

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE ADOPTION OF LEGISLATION PROHIBITING THE SALE OF SYNTHETIC CANNABINOIDS, COMMONLY KNOWN AS SYNTHETIC MARIJUANA, BY THE MIAMI-DADE COUNTY COMMISSION; PROVIDING FOR TRANSMITTAL; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

**WHEREAS**, new substances are being created which are not controlled by Federal or State law but which have a potential for abuse similar to or greater than that for controlled substances; and

**WHEREAS**, under the guise of herbal incense, products are being sold at commercial businesses in Miami-Dade County that contain chemical compounds designed as synthetic alternatives to controlled substances prohibited under Florida law; and

**WHEREAS**, synthetic cannabinoids, commonly known as synthetic marijuana, are chemically engineered substances, similar to tetrahydrocannabinol (THC), the active ingredient in marijuana, that can produce a high similar to marijuana when smoked or ingested; and

**WHEREAS**, synthetic cannabinoids have been developed over the last 30 years for research purposes to investigate how cannabinoid interacts with the human body; and

**WHEREAS**, no legitimate non-research uses have been identified for synthetic cannabinoids and they have not been approved by the U.S. Food and Drug Administration for human consumption; and

**WHEREAS**, products containing synthetic cannabinoids are particularly attractive to children and young adults due to their packaging similar to candy, their availability in small packages at convenience stores at minimal costs, as well as due to the names being given to these substances which are intended to appeal to children and young adults; and

**11E(1)**

**WHEREAS**, these products currently may be purchased legally for use as an alternative to substances otherwise regulated as controlled substances and illegal at the federal or state levels; and

**WHEREAS**, synthetic cannabinoids are typically marketed as herbal incense and also known as Spice, Fake Pot, Fake Weed or K2, among other names; and

**WHEREAS**, despite being labeled as “not for human consumption”, synthetic cannabinoids are being used as recreational drugs and have been marketed as legal and safer alternatives to illegal methods of getting high; and

**WHEREAS**, despite these claims, these substances often are many times more potent and dangerous than the illegal drugs that they mimic; and

**WHEREAS**, these substances have been found readily available to adults and youth alike at convenience stores, discount tobacco outlets, gas stations, pawnshops and tattoo parlors, among other locations, and are reportedly being used predominately by the youth population; and

**WHEREAS**, the Drug Enforcement Administration (“DEA”) has determined that the consumption of synthetic cannabinoids can have adverse health effects such as agitation, anxiety, nausea, vomiting, rapid heartbeat, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

**WHEREAS**, emergency room physicians also have reported that individuals that use synthetic cannabinoids experience serious side effects which include convulsions, seizures, anxiety attacks, combativeness, delirium, panic, dangerously elevated heart rates, increased blood pressure, vomiting and disorientation; and

**WHEREAS**, there also have been fatal overdoses which are believed to have resulted from consumption of synthetic cannabinoids; and

**WHEREAS**, the American Association of Poison Control Centers is reporting increasing calls in recent years to poison control centers across the United States related to exposure to synthetic cannabinoids, with 2,906 calls in 2010; 6,959 calls in 2011; and already 2,389 calls in the first four months of 2012; and

**WHEREAS**, the uncontrolled importation, manufacture, distribution, possession, or use of controlled substance analogs has a substantial and detrimental impact on the health and safety of the residents of the City of North Bay Village (the "City") the Miami Dade County (the "County"); and

**WHEREAS**, the County has approved on first reading, an ordinance prohibiting the sale, offer for sale, purchase with intent to sell or public display for sale, of synthetic cannabinoid herbal incense which provides for seizure, injunctive relief and penalties, which if approved will be applicable in all incorporated and unincorporated portions of Miami Dade County (the "Ordinance"); and

**WHEREAS**, the City Commission desires to support Miami-Dade County's initiative and adoption of the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY 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. Commission Action.** The City Commission of the City of North Bay Village, Florida supports the Miami Dade County Board of County Commissioners in its legislative initiate and requests that the Board of County Commissioners approve the proposed Ordinance prohibiting the sale of all synthetic cannabinoid herbal incense in both incorporated and unincorporated Miami Dade County.

**Section 3. Transmittal.** The City Clerk is hereby directed to transmit copies of this Resolution to the Miami-Dade County Mayor and Commissioners, the Miami Dade County Public Safety and Healthcare Administration Committee, and Members of the governing bodies of the local governments within Miami-Dade County.

**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 Stuart Blumberg \_\_\_\_\_  
Commissioner Richard Chervony \_\_\_\_\_  
Commissioner Paul Vogel \_\_\_\_\_

**PASSED AND ADOPTED** this \_\_\_\_ day of June, 2012.

\_\_\_\_\_  
Connie Leon-Kreps, Mayor

**ATTEST:**

\_\_\_\_\_  
Yvonne P. Hamilton, CMC  
City Clerk

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

\_\_\_\_\_  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
City Attorney

City of North Bay Village Resolution: Supporting the adoption of legislation prohibiting the sale of synthetic marijuana.

11E(4)



## City of North Bay Village

Administrative Offices

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

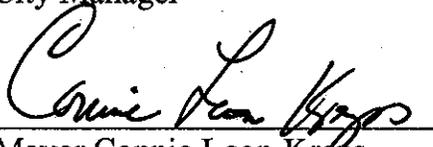
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### MEMORANDUM City of North Bay Village

**DATE:** June 6, 2012

**TO:** Dennis Kelly  
City Manager

**FROM:**

  
Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Resolution

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE ADOPTION OF LEGISLATION PROHIBITING THE SALE OF SYNTHETIC CANNABINOIDS, COMMONLY KNOWN AS SYNTHETIC MARIJUANA, BY THE MIAMI-DADE COUNTY COMMISSION; PROVIDING FOR TRANSMITTAL; AND SETTING AN EFFECTIVE DATE.**

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

**11E(5)**

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel



**MEMORANDUM**

Agenda Item No. 4(E)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 5, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Ordinance creating Section 21-22 of the Code prohibiting the sale, offer for sale, purchase with intent to sell or public display for sale of synthetic cannabinoid herbal incense; providing definitions; providing for seizure and injunctive relief; providing penalties; providing severability, inclusion in the Code, and an effective date

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp

11E(6)

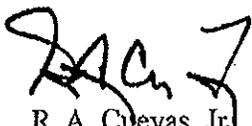


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 5, 2012

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 4(E)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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Approved \_\_\_\_\_ Mayor

Agenda Item No. 4(E)

Veto \_\_\_\_\_

6-5-12

Override \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

ORDINANCE CREATING SECTION 21-22 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC CANNABINOID HERBAL INCENSE; PROVIDING DEFINITIONS; PROVIDING FOR SEIZURE AND INJUNCTIVE RELIEF; PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, under the guise of herbal incense, products are being sold at commercial businesses in Miami-Dade County that contain chemical compounds designed as synthetic alternatives to controlled substances prohibited under Florida law; and

**WHEREAS**, synthetic cannabinoids, commonly known as synthetic marijuana, are chemically engineered substances, similar to tetrahydrocannabinol (THC), the active ingredient in marijuana, that can produce a high similar to marijuana when smoked or ingested; and

**WHEREAS**, synthetic cannabinoids have been developed over the last 30 years for research purposes to investigate how cannabinoid interacts with the human body; and

**WHEREAS**, no legitimate non-research uses have been identified for synthetic cannabinoids and they have not been approved by the U.S. Food and Drug Administration for human consumption; and

**WHEREAS**, products containing synthetic cannabinoids are particularly attractive to children and young adults due to their packaging similar to candy, their availability in small

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11E(8)

packages at convenience stores at minimal costs, as well as due to the names being given to these substances which are intended to appeal to children and young adults; and

**WHEREAS**, these products currently may be purchased legally for use as an alternative to substances otherwise regulated as controlled substances and illegal at the federal or state levels; and

**WHEREAS**, synthetic cannabinoids are typically marketed as herbal incense and also known as Spice, Fake Pot, Fake Weed or K2, among other names; and

**WHEREAS**, despite being labeled as "not for human consumption", synthetic cannabinoids are being used as recreational drugs and have been marketed as legal and safer alternatives to illegal methods of getting high; and

**WHEREAS**, despite these claims, these substances often are many times more potent and dangerous than the illegal drugs that they mimic; and

**WHEREAS**, these substances have been found readily available to adults and youth alike at convenience stores, discount tobacco outlets, gas stations, pawnshops and tattoo parlors, among other locations, and are reportedly being used predominately by the youth population; and

**WHEREAS**, synthetic cannabinoids are abused typically by smoking; and

**WHEREAS**, the Drug Enforcement Administration ("DEA") has determined that the consumption of synthetic cannabinoids can have adverse health effects such as agitation, anxiety, nausea, vomiting, rapid heartbeat, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

**WHEREAS**, emergency room physicians also have reported that individuals that use synthetic cannabinoids experience serious side effects which include convulsions, seizures,

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11E(9)

anxiety attacks, combativeness, delirium, panic, dangerously elevated heart rates, increased blood pressure, vomiting and disorientation; and

**WHEREAS**, there also have been fatal overdoses which are believed to have resulted from consumption of synthetic cannabinoids; and

**WHEREAS**, the American Association of Poison Control Centers is reporting increasing calls in recent years to poison control centers across the United States related to exposure to synthetic cannabinoids, with 2,906 calls in 2010; 6,959 calls in 2011; and already 2,389 calls in the first four months of 2012; and

**WHEREAS**, chapter 893, Florida Statutes, sets forth the Florida Comprehensive Drug Abuse Prevention and Control Act and classifies controlled substances into five schedules, which are used to regulate the manufacture, distribution, preparation and dispensing of the substances listed therein; and

**WHEREAS**, the distinguishing factors between the different drug schedules are the potential for abuse of the substance listed in each schedule and whether there is a currently accepted medical use for the substance; and

**WHEREAS**, Schedule I substances have a high potential for abuse and have no currently accepted medical use in the U.S., such as cannabis, tetrahydrocannabinol (also known as THC), and heroin; and

**WHEREAS**, during the 2011 session, the Florida Legislature passed HB 39, Chapter 2011-73, Laws of Florida, which added five synthetic cannabinoids or synthetic cannabinoid-mimicking compounds to Schedule I of Florida's controlled substance schedule, allowing law enforcement officials and prosecutors to arrest and prosecute the possession and sale of these five particular substances under Florida law:

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11E(10)

- 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol, also known as CP 47,497 and its dimethyloctyl (C8) homologue6
- (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210
- 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018
- 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073
- 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, also known as JWH-2007 ; and

**WHEREAS**, following passage of HB 39, chemists reconfigured the particular synthetic cannabinoids and synthetic cannabinoid-mimicking compounds made illegal by HB 39, and marketed new products that were not illegal under Florida law; and

**WHEREAS**, in some cases, these new products went so far as to list on the packaging the five particular synthetic cannabinoids or synthetic cannabinoid-mimicking compounds made illegal by HB 39 and indicate that the product was not one of those substances; and

**WHEREAS**, during the 2012 session, the Legislature passed HB 1175, Chapter 2012-23, Laws of Florida, which added dozens of additional synthetic cannabinoids and synthetic cannabinoid-mimicking compounds to Schedule I of Florida's controlled substance schedule; and

**WHEREAS**, it is anticipated that drug designers and chemists will again take the particular chemical compounds that the Legislature made illegal during the 2012 session and reconfigure the molecular structure of the compounds resulting in a similar structural make up and effect, but new and different chemical compounds not listed as a controlled substance in Chapter 893 and therefore not illegal; and

**WHEREAS**, these new synthetic cannabinoids and synthetic cannabinoid-mimicking compounds likely will nonetheless carry the same or perhaps even further heightened dangers associated with illegal drugs; and

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11E(11)

**WHEREAS**, section 893.035, Florida Statutes grants Florida's Attorney General rulemaking authority to add new substances to Florida's schedules of controlled substances, but the rulemaking process can take time; and

**WHEREAS**, this Board desires to act quickly to make illegal those new synthetic cannabinoids and synthetic cannabinoid-mimicking compounds that drug designers and chemists create to mimic the effects of illegal drugs,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 21-22 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

**SECTION 21-22**

**Sec. 21-22. Sale, offer for sale, purchase with intent to sell and public display for sale of synthetic cannabinoid herbal incense prohibited**

- a. **Purpose and intent.** The Miami-Dade County Board of County Commissioners finds and declares that the products and synthetic substances described hereunder are commonly used as alternatives to marijuana. The Board further finds that these synthetic substances are particularly appealing to youth, and that these synthetic substances are potentially dangerous to users in the short term and that the long term effects are not yet known. The Board finds that the products which contain these synthetic substances often use a disclaimer that the product is "not for human consumption" to avoid regulations requiring the manufacturer to list the product's active ingredients. The Board finds drug designers and chemists can quickly create new synthetic drugs once federal or state law makes a particular synthetic drug illegal. As such, the Board finds there is a need to declare illegal the sale, offer for sale, purchase with intent to sell and public display for sale of synthetic substances that mimic illegal controlled substances that have not yet themselves been categorized as

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11EL12

illegal controlled substances under federal or state law. The Board further finds that it is proper and necessary for the Board to exercise its authority to safeguard and protect the public health, safety and welfare by taking this action.

- b. **Application.** This section shall be applicable in the incorporated and unincorporated areas of Miami-Dade County, with the enforcement of the provision of this section in the unincorporated area being the responsibility of Miami-Dade County and in the incorporated area being the responsibility of the respective municipalities.
- c. **Preemption.** This section shall not preempt any municipal ordinance governing this subject area that is more stringent than this ordinance or that declares illegal a substance that is not declared illegal by this ordinance.
- d. **Definitions.** For purposes of this section, the following terms apply:
1. "Structurally similar" as used in this section shall mean chemical substitutions off a common chemical backbone associated with synthetic cannabinoids or synthetic cannabinoid-mimicking compounds listed in the controlled substance schedules in chapter 893, Florida Statutes, as amended, or otherwise prohibited by federal or state law.
  2. "Synthetic cannabinoid herbal incense" as used in this section shall mean aromatic or nonaromatic plant material containing a synthetic drug, or to which a synthetic drug has been sprayed, applied or otherwise added, that is distributed in a loose, leafy, powder or granular form or in a compressed block or blocks that can be crushed to result in a powder or granular form, and can be placed into a pipe, cigarette paper or drug paraphernalia for purposes of ingestion by smoking, inhaling or other method.
  3. "Synthetic drug" as used in this section shall mean any chemical or mixture of chemicals, however packaged, that is structurally similar to synthetic cannabinoids or synthetic cannabinoid-mimicking compounds listed in the controlled substance schedules in chapter 893, Florida Statutes, or otherwise prohibited by federal or state law. "Synthetic drug" also shall include any chemical or mixture of chemicals, however packaged, that mimics the effects of tetrahydrocannabinol (also known as THC), the main active ingredient found in marijuana. Packaging that indicates or implies that a product mimics the effects of marijuana, such as "fake

weed” or “fake pot”, shall create a presumption that the product mimics the effects of tetrahydrocannabinol. “Synthetic drug” shall not include any substance currently listed in the controlled substance schedules in chapter 893, Florida Statutes, or otherwise prohibited by federal or state law.

- e. **Sale, offer for sale and purchase with intent to sell synthetic cannabinoid herbal incense prohibited.** It shall be unlawful for any store owner, store manager, store purchasing agent or other person to sell, offer for sale or purchase with intent to sell any synthetic cannabinoid herbal incense as defined herein.
- f. **Public display for sale of synthetic cannabinoid herbal incense prohibited.** It shall be unlawful for any store owner, store manager, store purchasing agent or other person to publicly display for sale any synthetic cannabinoid herbal incense as defined herein.
- g. **Affirmative defense.** It shall be an affirmative defense to prosecution of a violation of this section if the sale, offer for sale or public display for sale of synthetic cannabinoid herbal incense is pursuant to the direction or prescription of a licensed physician or dentist authorized in the State of Florida to direct or prescribe such act.
- h. **Seizure and destruction of synthetic cannabinoid herbal incense.** Synthetic cannabinoid herbal incense prohibited herein may be seized by law enforcement officers and may be destroyed in the same manner used to destroy narcotics and contraband substances, after its use for evidentiary purposes in any judicial proceeding is no longer required.
- i. **Injunctive relief.** Miami-Dade County shall have the authority to seek an injunction against any person or business violating the provisions of this section. In any action seeking an injunction, Miami-Dade County shall be entitled to collect its enforcement expenses, including forensic costs, law enforcement costs and reasonable attorney fees and costs incurred at trial and on appeal.
- j. **Subsequent federal or state action.** If Congress or a federal agency amends federal law to include a particular substance or otherwise enacts or amends a federal law providing for criminal penalties for the prohibitions of substances set forth in this ordinance, then upon the

effective date of such enactment or amendment, the provisions of this ordinance addressed by federal law shall no longer be deemed effective. Any violations of this ordinance committed prior to the Congress or a federal agency enacting a federal law may be prosecuted.

If the Florida Legislature amends the controlled substance schedules in section 893.01, Florida Statutes, to include a particular substance or otherwise enacts, or amends a state statute providing for criminal penalties for the prohibitions of substances set forth in this ordinance, then upon the effective date of such enactment or amendment, the provisions of this ordinance addressed by the state statute shall no longer be deemed effective.

If the Florida Attorney General pursuant to the rulemaking authority provided in Chapter 893 adds a particular substance to the controlled substance schedules in section 893.01, Florida Statutes, then upon the effective date of such enactment or amendment, the provisions of this ordinance addressed by the state statute shall no longer be deemed effective. Any violations of this ordinance committed prior to the Florida Legislature enacting such a statute or the Florida Attorney General promulgating rules may be prosecuted.

- k. **Penalty.** Any store owner, store manager, store purchasing agent or other person violating any provision of this section shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed sixty (60) days in the County jail, or by both such fine and imprisonment.

**Section 2.** Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 8CC-10. Schedule of civil penalties.**

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
>> <u>21-22</u>	<u>Sale, offer for sale, purchase with intent to sell or public display for sale of synthetic cannabinoid herbal incense</u> <<	<u>\$500.00</u>

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 4.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 5.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Jess M. McCarty

Prime Sponsor:

Chairman Joe A. Martinez

11 11E(14)

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA ACCEPTING/DENYING THE REQUEST BY NORTH BAY VILLAGE INVESTMENT TRUST, LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. 10-001 AND UTILITY COSTS AND PENALTIES; DIRECTING THE CITY MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY)**

**WHEREAS**, the City of North Bay Village (“the City”) Special Master issued an Order of Enforcement against North Bay Village Investment Trust, LLC (“Violator) as a result of citations issued by the Code Compliance Officer for failure to maintain the property at 1755 – 79<sup>th</sup> Street Causeway in accordance with Section 94.021(A)(3) of the City’s Code of Ordinances; and

**WHEREAS**, the Violator subsequently corrected the violation but failed to pay the penalties; and

**WHEREAS**, the Violator had incurred a fine of \$163,475; and

**WHEREAS**, the City of North Bay Village notified the Violator of unpaid utility service charges including penalties for \$36,369.86 which constitute a violation of Chapters 51, 52, 53, and 94 of the City of North Bay Village Code of Ordinances; and

**13A(1)**

WHEREAS, the Violator has requested that the City reduce the fines, and the City Manager, having reviewed the file, has recommended that the City Commission reduce the code enforcement fine from \$163,475 to \$8,173.75 and the utility fines from \$36,369.86 to 5,4014.37.

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

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

**Section 2. Reduction of Fine.** The civil penalty/fine for Code Compliance Case No. 10-011 is reduced to \$\_\_\_\_\_ and the utility fees and fines are reduced to \$\_\_\_\_\_ and are to be paid in full.

**Section 3. Release of Lien.** The City Clerk is directed to prepare the necessary documents to release the lien filed with Miami-Dade County Clerk of the Court upon payment in full of the reduced fines.

**Section 4. Conditions.** The following conditions shall apply and shall be incorporated into the settlement stipulation:

1. In the event the reduced fine is not paid within sixty (60) days of the effective date of this Resolution, the original fine amount shall be re-instated and continue to accrue interest as if this Resolution had not existed.

2. \_\_\_\_\_

**Section 5. Effective Date.** This Resolution shall be effective immediately upon

13A(2)

adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

A motion to adopt the foregoing Resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

FINAL VOTE AT ADOPTION

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Stuart Blumberg	_____
Commissioner Richard Chervony	_____
Commissioner Paul Vogel	_____

\_\_\_\_\_  
 Connie Leon-Kreps  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Yvonne P. Hamilton, CMC  
 CITY CLERK

Approved as to form and legality for the use and benefit of the City of North Bay Village only:

\_\_\_\_\_  
 Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L.  
 CITY ATTORNEY

City of North Bay Village Resolution: Reduction of Fines/Penalties-North Bay Village Investment Trust, LLC/1755 – 79<sup>th</sup> Street Causeway

13A(3)



## City of 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

To: The Honorable Mayor and City Commission

From: Dennis W. Kelly, City Manager

Date: June 6, 2012

Subject: Lien/Utility Costs Settlement Proposal-1755 Kennedy Causeway

During the City Commission meeting of May 8, 2012, this item was postponed to the June 12, 2012 meeting pending additional discussions with Mr. Michael Rose, Esq., representing the owners of 1755 Kennedy Causeway and to address additional calculations regarding the liens and utility costs applicable to that property. One of the issues that justified the postponement was staff discovered that compliance letters were not routinely issued when a property owner abated their respective violation. Subsequently, liens would keep tolling long after a violation was abated and as a result we see these huge liens throughout the community. Some are justified, but when others approach us with written confirmation(s) that they attempted to contact the city that their violation had been corrected they were receiving nothing in return. This problem has now been corrected and the Code Enforcement Officer has started and will continue to issue confirming compliance letters to a property owner once a violation has been abated.

In order to correct Mr. Rose's situation, Mr. Maurice Murray submitted a compliance letter dated May 29, 2012 (copy attached) via certified mail, thus stopping the tolling of the lien established May 19, 2010. Mr. Rose is contending he sent at least two written notices, **within the fifteen (15) day** requirement, that he cleaned up his property and was in compliance but received nothing back from the city (this supposedly occurred under a different Code Enforcement Officer from Mr. Murray).

In addition to the Code Enforcement Lien, there is the question of outstanding utility bills. See the attached memo from Wrains to Kelly dated June 5, 2012 for a summary of those bills. Included in that same memo are just a few examples of previous overdue utility bills and accompanying penalties and the settlements that [past] City Managers and [past] Finance Directors agreed to waive or negotiate down. We have no evidence that two of these examples came before the City Commission for their approval.

Because the City did not have a compliance notification practice or a policy in place at the time of Mr. Rose's violations, it is the City Manager's revised recommendation that Mr. Rose, on

Mayor  
Connie Leon-Kreps

Vice-Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel

13A(4)

behalf of his client, be required to pay, at a minimum, five (5%) percent of the outstanding lien amount identified in Mr. Murray's memo of May 29, 2012. Subsequently, that would be  $.05 \times \$163,475.00$  which equals \$8,173.75.

As to the outstanding utility bills it is recommended he pay the charges due of \$3,380.59 and five (5%) percent of the Penalties Due as identified in Mr. Wrain's memo of June 5, 2012. Thus, it would be  $.05 \times \$40,679.67$  which equals \$2,033.98 plus \$3,380.59 for a subtotal of \$5,414.57.

The Lien settlement recommendation of \$8,173.75 plus the Utility settlement recommendation of \$5,414.57 would be a grand total of \$13,588.32. Combined with the past practice of the City in settling outstanding utility bills and our failure to have a lien compliance notification policy in place provides some justification to rationalize these costs to the best of our ability. These recommendations must have, for now and all future settlements, Commission approval.

Thank you for your patience in this matter as I am available at your convenience should you care to discuss this matter in more detail.

**13A(5)**



## City of North Bay Village

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

To: Dennis Kelly, City Manager  
From: Bert Wrains, CGFO Interim Finance Director  
Re: Utility Customer Adjustments  
Date: June 5, 2012

The City is currently meeting with the property owner for the vacant property at 1755 Kennedy Causeway. The current utility bill shows the following amounts owed.

<u>SERVICES PROVIDED</u>	<u>Charges Due</u>	<u>Penalties Due</u>	<u>Total Due</u>
Water Services	\$ 185.39	\$15,812.83	\$15,998.22
Sewer Services	\$ 194.16	\$15,614.37	\$15,808.53
DERM Fees	\$ 28.49	\$ 2,292.52	\$ 2,320.51
Sanitation Fees	\$ 761.91	\$ 2,394.47	\$ 3,516.38
Stormwater Fees	\$ 2,210.64	\$ 4,565.98	\$ 6,824.55
<b>TOTAL DUE</b>	<b>\$ 3,380.59</b>	<b>\$ 40,679.67</b>	<b>\$44,108.19</b>

I researched several utility accounts that have had large credits approved by the City Manager and Finance Director in the past. The first one listed was approved by the City Commission.

1450 South Treasure Drive - In June and July 2010 the customer paid \$8,762.89 in delinquent charges and the City granted a credit of \$8,682.89 and a credit \$1,736.58. With these payments and credits the account was brought current as of July 28, 2010.

1455 North treasure Drive - In April 2007 the City removed penalties from this account in the total amount of \$ 119,545.60. At the time the total owed on this account was \$122,976.44. The property owner paid the balance off in the month of April 2007.

Grand View Palace - In 2007 this account was accruing penalties totaling \$4,000 to \$6,000 per month on prior unpaid charges. They were paying the current portion of the utility bill but not the prior unpaid charges. This account was given credit adjustments in September 2007 totaling \$127,820.57. They continued to pay the current charges and in January 2008 the account was paid in full.

These are the major utility account adjustment over the past 5 years. They do not include any Code violation liens.

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Richard Chervony

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Paul Vogel

**13A(6)**



# NORTH BAY VILLAGE POLICE DEPARTMENT

## LETTER OF COMPLIANCE

May 29, 2012,

Michael Rose P.A.  
North Bay Village Investment Trust, LLC  
Museum Tower, Suite 1525  
150 West Flagler Street,  
Miami,  
Florida 33130

VIA CERTIFIED MAIL  
7011 3500 0000 2124 7294

Re: Special Master Case # 10-0011

Dear Mr. Rose,

Your property located at 1755 79<sup>th</sup> Street Causeway was re-inspected on March 20, 2012 and found to be in full compliance with the Special Master order dated May 19, 2010.

With March 19, 2012 as your compliance date there remains due to the City of North Bay Village accrued fines and charges of \$163,475.00 (one hundred and sixty three thousand, four hundred and seventy five dollars). The fines have stopped accruing as of the compliance date and the recorded lien will remain in place until this case is settled and eventually closed. Payment is to be made to the City of North Bay Village.

Thank you for your cooperation.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Murray".

Maurice Murray  
Inspector  
Code Enforcement Unit

C:  
Honorable Mayor and City Commission  
City Manager  
Police Chief  
City Clerk  
City Attorney

**13A(7)**



**City of 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:** April 5, 2012

**TO:** Yvonne P. Hamilton, CMC  
City Clerk

**FROM:**   
Dennis Kelly, City Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA ACCEPTING/DENYING THE REQUEST BY NORTH BAY VILLAGE INVESTMENT TRUST, LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. 10-001 AND UTILITY COSTS AND PENALTIES; DIRECTING THE CITY MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

DK:yph

**13A(8)**

Mayor  
Connie Leon-Kreps

Vice-Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel



## City of 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

To: Mayor and City Commission

From: Dennis W. Kelly, City Manager

Subject: Proposed Settlement Agreement-Michael Rose, Attorney

Date: April 4, 2012

Mr. Michael Rose, Attorney, is the representative for the parking lot property immediately west of the Best Western Hotel and Shuckers Restaurant. According to the Miami-Dade Property Appraiser's on line records, the property is owned by North Bay Village Investment Trust, LLC, 150 W. Flagler Street, Suite 1525, Miami, FL 33130-1557. The property currently has a Code Enforcement lien of \$163,475; there are currently \$36,369.86 for utility charges and penalties.

The Utility Charges of \$36,369.86 are comprised of \$32,382.37 in penalties leaving a net bill of actual usage/charges of \$3,987.49 (rounded to \$4,000.00). The net cost of the Code Enforcement Lien, including staff inspection time, complaint processing and time before the magistrate are approximately \$2,000.00. The balance of the Code Enforcement Lien is daily penalties that have been running at \$250.00 per day for about the past year and half.

Mr. Rose has represented himself and his client as preparing the property for development. For historical reference a site plan for a 22 story, 173 unit condominium was submitted in December, 2004, for this same property. In order to have clear title to the property Mr. Rose needs to resolve payment of the liens and outstanding utility payments and penalties. On Wednesday, April 4, 2012, Mr. Rose met with the City Manager, Finance Director and Code Enforcement Officer in an effort to negotiate down and waive as much of the Lien cost and utility penalties in order to gain clear title.

Mayor  
Connie Leon-Kreps

Vice-Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel

13A(9)

Based on our discussions, staff is prepared to recommend the following:

1. Require Mr. Rose to pay the direct utility cost of \$3,987.49.
2. Waive the lien and reimburse the City for the Code Enforcement Officers cost of about \$2,000.00.
3. Revise the utility penalty to \$2,000.00.

Total settlement cost would equal: \$7,987.49. Thank you for your attention to this matter.

**13A(10)**

**MICHAEL I. ROSE, P.A.**

A T T O R N E Y S   A T   L A W

MUSEUM TOWER, SUITE 1525  
150 WEST FLAGLER STREET  
MIAMI, FLORIDA 33130

TELEPHONE (305) 373-6300  
FACSIMILE (305) 373-1030  
E-MAIL MIROSE@MIRLEGAL.COM

VIA EMAIL TO: [dkelly@nbvillage.com](mailto:dkelly@nbvillage.com)

April 4, 2012

Dennis Kelly, City Manager  
City of North Bay Village  
1700 Kennedy Causeway, Suite 132  
North Bay Village, FL 33141

Re: North Bay Village Investment Trust, LLC  
Property Address: 1755 79st Causeway  
North Bay Village, FL

Dear Mr. Kelly:

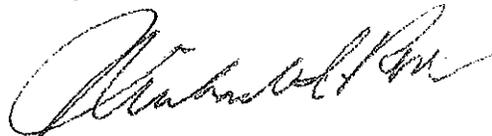
Thank you for the opportunity of allowing me to meet with yourself, Maurice Murray, and Gerard Pirri today to discuss the issues concerning the above referenced property.

It was determined that there are outstanding storm water and sanitation bills which are approximately \$4,000, and that a penalty in the amount of \$2,000 would be acceptable to resolve the accounts. Further, Mr. Pirri would provide a copy of the code section indicating the exact amount of the storm water and sanitation fees that were utilized in determining these amounts.

Also, it was agreed a penalty in the amount of \$2,000 would be paid to resolve all pending code enforcement liens and Mr. Murray and myself have on this day walked the property to determine what needs to be remedied going forward and have an understanding accordingly.

Your cooperation in scheduling this matter before the commission at their April 10, 2012 meeting in order that I am able to request that our agreement as set forth herein be ratified, will be greatly appreciated.

Very truly yours,



MICHAEL I. ROSE

MIR:mm

**13A(11)**

**CITY OF NORTH BAY VILLAGE  
CODE ENFORCEMENT DIVISION  
STATE OF FLORIDA**

**IN THE MATTER OF:**

**CASE NO. 10-0011**

North Bay Village Investment Trust, LLC  
1755 - 79<sup>th</sup> Street Causeway  
North Bay Village, FL 33141

**ORDER OF ENFORCEMENT**

This cause having come before the Code Enforcement Special Master of the City of North Bay Village, on May 19, 2010, at a violation hearing, the Special Master having heard the testimony and the evidence presented, does hereby make the following finds of fact, conclusions of law, and imposes the following fine:

**1. FINDINGS OF FACT:**

The violator was properly served with notice of these proceedings as required by law.

That the real property under which the violation occurred is described as:

Legal Description: 1755 - 79<sup>th</sup> Street Causeway  
E300 Feet of Treasure Island, Lying North  
of 79<sup>th</sup> Street Causeway, PER DB 4117-513  
North Bay Village, Florida 33141

Zoning Classification: CG, General Commercial District

Parcel I.D. No. 23-3209-000-0110

That the violator identified in the citation is the owner of the above-described real property.

Yvonne P. Hornett, CITY CLERK OF THE  
CITY OF NORTH BAY VILLAGE HEREBY CERTIFY  
THIS TO BE A TRUE AND EXACT COPY  
OF THE ORIGINAL THEREOF MAINTAINED IN THE  
FILES OF THIS OFFICE

DATED THIS 25<sup>th</sup> DAY OF October, 2010

SIGNED Yvonne P. Hornett

1  
**13A(12)**

Failure to perform required lot maintenance, thereby allowing overgrowth of grass and weeds over eight (8) inches in height.

The unlawful maintenance of junk, trash, and dirt mounds on the property.

**2. CONCLUSION OF LAW:**

That the violator identified above violated Sections 94.021(A)(1) and 94.021(A)(3) of the City of North Bay Village Code of Ordinances, by virtue of the facts set forth above.

That this Order of Enforcement is hereby warranted.

**3. IMPOSITION OF FINE:**

A \$400 fine and administrative cost in the amount of \$75.00 as authorized by law are hereby imposed.

Failure to clear the property within 15 days of this Order, May 19, 2010, will result in a continuing fine in the amount of \$250 for each day that the violation continues to exist on the above-described property.

**FUTURE VIOLATIONS OF SECTIONS 94.021(A)(1) AND 94.021(A)(3) OF THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES ON ANY PROPERTY OWNED BY THE ALLEGED VIOLATOR WITHIN THE CITY OF NORTH BAY VILLAGE MAY BE CITED AS REPEAT VIOLATIONS, PURSUANT TO FLORIDA STATUTE 162.06 AND 162.09 AND SUBJECT TO A FINES NOT TO EXCEED \$500 PER DAY.**

**DONE AND ORDERED** at North Bay Village, Miami-Dade County, Florida on May 19, 2010.

I, Yvonne P. Hunt, CITY CLERK OF THE CITY OF NORTH BAY VILLAGE HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL THEREOF MAINTAINED IN THE FILES OF THIS OFFICE

DATED THIS 20th DAY OF October 2010

SIGNED Yvonne P. Hunt

**13A(13)**

CODE ENFORCEMENT DIVISION

By: *Norman Powell*  
NORMAN POWELL, ESQ.  
SPECIAL MASTER

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Norman Powell, to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that he executed said instrument.

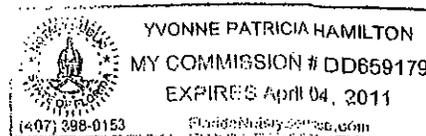
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Miami-Dade County, Florida, this 21st day of June, 2010.

