



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

### **OFFICIAL AGENDA** **REGULAR VILLAGE COMMISSION MEETING**

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

**TUESDAY, FEBRUARY 14, 2017**

**7:30 P.M.**

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

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

---

**1. CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**2. A. PROCLAMATIONS AND AWARDS**

1. **Jorge Gonzalez, Former Vice Mayor**
2. **Dr. Richard Chervony, Former Commissioner**

**B. SPECIAL PRESENTATIONS**

1. **SpeechMed Special Presentation (*Commissioner Andreana Jackson*)**
2. **Jeremy Smith, University of Florida Extension Agent  
4H Youth Development Programs (*Vice Mayor Eddie Lim*)**

**C. ADDITIONS AND DELETIONS**

3. **GOOD & WELFARE**

4. **GRANT WRITER'S REPORT**

5. **ADVISORY BOARD REPORTS**

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

None

B. **BUSINESS DEVELOPMENT ADVISORY BOARD**

None

C. **CITIZENS BUDGET & OVERSIGHT BOARD**

None

D. **COMMUNITY ENHANCEMENT BOARD**

None

E. **PLANNING & ZONING BOARD**

F. **YOUTH & EDUCATION SERVICES BOARD**

None

6. **CONSENT AGENDA:** (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be adopted 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, EXPANDING THE SCOPE OF SERVICES WITH KIMLEY-HORN & ASSOCIATES, INC. AND APPROVING WORK AUTHORIZATION NO. 16-02 TO PROVIDE ENGINEERING SERVICES TO PREPARE A FEASIBILITY STUDY FOR NORTH BAY ISLAND STORMWATER SYSTEM; 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow Kimley-Horn & Associates, Inc. to prepare a Feasibility Study to evaluate the Stormwater Injection Wells on North Bay Island for drainage improvement.

- B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A WORK ORDER WITH WOLFBURG ALVAREZ & PARTNERS TO PREPARE A REPORT TO BE PRESENTED TO THE VILLAGE COMMISSION TO ADDRESS ADDITIONAL ARCHITECTURAL INQUIRES AS A RESULT OF THE NEW VILLAGE HALL PUBLIC WORKSHOP HELD ON JANUARY 24, 2017, TO INCLUDE, AT A MINIMUM, THE EXPANSION OF THE PROPOSED POOL FACILITY AND AN ADDITIONAL FLOOR OF NON-BUILT OUT SPACE FOR FUTURE EXPANSION OF PERSONNEL AND ACTIVITIES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND FUNDS FROM THE BOND FUNDS APPROVED FOR THE NEW VILLAGE HALL; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will approve additional work by Wolfberg Alvarez for the New Village Hall design to address a Community Center, a larger Swimming Pool, and space for future growth, at a cost of \$7,300.

- C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RECOMMENDING ADDITION OF AN “OATH OF CIVILITY” TO THE “OATHS OF OFFICE” ADMINISTERED TO ALL ELECTED AND APPOINTED OFFICIALS; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution calls for a revision to the current “Oath of Office” to include the following language:

“To my colleagues and to all of those I represent and serve, I pledge fairness, integrity and civility, in all actions taken and all communications made by me as a public servant.”

- D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A DONATION FROM RESIDENT SISSY SHUTE FOR CRIME PREVENTION; AUTHORIZING THE EXPENDITURE OF SUCH FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the Village to accept a \$1,000 donation from resident Sissy Shute for crime prevention.

- E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CO-SPONSORING THE NORTH BAY VILLAGE OPTIMIST CLUB ANNUAL THANKSGIVING FOOD DRIVE; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will allow the Village to assist the Optimist Club during their annual Thanksgiving Food Drive by providing logistical support and local advertisement through the distribution of flyers and placement of announcements on the LED Message Boards.

- F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT GRANT AGREEMENT #4600003548 FOR THE VILLAGE STORM WATER OUTFALL IMPROVEMENT PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution will authorize an agreement with the South Florida Water Management District regarding a \$150,000 grant for the Village's Stormwater Outfall Improvement Project, as well as authorize the Village Manager to execute the agreement.

- G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RATIFYING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$10,800 TO ADVANCED RECREATIONAL CONCEPTS, LLC FOR REMOVAL AND RELOCATION OF AN EXERCISE STATION AT DR. PAUL VOGEL PARK; APPROVING THE EXECUTION OF ALL NECESSARY DOCUMENTS BY THE VILLAGE MANAGER; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The proposed Resolution seeks the Commission's approval of a \$10,800 expenditure by the Village Manager to Advanced Recreational Concepts, LLC for removal and replacement of the Double Chest Press Machine at Dr. Paul Vogel Park, which had to be relocated due to the placement of the canopy.

**1.) Commission Action**

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

- A. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 38 OF THE VILLAGE CODE, “CONFLICT OF INTEREST AND CODE OF ETHICS”; BY CREATING SECTION 38.40 ENTITLED “HONOR CODE FOR ELECTED AND APPOINTED VILLAGE OFFICIALS AND VILLAGE EMPLOYEES”; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE VILLAGE CODE; AND AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed ordinance will establish regulations for honoring and serving the public interest by promoting the values of honesty, integrity, leadership, and fairness.

1.) **Commission Action**

- B. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XIII OF THE CODE OF ORDINANCES ENTITLED “GENERAL OFFENSES” BY CREATING CHAPTER 137, TO BE ENTITLED “SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS,” TO PROHIBIT LICENSED PROFESSIONALS FROM ENGAGING IN COUNSELING EFFORTS, PRACTICES, OR TREATMENTS WITH THE GOAL TO CHANGE A MINOR'S SEXUAL ORIENTATION OR GENDER IDENTITY; PROVIDING FOR SEVERABILITY; CONFLICT CODIFICATION; AND AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Ordinance seeks to prohibit licensed professionals from engaging in counseling efforts, practices, or treatments with the goal to change a minor’s sexual orientation or gender identity.

1.) **Commission Action**

- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES PERTAINING TO THE ORDER OF THE AGENDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Resolution will revise the order of items on the agenda and change the “Good & Welfare” session to 8:00 p.m.

1.) **Commission Action**

**8. PUBLIC HEARINGS ITEMS INCLUDING ORDINANCES FOR SECOND READING**

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD” PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Ordinance will create a group to advise the Village Commission on animal control.

**1.) Commission Action**

- B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, SECTION 32.30 OF THE VILLAGE CODE, BY ALLOWING VILLAGE COMMISSIONERS TO SERVE AS EX OFFICIO MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The proposed Ordinance will revise the regulations to allow members of the Commission to serve as ex officio members of the Planning & Zoning Board.

**1.) Commission Action**

**9. UNFINISHED BUSINESS**

- A. Discussion Regarding Leaf Blowers (Mayor Connie Leon-Kreps)**

**10. NEW BUSINESS**

- A. Appointment of Advisory Board Members**

**1.) Commission Action**

- B. Baynanza Day Event – April 22, 2017 (Commissioner Andreana Jackson)**

**1.) Commission Action**

**C. Discussion regarding the condition of Harbor Island and Treasure Island  
(Mayor Connie Leon-Kreps)**

**1.) Commission Action**

**11. PUBLIC SAFETY DISCUSSION**

**12. COMMISSIONERS' REPORTS**

**13. VILLAGE ATTORNEY'S REPORT**

**14. VILLAGE MANAGER'S REPORT**

**15. FINANCE REPORT**

**16. APPROVAL OF MINUTES – COMMISSION MEETINGS**

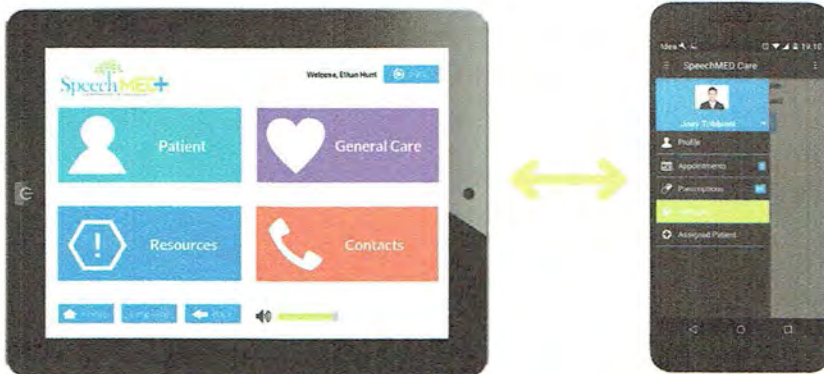
**A. REGULAR COMMISSION MEETING – JANUARY 10, 2017**

**B. REGULAR COMMISSION MEETING – DECEMBER 13 2016**

**1.) Commission Action**

**17. ADJOURNMENT**

SpeechMED Caregiver a multi-lingual healthcare engagement and management application that delivers superior, cost effective outcomes for you and your patients. Our mission of inclusion is to make patient's medical information understandable to them regardless of their age, vision, language preference, or literacy levels.



## Stay Connected

Connect and keep track of your patient or loved ones with SpeechMED Caregiver.

