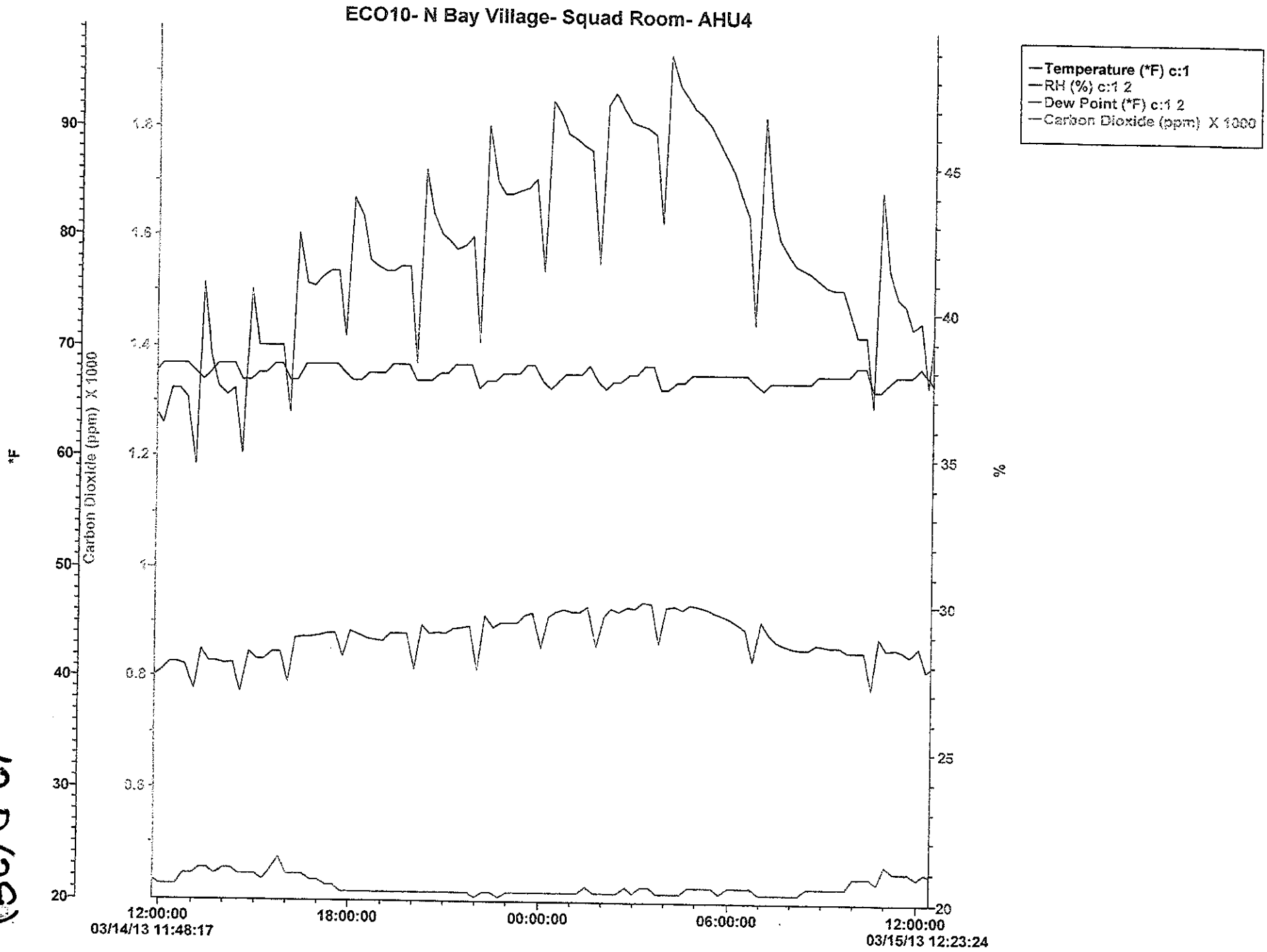
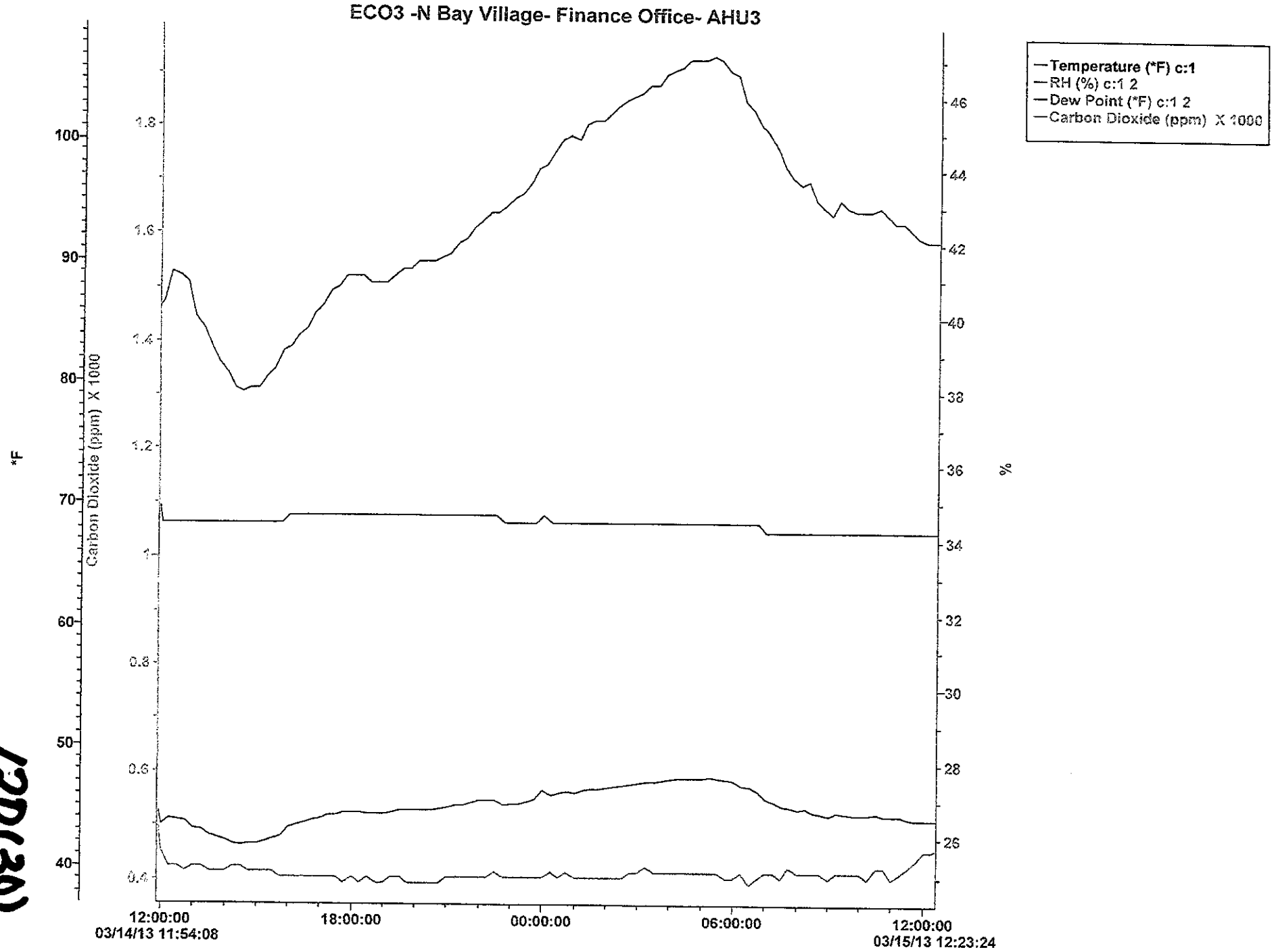
Client :	**North Bay Village**
Location:	**1700 Kennedy Causeway**
REP Ref:	**North Bay Village, FL**
Date of photo:	**March 2013**

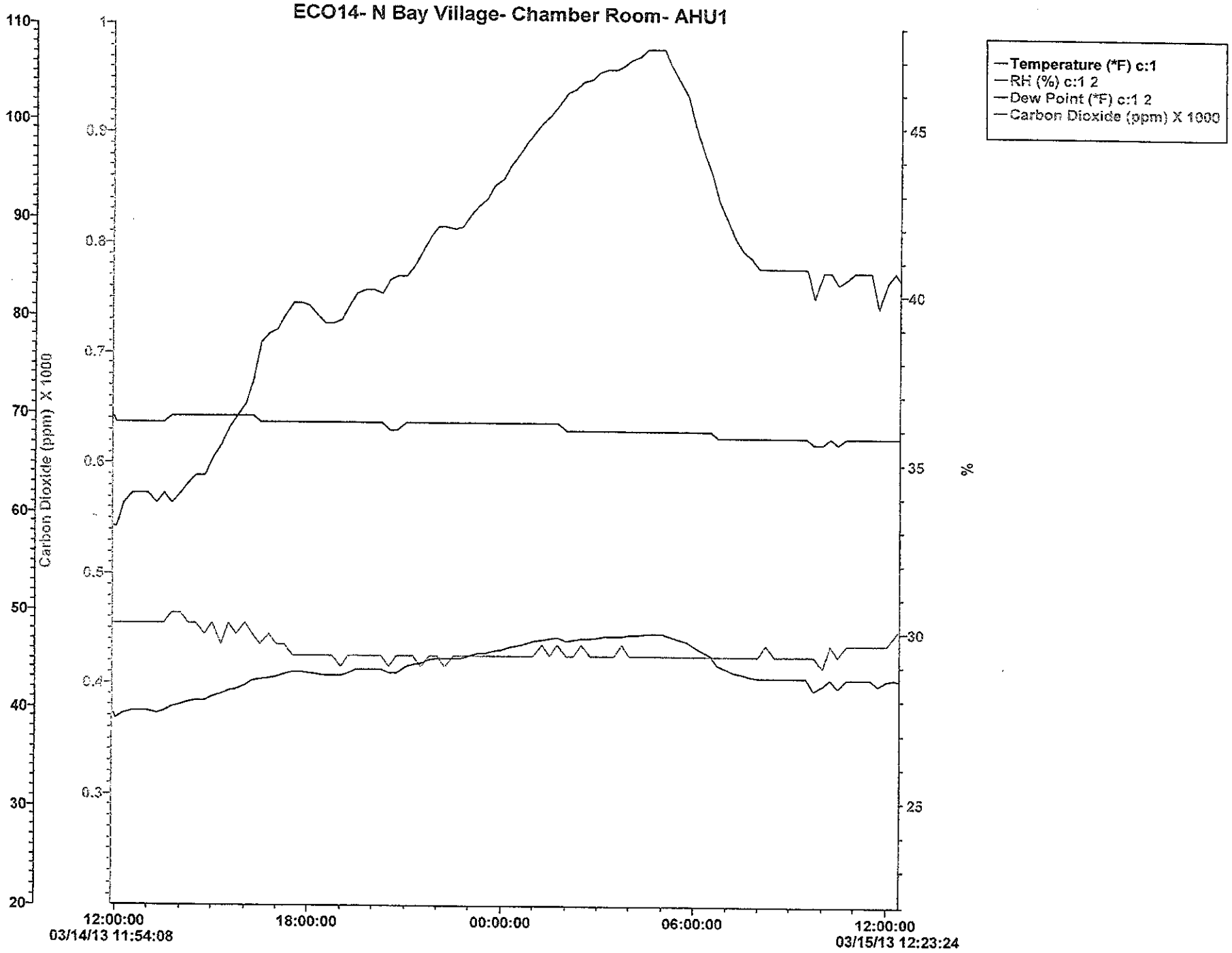
12D(28)


ECO10- N Bay Village- Squad Room- AHU4
Temperature (*F) c:1
RH (%) c:1 2
Dew Point (*F) c:1 2
Carbon Dioxide (ppm) X 1000
*F
Carbon Dioxide (ppm) X 1000
%
90
80
70
60
50
40
30
20
1.8
1.6
1.4
1.2
1
0.8
0.6
45
40
35
30
25
20
12:00:00
03/14/13 11:48:17
18:00:00
00:00:00
06:00:00
12:00:00
03/15/13 12:23:24

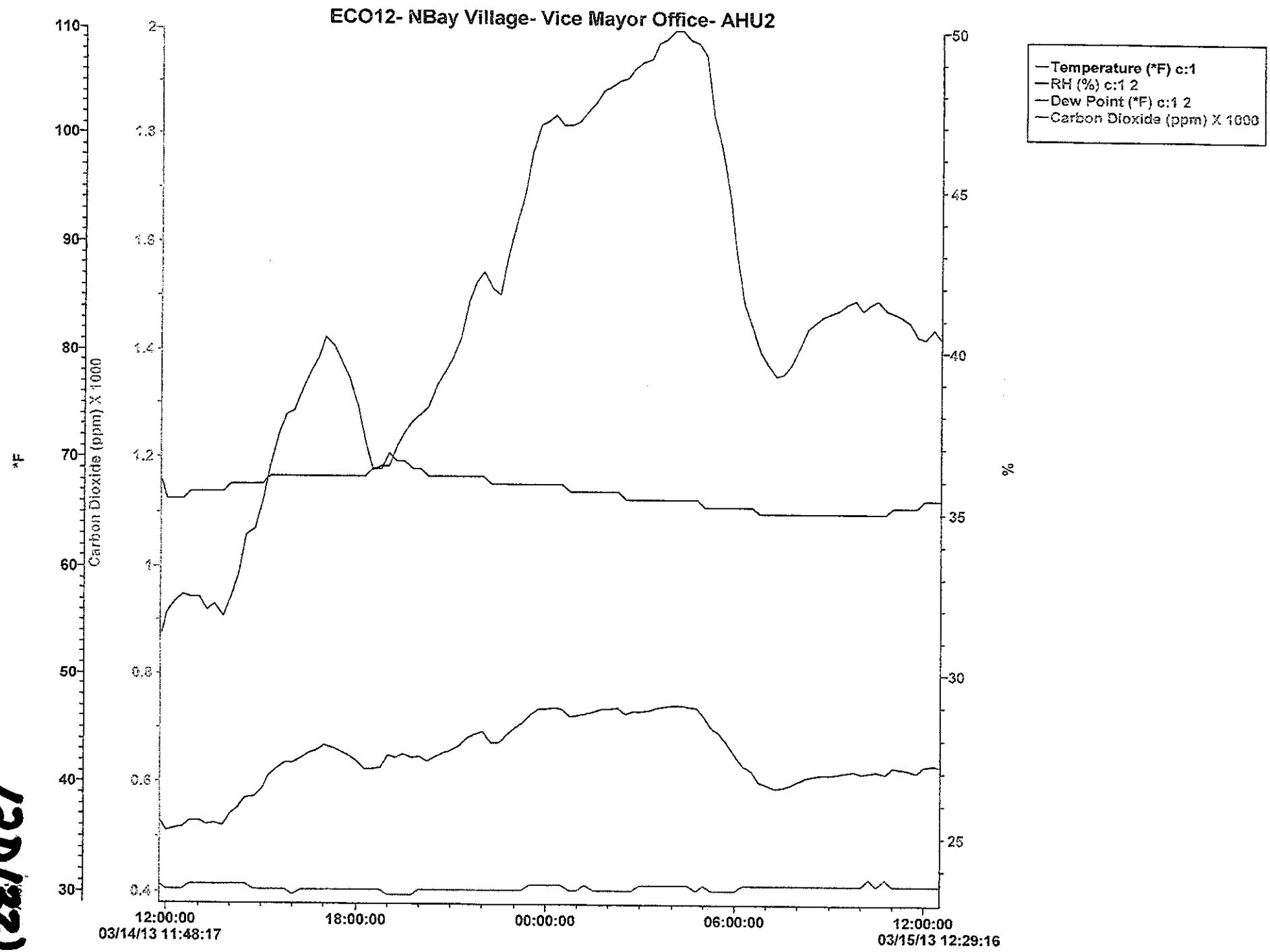
12 D(37)


ECO3 -N Bay Village- Finance Office- AHU3
Temperature (*F) c:1
RH (%) c:1 2
Dew Point (*F) c:1 2
Carbon Dioxide (ppm) X 1000
*F
Carbon Dioxide (ppm) X 1000
%
100
90
80
70
60
50
40
1.8
1.6
1.4
1.2
1
0.8
0.6
0.4
46
44
42
40
38
36
34
32
30
28
26
12:00:00
03/14/13 11:54:08
18:00:00
00:00:00
06:00:00
12:00:00
03/15/13 12:23:24

120(30)


ECO14- N Bay Village- Chamber Room- AHU1
Temperature (*F) c:1
RH (%) c:1 2
Dew Point (*F) c:1 2
Carbon Dioxide (ppm) X 1000
*F
Carbon Dioxide (ppm) X 1000
%
110
100
90
80
70
60
50
40
30
20
1
0.9
0.8
0.7
0.6
0.5
0.4
0.3
45
40
35
30
25
12:00:00
03/14/13 11:54:08
18:00:00
00:00:00
06:00:00
12:00:00
03/15/13 12:23:24

Ex (31)


ECO12- NBay Village- Vice Mayor Office- AHU2
Temperature (*F) c:1
RH (%) c:1 2
Dew Point (*F) c:1 2
Carbon Dioxide (ppm) X 1000
*F
Carbon Dioxide (ppm) X 1000
%
110
100
90
80
70
60
50
40
30
2
1.8
1.6
1.4
1.2
1
0.8
0.6
0.4
50
45
40
35
30
25
12:00:00
03/14/13 11:48:17
18:00:00
00:00:00
06:00:00
12:00:00
03/15/13 12:29:16

12D(32)

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APPENDIX C

Particle Count, Temperature, Relative Humidity and Total Volatile Organic Compounds

12D (33)

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Instrument Model: HANDHELD 3016
Instrument Serial #: 040902044
Downloaded On: 3/16/2013 15:18:48
Particle Data: Differential
Data Duration: 3/14/2013 12:25:41 to 3/15/2013 09:29:18 N. Bay Village City Hall and Police Dept

Timestamp	Location (Name)	0.3 micron (Counts)	0.5 micron (Counts)	1.0 micron (Counts)	2.5 micron (Counts)	5.0 micron (Counts)	10.0 micron (Counts)	Temperature (F)	Relative Humidity (%)	OVA Srvy ppm
3/14/2013 12:25	North Entry	44081	3762	452	220	52	20	68.7	38.5	
3/14/2013 12:27	Chamber Hall	44173	3754	440	203	50	3	69.2	39.3	1.58
3/14/2013 12:28	Reception hall	42609	3503	441	202	59	9	68.7	38.1	
3/14/2013 12:29	Squad room	39099	2999	302	129	37	4	68.7	40.8	1.59
3/14/2013 12:30	Supervisor rm	35587	2652	248	71	14	2	69.2	43.2	1.65
3/14/2013 12:31	Mens Locker	34357	2422	243	65	8	2	68.7	44.0	1.79
3/14/2013 12:32	Womans Lockr	34171	2476	204	63	6	1	68.7	44.2	1.82
3/14/2013 12:33	File Room	36057	2594	257	122	57	18	68.7	45.7	1.65
3/14/2013 12:34	Break Room	39787	3074	374	243	108	9	69.2	41.9	1.75
3/14/2013 12:35	Post Office	38997	3011	295	134	34	3	69.6	41.4	
3/14/2013 12:37	Records Rm	39087	2969	305	133	61	6	69.2	43.7	
3/14/2013 12:38	Finance office	39790	3100	310	118	31	2	69.2	42.7	1.59
3/14/2013 12:40	Payroll office	38139	2941	354	205	104	5	68.7	40.8	1.62
3/14/2013 12:41	Supply room	30044	1924	180	109	28	11	69.2	47.1	
3/14/2013 12:42	Vice Mayor	33752	2535	310	124	44	7	68.7	36.5	1.55
3/14/2013 12:43	Reception Office	43641	3739	705	720	463	52	68.7	37.6	
	Average	38336	2966	339	179	72	10	68.9	41.6	1.66
OUTDOORS										
3/14/2013 9:25	outdoors N	39081	3283	538	431	117	10	64.3	53.7	
3/14/2013 9:29	outdoors E	38483	3348	545	387	110	10	59.9	54.9	
3/14/2013 9:31	outdoors S	39983	3478	610	449	121	12	59.9	54.9	
	Average	39182	3370	564	422	116	11	61.4	54.5	

12D(3d)

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APPENDIX D

Volatile Organic Compound Laboratory Report

12D (35)

ADVANCED CHEMICAL SENSORS INC.
101 Glades Road • Boca Raton, FL 33432
(561) 338-3116 • FAX: (561) 338-5737

AIHA LAP, LLC
ACCREDITED LABORATORY
INDUSTRIAL HYGIENE
ISO/IEC 17025:2005
www.aihaaccreditedlabs.org
LAB #102037

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63798	03/14/13 03/15/13	1700 Kennedy Causeway Squad Room	10:45 — 12:00 = 25.25	
			Total VOCs: 1.2 µg	
			Acetone 6.9 ppb, 1.2 µg	

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14784

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(30)

ADVANCED CHEMICAL SENSORS INC.
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LAB #102047

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63799	03/14/13	1700 Kennedy Causeway Break Room	10:50 – 12:05 = 25.25	

Total VOCs: 1.9 µg

Acetone 6.6 ppb, 1.1 µg
Ethyl Alcohol 5.5 ppb, 0.80 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14785

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(3D)

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LAP #102037

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63800	03/14/13	1700 Kennedy Causeway Reception	10:55 – 12:07	= 25.20

Total VOCs: 2.5 µg

Acetone	7.6 ppb, 1.3 µg
Toluene	2.1 ppb, 0.69 µg
2-Methylheptane	1.3 ppb, 0.49 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14786

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(38)

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LAP 91102047

Reviewed by:
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Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63804	03/14/13	1700 Kennedy Causeway C of C: Restroom/Hall	11:10 — 12:15	= 25.08

Total VOCs: 3.3 µg

Acetone	8.5 ppb, 1.4 µg
Ethyl Alcohol	5.4 ppb, 0.78 µg
Toluene	1.9 ppb, 0.64 µg
2-Methylheptane	1.3 ppb, 0.49 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14787

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(39)

ADVANCED CHEMICAL SENSORS INC.
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LAI 013037

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63801	03/14/13	1700 Kennedy Causeway Vice Mayer Office	10:57 – 12:12 = 25.25	
			Total VOCs: 1.1 µg	
			Acetone 6.4 ppb, 1.1 µg	

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14788

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(40)

ADVANCED CHEMICAL SENSORS INC.
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3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63805	03/14/13	1700 Kennedy Causeway Finance Office	11:05 – 12:00	= 24.92

Total VOCs: 2.3 µg

Acetone 6.6 ppb, 1.1 µg
Ethyl Alcohol 8.1 ppb, 1.2 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14789

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(41)

ADVANCED CHEMICAL SENSORS INC.
101 Glades Road • Boca Raton, FL 33432
(561) 338-3116 • FAX: (561) 338-9737

AIHA LAP, LLC
ACCREDITED LABORATORY
INDUSTRIAL HYGIENE
ISO/IEC 17025:2005
www.aihaaccreditedlabs.org
LAP #102047

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63802	03/14/13	1700 Kennedy Causeway Fresh Air Intake	12:00 — 14:20	= 26.33
				Total VOCs: 1.4 µg
				Acetone 8.1 ppb, 1.4 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14790

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(42)

ADVANCED CHEMICAL SENSORS INC.
101 Glades Road • Boca Raton, FL 33432
(561) 338-3116 • FAX: (561) 338-9737

AIHA LAP, LLC
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LAP #102047

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

ORGANIC VAPOR ANALYSIS REPORT

SAMPLE NO	DATE	NAME	EXPOSURE TIME (hr)	CONCENTRATION (ppm)
63803	03/14/13	1700 Kennedy Causeway Parking Garage 2nd	11:55 – 14:35 = 26.67	
				Total VOCs: 0.75 µg
			Acetone	4.2 ppb, 0.75 µg

Note: 1 ppm=1,000 ppb

For office and residential indoor air quality, there are no established limits for individual volatile organic vapor (VOCs) in the U.S. The U.S. Green Building Council recommends a maximum of 500 µg/m³ for total VOCs in LEED designated structures. U.S. OSHA specifies permissible exposure limits for individual chemicals in the workplace.

Typical limits for indoor air quality in some other countries are: Toluene-0.07 ppm, Xylene-0.20 ppm, Ethyl Benzene-0.88 ppm, Styrene-0.05 ppm, Paradichlorobenzene-0.04 ppm.

The chemicals tested are listed on the next page. The chemicals that are not reported above are not detected. No concentration is above 0.03 ppm.

14791

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D(43)

ADVANCED CHEMICAL SENSORS INC.
101 Glades Road • Boca Raton, FL 33432
(561) 338-3116 • FAX: (561) 338-5737

AIHA LAP, LLC
ACCREDITED LABORATORY
INDUSTRIAL HYGIENE
ISO/IEC 17025:2005
www.aihaaccreditedlabs.org
LAP #102047

Reviewed by:
Laurence D. Locker, Ph.D.
Laboratory Director

Att: David Johanson
ECO ADVISORS, LLC.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens FL 33410

3/19/2013

Acetone
Acetonitrile
Acrylonitrile
Allyl Chloride
Benzene
Benzene, 1-Chloro-4 (Trifluoromethyl)
Benzyl Chloride
1,3-Butadiene
Butane
2- Butanone (MEK)
2-Butoxyethylacetate
Butyl Acetate
Butyl Cellosolve
1-Butyl Alcohol
2-Butyl Alcohol
Carbon Tetrachloride
Cellosolve
Chlorobenzene
Chloroform
Cyclohexane
Cyclohexene
Cyclohexanol
Cyclohexanone
Dibromochloromethane
1,4-Dichlorobenzene
1,2 Dichloroethane
1,2-Dichloropropane
Dimethyl Formamide
Dimethyl Sulfoxide
Dioxane
Ethyl Acetate
Ethyl Alcohol
Ethyl Benzene
2-Ethyl-1-Hexanol
Ethyl Ether
2-Ethylhexyl Acetate
Ethyl Methacrylate
4-Ethyltoluene
Heptane
2-Heptanone
Hexane
Hexane Isomers
1-Hexanol
Hexone (MIBK)
Isobutane
Isopropyl Alcohol
Isooctane
d-Limonene
Methyl Acetate
Methyl Acrylate
2-Methyl Butane
2-Methyl Pentane
3-Methyl Hexane
Methyl Chloroform
5-Methyl-2-Hexanone
Methyl Methacrylate
Methyl-t- butyl Ether
Methyl Styrene
Methylene Chloride
Pentane
Pentyl Acetate
2-Pentanone
Perchloroethylene
n-Propyl Acetate
Propylene Glycol Methyl Ether Acetate
Propyl Benzene
n-Propyl Bromide
Propylene Oxide
Pyridine
Styrene
Tetrahydrofuran
Toluene
1,1,1-Trichloroethane
Trichloroethylene
1,2,4-Trimethylbenzene
Vinyl Acetate
Vinylidene Chloride
Xylene

Method of Analysis: EPA TO-15 (Supplemented by OSHA and NIOSH methods)

14791

The values reported are the average concentrations for the monitoring period used, based on the information provided by the user.
Analysis results for unexposed samples ("Blanks"), used for quality assurance testing, are not subtracted from the sample results reported.

12D C44

ADVANCED CHEMICAL SENSORS, INC
101-B Glades Road, Boca Raton, FL 33432
Phone: (561) 338-3116 * Fax: (561) 338-5737

AIHA LAP, LLC
ACCREDITED LABORATORY

Rush

MONITORING BADGE SAMPLING DATA
&
CHAIN OF CUSTODY

3/18

Send Report To:

Name:	David Johnson
Dept:	
Company Name:	Eco Advisors, LLC
Address:	3931 RCA Blvd., Suite 3114
City/State/Zip Code:	Palm Beach Gardens, FL 33410
Phone:	561-627-1810
Fax:	
Email:	Djohnson@ecoadvisors.net

	1.	2.	3.
Analyze For:	Full Scan VOC	"	"
Sample No.	63798 ✓	63799 ✓	63800 ✓
Sampling Date	3/14 to 3/15	3/14 to 3/15	3/14 to 3/15
Start Time	10:45 AM	10:50 AM	10:55 AM
Stop Time	12:00 NOON	12:05 PM	12:07 PM
Total Monitoring Time	1515 MIN.	1515 MIN.	1512 MIN.
Name Site	1200 Kennedy Crossing		
Employee Id No.			
Location	Squad Room	Break Room	Reception
Job Title			
Tasks Performed			
Protective Devices Used			

	Date	By
Returned for Analysis	3/15/13 16:10	[signature]
Received by Laboratory	3/18/13	[signature]
Analysis Complete	3-18-13	[signature]
Results Reported	3-19-13	[signature]

Comments:

Advanced Chemical Sensors, Inc. is an American Industrial Hygiene Association accredited laboratory.

Analysis by
ADVANCED CHEMICAL SENSORS CO.
Boca Raton, FL

12D(45)

ADVANCED CHEMICAL SENSORS, INC
101-B Glades Road, Boca Raton, FL 33432
Phone: (561) 338-3116 * Fax: (561) 338-5737

AIHA LAP, LLC
ACCREDITED LABORATORY

MONITORING BADGE SAMPLING DATA
&
CHAIN OF CUSTODY

Rush

3/18

Send Report To:

Name:	[illegible] page 3
Dept:	
Company Name:	
Address:	
City/State/Zip Code:	
Phone:	
Fax:	
Email:	

	1.	2.	3.
Analyze For:	[illegible]	"	
Sample No.	63802	63803	
Sampling Date	3/14 to 3/15	3/14 to 3/15	
Start Time	12:10 pm	11:55 am	
Stop Time	2:20 pm	2:35 pm	
Total Monitoring Time	1570 min.	1600 min.	
Name	[illegible]		
Employee Id No.			
Location	[illegible]	[illegible]	
Job Title			
Tasks Performed			
Protective Devices Used			

	Date	By
Returned for Analysis	3/15/13 1:10	[illegible]
Received by Laboratory	3/18/13	[illegible]
Analysis Complete		
Results Reported		

Comments:

Advanced Chemical Sensors, Inc. is an American Industrial Hygiene Association accredited laboratory.

Analysis by
ADVANCED CHEMICAL SENSORS CO.
Boca Raton, FL

12D(46)

ATTACHMENT

B

12D(46)A

Jenice Rosado

From: Ronald Peters [RPeters@flcities.com]
Sent: Wednesday, April 10, 2013 8:31 AM
To: Jenice Rosado
Subject: Re: Report -

Follow Up Flag: Follow up
Flag Status: Flagged

called me & stated that if we go back we need continuous monitoring

Good morning Jencie,

At this point I am not convened that they have determined what the problem is even if the all the recommendations are completed. I would not recommend that you return to the building at this point based on what happened to you and the other individual. I will get back to you.

Ron Peters
407 616 2259

On Apr 9, 2013, at 1:01 PM, "Jenice Rosado" <jrosado@nbvillage.com> wrote:

> Ron, I was directed to send the report for the hygienist to Mr. Duprey below. Allison from the league does not know who he is. Anyhow, I want you guys as our insurance provider to review it and give us your feedback on the steps to take and how to move forward. After we received the report two of us went in there and one got an asthma attack and I felt faint. My guess is that the air is not good still. We are still displaced next door as a result.
>
> Please advise,
>
> Thanks,
>
> Jenice
>
>
>
> [cid:tree.jpg] Do your part in keeping our planet "Green", minimize paper usage.
> Thank you! - North Bay Village.
>
> North Bay Village is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.
>
>
>
>
>
> From: Jenice Rosado
> Sent: Tuesday, April 09, 2013 12:23 PM
> To: 'Allison Rardain'
> Subject: FW: Report -
>
>
>
> From: Jenice Rosado
> Sent: Thursday, April 04, 2013 4:34 PM
> To: 'eduprey@millsmehr.com'
> Cc: 'Sheryl Poole'; Teyesi Cutino; Yvonne Hamilton; Rodney Carreo-Santana
> Subject: FW: Report -
>

12D(47)

>
>
>
> Emilio,
>
> We sent the report to Sheryl Poole at FLC. We would like your comments as to remedial work needed before moving back in. At a minimum we feel that the recommendations listed on the report such as repairs of the exhausts, sewer pipe etc should all be addressed before our employees move back in.
>
>
>
> Thanks,
>
> _____
> <tree.jpg>
> <N. Bay Village Cty Hall and PD IEE.pdf>

12D(48)

Jenice Rosado

From: Samir_Elmir@doh.state.fl.us
Sent: Tuesday, April 09, 2013 12:07 PM
To: Jenice Rosado; Lillian_Rivera@doh.state.fl.us
Cc: Olga_Connor@doh.state.fl.us; Juan_Suarez@doh.state.fl.us; Trevor_Coke@doh.state.fl.us
Subject: RE: North Bay Village
Attachments: N Bay Village Cty Hall and PD IEE (2).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Rosado,

I reviewed the ECO's report. I find it to be thorough and supported by field and laboratory measurements of relevant indoor air quality indicators including TVOC, carbon monoxide, carbon dioxide, relative humidity, temperature, etc. All readings including site inspection indicate that your office space is safe for occupancy. In addition, report has some important recommendations aimed at improving further the air quality in the office space such as repair the exhaust fans in restrooms, clean and maintain clean diffusers for the supply and return ducts, and change type of filter --use HEPA type filters for air handler units. I suggest you implement these recommendations. To answer your concern about what direction we can provide you with when the report results state the air is ok but yet employees that have gone inside even after the report was issued still feel sick. I suggest the following actions:

1- Have the investigator from ECO meet w/your staff and explain their findings and recommendations
2- Start implementing the recommendations referenced in the ECO's report and constantly share progress w/staff
3- Advise the employees who still get sick when they enter the space to seek a medical evaluation from their physicians
4- If applicable and possible, employees who still get sick from entering the space change their work area temporary until the medical evaluation is completed and reviewed
5- Assign one person from your team to receive staff and clients complaints associated w/the bldg.
6- Investigate each complaint for validity and implement appropriate action to abate it
7- Continue seeking assistance from your staff, consultant ECO and us during this process

Juan and Trevor, I attached a copy of the ECO's report for your review and reference.

Thank you.

Samir

From: Jenice Rosado [mailto:jrosado@nbvillage.com]
Sent: Monday, April 08, 2013 3:18 PM
To: Elmir, Samir; Rivera, Lillian
Cc: Connor, Olga
Subject: RE: North Bay Village

Thank you so much – please see attached.

Jenice Rosado
Interim Village Manager / HR Director
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, Fl 33141

12DX49

(305) 756-7171 Ext 80
(305) 962-6319 cell
Jrosado@nbvillage.com

Do your part in keeping our planet "Green", minimize paper usage.
Thank you! - North Bay Village.

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From: Samir_Elmir@doh.state.fl.us [mailto:Samir_Elmir@doh.state.fl.us]
Sent: Monday, April 08, 2013 2:56 PM
To: Lillian_Rivera@doh.state.fl.us; Jenice Rosado
Cc: Olga_Connor@doh.state.fl.us
Subject: Re: North Bay Village

Dear Ms. Rosado,

Please email me a copy of the industrial hygienist's report. I will review it and call you to discuss.

Thank you.

From: Rivera, Lillian
Sent: Monday, April 08, 2013 02:18 PM
To: 'jrosado@nbvillage.com' <jrosado@nbvillage.com>; Elmir, Samir
Cc: Connor, Olga
Subject: FW: North Bay Village

Good Afternoon:

I am referring your question to Dr. Samir Elmir ,our Director for Environmental Health . Thank you

12D(50)

Lillian Rivera RN, MSN, PhD
Administrator
Phone: (786) 336-1259
Visit us online at http://www.dadehealth.org

Our Mission is to protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.

Please note: Florida has very broad public records law. Most written communication to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Jenice Rosado [mailto:jrosado@nbvillage.com]
Sent: Monday, April 08, 2013 1:49 PM
To: Connor, Olga; Rivera, Lillian
Cc: Connie Leon-Kreps
Subject: North Bay Village

Good Afternoon Ms. Connor and Ms. Rivera,

Our Mayor, Connie Leon-Kreps has provided me with your contact information. I believe she met with you in Dade Days and mentioned to you that we are having an air quality situation with our Village Hall and are currently displaced. We hired an industrial hygienist to do some testing (see report attached) and a few issues were found and requested to be addressed. However, the report states that the air does not have any issues at the moment. We have not yet moved back into the office space because the few times that we have had to go into the space to retrieve documents the employees continue to feel sick with faint, shortness of breath and headaches. I would like to see what direction you can provide us with. We are concerned because the report results state the air is ok but yet employees that have gone inside even after the report was issued still feel sick. Should we test for other substances that could be causing this?

Thank you for your attention.

Jenice Rosado
Interim Village Manager / HR Director
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, Fl 33141
(305) 756-7171 Ext 80

12D(51)

(305) 962-6319 cell
Jrosado@nbvillage.com

Do your part in keeping our planet "Green", minimize paper usage.
Thank you! - North Bay Village.

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Spam
Not spam
Forget previous vote

12D(52)

Summary

Print this Page

Dear **Jenice Rosado**,

The following information has been submitted to NIOSH Health Hazard Evaluation Program:

Workplace Name
North Bay Village

Workplace Address
1700 Kennedy Causeway, Ste 132 North Bay Village, FL 33141

What type of work is done at this location?
Office/Administrative

How many people work at this location?
10-49

Who is responsible for employee health and safety in this workplace?

Name
Jenice Rosado

Title
Interim Village Manager

Phone number
305-756-7171

What hazardous substances, agents, or work conditions are of concern? If known, please include chemical names, trade names, manufacturer names, or other identifying information.
Unknown

How are employees exposed?
Other: Unknown

In what work area, such as a building or department, is the hazard?
Unknown

How many people work in this area?
10-49

Describe the work people do in this area.
Office/Clerical

What health concerns do people in this work area have?
Difficulty breathing, faint, loss of consciousness.

Information about you

Name:

12D(53)

Complete this section if you are a union representative

Name of union:
N/A

Address:
N/A

What is your position in the union?
N/A

Complete this section if you are an employer representative

Name:
N/A

What is your position in the company, agency, or organization?
N/A

For everyone

Has another government agency evaluated this workplace?
Yes

If yes:

What agency?
Initially Miami-Dade County Fire Rescues Haz-mat team was sent to evaluate the situation. Since, a hygienist performed testing.

What year was the evaluation done?
2013

Check here if this evaluation is underway now
BLANK

Is a request for the hazard being filed with another agency?
Yes

If yes:

What agency?
Florida Department of Health was advised and evaluated the report provided by the hygenist.

How did you learn about the NIOSH Health Hazard Evaluation Program?
Company official

Thank you for submitting this form. You will get a response within 10 days.

12D(54)

Jenice Rosado

Address where we can send you information:
1700 Kennedy Causeway, Ste 132 North Bay Village, FL 33141

Phone number where you would like to be called:
305-962-6319

Best time to call:
any

Email address where you would like to be contacted:
jrosado@nbvillage.com

Can NIOSH reveal your name to the employer?
N/A

Please check one:
Other: I am the Interim Village Manager. We are not currently in the bldg where the incident took place, but several employees were exposed to an unknown hazard within the bldg at the referenced address.

Second employee

Name:
N/A

Address where we can send you information:
N/A

Phone number where you would like to be called:
N/A

Best time to call:
N/A

Email address where you would like to be contacted:
N/A

Can NIOSH reveal this name to the employer?
N/A

Third employee

Name:
N/A

Address where we can send you information:
N/A

Phone number where you would like to be called:
N/A

Best time to call:
N/A

Email address where you would like to be contacted:
N/A

Can NIOSH reveal this name to the employer?
N/A

12D(55)

ATTACHMENT

C

12D(56)

Jenice Rosado

From: Karen Meyer [kmeyer@ecoadvisors.net]
Sent: Thursday, May 02, 2013 7:39 PM
To: Jenice Rosado; Teyesi Cutino
Cc: Rodney Carreo-Santana
Subject: RE: ECO Advisors LLC Testing
Attachments: North Bay Village 2nd Sampling Event.pdf; Eco Advisors Standard Contract Provisions Oct 2010.pdf

Importance: High

Jenice, Rodney and Tes

Per our various discussions, I present the proposal for the detailed testing – I remind you that with this more expensive test it still might not lead us to a contaminant that would have resulted in employees fainting – and remember that a lot of the chemicals identified do NOT have health-based guidelines or standards – we may have a list of contaminants but not a lot of explanation or basis for whether the chemical is a problem and what the source of that chemical might be.

The lab still has not sent me a fixed quote for the other type of VOC testing so I put down the fees quoted for another project – close to $2000 per sample (they have to ship a special canister, and analysis is by GC/MS with a library of hundreds of chemicals – still mostly organic vapors).

I forgot to add the quote for the monthly monitoring but it would be $4,000 per month if we only did what we did the first time with the general organic vapor test or $12,000 per month if we monitor as we present in the retest (GC/MS for organics and the carbon monoxide/carbon dioxide test) – no soil tests and we reduce sampling/report time.

Karen M Meyer, CIH, CIEC
Executive Vice President

Eco Advisors, LLC / REP Associates, Inc.
3931 RCA Blvd., Suite 3114
Palm Beach Gardens, FL 33410
ph 561 627-1810 x203 fax 561 627-2270
www.ecoadvisors.net

From: Jenice Rosado [mailto:jrosado@nbvillage.com]
Sent: Thursday, May 02, 2013 3:40 PM
To: Teyesi Cutino
Cc: Karen Meyer; Rodney Carreo-Santana
Subject: Re: ECO Advisors LLC Testing

Please I need a very comprehensive quote for EXTENSIVE detailed testing of the space ASAP and also a quote for continuous testing of the space. Thank you!

Jenice Rosado
Sent from my iPhone

On May 2, 2013, at 3:28 PM, "Teyesi Cutino" <TCutino@nbvillage.com> wrote:

Ms. Meyer:

Per our conversation, please provide the quote to the following individuals.

12D (57)

Regards,

Tes Cutino
Executive Assistant to the Village Manager and Commission
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, Fl 33141
Office: (305) 756-7171 Ext 45
Mobile: (786) 224-8070
tcutino@nbvillage.com

Do your part in keeping our planet "Green", minimize paper usage.
Thank you! - North Bay Village.

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12D(58)

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Engineering A Sustainable Future
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Corporate Office
3931 RCA Blvd., Suite 3114 • Palm Beach Gardens, FL 33410
561.627.1810 • Fax 561.627.2270

Broward Office
4312 West Broward Blvd. • Plantation, FL 33317
954.791.4330 • Fax 954.791.4334

Engineering - CA28480 • Lead - FL-17993-1 • Asbestos ZA444 • Construction (REP Assoc.) QB0014233 www.ecoadvisors.net

May 2, 2013

Ms. Jenice Rosado
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141

Re: North Bay Village City Hall and Police Department

Dear Ms. Rosado,

Eco Advisors LLC is pleased to present to you this proposal for further testing of City Hall and the Police Department office at the LEXI Building, 1700 Kennedy Causeway, North Bay Village, Florida.

Our Certified Industrial Hygienist (CIH) discussed with you at length that the air sampling conducted already looked for over 150 of the most common volatile organic chemicals and identified 2-3 chemicals only, at very low concentrations. I understand that North Bay Village has not undertaken any of the recommended corrective actions from our report and wishes to first conduct further testing. We could sample once again for volatile organic chemicals and determine if there are any changes, and send the samples to a different lab that can include a GC/MS library search. With carbon monoxide a potential contaminant, we can rent sampling equipment that records carbon monoxide and oxygen levels every hour, over 2-3 days. The other potential source is a chemical in the drainage ditch immediately south of the building, the same side of the building with the fresh air intakes. This drainage ditch collects storm water from adjacent buildings, immediately near and possibly blocks away. We can sample the soil, standing water, and sludge within the drainage structure itself.

Our estimated labor fees are: **$2,500.00** to obtain sampling equipment, calibrate, and bring to the facility; set up and return to collect the air sampling equipment after 24 – 48 hour period; collect water, sludge and/or soil samples; and forward samples to the laboratory(ies). Our CIH consultation and report preparation fee is **$1,500.00.**

Estimated laboratory and equipment fees: Air samples for organic chemicals with GC/MS library search budget should be **$2,000/sample;** carbon monoxide and oxygen monitoring equipment capable of recording **$450/meter;** soil/sludge/water sample from stormwater system **$400/sample**. We should set up at least four samples for both organic chemicals and carbon monoxide and assume one sample each of sludge, soil, and water for a total of 3 samples. The laboratory budget is **$11,000.**

Total Estimated Price: $15,000

Should you have questions, comments or require additional information, please do not hesitate to contact our office at (561) 627-1810. Eco Advisors, LLC looks forward to serving you.

Respectfully submitted,
Eco Advisors, LLC

Karen M Meyer, CIH
Vice President

12D(59)

ECO ADVISORS, LLC
Engineering A Sustainable Future

AUTHORIZATION TO PROCEED

In consideration of the following:

The undersigned authorizes Eco Advisors LLC to perform the scope of services outlined within this proposal. The Standard Contract Provisions attached hereto are part of this proposal. Prices are valid for 60 days from the date of this proposal.

Additional testing at North Bay Village City Hall and Police Department
Estimated fees: $15,000

Signature of Authorized Agent	Date
Print Name	Print Business/Client Name
Print Title	Purchase Order Number

12D(60)

To: Rodney Carrero-Santana, P.E.
Interim Public Works Director
North Bay Village
1700 Kennedy Causeway, #132
North Bay Village, FL 33141

From: Teobaldo Rosell III
Vice President
BDI Construction Company
7270 NW 12th Street, Suite 200
Miami, FL 33126
Office: 305-592-1210

Date: April 29, 2013
Job Name: Indoor Air Quality for Village Hall

PROPOSAL

We are pleased to present our proposal for the Indoor Air Quality for Village Hall located at North Bay Village.

We propose to perform the work (Base Bid) for the following sum:

Provide full construction documents ready for permit	N.I.C.
Permit, Permit Processing, Insurance, and Bond (2.5% of total amount)	T.B.D.
General Conditions	$2,500.00
Item #1 (From Recommendation)	$2,500.00
Item #2 (From Recommendation)	$3,700.00
Item #3 (From Recommendation)	$3,800.00
Item #4 (From Recommendation)	$350.00
Item #5 (From Recommendation)	$1,000.00
Item #6(From Recommendation)	N.I.C.
Item #7 (From Recommendation)	$4,480.00
Item #8 (From Recommendation)	N.I.C.
Item #9 (From Recommendation)	N.I.C.
Total (Pending Permit, Permit Processing, Insurance, and Bond)	**$18,330.00**

Clarifications:

1. No upgrades to existing electrical panels.
2. No work related to fire alarm and/or security alarm is included in this proposal.
3. Permit, Permit Processing, Bond, and Insurance will be reimbursed by the owner after the drawings have been approved by the building department and final contract price has been approved.
4. Proposal is based on the attached Scope of Work sheet.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. This proposal subject to acceptance within 30 days and is void thereafter at the option of the undersigned. Price and installation are subject to local bulk material availability and fuel cost increases. Proposal is based on BDI Construction Company's insurance carriers, carrier's forms, and maximum base coverage's

ACCEPTANCE
This proposal will not be approved unless signed and accepted by an officer of BDI Construction Company and an authorized Official of the Client.

BDI Signature:	Date:	Client Signature:	Date:
Name	Title:	Name	Title:

12D(61)

North Bay Village
Indoor Air Quality Study Recommendations for Village Hall

Item	Recommendation
1	Police department restrooms/locker room exhausts not working Repair these exhaust fans to insure negative pressure within the restrooms/lockers and to prevent sewer gases, if present, from entering the work place.
2	Sewer backup in adjoined spaces, blockage identified under building slab Confirm integrity of all sewer lines under the building to insure no sewer gases escaping from cracks or breaks in the lines ultimately enter the Suite, unbeknownst to Village employees. Insure walls adjoining the Suite and adjacent unfinished space/service corridor are firerated and all openings, cracks and crevices are sealed with fire stop.
3	Fresh air intakes on east wall are exposed to vent stack emissions (carbon monoxide, particulate) from restaurant, nursing home, and emergency generator and exhaust from the Suite. Confirm integrity of vented gas appliances within pizza place and check placement of their exhaust vent in relation to fresh air intake. Consider elevating emergency generator exhaust vent and placement of carbon monoxide (CO) monitors within fresh air intakes to warn of CO at those points of entry. Evaluate a redesign of the current exhaust vents on the east wall to minimize contaminants from the restroom and other exhausts to directly enter the indoor environment through the fresh air intakes.
4	Fans set to "on" position. Review with the HVAC design engineer as to the appropriate setting for the fans, but in most cases setting fans to the "auto" position reduces relative humidity.
5	Commission Chambers relative humidity raised during the evening hours even though the temperature remained consistent. Review with the HVAC design engineer the heat load calculations for AHU#1 as the Commission Chambers is a large room which is not occupied a majority of the time which may limit the air movement and humidity control in that space and possibly have an affect on the adjacent Squad Room.

North Bay Village
Indoor Air Quality Study Recommendations for Village Hall

Item	Recommendation	
6 by others.	The hygiene of the air conditioning systems is poor. Remove and replace air handler filters and vacuum (equipped with High Efficiency (HEPA) filter then clean the coils and other internal air handler surfaces with non-acid cleaners if possible, and the return grills/ducts and supply diffusers with soapy water. The return grills and supply diffusers can be removed for cleaning by janitorial staff. HEPA vacuum the tops of ceiling panels with a heavy dust buildup. AHU#3 was missing one of the air filters allowing dust and debris to flow into the air system, and had a small area of Suspect Visible Mold (SVM) on the coil.	By Others
7	Water-stained ceiling panels in the hall outside the break room and the southeast hallway and missing or open ceiling panels throughout the Suite. Replace water-stained ceiling panels to minimize the potential for mold activity Replace missing ceiling panels to minimize the potential for dusts, odors, humidity, etc. within the plenum space to directly enter the indoor environment, bypassing the air filtration and humidity control of the air conditioning system.	
8 by others 9	The back surface of the reception hall black leather sofa and wall surface have suspect visible mold. Remove the SVM with soapy water and let both surfaces thoroughly dry. Leave space between the wall and the couch to allow for air flow which minimizes dust accumulation and mold activity. Dust accumulations observed under and behind furniture throughout can result in dust and pet allergens that affect many individuals. Dust reservoirs can harbor allergens such as dust mites, mold and pollen. Thoroughly vacuum (equipped with HEPA filter is the best type) carpets and periodically schedule moving furnishings, boxes on floor, and other items that prevent a thorough vacuum to remove dust accumulations and allergens.	By Others

of Brickell **Fire & Water - Cleanup & Restoration**

FRANCHISE# 9200
2520 Coral Way, Suite 2-301
Coral Gables, FL 33145
Ph: (305) 643-0710 / Fax: (305) 643-0720
CGC 1512183, MRSR110 Tax ID: 20-3785775
servpro9200@servproofbrickell.com

Client: Village of North Bay
Property: 1700 Kennedy Causeway
North Bay Village, FL 33141

Operator Info:
Operator: OZZIE

Estimator: Ozzie Calzada Jr.
Company: SERVPRO of Brickell
Business: 2520 Coral Way, Suite 2-301
Coral Gables, FL 33145

Business: (305) 643-0710
E-mail: calzadao@servproofbrickell.com

Type of Estimate: General Cleaning
Date Entered: 4/3/2013 Date Assigned:

Price List: FLMI7X_MAR13
Labor Efficiency: Restoration/Service/Remodel
Estimate: 2013-04-03-1834

This estimate do not includes cleaning the bathroom exhaust vents.

12D(64)

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servpro9200@servproofbrickell.com

2013-04-03-1834

2013-04-03-1834

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
25. (Material Only) Clean the surface area	1.00 EA	0.00	1,200.00	1,200.00
26. Heating / A.C. Mechanic - per hour	20.00 HR	0.00	85.00	1,700.00
Labor to open and close access panels in the supply and return lines.				
27. Clean and deodorize carpet - Light	7,000.00 SF	0.00	0.23	1,610.00
28. Content Manipulation charge - per hour - after hours	14.00 HR	0.00	46.00	644.00
48. Add for HEPA filter (for canister/backpack vacuums)	3.00 EA	0.00	49.22	147.66
49. Add for HEPA filter (for negative air exhaust fan)	1.00 EA	0.00	184.22	184.22
50. Neg. air fan/Air scrub.-Large (per 24 hr period)-No monit.	12.00 DA	0.00	120.21	1,442.52
4 air scrubbers for 3 days=12				
51. Ducting - lay-flat - Large	50.00 LF	0.00	0.50	25.00
52. Add for personal protective equipment - Heavy duty	12.00 EA	0.00	17.70	212.40
53. Re-apply protective coating on carpet	5,000.00 SF	0.00	0.16	800.00
54. Clean glazed store front - glass and aluminum - Light	320.00 SF	0.00	0.16	51.20
55. HEPA Vacuuming - Light - (PER SF)	7,300.00 SF	0.00	0.27	1,971.00
celings				
Total: 2013-04-03-1834				9,988.00

AHU 1

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
1. Clean ductwork - Interior - Heavy clean (PER REGISTER)	18.00 EA	0.00	39.62	713.16
2. Cold air return cover - Detach & reset	18.00 EA	0.00	5.10	91.80
3. Clean air handler - Large	1.00 EA	0.00	950.00	950.00
Price includes disassembling the blower assembly.				
4. Cleaning Technician - per hour	8.00 HR	0.00	23.35	186.80
5. Dust control barrier per square foot	150.00 SF	0.55	0.00	82.50

12D(65)

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servpro9200@servproofbrickell.com

CONTINUED - AHU 1

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
6. Floor protection - self-adhesive plastic film	150.00 SF	0.45	0.00	67.50
Totals: AHU 1				2,091.76

AHU 2

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
7. Clean ductwork - Interior - Heavy clean (PER REGISTER)	9.00 EA	0.00	39.62	356.58
8. Cold air return cover - Detach & reset	9.00 EA	0.00	5.10	45.90
9. Clean air handler - Large	1.00 EA	0.00	950.00	950.00
Price includes disassembling the blower assembly				
10. Cleaning Technician - per hour	6.00 HR	0.00	23.35	140.10
11. Dust control barrier per square foot	125.00 SF	0.55	0.00	68.75
12. Floor protection - self-adhesive plastic film	125.00 SF	0.45	0.00	56.25
Totals: AHU 2				1,617.58

AHU 3

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
13. Clean ductwork - Interior - Heavy clean (PER REGISTER)	35.00 EA	0.00	39.62	1,386.70
14. Cold air return cover - Detach & reset	35.00 EA	0.00	5.10	178.50
15. Clean air handler - Large	1.00 EA	0.00	950.00	950.00
Price includes disassembling the blower assembly				
16. Cleaning Technician - per hour	15.00 HR	0.00	23.35	350.25
17. Dust control barrier per square foot	220.00 SF	0.55	0.00	121.00
18. Floor protection - self-adhesive plastic film	220.00 SF	0.45	0.00	99.00

12D(66)

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servpro9200@servproofbrickell.com

CONTINUED - AHU 3

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Totals: AHU 3				3,085.45

AHU 4

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
19. Clean ductwork - Interior - Heavy clean (PER REGISTER)	29.00 EA	0.00	39.62	1,148.98
20. Cold air return cover - Detach & reset	29.00 EA	0.00	5.10	147.90
21. Clean air handler - Large	1.00 EA	0.00	950.00	950.00
Price includes disassembling the blower assembly				
22. Cleaning Technician - per hour	12.00 HR	0.00	23.35	280.20
23. Dust control barrier per square foot	220.00 SF	0.55	0.00	121.00
24. Floor protection - self-adhesive plastic film	220.00 SF	0.45	0.00	99.00
Totals: AHU 4				2,747.08

Community center

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
29. Cleaning Technician - per hour	3.00 HR	0.00	23.35	70.05
Labor to clean surface areas.				
Totals: Community center				70.05

City Clerk

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
30. Cleaning Technician - per hour	3.00 HR	0.00	23.35	70.05
Labor to clean surface areas.				

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servpro9200@servproofbrickell.com

CONTINUED - City Clerk

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Totals: City Clerk				70.05

City Manager

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
31. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: City Manager				70.05

Mayor

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
32. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: Mayor				70.05

Commisioners

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
33. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: Commisioners				70.05

Locked Supplies

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL

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FRANCHISE# 9200
2520 Coral Way, Suite 2-301
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servpro9200@servproofbrickell.com

CONTINUED - Locked Supplies

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
34. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: Locked Supplies				70.05

Women's and Men's Bath 2

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
35. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: Women's and Men's Bath 2				70.05

Finance

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
36. Cleaning Technician - per hour Labor to clean surface areas.	2.00 HR	0.00	23.35	46.70
Totals: Finance				46.70

Finance Staff

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
37. Cleaning Technician - per hour Labor to clean surface areas.	3.00 HR	0.00	23.35	70.05
Totals: Finance Staff				70.05

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servpro9200@servproofbrickell.com

Break Room

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
38. Cleaning Technician - per hour Labor to clean surface areas.	2.00 HR	0.00	23.35	46.70
Totals: Break Room				46.70

Lieutenant

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
39. Cleaning Technician - per hour Labor to clean surface areas.	2.00 HR	0.00	23.35	46.70
Totals: Lieutenant				46.70

Chief and Assis. Police

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
40. Cleaning Technician - per hour Labor to clean surface areas.	2.00 HR	0.00	23.35	46.70
Totals: Chief and Assis. Police				46.70

Women and Men Toilet /Locker

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
41. Cleaning Technician - per hour Labor to clean surface areas.	2.00 HR	0.00	23.35	46.70
Totals: Women and Men Toilet /Locker				46.70

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servpro9200@servproofbrickell.com

Reception

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
42. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Reception				46.70

Code and Bldg Official

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
43. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Code and Bldg Official				46.70

Squad and traffic Rm

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
44. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Squad and traffic Rm				46.70

Police adm. and Public work

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
45. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Police adm. and Public work				46.70

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FRANCHISE# 9200
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Coral Gables, FL 33145
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CGC 1512183, MRSR110 Tax ID: 20-3785775
servpro9200@servproofbrickell.com

Post office and human resources

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
46. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Post office and human resources				46.70

Conference Rm and detectives

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
47. Cleaning Technician - per hour	2.00 HR	0.00	23.35	46.70
Labor to clean surface areas.				
Totals: Conference Rm and detectives				46.70
Line Item Subtotals: 2013-04-03-1834				**20,603.97**

Adjustments for Base Service Charges	Adjustment
Cleaning Technician	46.70
Floor Cleaning Technician	65.58
Cleaning Remediation Technician	97.84
Total Adjustments for Base Service Charges:	210.12
Line Item Totals: 2013-04-03-1834	**20,814.09**

12D(72)

Additional Services Quote Acceptance Form

FIRSTCHOICE BUILDING MAINTENANCE

Account Information

Date: 4/11/2013

Account: NORTH BAY VILLAGE

Address: 1700 JFK CAUSEWAY
SUITE-132

City: NORTH BAY VILLA St FI Zip 33141

Contact: RODNEY CARRERO-SANTANA

Ph: 305-756-7171
786-897-9441

Services To Be Performed

Services	Sqft/Floor Type	Amount	Comments
HVAC SANITATION		$6,900.00	3 DAYS FOR SVC COMPLETION
DETAIL SANITIZING CLNG	7434	$2,400.00	3 DAYS FOR SVC COMPLETION
CARPET SAITIZING CLNG	5694	$1,708.00	1 DAY FOR SVC COMPLETION
TILE AND GROUT CLNG	1252	$626.00	SAME DAY/TIME AS CARPET SVC
STRIP/REFINISH VCT	488	$300.00	1 DAY FOR SVC COMPLETION

TOTAL FOR ALL SERVICES TO BE PROVIDED $ **11,634.00**

above price excludes applicable tax

Return Address: 5300 W Hillsboro Blvd
Suite-A-210
Coconut Creek, Fl 33073

Fax: 954-480-9511
Ph: 954-480-6411
Attn: Operations Dept

THIS IS A NOT INVOICE

Customer Acknowledgement: _____

The undersigned is an authorized representative of NORTH BAY VILLAGE
By signing below I acknowledge that the above services were satisfactorily completed at the indicated pricing (not including sales tax, if applicable) at our facility listed above.

Printed Name _____ **Signature** _____ **Date** _____

12D (73)

computer services & security intergrator
DiBri Inc.

Quote Form

DiBri Inc.
18144 hS.W. 152 Place
Miami, Florida 33184
305.801.9668
Fax 305.485.0015

DATE: 04 / 17 / 2013
CUST. NR._____

Robert Daniels,
Price for complete move of all electronic components peripherals from Lexi building to new location

Access Control Systems
Camera Systems
All network Phones System
Network Racks and all computers
Commissioners Chambers ,cameras,sound systems, broadcasting systems
All Audio and Video Racks and components
All Televisions and connections

The following is by others :
Main T1 By Windstream
Main Cable Systems by Atlantic B Band
Phones lines by Bell South....(Fax Machine and others)

$26,000.00 (according to 3rd floor layout and walk-thru with TCutino)
Phone:
Fax:

Signature of acceptance:_____
Title:_____

12D(74)

DiBri,Inc. Network Administration Service
($75.00 per hour)

When your company needs all of it's computers, your computers need the expert attention that DiBri,Inc. can provide. Building and maintaining "networked" computers and servers is what we do. We promise to do our best to care and maintain your network so that you will have more time available to focus on maintaining and securing your Computers and Networks.

Our NetAdmin service is geared to make certain that your Windows,Linux and Apple LAN performs as designed. We will assist you in keep your systems connected and communicating across your network at all times. We can provide you with regular scheduled maintenance and diagnostics to ensure that your Network stays up and running. In the event of a disruption or network outage due to hardware or software failure, we have technicians standing by should you require emergency onsite service and assistance. The NetAdmin service includes the following:

User Maintenance
Adding/removing users, setting up user accounts

Email Maintenance
Verifying your company Email is flowing as expected

Network Security
Install Security Tools and verify the security of your LAN

File Maintenance
Verify integrity and structure of vital data and that storage on LAN is adequate

Network Troubleshooting
Ongoing resolution of any network problems by checking all error and event logs.

Backup Verification
Verify that backups are setup properly, ensure data backups are scheduled and ran regularly, data is verified and tapes are stored in a safe and secure environment in order to preserve the data on your tapes

Virus Scan Maintenance
Verify your systems are properly scanning for virus intrusions, and ensuring that your virus scan application and virus signature files are up-to-date

Software Upgrades
Analyze installation of your system software and notifying you of any recommended upgrades, critical updates, patches, or bug fixes you systems may need

Routine Administration
Performance of all things necessary to keep your file servers and LAN running in optimal condition

12 D(75)

Priority Next Day

We realize that there are times when you need help fast. If your file server crashes, or your workstation goes down and you need to get data off it by 5pm, or something catastrophic happens, you need a technician there quickly. This is why DiBri,Inc offers Priority & Emergency Service.

A priority next-business-day service call is $40 in addition to the normal billable rate for the service call ($75 or $85 as listed on our Standard and Premium Services pages). If you are utilizing hours from a service package, we will deduct the appropriate time and fees from your plan. If your service call pertains to a covered DiBri,Inc. Services system, you pay only the $40 fee. Your call must be received by noon for next-business-day service.

Priority Same Day Service

We realize that there are times when you need help even faster than our Next Day Service provides. If your file server crashes, or your workstation goes down and you need to get data off it by 5pm, or something catastrophic happens, you need a technician there quickly. This is why DiBri,Inc offers Priority & Emergency Service.

Priority Same Day
A priority same-business-day service call is $60 in addition to the normal billable rate for the service call, ($75 or $85 as listed on our Standard and Premium Services pages). Your call must be received by 10:00 am for same-business-day service.

Please let us know if you would like information on our Standard and Premium Services package.