*James P. Hamilton*  
Notary Public  
State of Florida at Large

My Commission Expires: \_\_\_\_\_

(Notary Seal)

*Yvonne Patricia Hamilton*, CITY CLERK OF THE CITY OF NORTH BAY VILLAGE HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL THEREOF MAINTAINED IN THE FILES OF THIS OFFICE  
DATED THIS 21st DAY OF June 2010  
SIGNED *Yvonne Patricia Hamilton*



13A(14)

04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
12/30/2010	Utility Bill - Batch 00000421	01/31/2011	BI	114.71				40184.19
01/31/2011	Penalty	02/01/2011	PN				4018.42	44202.61
01/31/2011	Utility Bill - Batch 00000439	02/28/2011	BI	114.71				44317.32
03/04/2011	Penalty	03/04/2011	PN				4431.73	48749.05
02/28/2011	Utility Bill - Batch 00000470	03/31/2011	BI	114.71				48863.76
04/04/2011	Penalty	04/04/2011	PN				4886.38	53750.14
03/31/2011	Utility Bill - Batch 00000489	04/29/2011	BI	114.71				53864.85
04/29/2011	Adjustment NO SAN-ERROR BILL	08/31/2007	AJ			253.97-		53610.88
04/29/2011	Adjustment NO SAN-ERROR BILL	09/28/2007	AJ			253.97-		53356.91
04/29/2011	Adjustment NO SAN-ERROR BILL	10/31/2007	AJ			253.97-		53102.94
04/29/2011	Adjustment NO SAN-ERROR BILL	11/30/2007	AJ			109.26-		52993.68
04/29/2011	Adjustment NO SAN-ERROR BILL	12/31/2008	AJ			114.71-		52878.97
04/29/2011	Adjustment NO SAN-ERROR BILL	01/30/2009	AJ			114.71-		52764.26
04/29/2011	Adjustment NO SAN-ERROR BILL	02/27/2009	AJ			114.71-		52649.55
04/29/2011	Adjustment NO SAN-ERROR BILL	03/31/2009	AJ			114.71-		52534.84
04/29/2011	Adjustment NO SAN-ERROR BILL	04/30/2009	AJ			114.71-		52420.13
04/29/2011	Adjustment NO SAN-ERROR BILL	05/29/2009	AJ			114.71-		52305.42
04/29/2011	Adjustment NO SAN-ERROR BILL	06/30/2009	AJ			114.71-		52190.71
04/29/2011	Adjustment NO SAN-ERROR BILL	07/31/2009	AJ			114.71-		52076.00
04/29/2011	Adjustment NO SAN-ERROR BILL	08/31/2009	AJ			114.71-		51961.29
04/29/2011	Adjustment NO SAN-ERROR BILL	09/30/2009	AJ			114.71-		51846.58
04/29/2011	Adjustment NO SAN-ERROR BILL	10/30/2009	AJ			114.71-		51731.87
04/29/2011	Adjustment NO SAN-ERROR BILL	11/30/2009	AJ			114.71-		51617.16
04/29/2011	Adjustment NO SAN-ERROR BILL	12/31/2009	AJ			114.71-		51502.45
04/29/2011	Adjustment NO SAN-ERROR BILL	01/29/2010	AJ			114.71-		51387.74
04/29/2011	Adjustment NO SAN-ERROR BILL	02/26/2010	AJ			114.71-		51273.03
04/29/2011	Adjustment NO SAN-ERROR BILL	03/31/2010	AJ			114.71-		51158.32
04/29/2011	Adjustment NO SAN-ERROR BILL	04/30/2010	AJ			114.71-		51043.61
04/29/2011	Adjustment NO SAN-ERROR BILL	05/31/2010	AJ			114.71-		50928.90
04/29/2011	Adjustment NO SAN-ERROR BILL	06/30/2010	AJ			114.71-		50814.19
04/29/2011	Adjustment NO SAN-ERROR BILL	07/30/2010	AJ			114.71-		50699.48
04/29/2011	Adjustment NO SAN-ERROR BILL	08/31/2010	AJ			114.71-		50584.77
04/29/2011	Adjustment NO SAN-ERROR BILL	09/30/2010	AJ			114.71-		50470.06
04/29/2011	Adjustment NO SAN-ERROR BILL	10/29/2010	AJ			114.71-		50355.35
04/29/2011	Adjustment NO SAN-ERROR BILL	11/30/2010	AJ			114.71-		50240.64
04/29/2011	Adjustment NO SAN-ERROR BILL	12/31/2010	AJ			114.71-		50125.93
04/29/2011	Adjustment NO SAN-ERROR BILL	01/31/2011	AJ			114.71-		50011.22
04/29/2011	Adjustment NO SAN-ERROR BILL	02/28/2011	AJ			114.71-		49896.51
04/29/2011	Adjustment NO SAN-ERROR BILL	03/31/2011	AJ			114.71-		49781.80
04/29/2011	Adjustment NO SAN-ERROR BILL	04/29/2011	AJ			114.71-		49667.09
04/29/2011	Adjustment NO SN PN-BILL ERROR	09/05/2007	AJ			101.59-		49565.50
04/29/2011	Adjustment NO SN PN-BILL ERROR	10/01/2007	AJ			126.99-		49438.51
04/29/2011	Adjustment NO SN PN-BILL ERROR	11/01/2007	AJ			152.38-		49286.13
04/29/2011	Adjustment NO SN PN-BILL ERROR	12/03/2007	AJ			163.31-		49122.82
04/29/2011	Adjustment NO SN PN-BILL ERROR	01/02/2008	AJ			163.31-		48959.51
04/29/2011	Adjustment NO SN PN-BILL ERROR	02/01/2008	AJ			163.31-		48796.20
04/29/2011	Adjustment NO SN PN-BILL ERROR	03/03/2008	AJ			163.31-		48632.89
04/29/2011	Adjustment NO SN PN-BILL ERROR	01/31/2009	AJ			304.91-		48327.98
04/29/2011	Adjustment NO SN PN-BILL ERROR	03/02/2009	AJ			346.87-		47981.11
04/29/2011	Adjustment NO SN PN-BILL ERROR	04/01/2009	AJ			393.03-		47588.08
04/29/2011	Adjustment NO SN PN-BILL ERROR	05/01/2009	AJ			443.80-		47144.28
04/29/2011	Adjustment NO SN PN-BILL ERROR	06/01/2009	AJ			499.65-		46644.63
04/29/2011	Adjustment NO SN PN-BILL ERROR	07/01/2009	AJ			561.09-		46083.54
04/29/2011	Adjustment NO SN PN-BILL ERROR	08/03/2009	AJ			628.67-		45454.87
04/29/2011	Adjustment NO SN PN-BILL ERROR	09/01/2009	AJ			703.01-		44751.86

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04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
04/29/2011	Adjustment NO SN PN-BILL ERROR	10/01/2009	AJ			784.78-		43967.08
11/02/2009	Adjustment NO SN PN-BILL ERROR	11/02/2009	AJ			874.73-		43092.35
04/29/2011	Adjustment NO SN PN-BILL ERROR	12/02/2009	AJ			973.67-		42118.68
04/29/2011	Adjustment NO SN PN-BILL ERROR	01/04/2010	AJ			1082.51-		41036.17
04/29/2011	Adjustment NO SN PN-BILL ERROR	02/02/2010	AJ			1202.23-		39833.94
04/29/2011	Adjustment NO SN PN-BILL ERROR	03/02/2010	AJ			1333.93-		38500.01
04/29/2011	Adjustment NO SN PN-BILL ERROR	04/01/2010	AJ			1478.79-		37021.22
04/29/2011	Adjustment NO SN PN-BILL ERROR	05/04/2010	AJ			1638.14-		35383.08
04/29/2011	Adjustment NO SN PN-BILL ERROR	06/04/2010	AJ			1813.43-		33569.65
04/29/2011	Adjustment NO SN PN-BILL ERROR	07/01/2010	AJ			2006.24-		31563.41
04/29/2011	Adjustment NO SN PN-BILL ERROR	08/04/2010	AJ			2218.33-		29345.08
04/29/2011	Adjustment NO SN PN-BILL ERROR	09/01/2010	AJ			2451.64-		26893.44
04/29/2011	Adjustment NO SN PN-BILL ERROR	10/04/2010	AJ			2708.27-		24185.17
04/29/2011	Adjustment NO SN PN-BILL ERROR	11/02/2010	AJ			2990.57-		21194.60
04/29/2011	Adjustment NO SN PN-BILL ERROR	12/02/2010	AJ			3301.10-		17893.50
04/29/2011	Adjustment NO SN PN-BILL ERROR	01/03/2011	AJ			3642.68-		14250.82
04/29/2011	Adjustment NO SN PN-BILL ERROR	02/01/2011	AJ			4018.42-		10232.40
04/29/2011	Adjustment NO SN PN-BILL ERROR	03/04/2011	AJ			4431.73-		5800.67
04/29/2011	Adjustment NO SN PN-BILL ERROR	04/04/2011	AJ			4886.38-		914.29
05/04/2011	Penalty	05/04/2011	PN				91.43	1005.72
06/03/2011	Penalty	06/03/2011	PN				100.57	1106.29
07/01/2011	Penalty	07/01/2011	PN				110.63	1216.92
08/03/2011	Penalty	08/03/2011	PN				121.69	1338.61
09/01/2011	Penalty	09/01/2011	PN				133.86	1472.47
10/03/2011	Penalty	10/03/2011	PN				147.25	1619.72
11/02/2011	Penalty	11/02/2011	PN				161.97	1781.69
12/02/2011	Penalty	12/02/2011	PN				178.17	1959.86
01/03/2012	Penalty	01/03/2012	PN				195.99	2155.85
02/02/2012	Penalty	02/02/2012	PN				215.59	2371.44
03/02/2012	Penalty	03/02/2012	PN				237.14	2608.58
	Sanitation Totals			6991.43	2158.75	52975.96-	50751.86	2608.58
11/09/2006	Adjustment NSF CK#8964		AJ			300.00		300.00
11/09/2006	Adjustment NSF CK FEE		AJ			40.00		340.00
01/04/2007	Check CK#8989		PY		340.00			.00
01/17/2007	Adjustment RET CK# 8989		AJ			2466.17		2466.17
01/17/2007	Adjustment NSF FEE		AJ			124.91		2591.08
02/05/2007	Check CK#263444853		PY		1884.19			706.89
02/16/2007	Check CK#0096		PY		355.86			351.03
03/20/2007	Check CK#1001		PY		351.03			.00
	Unapplied Cash - Utilities Total			.00	2931.08	2931.08	.00	.00
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	1061.78				1061.78
10/02/2006	Penalty	10/02/2006	PN				106.18	1167.96
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	67.92				1235.88
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			106.18-		1129.70
11/03/2006	Penalty	11/03/2006	PN				112.97	1242.67
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	35.86				1278.53
11/06/2006	Check CK#5302219	11/03/2006	PY		112.97			1165.56
11/27/2006	Cut-Off Fee	11/27/2006	PN				20.00	1185.56
12/05/2006	Late Fee	12/05/2006	PN				116.56	1302.12
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	28.99				1331.11
12/28/2006	Cut-Off Fee	12/28/2006	PN				20.00	1351.11
01/03/2007	Late Fee	01/03/2007	PN				2.90	1354.01
01/31/2007	Utility Bill - Batch 00000089	01/31/2007	BI	24.41				1378.42
01/04/2007	Check CK#8989	09/29/2006	PY		1061.78			316.64
01/04/2007	Check CK#8989	10/31/2006	PY		67.92			248.72

13A(14)

04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
01/04/2007	Check CK#8989	11/30/2006	PY		35.86			212.86
12/05/2006	Check CK#8989	12/05/2006	PY		116.56			96.30
01/04/2007	Check CK#8989	01/03/2007	PY		2.90			93.40
01/04/2007	Check CK#8989	11/27/2006	PY		20.00			73.40
01/04/2007	Check CK#8989	12/28/2006	PY		20.00			53.40
01/17/2007	Adjustment RET CK# 8989	12/29/2006	AJ			28.99		82.39
02/06/2007	Late Fee	02/06/2007	PN				2.44	84.83
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	28.99				113.82
02/05/2007	Check CK#263444853	12/29/2006	PY		57.98			55.84
02/05/2007	Check CK#263444853	01/31/2007	PY		24.41			31.43
02/16/2007	Check CK#0096	02/28/2007	PY		28.99			2.44
02/16/2007	Check CK#0096	02/06/2007	PY		2.44			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	31.28				31.28
03/20/2007	Check CK#1001	03/30/2007	PY		31.28			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	63.34				63.34
04/27/2007	Check CK#1005	04/30/2007	PY		63.34			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	33.57				33.57
06/04/2007	Penalty	06/04/2007	PN				3.36	36.93
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	63.34				100.27
06/19/2007	Cut-Off Fee	06/19/2007	PN				20.00	120.27
07/03/2007	Penalty	07/03/2007	PN				9.69	129.96
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	22.12				152.08
08/01/2007	Penalty	08/01/2007	PN				11.90	163.98
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	22.12				186.10
09/05/2007	Penalty	09/05/2007	PN				14.12	200.22
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	22.12				222.34
10/01/2007	Penalty	10/01/2007	PN				16.33	238.67
10/31/2007	Utility Bill - Batch 00000106	10/31/2007	BI	22.12				260.79
11/01/2007	Penalty	11/01/2007	PN				18.54	279.33
12/03/2007	Penalty	12/03/2007	PN				18.54	297.87
01/02/2008	Penalty	01/02/2008	PN				18.54	316.41
02/01/2008	Penalty	02/01/2008	PN				18.54	334.95
03/03/2008	Penalty	03/03/2008	PN				18.54	353.49
01/31/2009	Penalty	01/31/2009	PN				35.35	388.84
03/02/2009	Penalty	03/02/2009	PN				38.88	427.72
04/01/2009	Penalty	04/01/2009	PN				42.77	470.49
05/01/2009	Penalty	05/01/2009	PN				47.05	517.54
06/01/2009	Penalty	06/01/2009	PN				51.75	569.29
07/01/2009	Penalty	07/01/2009	PN				56.93	626.22
08/03/2009	Penalty	08/03/2009	PN				62.62	688.84
09/01/2009	Penalty	09/01/2009	PN				68.88	757.72
10/01/2009	Penalty	10/01/2009	PN				75.77	833.49
11/02/2009	Penalty	11/02/2009	PN				83.35	916.84
12/02/2009	Penalty	12/02/2009	PN				91.68	1008.52
01/04/2010	Penalty	01/04/2010	PN				100.85	1109.37
02/02/2010	Penalty	02/02/2010	PN				110.94	1220.31
03/02/2010	Penalty	03/02/2010	PN				122.03	1342.34
04/01/2010	Penalty	04/01/2010	PN				134.23	1476.57
05/04/2010	Penalty	05/04/2010	PN				147.66	1624.23
06/04/2010	Penalty	06/04/2010	PN				162.42	1786.65
07/01/2010	Penalty	07/01/2010	PN				178.67	1965.32
08/04/2010	Penalty	08/04/2010	PN				196.53	2161.85
09/01/2010	Penalty	09/01/2010	PN				216.19	2378.04
10/04/2010	Penalty	10/04/2010	PN				237.80	2615.84
11/02/2010	Penalty	11/02/2010	PN				261.58	2877.42

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04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
12/02/2010	Penalty	12/02/2010	PN				287.74	3165.16
01/03/2011	Penalty	01/03/2011	PN				316.52	3481.68
02/01/2011	Penalty	02/01/2011	PN				348.17	3829.85
03/04/2011	Penalty	03/04/2011	PN				382.99	4212.84
04/04/2011	Penalty	04/04/2011	PN				421.28	4634.12
05/04/2011	Penalty	05/04/2011	PN				463.41	5097.53
06/03/2011	Penalty	06/03/2011	PN				509.75	5607.28
07/01/2011	Penalty	07/01/2011	PN				560.73	6168.01
08/03/2011	Penalty	08/03/2011	PN				616.80	6784.81
09/01/2011	Penalty	09/01/2011	PN				678.48	7463.29
10/03/2011	Penalty	10/03/2011	PN				746.33	8209.62
11/02/2011	Penalty	11/02/2011	PN				820.96	9030.58
12/02/2011	Penalty	12/02/2011	PN				903.06	9933.64
01/03/2012	Penalty	01/03/2012	PN				993.36	10927.00
02/02/2012	Penalty	02/02/2012	PN				1092.70	12019.70
03/02/2012	Penalty	03/02/2012	PN				1201.97	13221.67
	Water Totals			1527.96	1646.43	77.19-	13417.33	13221.67
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	163.09				163.09
10/02/2006	Penalty	10/02/2006	PN				16.31	179.40
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	10.43				189.83
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			16.31-		173.52
11/03/2006	Penalty	11/03/2006	PN				17.35	190.87
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	5.51				196.38
11/06/2006	Check CK#5302219	09/29/2006	PY		163.09			33.29
11/06/2006	Check CK#5302219	10/31/2006	PY		10.43			22.86
11/06/2006	Check CK#5302219	11/03/2006	PY		17.35			5.51
12/05/2006	Late Fee	12/05/2006	PN				.55	6.06
12/29/2006	Utility Bill - Batch 00000088	12/29/2006	BI	4.45				10.51
01/03/2007	Late Fee	01/03/2007	PN				.45	10.96
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	3.75				14.71
01/04/2007	Check CK#8989	11/30/2006	PY		5.51			9.20
01/04/2007	Check CK#8989	12/29/2006	PY		4.45			4.75
01/04/2007	Check CK#8989	12/05/2006	PY		.55			4.20
01/04/2007	Check CK#8989	01/03/2007	PY		.45			3.75
02/06/2007	Late Fee	02/06/2007	PN				.38	4.13
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	4.45				8.58
02/05/2007	Check CK#263444853	01/31/2007	PY		3.75			4.83
02/16/2007	Check CK#0096	02/28/2007	PY		4.45			.38
02/16/2007	Check CK#0096	02/06/2007	PY		.38			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	4.81				4.81
03/20/2007	Check CK#1001	03/30/2007	PY		4.81			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	9.73				9.73
04/27/2007	Check CK#1005	04/30/2007	PY		9.73			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	5.16				5.16
06/04/2007	Penalty	06/04/2007	PN				.52	5.68
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	9.73				15.41
07/03/2007	Penalty	07/03/2007	PN				1.49	16.90
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	3.40				20.30
08/01/2007	Penalty	08/01/2007	PN				1.83	22.13
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	3.40				25.53
09/05/2007	Penalty	09/05/2007	PN				2.17	27.70
09/28/2007	Utility Bill - Batch 00000097	09/28/2007	BI	3.40				31.10
10/01/2007	Penalty	10/01/2007	PN				2.51	33.61
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	3.40				37.01
11/01/2007	Penalty	11/01/2007	PN				2.85	39.86

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04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
12/03/2007	Penalty	12/03/2007	PN				2.85	42.71
01/02/2008	Penalty	01/02/2008	PN				2.85	45.56
02/01/2008	Penalty	02/01/2008	PN				2.85	48.41
03/03/2008	Penalty	03/03/2008	PN				2.85	51.26
01/31/2009	Penalty	01/31/2009	PN				5.13	56.39
03/02/2009	Penalty	03/02/2009	PN				5.64	62.03
04/01/2009	Penalty	04/01/2009	PN				6.20	68.23
05/01/2009	Penalty	05/01/2009	PN				6.82	75.05
06/01/2009	Penalty	06/01/2009	PN				7.51	82.56
07/01/2009	Penalty	07/01/2009	PN				8.26	90.82
08/03/2009	Penalty	08/03/2009	PN				9.08	99.90
09/01/2009	Penalty	09/01/2009	PN				9.99	109.89
10/01/2009	Penalty	10/01/2009	PN				10.99	120.88
11/02/2009	Penalty	11/02/2009	PN				12.09	132.97
12/02/2009	Penalty	12/02/2009	PN				13.30	146.27
01/04/2010	Penalty	01/04/2010	PN				14.63	160.90
02/02/2010	Penalty	02/02/2010	PN				16.09	176.99
03/02/2010	Penalty	03/02/2010	PN				17.70	194.69
04/01/2010	Penalty	04/01/2010	PN				19.47	214.16
05/04/2010	Penalty	05/04/2010	PN				21.42	235.58
06/04/2010	Penalty	06/04/2010	PN				23.56	259.14
07/01/2010	Penalty	07/01/2010	PN				25.91	285.05
08/04/2010	Penalty	08/04/2010	PN				28.51	313.56
09/01/2010	Penalty	09/01/2010	PN				31.36	344.92
10/04/2010	Penalty	10/04/2010	PN				34.49	379.41
11/02/2010	Penalty	11/02/2010	PN				37.94	417.35
12/02/2010	Penalty	12/02/2010	PN				41.74	459.09
01/03/2011	Penalty	01/03/2011	PN				45.91	505.00
02/01/2011	Penalty	02/01/2011	PN				50.50	555.50
03/04/2011	Penalty	03/04/2011	PN				55.55	611.05
04/04/2011	Penalty	04/04/2011	PN				61.11	672.16
05/04/2011	Penalty	05/04/2011	PN				67.22	739.38
06/03/2011	Penalty	06/03/2011	PN				73.94	813.32
07/01/2011	Penalty	07/01/2011	PN				81.33	894.65
08/03/2011	Penalty	08/03/2011	PN				89.47	984.12
09/01/2011	Penalty	09/01/2011	PN				98.41	1082.53
10/03/2011	Penalty	10/03/2011	PN				108.25	1190.78
11/02/2011	Penalty	11/02/2011	PN				119.08	1309.86
12/02/2011	Penalty	12/02/2011	PN				130.99	1440.85
01/03/2012	Penalty	01/03/2012	PN				144.09	1584.94
02/02/2012	Penalty	02/02/2012	PN				158.49	1743.43
03/02/2012	Penalty	03/02/2012	PN				174.34	1917.77
	Derm Fee Totals			234.71	224.95	16.31-	1924.32	1917.77
	Grand Totals			11006.53	8535.68	49499.29-	83398.30	36369.86

## Selection Options:

Customer 00650 / 00650  
 Account / 00828  
 Bill Type UT / UT  
 Mail As Of 01/01/2001  
 Cons. Ledger Included  
 Billing History Not Included  
 Ledger Type By AR Code

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## City of 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

## ***NOTICE OF INTENT TO LIEN AND DEMAND FOR PAYMENT***

**Date:** February 29, 2012

**By Certified Mail**

**Receipt #7006 2760 0001 0681 3155**

**Name:** North Bay Village Investment LLC  
**Address:** 150 West Flagler Street, Suite 1525  
**City/State/Zip Code:** Miami, FL 33130-1557

**Legal Description:** 1755 – 79<sup>th</sup> Street Causeway (Kennedy Causeway)  
E300 Feet of Treasure Island, Lying North  
of 79<sup>th</sup> Street Causeway, PER DB 4117-513  
North Bay Village, Florida 33141

**Zoning Classification:** CG, Commercial General District

Parcel I.D. No. 23-3209-000-0110

**Current Charges:** \$30,019.94

**Lien Amount:** \$30,019.94

### **Dear Property Owner:**

Please be advised that a violation of a City of North Bay Village Code has occurred against your property. This include unpaid utility service charges, which include storm water, waste collection and disposal, and other related charges, as mandated by Chapters 51, 52, 53, and 94 of the City of North Bay Village Code of Ordinances.

Unless payment is obtained within 10 days from the date of this letter, the City of North Bay Village will have no alternative except to file a lien against the property in the amount of no less than \$30,019.94.

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel

**13A(20)**

The amount indicated above, as of the date of this letter, is subject to change due to continuing accruing penalties. Additional research and recording fees may also be assessed and will affect the total amount due and payable.

### REASONS FOR DEMAND

**(A) Failure to pay utility charges**

*Note: Please make check or money order payable to:*

*City of North Bay Village*

*1700 Kennedy Causeway, #132*

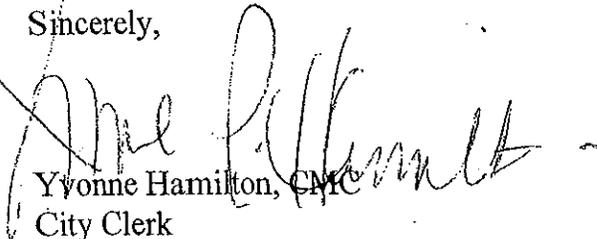
*North Bay Village, FL 33141*

To avoid placement of a lien against your property (real or personal), it is in your best interest to pay the full amount.

You may call us at (305) 756-7171; or if you prefer, fax any questions to us at (305) 756-7722. Faxes are answered within forty-eight (48) hours of receipt. Please include your name, telephone number and address.

Thank you for your prompt attention to this matter.

Sincerely,



Yvonne Hamilton, CMC  
City Clerk

**13A(21)**

10  
 14TH BAY VILLAGE INV LLC  
 W FLAGLER ST  
 SE 1525  
 4E, FL 33130

Account 00773  
 Description 1755 KENNEDY CSWY

Balance Summary					
Description	Budget	Current	Past Due	Penalty	Total
	1662.90-	.00	194.16	11683.02	11877.18
Storm Water	727.52	47.93	2066.85	2893.41	5008.19
Sanitation	55134.71-	.00	761.91	1609.53	2371.44
Water	1723.62-	.00	185.39	11834.31	12019.70
Derm Fee	241.26-	.00	28.49	1714.94	1743.43
	58034.97-	47.93	3236.80	29735.21	33019.94

Description	Transaction		Ledger	Payments	Adjustments	Penalty	Balance
	Due	Type					
Balance as of 01/01/2001							.00
/2006 Utility Bill - Batch 00000085	09/29/2006	BI	2593.85				2593.85
/2006 Penalty	10/02/2006	PN				111.28	2705.13
/2006 Penalty	10/02/2006	PN				.23	2705.36
/2006 Penalty	10/02/2006	PN				25.40	2730.76
/2006 Penalty	10/02/2006	PN				106.18	2836.94
/2006 Penalty	10/02/2006	PN				16.31	2853.25
/2006 Utility Bill - Batch 00000086	10/31/2006	BI	405.73				3258.98
/2006 Adjustment ADJ PENALTIES	10/02/2006	AJ			259.40-		2999.58
/2006 Penalty	11/03/2006	PN				118.39	3117.97
/2006 Penalty	11/03/2006	PN				.45	3118.42
/2006 Penalty	11/03/2006	PN				50.79	3169.21
/2006 Penalty	11/03/2006	PN				112.97	3282.18
/2006 Penalty	11/03/2006	PN				17.35	3299.53
/2006 Utility Bill - Batch 00000087	11/30/2006	BI	335.15				3634.68
5/2006 Check CK#5302219	09/29/2006	PY		2000.00			1634.68
3/2006 Adjustment NSF CK#8964		AJ			300.00		1934.68
3/2006 Adjustment NSF CK FEE		AJ			40.00		1974.68
1/2006 Cut-Off Fee	11/27/2006	PN				20.00	1994.68
5/2006 Late Fee	12/05/2006	PN				20.75	2015.43
5/2006 Late Fee	12/05/2006	PN				.23	2015.66
5/2006 Late Fee	12/05/2006	PN				25.40	2041.06
5/2006 Late Fee	12/05/2006	PN				116.56	2157.62
5/2006 Late Fee	12/05/2006	PN				.55	2158.17
0/2006 Utility Bill - Batch 00000088	12/29/2006	BI	320.02				2478.19
8/2006 Cut-Off Fee	12/28/2006	PN				20.00	2498.19
3/2007 Late Fee	01/03/2007	PN				3.04	2501.23
3/2007 Late Fee	01/03/2007	PN				.23	2501.46
3/2007 Late Fee	01/03/2007	PN				25.40	2526.86
3/2007 Late Fee	01/03/2007	PN				2.90	2529.76
3/2007 Late Fee	01/03/2007	PN				.45	2530.21
1/2006 Utility Bill - Batch 00000089	01/31/2007	BI	309.94				2840.15
4/2007 Check CK#8989	09/29/2006	PY		2498.19			341.96
7/2007 Adjustment RET CK# 8989	12/29/2006	AJ			2498.19		2840.15
7/2007 Adjustment NSF FEE		AJ			124.91		2965.06
16/2007 Late Fee	02/06/2007	PN				2.56	2967.62
16/2007 Late Fee	02/06/2007	PN				.23	2967.85
16/2007 Late Fee	02/06/2007	PN				25.40	2993.25

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1/2007	Late Fee	02/06/2007	PN						
1/2007	Utility Bill - Batch 00000090	02/28/2007	BI	320.02					
1/2007	Check CK#263444853	12/29/2006	PY		2258.17				
1/2007	Check CK#0096	02/28/2007	PY		706.89				
1/2007	Utility Bill - Batch 00000091	03/30/2007	BI	325.07					
1/2007	Check CK#1001	03/30/2007	PY		676.10				
1/2007	Utility Bill - Batch 00000092	04/30/2007	BI	396.33					
1/2007	Check CK#1005	04/30/2007	PY		396.33				
1/2007	Utility Bill - Batch 00000093	05/31/2007	BI	330.79					
1/2007	Penalty	06/04/2007	PN			3.52			
1/2007	Penalty	06/04/2007	PN			.29			
1/2007	Penalty	06/04/2007	PN			25.40			
1/2007	Penalty	06/04/2007	PN			3.36			
1/2007	Penalty	06/04/2007	PN			.52			
1/2007	Utility Bill - Batch 00000094	06/29/2007	BI	396.33					
3/2007	Cut-Off Fee	06/19/2007	PN			20.00			
3/2007	Penalty	07/03/2007	PN			10.15			
3/2007	Penalty	07/03/2007	PN			.59			
3/2007	Penalty	07/03/2007	PN			50.79			
3/2007	Penalty	07/03/2007	PN			9.69			
3/2007	Penalty	07/03/2007	PN			1.49			
9/2007	Utility Bill - Batch 00000095	07/31/2007	BI	305.58					
1/2007	Penalty	08/01/2007	PN			12.47			
1/2007	Penalty	08/01/2007	PN			.88			
1/2007	Penalty	08/01/2007	PN			76.19			
1/2007	Penalty	08/01/2007	PN			11.90			
1/2007	Penalty	08/01/2007	PN			1.83			
1/2007	Utility Bill - Batch 00000096	08/31/2007	BI	305.58					
5/2007	Penalty	09/05/2007	PN			14.78			
5/2007	Penalty	09/05/2007	PN			1.17			
5/2007	Penalty	09/05/2007	PN			101.59			
5/2007	Penalty	09/05/2007	PN			14.12			
5/2007	Penalty	09/05/2007	PN			2.17			
1/2007	Utility Bill - Batch 00000097	09/28/2007	BI	305.58					
1/2007	Penalty	10/01/2007	PN			17.10			
1/2007	Penalty	10/01/2007	PN			1.47			
1/2007	Penalty	10/01/2007	PN			126.99			
1/2007	Penalty	10/01/2007	PN			16.33			
1/2007	Penalty	10/01/2007	PN			2.51			
8/2007	Utility Bill - Batch 00000106	10/31/2007	BI	305.58					
11/2007	Penalty	11/01/2007	PN			19.42			
11/2007	Penalty	11/01/2007	PN			1.76			
11/2007	Penalty	11/01/2007	PN			152.38			
11/2007	Penalty	11/01/2007	PN			18.54			
11/2007	Penalty	11/01/2007	PN			2.85			
11/2007	Utility Bill - Batch 00000111	11/30/2007	BI	112.19					
11/2007	Penalty	12/03/2007	PN			19.42			
11/2007	Penalty	12/03/2007	PN			2.05			
11/2007	Penalty	12/03/2007	PN			163.31			
11/2007	Penalty	12/03/2007	PN			18.54			
11/2007	Penalty	12/03/2007	PN			2.85			
02/2008	Penalty	01/02/2008	PN			19.42			
02/2008	Penalty	01/02/2008	PN			2.05			
02/2008	Penalty	01/02/2008	PN			163.31			

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04/02/12		Account Balance			10:20 AM			
Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
11/06/2006	Check CK#5302219	11/03/2006	PY		.45			2.25
	/2006 Late Fee	12/05/2006	PN					2.48
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	2.25			.23	4.73
01/03/2007	Late Fee	01/03/2007	PN					4.96
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	2.25			.23	7.21
01/04/2007	Check CK#8989	11/30/2006	PY		2.25			4.96
01/04/2007	Check CK#8989	12/29/2006	PY		2.25			2.71
01/04/2007	Check CK#8989	12/05/2006	PY		.23			2.48
01/04/2007	Check CK#8989	01/03/2007	PY		.23			2.25
02/06/2007	Late Fee	02/06/2007	PN					2.48
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	2.25			.23	4.73
02/05/2007	Check CK#263444853	01/31/2007	PY		2.25			2.48
02/16/2007	Check CK#0096	02/28/2007	PY		2.25			.23
02/16/2007	Check CK#0096	02/06/2007	PY		.23			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	2.25				2.25
03/20/2007	Check CK#1001	03/30/2007	PY		2.25			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	2.93				2.93
04/27/2007	Check CK#1005	04/30/2007	PY		2.93			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	2.93				2.93
06/04/2007	Penalty	06/04/2007	PN					2.93
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	2.93			.29	6.15
07/03/2007	Penalty	07/03/2007	PN					6.74
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	2.93			.59	9.67
08/01/2007	Penalty	08/01/2007	PN					10.55
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	2.93			.88	13.48
09/05/2007	Penalty	09/05/2007	PN					14.65
	/2007 Utility Bill - Batch 00000097	09/28/2007	BI	2.93			1.17	17.58
	/2007 Penalty	10/01/2007	PN					19.05
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	2.93			1.47	21.98
11/01/2007	Penalty	11/01/2007	PN					23.74
10/31/2007	Utility Bill - Batch 00000111	11/30/2007	BI	2.93			1.76	26.67
12/03/2007	Penalty	12/03/2007	PN					28.72
01/02/2008	Penalty	01/02/2008	PN				2.05	30.77
02/01/2008	Penalty	02/01/2008	PN				2.05	32.82
03/03/2008	Penalty	03/03/2008	PN				2.05	34.87
11/26/2008	Utility Bill - Batch 00000168	12/31/2008	BI	2.93			2.05	37.80
12/31/2008	Utility Bill - Batch 00000178	01/30/2009	BI	2.93				40.73
01/31/2009	Penalty	01/31/2009	PN					44.80
01/30/2009	Utility Bill - Batch 00000189	02/27/2009	BI	2.93			4.07	47.73
03/02/2009	Penalty	03/02/2009	PN					52.50
02/27/2009	Utility Bill - Batch 00000195	03/31/2009	BI	2.93			4.77	55.43
04/01/2009	Penalty	04/01/2009	PN					60.97
03/31/2009	Utility Bill - Batch 00000201	04/30/2009	BI	2.93			5.54	63.90
05/01/2009	Penalty	05/01/2009	PN					70.29
04/30/2009	Utility Bill - Batch 00000206	05/29/2009	BI	2.93			6.39	73.22
06/01/2009	Penalty	06/01/2009	PN					80.54
05/29/2009	Utility Bill - Batch 00000218	06/30/2009	BI	2.93			7.32	83.47
07/01/2009	Penalty	07/01/2009	PN					91.82
06/30/2009	Utility Bill - Batch 00000229	07/31/2009	BI	2.93			8.35	94.75
08/03/2009	Penalty	08/03/2009	PN					104.23
07/31/2009	Utility Bill - Batch 00000234	08/31/2009	BI	2.93			9.48	107.16
08/01/2009	Penalty	09/01/2009	PN					117.88
	/2009 Utility Bill - Batch 00000243	09/30/2009	BI	2.93			10.72	120.81
10/01/2009	Penalty	10/01/2009	PN					132.89
09/30/2009	Utility Bill - Batch 00000253	10/30/2009	BI	2.93			12.08	135.82

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Account Balance

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	23.16				211.92
10/01/2007	Penalty	10/01/2007	PN				17.10	229.02
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	23.16				252.18
11/01/2007	Penalty	11/01/2007	PN				19.42	271.60
12/03/2007	Penalty	12/03/2007	PN				19.42	291.02
01/02/2008	Penalty	01/02/2008	PN				19.42	310.44
02/01/2008	Penalty	02/01/2008	PN				19.42	329.86
03/03/2008	Penalty	03/03/2008	PN				19.42	349.28
01/31/2009	Penalty	01/31/2009	PN				34.93	384.21
03/02/2009	Penalty	03/02/2009	PN				38.42	422.63
04/01/2009	Penalty	04/01/2009	PN				42.26	464.89
05/01/2009	Penalty	05/01/2009	PN				46.49	511.38
06/01/2009	Penalty	06/01/2009	PN				51.14	562.52
07/01/2009	Penalty	07/01/2009	PN				56.25	618.77
08/03/2009	Penalty	08/03/2009	PN				61.88	680.65
09/01/2009	Penalty	09/01/2009	PN				68.07	748.72
10/01/2009	Penalty	10/01/2009	PN				74.87	823.59
11/02/2009	Penalty	11/02/2009	PN				82.36	905.95
12/02/2009	Penalty	12/02/2009	PN				90.60	996.55
01/04/2010	Penalty	01/04/2010	PN				99.66	1096.21
02/02/2010	Penalty	02/02/2010	PN				109.62	1205.83
03/02/2010	Penalty	03/02/2010	PN				120.58	1326.41
04/01/2010	Penalty	04/01/2010	PN				132.64	1459.05
05/04/2010	Penalty	05/04/2010	PN				145.91	1604.96
06/04/2010	Penalty	06/04/2010	PN				160.50	1765.46
07/01/2010	Penalty	07/01/2010	PN				176.55	1942.01
08/04/2010	Penalty	08/04/2010	PN				194.20	2136.21
09/01/2010	Penalty	09/01/2010	PN				213.62	2349.83
10/04/2010	Penalty	10/04/2010	PN				234.98	2584.81
11/02/2010	Penalty	11/02/2010	PN				258.48	2843.29
12/02/2010	Penalty	12/02/2010	PN				284.33	3127.62
01/03/2011	Penalty	01/03/2011	PN				312.76	3440.38
02/01/2011	Penalty	02/01/2011	PN				344.04	3784.42
03/04/2011	Penalty	03/04/2011	PN				378.44	4162.86
04/04/2011	Penalty	04/04/2011	PN				416.29	4579.15
05/04/2011	Penalty	05/04/2011	PN				457.92	5037.07
06/03/2011	Penalty	06/03/2011	PN				503.71	5540.78
07/01/2011	Penalty	07/01/2011	PN				554.08	6094.86
08/03/2011	Penalty	08/03/2011	PN				609.49	6704.35
09/01/2011	Penalty	09/01/2011	PN				670.44	7374.79
10/03/2011	Penalty	10/03/2011	PN				737.48	8112.27
11/02/2011	Penalty	11/02/2011	PN				811.23	8923.50
12/02/2011	Penalty	12/02/2011	PN				892.35	9815.85
01/03/2012	Penalty	01/03/2012	PN				981.59	10797.44
02/02/2012	Penalty	02/02/2012	PN				1079.74	11877.18
03/02/2012	Penalty	03/02/2012	PN				1187.72	13064.90
	Sewer Totals			1601.04	1554.65	108.25-	13126.76	13064.90
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	2.25				2.25
10/02/2006	Penalty	10/02/2006	PN				.23	2.48
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	2.25				4.73
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			.23-		4.50
11/03/2006	Penalty	11/03/2006	PN				.45	4.95
11/30/2006	Utility Bill - Batch 00000087	11/30/2006	BI	2.25				7.20
11/06/2006	Check CK#5302219	09/29/2006	PY		2.25			4.95
11/06/2006	Check CK#5302219	10/31/2006	PY		2.25			2.70