Track and receive up to date medical information from your patients SpeechMED portal.

Now you can keep track of multiple patients from one easy to use application.

## SpeechMED Caregiver Features



Assurance that caregivers, regardless of their native language can follow medical instructions.



Appointment & medication reminders sent directly to the patient.



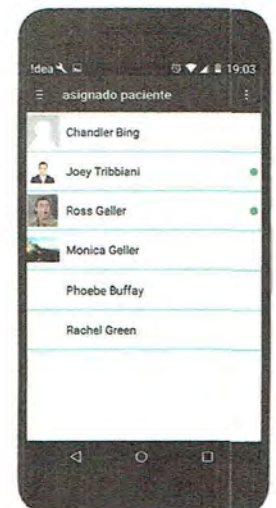
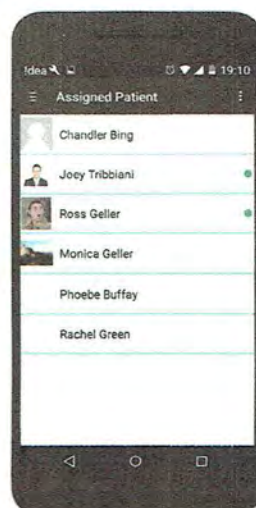
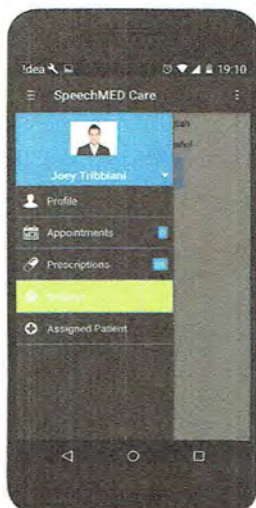
Easy transition of care from one caregiver to the next.



Real time health information, contacts and resources.

ENGLISH

SPANISH







100 NE 15 Street, Suite 207 ~ Homestead, FL 33030

Phone: (786)232-0771 Toll Free Phone/Fax: (888)778-5930 [www.belltowergroup.org](http://www.belltowergroup.org)

---

**To:** North Bay Village Mayor & Village Commission  
**From:** LaKeesha Morris, MSW  
**Date Submitted:** 2/1/2017  
**Reporting Period:** December 1, 2016 - January 31, 2017

**Grants Submitted this Reporting Period:**

- 1. FDLE – Justice Assistance Grant (State)**
  - a. **Date Submitted:** 12/22/2016
  - b. **Amount Requested:** \$1,000
  - c. **Project Summary:** For North Bay Village Police Department to continue Automated External Defibrillator (AED) Project.
  
- 2. FDOT High Visibility Enforcement for Pedestrian and Bicycle Safety**
  - a. **Date Submitted:** 12/21/2016
  - b. **Amount Requested:** \$2,500
  - c. **Project Summary:** Fund overtime hours for North Bay Village Police Department to increase details at key intersections along John F. Kennedy Causeway.
  
- 3. Florida Legislative Appropriations 1 of 2**
  - a. **Date Submitted:** 12/28/2016
  - b. **Amount Requested:** \$500,000
  - c. **Project Summary:** Funding was requested to support the North Bay Village Boardwalk Project. This is a part of the Village’s plan to revitalize the local economy.
  
- 4. Florida Legislative Appropriations 2 of 2**
  - a. **Date Submitted:** 12/28/2016
  - b. **Amount Requested:** \$500,000
  - c. **Project Summary:** Funding was requested to continue the North Bay Village Drainage Improvement Project.

[Space Intentionally Left Blank]



100 NE 15 Street, Suite 207 ~ Homestead, FL 33030

Phone: (786)232-0771 Toll Free Phone/Fax: (888)778-5930 [www.belltowergroup.org](http://www.belltowergroup.org)

---

## **Grants “Under Construction”**

*The following grants are currently open and being considered by the Village.*

No Grants Are Currently Under Construction

## **Grant Updates**

### **1. Florida Department of Environmental Protection – TMDL Grant**

- a. On Thursday, January 29, 2017, LaKeesha Morris and Village Manager Frank Rollason had a conference call with Ms. Katherine Britt from the Florida Department of Environmental Protection regarding the Village’s grant application. The Village requested \$150,000 from the DEP to support the Village’s Drainage and Outfall Improvement Project. The DEP is considering the Village’s request and will update us if they need further information

### **2. FDOT High Visibility Enforcement for Pedestrian and Bicycle Safety**

- a. On Monday, January 20, 2017, LaKeesha Morris followed up with staff from the FDOT High Visibility Enforcement project. Ms. Achilleas Kourtellis confirmed that the Village’s request for funding was approved. A notice will be emailed to the Village Manager and/or the Police Chief before January 31, 2017.

### **3. Grant Reporting Activities**

- a. During this reporting period, LaKeesha completed required grant reports for the *FDLE Byrne County Grant* as well as the *Florida Inland Navigation District Grant*.



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### OFFICIAL MINUTES REGULAR PLANNING & ZONING BOARD MEETING

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

JANUARY 17, 2017  
7:30 P.M.

---

#### 1. CALL TO ORDER.

The Chair Bud Farrey called the Regular Meeting of the North Bay Village Planning & Zoning Board to order at 7:45 p.m.

#### 1A. OATH OF OFFICE

Village Clerk Yvonne P. Hamilton administered the Oath of Office to the new Board Members:

Bud Farrey  
Marvin Wilmoth  
Doris O'Hare  
Aniley Perez  
Dr. Paul Norris

#### 1B. ELECTION OF OFFICERS

##### A. CHAIR

Marvin Wilmoth made a motion to elect Bud Farrey as the Chair of the Board, and Dr. Norris seconded the motion. There being no other nominations, Bud Farrey was elected as Chair by a vote of 5-0.

**B. VICE CHAIR**

Bud Farrey made a motion to elect Marvin Wilmoth as the Vice Chair of the Board, and Aniley Perez seconded the motion. There being no other nominations, Marvin Wilmoth was elected as Chair by a vote of 5-0.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**3. ROLL CALL**

Bud Farrey, Chair  
Marvin Wilmoth, Vice Chair  
Doris O'Hare  
Dr. Paul Norris  
Aniley Perez

**4. PUBLIC HEARING ITEMS (ALL INDIVIDUALS DESIRING TO PROVIDE TESTIMONY SHALL BE SWORN IN)**

**A. AN APPLICATION BY SOPHIA LIMA, PROPERTY OWNER, OF 7505 WEST TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**

- 1. A VARIANCE FROM THE STRICT APPLICATION OF SECTION 152.027(C)(2) FOR THE CONSTRUCTION OF AN ABOVE-GROUND SWIMMING POOL AND WOOD POOL DECK, TO REDUCE THE REQUIRED 15-FOOT REAR-YARD SETBACK BY 12.5-FEET TO ALLOW A STRUCTURE TO BE 2.5-FEET FROM THE EAST REAR PROPERTY LINE.**

The Village Clerk read the request into the record.

The Village Attorney advised the Board and the public on the procedures for quasi-judicial proceedings pursuant to Chapter 29 of the Village Code; and he swore in those individuals who indicated that they would provide testimony.

The Village Planner Ben Smith, of Larue Planning & Management Services, Inc. presented the Staff Report, which indicated that the request did not meet the hardship criteria for the variance, pursuant to the Code. It was also noted that the applicant had installed the pool and pool deck without a Building Permit and had to resolve the issue, prior to obtaining a Short Term Vacation Rental License.

The property owners, Sophia Lima and Barbara Marquet, addressed the Board. Included in their testimony was that the pool was installed for the grandchildren in March 2012 prior to the residence becoming a vacation rental in 2014, and that they did not have any place else on the property to place it. The applicant discussed relocation of the pool.

The Chair opened the Public Hearing.

Michael Hueser, of 1441 South Treasure Drive, addressed the Board in opposition to the request.

Mary Kramer, of 7610 Coquina Drive, addressed the Commission in opposition to the request, as well as stated for the record that Jane Blake, of 7601 Coquina Drive, had also opposed on behalf of another neighbor.

Alberta Vilar, of 7509 West Treasure Drive, spoke in favor of the request.

The Chair closed the Public Hearing.

Doris O'Hare made a motion to deny the request. Dr. Douglas Hornsby seconded the motion, which carried 5-0 on a roll call vote. The vote was as follows: Marvin Wilmoth, Aniley Perez, Bud Farrey, Dr. Paul Norris, and Doris O'Hare all voting Yes.