DiBrii, Inc.
305.801.9668
dibriinc@gmail.com

12D(76)

PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line Comment			Debit	Credit	P
12.018.541.5433 Repair & Maintenance Building Beginning Balance												
01	10/19/2010	004970	00000003	PO		AP Line Items 2011-01	Batch No :00001102			6180.00		
		LEXI DEVELOPMENT COMPAN				NEW CH:FRAMING*DRYWALL	01	Ck 00072566	3645.00			
		LEXI DEVELOPMENT COMPAN				NEW CH:ELECTRICAL*LIGHTIN	01	Ck 00072566	1035.00			
		LEXI DEVELOPMENT COMPAN				NEW CH:GENERATOR CHANGE	01	Ck 00072566	1500.00			
01	10/26/2010	004989	00000002	PO		AP Line Items 2011-01	Batch No :00001109			1870.00		
		BLUE LINE EQUIPMENT SAL				LEXI MOVE-40' DV SHIPPING	BO21470	Ck 00072610	1870.00			
						Period 1 Posted Totals				8050.00		
02	11/05/2010	005029	00000004	PO		AP Line Items 2011-02	Batch No :00001112			20416.80		
		LEXI DEVELOPMENT COMPAN				NEW CH:ELECTRICAL*LGHTNG	03	Ck 00072637	14187.50			
		LEXI DEVELOPMENT COMPAN				NEW CH:CONCRETE	03	Ck 00072637	5008.70			
		LEXI DEVELOPMENT COMPAN				NEW CH:FRAMING*DRYWALL	03	Ck 00072637	933.80			
		LEXI DEVELOPMENT COMPAN				NEW CH:CARPENTRY	03	Ck 00072637	286.80			
02	11/16/2010	005060	00000003	PO		AP Line Items 2011-02	Batch No :00001118			579.87		
		PINPOINT MARKETING, INC				CANTILEVER FLAT PANEL MNT	SI-68889	Ck 00072709	299.90			
		PINPOINT MARKETING, INC				TV CEILING MNT 600MMx400M	SI-68889	Ck 00072709	119.99			
		PINPOINT MARKETING, INC				MED DBL ART FLAT PNL MNT	SI-68889	Ck 00072709	159.98			
02	11/24/2010	005083	00000003	PO		AP Line Items 2011-02	Batch No :00001129			2608.76		
		AMERICAN EXPRESS				8 TV'S FOR NEW CITY HALL	11-03-2010	Ck 00072722	2319.86			
		AMERICAN EXPRESS				NEW CH:TV/DVD-CITY CLERK	11-03-2010	Ck 00072722	288.90			
02	12/04/2010	005112	00000004	PO		AP Line Items 2011-02	Batch No :00001124			565.05		
		STAPLES ADVANTAGE				CH MOVE:RND LBL*MRKR*TAPE	105497999	Ck 00072832	102.98			
		ULINE				BOXES FOR CITY HALL MOVE	34904450	Ck 00072839	462.07			
						Period 2 Posted Totals				32220.48		
03	12/04/2010	005113	00000004	PO		AP Line Items 2011-03	Batch No :00001132			10103.25		
		P3 NETWORKS				NEW C.H. LEXI AUDIO VIDEO	CKRQ NOV20	Ck 00072813	4147.00			
		DIBRI INC.				NEW CH: SECURITY CAMERAS	CKRQNOV20A	Ck 00072754	2931.25			
		DIBRI INC.				NEW CH: DOOR CARD ACCESS	CKRQNOV20B	Ck 00072754	3025.00			
03	12/20/2010	005170	00000003	PO		AP Line Items 2011-03	Batch No :00001142			4500.00		
		P3 NETWORKS				NEW C.H.LEXI DATA/VOICE/C	CKRQ DEC20	Ck 00072851	4500.00			
						Period 3 Posted Totals				46823.73		
04	01/07/2011	005220	00000004	PO		AP Line Items 2011-04	Batch No :00001147			4017.91		
		TVTN TELVUE VIRTUAL TEL				LEXI CH-CH.MPEG-2 ENCODER	02108	Ck 00073017	3960.00			
		TVTN TELVUE VIRTUAL TEL				LEXI CH-SHIPPING CHARGE	02108	Ck 00073017	50.00			
		STAPLES ADVANTAGE				LABELS FOR MOVE TO LEXI	105718522	Ck 00073012	7.91			
04	01/21/2011	005275	00000004	PO		AP Line Items 2011-04	Batch No :00001156			22195.99		
		LEXI DEVELOPMENT COMPAN				NEW C.H.WALLS*INSUL*ELECT	08	Ck 00073065	830.80			
		LEXI DEVELOPMENT COMPAN				NEW C.H.INST AIR DUCT POR	08	Ck 00073065	250.00			
		LEXI DEVELOPMENT COMPAN				NEW C.H.INST 4 CORE DOORS	08	Ck 00073065	521.64			
		LEXI DEVELOPMENT COMPAN				NEW C.H.INST NEW WALL SQU	08	Ck 00073065	263.65			
		LEXI DEVELOPMENT COMPAN				NEW C.H. PROFIT AND OVERH	08	Ck 00073065	186.60			
		LEXI DEVELOPMENT COMPAN				NEW C.H. GAS LINE FOR GEN	10	Ck 00073065	5300.00			
		LEXI DEVELOPMENT COMPAN				NEW C.H PROFIT & OVERHEAD	10	Ck 00073065	1060.00			
		LEXI DEVELOPMENT COMPAN				NEW CH-HOT WT B/ROOM*CIRC	07	Ck 00073065	5955.20			
		LEXI DEVELOPMENT COMPAN				NEW CH-NEW CIRCUITS MOP S	07	Ck 00073065	470.00			
		LEXI DEVELOPMENT COMPAN				NEW CH-PROFIT & OVERHEAD	07	Ck 00073065	1285.04			
		LEXI DEVELOPMENT COMPAN				NEW CH-INST CARPET	09	Ck 00073065	3200.00			
		LEXI DEVELOPMENT COMPAN				NEW CH-KEYED OFFICE LOCKS	09	Ck 00073065	410.88			
		LEXI DEVELOPMENT COMPAN				NEW CH-INST KITCHEN CABIN	09	Ck 00073065	1450.00			
		LEXI DEVELOPMENT COMPAN				NEW CH-PROFIT & OVERHEAD	09	Ck 00073065	1012.18			
04	01/28/2011	005292	00000003	PO		AP Line Items 2011-04	Batch No :00001158			8604.62		
		P3 NETWORKS				NEW C.H. LEXI AUDIO VIDEO	CKRQ.JAN27	Ck 00073076	4147.50			

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PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line Comment			Debit	Credit
		P3 NETWORKS				NEW C.H.LEXI DATA/VOICE/C	CKRQ JAN27 Ck 00073076		4457.12		
04	01/28/2011	005292	00000006	PO		AP Line Items 2011-04	Batch No :00001159			4147.00	
		P3 NETWORKS				BAL DUE-LEXI AUDIO VIDEO	CKRQ-JAN27 Ck 00073077		4147.00		
04	01/28/2011	005292	00000007	PO		AP Line Items 2011-04	Batch No :00001160			4457.12	
		P3 NETWORKS				NEW CH LEXI DATA/VOICE/CA	CKRQ JA 27 Ck 00073077		4457.12		
04	01/28/2011	005294	00000001	PO		AP VOID CK#73076 P3 NTWK	Batch No :00001161				8604.62
		P3 NETWORKS				NEW C.H.LEXI DATA/VOICE/C	CKRQ JAN27 Ck 00073076		4457.12-		
		P3 NETWORKS				NEW C.H. LEXI AUDIO VIDEO	CKRQ.JAN27 Ck 00073076		4147.50-		
						Period 4 Posted Totals				81641.75	
05	02/03/2011	005314	00000002	PO		AP Line Items 2011-05	Batch No :00001167			9603.90	
		LEXI DEVELOPMENT COMPAN				FIN DOOR INSTALLATION	12	Ck 00073101	275.00		
		LEXI DEVELOPMENT COMPAN				OUTLETS-FIN/POL/CLOSET	12	Ck 00073101	445.00		
		LEXI DEVELOPMENT COMPAN				PROFIT & OVERHEAD	12	Ck 00073101	144.00		
		LEXI DEVELOPMENT COMPAN				RECEP/BLDG COUNTERS	11	Ck 00073101	4483.25		
		LEXI DEVELOPMENT COMPAN				PROFIT & OVERHEAD	11	Ck 00073101	896.65		
		LEXI DEVELOPMENT COMPAN				BLDG DEPT SHELVES	13	Ck 00073101	1150.00		
		LEXI DEVELOPMENT COMPAN				PROFIT & OVERHEAD	13	Ck 00073101	230.00		
		LEXI DEVELOPMENT COMPAN				AC UNIT	14	Ck 00073101	1650.00		
		LEXI DEVELOPMENT COMPAN				PROFIT & OVERHEAD	14	Ck 00073101	330.00		
05	02/11/2011	005348	00000004	PO		AP Line Items 2011-05	Batch No :00001171			6091.41	
		INTERAMERICAN MOVERS				LEXI MOVE-RELOCATION SVCE	3023	Ck 00073154	5457.00		
		AMERICAN EXPRESS				LEXI-MOVE CHANGE ADDRESS	02-03-2011	Ck 00073141	1.00		
		OFFICE DEPOT				LEXI MOVE-MAIL HOLDERS	547793306	Ck 00073163	60.36		
		OFFICE DEPOT				LEXI MOVE-SIGNS FOR BROOM	547779883	Ck 00073163	29.67		
		OFFICE DEPOT				LEXI CH-NAME PLATES	547274790	Ck 00073163	83.93		
		OFFICE DEPOT				LEXI CH-COMMISSION NAME P	546028776	Ck 00073163	59.95		
		OFFICE DEPOT				LEXI CH-NAME PLATES	546032096	Ck 00073163	83.93		
		PITNEY BOWES, INC.				LEXI CH-RELOCATE POSTAGE	500480	Ck 00073166	276.00		
		PETTY CASH				LEXI CH-CITY CK FILES/TAP	JAN 2011	Ck 00073164	39.57		
05	02/18/2011	005384	00000005	PO		AP Line Items 2011-05	Batch No :00001174			4192.16	
		PRIDE ENTERPRISES, INC.				LOCKERS-PD AT NEW C.H. LE	e0525875	Ck 00073211	3416.00		
		PRIDE ENTERPRISES, INC.				SHIPPING	e0525875	Ck 00073211	83.00		
		ADCRAFT SIGNS & COPY CE				NEW CH AT LEXI-SIGNS	3320	Ck 00073176	145.00		
		SYKES ACE HARDWARE				LEXI PD PKG LOT PAINT	10071925	Ck 00073214	81.42		
		SYKES ACE HARDWARE				LEXI-PKG LOT CHAIN & LOCK	10072157	Ck 00073214	36.94		
		SYKES ACE HARDWARE				LEXI MOVE-SHELFS	10072344	Ck 00073214	39.80		
		MIAMI BEACH LOCKSMITH				REPAIR LOCK AT CHALL	39325	Ck 00073201	65.00		
		MIAMI BEACH LOCKSMITH				LEXI-NEW LOCKS FOR BLDG C	41578	Ck 00073201	30.00		
		MIAMI BEACH LOCKSMITH				LEXI BLDG NEW LOCKS	41577	Ck 00073201	295.00		
05	02/18/2011	005384	00000010	PO		AP Line Items 2011-05	Batch No :00001178			3297.50	
		P3 NETWORKS				LEXI MOVE-IT SUPPORT	3782	Ck 00073209	3297.50		
05	02/28/2011	005406	00000004	PO		AP Line Items 2011-05	Batch No :00001179			7441.07	
		DIBRI INC.				NEW CH: SECURITY CAMERAS	20110206	Ck 00073237	2931.25		
		DIBRI INC.				NEW CH: DOOR CARD ACCESS	2011207	Ck 00073237	3025.00		
		OFFICE DEPOT				LEXI MOVE-BOXES	550337516	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	550337516	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-BOXES	550337516	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	550337516	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-SIGNS FOR WALL	550337516	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-BOXES	548267598	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548267598	Ck 00073265	.00		

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PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line	Comment		Debit	Credit
		OFFICE DEPOT				LEXI MOVE-BOXES	548267598	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548267598	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-SIGNS FOR WALL	548267598	Ck 00073265	36.61		
		OFFICE DEPOT				LEXI MOVE-BOXES	548626482	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548626482	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-BOXES	548626482	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548626482	Ck 00073265	131.89		
		OFFICE DEPOT				LEXI MOVE-BOXES	548633000	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548633000	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-BOXES	548633000	Ck 00073265	30.20		
		OFFICE DEPOT				LEXI MOVE-BOXES	548633023	Ck 00073265	.00		
		OFFICE DEPOT				LEXI MOVE-METAL SIGNS	548633023	Ck 00073265	23.98		
		OFFICE DEPOT				LEXI MOVE-BOXES	549085617	Ck 00073265	60.40		
		LIFT STATIONS "R" US				12/28 REPAIR LIGHT FIXTUR	29572	Ck 00073258	766.74		
		DIBRI INC.				ADD SVR ROOM TO ACCESS EQ	20110207	Ck 00073237	435.00		
						Period 5 Posted Totals				112267.79	
06	03/01/2011	005410	00000004	PO		AP Line Items 2011-06	Batch No :00001182			1715.86	
		LABOR READY SOUTHEAST,				01/22/11-01/22/11 MOVE	74241354	Ck 00073253	1715.86		
06	03/15/2011	005479	00000004	PO		AP Line Items 2011-06	Batch No :00001184			1373.82	
		APEX TERMITE & PEST CON				FY2011 PEST CONTROL-PWKS	81375	Ck	61.00		
		APEX TERMITE & PEST CON				FY2011 PEST CONTROL-PWKS	82273	Ck	61.00		
		APEX TERMITE & PEST CON				FY2011 PEST CONTROL-PWKS	81840	Ck	61.00		
		HOME DEPOT CREDIT SERVI				CHAMBERS SUPPLIES	3201227	Ck 00073300	141.90		
		HOME DEPOT CREDIT SERVI				CHAMBERS SUPPLIES RETURN	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND POST OFFI	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND BLDG	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW C.H-DIAS TABLE	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW CH-DAIS TABLE CHAMBER	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LATE FEE	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	3201227	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				CHAMBERS SUPPLIES RETURN	2115030	Ck 00073300	15.00-		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND POST OFFI	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND BLDG	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW C.H-DIAS TABLE	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW CH-DAIS TABLE CHAMBER	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LATE FEE	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	2115030	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND POST OFFI	9026857	Ck 00073300	53.96		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND BLDG	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW C.H-DIAS TABLE	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW CH-DAIS TABLE CHAMBER	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LATE FEE	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	9026857	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BLIND BLDG	7027334	Ck 00073300	69.27		
		HOME DEPOT CREDIT SERVI				NEW C.H-DIAS TABLE	7027334	Ck 00073300	17.53		

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PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line Comment			Debit	Credit
		HOME DEPOT CREDIT SERVI				NEW CH-DAIS TABLE CHAMBER	7027334	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LATE FEE	7027334	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	7027334	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	7027334	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	7027334	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				NEW CH-DAIS TABLE CHAMBER	3027844	Ck 00073300	53.34		
		HOME DEPOT CREDIT SERVI				LATE FEE	3027844	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	3027844	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	3027844	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	3027844	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LATE FEE	4078447	Ck 00073300	20.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	4078447	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	4078447	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	4078447	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-MATERIALS	1023916	Ck 00073300	164.68		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	1023916	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	1023916	Ck 00073300	.00		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-BTHRM PAPER HLD	5043744	Ck 00073300	22.92		
		HOME DEPOT CREDIT SERVI				LEXI MOVE-9VOLT MICRO	5043744	Ck 00073300	21.94		
		AMERICAN EXPRESS				NEW CH-TIMER CHAMBERS	03-03-2011	Ck 00073283	640.28		
06	03/22/2011	005537 00000004		PO		AP Line Items 2011-06	Batch No :00001192			59.95	
		OFFICE DEPOT				LEXI MOVE-SIGNS	550338834	Ck 00073341	59.95		
06	04/04/2011	005568 00000004		PO		AP Line Items 2011-06	Batch No :00001195			6039.65	
		ATLANTIC BROADBAND				LABOR:RELOCATE NEW CH	2002993	Ck 00073357	2549.65		
		ATLANTIC BROADBAND				MATERIALS:RELOCATE NEW CH	2002993	Ck 00073357	2740.00		
		ROYAL FENCE AND EQUIPME				GRN WNDSRCN:PD SPL @ LEXI	7003	Ck 00073383	750.00		
						Period 6 Posted Totals				121457.07	
07	04/08/2011	005601 00000004		PO		AP Line Items 2011-07	Batch No :00001203			61.00	
		APEX TERMITE & PEST CON				FY2011 PEST CONTROL-PWKS	82705	Ck	61.00		
07	04/15/2011	005626 00000005		PO		AP Line Items 2011-07	Batch No :00001205			81.30	
		SYKES ACE HARDWARE				BOLT*CPAK SAE FLATE WASH	10073173	Ck 00073514	6.30		
		QUALITY SERVICES CONTRA				ANNUAL FIRE ALARM SYST CE	4043	Ck 00073503	75.00		
						Period 7 Posted Totals				121599.37	
08	05/17/2011	005738 00000004		PO		AP Line Items 2011-08	Batch No :00001215			41.00	
		APEX TERMITE & PEST CON				FY2011 PEST CONTROL-PWKS	83185	Ck	41.00		
						Period 8 Posted Totals				121640.37	
09	06/10/2011	005811 00000004		PO		AP Line Items 2011-09	Batch No :00001232			2850.00	
		APEX TERMITE & PEST CON				FY2011 NEW CITY HALL/PWKS	83824	Ck	92.00		
		VERTICAL INSPECTION GRO				5/2 RE-INSP ELEVATOR	11129	Ck 00073819	158.00		
		ALEXANDER MORALES				REP PD & PUMP ST	CKRQ JUN6	Ck 00073747	2600.00		
						Period 9 Posted Totals				124490.37	
10	07/07/2011	005897 00000004		PO		AP Line Items 2011-10	Batch No :00001248			92.00	
		APEX TERMITE & PEST CON				FY2011 NEW CITY HALL/PWKS	84496	Ck	92.00		
10	07/14/2011	005918 00000005		PO		AP Line Items 2011-10	Batch No :00001253			360.00	
		GEORGE'S CRANE SERVICE,				NEW CH GENERATOR INSTALLA	137764	Ck 00073981	360.00		
						Period 10 Posted Totals				124942.37	
11	08/09/2011	005996 00000004		PO		AP Line Items 2011-11	Batch No :00001273			7501.88	
		APEX TERMITE & PEST CON				FY2011 NEW CITY HALL/PWKS	85069	Ck	92.00		
		LEXI DEVELOPMENT COMPAN				CABINETS & VANITIES	15	Ck 00074215	275.00		
		LEXI DEVELOPMENT COMPAN				ELECTRICAL & LIGHTING	15	Ck 00074215	1307.44		
		LEXI DEVELOPMENT COMPAN				CARPENTRY	15	Ck 00074215	1430.00		

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PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line Comment			Debit	Credit
		LEXI DEVELOPMENT COMPAN				PLUMBING	15	Ck 00074215	825.00		
		LEXI DEVELOPMENT COMPAN				SIDEWALK REPAIRS	15	Ck 00074215	1140.00		
		LEXI DEVELOPMENT COMPAN				BLINDS INSTALLATION	15	Ck 00074215	880.00		
		LEXI DEVELOPMENT COMPAN				PROFIT	15	Ck 00074215	1171.49		
		ALEXANDER MORALES				NEW REAR DOOR DISPATCH	CKRQ JUL29	Ck 00074192	350.00		
		PETTY CASH				MM:DEAD BOLT FOR OLD CITY	AUG 2011	Ck 00074223	9.97		
		PETTY CASH				MOVE-MT BLINDS BD/BRACE T	AUG 2011	Ck 00074223	20.98		
						Period 11 Posted Totals				132444.25	
12	09/20/2011	006103	00000005	PO		AP Line Items 2011-12	Batch No :00001281			92.00	
		APEX TERMITE & PEST CON				FY2011 NEW CITY HALL/PWKS	85872	Ck	92.00		
12	09/30/2011	006153	00000004	PO		AP Line Items 2011-12	Batch No :00001295			173.93	
		APEX TERMITE & PEST CON				FY2011 NEW CITY HALL/PWKS	86278	Ck	92.00		
		SYKES ACE HARDWARE				BULB GLB 60G25/W	10076557	Ck 00074487	29.88		
		SYKES ACE HARDWARE				SHELF POST OFF	10076819	Ck 00074487	14.99		
		SYKES ACE HARDWARE				BRCKT*BATTERY*FASTENER	10076819	Ck 00074487	37.06		
						Period 12 Posted Totals				132710.18	
						Account Activity Total				132710.18	

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PD	Trans Date	Batch No	Trans No	Src	Rev Pd	Description	Detail Line Comment	Debit	Credit	P
Report Totals						Grand Total Posted Transactions		141314.80	8604.62	
						Grand Total Activity		141314.80	8604.62	
						Period 13 Posted Balance Total		132710.18	.00	
						Period 13 Activity Balance Total		132710.18	.00	

Selection Options:

Year	2011
Source	AP / WO
Period	01 / 13
Transaction	00000000 / 99999999
Sorted By	Account
Exclude Inactive Accounts	Y
Exclude Zero Balance	Y
Exclude Statistical Accts	Y
Include PD Subtotals	Y
Include Unposted Totals	Y
Include AP Detail	Y
Include CR Detail	Y

End of Report

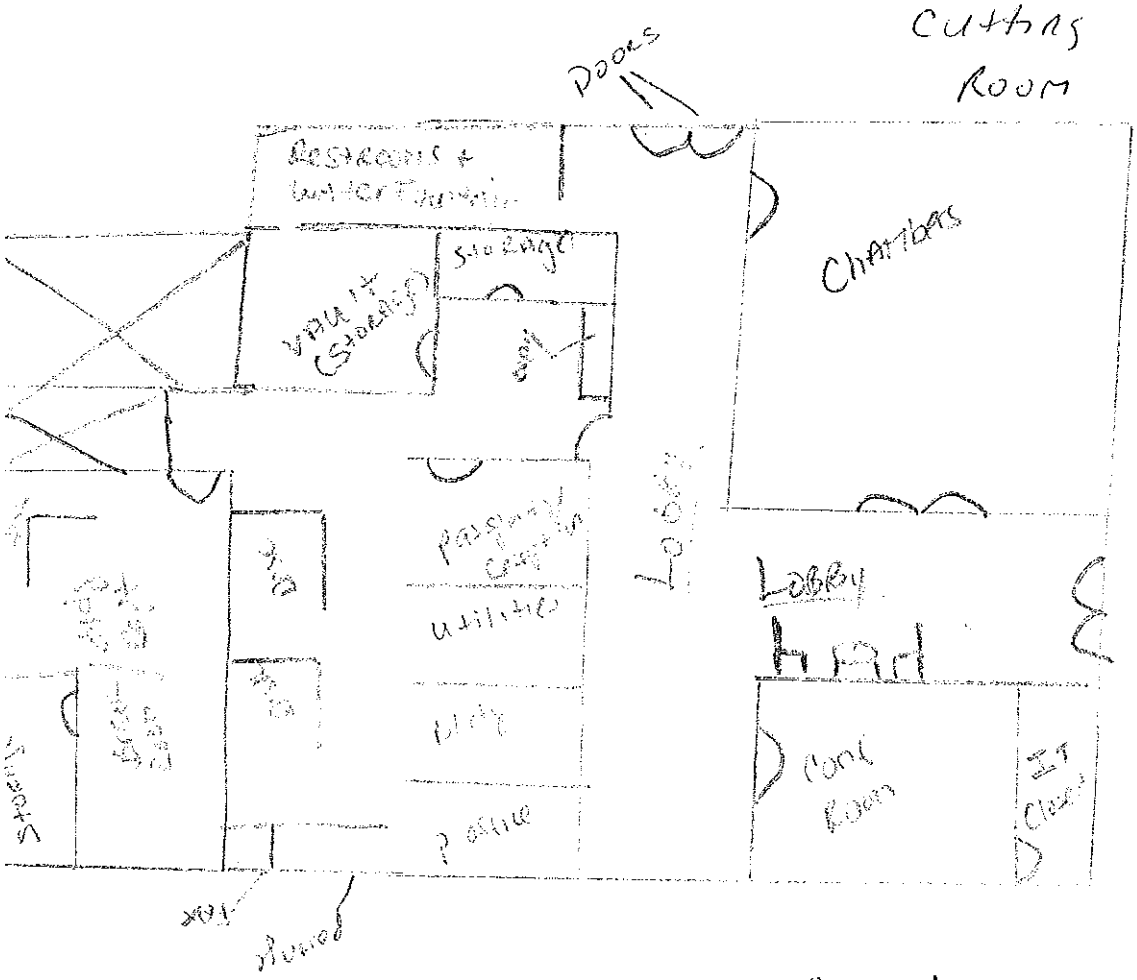
12D(82)

ATTACHMENT

D

D.D (83)

1st Floor

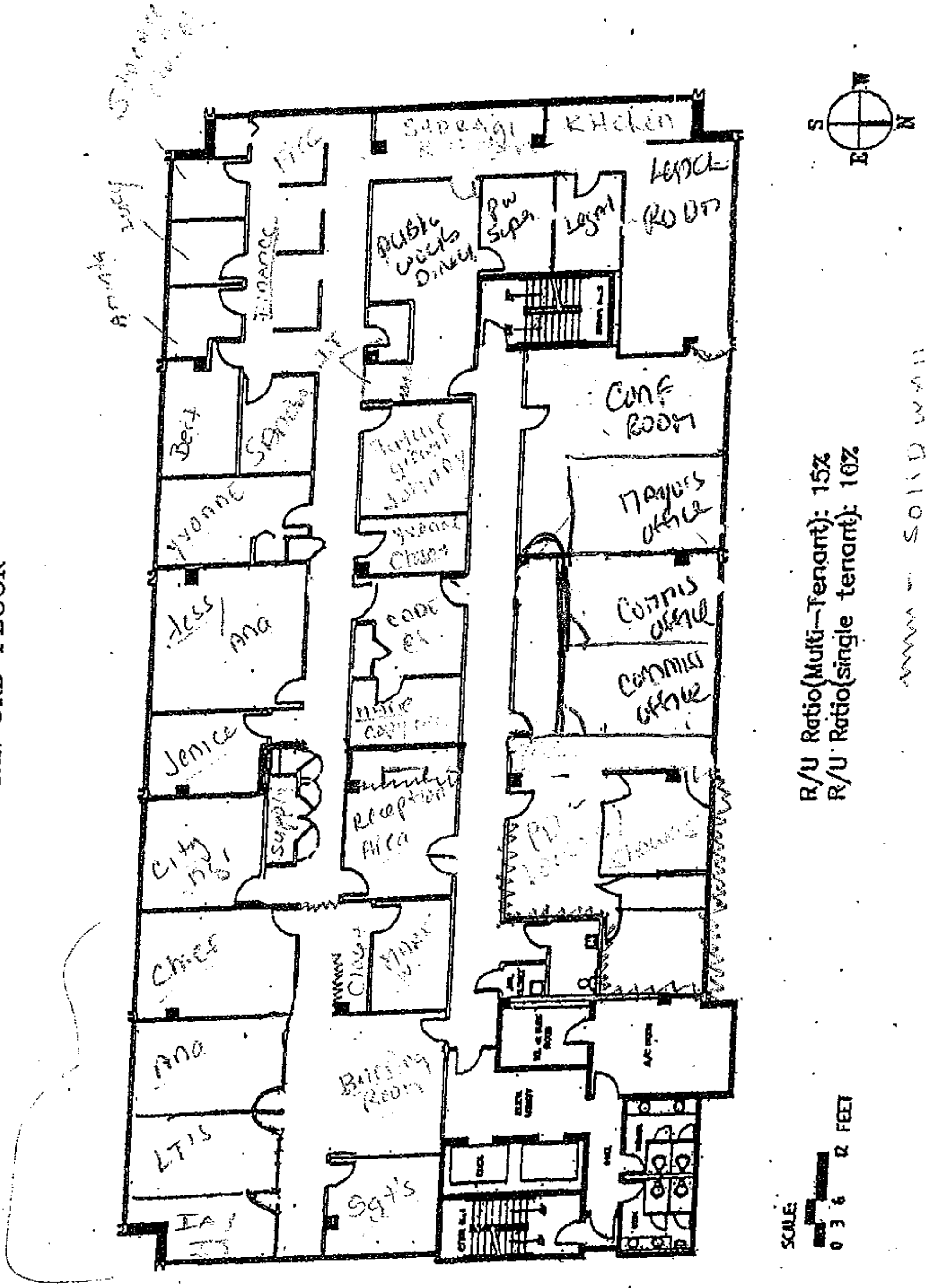


0981

12D(84)

3rd Floor Admin / PD

CAUSEWAY TOWER
FLOOR PLAN-3RD FLOOR



120(85)

ATTACHMENT

E

12D(86)

12D(87)

NORTH BAY VILLAGE
VILLAGE HALL COST COMPARISIONS

Costs to move back into **LEXI** Office space
FIRST YEAR (July 1,2013 -June 30, 2014)

	Square Footage	Cost per Sq Ft	First Year Cost
LEXI 1700 Kennedy Causeway			
Rental Costs first year	7,405	***$ 27.00***	$ 199,935
Annual Building Maintenance *			$ 17,560
Total Annual Rental Costs			$ 217,495
On Going Testing ($12,000 per month)			$ 144,000
One Time Expenses			
Additional Testing			$ 15,000
Deep Cleaning			$ 15,000
Improvements for CO			$ 10,000
Additional Repairs			$ 8,000
Total First Year including testing	7,405		$ 409,495

Costs for **LEXI** office space 2nd year
SECOND YEAR (July 1, 2014-June 30, 2015)

	Square Footage	Cost per Sq Ft	Second Year Cost
LEXI 1700 Kennedy Causeway			
Rental Costs first year	7,405	***$ 29.00***	$ 214,745
Annual Building Maintenance *			$ 17,560
Total Annual Rental Costs			$ 232,305
On Going Testing ($12,000 per month)			$ 144,000
One Time Expenses			
Total Second year including testing	7,405	$ 29.00	$ 376,305

Costs to move into **Causeway Towers** office space
FIRST YEAR (July 1, 2013-June 30, 2014)

	Square Footage	Cost per Sq Ft	First Year Cost
Causeway Tower 1666 Kennedy Causeway			
Sq Ft Equal to LEXI Admin	7,405	***$ 22.00***	$ 162,910
Additional Sq Ft Admin/Police	1,295	***$ 22.00***	$ 28,490
Additional Sq Ft Admin 3rd floor	1,560	***$ 22.00***	$ 34,320
Additional Sq Ft First Floor	3,747	***$ 19.50***	$ 73,067
Total Annual Rental Costs	14,007		$ 298,787
Additional Storage Annually			$ 5,000
One Time Expenses			
Lease termination Expense			$ 50,000
60 day notice for termination			$ 32,000
Moving expenses			
IT and phones			$ 25,000
Furniture			$ 5,000
Commission Chamber Dais w/furniture			$ 10,000
Total First Year Costs			$ 425,787

Loss of funds in first year (July 1, 2013- June 30, 2014) if we move to Causeway tower ***$ (16,292)***

Costs for **Causeway Towers** office space 2nd year
SECOND YEAR (July 1, 2014-June 30, 2015)

	Square Footage	Cost per Sq Ft	First Year Cost
Causeway Tower 1666 Kennedy Causeway			
Equal to LEXI Admin	7,405	***$ 22.00***	$ 162,910
Additional Sq Ft Admin/Police	1,295	***$ 22.00***	$ 28,490
Additional Sq Ft Admin 3rd floor	1,560	***$ 22.00***	$ 34,320
Additional Sq Ft First Floor	3,747	***$ 19.50***	$ 73,067
Total Annual Rental Costs	14,007		$ 298,787
Additional Storage Annually			$ 5,000
One Time Expenses			
Total Second Year Costs			$ 303,787

Cost Savings in the second year (July 1, 2013- June 30, 2014) if we move to Causeway tower ***$ 72,519***

*AC Maintenance	$	2,500
*Electric	$	14,400
*Pest Control	$	660
Annual Costs	$	17,560

After the end of two years there will be no financial loss rather a total savings of $ 56,227

Prepared by Bert Wrains May 9, 2013

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO LIFT STATIONS "R" US FOR WORK PERFORMED ON THE VILLAGE LIFT STATIONS; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, in August 2012, the Village engaged the services of Lift Stations "R" Us to provide emergency repairs to the Village Lift Stations; and

WHEREAS, the Village utilized Lift Stations "R" Us for additional emergency lift station repairs through January 2013 and has received invoices from Lift Stations "R" Us relating to the emergency services rendered; and

WHEREAS, the Village desires to complete the emergency procurement process; and

WHEREAS, staff has confirmed that the work was performed and recommends payment to Lift Stations "R" Us for $60,435.

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. **Waiver of Competitive Bidding.** Competitive bidding for the approval of invoices for the provision of emergency left station repairs is waived pursuant to Section 36.25(I) of the Village Code.

12E(1)

OK
5/8/13 RCS

NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM

DATE: **May 3, 2013**

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

RECOMMENDED BY STAFF: **Bert Wrains, CGFO Finance Director**

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

SUBJECT: **Lift Stations R Us Payment**

RECOMMENDATION:

It is recommended that the Commission approve the payment of 10 invoices in the amount of $60,435 to Lift Stations R Us for services provided.

BACKGROUND:

The Public Works Director, starting in August 2012 engaged the services of Lift Stations R Us to provide emergency repairs to several lift stations between August 2012 and January 2013. The Finance Department could not pay the invoice because the procurement process did not comply with the Village's current purchasing code requirements.

The current Interim Public Works Director has confirmed through employee interviews, time sheets and internal reports that the firm did perform work for the Village on those dates billed for.

The Interim Public Works Director and I have met with the principle of Lift Stations R Us and discussed the work performed. We informed them that we can confirm that some work was performed for the Village but can not confirm the full scope of the work

12E(1)A

performed. Lift Stations R Us has provided field work orders that were signed off by the Public Works Director at that time. We have reviewed the ten (10) invoices submitted and feel that there are sufficient documents to show the work was completed.

These invoices have not been paid because the Village's procurement code (Section 36.25 (I) requires that certain procedures must be followed. First, the firm of Lift Stations R Us does not have a contract with the Village to provide these services. However, the firm has been providing these types of services to the Village for several years. They have responded when the Village called upon them to provide various sewer lines and lift station repair services. However, the past practice does not meet the requirements of the Village's procurement code.

The purchasing code requires that only the Village Manager can approve an emergency purchase. If an emergency purchase is approved then there is a series of reporting that he must follow. These emergencies purchases were never approved or documented by the Village Manager.

The Interim Public Works Director has been working with the Village's consulting engineer Kimley Horn to develop a preventative maintenance program to help reduce the "emergency" calls for service. He has also implemented a policy not to have a sole source and to get quotes from several other companies that can provide the same type of services. We currently use 4 companies that are providing lift station and sewer line maintenance services for the Village.

FINANCIAL IMPACT:

This type of repairs to the Village's Sanitary Sewer System is included in the annual budget to insure funding to meet the needs of Village. Staff can identify the types of repairs that may need to be done during the year but the specific locations and timing are unknown at the time the budget is approved. This is an ongoing annual expense.

BUGETARY IMPACT (Finance Dept):

The Village's Utility Fund has $35,000 budgeted in Account # 30.035.535.5436 - Repairs to Lift Stations. They have used $6,815 so far this year and the account has a remaining balance of $28,184. This is not sufficient to pay for these services. It is recommended that the Commission approve the payment to Lift Stations R Us and approve transferring an additional $32,251 from the $200,000 in the Reserve Account in the Utility Administration Division's FY 2013 budget to fully fund these invoices. The Reserve Account currently has a balance of $200,000.

PERSONNEL IMPACT:

None.

12E(1)B

Section 3. **Approval of Payment.** Approval to expend $60,435 to Lift Stations "R" Us for work performed on the Village Lift Stations as outlined in the invoices attached as Exhibit "A" is hereby granted.

Section 4. **Budget Appropriation.** The Village Commission appropriates $32,251.00 from the Utility Reserve Account to the Utility Fund Account # 30.035.535.5436 – Repairs to Lift Stations, and further authorizes the expenditure of such funds to be used to pay the invoices approved in this Resolution.

Section 5. **Expenditure of Funds.** Notwithstanding the limitations of the Village's Purchasing provisions, the Village Manager is authorized to expend budgeted funds not to exceed $60,435 for payment of the invoices for Lift Stations "R" Us.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____
MAYOR CONNIE LEON-KREPS

12E(2)

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Lift Stations R Us-Payment of Outstanding Invoices.

12E(3)

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

MEMORANDUM
North Bay Village

DATE: May 9, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO LIFT STATIONS "R" US FOR WORK PERFORMED ON THE VILLAGE LIFT STATIONS; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE.

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

JR:yph

12E(4)

CITY OF NORTH BAY VILLAGE
BUDGET WORKSHEET
UTILITIES ADMINISTRATION

Type	Description	Qty		Extended Amount	Comment
30.030.533.5420	**Depreciation - Equipment**				
	DEPRECIATION	1	-	**0**	Depreciation annual
30.030.533.5421	**Depreciation - Improvements Other than building**				
	DEPRECIATION	1	-	**0**	Depreciation other than building
30.030.533.5433	**Repair & Maintenance Building**				
	BUILDING MAINTENANCE	1	2,000	2,000	Building maintenance
				2,000	
30.030.533.5435	**Repair & Maintenance Office Equipment**				
	R&M OFFICE EQUIPMENT	1	250	**250**	R&m office maintenance
30.030.533.5555	**Uniforms**	1	260	**260**	SAFETY SHOES, DOOR MATTS, 2 SHIRTS W/LOGO
30.030.533.5575	**Gas & Oil**				
	GAS & OIL	1	1,500	1,500	PUBLIC WORKS DIRECTOR-SAM ZAMACONA
				1,500	
30.030.533.5620	**Special Department Supplies**				
	SPECIAL DEPT SUPPLIES	2	752	1,503	UTILITY BILLS
	SPECIAL DEPT SUPPLIES	0.5	4,250	2,125	HOLIDAY BONUS $50x85 (50% UT) 50% GG)
	SPECIAL DEPT SUPPLIES	1	1,400	1,400	OTHER SUPPLIES
				5,028	
30.030.533.5630	**Dues, Subscriptions & Meetings**				
	DUES,MEMBERSHIPS	1	1,000	**1,000**	ANNUAL OPERATING LICENSE FL DEPT HEALTH DEP WT PRG 358
30.030.533.5635	**Education & Training**				
	EDUCATION/TRAINING	1	2,000	**2,000**	EDU/TRAINING PWKS EMPLOYEES
30.030.533.5990	**Contingency**				
	CONTINGENCY FOR EMERGENC	1	50,000	**50,000**	TO ENS OPERATIONS IN CASE OF EMERGENCY
30.030.533.6410	**Office Equipment**				
	OFFICE EQUIPMENT	1	2,000	2,000	GIS-INTEGRATION TO FINANCIAL SOFTWARE
	OFFICE EQUIPMENT	0.5	10,000	5,000	UPGRADE FINANCIAL SOFTWARE 50% GG 50% UT
				7,000	
	Reserve	1	200,000	**200,000**	Reserve
	TOTAL			**1,205,825**	

12E(5)

Lift Stations "R" Us

5511 NW 37 Avenue
Miami, Florida 33142
Phone: (305) 324 – 2121 Fax: (786) 242 - 5665
Website: WWW.LIFTSTATIONSRUS.COM
Manufacturing, Servicing & Repairing Sewage Pump Stations
24 Hours 7 Days

March 13, 2013

City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

To whom it may concern:

This correspondence is in regards to the numerous attempts made by Lift Stations R Us to collect on the outstanding invoices due dating back to July 25, 2011. Lift Stations R Us has contacted the City in reference to status of payment via telephone and email correspondence to Mr. Rodney Carrero and Ms. Aminta Clinton without any response in return. Lift Stations R Us has repeatedly submitted the invoices and documentation as requested in an attempt to collect the outstanding balance due and in return has received no response.

As of the above date our records reflect the following unpaid past due invoices from The City of North Bay Village. We have not received payment on your account for months, despite several requests for you to come current. I dislike to send these letters to my clients and hope that we can amicably resolve this issue, but my prior request for payment have been ignored without response. *Please see below:

Invoice Date:	Invoice Number:	Invoice Amount:	
~~7-25-11~~	~~31476~~	~~$420.00~~	Paid Check #74240 8/16/11
~~7-25-11~~	~~31477~~	~~$1628.00~~	Paid Check #74240 8/16/11
8-27-12	35940	$1088.50	
8-29-12	36113	$9,625.00	
8-29-12	36116	$8,071.00	
9-26-12	36460	$6318.00	
10-12-12	36636	$5675.00	
11-5-12	36931	$1500.00	
11-5-12	36945	$6418.50	
12-5-12	37258	$11,870.00	
12-18-12	37280	$4968.00	
1-31-13	37892	$4901.08	
~~2-19-13~~	~~37919~~	~~$450.00~~	Paid check 77412 3/7/13

Unfortunately at this time we regret to inform you that because of the significance of this past due amount, we have placed your account on credit hold effective immediately. Any scheduled, future or pending work will not be rendered unless your entire past due amount is brought current.

Sincerely,
Danette Suarez
Service Accounts GM

cc: Max Goldfarb, Esq
Humberto Cabana
Ozzie De Leon

12E(6)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	35940
DATE:	8/27/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Responded to emergency call on 8-22-12 found South Treasure pump station on high water alarm due to electrical short on main and two (2)float switch relays and hard wire units gone bad; test results show units were grounded, replaced both units and corrected circuit. One (1) electrical crew worked 4.5 hours $472.50 and two (2) float relays with unit $616.00.	1,088.50	1,088.50

Please reference invoice number on payment.
Thank you for your business!

Total	$1,088.50

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(7)

LIFT STATIONS "R" US

Inv# 35940

SALES - SERVICE - REPAIRS
STATEWIDE / 24HRS / 7 DAYS
5511 NW 37 Avenue Miami, Florida 33142
Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

☑ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install

☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 8-22-2012 **County:** _____ **STR/Facility #** _____

Customer Name: City of North Bay Villag **Phone:** _____

Address: South Treasure pump station

QTY	Description / Notes	Amount
	Found station on high level alarm due to short on main and 2 floats switches and hard wire units bad.. Units were grounded furnish and install two new switches and repaired circuit	
	Total Parts	
	Total Labor	
HOURS 4.5	TECH ID J.Ruiz	
	Tax	
	Total	

Received by: Sam Zamora Print Name: _____

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(8)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36113
DATE:	8/29/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Responded to emergency call on 8-27-12; Espanola Lift Station;due to Emergency Tropical Storm "Isaac"; Upon arrival found lift station on high water alarm after conducting a full evaluation pumping system was found to be tripped due to strong hurricane rain falls. Pump worked non stop for over 24 hours this caused overloads and pump internal windings to over heat; had to call out a mechanical crew with crane to pull pumps out in order to conduct shop evaluation. Installed one (1) dry pit submersible sewage pump to keep up with lift station auto operation; also conducted five (5) pumper loads in order to bring sewage levels down while we removed existing pumps and installed reconditioned stand alone pump; Pumper truck loads six (6) loads $3,900.00; Pump installed $4,900.00; One (1) crew hours worked and emergency 5.5 hours $825.00.	9,625.00	9,625.00

Please reference invoice number on payment.
Thank you for your business!

Total	$9,625.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(9)

LIFT STATIONS "R" US

Inv# 36113

SALES - SERVICE - REPAIRS
STATEWIDE / 24HRS / 7 DAYS
5511 NW 37 Avenue Miami, Florida 33142
Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

☑ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install
☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 8-27-12 **County:** _____ **STR/Facility #** _____

Customer Name: City of North Bay Village **Phone:** _____

Address: Española Lift Station

QTY	Description / Notes	Amount
	Upon arrival found liftstation on alarm	
	conducted eval. and found system tripped	
	due to rainfalls from Storm pump worked	
	without stopping for more than 24 hours	
	caused overloads and pump int. windings	
	to overheat. Called mechanical crew	
	With Crane for assistance to pull pumps.	
	Pulled pumps. Installed one sewage by-pass	
	pump. Pumper Truck called in to pumpout	
	in order to pull and installed by pass	
	pump.	
	(six) 6 full truck loads = overflows sanitized with clorox	
	All loads went to City of Miami Sanitary Manholes	
	as per North Bay Village City official onsite.	

			Total Parts	
			Total Labor	
HOURS	TECH ID		Tax	
55			Total	

Received by: Sam Camacho Print Name:

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(10)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36116
DATE:	8/29/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Emergency Tropical Storm Isaac Lift Station Repair; Answer emergency call to check City Storm Drain system due to heavy rain falls and severe weather from tropical storm Isaac; found that extensive tree rubble and sand from bay areas was clogging up drains and standing water was starting to create puddles around City right of way; brought in three (3) vactor trucks and two (2) ground crews to assist with traffic and work load. Worked late into the evening hours conducted extensive jetting and pumping out of City storm drains left all City drains properly unclogged and rain water running. Treasure Island twenty-one (21) = $3,318.00; West Treasure two (2) = $316.00; South Treasure eight (8) = $1,264.00; 79th Street Causeway two (2) = $316.00; 79th street causeway pumper truck to remove water one (1) load = $650.00; Galianos Drive four (4) = $632.00; Two (2) crews to work traffic due to hurricane, work had to be completed at PM hours 7.5 hours = $1,575.00.	8,071.00	8,071.00
	Please reference invoice number on payment.		
	Thank you for your business!		
		Total	$8,071.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(1)

LIFT STATIONS "R" US

SALES - SERVICE - REPAIRS
STATEWIDE / 24HRS / 7 DAYS
5511 NW 37 Avenue Miami, Florida 33142
Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

☑ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install

☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 8-29-12 **County:** DADE **STR/Facility #**

Customer Name: North Bay Village **Phone:**

Address:

X-TROPICAL STORM ISAAC

QTY	Description / Notes	Amount
	ARRIVE TO EMERGENCY CALL FOUND AREAS CLOGGED WITH TREE AND LANDSCAPE RUBBLE - STORM DRAINS WERE NOT DRAINING PROPERLY AND STREETS WERE BUILDING UP POOLS OF STANDING WATER EVERYWHERE CALLED IN VACTOR TRUCKS TO ASSIST WITH CLEANING OUT DRAINS AND SETTING ALL LINES TO CLEAR OF DEBRIES ALSO HAD TO BRING IN 2 GROUND CREWS TO WORK TRAFIC AND ASSIST WITH WORK LOAD ALL DRAINS WERE LEFT DRAINING AND ALL STANDING WATER IN STREETS WAS DRAINED CLEANED OUT 21 DRAINS @ TREASURE ISLAND, 2 DRAINS @ WEST TREASURE, 8 DRAINS @ SOUTH TREASURE, 2 DRAINS @ 79 ST AND REMOVED 1 LOAD WITH PUMPER FROM CAUSEWAY LOAD WENT INTO MBV SANITARY SYSTEM, 4 DRAINS @ GALIANO DR.	
	GROUNDS CREW WORKED 7.5 HRS @ OT HRS	
	Total Parts	
	Total Labor	
	Tax	
	Total	

HOURS	TECH ID	
7.5	321/28	

Received by: Sam Zamora Print Name:

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(12)

LIFT STATIONS "R" US

Inv# 36460

SALES - SERVICE - REPAIRS
STATEWIDE / 24HRS / 7 DAYS
5511 NW 37 Avenue Miami, Florida 33142
Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

☐ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install

☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 7-12-12 **County:** _____ **STR/Facility #** _____

Customer Name: City of North Bay Village **Phone:** _____

Address: 1594 South Treasure D.

QTY	Description / Notes	Amount
	answered emergency call station overflowing due to short at panel low voltage phase monitor. Station not pumping called in pumper truck to pump station down, in order to pull pump. Pumper truck pumped down station pulled both pumps on site serviced left on line furnished and installed one new phase monitor pumper truck conducted eight full truck loads. All Sewage from pumper loads were transfered to city of miami sanitary system man hole on approval by N Bay employee. All areas were pressure cleaned and reopened station was left pumping.	
		Total Parts
		Total Labor
HOURS	TECH ID	Tax
6	Neilfred/J Sam Zamacona	Total

Received by: _____ Print Name: _____

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(13)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36460
DATE:	9/26/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Responded to emergency call on 9-12-12 from Mr. Sam Zamacona; found station overflowing due to panel short @ low voltage phase and voltage monitor. Station did not pump had to call in pumper truck to assist in pumping station down in order to pull pump; once well was pumped both pumps were pulled and serviced. Station was left on line and a new phase voltage monitor was installed; worked one (1) mechanical crew with crane truck = six (6) hours = $600.00; Pumper truck no.6 @ 8 loads = $5,200.00; replaced one (1) new phase and voltage monitor = $218.00.	6,318.00	6,318.00

Please reference invoice number on payment.
Thank you for your business!

Total	$6,318.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(14)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36636
DATE:	10/12/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Responded to emergency call on 10-2-12 to Espanola; found station about to overflow due to pumps being clogged with grease and solids build up. Had to call in pumper truck to pump out wet well and also pump out pump room since a sump pump line failed allowing sewage from wet well to flood the pump room; both wells were pumped down and pumps pulled, One (1) pump had a brick inside the impeller this pump had to go the shop for further evaluation and the other was pulled unclogged and reinstalled. One (1) crew with crane truck 7.5 hours = $1,125.00 and one (1) pumper truck @ seven (7) loads = $ 4,550.00.	5,675.00	5,675.00

Please reference invoice number on payment.
Thank you for your business!

Total	$5,675.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12 E(15)

LIFT STATIONS "R" US

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www.liftstationsrus.com

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☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 10/2/12 **County:** _____ **STR/Facility #** _____

Customer Name: N. Bay Village **Phone:** _____

Address: Espanola

QTY	Description / Notes	Amount
	Found Station about to overflow pumps	
	clogged with debris and solids build up.	
	Called in pumper truck to pump out well	
	and pumped out pump room due to	
	sump pump failed causing sewage	
	from wet well to flood pumproom, both	
	wells pumped down and pumps pulled.	
	One pump was clogged and unclogged	
	onsite and reinstalled other pump was	
	found with piece of brick and will be	
	taken back to shop for eval. Stations left	
	working on one pump.	
	Pump truck conducted seven (7) truck	
	loads. Sewer from well was sent to city	
	of Miami manhole by Sewer Dept. Personal	
	with auth from City Manager. Interior	
	of well was scrubbed of grease buildup	
		Total Parts
		Total Labor
		Tax
		Total

HOURS	TECH ID
12	

Received by: _____ Print Name: _____

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business" 12E(16)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36931
DATE:	11/5/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Answer emergency call on 10-6-12; found South and East Treasure backing up due to extensive grease build up in system. Had to call out vactor truck to pumpout and jett all manhole that were clogged; all together six (6) manholes were pumped out and jetted = $1,500.00.	1,500.00	1,500.00

Please reference invoice number on payment.
Thank you for your business!

Total	$1,500.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(17)

LIFT STATIONS "R" US

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Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

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☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 10/6/12 **County:** _____ **STR/Facility #** _____

Customer Name: N. Bay Village **Phone:** _____

Address: 79th st. SE + East Treasure

QTY	Description / Notes	Amount
	Arrived to Emergency Call found	
	that South East Treasure was	
	Backing up due to gravity lines	
	being Cloged tried to break clogge	
	with small jeter but could not so had	
	to call the Big Vactol Truck to pump	
	out sewage in order to keep sewage	
	levels down and so it wouldn't overflow	
	into street once system was controled	
	wel setted and broke grease clogge in	
	manholes system overflows were relieved	
	By pumping out and dumping back into	
	main	
	P/S @ NBV as per city manager all	
	lines + manholes were left ranning	
	Total Parts	
	Total Labor	
HOURS / TECH ID	Tax	
	Total	

Received by: 10/6/12 Sam Zamacona Print Name: _____

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(18)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	36945
DATE:	11/5/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	North Bay Village South Treasure Drive; Responded to emergency call on 10-28-12; found both pumps overheated and stopped working. Lift Station and sanitary manholes were backing up (note: all this was caused by high tide and infiltration) had to call in pumper trucks to start pumping down system in order to pull pumps, took pumps apart found one (1) pump will need to go to shop for evaluation and the other pump took new oil and lower seal at site in order to leave running. Conducted necessary repairs to pump; reinstalled into wet well lift station pumping on one (1) pump. Area is receiving heavy loads of Bay water due to high tide and will cause pump to work non stop. Pumper truck #30 @ 8 loads = $5,200.00; one (1) mechanical crew with crane truck @ 5.25 hours = $787.50; one (1) pump; parts for repair = $311.00; wash and sanitize impacted areas 20 us gal = $120.00; total = $6418.50	6,418.50	6,418.50
	Please reference invoice number on payment. Thank you for your business!		
		Total	$6,418.50

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12 E(17)

LIFT STATIONS "R" US

Inv # 36945

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STATEWIDE / 24HRS / 7 DAYS
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www.liftstationsrus.com

☑ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install
☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 10-28-2012 **County:** **STR/Facility #**

Customer Name: North Bay Village **Phone:**

Address: S treasure Dr

QTY	Description / Notes	Amount
	Arrived at emergency call. Found pumps overheated	
	and nonworking. lift station and man holes backing	
	up called in pumper truck. Pump truck pumped	
	down system 8 full truck load's inorder to pull	
	pumps. Pull pumps took apart found pump need	
	lower seal and new oil. Conducted repairs to this	
	pump on site reinstalled other pump to be taken to Shop	
	for further evaluation. Sanitized all impacted areas, left	
	System running on 1 pump all sewage loads went to main pump station.	
	* Due to high tide area has lots of bay water	
	Coming in will cause pump to run without stopping.	
		Total Parts
		Total Labor
HOURS	TECH ID	Tax
7.30	Nelfred/ithan	Total

Received by: Sam Zamora Print Name: [signature]

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12 E(20)

Lift Stations "R" Us
5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	37258
DATE:	12/5/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	North Bay Village Main Pump Station @ Galleon; return of jetter machine to main pump station on October 30, 2012. Jetter was repaired as follows: Pump; new lower bearing, side mounts, head gasket, housing seals, back flow ring and pin kit, metalize piston #3, pulley seals, compression release kit with seals, PSI take off valve, proof fitting, stay lever and cover, shaft alignment, assemble, test under pressure and reinstall = $6,703.00; Engine; new radiator, fluid, radiator bracket fab, exhaust manifold, exhaust manifold drill and tap, engine to pump power unit bearings, new Rockford unit bearing and seal = $2,650.00; Trailer housing repair fenders, metal rust removal, metal fabrication of damaged areas, coat with primer, coat with paint in white, assemble retest unit = $2,490.00.	11,870.00	11,870.00
	Please reference invoice number on payment. Thank you for your business!		
		Total	$11,870.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(21)

LIFT STATIONS "R" US

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5511 NW 37 Avenue Miami, Florida 33142
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www.liftstationsrus.com

Inv # 37258

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☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 10-30-12 **County:** DADE **STR/Facility #**

Customer Name: N BAY VILLAGE **Phone:**

Address: MAIN PUMP STATION @ GALEON

QTY	Description / Notes	Amount
	RETURN JETTER MACHINE TO MAIN PUMP STATION	
	JETTER WAS REPAIRED AS PER PROPOSAL	
	TO INCLUDE BODY WORK & PAINT TO	
	IMPROVE GENERAL COSMETIC IMPROVEMENTS	
	TO EQUIPMENT	

			Total Parts	
			Total Labor	
HOURS	TECH ID		Tax	
			Total	

Received by: X [signature] Print Name:

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

DAMIAN F. BOOLSEN

"Thank You For Your Business"

12 E(22)

Lift Stations "R" Us

5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	37280
DATE:	12/18/2012

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Answered emergency call on 12-2-12 to main pump station; upon arrival found all pumps clogged had to call in pumper trucks to conduct constant pump outs in order to prevent sewer overflows while a mechanical crew worked on repairing and unclogging the pumps; left station pumping and system on automatic all areas were sanitized and washed down. Pumper service @ 5X $675.00 =$3,375.00; Labor one (1) mechanical crew @ 7.5 hours = $1,125.00; Parts and cleaning agents @ 10 us gallons + parts = $468.00.	4,968.00	4,968.00

Please reference invoice number on payment.
Thank you for your business!

Total	$4,968.00

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(23)

LIFT STATIONS "R" US

Inv# 37280

SALES - SERVICE - REPAIRS
STATEWIDE / 24HRS / 7 DAYS
5511 NW 37 Avenue Miami, Florida 33142
Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
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☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 12-2-12 **County:** _____ **STR/Facility #** _____

Customer Name: North Bay Village **Phone:** _____

Address: 1600 S. Treasure Drive

QTY	Description / Notes	Amount
	Responded to emergency call upon arrival found well at high level and all 3 pumps clogged. Called in pumper trucks to pumpout constantly in order to avoid overflows while crew worked unclogging and repairing pumps. Sewage by passed to City of Miami manholes per maint. man. 5 Full Truck loads; sanitized area 1 mechanical crew.	
		Total Parts
		Total Labor
HOURS	TECH ID	Tax
7.5	JR / JBC. Sam Zamacona	Total

Received by: _____ Print Name: _____

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(24)

Lift Stations "R" Us
5511 N.W. 37th Avenue
Miami, Florida 33142
Phone: (305) 324-2121 Toll Free: (877) 324-5438
Website: WWW.LIFTSTATIONSRUS.COM

Invoice:	37892
DATE:	1/31/2013

BILL TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1666 Kennedy Causeway
Suite # 700
North Bay Village, Florida 33141

SHIP TO:

Attn: Mr. Sam Zamacona
City of North Bay Village
1700 Kennedy Causeway
Suite # 132
North Bay Village, Florida 33141

PSO #:	TERMS:	ORDER NO.:

QUANTITY	DESCRIPTION	RATE	AMOUNT
	North Bay Village Old City Hall; Conduct pump out of all solids and debris from well, conduct confined space entry to receiving well and pump well to clear invert of built up grease. Remove and install rusted bolts from base elbow to eliminate pump blow by of sewage when pump is in operation. Install pump, pump was repaired to include new motor conduct, re-balance and align impeller and replaced pump oil. Vactor and jetter work = $1,050.00; pump repairs with parts = $3,213.58; labor to include confined space entry @ 4.25 hours = $637.50.	4,901.08	4,901.08

Please reference invoice number on payment.
Thank you for your business!

Total $4,901.08

Lift Stations "R" Us may charge a service charge of 1.5% or $25.00 whichever is greater per month which will be assessed on the unpaid balance, place the CUSTOMER on C.O.D. only basis or terminate this agreement in the sole discretion of Lift Stations "R" Us. In the event this account is placed for collection for any reason, then all attorney fees, costs and expenses incurred in the collection shall be the responsibility of the CUSTOMER whether for trial or any appeal proceedings.

12E(25)

LIFT STATIONS "R" US

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Phone (305) 324 – 2121 Toll Free 1-877-324-5438 Fax 786-242-5665
www.liftstationsrus.com

Inv# 37892

☑ Emergency ☐ P.M. Service ☐ Repairs ☐ Pump-Out Pressure Clean ☐ Plumbing ☐ Motor/Pump Repairs ☐ By-Pass Install
☐ Pump-Motor Misc Equip ☐ Removed for Evaluation ☐ Electrical ☐ Underground Work ☐ Sewer Jet ☐ Sewer Cam

Date: 12-20-12 County: ______ STR/Facility # ______

Customer Name: City North Bay Village Phone: ______

Address: Old City Hall

QTY	Description / Notes	Amount
	Pump out Solid debris from wetwell, confined	
	space entry to clear invert of grease and	
	debris buildup. Hard to undo bolts from	
	base in order to eliminate pump blow by and	
	clear debris reinstall bolts. Installation of	
	pump repaired w/ new motor conductor, impeller	
	Vactor Truck called in to conduct pumpout of	
	welldebris.	

[signature]

HOURS	TECH ID		
		Total Parts	
		Total Labor	
		Tax	
	[illegible]	Total	

Received by: ______ Print Name: ______

I hereby acknowledge the satisfactory completion of the above described work, furthermore I fully understand and have been made aware of the terms and conditions stated on the reverse side of this field note (other conditions may apply).

"Thank You For Your Business"

12E(26)

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

NORTH BAY VILLAGE
RECOMMENDATION MEMORANDUM

DATE: **May 3, 2013**

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

RECOMMENDED BY STAFF: Bert Wrains, CGFO Finance Director

PRESENTED BY STAFF: Jenice Rosado, Interim Village Manager

SUBJECT: Central Plumbing Payment

RECOMMENDATION:

It is recommended that the Village Commission approve the attached Resolution authorizing the payment of $11,481.75 to Central Plumbing, Inc for services provided.

BACKGROUND:

In September 2012, the Public Works Director engaged the services of Central Plumbing to provide repairs to a portion of the Village's storm water drainage system. The Finance Department could not pay the invoices because the procurement process did not comply with the Village's procurement requirements.

The current Interim Public Works Director has confirmed through employee interviews, time sheets and internal reports that the firm did perform work for the Village on those dates billed for.

12F(1)

The Interim Public Works Director and the Finance Director met with the principle of Central Plumbing, Inc. and discussed the work performed. The Village can confirm that some work was performed for the Village but cannot confirm the full scope of the work performed. Central Plumbing stated that they have all of the necessary invoices and delivery tickets to substantiate the amount invoiced.
They have provided the documents (attached) in support of their payment request. The Interim Public Works Director and I have reviewed the invoices submitted and feel that there are sufficient documents to show the work was completed and justify the amount invoiced.

These invoices have not been paid because the Village's procurement requirements as provided for in Section 36.25 of the Village Code of Ordinances were not followed. The firm selected does not have a contract with the Village to provide these services. However, the firm has been providing these types of services to the Village for several years. They have responded when the Village called upon them to provide various plumbing and drainage repair services, but the past practice does not meet the requirements of the Village's procurement code.

The Interim Public Works Director has reviewed the previous procedures that were used to acquire these types of services. He has evaluated the Village needs and has implemented a process to require written quotes from several firms for all work of this type. This process is designed to eliminate emergency purchases unless they are true emergencies. The prior policy of having a sole source for this type of work has been changed and we have had other vendors perform some of the work based on the written prices. If there is an ongoing need to have a firm under contract, then there would be invitations for bids, and the award of a contract will be brought back to the Commission for final approval.

FINANCIAL IMPACT:

These types of repairs to the Village's Storm Water System are included in the annual budget to insure funding to meet the needs of storm drain system. Staff can identify the types of repairs that may need to be done during the year, but the specific locations are unknown at the time the budget is approved.

BUGETARY IMPACT (Finance Dept):

The Village Storm Water Utility Fund budgeted $150,000 in account # 40.036.538.6307 -Repairs to Deep Well Injection System, to pay for these types of repairs and services. The current remaining balance in this account is $150,000.

PERSONNEL IMPACT:

None.

12F(2)

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

MEMORANDUM

North Bay Village

DATE: May 9, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO CENTRAL PLUMBING – W.S. COMPANY INC. FOR EMERGENCY REPAIRS TO THE VILLAGE STORM WATER DRAINAGE SYSTEM; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE.

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

JR:yph

12F(3)

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING PAYMENT TO CENTRAL PLUMBING – W.S. COMPANY INC. FOR EMERGENCY REPAIRS TO THE VILLAGE STORM WATER DRAINAGE SYSTEM; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF THE VILLAGE CODE; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)*

WHEREAS, in September 2012, the Village engaged the services of Central Plumbing – W.S. Company Inc. ("Central Plumbing") to perform unscheduled emergency work on a portion the Village Storm Water Drainage System; and

WHEREAS, the Village utilized Central Plumbing to address several subsequent emergency repairs and has received invoices from Central Plumbing relating to the services rendered as shown on Exhibit "A"; and

WHEREAS, performance and completion of the services have been verified and the Village desires to finalize the emergency procurement process and complete payment of the invoices; and

WHEREAS, staff recommends payment to Central Plumbing for $11,481.75 for the emergency services performed.

