

RESOLUTION NO. 2022-49

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE BUDGET FOR FISCAL YEAR 2021-2022 TO APPROPRIATE FUNDS FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MATCHING GRANT RELATING TO THE KENNEDY CAUSEWAY LANDSCAPE IMPROVEMENTS PROJECT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 29, 2021, the North Bay Village (the "Village") Commission adopted Resolution No. 2021-54 approving the budget for fiscal year 2021-2022 (the "Budget"); and

WHEREAS, pursuant to Section 166.241(5), Florida Statutes, the Village Commission may amend a budget at any time within a fiscal year; and

WHEREAS, pursuant to Section 35.21 of the Village Code of Ordinances and Florida Law, the Village Commission desires to amend the Budget consistent with the staff memorandum accompanying this resolution by authorizing the line item transfers as further provided in Exhibit "A" attached hereto and incorporated herein to appropriate funds for the Florida Department of Transportation (FDOT) Matching Grant relating to the Kennedy Causeway Landscape Improvements Project; and

WHEREAS, the Village Commission finds that this Resolution is in the best interest and welfare of the residents of the Village.

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

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Amending Budget. That the Village Commission hereby approves an amendment to the budget by authorizing the line item transfers as further provided in Exhibit "A" attached hereto and incorporated herein.

Section 3. Implementation. That the Village Manager, Village Clerk, and Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Commissioner Chervony who moved its adoption. The motion was seconded by Vice Mayor Wilmoth and upon being put to a vote, the vote was as follows:

Mayor Brent Latham	Yes
Vice Mayor Marvin Wilmoth	Yes
Commissioner Richard Chervony	Yes
Commissioner Rachel Streitfeld	Yes
Commissioner Julianna Strout	Yes

PASSED AND ADOPTED on this 20 day of June, 2022.



Brent Latham, Mayor

ATTEST:



Carla Maglio Gomez
Interim Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Weiss Serota Helfman Cole & Bierman, PL
Village Attorney



NORTH BAY VILLAGE
HEART OF THE BAY

Budget Amendment Form

Department	Public Works	Date	6/14/2022
Fund(s) to be changed: Street Maintenance Fund			
GL Account	GL Line Item	Transfer to:	Transfer from:
001.00.329.3294	Community Contribution Fee		\$ 50,250.00
001.19.519.9112	Transfer to Street Maintenance	\$ 50,250.00	
112.00.381.3801	Transfer in from General Fund		\$ 50,250.00
112.18.541.6320	Landscape Improvements Proj#SMF22-05	\$ 50,250.00	
TOTAL (Columns must be equal)		\$ 100,500.00	\$ 100,500.00
Description:			
Approve budget amendment appropriating \$50,250 from Community Contribution Fee to match FDOT Grant for Causeway Landscape Improvements.			

RESOLUTION NO. 2021-010

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AMENDMENT TO THE VILLAGE FEE SCHEDULE TO PROVIDE FOR FEES AND CONDITIONS FOR THE DENSITY BONUS FOR THE T6 TRANSECT ZONE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, during this 75th anniversary year, and following an extended public discussion about future growth and development, North Bay Village (the “Village”) decided to update its Unified Land Development Code (“ULDC”) as a part of master visioning and planning process that looks at the next twenty-five years; and

WHEREAS, “NBV 100”, as that community planning process has come to be known, is centered on equipping the Village with the tools to become a more livable, sustainable and prosperous community that can adapt to the challenges of a changing climate, being steered by three guiding principles, all emanating from the common concerns of residents: Livability, Resilience, and Prosperity; and

WHEREAS, a critical part of implementing the NBV100 vision is the reform of existing land use regulations with two central aspects of this project: (1) a new “Form-Based Code” and (2) updates for resiliency; and

WHEREAS, to that end, on February 19, 2021, the Commission passed and adopted Ordinance 2021-04, which updated to the ULDC by creating regulations that implement the NBV 100 goals, objectives, and policies in the Village’s Comprehensive Plan and that introduce the Form Base Code for Kennedy Causeway; and

WHEREAS, part of the Form Base Code calls for the payment of certain fees for request density increases associated with development along Kennedy Causeway, which must be set by resolution of the Village Commission; and

WHEREAS, the Mayor and Commission find that adoption of this Resolution, setting the applicable community contribution fee in furtherance of adopted zoning regulations, is in the best interest of the Village.

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

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Approval. The Village Fee Schedule is hereby amended to provide for the fees and conditions associated with the Density Bonus for the Kennedy Causeway zoning district as follows:

Calculation and Assessment of Community Contribution Fees for Additional Density in the T6 Transect Zone

1. The initial Community Contribution Fee is \$20,000.00 per additional unit of density above the base density of 70 units/acre.
2. Projects shall be categorized as either **Tier 1** (71-120 units/acre) or **Tier 2** (121-150 units/acre).
3. Community Contribution Fees for additional units of density shall be calculated and assessed by the Village based on the following schedule, unless otherwise stipulated by the Village Commission.

	% of Fee Assessed	
	Tier 1 (71-120 units/acre) Developments	Tier 2 (121-150 units/acre) Developments
If site plan approved 2+ years after adoption of T-6 zoning regulations	100%	100%
If site plan approved 18-24 months after adoption of T-6 zoning regulations	50%	75%
If site plan approved 12-18 months after adoption of T-6 zoning regulations	25%	50%
If site plan approved < 12 months after adoption of T-6 zoning regulations	0%	25%

4. Twenty-five percent (25%) of the total assessed Community Contribution Fee shall be payable within 90 days of Commission approval of the site and development plan and shall be non-refundable.
5. The remaining seventy-five percent (75%) of the Community Contribution Fee shall be payable prior to or upon the issuance of a building permit and shall be non-refundable.
6. The Community Contribution fee be flat on a per-unit-of-additional-density basis, reviewed and, as necessary, adjusted annually by the Commission as part of the budget process.

Section 3. Implementation. The Village Manager and the Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

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The foregoing Resolution was offered by Commissioner Dr. Chervony who moved its adoption. The motion was seconded by Vice Mayor Wilmoth and upon being put to a vote, the vote was as follows:

Mayor Brent Latham	<u>YES</u>
Vice Mayor Marvin Wilmoth	<u>YES</u>
Commissioner Richard Chervony	<u>YES</u>
Commissioner Rachel Streitfeld	<u>YES</u>
Commissioner Julianna Strout	<u>YES</u>

PASSED AND ADOPTED on this 25th day of February 2021.

ATTEST:

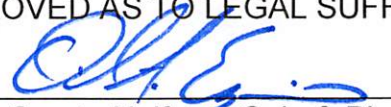


Elora Riera, CMC
Village Clerk



Brent Latham, Mayor

APPROVED AS TO LEGAL SUFFICIENCY:



Weiss Serota Helfman Cole & Bierman, PL
Village Attorney