**B. AN APPLICATION BY P&O GLOBAL TECHNOLOGIES, INC. CONCERNING PROPERTY LOCATED AT 7914-7918 WEST DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**

- 1. AN AMENDMENT TO THE NORTH BAY VILLAGE COMPREHENSIVE PLAN AMENDING THE FUTURE LAND USE ELEMENT BY CREATING POLICY 2.1.14 TO PERMIT TRANSFER OF DENSITY IN THE RM-70 ZONING DISTRICT, VOGEL PARK; TRANSFERRING UP TO 36 RESIDENTIAL DWELLING UNITS FROM DR. PAUL VOGEL PARK TO SITES THAT HAVE BEEN DETERMINED BY THE NORTH BAY VILLAGE COMMISSION TO PROVIDE MEANINGFUL PUBLIC BENEFIT; PROVIDING THAT SITE DENSITY ALLOWED SHALL NOT EXCEED 100 RESIDENTIAL DWELLING UNITS PER ACRE.**
  
- 2. AN AMENDMENT TO THE NORTH BAY VILLAGE LAND DEVELOPMENT CODE, CHAPTER 152, CREATING THE PUBLIC SPACE AND PARKING ENHANCEMENT OVERLAY; PERMITTING ADDITIONAL HEIGHT; REDUCED SIDE SETBACKS; AND TRANSFER OF DENSITY FROM VILLAGE OWNED PROPERTIES TO PRIVATE DEVELOPMENTS THAT PROVIDE MEANINGFUL PUBLIC BENEFITS.**

3. **AN AMENDMENT TO THE NORTH BAY VILLAGE LAND DEVELOPMENT CODE, AMENDING SECTIONS 5.2.2, 152.003, 152.042, 155.17, TO ALLOW FOR REVISED PARKING LOT DESIGN DIMENSIONS, TO ALLOW FOR MECHANICAL PARKING LIFT SPACES TO COUNT TOWARD THE REQUIRED NUMBER OF PARKING SPACES, AND TO PROVIDE SAFETY STANDARDS FOR MECHANICAL PARKING LIFTS.**

**The Village Clerk read the requests into the record.**

Graham Penn, Esq., of Bercow Radell & Fernandez, P.A., 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131, counsel for the applicant, requested that the matter be continued to the February 7th Planning & Zoning Board Meeting.

Doris O'Hare made a motion to continue Item 4B to the February 7, <sup>2017</sup> Planning & Zoning Board Meeting. Dr. Paul Norris seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Marvin Wilmoth, Dr. Paul Norris, Aniley Perez, Bud Farrey, and Doris O'Hare all voting Yes.

- C. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, REPEALING ALL CHAPTERS OF THE VILLAGE CONSOLIDATED LAND DEVELOPMENT REGULATIONS INCLUDING CHAPTER 1 GENERAL PROVISIONS, CHAPTER 2 ADMINISTRATIVE AND LEGISLATIVE PROCEDURES, CHAPTER 3 LAND USE, CHAPTER 4 CONSISTENCY AND CONCURRENCY DETERMINATIONS, CHAPTER 5 DESIGN STANDARDS AND CHAPTER 6 FLOOD DAMAGE PREVENTION; REPEALING APPENDICES OF THE VILLAGE CONSOLIDATED LAND DEVELOPMENT REGULATIONS INCLUDING APPENDIX A APPLICATIONS, APPENDIX B BUILDING PERMIT APPLICATION, APPENDIX C DEPARTMENT OF COMMUNITY AFFAIRS LETTER, APPENDIX D SHORELINE REVIEW CHECKLIST AND QUESTIONNAIRE, APPENDIX E CLASS I COASTAL CONSTRUCTION PERMIT APPLICATION, APPENDIX H FLOOD CONTROL; REPEALING LAND DEVELOPMENT CODE COMPARATIVE TABLE OF ORDINANCES, REPEALING CHAPTERS OF THE VILLAGE CODE OF ORDINANCES INCLUDING CHAPTER 152 ZONING AND CHAPTER 155 DESIGN GUIDELINE STANDARDS; REPEALING APPENDIX B OF THE VILLAGE CODE OF ORDINANCES ENTITLED SIGN ILLUSTRATION; ADOPTING A NEW UNIFIED LAND DEVELOPMENT CODE INCLUDING CHAPTER 1 GENERAL, CHAPTER 2 RELATIONSHIP TO THE COMPREHENSIVE PLAN, CHAPTER 3 DEFINITIONS, CHAPTER 4 ADMINISTRATION AND ENFORCEMENT, CHAPTER 5 PERMITS AND DEVELOPMENT APPROVALS, CHAPTER 6 NONCONFORMITIES, CHAPTER 7 VARIANCES, CHAPTER 8 ZONING, CHAPTER 9 GENERAL SITE**

**DESIGN STANDARDS, CHAPTER 10 FLOOD DAMAGE PREVENTION, CHAPTER 11 SIGNS, CHAPTER 12 ADULT ENTERTAINMENT, CHAPTER 13 VACATION RENTAL LICENSE PROGRAM, CHAPTER 14 MARIJUANA DISPENSARIES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Village Clerk read the Ordinance by title.

The Village Planner Ben Smith, of LaRue Planning & Management Services, Inc., explained some reasons for the revisions: to address chapter duplications, contradictions, to streamline the Code, and for better organization of the regulations. He discussed some of the major changes, which include combining the CG and CL Zoning Districts to allow flexibility for development along the causeway and to eliminate the need for variances; removal of the provision requiring two (2) public hearings before the Commission for site plan approval, allowing approval for construction of docks administratively, if less than 25 feet, within the D5 Triangle, and approval by DERM; and inclusion of the Short Term Vacation Rental, Marijuana, and recently adopted Temporary Sign regulations.

Concern was expressed that absent a public hearing for the construction of docks, the neighbors would not be aware, since the public hearing notices inform them.

Discussion continued regarding the dock approval procedures and recommended revisions. The Board requested that the Planner research the Miami-Dade DERM regulations regarding the D-5 Triangle requirements and revise the proposed code to allow approval of dock applications administratively, under the following conditions:

1. The dock structures cannot be more than 25 feet from the seawall.
2. The dock structures must be entirely within the D-5 Triangle.
3. The applicant for construction of a dock must submit letters of consent from all adjoining riparian property owners.

The Chair opened the Public Hearing.

Reinaldo Trujillo, property owner at 7601 E. Treasure Drive, and Dora Eschevery, of 7928 West Drive, addressed the Public.

The Chair closed the Public Hearing.

Mrs. O'Hare suggested that a picture of the Site Plan for new construction should be posted on the exterior of the property.

Marvin Wilmoth made a motion to recommend approval of the Unified Land Development Code, excluding Chapter 9, Division 5, Design Standards for Coastal Sites. Doris O'Hare seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Dr. Paul Norris, Aniley Perez, Bud Farrey, Doris O'Hare, and Marvin Wilmoth all voting Yes.

- 5. **APPROVAL OF MINUTES**
  - A. **REGULAR PLANNING & ZONING BOARD MEETING  
SEPTEMBER 6, 2016**
  - B. **REGULAR PLANNING & ZONING BOARD MEETING  
OCTOBER 18, 2016**

Marvin Wilmoth made a motion to approve the Minutes as submitted. Bud Farrey seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Dr. Paul Norris, Aniley Perez, Bud Farrey, Doris O'Hare, and Marvin Wilmoth all voting Yes.

6. **ADJOURNMENT**

The meeting adjourned at 9:29 p.m.

*Prepared and submitted by: Yvonne P. Hamilton  
Village Clerk*

Approved by: \_\_\_\_\_  
Bud Farrey, Chair  
Planning & Zoning Board





## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

### **NORTH BAY VILLAGE RECOMMENDATION MEMORANDUM**

**DATE:** January 10, 2017

**TO:** Mayor Connie Leon Kreps  
Vice-Mayor Eddie Lim  
Commissioner Jose R. Alvarez  
Commissioner Dr. Douglas N. Hornsby  
Commissioner Andreana Jackson

**RECOMMENDED BY STAFF:** Village Manager Frank K. Rollason

**PRESENTED BY STAFF:** Rodney Carrero-Santana, Public Works  
Director

**SUBJECT:** Approval for Kimley-Horn and Associates, Inc. to increase scope of work for the Stormwater System Feasibility Study.

#### **RECOMMENDATION:**

It is recommended that the Village Commission approve the attached Resolution to expand the scope of services with Kimley-Horn and Associates, Inc. to provide engineering services to prepare a Feasibility Study to evaluate the stormwater treatment devices/structures in lieu of the current system of stormwater injection wells to provide stormwater management and treatment on North Bay Island.

Mayor  
**Connie Leon-Kreps**

Vice Mayor  
**Eddie Lim**

Commissioner  
**Jose R. Alvarez**

Commissioner  
**Dr. Douglas N. Hornsby**

Commissioner  
**Andreana Jackson**

**BACKGROUND:**

The current injections wells were rehabilitated and failed shortly thereafter. The intent of the feasibility study is to estimate the stormwater volume required for treatment, coordinate with the Department of Environmental Protection (DEP) and the Department of Regulatory and Economic Resources (DRER) for preliminary permitting requirements, coordinate with stormwater treatment device manufacturers for preliminary component requirements and sizing, develop a conceptual design based on the proposed stormwater system improvements, and develop preliminary opinions of probable costs for review by the VILLAGE.

The feasibility study will include a conceptual design element, but the intent of the conceptual design is limited to locating the proposed drainage improvements in VILLAGE right-of-way. The final design services will be provided as a subsequent proposal based on the design approach determined in the feasibility study. The project description, scope of services and costs are further described in exhibits 1, 2 and 3 of the attached Kimley-Horn Work Authorization No.16-02.