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Account Balance

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
11/02/2009	Penalty	11/02/2009	PN				13.58	149.40
11/30/2009	Utility Bill - Batch 00000256	11/30/2009	BI	2.93				152.33
12/02/2009	Penalty	12/02/2009	PN				15.23	167.56
11/30/2009	Utility Bill - Batch 00000265	12/31/2009	BI	2.93				170.49
01/04/2010	Penalty	01/04/2010	PN				17.05	187.54
12/31/2009	Utility Bill - Batch 00000266	01/29/2010	BI	2.93				190.47
02/02/2010	Penalty	02/02/2010	PN				19.05	209.52
01/29/2010	Utility Bill - Batch 00000279	02/26/2010	BI	2.93				212.45
03/02/2010	Penalty	03/02/2010	PN				21.25	233.70
02/26/2010	Utility Bill - Batch 00000288	03/31/2010	BI	2.93				236.63
04/01/2010	Penalty	04/01/2010	PN				23.66	260.29
03/31/2010	Utility Bill - Batch 00000317	04/30/2010	BI	2.93				263.22
05/04/2010	Penalty	05/04/2010	PN				26.32	289.54
04/30/2010	Utility Bill - Batch 00000328	05/31/2010	BI	2.93				292.47
06/04/2010	Penalty	06/04/2010	PN				29.25	321.72
05/28/2010	Utility Bill - Batch 00000345	06/30/2010	BI	2.93				324.65
07/01/2010	Penalty	07/01/2010	PN				32.47	357.12
06/30/2010	Utility Bill - Batch 00000347	07/30/2010	BI	2.93				360.05
08/04/2010	Penalty	08/04/2010	PN				36.01	396.06
07/30/2010	Utility Bill - Batch 00000355	08/31/2010	BI	2.93				398.99
09/01/2010	Penalty	09/01/2010	PN				39.90	438.89
08/31/2010	Utility Bill - Batch 00000362	09/30/2010	BI	2.93				441.82
10/04/2010	Penalty	10/04/2010	PN				44.18	486.00
09/30/2010	Utility Bill - Batch 00000378	10/29/2010	BI	2.93				488.93
11/02/2010	Penalty	11/02/2010	PN				48.89	537.82
10/29/2010	Utility Bill - Batch 00000384	11/30/2010	BI	2.93				540.75
12/02/2010	Penalty	12/02/2010	PN				54.08	594.83
12/31/2010	Utility Bill - Batch 00000415	12/31/2010	BI	2.93				597.76
01/03/2011	Penalty	01/03/2011	PN				59.78	657.54
12/30/2010	Utility Bill - Batch 00000421	01/31/2011	BI	2.93				660.47
02/01/2011	Penalty	02/01/2011	PN				66.05	726.52
01/31/2011	Utility Bill - Batch 00000439	02/28/2011	BI	2.93				729.45
03/04/2011	Penalty	03/04/2011	PN				72.95	802.40
02/28/2011	Utility Bill - Batch 00000470	03/31/2011	BI	2.93				805.33
04/04/2011	Penalty	04/04/2011	PN				80.53	885.86
03/31/2011	Utility Bill - Batch 00000489	04/29/2011	BI	2.93				888.79
04/29/2011	Adjustment SWT BILL ERROR	07/31/2007	AJ			45.00		933.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2007	AJ			45.00		978.79
04/29/2011	Adjustment SWT BILL ERROR	09/28/2007	AJ			45.00		1023.79
04/29/2011	Adjustment SWT BILL ERROR	10/31/2007	AJ			45.00		1068.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2007	AJ			45.00		1113.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2008	AJ			45.00		1158.79
04/29/2011	Adjustment SWT BILL ERROR	01/30/2009	AJ			45.00		1203.79
04/29/2011	Adjustment SWT BILL ERROR	02/27/2009	AJ			45.00		1248.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2009	AJ			45.00		1293.79
04/29/2011	Adjustment SWT BILL ERROR	04/30/2009	AJ			45.00		1338.79
04/29/2011	Adjustment SWT BILL ERROR	05/29/2009	AJ			45.00		1383.79
04/29/2011	Adjustment SWT BILL ERROR	06/30/2009	AJ			45.00		1428.79
04/29/2011	Adjustment SWT BILL ERROR	07/31/2009	AJ			45.00		1473.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2009	AJ			45.00		1518.79
04/29/2011	Adjustment SWT BILL ERROR	09/30/2009	AJ			45.00		1563.79
04/29/2011	Adjustment SWT BILL ERROR	10/30/2009	AJ			45.00		1608.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2009	AJ			45.00		1653.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2009	AJ			45.00		1698.79
04/29/2011	Adjustment SWT BILL ERROR	01/29/2010	AJ			45.00		1743.79

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
04/29/2011	Adjustment SWT BILL ERROR	02/26/2010	AJ			45.00		1788.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2010	AJ			45.00		1833.79
04/29/2011	Adjustment SWT BILL ERROR	04/30/2010	AJ			45.00		1878.79
04/29/2011	Adjustment SWT BILL ERROR	05/31/2010	AJ			45.00		1923.79
04/29/2011	Adjustment SWT BILL ERROR	06/30/2010	AJ			45.00		1968.79
04/29/2011	Adjustment SWT BILL ERROR	07/30/2010	AJ			45.00		2013.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2010	AJ			45.00		2058.79
04/29/2011	Adjustment SWT BILL ERROR	09/30/2010	AJ			45.00		2103.79
04/29/2011	Adjustment SWT BILL ERROR	10/29/2010	AJ			45.00		2148.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2010	AJ			45.00		2193.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2010	AJ			45.00		2238.79
04/29/2011	Adjustment SWT BILL ERROR	01/31/2011	AJ			45.00		2283.79
04/29/2011	Adjustment SWT BILL ERROR	02/28/2011	AJ			45.00		2328.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2011	AJ			45.00		2373.79
04/29/2011	Adjustment SWT BILL ERROR	04/29/2011	AJ			45.00		2418.79
04/29/2011	Adjustment STW PN ADJMNT	08/01/2007	AJ			.88-		2417.91
04/29/2011	Adjustment STW PN ADJMNT	09/05/2007	AJ			1.17-		2416.74
04/29/2011	Adjustment STW PN ADJMNT	10/01/2007	AJ			1.47-		2415.27
04/29/2011	Adjustment STW PN ADJMNT	11/01/2007	AJ			1.76-		2413.51
04/29/2011	Adjustment STW PN ADJMNT	12/03/2007	AJ			2.05-		2411.46
04/29/2011	Adjustment STW PN ADJMNT	01/02/2008	AJ			2.05-		2409.41
04/29/2011	Adjustment STW PN ADJMNT	02/01/2008	AJ			2.05-		2407.36
04/29/2011	Adjustment STW PN ADJMNT	03/03/2008	AJ			2.05-		2405.31
04/29/2011	Adjustment STW PN ADJMNT	01/31/2009	AJ			4.07-		2401.24
04/29/2011	Adjustment STW PN ADJMNT	03/02/2009	AJ			4.77-		2396.47
04/29/2011	Adjustment STW PN ADJMNT	04/01/2009	AJ			5.54-		2390.93
04/29/2011	Adjustment STW PN ADJMNT	05/01/2009	AJ			6.39-		2384.54
04/29/2011	Adjustment STW PN ADJMNT	06/01/2009	AJ			7.32-		2377.22
04/29/2011	Adjustment STW PN ADJMNT	07/01/2009	AJ			8.35-		2368.87
04/29/2011	Adjustment STW PN ADJMNT	08/03/2009	AJ			9.48-		2359.39
04/29/2011	Adjustment STW PN ADJMNT	09/01/2009	AJ			10.72-		2348.67
04/29/2011	Adjustment STW PN ADJMNT	10/01/2009	AJ			12.08-		2336.59
04/29/2011	Adjustment STW PN ADJMNT	11/02/2009	AJ			13.58-		2323.01
04/29/2011	Adjustment STW PN ADJMNT	12/02/2009	AJ			15.23-		2307.78
04/29/2011	Adjustment STW PN ADJMNT	01/04/2010	AJ			17.05-		2290.73
04/29/2011	Adjustment STW PN ADJMNT	02/02/2010	AJ			19.05-		2271.68
04/29/2011	Adjustment STW PN ADJMNT	03/02/2010	AJ			21.25-		2250.43
04/29/2011	Adjustment STW PN ADJMNT	04/01/2010	AJ			23.66-		2226.77
04/29/2011	Adjustment STW PN ADJMNT	05/04/2010	AJ			26.32-		2200.45
04/29/2011	Adjustment STW PN ADJMNT	06/04/2010	AJ			29.25-		2171.20
04/29/2011	Adjustment STW PN ADJMNT	07/01/2010	AJ			32.47-		2138.73
04/29/2011	Adjustment STW PN ADJMNT	08/04/2010	AJ			36.01-		2102.72
04/29/2011	Adjustment STW PN ADJMNT	09/01/2010	AJ			39.90-		2062.82
04/29/2011	Adjustment STW PN ADJMNT	10/04/2010	AJ			44.18-		2018.64
04/29/2011	Adjustment STW PN ADJMNT	11/02/2010	AJ			48.89-		1969.75
04/29/2011	Adjustment STW PN ADJMNT	12/02/2010	AJ			54.08-		1915.67
04/29/2011	Adjustment STW PN ADJMNT	01/03/2011	AJ			59.78-		1855.89
04/29/2011	Adjustment STW PN ADJMNT	02/01/2011	AJ			66.05-		1789.84
04/29/2011	Adjustment STW PN ADJMNT	03/04/2011	AJ			72.95-		1716.89
04/29/2011	Adjustment STW PN ADJMNT	04/04/2011	AJ			80.53-		1636.36
05/04/2011	Penalty	05/04/2011	PN					
05/04/2011	Utility Bill - Batch 00000530	05/31/2011	BI	47.93			163.64	1800.00
06/03/2011	Penalty	06/03/2011	PN					
06/03/2011	Penalty	06/03/2011	PN				184.79	2032.72
06/30/2011	Utility Bill - Batch 00000542	06/30/2011	BI	47.93				2080.65
07/01/2011	Penalty	07/01/2011	PN				208.07	2288.72

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
07/30/2011	Utility Bill - Batch 00000546	07/29/2011	BI	47.93				2336.65
	/2011 Penalty	08/03/2011	PN				233.67	2570.32
07/29/2011	Utility Bill - Batch 00000547	08/31/2011	BI	47.93				2618.25
09/01/2011	Penalty	09/01/2011	PN				261.83	2880.08
08/31/2011	Utility Bill - Batch 00000552	09/30/2011	BI	47.93				2928.01
10/03/2011	Penalty	10/03/2011	PN				292.80	3220.81
09/30/2011	Utility Bill - Batch 00000566	10/31/2011	BI	47.93				3268.74
11/02/2011	Penalty	11/02/2011	PN				326.87	3595.61
10/31/2011	Utility Bill - Batch 00000571	11/30/2011	BI	47.93				3643.54
12/02/2011	Penalty	12/02/2011	PN				364.35	4007.89
11/30/2011	Utility Bill - Batch 00000583	12/30/2011	BI	47.93				4055.82
01/03/2012	Penalty	01/03/2012	PN				405.58	4461.40
12/30/2011	Utility Bill - Batch 00000586	01/31/2012	BI	47.93				4509.33
02/02/2012	Penalty	02/02/2012	PN				450.93	4960.26
01/31/2012	Utility Bill - Batch 00000597	02/29/2012	BI	47.93				5008.19
03/02/2012	Penalty	03/02/2012	PN				500.82	5509.01
02/29/2012	Utility Bill - Batch 00000601	03/30/2012	BI	47.93				5556.94
	Storm Water Totals			651.39	19.82	747.34	4178.03	5556.94
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	253.97				253.97
10/02/2006	Penalty	10/02/2006	PN				25.40	279.37
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	253.97				533.34
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			25.40-		507.94
11/03/2006	Penalty	11/03/2006	PN				50.79	558.73
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	253.97				812.70
11/06/2006	Check CK#5302219	09/29/2006	PY		253.97			558.73
11/06/2006	Check CK#5302219	10/31/2006	PY		253.97			304.76
	/2006 Check CK#5302219	11/03/2006	PY		50.79			253.97
	3/2006 Late Fee	12/05/2006	PN				25.40	279.37
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	253.97				533.34
01/03/2007	Late Fee	01/03/2007	PN				25.40	558.74
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	253.97				812.71
01/04/2007	Check CK#8989	11/30/2006	PY		253.97			558.74
01/04/2007	Check CK#8989	12/29/2006	PY		253.97			304.77
01/04/2007	Check CK#8989	12/05/2006	PY		25.40			279.37
01/04/2007	Check CK#8989	01/03/2007	PY		25.40			253.97
02/06/2007	Late Fee	02/06/2007	PN				25.40	279.37
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	253.97				533.34
02/05/2007	Check CK#263444853	01/31/2007	PY		253.97			279.37
02/16/2007	Check CK#0096	02/28/2007	PY		253.97			25.40
02/16/2007	Check CK#0096	02/06/2007	PY		25.40			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	253.97				253.97
03/20/2007	Check CK#1001	03/30/2007	PY		253.97			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	253.97				253.97
04/27/2007	Check CK#1005	04/30/2007	PY		253.97			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	253.97				253.97
06/04/2007	Penalty	06/04/2007	PN				25.40	279.37
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	253.97				533.34
07/03/2007	Penalty	07/03/2007	PN				50.79	584.13
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	253.97				838.10
08/01/2007	Penalty	08/01/2007	PN				76.19	914.29
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	253.97				1168.26
09/05/2007	Penalty	09/05/2007	PN				101.59	1269.85
	/2007 Utility Bill - Batch 00000097	09/28/2007	BI	253.97				1523.82
10/01/2007	Penalty	10/01/2007	PN				126.99	1650.81
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	253.97				1904.78

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04/02/12

Account Balance

10:20 AM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
11/01/2007	Penalty	11/01/2007	PN				152.38	2057.16
11/30/2007	Utility Bill - Batch 00000111	11/30/2007	BI	109.26				2166.42
12/03/2007	Penalty	12/03/2007	PN				163.31	2329.73
01/02/2008	Penalty	01/02/2008	PN				163.31	2493.04
02/01/2008	Penalty	02/01/2008	PN				163.31	2656.35
03/03/2008	Penalty	03/03/2008	PN				163.31	2819.66
11/26/2008	Utility Bill - Batch 00000168	12/31/2008	BI	114.71				2934.37
12/31/2008	Utility Bill - Batch 00000178	01/30/2009	BI	114.71				3049.08
01/31/2009	Penalty	01/31/2009	PN				304.91	3353.99
01/30/2009	Utility Bill - Batch 00000189	02/27/2009	BI	114.71				3468.70
03/02/2009	Penalty	03/02/2009	PN				346.87	3815.57
02/27/2009	Utility Bill - Batch 00000195	03/31/2009	BI	114.71				3930.28
04/01/2009	Penalty	04/01/2009	PN				393.03	4323.31
03/31/2009	Utility Bill - Batch 00000201	04/30/2009	BI	114.71				4438.02
05/01/2009	Penalty	05/01/2009	PN				443.80	4881.82
04/30/2009	Utility Bill - Batch 00000206	05/29/2009	BI	114.71				4996.53
06/01/2009	Penalty	06/01/2009	PN				499.65	5496.18
05/29/2009	Utility Bill - Batch 00000218	06/30/2009	BI	114.71				5610.89
07/01/2009	Penalty	07/01/2009	PN				561.09	6171.98
06/30/2009	Utility Bill - Batch 00000229	07/31/2009	BI	114.71				6286.69
08/03/2009	Penalty	08/03/2009	PN				628.67	6915.36
07/31/2009	Utility Bill - Batch 00000234	08/31/2009	BI	114.71				7030.07
09/01/2009	Penalty	09/01/2009	PN				703.01	7733.08
08/31/2009	Utility Bill - Batch 00000243	09/30/2009	BI	114.71				7847.79
10/01/2009	Penalty	10/01/2009	PN				784.78	8632.57
09/30/2009	Utility Bill - Batch 00000253	10/30/2009	BI	114.71				8747.28
11/02/2009	Penalty	11/02/2009	PN				874.73	9622.01
11/30/2009	Utility Bill - Batch 00000256	11/30/2009	BI	114.71				9736.72
12/02/2009	Penalty	12/02/2009	PN				973.67	10710.39
11/30/2009	Utility Bill - Batch 00000265	12/31/2009	BI	114.71				10825.10
01/04/2010	Penalty	01/04/2010	PN				1082.51	11907.61
12/31/2009	Utility Bill - Batch 00000266	01/29/2010	BI	114.71				12022.32
02/02/2010	Penalty	02/02/2010	PN				1202.23	13224.55
01/29/2010	Utility Bill - Batch 00000279	02/26/2010	BI	114.71				13339.26
03/02/2010	Penalty	03/02/2010	PN				1333.93	14673.19
02/26/2010	Utility Bill - Batch 00000288	03/31/2010	BI	114.71				14787.90
04/01/2010	Penalty	04/01/2010	PN				1478.79	16266.69
03/31/2010	Utility Bill - Batch 00000317	04/30/2010	BI	114.71				16381.40
05/04/2010	Penalty	05/04/2010	PN				1638.14	18019.54
04/30/2010	Utility Bill - Batch 00000328	05/31/2010	BI	114.71				18134.25
06/04/2010	Penalty	06/04/2010	PN				1813.43	19947.68
05/28/2010	Utility Bill - Batch 00000345	06/30/2010	BI	114.71				20062.39
07/01/2010	Penalty	07/01/2010	PN				2006.24	22068.63
06/30/2010	Utility Bill - Batch 00000347	07/30/2010	BI	114.71				22183.34
08/04/2010	Penalty	08/04/2010	PN				2218.33	24401.67
07/30/2010	Utility Bill - Batch 00000355	08/31/2010	BI	114.71				24516.38
09/01/2010	Penalty	09/01/2010	PN				2451.64	26968.02
08/31/2010	Utility Bill - Batch 00000362	09/30/2010	BI	114.71				27082.73
10/04/2010	Penalty	10/04/2010	PN				2708.27	29791.00
09/30/2010	Utility Bill - Batch 00000378	10/29/2010	BI	114.71				29905.71
11/02/2010	Penalty	11/02/2010	PN				2990.57	32896.28
11/30/2010	Utility Bill - Batch 00000384	11/30/2010	BI	114.71				33010.99
12/02/2010	Penalty	12/02/2010	PN				3301.10	36312.09
11/30/2010	Utility Bill - Batch 00000415	12/31/2010	BI	114.71				36426.80
01/03/2011	Penalty	01/03/2011	PN				3642.68	40069.48

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007 Late Fee	02/06/2007 PN				4996.07
007 Utility Bill - Batch 00000090	02/28/2007 BI	320.02			3316.09
007 Check CK#263444853	12/29/2006 PY		2258.17		1057.92
007 Check CK#0096	02/28/2007 PY		706.89		351.03
007 Utility Bill - Batch 00000091	03/30/2007 BI	325.07			676.10
007 Check CK#1001	03/30/2007 PY		676.10		.00
007 Utility Bill - Batch 00000092	04/30/2007 BI	396.33			396.33
007 Check CK#1005	04/30/2007 PY		396.33		.00
007 Utility Bill - Batch 00000093	05/31/2007 BI	330.79			330.79
007 Penalty	06/04/2007 PN			3.52	334.31
007 Penalty	06/04/2007 PN			.29	334.60
007 Penalty	06/04/2007 PN			25.40	360.00
007 Penalty	06/04/2007 PN			3.36	363.36
007 Penalty	06/04/2007 PN			.52	363.88
007 Utility Bill - Batch 00000094	06/29/2007 BI	396.33			760.21
007 Cut-Off Fee	06/19/2007 PN			20.00	780.21
007 Penalty	07/03/2007 PN			10.15	790.36
007 Penalty	07/03/2007 PN			.59	790.95
007 Penalty	07/03/2007 PN			50.79	841.74
007 Penalty	07/03/2007 PN			9.69	851.43
007 Penalty	07/03/2007 PN			1.49	852.92
007 Utility Bill - Batch 00000095	07/31/2007 BI	305.58			1158.50
007 Penalty	08/01/2007 PN			12.47	1170.97
007 Penalty	08/01/2007 PN			.88	1171.85
007 Penalty	08/01/2007 PN			76.19	1248.04
007 Penalty	08/01/2007 PN			11.90	1259.94
007 Penalty	08/01/2007 PN			1.83	1261.77
007 Utility Bill - Batch 00000096	08/31/2007 BI	305.58			1567.35
007 Penalty	09/05/2007 PN			14.78	1582.13
007 Penalty	09/05/2007 PN			1.17	1583.30
007 Penalty	09/05/2007 PN			101.59	1684.89
007 Penalty	09/05/2007 PN			14.12	1699.01
007 Penalty	09/05/2007 PN			2.17	1701.18
007 Utility Bill - Batch 00000097	09/28/2007 BI	305.58			2006.76
007 Penalty	10/01/2007 PN			17.10	2023.86
007 Penalty	10/01/2007 PN			1.47	2025.33
007 Penalty	10/01/2007 PN			126.99	2152.32
007 Penalty	10/01/2007 PN			16.33	2168.65
007 Penalty	10/01/2007 PN			2.51	2171.16
007 Utility Bill - Batch 00000106	10/31/2007 BI	305.58			2476.74
007 Penalty	11/01/2007 PN			19.42	2496.16
007 Penalty	11/01/2007 PN			1.76	2497.92
007 Penalty	11/01/2007 PN			152.38	2650.30
007 Penalty	11/01/2007 PN			18.54	2668.84
007 Penalty	11/01/2007 PN			2.85	2671.69
007 Utility Bill - Batch 00000111	11/30/2007 BI	112.19			2783.88
007 Penalty	12/03/2007 PN			19.42	2803.30
007 Penalty	12/03/2007 PN			2.05	2805.35
007 Penalty	12/03/2007 PN			163.31	2968.66
007 Penalty	12/03/2007 PN			18.54	2987.20
007 Penalty	12/03/2007 PN			2.85	2990.05
008 Penalty	01/02/2008 PN			19.42	3009.47
2/2008 Penalty	01/02/2008 PN			2.05	3011.52
2/2008 Penalty	01/02/2008 PN			163.31	3174.83

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08 Penalty	02/01/2008 PN		19.42	3215.64
08 Penalty	02/01/2008 PN		2.05	3217.69
08 Penalty	02/01/2008 PN		163.31	3381.00
08 Penalty	02/01/2008 PN		18.54	3399.54
08 Penalty	02/01/2008 PN		2.85	3402.39
08 Penalty	02/01/2008 PN		19.42	3421.81
08 Penalty	03/03/2008 PN		2.05	3423.86
08 Penalty	03/03/2008 PN		163.31	3587.17
08 Penalty	03/03/2008 PN		18.54	3605.71
08 Penalty	03/03/2008 PN		2.85	3608.56
08 Penalty	03/03/2008 PN			3726.20
08 Utility Bill - Batch 00000168	12/31/2008 BI	117.64		3843.84
08 Utility Bill - Batch 00000178	01/30/2009 BI	117.64		3878.77
09 Penalty	01/31/2009 PN		34.93	3882.84
09 Penalty	01/31/2009 PN		4.07	4187.75
09 Penalty	01/31/2009 PN		304.91	4223.10
09 Penalty	01/31/2009 PN		35.35	4228.23
09 Penalty	01/31/2009 PN		5.13	4345.87
09 Utility Bill - Batch 00000189	02/27/2009 BI	117.64		4384.29
09 Penalty	03/02/2009 PN		38.42	4389.06
09 Penalty	03/02/2009 PN		4.77	4735.93
09 Penalty	03/02/2009 PN		346.87	4774.81
09 Penalty	03/02/2009 PN		38.88	4780.45
09 Penalty	03/02/2009 PN		5.64	4898.09
09 Utility Bill - Batch 00000195	03/31/2009 BI	117.64		4940.35
09 Penalty	04/01/2009 PN		42.26	4945.89
09 Penalty	04/01/2009 PN		5.54	5338.92
09 Penalty	04/01/2009 PN		393.03	5381.69
09 Penalty	04/01/2009 PN		42.77	5387.89
09 Penalty	04/01/2009 PN		6.20	5505.53
09 Utility Bill - Batch 00000201	04/30/2009 BI	117.64		5552.02
09 Penalty	05/01/2009 PN		46.49	5558.41
09 Penalty	05/01/2009 PN		6.39	6002.21
09 Penalty	05/01/2009 PN		443.80	6049.26
09 Penalty	05/01/2009 PN		47.05	6056.08
09 Penalty	05/01/2009 PN		6.82	6173.72
09 Utility Bill - Batch 00000206	05/29/2009 BI	117.64		6224.86
09 Penalty	06/01/2009 PN		51.14	6232.18
09 Penalty	06/01/2009 PN		7.32	6731.83
09 Penalty	06/01/2009 PN		499.65	6783.58
09 Penalty	06/01/2009 PN		51.75	6791.09
09 Penalty	06/01/2009 PN		7.51	6908.73
09 Utility Bill - Batch 00000218	06/30/2009 BI	117.64		6964.98
09 Penalty	07/01/2009 PN		56.25	6973.33
09 Penalty	07/01/2009 PN		8.35	7534.42
09 Penalty	07/01/2009 PN		561.09	7591.35
09 Penalty	07/01/2009 PN		56.93	7599.61
09 Penalty	07/01/2009 PN		8.26	7717.25
09 Utility Bill - Batch 00000229	07/31/2009 BI	117.64		7779.13
09 Penalty	08/03/2009 PN		61.88	7788.61
09 Penalty	08/03/2009 PN		9.48	8417.28
09 Penalty	08/03/2009 PN		628.67	8479.90
09 Penalty	08/03/2009 PN		62.62	8488.98
09 Penalty	08/03/2009 PN		9.08	

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09 Penalty	09/01/2009 PN		10.72	8685.41
09 Penalty	09/01/2009 PN		703.01	9388.42
09 Penalty	09/01/2009 PN		68.88	9457.30
09 Penalty	09/01/2009 PN		9.99	9467.29
09 Utility Bill - Batch 00000243	09/30/2009 BI	117.64		9584.93
09 Penalty	10/01/2009 PN		74.87	9659.80
09 Penalty	10/01/2009 PN		12.08	9671.88
09 Penalty	10/01/2009 PN		784.78	10456.66
09 Penalty	10/01/2009 PN		75.77	10532.43
09 Penalty	10/01/2009 PN		10.99	10543.42
09 Utility Bill - Batch 00000253	10/30/2009 BI	117.64		10661.06
09 Penalty	11/02/2009 PN		82.36	10743.42
09 Penalty	11/02/2009 PN		13.58	10757.00
09 Penalty	11/02/2009 PN		874.73	11631.73
09 Penalty	11/02/2009 PN		83.35	11715.08
09 Penalty	11/02/2009 PN		12.09	11727.17
09 Utility Bill - Batch 00000256	11/30/2009 BI	117.64		11844.81
09 Penalty	12/02/2009 PN		90.60	11935.41
09 Penalty	12/02/2009 PN		15.23	11950.64
09 Penalty	12/02/2009 PN		973.67	12924.31
09 Penalty	12/02/2009 PN		91.68	13015.99
09 Penalty	12/02/2009 PN		13.30	13029.29
09 Utility Bill - Batch 00000265	12/31/2009 BI	117.64		13146.93
2010 Penalty	01/04/2010 PN		99.66	13246.59
2010 Penalty	01/04/2010 PN		17.05	13263.64
2010 Penalty	01/04/2010 PN		1082.51	14346.15
2010 Penalty	01/04/2010 PN		100.85	14447.00
2010 Penalty	01/04/2010 PN		14.63	14461.63
2009 Utility Bill - Batch 00000266	01/29/2010 BI	117.64		14579.27
2010 Penalty	02/02/2010 PN		109.62	14688.89
2010 Penalty	02/02/2010 PN		19.05	14707.94
2010 Penalty	02/02/2010 PN		1202.23	15910.17
2010 Penalty	02/02/2010 PN		110.94	16021.11
2010 Penalty	02/02/2010 PN		16.09	16037.20
2010 Utility Bill - Batch 00000279	02/26/2010 BI	117.64		16154.84
2010 Penalty	03/02/2010 PN		120.58	16275.42
2010 Penalty	03/02/2010 PN		21.25	16296.67
2010 Penalty	03/02/2010 PN		1333.93	17630.60
2010 Penalty	03/02/2010 PN		122.03	17752.63
2010 Penalty	03/02/2010 PN		17.70	17770.33
2010 Utility Bill - Batch 00000288	03/31/2010 BI	117.64		17887.97
2010 Penalty	04/01/2010 PN		132.64	18020.61
2010 Penalty	04/01/2010 PN		23.66	18044.27
2010 Penalty	04/01/2010 PN		1478.79	19523.06
2010 Penalty	04/01/2010 PN		134.23	19657.29
2010 Penalty	04/01/2010 PN		19.47	19676.76
2010 Utility Bill - Batch 00000317	04/30/2010 BI	117.64		19794.40
2010 Penalty	05/04/2010 PN		145.91	19940.31
2010 Penalty	05/04/2010 PN		26.32	19966.63
2010 Penalty	05/04/2010 PN		1638.14	21604.77
2010 Penalty	05/04/2010 PN		147.66	21752.43
2010 Penalty	05/04/2010 PN		21.42	21773.85
2010 Utility Bill - Batch 00000328	05/31/2010 BI	117.64		21891.49

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2010 Penalty	06/04/2010	PN		160.50	22051.99
2010 Penalty	06/04/2010	PN		29.25	22081.24
2010 Penalty	06/04/2010	PN		1813.43	23894.67
2010 Penalty	06/04/2010	PN		162.42	24057.09
2010 Penalty	06/04/2010	PN		23.56	24080.65
2010 Utility Bill - Batch 00000345	06/30/2010	BI	117.64		24198.29
2010 Penalty	07/01/2010	PN		176.55	24374.84
2010 Penalty	07/01/2010	PN		32.47	24407.31
2010 Penalty	07/01/2010	PN		2006.24	26413.55
2010 Penalty	07/01/2010	PN		178.67	26592.22
2010 Penalty	07/01/2010	PN		25.91	26618.13
2010 Utility Bill - Batch 00000347	07/30/2010	BI	117.64		26735.77
2010 Penalty	08/04/2010	PN		194.20	26929.97
2010 Penalty	08/04/2010	PN		36.01	26965.98
2010 Penalty	08/04/2010	PN		2218.33	29184.31
2010 Penalty	08/04/2010	PN		196.53	29380.84
2010 Penalty	08/04/2010	PN		28.51	29409.35
2010 Utility Bill - Batch 00000355	08/31/2010	BI	117.64		29526.99
2010 Penalty	09/01/2010	PN		213.62	29740.61
2010 Penalty	09/01/2010	PN		39.90	29780.51
2010 Penalty	09/01/2010	PN		2451.64	32232.15
2010 Penalty	09/01/2010	PN		216.19	32448.34
2010 Penalty	09/01/2010	PN		31.36	32479.70
2010 Utility Bill - Batch 00000362	09/30/2010	BI	117.64		32597.34
2010 Penalty	10/04/2010	PN		234.98	32832.32
2010 Penalty	10/04/2010	PN		44.18	32876.50
2010 Penalty	10/04/2010	PN		2708.27	35584.77
2010 Penalty	10/04/2010	PN		237.80	35822.57
2010 Penalty	10/04/2010	PN		34.49	35857.06
2010 Utility Bill - Batch 00000378	10/29/2010	BI	117.64		35974.70
2010 Penalty	11/02/2010	PN		258.48	36233.18
2010 Penalty	11/02/2010	PN		48.89	36282.07
2010 Penalty	11/02/2010	PN		2990.57	39272.64
2010 Penalty	11/02/2010	PN		261.58	39534.22
2010 Penalty	11/02/2010	PN		37.94	39572.16
2010 Utility Bill - Batch 00000384	11/30/2010	BI	117.64		39689.80
2010 Penalty	12/02/2010	PN		284.33	39974.13
2010 Penalty	12/02/2010	PN		54.08	40028.21
2010 Penalty	12/02/2010	PN		3301.10	43329.31
2010 Penalty	12/02/2010	PN		287.74	43617.05
2010 Penalty	12/02/2010	PN		41.74	43658.79
2010 Utility Bill - Batch 00000415	12/31/2010	BI	117.64		43776.43
2011 Penalty	01/03/2011	PN		312.76	44089.19
2011 Penalty	01/03/2011	PN		59.78	44148.97
2011 Penalty	01/03/2011	PN		3642.68	47791.65
2011 Penalty	01/03/2011	PN		316.52	48108.17
2011 Penalty	01/03/2011	PN		45.91	48154.08
2010 Utility Bill - Batch 00000421	01/31/2011	BI	117.64		48271.72
2011 Penalty	02/01/2011	PN		344.04	48615.76
2011 Penalty	02/01/2011	PN		66.05	48681.81
2011 Penalty	02/01/2011	PN		4018.42	52700.23
2011 Penalty	02/01/2011	PN		348.17	53048.40
2011 Penalty	02/01/2011	PN		50.50	53098.90
2011 Utility Bill - Batch 00000439	02/28/2011	BI	117.64		53216.54
2011 Penalty	03/04/2011	PN		378.44	53594.98

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/2011 Penalty	03/04/2011 PN		12.95	53667.93
/2011 Penalty	03/04/2011 PN		4431.73	58099.66
/2011 Penalty	03/04/2011 PN		382.99	58482.65
/2011 Penalty	03/04/2011 PN		55.55	58538.20
/2011 Utility Bill - Batch 00000470	03/31/2011 BI	117.64		58655.84
/2011 Penalty	04/04/2011 PN		416.29	59072.13
/2011 Penalty	04/04/2011 PN		80.53	59152.66
/2011 Penalty	04/04/2011 PN		4886.38	64039.04
/2011 Penalty	04/04/2011 PN		421.28	64460.32
/2011 Penalty	04/04/2011 PN		61.11	64521.43
/2011 Utility Bill - Batch 00000489	04/29/2011 BI	117.64		64639.07
/2011 Adjustment NO SAN-ERROR BILL	08/31/2007 AJ		4197.76-	60441.31
/2011 Adjustment SWT BILL ERROR	07/31/2007 AJ		1530.00	61971.31
/2011 Adjustment STW PN ADJMNT	08/01/2007 AJ		782.43-	61188.88
/2011 Adjustment NO SN PN-BILL ERROR	09/05/2007 AJ		48752.80-	12436.08
/2011 Penalty	05/04/2011 PN			12894.00
/2011 Penalty	05/04/2011 PN		457.92	13057.64
/2011 Penalty	05/04/2011 PN		91.43	13149.07
/2011 Penalty	05/04/2011 PN		463.41	13612.48
/2011 Penalty	05/04/2011 PN		67.22	13679.70
/2011 Utility Bill - Batch 00000530	05/31/2011 BI	47.93		13727.63
3/2011 Penalty	06/03/2011 PN		503.71	14231.34
3/2011 Penalty	06/03/2011 PN		184.79	14416.13
3/2011 Penalty	06/03/2011 PN		100.57	14516.70
3/2011 Penalty	06/03/2011 PN		509.75	15026.45
3/2011 Penalty	06/03/2011 PN		73.94	15100.39
1/2011 Utility Bill - Batch 00000542	06/30/2011 BI	47.93		15148.32
1/2011 Penalty	07/01/2011 PN		554.08	15702.40
1/2011 Penalty	07/01/2011 PN		208.07	15910.47
1/2011 Penalty	07/01/2011 PN		110.63	16021.10
1/2011 Penalty	07/01/2011 PN		560.73	16581.83
1/2011 Penalty	07/01/2011 PN		81.33	16663.16
0/2011 Utility Bill - Batch 00000546	07/29/2011 BI	47.93		16711.09
3/2011 Penalty	08/03/2011 PN		609.49	17320.58
3/2011 Penalty	08/03/2011 PN		233.67	17554.25
3/2011 Penalty	08/03/2011 PN		121.69	17675.94
3/2011 Penalty	08/03/2011 PN		616.80	18292.74
3/2011 Penalty	08/03/2011 PN		89.47	18382.21
9/2011 Utility Bill - Batch 00000547	08/31/2011 BI	47.93		18430.14
1/2011 Penalty	09/01/2011 PN		670.44	19100.58
1/2011 Penalty	09/01/2011 PN		261.83	19362.41
1/2011 Penalty	09/01/2011 PN		133.86	19496.27
1/2011 Penalty	09/01/2011 PN		678.48	20174.75
1/2011 Penalty	09/01/2011 PN		98.41	20273.16
1/2011 Utility Bill - Batch 00000552	09/30/2011 BI	47.93		20321.09
13/2011 Penalty	10/03/2011 PN		737.48	21058.57
13/2011 Penalty	10/03/2011 PN		292.80	21351.37
13/2011 Penalty	10/03/2011 PN		147.25	21498.62
13/2011 Penalty	10/03/2011 PN		746.33	22244.95
13/2011 Penalty	10/03/2011 PN		108.25	22353.20
10/2011 Utility Bill - Batch 00000566	10/31/2011 BI	47.93		22401.13
12/2011 Penalty	11/02/2011 PN		811.23	23212.36
12/2011 Penalty	11/02/2011 PN		326.87	23539.23
12/2011 Penalty	11/02/2011 PN		161.97	23701.20
12/2011 Penalty	11/02/2011 PN		820.96	24522.16

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'2011 Penalty		11/02/2011 PN			119.08	24641.24
'2011 Utility Bill - Batch 00000571	47.93	11/30/2011 BI				24689.17
'2011 Penalty		12/02/2011 PN			892.35	25581.52
'2011 Penalty		12/02/2011 PN			364.35	25945.87
'2011 Penalty		12/02/2011 PN			178.17	26124.04
'2011 Penalty		12/02/2011 PN			903.06	27027.10
'2011 Penalty		12/02/2011 PN			130.99	27158.09
'/? Utility Bill - Batch 00000583	47.93	12/30/2011 BI				27206.02
/ Penalty		01/03/2012 PN			981.59	28187.61
/ Penalty		01/03/2012 PN			405.58	28593.19
/ Penalty		01/03/2012 PN			195.99	28789.18
/2012 Penalty		01/03/2012 PN			993.36	29782.54
/2012 Penalty		01/03/2012 PN			144.09	29926.63
/2011 Utility Bill - Batch 00000586	47.93	01/31/2012 BI				29974.56
/2012 Penalty		02/02/2012 PN			1079.74	31054.30
/2012 Penalty		02/02/2012 PN			450.93	31505.23
/2012 Penalty		02/02/2012 PN			215.59	31720.82
/2012 Penalty		02/02/2012 PN			1092.70	32813.52
/2012 Penalty		02/02/2012 PN			158.49	32972.01
/2012 Utility Bill - Batch 00000597	47.93	02/29/2012 BI				33019.94
Transaction Totals	10958.60		8535.68	49499.29-	80096.31	33019.94
Grand Totals	10958.60		8535.68	49499.29-	80096.31	33019.94

tion Options:  
 Customer 00650 / 00650  
 Account / 00828  
 Bill Type UT / UT  
 Bill As Of 01/01/2001  
 Cons. Ledger Included  
 Billing History Not Included  
 Ledger Type By Bill Type  
 Exclude Zero Bal Y

of Report

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**City of North Bay Village**

Administrative Offices

1700 Kennedy Causeway Suite 132 North Bay Village FL 33141-4190  
(305) 756-7171 Fax (305) 756-7722 Website - www.nbvillage.com

December 21, 2011

Mr. Michael I. Rose, P.A.  
Museum Tower, Suite 1525  
150 West Flagler Street  
Miami, FL 33130

Re: Account No. 00650-00773  
1755 Kennedy Causeway  
North Bay Village, FL 33141

Dear Mr. Rose,

I have received your request for a print-out summary indicating all charges for the above referenced account for the property located at 1755 Kennedy Causeway. Please find attached a copy of the requested detail that comprises the outstanding balance that is due.

