



North Bay Village

Administrative Offices

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OFFICIAL MINUTES

REGULAR VILLAGE COMMISSION MEETING

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

JUNE 9, 2015 - 7:30 P.M.

1. **CALL TO ORDER**

The meeting was called to order by Mayor Connie Leon-Kreps at 7:34 p.m. The Mayor read the rules of conduct for the proceeding.

PLEDGE OF ALLEGIANCE

Miami-Dade Fire Chief Dave Downey led the Pledge of Allegiance.

ROLL CALL

Present were the following:

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

Vice Mayor Jorge Gonzalez moved to excuse Commissioner Eddie Lim, who was away on a scheduled vacation. Commissioner Richard Chervony seconded the motion, and all voted in favor.

Also Present:

Frank K. Rollason, Village Manager
Jenice Rosado, Deputy Village Manager/HR Director
Acting Lieutenant Lesley Hatley
Bert Wrains, Finance Director
Rodney Carrero-Santana, Public Works Director

Village Planner Jim LaRue
Yvonne P. Hamilton, Village Clerk
Jenorgen Guillen, Deputy Village Clerk

2. **A. PROCLAMATIONS AND AWARDS**

1.) **BEST BUDDIES AWARD TO NORTH BAY VILLAGE**

This item was deferred to the September Commission Meeting.

2.) **NORTH BAY VILLAGE SCHOLARSHIPS**

Item 2A(2) was heard after Item 4C.

B. SPECIAL PRESENTATIONS

1.) **MIAMI-DADE FIRE CHIEF DOWNEY**

Mr. Downey made a brief presentation on the department's annual budget and the services and activities that are being provided to North Bay Village.

2.) **GREATER MIAMI SHORES CHAMBER OF COMMERCE**

Councilman Jesse Walters, Executive Director, of the Greater Miami Shores Chamber of Commerce made a brief presentation on the feasibility of North Bay Village becoming a member of their organization.

3.) **HISPANIC BUSINESS INITIATIVE FUND – JOSE D. ALVAREZ
(VICE MAYOR JORGE GONZALEZ)**

Mr. Jose D. Alvarez, Business Development and Education Consultant, with HBIF made a brief presentation about the program.

C. ADDITIONS AND DELETIONS

Commissioner Richard Chervony made a motion to defer Item 12D to the July Commission Meeting and to move up Item 15D on the agenda after the Good & Welfare session. The motion died for lack of a second.

Commissioner Richard Chervony made a motion to hear Items 13A, 12C, and 12E before the Consent Agenda. Commissioner Wendy Duvall seconded the motion, and all voted in favor.

3. GOOD & WELFARE

Reinaldo Trujillo, of 7601 E. Treasure Drive, Clinton Williams, of 1735 N. Treasure Drive, Shanika Rosa, of 360 Condominium, Mario Ortega, of 360 Condominium, Linda Greene, of 360 Condominium, Ann Bakst, of 1865 Kennedy Causeway, Gudrin Volker, 7517 Cutlass Avenue, Cliff Friedland, of 7500 Miami View Drive, Alejandro Seran, of 360 Condominium, Kevin Vericker, of 7520 Hispanola Avenue, Mauricio Duggar, of 7928 East Drive, Christina Kay Koppes, Jennifer Reed, Ana Farina, and Rachel Kennedy, of 360 Condominium addressed the Commission.

4. BOARD REPORTS

A. COMMUNITY ENHANCEMENT BOARD

The Chair Andreana Jackson discussed the Board Report from the May 21, 2015 meeting.

B. PLANNING & ZONING BOARD

The Chair Reinaldo Trujillo discussed the Board's review of the Land Development Regulations.

C. YOUTH & EDUCATION SERVICES BOARD

The Vice Chair Keir Rocha reported on the June 1, 2015 meeting, where the Board ranked the North Bay Village Scholarship applicants as follows: #1Melissa Gonzalez, #2Lucia Golletti, #3Yunsei Liang, and #4Eric Tano.

The Mayor opened the floor to public comments.

Cliff Friedland, of 7500 Miami View Drive, addressed the Commission.

Vice Mayor Jorge Gonzalez made a motion to accept the ranking recommended by the Youth & Education Services Board, and Commissioner Richard Chervony seconded the motion. The motion was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Vice Mayor Jorge Gonzalez all voting Yes.