**BUDGETARY IMPACT:**

The Village currently has a commitment from the South Florida Water Management District (SFWMD) in the amount of \$150,000 as well as a State budget appropriation of \$225,000 for this project. We are currently waiting for the contract documents to be sent to us. The Stormwater Fund currently has an estimated Unrestricted Net Position of \$651,000. The feasibility study can be funded from the Stormwater Fund and can be a part of our match.

The project cost for the additional scope of engineering services in Work Authorization #16-02 is not to exceed \$21,000.00.

**Financial Code: 440-36-538-6307 Storm Drain Systems.**

**PERSONNEL IMPACT:**

None. Kimley-Horn (Village Consulting Engineer) will be providing the engineering services for the project.

**CONTACT:**

Frank Rollason, Village Manager  
Rodney Carrero-Santana, P.E., LEED AP, Director of Public Works



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 1, 2017

**TO:** Yvonne P. Hamilton  
Village Clerk

**FROM:** Frank K. Rollason  
Village Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, EXPANDING THE SCOPE OF SERVICES WITH KIMLEY-HORN & ASSOCIATES, INC. AND APPROVING WORK AUTHORIZATION NO. 16-02 TO PROVIDE ENGINEERING SERVICES TO PREPARE A FEASIBILITY STUDY FOR NORTH BAY ISLAND STORMWATER SYSTEM; 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

FKR:yph

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, EXPANDING THE SCOPE OF SERVICES WITH KIMLEY-HORN & ASSOCIATES, INC. AND APPROVING WORK AUTHORIZATION NO. 16-02 TO PROVIDE ENGINEERING SERVICES TO PREPARE A FEASIBILITY STUDY FOR NORTH BAY ISLAND STORMWATER SYSTEM; 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; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, the Commission finds that it is in the best interest of the community to conduct a “Stormwater Feasibility Study” to evaluate the feasibility of improvements to North Bay Island Stormwater System, which is currently inoperable; and

**WHEREAS**, North Bay Village Kimley-Horn and Associates, Inc. (“Kimley-Horn”) is the Village professional engineer, pursuant to a Continuing Services Agreement dated April 11, 2006; and

**WHEREAS**, the Village intends to expand the scope of services under the professional engineering services agreement with Kimley-Horn & Associates, Inc. for the preparation of a “North Bay Island Stormwater Feasibility Study”, which will include site visit/hydraulic analysis, manufacturer coordination on stormwater devices, conceptual design/technical memorandum, and permit agency coordination for a lump sum cost not to exceed \$21,000.00; and

**WHEREAS**, funds are available for this project from Account No. 440-36-538-6307, Storm Drain Systems.

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

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

**Section 2. Approval of the Project Agreement.** Project Agreement No. 16-02 between North Bay Village and Kimley-Horn & Associates, Inc., attached hereto as Exhibit 1, to provide a North Bay Island Stormwater System Feasibility Study, for a lump sum cost not to exceed \$21,000.00 is hereby approved.

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

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

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

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Jose R. Alvarez	_____
Commissioner Dr. Douglas Hornsby	_____
Commissioner Andreana Jackson	_____

**PASSED AND ADOPTED** this 14th day of February 2017.

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

**ATTEST:**

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

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

---

Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village/Resolution/Kimley Horn & Associates, Inc.-North Bay Island Stormwater System Feasibility Study-  
Work Authorization 16-02.

**PROJECT AGREEMENT**

Between

NORTH BAY VILLAGE

And

KIMLEY-HORN AND ASSOCIATES, INC.

For

Work Authorization No. 16-02

North Bay Island Stormwater System Feasibility Study

PROJECT AGREEMENT

Between

NORTH BAY VILLAGE

And

KIMLEY-HORN AND ASSOCIATES, INC.

For

Work Authorization No. 16-02

North Bay Island Stormwater System Feasibility Study

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

The VILLAGE and the CONSULTANT agree as follows:

**SECTION 1. SCOPE OF SERVICES**

1.1 The CONSULTANT shall provide professional services associated with evaluating the feasibility of stormwater system improvements without the use of injection wells on North Bay Island as described in the "Project Description" attached as Exhibit "1."

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

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



**SECTION 2. DELIVERABLES**

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

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

**SECTION 3. TERM/TIME OF PERFORMANCE/DAMAGE**

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

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

3.3 **Contract Time.** Upon receipt of the Notification of Commencement, the CONSULTANT shall commence services to the VILLAGE on the Commencement Date, and shall continuously perform services to the VILLAGE, without interruption, in accordance with the time frames set forth above. The number of calendar days from the Commencement Date, through the date set forth in the Project Schedule for completion of the Project or the date of actual completion of the Project, whichever shall last occur, not to exceed three hundred sixty (360) days from the Commencement Date, shall constitute the Contract Time.

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

**SECTION 4. AMOUNT, BASIS AND METHOD OF COMPENSATION**

4.1 **Lump Sum Compensation.** VILLAGE agrees to pay the CONSULTANT as compensation for performance of all services as related to the Project a Lump Sum of **\$21,000.00**. It is understood that the method of compensation is that of Lump Sum which means that the CONSULTANT shall perform all services set forth for total compensation in the amount stated above. Said Lump Sum includes compensation for all fees, expenses, and out-of-pocket costs of the CONSULTANT.

4.2 **Reimbursables.** It is acknowledged and agreed to by the CONSULTANT that the lump sum set forth in Section 4.1 includes Direct Expenses and describes the maximum extent of, VILLAGE'S obligation to reimburse the CONSULTANT for direct, nonsalary expenses, but does not constitute a limitation of any sort, upon the CONSULTANT's obligation to incur such expenses in the performance of services hereunder.

## **SECTION 5. BILLING AND PAYMENTS TO THE CONSULTANT**

### **5.1 Invoices**

5.1.1 **Lump Sum Compensation.** The CONSULTANT shall submit invoices which are identified by the specific project number on a monthly basis in a timely manner. These invoices shall identify the nature of the work performed, the phase of work, and the estimated percent of work accomplished in accordance with the Payment Schedule as shown on Exhibit "3", attached hereto and made a part of this Agreement. Invoices for each phase shall not exceed the amounts allocated to said phase.

5.2 **Disputed Invoices.** In the event that all or a portion of an invoice submitted to the VILLAGE for payment to the CONSULTANT is disputed, or additional backup documentation is required, the VILLAGE shall notify the CONSULTANT within fifteen (15) working days of receipt of the invoice of such objection, modification or additional documentation request. The CONSULTANT shall provide the VILLAGE with a written response and any additional information requested by the VILLAGE within five (5) working days of the date of the VILLAGE'S notice. The VILLAGE may request additional information, including but not limited to, all invoices, time records, expense records, accounting records, and payment records of the CONSULTANT. The VILLAGE, at its sole discretion, may pay to the CONSULTANT the undisputed portion of the invoice. The parties shall endeavor to resolve the dispute in a mutually agreeable fashion.

5.3 **Suspension of Payment.** In the event that the VILLAGE becomes credibly informed that any representations of the CONSULTANT, provided pursuant to Subparagraph 5.1, are wholly or partially inaccurate, or in the event that the CONSULTANT is not in compliance with any term or condition of this Project Agreement, the VILLAGE may withhold payment of sums then or in the future otherwise due to the CONSULTANT until the inaccuracy, or other breach of Project Agreement, and the cause thereof, is corrected to the VILLAGE's reasonable satisfaction.

5.4 **Final Payment.** Submission of the CONSULTANT'S invoice for final payment and reimbursement shall constitute the CONSULTANT'S representation to the VILLAGE that, upon receipt from the VILLAGE of the amount invoiced, all obligations of the CONSULTANT to others, including its consultants, incurred in connection with the Project, shall be paid in full. The CONSULTANT shall deliver to the VILLAGE all documents requested by the VILLAGE evidencing payments to any and all subcontractors, and all final specifications, plans, or other

documents as dictated in the Scope of Services and Deliverable. Acceptance of final payment shall constitute a waiver of any and all claims against the VILLAGE by the CONSULTANT.