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.

12F(4)

Section 2. **Waiver of Competitive Bidding.** Competitive bidding for the approval of invoices to Central Plumbing – W.S. Company Inc. for periodic emergency repairs is waived pursuant to Section 36.25(I) of the Village Code.

Section 3. **Approval of Payment.** Approval to expend $11,481.75 to Central Plumbing – W.S. Company Inc. for unscheduled emergency work performed on the Village Storm Water Drainage System as outlined in the invoices attached as Exhibit "A" is hereby granted.

Section 4. **Expenditure of Funds.** The Village Manager is authorized to expend budgeted funds not to exceed $11,481.75 for payment of the invoices.

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

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____
MAYOR CONNIE LEON-KREPS

12F(5)

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Central Plumbing-Payment of Outstanding Invoices

12F(6)

CITY OF NORTH BAY VILLAGE
BUDGET WORKSHEET
STORM WATER FUND

Type	Description	Qty	Cost	Extended Amount	Comment
40.036.538.5260	Cost Allocation	12	2,000	**24,000**	COST ALLOCATION
40.036.538.5321	**Contract Services - Storm Water Compliance**				
	CONTRACT SERVICES	1	6,000	6,000	NPDES INTERLOCAL AGREEMENT
				6,000	
40.036.538.5370	**Electric, Gas & Water**				
	ELECTRIC	1	200	**200**	ELECTRIC FOR SW PUMP ST
40.036.538.5431	**Repair & Maintenance Equipment**				
	R&M EQUIPMENT	1	2,500	**2,500**	R&M SW EQUIP
40.036.538.5438	**Repair & Maintenance Water lines**				
	R&M DRAIN LINES	1	8,000	**8,000**	R&M DRAIN LINES
40.036.538.5580	**Tires**				
	TIRES	1	350	**350**	ST SWEEPER
40.036.538.5990	**Contingency**				
	CONTINGENCY	1	0,000	**9,000**	TO PROVIDE FOR ANY EMERGENCY INCIDENTS
40.036.538.6307	**Storm Drains**	1	150,000	**150,000**	REPAIRS TO DEEP INJECTION WELL SYSTEM
	TOTAL			**200,050**	

12F(7)

ECONOMY * SERVICE * QUALITY
CENTRAL PLUMBING – W.S. COMPANY
P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

City of North Bay Village
1700 Kennedy Causeway Suite 132
North Bay Village, FL 33141
Phone 305-756-7171
Attention: City Manager

October 15, 2012

We have completed the following:
Emergency Repair 7505 W. Treasure Drive
Emergency Repair Storm Water Lift Station
Invoice # 91412WTD

DATE	SUBJECT	CREW TIME
Sept 14	Sunshine One #258200143	
	Excavate with Vac-Tron	
	C.I Valve Box in Center of Street	
	3" Air Release Valve	
	Jack Hammer 2" Meter Box	
	Cover with Steel Plate	8 Hrs
17	Saw Cut 5' x 5' Sidewalk	
	Jack Hammer Concrete	
	Remove Excess Debris to Owners Dumpster	
	Set 48" x 48" Vault	
	Cover with Steel Plates	8 Hrs
18	Install 3" PVC Schedule 80 Pipe in Vault	
	Install 2" PVC Schedule 80 to Tree	
	Saw Cut Street and Excavate	
	Remove Excess Debris to Owners Dumpster	
	Cover with Steel Plates	8 Hrs
19	Form Sidewalk	
	Set 6" Galv Tree Bollard	
	Pour 110 Concrete Mix Sidewalk	
	Pour 110 Concrete Mix Street	
	Cover with Steel Plates	
	Finish Sidewalk	8 Hrs
20	Install EZ Street Asphalt	
	Steel Plates Back to Yard	4 Hrs
21	Clean Vac-Tron	
	Paint Traffic Yellow on Bollard	4 Hrs
24	Install 3" Brass Flange and 3" Air Release Valve	4 Hrs
Total Hours		44 Hrs

MATERIALS

Company	Invoice Number	Amount
Super Mix Concrete	2710996	$ 319.40
Asphalt	Shop Supplies	N/C
A & B Pipe and Supply	S1408061.001	$ 715.42
	S1408224.001	$ 262.54
	S1408257.001	$ 97.38
	S1408325.001	$ 937.21
15% P & O		$ 349.80
Labor and Equipment	44 Hrs @ $200.00 per Hour	$ 8,800.00
Total Amount Due to Central Plumbing		$ 11,481.75

Request payment for above from City of North Bay Village $ 11,481.75

Thanks for a smooth job on a bumpy road!!

Woody Smith
President

12F(8)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

Monday

DAILY WORK REPORT

Date: 9-24-12 Job: City of North Bay Village 7505 West Treasure Dr

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	

List of Materials Installed and Quantity:

INSTALL 3" Brass Comp Flange
" 3" Air Release Valve

Notes:

Charge 4 Hrs NBV
" 3 Hop 4 Hrs

12F(9)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

Friday

DAILY WORK REPORT

Date: 9-21-12 Job: City of North Bay Village 7505 West Tres

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	

List of Materials Installed and Quantity:

Charge 4 Hrs To NBV
Charge 4 Hrs To SHOP
Paint Traffic Yellow on Bollard
Set Galv Covers on Vault

Notes:

P/U @ A+B S1408325
3" ARValve
3" Comp Flange

12F(10)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

Friday

DAILY WORK REPORT

Date: Sept 14 Job: City of North Bay Village 7505 West Treasure Dr

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	✓
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	✓
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	✓
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	✓

List of Materials Installed and Quantity:

Saw cut Cut Valve Box in Center of Street
Jack Hammer Meter Box w/ Air Release Valve
Cover Both w/ Steel Plates
P/U A+B S 1408061.001

Notes:

Call Sunshine for Emergency Street Ticket
2582001 43
X/

12F(11)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

MONDAY

DAILY WORK REPORT

Date: Sept 17 Job: City of North Bay Village 7505 West Treasure

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	✓
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	✓
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	✓
				Plate Compactor 4000	
				14" Chop Saw	✓
				Vac-Tron	✓

List of Materials Installed and Quantity:

Notes:

Saw cut 5'x5' Concrete Sidewalk
Jack Hammer Concrete
Remove Excess Debris To Dumpster w/ Loader
Set 48"x48" Concrete Vault w/ Backhoe
Cover w/ Steel Plates

12F(12)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

Tues

DAILY WORK REPORT

Date: Sept 18 Job: City of North Bay Village 7505 W. Ines Dr

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	✓
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	✓
				Hyd. 14" Street Saw	✓
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	

List of Materials Installed and Quantity:

P/U A&B S140B257.001
S140B224.001

Notes:

INSTALL 3" PVC Sec 80 INTO VAULT
SAW CUT STREET TO TREE ISLAND
EXCAVATE ASPHALT & DEBRIS TO DUMPSTER
SET STREET PLATES W/ASPHALT

12F(13)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

Weo

DAILY WORK REPORT

Date: Sept 19, 12 Job: City of North Bay Village 7505 West Treasure

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	✓
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	✓

List of Materials Installed and Quantity:

Notes:

Form Sidewalk
Set 6" Galv Bollard in Tree Bed
Pour Sidewalk 12:30 & Finish
Pour Flowline Fill Curbline in Street
Set Street Drains over Trench

12F(14)

ECONOMY * SERVICE * QUALITY

CENTRAL PLUMBING – W.S. COMPANY

P.O. Box 600520 North Miami Beach, Florida 33160 * phone 305-687-3500 * fax 305-681-7828

THURS

DAILY WORK REPORT

Date: 9-20-12 Job: City of North Bay Village 7505 West Tree Drive

Contract Work: _____ or Time & Materials X Report By: Woody Smith

Employee	From	To	Total Hrs	Equipment Used	Hours Used
Carlos	7 AM	3:30 PM	8 Hours	Tractor Backhoe 555D	✓
Birt	7 AM	3:30 PM	8 Hours	Ford 650	✓
Art	7 AM	3:30 PM	8 Hours	Ford 150	
				Hyd. Compressor	
				Hyd. 14" Street Saw	
				Hyd. 3" Pump	
				Hyd. 67lb Hammer	
				Plate Compactor 4000	
				14" Chop Saw	
				Vac-Tron	✓

List of Materials Installed and Quantity:

Charge 4 Hours NBV
4 4 Hours Stop

Notes:

INSTALL EZ Street ASPHALT N/C
FINISH CONCRETE SIDEWALK N/C
STEEL PLATES BACK TO YARD
CLEAN VAC-TRON

12F(15)

CONFRM 00000 CALL SUNSHINE 09/14/12 07:44:19ET 258200143-000 EMERGENCY STREET
Ticket : 258200143 Rev:000 Taken: 09/14/12 07:32ET

State: FL Cnty: DADE GeoPlace: NORTH BAY VILLAGE
CallerPlace: NORTH BAY VILLAGE
Subdivision:

Address : 7505
Street : W TREASURE DR
Cross 1 : KENNEDY CSWY
Within 1/4 mile: Y

Locat: LOCATE THE MIDDLE OF ROAD IN THE FRONT OF 7505 W TREASURE DR
:
Remarks : CREW IS ON SITE
EMERGENCY: PROTECT LIFE OR PROPERTY
*** LOOKUP BY ADDRESS ***
:
Grids : 2550A8009C 2550B8009C

Work date: 09/14/12 Time: 07:35ET Hrs notc: 000 Category: 1 Duration: 01 WK
Due Date : 09/14/12 Time: 07:35ET Exp Date : 10/15/12 Time: 23:59ET
Work type: REPAIR BROKEN WATER MAIN Boring: N White-lined: N
Ug/Oh/Both: U Machinery: Y Depth: 3FT Permits: Y PENDING
Done for : NORTH BAY VILLAGE

Company : CENTRAL PLUMBING Type: OTHR
Co addr : PO BOX 0520
City : NORTH MIAMI BEACH State: FL Zip: 33160
Caller : WOODY SMITH Phone: 305-687-3500
Contact : CARLOS AGUIRRE Phone: 305-986-5226
BestTime: ANYTIME
Mobile : 305-986-5225
Fax : 305-681-7828

Submitted: 09/14/12 07:32ET Oper: COL
Mbrs : DCPWT FPLDAD FPLSUB FPLSUT GCCTV HC1660 HT1010 LS1104 PGSND SBF23

12FC10

==========

To: CENTRAL PLUMBING Attn: WOODY SMITH
Voice: 3056873500 Fax: 3056817828
Re: Important Safety Message

We are responding to your request to locate our underground facilities in an area where you are planning excavation or demolition work. The following is the current status of our facility marking in the area specified in your notification.

==========

Ticket: 258200143
County: DADE Place: NORTH BAY VILLAGE
Address: 7505 W TREASURE DR

PGSND (Gas):
Your dig site has been marked with yellow paint, flags, signs, or other similar devices. If you need further information please contact Jean Saint Phar at (305) 970-1374. .

==========

Thank you for notifying Sunshine State One-call of Florida about your upcoming excavation. Please wait two full business days to allow us to mark our facilities. On the job site, take precautions to protect all markings. If markings are no longer visible, or you have questions about them, stop excavating and call us at 877-832-6747. To find the exact location of our pipelines, hand excavate the tolerance zone, which is 24 inches either side of the temporary markings.

==========

12F(17)

The following facility operators have responded for this locate request:

Ticket 258200143
FL : DADE County, NORTH BAY VILLAGE City
7505 W TREASURE DR

FLORIDA POWER & LIGHT--DADE
- Clear No Facilities

TECO PEOPLES GAS SOUTH FLORIDA
- Marked

DADE COUNTY PUBLIC WORKS AND TRAFFIC
- No Conflict - utility is outside of the requested work site

ATLANTIC BROADBAND
- Clear No Facilities

FLORIDA POWER & LIGHT--TRANSMISSION
- No Conflict - utility is outside of the requested work site

FLORIDA POWER & LIGHT - SUBAQUEOUS
- No Conflict - utility is outside of the requested work site

A T & T/ DISTRIBUTION
- Clear No Facilities

HOTWIRE COMMUNICATIONS
- ***Response has not been entered***

The most up-to-date response status can always be gathered at
http://www.online811.com/IRTHOneCall/ or by calling 1 - (800) 852 - 8057.

12F(18)

A B PIPE AND SUPPLY INC.

** INVOICE **

INVOICE DATE	INVOICE NUMBER	PAGE NO.
09/14/12	S1408061.001	1

REMIT TO: A&B PIPE AND SUPPLY INC
PO BOX 133367
HIALEAH, FL 33013

PLEASE INDICATE ACCOUNT # .6490 ON YOUR CHECK

BILL TO:
CENTRAL PLUMBING-W S CO INC
PO BOX 600520
N MIAMI BEACH, FL 33160

SHIP TO:
CENTRAL PLUMBING-W S CO INC
GENERAL ACCOUNT
11618 NW 7TH AVENUE
MIAMI, FL 33168

ORDER DATE	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
09/14/12	7805 W TREASURE		HOUSE SALES ACCOUNT
SHIP DATE	**SHIP VIA**	**TERMS**	**WRITER**
09/14/12	WC WILL CALL	NET 20TH	Russell Bray

DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRICE	NET AMOUNT
48" X 48" CONCRETE VAULT ONLY - LESS COVER 3920100 (744) (3920100)	1	1	218.178	218.18
GALVANIZED STEEL COVER ONLY "WITH LIP" W/READER FOR CONCRETE BOX (FOR USE WITH 48 X 48 BOX) (9050051)	1	1	220.426	220.43
GALVANIZED STEEL COVER ONLY "NO LIP" W/READER FOR CONCRETE BOX (FOR USE ON 24 X 48 OR 48 X 48 BOX) (9050050)	1	1	230.000	230.00

Subtotal	668.61
S&H CHGS	0.00
Sales Tax	46.81
Amount Due	715.42

Invoice is due by 10/20/12.

All claims for shortage or errors must be made at once, returns require written authorization and are subject to handling charges. Special orders are non-returnable.
Past due invoices may be subject to 1.5% late charge

12F(19)

A B PIPE AND SUPPLY INC.

** INVOICE **

INVOICE DATE	INVOICE NUMBER	PAGE NO.
09/18/12	S1408224.001	1

REMIT TO: A&B PIPE AND SUPPLY INC
PO BOX 133367
HIALEAH, FL 33013

PLEASE INDICATE ACCOUNT # .6490 ON YOUR CHECK

BILL TO:
CENTRAL PLUMBING-W S CO INC
PO BOX 600520
N MIAMI BEACH, FL 33160

SHIP TO:
CENTRAL PLUMBING-W S CO INC
GENERAL ACCOUNT
11618 NW 7TH AVENUE
MIAMI, FL 33168

ORDER DATE	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
09/17/12	7505 W. TREASURE		HOUSE SALES ACCOUNT
SHIP DATE	**SHIP VIA**	**TERMS**	**WRITER**
09/18/12	WC WILL CALL	NET 20TH	Russell Bray

DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRICE	NET AMOUNT
3" PVC 45 ELBOW SCH80 S X S (817-030)	1	1	11.726	11.73
3" PVC 90 ELBOW SCH80 S X S (806-030)	1	1	5.114	5.11
3" PVC FEMALE ADAPTER SCH80 S X F (835-030)	1	1	12.451	12.45
3" PVC MALE ADAPTER SCH80 (836-030)	2	2	6.743	13.49
3 X 6" PVC NIPPLE SCH80 (889-060)	2	2	12.560	25.12
3" PVC PIPE SCH80 PE 20FT (085130)	20	20	2.750	55.00
2" PVC PIPE SCH80 PE 20FT (085120)	20	20	1.355	27.10
2" PVC 90 ELBOW SCH80 S X S (806-020)	2	2	1.944	3.89
2" PVC 45 ELBOW SCH80 S X S (817-020)	2	2	4.589	9.18
2" PVC MALE ADAPTER SCH80 (836-020)	2	2	5.344	10.69
GALLON - PVC CEMENT GRAY HEAVY DUTY 31118 (31118)	1	1	41.812	41.81
GALLON - PVC CPVC PURPLE PRIMER 30768 (30768)	1	1	23.829	23.83
QUART EMPTY CAN 31307 (31307)	1	1	3.001	3.00
RED HANDLE BRUSH 70491 (70491)	1	1	2.969	2.97

Subtotal	245.37
S&H CHGS	0.00
Sales Tax	17.17
Amount Due	262.54

Invoice is due by 10/20/12.

All claims for shortage or errors must be made at once, returns require written authorization and are subject to handling charges. Special orders are non-returnable.
Past due invoices may be subject to 1.5% late charge

12F(20)

** INVOICE **

A&B PIPE AND SUPPLY INC.

INVOICE DATE	INVOICE NUMBER	PAGE NO.
09/18/12	S1408257.001	1

REMIT TO: A&B PIPE AND SUPPLY INC
PO BOX 133367
HIALEAH, FL 33013

PLEASE INDICATE ACCOUNT # .6490 ON YOUR CHECK

BILL TO:
CENTRAL PLUMBING-W S CO INC
PO BOX 600520
N MIAMI BEACH, FL 33160

SHIP TO:
CENTRAL PLUMBING-W S CO INC
GENERAL ACCOUNT
11618 NW 7TH AVENUE
MIAMI, FL 33168

ORDER DATE	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
09/18/12	7505 W. TREASURE		HOUSE SALES ACCOUNT
SHIP DATE	**SHIP VIA**	**TERMS**	**WRITER**
09/18/12	PK PICK-UP	NET 20TH	Lazaro Lopez

DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRICE	NET AMOUNT
3" PVC FEMALE ADAPTER SCH80 S X F (835-030)	1	1	12.451	12.45
3" PVC 90 ELBOW SCH80 T X T (808-030)	1	1	21.371	21.37
3" PVC 45 ELBOW SCH80 T X T (819-030)	1	1	24.709	24.71
PINT CAN BIC SLICTITE 42029 (42029)	1	1	18.810	18.81
3" PVC COUPLING SCH80 S X S (829-030)	2	2	6.836	13.67

Subtotal	91.01
S&H CHGS	0.00
Sales Tax	6.37
Amount Due	97.38

Invoice is due by 10/20/12.

All claims for shortage or errors must be made at once, returns require written authorization and are subject to handling charges. Special orders are non-returnable.
Past due invoices may be subject to 1.5% late charge

12F(21)

A&B PIPE AND SUPPLY INC.

** INVOICE **

INVOICE DATE	INVOICE NUMBER	PAGE NO.
09/21/12	S1408325.001	1

REMIT TO: A&B PIPE AND SUPPLY INC
PO BOX 133367
HIALEAH, FL 33013

PLEASE INDICATE ACCOUNT # .6490 ON YOUR CHECK

BILL TO:
CENTRAL PLUMBING-W S CO INC
PO BOX 600520
N MIAMI BEACH, FL 33160

SHIP TO:
CENTRAL PLUMBING-W S CO INC
GENERAL ACCOUNT
11618 NW 7TH AVENUE
MIAMI, FL 33168

ORDER DATE	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
09/18/12	7505 W TREASURE		HOUSE SALES ACCOUNT
SHIP DATE	**SHIP VIA**	**TERMS**	**WRITER**
09/21/12	WC WILL CALL	NET 20TH	Russell Bray

DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRICE	NET AMOUNT
3" FLANGED AIR VALVE FOR WATER D-040CF03 NSF (D040CF03) NON CANCELLABLE & NON RETURNABLE Above Item is a RUSH!	1	1	712.330	712.33
3" BRASS COMPANION FLANGE THREADED 150LB (X235-48)	1	1	131.617	131.62
3 X CL BRASS NIPPLE (2048-001)	1	1	30.817	30.82
3" 1/8 FULL FACE NEOPRENE GASKET CL150 (GA18F1N03)	1	1	1.134	1.13

Subtotal	875.90
S&H CHGS	0.00
Sales Tax	61.31
Amount Due	937.21

Invoice is due by 10/20/12.

All claims for shortage or errors must be made at once, returns require written authorization and are subject to handling charges. Special orders are non-returnable.
Past due invoices may be subject to 1.5% late charge

12F(22)

SUPERMIX

"The On Time Concrete Company"®

CENTRAL CONCRETE SUPERMIX, INC.

CONCRETE DISPATCHERS:
MIAMI-DADE: (305) 264-7101
DEERFIELD: (954) 480-9333
BLOCK PLANT:(305) 805-3226
WWW.SUPERBLOCK.COM

MAIN OFFICE: 4300 S.W. 74th Ave. • Miami, FL 33155
PHONE: (305) 262-3250 • FAX: (305) 267-0698

CUSTOMER NO.	DELIVERY TICKET	DATE

SERVING MIAMI-DADE, BROWARD AND PALM BEACH COUNTIES

SOLD TO	DELIVERY ADDRESS

QUANTITY	DESCRIPTION	PRICE	UNIT	EXTENSION

EXTRA UNLOADING TIME CHARGE ➡ MINUTES - ALLOWABLE TIME* = PER MINUTE X $1.00 =

*6 MINUTES PER CU. YD. ALLOWED

SHORT LOAD CHARGE ➡

SLUMP	THIS DELIVERY TOTAL _____ CU. YDS.	AMOUNT
	OF YOUR ORDER FOR _____ CU. YDS.	TAX
		TOTAL ◆

CUSTOMER OR HIS AGENT ASSUMES FULL RESPONSIBILITY FOR STRENGTH AND/OR PERFORMANCE OF ANY CONCRETE PLACED ABOVE DESIGN SLUMP OR WHEN WATER IS ADDED. WATER ADDED ☐ YES ☐ NO _____ GLS.

TIME ARRIVED ON JOB	STARTED UNLOADING	FINISHED UNLOADING	LEAVING THIS JOB	TOTAL TIME
12:30	12:41			

SUBJECT TO THE TERMS, CONDITIONS AND "CAUTION" WARNING LISTED ON BOTH THE FRONT AND BACK OF THIS TICKET.

TRUCK	DRIVER	
		I acknowledge that I have received and accepted the materials listed on this ticket. I understand and agree to the terms on both the front and back of this ticket. RECEIVED BY: X _____

12F(23)

CONTROL
2-109725

10 LOADING POINTS AT 7 MIAMI-DADE, BROWARD AND S. PALM BEACH COUNTY PLANTS TO SERVE YOU BETTER
MIAMI • AIRPORT • OPA LOCKA • MEDLEY • PERRINE • PEMBROKE PINES • DEERFIELD
PRODUCERS AND SUPPLIERS OF QUALITY READY MIXED CONCRETE AND CONCRETE BLOCK

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

RECOMMENDATION MEMORANDUM

DATE: **May 10, 2013**

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

RECOMMENDED BY STAFF/COMISSIONER: Mayor Connie Leon Kreps

PRESENTED BY STAFF: Jenice Rosado, Interim Village Manager

SUBJECT: North Bay Village Shared Registered Nurse

RECOMMENDATION:

It is recommended that the Village Commission approve partial funding for a School Registered Nurse and Medical Assistant for Treasure Island Elementary School.

BACKGROUND:

The City of Miami Beach is working in conjunction with Miami Beach Chamber of Commerce in an effort to secure funding for a part-time school Registered Nurse and Medical Assistant to service North Beach Elementary, Treasure Island Elementary and Ruth K. Broad Bay Harbor Elementary at a cost of $65,000 for one year for the RN and a cost of $30,000 for one year for the Medical Assistant. Miami Beach Chamber of Commerce applied for a grant through AETNA to partially fund healthcare in our underserved schools and was awarded funds in the amount of $30,000 annually. Furthermore, most recently, Miami Beach has also applied for a grant through the Health Care Foundation and the Foundation has awarded funds for this effort. The Health Care Foundation has agreed to match dollar for dollar each of the Cities share of contribution toward this effort. The dollar for dollar match will amount to a total grant award of $65,000 received from the Healthcare Foundation.

12G(1)

Dr. Leslie Rosenfeld from the City of Miami Beach has been charged with coordinating a joint effort between Miami Beach, North Bay Village, Surfside, and Bal Harbor and Bay Harbor to converge efforts, as sister cities, to secure the funding needed for the Registered Nurse (approximately $65,000). At the moment, it appears that the funding would allow a Registered Nurse to be at each of the aforementioned schools at least 1-2 times each week. The Registered Nurse will rotate daily between each school so that they are equally shared amongst all schools. Currently, these schools do not have ANY type of onsite medical care for the children, resulting in medically unqualified teachers to make decisions regarding a child's health. The greatest need for this type of service is in Treasure Island Elementary where 90 percent of the children at the school receive free and reduced lunch due to economic need. Due to the fact that the grant for the match funds from the Health Care Foundation was just received and if the Commission tonight approves funding of our Village's proportionate share ($13,000 breakdown detailed below) the Cities of Bal Harbor, Bay Harbor, Surfside, Miami Beach and North Bay Village will be meeting immediately after approval to determine the best way to use those match funds. Some of the possibilities that those funds could be used for are either to pay for additional hours for the RN and Medical Assistant at our schools.

Dr. Rosenfeld has reached out to the principal at each of these schools through the district as well as the Miami-Dade County School Board and all have agreed to designate facility space for the Registered Nurse at each school. Furthermore, Dr. Rosenfeld has reached out to each City named above, including ours, to secure the remaining funds needed to move this project forward which is scheduled to begin during the 2013-2014 School Year (beginning August 2013). The Registered Nurse will be provided by a Children's Trust approved provider and will be managed and monitored by the Children's Trust for quality of services, etc. as they currently monitor similar programs for all other public schools. The Trust is a professional organization which we currently work with on one of our grants and there is no doubt that they will do an excellent job of monitoring the shared Registered Nurse for all of these cities.

The Town of Surfside voted unanimously to support this partnership. Bay Harbor islands and Bal Harbor have also approved funding for their proportionate share. The City of Miami Beach has also committed its proportionate share as well and they will continue to look for other grant funds and work with the Children's Trust to sustain this partnership. Additionally, the Miami Beach Chamber will continue to search for potential grant funds to assist with this effort.

FINANCIAL IMPACT:

The cost for the Registered Nurse is approximately $65,000 annually and this will be a recurring cost unless grants to lower this cost are secured. North Bay Village's share for school year 2013-2014 would be $12,999. This amount will be divided as follows: SCHOOL YEAR 2013-2014 Nurse Funding:

12G(2)

$21,666 City of Miami Beach for North Beach Elementary
$8,666 City of Miami Beach contribution for Treasure Island Elementary (40% of cost)
$12,999 City of North Bay Village for Treasure Island Elementary (60% of cost)
$7,222 Surfside for Ruth K Broad Elementary
$7,222 Bal Harbor for Ruth K Broad Elementary
$7,222 Bay Harbor for Ruth K Broad Elementary

BUDGETARY IMPACT (FINANCE DEPT):

Fiscal Year 2012-2013 (August, Sept 2013) total of $2,166.00 to cover approximately 7 weeks in this fiscal year. The $2,166 for the August and September contributions is unbudgeted and will have to be funded from the Unassigned Fund Balance. The unassigned fund balance is currently at $550,117.
The $12,999 annual cost of this program will be addressed in the FY 2014 budget.

PERSONNEL IMPACT:

None. Monitoring of the Registered Nurse will be provided by the Children's Trust and monitoring reports provided to City of Miami Beach which will in turn be distributed to all participating municipalities.

12G(3)

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

MEMORANDUM
North Bay Village

DATE: May 10, 2013

TO: Yvonne P. Hamilton
Village Clerk

FROM: Jenice Rosado
Interim Village Manager

SUBJECT: Introduction of Resolution

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

> **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING ITS PROPORTIONATE SHARE OF FUNDING FOR A SCHOOL REGISTERED NURSE FOR TREASURE ISLAND ELEMENTARY SCHOOL; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE.**

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

JR:yph

12G(4)

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING ITS PROPORTIONATE SHARE OF FUNDING FOR A SCHOOL REGISTERED NURSE FOR TREASURE ISLAND ELEMENTARY SCHOOL; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY INTERIM VILLAGE MANAGER JENICE ROSADO)***

WHEREAS, one of the activities of the Education Compact with Miami-Dade County Public Schools that was established in 2008 is to increase the health and well-being of students in Miami Beach public schools through the expansion of full-time nurse practitioners and/or registered nurses at schools without health clinics; and

WHEREAS, North Bay Village Treasure Island Elementary School, North Beach Elementary School and Ruth K. Broad Bay are the only three schools in the Miami-Beach feeder pattern that do not have onsite health services; and

WHEREAS, Miami-Dade County wishes to hire a Medical Assistant and a school Registered Nurse to provide shared services to these three schools; and

WHEREAS, partial funding of $30,000 was obtained to cover the annual cost for the Medical Assistant with $65,000 remaining for the Registered Nurse; and

WHEREAS, the City of Miami Beach wishes to secure funding for a part-time school Registered Nurse; and

WHEREAS, Miami-Dade County School Board has requested the municipalities in which these schools are located to share the cost for the School Nurse; and

WHEREAS, the Village Commission desires to pay its proportionate share to support the School Nurse Program.

12G(5)

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

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

Section 2. **Approval of Expend Funds.** The Village Manager is authorized to expend $2,666 for the cost of a Registered Nurse for the 2013 Fiscal Year.

Section 3. **Budget Appropriation.** The Village Manager is authorized to appropriate $2,166 in the 2013 Budget from the General Fund Unassigned Fund Balance to pay the Village's proportionate cost for a Registered Nurse for the 2013 Fiscal Year for Treasure Island Elementary School.

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

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

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this _____ day of _____ 2013.

_____

MAYOR CONNIE LEON-KREPS

12G(6)

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Registered Nurse; Treasure Island Elementary School.

12G(7)

MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

CITY MANAGER'S OFFICE
Tel: 305-673-7010, Fax: 305-673-7782

JENICE + BERT

February 14, 2013

Mr. Dennis Kelly
Village Manager
North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141

Dear Mr. Kelly:

The City of Miami Beach Committee for Quality Education (Committee) advises the City on strategies to improve and strengthen public education. The Committee is made up of parent representatives from all Miami Beach feeder schools and appointees who represent the Mayor and City Commission.

On September 24, 2012, the Committee made the following motion regarding health care in our feeder public schools:

> *The health and well-being of our children is of paramount importance and should be considered a community priority and responsibility. Therefore, the Committee for Quality Education recommends the Mayor and City Commission review the Health and Well-being activities in the Education Compact to strengthen them and consider funding support.*

The Education Compact with Miami-Dade County Public Schools, referred to in the motion, was established in 2008 and includes the outcome to increase the health and well-being of students in Miami Beach public schools. One of the activities included in the agreement to support this outcome is the expansion of full-time nurse practitioners and/or registered nurses at schools without health clinics.

There are eight (8) Miami-Dade County Public Schools that fall under the Miami Beach Senior High School feeder pattern, five (5) of which have Health Connect in Our Schools (HCIOS) Suites funded by the Children's Trust. They include Biscayne Elementary, South Pointe Elementary, Fienberg-Fisher K-8 Center, Nautilus Middle School, and Miami Beach Senior High School. The HCIOS provides nursing assessments, administration of first aide, and consulting with parents and caregivers. During the 2011-12 school year, there were 12,798 visits to the health suites at the five (5) HCIOS schools.

Each of the five (5) schools with HCIOS have one (1) health aide onsite, full-time to provide the day-to-day services in the health suites; the equivalent of two (2) full time higher- level nurses provide services to all five (5) schools. Additionally, a social worker serves each school.

12G(8)

However, three (3) schools in our shared public school feeder pattern do not have access to HCIOS or onsite health care services. The schools within our cities that do not have onsite health services are North Beach Elementary (1,024 students), Treasure Island (683 students), and Ruth K. Broad Bay Harbor K-8 Center (1,265 students).

As such, the Committee motion was referred to the City's Finance and Citywide Projects Committee (FCWPC) for discussion and a recommendation. The FCWPC recommended the City of Miami Beach fund a proportionate share of the estimated $65,000 for a full-time, registered nurse with benefits for the 2012-13 school year subject to the other municipalities needing these onsite services funding their proportionate share and to Commission action.

The Miami Beach Chamber of Commerce has collaborated with the City to assist in sustaining many of the Education Compact components. Most recently, the Chamber won the AETNA Health Challenge competition and was awarded $30,000 to support a full-time nurse in those schools in the Miami Beach feeder pattern with no access to health care.

Accordingly, the City Administration is reaching out to North Bay Village to determine your City's interest in supporting the hiring of a full-time registered nurse to our underserved schools. Dr. Leslie Rosenfeld, City of Miami Beach Education Liaison, will be contacting your office in the next few weeks to discuss next steps. As partners, we will continue to look for alternate means of sustaining this valuable and much needed service for our youth.

We are hopeful to be successful in securing the funding required so that we can present this request to our City Commission as soon as possible.

Thank you in advance for your support and consideration. Please do not hesitate to contact me if I can be of any assistance. I may be reached at 305-673-7010.

Sincerely,

Kathie G. Brooks, AICP
Interim City Manager

KGB:LDR

120(9)

1) As you know, the Miami Beach Chamber was the winner of the national AETNA Voices of Health contest and the recipient of $30,000. These funds will be utilized once we have accumulated enough funds for a nurse ($62,000).

2) The Miami Beach Chamber (with support from the City of Miami Beach and members of our task force) submitted a grant to the Health Foundation of South Florida for $62,000. The grant is currently being reviewed and we will have an answer in mid May. A site visit with the HFSF was held a few weeks ago and we made a great pitch that this model can serve as a demonstration project for the county.

3) Based on a directive from the City's Finance Committee, the City manager requested Dr. Leslie Rosenfeld reach out to our neighboring municipalities for financial support. The City of Miami Beach committed to funding their appropriate share pending commission approval of the cost of a school nurse based on the percentage of students who reside in our community

Actions:

- The acting city manager (Kathie Brooks) sent a letter to each of our neighboring municipalities on February 14, 2013 regarding their interest in this initiative.

- Dr. Leslie Rosenfeld has then reached out to each municipality for follow up.

- Town of Surfside voted unanimously to support the initiative and fund their proportionate share if the other two municipalities also participated

(March 2013 Leslie presented to their commission)

- Bay Harbor - manager supports the initiative and forwarded the request to their budget committee (February 2013 Leslie met with the manager)

- North Bay Village - Leslie will meet with the new city manager next week (Deleted)

- Bal Harbor - Leslie is waiting to hear from the manager and/or mayor regarding their upcoming April meeting next week

We will keep you posted.

Karen

Karen Rivo

Chair, Health Care Task Force

Immediate Past Chair, Committee for Quality Education

City of Miami Beach

12G(10)

Wendy
Wendy S. Unger
Team Leader, Membership Relations
Liaison, Education Council
Liaison, Membership Committee
Liaison, Miami Beach Chamber - City of Miami Beach Health Care Task Force

Miami Beach Chamber of Commerce
The Halegua Family Building
1920 Meridian Avenue, Miami Beach, FL 33139
PH 305.674.1300 | DIRECT 305.695.6829 |CELL 305.772.7369
www.miamibeachchamber.com <http://www.miamibeachchamber.com/>
"Experience the Power of Membership"

<http://chambermaster.com/directory/servlet/blank.gif?CCID=166&CorrespondenceID=132625>

12G(11)

Staff Report
Non-Use Variance Request

Prepared for: *North Bay Village Commission*

Applicant: *Dean Spiegel*

Request: *Variance from Fence Height Standards*

LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366
Serving Florida Local Governments Since 1988

13A(1)

7521 Hispanola Ave.

General Information

Owner/Applicant:	Dean Spiegel
Applicant Address:	7521 Hispanola Ave, North Bay Village
Site Address:	7521 Hispanola Ave
Phone Number:	*954-937-5477*
E-mail Address	Not given

	Existing	**Proposed**
Future Land Use Map Classification	Single Family Residential	Single Family Residential
Zoning District	RS-2	RS-2
Use of Property	Single Family Home	Single Family Home
Acreage	0.16	0.16

Legal Description of Subject Property

LOT 10, BLOCK 6, TREASURE ISLAND. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGE 67. PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

Item Before the Village Commission

The applicant is requesting a variance from the fence height restrictions of section 152.055(B).

Description of the Situation

The applicant would like to construct an 8 foot fence along the southern (side) edge of the property that would run from the rear property line up to the front edge of the house. The proposed fence will be within the rear and side setbacks. Section 152.055(B) allows for fences in the rear and side setback areas to be a maximum of 6 ft. The applicant is requesting a 2 foot variance in order to build a fence that will prohibit his neighbor's dogs from jumping into his yard.

In the letter attached to this report, the applicant states that the neighbor to the south has three large dogs, one of which has already jumped over the existing 5 foot fence into his property and attacked him. He is concerned for the safety of his child. The applicant has also provided signed statements of consent from the property owners adjacent to the proposed fence.

13A(2)

Adjacent Future Land Use Map Classifications and Zoning Districts

North:	Future Land Use Map Classification:	Single Family Residential
	Zoning District:	RS-2
	Existing Land Use:	Single Family Home
East:	Future Land Use Map Classification:	Single Family Residential
	Zoning District:	RS-2
	Existing Land Use:	Single Family Home
South:	Future Land Use Map Classification:	Single Family Residential
	Zoning District:	RS-2
	Existing Land Use:	Single Family Home
West:	Future Land Use Map Classification:	Single Family Residential
	Zoning District:	RS-2
	Existing Land Use:	Single Family Home

Required Findings:

Sec. 152.0971(B) sets forth findings that are required for the reviewing body(ies) to authorize any non-use variance request. In addition to staff comments on these items, the applicant's comments (included in his letter) have been listed as well. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts.

(1) The variance will be in harmony with the general appearance and character of the community.

Applicant Comments: "Yes. It will be. The additional 2 feet will not upset the harmony or character of the community. 99% of the residents will not even lay eyes upon it. I've done some personal reconnaissance and have found 25-30 other properties that have 8 foot high fences in their back yard. And their fences do not appear to upset the harmony of the community."

Staff Comments: If many other yards do in fact have fences taller than the standard 6 feet allowed, then this request is not out of character for the community. Additionally, this fence will not be extending into the front yard of the property and will not be seen by most people in the neighborhood.

13A (3)

(2) The variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Comments: "No, the variance will not be injurious to the area involved or detrimental to public welfare. Quite the contrary, this variance will serve to help ensure that my family is protected from large/dangerous animals while in our back yard."

Staff Comments: Allowing the property owner to secure his property and protect his family will not be injurious to the neighborhood and would promote public welfare. Additionally, the applicant has provided signed statements of consent from the property owners adjacent to the proposed fence.

(3) The improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences.

Applicant Comments: "Yes, the improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences. The fence (as a 6 foot, wooden fence) will have 4 inch vertical beams. As a whole, it will be about 6 inches in width. This is how it would be as a 6 foot high fence or as an 8 foot high fence. The additional 2 feet will not impact aerial/visual views. Nor will it be displeasing to the eye."

Staff Comments: This improvement should not have an aerial/visual impact on the adjacent residences.

Recommendation:

Staff recommends **approval** of the requested variance to allow a fence 2 feet taller than the required maximum of 6 feet along the southern side property line, extending from the rear property line to the front edge of the house.

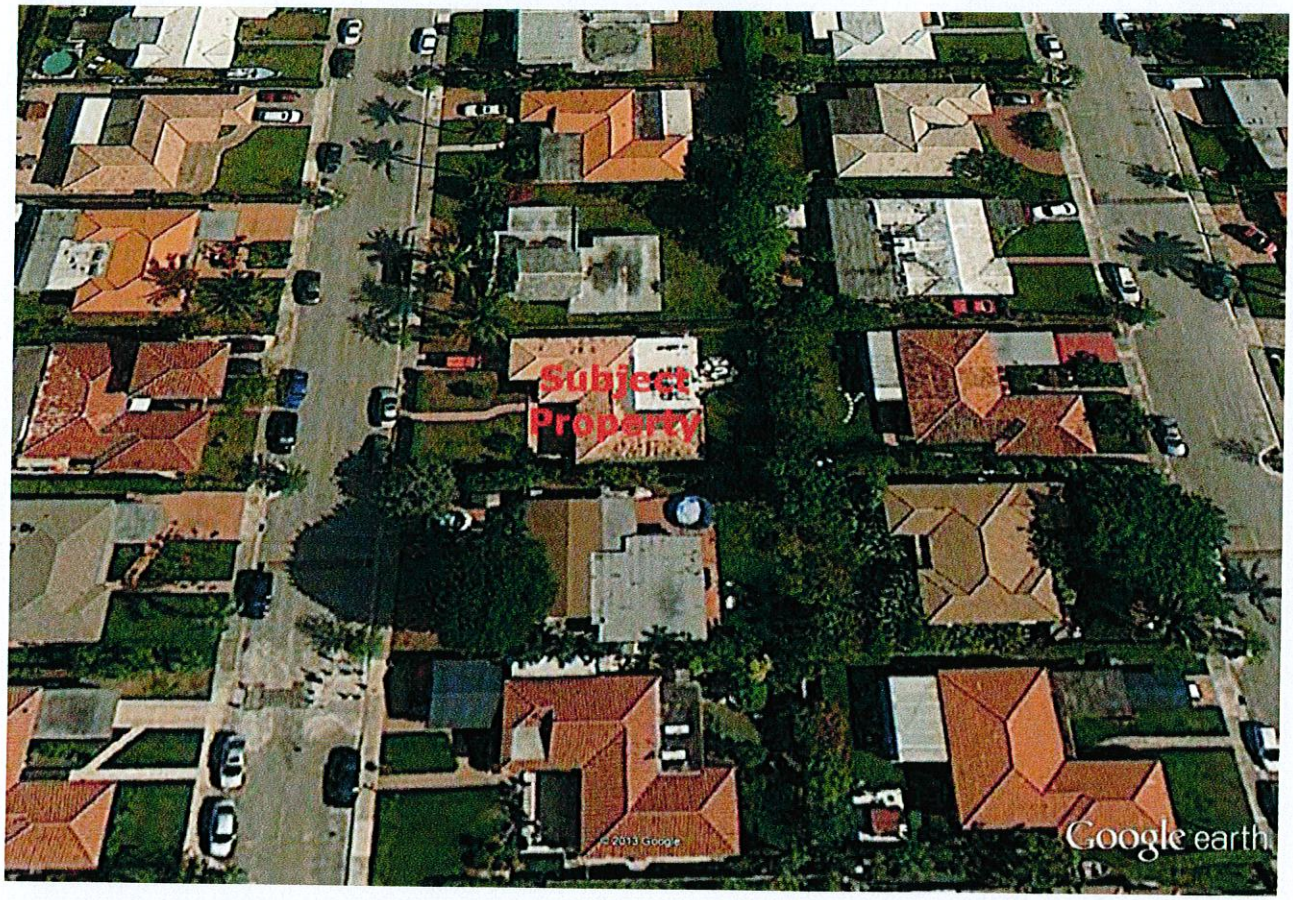
Staff finds that the requested variance does meet the requirements of Section 152.0971 and Section 2.7.6 in that the materials submitted adequately allow for an affirmative finding on any of the criteria contained as specifically identified by the foregoing staff comments.

Submitted by:
James G. LaRue
James L. LaRue, AICP
Planning Consultant
April 23, 2013

Hearing: Village Commission, May 14, 2013
Attachments:

13A(4)

AERIAL PHOTOGRAPH
SUBJECT SITE



13A(5)

Received 3/20/13 yf

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

APPLICATION FOR NON-USE VARIANCE:

Hearings and Notices: - All petitions for Non-Use Variances pursuant to Section 152.097 of the City of North Bay Village Code of Ordinances shall be considered at Public Hearings before the City Commission.

Applicant's Name: Dean Spiegel Phone: 954 737-5477

Applicant's Address: 7521 Hispaniola Ave. NBV, FL 33141

Address of Subject Variance: 7521 Hispaniola Ave. NBV FL 33141

Legal Description of Subject Property: Lot 10, Block 6, Treasure Island

Existing Zoning: RS-2

Request Non-Use Variance of: 8 foot high fence on 1 side in back yard

Reason for Request: 3 very large/very dangerous dogs next door. 1 already hopped the fence. Can't have my 1 1/2 old boy out back.

The Commission may grant such variance requests if the Commission finds:

(1) The variance will be in harmony with the general appearance and character of the community;
(2) The variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and;
(3) The improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences.

As a courtesy, notice of the meeting at which the non-use variance request is to be considered shall be provided in writing by regular mail at least seven (7) days prior to the meeting to all property owners and residents of property abutting the subject property and immediately across the street.

Property Owner/Condo President/Authorized Agent

3/20/2013
Date

All applications are to be in the Building Department two (2) weeks prior to the City Commission Meeting, with documents attached.

Office Use Only:

Date Submitted: 3/20/13

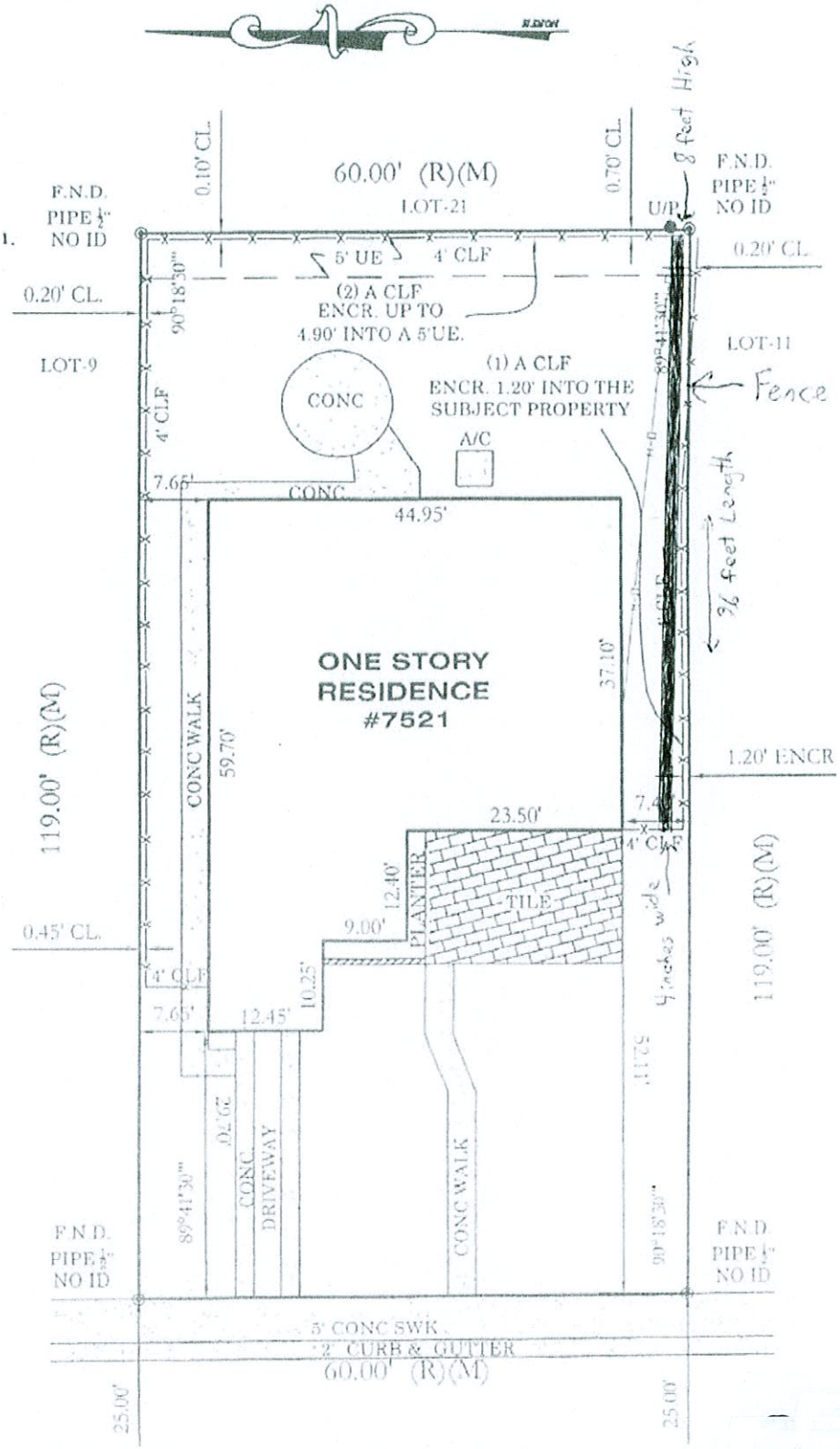
Fee Paid: $ 300.00

Cash ☐ or Check ☑ #

13A(6)

Revised 1/23/2013

BOUNDARY SURVEY SHOWING PROPOSED FENCE LOCATION



APPLICANT LETTER

3/20/2013

To Whom It May Concern:

My name is Dean Spiegel. I am a resident of North Bay Village. My House is 7521 Hispanola Ave. I've lived here for 7 years.

My neighbor (on the south side) owns 3 large/dangerous dogs. The purpose of this document is to explain that I intend to build a fence on the south side of my property in order to protect my family from these dogs. One dog has already hopped my 5 foot fence and attacked me. NBV code limits the height of a resident's backyard fence to 6 feet. This simply will not protect my family from my neighbor's dangerous animals. I intend to build a 8 foot high fence solely on the south side of my property. The additional 2 feet will secure my backyard from these animals.

Attached are affidavits from all neighbors within 300 feet of the project, giving me their permission to build this fence. They are all aware of the code and my necessity for having an extra two feet in addition to the regular 6 feet in terms of height.

The fence will run 80 feet east to west. It will be build out of wood by a professional fencing company. I hope for it to be 8 feet high instead of the regulated 6 feet.

Currently, I cannot take my 18 month old child out into my backyard to play for fear of these animals. My family is not safe in our own back yard.

Thank you very much for your time.

Sincerely

Dean Spiegel

STATEMENT OF CONSENT FROM NEIGHBORS

My name is MARTIN GONZALEZ.

I live at 7510 Hispanola Ave.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 03/20/13

DONNA VESKI

My name is Donna Veski.

I live at 7516 MUTINY AVE.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 3/20/13

My name is ROCKY SAINT.

I live at 7520 MUTINY AV.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 3-20-2013

3/20/2013

To Whom It May Concern:

My name is Dean Spiegel. I am a resident of North Bay Village. My House is 7521 Hispanola Ave. I've lived here for 7 years.

My neighbor (on the south side) owns 3 large/dangerous dogs. The purpose of this document is to explain that I intend to build a fence on the south side of my property in order to protect my family from these dogs. One dog has already hopped my 5 foot fence and attacked me. NBV code limits the height of a resident's backyard fence to 6 feet. This simply will not protect my family from my neighbor's dangerous animals. I intend to build a 8 foot high fence solely on the south side of my property. The additional 2 feet will secure my backyard from these animals.

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The fence will run 80 feet east to west. It will be build out of wood by a professional fencing company. I hope for it to be 8 feet high instead of the regulated 6 feet.

Currently, I cannot take my 18 month old child out into my backyard to play for fear of these animals. My family is not safe in our own back yard.

Thank you very much for your time.

Sincerely

Dean Spiegel

13A(10)

My name is MARTIN GONZALEZ

I live at 7510 Hispanola Ave.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 03/20/13

13A(11)

DONNA VESKI

My name is Donna Veski.

I live at 7516 MUTINY AVE.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 3/20/13

13A(12)

My name is ROCKY SAINT RS

I live at 7520 MUTINY AV.

I give permission to Dean Spiegel, resident of 7521 Hispanola Ave, North Bay Village, Fl, 33141 to build a 8 foot high fence instead of the limited 6 foot high fence on the south side of his property. I understand that the North Bay Village code only allows for a 6 foot high fence in a private resident's back yard. It is ok that this fence will be 8 feet instead.

Date: 3-20-2013

13A (13)

3/20/2013

To Whom It May Concern:

My name is Dean Spiegel. I am a resident of North Bay Village. My House is 7521 Hispanola Ave. I've lived here for 7 years.

My neighbor (on the south side) owns 3 large/dangerous dogs. The purpose of this document is to explain that I intend to build a fence on the south side of my property in order to protect my family from these dogs. One dog has already hopped my 5 foot fence and attacked me. NBV code limits the height of a resident's backyard fence to 6 feet. This simply will not protect my family from my neighbor's dangerous animals. I intend to build a 8 foot high fence solely on the south side of my property. The additional 2 feet will secure my backyard from these animals.

Attached are affidavits from all neighbors within 300 feet of the project, giving me their permission to build this fence. They are all aware of the code and my necessity for having an extra two feet in addition to the regular 6 feet in terms of height.

The fence will run 80 feet east to west. It will be build out of wood by a professional fencing company. I hope for it to be 8 feet high instead of the regulated 6 feet.

Currently, I cannot take my 18 month old child out into my backyard to play for fear of these animals. My family is not safe in our own back yard.

Apparently there are three criteria that need to be addressed within this letter:

"(A) Notwithstanding any other provision of this chapter, in residential districts, upon application duly made upon an application form to be provided by the Department, the City Commission may consider requests for non-use variances which are defined as variances of setback lines, lot size, restrictions and yard requirements for the location and construction of fences, nonpermanent carports, screen enclosures, sheds, awnings and air conditioning compressors, swimming pool pumps and pool heating equipment."

Well, that is a confusing statement. I'm an English teacher and I'm just perplexed as to how to address this. Here we go: I need to build a fence that will protect my family in my back yard from vicious dogs who have jumped the current fence in the past. The city limits the height of a residential backyard fence to 6 feet. My fence is currently 5 feet. I do not believe the additional 1 foot would provide proper safety precautions for my family. Hence, I proclaim that I need to have, at minimum, an 8 foot fence. This 'variance' is essential.

"(B) The Commission may grant such variance requests if the Commission finds:

(1)The variance will be in harmony with the general appearance and character of the

13A (14)

community; "

Yes. It will be. The additional 2 feet will not upset the harmony or character of the community. 99% of the residents will not even lay eyes upon it. I've done some personal reconnaissance and have found 25-30 other properties that have 8 foot high fences in their back yard. And their fences do not appear to upset the harmony of the community.

"(2)The variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and"

No, the variance will not be injurious to the area involved or detrimental to public welfare. Quite the contrary, this variance will serve to help to ensure that my family is protected from large/dangerous animals while in our back yard.

"(3)The improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences."

Yes, the improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences. The fence (as a 6 foot, wooden fence) will have 4 inch vertical beams. As a whole, it will be about 6 inches in width. This is how it would be as a 6 foot high fence or as a 8 foot high fence. The additional 2 feet will not impact aerial/visual views. Nor will it be displeasing to the eye.

"(C)As a courtesy, notice of the meeting at which the non-use variance request is to be considered shall be provided in writing by regular mail posted at least seven (7) days prior to the meeting to all property owners and residents of property abutting the subject property and immediately across the street. *(Ord. 89-04, passed 11-14-89; Ord. No. 93-03, §§ 1, 2, 4-13-93)"*

Yes, the non-use variance request to be considered will be provided in writing by regular mail posted at least seven (7) days prior to the meeting to all property owners and residents of property abutting the subject property and immediately across the street.

Now, please allow me to build a fence in my back yard that will ensure that my family is protected from very dangerous dogs that reside next door. It would be nice to be able to play with my 18 month old boy in my back yard without fearing for his life.

Thank you very much for your time.

Sincerely

Dean Spiegel

13A(15)

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

Re: 7521 Hispanola Avenue
Lot 10, Block 6
Treasure Island
North Bay Village, FL 33141

Request for Variance for 8'-High Fence

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents pursuant to Section 152.0971(C) of the Village Code.

Dated this 3rd day of May 2013.

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13A(16)

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

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

Re: 7521 Hispanola Avenue
Lot 10, Block 6
Treasure Island
North Bay Village, FL 33141

Request for Variance for 8'-High Fence

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on May 14, 2013 was posted at the above-referenced property on May 1, 2013.

Dated this 1st day of May 2013

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13A(17)

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

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

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, #210, 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, #210. 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
(May 3, 2013)

13A(18)

Owner/Occupant
7525 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7517 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7524 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7520 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7516 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7520 Hispanola Avenue
N. Bay Village, FL 33141

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expose Pop-up Edge™
AVERY® 5160®

13A(19)

13A(20)

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

2. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

3. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

4. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

5. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. **SECOND READING**

6. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. **FIRST READING**

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, #210, 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, #210. 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.

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(April 26, 2013)

NEIGHBORS CALENDAR

• CALENDAR, FROM 9NE

people is performed for a breakfast audience. The additional bonus of a music video presenting the world premiere of "I Can Dance on Mountains" highlights the performance..

8 a.m. May 5. Evans-Graham Auditorium, 301 NW Ninth St., Overtown. Suggested donation for adults; free to children under 16 years. 305-633-3583.

Drive-By Big Band: Drive-By Big Band is a professional big band that was formed by Ryan Chapman and Major Bailey in 2009 to promote jazz big band music. This group is comprised primarily of Miami's top professional musicians and incorporates a number of talented University of Miami college students and professors in order to enhance the overall sense of community among local artists..

8 p.m. May 8. PAX Miami, 337 SW Eighth St.,. $0. 305-640-5847.

Gallery Night Live: Be sure to mark your calendars for First Friday Gallery Night every month in the Gables! The Museum presents Gallery Night Live and it is THE place to begin your Gallery Night experience with new exhibitions and live music, art, food and spirits on our beautiful Plaza..

6 p.m. May 3. Coral Gables Museum, 285 Aragon Ave., Coral Gables. Free. 305-603-8067. coralgablesmuseum.org.

Midday Organ Concert: Jay Brooks, director of music at First United Methodist Church of Coral Gables, performs a midday organ concert on the first Thursday of every month. The music is a rich repertoire of spiritual and secular pieces on the church's 4,000 pipe organ..

12:30 p.m. May 2. First United Methodist Church of Coral Gables, 536 Coral Way, Coral Gables. free. 305-445-2578. www.fumccg.org.

National Mom's Nite Out: Miami International Mall is hosting The Ultimate Mom's Nite Out 2013, a celebration of motherhood. Macy's Women Corridor. Enjoy food, drinks, pampering stations and more. Come and enjoy the fun!.

6 p.m. May 9. Miami International Mall, 1455 N.W. 107 AVE.,. 305-593-1777.

Weebles Coast to Coast Exhibit: This new exhibit is a cross-country adventure that highlights history, geography and more in a fun, interactive way. It runs through May 5. The museum is open daily 10 a.m. to 6 p..

10 a.m. May 2. Miami Children's Museum, Watson Island, Watson. $12 Florida residents; $16 others; free for babies under 1 year old. 305-373-5437.

Youth Arts Day and Music Fest: Youth Arts Day & Music Fest is a community collaboration celebrating creativity, youth artists, diversity, and creating awareness of Miami-Dade County's rich cultural resources..

10 a.m. May 5. Deering Estate, 16701 SW 72nd Ave., Palmetto Bay. Free for Youth (Grades K-12); $12 for adults. 305-235-1668.

ETHNIC & CULTURAL

Institute of Maya Studies-Archaeology101: Janet Meiss tells how to prepare before grabbing your digging tools by getting information and then tells how to record what you find, take notes, do sketches and photograph..

8 p.m. May 8. Miami Science Museum, 3280 S. Miami Ave., Coconut Grove. $10 donation; free for members. 305-279-8110.

Jewish Miami Beach Tour: This tour explores the rise and fall of the Jewish population of Miami Beach over the past 100 years, including a look at the impact of selected key Jewish individuals and institutions, plus an overview of architectural styles in the southernmost part of the city..

11 a.m. May 5. Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. $20. 305-763-8026.

FAIRS & FESTIVALS

"Celebrating the Moms of Miami": Free all-day Kendall health and beauty expo dedicated to Miami's moms. Hosted by elements fitness for women at 8758 SW 72 St.

Win prizes in our Spinathon or Zumbathon. Hear expert talks on cosmetic procedures, stress reduction and fitness while perusing displays of health and beauty products and services, custom jewelry, specialty foods, moving services and more..

7:30 a.m. May 8. elements fitness for women at Sunset, 8758 SW 72 St., Sunset. Free. 305-595-4584.

10th Annual Love-In Party in the Park: Come party at this real blast from the past with rock-n-roll from the 60s, 70s, and 80s at Greynolds Park! Patrons will enjoy great, food, family-friendly activities, and rocking live concerts featuring Grand Funk Railroad, Blues Image, and much more..

11 a.m. May 5. Greynolds Park, 17530 S. Dixie Hwy,.. $15 Advance Ticket Price, $20 At the Door. 305-945-3425. miamipartyinthepark.com/.

4th Annual New Times Brew at the Zoo 2013: Miami's largest beer festival returns May 4, 2013, showcasing 100+ local, international, and craft beers, live national acts, interactive games, animals, food and fun. This year, Naughty by Nature will perform live with Luke live on stage!.

7 p.m. May 4. Zoo Miami, 12400 SW 152nd St., Miami Metrozoo. $35 prepaid/$45 at the door. VIP $75 prepaid/$85 at the door. 305-576-8000.

Brickell Flatiron Park Farmer's Market: Features a diversity of products, including organic produce, spices, granola, gluten-free pasta, freshly made ceviche and guacamole, fresh stone crabs, Colombian baked goods, tropical fruit smoothies, local honey, artisanal French bread, fresh flowers, Greek salads and gyros, olive oil and handmade soaps..

9 a.m. May 3. Brickell Flatiron Park, 1101 S. Miami Ave., Brickell. Free. 305-531-0038.

Christmas Bazaar Miami 2013: Over 100 merchants and the Famous Food Trucks, great food and music, Sports Bar, and Children's Area. Do all of your Christmas shopping while you have a great time with your family and friends!.

10 a.m. May 5. Dolphin Mall, 11401 NW 12th St.,. 305-365-7446.

Cinco de Mayo Crawl-South Miami: Includes Splitsville, Bougainvilleas, Irish Times, happy hour all night, free shot at each bar, free entrance and skip the line at the bars, lounges and clubs..

8:30 p.m. May 4. Splitsville, Sunset Place, Biscayne Bay. $19.99.

Free Japan Garden Spring Festival: Free Spring Festival at the Miami-Japan Garden. This day is a celebration of Japanese culture; food, music, clothingower arrangements (Ikebana), Traditional Storytelling and more..

10 a.m. May 5. Ichimura Miami-Japan Garden, 1101 MacArthur Cswy., Watson Island. Free. 786-457-6446.

Karaoke Night: Join us for a very special Karaoke Night! The DJ will keep you on the dance floor while you build up the courage to step on stage. A night full of dancing, singing and fun; what more could you ask for!.

6 p.m. May 3. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

North Bay Village Farmers Market: Year round Farmers Market at the Crab House parking lot overlooking Key Biscayne. It features organic fruits and vegetables, pasta, bread, local honey, kettle corn, plants and flowers..

2 p.m. May 3. Crab House Seafood Restaurant, 79th Street Causeway, North Bay Village. Free. 305-531-0038.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

7 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

12 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Southwest Community Farmer's Market: Features outdoor market with organic local produce, artisan baked goods, local arts, community music, organic solar-powered jam and massage..

9 a.m. May 4. Tropical Park, 7900 SW 40th St, Olympia Heights. Free. 305-223-8710.

The Palms at Town & Country Hosts

• TURN TO CALENDAR, 14NE

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

April 30, 2013

Mr. Dean Spiegel
7521 Hispanola Avenue
North Bay Village, FL 33141

Re: Request for Fence Variance

Dear Mr. Spiegel:

This is notification that your request for a Variance to allow an eight-foot high fence on your property will be heard before the Village Commission at its Regular Meeting on May 14, 2013 at 7:30 p.m. The meeting will be held at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida. You or your representative should be present at the meeting on behalf of the request.

If you have any questions regarding this matter, please do not hesitate to contact me at (305) 756-7171.