If you should require any further information, please contact the Finance Department at (305) 756-7171.

Sincerely,

Gerard A. Pirri  
Finance Director

CC: Mr. Dennis Kelly, City Manager  
Ms. Yvonne Hamilton, City Clerk

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to:mer  
00650  
NORTH BAY VILLAGE INV LLC  
150 W FLAGLER ST  
SUITE 1525  
MIAMI, FL 33130

Bill Type UT Utility  
Account 00773  
Description 1755 KENNEDY CSWY

Balance Summary

AR Code / Description	Budget	Current	Past Due	Penalty	Total
SE Sewer	1662.90-	.00	194.26	9621.69	9815.85
SW Storm Water	727.52	47.93	1970.99	2036.90	4055.82
TR Sanitation	55134.71-	.00	761.91	1197.95	1959.86
WA Water	1723.62-	.00	185.39	9748.25	9933.64
X1 Derm Fee	241.26-	.00	28.49	1412.36	1440.85
Total	58034.97-	47.93	3140.94	24017.15	27206.02

Transaction Ledger

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
Balance as of 01/01/2001								.00
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	1112.76				1112.76
10/02/2006	Penalty	10/02/2006	PN				111.28	1224.04
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	71.16				1295.20
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			111.28-		1183.92
11/03/2006	Penalty	11/03/2006	PN				118.39	1302.31
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	37.56				1339.87
11/06/2006	Check CK#5302219	09/29/2006	PY		1014.09			325.78
11/06/2006	Check CK#5302219	11/03/2006	PY		118.39			207.39
05/2006	Late Fee	12/05/2006	PN				20.75	228.14
03/2006	Utility Bill - Batch 00000088	12/29/2006	BI	30.36				258.50
01/03/2007	Late Fee	01/03/2007	PN				3.04	261.54
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	25.56				287.10
01/04/2007	Check CK#8989	09/29/2006	PY		98.67			188.43
01/04/2007	Check CK#8989	10/31/2006	PY		71.16			117.27
01/04/2007	Check CK#8989	11/30/2006	PY		37.56			79.71
01/04/2007	Check CK#8989	12/29/2006	PY		27.33			52.38
01/04/2007	Check CK#8989	12/05/2006	PY		20.75			31.63
01/04/2007	Check CK#8989	01/03/2007	PY		3.04			28.59
01/17/2007	Adjustment RET CK# 8989	12/29/2006	AJ			3.03		31.62
02/06/2007	Late Fee	02/06/2007	PN				2.56	34.18
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	30.36				64.54
02/05/2007	Check CK#263444853	12/29/2006	PY		6.06			58.48
02/05/2007	Check CK#263444853	01/31/2007	PY		25.56			32.92
02/16/2007	Check CK#0096	02/28/2007	PY		30.36			2.56
02/16/2007	Check CK#0096	02/06/2007	PY		2.56			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	32.76				32.76
03/20/2007	Check CK#1001	03/30/2007	PY		32.76			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	66.36				66.36
04/27/2007	Check CK#1005	04/30/2007	PY		66.36			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	35.16				35.16
06/04/2007	Penalty	06/04/2007	PN				3.52	38.68
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	66.36				105.04
07/03/2007	Penalty	07/03/2007	PN				10.15	115.19
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	23.16				138.35
07/01/2007	Penalty	08/01/2007	PN				12.47	150.82
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	23.16				173.98
09/05/2007	Penalty	09/05/2007	PN				14.78	

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Account Balance

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	23.16				211.92
10/01/2007	Penalty	10/01/2007	PN				17.10	229.02
10/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	23.16				252.18
11/01/2007	Penalty	11/01/2007	PN				19.42	271.60
12/03/2007	Penalty	12/03/2007	PN				19.42	291.02
01/02/2008	Penalty	01/02/2008	PN				19.42	310.44
02/01/2008	Penalty	02/01/2008	PN				19.42	329.86
03/03/2008	Penalty	03/03/2008	PN				19.42	349.28
01/31/2009	Penalty	01/31/2009	PN				34.93	384.21
03/02/2009	Penalty	03/02/2009	PN				38.42	422.63
04/01/2009	Penalty	04/01/2009	PN				42.26	464.89
05/01/2009	Penalty	05/01/2009	PN				46.49	511.38
06/01/2009	Penalty	06/01/2009	PN				51.14	562.52
07/01/2009	Penalty	07/01/2009	PN				56.25	618.77
08/03/2009	Penalty	08/03/2009	PN				61.88	680.65
09/01/2009	Penalty	09/01/2009	PN				68.07	748.72
10/01/2009	Penalty	10/01/2009	PN				74.87	823.59
11/02/2009	Penalty	11/02/2009	PN				82.36	905.95
12/02/2009	Penalty	12/02/2009	PN				90.60	996.55
01/04/2010	Penalty	01/04/2010	PN				99.66	1096.21
02/02/2010	Penalty	02/02/2010	PN				109.62	1205.83
03/02/2010	Penalty	03/02/2010	PN				120.58	1326.41
04/01/2010	Penalty	04/01/2010	PN				132.64	1459.05
05/04/2010	Penalty	05/04/2010	PN				145.91	1604.96
06/04/2010	Penalty	06/04/2010	PN				160.50	1765.46
07/01/2010	Penalty	07/01/2010	PN				176.55	1942.01
08/04/2010	Penalty	08/04/2010	PN				194.20	2136.21
09/01/2010	Penalty	09/01/2010	PN				213.62	2349.83
10/04/2010	Penalty	10/04/2010	PN				234.98	2584.81
11/02/2010	Penalty	11/02/2010	PN				258.48	2843.29
12/02/2010	Penalty	12/02/2010	PN				284.33	3127.62
01/03/2011	Penalty	01/03/2011	PN				312.76	3440.38
02/01/2011	Penalty	02/01/2011	PN				344.04	3784.42
03/04/2011	Penalty	03/04/2011	PN				378.44	4162.86
04/04/2011	Penalty	04/04/2011	PN				416.29	4579.15
05/04/2011	Penalty	05/04/2011	PN				457.92	5037.07
06/03/2011	Penalty	06/03/2011	PN				503.71	5540.78
07/01/2011	Penalty	07/01/2011	PN				554.08	6094.86
08/03/2011	Penalty	08/03/2011	PN				609.49	6704.35
09/01/2011	Penalty	09/01/2011	PN				670.44	7374.79
10/03/2011	Penalty	10/03/2011	PN				737.48	8112.27
11/02/2011	Penalty	11/02/2011	PN				811.23	8923.50
12/02/2011	Penalty	12/02/2011	PN				892.35	9815.85
	Sewer Totals			1601.04	1554.65	108.25-	9877.71	9815.85
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	2.25				2.25
10/02/2006	Penalty	10/02/2006	PN				.23	2.48
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	2.25				4.73
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			.23-		4.50
11/03/2006	Penalty	11/03/2006	PN				.45	4.95
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	2.25				7.20
11/06/2006	Check CK#5302219	09/29/2006	PY		2.25			4.95
11/06/2006	Check CK#5302219	10/31/2006	PY		2.25			2.70
11/06/2006	Check CK#5302219	11/03/2006	PY		.45			2.25
12/05/2006	Late Fee	12/05/2006	PN				.23	2.48
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	2.25				4.73

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Account Balance

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
01/03/2007	Late Fee	01/03/2007	PN				.23	4.96
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	2.25				7.21
04/2007	Check CK#8989	11/30/2006	PY		2.25			4.96
01/04/2007	Check CK#8989	12/29/2006	PY		2.25			2.71
01/04/2007	Check CK#8989	12/05/2006	PY			.23		2.48
01/04/2007	Check CK#8989	01/03/2007	PY			.23		2.25
02/06/2007	Late Fee	02/06/2007	PN				.23	2.48
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	2.25				4.73
02/05/2007	Check CK#263444853	01/31/2007	PY		2.25			2.48
02/16/2007	Check CK#0096	02/28/2007	PY		2.25			.23
02/16/2007	Check CK#0096	02/06/2007	PY		.23			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	2.25				2.25
03/20/2007	Check CK#1001	03/30/2007	PY		2.25			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	2.93				2.93
04/27/2007	Check CK#1005	04/30/2007	PY		2.93			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	2.93				2.93
06/04/2007	Penalty	06/04/2007	PN				.29	3.22
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	2.93				6.15
07/03/2007	Penalty	07/03/2007	PN				.59	6.74
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	2.93				9.67
08/01/2007	Penalty	08/01/2007	PN				.88	10.55
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	2.93				13.48
09/05/2007	Penalty	09/05/2007	PN				1.17	14.65
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	2.93				17.58
10/01/2007	Penalty	10/01/2007	PN				1.47	19.05
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	2.93				21.98
11/01/2007	Penalty	11/01/2007	PN				1.76	23.74
10/31/2007	Utility Bill - Batch 00000111	11/30/2007	BI	2.93				26.67
03/2007	Penalty	12/03/2007	PN				2.05	28.72
02/2008	Penalty	01/02/2008	PN				2.05	30.77
02/01/2008	Penalty	02/01/2008	PN				2.05	32.82
03/03/2008	Penalty	03/03/2008	PN				2.05	34.87
11/26/2008	Utility Bill - Batch 00000168	12/31/2008	BI	2.93				37.80
12/31/2008	Utility Bill - Batch 00000178	01/30/2009	BI	2.93				40.73
01/31/2009	Penalty	01/31/2009	PN				4.07	44.80
01/30/2009	Utility Bill - Batch 00000189	02/27/2009	BI	2.93				47.73
03/02/2009	Penalty	03/02/2009	PN				4.77	52.50
02/27/2009	Utility Bill - Batch 00000195	03/31/2009	BI	2.93				55.43
04/01/2009	Penalty	04/01/2009	PN				5.54	60.97
03/31/2009	Utility Bill - Batch 00000201	04/30/2009	BI	2.93				63.90
05/01/2009	Penalty	05/01/2009	PN				6.39	70.29
04/30/2009	Utility Bill - Batch 00000206	05/29/2009	BI	2.93				73.22
06/01/2009	Penalty	06/01/2009	PN				7.32	80.54
05/29/2009	Utility Bill - Batch 00000218	06/30/2009	BI	2.93				83.47
07/01/2009	Penalty	07/01/2009	PN				8.35	91.82
06/30/2009	Utility Bill - Batch 00000229	07/31/2009	BI	2.93				94.75
08/03/2009	Penalty	08/03/2009	PN				9.48	104.23
07/31/2009	Utility Bill - Batch 00000234	08/31/2009	BI	2.93				107.16
09/01/2009	Penalty	09/01/2009	PN				10.72	117.88
08/31/2009	Utility Bill - Batch 00000243	09/30/2009	BI	2.93				120.81
10/01/2009	Penalty	10/01/2009	PN				12.08	132.89
09/30/2009	Utility Bill - Batch 00000253	10/30/2009	BI	2.93				135.82
11/02/2009	Penalty	11/02/2009	PN				13.58	149.40
10/30/2009	Utility Bill - Batch 00000256	11/30/2009	BI	2.93				152.33
12/02/2009	Penalty	12/02/2009	PN				15.23	167.56

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Account Balance

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
11/30/2009	Utility Bill - Batch 00000265	12/31/2009	BI	2.93				170.49
01/04/2010	Penalty	01/04/2010	PN				17.05	187.54
01/31/2009	Utility Bill - Batch 00000266	01/29/2010	BI	2.93				190.47
02/02/2010	Penalty	02/02/2010	PN				19.05	209.52
01/29/2010	Utility Bill - Batch 00000279	02/26/2010	BI	2.93				212.45
03/02/2010	Penalty	03/02/2010	PN				21.25	233.70
02/26/2010	Utility Bill - Batch 00000288	03/31/2010	BI	2.93				236.63
04/01/2010	Penalty	04/01/2010	PN				23.66	260.29
03/31/2010	Utility Bill - Batch 00000317	04/30/2010	BI	2.93				263.22
05/04/2010	Penalty	05/04/2010	PN				26.32	289.54
04/30/2010	Utility Bill - Batch 00000328	05/31/2010	BI	2.93				292.47
06/04/2010	Penalty	06/04/2010	PN				29.25	321.72
05/28/2010	Utility Bill - Batch 00000345	06/30/2010	BI	2.93				324.65
07/01/2010	Penalty	07/01/2010	PN				32.47	357.12
06/30/2010	Utility Bill - Batch 00000347	07/30/2010	BI	2.93				360.05
08/04/2010	Penalty	08/04/2010	PN				36.01	396.06
07/30/2010	Utility Bill - Batch 00000355	08/31/2010	BI	2.93				398.99
09/01/2010	Penalty	09/01/2010	PN				39.90	438.89
08/31/2010	Utility Bill - Batch 00000362	09/30/2010	BI	2.93				441.82
10/04/2010	Penalty	10/04/2010	PN				44.18	486.00
09/30/2010	Utility Bill - Batch 00000378	10/29/2010	BI	2.93				488.93
11/02/2010	Penalty	11/02/2010	PN				48.89	537.82
10/29/2010	Utility Bill - Batch 00000384	11/30/2010	BI	2.93				540.75
12/02/2010	Penalty	12/02/2010	PN				54.08	594.83
11/30/2010	Utility Bill - Batch 00000415	12/31/2010	BI	2.93				597.76
01/03/2011	Penalty	01/03/2011	PN				59.78	657.54
12/30/2010	Utility Bill - Batch 00000421	01/31/2011	BI	2.93				660.47
02/01/2011	Penalty	02/01/2011	PN				66.05	726.52
01/31/2011	Utility Bill - Batch 00000439	02/28/2011	BI	2.93				729.45
04/2011	Penalty	03/04/2011	PN				72.95	802.40
02/28/2011	Utility Bill - Batch 00000470	03/31/2011	BI	2.93				805.33
04/04/2011	Penalty	04/04/2011	PN				80.53	885.86
03/31/2011	Utility Bill - Batch 00000489	04/29/2011	BI	2.93				888.79
04/29/2011	Adjustment SWT BILL ERROR	07/31/2007	AJ			45.00		933.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2007	AJ			45.00		978.79
04/29/2011	Adjustment SWT BILL ERROR	09/28/2007	AJ			45.00		1023.79
04/29/2011	Adjustment SWT BILL ERROR	10/31/2007	AJ			45.00		1068.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2007	AJ			45.00		1113.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2008	AJ			45.00		1158.79
04/29/2011	Adjustment SWT BILL ERROR	01/30/2009	AJ			45.00		1203.79
04/29/2011	Adjustment SWT BILL ERROR	02/27/2009	AJ			45.00		1248.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2009	AJ			45.00		1293.79
04/29/2011	Adjustment SWT BILL ERROR	04/30/2009	AJ			45.00		1338.79
04/29/2011	Adjustment SWT BILL ERROR	05/29/2009	AJ			45.00		1383.79
04/29/2011	Adjustment SWT BILL ERROR	06/30/2009	AJ			45.00		1428.79
04/29/2011	Adjustment SWT BILL ERROR	07/31/2009	AJ			45.00		1473.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2009	AJ			45.00		1518.79
04/29/2011	Adjustment SWT BILL ERROR	09/30/2009	AJ			45.00		1563.79
04/29/2011	Adjustment SWT BILL ERROR	10/30/2009	AJ			45.00		1608.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2009	AJ			45.00		1653.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2009	AJ			45.00		1698.79
04/29/2011	Adjustment SWT BILL ERROR	01/29/2010	AJ			45.00		1743.79
04/29/2011	Adjustment SWT BILL ERROR	02/26/2010	AJ			45.00		1788.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2010	AJ			45.00		1833.79
04/29/2011	Adjustment SWT BILL ERROR	04/30/2010	AJ			45.00		1878.79

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
04/29/2011	Adjustment SWT BILL ERROR	05/31/2010	AJ			45.00		1923.79
04/29/2011	Adjustment SWT BILL ERROR	06/30/2010	AJ			45.00		1968.79
04/29/2011	Adjustment SWT BILL ERROR	07/30/2010	AJ			45.00		2013.79
04/29/2011	Adjustment SWT BILL ERROR	08/31/2010	AJ			45.00		2058.79
04/29/2011	Adjustment SWT BILL ERROR	09/30/2010	AJ			45.00		2103.79
04/29/2011	Adjustment SWT BILL ERROR	10/29/2010	AJ			45.00		2148.79
04/29/2011	Adjustment SWT BILL ERROR	11/30/2010	AJ			45.00		2193.79
04/29/2011	Adjustment SWT BILL ERROR	12/31/2010	AJ			45.00		2238.79
04/29/2011	Adjustment SWT BILL ERROR	01/31/2011	AJ			45.00		2283.79
04/29/2011	Adjustment SWT BILL ERROR	02/28/2011	AJ			45.00		2328.79
04/29/2011	Adjustment SWT BILL ERROR	03/31/2011	AJ			45.00		2373.79
04/29/2011	Adjustment SWT BILL ERROR	04/29/2011	AJ			45.00		2418.79
04/29/2011	Adjustment STW PN ADJMNT	08/01/2007	AJ			.88-		2417.91
04/29/2011	Adjustment STW PN ADJMNT	09/05/2007	AJ			1.17-		2416.74
04/29/2011	Adjustment STW PN ADJMNT	10/01/2007	AJ			1.47-		2415.27
04/29/2011	Adjustment STW PN ADJMNT	11/01/2007	AJ			1.76-		2413.51
04/29/2011	Adjustment STW PN ADJMNT	12/03/2007	AJ			2.05-		2411.46
04/29/2011	Adjustment STW PN ADJMNT	01/02/2008	AJ			2.05-		2409.41
04/29/2011	Adjustment STW PN ADJMNT	02/01/2008	AJ			2.05-		2407.36
04/29/2011	Adjustment STW PN ADJMNT	03/03/2008	AJ			2.05-		2405.31
04/29/2011	Adjustment STW PN ADJMNT	01/31/2009	AJ			4.07-		2401.24
04/29/2011	Adjustment STW PN ADJMNT	03/02/2009	AJ			4.77-		2396.47
04/29/2011	Adjustment STW PN ADJMNT	04/01/2009	AJ			5.54-		2390.93
04/29/2011	Adjustment STW PN ADJMNT	05/01/2009	AJ			6.39-		2384.54
04/29/2011	Adjustment STW PN ADJMNT	06/01/2009	AJ			7.32-		2377.22
04/29/2011	Adjustment STW PN ADJMNT	07/01/2009	AJ			8.35-		2368.87
04/29/2011	Adjustment STW PN ADJMNT	08/03/2009	AJ			9.48-		2359.39
04/29/2011	Adjustment STW PN ADJMNT	09/01/2009	AJ			10.72-		2348.67
04/29/2011	Adjustment STW PN ADJMNT	10/01/2009	AJ			12.08-		2336.59
04/29/2011	Adjustment STW PN ADJMNT	11/02/2009	AJ			13.58-		2323.01
04/29/2011	Adjustment STW PN ADJMNT	12/02/2009	AJ			15.23-		2307.78
04/29/2011	Adjustment STW PN ADJMNT	01/04/2010	AJ			17.05-		2290.73
04/29/2011	Adjustment STW PN ADJMNT	02/02/2010	AJ			19.05-		2271.68
04/29/2011	Adjustment STW PN ADJMNT	03/02/2010	AJ			21.25-		2250.43
04/29/2011	Adjustment STW PN ADJMNT	04/01/2010	AJ			23.66-		2226.77
04/29/2011	Adjustment STW PN ADJMNT	05/04/2010	AJ			26.32-		2200.45
04/29/2011	Adjustment STW PN ADJMNT	06/04/2010	AJ			29.25-		2171.20
04/29/2011	Adjustment STW PN ADJMNT	07/01/2010	AJ			32.47-		2138.73
04/29/2011	Adjustment STW PN ADJMNT	08/04/2010	AJ			36.01-		2102.72
04/29/2011	Adjustment STW PN ADJMNT	09/01/2010	AJ			39.90-		2062.82
04/29/2011	Adjustment STW PN ADJMNT	10/04/2010	AJ			44.18-		2018.64
04/29/2011	Adjustment STW PN ADJMNT	11/02/2010	AJ			48.89-		1969.75
04/29/2011	Adjustment STW PN ADJMNT	12/02/2010	AJ			54.08-		1915.67
04/29/2011	Adjustment STW PN ADJMNT	01/03/2011	AJ			59.78-		1855.89
04/29/2011	Adjustment STW PN ADJMNT	02/01/2011	AJ			66.05-		1789.84
04/29/2011	Adjustment STW PN ADJMNT	03/04/2011	AJ			72.95-		1716.89
04/29/2011	Adjustment STW PN ADJMNT	04/04/2011	AJ			80.53-		1636.36
05/04/2011	Penalty	05/04/2011	PN				163.64	1800.00
04/29/2011	Utility Bill - Batch 00000530	05/31/2011	BI	47.93				1847.93
06/03/2011	Penalty	06/03/2011	PN				184.79	2032.72
05/31/2011	Utility Bill - Batch 00000542	06/30/2011	BI	47.93				2080.65
07/01/2011	Penalty	07/01/2011	PN				208.07	2288.72
06/30/2011	Utility Bill - Batch 00000546	07/29/2011	BI	47.93				2336.65
08/03/2011	Penalty	08/03/2011	PN				233.67	2570.32
08/31/2011	Utility Bill - Batch 00000547	08/31/2011	BI	47.93				2618.25

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12/21/11

Account Balance

02:43 PM

Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
09/01/2011	Penalty	09/01/2011	PN				261.83	2880.08
09/31/2011	Utility Bill - Batch 00000552	09/30/2011	BI	47.93				2928.01
3/2011	Penalty	10/03/2011	PN				292.80	3220.81
09/30/2011	Utility Bill - Batch 00000566	10/31/2011	BI	47.93				3268.74
11/02/2011	Penalty	11/02/2011	PN				326.87	3595.61
10/31/2011	Utility Bill - Batch 00000571	11/30/2011	BI	47.93				3643.54
12/02/2011	Penalty	12/02/2011	PN				364.35	4007.89
11/30/2011	Utility Bill - Batch 00000583	12/30/2011	BI	47.93				4055.82
	Storm Water Totals			507.60	19.82	747.34	2820.70	4055.82
08/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	253.97				253.97
10/02/2006	Penalty	10/02/2006	PN				25.40	279.37
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	253.97				533.34
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	ADJ			25.40-		507.94
11/03/2006	Penalty	11/03/2006	PN				50.79	558.73
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	253.97				812.70
11/06/2006	Check CK#5302219	09/29/2006	PY		253.97			558.73
11/06/2006	Check CK#5302219	10/31/2006	PY		253.97			304.76
11/06/2006	Check CK#5302219	11/03/2006	PY		50.79			253.97
12/05/2006	Late Fee	12/05/2006	PN				25.40	279.37
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	253.97				533.34
01/03/2007	Late Fee	01/03/2007	PN				25.40	558.74
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	253.97				812.71
01/04/2007	Check CK#8989	11/30/2006	PY		253.97			558.74
01/04/2007	Check CK#8989	12/29/2006	PY		253.97			304.77
01/04/2007	Check CK#8989	12/05/2006	PY		25.40			279.37
01/04/2007	Check CK#8989	01/03/2007	PY		25.40			253.97
02/06/2007	Late Fee	02/06/2007	PN				25.40	279.37
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	253.97				533.34
5/2007	Check CK#263444853	01/31/2007	PY		253.97			279.37
02/16/2007	Check CK#0096	02/28/2007	PY		253.97			25.40
02/16/2007	Check CK#0096	02/06/2007	PY		25.40			.00
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	253.97				253.97
03/20/2007	Check CK#1001	03/30/2007	PY		253.97			.00
03/30/2007	Utility Bill - Batch 00000092	04/30/2007	BI	253.97				253.97
04/27/2007	Check CK#1005	04/30/2007	PY		253.97			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	253.97				253.97
06/04/2007	Penalty	06/04/2007	PN				25.40	279.37
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	253.97				533.34
07/03/2007	Penalty	07/03/2007	PN				50.79	584.13
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	253.97				838.10
08/01/2007	Penalty	08/01/2007	PN				76.19	914.29
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	253.97				1168.26
09/05/2007	Penalty	09/05/2007	PN				101.59	1269.85
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	253.97				1523.82
10/01/2007	Penalty	10/01/2007	PN				126.99	1650.81
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	253.97				1904.78
11/01/2007	Penalty	11/01/2007	PN				152.38	2057.16
10/31/2007	Utility Bill - Batch 00000111	11/30/2007	BI	109.26				2166.42
12/03/2007	Penalty	12/03/2007	PN				163.31	2329.73
01/02/2008	Penalty	01/02/2008	PN				163.31	2493.04
02/01/2008	Penalty	02/01/2008	PN				163.31	2656.35
03/03/2008	Penalty	03/03/2008	PN				163.31	2819.66
11/26/2008	Utility Bill - Batch 00000168	12/31/2008	BI	114.71				2934.37
12/31/2008	Utility Bill - Batch 00000178	01/30/2009	BI	114.71				3049.08
01/31/2009	Penalty	01/31/2009	PN				304.91	3353.99

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
04/29/2011	Adjustment NO SN PN-BILL ERROR	07/01/2010	AJ			2006.24-		31563.41
04/29/2011	Adjustment NO SN PN-BILL ERROR	08/04/2010	AJ			2218.33-		29345.08
9/2011	Adjustment NO SN PN-BILL ERROR	09/01/2010	AJ			2451.64-		26893.44
04/29/2011	Adjustment NO SN PN-BILL ERROR	10/04/2010	AJ			2708.27-		24185.17
04/29/2011	Adjustment NO SN PN-BILL ERROR	11/02/2010	AJ			2990.57-		21194.60
04/29/2011	Adjustment NO SN PN-BILL ERROR	12/02/2010	AJ			3301.10-		17893.50
04/29/2011	Adjustment NO SN PN-BILL ERROR	01/03/2011	AJ			3642.68-		14250.82
04/29/2011	Adjustment NO SN PN-BILL ERROR	02/01/2011	AJ			4018.42-		10232.40
04/29/2011	Adjustment NO SN PN-BILL ERROR	03/04/2011	AJ			4431.73-		5800.67
04/29/2011	Adjustment NO SN PN-BILL ERROR	04/04/2011	AJ			4886.38-		914.29
05/04/2011	Penalty	05/04/2011	PN				91.43	1005.72
06/03/2011	Penalty	06/03/2011	PN				100.57	1106.29
07/01/2011	Penalty	07/01/2011	PN				110.63	1216.92
08/03/2011	Penalty	08/03/2011	PN				121.69	1338.61
09/01/2011	Penalty	09/01/2011	PN				133.86	1472.47
10/03/2011	Penalty	10/03/2011	PN				147.25	1619.72
11/02/2011	Penalty	11/02/2011	PN				161.97	1781.69
12/02/2011	Penalty	12/02/2011	PN				178.17	1959.86
	Sanitation Totals			6991.43	2158.75	52975.96-	50103.14	1959.86
11/09/2006	Adjustment NSF CK#8964		AJ			300.00		300.00
11/09/2006	Adjustment NSF CK PEE		AJ			40.00		340.00
01/04/2007	Check CK#8989		PY		340.00			.00
01/17/2007	Adjustment RET CK# 8989		AJ			2466.17		2466.17
01/17/2007	Adjustment NSF PEE		AJ			124.91		2591.08
02/05/2007	Check CK#263444853		PY		1884.19			706.89
02/16/2007	Check CK#0096		PY		355.06			351.03
03/20/2007	Check CK#1001		PY		351.03			.00
	Unapplied Cash - Utilities Total			.00	2931.08	2931.08	.00	.00
09/31/2006	Utility Bill - Batch 00000085	09/29/2006	BI	1061.78				1061.78
10/02/2006	Penalty	10/02/2006	PN				106.18	1167.96
09/29/2006	Utility Bill - Batch 00000086	10/31/2006	BI	67.92				1235.88
10/17/2006	Adjustment ADJ PENALTIES	10/02/2006	AJ			106.18-		1129.70
11/03/2006	Penalty	11/03/2006	PN				112.97	1242.67
10/31/2006	Utility Bill - Batch 00000087	11/30/2006	BI	35.86				1278.53
11/06/2006	Check CK#5302219	11/03/2006	PY		112.97			1165.56
11/27/2006	Cut-Off Fee	11/27/2006	PN				20.00	1185.56
12/05/2006	Late Fee	12/05/2006	PN				116.56	1302.12
11/30/2006	Utility Bill - Batch 00000088	12/29/2006	BI	28.99				1331.11
12/28/2006	Cut-Off Fee	12/28/2006	PN				20.00	1351.11
01/03/2007	Late Fee	01/03/2007	PN				2.90	1354.01
12/31/2006	Utility Bill - Batch 00000089	01/31/2007	BI	24.41				1378.42
01/04/2007	Check CK#8989	09/29/2006	PY		1061.78			316.64
01/04/2007	Check CK#8989	10/31/2006	PY		67.92			248.72
01/04/2007	Check CK#8989	11/30/2006	PY		35.86			212.86
01/04/2007	Check CK#8989	12/05/2006	PY		116.56			96.30
01/04/2007	Check CK#8989	01/03/2007	PY		2.90			93.40
01/04/2007	Check CK#8989	11/27/2006	PY		20.00			73.40
01/04/2007	Check CK#8989	12/28/2006	PY		20.00			53.40
01/17/2007	Adjustment RET CK# 8989	12/29/2006	AJ			28.99		82.39
02/06/2007	Late Fee	02/06/2007	PN				2.44	84.83
01/31/2007	Utility Bill - Batch 00000090	02/28/2007	BI	28.99				113.82
02/05/2007	Check CK#263444853	12/29/2006	PY		57.98			55.84
02/05/2007	Check CK#263444853	01/31/2007	PY		24.41			31.43
02/16/2007	Check CK#0096	02/28/2007	PY		28.99			2.44
02/16/2007	Check CK#0096	02/06/2007	PY		2.44			.00

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Date	Description	Due	Type	Billing	Payments	Adjustments	Penalty	Balance
02/28/2007	Utility Bill - Batch 00000091	03/30/2007	BI	31.28				31.28
03/20/2007	Check CK#1001	03/30/2007	PY		31.28			.00
04/02/2007	Utility Bill - Batch 00000092	04/30/2007	BI	63.34				63.34
04/27/2007	Check CK#1005	04/30/2007	PY		63.34			.00
04/30/2007	Utility Bill - Batch 00000093	05/31/2007	BI	33.57				33.57
06/04/2007	Penalty	06/04/2007	PN				3.36	36.93
05/31/2007	Utility Bill - Batch 00000094	06/29/2007	BI	63.34				100.27
06/19/2007	Cut-Off Fee	06/19/2007	PN				20.00	120.27
07/03/2007	Penalty	07/03/2007	PN				9.69	129.96
06/29/2007	Utility Bill - Batch 00000095	07/31/2007	BI	22.12				152.08
08/01/2007	Penalty	08/01/2007	PN				11.90	163.98
07/31/2007	Utility Bill - Batch 00000096	08/31/2007	BI	22.12				186.10
09/05/2007	Penalty	09/05/2007	PN				14.12	200.22
08/31/2007	Utility Bill - Batch 00000097	09/28/2007	BI	22.12				222.34
10/01/2007	Penalty	10/01/2007	PN				16.33	238.67
09/28/2007	Utility Bill - Batch 00000106	10/31/2007	BI	22.12				260.79
11/01/2007	Penalty	11/01/2007	PN				18.54	279.33
12/03/2007	Penalty	12/03/2007	PN				18.54	297.87
01/02/2008	Penalty	01/02/2008	PN				18.54	316.41
02/01/2008	Penalty	02/01/2008	PN				18.54	334.95
03/03/2008	Penalty	03/03/2008	PN				18.54	353.49
01/31/2009	Penalty	01/31/2009	PN				35.35	388.84
03/02/2009	Penalty	03/02/2009	PN				38.88	427.72
04/01/2009	Penalty	04/01/2009	PN				42.77	470.49
05/01/2009	Penalty	05/01/2009	PN				47.05	517.54
06/01/2009	Penalty	06/01/2009	PN				51.75	569.29
07/01/2009	Penalty	07/01/2009	PN				56.93	626.22
08/03/2009	Penalty	08/03/2009	PN				62.62	688.84
09/01/2009	Penalty	09/01/2009	PN				68.88	757.72
10/01/2009	Penalty	10/01/2009	PN				75.77	833.49
11/02/2009	Penalty	11/02/2009	PN				83.35	916.84
12/02/2009	Penalty	12/02/2009	PN				91.68	1008.52
01/04/2010	Penalty	01/04/2010	PN				100.85	1109.37
02/02/2010	Penalty	02/02/2010	PN				110.94	1220.31
03/02/2010	Penalty	03/02/2010	PN				122.03	1342.34
04/01/2010	Penalty	04/01/2010	PN				134.23	1476.57
05/04/2010	Penalty	05/04/2010	PN				147.66	1624.23
06/04/2010	Penalty	06/04/2010	PN				162.42	1786.65
07/01/2010	Penalty	07/01/2010	PN				178.67	1965.32
08/04/2010	Penalty	08/04/2010	PN				196.53	2161.85
09/01/2010	Penalty	09/01/2010	PN				216.19	2378.04
10/04/2010	Penalty	10/04/2010	PN				237.80	2615.84
11/02/2010	Penalty	11/02/2010	PN				261.58	2877.42
12/02/2010	Penalty	12/02/2010	PN				287.74	3165.16
01/03/2011	Penalty	01/03/2011	PN				316.52	3481.68
02/01/2011	Penalty	02/01/2011	PN				348.17	3829.85
03/04/2011	Penalty	03/04/2011	PN				382.99	4212.84
04/04/2011	Penalty	04/04/2011	PN				421.28	4634.12
05/04/2011	Penalty	05/04/2011	PN				463.41	5097.53
06/03/2011	Penalty	06/03/2011	PN				509.75	5607.28
07/01/2011	Penalty	07/01/2011	PN				560.73	6168.01
08/03/2011	Penalty	08/03/2011	PN				616.80	6784.81
09/01/2011	Penalty	09/01/2011	PN				678.48	7463.29
10/03/2011	Penalty	10/03/2011	PN				746.33	8209.62
11/02/2011	Penalty	11/02/2011	PN				820.96	9030.58

13A(45)



**City of North Bay Village**

Administrative Offices

1700 Kennedy Causeway, Suite 132, North Bay Village, FL 33141-4190  
(305) 756-7171 Fax (305) 756-7722 Website - [www.nbvillage.com](http://www.nbvillage.com)

November 30, 2011

North Bay Village Inv LLC  
150 W Flagler St. Suite 1525  
Miami, FL 33130-1557

Re: Delinquent Utility Charges are for 1755 Kennedy Causeway  
Account 00650-00773  
VIA CERTIFIED MAIL#7006 2760 0001 0673 2500

Our records indicate that you are indebted to the City of North Bay Village for Twenty Four Thousand Six Hundred Eighty-Nine Dollars and Seventeen Cents (\$24,689.17) for failure to pay utility service charges, which includes water, sewer, stormwater, waste collection and disposal, and other related charges, as mandated by Chapters 51, 52, 53, and 94 of the City Code.

Pursuant to the City of North Bay Village Code of Ordinances, bills for utility services are due and payable when rendered. Additionally, any bills not paid within 30 days after the date of the bill are considered delinquent.

In an effort to avoid the placement of a Special Assessment Lien against the property, you are hereby notified to remit payment to the City of North Bay Village for Twenty Four Thousand Six Hundred Eighty-Nine Dollars and Seventeen Cents (\$24,689.17) by Dec 08, 2011. If you fail to make the payment within the specified time, we will have no alternative but to proceed to lien the property for the amount due.

If you should require any further information, please contact the Finance Department at (305) 756-7171.

