



North Bay Village

Administrative Offices

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OFFICIAL MINUTES

REGULAR VILLAGE COMMISSION MEETING TREASURE ISLAND ELEMENTARY SCHOOL

**NORTH BAY VILLAGE
1666 KENNEDY CAUSEWAY, #300
NORTH BAY VILLAGE, FL 33141**

February 11, 2014

7:30 P.M.

1. CALL TO ORDER.

The meeting was called to order by Mayor Connie Leon-Kreps at 7:38 p.m., and she read the rules of conduct for the proceedings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were the following:

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

Village Manager Frank K. Rollason
Deputy Village Manager/HR Director Jenice Rosado
Interim Village Attorney Robert Switkes
Finance Director Bert Wrains

Police Chief Robert Daniels
Interim Public Works Director Rodney Carrero
Village Planner Jim LaRue
Village Clerk Yvonne P. Hamilton

2. **A. PROCLAMATIONS AND AWARDS**

1.) **Life Saving Award – Officer Columbano**

Chief Daniels recognized Officer Columbano and presented him with a life-saving award for saving the life of a female at 1819 Kennedy Causeway on August 22, 2010.

B. SPECIAL PRESENTATIONS

There were no special presentations.

C. ADDITIONS AND DELETIONS

Commissioner Richard Chervony requested to remove Item 10B from the Consent Agenda to be discussed separately. Interim Village Attorney Robert Switkes requested to delete and defer Item 14A to be heard at the March 11, 2014 Commission Meeting. The Village Clerk requested that Item 14B be deferred to the March 11, 2014 Commission Meeting at 7:30 p.m. at the request of the applicant. Mayor Connie Leon-Kreps moved to approve the agenda as amended, and Commissioner Jorge Gonzalez seconded the motion, which carried unanimously.

3. **GOOD & WELFARE**

Beth Shaftal, of 7525 Adventure Avenue, Mario Garcia, of 7540 Cutlass Avenue, Fane Lozman, Alvin Blake, of 7601 Coquina Avenue, Kevin Vericker, of 7520 Hispanola Avenue, Ann Bakst, of 1865 Kennedy Causeway, Reinaldo Trujillo, of 7601 E. Treasure Drive, Dulce Noguera, of 7512 Hispanola Avenue, and Benjia Morgenstern, of 7830 Miami View Drive, addressed the Commission.

The Mayor closed the Good & Welfare Session of the meeting.

Good & Welfare was re-opened.

Dr. Leslie Rosenfeld, was present on behalf of Miami Beach Mayor, Jimmy Morales, and requested \$6,600 in funding from the Village for the 2014-2015 School Year for the Nursing Program at Treasure Island Elementary School.

The Mayor closed the session.

4. BOARD REPORTS

A. CITIZENS BUDGET & OVERSIGHT BOARD

A report was not provided.

B. COMMUNITY ENHANCEMENT BOARD

Chair Andreana Jackson reported on the January 9, 2014 Board Meeting.

C. PLANNING & ZONING BOARD

Chair Reinaldo Trujillo reported on the January 30, 2014 Board Meeting.

5. PUBLIC SAFETY DISCUSSION

Chief Daniels called for a moment of silence on the passing of Officer Jonathan Scott Pine from Orlando, Florida.

Chief Daniels referred to the crime statistics for January which was provided to the Commission.

6. COMMISSIONERS' REPORTS

Commissioner Richard Chervony, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all gave reports.

7. VILLAGE ATTORNEY'S REPORT

Interim Village Attorney Robert Switkes introduced members of his staff, Candace Cronan and Christian Garcia.

8. VILLAGE MANAGER'S REPORT

Village Manger Frank K. Rollason introduced the new Public Works Supervisor, David Hernandez.

The manager discussed his report which was included in the agenda package.

Commissioner Wendy Duvall made a motion authorizing the Village Manager to move forward on the items recommended by the North Bay Village Causeway Committee with FDOT, incorporating the assistance of State Representative David Richardson, as appropriate. Commissioner Richard Chervony seconded the motion which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Wendy Duvall all voting Yes.