Sincerely,

NORTH BAY VILLAGE

Yvonne P. Hamilton, CMC
Village Clerk

/yph

13A(21)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY DEAN SPIEGEL, FOR A VARIANCE PURSUANT TO SECTION 152.0971 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR CONSTRUCTION OF AN EIGHT-FOOT HIGH FENCE AT 7521 HISPANOLA AVENUE, WHERE A SIX-FOOT HIGH FENCE IS REQUIRED; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dean Spiegel has applied to North Bay Village for a Variance from 152.0971 of the North Bay Village Code of Ordinances from Section 152.055(B) to construct an eight-foot high fence on the property at 7521 Hispanola Avenue; and

WHEREAS, Section 152.0971 and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for a variance.

WHEREAS, in accordance with Section 152.0971 of the Village Code, a public hearing by the Village Commission was noticed for Tuesday, May 14, 2013 at 7:30 p.m. at the Treasure Island Elementary School, 7540 East Treasure Drive, 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.

13A(22)

Section 2. Findings.

In accordance with Section 152.0971(B) of the Village Code, the Village Commission, having considered the testimony and evidence in the record presented by all parties, finds that:

(1) The Variance will be in harmony with the general appearance and character of the community.
(2) The Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
(3) The improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences.

Section 3. Grant.

The Variance requested to permit an eight-foot high fence at 7521 Hispanola Avenue, running on the southern (side) edge of the property from the rear property line to the front edge of the existing house, is hereby granted in substantial conformance with the Site Plan submitted for hearing on March 20, 2013.

Section 4. 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 5. Conditions.

The Variance is approved subject to the following conditions:

(1) Pursuant to Section 152.103 of the Village Code, the Applicant shall obtain a building permit for the request approved herein within one (1) year of this approval. If a building permit is not obtained or an extension granted within the prescribed time limit then this approval shall become null and void.
(2) The approvals granted herein shall be in accordance with the submitted plans for the hearing on March 20, 2013, providing for an eight-foot fence running only on the southern (side) edge of the property from the rear property line to the front edge of the existing house.
(3) Payment of all applicable Building Permit Fees.

13A(23)

Section 6. Violation of Terms and Conditions.

Failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and persons found violating the Resolution 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.

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this 14th day of May 2014.

_____
MAYOR CONNIE LEON-KREPS

ATTEST:

_____
YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

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

13A(24)

Staff Report
Permit Application for Pier and Boat Lifts

Prepared for: *North Bay Village Commission*

Applicant: *Kelly Whelen*

Request: *Permit for a pier (dock) and boat lifts to be constructed projecting more than 25 feet from the bulkhead line.*

LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366
Serving Florida Local Governments Since 1988

13B(1)

General Information

Owner/Applicant	Kelly Whelen
Applicant Address	1365 Bay Terrace, North Bay Village
Site Address	1365 Bay Terrace
Contact Person	Glen Larson
Contact Phone Number	305-751-9911
E-mail Address	GLarson@DockandMarine.net
Zoning District	RS-1
Use of Property	Single Family Home

General Description

The applicant is requesting a permit to construct a new dock with 3 boat lifts at a residence in the RS-1 zoning district. The proposed dock will extend 46 feet from the existing seawall into Biscayne Bay.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 150.11 and specifically subsection (F) which requires a public hearing and approval by the Commission for construction or structural alterations of any building, dock or pier or similar structure near water within the corporate limits of the Village.

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 furthermost 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 dock will require a waiver as per Section 150.11(A) because it will extend more than 25 feet into the Bay from the seawall.

Verbal communication with the builder has verified that the height of the proposed dock and pilings (excluding the lifts) will be a maximum of 4 feet above ground level. This is less than the 5 foot required maximum height of Section 150.11(C).

The builder also informs us of the following:

- The applicant is confined to a wheelchair and that lifts are necessary to provide handicap access to boats.
- Usually, only two lifts are allowed per dock, but the County has allowed three in this case in order to provide the applicant with a range of accessibility.
- The configuration of the dock is one that accommodates the three lifts, while also satisfying square footage requirements and distance requirements. The current

design is one that the County and the builder have worked out, as per the suggestions of the (attached) letter from the County to the applicant.

- Owners of the neighboring properties have signed consent forms. (attached)

While the applicant has not provided a study stating that the proposed distance of the dock is necessary for environmental concerns, other support data has been provided, as well as letters of consent from adjoining riparian owners. Also, no letters of objection have been provided. Finally, the County has agreed upon the current dock plan with a design that provides minimal environmental impact. Staff believes that the waiver of the 25 foot length requirement is justified in this situation.

Based on the materials presented by the applicant, the proposed structures are in compliance with the applicable provisions of Sections 152.059 and 150.11. The proposed dock and boatlift are safe and compatible.

Recommendation

Staff recommends **approval** of the application, including the waiver of the 25 foot dock length limitation, pending the following:

1. Verification of the 5 foot height restriction at the time of building permit issuance.

3. Compliance with all state, federal, and environmental laws.

Submitted by:
James G. LaRue
James L. LaRue, AICP
Planning Consultant

April 24, 2013

Hearing: Village Commission, May 14, 2013

Attachments: Dock Plans Provided by Applicant
Letters of Consent from Neighbors
County Permit Letter

CITY OF NORTH BAY VILLAGE PERMIT APPLICATION

1700 Kennedy Causeway, Suite.132, North Bay Village, Fl. 33141

DATE 3/26/13 MASTER PERMIT #_____ SUB CONTRACTOR PERMIT#_____

JOB ADDRESS 1365 Bay Terrace TAX FOLIO# 23-3209 008-0060

LOT 7 BLOCK 1 SUB DIVISION North Bay Island ZONE: (RS-1) RS-2 RM-40 RM-70 CG CL MU

PROPERTY OWNER NAME Kelly Wheren TELEPHONE 786-873-8328

OWNER ADDRESS 1365 Bay Terrace CITY N. Bay Village STATE FL ZIP CODE 33141

CONTRACTOR COMPANY Dock + Marine Construction CITY Miami STATE FL ZIP CODE 33138

QUALIFIER'SNAME Glen Larson TELEPHONE 305-751-9911

STATE LICENSE # E410 CERTIFICATE OF COMPETENCY #_____ INSURANCE EXPIRATION DATE_____

ARCHITECT/ ENGINEER Robert Tracy LICENSE# 11363

PERMIT TYPE: (BUILDING) ELECTRICAL MECHANICAL PLUMBING SPECIAL EVENT

Application is hereby made for a permit to do work & installation as indicated. I understand that separate permits are required Electrical, Mechanical, and Plumbing, Signs, Pools, Windows, Doors & Roofing, work.

WORK DESCRIPTION: (Circle One Only) COMMERCIAL (RESIDENTIAL)

New dock and boatlifts

VALUE OF JOB: $30,000.00 LINEAR FEET 6 SQUARE FEET 492

4/4/13 paid

UPFRONT FEE: $125.00 PERMIT FEE: $_____ REVIEW FEE: $_____ STRUCTURAL FEE: $_____

DCA FEE $_____ DC FEE: $_____ DBPR FEE: $_____ TSM: $_____ PENALTY: $_____ BOND: $_____

EDUCATIONAL FEE: $_____ IMPACT FEE: $_____ NOTARY FEE_____ TOTAL: $_____

ELECTRICAL: APPROVED _____ Date_____ MECHANICAL: APPROVED _____ Date_____

PLUMBING: APPROVED _____ Date_____ BUILDING OFFICIAL: _____ Date_____

WARNING TO OWNER: YOU MUST RECORD A NOTICE OF COMMENCEMENT AND YOUR FAILURE TO DO SO MAY RESULT IN PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING THE NOTICE

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Signature of Property Owner or Agent

Signature of Contractor

ADMINISTERED OATH SWORN TO & SUBSCRIBED BEFORE ME THIS 26 DAY OF March 20 13

Signature of NOTARY to Owner or Agent

(Print, Type, or Stamp Commissioned Name)

YOLANDA W. GALLETTI Commission # EE 067946 Expires February 27, 2015 Bonded Thru Troy Fain Insurance 800-385-7019

Personally Known ____ or Produced ID ____

Type of I.D. produced N/A

ADMINISTERED OATH SWORN TO & SUBCRIBED BEFORE ME THIS 26 DAY OF March 20 13

Signature of NOTARY to Contractor

(Print, Type, or Stamp Commissioned Name)

YOLANDA W. GALLETTI Commission # EE 067946 Expires February 27, 2015 Bonded Thru Troy Fain Insurance 800-385-7019

Personally Known ____ or Produced ID ____

Type of I.D. produced N/A

13B(6)

THIS APPLICATION IS VALID FOR 180 DAYS FROM DATE APPROVED.
APPLICATION AND ALL ATTACHEMENTS WILL BE DESTROYED AFTER THAT DATE IF PERMIT IS NOT ISSUED

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

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission 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.

Applicant's Name: Kelly Whelan Phone: 786-873-9328

Mailing Address: 1365 Bay Terrace, North Bay Village 33141

Legal Description of Property: Lot 7 & 8 Blk 1 of N. Bay Island PB 40-59

Existing Zoning: OOOI Lot Size: 17,953 Folio: 23-3209-008-0060

Type of Request: New Construction of a dock and three (3) new boat lifts.

Reason for Request: (Attach additional Pages if necessary) Code requires hearing for dock construction.

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and 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 petition, conditional use permit or amendment.

13B(1)

APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2

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 Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & 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.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Authorized Signature

Glen Larson
Print Name

(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 2 **day of** April **20**13
by Glen Larson
who is personally known to me or who has produced N/A
as identification.

Notary Public

YOLANDA W. GALLETTI
Commission # EE 067946
Expires February 27, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

(Notary Seal)

Office Use Only:

Date Submitted: 4/3/13

Tentative Meeting Date: 5/14/13

Fee Paid: $ 300.00

Cash ☐ or Check ☑ # 1422

Date Paid: 4/3/13

Revised 1/2013

13B(8)

MIAMI-DADE COUNTY

Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 5th Floor
Miami, Florida 33136-3912
T 305-372-6864 F 305-372-6425

miamidade.gov

June 6, 2012

Kelly Whelen
1365 Bay Terrace
North Bay Village, Florida 33141

Re: Class I Permit Application CLI-2012-0139: Whelen -- Dock and 2 boatlifts located at 1365 Bay Terrace, North Bay Village, Miami-Dade County, Florida. (Folio No. 23-3209-008-0060)

Dear Ms. Whelen:

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

The Miami-Dade County Code (Code) required water depth is not obtained within all slip areas proposed in association with the dock configuration submitted on June 4, 2012. In addition, benthic resources were documented within the footprint of the proposed work. In order to avoid and minimize impacts to resources and to obtain the Code-required water depth, the Department recommends that the access walkway be located between 89 and 95 linear feet from the north property line, and that the proposed docking structures be reconfigured such that all of the slip areas are located a minimum of 15 feet waterward of the wetface of the existing seawall cap (see attached recommendation sketch).

In order to determine whether adequate water depth is obtained within the slip area of the 20,000 pound boatlift, please submit manufacturer's specifications for the vessel proposed to be moored on that boatlift. Revised sketches shall be requested once the scope of work has been finalized. Please make the following corrections to any future sketches. The Department recommends that corrections on sketches be reviewed and approved by the Department before signed and sealed plans are submitted.

- Include a location map.
- Provide a site plan of the entire property with all existing structures labeled "to remain" or "to be removed."
- Provide a site plan depicting the Department recommended configuration with dimensions and setbacks from the adjacent property lines.
- Depict the D-5 boundary lines.
- Include a cross-sectional view of the dock and seawall connection depicting the Mean High Water and Mean Low Water lines and the elevation of the top of the dock referenced in a common datum.

A moderate coverage of benthic resources was documented in the footprint of the proposed structures. Mitigation is required for all unavoidable impacts to resources, and is calculated based on the square footage of the structures and permitted boat slip areas over resources. Riprap boulders are typically placed on-site to offset impacts to resources and to create new habitat. However, due to existing site conditions, the Department is willing to accept a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in an amount to be determined.

Attached please find a Completeness Summary detailing items required in order to complete your Class I Permit application package. **Please submit all of the required items within 60 days of the date of issuance of this letter in order for your application to remain in active status.**

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.

If you have any questions concerning the above referenced application, please contact me at (305) 372-6576 or runtec@miamidade.gov.

Sincerely,

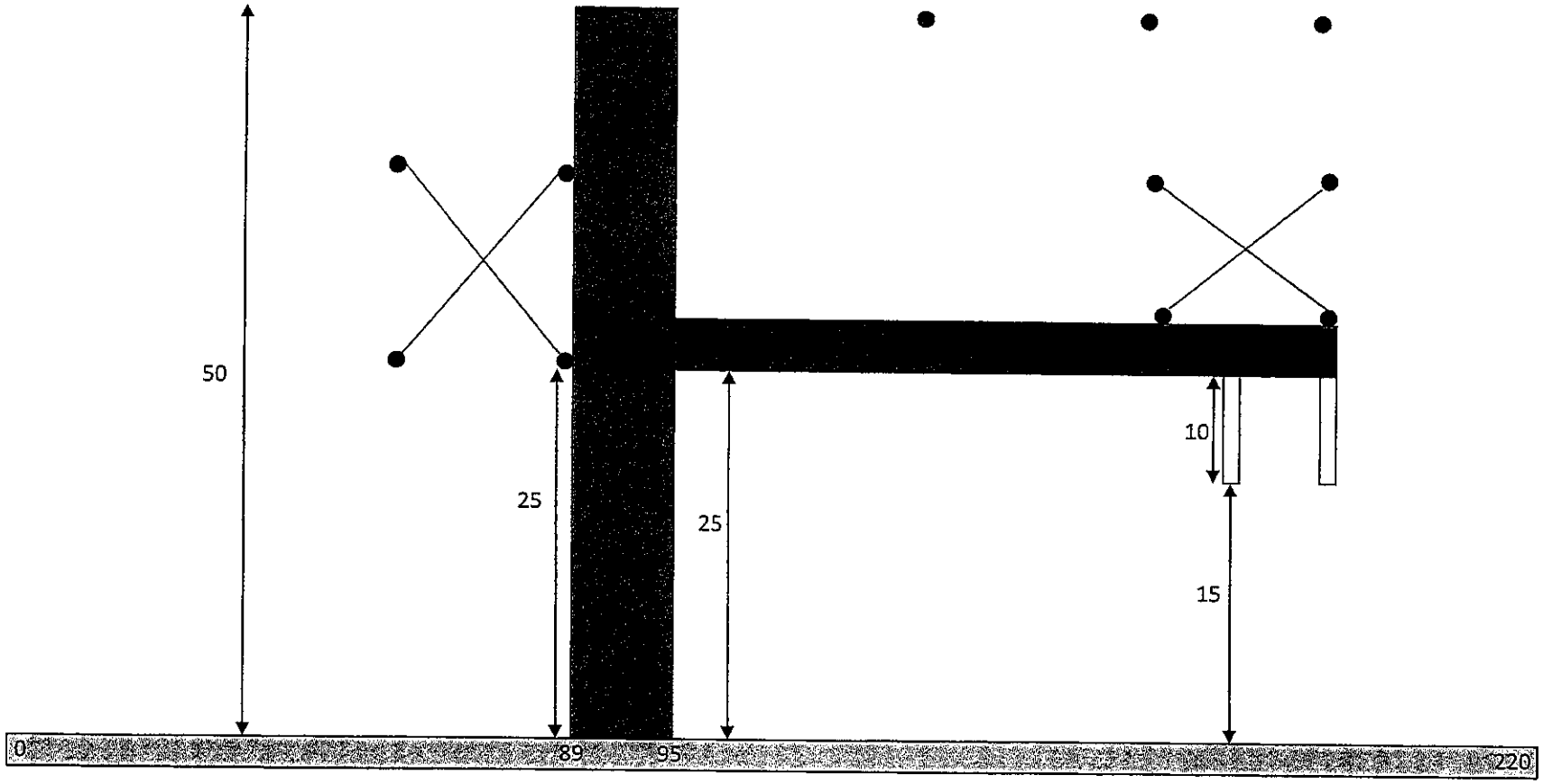
Chris Runte

Chris Runte, Biologist I
Coastal Resources Section

cc: Albert Gonzalez – U.S. Army Corps of Engineers (albert.gonzalez@usace.army.mil)
Rosalinda Rodriguez – U.S. Army Corps of Engineers (rosalinda.rodriguez@usace.army.mil)
Jill King – Florida Department of Environmental Protection (jill.m.king@dep.state.fl.us)
Dock and Marine Construction – Agent (Glarson@dockandmarine.net)

13B(10)

CLI-2012-0139
Whelen



138(ii)

Drawing not to scale.

LETTER OF CONCURRENCE FOR SETBACK WAIVER

TO: KELLY WHELAN (owner/applicant)
1365 BAY TERRACE (address of project)
NORTH BAY VILLAGE, FL 33141

File No.: _____

FROM: RACHEL DUGGER (adjacent property owner)
7401 BEACH VIEW DR
NORTH BAY VILLAGE, FL 33141

Section 18-21.004(3)(d), Florida Administrative Code, provides:

> **Except as provided herein, all structures, including mooring pilings, breakwaters, jetties and groins, and activities must be set back a minimum of 25 feet inside the applicant's riparian rights lines. Marginal docks, however, must be set back a minimum of 10 feet. Exceptions to the setbacks are:** private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels; utility lines; bulkheads, seawalls, riprap or similar shoreline protection structures located along the shoreline; structures and activities previously authorized by the Board; structures and activities built or occurring prior to any requirement for Board authorization; **when a letter of concurrence is obtained from the affected adjacent upland riparian owner;** or when the Board determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.

I hereby state that I am the owner of the adjacent upland riparian property located to the (north / south / east / west) of the facility or activity proposed to be constructed or conducted by KELLY WHELAN (the applicant), as shown in the above referenced file (and on the attached drawing). **I understand that the subject project will be located entirely within the applicant's riparian rights area, and I do not object to the proposed structure or activity being located within the area required as a setback distance from the common riparian rights line, as required by Chapter 18-21.004(3)(d), F.A.C.** This file shows the structure will be located entirely within the applicant's riparian rights area and within 10'-6" feet of the common riparian rights line between our parcels.

Rachel Dugger
(Original signature of adjacent owner)

3/11/13
(Date signed)

RACHEL DUGGER
(Printed name of adjacent owner)

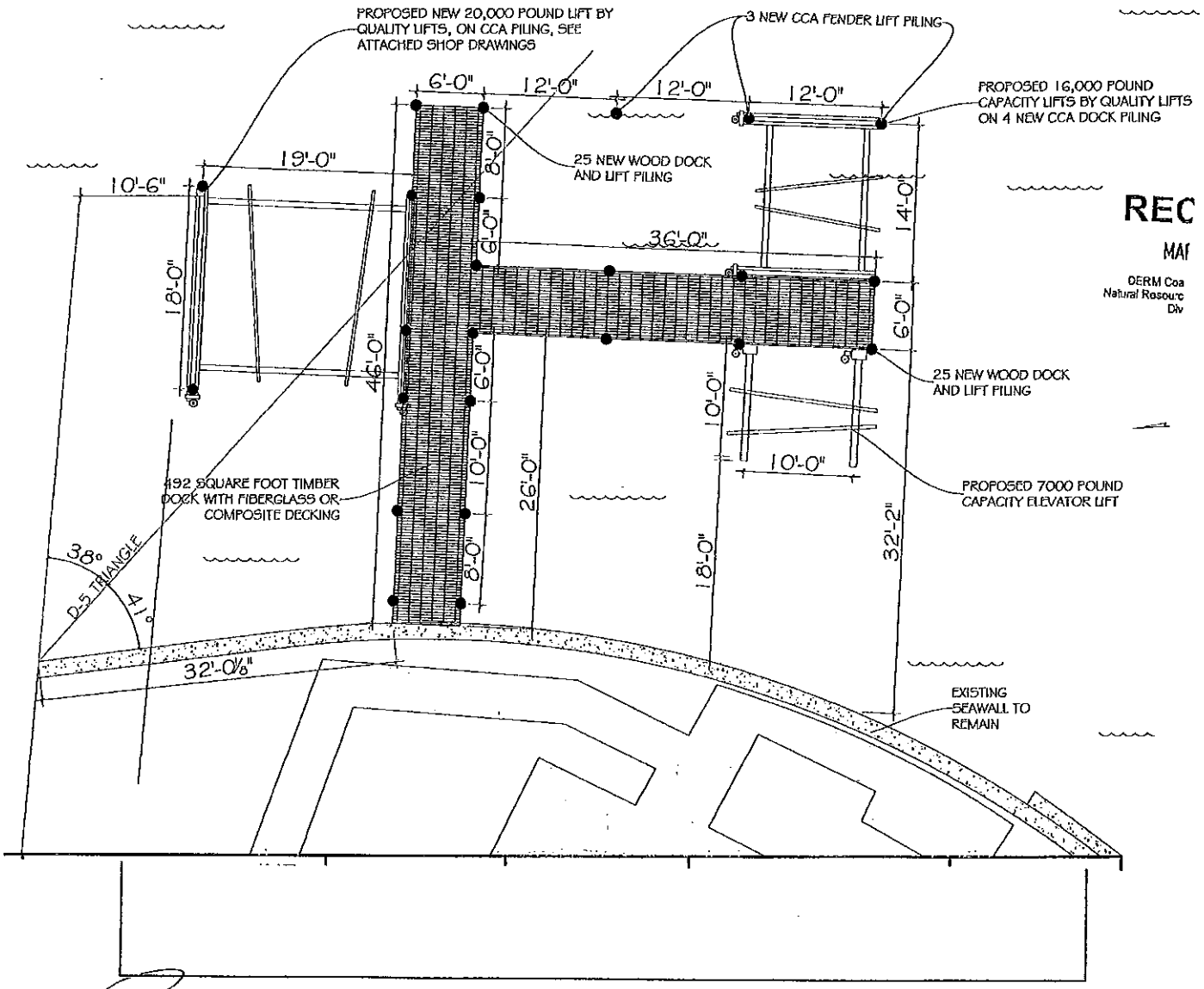
This form is not adopted by rule; therefore, any letter of concurrence of similar content may be accepted.

(1/30/03)

13B(12)

LETTER OF CONCURRENCE FOR SETBACK WAIVER

PAGE 2 – DRAWING, SKETCH, OR SURVEY OF PROPOSED DOCK LOCATION



REC
MAI
DERM Coa
Natural Resourc
Div

_____ (Initials of adjacent owner)

3/11/13 (Date)

13B(13)

LETTER OF CONSENT

Note: Please insert applicable information

Date: 3/11/13

Miami-Dade County PERA
Class I Coastal Permitting Program
701 NW 1st Court, 6th Floor
Miami, Florida 33136

Re: Letter of Consent for Miami-Dade County PERA Class I Permit Application Number CLI-2012-0139, for work proposed at 1365 Bay Terrace, North Bay Village

Ladies and Gentlemen:

I, RACHEL DUGGER, am the owner of the property located at 7401 ~~Bay Terrace~~ BEACH VIEW DR. which is an adjoining riparian property to the above-referenced property. I have reviewed the plans entitled new boat lifts and dock prepared by Robert Tracy and Dock and Marine dated 7/16/12, and preliminarily approved by PERA on _____ for the above-referenced project. Pursuant to Section 24-48.3(1)(j)(iii) of the Code of Miami-Dade County, Florida, I hereby consent to the above-referenced project.

Sincerely,

Adjoining Riparian Property Owner

SUBSCRIBED AND SWORN TO ME THIS 11th DAY OF MARCH, 2013,

BY RACHEL DUGGER

X PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED _____

NOTARY PUBLIC

BARBARA NAVARRO
MY COMMISSION # EE 121673
EXPIRES: August 15, 2015
Bonded Thru Budget Notary Services

13B(14)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST DISTRICT OFFICE
400 NORTH CONGRESS AVE., THIRD FLOOR
WEST PALM BEACH, FL 33401
561-681-6600

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

April 19, 2013

Kelly Whelen
1365 Bay Terrace
North Bay Village, FL 33141
via email: kaddilak@hotmail.com

Re: File No.: 13-0316866-001
File Name: Whelen, Kelly

Dear Ms. Whelen:

On February 21, 2013, we received your application, and on March 22, 2013, the application was complete for an exemption to perform the following activities: (1) construct a 499.75 ft^2 dock, consisting of a 6-foot by 47.29-foot (283.75 ft^2) access walkway and a 6-foot by 36-foot (216 ft^2) terminal platform; and (2) install three boatlifts adjacent to the new dock. The project is located in Biscayne Bay, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to 1365 Bay Terrace, North Bay Village (Section 9, Township 53 South, Range 42 East), in Miami-Dade County (Latitude N 25° 50' 39.36", Longitude W 80° 9' 26.16").

Your application has been reviewed to determine whether it qualifies for any of three kinds of authorization that may be necessary for works in wetlands or waters of the United States. The kinds of authorization are (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization (State Programmatic General Permit). The authority for review and the outcomes of the reviews are listed below. Please read each section carefully. Your project **may not** have qualified for all three forms of authorization. If your project did not qualify for one or more of the authorizations, refer to the specific section dealing with that authorization for advice on how to obtain it.

1. Regulatory Review. – VERIFIED
The Department has the authority to review your project under Part IV of Chapter 373, Florida Statutes (F.S.), Title 62, Florida Administrative Code (F.A.C.), and in accordance with operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

Based on the information you submitted, we have determined that your project to construct a 499.75 ft^2 dock, consisting of a 6-foot by 47.29-foot (283.75 ft^2) access walkway and an 6-foot by 36-foot (216 ft^2) terminal platform; and install three boatlifts adjacent to the new dock is exempt from the need to obtain a DEP Environmental Resource Permit under Rule 40E-4.051(3)(b), F.A.C.

13B(15)

2. Proprietary Review. – GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review your project under Chapters 253 and 258, F.S., Chapters 18-18 and 18-21, F.A.C., and Section 62-343.075, F.A.C.

Your project will occur on sovereign submerged land and will require authorization from the Board of Trustees to use public property. As staff to the Board of Trustees, we have reviewed the proposed project and have determined that, as long as it is located within the described boundaries and is consistent with the attached general consent conditions, the project qualifies for a letter of consent to use sovereign submerged lands. Therefore, pursuant to Chapter 253.77, Florida Statutes, you may consider this letter as authorization from the Board of Trustees to perform the projects.

3. Federal Review (SPGP) – NOT GRANTED

Federal authorization for the proposed project is reviewed by DEP pursuant to an agreement between the Department and the U.S. Army Corps of Engineers (Corps). The agreement is outlined in a document titled *Coordination Agreement Between the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.*

Your project has been reviewed for compliance with a State Programmatic General Permit (SPGP). As shown on the attached drawings, the proposed project is <u>not</u> consistent with the SPGP program. A copy of your application has been sent to the Corps who may require a separate permit. Failure to obtain their authorization prior to construction could subject you to enforcement action. For further information, contact the Corps directly at 305-526-7181.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year, and will not be valid at any other time if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the Department after the one-year expiration of this verification, provided: 1) the project design does not change; 2) site conditions do not materially change; and 3) there are no changes to the statutes or rules governing the exempt activity. In the event you need to re-verify the exempt status for the activity after the one-year expiration of this verification, a new application and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required. Conditions of compliance with the regulatory exemption are contained in Attachment A.

This letter does not relieve you from the responsibility of obtaining other permits (federal, state, or local) that may be required for the project.

13B(16)

NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS

This letter acknowledges that the proposed activity is exempt from ERP permitting requirements under Rule 40E-4.051(3)(b), F.A.C. This determination is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. The procedures for petitioning for a hearing are set forth in the attached notice.

This determination is based on the information you provided the Department and the statutes and rules in effect when the application was submitted and is effective only for the specific activity proposed. This determination shall automatically expire if site conditions materially change or the governing statutes or rules are amended. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required. In any event, this determination shall expire after one year.

Be advised that your neighbors and other parties who may be substantially affected by the proposed activity allowed under this determination of exemption have a right to request an administrative hearing on the Department's decision that the proposed activity qualifies for this exemption. Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a final determination that the proposed activity is not authorized under the exemption established under Rule 40E-4.051(3)(b), F.A.C.

The Department will not publish notice of this determination. Publication of this notice by you is optional and is not required for you to proceed. However, in the event that an administrative hearing is held and the Department's determination is reversed, proceeding with the proposed activities before the time period for requesting an administrative hearing has expired would mean that the activity was conducted without the required permit.

If you wish to limit the time within which all substantially affected persons may request an administrative hearing, you may elect to publish, at your own expense, the enclosed notice (Attachment A) in the legal advertisement section of a newspaper of general circulation in the county where the activity is to take place. A single publication will suffice.

If you wish to limit the time within which any specific person(s) may request an administrative hearing, you may provide such person(s), by certified mail, a copy of this determination, including Attachment A.

For the purposes of publication, a newspaper of general circulation means a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes. In the event you do publish this notice, within seven days of publication, you must provide to the following address proof of publication issued by the newspaper as provided in section 50.051 of the Florida

13B(17)

Statutes. If you provide direct written notice to any person as noted above, you must provide to the following address a copy of the direct written notice.

Florida Department of Environmental Protection
Southeast District
Submerged Lands & Environmental Resources Program
400 N. Congress Ave., 3rd Floor
West Palm Beach, FL 33401

If you have any questions, please contact Sophie Dimitrova at 561-681-6634 or Sophie.Dimitrova@dep.state.fl.us. When referring to your project, please use the FDEP file name and number listed above.

Sincerely,

Jill King
Environmental Manager
Submerged Lands & Environmental Resources Program

Enclosures

cc: Rosalinda Rodriguez, ACOE-Miami Office, Rosalinda.Rodriguez@usace.army.mil
Glen Larson, Dock & Marine Construction, Inc., glarson@dockandmarine.net
Yoli Galletti, Dock and Marine Construction Inc., yoli@dockandmarine.net

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Rachel Osborne 4/19/13
Clerk Date

13B(18)

GENERAL CONSENT CONDITIONS:

(1) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(2) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(3) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(4) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(5) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(6) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(7) Structures or activities shall not create a navigational hazard.

(8) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(9) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

Attachment A **File No.:** 13-0316866-001

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF DETERMINATION OF EXEMPTION

The Department of Environmental Protection gives notice that the project to construct a 499.75 ft^2 dock, consisting of a 6-foot by 47.29-foot (283.75 ft^2) access walkway and a 6-foot by 36-foot (216 ft^2) terminal platform; and install three boatlifts adjacent to the new dock, located in Biscayne Bay, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to 1365 Bay Terrace, North Bay Village (Section 9, Township 53 South, Range 42 East), in Miami-Dade County (Latitude N 25° 50' 39.36", Longitude W 80° 9' 26.16") has been determined to be exempt from requirements to obtain an environmental resource permit.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing must be filed within 21 days of publication of the notice or receipt of written notice, whichever occurs first. Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 prior to the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

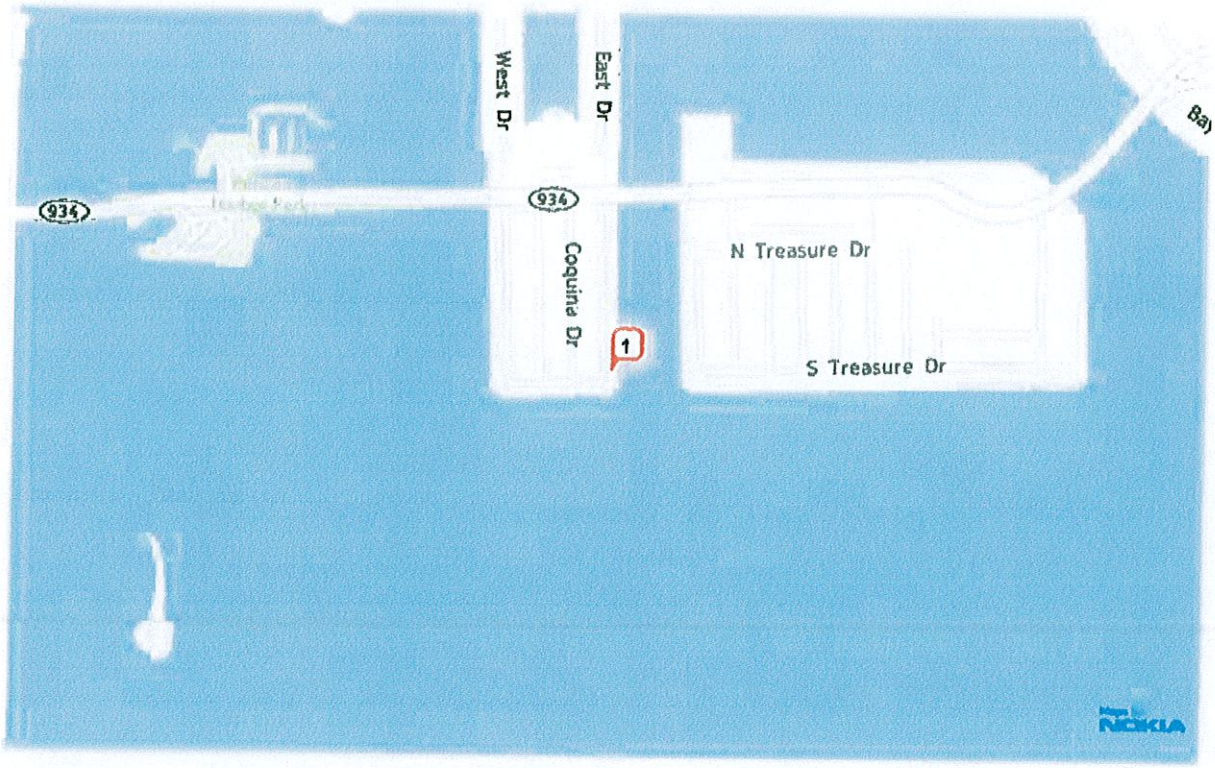
A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Complete copies of all documents relating to this determination of exemption are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at the Southeast District office, 400 North Congress Avenue, West Palm Beach, Florida.

YAHOO! MAPS

1365 Bay Ter, North Bay Village, FL 33141-4002



DEPARTMENT OF ENVIRONMENTAL PROTECTION
13-0316866-001
Proj.. Whelen, Kelly
new dock, three boatlifts
Date: APR 19 2013
By: Sophie Dimitrova
1 of 5
STATE OF FLORIDA

13B(21)

My Home

miamidade.gov

ACTIVE TOOL: SELECT

MIAMI-DADE

Show Me:

Property Information

Search By:

Select Item

- Text only
- Property Appraiser Tax Estimator
- Property Appraiser Tax Comparison
- Portability S.O.H. Calculator

Aerial Photography - 2012

0 115 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water

N W E S

Summary Details:

Folio No.:	23-3209-008-0060
Property:	1365 BAY TER
Mailing Address:	KELLY WHELEN 1365 BAY TER NORTH BAY VILLAGE FL 33141-

Property Information:

Primary Zone:	0900 SGL FAMILY - 1901-2100 SQ
CLUC:	0001 RESIDENTIAL - SINGLE FAMILY
Beds/Baths:	2/2
Floors:	1
Living Units:	1
Adj Sq Footage:	3,731
Lot Size:	17,953 SQ FT
Year Built:	1942
Legal Description:	NORTH BAY ISLAND PB 40-59 LOT 7 LESS W70FT & LOT 8 & STRIP ADJ ON S & SE AS SHOWN ON PLAT BLK 1 LOT SIZE 17953 SQ FT OR 19565-0473 01 2001 6

Assessment Information:

Year:	2012	2011
Land Value:	$1,464,965	$1,464,965
Building Value:	$446,499	$449,090
Market Value:	$1,911,464	$1,914,055
Assessed Value:	$1,911,464	$1,914,055

Exemption Information:

Year:	2012	2011
Homestead:	$25,000	$0
2nd Homestead:	NO	NO

Taxable Value Information:

Year:	2012	2011
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$1,911,464/ $0	$0/ $1,914,055
County:	$1,911,464/ $0	$0/ $1,914,055
City:	$1,911,464/ $0	$0/ $1,914,055
School Board:	$1,911,464/ $0	$0/ $1,914,055

Sale Information:

My Home | Property Information | Property Taxes | My Neighborhood | Property Appraiser

Home | Using Our Site | Phone Directory | Privacy | Disclaimer

If you experience technical difficulties with the Property Information application, or wish to send us your comments, questions or suggestions please email us at Webmaster.

Web Site
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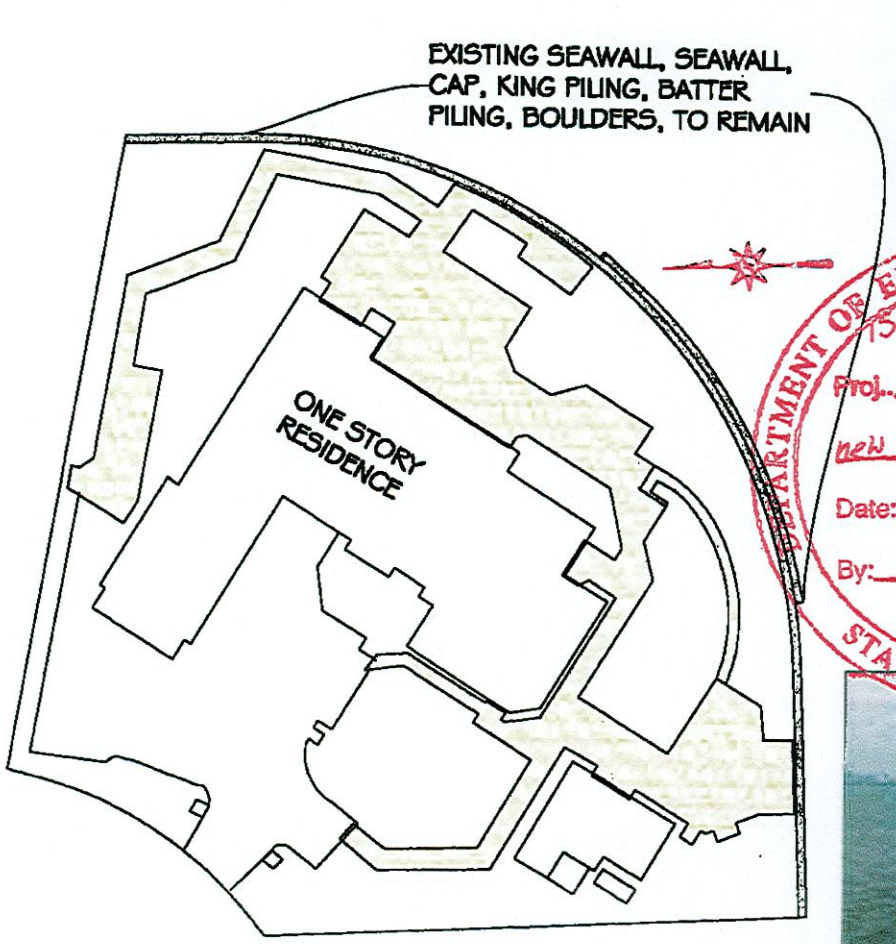
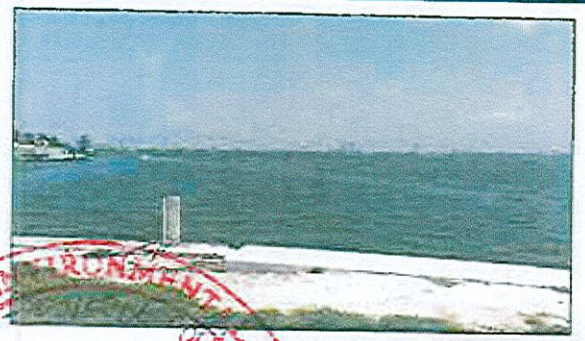
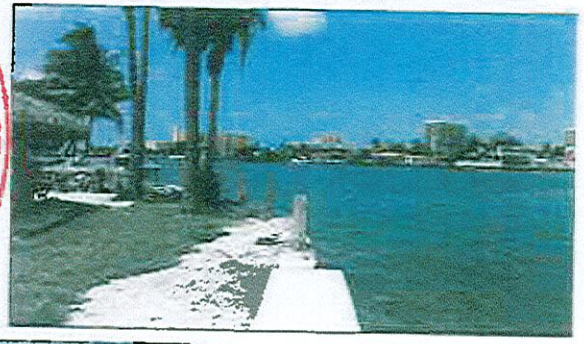
DEPARTMENT OF ENVIRONMENTAL PROTECTION
13-0316866-001
Proj.. Whelen, Kelly
new dock, three boatlifts
Date: APR 19 2013
By: Sophie Dimitrova
2 of 5
STATE OF FLORIDA

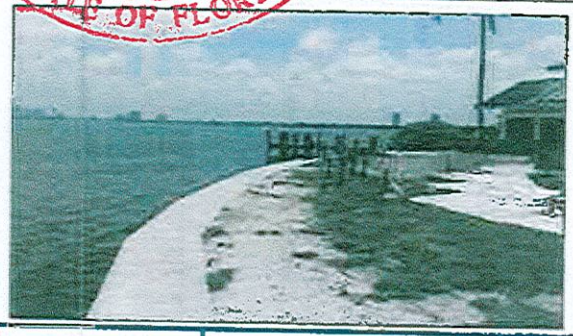
13B(22)

13B(23)









DEPARTMENT OF ENVIRONMENTAL PROTECTION
Proj. Whelen, Kelly
new dock, three boat lifts
Date: APR 19 2013
By: Sophie Dimitrova
3 of 5
STATE OF FLORIDA

ROBERT N. TRACY
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www.dockandmarine.net

NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
EXISTING CONDITIONS

DATE: 7/16/12
REVISIONS:
1.
2.

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PAGE 2 of 6

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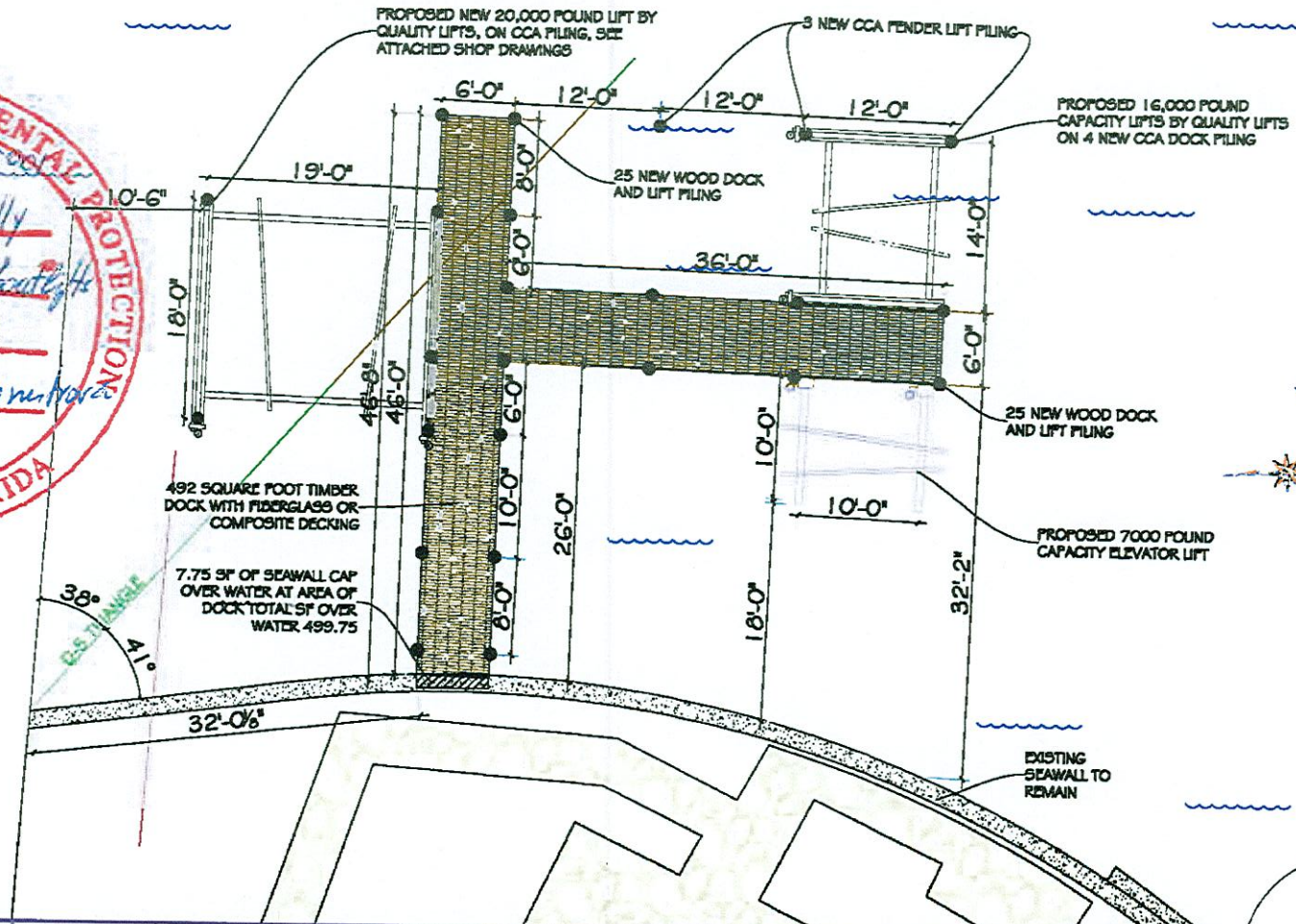
13B(24)



DEPARTMENT OF ENVIRONMENTAL PROTECTION
13-0310066-001
Proj. Whelen, Kelly
new dock, three boatlifts
Date: APR 19 2013
By: Sophie Dimitrova
4 of 5
STATE OF FLORIDA

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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
PROPOSED LAYOUT

DATE: 7/16/12
REVISIONS:
1.
2.

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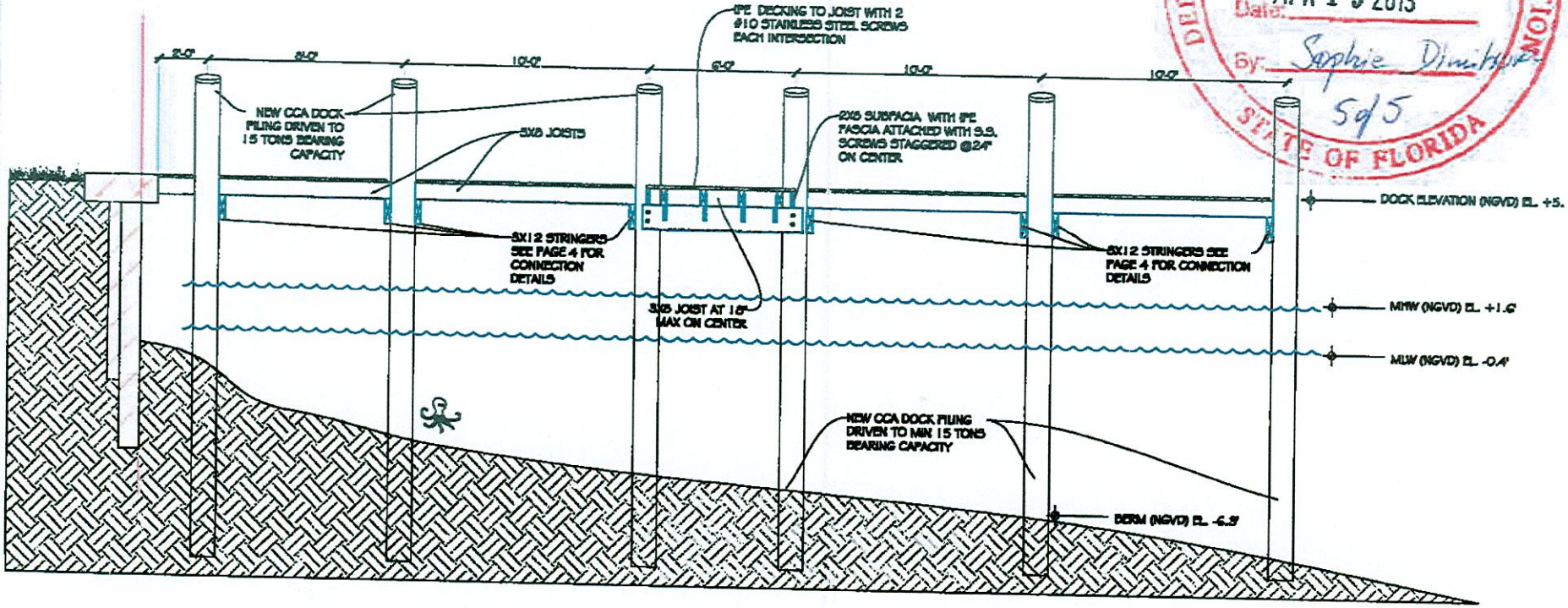
PAGE 3 of 6

ROBERT N. TRACY
LICENSE #11363

13B(25)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF FLORIDA
13-0316866-001
Proj. Whelen, Kelly
new dock, three boat lift
Date: APR 19 2013
By: Sophie Dimitrova
5 of 5



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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1565 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
SECTIONS

DATE: 7/16/12
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PAGE 5 of 6

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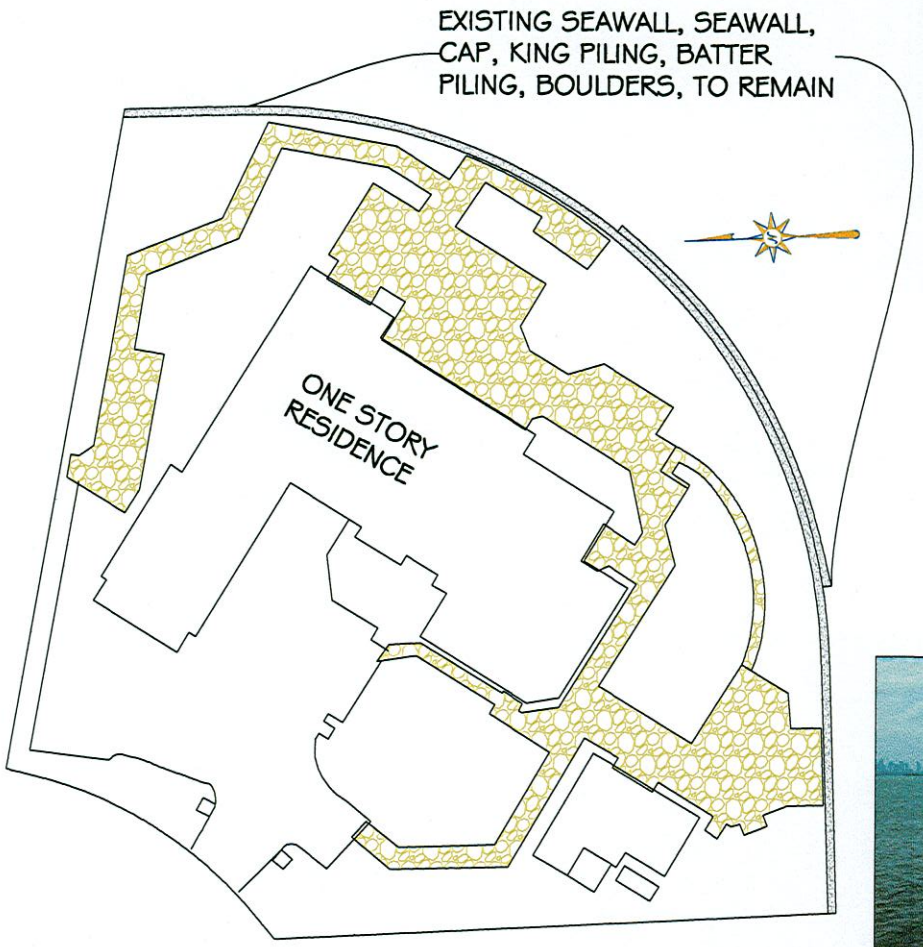
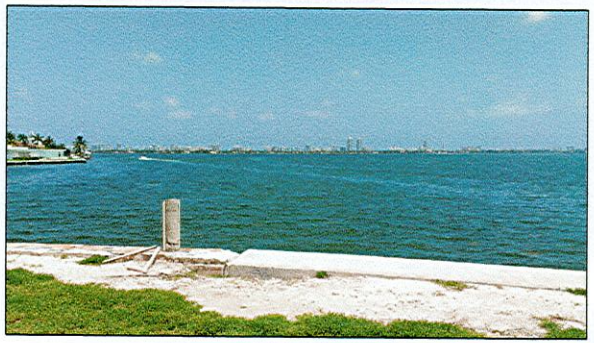
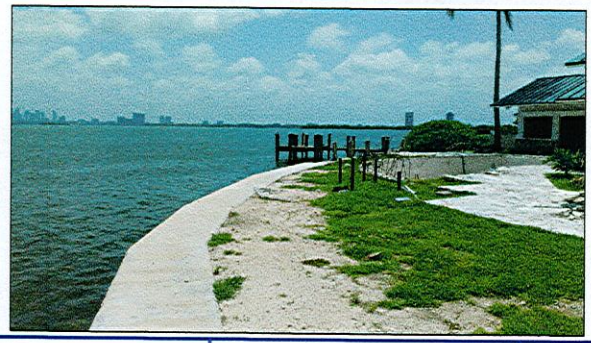
LICENSE #11363

138(26)







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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
EXISTING CONDITIONS

DATE: 7/16/12
REVISIONS:
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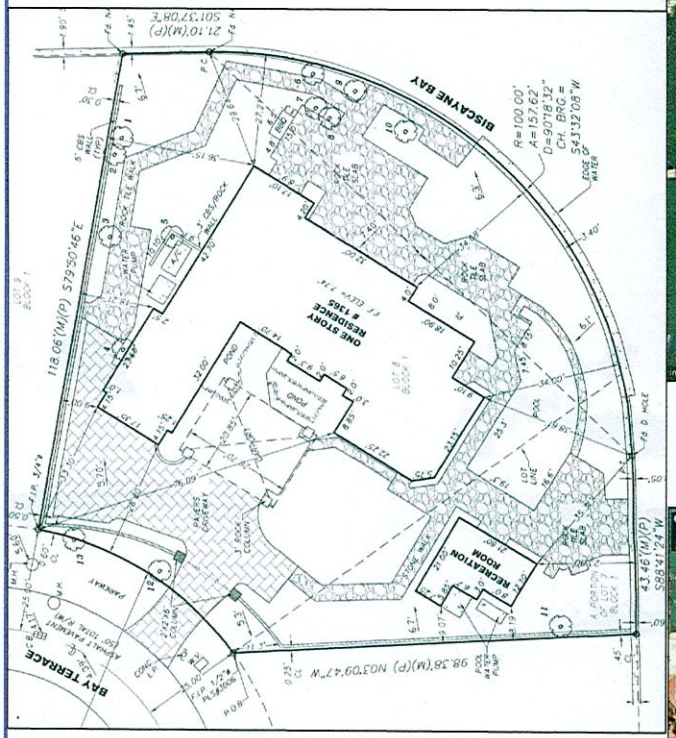
ROBERT N. TRACY
LICENSE #11363

138(87)



JOBSITE

GENERAL NOTES

GENERAL

ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEE THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO TH ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS AF THESE PERMITS.

APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE 2010

DESIGN LOADS

1. DOCK LL 60 PSF

WOOD PILING

WOOD MOORING AND FENDER PILES SHALL BE 12" MIN DIAMETER WITH 15 TONS MIN BEARING CAPACITY (12' MIN PENETRATION INTO YIELDING MATERIAL OR 6' INTO ROCK. HOLES SHALL BE PRE PUNCHED AS NECESSARY

HARDWARE:

ALL HARDWARE TO BE HOT DIPPED GALVANIZED ACCORDING TO A.S.T.M. A-153-80 OR STAINLESS STEEL

CONNECTIONS/BOLTS:

ALL MACHINE BOLTS TO BE HOT DIPPED GALVANIZED ACCORDING TO A.S A307-63A OR STAINLESS STEEL
FASTENING NOTES:
A. 3 X 12 BEAMS TO PILES - TWO 3/4" DIA. THRU-BOLTS
B. JOISTS TO BEAMS: SIMPSON LTS12 S.S. STRAPS W(4) 10d NAILS TOP & BOTTOM
C. 2 X 8 FASCIA TO JOISTS - TWO 16d NAILS INTO JOISTS ENDS.
D. 5/4 x 6 IPE OR TREX DECKING TO JOISTS: TWO #10 STAINLESS STEEL DECK SCREWS EACH.

LUMBER:

ALL LUMBER SHALL BE #1 DENSE, KILN DRIED, AND MARINE PRESSURE TREATED WITH A.C.Q. TO .40

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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
MAP, SURVEY AND NOTES

DATE: 7/16/12
REVISIONS:
1.
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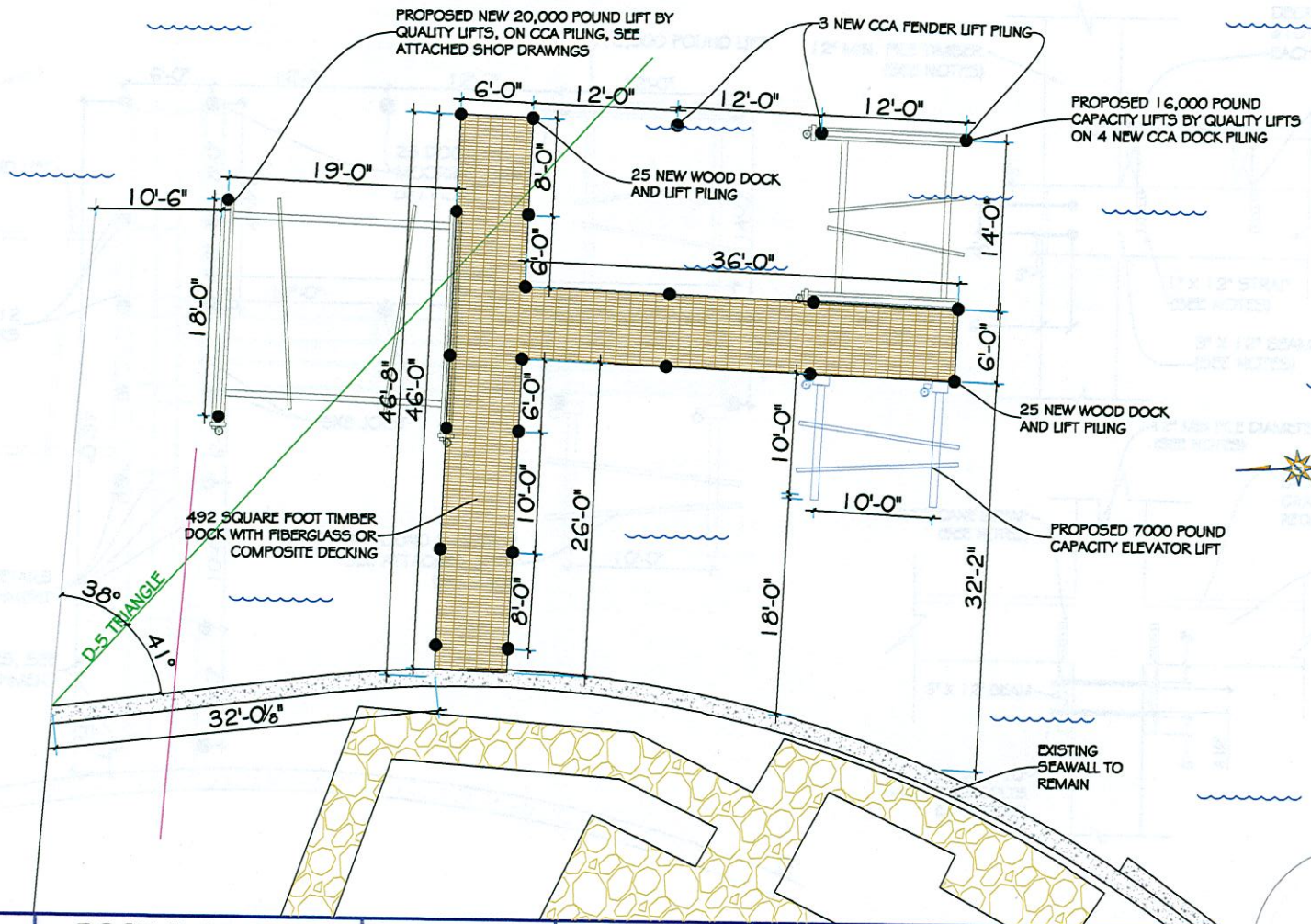
LICENSE #11363

138(128)



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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

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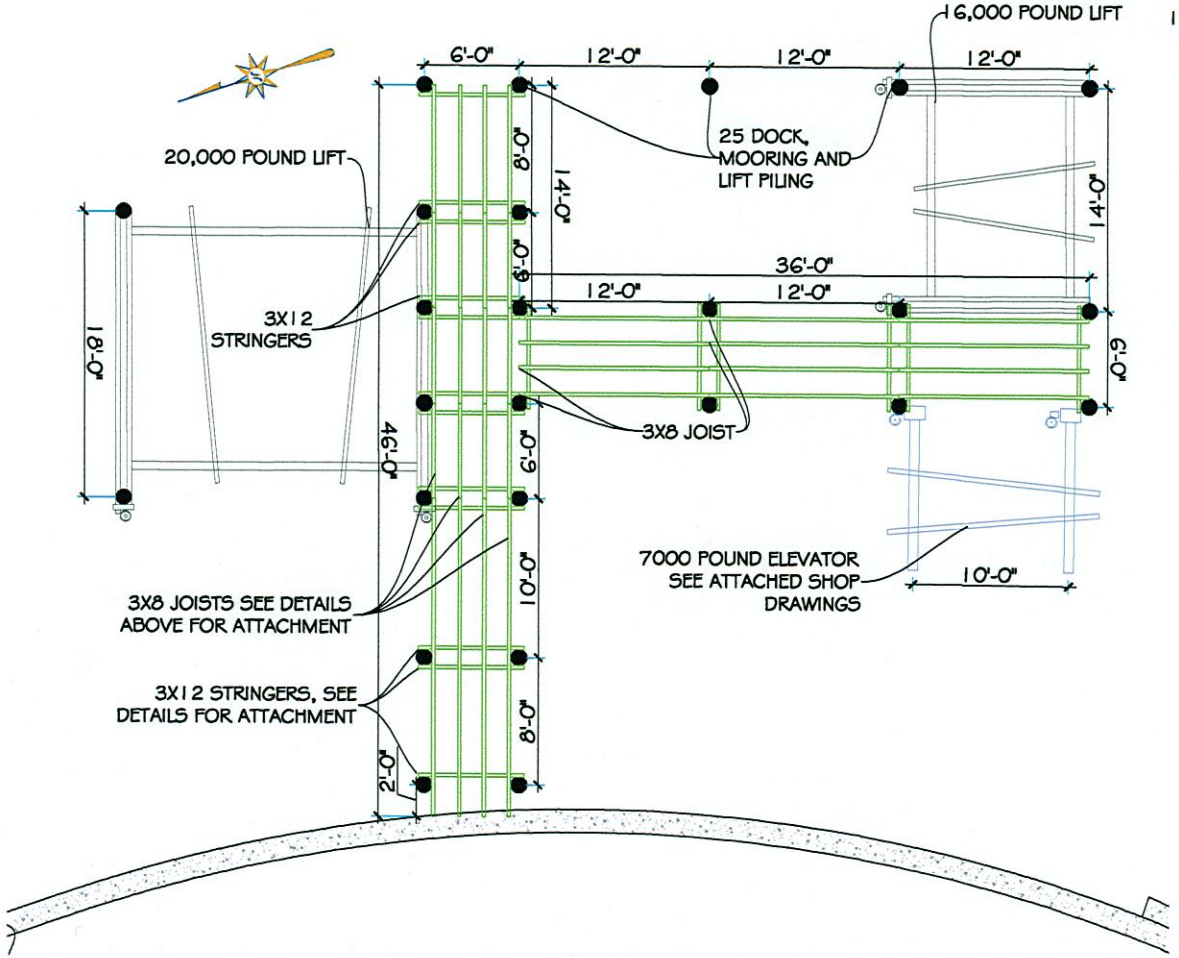

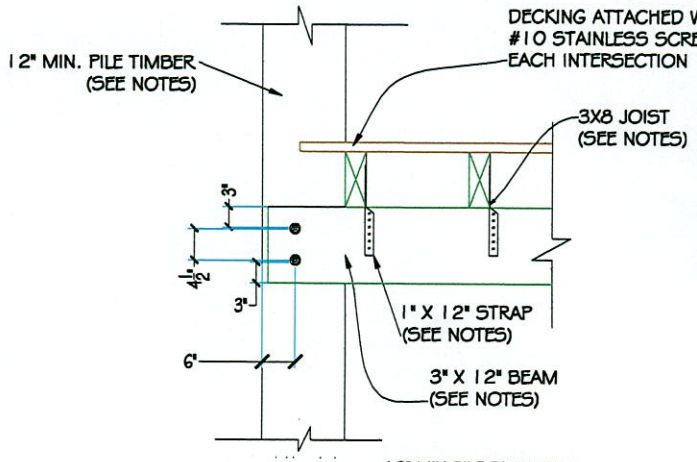

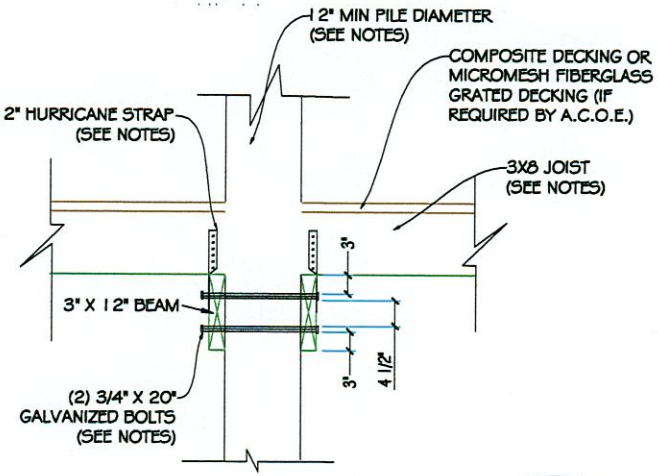

13B(29)

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NEW BOAT LIFT AND DOCK FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE, FL 33141

PAGE TITLE:
PIER DETAILS

DATE: 7/16/12
REVISIONS:
1.
2.