## **SECTION 6. TERMINATION/SUSPENSION**

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

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

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

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

**SECTION 7. PERSONNEL ASSIGNED TO PROJECT**

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

NAME	FUNCTION
<u>Gary R Ratay</u>	<u>Project Manager</u>
<u>Kevin Schanen</u>	<u>Senior Engineer</u>
<u>Stefano Viola</u>	<u>Engineer</u>
<u>Jaime Albino</u>	<u>Engineer</u>
<u>Shanda Layne</u>	<u>Administrative</u>
<u>Casey Crozier</u>	<u>Administrative</u>

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

**SECTION 8. INCORPORATION OF CONTINUING SERVICES AGREEMENT**

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

**SECTION 9. SEVERABILITY**

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

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

**ATTEST:**

**NORTH BAY VILLAGE**

\_\_\_\_\_  
Village Clerk

By: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Village Attorney

**ATTEST:**

**KIMLEY-HORN AND ASSOCIATES, INC.**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Gary R. Ratay, P.E.

\_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

(CORPORATE SEAL)

WITNESSES:

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

## **Exhibit "1"**

### **Project Description**

The CONSULTANT is pleased to submit this proposal associated with evaluating the feasibility of utilizing stormwater treatment devices/structures in lieu of stormwater injection wells to provide stormwater management and treatment on North Bay Island. The intent of the feasibility study is to estimate the stormwater volume required for treatment, coordinate with the Department of Environmental Protection (DEP) and the Department of Regulatory and Economic Resources (DRER) for preliminary permitting requirements, coordinate with stormwater treatment device manufacturers for preliminary component requirements and sizing, develop a conceptual design based on the proposed stormwater system improvements, and develop preliminary opinions of probable costs for review by the VILLAGE. The study will include a conceptual design element, but the intent of the conceptual design is limited to locating the proposed drainage improvements in VILLAGE right-of-way. The feasibility study will not include design elements associated with expanding/modifying the collection system, evaluating the current or proposed stormwater pump station requirements, review of the existing outfall system, public/private utility coordination, field survey, or geotechnical work. Those services will be provided as a subsequent proposal based on the design approach determined in the feasibility study.

Our proposed scope of services includes the following task items:

- Task 1 – Site Visit/Hydraulic Analysis
- Task 2 – Manufacturer Coordination on Stormwater Devices
- Task 3 – Conceptual Design/Technical Memorandum
- Task 4 – Permit Agency Coordination

## **Exhibit "2"**

### **Scope of Services**

The scope of services will be completed by the CONSULTANT and the following tasks will be performed in close coordination with VILLAGE staff.

#### **Task 1 - Site Visit/Hydraulic Analysis**

The CONSULTANT will obtain available stormwater collection plans from the VILLAGE. The CONSULTANT will perform one (1) site visit to evaluate the condition and configuration of the existing stormwater collection system. Specific components that will be evaluated include catch basins and outfall pipe connections. Existing stormwater pump station equipment will be reviewed to understand existing components, but the feasibility study does not include modifications or improvements to the pump station at this time.

Based on aeriels only, the CONSULTANT will perform a hydraulic analysis of North Bay Island. During the analysis, the volume of stormwater runoff shall be calculated from the design storm and the capacity of the existing stormwater collection system. The results of the above noted calculations will be utilized for determining stormwater treatment system requirements.

As part of this Task, the CONSULTANT shall attend one (1) meeting with VILLAGE staff.

Task 1 will be completed within 4 weeks of authorization to proceed.

#### **Task 2 - Manufacturer Coordination on Stormwater Devices**

Based on the field investigation and the hydraulic analysis discussed in Task 1, the CONSULTANT will meet with two manufacturers of stormwater treatment devices to discuss system requirements and resulting stormwater treatment devices, outfall connections to Biscayne Bay, and operational approaches on North Bay Island.

As part of this Task, the CONSULTANT shall attend one (1) meeting with VILLAGE staff.

Task 2 will be completed within 4 weeks from completion of Task 1

#### **Task 3 - Conceptual Design/Technical Memorandum**

Based on the hydraulic analysis and the proposed stormwater system components, the CONSULTANT will prepare a conceptual design in plan view only to illustrate a recommended stormwater system approach and the resulting area required for the system components. This will not be a detailed design, but is instead intended to determine if utilizing stormwater

treatment devices/structures in lieu of stormwater injection wells appears feasible based on available VILLAGE right-of-way.

The CONSULTANT will provide a technical memorandum summarizing the results of the system evaluation, the proposed stormwater system approach, and include a preliminary opinion of probable construction cost.

As part of this Task, the CONSULTANT shall attend two (2) meetings with VILLAGE staff throughout this task to discuss the preliminary component review, proposed system layout, and project costs.

Task 3 will be completed within 8 weeks from completion of Task 2.

#### **Task 4 - Permit Agency Coordination**

One (1) preliminary meeting will be held with both the Miami-Dade County Department of Regulatory and Economic Resources (DRER) and the Florida Department of Environmental Protection (FDEP) to discuss permitting requirements associated with the proposed conceptual design. The intent is to discuss the stormwater treatment devices, outfall connections to Biscayne Bay, and an operational approach in lieu of stormwater injection wells on North Bay Island.

As part of this Task, the CONSULTANT shall attend one (1) meeting with VILLAGE staff.

Task 4 will be expedited as needed, but subject to coordination with the permitting agencies.

#### **Task 5 - Additional Services**

The following services are not included in the scope of services, but can be provided as additional services if authorized by the VILLAGE:

- A. Stormwater system evaluation outside of the North Bay Island project limits.
- B. Design and permitting documents for the proposed stormwater system improvements.
- C. Right-of-Way modifications or utility easements, sketch and legal descriptions.
- D. Roadway, Landscaping, Irrigation, and Lighting evaluation or improvements.
- E. Seawall evaluation or improvements.
- F. Bidding and construction phase services.

Compensation for additional services will be based upon hourly billing rates at the time of authorization.



## **DELIVERABLES**

- A. Conceptual design with technical memorandum and preliminary opinion of probable cost, hard copy and electronic format.

## **SCHEDULE**

The CONSULTANT will provide our services as expeditiously as practicable and will commence work within ten calendar days following receipt of a notice to proceed. Each task description above includes an estimated project duration.

**Exhibit “3”**

**Payment Schedule**

The CONSULTANT will complete this scope of services for the lump sum amount of **\$21,000.00**. The following is a breakdown of the lump sum fee for reference:

<b>Task</b>	<b>Description</b>	<b>Labor Fee</b>
1	Site Visit/Hydraulic Analysis .....	\$5,900.00
2	Manufacturer Coordination on Stormwater Devices .....	\$3,100.00
3	Conceptual Design/Technical Memorandum .....	\$9,300.00
4	Permit Agency Coordination .....	\$2,700.00
<b>TOTAL LUMP SUM FEE.....</b>		<b>\$21,000.00</b>

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A WORK ORDER WITH WOLFBERG ALVAREZ & PARTNERS TO PREPARE A REPORT TO BE PRESENTED TO THE VILLAGE COMMISSION TO ADDRESS ADDITIONAL ARCHITECTURAL INQUIRES AS A RESULT OF THE NEW VILLAGE HALL PUBLIC WORKSHOP HELD ON JANUARY 24, 2017, TO INCLUDE, AT A MINIMUM, THE EXPANSION OF THE PROPOSED POOL FACILITY AND AN ADDITIONAL FLOOR OF NON-BUILT OUT SPACE FOR FUTURE EXPANSION OF PERSONNEL AND ACTIVITIES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND FUNDS FROM THE BOND FUNDS APPROVED FOR THE NEW VILLAGE HALL; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS,** The Village Commission held a Public Workshop on the New Village Hall Project on January 24, 2017 for the purpose of gathering public input for the project; and

**WHEREAS,** Discussions from the public and the elected officials centered on the proposed Community Center, Swimming Pool, and Planning for Growth in the new facility; and

**WHEREAS,** The selected Architect of Record, Wolfberg Alvarez & Partners, represented by Mr. Aris Garcia, AIA, informed the Commission that there would be an additional charge to address the concerns presented; and

**WHEREAS,** Wolfberg Alvarez & Partners submitted a Work Order Proposal in the amount of \$7,300.00 to perform the work requested by the Commission at the Workshop (copy attached); and

**WHEREAS,** The Village Manager finds it necessary to expedite this Work Order to have the Architect of Record report back to the Commission on March 14, 2017, to present his work product, to move the New Village Hall Project forward.

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

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

**Section 2. Village Commission Approval.** The Village Manager is hereby directed to execute the attached Proposal incorporating all of the Scope presented by Wolfberg Alvarez & Partners on January 27, 2017 in the amount of \$7,300.00.

**Section 3. Effective Date.** This Resolution shall take effect immediately upon adoption. The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Jose R. Alvarez	_____
Commissioner Dr. Douglas Hornsby	_____
Commissioner Andrea Jackson	_____

PASSED and ADOPTED this 14th day of February 2017.

\_\_\_\_\_  
MAYOR CONNIE LEON-KREPS

**ATTEST:**

\_\_\_\_\_  
YVONNE P. HAMILTON, CMC  
Village Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Wolfberg Alvarez-Architectural & Design Engineering Services-New Village Hall-\$7,300.



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 1, 2017

**TO:** Yvonne P. Hamilton  
Village Clerk

**FROM:** Frank K. Rollason  
Village Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A WORK ORDER WITH WOLFBERG ALVAREZ & PARTNERS TO PREPARE A REPORT TO BE PRESENTED TO THE VILLAGE COMMISSION TO ADDRESS ADDITIONAL ARCHITECTURAL INQUIRES AS A RESULT OF THE NEW VILLAGE HALL PUBLIC WORKSHOP HELD ON JANUARY 24, 2017, TO INCLUDE, AT A MINIMUM, THE EXPANSION OF THE PROPOSED POOL FACILITY AND AN ADDITIONAL FLOOR OF NON-BUILT OUT SPACE FOR FUTURE EXPANSION OF PERSONNEL AND ACTIVITIES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND FUNDS FROM THE BOND FUNDS APPROVED FOR THE NEW VILLAGE HALL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

FKR:yph



Mr. Frank K. Rollason  
North Bay Village  
WA Project No.: 2160100  
January 27, 2017  
Page 2 of 2

- c. Plans and/or illustrations for the new floor or floors shall be prepared and submitted for review.
  - d. WA shall include an order of magnitude construction cost estimate for the new floor(s).
3. WA shall attend the March 14<sup>th</sup>, 2017 Commission meeting to present its findings.