Commissioner Wendy Duvall made a motion to grant two (2) \$1,000 scholarships to the two remaining applicants and for staff to revisit the method that was utilized. Vice Mayor Jorge Gonzalez seconded the motion, which failed 1-3. The vote was as follows: Commissioner Wendy Duvall votedYes. Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Richard Chervony all voted No.

15A. APPOINTMENT OF BOARD MEMBERS

1. SPECIAL NEEDS ADVISORY BOARD

Vice Mayor Jorge Gonzalez made a motion to appoint Clinton Williams and Guerda Morriseau, of 1735 N. Treasure Drive, to the Special Needs Advisory Board. Commissioner Richard Chervony seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Vice Mayor Jorge Gonzalez all voting Yes.

5. PUBLIC SAFETY DISCUSSION

Acting Lieutenant Leslie Hatley discussed public safety issues. He also announced a Hurricane Workshop for June 24, 2015 at 7:00 p.m.

6. COMMISSIONERS' REPORTS

Mayor Connie Leon-Kreps, Vice Mayor Jorge Gonzalez, and Commissioner Richard Chervony gave oral reports.

Vice Mayor Jorge Gonzalez made a motion to extend an invitation to Joseph Centorino, Esq., Executive Director of Miami-Dade County Ethics Commission to make an ethics presentation to the Commission at the July 2015 meeting. Mayor Connie Leon-Kreps seconded the motion, and all voted in favor.

7. VILLAGE ATTORNEY'S REPORT

The Village Attorney Robert L. Switkes gave an oral report.

8. VILLAGE MANAGER'S REPORT

The Village Manager Frank K. Rollason discussed his written report, which was included in the agenda package. He requested that the Commission approve a Budget Workshop, a Baywalk Workshop, and waive excess trash fees for vegetation only through the end of July 2015.

Vice Mayor Jorge Gonzalez made a motion to hold a Budget Workshop on June 11, 2015 at 7:30 p.m. Commissioner Wendy Duvall seconded the motion, which was adopted by a 3-1 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Wendy Duvall, and Vice Mayor Jorge Gonzalez all voted Yes. Commissioner Richard Chervony voted No.

Mayor Connie Leon-Kreps made a motion to hold a Baywalk Workshop on June 30, 2015 at 7:30 p.m. Vice Mayor Jorge Gonzalez seconded the motion, which was adopted by a 3-1 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Vice Mayor Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes. Commissioner Richard Chervony voted No.

Vice Mayor Jorge Gonzalez made a motion to waive excess trash fees for vegetation only through the end of July 2015. Commissioner Richard Chervony seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Richard Chervony, Commissioner Wendy Duvall, and Vice Mayor Jorge Gonzalez all voted Yes.

A. Grant Writer's Report

The Village Grant Writer, Lakeesha Morris, of BellTower Consulting Group, LLC, provided an update on Village grants.

9. FINANCE REPORT

The Finance Director Bert Wrains made a presentation on the status of the Village's finances as of May 31, 2015.

15D. DISCUSSION REGARDING BAYWALK ACCESS RULES AND REGULATIONS (COMMISSIONER RICHARD CHERVONY)

- 360 Development 7900 Harbor Island Drive
- Cielo 7935-37 East Drive
- The Adagio 7939 East Drive
- Eloquence 7928-7930 East Drive
- Blue Bay 7927-7929 West Drive
- Space 01 7934 West Drive
- Bay View Terrace 1625 Kennedy Causeway
- Bridgewater 1881-1909 Kennedy Causeway
- MODA 8000 West Drive

Vice Mayor Jorge Gonzalez made a motion to table Item 15D until after the Baywalk Workshop. Commissioner Wendy Duvall seconded the motion, which carried 4-0.

The Mayor recessed the meeting at 10:08 p.m.