Commissioner Richard Chervony made a motion directing the Village Manager to prepare an Infrastructure Needs Program to be made available to the Mayor and Commissioners to assist in their efforts to obtain funding from the State to make the necessary infrastructure repairs. Vice Mayor Eddie Lim seconded the motion which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Interim Public Works Director Rodney Carrero-Santana explained the situation with the water leaks that was discussed under Good and Welfare. He also provided an update on the status of the fence to be installed on the flat bridge in the Village.

9. FINANCE REPORT

Finance Director Bert Wrains provided the financial report.

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

A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER TO AWARD RFP NO. NBV 2013-002 TO STAFFING CONNECTION/ACTION LABOR FOR SCHOOL CROSSING GUARD SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ATTACHED AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANANAGER FRANK K. ROLLASON)

Commissioner Richard Chervony made a motion to approve the Consent Agenda Item 10A. Commissioner Wendy Duvall seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

At the request of Commissioner Richard Chervony, Item 10B was discussed separately from the Consent Agenda.

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AUTHORIZING THE VILLAGE MANAGER TO TAKE THE STEPS NECESSARY IN PREPARATION FOR DESIGNING AND CONSTRUCTING THE NEW VILLAGE HALL COMPLEX AT 7903 EAST DRIVE; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANANAGER FRANK K. ROLLASON)

Commissioner Jorge Gonzalez made a motion to approve the Resolution.

Commissioner Wendy Duvall seconded the motion, which was adopted by a 4-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

Commissioner Jorge Gonzalez made a motion to hear Item 15A next on the agenda. Commissioner Wendy Duvall seconded the motion, which carried 5-0 on a roll call vote.

15A. CAUSEWAY TOWER, LLC ADDITIONAL LEASED ADMINISTRATIVE OFFICE SPACE – VILLAGE HALL

Village Manager Frank K. Rollason made a brief presentation on the item to lease office space on the ground floor of the Causeway Tower Building.

Commissioner Jorge Gonzalez made a motion to approve the Resolution. Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments.

Ann Bakst, of 1865 Kennedy Causeway and Scott Greenwald, of 1700 Kennedy Causeway addressed the Commission.

The Mayor closed the floor to public comments.

The vote on the motion to approve Item 15A was adopted by a 4-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voted Yes. Commissioner Richard Chervony voted No.

Commissioner Wendy Duvall made a motion to hear Items 13B, 13C, and 15C next on the agenda. Commissioner Jorge Gonzalez seconded the motion, which carried 4-1 on a roll call vote. Commissioner Richard Chervony voted No.

The Village Clerk read the Resolution into the record.

13B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AND BOAT LIFT AT 1400 SOUTH TREASURE DRIVE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Village Planner Jim LaRue made a presentation on the item and recommended approval with the following conditions:

Jim Crocker, of Qualman Marine, addressed the Commission on behalf of the request.

The Mayor opened the floor to public comments.

Fane Lozman addressed the Commission regarding the need for contractors working on docks and similar structures to have Long Shoreman Insurance.

The Mayor closed the Public Hearing.

Commissioner Wendy Duvall made a motion to approve the Resolution and Commissioner Jorge Gonzalez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Wendy Duvall all voting Yes.

The Village Clerk read the following requests into the record.

13C. AN APPLICATION BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:

- 1. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
- 2. BAY VIEW OVERLAY STANDARDS REVIEW PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.**
- 3. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLE.**
- 4. SITE PLAN APPROVAL PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE IN THE RM-70 (HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL) ZONING DISTRICT.**

BUILDING HEIGHT BONUS REVIEW PURSUANT TO SECTION 152.029(C)(8)(A-F) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

Commissioner Wendy Duvall moved the item to the floor and Vice Mayor Eddie Lim seconded the motion.

Village Planner Jim LaRue noted for the record that Item 3, the request for a Special Use Exception to allow up to twenty percent of the development's required parking spaces to be designated specifically for parking for compact vehicles was withdrawn.

Village Attorney Robert Switkes swore in all those individuals who indicated that they would provide testimony. Mr. Switkes also advised the members of the Commission to disclose any ex parte communication they might have had regarding the request. The Commission indicated that there was no ex parte communication.

Graham Penn, of Bercow Radell & Fernandez, P.A., 200 S. Biscayne Boulevard, Suite 850, Miami, FL 33131 presented the item to the Commission. Also in attendance on behalf of the project was developer Scott Greenwald and Architect Kobi Karp.