**COMPENSATION:**

It is our understanding that the Village Administration will be preparing an expenditure authorizing resolution for the February 14th Commission Meeting to engage WA to provide the services described herein. Our proposed compensation is a stipulated fee of..... **\$7,300.00**

I trust you find this proposal satisfies your request. Should it be necessary, please feel free to contact us.

Again, on behalf of WA, I want to thank the Village for this wonderful opportunity to participate in such an important and highly visible project.

Sincerely,



Aris Garcia, R.A.  
Vice President

Accepted by:

\_\_\_\_\_  
Frank K. Rollason

\_\_\_\_\_  
Date

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ADOPTING THE RECOMMENDED ADDITION OF AN "OATH OF CIVILITY" TO THE "OATHS OF OFFICE" ADMINISTERED TO ALL ELECTED AND APPOINTED OFFICIALS; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

**WHEREAS**, the establishment of ethics in government and the practice of ethical conduct by public officials requires that those who hold the public trust practice and maintain respect for the human dignity of their peers, subordinates, political allies, and adversaries, as well as members of the general public; and

**WHEREAS**, the level of respect or disrespect for human dignity is most often on display in personal interactions between and among those who engage in public service, as well as those who aspire to public office in political campaigns; and

**WHEREAS**, in the words of Thomas Jefferson, "It is the manners and spirit of a people which preserve a republic in vigour... a degeneracy in these is a canker which soon eats to the hearts of its laws and constitution; and

**WHEREAS**, through common experience and the observed behavior of public officials, either personally or through media, it has become apparent that there has occurred a degeneracy in the level of civility shown by too many of those who participate in government, including public servants, those who aspire to be public servants, and those who interact with public servants; and

**WHEREAS**, it has reached a point where uncivil, rude, and insulting behavior, which demeans both the perpetrators, as well as those subjected to such behavior, has become too prevalent and too accepted in government and in political campaigns at all levels; and

**WHEREAS**, this lack of civility threatens the integrity and proper functioning of government and politics, not only in North Bay Village, but throughout Miami-Dade County and the country; and

**WHEREAS**, the practice of civility in government may be maintained at no cost to the taxpayers and without impeding the free flow of ideas or the vigorous debate of important public issues; and



**WHEREAS**, in 2011, the Florida Supreme Court added language to the Oath of Admission to the Florida Bar, sworn to by every newly-admitted attorney, requiring civility by attorneys to opposing parties and their counsel in court and in all written and oral communications; and

**WHEREAS**, the same requirement and expectation of civility and integrity ought to apply to all of those sworn to serve in government; and

**WHEREAS**, such a requirement is absent from Section 9.06 of the North Bay Village, Florida Charter, entitled "Oath of office/employment"; and

**WHEREAS**, on January 11, 2007, the Miami-Dade Commission on Ethics and Public Trusts issued a resolution recommending that all municipalities in Miami-Dade County, including North Bay Village, add an oath of civility to their oaths of office administered to all elected and appointed public officials.

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

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

**Section 2.** **Adoption of Oath of Civility.** That North Bay Village adopts the following language for inclusion in oaths of office administered to all elected and appointed public officials, in addition to those requirements set forth in Section 9.06 of the North Bay Village, Florida Charter:

"To my colleagues and to all of those I represent and serve, I pledge fairness, integrity and civility, in all actions taken and all communications made by me as a public servant."

**Section 3.** A copy of this Resolution be shall be transmitted to the Miami-Dade Commission on Ethics and Public Trust.

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

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

PASSED and ADOPTED this 14th day of February 2017.

\_\_\_\_\_  
MAYOR CONNIE LEON-KREPS

**ATTEST:**

\_\_\_\_\_  
YVONNE P. HAMILTON, CMC  
Village Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Oath of Civility inclusion "Oath of Office".



## North Bay Village

Administrative Offices

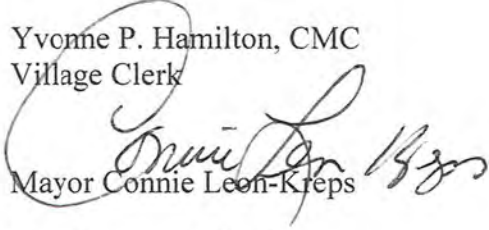
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 7, 2017

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

**FROM:** Mayor Connie Leon-Kreps 

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ADOPTING THE RECOMMENDED ADDITION OF AN "OATH OF CIVILITY" TO THE "OATHS OF OFFICE" ADMINISTERED TO ALL ELECTED AND APPOINTED OFFICIALS; SETTING AN EFFECTIVE DATE.**

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

CLK:yph

## Yvonne Hamilton

---

**From:** Thompson, Robert A. (COE) <Robert.Thompson@miamidade.gov>  
**Sent:** Tuesday, January 24, 2017 1:12 PM  
**To:** 'ehorvath@cityofaventura.com'; 'Dwight Danie (ddanie@balharbourfl.gov)';  
'msiegel@bayharborislands.net'; 'Foeman, Walter'; 'Jacqueline Wilson';  
'connie.diaz@cityofdoral.com'; 'yjacobi@villageofelportal.org'; 'flacityclerk@aol.com';  
'Lisette Perez'; 'Fatjo, Marbelys'; 'Hernandez, Carmen B. (CBHernandez@hialeahfl.gov)';  
'mjoffee@cityofhialeahgardens.com'; 'Elizabeth Sewell'  
(ESewell@cityofhomestead.com); 'mlima@icvps.org'; 'calvarez@keybiscayne.fl.gov'  
(calvarez@keybiscayne.fl.gov); 'ltaoada@townofmedley.com'; 'Hannon, Todd';  
'Granado, Rafael'; 'Ronetta Taylor (taylorr@miamigardens-fl.gov)';  
'inguanzog@miamilakes-fl.gov'; 'tejedam@miamilakes-fl.gov'; Al Davis;  
'gonzaleze@miamisprings-fl.gov'; Yvonne Hamilton; 'metienne@northmiamifl.gov';  
'Thomas, Stephanie'; 'Latimore, Pamela'; 'jflores@opalockafl.gov'; 'Missy Arocha';  
'inguanzo@pincrest-fl.gov'; 'Menendez, Maria M.'; 'Payne, Nkenga'; 'Jane Hines';  
'Sandra Novoa'; 'cgarcia@cityofsweetwater.fl.gov'; 'vgclerk@aol.com';  
'AnneryG@cityofwestmiami.org'  
**Cc:** Centorino, Joseph (COE); Sanchez, Rodzandra (COE)  
**Subject:** FW: Civility Resolution  
**Attachments:** CivilityResolutionCOESigned.pdf  
**Importance:** High

Greetings,

Please note the Civility Resolution is being sent to you on behalf of Mr. Joseph Centorino.  
Robert Thompson

**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, January 17, 2017 1:15 PM  
**To:** Sanchez, Rodzandra (COE) <[Rodzandra.Sanchez@miamidade.gov](mailto:Rodzandra.Sanchez@miamidade.gov)>; Thompson, Robert A. (COE)  
<[Robert.Thompson@miamidade.gov](mailto:Robert.Thompson@miamidade.gov)>  
**Subject:** Civility Resolution

Please be sure that this goes out to all municipal clerks.