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING ITEMS:

- A. AN APPLICATION BY CEDAR ISLAND L.P. CONCERNING PROPERTY LOCATED AT 7922 EAST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING: FIRST PUBLIC HEARING (CONTINUED FROM MAY 12, 2015)**
- 1. A LAND DEVELOPMENT CODE TEXT AMENDMENT TO SECTIONS 152.0296, 152.042 AND 152.003 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES IN ORDER TO PERMIT THE USE OF MECHANICAL PARKING LIFTS TO PROVIDE 2 PARKING SPACES PER LIFT AND TO ALLOW DRIVE AISLES NARROWER THAN 22 FEET IN THE PRD ZONING OVERLAY; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**
 - 2. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 16-UNIT, 13-STORY MIXED USE CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

The Village Clerk read the requests into the record.

The Village Attorney advised on the procedures for the quasi-judicial proceedings pursuant to Chapter 29 of the Village Code.

Vice Mayor Gonzalez disclosed a meeting with counsel for the applicant, Graham Penn, regarding an explanation of the technical aspects of the parking lifts.

Mayor Connie Leon-Kreps disclosed having communications with lobbyist Mitch Edelstein.

The Village Planner, Jim LaRue, of LaRue Planning & Management Services, Inc., presented the Staff Report. He noted that the Planning & Zoning Board recommended approval of the request with conditions on April 7, 2015.

Graham Penn, of Bercow & Radell, Lift Expert James MacKenzie, and Traffic Engineer Chris Collins addressed the Commission on behalf of the application.

Vice Mayor Jorge Gonzalez moved the item to the floor, and Commissioner Wendy Duvall seconded the motion.

The Mayor opened the Public Hearing.

Ann Bakst, of 1865 Kennedy Causeway, addressed the Commission.

Following discussion regarding the mechanicals lifts, Commissioner Richard Chervony made a motion to defer the requests to the July 14, 2015 Commission Meeting. Commissioner Wendy Duvall seconded the motion, which carried 4-0 on a roll call vote.

12C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 70 OF THE VILLAGE CODE BY REVISING SECTION 70.09 PERTAINING TO THE PARKING OF MOTORCYCLES AND SCOOTERS IN THE HARBOR ISLAND RESIDENTIAL PARKING AREA; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

The Village Clerk read the Ordinance by title.

Commissioner Richard Chervony explained the purpose of the ordinance.

Commissioner Richard Chervony made a motion to approve the ordinance on first reading, and Commissioner Wendy Duvall seconded the motion

The Mayor opened the floor to public comments. There being no speakers she closed the floor to public comments.

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

E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ESTABLISHING A SIGNAGE REVIEW COMMITTEE TO DEVELOP A DESIGN PATTERN OF SIGNS TO BE PLACED IN THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

The Village Clerk read the Resolution by title.

The Mayor explained the purpose of the Resolution.

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

The Mayor opened the floor to public comments.

Ann Bakst, of 1865 Kennedy Causeway, addressed the Commission.

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

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, RELATING TO THE PUBLIC WELFARE, AUTHORIZING THE VILLAGE MANAGER, ON BEHALF OF THE NORTH BAY VILLAGE POLICE DEPARTMENT, TO ENTER INTO LAW ENFORCEMENT MUTUAL AID AGREEMENTS WITH MIAMI-DADE COUNTY AND THE MIAMI-DADE POLICE DEPARTMENT, THE VILLAGE OF INDIAN CREEK, AND THE CITY OF NORTH MIAMI, SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING ITS PROPORTIONATE SHARE OF FUNDING FOR A SCHOOL REGISTERED NURSE FOR TREASURE ISLAND ELEMENTARY SCHOOL; BUDGETING AND APPROPRIATING FUNDS; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, URGING THE UNITED STATES COAST GUARD TO MOVE FORWARD, ON AN EXPEDITED BASIS, THE NOTICE OF PROPOSED RULEMAKING (NPRM) FOR THE PURPOSE OF REGULATING THE HOURS OF OPERATIONAL OPENINGS OF THE EAST 79th STREET AND THE WEST 79TH STREET BRIDGES (STATE ROAD 934), WHICH SERVE AS THE INGRESS AND EGRESS POINTS FOR NORTH BAY VILLAGE; FLORIDA; SETTING AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)**
- D. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, MODIFYING RESOLUTION NO. 2014-26 TO REALLOCATE AND EXPEND POLICE IMPACT FEES; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

- E. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A HOLD HARMLESS AGREEMENT WITH THE TOWN OF MEDLEY FOR THE USE OF THE MEDLEY POLICE FIREARMS TRAINING CENTER; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

- F. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE 2015 FISCAL YEAR OPERATING BUDGET FOR THE AFTERSCHOOL AND SUMMER PROGRAM UNDER THE CHILDREN’S SERVICES FUND; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

Commissioner Richard Chervony made a motion to approve the Consent Agenda Items 10A through 10F. Commissioner Wendy Duvall seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, and Commissioner Richard Chervony all voting Yes.