Jim LaRue, Graham Penn, and Kobi Karp made presentations on the request.

The Mayor opened the public hearing.

Lisa Sanders, of 7928 West Drive, Fane Lozman, Gudrin Volker, of 7517 Cutlass Avenue, Reinaldo Trujillo, of 7601 E. Treasure Drive, Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, and Mario Garcia, of 7540 Cutlass Avenue addressed the Commission.

The Mayor closed the public hearing.

Following discussion, Commissioner Richard Chervony made a motion to approve the request for the Special Use Exception. Commissioner Wendy Duvall seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Commissioner Jorge Gonzalez made a motion approving utilization of the Bay View Overlay Standards Review pursuant to Section 152.032(A)(3) of the North Bay Village Code of Ordinances. Commissioner Richard Chervony seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes.

Commissioner Wendy Duvall made a motion to approve the Site Plan for development of a 237 unit, 32 story multi-family condominium structure at 1415 Kennedy Causeway with the following conditions prior to issuance of the Building Permit:

- 1) Submittal of a landscape plan, irrigation plan and vegetative survey which meet Miami-Dade Chapter 18A requirements
- 2) Dedication recording of the public boardwalk access easements as per section 152.029(C)(7).
- 3) Site plan approval from Miami-Dade Shoreline Review Committee.
- 4) Meeting School Board Concurrency requirements as determined by School Board Staff.
- 5) Payment of bonus height fees, as required under Section 152.029(C)8A-8F, as defined by the IOD Development Agreement.
- 6) Tie-in to Village's wastewater system at a Village designed, proximate location (proposed connection point).
 - a) If and only if at the time of IOD's construction the Existing Force Main is operational, then IOD shall contribute to the established proportionate share program in place at the time of the connection.
 - b) Alternatively, if at the time of construction by IOD, there is not an Existing Force Main, then IOD shall design and construct a Westbound Force Main to the Village Hall Pump Station ("Force Main Improvements") required to service the IOD development to the standards required by the Village. Upon completion and acceptance of the Force Main Improvements by the Village, those improvements shall be conveyed to the Village at no cost through an unencumbered bill of sale.
- 7) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 8) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 9) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.

10) All applicable state and federal permits must be obtained before commencement of construction.

Commissioner Jorge Gonzalez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Wendy Duvall all voting Yes.

C. REMOVAL OF BULB OUT AT 1680 SOUTH TREASURE DRIVE

The Village Clerk read the item into the record.

Interim Village Manager Rodney Carrero-Santana presented the item to the Commission.

The Mayor opened the floor to public comments.

Property owner Najib Iayar addressed the Commission on behalf of the request.

The Mayor closed the public hearing.

Commissioner Jorge Gonzalez made a motion to approve the request to remove the bulb out. Commissioner Wendy Duvall seconded the motion, which was adopted by a 4-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

13A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 70 OF THE VILLAGE CODE TO UPDATE THE PARKING REGULATIONS AND TO MODIFY REQUIREMENTS PERTAINING TO RESIDENTIAL PERMIT PARKING AREAS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)-SECOND READING – PUBLIC HEARING

The Village Clerk read the ordinance by title.

Village Manager Frank K. Rollason made a brief presentation on the item.

The Mayor opened the floor to public comments.

Gabriel Pastor, of 7928 West Drive, and Mario Garcia, of 7540 Cutlass Avenue, addressed the Commission.

The Mayor closed the floor to public comments.

Commissioner Richard Chervony stated for the record that input from the community on this item was necessary.

Following discussion, the motion to approve the Ordinance on second reading was adopted by a 4-1 roll call vote. The vote was as follows; Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Wendy Duvall, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

12K. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO CREATE A RESIDENTIAL PARKING PERMIT AREA ON HARBOR ISLAND, PURSUANT TO SECTION 70.07(B) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

The Village Clerk read the Resolution by title.

Chief Robert Daniels made a brief presentation on the item.

Commissioner Jorge Gonzalez made a motion to approve the Resolution. Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments.

Gabriel Pastor and Lisa Sanders, of 7928 West Drive, Mario Garcia, of 7540 Cutlass Avenue, and Reinaldo Trujillo, of 7601 E. Treasure Drive, addressed the Commission.

The Mayor closed the floor to public comments.