### *Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[ethics.miamidade.gov](http://ethics.miamidade.gov)

RESOLUTION OF THE MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST RECOMMENDING ADOPTION BY MIAMI-DADE COUNTY AND EVERY MUNICIPALITY WITHIN THE COUNTY OF AN AMENDMENT ADDING AN OATH OF CIVILITY TO THE OATHS OF OFFICE ADMINISTERED TO ALL ELECTED AND APPOINTED PUBLIC OFFICIALS

WHEREAS, the establishment of ethics in government and the practice of ethical conduct by public officials requires that those who hold the public trust practice and maintain respect for the human dignity of their peers, subordinates, political allies and adversaries, as well as members of the general public; and

WHEREAS, the level of respect or disrespect for human dignity is most often on display in personal interactions between and among those who engage in public service, as well as those who aspire to public office in political campaigns; and

WHEREAS, in the words of Thomas Jefferson, "It is the manners and spirit of a people which preserve a republic in vigour... a degeneracy in these is a canker which soon eats to the heart of its laws and constitution; and

WHEREAS, through our common experience and the observed behavior of public officials, either personally or through the media, it has become apparent that there has occurred a degeneracy in the level of civility shown by too many of those who participate in government, including public servants, those who aspire to be public servants, and those who interact with public servants; and

WHEREAS, it has reached a point where uncivil, rude, and insulting behavior, which demeans both the perpetrators as well as those subjected to such behavior, has become too prevalent and too accepted in government and in political campaigns at all levels; and

WHEREAS, this lack of civility threatens the integrity and proper functioning of government and politics, not only in Miami-Dade County, but throughout the country; and

WHEREAS, the practice of civility in government may be maintained at no cost to the taxpayers and without impeding the free flow of ideas or the vigorous debate of important public issues; and

WHEREAS, in 2011, the Florida Supreme Court added language to the Oath of Admission to The Florida Bar, sworn to by every newly-admitted attorney, requiring civility by attorneys to opposing parties and their counsel in court and in all written and oral communications; and

WHEREAS, the same requirement and expectation of civility and integrity ought to apply to all of those sworn to serve in government; and

WHEREAS, a review conducted by the staff of the Miami-Dade Commission on Ethics and Public Trust has revealed that such a requirement is absent from oaths of office administered to public officials in Miami-Dade County government and in the municipalities with the County,

NOW, THEREFORE, BE IT FURTHER RESOLVED:

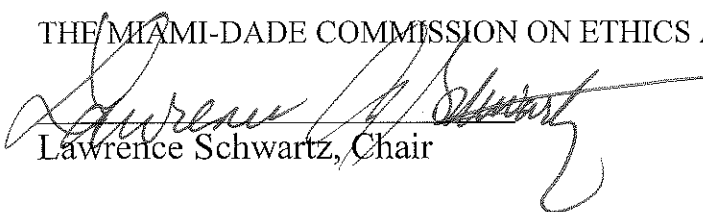
- 1) That the Miami-Dade Commission on Ethics and Public Trust recommends the adoption by the Miami-Dade County Commission and by the governing bodies of all municipalities within the County, of the following language, or language of similar import and meaning, in oaths of office administered to all elected and appointed public officials:

“To my colleagues and to all of those I represent and serve, I pledge fairness, integrity and civility, in all actions taken and all communications made by me as a public servant.”

- 2) That this RESOLUTION shall be communicated to the Clerks of all County and municipal governing bodies in Miami-Dade County together with a request that this proposed action be placed on the agenda at a forthcoming public meeting of each body.

Adopted this \_\_\_\_ day of 1-11-, 2017

THE MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

  
Lawrence Schwartz, Chair

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A DONATION FROM RESIDENT SISSY SHUTE FOR CRIME PREVENTION; AUTHORIZING THE EXPENDITURE OF SUCH FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, the Commission of North Bay Village welcomes public donations to help defray the costs to the general public for providing services; and

**WHEREAS**, resident Sissy Shute wishes to present the Village with a donation in the amount of \$1,000.00 to be utilized for crime prevention; and

**WHEREAS**, it is the policy of the Village for gifts and donations to be approved by the Village Commission.

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

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

**Section 2.** **Commission Action.** The Village Commission hereby accepts a donation of \$1,000.00 from Sissy Shute for use by the Village.

**Section 3.** **Authorization of Village Officials.** The Village Manager is hereby authorized to appropriate and expend these funds from the General Fund Account restricted to the use for which the funds donated – Crime Prevention related expenditures.

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

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its approval on first reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Jose R. Alvarez	_____
Commissioner Dr. Douglas N. Hornsby	_____
Commissioner Andreana Jackson	_____

PASSED and ADOPTED this 14th day of February 2017.

---

MAYOR CONNIE LEON-KREPS

**ATTEST:**

---

YVONNE P. HAMILTON, CMC  
Village Clerk

**APPROVED AS TO FORM:**

---

Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: \$1,000 donation from Sissy Shute for crime prevention services





## North Bay Village

Administrative Offices


1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 1, 2017

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

**FROM:** Frank K. Rollason   
Village Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING A DONATION FROM RESIDENT SISSY SHUTE FOR CRIME PREVENTION; AUTHORIZING THE EXPENDITURE OF SUCH FUNDS; AND SETTING AN EFFECTIVE DATE.**

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

FR:yph

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CO-SPONSORING THE NORTH BAY VILLAGE OPTIMIST CLUB ANNUAL THANKSGIVING FOOD DRIVE; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, the North Bay Village Optimist Club (“Optimist Club”) conducts an annual Thanksgiving Food Drive in the delivery of food baskets (which include food for a complete Thanksgiving dinner) to families in need; and

**WHEREAS**, the Optimist Club is desirous of having the Village as a co-sponsor for this event, by providing logistical support, advertisement throughout the Village with the distribution of flyers and placement of announcements on the Village LED Message Boards; and

**WHEREAS**, the Village Commission finds that participating and supporting people in need makes the Village a better place to live; and

**WHEREAS**, the Village Commission finds that co-sponsoring the Optimist Club annual Thanksgiving Food Drive is in the best interest and general welfare of the community.

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

**Section 1. Commission Action.** The Village Commission hereby approves co-sponsoring the North Bay Village Optimist Club Annual Thanksgiving Food Drive as set forth herein.

**Section 2. Direction to the Village Manager.** The Village Manager is hereby authorized to take all necessary steps to carry out the aims of this Resolution.

**Section 3. Effective Date.**

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its approval on first reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas N. Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

PASSED and ADOPTED this 14th day of February 2017.

\_\_\_\_\_  
MAYOR CONNIE LEON-KREPS

**ATTEST:**

\_\_\_\_\_  
YVONNE P. HAMILTON, CMC  
Village Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Co-Sponsor of North Bay Village Annual Thanksgiving Food Drive



## North Bay Village

Administrative Offices


1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 1, 2017

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

**FROM:** Frank K. Rollason   
Village Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CO-SPONSORING THE NORTH BAY VILLAGE OPTIMIST CLUB ANNUAL THANKSGIVING FOOD DRIVE; AUTHORIZING THE VILLAGE MANAGER TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE.**

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

FR:yph

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

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT GRANT AGREEMENT #4600003548 FOR THE VILLAGE STORM WATER OUTFALL IMPROVEMENT PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the South Florida Water Management District (“SFWMD”) desires to provide financial assistance to North Bay Village (“Village”) for the Storm Water Outfall Improvement Project; and

WHEREAS, the Village and SFWMD wish to enter into an agreement outlining the scope of work and the payment and deliverables for payment.

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

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

**Section 2. Approval of Agreement.** The Village Commission hereby approves Grant Agreement ##4600003548 with the South Florida Water Management District (a copy of which is attached hereto as Exhibit 1), together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

**Section 3. Execution of the Project Agreement.** The Village Manager is authorized to execute the Grant Agreement.

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

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**PASSED AND ADOPTED** this 14th day of February 2017.

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

**ATTEST:**

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

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

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution-Approval of South Florida Water Management District Grant Agreement #4600003548



## North Bay Village

Administrative Offices


1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 7, 2017

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

**FROM:** Frank K. Rollason   
Village Manager

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT GRANT AGREEMENT #4600003548 FOR THE VILLAGE STORM WATER OUTFALL IMPROVEMENT PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND SETTING AN EFFECTIVE DATE.**

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

FR:yph

ORIGINAL

PO NO. 950000\_\_\_\_\_



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
LOCAL GOVERNMENTAL AGREEMENT**

**AGREEMENT NO. 4600003548**

**BETWEEN THE**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**AND**

**CITY OF NORTH BAY VILLAGE**

**THIS AGREEMENT** is entered into as of \_\_\_\_\_ by and between the South Florida Water Management District (**DISTRICT**) and City of North Bay Village (**CITY**).

**WHEREAS**, the **DISTRICT** is a government entity created by Chapter 373, Florida Statutes; and

**WHEREAS**, the **DISTRICT** desires to provide financial assistance to the **CITY** for the North Bay Village Outfall Improvement Project; and

**WHEREAS**, the **CITY** warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms and conditions of this **AGREEMENT**; and

**WHEREAS**, the Governing Board of the **DISTRICT**, at its September 8, 2016 meeting, approved entering into this **AGREEMENT** with the **CITY**;

**NOW, THEREFORE**, in consideration of the covenants and representations set forth herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. The **DISTRICT** agrees to contribute funds and the **CITY** agrees to perform the work set forth in Exhibit "A" attached hereto and made a part hereof, subject to availability of funds and in accordance with their respective authorities for the North Bay Village Outfall Improvement Project.
2. The period of performance of this **AGREEMENT** shall commence on October 1, 2016 and shall terminate on October 31, 2018.
3. The total **DISTRICT** contribution for all work completed herein shall not exceed the amount of \$150,000 or 50% of eligible stormwater expenditures for the project as noted in Exhibit B, whichever is less.