Sincerely,

**Gerard Pirri**  
Finance Director

**13A(46)**

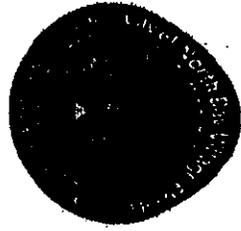
Connie Leon-Kreps  
Mayor

Eddie Lim  
Vice Mayor

Frank Rodriguez  
Commissioner

Dr. Paul Vogel  
Commissioner

Dr. Richard Chervony  
Commissioner



City of North Bay Village  
 Administrative Offices  
 1700 Kennedy Causeway, Suite 13Z  
 North Bay Village, FL 33141  
 Website - www.nbvillage.com

**CERTIFIED MAIL**



7006 2760 0001 0673 2500



North Bay Village Inv LLC  
 150 W Flagler St Suite 1525  
 Miami, FL 33130-1557

13A(47)

1. Article Addressed to:

North Bay Village Inv LLC  
 150 W Flagler St  
 Suite 1525  
 Miami, FL 33130

2. Article Number: 7006 2760 0001 0673 2500  
 (Number from service label)

PS Form 3811, February 2011

Domestic Return Receipt

1. Article Addressed to:

2. Article Number:

3. Article Description:

4. Date of Delivery:

5. Signature of Addressee:

6. Signature of Post Office:

7. Signature of Carrier:

8. Signature of Recipient:

9. Signature of Mailbox:

10. Signature of Mailbox:

11. Signature of Mailbox:

12. Signature of Mailbox:

13. Signature of Mailbox:

14. Signature of Mailbox:

15. Signature of Mailbox:

16. Signature of Mailbox:

17. Signature of Mailbox:

18. Signature of Mailbox:

19. Signature of Mailbox:

20. Signature of Mailbox:

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

North Bay Village Inn  
 150W Flagler Street  
 Suite 1525  
 Miami, FL 33130

2. Article Number

(Transfer from service label)

7006 2760 0001 0673 2500

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *[Signature]*

Agent

Addressee

B. Receiver (Print Name)

*[Handwritten Name]*

C. Date of Delivery

12/1/11

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

DEC 01 2011  
 FLAGLER STATE  
 WINDSOR

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

13A(48)



## City of North Bay Village

Administrative Offices

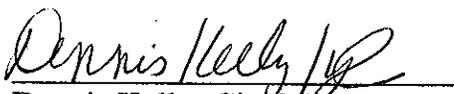
1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

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

### MEMORANDUM City of North Bay Village

**DATE:** June 6, 2012

**TO:** Mayor Connie Leon-Kreps  
Vice Mayor Eddie Lim  
Commissioner Stuart Blumberg  
Commissioner Richard Chervony  
Commissioner Paul Vogel

**FROM:**   
Dennis Kelly, City Manager

**SUBJECT:** Introduction of Resolution

---

The following applications were received for appointment to the various Advisory Boards and Committee:

#### Arts, Cultural & Special Events Board

1. Rosa Paulino Neely  
7901 Hispanola Avenue, #904

#### Youth Services Board

1. Rosa Paulino Neely  
7901 Hispanola Avenue

**IHC(U)**

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Richard Chervony

Commissioner  
Dr. Paul Vogel

Business Development Advisory Committee

1. Jairo E. Reyes  
Pizza D 'Light  
1886 Kennedy Causeway
2. Jason Wandner, Esq.  
Jason M. Wandner, P.A.  
7601 East Treasure Drive, CU#8
3. Joshua Furman MD  
1440 Kennedy Causeway, #323A
4. Mario Joaquin Garcia, RN, MSN, FNP  
7540 Cutlass Avenue  
Past Business Owner: Capry, 1910 3<sup>rd</sup> Avenue, New York, NY 10029  
Capry, 448 5<sup>th</sup> Avenue, Brooklyn, NY 11215

Attachments: Board Applications

14C(2)



### City of 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

## CITY OF NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Rosa Paulino - Neely TELEPHONE# 305-431-7836  
MAILING ADDRESS 7901 Hispanola Avenue #904 N. Bay Village, FL 33141 (The Next)

CITY RESIDENT: YES X NO \_\_\_\_\_ HOW MANY YEARS 5

BUSINESS OWNER: YES \_\_\_\_\_ NO X PAST OR PRESENT \_\_\_\_\_

NAME AND ADDRESS OF BUSINESS \_\_\_\_\_

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? \_\_\_\_\_

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- |  |                                     |                             |                                     |
|--|-------------------------------------|-----------------------------|-------------------------------------|
| ANIMAL CONTROL ADVISORY COMMITTEE      | <input type="checkbox"/>            | COMMUNITY ENHANCEMENT BOARD | <input type="checkbox"/>            |
| ARTS, CULTURAL & SPECIAL EVENTS BOARD  | <input checked="" type="checkbox"/> | PLANNING & ZONING BOARD     | <input type="checkbox"/>            |
| BUSINES DEVELOPMENT ADVISORY COMMITTEE | <input type="checkbox"/>            | YOUTH SERVICES BOARD        | <input checked="" type="checkbox"/> |
| CITIZEN BUDGET AND OVERSIGHT BOARD     | <input type="checkbox"/>            |                             |                                     |

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES X NO \_\_\_\_\_

HAVE YOU EVER SERVED ON A CITY BOARD/COMMITTEE? YES \_\_\_\_\_ NO X

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES \_\_\_\_\_ NO X

ARE YOU A REGISTERED VOTER? YES X NO \_\_\_\_\_

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

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

Several attributes make me qualified to serve on the arts and entertainment and youth boards of the City of North Bay Village. In my current position in the University of Miami's Media Relations Department, I often meet and strategize with media relations officers who help publicize news that emanates from the arts and humanities units throughout the university. My experience also includes event planning. As a former office manager for the University of Miami's ROTC, I organized several events that ranged from graduations and social gatherings to picnics and other official ceremonies. And as the mother of four children, ranging in ages from 2 to 11 years old, I feel that I am uniquely qualified to understand the special needs of today's youth.

**14C(3)**

- |                            |                         |                                 |                                      |                                |
|----------------------------|-------------------------|---------------------------------|--------------------------------------|--------------------------------|
| Mayor<br>Connie Leon-Kreps | Vice Mayor<br>Eddie Lim | Commissioner<br>Stuart Blumberg | Commissioner<br>Dr. Richard Chervony | Commissioner<br>Dr. Paul Vogel |
|----------------------------|-------------------------|---------------------------------|--------------------------------------|--------------------------------|



City of North Bay Village

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**CITY OF NORTH BAY VILLAGE  
BOARD/COMMITTEE APPLICATION**

APR 30 PM 4:16

NAME JAIRO E. REYES TELEPHONE # 305.799.3265

MAILING ADDRESS 1865 79th ST CAUSEWAY Apt. 15-F

CITY RESIDENT: YES  NO  HOW MANY YEARS 13

BUSINESS OWNER: YES  NO  PAST OR PRESENT 13

NAME AND ADDRESS OF BUSINESS PIZZA D'LIGHT  
1888 79th ST CAUSEWAY

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? 13

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINES DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES  NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES  NO

ARE YOU A REGISTERED VOTER? YES  NO

PLEASE GIVE A SUMMARY OF YOUR WORK AND CIVIC SERVICE EXPERIENCE:  
I'm Business Administrator  
and have a Master degree in MARKETING.

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)  
I've been my own boss  
Since 1986, and probably I can offer my  
experiences and knowledge.

- Mayor: Connie Leon-Kreps
- Vice-Mayor: Eddie Lim
- Commissioner: Stuart Blumberg
- Commissioner: Dr. Richard Chervony
- Commissioner: Dr. Paul Vogel

14C(4)



City of North Bay Village

Administrative Offices

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CITY OF NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Joshua Furman MD TELEPHONE # 305-861-3139

MAILING ADDRESS 1440-79th St CSWY #323-A North Bay Village

CITY RESIDENT: YES X NO      HOW MANY YEARS 32 years

BUSINESS OWNER: YES X NO      PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS 1440-79th St CSWY 323-A North Bay Village FL 33141

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? 32 years

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES      NO ✓

ARE YOU A REGISTERED VOTER? YES ✓ NO     

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

I have been a physician in this community for over 30 years at the same location in North Bay Village working at Mount Sinai Hospital

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

I have been on many committees at Mount Sinai Medical Center teaching the fellows. Having been in business successfully for over 30 years in the same community for the people committees that decide which drugs are best for the masses of people. I have properties in N.B.V and have served on Homeowners Association Board.

14 C(5)



City of North Bay Village

Administrative Offices

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CITY OF NORTH BAY VILLAGE BOARD/COMMITTEE APPLICATION

NAME Jason Wander, Esq. TELEPHONE # 305 868 1605

MAILING ADDRESS 7601 E. Treasure Dr. St. 8 NBV - 33141

CITY RESIDENT: YES \_\_\_ NO [X] HOW MANY YEARS \_\_\_

BUSINESS OWNER: YES [X] NO \_\_\_ PAST OR PRESENT \_\_\_

NAME AND ADDRESS OF BUSINESS Jason M. Wander, PA.

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? 2 years plus

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE [ ] COMMUNITY ENHANCEMENT BOARD [ ]
ARTS, CULTURAL & SPECIAL EVENTS BOARD [ ] PLANNING & ZONING BOARD [ ]
BUSINES DEVELOPMENT ADVISORY COMMITTEE [X] YOUTH SERVICES BOARD [ ]
CITIZEN BUDGET AND OVERSIGHT BOARD [ ]

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES [X] NO \_\_\_

HAVE YOU EVER SERVED ON A CITY BOARD/COMMITTEE? YES \_\_\_ NO [X]

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES \_\_\_ NO [X]

ARE YOU A REGISTERED VOTER? YES [X] NO \_\_\_

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

Criminal defense and civil litigator
Former legislative aide in NYS Assembly

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

This city is slow to respond to vital changes needed in the code which impedes businesses from growing.

- Mayor Connie Leon-Kreps Vice-Mayor Eddie Lim Commissioner Stuart Blumberg Commissioner Dr. Richard Chervony Commissioner Dr. Paul Vogel

14C(6)



City of 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

MAY 11 AM 11:24

**CITY OF NORTH BAY VILLAGE  
BOARD/COMMITTEE APPLICATION**

NAME MARIO JOAQUIN GARCIA \* TELEPHONE # 786-348-0918

MAILING ADDRESS 7540 CUTLASS AVE

CITY RESIDENT: YES  NO  HOW MANY YEARS 17 Months

BUSINESS OWNER: YES  NO  PAST OR PRESENT YES

NAME AND ADDRESS OF BUSINESS CARRY 1910 3RD AVE NYC NY 10029  
CARRY 448 5TH AVE Brooklyn NY 11215

HOW LONG HAVE YOU BEEN OPERATING IN THE CITY? 0

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

- ANIMAL CONTROL ADVISORY COMMITTEE
- ARTS, CULTURAL & SPECIAL EVENTS BOARD
- BUSINESS DEVELOPMENT ADVISORY COMMITTEE
- CITIZEN BUDGET AND OVERSIGHT BOARD
- COMMUNITY ENHANCEMENT BOARD
- PLANNING & ZONING BOARD
- YOUTH SERVICES BOARD

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES  NO

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

HAVE YOU EVER BEEN A CITY EMPLOYEE? YES  NO

ARE YOU A REGISTERED VOTER? YES  NO

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

SEE ATTACHED

PLEASE COMMENT ON HOW YOU THINK YOUR BACKGROUND QUALIFIES YOU TO SERVE ON THIS BOARD AND WHAT YOU MAY BE ABLE TO CONTRIBUTE: (use additional page if necessary)

EXTREMELY COMPETENT IN CUSTOMER SERVICE; ORGANIZER;  
AND VISIONARY

**MCG(7)**

# **Mario Garcia, RN, MSN, FNP**

7540 Cutlass Avenue  
North Bay Village, Florida 33141

Home: 786-348-0918  
fivemg@aol.com

Cell: 917-721-0131

E-mail:

## **Other Qualifications:**

**Member of the Fifth Avenue Merchants Association in Good Standings from 1988 to 2001 Brooklyn, New York 11215**

**Served as an advisor to the Board of Directors**

**Treasurer 1990 to 1999**

**Initiated and coordinated an advertising newspaper for the area represented above to generate income to support the expenses of running the organization.**

**Newspaper was distributed to roughly 20,000 households**

**Met regularly with the Community Board**

**Coordinated efforts in the beautification and improvement of the community, including a 20 block Street Fair once yearly that brought the merchants and residents together in a united effort.**

**Board of directors Member for Boy Scout Troop 41 from 1985 to 1993 Brooklyn, New York**

**14C(8)**

# Mario Garcia, RN, MSN, FNP

7540 Cutlass Avenue  
North Bay Village, Florida 33141

Home: 786-348-0918

Cell: 917-721-0131

E-mail: fivemg@aol.com

## Profile

Compassionate dedicated nurse practitioner, bilingual in English and Spanish, seeking to enhance an interdisciplinary team to deliver evidence based healthcare for the adult population. Nursing professional that can perform independently in the management of chronic and acute illnesses. Team player and self motivated individual, passionate about caring for people. Great attitude, positive thinker can perform under pressure with diligence and caring; love teaching and able to bring out the best in others. Given the opportunity will prove to be an asset to the organization with loyalty and hard work.

## Education

**Master of Science, Family Nurse Practitioner**, SUNY Downstate, Brooklyn, NY-August 31, 2008 graduated with a GPA 3.56 with 720 hours of clinical rotation in pediatric, adult, gyn, obstetric, geriatric primary care at Health and Hospital Corporation East New York Diagnostic and Treatment Center annex of Kings County Hospital; wrote papers on obesity; cultural diversity and leadership and management

**Bachelor of Science Nursing**, SUNY Downstate Brooklyn, NY-August, 2005 graduated with a GPA 3.61

**Associate Applied Science, Nursing**, Kingsborough Community College, Brooklyn, NY-June, 2003 graduated with GPA 3.281; VP of Student Nursing Body

## Clinical Experience

**Bascom Palmer Eye Institute** 1/2/2011 to present

- Pre-Admission History and Physical
- Order and evaluate labs and test when needed

**Kendall Regional Hospital** 11/25/2010 to 4/20/2011

- Unit Leader Telemetry
- Shift assignment; Shift report.
- Narcotic count/Inventory
- Code Cart check; Environment of Care Safety Rounds
- Staff Shift Huddle
- IMC Patient Report and Care Management
- OR Schedule Surgeries Checked
- Bed Assignments meeting criteria

- Core Measures and Checklists
- Evaluate Staffing on Shift, next shift and following day
- Supervise staff/Report to Director
- Manage complaints/Problem solve/Service Recovery
- Provide patient care when needed

**Arrhythmia and Syncope Center Mercy Hospital** 10/25/2010 to 11/25/2010

- Consults, hospital rounds and clinic follow ups including dictations

**(Outpatient Urgent Care Clinic)East New York Diagnostic and Treatment Center** 12/31/2008- 8/21/2010

Primary Care Provider as a Nurse Practitioner Board Certified

- Managing acute and chronic diseases including but not limited to Diabetes, Hypertension, Dyslipidimia, Obesity, Asthma, STDs, Depression and CHF. Responsible for the health maintenance of patients with daily review of labs, diagnostic testing, EKG, as well as recommending and ordering appropriate referrals. One day each week, respond to walk in clinic emergencies and member of the Rapid Response Team.

**(Hospital)Maimonides Medical Center, Brooklyn, NY-** December 15, 2003 to -8/21/2010

Staff Registered Nurse/Float Team (Med/Surg, Teli and/or Step Down)

Facilitate overall nursing care of acute Medical /Surgical unit; apply strong commitment to delivering quality care by adhering to evidence base practice

- Provide direct patient care with emphasis on meeting both physical and emotional needs and highly cultural diversity sensitive.
- Highly experienced and comfortable in the care of patients who are intubated and placed on mechanical respirators; enteral feeding; wound care; pain management and end of life care.
- Promote communication among interdisciplinary care team; documentation, sharp analytical and problem solving skills; patient advocate.
- Administer all facets of medications, monitor, examine, report and follow up; including lab result data.
- Extremely educated in blood transfusions, wound care, pain management, and catheterization.
- Delegate assignments and supervise efforts of nursing staff as floor charge nurse.
- Precept newly graduated nurses and new surgical nurses.
- Work with and care for people form a wide range of ethnic and culturally diversified background.

**Palm Garden Rehab & Nursing Home**, Brooklyn, NY- June 2003-  
December 2003: Staff RN

- Vent Unit, wound care, coordinate patient acute care, Physician's medical orders and monthly medication reconciliation.

**Kingsborough Community College**, Brooklyn, NY-January 2003 to  
June 2003: Student

**DBA Capry \* Celani Inc, Brooklyn N.Y/Capriccio De Uomo,  
Inc.**, NY -August 1988-January 2003 Manager

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### **Professional Membership**

American Nursing Association  
American Academy of Nurse Practitioner  
Florida Medical Reserves Corp.

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### **Licensure & Certification**

State of Florida ARNP--Active  
State of New York, Family Nurse Practitioner – Active  
State of New York, Registered Nurse – Active  
State of New York, Licensed Practical Nurse - Active  
American Heart Association- Health Care Provider; CPR & AED, 5/2013 ACLS 5/2013  
PALS 5/2013  
FNP Certification ANCC 12/2013  
Medical Surgical Certification ANCC 6/2015  
Awards: Clinical Excellence 2008; Leadership 2008

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### **Interests**

Family; Nursing; reading; music; theater; New York Yankees, ; Florida Marlins; the beach and fishing



## City of North Bay Village

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

To: Dennis Kelly, City Manager  
From: Bert Wrains, CGFO Interim Finance Director  
Date: June 1, 2012  
Re: Public Relations Event July 4, 2012 Funding

The City of North Bay Village is considering holding a celebration on July 4, 2012. The concept of the event is the City will sponsor it at our New Dr. Paul Vogel Park. The City will provide the music through a contract with The Rodeo Clowns Band, which we have used before. There will not be any fireworks but more of a community get together event.

Local food vendors will be on site to sell their food and beverages. The City will not be involved with any sales or collecting monies.

The City will operate the City bus to transport residents to and from the event at no cost to the residents. We will have some City staff on hand as well as a couple of off duty police officers to assist with the venue.

This was not a planned event when the FY 2012 budget was prepared. This is to request Commission approval to sponsor the event and expend up to \$4,000 from account 001-19-519-5458 - Professional Marketing. This would be local marketing of the City by the Mayor and Commission.

### Event Budget

Live Band-	\$2,100
Stage rental - Miami-Dade County	\$ 300
Other performers (face painting, balloon twisters, clowns, etc.)	\$ 400
Staff overtime costs	\$ 800
Bus driver, public works staff and police officers	
Flags, flyers and other promotional items	\$ 400
Total	\$4,000

The City staff will develop promotional flyers and advertising materials for this event after the event is formally approved.

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Richard Chervony

Commissioner  
Stuart Blumberg

Commissioner  
Dr. Paul Vogel

14FCU



301 South Bronough Street, Suite 300 ♦ Post Office Box 1757 ♦ Tallahassee, FL 32302-1757  
(850) 222-9684 ♦ Fax (850) 222-3806 ♦ Web site: www.flcities.com

TO: Municipal Key Official  
FROM: Michael Sittig, Executive Director  
DATE: May 8, 2012

SUBJECT: 86th Annual FLC Conference – *FLC University; A Commitment to Life Long Learning*  
VOTING DELEGATE AND RESOLUTION INFORMATION  
August 23-25, 2012 – Westin Diplomat, Hollywood

As you know, the Florida League of Cities' Annual Conference will be held at the Westin Diplomat, Hollywood, Florida on August 23-25. This year we are celebrating *FLC University; A Commitment to Life Long Learning*, which will provide valuable educational opportunities to help Florida's municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League's by-laws, each municipality's vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2011.

Registration materials will be sent to each municipality the week of June 1<sup>st</sup>. Materials will also be posted on-line. Call us if you need additional copies. The League adopts resolutions each year to take positions on commemorative, constitutional or federal issues. We have attached the procedures your municipality should follow for proposing resolutions to the League membership. A resolution is not needed to become a voting delegate. If you have questions regarding resolutions, please call Allison Payne at the League at (850) 701-3602 or (800) 616-1513, extension 3602. **Proposed resolutions must be received by the League no later than July 18, 2012.**

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 15, 2012.**

Attachments: Form Designating Voting Delegate  
Procedures for Submitting Conference Resolution

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President Patricia J. Bates, Mayor, Altamonte Springs  
First Vice President Manny Maroño, Mayor, Sweetwater ♦ Second Vice President P.C. Wu, Councilman, Pensacola  
Executive Director Michael Sittig ♦ General Counsel Harry Morrison, Jr. 14 (61)

**86th Annual Conference  
Florida League of Cities, Inc.  
August 23-25, 2012  
Hollywood, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

**Designation of Voting Delegate**

Name of Voting Delegate: \_\_\_\_\_

Title: \_\_\_\_\_

Municipality of: \_\_\_\_\_

**AUTHORIZED BY:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Return this form to:

Gail Dennard  
Florida League of Cities, Inc.  
Post Office Box 1757  
Tallahassee, FL 32302-1757  
Fax to Gail Dennard at (850) 222-3806 or email [gdennard@flcities.com](mailto:gdennard@flcities.com)

**14GL2**

## **Important Dates**

**May 30, 2012**

Notice to Local and Regional League Presidents and Municipal Associations  
regarding the Resolutions Committee

**June 29**

Appointment of Resolutions Committee Members

**July 18**

Deadline for Submitting Resolutions to the League office

**August 23**

League Standing Council Meetings  
Resolutions Committee Meeting  
Voting Delegates Registration

**August 25**

Immediately Following Breakfast – Pick Up Voting Delegate Credentials  
Followed by Annual Business Session

**14G-13)**

**Procedures for Submitting Resolutions**  
**Florida League of Cities' 86th Annual Conference**  
**Westin Diplomat**  
**Hollywood, Florida**  
**August 23-25, 2012**

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 18, 2012, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

146(4)



## City of North Bay Village

Administrative Offices

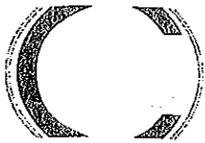
1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### MEMORANDUM

To: The Honorable Mayor and City Commission  
From: Dennis W. Kelly, City Manager  
Subject: Entrance Sign Proposal  
Date: June 7, 2012

Find attached a sample rendering for the entrance approach to the City from the East/Miami Beach. Also attached are three quotes to fabricate and install the sample sign. Staff requests City Commission approval of the design. The location will be in the first median west of East Treasure Drive per the attached site photo. Once design and location are approved, staff can proceed placing the order for fabrication and installation.

14H(1)



**C&L GRAPHICS**  
consulting • design • printing • advertising

3901 NW 79th Avenue / Suite 244 / Doral, FL 33166  
T. 786.877.5522 / F. 786.513.0132  
E. carlos@candlgraphics.com

# Invoice

## BILL TO

City of North Bay Village  
1700 Kennedy Causeway Suite 132  
North Bay Village FL 33141  
Attn: Sam Zamacona

## SHIP TO

City of North Bay Village  
1700 Kennedy Causeway Suite 132  
North Bay Village FL 33141  
Attn: Sam Zamacona

P.O. NO.	INVOICE No.	QUOTE DATE	REP.	ORDER No.	SHIP VIA
Sam	09658	05/24/12	CR		Truck

ITEM	DESCRIPTION	QTY	UNIT	AMOUNT
Signs	<p>"CITY OF N. BAY WELCOME SIGNS" Aluminum Sheet PVC 1" letters pinned to surface PVC Circle with graphics for City logo and raised letters to create 3D effect. Square poles 4" Height: 72" Width: 48"</p> <p>Production Time: 5-7 working days</p> <p>Installation 2-4 working days approx.</p> <p>Permits not included</p>	1	5,500	\$5,500.00
				\$950.00
			SUB-TOTAL	6,450.00
			TAX	N/A
			DEPOSIT	50%

All jobs need a 50% deposit at the time of ordering and 50% at the time of delivery.

Please make checks payable to: C&L Graphics, Inc.

*Thank You for your business*

**TOTAL \$6,450.00**

**14H(2)**

# IDEAS

ADVERTISING GROUP

7901 NW 36 Street | Suite#340  
 Doral, Florida 33166  
 Phone 305.215.5705 Fax 786.513.7608  
 Edwin@IdeasAdvertisingGroup.com

## QUOTATION

Quote No. 120516-001  
 Invoice Date May 16, 2012

**SHIP TO**

City of North Bay Village  
 1700 Kennedy Causeway  
 Suite 132  
 North Bay Village, FL 33141  
 Attn: Sam Zamacona

**BILL TO**

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

Sales Rep.	P.O. Number	Ship Date	Ship Via	FOB	Terms
E. GONZALEZ		00/00/00	Truck	Miami, FL	COD

Quantity	Description	Unit Price	Total
1	"CITY OF N. BAY WELCOME SIGNS" Aluminum Sheet, PVC 1" letters pinned to surface PVC Circle with graphics for City logo and raised letters to create 3D effect. Posts 4" thick 72" x 48"  Production: 7-10 working days  Installation on site		\$6,925.00  \$1,250.00
		Sub-Total	\$8,175.00
It's been a pleasure working with you. Thank You!		Tax	N/A
If customer invoices are delinquent (thirty(30) days from the date that your order is completed. A late charge of \$25.00, together with interest accruing at the rate of 1.5% per month shall be assessed. Customer shall be liable for all costs related to collection of delinquent invoices, including court costs and attorney fees.		Total	\$8,175.00
		Balance Due	\$0.00

14H(3)



**HIGH SPIRITS INC:**  
 2353 Coral Way  
 Miami, FL 33145  
 Phone: 305-860-3601  
 e-mail: highspiritsinc@aol.com

# ESTIMATE

**SOLD TO:**

North Bay Village City  
 1700 Kennedy Causeway / #132  
 North Bay Village, Florida 33141  
 Sam Zamacona

REQUESTED BY	QUOTE NO.	DATE	REP.	TERMS
Sam Zamacona	Q-10512	05/18/12	P. O.	COD

DESCRIPTION	QTY	AMOUNT
<b>WELCOME SIGN for CITY OF NORTH BAY VILLAGE</b> 1/4" Aluminum Sheet, PVC 1" letters pinned to surface and painted PVC Circle with graphics for City logo and raised letters. Square poles 4". Overall Size: 72"x48", 5-7 days	1	\$7,500.00
Installation 2-4 working days approx.	1	\$1,150.00
Permits not included in this price, provided by customer.		

Prices do not reflect taxes, they'll be added to the invoice when applicable. The prices herein are good for 30 days only. When you have decide to place an order, please attached this quote with your request.

**14 H(4)**

48" Wide

72" Tall

61"

42"

20"

12"



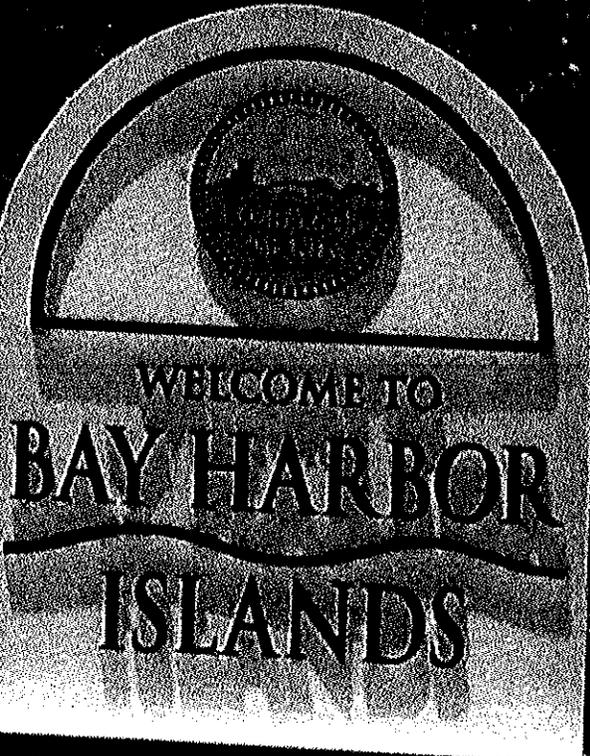
Welcome to  
North Bay  
Village

**Materials:**

- Aluminum Sheet
- PVC 1" letters pinned to surface
- PVC Circle with graphics and raised letters to create 3D effect.
- Square poles 4"
- Height: 72"
- Width: 48"

**Production Time:**  
5-7 days

**Installation:**  
2-4 days



WELCOME TO  
**BAY HARBOR**  
**ISLANDS**





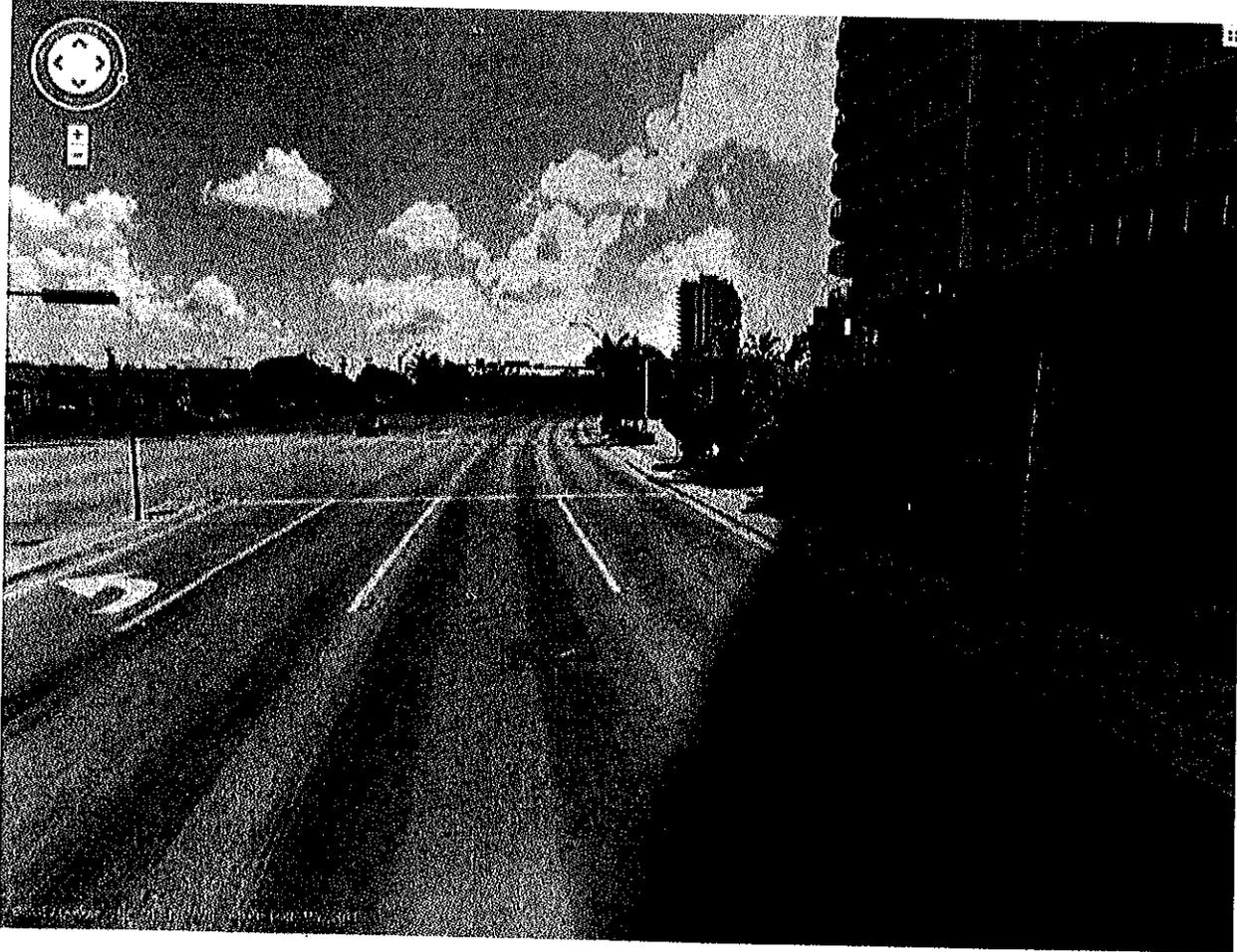
North Miami Beach

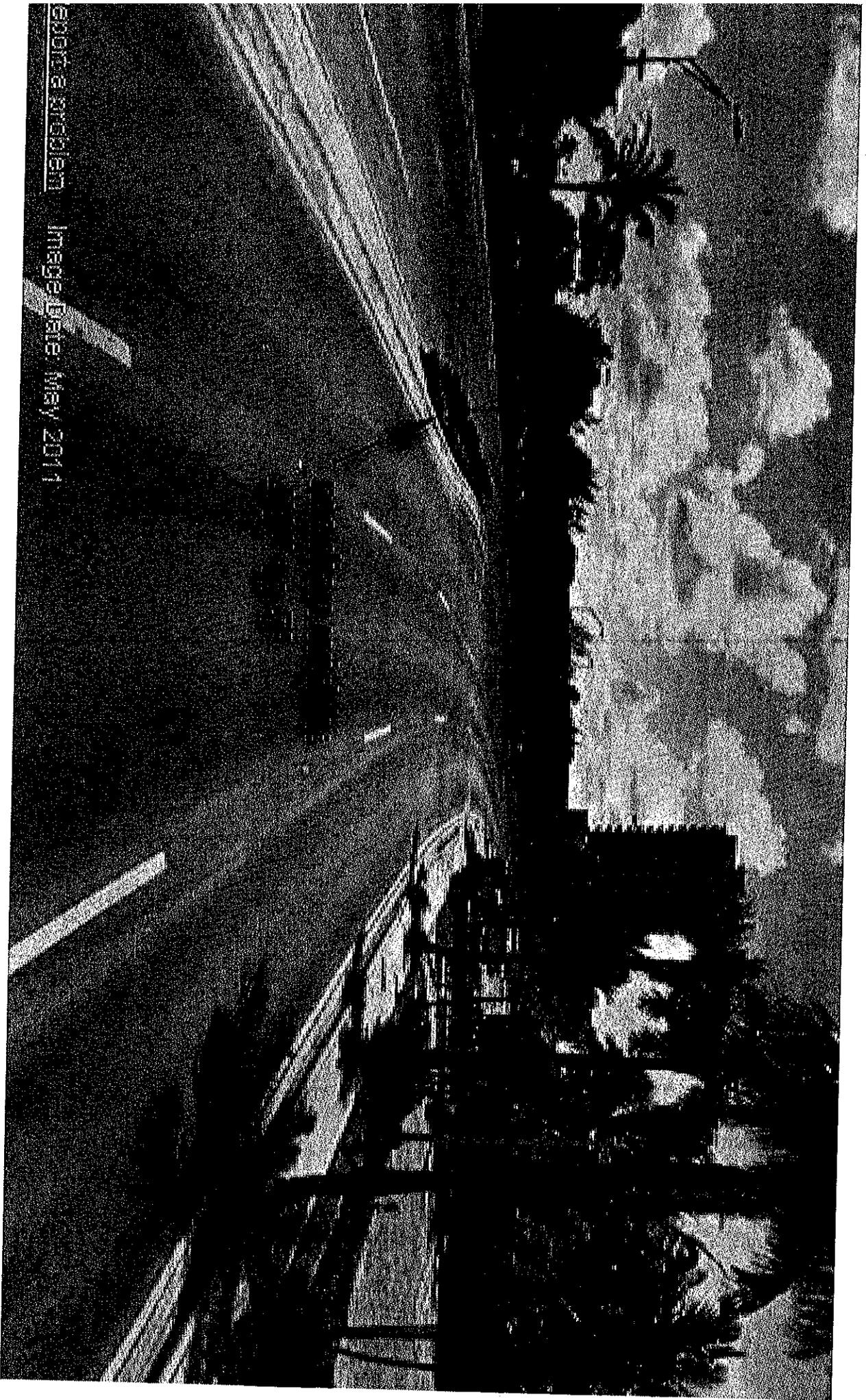
Welcomes  
— you —

**Yvonne Hamilton**

---

**From:** Sam Zamacona  
**Sent:** Thursday, June 07, 2012 6:03 PM  
**To:** Yvonne Hamilton (yvonne.hamilton@nbvillage.com)  
**Cc:** Sam Zamacona (samzamacona@nbvillage.com)  
**Subject:** Welcome sign  
**Attachments:** NMphoto.JPG; BHphoto.JPG; NMBphoto.JPG; FirstMedianWestBound.jpg; IdeasADD120516-001 Quote CNBV.pdf; HSquote 10012.pdf; Invoice 09658 CNBV.pdf





Google Assistant Image Date: May 2011

OFFICIAL MINUTES

CITY OF NORTH BAY VILLAGE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, FEBRUARY 14, 2012

7:30 P.M

A Regular Meeting of the City of North Bay Village Commission was held on Tuesday, February 14, 2012, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL. The meeting was called to order at 7:39 p.m. by Mayor Connie Leon-Kreps, and the Pledge of allegiance was recited. The following were present:

Mayor Connie Leon-Kreps  
Vice Mayor Eddie Lim  
Commissioner Richard Chervony

City Manager Dennis Kelly  
City Attorney Nina Boniske  
City Attorney Michael Popok  
Chief Robert Daniels  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
HR Manager Jenice Rosado  
City Clerk Yvonne P. Hamilton

Absent: Commissioner Paul Vogel was absent due to illness.

Commissioner Frank Rodriguez resigned from the Commission on January 31, 2012.

As a quorum was determined to be present, the meeting commenced.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Richard Chervony to excuse Dr. Paul Vogel's absence. All voted in favor and the motion carried 3-0.

15A(1)

**B. APPOINTMENT OF TREASURE ISLAND COMMISSIONER  
(PURSUANT TO SECTION 3.07(D), CITY CHARTER)**

Candidates Doris Acosta, of 1790 South Treasure Drive, Wendy Duval, of 7545 East Treasure Drive, Stuart Blumberg, of 7532 Cutlass Avenue, and Arnold Brun, of 7601 East Treasure Drive, addressed the Commission regarding their qualifications to fill the vacancy.