DWG#: 12-082
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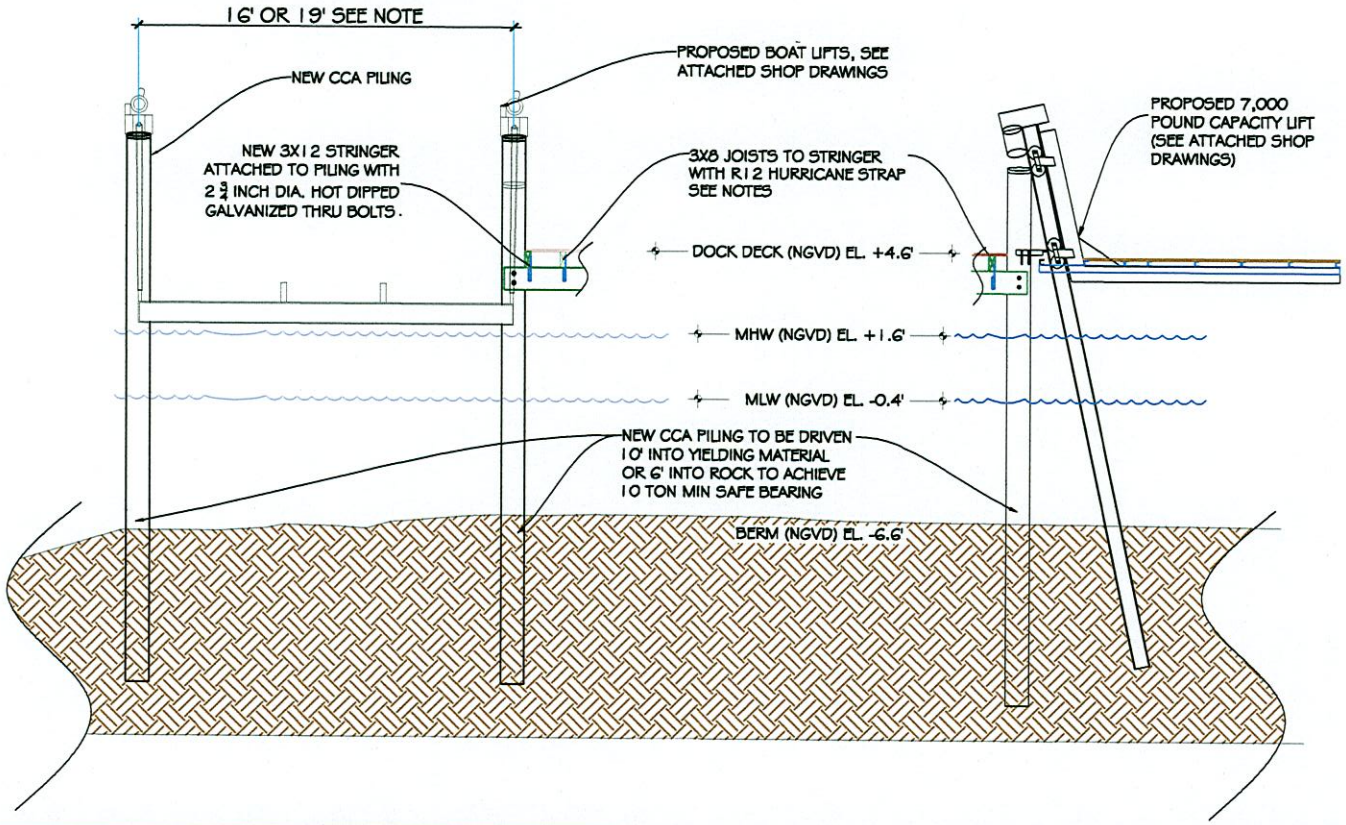
ROBERT N. TRACY
LICENSE #11363

13B (30)

LIFT NOTE

2-4 POST LIFTS ON PROPERTY.
20,000 POUND LIFT TO HAVE A BEAM WIDTH OF 19'
16,000 POUND LIFT TO HAVE A BEAM WIDTH OF 16'
LIFTS MAY BE SET AS LOW PROFILE TO PROVIDE HANDICAP ACCESS, THIS IS TO BE DETERMINED IN THE FIELD. SEE ATTACHED SHOP DRAWINGS



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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
LIFT SECTION

DATE: 7/16/12
REVISIONS:
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2.

DWG#: 12-082
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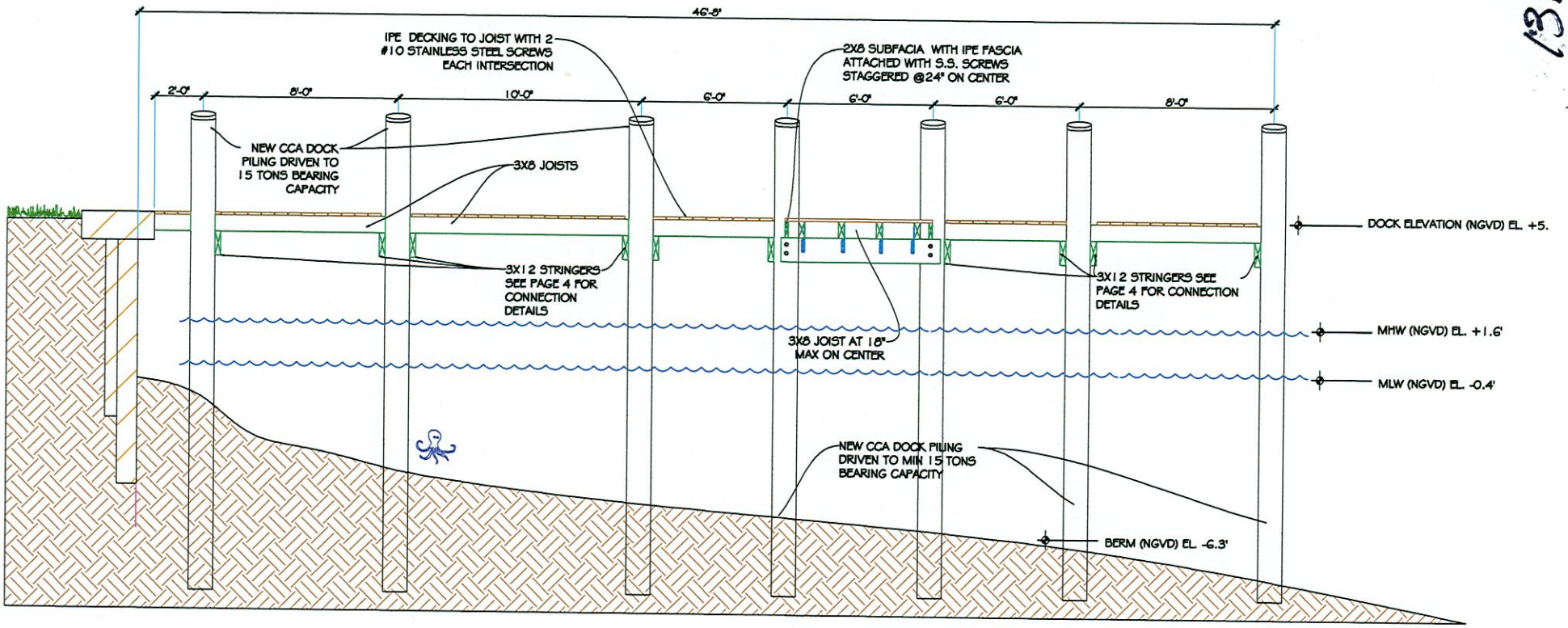
ROBERT N. TRACY
LICENSE #11363

13B (B1)



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NEW BOAT LIFT AND DOCK
FOR:
WHELEN RESIDENCE
1365 BAY TERRACE
NORTH BAY VILLAGE,
FL 33141

PAGE TITLE:
SECTIONS

DATE: 7/16/12
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DWG#: 12-082
DRAWN BY: GL

ROBERT N. TRACY
LICENSE #11363

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

Re: 1365 Bay Terrace
Lots 7 & 8, Block 1
North Bay Island
North Bay Village, FL 33141

Request to Construct a New Dock with 3 Boatlifts

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on May 14, 2013 was posted at the above-referenced property on May 1, 2013.

Dated this 1st day of May 2013

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13B(32)

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

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

Re: 1365 Bay Terrace
Lots 7 & 8, Block 1
North Bay Island
North Bay Village, FL 33141

Request to Construct a New Dock with 3 Boatlifts

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 May 3, 2013.

Dated this 3rd day of May 2013.

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13B (33)

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

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

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

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, #210, 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, #210. 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
(April 25, 2013)

13B(34)

Owner/Occupant
7401 Beach View Drive]
N. Bay Village, FL 33141

Owner/Occupant
7411 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Beach View Drive]
N. Bay Village, FL 33141

Owner/Occupant
7501 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7400 Beach View Drive]
N. Bay Village, FL 33141

Owner/Occupant
7410 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7420 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7430 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7500 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7431 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7501 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7400 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7410 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7420 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7500 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7401 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7411 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7431 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7441 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7501 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
1365 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1359 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1357 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1353 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1321 Bay Terrace
N. Bay Village, FL 33141

18B(35)

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

2. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

3. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

4. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

5. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. **SECOND READING**

6. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. **FIRST READING**

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, 1766 KENNEDY CAUSEWAY, #210, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(April 26, 2013)

NEIGHBORS CALENDAR

• CALENDAR, FROM 9NE

people is performed for a breakfast audience. The additional bonus of a music video presenting the world premiere of "I Can Dance on Mountains" highlights the performance..

8 a.m. May 5. Evans-Graham Auditorium, 301 NW Ninth St., Overtown. Suggested donation for adults; free to children under 16 years. 305-633-3583.

Drive-By Big Band: Drive-By Big Band is a professional big band that was formed by Ryan Chapman and Major Bailey in 2009 to promote jazz big band music. This group is comprised primarily of Miami's top professional musicians and incorporates a number of talented University of Miami college students and professors in order to enhance the overall sense of community among local artists..

8 p.m. May 8. PAX Miami, 337 SW Eighth St., $0. 305-640-5847.

Gallery Night Live: Be sure to mark your calendars for First Friday Gallery Night every month in the Gables! The Museum presents Gallery Night Live and it is THE place to begin your Gallery Night experience with new exhibitions and live music, art, food and spirits on our beautiful Plaza..

6 p.m. May 3. Coral Gables Museum, 285 Aragon Ave., Coral Gables. Free. 305-603-8067. coralgablesmuseum.org.

Midday Organ Concert: Jay Brooks, director of music at First United Methodist Church of Coral Gables, performs a midday organ concert on the first Thursday of every month. The music is a rich repertoire of spiritual and secular pieces on the church's 4,000 pipe organ..

12:30 p.m. May 2. First United Methodist Church of Coral Gables, 536 Coral Way, Coral Gables. free. 305-445-2578. www.fumccg.org.

National Mom's Nite Out: Miami International Mall is hosting The Ultimate Mom's Nite Out 2013, a celebration of motherhood. Macy's Women Corridor. Enjoy food, drinks, pampering stations and more. Come and enjoy the fun!.

6 p.m. May 9. Miami International Mall, 1455 N.W. 107 AVE., 305-593-1777.

Weebles Coast to Coast Exhibit: This new exhibit is a cross-country adventure that highlights history, geography and more in a fun, interactive way. It runs through May 5. The museum is open daily 10 a.m. to 6 p..

10 a.m. May 2. Miami Children's Museum, Watson Island, Watson. $12 Florida residents; $16 others; free for babies under 1 year old. 305-373-5437.

Youth Arts Day and Music Fest: Youth Arts Day & Music Fest is a community collaboration celebrating creativity, youth artists, diversity, and creating awareness of Miami-Dade County's rich cultural resources..

10 a.m. May 5. Deering Estate, 16701 SW 72nd Ave., Palmetto Bay. Free for Youth (Grades K-12); $12 for adults. 305-235-1668.

ETHNIC & CULTURAL

Institute of Maya Studies-Archaeology101: Janet Meiss tells how to prepare before grabbing your digging tools by getting information and then tells how to record what you find, take notes, do sketches and photograph..

8 p.m. May 8. Miami Science Museum, 3280 S. Miami Ave., Coconut Grove. $10 donation; free for members. 305-279-8110.

Jewish Miami Beach Tour: This tour explores the rise and fall of the Jewish population of Miami Beach over the past 100 years, including a look at the impact of selected key Jewish individuals and institutions, plus an overview of architectural styles in the southernmost part of the city..

11 a.m. May 5. Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. $20. 305-763-8026.

FAIRS & FESTIVALS

"Celebrating the Moms of Miami": Free all-day Kendall health and beauty expo dedicated to Miami's moms. Hosted by elements fitness for women at 8758 SW 72 St.

Win prizes in our Spinathon or Zumbathon. Hear expert talks on cosmetic procedures, stress reduction and fitness while perusing displays of health and beauty products and services, custom jewelry, specialty foods, moving services and more..

7:30 a.m. May 8. elements fitness for women at Sunset, 8758 SW 72 St., Sunset. Free. 305-595-4584.

10th Annual Love-In Party in the Park: Come party at this real blast from the past with rock-n-roll from the 60s, 70s, and 80s at Greynolds Park! Patrons will enjoy great, food, family-friendly activities, and rocking live concerts featuring Grand Funk Railroad, Blues Image, and much more..

11 a.m. May 5. Greynolds Park, 17530 S. Dixie Hwy.. $15 Advance Ticket Price, $20 At the Door. 305-945-3425. miamipartyinthepark.com/.

4th Annual New Times Brew at the Zoo 2013: Miami's largest beer festival returns May 4, 2013, showcasing 100+ local, international, and craft beers, live national acts, interactive games, animals, food and fun. This year, Naughty by Nature will perform live with Luke live on stage!.

7 p.m. May 4. Zoo Miami, 12400 SW 152nd St., Miami Metrozoo. $35 prepaid/$45 at the door. VIP $75 prepaid/$85 at the door. 305-576-8000.

Brickell Flatiron Park Farmer's Market: Features a diversity of products, including organic produce, spices, granola, gluten-free pasta, freshly made ceviche and guacamole, fresh stone crabs, Colombian baked goods, tropical fruit smoothies, local honey, artisanal French bread, fresh flowers, Greek salads and gyros, olive oil and handmade soaps..

9 a.m. May 3. Brickell Flatiron Park, 1101 S. Miami Ave., Brickell. Free. 305-531-0038.

Christmas Bazaar Miami 2013: Over 100 merchants and the Famous Food Trucks, great food and music, Sports Bar, and Children's Area. Do all of your Christmas shopping while you have a great time with your family and friends!.

10 a.m. May 5. Dolphin Mall, 11401 NW 12th St., 305-365-7446.

Cinco de Mayo Crawl-South Miami: Includes Splitsville, Bougainvilleas, Irish Times, happy hour all night, free shot at each bar, free entrance and skip the line at the bars, lounges and clubs..

8:30 p.m. May 4. Splitsville, Sunset Place, Biscayne Bay. $19.99.

Free Japan Garden Spring Festival: Free Spring Festival at the Miami-Japan Garden. This day is a celebration of Japanese culture; food, music, clothingower arrangements (Ikebana), Traditional Storytelling and more..

10 a.m. May 5. Ichimura Miami-Japan Garden, 1101 MacArthur Cswy., Watson Island. Free. 786-457-6446.

Karaoke Night: Join us for a very special Karaoke Night! The DJ will keep you on the dance floor while you build up the courage to step on stage. A night full of dancing, singing and fun; what more could you ask for!.

6 p.m. May 3. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

North Bay Village Farmers Market: Year round Farmers Market at the Crab House parking lot overlooking Key Biscayne. It features organic fruits and vegetables, pasta, bread, local honey, kettle corn, plants and flowers..

2 p.m. May 3. Crab House Seafood Restaurant, 79th Street Causeway, North Bay Village. Free. 305-531-0038.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

7 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

12 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Southwest Community Farmer's Market: Features outdoor market with organic local produce, artisan baked goods, local arts, community music, organic solar-powered jam and massage..

9 a.m. May 4. Tropical Park, 7900 SW 40th St, Olympia Heights. Free. 305-223-8710.

The Palms at Town & Country Hosts

• TURN TO CALENDAR, 14NE

18B(36)

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

April 30, 2013

Ms. Kelly Whelen
1365 Bay Terrace
North Bay Village, FL 33141

Re: Request for Construction of Dock
1365 Bay Terrace
North Bay Village, Florida

Dear Ms. Whelen:

This is notification that your request to construct a dock at the above-referenced property will be heard before the Village Commission at its Regular Meeting on May 14, 2013 at 7:30 p.m. The meeting will be held at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida. You or your representative should be present at the meeting on behalf of the request.

If you have any questions regarding this matter, please do not hesitate to contact me at (305) 756-7171.

Sincerely,

NORTH BAY VILLAGE

Yvonne P. Hamilton, CMC
Village Clerk

/yph

13B(37)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK WITH A BOATLIFT AT 1365 BAY TERRACE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST AND WAIVING SECTION 150.11(A) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A DOCK MORE THAN TWENTY-FIVE FEET PERPENDICULAR FROM THE SEAWALL; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kelly Whelen, has applied to North Bay Village for a Building Permit to construct a dock, extending 46 feet from the seawall, with three boatlifts, at her residence at 1365 Bay Terrace, in the RS-1, Single-Family, Low Density, Residential 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 with the corporate limits of the Village without a waiver; and

WHEREAS, the Village Commission, consistent with 150.11(G), has evaluated the request for a waiver considering the following criteria:

(i) If Miami Dade Department of Environmental Management has required specific depth or location criteria (DERM); 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; and

13B(38)

WHEREAS, in accordance with Section 150.11(F) of the Village Code, a public hearing by the Village Commission was noticed for Tuesday, May 14, 2013 at 7:30 p.m. at the Treasure Island Elementary School, 7540 East Treasure Drive, 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(G) of the Village Code the Village Commission, having considered the testimony and evidence in the record presented by all parties, makes the following findings:

1. The Applicant has complied with the requirements of DERM pertaining to depth and location.
2. Adjoining property owners have consented to the Application.
3. Adjoining property owners have not objected to the Application.
4. Considering the above findings and all other information presented, the dock is safe and environmentally compatible.

Section 3. Grant.

Section 150.11(A) of the North Bay Village Code of Ordinances is hereby waived and approval is granted to construct a dock at 1365 Bay Terrace, not to extend more than 46 feet perpendicular from the existing seawall, in accordance with the Site Plan submitted on March 12, 2013 for the hearing on May 14, 2013.

13B(39)

Section 4. Conditions.

The Application, including the waiver of the 25 foot dock length limitation, is approved subject to the following conditions:

1. The dock shall not exceed 46 feet measured perpendicular from the existing seawall.
2. The height of the dock shall not exceed five (5) feet from the ground level which shall be reflected on the Building Permit Application.
3. The Applicant shall pay all applicable Building Permit Fees to the Village at time of Building Permit Application.
4. The Applicant shall comply with all applicable Village, County, State and Federal laws.

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 condition shall be considered a violation of this Resolution and persons found violating the Resolution 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 Eddie Lim	_____
Commissioner Richard Chervony	_____
Commissioner Wendy Duvall	_____
Commissioner Jorge Gonzalez	_____

PASSED and ADOPTED this 14th day of May 2013.

_____
MAYOR CONNIE LEON-KREPS

ATTEST:

_____
YVONNE P. HAMILTON, CMC
City Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Dock Contruction-1365 Bay Terrace

13B(41)

Staff Report
Permit Application for Piling Alterations

Prepared for: *North Bay Village Commission*

Applicant: *Ramiro A. Abreu*

Request: *Permit for piling installation and relocation*

LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366
Serving Florida Local Governments Since 1988

13C(1)

General Information

Owner/Applicant	Ramiro A. Abreu
Applicant Address	7730 Miami View Drive, North Bay Village
Site Address	7730 Miami View Drive
Contact Person	Richard A. Bunnell
Contact Phone Number	305-545-5902
E-mail Address	lilly@bunnellinc.com
Zoning District	RS-1
Use of Property	Single Family Home

General Description

The applicant is requesting a permit to install pilings and relocate pilings at a residence in the RS-1 zoning district. There is an existing dock that extends 36 feet from the existing seawall. The dock will remain and is not proposed to be altered. There is an existing piling that is located 63 feet from the seawall. This piling will be relocated several feet to the north but will remain 63 feet from the seawall. Two new pilings will be placed in line with that piling to the south. They will also be 63 feet from the seawall. A fourth piling will be installed 43 feet from the seawall. None of the pilings will be placed any farther from the seawall than the existing piling.

Applicable Code Provisions

The construction or alteration of docks, piers, etc is governed by Section 150.11 and specifically subsection (F) which requires a public hearing and approval by the Commission for construction or structural alterations of any building, dock or pier or similar structure near water within the corporate limits of the Village.

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 furthermost 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 pilings will be located so that the 7.5 foot side setbacks from the property lines are met. The pilings will not require a waiver as per Section 150.11(A) because they will extend no farther from the seawall than the existing piling.

Verbal communication with the applicant has verified that the height of the proposed pilings will be 10 feet from the mean water level. Section 150.11(C) requires that the dock structures may not exceed 5 feet in height from the ground level. The 5 foot height restriction, at ground level, would have to be verified at the construction permit review level.

Based on the materials presented by the applicant, the proposed structures are in compliance with the applicable provisions of Sections 152.059 and 150.11. The proposed pilings are safe and compatible.

Recommendation

Staff recommends **approval** of the application pending the following:

1. Verification of the 5 foot height restriction at the time of building permit issuance.

2. Compliance with all state, federal, and environmental laws.

Submitted by:
James G. LaRue
James L. LaRue, AICP
Planning Consultant

April 24, 2013

Hearing: Village Commission, May 14, 2013

Attachments: Dock Plans Provided by Applicant

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

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission 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.

Applicant's Name: Ramiro A. Abreu Phone: (305) 244-9265

Mailing Address: 8805 NW 35 LN

Miami FL 33172 Lot 22, Block 2

Legal Description of Property: North Bay Island PB 40-59 Lot 22

Existing Zoning: _____ Lot Size: 70 000 x 115 Folio: 23-3209-008-0410

Type of Request: Building Permit Re: 7730 Miami View Dr

Reason for Request: (Attach additional Pages if necessary) Piles Relocation Mooring Piles Relocation.

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and 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 petition, conditional use permit or amendment.

13C(6)

APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2

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 Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & 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.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Authorized Signature — Ramiro A Abreu, Print Name

(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 1 **day of** April **20**13
by Ramiro Abreu
who is personally known to me or who has produced _____
as identification.

Liyevi Ramirez
Notary Public

LIYEVI RAMIREZ
MY COMMISSION # EE085746
EXPIRES July 10, 2015
(407) 395-0153 FloridaNotaryService.com

(Notary Seal)

Office Use Only:

Date Submitted: 4/9/13

Fee Paid: $ 300.00

Tentative Meeting Date: 5/14/13

Cash ☐ or Check ☑ # 2958

Date Paid: 4/9/13

13C(7)

Revised 1/2013

RECEIVED

CITY OF NORTH BAY VILLAGE PERMIT APPLICATION

1700 Kennedy Causeway, Suite.132, North Bay Village, Fl. 33141

DATE _____ MASTER PERMIT # _____ SUB CONTRACTOR PERMIT# N/A

JOB ADDRESS 7730 Miami View Drive TAX FOLIO# 23-3209 - 008 - 0410

LOT 22 BLOCK 2 SUB DIVISION _____ ZONE: RS-1 RS-2 RM-40 RM-70 CG CL MU

PROPERTY OWNER NAME Ramiro A. Abreu TELEPHONE (305) 244-9265

OWNER ADDRESS 7730 Miami View Drive CITY N. Bay Village STATE FL ZIP CODE 33141

CONTRACTOR COMPANY Bunnell Foundation, Inc CITY Miami STATE FL ZIP CODE 33125

QUALIFIER'S NAME Richard A. Bunnell TELEPHONE (305) 545-5902

STATE LICENSE # _____ CERTIFICATE OF COMPETENCY # _____ INSURANCE EXPIRATION DATE _____

ARCHITECT/ ENGINEER Solver Structural LICENSE# _____

PERMIT TYPE: (BUILDING) ELECTRICAL MECHANICAL PLUMBING SPECIAL EVENT

Application is hereby made for a permit to do work & installation as indicated. I understand that separate permits are required Electrical, Mechanical, and Plumbing, Signs, Pools, Windows, Doors & Roofing, work.

WORK DESCRIPTION: (Circle One Only) COMMERCIAL (RESIDENTIAL)

Replace and Reinstall 4 existing Mooring Piles

VALUE OF JOB: $ 6,300.00 LINEAR FEET _____ SQUARE FEET _____

2/5/13 Paid check # 2957

UPFRONT FEE: $ 125.00 PERMIT FEE: $ _____ REVIEW FEE: $ _____ STRUCTURAL FEE: $ _____

DCA FEE $ _____ DC FEE: $ _____ DBPR FEE: $ _____ TSM: $ _____ PENALTY: $ _____ BOND: $ _____

EDUCATIONAL FEE: $ _____ IMPACT FEE: $ _____ NOTARY FEE _____ TOTAL: $ _____

ELECTRICAL: APPROVED _____ Date _____ MECHANICAL: APPROVED _____ Date _____

PLUMBING: APPROVED _____ Date _____ BUILDING OFFICIAL: _____ Date _____

STRUCTURAL 2/5/13

WARNING TO OWNER: YOU MUST RECORD A NOTICE OF COMMENCEMENT AND YOUR FAILURE TO DO SO MAY RESULT IN PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING THE NOTICE

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Signature of Property Owner or Agent

Signature of Contractor

ADMINISTERED OATH SWORN TO & SUBSCRIBED BEFORE ME THIS 21 DAY OF November 2012

Signature of NOTARY to Owner or Agent

Livevi Ramirez

(Print, Type, or Stamp Commissioned Name)

Personally Known _____ or Produced ID X

Type of I.D. produced D.L

LIVEVI RAMIREZ MY COMMISSION # EE095746 EXPIRES July 10, 2015 (407) 398-0153 FloridaNotaryService.com

ADMINISTERED OATH SWORN TO & SUBCRIBED BEFORE ME THIS 27 DAY OF November 2012

Signature of NOTARY to Contractor

Livevi Ramirez

(Print, Type, or Stamp Commissioned Name)

Personally Known ✓ or Produced ID _____

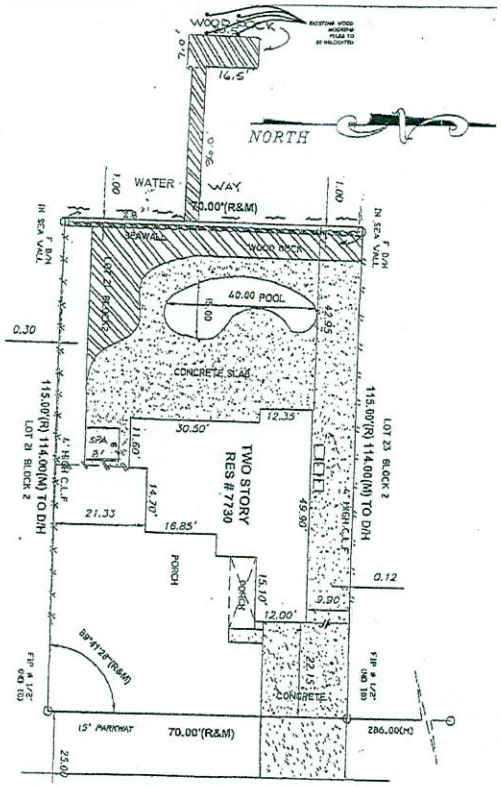
Type of I.D. produced _____

LIVEVI RAMIREZ MY COMMISSION # EE095746 EXPIRES July 10, 2015 (407) 398-0153 FloridaNotaryService.com

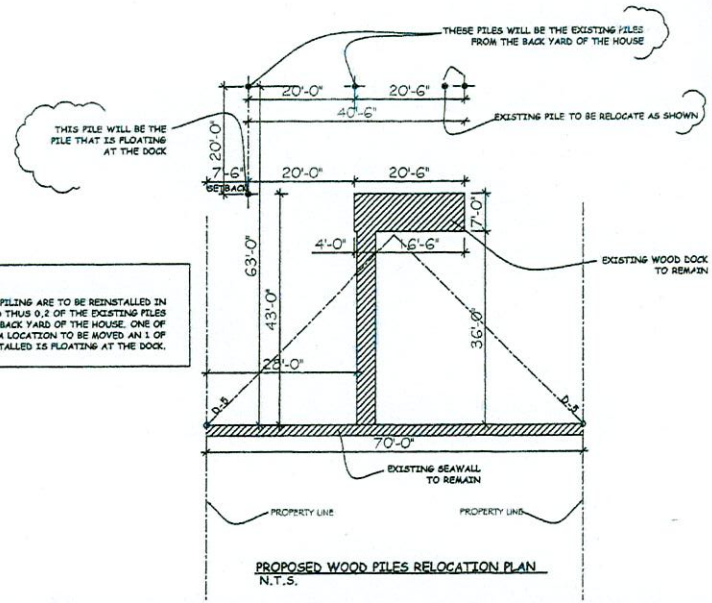
13C(7)A

THIS APPLICATION IS VALID FOR 180 DAYS FROM DATE APPROVED.
APPLICATION AND ALL ATTACHEMENTS WILL BE DESTROYED AFTER THAT DATE IF PERMIT IS NOT *ISSUED*

13CC7)B

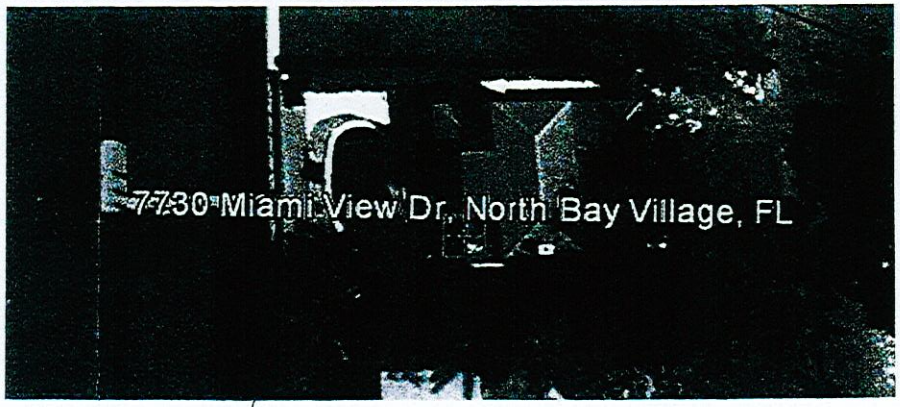


EXISTING SITE PLAN
N.T.S.



NOTE:
4 EXISTING WOOD PILING ARE TO BE REINSTALLED IN LOCATIONS MARKED THUS 0,2 OF THE EXISTING PILES ARE STORED IN THE BACK YARD OF THE HOUSE. ONE OF THE PILING IS IN A LOCATION TO BE MOVED. AN 1 OF THE PILING TO BE INSTALLED IS FLOATING AT THE DOCK.

PROPOSED WOOD PILES RELOCATION PLAN
N.T.S.



PROJECT LOCATION

LOCATION PLAN
N.T.S.

STRUCTURAL NOTES:

GENERAL
ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS AF THESE PERMITS.

APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2010 EDITION.

WOOD PILES:

1. WOOD DOCK PILES SHALL BE 12" DIA. 4 MADE OF CCA WOOD PILES W/ 10 TONS MIN. BEARING CAPACITY DRIVEN TO A MINIMUM BEARING CAPACITY OF 10 TONS & WITH 12' MIN PENETRATION INTO FIRM MATERIAL BELOW SILT LAYER OR REFUSAL.

03/21/13

Denis K. Solano
P.E. 56902
S.I. 2046
C.O.A. 00009095

revisions:

CONSULTANTS:
Solver Structural Partnership, Inc.
7300 N.W. 25th ST Ste 205 Phone (305) 592-8296
Miami, Florida 33122 Fax: (305) 599-0047
E-Mail: solverstruct@aol.com
DESIGN - INSPECTION - INVESTIGATION - REPORTS

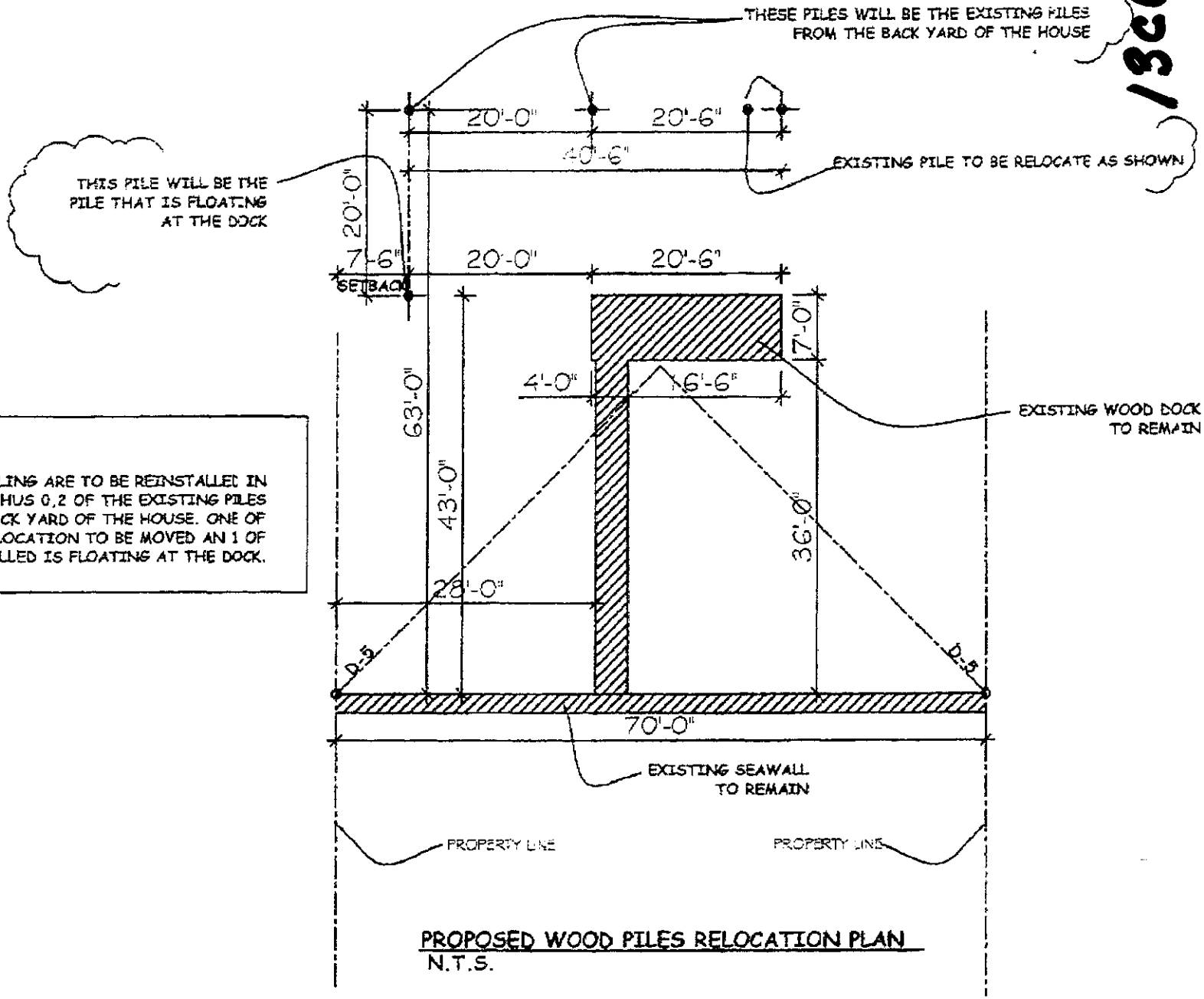
job name: RAMIRO A. ABREU
7730 MIAMI VIEW DRIVE
NORTH BAY VILLAGE, FL.

title: PILES RELOCATION

date 03-21-13
issued
drawn I.G.B.
checked D.K.S.
project no.

sheet no.
S-1
1 of 1

13C(7)C



NOTE:

4 EXISTING WOOD PILING ARE TO BE REINSTALLED IN LOCATIONS MARKED THUS 0,2 OF THE EXISTING PILES ARE STORED IN THE BACK YARD OF THE HOUSE. ONE OF THE PILING IS IN A LOCATION TO BE MOVED AN 1 OF THE PILING TO BE INSTALLED IS FLOATING AT THE DOCK.

PROPOSED WOOD PILES RELOCATION PLAN
N.T.S.

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

Re: 7730 Miami View Drive
Lot 22, Block 2
North Bay Island
North Bay Village, FL 33141

Request to Relocate Three Dock Mooring Piles

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 May 3, 2013.

Dated this 3rd day of May 2013.

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13C(8)

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

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

Re: 7730 Miami View Drive
Lot 22, Block 2
North Bay Island
North Bay Village, FL 33141

Request to Relocate Three Dock Mooring Piles

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on May 14, 2013 was posted at the above-referenced property on May 1, 2013.

Dated this 1st day of May 2013

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13C(9)

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

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

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, 1766 KENNEDY CAUSEWAY, #210, 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, #210. 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
(May 3, 2013)

13C(10)

Owner/Occupant
7830 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7820 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7810 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7800 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7730 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7720 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7710 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7700 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7630 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7620 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7621 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7631 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7641 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7711 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7721 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7731 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7801 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7811 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7620 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7700 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7710 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7730 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7810 Center Bay Drive
N. Bay Village, FL 33141

13C(11)

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

2. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

3. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

4. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

5. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. **SECOND READING**

6. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. **FIRST READING**

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, 1766 KENNEDY CAUSEWAY, #210, 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, #210. 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.

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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
(April 26, 2013)

NEIGHBORS CALENDAR

• CALENDAR, FROM 9NE

people is performed for a breakfast audience. The additional bonus of a music video presenting the world premiere of "I Can Dance on Mountains" highlights the performance..

8 a.m. May 5. Evans-Graham Auditorium, 301 NW Ninth St., Overtown. Suggested donation for adults; free to children under 16 years. 305-633-3583.

Drive-By Big Band: Drive-By Big Band is a professional big band that was formed by Ryan Chapman and Major Bailey in 2009 to promote jazz big band music. This group is comprised primarily of Miami's top professional musicians and incorporates a number of talented University of Miami college students and professors in order to enhance the overall sense of community among local artists..

8 p.m. May 8. PAX Miami, 337 SW Eighth St.,. $0. 305-640-5847.

Gallery Night Live: Be sure to mark your calendars for First Friday Gallery Night every month in the Gables! The Museum presents Gallery Night Live and it is THE place to begin your Gallery Night experience with new exhibitions and live music, art, food and spirits on our beautiful Plaza..

6 p.m. May 3. Coral Gables Museum, 285 Aragon Ave., Coral Gables. Free. 305-603-8067. coralgablesmuseum.org.

Midday Organ Concert: Jay Brooks, director of music at First United Methodist Church of Coral Gables, performs a midday organ concert on the first Thursday of every month. The music is a rich repertoire of spiritual and secular pieces on the church's 4,000 pipe organ..

12:30 p.m. May 2. First United Methodist Church of Coral Gables, 536 Coral Way, Coral Gables. free. 305-445-2578. www.fumccg.org.

National Mom's Nite Out: Miami International Mall is hosting The Ultimate Mom's Nite Out 2013, a celebration of motherhood. Macy's Women Corridor. Enjoy food, drinks, pampering stations and more. Come and enjoy the fun!.

6 p.m. May 9. Miami International Mall. 1455 N.W. 107 AVE,,. 305-593-1777.

Weebles Coast to Coast Exhibit: This new exhibit is a cross-country adventure that highlights history, geography and more in a fun, interactive way. It runs through May 5. The museum is open daily 10 a.m. to 6 p..

10 a.m. May 2. Miami Children's Museum, Watson Island, Watson. $12 Florida residents; $16 others; free for babies under 1 year old. 305-373-5437.

Youth Arts Day and Music Fest: Youth Arts Day & Music Fest is a community collaboration celebrating creativity, youth artists, diversity, and creating awareness of Miami-Dade County's rich cultural resources..

10 a.m. May 5. Deering Estate, 16701 SW 72nd Ave., Palmetto Bay. Free for Youth (Grades K-12); $12 for adults. 305-235-1668.

ETHNIC & CULTURAL

Institute of Maya Studies-Archaeology101: Janet Meiss tells how to prepare before grabbing your digging tools by getting information and then tells how to record what you find, take notes, do sketches and photograph..

8 p.m. May 8. Miami Science Museum, 3280 S. Miami Ave., Coconut Grove. $10 donation; free for members. 305-279-8110.

Jewish Miami Beach Tour: This tour explores the rise and fall of the Jewish population of Miami Beach over the past 100 years, including a look at the impact of selected key Jewish individuals and institutions, plus an overview of architectural styles in the southernmost part of the city..

11 a.m. May 5. Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. $20. 305-763-8026.

FAIRS & FESTIVALS

"Celebrating the Moms of Miami": Free all-day Kendall health and beauty expo dedicated to Miami's moms. Hosted by elements fitness for women at 8758 SW 72 St.

Win prizes in our Spinathon or Zumbathon. Hear expert talks on cosmetic procedures, stress reduction and fitness while perusing displays of health and beauty products and services, custom jewelry, specialty foods, moving services and more..

7:30 a.m. May 8. elements fitness for women at Sunset. 8758 SW 72 St., Sunset. Free. 305-595-4584.

10th Annual Love-In Party in the Park: Come party at this real blast from the past with rock-n-roll from the 60s, 70s, and 80s at Greynolds Park! Patrons will enjoy great food, family-friendly activities, and rocking live concerts featuring Grand Funk Railroad, Blues Image, and much more..

11 a.m. May 5. Greynolds Park, 17530 S. Dixie Hwy,,. $15 Advance Ticket Price, $20 At the Door. 305-945-3425. miamipartyinthepark.com/.

4th Annual New Times Brew at the Zoo 2013: Miami's largest beer festival returns May 4, 2013, showcasing 100+ local, international, and craft beers, live national acts, interactive games, animals, food and fun. This year, Naughty by Nature will perform live with Luke live on stage!.

7 p.m. May 4. Zoo Miami, 12400 SW 152nd St., Miami Metrozoo. $35 prepaid/$45 at the door. VIP $75 prepaid/$85 at the door. 305-576-8000.

Brickell Flatiron Park Farmer's Market: Features a diversity of products, including organic produce, spices, granola, gluten-free pasta, freshly made ceviche and guacamole, fresh stone crabs, Colombian baked goods, tropical fruit smoothies, local honey, artisanal French bread, fresh flowers, Greek salads and gyros, olive oil and handmade soaps..

9 a.m. May 3. Brickell Flatiron Park, 1101 S. Miami Ave., Brickell. Free. 305-531-0038.

Christmas Bazaar Miami 2013: Over 100 merchants and the Famous Food Trucks, great food and music, Sports Bar, and Children's Area. Do all of your Christmas shopping while you have a great time with your family and friends!.

10 a.m. May 5. Dolphin Mall, 11401 NW 12th St.,. 305-365-7446.

Cinco de Mayo Crawl-South Miami: Includes Splitsville, Bougainvilleas, Irish Times, happy hour all night, free shot at each bar, free entrance and skip the line at the bars, lounges and clubs..

8:30 p.m. May 4. Splitsville, Sunset Place, Biscayne Bay. $19.99.

Free Japan Garden Spring Festival: Free Spring Festival at the Miami-Japan Garden. This day is a celebration of Japanese culture: food, music, clothingower arrangements (Ikebana), Traditional Storytelling and more..

10 a.m. May 5. Ichimura Miami-Japan Garden, 1101 MacArthur Cswy., Watson Island. Free. 786-457-6446.

Karaoke Night: Join us for a very special Karaoke Night! The DJ will keep you on the dance floor while you build up the courage to step on stage. A night full of dancing, singing and fun: what more could you ask for!.

6 p.m. May 3. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

North Bay Village Farmers Market: Year round Farmers Market at the Crab House parking lot overlooking Key Biscayne. It features organic fruits and vegetables, pasta, bread, local honey, kettle corn, plants and flowers..

2 p.m. May 3. Crab House Seafood Restaurant, 79th Street Causeway, North Bay Village. Free. 305-531-0038.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

7 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

12 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Southwest Community Farmer's Market: Features outdoor market with organic local produce, artisan baked goods, local arts, community music, organic solar-powered jam and massage..

9 a.m. May 4. Tropical Park, 7900 SW 40th St, Olympia Heights. Free. 305-223-8710.

The Palms at Town & Country Hosts

• TURN TO CALENDAR, 14NE

13CL12

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

April 30, 2013

Mr. Ramiro A. Abreu
8805 N.W. 35th Lane
Miami, FL 33172

Re: Dock for Construction of Dock
7730 Miami View Drive
North Bay Village, Florida

Dear Mr. Abreu:

This is notification that your request to relocate mooring piles at the above-referenced property will be heard before the Village Commission at its Regular Meeting on May 14, 2013 at 7:30 p.m. The meeting will be held at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida. You or your representative should be present at the meeting on behalf of the request.

If you have any questions regarding this matter, please do not hesitate to contact me at (305) 756-7171.

Sincerely,

NORTH BAY VILLAGE

Yvonne P. Hamilton, CMC
Village Clerk

/yph

13C(13)

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AT 7730 MIAMI VIEW DRIVE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ramiro A. Abreu, has applied to North Bay Village for a Building Permit to install and relocate pilings related to an existing dock at his residence at 7730 Miami View Drive, in the RS-1, Single-Family, Low Density, Residential 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, in accordance with Section 150.11(F) of the Village Code, a public hearing by the Village Commission was noticed for Tuesday, May 14, 2013 at 7:30 p.m. at the Treasure Island Elementary School, 7540 East Treasure Drive, 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 placement and relocation of pilings is safe and compatible.

13C(14)

Section 3. Grant.

Approval to construct install and relocate pilings at 7730 Miami View Drive is hereby granted, in accordance with the Site Plan submitted on March 22, 2013 for the hearing on May 14, 2013.

Section 4. Conditions.

The application is approved subject to the following conditions:

1. The pilings shall be placed and relocated consistent with the Site Plan submitted on March 22, 2013 for the hearing on May 14, 2013.

2. The existing dock shall remain and shall not be altered.

3. The height of the dock shall not exceed five (5) feet from the ground level which shall be reflected on the Building Permit Application.

4. The Applicant shall comply with all applicable Village, County, State and Federal laws.

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 condition shall be considered a violation of this Resolution and persons found violating the Resolution 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 _____.

13C(15)

FINAL VOTE AT ADOPTION:

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

PASSED and ADOPTED this 14th day of May 2013.

_____
MAYOR CONNIE LEON-KREPS

ATTEST:

_____
YVONNE P. HAMILTON, CMC
City Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Dock Contruction-7730 Miami View Drive.

13c(16)

Staff Report
Permit Application for Dock

Prepared for: *North Bay Village Commission*

Applicant: *Juan Luis Matos*

Request: *Permit for a pier (dock) and boat lifts to be constructed projecting more than 25 feet from the bulkhead line.*

LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366
Serving Florida Local Governments Since 1988

13D(1) 7720

General Information

Owner/Applicant	Juan Luis Matos
Applicant Address	7720 Miami View Drive, North Bay Village
Site Address	7720 Miami View Drive
Contact Person	Lawrence Scott Clippinger
Contact Phone Number	305-244-9352
E-mail Address	Not given
Zoning District	RS-1
Use of Property	Single Family Home

General Description

The applicant is requesting a permit to construct a new dock at their residence in the RS-1 zoning district. The proposed dock will extend 40 feet from the existing seawall into Biscayne Bay.

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 furthermost 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 dock will require a waiver as per Section 150.11(A) because it will extend more than 25 feet into the Bay from the seawall.

Verbal communication with the applicant has verified that the height of the proposed dock and pilings will be a maximum of 4 feet above ground level. This is less than the 5 foot required maximum height of Section 150.11(C).

The builder has stated that the proposed length of the dock is required by the County due to environmental concerns and that proof of that will be provided at the time of the public hearing.

Based on the materials presented by the applicant, the proposed structures are in compliance with the applicable provisions of Sections 152.059 and 150.11. The proposed dock and boatlift are safe and compatible.

Recommendation

Staff recommends **approval** of the application pending the following:

1. At the time of the public hearing, the applicant must provide a marine survey, or similar data, demonstrating the minimum distances from the seawall necessary to meet the minimum depth requirements, approved by state or county agencies.

2. Verification of the 5 foot height restriction at the time of building permit issuance.

3. Compliance with all state, federal, and environmental laws including, but not limited to, compliant with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers.

Submitted by:
James L. LaRue
James L. LaRue, AICP
Planning Consultant

April 24, 2013

Hearing: Village Commission, May 14, 2013

Attachments: Dock Plans Provided by Applicant

RECEIVED
FEB 27 REC'D
By

CITY OF NORTH BAY VILLAGE PERMIT APPLICATION

1700 Kennedy Causeway, Suite.132, North Bay Village, Fl. 33141

DATE _____ MASTER PERMIT # _____ SUB CONTRACTOR PERMIT# _____

JOB ADDRESS 7720 MIAMI VIEW DRIVE TAX FOLIO# 23-3209-008-0400

LOT _____ BLOCK 2 SUB DIVISION _____ ZONE: RS-1 RS-2 RM-40 RM-70 CG CL MU

PROPERTY OWNER NAME JUAN LUIS MATOS TELEPHONE 305-244-9852

OWNER ADDRESS 7720 MIAMI VIEW DRIVE CITY NORTH BAY VILLAGE STATE FL ZIP CODE 33141

CONTRACTOR COMPANY A SEAWALL INSPECTION SERVICE CITY FT. LAUDERDALE STATE FL ZIP CODE 33316

QUALIFIER'SNAME LAWRENCE SCOTT CLIPPINGER TELEPHONE 954-764-2770

STATE LICENSE # CGC 050816 CERTIFICATE OF COMPETENCY # _____ INSURANCE EXPIRATION DATE 1-9-14

ARCHITECT/ ENGINEER _____ LICENSE# P.E. 11363

PERMIT TYPE: (BUILDING) ELECTRICAL MECHANICAL PLUMBING SPECIAL EVENT

Application is hereby made for a permit to do work & installation as indicated. I understand that separate permits are required Electrical, Mechanical, and Plumbing, Signs, Pools, Windows, Doors & Roofing, work.

WORK DESCRIPTION: (Circle One Only) COMMERCIAL (RESIDENTIAL)

NEW "T" DOCK EXTENSION

VALUE OF JOB: $25,000.00 LINEAR FEET 58' SQUARE FEET 280 SQ FT.

paid 2/27/13 UPFRONT FEE: $125.00 PERMIT FEE: $ _____ REVIEW FEE: $ _____ STRUCTURAL FEE: $ _____

DCA FEE $ _____ DC FEE: $ _____ DBPR FEE: $ _____ TSM: $ _____ PENALTY: $ _____ BOND: $ _____

EDUCATIONAL FEE: $ _____ IMPACT FEE: $ _____ NOTARY FEE _____ TOTAL: $ _____

ELECTRICAL: APPROVED _____ Date _____ MECHANICAL: APPROVED _____ Date _____

PLUMBING: APPROVED _____ Date _____ BUILDING OFFICIAL: _____ Date _____

WARNING TO OWNER: YOU MUST RECORD A NOTICE OF COMMENCEMENT AND YOUR FAILURE TO DO SO MAY RESULT IN PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING THE NOTICE

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

Signature of Property Owner or Agent

ADMINISTERED OATH SWORN TO & SUBSCRIBED BEFORE ME THIS 26 DAY OF FEBRUARY 2013

PAUL WILLIAM SCHAFER

Signature of NOTARY to Owner or Agent

(Print, Type or Stamp Commissioned Name)

Notary Public State of Florida Paul William Schafer My Commission EE070433 Expires 03/03/2015

Personally Known _____ or Produced ID. _____

Type of I.D. produced _____

Signature of Contractor

ADMINISTERED OATH SWORN TO & SUBCRIBED BEFORE ME THIS 26 DAY OF FEBRUARY 2013

PAUL WILLIAM SCHAFER

Signature of NOTARY to Contractor

PAUL WILLIAM SCHAFER

(Print, Type, or Stamp Commissioned Name)

Notary Public State of Florida Paul William Schafer My Commission EE070433 Expires 03/03/2015

Personally Known ✓ or Produced ID. _____

Type of I.D. produced _____

THIS APPLICATION IS VALID FOR 180 DAYS FROM DATE APPROVED.
APPLICATION AND ALL ATTACHEMENTS WILL BE DESTROYED AFTER THAT DATE IF PERMIT IS NOT *ISSUED*

13(5)A

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

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission 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.

Applicant's Name: JUAN LUIS MATOS Phone: 305-244-9352

Mailing Address: 1347 71st STREET
MIAMI BEACH, FL.

Legal Description of Property: LOT 21 BLK 2 NORTH BAY ISLAND

Existing Zoning: 0900 SINGLE FAMILY Lot Size: 8,050 SQFT Folio: 23-3209-008-0400

Type of Request:
A request to extend an existing viewing platform to be used as a dock.

Reason for Request: (Attach additional Pages if necessary)
Section 150.11(f) requires application for these structures to be approved by the Commission

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

7720 Miami View Dr.

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and 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 petition, conditional use permit or amendment.

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

13D(5)B

APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2

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 Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & 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.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Authorized Signature

JUAN LUIS MATOS
Print Name

(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 4TH **day of** APRIL **20**13
by JUAN LUIS MATOS
who is personally known to me or who has produced _____
as identification.

Notary Public

Notary Public State of Florida
My Commission EE070433
Expires 03/03/2015

(Notary Seal)

Office Use Only:

Date Submitted: 4/4/13

Tentative Meeting Date: 5/14/13

Fee Paid: $ 300.00

Cash ☐ or Check ☐ #_____

Date Paid: _____

Revised 1/2013

13D(5)C

TRACY CONSULTANTS INCORPORATED

STRUCTURAL ANALYSIS

RECEIVED
FEB 19 2013
Coastal Resources Section
Resources Regulation & Restoration
Division (NRRRD)

FEBRUARY 5, 2012

DOCK DESIGN: SEE DRAWING 12-142, MATOS RESIDENCE
7120 MIAMI VIEW DRIVE, NORTH BAY VILLAGE FL.,

LOADING-40 PSF LIVE LOAD + 10 PSF DEAD LOAD=50PSF

DOCK PROJECTION FROM EXISTING VIEWING PLATFORM IS 24.5' TO 10x20' DOCK
JOIST SPAN=8', MAX. BEAM SPAN IS 8'. JOIST SPACING-1.67'

ADJUSTMENT FACTORS:
Cm .85Fb, .7Fc|, 1.0Fc|(|| TO GRAIN)
Cd-1.25
Cfu=1.15, Cr=1.15, Cd=1.15

DESIGN VALUES: 2x10 BEAMS-#1 SYP Fb=1300psi
DECK- #2 SYP Fb=1250psi
HANGER- #2 SYP Fb=1050psi
JOISTS-#2 SYP, Fb=1200psi
WALKWAY 2x8 BEAMS #2 SYP Fb=1200psi

1. 50#/sf x 5.5"/12"=22.9#/' ON A 2x6" ULTRAWOOD DECK . M=50x(1.67)²/8= 17.4'#.
   Syyreq'd =17.4x12/1250=0.167"³, 2x6, Syy=0.92"³ OK, ,
   ATTACHED TO JOISTS WITH TWO 16d RINGSHANK NAILS EACH.

2. 2x8 JOISTS ATTACHED TO THE BEAM, 8.17' SPAN: Fb=1200psi
   LOAD IS 50x(1.67)'=83.5#/', M= 83.5x8.17²/8=697'#
   S REQ'D=697x12/1200x.85= 8.2"³, ONE 2x8 GOOD FOR
   13.14"³ **OK**,,

3. 2x10 BEAM SPAN 8 FEET FROM PILE TO PILE IN THE DOCK THE LOAD
   ON BEAMS IS 50x10/2=250#/', M =250 x 8²/8 = 2000'#,
   S req"d =2000x12/1300x.85=18.46"³, S OF 2x10"IS 21.39 "³ **OK**
   MAX. BEAM REACTION ON PILE IS 250x8/2=1000#,
   (2) 5/8" DIA., THRU-BOLT TO PILES S.S.=520ea x 2=1040#>1000# **OK**

   WALKWAY BEAMS SPAN 5' PILE TO PILE., 50x8.17'/2=204.3#
   M=204.3x5²/8= 638'#, S req'd=7.5"³, 2x8. S=13.14"³ OK. R ON PILES=204.3x5/2=
   511#, (2) 1/2" DIA., THRU-BOLT TO PILES S.S.=520ea x 2=1040#>511# **OK**

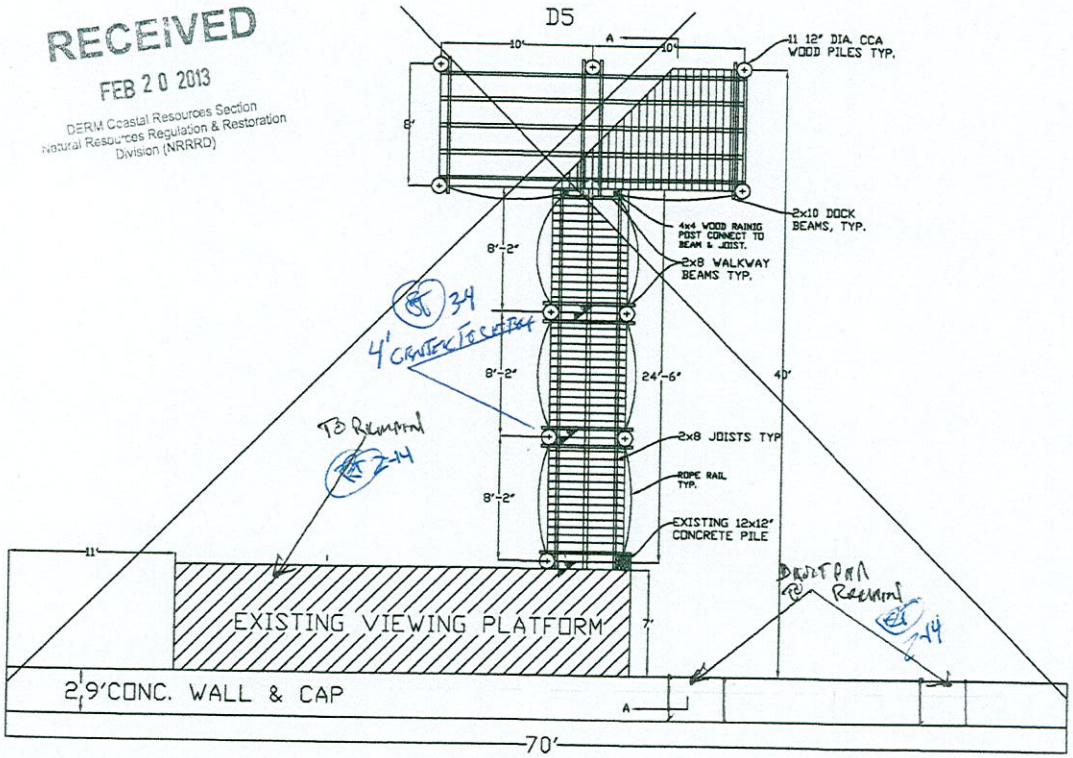
ROBERT N. TRACY
LICENSE
No 11363
2/7/13
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

ROBERT N. TRACY, P.E., #11363
PRESIDENT

(954) 434-5035
4660 SW 128th Ave., Ft. Lauderdale, Fl.,33330-2302

13D(6)

RECEIVED
FEB 20 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)



SITE PLAN- $\frac{1}{8}$"=1'-0"

RECEIVED
FEB 19 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

GENERAL NOTES:

DESIGN:

IN ACCORDANCE WITH 2010 FLORIDA BUILDING CODE & ASCE 7-10

PILE NOTES:
ALL WOOD DOCK PILES TO BE SOUTHERN PINE AND COMPLY WITH A.S.T.M. d25-79 AND BE PRESSURE TREATED W/ C.C.A. FEDERAL SPECIFICATIONS TT-W-550D(1) OR TT-W-00550E(1) AND AWFA-MP-4. PILES TO HAVE A MIN. DIA. OF 12".

MINIMUM PENETRATION OF WOOD PILES TO BE AS FOLLOWS:
INTO BEDROCK- -6' MIN
INTO YIELDING MATERIAL–10' MIN.
MINIMUM SAFE BEARING =15 TONS WOOD PILE

STRUCTURAL LUMBER: ALL DIMENSIONAL LUMBER SHALL BE PRESSURE TREATED., #2 SYP OR BETTER AND COMPLY WITH A.I.T.C. 109-69 SPECIFICATIONS.
LOADING 40 PSF LIVE LOAD + 10 PSF DEAD LOAD = 50 PSF
HARDWARE: ALL HARDWARE TO BE HOT DIPPED GALVANIZED ACCORDING TO ASTM A-153-80 OR STAINLESS STEEL

BOLTS: ALL MACHINE BOLTS TO BE HOT DIPPED GALVANIZED ACCORDING TO ASTM A307-83A.