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, RELATING TO WATER RATES, AMENDING CHAPTER 51, SECTION 51.04 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO REVISE THE FEES; PROVIDING FOR REPEALER, CODIFICATIONS, SEVERABILITY, AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Ordinance by title.

Village Manager Frank K. Rollason and Finance Director Bert Wrains presented the item to the Commission.

Commissioner Richard Chervony made a motion to approve the ordinance on first reading, and Commissioner Wendy Duvall seconded the motion.

The Mayor opened the floor to public comments. There being no speakers she closed the floor to public comments.

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

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO SEWER RATES, AMENDING CHAPTER 52, SECTION 52.11(B) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO REVISE THE FEES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Ordinance by title.

Commissioner Richard Chervony made a motion to approve the ordinance on first reading, and Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the floor to public comments. There being no speakers she closed the floor to public comments.

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

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER TO OUTSOURCE THE SOLID WASTE COLLECTION AND DISPOSAL SERVICES TO WASTE MANAGEMENT; ACCEPTING PROPOSAL #2 FROM WASTE MANAGEMENT PLUS THE CPI; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE APPROPRIATE STAFF TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR TRANSITION TO WASTE MANAGEMENT SERVICES; AUTHORIZING THE EXPENDITURE OF THE BUDGETED FUNDS IN CONNECTION WITH OUTSOURCING THE SANITATION SERVICES; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

This item was deferred to the next Commission Meeting at the request of the Village Manager.

14. UNFINISHED BUSINESS

A. EVALUATION OF VILLAGE MANAGER AND VILLAGE ATTORNEY

As the sponsor of the item, the Mayor withdrew Item 14A from the agenda.

15. NEW BUSINESS

2. ARTS, CULTURAL & SPECIAL EVENTS BOARD

Item 15A.2. was tabled.

B. CANCELLATION OF AUGUST MEETING

Commissioner Wendy Duvall made a motion to cancel the August 2015 Commission Meeting. Mayor Connie Leon-Kreps seconded the motion, which failed by a 2-2 vote. The vote was as follows: Vice Mayor Jorge Gonzalez-No, Commissioner Richard Chervony-No, Mayor Connie Leon-Kreps-Yes, and Commissioner Wendy Duvall-Yes.

Following a motion to reconsider the item, Commissioner Wendy Duvall made a motion to cancel the August 2015 Commission Meeting and Mayor Connie Leon-Kreps seconded the motion, which carried 3-1. Commissioner Richard Chervony voted No.

C. COMMUNITY ENHANCEMENT BOARD RECOMMENDATIONS

A. COMBINING VILLAGE 70TH ANNIVERSARY EVENT WITH FOURTH OF JULY CELEBRATION EVENT

Village Manager Frank Rollason reported that funds were not budgeted to cover the Village's 70th anniversary event.

B. HOUSE OF THE MONTH BEAUTIFICATION AWARD

The Village Attorney will assist the Board in developing criteria for a Beautification Award Program.

16. APPROVAL OF MINUTES

- A. REGULAR COMMISSION MEETING – MAY 12, 2015**
- B. REGULAR COMMISSION MEETING – APRIL 14, 2015**
- C. REGULAR COMMISSION MEETING – MARCH 10, 2015**
- D. SPECIAL COMMISSION MEETING – FEBRUARY 24, 2015**
- E. SPECIAL COMMISSION MEETING – JANUARY 27, 2015**

Commissioner Richard Chervony made a motion to approve the Minutes as submitted. Mayor Connie Leon-Kreps seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Wendy Duvall, Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, and Commissioner Richard Chervony all voting Yes.

17. ADJOURNMENT

The meeting adjourned at 11:50 p.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by North Bay Village on

This 14th day of July 2015.

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.)