Candidate Reinaldo Trujillo was not present.

Following discussion on the qualifications of the candidates, Vice Mayor Eddie Lim moved to appoint Stuart Blumberg as Treasure Island Commissioner and Mayor Connie Leon-Kreps seconded the motion. The votes were as follows: Commissioner Richard Chervony-Yes, Mayor Connie Leon-Kreps-Yes, and Vice Mayor Eddie Lim-Yes. The motion carried 3-0.

**C. OATH OF OFFICE**

The oath of office was administered by City Clerk Yvonne Hamilton and Commissioner Blumberg took his place on the dais.

**D. NEW ROLL CALL**

The City Clerk called the roll and the following were present:

Mayor Connie Leon-Kreps  
Vice Mayor Eddie Lim  
Commissioner Richard Chervony  
Commissioner Stuart Blumberg

**2. A. PROCLAMATIONS AND AWARDS**

There were no proclamations and awards.

**B. SPECIAL PRESENTATIONS**

There were no special presentations.

**C. ADDITIONS AND DELETIONS**

There were no additions to or deletions from the agenda.

**3. BOARD REPORTS**

**A. ANIMAL CONTROL ADVISORY BOARD**

A report was not provided.

**B. ARTS, CULTURAL & SPECIAL EVENTS BOARD**

A report was not provided.

**C. CITIZENS BUDGET AND OVERSIGHT BOARD**

Alvin Blake, Vice Chair, reported on the January 26, 2012 board meeting where the purchase of financial software and the City's capital projects which included the seawall at Dr. Paul Vogel Park were discussed. Also addressed were the deficiencies that were reported in the 2010-2011 Audit Report. City staff informed the Board that most of the deficiencies were corrected. During discussion of the legal expenses, it was noted that an RFQ would be issued for legal services. The reduction in the ATS revenues was noted and it was mentioned that many Cities were suspending the program. However, it was noted that the program had served well as a safety feature. Mr. Blake further explained that Mr. Vericker had not attended any meetings, and there was a majority vote by the Board to remove him.

**D. COMMUNITY ENHANCEMENT BOARD**

Penelope Friedland, Chair, reported on the February 12, 2012 meeting. Chief Daniels had provided an update on crime; explained plans to use an experimental program with high resolution cameras that would read license plates from vehicles; announced the planning of Citizens Police Academy that is in the final stages; and plans efforts to hold meetings with the condo associations. He also advised the Board that "No Solicitation" signs could be posted on private properties to prevent solicitation. The Board also expressed concern about the loss of Royal Palm trees on North Bay Island.

Ms. Friedland further reported that the Board voted to re-create the Annual Beautification Award with categories for Single Family Residential, Residential Low-Rise, Residential High-Rise and Commercial, with a deadline for nominees at their April meeting and award the presentation at the May 12, 2012 City Commission Meeting. The Board requested that the City Commission announce the event and set a deadline for nominees. A motion was also made by the Board for the City Commission to discuss the hiring of an outside landscape consultant to ensure that the City's landscaping is being maintained in accordance with the contract requirements.

Commissioner Blumberg noted that the signs at the entrance to the City from the west are not lighted at night. He also suggested that the City replace the meeting notice signs with more professional ones. He expressed concern that the overgrown bulb-outs on Treasure Island would grow out into the street and interrupt traffic.

#### **E. PLANNING & ZONING BOARD**

A report was not provided.

#### **F. YOUTH SERVICES BOARD**

Kevin Vericker, member of the Citizens Budget & Oversight Board, reported on the February 13, 2012 meeting where discussions were held regarding youth services for North Bay Village. More specifically, the implementation of a background check policy for volunteers during City sponsored events for individuals who will be working with youths; shared recreational services with neighboring municipalities; creation of a Youth Services Directory on the City's website; and development of a Youth Services Master Plan. Mr. Vericker noted that City Manager Kelly briefed the Board on initial discussions with Miami Beach regarding the requirements for an Interlocal Agreement to address the shared services. He announced the next meeting for March 5, 2012 at 6:30 p.m.

#### **4. PUBLIC SAFETY DISCUSSION**

Chief Daniels presented the annual public safety report (1/11-1/12). He pointed out officers' activities such as 911 calls, radio traffic, and telephone calls to dispatch increased by 25% and officer initiated activities increased from 1,526 to 2,134. He explained that auto burglary was the largest category of crime due to vehicles being left unlocked, mostly in residential areas. He informed the community that a sexual offender is living in the City at 7601 East Treasure Drive.

Mayor Leon-Kreps requested an update on the Citizens Police Academy.

Chief Daniels explained that the program is in the final planning stages. It is geared towards getting residents to become familiar with the community and would be for 8-9 weeks with a class size of approximately 20 residents.

The Chief mentioned the purchase of new police cars with funds from drug related seizures. He spoke about holding a contest to select the graphics for the vehicles.

Commissioner Blumberg asked if there was a breakdown in the numbers of the citations or if they were lumped together with the red light camera citations. Chief Daniels responded that the numbers do not include numbers from the red light camera program. A separate breakdown would be provided in March.

5. **COMMISSIONERS' REPORTS**

Commissioner Chervony reported on the following:

- The operation of the video cameras on North Bay Island and installation of "Under Surveillance" signs. He thanked Chief Daniels and the residents of North Bay Island for their assistance with this matter.
- His attendance at Miami-Dade Days in Tallahassee
- The need for installation of the City Hall sign.
- Economic development of the City with meetings with community leaders to identify empty businesses
- He volunteered to be the member of the Commission to supervise completion of Phase 1 of the causeway development
- Beginning the second phase of the causeway development
- Condominium Association management meeting on March 7, 2012 at 7:00 p.m.
- His Meeting with School Board member Karp for a Baccalaureate Program at Treasure Island Elementary School
- Time to review first quarter of the budget
- Annual spay and neuter program from February 21 through February 25.
- He urged members of the community to use the local post office.
- Bus benches not lighted at nights
- Holding a 4<sup>th</sup> of July event

Commissioner Lim reported on the following:

- His attendance at Miami-Dade Days in Tallahassee
- The installation of new signs on East Drive and West Drive advertising "no Parking on Tuesdays and Thursdays to allow the streets to be cleaned
- Installation of signs advertising that back-in parking is prohibited

- Plans to install speed humps on Harbor Island
- Installation of new dog leash signs, "Littering prohibited" signs, and "slow down" signs similar to those in Hollywood – "we love our kids, slow down"
- Economic Development Task Force
- Community gardening on vacant lots in the City
- The need to upgrade the "Grove by the Bay" building
- Datronix electrical sign to replace existing meeting signs
- Lighting of entrance signs

Commissioner Blumberg reported that while he believes in the quality of life and importance of signage, he also feels that North Bay Village is devoid of color. As the City moves forward, he would like to see more color similar to those in the median strips on Alton Road, rather than just greenery.

Mayor Leon-Kreps suggested that City lobbyists Omar Franco and Fausto Gomez make a report at a Commission Meeting and that Congresswoman Wasserman Schultz be recognized for her work in assisting the city with obtaining grant funding for the sewer force main project. She spoke about her meeting with various delegates during her trip to Tallahassee for Miami-Dade Days where replacement of the causeway fencing was addressed. The matter was also brought to the attention of Gus Pego of the Florida Department of Transportation. The goal of the City for residents to use Miami Beach recreational facilities was discussed with Commissioner Sally Heyman and an Inerterlocal Agreement is being considered. Florida Department of Transportation was also contacted about adding shrubbery to the west end of the south side of the causeway to reduce the noise level that affects homeowners on North Bay Island. The Mayor announced the Garden Tour scheduled for March 31, 2012 from 10:00 a.m. to 2:00 p.m.

Commissioner Lim concurred that more plant color should be added to the City, and he suggested the planting of perennials or annuls to the mosaic pots on the causeway.

6. **CITY ATTORNEY'S REPORT**

City Attorney Boniske requested an Executive Session in the matter of James McVay/Dade County PBA vs. City of North Bay Village; FMCS Case No. 12-00643-3.

Commissioner Chervony requested that the City Attorney provide a report on the Isle of Dreams application.

7. **CITY MANAGER'S REPORT**

City Manager Dennis Kelly reported that a request by Mr. Ronald Korman, of 7524 West Treasure Drive, for placement of a handicapped sign in front of his home was determined to be inappropriate following an analysis by the Police Chief and a review of the records. Excerpt from the Minutes of January 2008 revealed a motion by the Commission for staff to create an application process for on-street handicapped parking, so long as there was no parking on the property. DEP gave assurance of their support for the City's bay walk project. The Mayor of Miami Beach agreed on use of Normandy Park by the children of North Bay Village and an Interlocal agreement is being prepared. The City Manager announced a walk-through of the 79<sup>th</sup> Street Causeway Improvement project for February 17, 2012. Improvements to Dr. Paul Vogel Park are close to completion. Restrooms, which were not included as part of the original plans, are required pursuant to the Florida Building Code and they are estimated to cost of \$120,000. Portables will be used to satisfy the requirements. The City could qualify for 50% of the cost under the Florida Inland Navigation District grant program where submittal of applications will start on April 1, 2012 with award of grant after October 1. The park is scheduled to be opened by the end of March to satisfy the current grant. Quotes will be received for a new seawall and cap at Dr. Paul Vogel Park.

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

Elaine Beutel, of 7533 Hispanola Avenue, questioned the need for the pickup truck to drive behind the garbage truck during working hours. She also suggested that a school Crossing Guard be hired instead of a police officer performing those duties. She asked about the status of the underground electrical wiring project.

City Manager Kelly responded that Ms. Aletha Player had informed him that FPL is still working on the design, and the City will be notified once the design is completed.

Mayor Leon-Kreps mentioned that a workshop will be held on the matter.

Mrs. Gudrun Volker, of 7517 Cutlass Avenue, discussed the idea of making Treasure Island a gated community. She noted that the Treasure Island monument signs were too far out towards 79<sup>th</sup> Street.

Alvin Blake, Vice Chair of the Citizens Budget & Oversight Board, explained that the Board meets at 4:30 p.m. which provides opportunity for more administrative staff to attend the meetings and respond to questions. He referred to legal fees in excess of \$11,000 for the recall issues and suggested the use of a retainer fee for legal services. He extended an invitation for volunteers to assist the Optimists Club at the Coconut Grove Arts Festival Saturday, Sunday, and Monday. He noted that the Ethics Commission had issued a determination of no wrong doing in the matter concerning Commissioner Vogel's cellular phone, and they had closed the case.

Scott Greenwald, of the Lexi, advised the Commission that the application submitted for the Isle of Dreams project should be reviewed within 60 days and he requested that a Special Meeting be set for the end of the month. He expressed concern that the applicant was asked to address tandem parking which is not allowed in the City.

Mike Miconey, of 7924 East Drive, spoke about the speeding on East Drive and also made a request for the installation of handicapped parking spaces.

Kevin Vericker, of 7520 Hispanola Avenue, discussed his request to the Budget & Oversight Board to hold meetings in the evening like other boards instead of during daytime business hours, which is not convenient for residents and prevents him from attending meetings because of a project that he works on from 4:00 p.m. to 6:30 p.m. Mr. Vericker referred to the complaint to the Ethics Commission regarding payment for two cellular phones for Commissioner Vogel and his spouse for seven years. He discussed that although a mistake was made and the Ethics Commission found that there were good intentions, the City has an obligation to start collecting the payments.

Fane Lozman, of 7918 West Drive, noted that Dr. Paul Vogel Park remains lighted through the nights and that the vacant lot at 8000 West Drive is being used as an industrial site. He advised that small boats are moored at Jerusalem Harbor, which should not happen.

Al Coletta, of 7904 West Drive, discussed the problem with lack of parking on West Drive due to residents of Bayshore Yacht & Tennis Club using on-street parking because they were told that they did not need parking in the condo association. He recalled that a dock was prevented from being built at 7910 West Drive because of shortage of nine parking spaces.

Dr. Donna Philips, of 1555 N. Treasure Drive and president of the condominium association reported that vehicles on the property were vandalized this past weekend and the gated community has had to deal with drug trafficking, public drunkenness, trespassing and theft of the association's property. She spoke about the difficulty in getting the police to respond. She suggested that police presence be increased inside of the condominium association.

At this time Commissioner Blumberg excused himself from the dais as he was just appointed to the Commission and was not prepared to vote, since he had also just received the agenda materials.

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.

There were no consent agenda items.

10. **PLANNING & ZONING CONSENT AGENDA**

There were no planning and zoning consent agenda items.

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

- A. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, SETTING THE QUALIFYING DATES FOR THE NOVEMBER 6, 2012 GENERAL ELECTION AS PROVIDED FOR UNDER CHAPTER 100, SECTION 100.3605(2) OF THE FLORIDA STATUTES; PROVIDING DIRECTIONS TO THE CLERK; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY AND COMMISSIONER EDDIE LIM)**

The City Clerk read the Ordinance by title.

Commissioner Lim reported that the City Clerk received a letter from Miami-Dade Elections Department requesting a change in the election qualifying dates to be no later than August 17, 2012, in order to meet statutory deadlines

Mayor Leon-Kreps opened the floor to public comments and no one came forward to be heard.

A motion was offered by Vice Mayor Eddie Lim and seconded by Mayor Connie Leon-Kreps to approve the ordinance on first reading. The votes were as follows: Commissioner Richard Chervony-Yes, Mayor Connie Leon-Kreps-Yes, and Vice Mayor Eddie Lim-Yes. The motion carried 3-0.

- B. AN ORDINANCE OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE CITY OF NORTH BAY VILLAGE CONSOLIDATED LAND DEVELOPMENT REGULATIONS BY REPEALING CHAPTER 6, FLOOD DAMAGE PREVENTION; AMENDING THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 154, "FLOOD DAMAGE PREVENTION"; TO ADOPT FLOOD HAZARD MAPS, DESIGNATE A FLOODPLAIN ADMINISTRATOR, ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS AND LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY)**

The City Clerk read the Ordinance by title.

A motion was offered by Commissioner Richard Chervony to approve the Ordinance on first reading and Mayor Connie Leon-Kreps seconded the motion.

Assistant City Attorney Kathy Mehaffey explained that FEMA implemented the ordinance as part of the National Flood Insurance Program (NIP) that allows residents and businesses to purchase flood insurance. The City has been part of the NIP since 1972. The 2010 version of the Florida Building Code, which will become effective on March 15, 2012, requires, for the first time that all municipalities update their codes to address all flood damage prevention issues not covered in the Florida Building Code. This proposed ordinance starts with the base model and will address all of the flood development prevention issues that are not addressed in the Florida Building Code.

Mayor Leon-Kreps asked what effects the regulations would have on the residents.

City Attorney Mehaffey responded that the City is not part of the rating system, which would require a study. Being part of the National Flood Insurance Program will allow the City to implement the remainder of the program.

The Mayor opened the public hearing.

Fane Lozman, of 7918 West Drive, noted that municipalities spend millions of dollars to protect their waterfront. He referred to a DVD prepared by National Geographic with information concerning the millions of dollars that are spent to address rising waters and other flood situations.

The votes on the motion to approve the ordinance on first reading were as follows: Commissioner Richard Chervony-Yes, Mayor Connie Leon-Kreps-Yes, and Vice Mayor Eddie Lim-Yes. The motion carried 3-0.

- C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$40,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND (FUND 07); AUTHORIZING THE DISBURSEMENT AND EXPENDITURE OF SUCH FUNDS TO COVER COSTS ASSOCIATED WITH THE CRIMINAL INVESTIGATIONS; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY)**

The City Clerk read the resolution by title.

A motion was offered by Commissioner Chervony and seconded by Mayor Connie Leon-Kreps to approve the resolution.

Chief Robert Daniels reported that the expenditures will come from the law enforcement trust fund.

Mayor Connie Leon-Kreps opened the floor to public comments

Dr. Donna Philips, of 1555 N. Treasure Drive, expressed favor to the resolution as she felt the investigations would help the residents in her condominium association.

The Mayor closed the floor to public comments.

The votes on the motion to approve the resolution were as follows: Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes. The motion carried 3-0.

- D. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, OPPOSING FLORIDA HOUSE BILLS 4025, FLORIDA SENATE BILLS 760, AND ANY COMPANION OR SUBSTITUTE BILLS, PROPOSING TO REPEAL CHAPTER 205 OF THE FLORIDA STATUTES WHICH WOULD ELIMINATE THE LOCAL BUSINESS TAX ACT RESULTING IN A LOSS OF REVENUE TO THE CITY OF NORTH BAY VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER DENNIS KELLY AND COMMISSIONER RICHARD CHERVONY)**

The City Clerk read the resolution by title.

A motion was offered by Commissioner Chervony and seconded by Vice Mayor Eddie Lim to approve the resolution.

Commissioner Richard Chervony reported that the Bill was temporarily deferred, but a proposed new Senate Bill 770 will exempt real estate businesses from paying the Business Tax Receipt Fees. The Commissioner requested to amend the resolution to reflect House Bills 4025 and 361 and Senate Bills 760 and 770.

The votes on the motion to approve the resolution were as follows: Vice Mayor Eddie Lim-Yes, Mayor Connie Leon-Kreps-Yes, and Commissioner Richard Chervony-Yes. The motion carried 3-0.

- E. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, OPPOSING HOUSE BILL 319 PENDING IN THE FLORIDA LEGISLATURE RELATED TO CONDOMINIUM ASSOCIATIONS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY AND CITY MANAGER DENNIS KELLY)**

The City Clerk read the resolution by title.

A motion was offered by Commissioner Chervony and seconded by Mayor Connie Leon-Kreps to approve the resolution.

Commissioner Chervony reported that the Bill will affect condominiums as they might not be able to collect legally owed maintenance fees, attorney's fees, liens, and assessments when there are foreclosures.

Vice Mayor Lim spoke about the devastating impact passage of the legislation would have on the condominiums if they were not able to collect those fees.

Mayor Leon-Kreps advised that the matter was of critical concern.

Commissioner Chervony urged the condominium associations to voice their opposition to the legislation via emails to Tallahassee to their governor and to their representatives.

The votes on the motion to approve the resolution were as follows: Mayor Connie Leon-Kreps-Yes, Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes. The motion carried 3-0.

**F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES; CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS AND CITY MANAGER DENNIS KELLY)**

The City Clerk read the resolution by title.

Mayor Leon-Kreps discussed the idea of the resolution for a firm or individual to provide legal services under a retainer fee.

City Manager Kelly discussed the creation of a five to seven member selection committee consisting of residents with legal background and professionals outside of the City such as an attorney from Miami Dade League of Cities, and retired judges to assist with review of the responses to the RFQ.

Mayor Leon-Kreps opened the floor to public comments and no one came forward to be heard.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Richard Chervony to approve the resolution. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

12. **PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING**

There were no public hearings or ordinances for second reading.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. **NEW BUSINESS**

A. **APPOINTMENT OF MEMBERS TO THE ADVISORY CHARTER REVIEW BOARD**

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Richard Chervony to appoint Alvin Blake as the North Bay Island representative, Max Crown as the Treasure Island representative, Jorge Gonzalez as the Harbor Island representative, Roy Martayan as the At-Large representative, and Robert Pushkin. The motion carried 3-0.

A motion was offered by Commissioner Richard Chervony and seconded by Mayor Connie Leon-Kreps to appoint Tony Crapp as a non-voting member to the Board. The votes were as follows: Vice Mayor Eddie Lim-Yes, Mayor Connie Leon-Kreps-Yes, and Commissioner Richard Chervony-Yes. The motion carried 3-0.

B. **REPEAL OF RESOLUTION NO. 2011-52 (COMMISSIONER RICHARD CHERVONY)**

Commissioner Chervony asked his fellow commissioners to repeal the resolution, which will allow them to place items on the agenda without first scheduling the item on the agenda as new business and obtaining a consensus from the Commission to do so; especially when items require immediate attention.

Vice Mayor Leon-Kreps spoke about the amount of legal time and resources expended on preparing items for policy legislation for the agenda.

The Mayor opened the floor to public comments and there were none.

A motion was offered by Commissioner Richard Chervony and seconded by Mayor Connie Leon-Kreps to approve the resolution. The votes were as follows: Vice Mayor Eddie Lim-Yes, Mayor Connie Leon-Kreps-Yes, and Commissioner Richard Chervony-Yes. The motion carried 3-0.

**15. APPROVAL OF MINUTES**

**A. REGULAR MEETING - JANUARY 10, 2012**

A motion was offered by Vice Mayor Eddie Lim and seconded by Commissioner Richard Chervony to approve the Minutes of January 10, 2012 as submitted. The Motion carried 3-0.

**16. ADJOURNMENT**

The meeting adjourned at 10:37 p.m.

*Prepared and submitted by:*

*Yvonne P. Hamilton, CMC, City Clerk*

*Adopted by the City of North Bay Village on*

*This \_\_\_ day of \_\_\_\_\_ 2012.*

---

*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.)

**OFFICIAL MINUTES**

**CITY OF NORTH BAY VILLAGE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, DECEMBER 13, 2011**

**7:30 P.M**

The Regular Meeting of the City of North Bay Village Commission was held on Tuesday, December 13, 2011, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.** The meeting was called to order at 7:32 p.m. by Mayor Connie Leon-Kreps, and the Pledge was recited. The following were present:

Mayor Connie Leon-Kreps  
Vice Mayor Eddie Lim  
Commissioner Richard Chervony  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Assistant City Attorney Kathy Mehaffey  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
City Clerk Yvonne P. Hamilton  
HR Manager Jenice Rosado

As a quorum was determined to be present, the meeting commenced.

Mayor Leon-Kreps read the rules of decorum to be followed during the proceedings.

15B(11)

2. **A. PROCLAMATIONS AND AWARDS**

1. **COMMISSIONER PAUL VOGEL (FLORIDA LEAGUE OF CITIES)**

Mr. Jim McGinn from the Florida League of Cities Board of Directors, Inc. read and presented a resolution to Commissioner Vogel for 20 years of service. He commended Dr. Vogel for his dedication and outstanding public service.

2. **MAYOR CONNIE LEON-KREPS AND VICE MAYOR EDDIE LIM-CERTIFICATE OF COMPLETION-FLORIDA LEAGUE OF CITIES ADVANCED INSTITUTE FOR ELECTED MUNICIPAL OFFICIALS**

Mr. McGinn also presented Mayor Leon-Kreps and Vice Mayor Lim with Certificates of Completion for their attendance at the Florida League of Cities Advance Institute for Elected Officials.

**B. SPECIAL PRESENTATIONS**

There were no special presentations.

**C. ADDITIONS AND DELETIONS**

No items were added to or deleted from the agenda.

3. **BOARD REPORTS**

**A. ANIMAL CONTROL ADVISORY BOARD**

A report was not provided.

**B. ARTS, CULTURAL & SPECIAL EVENTS BOARD**

Member Scott Grenald announced the City's holiday event scheduled for December 19, 2011 from 2:30 p.m. to 5:30 p.m.

**C. CITIZENS BUDGET AND OVERSIGHT BOARD**

Vice Chair Al Blake commended Interim City Manager Daniels for his work. He reported on the December 8, 2011 meeting where an update on the City's budget and the capital projects (sewer force main, beautification of the causeway, demolition of the old City Hall, and improvements to Dr. Paul Vogel Park) were provided and the purchase of the financial software for more efficient reporting was discussed.

**D. COMMUNITY ENHANCEMENT BOARD**

Vice Chair Ann Bakst reported that the board met on December 1, 2011 and it was discussed that the east side of the causeway has been neglected. The Board suggested that the next part of the improvements to the causeway should be from the east side to Hispanola Avenue and the center should be the last phase. The Board also discussed that the buttonwood trees are not pruned correctly, and the palm trees which are not in season and are slowly growing do not belong next to them.

**E. PLANNING & ZONING BOARD**

Vice Chair Reinaldo Trujillo stated that a report will be provided when the agenda item addressed by the board is being presented to the Commission.

**F. YOUTH SERVICES BOARD**

Chair Kevin Vericker reported on the November 22, 2011 meeting where the following were discussed:

- 1) City to create administrative policy requiring background criminal checks on volunteers who participate in City events involving children
- 2) Creation of a Youth Services Directory with support from the City to include all activities available for children
- 3) Shared recreational services with neighboring municipalities.

Mr. Vericker announced the next board meeting for January 5, 2012.

At this time Penelope Friedland, Chair of the Community Enhancement Board, reported that the Board also requested that the City look into the legality of installing "No Soliciting" signs at the entrances to the islands and discussed partnering with Corporal Weinstein to review parking issues on Treasure Island.

4. **PUBLIC SAFETY DISCUSSION**

Acting Chief Brian Collins reported that there was a reduction in the crime rate. He urged the residents to be vigilant of their surroundings.

5. **COMMISSIONERS' REPORTS**

Commissioner Chervony suggested that a member of the Commission should be appointed to oversee the 79<sup>th</sup> Street Causeway project and to look into use of Normandy Isle Parks by the residents. He thanked Mr. Robert Daniels for his work as Interim City Manager.

Commissioner Lim reported on his attendance at the "Best Practice Training" offered by the Florida League of Cities. He spoke about the creation of a Police Academy for the City of North Bay Village and use of the vacant lots in the City for community gardens to plant herbs and vegetables. He requested that the street sweeper be used on Harbor Island to remove foliage and litter that have accumulated in the last two weeks. He thanked Robert Daniels for his work as the Interim City Manager.

Mayor Leon-Kreps thanked and commended Interim City Manager Daniels for his work. She encouraged the residents to utilize the Post Office that is located in the City. She brought up comments received by residents about the difference in the landscaping on the causeway which lacks continuity on the north side and the south side. The Mayor invited the residents to attend the City's holiday party on December 19, 2011 from 2:30 p.m. to 5:30 p.m., and she thanked everyone who contributed to the event.

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Jorge Puig, the 79<sup>th</sup> Street Project Landscape Architect with AECOM, 800 Douglas Entrance, North Tower, 2<sup>nd</sup> Floor, Coral Gables, FL 33134, responded to questions concerning the discrepancy between the plantings on the north and south side of the 79<sup>th</sup> Street Causeway improvement project. He described the reasons why some of the plants are shorter on one side than on the other due to the timing of the plantings. He explained that the plantings on the south side with the stronger green color were installed over a year ago and they have grown a lot since; whereas the plants on the north side that give the green background are short and are not that visible compare to the white ones, which is why the north side looks like it has more white than green color. Additionally, the south side gives a different background. Also, many of the large trees that existed before remained on the south side.

Mr. Puig further explained that there is limited space to place those trees on the north side because there were not a lot of large trees to remain. He informed the Commission that with time, there will be more uniformity with the plants on both sides of the causeway. He pointed out that the curb sides on the north side of the causeway prevents a continuous ground cover feel that is on the south side and there are different effects that cause the design to vary a little. As to the trimming of the silver buttonwoods, three or four concepts were presented to the public during the approval process, and the main request was to have majool date palms as the signature tree along the causeway as well as on the sides and on the medians. The silver buttonwoods were to be planted only in the areas that they are currently located. In order to continue the idea of the date palms, they were placed in between the silver buttonwoods. Regarding the trimming of the trees, Mr. Puig stated that while he could not respond to how the trees were trimmed since he has not conducted the final walkthrough yet, if they were trimmed in accordance with the horticultural standards, they would regenerate because they are native plants that are accustomed to hurricanes and will regenerate after pruning.

The Mayor expressed her concern about comments that the silver buttonwoods were hacked by the landscaper.

Public Works Director Sam Zamacona read a letter into the record from Faith Garcia, Certified Arborist (International Society of Arborist Association) who represented Groundkeepers, Inc., the City's landscaper. The letter stated that the silver buttonwoods on North Bay Island had extensive damage on all sides due to overgrown limbs that grew into oncoming traffic and from the equipment used while planting the new trees. The trees are native and should come back from extensive damage after necessary pruning. The arborist indicated that the trees should never have been planted in the center median due to their large canopy they become a hazard to the whole traveling vehicles on the causeway. Therefore, by cutting back the trees and maintaining causeway clearance, they will regenerate in this controlled environment.

The Mayor asked that the letter from the arborist be placed on the City's website.

Martin Vila, from M. Vila & Associates, Inc., 12097 N.W. 98<sup>th</sup> Avenue, Hialeah Gardens, FL 33018, outlined the maintenance and construction schedule for the improvements to Dr. Paul Vogel Park and the 79<sup>th</sup> Street Causeway beautification project. Mr. Vila reported that the sprinkler system and the time for operation are being changed. As to the 79<sup>th</sup> Street Causeway project, the North Bay Island Wall will be pressure cleaned on December 15; the ground cover of North Bay Island and the causeway median in front of the old Fire Station are scheduled to be completed the following week by Valleycrest; the north crosswalk is scheduled to be completed by December 23; and the palm trees have been relocated as close as possible to the water main as requested. Regarding the Dr. Paul Vogel Park, cleaning and grubbing; electrical undergrounding; water and sewer underground piping; and relocation of playground equipment were completed. Drainage installation; concrete slab for the playground; irrigation piping; and asphalt walkway base are scheduled to be done this week. Asphalt placement of the walkway; exercise station pumping pads; final electrical, except for the shelters, are scheduled to be completed next week; and installation of the playground equipment will commence next week with completion in a week and a half.

The Mayor asked if there is a drain at the entrance to the restaurant property at 1335 Kennedy Causeway where a lake forms when it rains. Mr. Puig responded that the area may be covered with plantings, which will only be until the landscaping work is completed. Mr. Zamacona noted that silk fencing had been installed to protect the storm inlet.

The Mayor asked why there was no continuity with the plants on the north and south sides of the causeway with short bushes and large brown leaves on the north side versus bigger, greener plants on the south side. Mr. Puig reiterated that the appearance of the plantings have to do with the length of time that they are planted. He offered to walkthrough the project with the Mayor.

Commissioner Chervony brought to the attention of Mr. Puig the two dead palm trees on the west end of the North Bay Island Wall on the south side. He pointed out that the deep green plants that have grown very tall are blocking the sprinkler system so that those trees directly in front get all the water and the rest do not get any.

Mr. Puig responded that, as the designer of the project, he is responsible for inspecting it; and during the inspection, he will generate a list of items to be addressed including dead plant materials. He mentioned that it is standard for plants to block sprinkler systems, but the problem could be addressed with maintenance and proper watering.

Commissioner Chervony brought up the fact that AECOM is responsible for maintaining the project, since it has not yet been turned over to the City. The Commissioner asked when the light on the causeway signs will be turned on.

Vice Mayor Lim inquired about the scheduled walkthrough of the project and whether or not another one will be done prior to the company turning over the project to the City. Mr. Puig stated that the walkthrough could possibly occur the first week of January after the contractor advises that all the items are completed. Thereafter, another walkthrough will be conducted with the City engineer or staff and the contractor. The Vice Mayor requested that a copy of the schedule be placed on the website.

In response to comments by Mr. Vericker about use of the recreational youth services at Miami Beach, the Mayor discussed that she has been in contact with Miami Beach to obtain permission for the children of North Bay Village to have the benefit of use of the pool and recreational center at Normandy Isle. Additionally, discussions are underway with Miami Shores to collaborate and partner with them for use of their recreational facilities.

6. CITY ATTORNEY'S REPORT

A report was not provided.

7. CITY MANAGER'S REPORT

Interim City Manager Daniels reported that staff is in the process of looking at the next phase of improvements to Dr. Paul Vogel Park. He mentioned that a Request for Qualifications is in process for work on the seawall. A rendering was submitted to the Community Enhancement Board, and they were not in favor of having docks at that location. He stated that the docks will be included as an option, and the Commission will make the decision. He mentioned plans for a boardwalk behind the park property. The City Manager announced the City's holiday party for December 19, 2011 from 2:30 p.m. to 5:30 p.m. and a ceremony on December 16, 2011 at 9:30 a.m. for installation of the flag pole at City Hall.

Interim City Manager Daniels thanked the City Commission and staff for their support. He discussed a list of accomplishments during his tenure which include the extension of the grant for development of the park until March 31, 2012; setting the development of the park in motion for now and in the future with physical construction set to be completed in mid January; development of a list of capital projects; creation of a fixed asset inventory; work on purchasing financial software; successful completion of the sewer force main project; work to demolish the old City Hall building; work on City Hall Pump Station; review of aging infrastructure on the water and sewer line; upgrade of the website; web casting with cataloguing of City Commission Meetings; the 79<sup>th</sup> Street Causeway beautification project; and moving forward with funding for a plaza on the east side of the City.

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

Reinaldo Trujillo, of 7601 East Treasure Drive, addressed the Commission and commended the Police Department for its quick response to a break-in that occurred at Grand View Palace over the weekend. He suggested that the City create a list of the disabled veterans who live in the City, find out what their needs are, and try to assist them.

Al Coletta, of 7904 West Drive, addressed the Commission and complained that the City Planner did not approve an application for a Jet Ski business at Bayshore Marina after the applicant had applied many months ago and was told that the business would be approved once the marina was licensed.

Al Blake, of 7601 Coquina Drive, congratulated Mayor Connie Leon-Kreps and Vice Mayor Eddie Lim on their new appointments, and he suggested that the issue with Coletta should be looked at.

Penelope Friedland, of 7500 Miami View Drive, addressed the Commission and spoke in opposition to a strip club at 1415 Kennedy Causeway.

City Attorney Boniske explained that any item regarding the pending quasi-judicial zoning application should be addressed during that particular hearing. Therefore, statements made tonight regarding the quasi-judicial hearing will be included as part of the record.

Kevin Vericker, of 7520 Hispanola Avenue, addressed the Commission and discussed that key details in the Isle of Dreams project were overlooked. He urged the City Planner and the legal staff to be fully prepared and to review the plans in advance before submitting them to the Commission.

Lisa Baron, of 7501 Beach View Drive, addressed the Commission and suggested that codes should be applied to something that the community does not want. She asked when the matter of the Isle of Dreams development will come before the Commission and how it would be advertised. She was concerned that the meeting would be advertised with only 72-hour notice like a similar as alleged by Kevin Vericker. She urged the City to assist small business owners who are struggling.

City Clerk Hamilton explained that notices would be posted on the City's website and in the *Miami Herald*. She clarified that a meeting with only 72-hour public notice did not occur.

Fane Lozman, of 7918 West Drive, addressed the Commission and commended Chief Daniels for his work as Interim City Manager. He concurred that businesses were stalled, delayed, and threatened and questioned why the Jet Ski business at Coletta's Marina was not approved, when a similar business was approved for the Racquet Club in the past and why Mr. Greenwald was not allowed to develop

Kenneth Stowe, of 7521 Miami View Drive, addressed the Commission and suggested that the moral compass of North Bay Village be kept in the right direction. He hoped for the Commission to hear, listen, and adhere to the people when the matter concerning the adult entertainment club was heard. He commended Chief Daniels and the Commission for their work.

Jorge Brito, of 1865 Kennedy Causeway, addressed the Commission and commended Interim City Manager Daniels for his work. He approved of the monies spent for training that was undertaken by the members of the Commission which provided education on ethics to provide full representation.

Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, asked that past action in delaying approval of businesses not be repeated.

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 be considered separately.

- A. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$7,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND (FUND 07); AUTHORIZING THE DISBURSEMENT AND EXPENDITURE OF SUCH FUNDS FOR THE PURCHASE OF GLOCK PISTOLS AND AMMUNITION; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**
- B. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$10,500 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND (FUND 07); AUTHORIZING THE DISBURSEMENT AND EXPENDITURE OF SUCH FUNDS FOR OUTFITTING 30 POLICE VEHICLES WITH FIRST AID AND TRAUMA KITS; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

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- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$41,110 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND (FUND 07); AUTHORIZING THE DISBURSEMENT AND EXPENDITURE OF SUCH FUNDS FOR THE PURCHASE OF EXTENDED WARRANTIES ON POLICE VEHICLES; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$50,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND (FUND 07); AUTHORIZING THE DISBURSEMENT AND EXPENDITURE OF SUCH FUNDS FOR LAW ENFORCEMENT PERSONNEL OVERTIME; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*
- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING PROJECT AGREEMENT 02-12 BETWEEN KIMLEY-HORN AND ASSOCIATES, INC., AND THE CITY OF NORTH BAY VILLAGE FOR DESIGN, PERMITTING AND ADMINISTRATIVE SERVICES TO CONNECT THE CITY HALL PUMP STATION TO THE CITY'S NEW FORCE MAIN SYSTEM; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*

- F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING AMENDMENT NO. 1 TO THE CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT, NO. WW803061, BETWEEN THE CITY AND THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT PERTAINING TO THE LOAN REPAYMENT SCHEDULE; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AMENDMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)

A motion was offered by Mayor Connie Leon-Kreps and seconded by Vice Mayor Eddie Lim to approve the items on the Consent Agenda. The votes were as follows: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

10. PLANNING & ZONING CONSENT AGENDA

There were no planning and zoning consent agenda items.

11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

The City Clerk read the ordinance by title.

- A. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH BAY VILLAGE BY AMENDING CHAPTER 95 TO CREATE RE-OCCUPANCY CERTIFICATE AND INSPECTION PROCEDURES, SET FEES AND PROVIDE FOR PENALTIES; AMENDING CHAPTER 153 TO SET PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS) - DEFERRED TO DECEMBER 13, 2011.

15BU2)

Interim City Manager Daniels reported that the ordinance was discussed at the last Commission Meeting and there were some concerns relating to the movement of amnesty that has been done in other jurisdictions. Staff has since reviewed the ordinance and found that two separate City ordinances would be required to address the re-occupancy certificate and the amnesty on building fines. Therefore, no changes were made.

Mayor Leon-Kreps asked what effect the ordinance would have on homes that were built in 1958 that might not be up to code.