At this time Commissioner Jorge Gonzalez made a motion to extend the meeting beyond 12:00 a.m. Commissioner Richard Chervony seconded the motion which was carried 5-0.

The vote on the motion to approve the Resolution failed by a 4-1 roll call vote. The vote was as follows: Vice Mayor Eddie Lim voted Yes. Commissioner Wendy Duvall, Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, and Commissioner Richard Chervony all voted No.

It was the consensus of the Commission for a workshop to compile accurate information on Harbor Island Parking.

Commissioner Wendy Duvall left the meeting at 12:23 a.m.

Item 12A was heard next on the agenda.

11. **PLANNING & ZONING CONSENT AGENDA**

No Items.

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

- A. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 36 “ADMINISTRATIVE POLICY AND PROCEDURE,” OF THE CODE OF ORDINANCES TO UPDATE THE REQUIREMENTS AND PROCEDURES RELATED TO THE PROCUREMENT REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Ordinance by title.

Village Manager Frank K. Rollason made a presentation on the item.

Commissioner Jorge Gonzalez made a motion to approve the Ordinance. Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments and there were no speakers.

Following discussion, the vote was amended to further revise Section 36(G)(3) to allow for competitive bids within the last 24 months and to correct “Village” in Section H. Commissioner Jorge Gonzalez accepted the amended motion, seconded by Vice Mayor Eddie Lim.

The motion was adopted by a 3-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPOINTING ROBERT L. SWITKES OF ROBERT L. SWITKES & ASSOCIATES, P.A. AS THE PERMANENT VILLAGE ATTORNEY AND APPROVING AN AGREEMENT WITH THE FIRM FOR PROVIDING GENERAL MUNICIPAL AND LAND USE MATTERS; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Richard Chervony made a motion to approve the Resolution and

Commissioner Jorge Gonzalez seconded the motion.

The Mayor opened the floor to public comments and there were no speakers.

Interim Village Attorney Robert Switkes addressed the Commission and clarified the fees for his services.

The motion was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR ADDITIONAL CONSTRUCTION PHASE SERVICES FOR COMPLETION OF THE FORCEMAIN REHABILITATION DESIGN BUILD PROJECT; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Richard Chervony made a motion to approve the Resolution, and Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments and there were no speakers.

Village Manager Frank Rollason, Public Works Director, and Village Engineer Gary Ratay, from Kimley Horn & Associates, Inc, explained the item.

The vote on the motion was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A GRANT OF EASEMENT FROM THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT; AUTHORIZING VILLAGE OFFICIALS TO RECORD THE EASEMENT AND TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

This item was deferred to the next Commission Meeting.

E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2013-2014 BUDGET TO INCREASE THE BUILDING PERMIT REVENUES AND INCREASE THE EXPENDITURES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

The Village Clerk read the Resolution by title.

Commissioner Jorge Gonzalez made a motion to approve the Resolution, and Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments, and there were no speakers.

Commissioner Richard Chervony suggested an amendment to the Resolution to defer discussion on the personnel staff issue to the next Commission Meeting. Commissioner Jorge Gonzalez accepted the amended motion, seconded by Vice Mayor Eddie Lim.

The motion to approve the Resolution as amended was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony, and Commissioner Jorge Gonzalez all voting Yes.

Commissioner Richard Chervony moved to table Item 12D to the March 11, 2014 Commission Meeting. Commissioner Jorge Gonzalez seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

Commissioner Richard Chervony moved to table Item 12F, 12G, 12H, and 12I to the March 11, 2014 Commission Meeting. Commissioner Jorge Gonzalez seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jorge Gonzalez, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Richard Chervony all voting Yes.

F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING ELECTED OFFICIALS TO PURCHASE HEALTH INSURANCE THROUGH THE VILLAGE HEALTH INSURANCE PROGRAM; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

This item was deferred to the next Commission Meeting.

- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH C.A.P. ENGINEERING CONSULTANTS, INC., FOR THE PURPOSE OF PROVIDING BUILDING & PERMITTING SERVICES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

This item was deferred to the next Commission Meeting.

- H. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CONFIRMING THE APPOINTMENT OF RAUL RODRIGUEZ AS THE CHIEF BUILDING OFFICIAL PURSUANT TO SECTION 4.01 OF THE VILLAGE CHARTER; AND PROVIDING AN EFFECTIVE DATE (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

This item was deferred to the next Commission Meeting.