FASTENING NOTES:

A. 3x10 DOCK BEAMS TO PILES - TWO 5/8" DIA. THRU-BOLTS
2x8 WALKWAY BEAMS TO PILES-TWO 5/8" THRU-BOLTS

B. 2x8 JOISTS TO BEAMS: 1" WIDE x 12" LONG STRAP WITH [4] 10d NAILS TOP & BOTTOM. **DO NOT BEND OVER JOISTS.** USP RT12T. HDG. DADE NOA #00-0913.07

C. 2x8 FASCIA TO JOISTS-TWO 16d NAILS INTO JOIST ENDS.

D. 2x6 ULTRAWOOD DECKING TO JOISTS: TWO #10 STAINLESS STEEL DECK SCREWS EACH.

ROBERT N. TRACY LICENSE No 11363 STATE OF FLORIDA PROFESSIONAL ENGINEER
2/12/13

2012-393
DERM COASTAL SECTION
PRELIMINARY APPROVAL
NAME P. Brochu
DATE 2/21/2013

*label access walkway 4.0' wide

TRACY CONSULTANTS, INC. CA#3958
ROBERT N TRACY, P.E., #11363, PRESIDENT
4660 SW 128 AVE., SOUTHWEST RANCHES, FL. 33330-2302
(954) 434-5035, FAX(954) 434-1675, MOBILE (954) 651-2840

NEW DOCK

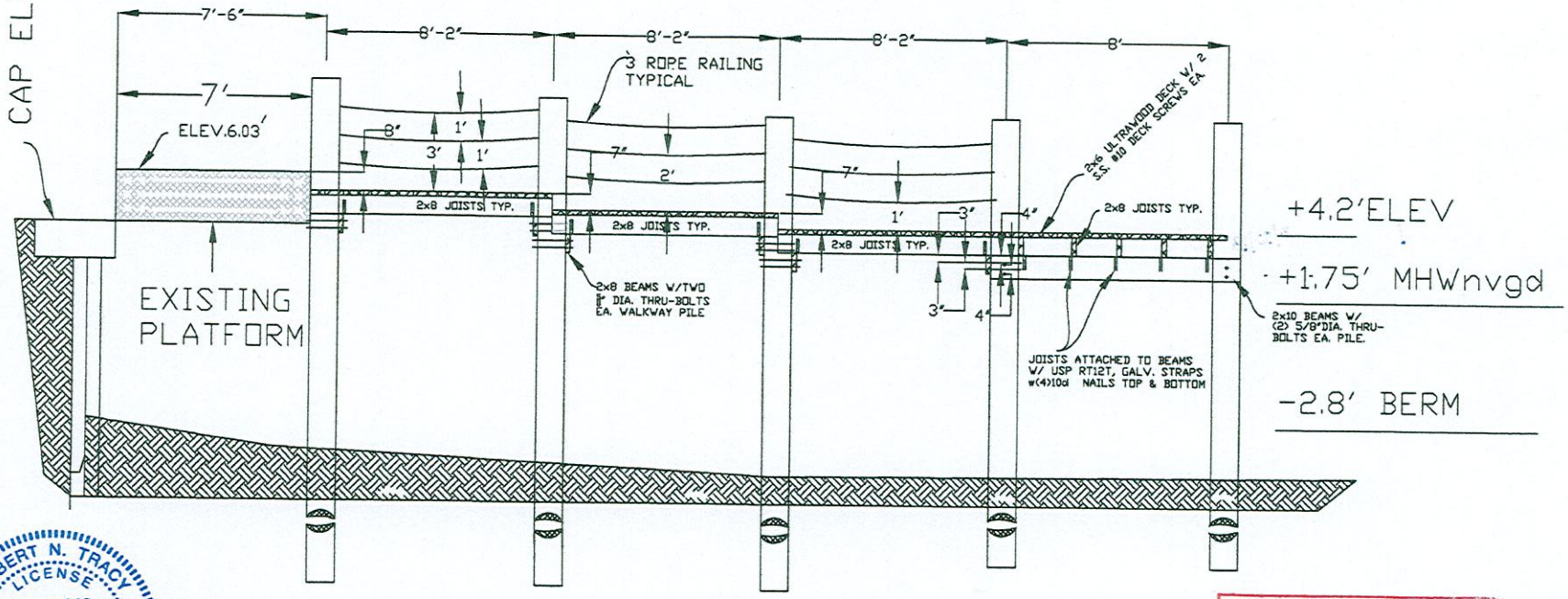
MATOS RESIDENCE
7120 MIAMI VIEW DRIVE, NORTH BAY VILLAGE, FL

SCALE: AS SHOWN		DRAWN BY: RNT
DATE: 2.05.2013		REVISIONS: 2.12.2013
SEAWALL INSPECTION SERVICES FT. LAUDERDALE, FL.		DRAWING NO: 12-142-1of2

13017

RECEIVED
FEB 20 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

RECEIVED
FEB 19 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)



SECTION A-A, $\frac{1}{4}$"=1'-0"

ROBERT N. TRACY
LICENSE
No 11363
2/12/13
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

DERM COASTAL SECTION
PRELIMINARY APPROVAL
NAME P. Brochu
DATE 2/21/13

TRACY CONSULTANTS, INC. CA#3958
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NEW DOCK

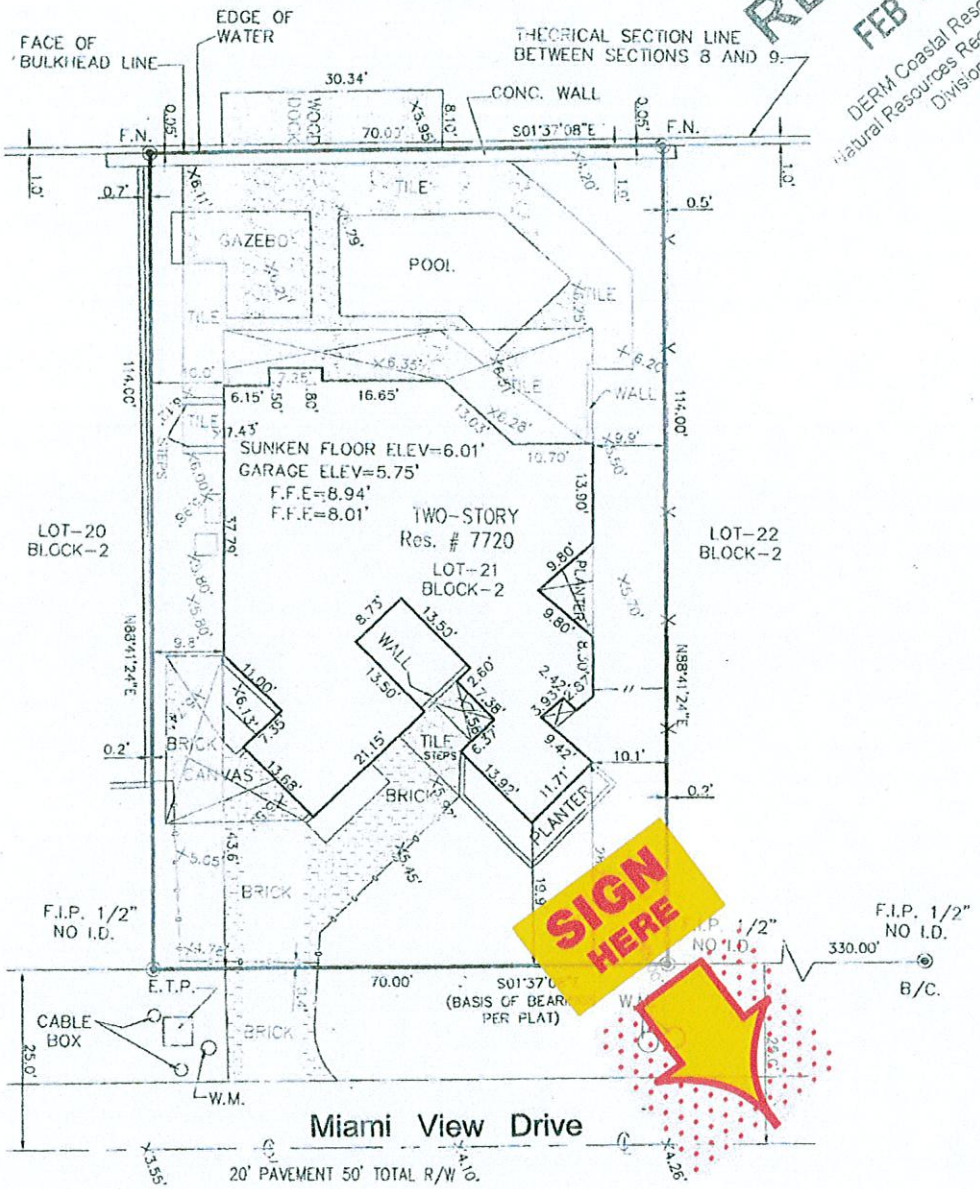
MATOS RESIDENCE
7120 MIAMI VIEW DRIVE, NORTH BAY VILLAGE, FL

SCALE AS SHOWN		DRAWN BY RNT
DATE 2.05.2013		REVISIONS 2.12.2013
SEAWALL INSPECTION SERVICES FT. LAUDERDALE, FL.		DRAWING NO. 12-142-2of2

15868

BOUNDARY SURVEY

SCALE: 1" = 20'



SIGN HERE

RECEIVED
FEB 19 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

DERM COASTAL SECTION
PRELIMINARY APPROVAL
NAME P. Brochu
DATE 2/21/13

02-05-2011

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.

LEGEND AND ABBREVIATIONS

A = ARC DISTANCE.
A/C = AIR CONDITIONER PAD.
AE. = ANCHOR EASEMENT.
ASPH. = ASPHALT.
B/C = BLOCK CORNER.
BLDG. = BUILDING.
BM = BENCH MARK.
B.O.B = BASIS OF BEARINGS.
C = CURVE.
C.C. = CALCULATED DIMENSION.
C.B. = CATCH BASIN.
C.B.S. = CONCRETE BLOCK STRUCTURE.
C.B.S.W. = CONCRETE BLOCK WALL.
CA. = CENTRAL ANGLE.
C.G.S. = CONCRETE SLAB.
X = EXISTING ELEVATION.
CH = CHORD DISTANCE.
CH. B. = CHORD BEARING.
CL = CLEAR.
C.L. OR ℄ = CENTER LINE.
C.L.F. = CHAIN LINK FENCE.
C.M.E. = CANAL MAINTENANCE EASEMENT.
CONC. = CONCRETE.
C.P. = CONCRETE POST.
C.S. = CONCRETE SLAB.
D.E. = DRAINAGE EASEMENT.
* = DEGREES.
F.I.B. = FOUND IRON ROD.
F.N. = FOUND NAIL.
FT. = FEET.
= CHAIN LINK FENCE.
' = MINUTES.
DIST. = DISTANCE.
DR. = DRIVE.
D.W. = DRIVE WAY.
E. = EAST.
ELEV. = ELEVATION.
ENCR. = ENCROACHES.
E.T.P. = ELECTRIC TRANSFORMER.
F.D.H. = FOUND DRILL HOLE.
F.F.E. = FINISHED FLOOR ELEVATION.
F.H. = FIRE HYDRANT.
F.I.P. = FOUND IRON PIPE.
FND. = FOUND.
F.N. = FOUND NAIL.
N = NORTH.
N.A.P.D. = NOT A PART OF.
= WOOD FENCE.
= C.B.S. WALL.
= METAL FENCE.
IN. & EG. E. = INGRESS & EGRESS EASEMENT.
L.B. = LICENSED BUSINESS.
L.F.E. = LOWEST FLOOR ELEVATION.
L.M.E. = LAKE MAINTENANCE EASEMENT.
L.N. = LAKE.
L.P. = LIGHT POLE.
OD = REPORTED DIMENSION.
M.H. OR M. = MONUMENT LINE.
MON. = MONUMENT.
N.A.P.D. = NOT A PART OF.
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM.
N.T.S. = NOT TO SCALE.
NO. OR # = NUMBER.
O.H. = OVER HANG.
O/S = OFF SET.
OHW/OVERHEAD UTILITY LINES.
O.R.B. = OFFICIAL RECORD BOOK.
P.B. = PLAT BOOK.
P.C. = POINT OF CURVATURE.
P.C.C. = POINT OF COMPOUND CURVE.
PG. = PAGE.
P.C.P. = PERMANENT CONTROL POINT.
P/L = PROPERTY LINE.
PLS = PROFESSIONAL LAND SURVEYOR.
P.O.B. = POINT OF BEGINNING.
P.O.C. = POINT OF COMMENCEMENT.
P.R.C. = POINT OF REVERSE CURVE.
P.R.M. = PERMANENT REFERENCE MONUMENT.
PSM = PROFESSIONAL SURVEYOR & MAPPER.
P.O.T. = POINT OF TANGENCY.
PVMT. = PAVEMENT.
PWY. = PARKWAY.
PLANTER OR PLACE.
R = RADIUS.
RECORDED.
RAD. = RADIAL.
RD. = ROAD.
RES. = RESIDENCE.
RGE. = RANGE.
R.L.S. = REGISTERED LAND SURVEYOR.
R.P. = RADIUS POINT.
R.P. = RAIL POST.
S/Y = SQUARE OF WAY.
S = SOUTH.
SEC. = SECTION.
SECTION.
SECTION.
SQ. = SQUARE.
SEC. = SECTION.
SEC. = COVERED AREA.
S.I.P. = SET IRON PIPE WITH CAP PSM # 6442.
S.P. = SCREENED PORCH.
ST. = STREET.
STY. = STORY.
S.W.K. = SIDE WALK.
T = TANGENT.
TWS. = TOWNSHIP.
U.E. = UTILITY EASEMENT.
U.P. = UTILITY POLE.
UTY. = UTILITY.
W = WEST.
W.F. = WOOD FENCE.
W.M. = WATER METER.
W.V. = WATER VALVE.

13D(9)

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

Re: 7720 Miami View Drive
Lot 21, Block 2
North Bay Island
North Bay Village, FL 33141

Request to Construct New Dock

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 May 3, 2013.

Dated this 3rd day of May 2013.

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13D(10)

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

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

Re: 7720 Miami View Drive
Lot 21, Block 2
North Bay Island
North Bay Village, FL 33141

Request to Construct New Dock

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on May 14, 2013 was posted at the above-referenced property on May 1, 2013.

Dated this 1st day of May 2013

Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – 5/14/2013)

13D(11)

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

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

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, 1766 KENNEDY CAUSEWAY, #210, 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, #210. 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
(May 3, 2013)

13D(12)

Owner/Occupant
7610 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7620 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7630 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7700 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7710 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7720 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7730 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7800 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7810 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7820 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7830 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7611 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7621 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7631 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7641 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7711 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7721 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7731 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7801 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7811 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7610 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7620 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7700 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7710 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7730 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7810 Center Bay Drive
N. Bay Village, FL 33141

13D(13)

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

2. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

3. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

4. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

5. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. **SECOND READING**

6. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. **FIRST READING**

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, 1766 KENNEDY CAUSEWAY, #210, 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, #210. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(April 26, 2013)

NEIGHBORS CALENDAR

• CALENDAR, FROM 9NE

people is performed for a breakfast audience. The additional bonus of a music video presenting the world premiere of "I Can Dance on Mountains" highlights the performance..

8 a.m. May 5. Evans-Graham Auditorium, 301 NW Ninth St., Overtown. Suggested donation for adults; free to children under 16 years. 305-633-3583.

Drive-By Big Band: Drive-By Big Band is a professional big band that was formed by Ryan Chapman and Major Bailey in 2009 to promote jazz big band music. This group is comprised primarily of Miami's top professional musicians and incorporates a number of talented University of Miami college students and professors in order to enhance the overall sense of community among local artists..

8 p.m. May 8. PAX Miami, 337 SW Eighth St... $0. 305-640-5847.

Gallery Night Live: Be sure to mark your calendars for First Friday Gallery Night every month in the Gables! The Museum presents Gallery Night Live and it is THE place to begin your Gallery Night experience with new exhibitions and live music, art, food and spirits on our beautiful Plaza..

6 p.m. May 3. Coral Gables Museum, 285 Aragon Ave., Coral Gables. Free. 305-603-8067. coralgablesmuseum.org.

Midday Organ Concert: Jay Brooks, director of music at First United Methodist Church of Coral Gables, performs a midday organ concert on the first Thursday of every month. The music is a rich repertoire of spiritual and secular pieces on the church's 4,000 pipe organ..

12:30 p.m. May 2. First United Methodist Church of Coral Gables, 536 Coral Way, Coral Gables. free. 305-445-2578. www.fumccg.org.

National Mom's Nite Out: Miami International Mall is hosting The Ultimate Mom's Nite Out 2013, a celebration of motherhood. Macy's Women Corridor. Enjoy food, drinks, pampering stations and more. Come and enjoy the fun!.

6 p.m. May 9. Miami International Mall, 1455 N.W. 107 AVE.,. 305-593-1777.

Weebles Coast to Coast Exhibit: This new exhibit is a cross-country adventure that highlights history, geography and more in a fun, interactive way. It runs through May 5. The museum is open daily 10 a.m. to 6 p..

10 a.m. May 2. Miami Children's Museum, Watson Island, Watson. $12 Florida residents; $16 others; free for babies under 1 year old. 305-373-5437.

Youth Arts Day and Music Fest: Youth Arts Day & Music Fest is a community collaboration celebrating creativity, youth artists, diversity, and creating awareness of Miami-Dade County's rich cultural resources..

10 a.m. May 5. Deering Estate, 16701 SW 72nd Ave., Palmetto Bay. Free for Youth (Grades K-12); $12 for adults. 305-235-1668.

ETHNIC & CULTURAL

Institute of Maya Studies-Archaeology101: Janet Meiss tells how to prepare before grabbing your digging tools by getting information and then tells how to record what you find, take notes, do sketches and photograph..

8 p.m. May 8. Miami Science Museum, 3280 S. Miami Ave., Coconut Grove. $10 donation; free for members. 305-279-8110.

Jewish Miami Beach Tour: This tour explores the rise and fall of the Jewish population of Miami Beach over the past 100 years, including a look at the impact of selected key Jewish individuals and institutions, plus an overview of architectural styles in the southernmost part of the city..

11 a.m. May 5. Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. $20. 305-763-8026.

FAIRS & FESTIVALS

"Celebrating the Moms of Miami": Free all-day Kendall health and beauty expo dedicated to Miami's moms. Hosted by elements fitness for women at 8758 SW 72 St.

Win prizes in our Spinathon or Zumbathon. Hear expert talks on cosmetic procedures, stress reduction and fitness while perusing displays of health and beauty products and services, custom jewelry, specialty foods, moving services and more..

7:30 a.m. May 8. elements fitness for women at Sunset, 8758 SW 72 St., Sunset. Free. 305-595-4584.

10th Annual Love-In Party in the Park: Come party at this real blast from the past with rock-n-roll from the 60s, 70s, and 80s at Greynolds Park! Patrons will enjoy great, food, family-friendly activities, and rocking live concerts featuring Grand Funk Railroad, Blues Image, and much more..

11 a.m. May 5. Greynolds Park, 17530 S. Dixie Hwy... $15 Advance Ticket Price, $20 At the Door. 305-945-3425. miamipartyinthepark.com/.

4th Annual New Times Brew at the Zoo 2013: Miami's largest beer festival returns May 4, 2013, showcasing 100+ local, international, and craft beers, live national acts, interactive games, animals, food and fun. This year, Naughty by Nature will perform live with Luke live on stage!.

7 p.m. May 4. Zoo Miami, 12400 SW 152nd St., Miami Metrozoo. $35 prepaid/$45 at the door. VIP $75 prepaid/$85 at the door. 305-576-8000.

Brickell Flatiron Park Farmer's Market: Features a diversity of products, including organic produce, spices, granola, gluten-free pasta, freshly made ceviche and guacamole, fresh stone crabs, Colombian baked goods, tropical fruit smoothies, local honey, artisanal French bread, fresh flowers, Greek salads and gyros, olive oil and handmade soaps..

9 a.m. May 3. Brickell Flatiron Park, 1101 S. Miami Ave., Brickell. Free. 305-531-0038.

Christmas Bazaar Miami 2013: Over 100 merchants and the Famous Food Trucks, great food and music, Sports Bar, and Children's Area. Do all of your Christmas shopping while you have a great time with your family and friends!.

10 a.m. May 5. Dolphin Mall, 11401 NW 12th St.,. 305-365-7446.

Cinco de Mayo Crawl-South Miami: Includes Splitsville, Bougainvilleas, Irish Times, happy hour all night, free shot at each bar, free entrance and skip the line at the bars, lounges and clubs..

8:30 p.m. May 4. Splitsville, Sunset Place, Biscayne Bay. $19.99.

Free Japan Garden Spring Festival: Free Spring Festival at the Miami-Japan Garden. This day is a celebration of Japanese culture: food, music, clothingower arrangements (Ikebana), Traditional Storytelling and more..

10 a.m. May 5. Ichimura Miami-Japan Garden, 1101 MacArthur Cswy., Watson Island. Free. 786-457-6446.

Karaoke Night: Join us for a very special Karaoke Night! The DJ will keep you on the dance floor while you build up the courage to step on stage. A night full of dancing, singing and fun; what more could you ask for!.

6 p.m. May 3. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

North Bay Village Farmers Market: Year round Farmers Market at the Crab House parking lot overlooking Key Biscayne. It features organic fruits and vegetables, pasta, bread, local honey, kettle corn, plants and flowers..

2 p.m. May 3. Crab House Seafood Restaurant, 79th Street Causeway, North Bay Village. Free. 305-531-0038.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

7 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

12 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Southwest Community Farmer's Market: Features outdoor market with organic local produce, artisan baked goods, local arts, community music, organic solar-powered jam and massage..

9 a.m. May 4. Tropical Park, 7900 SW 40th St, Olympia Heights. Free. 305-223-8710.

The Palms at Town & Country Hosts

• TURN TO CALENDAR, 14NE

13D(14)

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

April 30, 2013

Mr. Juan Luis Matos
1347 - 71st Street
Miami Beach, FL 33141

Re: Dock Request
7720 Miami View Drive
North Bay Village, Florida

Dear Mr. Matos:

This is notification that your request to extend an existing viewing platform to be used as a dock at 7720 Miami View Drive will be heard before the Village Commission at its Regular Meeting on May 14, 2013 at 7:30 p.m. The meeting will be held at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida. You or your representative should be present at the meeting on behalf of the request.

If you have any questions regarding this matter, please do not hesitate to contact me at (305) 756-7171.

Sincerely,

NORTH BAY VILLAGE

Yvonne P. Hamilton, CMC
Village Clerk

/yph

13D(15)

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

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AT 7720 MIAMI VIEW DRIVE; PROVIDING FINDINGS; PROVIDING FOR GRANTING THE REQUEST AND WAIVING SECTION 150.11(A) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A DOCK MORE THAN TWENTY-FIVE FEET PERPENDICULAR FROM THE SEAWALL; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Juan Luis Matos, has applied to North Bay Village for a Building Permit to construct a dock, extending 40 feet from the seawall, at his residence at 7720 Miami View Drive, in the RS-1, Single-Family, Low Density, Residential District; and

WHEREAS, Section 150.11(F) of the North Bay Village Code of Ordinances (the "Code") 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 with the corporate limits of the Village without a waiver; and

WHEREAS, the Village Commission, consistent with 150.11(G), has evaluated the request for a waiver considering the following criteria:

(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

13D(16)

(iv) Any other factors relevant to the specific site; and

WHEREAS, in accordance with Section 150.11(F) of the Village Code, a public hearing by the Village Commission was noticed for Tuesday, May 14, 2013 at 7:30 p.m. at the Treasure Island Elementary School, 7540 East Treasure Drive, 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(G) of the Village Code the Village Commission, having considered the testimony and evidence in the record presented by all parties, makes the following findings:

1. The Applicant has complied with the requirements of DERM pertaining to depth and location.
2. Adjoining property owners have consented to the Application.
3. Adjoining property owners have not objected to the Application.
4. Considering the above findings and all other information presented, the dock is safe and environmentally compatible.

Section 3. Waiver and Grant.

Section 150.11(A) of the North Bay Village Code of Ordinances is hereby waived and approval is granted to construct a dock at 7730 Miami View Drive, not to extend more than 40 feet perpendicular from the existing seawall into Biscayne Bay, in accordance with Site Plan submitted on February 19, 2013 for the hearing on May 14, 2013.

Section 4. Conditions.

The application for the waiver and construction to allow the construction of a dock extending 40 feet perpendicular from the seawall is approved subject to the following conditions:

1. The dock shall not exceed 40 feet measured perpendicular from the existing seawall.
2. The height of the dock shall not exceed five (5) feet from the ground level which shall be reflected on the Building Permit Application.
3. The Applicant shall pay all applicable Building Permit Fees to the Village at time of Building Permit Application.
4. The Applicant shall comply with all applicable Village, County, State and Federal laws.

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 condition shall be considered a violation of this Resolution and persons found violating the Resolution 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 Eddie Lim _____
Commissioner Richard Chervony _____
Commissioner Wendy Duvall _____
Commissioner Jorge Gonzalez _____

13D(18)

PASSED and ADOPTED this 14th day of May 2013.

_____
MAYOR CONNIE LEON-KREPS

ATTEST:

_____
YVONNE P. HAMILTON, CMC
City Clerk

APPROVED AS TO FORM:

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

City of North Bay Village Resolution: Dock Contruction-7720 Miami View Drive.

13D(19)

LaRue Planning
& Management Services, Inc.

Memorandum

To: Dennis Kelly, Village Manager
Mayor Leon-Kreps and Commissioners

From: James G. LaRue, AICP

Date: January 25, 2013

Subject: Dumpster Ordinance

Throughout the Village problems associated with open dumpsters and waste receptacles have been identified. These problems include odors, attraction of birds and rodents, and unsightliness especially in commercial or multifamily situations. To combat these issues the proposed ordinance introduced by the Mayor would modify specific sections of the Village's code of regulations, placing higher standards on the concealment and securing of waste for several types of uses. The ordinance has involved participation by key staff members and efforts have been made to not overly regulate the solutions to the problems that are occurring in the Village with regard to dumpsters and waste receptacles.

Specifically, the proposed ordinance would make the following changes to the Villages current regulations:

- The prohibited area for storage of garbage cans for residential dwellings has been clarified to treat street side yards the same as front yards.
- Locking devices must be used on commercial dumpsters that contain food waste, to prevent access to the dumpsters by birds or rodents.
- Commercial containers which contain food waste must be serviced on every pickup day that the Village sanitation department provides such service.
- In the case of overfilling of the dumpsters or foul odors, the Village manager or designee would have the authority to require any commercial establishment to utilize additional containers, larger containers or more frequent pickups.

13E(1)

- All roll-off containers require a permit from the Village, where previously only those associated with the collection and transport of construction and demolition debris were required to have a permit.

- Most of the fines for violations of Chapter 94 are now set uniformly at $200, except fines for placing or throwing trash, garbage or paper on the streets remain at $250.

- New or rehabilitated (rehabilitation to be determined by building official to be any construction valued at more than 30% of the building value) restaurants or bars must place garbage facilities within an enclosed and air-conditioned room. Previously, this requirement was encouraged but not required as there was not a defined threshold for rehabilitation. Other new or rehabilitated commercial and multifamily uses must keep their trash and garbage facilities in a ventilated room.

- Outside trash and garbage facilities are now required (rather than recommended) to be enclosed within a decorative CBS, wood, metal or recycled material structure. This expands the list of finishing options. The structure shall be finished to match the building appearance.

- Dumpster enclosures must now be located in visually obscure areas of the site.

Attached to this memo are images of a locking device employed on an actual dumpster. The device utilizes a bar across the lids which prevent the lids from being opened. A locking device attached to the bar prevents unwanted use of the dumpster as well as animal access. These devices can be attached to existing dumpsters without a substantial investment by business and property owners. Such devices, if properly used, will also secure the dumpster from scavengers.

Pursuant to current code requirements (Section 94.15(c)) all commercial containers are maintained by the Village at the cost and expense of the building or establishment. Therefore, the Village will be responsible for installing the locking device where required and the costs for such installation will be the responsibility of the business establishment or building.

It should be noted that the above changes recommended in the proposed ordinance are in compliance with the Village's Comprehensive Plan.

cc: Jenice Rosado, Deputy Village Manager
Yvonne Hamilton, Village Clerk
Nina Boniske, Village Attorney
Kathryn Mehaffey, Assistant Village Attorney
Bert Wrains, Finance Director
Rodney Carrero-Santana, Interim Public Services Director

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

MEMORANDUM
North Bay Village

DATE: January 29, 2013

TO: Dennis Kelly
Village Manager

FROM: Connie Leon-Kreps, Mayor

SUBJECT: Introduction of Ordinance

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

> **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE.**

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

CLK:yph

13E(3)

ORDINANCE NO._____

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY MAYOR CONNIE LEON-KREPS)***

WHEREAS, in order to ensure the health and safety of North Bay Village (the "Village") residents, it is necessary to regulate and require garbage and waste containers for commercial developments within the Village; and

WHEREAS, the Village Commission desires to amend Chapter 94, Section 94.15(D), "Commercial Containers" of the North Bay Village Code (the "Code") so as to prevent spillage and unsanitary conditions and maintain unsightly garbage from public view; and

WHEREAS, the Village Commission desires to amend the Section 153.04, "Schedule of Civil Penalties" of the Code to update the penalties related to violations of Chapter 94, "Garbage, Trash and Weeds," of the Code to provide consistency and encourage compliance with Code requirements impacting the health and welfare of the Village residents; and

WHEREAS, the Village Commission desires to amend the Section 155.18, "Dumpster enclosures, garbage/mechanical equipment rooms" of the Code to provide standards for the screening of dumpsters; and

WHEREAS, the Village Commission finds that this Ordinance is in the best interest and welfare of the residents of the Village.

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

Section 1. **Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

13E(4)

Section 2. Village Code Amended. Chapter 94 "Garbage, Trash and Weeds" of the North Bay Village Code of Ordinances is hereby amended to read as follows:[1]

Chapter 94. – Garbage, Trash and Weeds.

Section 94.01 - Definitions.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

* * *

Village Manager. The chief executive officer of the Village or his/her designee.

* * *

Section 94.15 - Waste containers.

(A) Each dwelling and commercial establishment in the ~~city~~ Village shall have a sufficient number of approved garbage or waste containers to accommodate all garbage and waste generated on the premises. The ~~City~~ Village shall determine what constitutes a sufficient number and on notification, any dwelling or commercial establishment having less than sufficient number shall within 30 days provide same.

(B) Approved garbage or waste containers shall be as follows:

(1) For single-family dwellings. One or more garbage cans as defined in § 94.01. Such garbage cans are prohibited from being stored or maintained in the front or street side yards of such single-family residences.

(2) For commercial establishments and multi-family dwellings:

All establishments as herein defined shall keep all food wastes or garbage in either garbage cans with tight fitting covers or approved dumpster type containers enclosed and screened as required by Section 155.18, with lids completely closed which exclude flies, vultures and other pests.

[1] Additions to existing Village code text are shown by underline; deletions from existing Village code text are shown by ~~strikethrough~~.

13E(5)

No such container shall be kept, utilized, left, stored or maintained in any front or side setback, except that in locations where no alley exists and where a rear location is inaccessible, where otherwise legal and in accordance with required yard areas, setback and parking regulations, such containers shall be kept in fully enclosed structures, so constructed and maintained as to avoid attraction of flies, vultures, rats, and other pests and so constructed and maintained as to offer, in the finding of the ~~City~~ Village, no visual nor odor impact on neighboring properties or public rights-of-way. Food waste and garbage kept in such structures shall be in containers with lids and shall not be filled beyond capacity. Those structures and containers shall be frequently cleaned and disinfected, and no food waste or garbage shall be permitted to fall on or remain on the ground or floor of that structure.

(C) *Commercial containers.* It is hereby found and determined that commercial containers are required to be used with the ~~City's~~ Village's trash and garbage trucks, which can be picked up and emptied automatically by such trucks. As to any building or establishment other than a single-family residence, all such containers shall be provided, maintained and replaced by the ~~City~~ Village at the cost and expense of the building or establishment. All containers shall be supplied and located at the discretion of the ~~City~~ Village Manager. The cost of the container shall constitute a charge as provided in this chapter, subject to all liens, penalties, and other sections regarding collection of payments.

1. *Disposal.* All commercial trash, garbage and debris shall be placed, disposed, and stored within fully enclosed commercial containers with completely closed lids. Locking devices shall be required for all containers with food waste. Locking devices shall be in the closed position at all times except when accessing the dumpster. Locking devices may be further secured or padlocked to prevent illegal dumping provided they are unsecured for each sanitation pickup. The Village Manager may require locking devices on any other dumpsters if necessary to ensure compliance with this Section.

13E(6)

2. *Garbage Pickup Requirements.* Commercial containers, which contain the disposal of food waste from any source, including, but not limited to, restaurants or grocery stores, shall be serviced on every day the sanitation department provides pickup service within the Village. For all other types of commercial trash, the required number of pickups per week shall depend on the intensity of the use. The Village Manager may require that any building or establishment other than a single-family residence increase the number of sanitation pickups per week or increase the container size if it is determined that the current frequency or size violates Section 94.15 (B) 2.

3. *Schedule and quantity of containers.* If, in the view of the Village Manager, the containers used by any given establishment regularly are overfilled or produce foul odors, the Village Manager may require that the establishment utilize additional containers, larger containers and/or utilize more frequent garbage pickup service.

(D) *Roll off dumpsters.* No person, firm, or corporation shall place and/or service roll-off containers for ~~the collection and transport of construction and demolition debris~~ any purpose without first applying for and receiving a permit from the ~~City~~ Village.

Section 3. Village Code Amended. Section 153.04 "Schedule of Civil Penalties" of the North Bay Village Code of Ordinances is hereby amended to read as follows:

§ 153.04 - Schedule of civil penalties.

Section	Description of Violation	Penalty Fee
* * *	* * *	* * *
94.02	Placing, or throwing any garbage, trash, paper, tree or lawn trimmings or debris, on any street, gutter, sidewalk or alley	250.00
~~94.021~~	~~Failure to maintain lots, parcels and swale areas~~	~~200.00~~
~~94.10(A)—(E)~~	~~Failure to dispose of wastes~~	~~200.00~~
~~94.12~~	~~Failure to lawfully dispose of industrial and noncombustible wastes~~	~~100.00~~
~~94.13~~	~~Dumping or burying waste without authorization~~	~~200.00~~
~~94.14~~	~~Hauling of trash, garbage or debris without securing load~~	~~100.00~~
~~94.15~~	~~Failure to provide approved garbage or trash containers~~	~~50.00~~
~~94.16~~	~~Placing of dangerous materials in waste containers~~	~~100.00~~
94	Any other violation of Chapter 94	200.00
* * *	* * *	* * *

13E(7)

Section 4. Village Code Amended. Section 155.18 "Dumpster enclosures, garbage/mechanical equipment rooms" of the North Bay Village Code of Ordinances is hereby amended to read as follows:

§ 155.18 - Dumpster enclosures, garbage/mechanical equipment rooms.

A. Mechanical equipment is necessary to the function of the buildings, which comprise a successful development. Unfortunately, space must be found for components that are sometimes large, noisy and unsightly. Mechanical equipment, particularly when added after the building is in use, can interrupt the streetscape and public views, decreasing the comfort and livability throughout the area. Enclosures and mechanical rooms shall conform to the following criteria:

1. When associated with new construction or rehabilitation valued at more than 30% of the building value as determined by the building official:

   a. restaurant and/or drinking uses, trash and garbage facilities shall ~~are recommended to~~ be within an enclosed, air-conditioned garbage room; and ~~for new construction or when buildings are being substantially rehabilitated, if feasible~~.

   b. commercial, office or multifamily uses, trash and garbage facilities shall be within an enclosed, cross-ventilated garbage room

2. When located outside of the building, the trash and garbage facilities ~~are preferred to~~ shall be enclosed within a decorative CBS, wood, metal or recycled products material, opaque structure. The structure (including opaque gates) shall be painted or finished to match the building appearance, ~~unless otherwise required by a special use district.~~

3. Dumpster enclosures shall be located in visually obscure areas of the site and shall be designed in a manner as to visually screen the dumpster from adjacent view, and shall include a dumpster locking device on containers that include food waste to prevent access to the dumpster by birds or rodents.~~and shall be located in visually obscure areas of the site~~.

13E(8)

4. Dumpster enclosures shall be placed in such a manner as to allow ~~front end loader~~ sanitation trucks to pick up garbage in a manner they are designed for.~~forward motion. Backing out the sanitation truck is prohibited.~~

5. 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.

6. All service bays, mechanical (HVAC) equipment and delivery areas should be located away from and not visible from the streets, waterways, sidewalks, and adjacent properties.

7. Service bays, ground-mounted air conditioning units, and other mechanical equipment shall be screened from public and on-site pedestrian view, and buffered.

8. Exterior service bays and delivery areas should not be used for the storage of vehicles or materials.

Section 5. **Repeal.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 6. **Severability.** The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 7. **Inclusion in the Code.** It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 8. **Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

13E(9)

A motion to approve the foregoing Ordinance on first reading on February 12, 2013 was offered by Commissioner Richard Chervony, seconded by Commissioner Wendy Duvall.

The Votes were as follows:

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

A motion to approve the foregoing Ordinance on first 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 9th day of April, 2013.

_____
Connie Leon-Kreps
Mayor

13E(10)

ATTEST:

_____

Yvonne P. Hamilton
Village Clerk

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

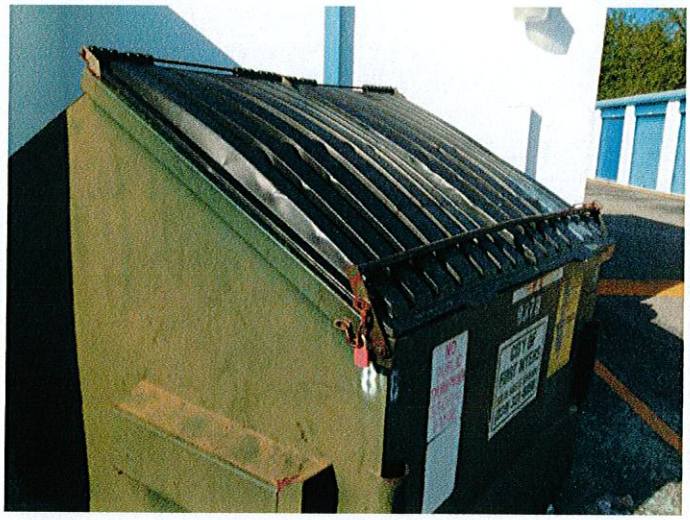
_____

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

North Bay Village Ordinance: Screening of Commercial Garbage Containers

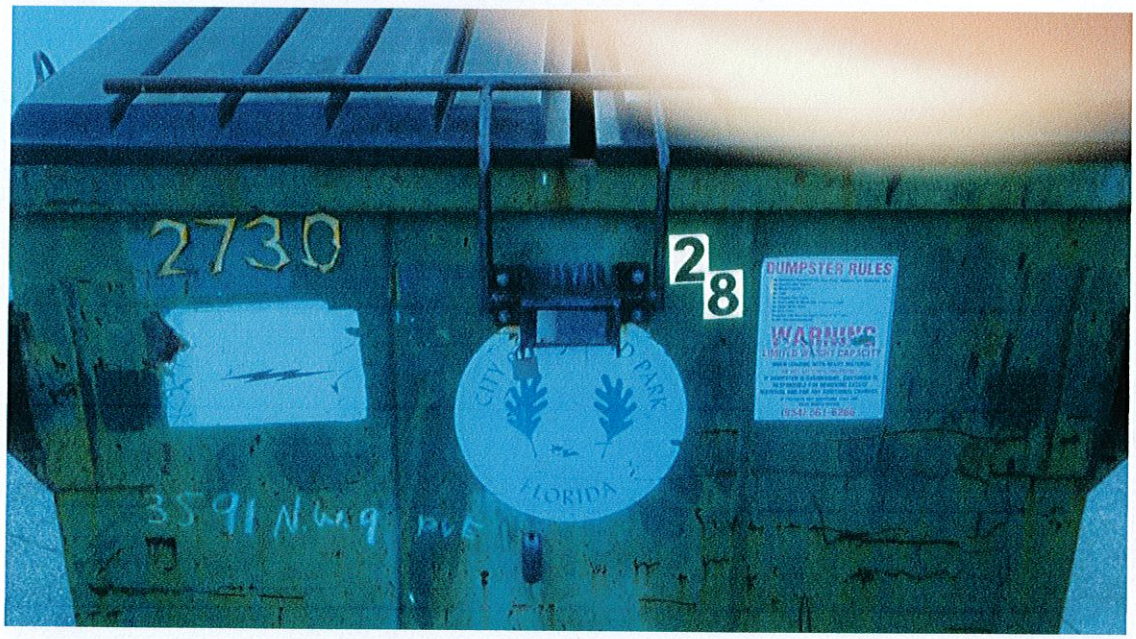
13E(11)

NO
PUBLIC
DUMPING
$500.00
FINE
0378
CITY OF
FORT MYERS
SOLID WASTE DIVISION
(239) 321-8050
CAUTION



CAUTION
NO HAZARDOUS
WASTES ACCEPTED

13E(12)



13E(13)

LaRue Planning
& Management Services, Inc.

Memorandum

To: Mayor Leon-Kreps
Village Commissioners

From: James G. LaRue

Date: May 1, 2013

Subject: Revisions to Commercial Limited (CL) Zoning District Relating to the Bay View Overlay District

---

As was stated in the enclosed memo to the Village Planning & Zoning Board, the Village adopted the Bay View Overlay Ordinance in December 2012. The Bay View Ordinance and a map delineating the boundaries of the Overlay District are included as back-up for this Commission agenda item. The proposed revisions to the Commercial Limited (CL) Zoning District regulations that will be reviewed May 14th specify that the Bay View Overlay District Regulations apply to CL zoned properties north of the 79th Street Causeway. The revisions, although housekeeping in nature, provide clarification as to the applicability of the CL zoned properties within the Overlay District boundaries.

The proposed regulations are included for Commission review. The Planning & Zoning Board recommended approval of the revisions by a 4-1 vote and they are consistent with the Comprehensive Plan.

CC: Jenice Rosado, Interim Village Manager
Yvonne Hamilton, Village Clerk
Nina Boniske ,Village Attorney
Kathryn Mehaffey, Assistant Village Attorney

13 F(1)

ORDINANCE NO. 2013 _____

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

WHEREAS, the North Bay Village 2007 Charrette Master Plan envisioned future development and redevelopment on the north side of the Kennedy Causeway featuring taller thinner buildings allowing unimpeded northward views of Biscayne Bay; and

WHEREAS, North Bay Village (the "Village") seeks to encourage the efficient use of land by providing additional flexibility for development on properties with unobstructed northward views of Biscayne Bay; and

WHEREAS, the Village has recognized that providing for additional building height will encourage innovative mixed-use infill development; and

WHEREAS, the Village recognizes that certain limits on height may decrease the ability to accommodate economic development; and

WHEREAS, the Village desires to ensure adequate economic redevelopment opportunities; and

WHEREAS, the Village created a Bay View Overlay District to encourage taller and thinner buildings for CL and CG zoned properties located on the north side of Kennedy Causeway; and

WHEREAS, the Planning and Zoning Board has reviewed this Ordinance at a duly advertised public hearing and recommended adoption of the Ordinance; and

WHEREAS, the Village Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

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

13F(1)A

Section 1. **Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 2. **Village Code Created.** Section 152.031(C)(4) of the Code of Ordinances for North Bay Village is hereby amended to read as follows:

(4) *Maximum building height.* 130 feet or 12 stories, whichever is less, two stories of which may be utilized for a parking structure. When a CL zoned property is located in the Bay View Overlay District, all provisions of Sec. 152.032 shall apply. When the provisions of the Bay View Overlay District are applied to a property in this zoning district, the bonus height provisions of Sec. 152.029(C)(8) shall also apply.

Section 3. **Findings.** The Village Commission, in considering the amendment of Section 152.031(C)(4), finds that:

(1) This amendment will allow properties zoned Commercial Limited in the Bay View Overlay District to utilize the height bonuses already provided to properties in the Commercial General and RM-70 zoning districts.

(2) This amendment is in the general public interest, and not merely in the interest of an individual or small group of people.

(3) The character of the neighborhood will not be materially and adversely affected by this amendment.

(4) The proposed change is in accord with the comprehensive master plan and sound comprehensive planning and zoning principles.

Section 4. **Repeal.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 5. **Severability.** The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 6. **Inclusion in the Code.** It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. **Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

13F(2)

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

The Votes were as follows:

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

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

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED this _____ day of _____ 2013.

_____
Connie Leon-Kreps
Mayor

ATTEST:

_____
Yvonne P. Hamilton, Village Clerk, CMC

13F(3)

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

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

North Bay Village Resolution: Bay View Overlay District Revised/Limited Commercial District

13F(4)

LaRue Planning
& Management Services, Inc.

Memorandum

To: North Bay Village Planning & Zoning Board Members

From: James G. LaRue

Date: April 10, 2013

Subject: Revisions to Commercial Limited (CL) Zoning District Relating to the Bay View Overlay District

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On December 18, 2012, the Bay View Overlay Ordinance No. 2012-08 (see attached) was adopted in an effort to encourage properties on the north side of the Causeway to develop and redevelop with taller thinner buildings. The defined area of the Overlay District includes both CG and CL zoned properties.

The enclosed revisions to the CL Zoning District clarify the applicability of the Bay View Overlay District and state that CL zoned properties may utilize all provisions and incentives provided by the Bay View Overlay Ordinance. Additionally, the bonus height provisions of the RM-70 Zoning District also apply to CL zoned properties if they develop or redevelop under the Bay View Overlay District regulations.

The proposed revisions to the CL Zoning District are consistent with the City's Comprehensive Plan as well as the City's vision plan expressed by the charrette study of 2007. Any specific questions concerning these recommended revisions will be answered at the April 16th meeting.

CC: Jenice Rosado, Interim Village Manager
Yvonne Hamilton, Village Clerk
Kathryn Mehaffey, Assistant Village Attorney

13F(5)

ORDINANCE NO. 2012-08

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY CREATING SECTION 152.032 ENTITLED "BAY VIEW OVERLAY (BVO) DISTRICT" TO ESTABLISH AND PROVIDE REGULATIONS FOR THE BAY VIEW OVERLAY DISTRICT; ZONING PROPERTIES AS SHOWN ON MAP 1 AND LEGALLY DESCRIBED IN EXHIBIT A AS "BAY VIEW OVERLAY DISTRICT" IN ADDITION TO THE EXISTING ZONING DESIGNATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

WHEREAS, the North Bay Village 2007 Charrette Master Plan envisioned future development and redevelopment on the north side of the Kennedy Causeway featuring taller thinner buildings allowing unimpeded northward views of Biscayne Bay; and

WHEREAS, the North Bay Village (the "Village") seeks to encourage the efficient use of land by providing additional flexibility for development on properties with unobstructed northward views of Biscayne Bay; and

WHEREAS, the Village has recognized that providing for additional building height and larger setbacks will encourage innovative mixed-use infill development; and

WHEREAS, increasing building setbacks will create larger view corridors, resulting in smaller building footprints, greater open space and expanded bay vistas; and

WHEREAS, the Village recognizes that certain limits on height, including the height of parking structures, may decrease the ability to accommodate economic development or necessary parking in the smaller footprints resulting from the use of these incentives; and

WHEREAS, the Village desires to ensure adequate parking and economic redevelopment opportunities while improving the public and private access to and view and enjoyment of Biscayne Bay.

WHEREAS, the Planning and Zoning Board has reviewed this Ordinance at a duly advertised public hearing and recommended approval of the Ordinance; and

13F(6)

WHEREAS, the Village Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public's interest.

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

Section 1. **Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 2. **Village Code Created.** Section 152.032 of the Code of Ordinances for the North Bay Village is hereby created to read as follows:

§ 152.032 –Bay View Overlay (BVO) District

(A) *General requirements.*

(1) *Purpose and intent.* The BVO District is intended to encourage taller, narrower, mixed use buildings on commercial lots on the north side of Kennedy Causeway where such lots front directly on, and provide unimpeded views north to Biscayne Bay. As such, this District provides the opportunity for development and redevelopment of mixed use residential buildings at greater heights than are otherwise permitted in the CG or CL Zoning Districts if certain requirements are met. In order to provide incentives for re-development and streamline the development approval process, the BVO District has been pre-designated on the Official Zoning Map. Application of the development incentives available in the BVO District to individual properties will be reviewed and approved by the Planning and Zoning Board and Village Commission concurrently with the site plan approval process.

(2) *Applicability.*

(a) The BVO District provides for an optional set of development regulations that may be voluntarily employed in the mixed use development of lands located within geographic limits of the BVO District shown on the Official Zoning Map.

(b) All regulations of the underlying zoning district that are not otherwise addressed in these regulations shall apply. Where the underlying zoning district and the BVO District both apply, the BVO District shall govern.

(c) If a property owner should elect not to develop under these optional regulations, only the regulations of the underlying zoning district shall apply.

13F(7)

(3) *Procedure.*

(a) *BVO Standards Review.* Applications to use the development standards provided in the BVO District shall be processed concurrently with all other required development applications. At a minimum, the following applications are necessary and shall be considered in the following order:

1. Special Use Exception review required by 152.030(C)(3), if the property is located in the CG zoning district;

2. Building Height Bonus review to 240 feet pursuant to Section 152.029(C)(8)8(A) through 8(F);

3. Bay View Overlay District standards review; and

4. Site Plan review required by 152.105(C)(9).

(b) *Approval.* Applications require approval by the Village Commission following a single public hearing and a recommendation from the Planning & Zoning Board. In order to approve an application, the Village Commission shall find that the development proposed:

1. Is compatible with surrounding intensities and densities of development;

2. Provides access to adequate light and air for surrounding properties; and

3. Preserves views of, and view corridors to, Biscayne Bay consistent with the Village's 2007 Master Charrette Plan.

(B) *Allowable uses.* All uses listed as permitted or special exception uses in the underlying zoning district shall be permitted equally in the BVO District, and such use shall be subject to all conditions, requirements or limitations applicable to the use in the underlying zoning district, except as may otherwise be set forth in this section.

(C) *Building heights.* A building height of up to a maximum of 340 feet may be proposed under the following conditions:

(1) *Lots over 500 feet in depth.* For parcels where the lot depth is more than 500 feet, the following conditions shall apply:

13F(8)

(a) The property is approved for a building height of 240 feet under the building height bonus provisions of Sec. 152.029(C)(8)8(A) through 8(F).

(b) The portion of any building that is more than 240 feet in height must be set back from the front property line by a distance that is not less than the height of said portion of the building.

(c) If any portion of a building on the site exceeds 240 feet in height, no part of any building on the site may be closer to either side property line than a distance equal to 20% of the width of the lot.

(2) *Lots under 500 feet in depth.* For parcels where the lot depth is less than 500 feet, the following conditions shall apply:

(a) The property is approved for a building height of 240 feet under the building height bonus provisions of Sec. 152.029(C)(8)8(A) through 8(F);

(b) The entire portion of a building that is more than 240 feet in height must be set back from the front property line by a distance that is at least 40 feet, plus two feet for each foot of the highest building height in excess of 240 feet.

(c) If any portion of a building on the site exceeds 240 feet in height, the two side yards together must total 60 percent of the width of the lot, provided the smallest side yard may not be less than 20 percent of the width of the lot.

(D) *Parking.* If the building height provisions of Section (C) above are utilized, the limitations for parking structure stories of Section 152.029(C)(4) shall not apply if the structure is architecturally designed or screened so that no part of the parking structure, other than the entrance, is visible or discernable from the public right of way.

Section 3. **Findings.** The Village Commission, in considering the designation of the "Bay View Overlay District," finds that:

(1) All property similarly situated will be placed in the Bay View Overlay District.

(2) All uses permitted under the Bay View Overlay District classification will be in the general public interest, and not merely in the interest of an individual or small group of people.

(3) All uses permitted in the Bay View Overlay District classification are appropriate in the area included in the proposed change.

(4) The character of the neighborhood will not be materially and adversely affected by any use permitted in the Bay View Overlay District.

(5) The proposed change is in accord with the comprehensive master plan and sound comprehensive planning and zoning principles.

Section 4. **Zoning Map Amendment.** Pursuant to Section 152.100 "Amendments and changes to zoning, comprehensive plan regulations," the zoning designation of Bay View Overlay District for the Properties shown on Map 1 and described in Exhibit A, attached hereto and incorporated herein, is hereby approved.

Section 5. **Repeal.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 6. **Severability.** The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 7. **Inclusion in the Code.** It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 8. **Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

A motion to approve the foregoing Ordinance on first reading on December 3, 2012 was offered by Commissioner Richard Chervony, seconded by Commissioner Jorge Gonzalez.

The Votes were as follows:

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

A motion to approve the foregoing Ordinance on final reading was offered by Commissioner Richard Chervony, seconded by Vice Mayor Eddie Lim.

13F(10)

FINAL VOTES AT ADOPTION:

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

DULY PASSED AND ADOPTED 18th day of December 2012.

Connie Leon-Kreps
Mayor

ATTEST:

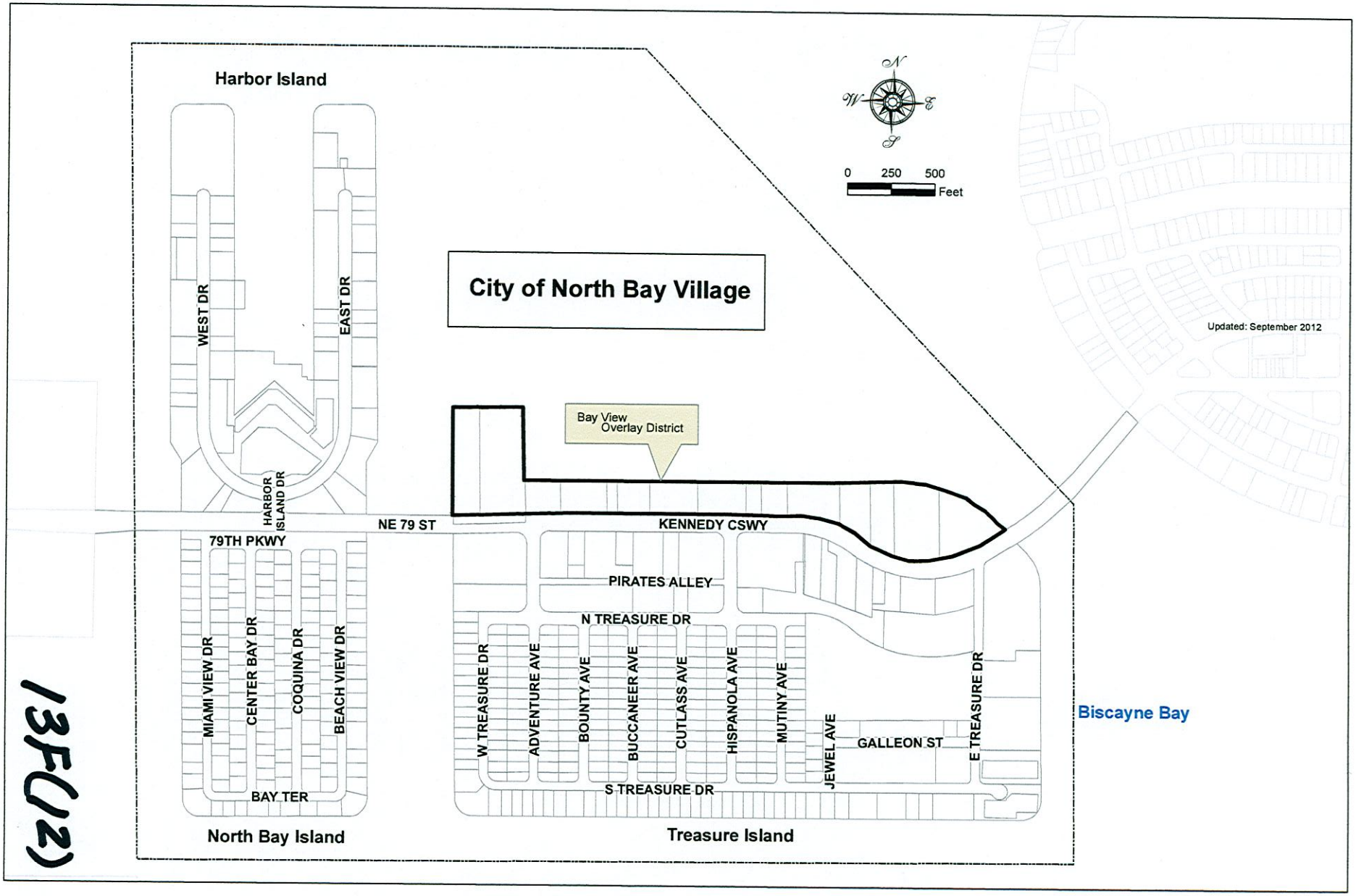
Yvonne P. Hamilton
Village Clerk

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

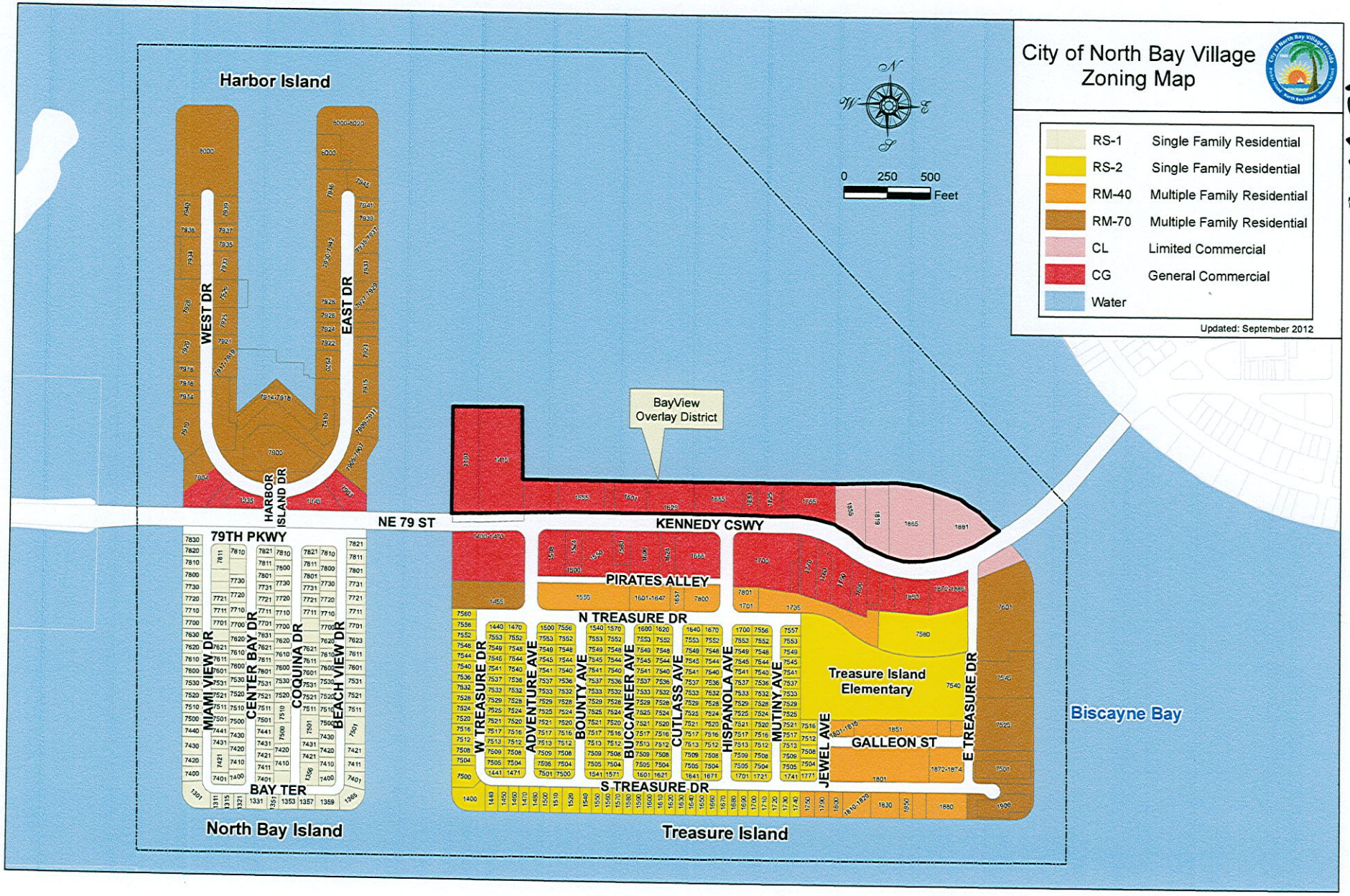
Village Attorney
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

North Bay Village Ordinance: Bay View Overlay

13F(11)


City of North Bay Village
Updated: September 2012
Harbor Island
WEST DR
EAST DR
HARBOR ISLAND DR
79TH PKWY
NE 79 ST
KENNEDY CSWY
Bay View Overlay District
PIRATES ALLEY
N TREASURE DR
S TREASURE DR
W TREASURE DR
E TREASURE DR
ADVENTURE AVE
BOUNTY AVE
BUCCANEER AVE
CUTLASS AVE
HISPANOLA AVE
MUTINY AVE
JEWEL AVE
GALLEON ST
MIAMI VIEW DR
CENTER BAY DR
COQUINA DR
BEACH VIEW DR
BAY TER
North Bay Island
Treasure Island
Biscayne Bay
0 250 500
Feet

13F(12)


City of North Bay Village
Zoning Map
RS-1 Single Family Residential
RS-2 Single Family Residential
RM-40 Multiple Family Residential
RM-70 Multiple Family Residential
CL Limited Commercial
CG General Commercial
Water
Updated: September 2012
0 250 500
Feet
Harbor Island
WEST DR
EAST DR
HARBOR ISLAND DR
NE 79 ST
79TH PKWY
KENNEDY CSWY
BayView Overlay District
PIRATES ALLEY
N TREASURE DR
S TREASURE DR
W TREASURE DR
E TREASURE DR
ADVENTURE AVE
BOUNTY AVE
BUCCANEER AVE
CUTLASS AVE
HISPANOLA AVE
MUTINY AVE
JEWEL AVE
GALLEON ST
Treasure Island Elementary
MIAMI VIEW DR
CENTER BAY DR
COQUINA DR
BEACH VIEW DR
BAY TER
North Bay Island
Treasure Island
Biscayne Bay

13F(13)

13F(14)

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, MAY 14, 2013** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT THE TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING:

1. AN APPLICATION BY THE PROPERTY OWNER OF 7521 HISPANOLA AVENUE, LOCATED IN THE RS-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 10, BLOCK 6, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES FROM SECTION 152.055(B)(4) TO PERMIT AN EIGHT-FOOT HIGH FENCE IN THE REAR AND SIDE-YARD WHERE THE CODE PERMITS FENCES AT A MAXIMUM HEIGHT OF SIX FEET.

2. A REQUEST BY THE PROPERTY OWNER OF 1365 BAY TERRACE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOTS 7 AND 8, BLOCK 1, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A DOCK AND THREE BOATLIFTS PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

3. A REQUEST BY THE PROPERTY OWNER OF 7730 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 22, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO RELOCATE THREE DOCK MOORING PILES PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

4. A REQUEST BY THE PROPERTY OWNER OF 7720 MIAMI VIEW DRIVE, LOCATED IN THE RS-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, LOT 21, BLOCK 2, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA TO CONSTRUCT A NEW DOCK PURSUANT TO SECTION 150.11(F) OF THE NORTH BAY VILLAGE MUNICIPAL CODE OF ORDINANCES.

5. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED, "GARBAGE, TRASH AND WEEDS" TO REGULATE COMMERCIAL CONTAINERS AND DISPOSAL REQUIREMENTS; AMENDING SECTION 153.04 ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO ADDRESS VIOLATIONS OF CHAPTER 94 RELATED TO GARBAGE, TRASH AND WEEDS; AMENDING SECTION 155.18 TO PROVIDE ADDITIONAL STANDARDS FOR DUMPSTER SCREENING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. **SECOND READING**

6. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING SECTION 152.031 ENTITLED "LIMITED COMMERCIAL DISTRICT" TO CLARIFY APPLICABILITY OF THE BAY VIEW OVERLAY DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. **FIRST READING**

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, 1766 KENNEDY CAUSEWAY, #210, 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, #210. 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
(April 26, 2013)

NEIGHBORS CALENDAR

• CALENDAR, FROM 9NE

people is performed for a breakfast audience. The additional bonus of a music video presenting the world premiere of "I Can Dance on Mountains" highlights the performance..