Mr. Annese explained that one of the reasons for the ordinance is to make sure that the structure is still a single-family home; that no additional work has been done; and that all life-safety issues are addressed prior to re-occupancy. Additionally, open permits will be reviewed, since the Building Department is having problems with people purchasing homes where there are still open permits.

Mayor Leon-Kreps questioned the fairness in penalizing homeowners at this point who have had additions to their homes and work done over 20 years ago.

Interim City Manager Daniels clarified that the Re-occupancy Certificate inspection will address life safety issues like exposed electrical wiring, exhaust fans in garages that could be hazardous to individuals, and water leaks. And while the fact that someone had their garage converted over 40 years ago should be noted, the intent is to make sure that residential units are safe for the residents and to protect the new owners taking occupancy of the homes.

Commissioner Lim further clarified that the re-occupancy inspection will only take place when the house is being sold and will provide the new owner with the status of the house versus the requirements of the City Code.

Mayor Leon-Kreps suggested that notice be given with a grace period to allow the property owner to resolve the issues before the City becomes involved.

Vice Mayor Lim spoke about the importance of re-occupancy and stated that the City would only inspect the property when there is a sale. He discussed his request to staff to look into the code relief program being addressed by the county to identify building code issues that are noncompliant and providing two years to fix the problems.

Commissioner Chervony discussed that the Re-occupancy Certificate applies to re-sales and only those people who have converted their one-bedrooms with a den into a two-bedroom apartments to avoid having the extra parking space, who have made major modifications to their homes by either adding a second floor kitchen, converting a garage into another apartment that is being rented or that they plan to rent will be concerned about this matter. He added that the City will inspect the property at the time of sale with the new way of review and charge \$250 for the recertification.

Commissioner Rodriguez asked about the number of open permits and the dates involved.

Chief Building Official Annese responded that a survey of the open permits has not been conducted.

Commissioner Rodriguez opined that the City has no business becoming involved in this area of re-occupancy and that it was uncalled for. He mentioned that different inspections are done by the title company when a property is sold. Additionally, some people might not be able to bring their homes up to code. He suggested that the matter be tabled until the new manager was on staff.

Mr. Annese mentioned that homes being built are inspected to make sure they are done properly and there is a procedure in place for a 40-year recertification for commercial buildings to address structural or electrical problems, which is a life safety issue that would help to maintain the buildings in the City.

Without objection, Interim City Manager Daniels withdrew the ordinance for further consideration.

12. **PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING**

There were no items for public hearing or ordinances for second reading.

13. **UNFINISHED BUSINESS**

There was no unfinished business.

14. NEW BUSINESS

A. TELEVISIONING OF ALL CITY MEETINGS (COMMISSIONER FRANK RODRIGUEZ)

Commissioner Rodriguez reported that he was addressed by a resident of the City when the matter concerning the adult entertainment club was being heard by the Planning & Zoning Board as to whether the City meetings could be televised. Accordingly, he was requesting that all meetings of the City including all advisory board meetings be televised and be placed on the website for public viewing.

Mayor Leon-Kreps thought that it was a good idea to televise the meetings, and she asked about the cost involved.

Interim City Manager Daniels explained that the estimated cost to televise the board meetings is \$500 to \$600 per month extra including appropriate cataloguing and payment to the technician. He suggested that the matter be addressed during the next budget year if it was the desire of the Commission to implement the request. Otherwise, funding will have to be addressed through the reserves or through another funding source.

Commissioner Rodriguez questioned the high cost estimated for recording the meetings with only one camera.

Commissioner Lim asked if the reason for televising all of the meetings, considering the cost involved, was to address only a few residents who could not attend meetings. He suggested that the advisory board members should have input in the matter.

No action was taken on the matter. Commissioner Rodriguez decided to meet with the new City Manager to address the issue.

15. APPROVAL OF MINUTES

No Minutes were approved.

16. ADJOURNMENT

The meeting adjourned at 9:29 p.m. following a motion to adjourn by Vice Mayor Connie Leon-Kreps, seconded by Commissioner Eddie Lim.

*Prepared and submitted by: Yvonne P. Hamilton, CMC  
City Clerk*

*Adopted by the City of North Bay Village on  
this \_\_\_\_\_ day of \_\_\_\_\_.*

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*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 City Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

15B(16)

**OFFICIAL MINUTES**

**CITY OF NORTH BAY VILLAGE  
SPECIAL CITY COMMISSION MEETING  
TUESDAY, NOVEMBER 29, 2011**

**6:30 P.M**

A Special Meeting of the City of North Bay Village Commission was held on Tuesday, November 29, 2011, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.** The meeting was called to order at 6:33 p.m. by Mayor Connie Leon-Kreps, and the Pledge of Allegiance was recited. The following were present:

Mayor Connie Leon-Kreps  
Vice Mayor Eddie Lim  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Assistant City Attorney Kathy Mehaffey  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
City Clerk Yvonne P. Hamilton

As a quorum was determined to be present, the meeting commenced.

2. **APPOINTMENT OF INTERIM COMMISSIONER (Section 3.07(E)(a), City Charter)**

The following candidates submitted "Letters of Interest" for the vacancy:

1. Ann Bakst, of 1865 Kennedy Causeway
2. Barry Beschel, 7914 Harbor Island Drive
3. Arnold Z. Braun, 7601 East Treasure Drive
4. Richard Chervony, 7601 Center Bay Drive
5. Jorge Gonzalez, 7900 Harbor Island Drive
6. Scott Grenald, 7700 Beach View Drive

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7. Kenneth Stowe, 7521 Miami View Drive
8. Reinaldo Trujillo, 7601 East Treasure Drive
9. Kevin Vericker, 7520 Hispanola Avenue

Mr. Braun did not attend the meeting.

At the suggestion of Commissioner Rodriguez and without objection, the names of the candidates were arranged in alphabetical order, and the candidates made presentations to the Commission regarding their interest in the vacancy.

Mayor Leon-Kreps opened the floor to public comments.

Scott Greenwald, developer of the Lexi, spoke about Mr. Vericker not attending meetings as a member of the Citizens Budget & Oversight Board.

Elaine Beutel, of 7513 Hispanola Avenue, advised the Commission to appoint somebody who would best serve the City.

Fane Lozman, of 7918 West Drive, opposed Kevin Vericker and Reinaldo Trujillo qualifications for the Commission vacancy.

Al Coletta, of 7904 West Drive, discussed the need for the Commission to take action that is in the best interest of the City.

Jorge Piedra, of 7505 Hispanola Avenue, asked the Commission to consider Jorge Gonzalez for the position.

Jorge Brito, of 1865 Kennedy Causeway, suggested that the Commission appoint somebody who is new to the City government.

Ann Bakst, of 1865 Kennedy Causeway, spoke about her community service including her membership on the Beautification Board, the Civil Service board, and the Community Enhancement Board.

Jorge Brito, of 1865 Kennedy Causeway, suggested that the Commission appoint a new face to the Commission.

At this time Reinaldo Trujillo withdrew his name from consideration for the Interim Commissioner.

Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, expressed her support for Kenneth Stowe and Kevin Vericker.

The Commission thanked all of the applicants for their interest in the City.

The Mayor closed the floor to public comments.

A motion was offered by Commissioner Eddie Lim and seconded by Vice Mayor Connie Leon-Kreps to appoint Richard Chervony as Interim Commissioner. The votes were as follow: Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, Vice Mayor Connie Leon-Kreps-Yes, and Commissioner Eddie Lim-Yes. The motion carried 3-1.

## **B. OATH OF OFFICE**

Interim Commissioner Richard Chervony took his place on the Commission dais, and City Clerk Yvonne P. Hamilton administered the Oath of Office.

### **3. NEW ROLL CALL**

City Clerk Yvonne P. Hamilton called the roll, and all five members of the Commissioner were present.

### **4. APPOINTMENT OF INTERIM VICE MAYOR (3.07e(a))**

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Interim Commissioner Chervony to appoint Commissioner Eddie Lim as Interim Vice Mayor. The votes were as follow: Commissioner Eddie Lim-Yes, Interim Commissioner Richard Chervony-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

### **5. APPOINTMENT OF MAYOR (The Mayor must be appointed from the originally remaining four (4) commissioners.)**

**A. COMMISSION ACTION (If the Commission does not fill the mayoral position within 30 days from November 11, 2011, a Special Election will be required.)**

A motion was offered by Interim Vice Mayor Eddie Lim and seconded by Interim Commissioner Richard Chervony to appoint Vice Mayor Connie Leon-Kreps to Mayor. The votes were as follow: Interim Commissioner Richard Chervony-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, Vice Mayor Connie Leon-Kreps-Yes, and Interim Mayor Eddie Lim-Yes. The motion carried 4-1.

6. FILLING COMMISSION VACANCY CREATED BY APPOINTMENT OF MAYOR (3.07D)

A motion was offered by Interim Vice Mayor Eddie Lim and seconded by Mayor Connie Leon-Kreps to appoint Interim Commissioner Richard Chervony as At-Large Commissioner. The votes were as follow: Interim Commissioner Richard Chervony-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, Mayor Connie Leon-Kreps-Yes, and Interim Vice Mayor Eddie Lim-Yes. The motion carried 4-1.

7. APPOINTMENT OF VICE MAYOR (3.07(F))

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Richard Chervony to appoint Interim Vice Mayor Eddie Lim as Vice Mayor. The votes were as follow: Interim Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, and Mayor Connie Leon-Kreps-Yes. The motion carried 4-1.

8. RESOLUTION

The following Resolution was read, by title, by City Clerk Yvonne P. Hamilton.

- A. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE EMPLOYMENT AGREEMENT BETWEEN DENNIS KELLY AND THE CITY OF NORTH BAY VILLAGE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

Interim City Manager Robert Daniels mentioned that Commissioner Rodriguez participated in the committee to negotiate the contract for City Manager Dennis Kelly.

Mayor Leon-Kreps thanked Commissioner Rodriguez for his work with the contract.

City Manager appointee Dennis Kelly commended Commissioner Rodriguez and the City Attorney for their work with the contract.

15C(4)

Reinaldo Trujillo, of 7601 East Treasure Drive, opined that it was an error to give the top salary with an added bonus after a six-month evaluation. He suggested that the beginning salary should be less than \$130,000 after successful review.

Fane Lozman, of 7918 West Drive, suggested that a provision should be included in the contract to prevent the City Manager from bringing suit against the City in the event he is terminated

City Attorney Boniske explained that the contract does not provide a dollar amount for the bonus and that it was not a requirement for the Commission to give the bonus, rather it was at their discretion. And if the City Commission determined that they no longer desire the City Manager's services for any reason, legally he is required to be paid based on the provisions of the contract.

A motion was offered by Mayor Connie Leon-Kreps and seconded by Commissioner Frank Rodriguez to approve the Resolution. The votes were as follow: Vice Mayor Eddie Lim-Yes, Commissioner Richard Chervony-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

9. ADJOURNMENT

The meeting adjourned at 8:02 p.m.

*Prepared and submitted by:*

*Yvonne P. Hamilton, CMC, City Clerk*

*Adopted by the City of North Bay Village 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.)

15C(5)

**OFFICIAL MINUTES**

**CITY OF NORTH BAY VILLAGE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, NOVEMBER 8, 2011**

**7:30 P.M**

The Regular Meeting of the City of North Bay Village Commission was held on Tuesday, November 8, 2011, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.** The meeting was called to order at 7:36 p.m. by Mayor Corina S. Esquijarosa, and the Pledge was recited. The following were present:

Mayor Corina S. Esquijarosa  
Vice Mayor Connie Leon-Kreps  
Commissioner Eddie Lim  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Assistant City Attorney Kathy Mehaffey  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
City Clerk Yvonne P. Hamilton

As a quorum was determined to be present, the meeting commenced.

Mayor Esquijarosa read the rules of decorum to be followed during the proceedings.

2. **A. PROCLAMATIONS AND AWARDS**

There were no proclamations and awards.

15D(1)

**B. SPECIAL PRESENTATIONS**

**1. KEEFE MCCULLOUGH & CO., LLP  
PRESENTATION OF AUDIT FOR FISCAL YEAR 2009-2010**

Ken Smith, Partner, presented the audit report. He discussed a situation where the City did not follow its obligation under GASB Statement No. 45, Accounting and Financial Reporting by Employers for Post-Employment Benefits Other than Pensions ("OPEB"). He pointed out that the City had a fund balance of \$2.7 Million at the end of the year, which represents 44.4% of the general fund expenditures excluding restricted sources, such as grants. He referred to the \$2.5 Million in the Utility Fund, which included grant revenues for capital projects.

Commissioner Lim discussed a finding in the report that the City does not perform an annual physical inventory of fixed assets.

Mr. Smith explained that the old antiquated financial system used by the City does not allow for bank reconciliations and closing procedures for books and records.

Commissioner Lim expressed concern in regard to the finding that reconciliations of the City's operating cash accounts had not been performed for a significant portion of the fiscal year.

Mr. Smith discussed the issue as a significant finding that needs to be addressed.

Commissioner Lim asked Mr. Smith if he had looked into how the City can increase revenues.

Mr. Smith explained that his concentration was on the audit and not on generating revenues. He noted that when performing the audit, if he sees something that is being used by other agencies that the City is not taking advantage of, he would recommend it.

Commissioner Lim discussed that Mr. Ken Smalls of the Florida League of Cities taught ways on how cities can increase revenues.

Mr. Smith pointed out that comments generated some years ago regarding the maintenance of grants were not addressed.

Vice Mayor Leon-Kreps voiced concerns about the deficiencies that were found.

Mr. Smith explained that the deficiencies were discussed with the City Manager, and measures were being taken to address the recommendations.

Mayor Esquijarosa asked if the issue with the bank reconciliations could damage the City and affect grants that the City could apply for.

Mr. Smith explained that the City may not be recommended for a grant, if the bank reconciliations are not done timely.

Vice Mayor Leon-Kreps asked Mr. Smith if he had recommended financial software that would meet the needs of the Finance Department.

Mr. Smith discussed that he had recommended software that would grow with the operating system.

Commissioner Lim asked Interim City Manager Daniels if a deadline was established to purchase the software.

Interim City Manager Daniels explained that Finance Director Gerard Piiri would be looking for a software system and the method to obtain it during the first quarter of the fiscal year. He further explained that the City was looking to have an integrated system with modules for the Building Department and administration.

Discussion ensued regarding problems with the lighting for the entrance sign to the west of the City.

Elaine Beutel, of 7533 Hispanola Avenue, suggested that M. Vila & Associates, Inc. should be responsible for maintaining the sign.

Garry Beltran, of 7513 Hispanola Avenue, noted that the light was fixed after a recommendation by the Community Enhancement Board. It worked for three months and went off again.

Jorge Piedra, of 7505 Hispanola Avenue, discussed that the Treasure Island Sign was torn down. He suggested that M. Vila should finish the 79th Street Causeway improvements.

Mr. Gary, of 7545 East Treasure Drive, questioned why the bank reconciliations were not being done in a timely manner.

Interim City Manager Daniels explained that the issue of the bank reconciliations is a recurring problem that is being addressed by the Finance Director.

Mayor Esquijarosa asked if the problem can be fixed prior to obtaining the financial software.

Interim City Manager Daniels explained that the problem can be fixed, but it is easier to do with the software. The Mayor suggested the use of part-time help to ensure that the reconciliations are done in a timely manner.

Max Crown, of 1620 South Treasure Drive, inquired about the status of the \$300,000 grant for Dr. Paul Vogel Park.

Interim City Manager Daniels explained that the upland improvements are moving forward before the extension on the grant expires.

**C. ADDITIONS AND DELETIONS**

Without objection, Commissioner Lim requested that Item 14B be heard after Item 9.

**3. BOARD REPORTS**

**A. ANIMAL CONTROL ADVISORY BOARD**

A report was not provided.

**B. ARTS, CULTURAL & SPECIAL EVENTS BOARD**

Member Scott Grenald reported that the Board met on October 19, 2011 and discussed plans for the City's Halloween Party, which was subsequently cancelled.

**C. CITIZENS BUDGET AND OVERSIGHT BOARD**

Chair Al Gentry reported that the Board met on November 3, 2011 and reviewed the audit findings and responses where emphasis was placed on issues concerning the bank reconciliations, the fixed assets inventory, and obtaining financial software.

**D. COMMUNITY ENHANCEMENT BOARD**

A report was not provided.

**E. PLANNING & ZONING BOARD**

Chair Reinaldo Trujillo announced the next Board Meeting for November 15, 2011.

**F. YOUTH SERVICES BOARD**

Chair Kevin Vericker reported on the October 18, 2011 meeting where discussion was held on implementing a policy to conduct criminal background checks of volunteers who participate in youth programs, which the Police Department is continuing to explore; the creation of a Youth Services Directory with all services available to youths to be placed on the City's website; and a request for the City to explore the option for North Bay Village residents to pay a reduced rate to participate in youth programs offered by neighboring cities. He announced the next meeting for November 15, 2011.

Commissioner Lim suggested that the Youth Services Board identify a list of programs in which the residents are interested and submit the information to the Commission the first week of January 2012.

Mr. Vericker suggested that the City Commission should approach the various cities. He explained that the Board was looking at activities in Miami Beach such as the basketball league, Police Cadets, Cheerleading; and general recreation and cultural events. He noted that Miami Shores offers adult exercise classes.

Discussion ensued regarding attendance at the various Board Meetings. It was suggested that the members of the Board be reminded of the importance of attending meetings. Commissioner Lim suggested that the Chair of the Boards should send the Vice Chair or a representative to provide a report at the Commission Meetings if they are unable to attend.

Mayor Esquijarosa mentioned the idea of the City paying the difference in the price for residents to participate in recreational activities offered by adjoining municipalities.

## **G. CITY MANAGER REVIEW COMMITTEE**

Chair of the Committee Reinaldo Trujillo advised the Commission to look at what is beneficial to the City when considering the contract for the new City Manager.

Mayor Esquijarosa recessed the meeting for five minutes at 9:17 p.m.

### **4. PUBLIC SAFETY DISCUSSION**

There was no public safety discussion.

### **5. COMMISSIONERS' REPORTS**

Commissioner Lim reported on his attendance at the Florida League of Cities 85<sup>th</sup> Annual Conference and the Miami-Dade County League of Cities Meeting where the keynote speaker addressed the issue of "ethics" and stressed the paramount importance of ethical practices for elected officials. Additionally, the first resolution adopted by Miami-Dade County League of Cities also focused on "ethics". He also mentioned his attendance with the Vice Mayor's at the Advanced Institute for Elected Officials in Orlando in October. He further reported on the illegal operation of a car wash on Harbor Island.

Interim City Manager Daniels stated that the matter is being looked at.

Vice Mayor Leon-Kreps reported that she had signed all of the checks prepared by the City during the month of October in Mayor Esquijarosa's absence. She discussed her attendance at the same conferences attended by Commissioner Lim on how to serve with integrity and ethics. She explained that she had spoken to a representative of FPL about the underground project which is in Phase 4. She asked the City Manager to assist residents who had expressed concern about the design, layout, and upkeep of the 79<sup>th</sup> Street Causeway project. She suggested that shirts with the city logo be provided to temporary workers to identify them. The Vice Mayor asked the City Manager if the sewer pumps on North Bay Island were working properly.

Interim City Manager Daniels stated that the pumps were working properly.

Mayor Esquijarosa asked the City Manager to look into complaints of trash and debris along the swale area in the area of 1801 South Treasure Drive. She also reported that South Treasure Drive is flooded when there is a lot of rain.

Interim City Manager Daniels stated that most of the flooding is taken care of when the storm drains are cleaned, because the water table does not allow for run-off into the bay.

Mayor Esquijarosa asked Interim City Manager Daniels to look into the feasibility of obtaining grants from the State or from Miami-Dade County to address the cat problem in the City.

6. **CITY ATTORNEY'S REPORT**

A report was not provided.

7. **CITY MANAGER'S REPORT**

Interim City Manager Daniels reported on the following:

- a. Commencement of the Fixed Assets inventory
- b. Resolution of the audio problems with viewing the Commission Meetings
- c. 2009 EEOC case by an officer that was found to be unsubstantiated

Discussion ensued regarding update of the City's website. The City Manager explained that most of the content has been updated, and plans are in the works to archive Commission Meetings

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

Good and Welfare commenced at 8:27 p.m.

Al Coletta, of 7904 West Drive, addressed the Commission and urged them to carefully review the severance package for the City Manager.

Jorge Robinson, of 1455 N. Treasure Drive, PHB, addressed the Commission and complained that Channel 7 installed lighting in their parking lot which violates Section 152.155 of the City Code.

Vice Mayor Leon-Kreps noted that the Code Enforcement Officer will address the matter this evening.

Elaine Beutel, of 7533 Hispanola Avenue, addressed the Commission and reported that certain residents are refusing to allow FPL to cut trees on their properties that are growing into the power lines.

Alvin Blake, of 7601 Coquina Drive, questioned members of the Commission about making a decision on selecting a new City Manager when they did not interview the candidates.

Mayor Esquijarosa explained that she was unable to attend the interviews, but she had reviewed the video recording of the session, even though she did not interview the candidates personally.

Fane Lozman, of 7918 West Drive, addressed the Commission and stated that it was important for the members of the Commission to interview the candidates. He discussed the process for a recall election.

Esther Alexander, of 1881 Kennedy Causeway, addressed the Commission and reported that half of the colors on the entrance sign to North Bay Island are missing.

Commissioner Lim mentioned that the subject of the lights was brought up in August.

Mayor Esquijarosa asked Public Works Director Sam Zamacona when the City will take over the project.

Mr. Zamacona stated that M. Vila & Associates has control of the project until it is turned over to the City.

Miguel Vila stated that there is an electrical issue with the original design. The manufacturer was contacted, and they will try to resolve the problem by the end of the week.

Mayor Esquijarosa requested the removal of Item 9D from the Consent Agenda. Item 9D was heard after Item 11A.

9. CONSENT AGENDA

- A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH BAY VILLAGE FOR THE CITY'S CRIMINAL JUSTICE RECORDS IMPROVEMENT PROJECT; AUTHORIZING CITY 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 INTERIM CITY MANAGER ROBERT DANIELS)*
  
- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC., FOR ADDITIONAL DESIGN SERVICES FOR COMPLETION OF THE FORCEMAIN REHABILITATION DESIGN BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*
  
- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF NORTH BAY VILLAGE FOR IMPROVEMENTS TO DR. PAUL VOGEL COMMUNITY PARK; AUTHORIZING CITY 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 INTERIM CITY MANAGER ROBERT DANIELS)*

15D(9)

A motion was offered by Mayor Corina S. Esquijarosa and seconded by vice Mayor Connie Leon-Kreps to approve Consent Agenda Items 9A, 9B and 9C. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 5-0.

10. **PLANNING & ZONING CONSENT AGENDA**

There was no Planning & Zoning Consent Agenda item.

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

The City Clerk read the Ordinance by title.

- A. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH BAY VILLAGE BY AMENDING CHAPTER 95 TO CREATE RE-OCCUPANCY CERTIFICATE AND INSPECTION PROCEDURES, SET FEES AND PROVIDE FOR PENALTIES; AMENDING CHAPTER 153 TO SET PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

Interim City Manager Robert Daniels reported that the ordinance was addressed six months ago. He explained that the purpose of the ordinance was to require the Building Department to conduct inspections when homes are sold to ensure that life-safety components were still intact and that illegal modifications are brought into compliance.

Vice Mayor Leon-Kreps inquired as to whether the provisions of the ordinance would apply to condominiums.

Chief Building Official Annese said yes.

Mayor Esquijarosa expressed concern that enforcement of the ordinance could delay sale of units.

It was suggested that the prospective purchaser could be allowed to obtain the unit with the condition to address the outstanding issues.

Commissioner Lim suggested that the ordinance be put on hold while staff reviews the Miami-Dade County Amnesty Code Relief Program which provides amnesty and relief for all code violations for two years with no questions asked.

A motion was offered by Commissioner Lim and seconded by Mayor Corina S. Esquijarosa to defer consideration of the ordinance to December 13, 2011 for staff to review the Miami-Dade County Amnesty Relief Program. The motion carried 5-0.

Danielle Blake, of the Miami Association of Realtors, 700 S. Royal Poinciana Blvd., #400, Miami, FL 33141, submitted a letter into the record expressing concern that Item 11A, which creates a Certificate of Re-Occupancy. Would hinder the real estate market recovery. (Exhibit 1)

#### ITEM 9D

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NUMBER 3 WITH M. VILA & ASSOCIATES, INC. FOR ADDITIONAL CITY IMPROVEMENTS TO INCLUDE DR. PAUL VOGEL COMMUNITY PARK; SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The City Clerk read the resolution by title.

Ralph Rosado, with C3TS, presented the plans for improvements to Dr. Paul Vogel Park.

Miguel Vila, of M. Vila Associates, Inc., reported that the project is expected to be completed by January 2012.

Fane Lozman, of 7918 West Drive, suggested that a bathroom should be included because children play in the park.

Commissioner Vogel left the meeting at 10:20 p.m. as he was not feeling well.

A motion was offered by Mayor Corina S. Esquijarosa who moved from the Chair and seconded by Commissioner Frank Rodriguez to continue the meeting to 1:00 a.m. The motion carried 4-0.

Mayor Esquijarosa suggested that exercise equipment be included in the improvements.

Public Works Director Sam Zamacona explained that \$25,000 could go towards the purchase of exercise equipment.

Vice Mayor Leon-Kreps questioned the necessity for all of the shade trees and flowers.

Mr. Vila explained that all underground work will be done first.

Al Coletta, of 7904 West Drive, suggested that the bathroom should be built.

Ann Bakst, of 1865 Kennedy Causeway, explained that the plan for the park was designed over a year and a half ago. She concurred that the bathroom should be built first.

A motion was offered by Mayor Corina S. Esquijarosa who moved from the Chair and seconded by Commissioner Frank Rodriguez to approve \$25,000 for purchase of exercise equipment for Dr. Paul Vogel Park. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 4-0.

12. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING

The City Clerk read the ordinance by titled.

- A. AN ORDINANCE OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 54 "EMERGENCY MANAGEMENT," CHAPTER 93, "FIRE PREVENTION," CHAPTER 96, "NUISANCES, NOISE," CHAPTER 110, "GENERAL LICENSING AND OTHER PROVISIONS," CHAPTER 135, "OFFENSES AGAINST PUBLIC PEACE AND SAFETY," AND CHAPTER 153, "CODE ENFORCEMENT," TO ADDRESS FIREARM REGULATIONS PREEMPTED BY STATE LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS) - SECOND READING-PUBLIC HEARING

Assistant City Attorney Kathy McHaffey explained the purpose of the ordinance was to address changes in State law.

A motion was offered by Mayor Corina S. Esquijarosa who moved from the Chair and seconded by Commissioner Frank Rodriguez to approve the ordinance on second reading. The votes were as follow: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 4-0.

The City Clerk read the request into the record.

- B. A REQUEST BY THE PROPERTY OWNER OF 1520 SOUTH TREASURE DRIVE, LOT 23, BLOCK 1, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR MODIFICATIONS TO PREVIOUSLY APPROVED PLANS FOR CONSTRUCTION OF A DOCK. (ITEM 12C DEFERRED FROM OCTOBER 11, 2011)

Chief Building Official Richard Annese reported that some modifications were made to the plans that were previously approved by the City Commission on February 22, 2011. He explained that the dock has been extended to 47 feet, and it was approved by DERM. The applicant also provided a Marine Survey. He recommended that the request be approved.

Vice Mayor Leon-Kreps asked if any of the neighbors objected to the construction of the dock.

Mr. Annese said no.

Assistant City Attorney Mehaffey advised the Commission on the procedures for the quasi-judicial hearing.

City Clerk Hamilton swore in those individuals who indicated that they would provide testimony.

All members of the Commission indicated that they did not have any ex parte communication.

Mayor Esquijarosa opened the Public Hearing.

Fane Lozman, of 7918 West Drive, alleged that contractors who build docks do not have the proper maritime license to work in the City.

Al Coletta, of 7904 West Drive, spoke in support of the request.

Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, noted that the neighbor who complained at the previous meeting had requested that the dock be built further out in order not to interfere with his view.

A motion was offered by Commissioner Frank Rodriguez and seconded by Mayor Corina S. Esquijarosa to approve the request. The votes were as follow: Mayor Corina S. Esquijarosa-No, Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, and Commissioner Frank Rodriguez-Yes. The motion carried 3-1.

13. UNFINISHED BUSINESS

There was no unfinished business.

14. NEW BUSINESS

A. SITE PLAN APPLICATION REQUIREMENTS

Interim City Manager Daniels explained that Section 152.105(C) of the City Code requires the applicant to submit a scale model of the proposed development. He noted that the matter concerns the pending Isle of Dreams project. He also informed the Commission that it was not a requirement for the model to be provided for the previous project. He mentioned that the applicant had submitted a three-dimensional imaging.

A motion was offered by Mayor Corina S. Esquijarosa and seconded by Vice Mayor Connie Leon-Kreps to remove the Site Plan requirements for the scale model pursuant to Section 152.105(C) of the City Code. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 4-0.

B. APPOINTMENT OF CITY MANAGER PURSUANT TO ARTICLE, IV, SECTION 4.01 OF THE CITY CHARTER.

A. Ranking of Candidates

A motion was offered by Mayor Corina S. Esquijarosa and seconded by Commissioner Rodriguez for each member of the Commission to select the names of the top two candidates. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 5-0.

The selections were as follows:

Commissioner Eddie Lim selected Dennis Kelly as his number one candidate.

Commissioner Paul Vogel selected Dennis Kelly as his number one candidate.

Commissioner Frank Rodriguez selected Ralph Rosado as his number one candidate.

Vice Mayor Connie Leon-Kreps selected Dennis Kelly as her number one candidate.

Mayor Corina S. Esquijarosa selected Ralph Rosado as her number one candidate.

Gudrun Volker, of 7517 Cutlass Avenue, questioned the purpose of the City Manager Review Committee because Mr. Rosado was selected as a top candidate, and he was not interviewed by the committee. She pointed out that he applied after the deadline and should have been excluded.

Scott Greenwald, developer of the Lexi, 1700 Kennedy Causeway, urged the Commission to try to make decisions collectively to get the City Manager working on the right track.

Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, suggested that the City Commission pick somebody who can handle the needs of the City so long as the requirements of the Charter are followed. She encouraged Commissioner Paul Vogel to resign, since he is no longer capable.

Reinaldo Trujillo, of 7601 East Treasure Drive and Chair of the City Manager Review Committee suggested that the Commission set goals and procedures for the City Manager to follow. He also suggested that the City Commission select from among the candidates that were submitted by the committee. He explained that Mr. Rosado has not been a City Manager, which is what the City needs.

Vice Mayor Leon-Kreps explained that each member of the Commission had the opportunity to choose a candidate to serve on the City Manager Review Committee.

Mayor Esquijarosa mentioned that Vice Mayor Leon-Kreps had recommended Mr. Rosado for an interview, after the fact.

Vice Mayor Leon-Kreps explained that she had extended a professional courtesy to Mr. Rosado after his request to her for an interview.

Commissioner Lim stated that although he was in favor of giving Mr. Rosado a chance for an interview, he did not select him because he did not have any hands-on experience.

Alvin Blake, of 7601 Coquina Drive, questioned how Mr. Rosado was selected by two members of the Commission when he has never been a City Manager.

Mayor Esquijarosa pointed out that she had reviewed the recording of the interviews, and Commissioner Vogel did not interview the candidates.

Jorge Brito, of 1865 Kennedy Causeway, hoped for Mr. Kelly to be the right person for the job. He discussed that Commissioner Vogel had not participated in the issue.

Fane Lozman, of 7918 West Drive, explained that it is the duty of each member of the Commission to interview the candidates.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to appoint Dennis Kelly as the City Manager. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, Mayor Corina S. Esquijarosa-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 5-0.

**B. Authorizing negotiation of salary and terms of condition of employment with selected candidate.**

The following terms were discussed for inclusion in the City Manager's contract: Salary of \$130,000 with benefits totaling \$176,000; a maximum severance according to Florida Statutes, which will be on a graduated basis with an increase as the City Manager proves himself; vacation on an accrued basis to be used by a certain time; car allowance; and a one-year benchmark where guidelines will be set for six months. The term of the contract will be for three years.

Without objection, Commissioner Rodriguez volunteered to work with the City Attorney to negotiate a contract with Dennis Kelly.

A motion was offered by Commissioner Eddie Lim and seconded by Mayor Corina S. Esquijarosa authorizing the City Attorney to negotiate a contract with Dennis Kelly for submittal to the City Commission within two weeks. The votes were as follows: Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-Yes, Mayor Corina S. Esquijarosa-Yes, Connie Leon-Kreps-Yes, and Commissioner Eddie Lim-Yes. The motion carried 5-0.

**15. APPROVAL OF MINUTES**

- A. REGULAR CITY COMMISSION MEETING -- JULY 26, 2011
- B. TENTATIVE BUDGET PUBLIC HEARING -- SEPTEMBER 6, 2011
- C. SPECIAL CITY COMMISSION MEETING -- SEPTEMBER 20, 2011

A motion was offered by Mayor Corina S. Esquijarosa and seconded by Commissioner Frank Rodriguez to approve the Minutes as submitted. The votes were as follows: Vice Mayor Connie Leon-Kreps-Yes, Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, Commissioner Frank Rodriguez-Yes, and Mayor Corina S. Esquijarosa-Yes. The motion carried 4-0.

**16. ADJOURNMENT**

The meeting adjourned at 12:35 p.m.

*Prepared and submitted by:*

*Yvonne P. Hamilton, CMC, City Clerk*

*Adopted by the City of North Bay Village on  
this \_\_\_ day of \_\_\_\_\_ 2012.*

\_\_\_\_\_  
*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(18)

OFFICIAL MINUTES

CITY OF NORTH BAY VILLAGE  
SPECIAL MEETING  
TUESDAY, NOVEMBER 1, 2011

6:30 P.M

A Special Meeting of the City of North Bay Village Commission was held on Tuesday, November 1, 2011, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.** The meeting was called to order at 6:33 p.m. by Vice Mayor Connie Leon-Kreps, and the Pledge of Allegiance was recited. The following were present:

Vice Mayor Connie Leon-Kreps  
Commissioner Eddie Lim  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

Mayor Corina S. Esquijarosa was absent.

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
City Clerk Yvonne P. Hamilton

As a quorum was determined to be present, the meeting commenced.

2. **INTERVIEW OF CITY MANAGER CANDIDATES: (NAMES LISTED IN ALPHABETICAL ORDER)**

Prior to the meeting Mr. Fields requested that he be interviewed first due to a prior engagement. There was no objection and the City Commission interviewed the following candidates as to their qualifications for the position of City Manager.

- A. KENNETH FIELDS
- B. JONATHAN EVANS
- C. W.D. HIGGINBOTHAM
- D. DENNIS KELLY
- E. PETER LOMBARDI
- F. RALPH ROSADO

3. ADJOURNMENT

The meeting adjourned at 8:45

*Prepared and submitted by:*

*Yvonne P. Hamilton, CMC, City Clerk*

*Adopted by the City of North Bay Village on  
this \_\_\_ day of \_\_\_\_\_ 2012.*

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*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.)

**OFFICIAL MINUTES**

**CITY OF NORTH BAY VILLAGE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, OCTOBER 11, 2011**

**7:30 P.M**

The Regular Meeting of the City of North Bay Village Commission was held on Tuesday, October 11, 2011, at the City Commission Chambers (1700 Kennedy Causeway, #132, North Bay Village, FL 33141).

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.** The meeting was called to order at 7:39 p.m. by Vice Mayor Connie Leon-Kreps, and the Pledge was recited. The following were present:

Vice Mayor Connie Leon-Kreps  
Commissioner Eddie Lim  
Commissioner Frank Rodriguez

Absent: Mayor Corina S. Esquijarosa  
Commissioner Paul Vogel

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Assistant City Attorney Kathy Mehaffey  
Finance Director Gerard Pirri  
Public Works Director Sam Zamacona  
City Clerk Yvonne P. Hamilton

As a quorum was determined to be present, the meeting commenced.

**A. ABSENCE – COMMISSIONER PAUL VOGEL**

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to excuse the absences of Mayor Corina S. Esquijarosa and Commissioner Paul Vogel. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-Yes, and Vice Mayor Leon-Kreps-Yes. The motion carried 3-0.

15FCU

(Note: Commissioner Rodriguez left the meeting at 9:20 p.m., and Commissioner Vogel arrived at 9:45 p.m.)

2. **A. PROCLAMATIONS AND AWARDS**

There were no proclamations and awards.

**B. SPECIAL PRESENTATIONS**

There were no special presentations.

**C. ADDITIONS AND DELETIONS**

Without objection, Vice Mayor Leon-Kreps withdrew Item 11E from the agenda and items were heard out of order.

3. **BOARD REPORTS**

**A. ANIMAL CONTROL ADVISORY BOARD**

A report was not provided.

**B. ARTS, CULTURAL & SPECIAL EVENTS BOARD**

A report was not provided.

**C. CITIZENS BUDGET AND OVERSIGHT BOARD**

A report was not provided.

**D. COMMUNITY ENHANCEMENT BOARD**

A report was not provided.

**E. PLANNING & ZONING BOARD**

A report was not provided.

**F. YOUTH SERVICES BOARD**

A report was not provided.

**G. CITY MANAGER REVIEW COMMITTEE**

A report was not provided.

**4. PUBLIC SAFETY DISCUSSION**

There was no public safety discussion.

**5. COMMISSIONERS' REPORTS**

There were no reports.