- I. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CONFIRMING THE APPOINTMENT OF RODNEY CARRERO-SANTANA AS THE PUBLIC WORKS DIRECTOR PURSUANT TO SECTION 4.01 OF THE VILLAGE CHARTER; AND PROVIDING AN EFFECTIVE DATE (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

This item was deferred to the next Commission Meeting.

- J. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING A BUDGET TRANSFER OF \$28,333 FROM THE VILLAGE CLERK'S ACCOUNT TO THE POLICE DEPARTMENT ACCOUNT AND RE-ALLOCATION OF \$9,720 TO THE VILLAGE MANAGER'S DEPARTMENT CONTINGENCY FUND FOR PERSONNEL COST, SOFTWARE EQUIPMENT, AND OTHER NECESSARY OPERATING EXPENSES; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Jorge Gonzalez made a motion to approve the Resolution, and Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments, and there were no speakers.

The motion was adopted by a 3-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, and Commissioner Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

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

This item was heard earlier in the agenda.

13. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING:

- A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 70 OF THE VILLAGE CODE TO UPDATE THE PARKING REGULATIONS AND TO MODIFY REQUIREMENTS PERTAINING TO RESIDENTIAL PERMIT PARKING AREAS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K.ROLLASON)-SECOND READING – PUBLIC HEARING**

This item was heard earlier in the agenda.

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE CONSTRUCTION OF A DOCK AND BOAT LIFT AT 1400 SOUTH TREASURE DRIVE,; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

This item was heard earlier in the agenda.

- C. AN APPLICATION BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:**

- 1. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**

- 2. **BAY VIEW OVERLAY STANDARDS REVIEW PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.**
- 3. **A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**
- 4. **SITE PLAN APPROVAL PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE IN THE RM-70 (HIGH DENSITY MULTIPLE-FAMILYRESIDENTIAL) ZONING DISTRICT.**

BUILDING HEIGHT BONUS REVIEW PURSUANT TO SECTION 152.029(C)(8)(A-F) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

This item was heard earlier in the agenda.

C. REMOVAL OF BULB OUT AT 1680 SOUTH TREASURE DRIVE

This item was heard earlier in the agenda.

14. UNFINISHED BUSINESS

A. CODE ENFORCEMENT LIEN – 7401 BEACH VIEW DRIVE (CONTINUED FROM DECEMBER 10, 2013)

This item was deleted and deferred to the March 11, 2014 Commission Meeting.

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY BAYVIEW CONDOMINIUM ASSOCIATION, FOR A VARIANCE PURSUANT TO SECTION 152.0971 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A DIESEL-FUELED GENERATOR TO BE SETBACK 8.5 FEET FROM THE SIDE PROPERTY LINE, WHERE A SETBACK OF 15 FEET IS REQUIRED; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (CONTINUED FROM DECEMBER 10, 2013)

This item was deferred to the March 11, 2014 Commission Meeting.

15. NEW BUSINESS

A. CAUSEWAY TOWER, LLC ADDITIONAL LEASED ADMINISTRATIVE OFFICE SPACE – VILLAGE HALL

This item was heard earlier in the agenda.

B. NORTH BAY VILLAGE SCHOLARSHIP REVIEW COMMITTEE

Mayor Connie Leon-Kreps made a motion to appoint Youth & Education Services Board members Alex Funkhouser and Ana Fonseca and Deputy Village Manager/HR Director to the Scholarship Committee; and authorized the Village Manager to appoint an additional staff member. Vice Mayor Eddie Lim seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Richard Chervony, Commissioner Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

C. REMOVAL OF BULB OUT AT 1680 SOUTH TREASURE DRIVE

This item was heard earlier in the agenda.

16. APPROVAL OF MINUTES

- A. Special Commission Meeting – January 15, 2014**
- B. Regular Commission Meeting – December 10, 2013**
- C. Regular Commission Meeting – October 8, 2013**

No action was taken on the Minutes.

17. ADJOURNMENT

The meeting adjourned at 1:12 a.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by North Bay Village on

this 11th day of March, 2014.

Connie Leon-Kreps, Mayor

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