8 a.m. May 5. Evans-Graham Auditorium, 301 NW Ninth St., Overtown. Suggested donation for adults; free to children under 16 years. 305-633-3583.

Drive-By Big Band: Drive-By Big Band is a professional big band that was formed by Ryan Chapman and Major Bailey in 2009 to promote jazz big band music. This group is comprised primarily of Miami's top professional musicians and incorporates a number of talented University of Miami college students and professors in order to enhance the overall sense of community among local artists..

8 p.m. May 8. PAX Miami, 337 SW Eighth St.,. $0. 305-640-5847.

Gallery Night Live: Be sure to mark your calendars for First Friday Gallery Night every month in the Gables! The Museum presents Gallery Night Live and it is THE place to begin your Gallery Night experience with new exhibitions and live music, art, food and spirits on our beautiful Plaza..

6 p.m. May 3. Coral Gables Museum, 285 Aragon Ave., Coral Gables. Free. 305-603-8067. coralgablesmuseum.org.

Midday Organ Concert: Jay Brooks, director of music at First United Methodist Church of Coral Gables, performs a midday organ concert on the first Thursday of every month. The music is a rich repertoire of spiritual and secular pieces on the church's 4,000 pipe organ..

12:30 p.m. May 2. First United Methodist Church of Coral Gables, 536 Coral Way, Coral Gables. free. 305-445-2578. www.fumccg.org.

National Mom's Nite Out: Miami International Mall is hosting The Ultimate Mom's Nite Out 2013, a celebration of motherhood. Macy's Women Corridor. Enjoy food, drinks, pampering stations and more. Come and enjoy the fun!.

6 p.m. May 9. Miami International Mall, 1455 N.W. 107 AVE.,. 305-593-1777.

Weebles Coast to Coast Exhibit: This new exhibit is a cross-country adventure that highlights history, geography and more in a fun, interactive way. It runs through May 5. The museum is open daily 10 a.m. to 6 p..

10 a.m. May 2. Miami Children's Museum, Watson Island, Watson. $12 Florida residents; $16 others; free for babies under 1 year old. 305-373-5437.

Youth Arts Day and Music Fest: Youth Arts Day & Music Fest is a community collaboration celebrating creativity, youth artists, diversity, and creating awareness of Miami-Dade County's rich cultural resources..

10 a.m. May 5. Deering Estate, 16701 SW 72nd Ave., Palmetto Bay. Free for Youth (Grades K-12); $12 for adults. 305-235-1668.

ETHNIC & CULTURAL

Institute of Maya Studies-Archaeology101: Janet Meiss tells how to prepare before grabbing your digging tools by getting information and then tells how to record what you find, take notes, do sketches and photograph..

8 p.m. May 8. Miami Science Museum, 3280 S. Miami Ave., Coconut Grove. $10 donation; free for members. 305-279-8110.

Jewish Miami Beach Tour: This tour explores the rise and fall of the Jewish population of Miami Beach over the past 100 years, including a look at the impact of selected key Jewish individuals and institutions, plus an overview of architectural styles in the southernmost part of the city..

11 a.m. May 5. Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. $20. 305-763-8026.

FAIRS & FESTIVALS

"Celebrating the Moms of Miami": Free all-day Kendall health and beauty expo dedicated to Miami's moms. Hosted by elements fitness for women at 8758 SW 72 St.

Win prizes in our Spinathon or Zumbathon. Hear expert talks on cosmetic procedures, stress reduction and fitness while perusing displays of health and beauty products and services, custom jewelry, specialty foods, moving services and more..

7:30 a.m. May 8. elements fitness for women at Sunset, 8758 SW 72 St., Sunset. Free. 305-595-4584.

10th Annual Love-In Party in the Park: Come party at this real blast from the past with rock-n-roll from the 60s, 70s, and 80s at Greynolds Park! Patrons will enjoy great, food, family-friendly activities, and rocking live concerts featuring Grand Funk Railroad, Blues Image, and much more..

11 a.m. May 5. Greynolds Park, 17530 S. Dixie Hwy.,. $15 Advance Ticket Price, $20 At the Door. 305-945-3425. miamipartyinthepark.com/.

4th Annual New Times Brew at the Zoo 2013: Miami's largest beer festival returns May 4, 2013, showcasing 100+ local, international, and craft beers, live national acts, interactive games, animals, food and fun. This year, Naughty by Nature will perform live with Luke live on stage!.

7 p.m. May 4. Zoo Miami, 12400 SW 152nd St., Miami Metrozoo. $35 prepaid/$45 at the door. VIP $75 prepaid/$85 at the door. 305-576-8000.

Brickell Flatiron Park Farmer's Market: Features a diversity of products, including organic produce, spices, granola, gluten-free pasta, freshly made ceviche and guacamole, fresh stone crabs, Colombian baked goods, tropical fruit smoothies, local honey, artisanal French bread, fresh flowers, Greek salads and gyros, olive oil and handmade soaps..

9 a.m. May 3. Brickell Flatiron Park, 1101 S. Miami Ave., Brickell. Free. 305-531-0038.

Christmas Bazaar Miami 2013: Over 100 merchants and the Famous Food Trucks, great food and music, Sports Bar, and Children's Area. Do all of your Christmas shopping while you have a great time with your family and friends!.

10 a.m. May 5. Dolphin Mall, 11401 NW 12th St.,. 305-365-7446.

Cinco de Mayo Crawl-South Miami: Includes Splitsville, Bougainvilleas, Irish Times, happy hour all night, free shot at each bar, free entrance and skip the line at the bars, lounges and clubs..

8:30 p.m. May 4. Splitsville, Sunset Place, Biscayne Bay. $19.99.

Free Japan Garden Spring Festival: Free Spring Festival at the Miami-Japan Garden. This day is a celebration of Japanese culture; food, music, clothingower arrangements (Ikebana), Traditional Storytelling and more..

10 a.m. May 5. Ichimura Miami-Japan Garden, 1101 MacArthur Cswy., Watson Island. Free. 786-457-6446.

Karaoke Night: Join us for a very special Karaoke Night! The DJ will keep you on the dance floor while you build up the courage to step on stage. A night full of dancing, singing and fun; what more could you ask for!.

6 p.m. May 3. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

North Bay Village Farmers Market: Year round Farmers Market at the Crab House parking lot overlooking Key Biscayne. It features organic fruits and vegetables, pasta, bread, local honey, kettle corn, plants and flowers..

2 p.m. May 3. Crab House Seafood Restaurant, 79th Street Causeway, North Bay Village. Free. 305-531-0038.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

7 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Rhythm & Wine Sunday - Free Event: Schnebly Redland's winery is an unexpected and hidden Sunday retreat. The most challenging part of the whole experience is trying to leave without buying a single bottle; not just for the flavor of the wine, but also to keep a memento of the place..

12 p.m. May 5. Schnebly Redland's Winery, 30205 SW 217th Ave., Homestead. 305-242-1224.

Southwest Community Farmer's Market: Features outdoor market with organic local produce, artisan baked goods, local arts, community music, organic solar-powered jam and massage..

9 a.m. May 4. Tropical Park, 7900 SW 40th St, Olympia Heights. Free. 305-223-8710.

The Palms at Town & Country Hosts

• TURN TO CALENDAR, 14NE

OFFICIAL MINUTES

VILLAGE COMMISSION MEETING

NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, #132
NORTH BAY VILLAGE, FL 33141

JANUARY 15, 2013

7:30 P.M.

---

1. CALL TO ORDER.

The meeting was called to order at 7:33 P.M. by Mayor Connie Leon-Kreps who read the rules of conduct.

2. PLEDGE OF ALLEGIANCE

Reinaldo Trujillo led the Pledge of Allegiance.

3. ROLL CALL

Present at Roll Call were Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. As a quorum was determined to be present, the meeting commenced.

Also present were: Village Manager Dennis Kelly, Village Attorney Nina Boniske, Assistant Village Attorney Kathy Mehaffey, Deputy Village Manager/HR Director Jenice Rosado, Public Works Director Sam Zamacona, Finance Director Bert Wrains, Police Chief Robert Daniels, and Village Clerk Yvonne P. Hamilton.

4. PUBLIC HEARING:

The Village Clerk read the following request into the record.

15A(1)

A. A REQUEST BY JOAQUIN RAMIREZ FOR A SPECIAL USE EXCEPTION UNDER SECTION 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR THE OPERATION OF A BOAT, JET SKI, KAYAK RENTAL BUSINESS AT THE COMMERCIAL MARINA AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA. ***(CONTINUED FROM JANUARY 10, 2013 REGULAR COMMISSION MEETING)***

Assistant Village Attorney Kathy Mehaffey read the rules of the Quasi Judicial proceedings into the record pursuant Section 29 of the North Bay Village Code of Ordinances.

All witnesses providing testimony were sworn in by the Village Clerk.

The Village Attorney asked the Commission Members to disclose any ex-parte communications and site visits. Commissioner Richard Chervony disclosed a site visit to the parking lot at 7904 West Drive. Mayor Connie Leon-Kreps disclosed a conversation with Mr. Coletta concerning the space that was provided to view some documents at the Administrative Offices.

Assistant Village Attorney Mehaffey explained the parking situation with the request.

Village Planner Jim LaRue gave an oral presentation based on Staff's Memorandum recommending approval of the request.

Al Coletta clarified his understanding of a condition of approval that the marina is going to be tied with his parking lot as long as the lease is in existence.

Commissioner Chervony asked Mr. Coletta to clean the parking lot and use some type of coating on the fence to remove the rust. In addition, he asked about access to the lot.

Al Coletta explained that the business operates a boat club and customers call to reserve a boat, at which point Captain Joe will provide access to the parking lot and then secure the property.

15A(2)

The Village Attorney read Condition #10 that was omitted from the resolution into the record.

Commissioner Jorge Gonzalez requested that Mr. Coletta meet with the owner of the pet grooming business at 7904 West Drive to resolve the problem that she is having with the parking. Mr. Coletta agreed to speak with his legal counsel about the possibility of installing private parking signs which would allow her customers to park in the parking spaces in front of the business.

The Mayor opened the Public Hearing.

Reinaldo Trujillo addressed the Commission in support of the request and advised that approval should be expedited.

The Mayor closed the Public Hearing.

Commissioner Richard Chervony made a motion approving the request for a Special Use Exception to operate a boat rental business at the marina at 7904 West Drive with the following conditions set forth below including the revision of Condition #4. Commissioner Jorge Gonzalez seconded the motion. The motion was approved 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.

1. Access to the boat rental business and to the marina must be provided without restrictions.
2. Fueling or refueling the jet skis (personal watercraft) or other watercraft cannot be done by hand on-site but must be done only at an authorized or permitted fueling station consistent with Section 150.12(D). No storage of gasoline or motor fuels shall be allowed on the property involved in the rental of the jet skis (personal watercraft) or for the use of other watercraft.

150.12 - Marinas.

(D) No marina within the limits of the city shall be permitted to obtain a license, or renewal of a license, unless the areas where boats, vessels, and houseboats are fueled, and, otherwise re-provisioned, are completely separate and apart from the sites for mooring the boats, vessels, or houseboats.

15A(3)

Any line, pipe, or other conduit carrying inflammable fuel or other fluid shall be prohibited from running adjacent to any area used as a site for mooring a boat, vessel, or houseboat in the marina, and the City Manager shall be required to examine the facilities and to approve same as being safe before any license shall be issued or renewed

3. The hours of operation for this special use exception shall be confined to 10:00 a.m. to 6:00 p.m.
4. Required parking shall be 15 spaces dedicated to parking for employees visitors and patrons of this special use exception activity.

The owner shall provide a legally binding agreement acceptable to the Village Attorney (e.g., covenant running with the land) that will dedicate 15 parking spaces for the exclusive use of this special use exception activity for as long as this special use exception business is in existence.

The agreement shall run to the benefit of the Village and shall be binding upon any heirs, successors and assigns. The agreement may be terminated only upon approval of the Village Commission, if either, 1) the special use exception activity is no longer operating; or 2) upon a finding that the use otherwise satisfies the off-street parking requirements established by the Code or Village Commission.

Termination of any parking arrangement or loss of provided parking without the provision of alternative parking arrangement to the Village shall terminate this approval.

5. When jet skis, kayaks and paddle boards are on-site and not in use, they shall remain secured in a manner which deters theft and prevents harm to the docks and other vessels.

6. All speed, noise and no-wake regulations within the Biscayne Bay Aquatic Preserve shall be adhered to.

7. The operations of jet skis (personal watercraft) shall adhere to the vessel regulations of Chapter 327 Florida Statutes.

15A(4)

8. Cost recovery charges pursuant to Section 152.110. Specifically no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.

9. This special use exception approval prohibits commercial vessels as stated in Section 152.30C(2)(e) and defined by Chapter 327.02 Florida Statutes.

10. If it is determined that the adjacent off-site parking lot is no longer require parking for the Bayshore Yacht and Tennis Club Condominium prior special use exceptions for this property shall be restricted to parking located at the off-site parking lot.

5. VILLAGE ATTORNEY REPORT

A. REQUEST FOR EXECUTIVE SESSION: MARK WEINSTEIN V. CITY OF NORTH BAY VILLAGE, MATTHEW SCHWARTZ, JAMES MCVAY, AND GUSTAVO CRUZ, CASE NO. 13-CV-20064-PCH, UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT MIAMI DIVISION.

Assistant Village Attorney Kathy Mehaffey requested an Executive Session in the matter of Mark Weinstein v. City of North Bay Village, Matthew Schwartz, James McVay, and Gustavo Cruz, Case No. 13-CV-20064-PCH, United States District Court, Southern District Miami Division.

6. ADJOURNMENT

The meeting adjourned at 7:58 p.m.

Prepared and submitted by : Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ *day of* _____.

_____

Connie Leon-Kreps, Mayor

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the Village Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

15A(5)

OFFICIAL MINUTES

REGULAR COMMISSION MEETING

NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, #132
NORTH BAY VILLAGE, FL 33141

JANUARY 8, 2013

7:30 P.M.

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1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

The meeting was called to order at 7:35 P.M. by Mayor Connie Leon-Kreps who read the rules of conduct, and the Pledge of Allegiance was recited. Present at Roll Call were Commissioner Richard Chervony, Vice Mayor Eddie Lim, Mayor Connie Leon-Kreps, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. As a quorum was determined to be present, the meeting commenced.

Also present were: Village Manager Dennis Kelly, Village Attorney Nina Boniske, Assistant Village Attorney Kathy Mehaffey, Deputy Village Manager/ HR Director Jenice Rosado, Public Works Director Sam Zamacona, Finance Director Bert Wrains, Robert Daniels Police Chief, and Village Clerk Yvonne P. Hamilton.

2. PROCLAMATIONS AND AWARDS

A. SPECIAL PRESENTATIONS

There were no special presentations or proclamations.

B. ADDITIONS AND DELETIONS

The Village Attorney, Nina Boniske, added Item 11C to the agenda.

15B(1)

Commissioner Richard Chervony made a motion to approve the agenda as amended and Commissioner Jorge Gonzalez seconded the motion, which carried 5-0 on a roll call vote.

3. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY BOARD

Vice Chair Mario Garcia reported that the next meeting of the Board is scheduled for January 16, 2013.

B. YOUTH SERVICES BOARD

Chair Kevin Vericker reported on the January 7, 2013 meeting.

C. PLANNING & ZONING BOARD

Chair Reinaldo Trujillo reported that the Board recommended the two requests in Items 12A and 12B for approval.

5. COMMISSIONERS' REPORTS

Commissioner Richard Chervony discussed items that he had previously requested: Last uniform crime report, quantitative goal of the Police Department, plan for future savings, plan to establish PAAL, plans for requests for Law Enforcement Trust Fund expenditure instead of submitting piecemeal, and a program for the elderly.

Vice Mayor Eddie Lim spoke of the importance of the Commission facilitating development applications to avoid vacant lands and to create new development and better demographics; the lack of a bank in the Village; the need for the Business Development Advisory Board to work on bringing new businesses to the Village; and encouraging attendance at the Farmer's Market.

Commissioner Jorge Gonzalez mentioned his discussions with the Village Manager about a Crime Watch Program, creation of a scholarship program for young people in the Village, revisiting the matter of the advisory boards as to whether restructuring is needed, and his interest in development of vacant land to realize revenues for the Village.

15B(2)

The Commissioner requested that the Village Manager contact developers to find out how the Village can assist in developing or selling their properties and to revisit the issue of the local supermarket.

Mayor Connie Leon-Kreps expressed her concern about the increase of crime in the Village. She further spoke about being contacted by the residents regarding the feasibility of a Guard House on Treasure Island, her work with the Police Chief and the Village Manager to ensure that public safety is put first; reaching out to developers about empty land; and the Village Manager addressing the issue with the supermarket.

6. VILLAGE ATTORNEY'S REPORT

Village Attorney Nina Boniske requested Executive Sessions in the following cases: Isle of Dreams, LLC., v. City of North Bay Village, Florida, Case No.1:12-CV-21203, United States District Court, Southern District Miami Division, Isle of Dreams, LLC. v. City of North Bay Village, Florida, Case No. 12-13402, Isle of Dreams, L.L.C. v. City of North Bay Village, Florida, Case No. 1:12-CV- 22339 CMA, United States District Court, Southern District Miami Division and Dade County Police Benevolent Association Incorporated v. City of North Bay Village, Florida, Case No.12-37897CA

7. VILLAGE MANAGER'S REPORT

Village Manager Dennis Kelly reported that the FIND grants had been completed and sent out to the agency. He discussed his meeting with Florida Department of Transportation regarding removal of the chain link fence on the flat bridge and negotiations with SMF Services, Inc. for a price reduction for landscape maintenance services for the Village. Deputy Village Manager and HR Director Jenice Rosado discussed the omission of the $5,000 for the Winter Wonderland event as a line item in the budget. The matter will be presented to the Commission for correction at the February meeting.

8. GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.

Elaine Beutel, of 7533 Hispanola Avenue, Ann Bakst, of 1865 Kennedy Causeway, and Mario Garcia, of 7540 Cutlass Avenue, Scott Greenwald, developer of 1700 Kennedy Causeway, and Al Coletta, property owner at 7904 West Drive addressed the Commission during Good and Welfare.

15B(3)

The Good & Welfare session concluded at 9:38 p.m.

The Mayor recessed the meeting for five minutes.

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

A. **A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION AUTHORIZING THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO PROVIDE PRE-PAID RETURN ENVELOPES FOR ABSENTEE BALLOTS; PROVIDING DIRECTION TO THE VILLAGE MANAGER; PROVIDING DIRECTION TO THE VILLAGE CLERK; PROVIDING AUTHORIZATION OF FUND EXPENDITURE; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY COMMISSIONER RICHARD CHERVONY)***

Commissioner Richard Chervony made a motion approving the Consent Agenda. The motion was seconded by Commissioner Wendy Duvall and adopted by a 5-0 vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

10. **PLANNING & ZONING CONSENT AGENDA**

No Items.

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

The Village Clerk read the following ordinance, on first reading, by title:

A. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 35 OF THE NORTH BAY VILLAGE CODE ENTITLED "TAXATION AND FINANCE" BY REVISING SECTION 35.03 TO PROVIDE FOR AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING SENIOR CITIZENS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*** **– FIRST READING**

15B(4)

Finance Director Bert Wrains discussed the impact of passage of the ordinance on the community.

Residents Ann Bakst, of 1865 Kennedy Causeway and Mario Garcia of 7540 Cutlass Avenue addressed the Commission in favor of the ordinance.

Commissioner Jorge Gonzalez made a motion adopting the ordinance on first reading. The motion was seconded by Mayor Connie Leon-Kreps. The Ordinance 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.

The Village Clerk read the following ordinance by title.

B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES ENTITLED "CONFLICT OF INTEREST AND CODE OF ETHICS" BY CREATING SECTION 38.36 TO ADD REQUIREMENTS FOR ELECTED OFFICIALS AND ADVISORY BOARDS AND COMMITTEE MEMBERS TO RECEIVE ETHICS TRAINING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS)* – FIRST READING

Commissioner Jorge Gonzalez made a motion adopting the ordinance on first reading. The motion was seconded by Mayor Connie Leon-Kreps. The Ordinance 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.

The Village Clerk read the following resolution by title:

15B(5)

C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE A COMPLETION ("VALLEYCREST") FOR REDEVELOPMENT OF J. F. KENNEDY CAUSEWAY AND IMPROVEMENTS TO DR. PAUL VOGEL PARK ("PROJECT"); WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF CITY CODE TO UTILIZE THE SERVICES OF VALLEYCREST; AND AUTHORIZING EXPENDITURES TO VALLEYCREST AND SOUTHEAST UNDERGROUND UTILITIES CORP. ("SOUTHEAST") NOT TO EXCEED $235,999.00 FOR PREVIOUSLY PERFORMED WORK ON THE PROJECT; AUTHORIZING EXPENDITURES NOT TO EXCEED $174,001.00 FOR VALLEYCREST AND SOUTHEAST TO COMPLETE THE PROJECT; APPROVING PAYMENT TO OTHER UNPAID SUBCONTRACTORS AND SUPPLIERS OF M. VILA AND ASSOCIATIES, INC. ("VILA") NOT TO EXCEED $85,000; AUTHORIZING KIMLEY-HORN & ASSOCIATES, INC. ("KIMLEY-HORN") TO PROCEED WITH WORK ORDER NO. 06-12 FOR A COST NOT TO EXCEED $23,000.00; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE NECESSARY DOCUMENTS; AUTHORIZING THE APPROPRIATION AND BUDGETING OF APPROXIMATELY $281,789.00 TOWARD THE COMPLETION OF THIS PROJECT AND AUTHORIZING THE CITY MANAGER TO EXPEND THE BALANCE OF THE BUDGETED FUNDS AND NEWLY APPROPRIATED FUNDS TO COMPLETE THE PROJECT; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY CITY MANAGER DENNIS KELLY)***

Commissioner Jorge Gonzalez made a motion to approve the Resolution. The motion was seconded by Commissioner Richard Chervony. The resolution 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.

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

15B(6)

The following quasi judicial proceedings were held by the Commission pursuant to Chapter 29 of the Village Code of Ordinances:

The Village Clerk read the following request into the record:

A. A REQUEST BY MANUEL MARTINEZ/SUBWAY ON BEHALF OF PUBLIC STORAGE FOR A SPECIAL USE EXCEPTION, PURSUANT TO SECTIONS 152.030(C)(1) AND 152.098 OF NORTH BAY VILLAGE CODE OF ORDINANCES TO OPERATE A FAST ORDER FOOD ESTABLISHMENT (SUBWAY) AT 1570 – 79th STREET CAUSEWAY, LOTS 19 THROUGH 21 & W1/2 OF LOT 22 & S75FT OF E1/2 LOT 22 & S75FT OF LOT 23 & S75FT OF W1/2 OF LOT 24 BLOCK 1 OF COMMERCIAL ADDITION TO TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, WITHIN THE CG, GENERAL COMMERCIAL ZONING DISTRICT.

Assistant Village Attorney Kathy Mehaffey read the rules of the Quasi Judicial proceedings into the record pursuant to Section 29 of the North Bay Village Code of Ordinances, and advised the members of the Commission to disclose any ex parte communication regarding the item.

All witnesses providing testimony were sworn in by the Village Clerk.

Village Planner Jim LaRue gave an oral presentation based on Staff's Memorandum recommending approval of the request.

The Mayor opened the Public Hearing.

The applicant Manuel Martinez, of 10750 S.W. 128th Avenue, Miami, Florida, addressed the Commission.

Ann Bakst, of 1865 Kennedy Causeway, Mario Garcia, of 7540 Cutlass Avenue, and Flo Clein, of 7500 Beach View Drive addressed the Commission in favor of the request.

The Mayor closed the Public Hearing.

Vice Mayor Eddie Lim made a motion approving the request for a Special Use Exception to operate a fast order food establishment (Subway) at 1570 Kennedy Causeway with the following conditions as recommended by Staff:

15B(7)

1. That Subway restaurant should be limited to 675 square feet of customer service area.
2. Employees for all commercial uses on the property must park behind the gate entering into the storage area and are prohibited from parking in the front twelve parking spaces.
3. No drive-through is allowed for the Subway restaurant use.
4. Parking spaces for the Subway restaurant and other uses in the building may be identified. However, occupancy of any identified spaces by patrons of any other business located in the building must not be prohibited.
5. Deliveries shall be made between the hours of 12:00 a.m. and 7:00 a.m.
6. The Subway operator shall request all delivery trucks to be 18 feet or shorter.
7. Wifi or other wireless services shall not be provided by the restaurant.
8. Cost recovery charges pursuant to Section 152.110. Specifically no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
9. Applicant is required to pull permits within ninety days of the special use exception approval.

Manuel Martinez, representing the request, accepted the conditions of approval.

The request was approved 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.

The Village Clerk read the following request into the record:

B. A REQUEST BY JOAQUIN RAMIREZ FOR A SPECIAL USE EXCEPTION UNDER SECTION 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR THE OPERATION OF A BOAT, JET SKI, KAYAK RENTAL BUSINESS AT THE COMMERCIAL MARINA AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA.

Jim LaRue, Village Planner, requested that the matter be deferred in order to address parking issues.

Al Coletta, property owner of 7904 West Drive, addressed the Commission and discussed how a hardship would be created if the matter did not move forward.

Joaquin Ramirez, applicant for the boat rental business, asked the Commission to approve the request now and resolve the parking issue later.

Following further discussion, Vice Mayor Eddie Lim made a motion to defer Item 12B to a Special Commission Meeting on January 15, 2013 at 7:30 p.m. The motion was seconded by Commissioner Wendy Duvall. The item was postponed 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.

The Village Clerk read the following ordinance by title:

C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32 "DEPARTMENTS AND BOARDS" OF THE VILLAGE CODE OF ORDINANCES TO CHANGE THE "YOUTH SERVICES BOARD" TO "YOUTH AND EDUCATION SERVICES BOARD" AND TO REVISE THE REQUIREMENTS AND DUTIES OF THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)* – SECOND READING

The Mayor opened the Public Hearing. There were no speakers and the Public Hearing was closed.

Commissioner Jorge Gonzalez made a motion to approve the ordinance on second reading. The motion was seconded by Vice Mayor Eddie Lim. The ordinance 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.

13. UNFINISHED BUSINESS

A. A. RFQ FOR LEGAL SERVICES *(ITEM 14A CONTINUED FROM DECEMBER 11, 2012)*

15B(9)

The Commission voted by ballot and the Village Clerk announced the vote of each member. Bryant Miller Oliver was selected to perform labor and employment law for the Village and Weiss Serota Helfman Pastoriza Cole & Boniske, P.L. was selected for General Counsel and Planning & Zoning services.

Mayor Connie Leon-Kreps made a motion for the Village to enter into negotiations with Bryant Miller Oliver and Weiss Serota Helfman Pastoriza Cole & Boniske, P.L. Commissioner Jorge Gonzalez seconded the motion. The motion passed by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

B. VILLAGE MANAGER PERFORMANCE EVALUATION STATUS *(ITEM 14B CONTINUED FROM DECEMBER 11, 2012)*

Mayor Connie Leon-Kreps read her evaluation of Village Manager Dennis Kelly into the record and recommended that he does not receive a bonus or salary increase.

Commissioner Richard Chervony indicated that he had already submitted his evaluation of the Village Manager for the record.

Vice Mayor Eddie Lim stated that he was in the process of completing the evaluation and expected it to be completed by this Friday.

Commissioner Jorge Gonzalez requested that the evaluation be deferred since he did not have enough interaction with the Village Manager at this point to evaluate him.

Nina Boniske, Village Attorney, advised that the Village Manager's contract does not provide for the evaluation to be deferred. Therefore, it would have to be amended. She noted that the evaluation has to be conducted in public pursuant to Section 5.3 of the contract.

Village Manager Dennis Kelly indicated that he was open to amending his contract to provide for a six-month evaluation.

The Mayor requested that the Village Manager write a statement explaining how he would correct the deficiencies outlined in his evaluation. The Village Manager stated that he would provide a response in writing.

Commissioner Wendy Duvall indicated her willingness to comply with the yearly evaluation in order to move forward, followed by a six-month evaluation thereafter.

Commissioner Richard Chervony stated that he was not in favor of a six-month evaluation.

Resident Ann Bakst spoke of her positive interaction with the Village Manager.

Resident Mario Garcia suggested that the evaluation should move forward as the Village Manager now has an opportunity for improvement.

Commissioner Jorge Gonzalez made a motion to amend the employment agreement with Village Manager Dennis Kelly to provide for a six-month performance evaluation instead of annually. Commissioner Wendy Duvall seconded the motion. The motion passed by a 4-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

At this time a motion was offered by Mayor Connie Leon-Kreps, seconded by Commissioner Jorge Gonzalez to extend the meeting to 12:30 a.m. The motion carried 5-0.

Mayor Connie Leon-Kreps made a motion for Commissioner Jorge Gonzalez to participate in the negotiation of the Village Attorneys' contracts with the Village Manager and the Village Special Magistrate Norman Powell. Commissioner Richard Chervony seconded the motion. The motion passed by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez and Mayor Connie Leon-Kreps all voting Yes.

14. NEW BUSINESS

A. CAR2GO

Village Manager Dennis Kelly and Finance Director Bert Wrains discussed a one-year pilot program for the CAR2GO program. Lissette Garcia made a presentation to the Commission regarding the program.

15B(11)

Vice Mayor Eddie Lim made a motion for the Village Manager to submit an agreement for trial of the one-year pilot program for consideration by the Commission. Commissioner Richard Chervony seconded the motion. The motion passed by a 5-0 roll call vote. The votes were as follows: Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, and Vice Mayor Eddie Lim all voting Yes.

B. RESIDENTS' SURVEY *(MAYOR CONNIE LEON-KREPS)*

Mayor Connie Leon-Kreps introduced the item in order to receive feedback from the community.

Deputy Village Manager/HR Director Jenice Rosado presented the item to the Commission. It was the consensus of the Commission to seek a less expensive way of conducting the survey, since funds were not budgeted for this purpose.

At this time a motion was offered by Commissioner Jorge Gonzalez and seconded by Vice Mayor Eddie Lim to extend the meeting to 12:45 a.m. The motion carried 5-0.

C. PAINTING OF VILLAGE HALL *(MAYOR CONNIE LEON-KREPS)*

Mayor Connie Leon-Kreps made a motion directing the Village Manager to discuss the painting plan with the landlord as to cost and color for painting the bathrooms, the lobby area including the doors, and the chambers, Commissioner Jorge Gonzalez seconded the motion. The motion passed 5-0 on a roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

D. WELCOME SIGNS *(COMMISSIONER RICHARD CHERVONY)*

It was the consensus of the Village Commission for the Village Manager to provide samples and the cost for electronic signs at the February meeting.

15B(12)

E. **MINUTES**

Commissioner Richard Chervony made a motion directing the Village Clerk to prepare action Minutes instead of verbatim Minutes commencing with the February Commission Meeting. Commissioner Wendy Duvall seconded the motion. The motion passed 5-0 on a roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

15. APPROVAL OF MINUTES

A. REGULAR COMMISSION MEETING – OCTOBER 9, 2012
B. TENTATIVE BUDGET PUBLIC HEARING – SEPTEMBER 13, 2012
C. REGULAR COMMISSION MEETING – SEPTEMBER 11, 2012
D. SPECIAL COMMISSION MEETING – JULY 25, 2012
E. REGULAR COMMISSION MEETING – JULY 10, 2012
F. FINAL BUDGET PUBLIC HEARING – SEPTEMBER 27, 2012

Commissioner Richard Chervony made a motion to approve the Minutes of October 9, 2012, September 27, 2012, September 13, 2012, September 11, 2012, July 25, 2012, and July 10, 2012 as submitted. Commissioner Wendy Duvall seconded the motion. The motion passed 5-0 on a 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 voting Yes.

16. ADJOURNMENT

The meeting adjourned at 12:59 a.m.

Prepared by: Yvonne P. Hamilton, CMC, Village Clerk

Adopted by the North Bay Village Commission on

this _____ *day of* _____.

_____

Connie Leon-Kreps, Mayor

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the Village Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

15B(13)

OFFICIAL MINUTES
NORTH BAY VILLAGE
SPECIAL COMMISSION MEETING
MONDAY, DECEMBER 3, 2012
7:00 P.M

1. CALL TO ORDER.

The Special Meeting of the North Bay Village Commission was held on Mon December 3, 2012 at 7:00 p.m., at the Village Commission Chambers (1' Kennedy Causeway, #132, North Bay Village, FL 33141). Mayor Connie Leo Kreps called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

The pledge was recited.

3. ROLL CALL

Present were Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. Also present were Village Manager Dennis Kelly, Finance Director Bert Wrains, Deputy Village Manager/HR Director Jenice Rosado, Chief Robert Daniels, Village Attorney Nina Boniske, Assistant Village Attorney Kathy Mehaffey, Village Planner Jim LaRue and Village Clerk Yvonne P. Hamilton.

Without objection Item 4C was heard before Item 4A.

4. ORDINANCES FOR SECOND READING - (PUBLIC HEARINGS)

C. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CLPF-NBV, L.P., AS SUCCESSOR IN INTEREST TO ZF DEVELOPMENT, LLC, AND NORTH BAY VILLAGE, TO ADDRESS MITIGATION OF SCHOOL CONCURRENCY IMPACTS RELATED TO DEVELOPMENT PROPOSED ON PROPERTY LOCATED AT 8000 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT;AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

15C(1)

Following the Staff Report, public hearing, presentation, and discussion a motion was offered by Vice Mayor Eddie Lim and seconded by Mayor Connie Leon-Kreps to approve the Resolution. The votes were as follows: Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, and Vice Mayor Eddie Lim-Yes. The motion carried 5-0.

A. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 3 OF THE NORTH BAY VILLAGE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CODE OF ORDINANCES ENTITLED "LAND USE", BY AMENDING SECTION 3.4.2(b) RELATING TO DEVELOPMENT OF MIXED-USE COMMERCIAL AND MULTIFAMILY STRUCTURES WITHIN THE COMMERCIAL DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*** **FIRST READING**

Following the Staff Report, public hearing, presentation, and discussion a motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Jorge Gonzalez to approve the ordinance on first reading. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps- Yes. The motion carried 5-0.

B. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY CREATING SECTION 152.032 ENTITLED "BAY VIEW OVERLAY (BVO) DISTRICT" TO ESTABLISH AND PROVIDE REGULATIONS FOR THE BAY VIEW OVERLAY DISTRICT; ZONING PROPERTIES AS SHOWN ON MAP 1 AND LEGALLY DESCRIBED IN EXHIBIT A AS "BAY VIEW OVERLAY DISTRICT" IN ADDITION TO THE EXISTING ZONING DESIGNATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*** **FIRST READING**

15C(2)

Following the Staff Report, public hearing, presentation, and discussion a motion was offered Commissioner Richard Chervony and seconded by Commissioner Jorge Gonzalez to approve the ordinance on first reading. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

5. APPOINTMENT OF BOARD MEMBERS

A. ANIMAL CONTROL ADVISORY BOARD

No action was taken on this item.

B. ARTS, CULTURAL & SPECIAL EVENTS B OARD

No action was taken on this item.

C. CITIZENS BUDGET & OVERSIGHT BOARD

No action was taken on this item.

D. COMMUNITY ENHANCEMENT BOARD

No action was taken on this item.

E. PLANNING & ZONING BOARD

A motion was offered by Vice Mayor Eddie Lim and seconded by Commissioner Jorge Gonzalez for the Commission to provide the names of the nominees to the advisory boards in writing. The votes were as follows: Commissioner Richard Chervony-No, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Jorge Gonzalez to appoint the following members to the Planning & Zoning Board: Barry Beschel, James Carter, J. D. Bud Farrey, Reinaldo Trujillo, and Marvin Wilmoth, The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-No, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

15C(3)

F. YOUTH SERVICES BOARD

A motion was offered by Mayor Connie Leon-Kreps and seconded by Vice Mayor Eddie Lim to appoint the following members to the Youth Services Board: Kevin Vericker, Alex Funkhouser, Jorge Piedra, Rosa Neely, and Ana Fonseca. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-No, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

6. VILLAGE ATTORNEY REPORT

A. REQUEST FOR EXECUTIVE SESSION: NORTH BAY VILLAGE INVESTMENT TRUST, LLC V. CITY OF NORTH BAY VILLAGE, 11TH JUDICIAL CIRCUIT, MIAMI-DADE COUNTY, CASE NO. 12-39090 CA-32.

Assistant Village Attorney Kathy Mehaffey requested an Executive Session in the case of North Bay Village Investment Trust, LLC v. City of North Bay Village, 11th Judicial Circuit, Miami-Dade County, Case No. 12-39090 CA-32.

7. ADJOURNMENT

The meeting adjourned at 9:13 p.m.

Prepared and submitted by:
Yvonne P. Hamilton, CMC
Village Clerk

Adopted by the North Bay Village Commission on

this _____ *day of* _____.

_____
Connie Leon-Kreps, Mayor

(Note: This document does not reflect a true verbatim record of the meeting. This is a summarization of the proceedings. 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.)

15C(4)

OFFICIAL MINUTES

NORTH BAY VILLAGE
REGULAR MEETING
TUESDAY, DECEMBER 11, 2012

7:30 P.M

The Regular Meeting of the North Bay Village Commission was held on Tuesday, December 11, 2012, at the Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. PLEDGE OF ALLEGIANCE; ROLL CALL

The meeting was called to order at 7:42 p.m. by Mayor Connie Leon-Kreps; and Scott Greenwald led the Pledge of Allegiance. Present were Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez. Also present were Village Manager Dennis Kelly, Finance Director Bert Wrains, Deputy Manager/HR Director Jenice Rosado, Chief Robert Daniels, Village Attorney Nina Boniske, Assistant Village Attorney Kathy Mehaffey, Village Planner Jim LaRue and Village Clerk Yvonne P. Hamilton.

A. ELECTION OF VICE MAYOR *(PURSUANT TO SECTION 3.05(B) OF THE VILLAGE CHARTER)*

Commissioner Jorge Gonzalez nominated Commissioner Eddie Lim to the position of Vice Mayor, seconded by Commissioner Wendy Duvall. The votes were as follows: Commissioner Eddie Lim–Yes, Commissioner Richard Chervony–Yes, Commissioner Wendy Duvall-Yes, and Commissioner Jorge Gonzalez –Yes, and Mayor Connie Leon-Kreps–Yes. By a vote of 5-0, Commissioner Eddie Lim was elected to the position of Vice Mayor.

2. PROCLAMATIONS AND AWARDS

A. SPECIAL PRESENTATIONS

1. VOLUNTEERS – VILLAGE HALLOWEEN EVENT

The Mayor recognized the Cutting Room with an award for their long-standing service and community involvement in North Bay Village.

15D(1)

The Mayor presented the volunteers at the Village Halloween event with individual awards for their contribution.

Also, the Mayor presented awards which had been given out to the Advisory Board/Committee Members at a dinner held their honor to some who had been absent: Scott Greenwald, Rick Muller, Rosa Neely, Alvin Blake, and Jorge Piedra.

B. ADDITIONS AND DELETIONS

Mayor Connie Leon-Kreps moved that Item 14E be heard after Good & Welfare between Items 8 and 9, seconded by Vice Mayor Eddie Lim. The motion carried 5-0.

Vice Mayor Eddie Lim moved that Item 11E be heard before Item 11A, seconded by Mayor Connie Leon-Kreps. The motion carried 5-0.

3. BOARD REPORTS

A. BUSINESS DEVELOPMENT ADVISORY BOARD

Mario Garcia, Vice Chair of the Business Development Advisory Committee, presented the report in the absence of the Chair. Mr. Garcia explained that the Committee was asking that the Commission communicate their interest in the proposals being put forward by the Committee, before developing the ideas further in workshops and presentations. The proposals included using advertising signs by Clear Channel; a concert series supported by sponsors; a marketing plan, perhaps based on a plan drawn up in 2008 by the Village; obtaining a complete list of all residents' email addresses for communicating information; and co-op marketing via a magazine publication. a Committee Member with relevant expertise had offered to assist in improving the Village website, and confirmed with the Village Manager that the Village Manager or his Deputy acted as the Committee's liaison with the Commission. The Mayor and Commissioner Gonzalez both wished to see a more detailed, written outline of the proposals, which the Committee had entertained two days earlier and for which minutes had not yet been prepared.

15D(2)

B. YOUTH SERVICES BOARD

Board Member Rosa Neely presented the report in the absence of the Chair.

4. PUBLIC SAFETY DISCUSSION

Chief Daniels presented the report.

5. COMMISSIONERS' REPORTS

Reports were provided by the Mayor, Vice Mayor, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez.

6. VILLAGE ATTORNEY'S REPORT

The Village Attorney requested Executive Sessions for the following cases in the event they were needed.

James McVay/Miami Dade County PBA vs. City of North Bay Village
Case #12-00643-3

North Bay Village Investment Trust LLC vs. City of North Bay Village
Case#12-39080CA32

7. VILLAGE MANAGER'S REPORT

Village Manager Dennis Kelly presented his report.

8. GOOD & WELFARE AT APPROXIMATELY 8:30 P.M.

Residents Elaine Beutel, Jane Blake, Mo Morgenstern, Alvin Blake, Fane Lozman, and Mario Garcia addressed the Commission during Good and Welfare.

14E. PARKS AND OPEN SPACE LAND AVAILABILITY

The Village Manager will have a park analysis prepared and present the item to the Commission in January.

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

15D(3)

A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NORTH BAY VILLAGE FOR ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF $2,180 FOR THE POLICE DEPARTMENT RECORDS MANAGEMENT PROJECT; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A PURCHASE ORDER/QUOTE WITH C&L GRAPHICS FOR THE PURCHASE AND INSTALLATION OF THREE SIGNS AT DR. PAUL VOGEL COMMUNITY PARK; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO IMPLEMENT THE PURCHASE ORDER/QUOTE; AUTHORIZING THE EXPENDITURE OF $13,025 FOR THE SIGNAGE; AUTHORIZING VILLAGE OFFICIALS TO EXECUTE DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*** **- DEFERRED FROM OCTOBER 9, 2012**

C. **A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH LARUE PLANNING & MANAGEMENT SERVICES, INC. FOR THE PURPOSE OF PROVIDING PROFESSIONAL COMPREHENSIVE PLANNING SERVICES; SETTING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Richard Chervony, seconded by Commissioner Jorge Gonzalez to approve the Consent Agenda. The votes were as follow: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

15D(4)

10. PLANNING & ZONING CONSENT AGENDA

There were no Planning & Zoning Consent Agenda items.

The Mayor recessed the meeting at 11:31 p.m.

11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

11E. A RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2013 FISCAL YEAR GENERAL OPERATING BUDGET BY TRANSFERRING $5,000 FROM THE GENERAL FUND RESERVE ACCOUNT TO THE SPECIAL EVENT LINE ITEM OF THE GENERAL OPERATING ACCOUNT; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Richard Chervony, seconded by Commissioner Jorge Gonzalez to authorize the Village to promote any community related project that comes before the Commission, such as the Farmers' Market, whether through use of the Village's website, utility billing, the Police Department LED sign, the Shuttle Bus, the Village's condominium association distribution list, the Village's email list, the diesel generator, police monitoring of the event, and assistance with applying for the FDOT permit. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

A motion was offered by Commissioner Richard Chervony and seconded by Commissioner Jorge Gonzalez to authorize the transfer of $1,250 from the General Fund Reserve Account and $3,750 from the Finance Department salary line item to the General Operating Account, 01.019.519.5458, special event line item, to promote the Farmers' Market. The votes were as follow: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

15D(5)

A. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32 "DEPARTMENTS AND BOARDS" OF THE VILLAGE CODE OF ORDINANCES TO CHANGE THE "YOUTH SERVICES BOARD" TO "YOUTH AND EDUCATION SERVICES BOARD" AND TO REVISE THE REQUIREMENTS AND DUTIES OF THE BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Jorge Gonzalez, seconded by Vice Mayor Eddie Lim to approve the Ordinance on first reading with addition of the following language to Section 32.67 after appointment, "with one member having a professional background in education". The votes were as follows: Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, and Commissioner Jorge Gonzalez-Yes. The motion carried 5-0.

B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA INLAND NAVIGATION DISTRICT AND NORTH BAY VILLAGE FOR IMPROVEMENTS TO DR. PAUL VOGEL PARK; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Jorge Gonzalez, seconded by Commissioner Richard Chervony to approve the Resolution. The votes were as follows: Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, and Commissioner Jorge Gonzalez-Yes. The motion carried 5-0.

15D(6)

C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA INLAND NAVIGATION DISTRICT AND NORTH BAY VILLAGE FOR DESIGN AND PERMITTING OF THE BAYWALK PLAZA AREA; APPROVING MATCHING FUNDS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Richard Chervony, seconded by Mayor Connie Leon-Kreps to approve the Resolution. The votes were as follows; Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

A motion was offered by Commissioner Jorge Gonzalez to extend the meeting to 1:00 a.m., seconded by Mayor Connie Leon-Kreps. The motion carried 5-0.

D. **A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION AMENDING THE FISCAL YEAR 2011-12 BUDGET; MAKING END OF YEAR ADJUSTMENTS TO THE ANNUAL BUDGET ADOPTED ON SEPTEMBER 30, 2011 FOR FISCAL YEAR OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENT; AND SETTING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Mayor Connie Leon-Kreps, seconded by Commissioner Wendy Duvall to approve the Resolution. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

15D(7)

F. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND FEDERAL PROPERTY REGISTRATION CORPORATION FOR REGISTERING VACANT, ABANDONED, AND FORECLOSED PROPERTIES IN THE VILLAGE; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 36.25 OF VILLAGE CODE FOR THIS AGREEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Commissioner Richard Chervony and seconded by Commissioner Jorge Gonzalez to approve the Resolution. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

G. **A RESOLUTION OF THE NORTH BAY VILLAGE COMMISSION APPROVING AND RATIFYING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NORTH BAY VILLAGE AND AMERICAN TRAFFIC SOLUTIONS FOR TRAFFIC SAFETY CAMERA PROGRAM; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE SECOND AMENDMENT; RATIFYING THE EXECUTION OF THE SECOND AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)***

A motion was offered by Mayor Connie Leon-Kreps and seconded by Vice Mayor Eddie Lim to approve the Resolution. The votes were as follow: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

12. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING

There were no items for Public Hearings or Ordinances for second reading.

13. UNFINISHED BUSINESS

15D(8)

11N. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER TO SELECT SFM SERVICES, INC. AS THE MOST QUALIFIED PROPOSER TO RFP NO. NBV 2012-01 FOR LANDSCAPE MAINTENANCE SERVICES; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR APPROVAL BY THE COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)* (DEFERRED FROM OCTOBER 9, 2012)

A motion was offered by Commissioner Richard Chervony and seconded by Commissioner Wendy Duvall to accept SFM Services, Inc. as the most qualified proposer to RFP No. NBV 2012-01 for landscape maintenance services and authorize the Village Manager to negotiate a price reduction and submit the contract to the Commission for approval. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

14. NEW BUSINESS

A. RFQ FOR LEGAL SERVICES

Since the firm of Weiss Serota was one of the principal candidates being considered for the Legal Services RFP, the Village Attorney recused herself from giving legal advice during the hearing of this item, and her place on the dais was taken by attorney Norman Powell, who also acts as the Village Special Magistrate for Code Enforcement hearings.

Village Manager Dennis Kelly summarized that the Legal Services RFP had had divided the scope of service into three legal disciplines: General Counsel, Labor Law, and Land Use/ Planning and Zoning. Applicants were permitted to respond to one, all, or any combination of legal disciplines. Eight legal firms had initially applied, and two of them had been judged by staff as being unresponsive and eliminated. Of the remaining six applicants, one firm subsequently withdrew its application, four firms applied for all three legal disciplines, and one firm applied for Labor Law. The selection committee composed of five attorneys, with three having City Attorney experience, scored the five final remaining firms using the scoring criteria supplied to them.

15D(9)

Vice Mayor Eddie Lim mentioned having sat in on two of the selection committee meetings, and remarked that there were some unexplained scoring discrepancies. He recommended tabling the item until after the full Commission had an opportunity to directly interview the applicants. Commissioner George Gonzalez agreed that oral presentations would be beneficial, as did Commissioner Wendy Duvall, and Commissioner Richard Chervony described himself as long ready to vote but willing to defer to the other members.

The Village Manager suggested a special, non-voting meeting of around three hours in length, to be held in January after the holidays, and anticipated that the item would reappear on the Commission's February Agenda. Commissioner Chervony noted that presentation time equally distributed among all applicants gave an unbalanced amount of time to the one firm that applied solely for Labor Law; the Village Manager responded that staff would arrange a fairly balanced schedule. Commissioner Chervony wished to go on record expressing his concern about the lengthy period of time in which the Village had been in the position of contracting Legal Services on an interim basis; the Mayor observed that the Village had been through a period of frequent Commission changes and she looked forward to two years of stability. Vice Mayor Lim urged the Commission to carefully study the scoring sheets, in light of discrepancies which he felt existed.

A motion was offered by Vice Mayor Eddie Lim and seconded by Mayor Connie Leon-Kreps to defer the item until after the Village Commission had the opportunity to hear oral presentation from the five final applicants (Bryant Miller Olive, Gray/Robinson, P.A., Rosen & Switkes, Stearns Weaver, and Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.) in January with selection of a firm in February. The votes were as follows: Commissioner Richard Chervony-No, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, and Vice Mayor Eddie Lim-Yes. The motion carried 4-1.

B. VILLAGE MANAGER PERFORMANCE EVALUATION STATUS

Deputy Village Manager/HR Director Jenice Rosado sat in on the dais for the Village Manager during this discussion, and the Village Attorney introduced the item by referring to attachment 14B1 which listed the following options provided by the Village Manager regarding his evaluation scheduled for the anniversary of his first year, a week from now:

15 D (10)

1. Postpone the evaluation until the two new Commissioners have time to become more familiar with his performance.
2. Skip the annual evaluation and wait until the summer.
3. Skip the annual evaluation and wait until a year from now.
4. Have the evaluation now.

The Village Attorney explained that any change to the evaluation date would require an amendment to the contract to be brought forward at the next Commission meeting. Referring to the contract, on page 14B4 of the agenda package, the Village Attorney went over these sections with the Commission,

5.1 Provides for an evaluation 180 days from starting date.
5.2 Provides for possible bonus or raise, tied to the 180-day evaluation (which the Village Manager chose to forego).
5.3 Provides for an annual evaluation, on anniversary of starting date.
5.5 Provides for salary or benefit increase based on annual evaluation, at the Commission's discretion.

The Village Attorney went on to cover the basis for the evaluation contained in Section 2 of the contract, which included performance of the Manager's duties (echoing those duties found in the Village Charter), achievements of the policy directives given by the Commission over the year, and any other assigned duties.

The Commission Members stated their preference among the options earlier presented: Commissioner Chervony was ready to evaluate now; Vice Mayor Lim wished to first hear from the new Commissioners; the Mayor was ready to evaluate now, but sought more clarification about the process; Commissioner Duvall felt unable to evaluate at this time and would refrain; Commissioner Gonzalez asked about the effect of an evaluation delay on the Village Manager's compensation, and later in the discussion clarified that he would refrain from evaluating at this time.

The Village Attorney explained that a compensation increase was discretionary, not mandatory, and could in the future be retroactive if they so elected; and suggested that by presenting these options the Village Manager signaled his willingness to accept a delay.

15D(11)

As to how the Commission would act on the timing options, the contract called for a full Commission to perform the evaluation, and therefore one option should be chosen by a majority of the Commission acting in full, although any Commissioner could then refrain individually from giving an evaluation. As the Village Manager's anniversary date was not for another week, the evaluation could not take place until that date, or within the 30 days following, at a public meeting, and could be put on the agenda of the January 2013 meeting if the Commission chose to evaluate now (option 4).

The Mayor moved to extend the Commission meeting by another 30 minutes, seconded by Vice Mayor Lim, and carried 5-0.

The Village Attorney explained that the contract was silent on the procedure for carrying out the evaluation, but typically it could be in the form of an oral or a written evaluation, and evaluation forms had been created and provided by the HR Director for the purpose.

The Commission discussed procedural methods, with Commissioner Chervony preferring an oral evaluation in a public forum, noting that if they moved forward on the matter of a compensation increase a public discussion of evaluation specifics would take place. The Mayor expressed her strong preference for a written evaluation and a private meeting with the Village Manager to discuss it, and the Vice Mayor decided to proceed with the evaluation, using the written evaluation forms but allowing for the possibility that his evaluation might change following a private discussion with the Village Manager. Both Commissioner Duvall and Commissioner Gonzalez stated their intention to refrain from an evaluation at this time, and Commissioner Gonzalez added that in his experience as a manager, personnel evaluations were best written to form a permanent file that would serve as a reference for future decisions.

The Village Attorney agreed that private evaluation meetings were permissible, but in order to move forward with the evaluation and address compensation, a public meeting was required and all written evaluations were public records and would be part of the agenda package. Further, while staff would provide evaluation forms, the Commission could not be required to use them.

15D(12)

As the consensus of the Commission was to proceed with the evaluation according to the contract, the Village Attorney saw no need for a motion, and laid out that staff would schedule it as an agenda item at the January meeting, and provide evaluation forms (which were not required to be used).

C. EXTERNAL AUDITOR SERVICES

Commissioner Richard Chervony moved that the external auditor's contract be extended for one year and that it include quarterly reports to the Commission, to be returned to the Commission for final approval of the cost. The motion was seconded by Commissioner Wendy Duvall and passed with all in favor, 5-0.

D. FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) – LOCAL FUNDING AGREEMENT

This item was deferred to the December 18th agenda.

F. VILLAGE ADMINISTRATIVE OFFICE CLOSING

This item was deferred to the December 18th agenda.

A motion was offered by Mayor Connie Leon-Kreps, seconded by Vice Mayor Eddie Lim to extend the meeting to 1:45 a.m. All voted in favor.

Commissioner Duvall left the meeting at 1:33 p.m.

G. EXECUTIVE BOARD MEMBER/MIAMI-DADE COUNTY LEAGUE OF CITIES

A motion was offered by Commissioner Richard Chervony and seconded by Commissioner Wendy Duvall to designate Mayor Connie Leon-Kreps as Director and Vice Mayor Eddie Lim as alternate Director to the Miami-Dade County League of Cities Executive Board. All voted in favor and the motion carried 4-0.

H. COMBINING POSITION OF EXECUTIVE ASSISTANT TO THE VILLAGE MANAGER AND COMMISSION & GRANTS ADMINISTRATOR

This item was deferred to the December 18th agenda.

15D(13)

15. APPROVAL OF MINUTES

A. REGULAR COMMISSION MEETING – OCTOBER 9, 2012
B. TENTATIVE BUDGET PUBLIC HEARING – SEPTEMBER 13, 2012
C. REGULAR COMMISSION MEETING – SEPTEMBER 11, 2012
D. SPECIAL COMMISSION MEETING – JULY 25, 2012
E. REGULAR COMMISSION MEETING – JULY 10, 2012

This item was deferred to the December 18th agenda.

16. ADJOURNMENT

The meeting adjourned at 1:35 a.m.

Prepared and submitted by:
Yvonne P. Hamilton, CMC
Village Clerk

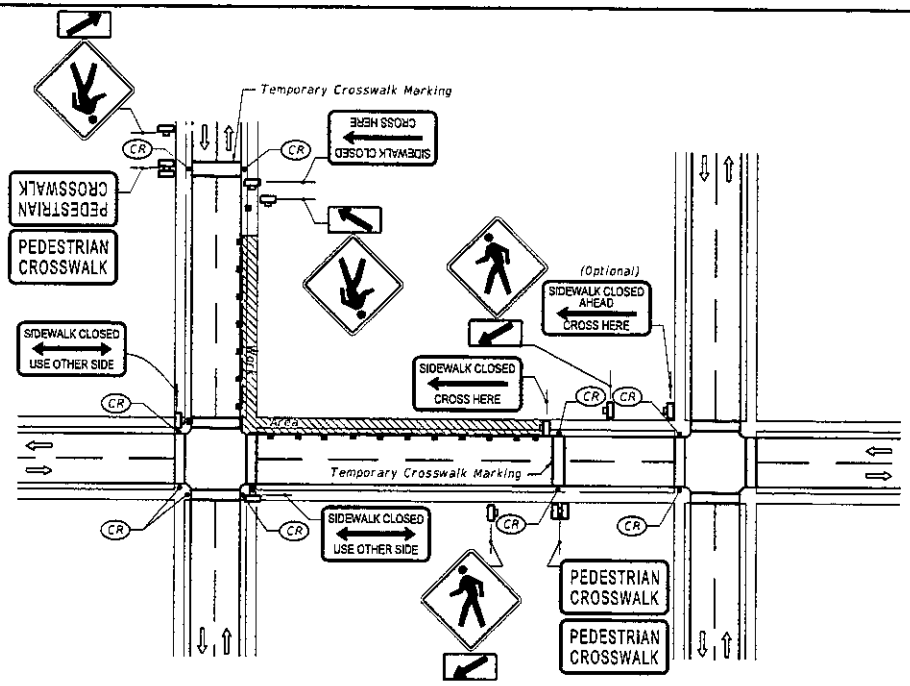
Adopted by North Bay Village Commission on

this _____ *day of* _____.

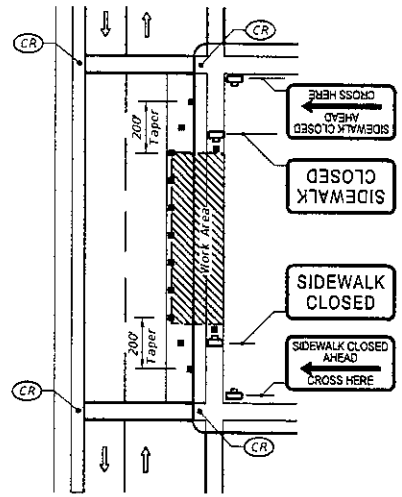
_____
Connie Leon-Kreps, Mayor

(Note: This document does not reflect a true verbatim record of the meeting. This is a summarization of the proceedings. A copy of the audio recording is available at the City Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

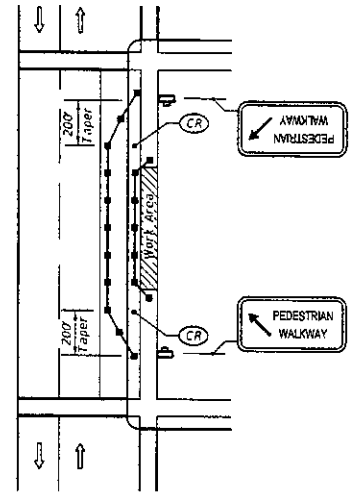
15D(14)



CORNER SIDEWALK CLOSURE
WITH TEMPORARY CROSSWALKS



MID-BLOCK SIDEWALK
CLOSURE



MID-BLOCK SIDEWALK CLOSURE
WITH TEMPORARY WALKWAY

GENERAL NOTES

1. Only the signs controlling pedestrian flows are shown. Other work zone signs will be needed to control traffic on the streets.
2. For spacing of traffic control devices and general TCZ requirements refer to Index No. 600. Maximum spacing between barricades, vertical panels, drums or tubular markers shall not be greater than 25'.
3. Street lighting should be considered.
4. For nighttime closures use Type A flashing warning lights on barricades supporting signs and closing sidewalks. Use Type C steady-burn lights on channelizing devices separating the work area from vehicular traffic.
5. Pedestrian traffic signal display controlling closed crosswalks shall be covered or deactivated.
6. Post Mounted Signs located near or adjacent to a sidewalk shall have a 7' minimum clearance from the bottom of sign to the sidewalk.
7. When construction activities involve sidewalks on both sides of the street, efforts should be made to stage the construction so that both sidewalks are not out of service at the same time.
8. In the event that sidewalks on both sides of the street are closed, pedestrians shall be guided around the construction zone.
9. Temporary walkways shall be a minimum of 4' wide with a maximum 0.02 cross slope and a maximum 0.05 running slope between ramps. Temporary walkways less than 5' in width shall provide for a 5' x 5' passing space at intervals not to exceed 200'. Temporary ramps shall meet the requirements for curb ramps specified in Index No. 304. Temporary walkway surfaces and ramps shall be stable, firm, slip resistant, and kept free of any obstructions and hazards such as holes, debris, mud, construction equipment, stored materials, etc.
10. Temporary ramps and temporary crosswalk markings shall be removed with reopening of the sidewalk, unless otherwise noted in the plans. All work and materials associated with constructing temporary curb ramps and temporary crosswalk markings, removal and disposal of temporary curb ramps and temporary crosswalk markings, and restoration to original condition shall be paid for as Maintenance of Traffic, Lump Sum.

CONDITIONS

WHERE ANY VEHICLE, EQUIPMENT WORKERS OR THEIR ACTIVITIES ENCROACH ON THE SIDEWALK FOR A PERIOD OF MORE THAN 60 MINUTES.

SYMBOLS

- Work Area
- Channelizing Device (See Index No. 600)
- Work Zone Sign
- CR — Required Locations For Either Temporary Or Permanent Curb Ramps.
- Lane Identification + Direction of Traffic
- Pedestrian Longitudinal Channelizing Device

LAST REVISION	REVISION	DESCRIPTION:				
07/01/12			FDOT DESIGN STANDARDS 2013	PEDESTRIAN CONTROL FOR CLOSURE OF SIDEWALKS	INDEX NO. 660	SHEET NO. 1

15B(2)

APPENDIX C

Estimate of Costs

15D(22)

OFFICIAL MINUTES

NORTH BAY VILLAGE
SPECIAL COMMISSION MEETING
TUESDAY, DECEMBER 18, 2012

6:00 P.M

1. CALL TO ORDER.

The Special Meeting of the North Bay Village Commission was held on Tuesday, December 18, 2012 at 6:15 p.m., at the Village Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

2. PLEDGE OF ALLEGIANCE

Resident Mario Garcia led the Pledge of Allegiance.

3. ROLL CALL

Present were Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Jorge Gonzalez, and Commissioner Wendy Duvall. Also present were Village Manager Dennis Kelly, Finance Director Bert Wrains, Deputy Village Manager/HR Director Jenice Rosado, Chief Robert Daniels, City Attorney Nina Boniske, Assistant City Attorney Kathy Mehaffey, City Planner Jim LaRue and City Clerk Yvonne P. Hamilton.

4. ORDINANCES FOR SECOND READING - (PUBLIC HEARINGS)

A. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 3 OF THE NORTH BAY VILLAGE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CODE OF ORDINANCES ENTITLED "LAND USE", BY AMENDING SECTION 3.4.2(b) RELATING TO DEVELOPMENT OF MIXED-USE COMMERCIAL AND MULTIFAMILY STRUCTURES WITHIN THE COMMERCIAL DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.** ***(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)*** **SECOND READING**

15E(1)

Ben Smith, of LaRue Planning & Management Services, Inc., Village Planner, provided a brief presentation on the item.

The Mayor opened the public hearing and Graham Penn, of Bercow Radell & Fernandez, P.A., 200 S. Biscayne Boulevard, Suite 850, Miami, Florida 33131, spoke in favor of the ordinance.

The Mayor closed the public hearing.

A motion was offered by Commissioner Richard Chervony, seconded by Vice Mayor Eddie Lim to approve the ordinance on second reading. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Absent, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 4-0.

B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "ZONING" BY CREATING SECTION 152.032 ENTITLED "BAY VIEW OVERLAY (BVO) DISTRICT" TO ESTABLISH AND PROVIDE REGULATIONS FOR THE BAY VIEW OVERLAY DISTRICT; ZONING PROPERTIES AS SHOWN ON MAP 1 AND LEGALLY DESCRIBED IN EXHIBIT A AS "BAY VIEW OVERLAY DISTRICT" IN ADDITION TO THE EXISTING ZONING DESIGNATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER DENNIS KELLY)* SECOND READING

Jim LaRue, of LaRue Planning & Management Services, Inc., Village Planner, presented the item to the Commission.