**6. CITY ATTORNEY'S REPORT**

City Attorney Nina Boniske requested to file an appeal in the matter of Dade County Police Benevolent Association, Inc. vs. City of North Bay Village Police Department, FMCS 10-04747-3.

A motion as offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Paul Vogel to file an appeal in the case of Dade County Police Benevolent Association, Inc. vs. City of North Bay Village Police Department, FMCS 10-04747-3. The votes were as follow: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, and Mayor Connie Vice-Kreps-Yes. The motion carried 3-0.

**7. CITY MANAGER'S REPORT**

A report was not provided.

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

Elaine Beutel, of 7533 Hispanola Avenue, addressed the Commission and commended Commissioner Paul Vogel for attending the meeting in spite of his illness.

Scott Greenwald, developer of the Indigo Lofts, requested that the Commission readdress the ordinance to permit mixed-use zoning at 7904 West Drive, 7910 West Drive, and 7914-7918 West Drive that was passed contrary to the Comprehensive Plan by first amending the Comprehensive Plan and then changing the zoning of the properties. (An ordinance was not passed to permit mixed use at 7910 West Drive and 7914-7918 West Drive.)

**15F(3)**

Gudrun Volker, of 7517 Cutlass Avenue, discussed the power outages that have been occurring on Treasure Island. She urged the Commission to adopt regulations to prohibit trees on private properties from growing into FPL lines, which has been the cause of outages.

Vice Mayor Leon-Kreps noted that she had contacted FPL about correcting the outage problems and answers will be provided at the next Commission Meeting.

9. CONSENT AGENDA

A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT TO ENTER INTO A LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH THE TOWN OF MEDLEY; SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)

B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING RENEWAL PRICING FOR THE CITY'S GROUP INSURANCE PROGRAM TO NEIGHBORHOOD/UNITED HEALTH CARE FOR HEALTH AND VISION INSURANCE AND TO BLUE CROSS BLUE SHIELD OF FLORIDA FOR DENTAL INSURANCE; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED AGREEMENTS; AUTHORIZING THE CITY OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF ANY AGREEMENTS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)

15F(4)

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE LITIGATION STIPULATION AND AGREEMENT OF SETTLEMENT WITH GARY NALEPA, ON BEHALF OF HIMSELF AND THE CLASS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE SETTLEMENT AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE SETTLEMENT AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SETTLEMENT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY CITY MANAGER ROBERT DANIELS)*
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO COMPLETE THE DESIGN OF DR. PAUL VOGEL COMMUNITY PARK, TO PREPARE THE APPROPRIATE PROCUREMENT DOCUMENTS FOR THE CONSTRUCTION OF THE IMPROVEMENTS, TO INITIATE THE PROCUREMENT PROCESS; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO COMPLY WITH GRANT REQUIREMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED EXTENSIONS TO EXISTING AGREEMENTS OR OTHER ASSOCIATED DOCUMENTS PERTAINING TO THE DESIGN OR CONSTRUCTION AND GRANTS FOR IMPROVEMENTS TO DR. PAUL VOGEL COMMUNITY PARK; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*

The City Clerk read the resolution by title.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the Consent Agenda Items. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Absent, Commissioner Frank Rodriguez-Yes, Mayor Corina S. Esquijarosa-Absent, and Vice Mayor Leon-Kreps-Yes. The motion carried 3-0.

10. PLANNING & ZONING CONSENT AGENDA

There were no planning and zoning consent agenda items.

11. ORDINANCES FOR FIRST READING AND RESOLUTIONS

The City Clerk read the resolution by caption.

- A. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, IMPLEMENTING RULES AND PROCEDURES UNDER WHICH MEMBERS OF THE CITY COMMISSION MAY PARTICIPATE IN REGULAR AND SPECIAL COMMISSION MEETINGS VIA TELEPHONE CONFERENCE OR BY OTHER INTERACTIVE ELECTRONIC TECHNOLOGY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER FRANK RODRIGUEZ)**

Commissioner Rodriguez explained that the purpose of the resolution was to allow Commissioner Vogel to participate in the meetings remotely from his home while he was ill.

Commissioner Lim asked if the ordinance was drafted by the City Attorney.

Commissioner Rodriguez responded that the resolution was drafted by the City Clerk and was reviewed by the City Attorney.

Commissioner Lim mentioned that while the resolution has merit, some of the provisions like Sections 4 and 6 seem opened to different interpretations.

City Attorney Boniske clarified that the City Attorney did not suggest the language.

Vice Mayor Leon-Kreps expressed concern to the appearance of discrimination and targeting of the commissioner who was absent because he was seriously ill.

City Attorney Boniske pointed out Section 8 of the resolution which deals with reasonable accommodations under the Americans with Disability Act (ADA).

Commissioner Lim suggested the removal of Sections 3 and 6, and the addition of a new Section 4.

Elaine Beutel expressed support for the amendment.

Jorge Brito agreed with the provisions regarding the ADA regulations.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the Resolution with amendment to Sections 3 and 6. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-No, and Vice Mayor Connie Leon-Kreps-Yes.

As the sponsor of the resolution, Commissioner Rodriguez withdrew the item from the agenda.

The motion and the second to approve the resolution were withdrawn.

**B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$937,530 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS (FUND 07) AND THE DISBURSEMENT OF SUCH FUNDS FOR LAW ENFORCEMENT EXPENSES AS SET FORTH HEREIN; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The City Clerk read the resolution by title.

Interim City Manager Daniels reported that \$1.5 Million was received into the Law Enforcement Trust Fund, and he discussed use of the monies to replace 19 vehicles, to purchase laptop computers, and to fund the salaries of two-full time police officers for one year.

Commissioner Lim asked about the appropriateness of the expenditures.

Interim City Manager Daniels responded that the expenses were reviewed and approved by the City Attorney.

Commissioner Lim asked about the urgency of purchasing the vehicles.

Interim City Manager Daniels explained that the vehicles would have to be purchased with monies from the general fund, if the forfeiture funds were not available.

Commissioner Rodriguez questioned the amount of \$220,000 for the two full-time police officers.

Interim City Manager Daniels explained that the Police Department has the opportunity to replace two officers whose salaries were not included in the budget.

Commissioner Rodriguez asked if the two Police Officers who were laid could be rehired.

Interim City Manager Daniels responded that there is no guarantee that money would be received next year to fund the positions.

City Attorney Boniske clarified that the federal guidelines allow the use of forfeiture monies to fund the cost of officers' salary for one year.

Commissioner Rodriguez stated his intent to support the resolution since he was against the termination of two Police Officers.

Vice Mayor Leon-Kreps clarified that the funds were being taken from the forfeiture account rather than from the general fund.

Vice Mayor Leon-Kreps opened the floor to public comments.

Residents Richard Chervony and Elaine Beutel expressed support for the forfeiture expenditures.

Bobby Jenkins, District Director of the Fraternal Order of Police, introduced himself to the Commission.

Jorge Brito asked if any officers were laid off.

Interim City Manager Daniels responded that one Police Officer position was frozen and one Police Officer was laid off.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the Resolution. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, ESTABLISHING AN ADVISORY CHARTER REVIEW BOARD; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VICE MAYOR CONNIE LEON-KREPS)**

The City Clerk read the resolution by title.

Vice Mayor Leon-Kreps reported that the City Commission was looking for volunteers to assist in amending the City Charter.

Commissioner Rodriguez opposed to the five-year residency requirement outlined in the resolution.

Commissioner Lim suggested that residents with over five years of experience in the City would be able to provide historical perspective.

City Manager Daniels announced that technical difficulties were being experienced which prevented live broadcast of the meeting.

Gudrun Volker and Elaine Beutel agreed with the five-year residency requirement.

Commissioner Rodriguez left the meeting at approximately 9:20 p.m. due to an emergency.

Vice Mayor Leon-Kreps recessed the meeting.

Commissioner Vogel attended the meeting at approximately 9:45 p.m. and the meeting recommenced.

City Clerk Hamilton conducted a new roll call and the following members of the Commission were present: Vice Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Paul Vogel.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to excuse Commissioner Rodriguez's absence. The motion carried 3-0 on a roll call vote.

Kathy Penrod, of 1881 Kennedy Causeway, discussed her disqualification as a candidate for the board because of her three-year residency even with a Master's Degree in Public Administration.

Vice Mayor Leon-Kreps closed the floor to public comments.

Commissioner Lim suggested that the Chair allow other individuals to participate as cooperative members.

Vice Mayor Leon-Kreps encouraged Ms. Penrod to still participate in the board meetings, to join other boards, and to become familiar with the City.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the resolution. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

**D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES TO PROVIDE PROCEDURES FOR THE INITIATION OF NEW POLICY LEGISLATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The City Clerk read the resolution by title.

Interim City Manager Daniels explained that as the administration looks to the budget process and for ways to contain cost; he was recommending as cost savings to the General Fund that the City Commission accept project items for discussion and approval and subsequently allow staff to research the items prior to submitting the issues as resolutions/ordinances to the Commission. This process would save time and money to staff and contract officials, as well as avoid items being submitted to the Commission, then being rejected or different versions of similar requests being submitted.

Mayor Leon-Kreps asked how emergency issues would be addressed.

Interim City Manager Daniels responded that the City Manager has the responsibility of dealing with emergency situations in the best interest of the city.

Commissioner Lim expressed his favor to passage of the resolution considering the cost effectiveness and use of limited resources.

Vice Mayor Leon-Kreps opened the floor to public comments, and no one came forward to be heard.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the resolution. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VICE MAYOR CONNIE LEON-KREPS)**

Vice Mayor Leon-Kreps withdrew the item from the agenda.

- F. AN ORDINANCE OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 54, "EMERGENCY MANAGEMENT," CHAPTER 93, "FIRE PREVENTION," CHAPTER 96, "NUISANCES, NOISE," CHAPTER 110, "GENERAL LICENSING AND OTHER PROVISIONS," CHAPTER 135, "OFFENSES AGAINST PUBLIC PEACE AND SAFETY," AND CHAPTER 153, "CODE ENFORCEMENT," TO ADDRESS FIREARM REGULATIONS PREEMPTED BY STATE LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The City Clerk read the ordinance by title.

Interim City Manager Daniels explained that the State Legislature trumped local jurisdictions on where guns can be carried as part of the concealed firearms permits. The ordinance was reviewed by the City Attorney and revisions have been made to ensure compliance.

Assistant City Attorney Kathy Mehaffey explained that there are extensive penalties (up to \$5,000 individual penalty) for enforcing or authorizing any legal action that is contrary to state law. The proposed ordinance amends the City Code to remove any provisions that are contrary to state law. A number of provisions have been illegal for many years, but like many other jurisdictions, they have not been enforced in order to comply with state law. The new state legislation imposes these significant penalties so that it is much safer for both employees and commissioners to remove those provisions from the code to prevent any accidental enforcement.

Vice Mayor Leon-Kreps opened the floor to public comments and no one came forward to be heard.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the ordinance on first reading. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Frank Rodriguez-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

12. **PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING**

The City Clerk read the ordinance by title.

A. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; SETTING AN EFFECTIVE DATE. (SECOND READING) – PUBLIC HEARING**

Interim City Manager Daniels reported that the ordinance was heard on first reading at the last Commission Meeting:

Ralph Rosado, Grant Consultant with Corzo Castella Carballo Thompson Salman, P.A. of 901 Ponce De Leon, 901 Ponce De Leon Boulevard, Suite 900, Coral Gables, Florida 33134 discussed the Five-Year Capital Plan. In order for the City to apply for grants for the Dr. Paul Vogel Park and the plaza project at the eastern edge of the City, the projects have to be included in the plan. The projects were adopted as part of the city's budget so the numbers reflect a combination of current grants and monies that have already been allocated. Approximately \$185,000 has already been spent on Dr. Paul Vogel Park. The City received a Florida Inland Navigational District (FIND) grant for \$300,000 for work on the seawall, docks, and anything adjacent to the park, excluding upland improvement; \$60,000 was received from the State Coastal Management Program; and \$415,000 was allocated in the budget for Fiscal Year 2012. Mr. Rosado further reported that an extension to the end of the year was received on the plaza area renovation, which would include landscaping, a walkway, shared use path, lighting, benches with an overall budget of \$500,000, after he and the City Manager met with Commissioner Sally Heyman. The City will apply for a grant which will cover approximately \$200,000 of the cost of the project and will need to secure the balance. Other grants will be available at the beginning of next year and the city would be eligible to apply for them. The idea is to obtain as much money from outside sources as possible so that taxpayers do not have to fund the cost of the projects.

Vice Mayor Leon-Kreps opened the floor to public comments. No one came forward to be heard.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Paul Vogel to approve the resolution. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, and Mayor Connie Vice Leon-Kreps-Yes. The motion carried 3-0.

**B. A REQUEST BY SABOR LATIN AMERICA CONCERNING PROPERTY AT 1880 - 79<sup>TH</sup> STREET CAUSEWAY, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**

**A VARIANCE PURSUANT TO SECTION 111.03 OF THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES FROM THE STRICT APPLICATION OF SECTIONS 111.12(A) (1) AND 111.12(B) (1) FOR THE ISSUANCE OF A BUSINESS TAX RECEIPT TO PERMIT THE SALE AND ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN 500 FEET OF A PUBLIC SCHOOL AND WITHIN 300 FEET OF AN EXISTING RESTAURANT, LOUNGE, AND NIGHTCLUB HOLDING A 4COP LICENSE.**

The City Clerk read the request into the record.

City Attorney Boniske read the procedures for the quasi judicial proceeding pursuant to Section 29 of the City Code.

City Clerk Yvonne Hamilton swore in those individuals who indicated that they would provide testimony.

City Attorney Boniske advised the members of the Commission that they are required to disclose any communication they might have had regarding the request.

Vice Mayor Leon-Kreps disclosed communication with the applicant to apologize for delay of the meeting to hear the request. Commissioner Eddie Lim disclosed communication with the applicant to clarify the hearing date.

City Planner Alex David submitted the Staff Report into the record, and he recommended approval of the request to sell beer and wine at the restaurant located at 1880 - 79<sup>th</sup> Street Causeway.

Applicant Rafael Ramirez made a brief presentation to the Commission and explained his intent to operate a long-established restaurant in the City that sells Columbian food.

Vice Mayor Leon-Kreps opened the Public Hearing.

Reinaldo Trujillo, of 7601 East Treasure Drive and Chairman of the Planning & Zoning Board, reported that the Board approved the request by a unanimous decision. He stated his support for the request although there were some issues concerning the close proximity to the Treasure Island Elementary School and neighboring businesses that also sell beer and wine:

Scott Greenwald, of 1700 Kennedy Causeway, spoke of the importance of having the business in the City and the difficulty of starting a business. He suggested that the sale of beer and wine by nearby establishments was not an issue in the surrounding area.

James Carter, of 7516 West Treasure Drive and member of the Planning & Zoning Board, spoke in favor of the request.

Vice Mayor Leon-Kreps closed the Public Hearing.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the request with the following conditions:

1. The alcoholic beverages shall be consumed on the premises with the operation of the restaurant only.
2. The establishment shall be allowed to sell, serve, and dispense alcoholic beverages for consumption on the premises between the hours of 10:00 a.m. and 2:00 a.m.
3. Sale of package goods, i.e., alcohol for off-premises consumption, shall be prohibited.

The votes were as follows: Commissioner Paul Vogel-Yes, Commissioner Eddie Lim-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

**C. A REQUEST BY THE PROPERTY OWNER OF 1520 SOUTH TREASURE DRIVE, LOT 23, BLOCK 1, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR MODIFICATIONS TO PREVIOUSLY APPROVED PLANS FOR CONSTRUCTION OF A DOCK.**

The City Clerk read the request into the record.

Interim City Manager Daniels requested that the matter be deferred to the Commission Meeting scheduled for November 8, 2011 at 7:30 p.m. due to the absence of the Marine Survey that is required as part of the application for a waiver before the Commission.

Robert Rossi, contractor for the applicant, responded that the Marine Survey was completed by DERM. He expressed concern that the item was being deferred for the fourth time and that he was contacted about cancellation of the last meeting only two hours before.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to defer the request to the City Commission Meeting of November 8, 2011 at 7:30 p.m. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

**13. UNFINISHED BUSINESS**

**A. CITY MANAGER VACANCY**

Interim City Manager Daniels recommended that the City Commission hold a special meeting on November 1, 2012 to interview the five city manager candidates recommended by the City Manager Review Committee along with any other names provided by members of the Commission based on the resolution setting forth the interview process. He also suggested that the Commission could conduct individual interviews at City Hall earlier during the day. He requested authorization to pay the cost for travel and hotel accommodations for the candidates who live outside of the state and in Central Florida.

Commissioner Lim thanked Alvin Blake, Jorge Gonzalez, Reinaldo Trujillo, Mike Tannhauser, and Roger Carlton, City Manager of Surfside, for serving on the City Manager Interview Committee. He supported the Interim City Manager's recommendation to hold private interviews with the candidates followed by public interviews before making a short list of the applicants based on criteria of experience, presentation, public relations, etc., prior to voting on the matter.

Interim City Manager Daniels read the names of the five finalists into the record: Peter Lombardi, Kenneth Fields, Dennis Kelly, Jonathan Evans, and W.D. Higginbotham, Jr.

Vice Mayor Leon-Kreps requested that Ralph Rosado's name be added to the list of candidates to be interviewed because he showed interest in the position, and she would like to provide him with an opportunity to be interviewed.

Interim City Manager Daniels noted that any member of the Commission can provide additional names of individuals to be interviewed according to the resolution adopting the city manager selection process.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to accept the names of the five candidates recommended by the City Manager Review Committee: Peter Lombardi, Kenneth Fields, Dennis Kelly, Jonathan Evans, and W.D. Higginbotham, Jr. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

#### 14. NEW BUSINESS

##### A. APPOINTMENT OF MEMBER TO THE PLANNING & ZONING BOARD

City Clerk Yvonne Hamilton read the names of the applicants into the record: Ann Bakst and Arlene Rock, of Treasure Island and Carmen Lizardi and Jorge Gonzalez, of Harbor Island.

A motion was offered by Commissioner Eddie Lim and seconded by Vice Mayor Connie Leon-Kreps to appoint Jorge Gonzalez to the Planning & Zoning Board.

Commissioner Lim mentioned that Mr. Gonzalez was a great asset to the committee to select the City Manager and he currently oversees three condominium associations at the 360 development.

The votes were as follows: Commissioner Paul Vogel-Yes, Vice Mayor Connie Leon-Kreps-Yes, and Commissioner Eddie Lim-Yes. The motion carried 3-0.

**15. APPROVAL OF MINUTES**

- A.1 Special City Commission Meeting - June 30, 2011**
- A. Special City Commission Meeting -- May 24, 2011**
- B. Regular City Commission Meeting -- May 10, 2011**
- C. Special City Commission Meeting -- April 27, 2011**
- D. Regular City Commission Meeting -- April 12, 2011**
- E. City Commission Workshop-March 22, 2011**
- F. Special City Commission Meeting -- March 22, 2011**
- G. Regular City Commission Meeting -- February 22, 2011**
- H. Special City Commission Meeting -- January 25, 2011**
- I. Regular City Commission Meeting -- January 11, 2011**
- K. Special City Commission Meeting -- December 30, 2010**
- J. Regular City Commission Meeting -- December 14, 2010**
- L. Regular City Commission Meeting -- November 30, 2010**
- M. Special City Commission Meeting -- November 1, 2010**
- N. Regular City Commission Meeting -- October 19, 2010**
- O. Regular City Commission Meeting -- September 28, 2010**
- P. Regular City Commission Meeting -- September 14, 2010**
- Q. Special City Commission Meeting -- September 14, 2010**

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the Minutes. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, and Mayor Connie Leon-Kreps-Yes. The motion carried 3-0.

15F(17)

**16. ADJOURNMENT**

The meeting adjourned at 11:40 p.m.

Prepared and submitted by:

Yvonne P. Hamilton, CMC  
City Clerk

Adopted by the City Commission on  
this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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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.)

**OFFICIAL MINUTES**

**CITY OF NORTH BAY VILLAGE  
FINAL BUDGET PUBLIC HEARING  
TUESDAY, SEPTEMBER 20, 2011**

**6:00 P.M.**

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

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

Mayor Corina S. Esquijarosa called the Final Budget Public Meeting of the City Commission to order at 7:34 p.m., and the Pledge of Allegiance to the Flag was recited. The following members of the Commission were present at roll call:

Mayor Corina S. Esquijarosa  
Vice Mayor Connie Leon-Kreps  
Commissioner Eddie Lim  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

The following staff members were present:

Interim City Manager Robert Daniels  
City Attorney Nina Boniske  
Assistant City Attorney Kathryn Mehaffey  
Financial Planner Lourdes Abadin  
Finance Director Gerard Pirri  
Public Works Director Samuel Zamacona  
City Clerk Yvonne P. Hamilton

**2. PUBLIC HEARING ON THE FINAL MILLAGE AND FINAL BUDGET FOR FISCAL YEAR 2011-2012.**

15G(1)

The public hearing commenced with Finance Director Gerard Pirri explaining the roll back rate of 5.0216, the proposed operating millage rate of 4.7772, and the debt service millage rate of 1.2355.

City Clerk Yvonne Hamilton read the following Resolutions into the record:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF NORTH BAY VILLAGE FOR FISCAL YEAR 2011-2012; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2011-2012; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

Mayor Corina S. Esquijarosa opened the public hearing.

Interim City Manager Robert Daniels discussed the proposed budget and the City's commitment to maintain the same millage rate as last year. He explained that a driver position in the Street Maintenance Department and two full-time and one part-time position in the Police Department have been frozen. He advised that the status of the application for the COPS Universal Retention Grant to fund police positions will not be known until September 30. Other changes to the budget included the addition of a part-time clerical position to transcribe Minutes for the Advisory Board Meetings, funding for youth services, and a special line item for the Children's Trust Grant. The manager also stated the goal of the administration to obtain financial software by the first quarter of the next fiscal year.

Scott Greenwald, of 1700 Kennedy Causeway, commended the Interim City Manager and the Finance Director for their work on the budget.

Fane Lozman, of 7918 West Drive, referred to the increase in legal services and reminded the Commission that a competitive selection process was not undertaken for those services.

Kevin Vericker, of 7520 Hispanola Avenue, inquired as to whether a demographic overview was conducted of the number of North Bay Village households under the Save Our Homes Program that would be affected by the tax increase.

Interim City Manager Daniels explained to Mr. Vericker that the budget does not include a tax increase.

Mr. Vericker discussed the reserve amounts and the requirements. He asked how the amounts would be achieved.

Interim City Manager Daniels explained that separate reserves, which cannot be comingled, are required for the Enterprise Fund and the General Fund according to the City Charter.

Mr. Vericker asked for the balance of the reserves.

Finance Director Pirri discussed the reserve amount from 2010 and the current amount of \$2.7 Million.

Ann Bakst, of 1865 Kennedy Causeway, asked how much money the City is receiving after payment is made to American Traffic Safety and the State. She suggested that the City renegotiate the contract with ATS for a reduced percentage similar to what other cities are doing. She expressed her belief that focus should be placed on speeding enforcement for vehicles traveling over the east bridge.

Finance Director Pirri responded that the amounts may fluctuate based on the amount of money owed to the State for the four cameras. He noted that there has been a decline between the amount of money that is owed to ATS for the four cameras and the amount owed to the State.

Vice Mayor Leon-Kreps thanked the staff for their work in preparing the budget. She asked the Interim City Manager about the effect on the police positions if the COPS grant was not awarded.

Interim City Manager responded that the officers will be terminated.

Vice Mayor Leon-Kreps asked if there was an increase in the budget.

Interim City Manager clarified that there has been no increase to the operating millage rate. There was a slight increase due to the debt services that the City incurred through the bond referendum that was approved in January 2008 for the capital projects of \$9.4 Million for the park, \$7.9 Million for the Public Safety and City Hall Complex, and \$2 Million for the redevelopment of the Kennedy Causeway.

Vice Mayor Lim asked if the City was waiting for grant funding that was not yet awarded.

Finance Director Gerard Pirri clarified that grants have been applied for, grant funds are being utilized for projects, and additional grants are being sought. However, if additional grant funding were not received, the projects would not move forward, unless approval was granted by the Commission.

Commissioner Lim inquired about the financial software.

Interim City Manager Daniels explained that \$80,000 is included in the budget for an integrated software package that will assist the Finance Department, as well as other departments. Due to the cost involved, the purchase would require Request for Proposals, unless the piggyback provision is used.

Ann Bakst, of 1865 Kennedy Causeway, asked how the balance from the adopted figure and the actual amount for Code Enforcement revenues was determined.

Interim City Manager Daniels explained that there are pending liens that will generate large amount of fines due to the increase in code enforcement activities.

Reinaldo Trujillo, of 7601 East Treasure Drive, clarified that the Citizens Budget & Oversight Board was created as a forum for the community. He mentioned that while areas of the budget could be improved, the comments being made tonight should have been addressed during the budget process, at the workshops, and at the first public hearing.

Kevin Vericker, of 7520 Hispanola Avenue, remarked that the Citizens Budget & Oversight Board Meetings are held during working hours which has created a problem with attendance.

Scott Greenwald, of 1700 Kennedy Causeway, noted that the Citizens Budget & Oversight Board and the City Manager trimmed actual expenses from the budget to avoid tax increases.

Mayor Esquijarosa referred to the increase in the reserve amount from \$1,711,855 in Fiscal Year 2010-2011 to \$2.7 Million. She pointed out that information provided during the August 30, 2011 budget hearing indicated total revenues in the 2011 adopted budget as \$21,898,310 with total expenditures of \$23,323,887, plus legal expenses which is currently \$426,000. She cited an issue with the numbers being presented to the Commission since the proposed 4.7772 millage rate also indicates that revenues in the amount of \$12,528,694 would be received and expenditures would remain the same, when the actual numbers suggest that a shortage of \$1.4 Million. She advised that the Commission needs to understand the numbers and the increase in the reserves before moving forward.

Finance Director Pirri explained that \$500,000 in advalorem revenues from sale of Tax Certificates was received from Miami-Dade County and the amount was not taken into consideration at the beginning of the Fiscal Year. The \$1.7 Million figure was the 2010 audited number and was projected forward to Fiscal Year 2010-2011 to arrive at the \$2.45 Million figure.

Mayor Esquijarosa expressed concern that she had requested the reserve numbers over three months ago and there was still a discrepancy. She asked how the City can move forward to a new budget when the numbers from the past are not correct.

The Mayor requested clarification that the budget does not include outsourcing sanitation services.

Interim City Manager Daniels stated that the Commission has not made a decision on the matter of outsourcing sanitation services. Therefore, the budget contains information for the same staff and same vehicles for the year.

Mayor Esquijarosa mentioned that she reviewed the recording of the first budget hearing and noted comments from the public, particularly a question as to why the commission's budget for attending meetings is so high. She pointed out that the budget had been reduced from \$25,000 to \$20,000. She concurred that the commission attendance at meetings are necessary. However, she suggested that travel to places like Tallahassee and Washington should be on a rotated basis. The Mayor asked about the \$130,000 appropriated under the City Manager's budget since the Interim City Manager did not receive a salary increase.

Interim City Manager Daniels explained that former City Manager Pushkin's title was subsequently changed from interim manager to city manager.

The Mayor clarified that the City Manager's budget had increased because the HR Manager position was moved to that department from the City Clerk's Department. She further questioned the process for car allowances and gas cards and suggested that they should be paid through the submittal of mileage forms. She questioned the decrease from \$390,000 that was first appropriated for legal services versus the reduction to \$300,000.

Interim City Manager Daniels explained that the amount has been changed because there was ongoing litigation that has since been resolved.

Mayor Esquijarosa referred to the police budget and questioned the amounts for longevity, bonuses, shift differential, salary increase, and salary decrease for police officers.

City Manager Daniels explained the shift differentials of 2% for police officers who work evenings and 4% for those who work the midnight shift in accordance with the collective bargaining agreement that is due for renegotiation in April.

The Mayor alleged that although it appeared that bonuses had been taken away to reduce the budget, they were disguised as shift differential and longevity amounts which were doubled, and thus put back into the budget. She thought it may be best to hire a full-time professional as a Plans Reviewer and Inspector for the Building Department instead of paying \$90,000 for outsourcing the services.

The Mayor asked if the position of Maintenance Driver will remain vacant in the event the City decides to fill the position later. Interim City Manager Daniels responded that the position has been zeroed out of the budget and the department has been able to do without it thus far. However, the position can be reinstated in the future if the Commission decides to do so. Public Works Director Sam Zamacona added that the position became vacant upon the retirement of Gary Harrison and the work is being done by temporary labor and other employees with a Commercial Driver License.

The Mayor referred to \$120,000 for design study of capital projects expenditure. She asked what projects will be accomplished this year. Interim City Manager Daniels mentioned that the old City Hall Building will be demolished.

Discussion ensued regarding use of the \$475,000 grant funds received by the city. It was noted that the amount was originally intended for the municipal complex and the causeway. Since the plans changed negotiation has been underway to determine if the funds can be used for the public works complex.

Mayor Esquijarosa asked about the goal outlined in the street maintenance budget to install and maintain a bikeway path connecting the three islands. Mr. Zamacona explained that one of the items in Phase 1 or Phase 2 of the 79<sup>th</sup> Street Causeway project is to receive grant funding to increase traffic for vehicles, mass transit, pedestrians, and bicyclists by implementing a pathway from the flat bridges that would link Treasure Island and North Bay Island.

The Mayor asked if \$6,000 could be included in the budget for movie nights.

Finance Director Pirri noted that \$5,000 has already been appropriated for youth services.

Mayor Esquijarosa briefly recessed the meeting due to sounding of the fire alarm.

The Mayor suggested that actions taken by other municipalities to reduce their obligation to ATS be looked at since there is no monetary benefit from the red light camera program. She asked if there are other benefits in regard to reduction in accidents.

Interim City Manager Daniels reported that a statistical analysis is being conducted on the matter and the results should be received within the next two months.

The Mayor suggested that additional funds may need to be budgeted instead of just the \$80,000 for financial software which is usually more costly based on her experience with those programs. Additionally, funds should be budgeted to upgrade the recording system to allow the public to view the meetings.

Interim City Manager Daniels noted that the law enforcement trust funds can be used as another funding source. He mentioned that staff will work with the company to determine the problem with the recording system.

Reinaldo Trujillo mentioned that after capital projects for the park and for beautification of the causeway were approved at the 2008 bond referendum and grant funds were not received for development of the park as promised by the Trust for Public Lands, so the city ended up paying \$4 Million for the property. Plans were underway to develop the 79<sup>th</sup> Street Causeway, and since bonds could not be approved due to the economic condition, a loan was obtained from the bank to finish the project.

Finance Director Pirri clarified that the total revenues, transfers, and balance was \$16,733,501 and the amount is now \$16,679,960.

Mayor Esquijarosa introduced a discussion on a request to implement the International Baccalaureate Program at Treasure Island Elementary School. A survey was conducted by the school for implementation of the program and of the 300 surveys that were returned, 94% of the parents voted for the program. Miami Beach has opted to provide \$55,000 of the \$130,000 that was not funded by the school district. The Mayor asked about the possibility of finding \$30,000 in the budget to fund the program along with the difference in the budget as referenced above.

Interim City Manager Daniels reminded the mayor that Miami Beach had not yet committed to the amount of funding that they would provide to the program, and he suggested that the matter be addressed at the October 11 meeting after more information is received.

Reinaldo Trujillo questioned whether or not Miami Beach would commit to funding the IB program considering that they were reducing their own budget. He suggested that the City's budget be reviewed in a few months when the new City Manager is hired that a determination be made then as to whether the funds are available, and whether or not an agreement could be reached with Miami Beach.

Mayor Esquijarosa referred to the deadline of October 1 and clarified that the City will not move forward with the IB program if Miami Beach does not commit to the funds, even though the first year of the process would have been lost.

Vice Mayor Leon-Kreps commended the Mayor for bringing the idea forward and agreed that the IB program is good for the city. However, she urged the administration to find grant funding for the project so that the residents do not have to assume the cost.

Commissioner Lim expressed favor for the program. He felt that the new City Manager should continue to find money to subsidize the program if there was a budget shortfall.

Commissioner Rodriguez thanked the Mayor for the initiative in proposing the program.

Mayor Esquijarosa reiterated that if Miami Beach does not provide the money, the City will not move forward with the program. However, if the City's portion of the money was available by October 1, the program that would cost \$90,000 could move forward by using the difference of the \$60,000 from the September 6 budget figure and the current figure plus the \$30,000 that the manager could find in the budget.

Interim City Manager Daniels responded that the reduction in the budget resulted from the removal of the part-time police position and the Street Maintenance Department Driver position. He asked that information be provided to the Commission at a future meeting, if Miami Beach decides to fund the program. Thereafter, budget cuts can be made or other revenue sources may be available through grants to make up the difference.

Ann Bakst suggested that the City review the list of property owners for people who do not live in the City and are claiming homestead exemption as another revenue source. Interim City Manager Daniels informed Ms. Bakst that such a function is handled by Miami-Dade Property Appraiser's Office and such activities are reported through code enforcement.

Vice Mayor Leon-Kreps expressed her opposition to delaying approval of the budget.

The Mayor responded that the IB program was presented to the City late by the School Board and she did not see any reason why approval of the budget could not be postponed until September 27 if adjustments could not be made now.

Commissioner Lim reminded the mayor that the purpose of tonight's meeting was to adopt the resolutions to approve the budget. He suggested that the Commission move forward with approving the proposed millage rate considering the deadline of September 30. He expressed concern that problems could be encountered with obtaining a quorum if the hearing was rescheduled. He asked for the City Attorney's opinion on moving forward.

City Attorney Boniske advised that the decision to move forward is a policy call of the Commission and that the resolutions on the millage rate and on the budget require separate votes respectively. Whether the Commission was willing or not to take final action tonight and continue or recess; the budget hearing would require certain advertisements and certain motions by the Commission. The City Clerk would also need to run certain advertisements and meet certain deadlines.

Commissioner Lim read an email into the record from the Florida Department of Revenue outlining the consequences for failure to adopt a budget by September 30.

Mayor Esquijarosa discussed the idea of continuing with the current budget for a month and advertising a new budget public hearing on September 27 for adoption of the 2012 budget on September 30. She clarified that there was no intent to not pass the budget.

Mr. Greenwald suggested that the budget be adopted which would provide an opportunity for adjustments to be made in the future if money was to be found within the budget or through grant funds for the program which is very worthwhile for the city.

The Mayor stated that if the \$67,000 is allocated in the budget, the grants will still be applied for. However, the monies would not be spent if Miami Beach does not commit to their portion of the funds, which will result in the loss of the first year.

Interim City Manager Daniels requested direction from the Commission on whether or not to cut \$67,000 from the budget.

The Mayor reminded the Commission that an answer has to be provided by October 1.

Commissioner Rodriguez concurred with comments by the Mayor to allocate funds in the budget, to still pursue grants for the IB program, and defer the budget hearing to September 27.

Interim City Manager Daniels advised the Commission that the City could not rely on grants that are uncertain, because it could result in expenditure from the General Fund.

Reinaldo Trujillo urged the Commission to adopt the budget, apply for available grants and move forward with the program if Miami Beach commits to funding their portion, since staff has already committed to finding the difference.

Commissioner Lim suggested that the budget be adopted.

Finance Director Gerard Pirri recapped the roll back rate of 5.0216, the proposed operating millage rate of 4.7772, and the debt service millage rate of 1.2355.

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the proposed millage rates.

Mayor Esquijarosa objected to Commissioner Vogel's attendance at the meeting. She requested that the City Attorney and the City Clerk read Section 3.07 of the City Charter pertaining to forfeiture of office due to absences and Section 3.09 concerning the provision to cancel the August Commission Meeting. She argued that Commissioner Vogel had missed four regular meetings on June 30, July 26, August 9, and September 13. City Attorney Boniske opined that the commissioner was present at the current meeting and could therefore vote on the matter. City Clerk Yvonne Hamilton clarified that Commissioner Vogel did not miss four regular meetings because he was present on September 13 and a meeting was not held in August. The Mayor noted that four absences constituted forfeiture of office and a motion was not made to excuse Commissioner Vogel's absences. Also, a motion was not made to cancel the August meeting.

Mayor Esquijarosa questioned Commissioner Vogel as to his intentions for attending future meetings.

Vice Mayor Leon-Kreps reminded the mayor that Commissioner Vogel was seriously ill and of his many years of service to the City.

3. **RESOLUTIONS**

- A. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF NORTH BAY VILLAGE FOR FISCAL YEAR 2011-2012; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the operating millage rate of 4.7772 and the debt service millage rate of 1.2355 for Fiscal Year 2011-2012. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, Mayor Corina S. Esquijarosa-No, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-2.

- B. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2011-2012; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

A motion was offered by Vice Mayor Connie Leon-Kreps and seconded by Commissioner Eddie Lim to approve the final budget for Fiscal Year 2011-2012. The votes were as follows: Commissioner Eddie Lim-Yes, Commissioner Paul Vogel-Yes, Commissioner Frank Rodriguez-No, Mayor Corina S. Esquijarosa-No, and Vice Mayor Connie Leon-Kreps-Yes. The motion carried 3-2.

4. ADJOURNMENT

The meeting adjourned at 10:03 p.m.

*Prepared and submitted by:*

*Yvonne P. Hamilton, CMC  
City Clerk*

*Adopted by the City of North Bay Village on  
this \_\_\_\_\_.*

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*Connie Leon-Kreps, Mayor*

(Note: This is not a verbatim record of the meeting. This is a summarization of the proceedings. A copy of the audio recording is available at the City Clerks Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)

15G(13)