The Mayor opened the public hearing.

Renaldo Trujillo, resident of 7601 East Treasure Drive and Chair of the Planning & Zoning Board addressed.

15E(2)

At this time, Commissioner Jorge Gonzalez attended the meeting, 6:40 p.m.

The Mayor closed the public hearing.

A motion was offered by Commissioner Richard Chervony, seconded by Vice Mayor Eddie Lim to approve the ordinance on second reading. The votes were as follows: Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 5-0.

5. RECONSIDERATION OF PRESENTATIONS BY PROPOSERS OF RFQ FOR LEGAL SERVICES PURSUANT TO SECTION 10(D) OF NORTH BAY VILLAGE AGENDA PROCEDURES.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Jorge Gonzalez to reconsider the vote of December 11, 2012 to defer the item pertaining to the RFQ for legal services to the February Commission Meeting in order for the five firms to make presentations to the full Commission in January. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-No, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Jorge Gonzalez to schedule interviews of the five firms for January 3, 2013 at 5:00 p.m. with an alternate date of January 5, 2013 at 10:00 a.m. with the item on the agenda for the Regular Commission Meeting of Tuesday, January 8, 2013. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Wendy Duvall-Yes, Commissioner Jorge Gonzalez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

6. FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)-LOCAL FUNDING AGREEMENT

Village Manager Dennis Kelly will obtain assistance from Gary Ratay, of Kimley Horn & Associates, Inc., Traffic Engineer, for an estimate for a concrete barrier with a decorative railing for the flat bridge to be consistent with the ambience of the Village. The manager will provide the cost involved to the Commission in January.

15E(3)

7. COMBINING POSITION OF EXECUTIVE ASSISTANT TO THE VILLAGE MANAGER AND COMMISSION & GRANTS ADMINISTRATOR

It was the consensus of the Commission not to combine the positions.

8. ADJOURNMENT

The meeting adjourned at 7:32 p.m.

Prepared and submitted by:

Yvonne P. Hamilton, CMC
Village Clerk

Adopted by the North Bay Village Commission on

this _____ *day of* _____.

_____
Connie Leon-Kreps, Mayor

(Note: This document does not reflect a true verbatim record of the meeting. This is a summarization of the proceedings. 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.)

15E(4)

OFFICIAL MINUTES

SPECIAL CITY COMMISSION MEETING

CITY OF NORTH BAY VILLAGE
1700 KENNEDY CAUSEWAY, #132
NORTH BAY VILLAGE, FL 33141

NOVEMBER 16, 2012

5:00 P.M.

---

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

The meeting was called to order at 5:29 P.M. by Mayor Connie Leon-Kreps who read the rules of conduct, and the Pledge of Allegiance was recited. Present at Roll Call were Commissioner Richard Chervony, Vice Mayor Eddie Lim, and Mayor Connie Leon-Kreps. Commissioner Stuart Blumberg was absent.

Also present were: City Manager Dennis Kelly, Assistant City Attorney Kathy Mehaffey, HR Director Jenice Rosado, Public Works Director Sam Zamacona, Finance Director Bert Wrains, Robert Daniels Police Chief, and City Clerk Yvonne P. Hamilton.

4. RESOLUTION

The City Clerk read the following resolution by title:

A. A RESOLUTION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, CONCERNING THE CITY ELECTION OF NOVEMBER 6, 2012; DECLARING QUALIFIED UNOPPOSED CANDIDATES ELECTED TO OFFICE OF COMMISSION SEATS WITHOUT NECESSITY FOR FURTHER CONDUCT OF ELECTION PROCESS; ACCEPTING AND ADOPTING THE PROPOSED CHARTER AMENDMENTS AS CERTIFIED BY MIAMI-DADE COUNTY CANVASSING BOARD AND ATTACHED HERETO; PROVIDING AN EFFECTIVE DATE. ***(INTRODUCED BY CITY CLERK YVONNE P. HAMILTON)***

15F(1)

A motion was offered by Commissioner Richard Chervony and seconded by Mayor Connie Leon-Kreps to approve the Resolution. The votes were as follows: Commissioner Stuart Blumberg-Absent, Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, and Commissioner Richard Chervony-Yes. The motion carried 3-0.

5. FORMAL DECLARATION OF OATH OF OFFICE

A. COMMISSIONERS

1. **RICHARD CHERVONY, NORTH BAY ISLAND COMMISSIONER**
2. **WENDY DUVALL, TREASURE ISLAND COMMISSIONER**
3. **JORGE GONZALEZ, AT-LARGE COMMISSIONER**

Commissioners Wendy Duvall and Jorge Gonzalez took their places on the dais and the City Clerk administered the Oath of Office to all three as Treasure Island Commissioner, At-Large Commissioner, and North Bay Island Commissioner respectively.

B. MAYOR

1. **CONNIE LEON-KREPS**

The City Clerk administered the Oath of Office to Connie Leon-Kreps as Mayor.

C. REMARKS OF COMMISSIONERS

Remarks were made by each member of the Commission.

D. REMARKS OF MAYOR

Remarks were made by the Mayor.

House Representative David Richardson addressed the Commission.

15F(2)

6. ADJOURNMENT

The meeting adjourned at 5:42 p.m.

Prepared and submitted by: Yvonne P. Hamilton, CMC
Village Clerk

Adopted by the North Bay Village Commission on

this _____ *day of* _____.

_____
Connie Leon-Kreps, Mayor

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the Village Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

15F(3)

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

RECOMMENDATION MEMORANDUM

DATE: **May 6, 2013**

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

RECOMMENDED BY:
Mayor Connie Leon Kreps

PRESENTED BY STAFF:
Jenice Rosado
Interim Village Manager

SUBJECT: Removal of Chain-Link Fence from 79th Street Causeway

RECOMMENDATION:

It is recommended that the Village Commission consider the request to remove the chain-link fence on the south side of Bridge No. 870550 (the flat bridge) on the 79th Street Causeway within the Village. As the Village strives to improve the ambience of the causeway, the Village Commissioners have reached out to our lobbyists and state and local representatives for assistance with the project. The Florida Department of Transportation (FDOT) is ready to remove the fence and has requested written approval from the Village. If the Commission grants the permission to remove the fence, the Village Manager will prepare a letter to FDOT with the Village's authorization to remove the fence.

15B(1)

BACKGROUND:

FDOT generated a technical memorandum to evaluate alternatives for improving the safety for pedestrians and motorists on Bridge No. 870550 over Biscayne Waterway along SR 934 (NE 79th Street Causeway) that currently has an unsafe condition of an existing fence on top of the existing sidewalk.

FDOT evaluated many options to solve this problem and recommended the simpler and less costly solution. The selected option provides a vertical face retrofit barrier mounted on top of the curb which allows the lane/shoulder widths to remain unchanged. The retrofit barrier will require that the existing post and rail barrier be removed to maintain the sidewalk width. The panel/picket aluminum railing will be attached to the coping of the bridge and provides more sidewalk width.

The advantages of this option are to eliminate the need to plug existing scuppers; to maintain existing lane/shoulder widths and to maintain or increase sidewalk width. The construction would be limited to the sidewalk and would provide better aesthetics. The least amount of load being added to bridge and the load from Vertical Face Retrofit will be partially offset by the removal of the existing post and rail barrier.

The disadvantages of this option are that the structural capacity of the slab and curb will need to be verified to use Vertical Face Retrofit. The location of the barrier on top of the beam provides added capacity.

The retrofit will be performed on both sides of the bridge.

FINANCIAL IMPACT:

There will not be any cost associated with the removal of the fence by Florida Department of Transportation.

PERSONNEL IMPACT:

None.

15B(2)

Technical Memorandum

FPID No. 431180-1-52-01

SR 934 (NE 79th Street Causeway)
From East of Bayshore Drive (MP 0.662)
to Bay Drive West (MP 2.678)

Miami-Dade County
Florida

April 2013

Prepared for:
Florida Department of Transportation
District 6
Miami, Florida

Prepared By:

American Consulting Engineers of Florida, LLC
2000 Palm Beach Lakes Blvd, Suite 1000
West Palm Beach, FL 33409
Phone: (561) 253-9550 Fax: (561) 253-9551
Certificate of Authorization No. 9302

15B(3)

TABLE OF CONTENTS

1.0 PROJECT DESCRIPTION 1
2.0 EVALUATION OF ALTERNATIVES AND RECOMMENDATION 2
3.0 TRAFFIC CONTROL PLAN CONCEPT 7
4.0 PERMITS 7
5.0 UTILITIES 7
6.0 TIMELINE 7

LIST OF FIGURES

Figure 1-1 Project Location Map 1

APPENDICES

Appendix A – Straight Line Diagram (SLD)
Appendix B – Traffic Control Plan Concept
Appendix C – Estimate of Costs

15B(4)

1.0 PROJECT DESCRIPTION

A project location map is identified on **Figure 1-1**. This technical memorandum evaluates alternatives for improving the safety for pedestrians and motorists on Bridge No. 870550 over Biscayne Waterway along SR 934 (NE 79th Street Causeway) that currently has an unsafe condition of an existing fence on top of the existing sidewalk as shown in **Photo 1**.

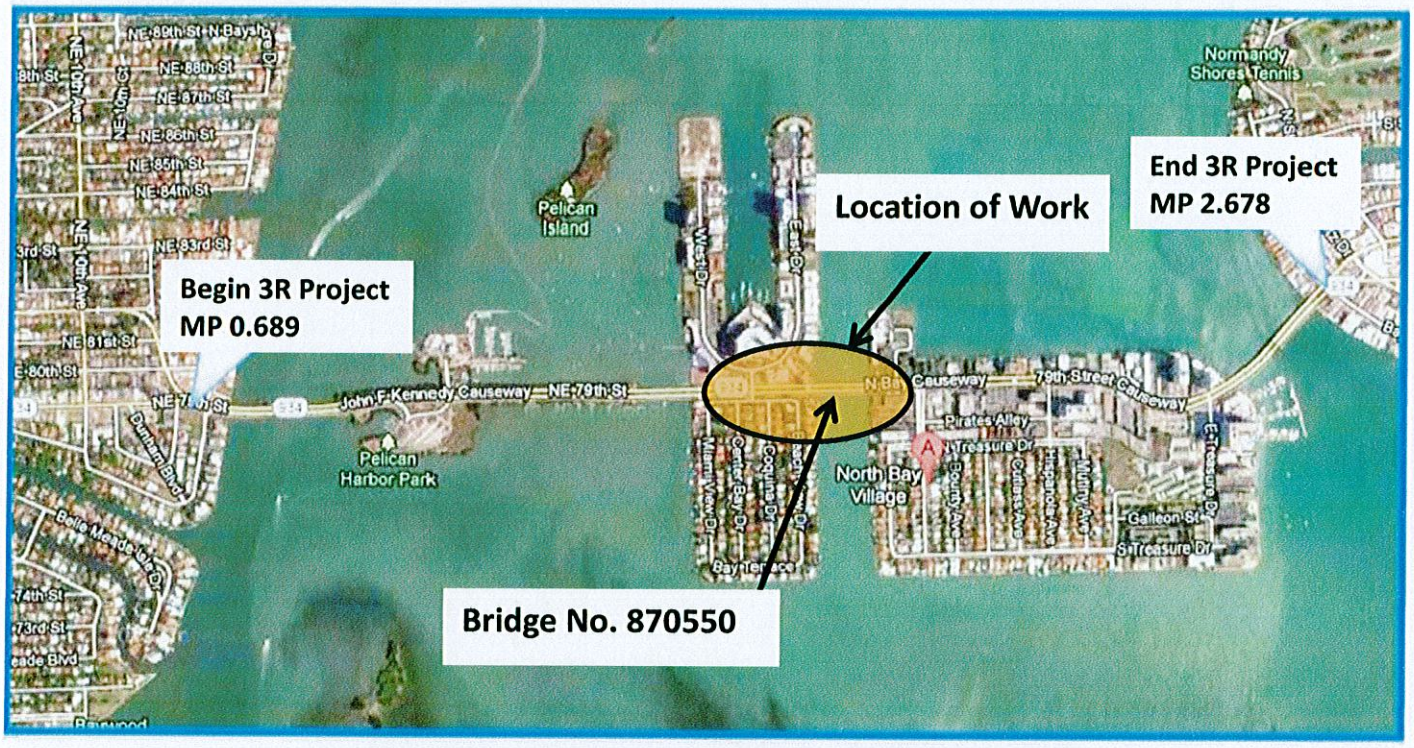


Figure 1-1 Project Location

Photo 1

15B(5)

2.0 EVALUATION OF ALTERNATIVES AND RECOMMENDATION

There are many options to solve this problem but this analysis looks at four of the simpler and less costly solutions. **Option 1** uses an F-Shape Barrier while **Option 2** uses a Vertical Face Barrier. Both of these options place these traffic railings in front of the curb which allows the existing post and rail barrier to remain in place. However, this also reduces the space available for the lane/shoulder. Since the posted speed in the area is 30 MPH there is some flexibility to reduce the through lane widths to a minimum of 10-ft and still meet criteria according to the Department's Plans Preparation Manual Chapter 25 Table 25.4.5.3 Lane Widths Urban Multilane or Two-Lane With Curb and Gutter. These two options also require a thru-bolt to be used for the tension anchor near the front face of the proposed traffic railing since the deck is not thick enough to utilize an adhesive anchor. This results in structural steel being exposed on the underside of the deck.

Option 3 and **Option 4** are similar in that vertical face retrofit barriers are mounted on top of the curb which allows the lane/shoulder widths to remain unchanged. The retrofit barrier in **Option 3** matches the standards while **Option 4** uses a modified barrier that is taller. These barriers will require that the existing post and rail barrier be removed to maintain the sidewalk width. The panel/picket aluminum railing will be attached to the coping of the bridge and provides more sidewalk width.

More detailed information on each of the four options can be found in the following pages. A detailed breakdown of the estimated costs for each option is provided in **Appendix C**. The estimated costs for these four options including Maintenance of Traffic (10%) and Mobilization (8%) are shown below:

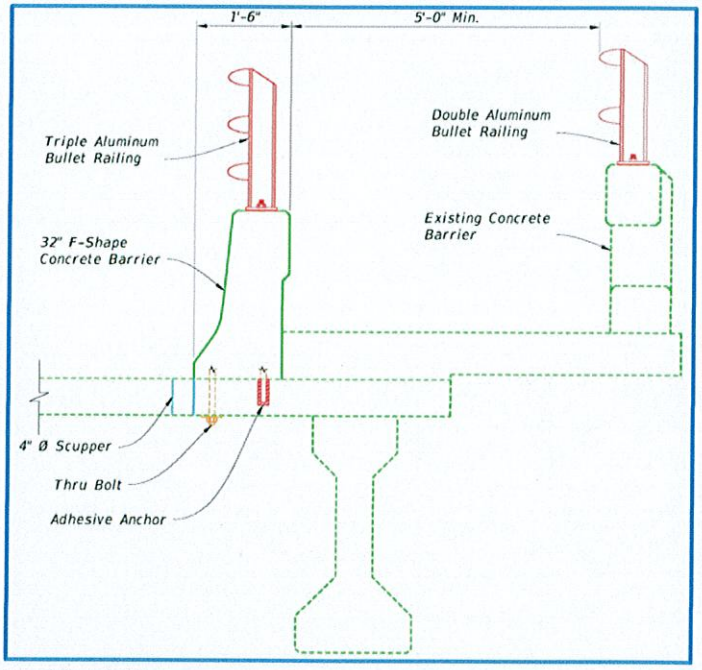
Option 1 – F-Shape Barrier in Front of Curb	$133,919
Option 2 – Vertical Face Barrier in Front of Curb	$140,090
Option 3 – Vertical Face Retrofit on Top of Curb	$121,577
Option 4 – Modified Vertical Face Retrofit on Top of Curb	$119,108

The recommended option is the Vertical Face Retrofit mounted on top of the curb (**Option 3**) because it does not reduce the lanes or shoulder width nor does it require holes to be cored through the existing deck to replace the existing scuppers. Access to the underside of the deck is not required to install the traffic railing which significantly simplifies the work and equipment needed to construct this project. The aesthetics of this railing are also better than the other options.

15B(6)

Option 1 – F-Shape Barrier in Front of Curb

Work Required



1. Remove and plug existing scuppers in deck.
2. Construct 32" F-Shape Traffic Railing (Modified Standard Index 420) located in front of existing curb within the shoulder area. Use adhesive to connect reinforcing bar on back face and use a threaded bar on the front faces with washer nut connection.
3. Install Double Rail Aluminum Bullet Railing (Standard Index 821 and 822) on top of existing post and rail barrier.
4. Install Triple Rail Aluminum Bullet Railing (Standard Index 821 and 822 on top of proposed 32" F-Shape Traffic Railing.
5. Install new 4" Diameter Scupper in front of new Traffic Railing.

Advantages:

1. Eliminates need to remove existing railing.
2. Maintains existing sidewalk width.

Disadvantages:

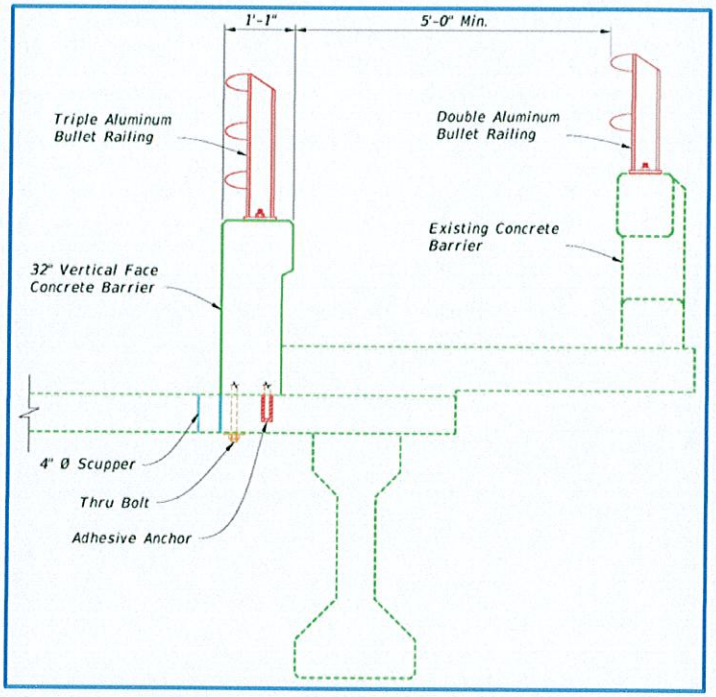
1. Reduces lane/shoulder width by 1'-4¾".
2. Requires drilling 4" diameter hole for scuppers into existing deck that will likely hit deck reinforcing.
3. Construction zone extends further towards lane.
4. The thru-bolt results in steel being exposed to the environment.

Estimated Cost – **Option 1** = $133,919

15B(7)

Option 2 – Vertical Face Barrier in Front of Curb

Work Required



1. Remove and plug existing scuppers in deck.
2. Construct 32" Vertical Face Shape Traffic Railing (Modified Standard Index 423) located in front of existing curb within the shoulder area. Use adhesive to connect reinforcing bar on back face and use a threaded bar on the front faces with washer nut connection.
3. Install Double Rail Aluminum Bullet Railing (Standard Index 821 and 822) on top of existing post and rail barrier.
4. Install Triple Rail Aluminum Bullet Railing (Standard Index 821 and 822 on top of proposed 32" Vertical Face Shape Traffic Railing.
5. Install new 4" Diameter Scupper in front of new Traffic Railing.

Advantages:

1. Eliminates need to remove existing railing.
2. Maintains existing sidewalk width.

Disadvantages:

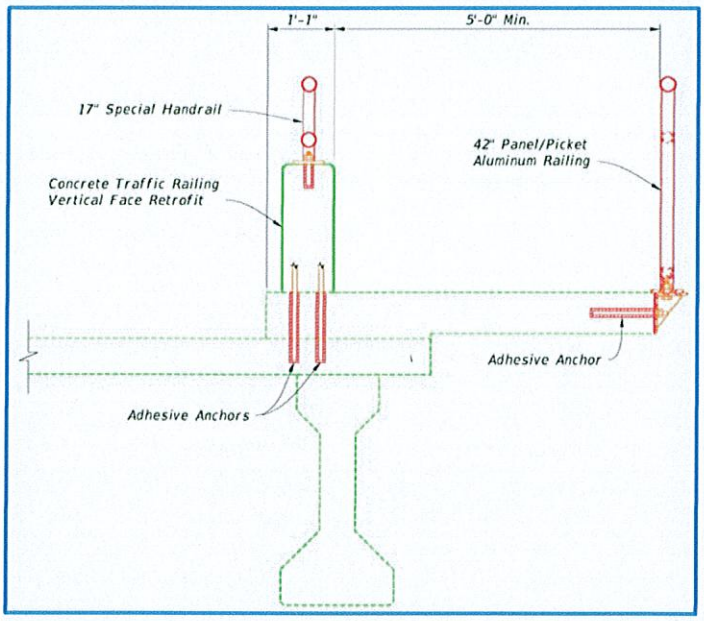
1. Reduces lane/shoulder width by 11".
2. Requires drilling 4" diameter hole for scuppers into existing deck that will likely hit deck reinforcing.
3. Construction zone extends further towards lane.
4. The thru-bolt results in steel being exposed to the environment.

Estimated Cost - **Option 2** = $140,090

15B(8)

Option 3 – Vertical Face Retrofit on Top of Curb

Work Required



1. Remove existing post and rail barrier.
2. Construct Vertical Face Retrofit (Standard Index 480) located on top of curb. Use adhesive anchors per the standards to connect reinforcing bars to deck.
3. Install Triple Rail Aluminum Bullet Railing (Standard Index 821 and 822 on top of proposed Vertical Face Retrofit Railing.
4. Install Bridge Pedestrian Railing (Standard Index 861).

Advantages:

1. Eliminates need to plug existing scuppers.
2. Maintains existing lane/shoulder widths.
3. Maintains or increases sidewalk width.
4. Construction is limited to sidewalk.
5. Better aesthetics.
6. Least amount of load being added to bridge - load from Vertical Face Retrofit will be partially offset by the removal of the existing post and rail barrier.

Disadvantages:

1. Structural capacity of the slab and curb will need to be verified to use Vertical Face Retrofit; however, the location of the barrier on top of beam provides added capacity.

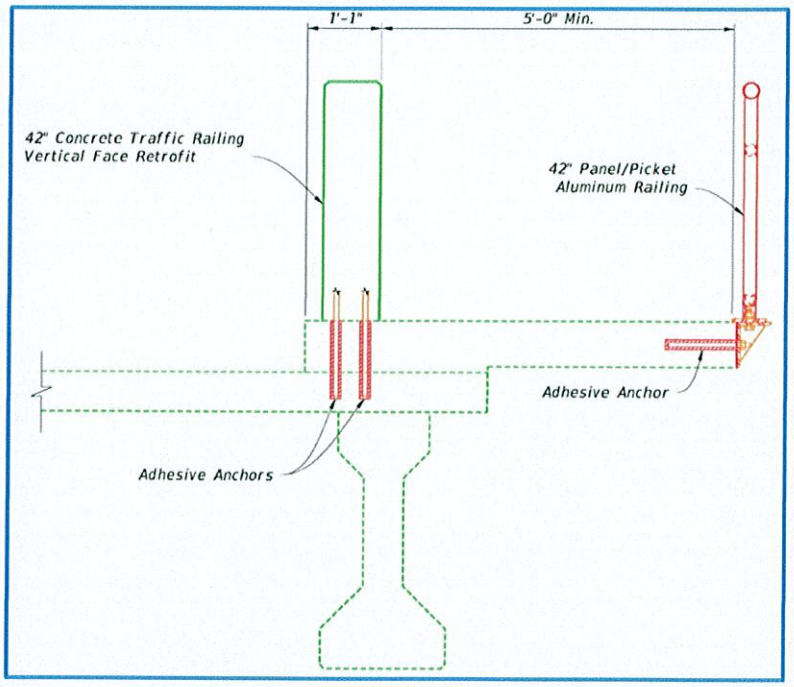
Estimated Cost - **Option 3** = $121,577

15B(9)

Option 4 – Modified Vertical Face Retrofit on Top of Curb

Work Required

1. Remove existing post and rail barrier.
2. Construct Modified Vertical Face Retrofit (Modified Standard Index 480) located on top of curb. Use adhesive anchors per the standards to connect reinforcing bars to deck.
3. Install Bridge Pedestrian Railing (Standard Index 861).



Advantages:

1. Eliminates need to plug existing scuppers.
2. Maintains existing lane/shoulder widths.
3. Maintains or increases sidewalk width.
4. Construction is limited to sidewalk.
5. Better aesthetics – although see Disadvantage 3 below.
6. Less load being added to bridge when compared to Options 1 and 2 - load from Vertical Face Retrofit will be partially offset by the removal of the existing post and rail barrier.

Disadvantages:

1. Structural capacity of slab and curb will need to be verified to use Vertical Face Retrofit; however, the location of the barrier on top of beam provides added capacity.
2. Modified Vertical Face Retrofit Barrier will require additional time to design and detail.
3. The taller Vertical Face Retrofit Barrier mounted on top of the curb may create a tunnel affect for the driver due to the height of the barrier from the roadway surface (approximately 48" +/- assuming 6" high curb - as-built plans needed to determine actual dimension).

Estimated Cost - **Option 4** = $119,108

15B(10)

3.0 TRAFFIC CONTROL PLAN CONCEPT

The scope of work requires the closure of the outside lane and also the existing sidewalk on Bridge No. 870550 over Biscayne Waterway. A Traffic Control Plan (TCP) Concept was developed that uses a combination of FDOT Standard Indexes 613 and 660 for safety of pedestrians, motorists, and construction workers. The TCP Concept is identified in **Appendix B**. The concept proposes to alert motorists and pedestrians of the upcoming bridge work just west of East Drive. The concept also identifies a scheme to safely re-route pedestrians on the south side of the corridor to the north side at the signalized intersection and crosswalk at East Drive. Pedestrian traffic is re-routed to the south side of the corridor at the signalized intersection and crosswalk at Adventure Avenue. A temporary fence is also proposed adjacent to the curb on the sidewalk located on Bridge No. 870084 over Biscayne Waterway consistent with the existing fence to be removed located on Bridge No. 870550 over Biscayne Waterway.

4.0 PERMITS

Coordination was done with the Department's Environmental Office. An e-mail was received from Mr. John Palenchar on April 12, 2013 that stated that the scope of work falls under the "No Notice" permit which means that it complies with South Florida Water Management Districts' (SFWMD's) regulations and no actual permit is required.

5.0 UTILITIES

Utility coordination will be performed to ensure that all utilities and potential utility conflicts are identified in the plans. Existing roadway lighting pedestals exists on the bridge in addition to lighting conduit pull boxes and a sanitary sewer line that will need to be protected during construction.

6.0 TIMELINE

Once the notice to proceed with this scope of work is received from the Department, a complete set of construction plans can be ready within five (5) weeks including two (2) weeks for review by the Department and one (1) week to address comments. Based on the scope of work, we believe that a contractor can complete the work within four (4) weeks after beginning construction.

15B(11)

APPENDICES

Appendix A – Straight Line Diagram (SLD)

Appendix B – Traffic Control Plan Concept

Appendix C – Estimate of Costs

15B(12)

APPENDIX A

Straight Line Diagram (SLD)

15B(13)

A= ASPHALT
B= BRICK
C=CONCRETE
O=OTHER

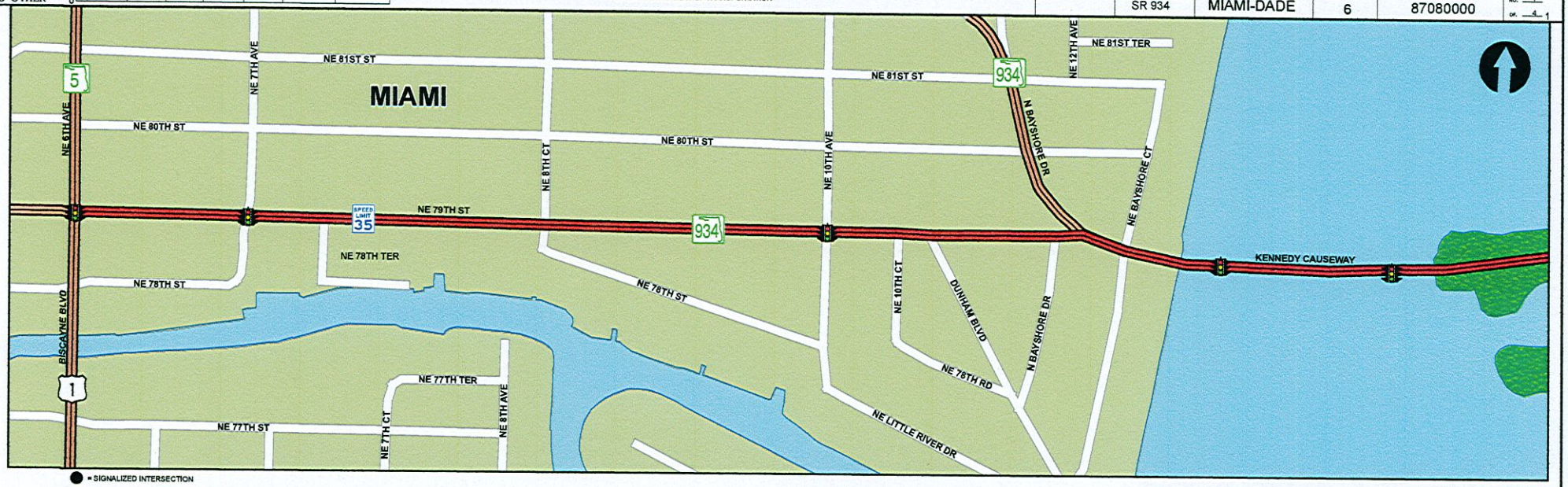
DATE	5 YR IMV	OLD REV	BMP	EMP	IMV	OLD REV
BY	LRS	LRS				

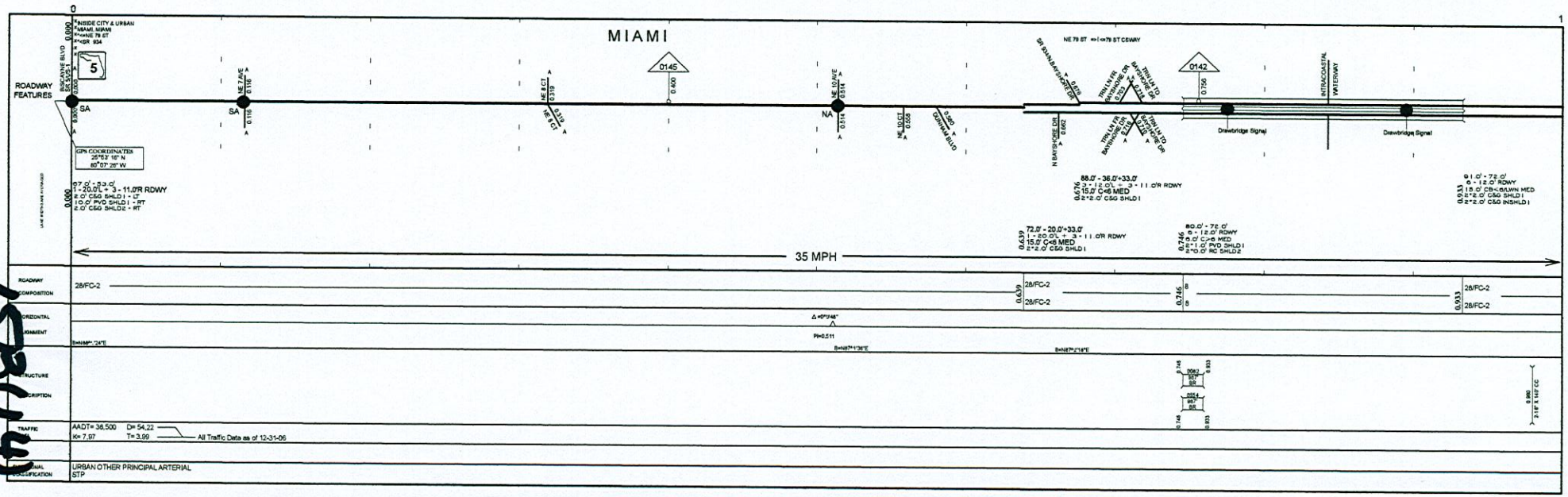
INTERIM REVISIONS

STRAIGHT LINE DIAGRAM OF ROAD INVENTORY

FLORIDA DEPARTMENT OF TRANSPORTATION

INT. or US ROUTE NO	STATE ROAD NO.	COUNTY	DISTRICT	ROADWAY ID	SHEET
	SR 934	MIAMI-DADE	6	87080000	NO. 1 OF 4





NE 79 STREET / 79 STREET CAUSEWAY (Miami, North Bay Village)

15(14)

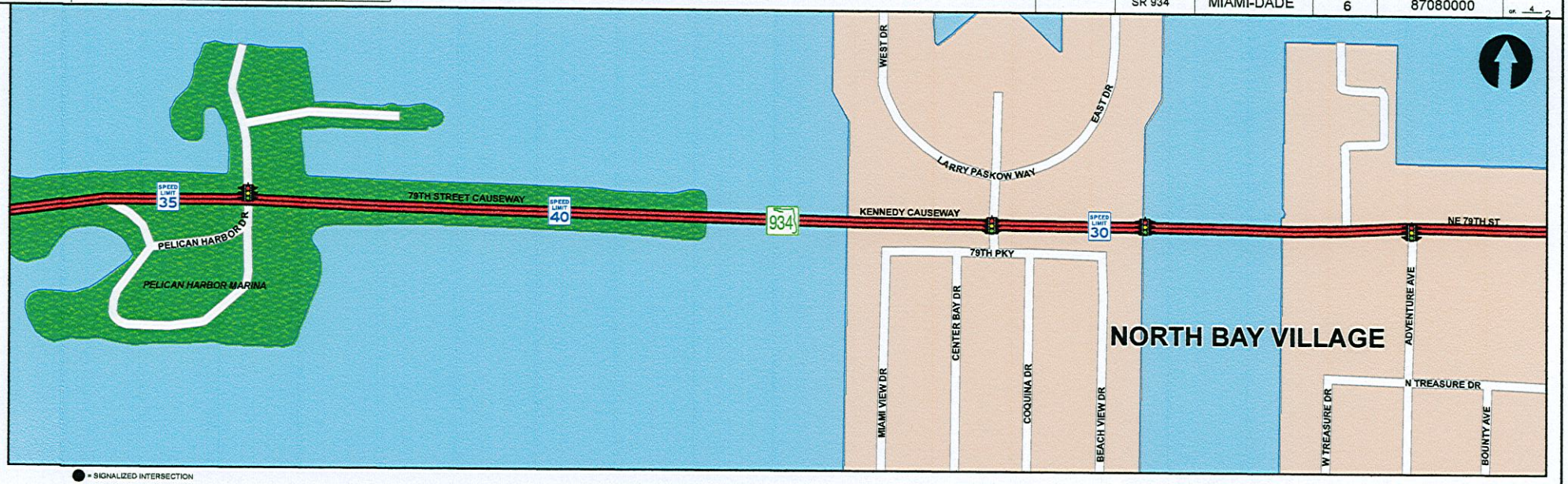
A= ASPHALT
B= BRICK
C=CONCRETE
O=OTHER

DATE	5 YR INV	SLD REV	BMP	EMP	INV	SLD REV
BY	URS	URS			N/A	11/09/10

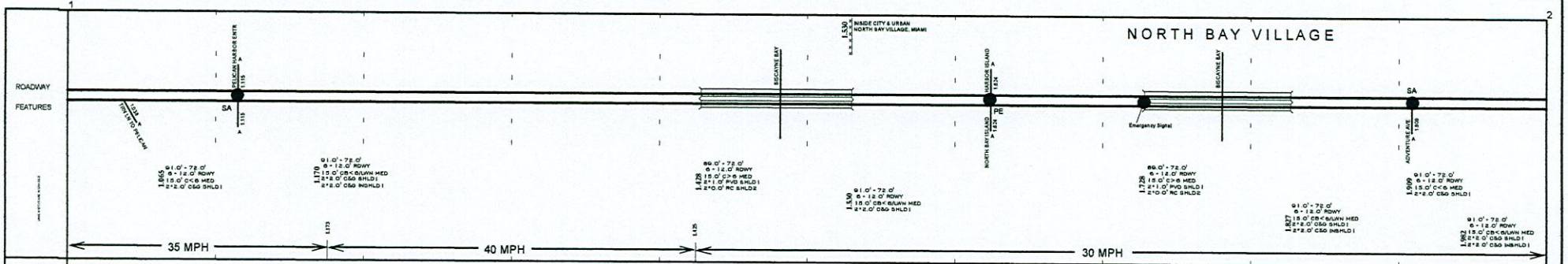
STRAIGHT LINE DIAGRAM OF ROAD INVENTORY

FLORIDA DEPARTMENT OF TRANSPORTATION

INT. of US ROUTE NO	STATE ROAD NO.	COUNTY	DISTRICT	ROADWAY ID	SHEET
	SR 934	MIAMI-DADE	6	87080000	NO. 2 OF 4



● = SIGNALIZED INTERSECTION



ROADWAY	28/FC-2
COMPOSITION	28/FC-2
HORIZONTAL ALIGNMENT	Δ=0°0'42" PI=1.174 B=N87°2'18"E
STRUCTURE DESCRIPTION	1.825 2-18" X 140' CC; 1.954 2-18" X 140' CC; 1.145 1-18" X 140' CC; 1.255 1-18" X 140' CC; 1.368 1-18" X 140' CC; 1.428 0.085 538' BR; 1.530 0.548 538' BR; 1.728 0.084 522' BR; 1.827 0.550 522' BR
TRAFFIC DATA	AADT= 38,500 D= 54.22 K= 7.97 T= 3.99 — All Traffic Data as of 12-31-06
	1.909 AADT= 40,500 D= 54.22 K= 7.97 T= 8.64
FUNCTIONAL CLASSIFICATION	URBAN OTHER PRINCIPAL ARTERIAL STP

NE 79 STREET / 79 STREET CAUSEWAY (Miami, North Bay Village)

ISB(15)

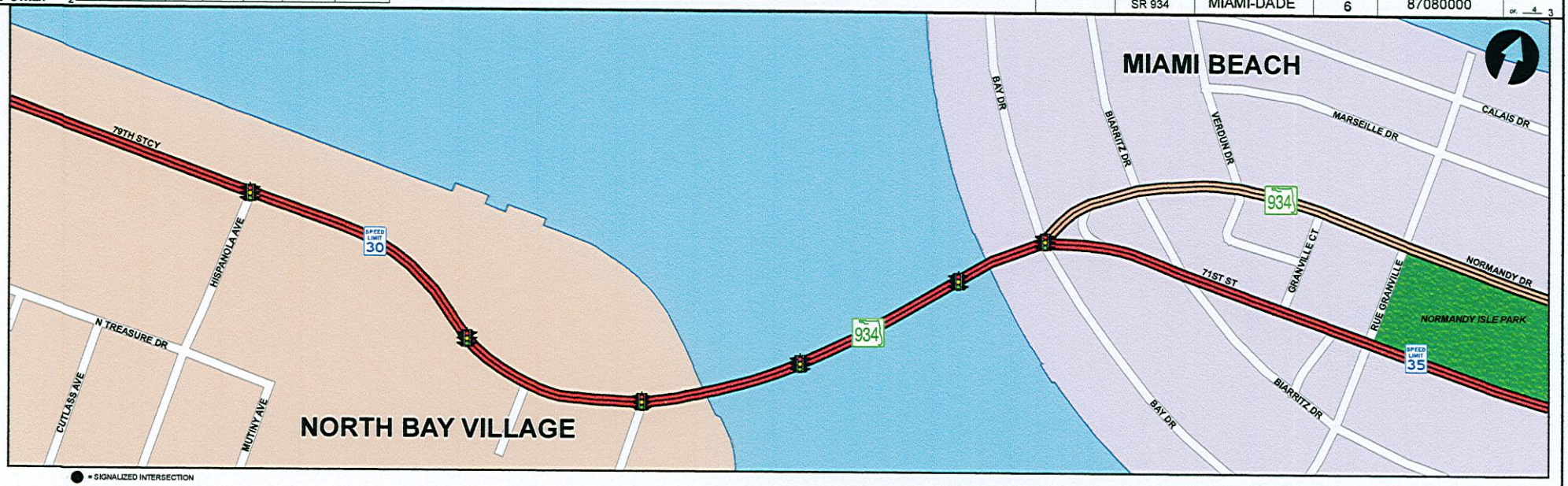
A= ASPHALT
B= BRICK
C=CONCRETE
O=OTHER

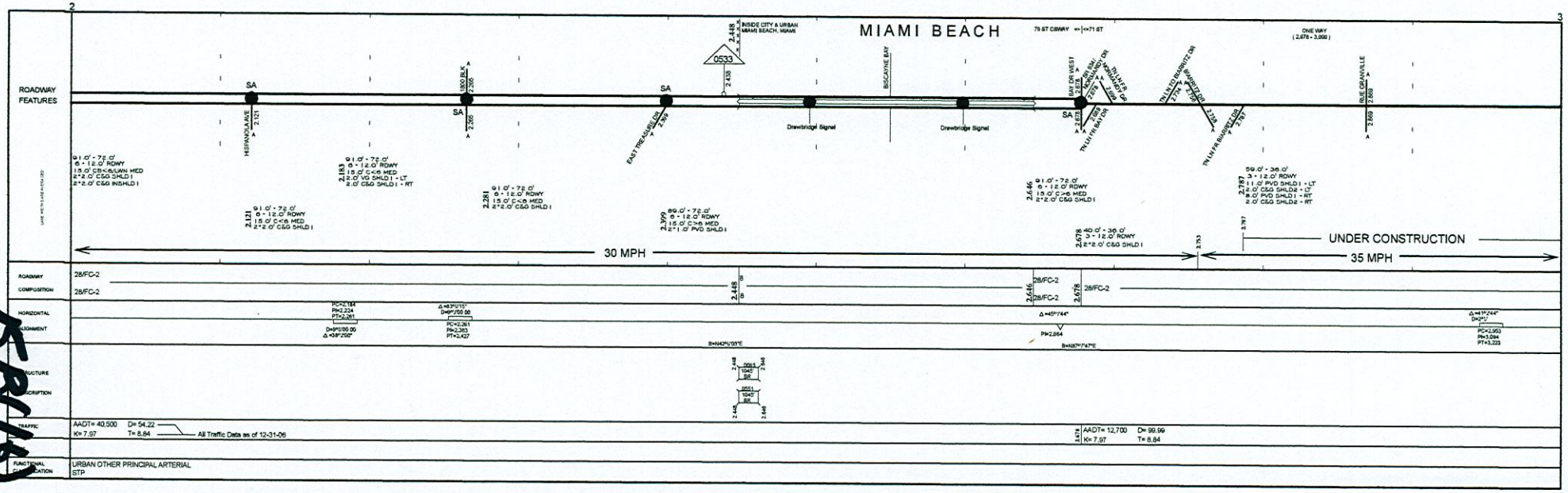
DATE	5 YR INV	SLD REV	INTERIM REVISIONS			
BY			BMP	EMP	INV	SLD REV

STRAIGHT LINE DIAGRAM OF ROAD INVENTORY

FLORIDA DEPARTMENT OF TRANSPORTATION

INT. or US ROUTE NO	STATE ROAD NO.	COUNTY	DISTRICT	ROADWAY ID	SHEET
	SR 934	MIAMI-DADE	6	87080000	NO. 3 OF 4





79 STREET CAUSEWAY / 71 STREET (North Bay Village, Miami Beach)

15B(13)

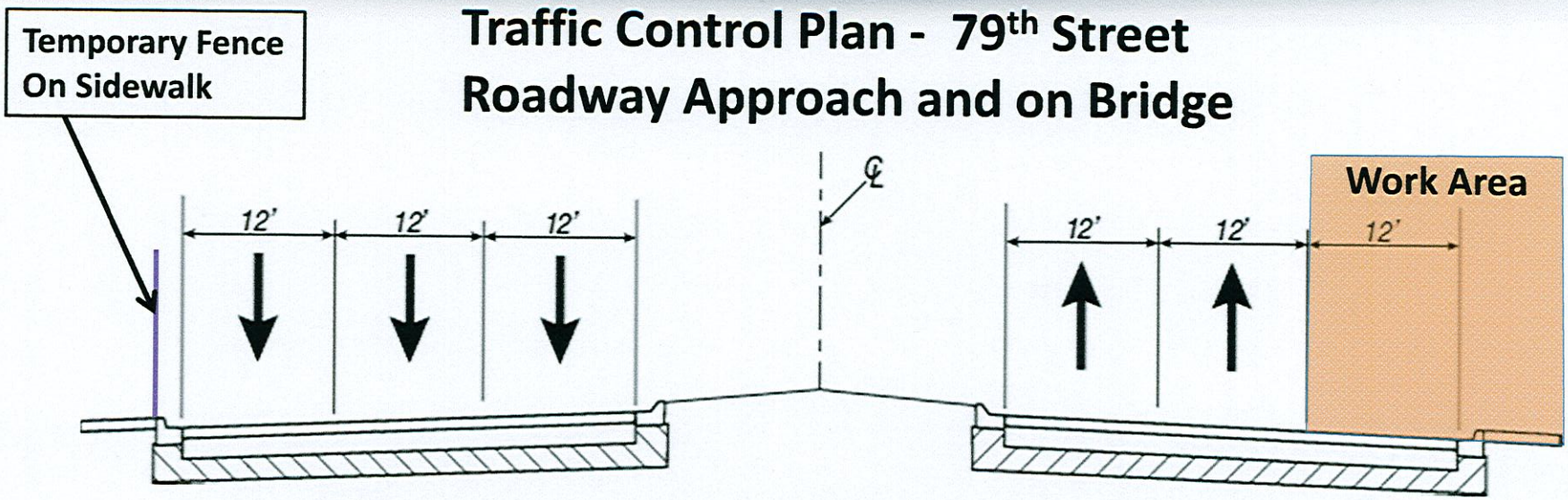
APPENDIX B

Traffic Control Concept

15B(17)

Traffic Control Plan Concept

Traffic Control Plan - 79th Street Roadway Approach and on Bridge



Phase 1: Construct outside improvements (bridge work)

- Use Standard Index 613 and 660 for bridge work and pedestrian control for closure of sidewalks
- Maintain access to driveways at all times

American CONSULTING

158(18)

FLORIDA DEPARTMENT OF TRANSPORTATION | DISTRICT 6
SR-934 / 79TH STREET CAUSEWAY
FROM EAST OF BAYSHORE DRIVE TO BAY DRIVE WEST

Traffic Control Plan Concept

SIDEWALK CLOSED AHEAD
CROSS HERE

SIDEWALK CLOSED

SIDEWALK CLOSED

LEGEND

- WORK AREA
- CLOSE OUTSIDE LANE
- CLOSE SIDEWALK
- RE-ROUTE PEDESTRIAN TRAFFIC
- LANES OPEN DURING CONSTRUCTION

American CONSULTING

ISB(9)

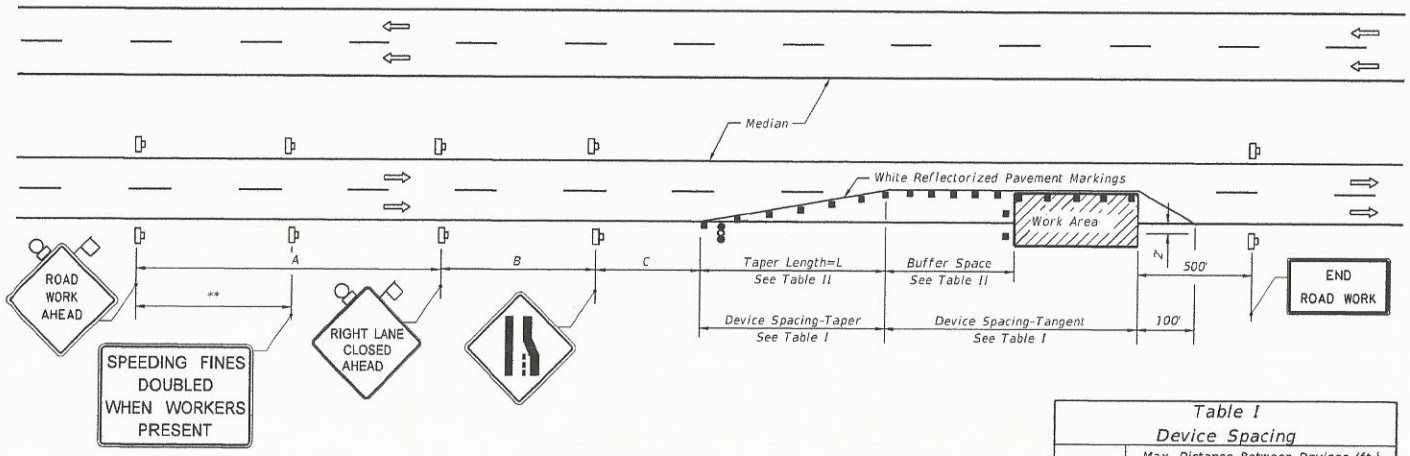


Table II
Buffer Space and Taper Length

Speed (mph)	Buffer Space	Taper Length (12' Lateral Transition)	
	Dist. (ft.)	L (ft.)	Notes (Merge)
25	155	125	$L = \frac{WS^2}{60}$
30	200	180	
35	250	245	
40	305	320	
45	360	540	$L = WS$
50	425	600	
55	495	660	
60	570	720	
65	645	780	
70	730	840	

When Buffer Space cannot be attained due to geometric constraints, the greatest attainable length shall be used, but not less than 200 ft.

For lateral transitions other than 12', use Where:

L = Length of taper in feet
W = Width of lateral transition in feet
S = Posted speed limit (mph)

Table I
Device Spacing

Speed (mph)	Max. Distance Between Devices (ft.)			
	Cones or Tubular Markers		Type I or Type II Barricades or Vertical Panels or Drums	
	Taper	Tangent	Taper	Tangent
25	25	50	25	50
30 to 45	25	50	30	50
50 to 70	25	50	50	100

DISTANCE BETWEEN SIGNS

Speed	Spacing (ft.)		
	A	B	C
40 mph or less	200	200	200
45 mph	350	350	350
50 mph	500	500	500
*55 mph or greater	2640	1640	1000

* The ROAD WORK 1 MILE sign may be used as an alternate to the ROAD WORK AHEAD sign and the RIGHT LANE CLOSED ½ MILE sign may be used as an alternate to the RIGHT LANE CLOSED AHEAD sign.

** 500' beyond the ROAD WORK AHEAD sign or midway between signs whichever is less.

GENERAL NOTES

1. Work operations shall be confined to one traffic lane, leaving the adjacent lane open to traffic.
2. On undivided highways the median signs as shown are to be omitted.
3. When work is performed in the median lane on divided highways, the channelizing device plan is inverted and left lane closed and lane ends signs substituted for the right lane closed and lane end signs.

   The same applies to undivided highways with the following exceptions:
   a. Work shall be confined within one median lane.
   b. Additional barricades, cones, or drums shall be placed along the centerline abutting the work area and across the trailing end of the work area.

   When work on undivided highways occurs across the centerline so as to encroach on both median lanes, the inverted plan is applied to the approach of both roadways.
4. Signs and traffic control devices are to be modified in accordance with INTERMITTENT WORK STOPPAGE details (sheet 2 of 2) when no work is being performed and the highway is open to traffic.
5. The two channelizing devices directly in front of the work area may be omitted provided vehicles in the work area have high-intensity rotating, flashing, oscillating, or strobe lights operating.
6. When paved shoulders having a width of 8 ft. or more are closed, channelizing devices shall be used to close the shoulder in advance of the merging taper to direct vehicular traffic to remain within the travel way. See Index No. 612 for shoulder taper formulas.
7. When a side road intersects the highway within the TTC zone, additional TTC devices shall be placed in accordance with other applicable TCZ Indexes.
8. This TCZ plan does not apply when work is being performed in the middle lane(s) of a six or more lane highway. See Index No. 614.
9. For general TCZ requirements and additional information, refer to Index No. 600.

DURATION NOTES

1. Temporary white edgeline may be omitted for work operations less than 3 consecutive calandar days.
2. For work operations up to approximately 15 minutes, signs, channelizing devices, arrow board, and buffer space may be omitted if all of the following conditions are met:
   a. Speed limit is 45 mph or less.
   b. No sight obstructions to vehicles approaching the work area for a distance equal to the buffer space and the taper length combined.
   c. Volume and complexity of the roadway has been considered.
   d. The closed lane is occupied by a class 5 or larger, medium duty truck(s) with a minimum gross weight vehicle rating (GWVR) of 16,001 lb with high-intensity, rotating, flashing, oscillating, or strobe lights mounted above the cab height and operating.
3. For work operations up to 60 minutes, arrow board and buffer space may be omitted if conditions a, b, and c in DURATION NOTE 2 are met, and vehicles in the work area have high-intensity, rotating, flashing, oscillating, or strobe lights operating.

SYMBOLS

- Work Area
- Sign With 18"x 18" (Min.) Orange Flag And Type B Light
- Channelizing Device (See Index No. 600)
- Work Zone Sign
- Advance Warning Arrow Board

CONDITIONS

WHERE ANY VEHICLE, EQUIPMENT, WORKERS OR THEIR ACTIVITIES ENCROACH ON THE LANE ADJACENT TO EITHER SHOULDER AND THE AREA 2' OUTSIDE THE EDGE OF TRAVEL WAY.

LAST REVISION	REVISION	DESCRIPTION:	FDOT DESIGN STANDARDS 2013	MULTILANE, WORK WITHIN TRAVEL WAY MEDIAN OR OUTSIDE LANE	INDEX NO.	SHEET NO.
07/01/09					613	1

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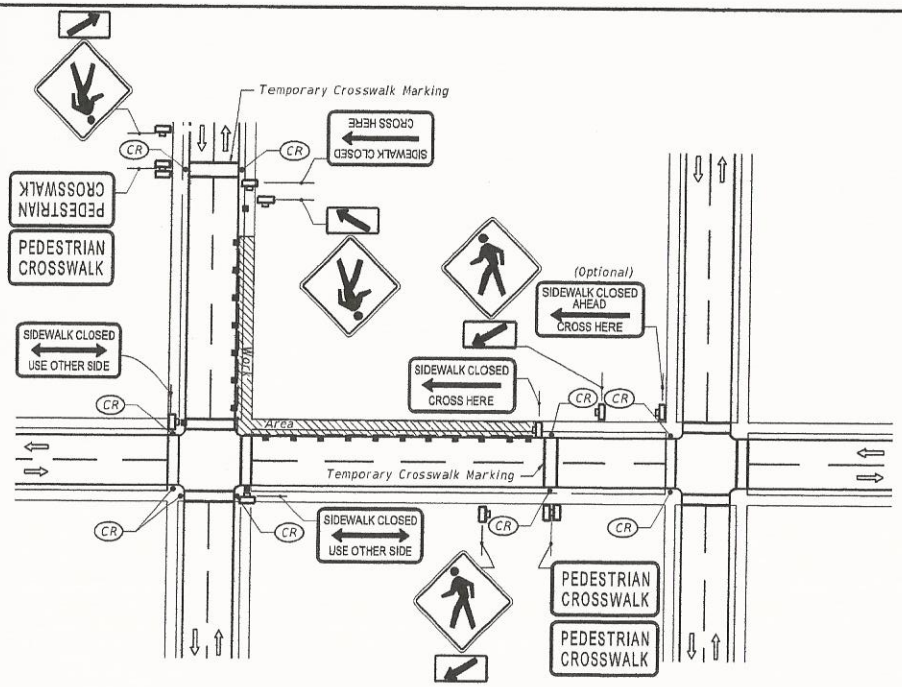
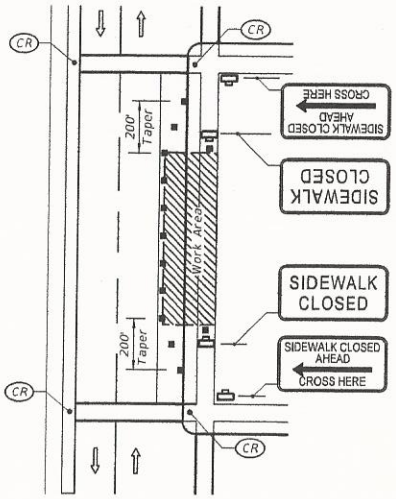
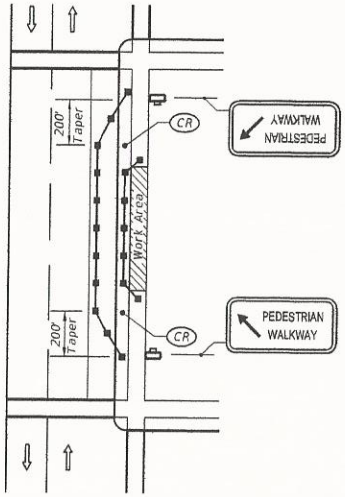


CORNER SIDEWALK CLOSURE
WITH TEMPORARY CROSSWALKS



MID-BLOCK SIDEWALK
CLOSURE



MID-BLOCK SIDEWALK CLOSURE
WITH TEMPORARY WALKWAY

GENERAL NOTES

1. Only the signs controlling pedestrian flows are shown. Other work zone signs will be needed to control traffic on the streets.
2. For spacing of traffic control devices and general TCZ requirements refer to Index No. 600. Maximum spacing between barricades, vertical panels, drums or tubular markers shall not be greater than 25'.
3. Street lighting should be considered.
4. For nighttime closures use Type A flashing warning lights on barricades supporting signs and closing sidewalks. Use Type C steady-burn lights on channelizing devices separating the work area from vehicular traffic.
5. Pedestrian traffic signal display controlling closed crosswalks shall be covered or deactivated.
6. Post Mounted Signs located near or adjacent to a sidewalk shall have a 7' minimum clearance from the bottom of sign to the sidewalk.
7. When construction activities involve sidewalks on both sides of the street, efforts should be made to stage the construction so that both sidewalks are not out of service at the same time.
8. In the event that sidewalks on both sides of the street are closed, pedestrians shall be guided around the construction zone.
9. Temporary walkways shall be a minimum of 4' wide with a maximum 0.02 cross slope and a maximum 0.05 running slope between ramps. Temporary walkways less than 5' in width shall provide for a 5' x 5' passing space at intervals not to exceed 200'. Temporary ramps shall meet the requirements for curb ramps specified in Index No. 304. Temporary walkway surfaces and ramps shall be stable, firm, slip resistant, and kept free of any obstructions and hazards such as holes, debris, mud, construction equipment, stored materials, etc.
10. Temporary ramps and temporary crosswalk markings shall be removed with reopening of the sidewalk, unless otherwise noted in the plans. All work and materials associated with constructing temporary curb ramps and temporary crosswalk markings, removal and disposal of temporary curb ramps and temporary crosswalk markings, and restoration to original condition shall be paid for as Maintenance of Traffic, Lump Sum.

SYMBOLS

- Work Area
- Channelizing Device (See Index No. 600)
- Work Zone Sign
- CR — Required Locations For Either Temporary Or Permanent Curb Ramps.
- Lane Identification + Direction of Traffic
- Pedestrian Longitudinal Channelizing Device

CONDITIONS

WHERE ANY VEHICLE, EQUIPMENT WORKERS OR THEIR ACTIVITIES ENCROACH ON THE SIDEWALK FOR A PERIOD OF MORE THAN 60 MINUTES.

LAST REVISION	REVISION	DESCRIPTION:				
07/01/12			FDOT DESIGN STANDARDS 2013	PEDESTRIAN CONTROL FOR CLOSURE OF SIDEWALKS	INDEX NO. 660	SHEET NO. 1

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APPENDIX C

Estimate of Costs

15B(22)

Estimate of Costs for Rail Retrofit Options

Items	Pay Item	6 mth (Statewide)/ft	12 mth (Statewide)/ft	Cost Used/ft	Multiplier	Cost/ft with Multiplier
Concrete Traffic Railing, Bridge, 32" F-Shape	521 5 1	$83.86	$88.23	$86.05	20%	$104.00
Concrete Traffic Railing, Bridge, 32" Vertical Face	521 5 4	$177.56	$94.36	$94.36	20%	$114.00
Concrete Traffic Railing, Bridge, Retrofit Vertical Face	521 5 8	$85.93	$85.84	$85.89	0%	$86.00
Concrete Traffic Railing, Bridge, Retrofit Vertical Face 42"	521 5 9	$120.00	$109.97	$114.99	0%	$115.00
Aluminum Bullet Railing (Triple)	460 70 3	$39.00	$41.47	$40.24	0%	$41.00
Aluminum Bullet Railing (Double)	460 70 2	$32.49	$31.03	$31.76	0%	$32.00
Panel/Picket Railing Aluminum, 42"	515 2311	-	$41.80	$41.80	0%	$42.00
Special Handrail 17"	-	-	$26.87	$26.87	20%	$33.00
Removal of Existing Barrier	521 73	-	$35.28	$35.28	0%	$36.00
Scuppers	-	-	-	$40.00	0%	$40.00

Note: The Scupper cost was based on an assumed spacing of 10' using an Installation cost of $400.00 per scupper. The price per linear foot would therefore be $400.00*(1/10)= $40.00.

Note: The multiplier is used to offset the cost of non standard details such as the use of dowels or thru bolts on the barriers.

Option 1 (F- Shape Barrier)	***Cost/ft***	***Subtotal Cost***	***MOT Cost (10%)***	***Mobilization Cost (8%)***	***Total Cost***
Concrete Traffic Railing, Bridge, 32" F-Shape	$104.00	$54,392.00			
Aluminum Bullet Railing (Triple)	$41.00	$21,443.00			
Aluminum Bullet Railing (Double)	$32.00	$16,736.00			
Scuppers	$40.00	$20,920.00			
Total	$217.00	$113,491.00	$11,349.10	$9,079.28	$133,919.38
Option 2 (Vertical Face Barrier)	***Cost/ft***	***Subtotal Cost***	***MOT Cost (10%)***	***Mobilization Cost (8%)***	***Total Cost***
Concrete Traffic Railing, Bridge, 32" Vertical Face	$114.00	$59,622.00			
Aluminum Bullet Railing (Triple)	$41.00	$21,443.00			
Aluminum Bullet Railing (Double)	$32.00	$16,736.00			
Scuppers	$40.00	$20,920.00			
Total	$227.00	$118,721.00	$11,872.10	$9,497.68	$140,090.78
Option 3 (Vertical Retrofit)	***Cost/ft***	***Subtotal Cost***	***MOT Cost (10%)***	***Mobilization Cost (8%)***	***Total Cost***
Concrete Traffic Railing, Bridge, Retrofit Vertical Face	$86.00	$44,978.00			
Special Handrail 17"	$33.00	$17,259.00			
Panel/Picket Railing Aluminum, 42"	$42.00	$21,966.00			
Removal of Existing Barrier	$36.00	$18,828.00			
Total	$197.00	$103,031.00	$10,303.10	$8,242.48	$121,576.58
Option 4 (Modified Vertical Retrofit)	***Cost/ft***	***Subtotal Cost***	***MOT Cost (10%)***	***Mobilization Cost (8%)***	***Total Cost***
Concrete Traffic Railing, Bridge, Retrofit Vertical Face 42"	$115.00	$60,145.00			
Concrete Traffic Railing, Bridge, Retrofit Vertical Face 42"	$42.00	$21,966.00			
Removal of Existing Barrier	$36.00	$18,828.00			
Total	$193.00	$100,939.00	$10,093.90	$8,075.12	$119,108.02

Approximate Bridge Length = 523 ft