4. The **CITY** shall submit Reimbursement Request Packages as described in the Payment and Deliverables Schedule set forth in Exhibit "B" attached hereto and made a part hereof. Payments by the **DISTRICT** shall be made following receipt and acceptance of the Reimbursement Request Packages by the **DISTRICT's** Project Manager. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit "A" and shall include, but not be limited to, a copy of the **CITY's** invoice and other documentation supporting payment.
5. The **DISTRICT's** payment is a reimbursement of actual eligible expenditures and is therefore contingent on adequate documentation to support actual eligible expenditures within the not-to-exceed **AGREEMENT** funding limitation. The **CITY** should provide prior written notice to the **DISTRICT's** Project Manager of its decision to apply the unexpended balance toward a subsequent Task. Actual eligible expenditures less than the estimated project cost will result in a reduced final payment per the **AGREEMENT** funding limitation. The **CITY** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.
6. The **CITY** shall provide evidence that its minimum cost-share of 50% has been met for each submitted invoice. Absence of proper supporting documentation may result in non-payment or audit and return of prior payments. In no event shall the **DISTRICT** be liable for any contribution hereunder in excess of \$150,000.
7. If the total consideration for this **AGREEMENT** is subject to multi-year funding allocations, funding for each applicable fiscal year of this **AGREEMENT** will be subject to Governing Board budgetary appropriation. In the event the **DISTRICT** does not approve funding for any subsequent fiscal year, this **AGREEMENT** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **AGREEMENT** to the contrary. The **DISTRICT** will notify the **CITY** in writing after the adoption of the final **DISTRICT** budget for each subsequent fiscal year if funding is not approved for this **AGREEMENT**.
8. The **CITY** shall submit quarterly financial reports to the **DISTRICT** providing a detailed accounting of all expenditures incurred hereunder throughout the term of this **AGREEMENT**. The **CITY** shall report and document the amount of funds expended per month during the quarterly reporting period and the **AGREEMENT** expenditures to date within the maximum not-to-exceed **AGREEMENT** funding limitation.
9. The **CITY's** contribution shall be at least 50% of the total amount of the project in conformity with the laws and regulations governing the **CITY**.
10. All work to be performed under this **AGREEMENT** is set forth in Exhibit "A", Statement of Work, which is attached hereto and made a part of this **AGREEMENT**. The **CITY** shall submit quarterly progress reports detailing the status of work to date for each task. The work specified in Exhibit "A" shall be under the direction of the **CITY** but shall be open to periodic review and inspection by either party. No work set forth in Exhibit "A" shall be performed beyond September 28, 2018 unless authorized through execution of an amendment to this **AGREEMENT** to cover succeeding periods.

11. The **CITY** shall not subcontract, assign or transfer any other work under this **AGREEMENT** without the prior written consent of the **DISTRICT's** Project Manager. The **CITY** agrees to be responsible for the fulfillment of all work elements included in any subcontract and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the **CITY** that the **DISTRICT** shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract(s).
12. Both the **DISTRICT** and the **CITY** shall have joint ownership rights to all work items, including but not limited to, all documents, technical reports, research notes, scientific data, computer programs, including the source and object code, which are developed, created or otherwise originated hereunder by the other party, its subcontractor(s), assign(s), agent(s) and/or successor(s) as required by the Exhibit "A", Statement of Work. Both parties' rights to deliverables received under this **AGREEMENT** shall include the unrestricted and perpetual right to use, reproduce, modify and distribute such deliverables at no additional cost to the other party.
13. The **CITY**, to the extent permitted by law, assumes any and all risks of personal injury, bodily injury and property damage attributable to negligent acts or omissions of the **CITY** and the officers, employees, servants and agents thereof. The **CITY** represents that it is self-funded for Worker's Compensation and liability insurance, covering bodily injury, personal injury and property damage, with such protection being applicable to the **CITY**, its officers and employees while acting within the scope of their employment during performance of under this **AGREEMENT**. In the event that the **CITY** subcontracts any part or all of the work hereunder to any third party, the **CITY** shall require each and every subcontractor to identify the **DISTRICT** as an additional insured on all insurance policies as required by the **CITY**. Any contract awarded by the **CITY** shall include a provision whereby the **CITY's** subcontractor agrees to indemnify, pay on behalf, and hold the **DISTRICT** harmless from all damages arising in connection with the **CITY's** subcontract.
14. The **CITY** and the **DISTRICT** further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any remedy or defense available to such party under the laws of the State of Florida; (2) the consent of the State of Florida or its agents and agencies to be sued; or (3) a waiver of sovereign immunity of the State of Florida beyond the waiver provided in Section 768.28, Florida Statutes.
15. The parties to this **AGREEMENT** are independent entities and are not employees or agents of the other parties. Nothing in this **AGREEMENT** shall be interpreted to establish any relationship other than that of independent entities, between the **DISTRICT**, the **CITY**, their employees, agents, subcontractors or assigns, during or after the term of this **AGREEMENT**. The parties to this **AGREEMENT** shall not assign, delegate or otherwise transfer their rights and obligations as set forth in this **AGREEMENT** without the prior written consent of the other parties. Any attempted assignment in violation of this provision shall be void.
16. The parties to this **AGREEMENT** will not discriminate against any person on legally protected bases in any activity under this **AGREEMENT**.
17. The **CITY**, its employees, subcontractors or assigns, shall comply with all applicable federal, state and local laws, regulations and requirements relating to the performance of this **AGREEMENT**. The **DISTRICT** undertakes no duty to ensure such compliance, but

will attempt to advise the **CITY**, upon request, as to any such laws of which it has present knowledge.

18. Either party may terminate this **AGREEMENT** at any time for convenience upon thirty (30) calendar days prior written notice to the other party. In the event of termination, all funds not expended by the **CITY** for authorized work performed through the termination date shall be returned to the **DISTRICT** within sixty (60) days of termination.

19. The **CITY** shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the **CITY** assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the **CITY**.

20. The **CITY** shall maintain records and the **DISTRICT** shall have inspection and audit rights below. The **CITY** shall similarly require each subcontractor to maintain and allow access to such records for audit purposes:

A. Maintenance of Records: The **CITY** shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this **AGREEMENT** including supporting documentation for any service rates, expenses, research or reports. Such records shall be maintained and made available for inspection for a period of five (5) years from the expiration date of this **AGREEMENT**.

B. Examination of Records: The **DISTRICT** or designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this **AGREEMENT**. Such examination may be made only within five (5) years from the expiration date of this **AGREEMENT**.

C. Extended Availability of Records for Legal Disputes: In the event that the **DISTRICT** should become involved in a legal dispute with a third party arising from performance under this **AGREEMENT**, the **CITY** shall extend the period of maintenance for all records relating to the **AGREEMENT** until the final disposition of the legal dispute. All such records shall be made readily available to the **DISTRICT**.

21. If the **DISTRICT**'s contribution includes state or federal appropriated funds, the **CITY** shall, in addition to the obligations set forth in paragraph 20 above, require each subcontractor to maintain and allow access to such records in compliance with the requirements of the Florida State Single Audit Act and the Federal Single Audit Act.

22. All notices or other communication regarding this **AGREEMENT** shall be in writing and forwarded to the attention of the following individuals:

South Florida Water Management District	City of North Bay Village
Attn: Nestor Garrido, Project Manager Attn: Sharman Rose, Contract Specialist 3301 Gun Club Road West Palm Beach, FL 33406 Telephone No: (561) 682-2167 Email: <a href="mailto:shrose@sfwmd.gov">shrose@sfwmd.gov</a>	Attn: Rodney Carrero-Santana, Project Manager 1666 Kennedy Causeway, 3 <sup>rd</sup> Floor North Bay Village, FL 33141 Telephone No: (786) 897-9441 Email: <a href="mailto:rcarrero@nbvillage.com">rcarrero@nbvillage.com</a>

23. **CITY** shall send its invoices and any attachments to [APIInvoice@sfwmd.gov](mailto:APIInvoice@sfwmd.gov) and a copy to the **DISTRICT** Project Manager. All invoices must reference the **CITY's** legal name as authorized to do business with the State of Florida; **DISTRICT'S AGREEMENT** Number and Purchase Order (PO) Number as specified on the cover/signature page of the **AGREEMENT**; a unique invoice number not previously used; date; a description of the services performed, and the amount to be invoiced. **CITY** shall: 1) submit invoices using a pdf file at a resolution of no less than 300 dpi; 2) name the pdf file with the **CITY's** name and the PO number; 3) provide all required attachments with the invoice file (refer to Attachment 1 to Exhibit C), and 4) include the PO number and Invoice number in the subject line of the email. If email or pdf filing is not possible, the **CITY** must provide the above to the following address:

***South Florida Water Management District  
Accounts Payable  
P.O. Box 24682  
West Palm Beach, FL 33416-4682***

**CITY** must submit its invoices in compliance with the requirements of this subsection and all other terms and conditions of this **AGREEMENT** in order to receive prompt payment by the **DISTRICT** as described in Section 218.70, F.S. **CITY's** failure to follow the instructions set forth in the **AGREEMENT** regarding a proper invoice and acceptable services and/or deliverables may result in an unavoidable delay in payment by the **DISTRICT**.

24. **CITY** recognizes that any representations, statements or negotiations made by **DISTRICT** staff do not suffice to legally bind **DISTRICT** in a contractual relationship unless they have been reduced to writing and signed by an authorized **DISTRICT** representative. This **AGREEMENT** shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.
25. This **AGREEMENT** may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy, electronic or facsimile copy of this **AGREEMENT** and any signatory hereon shall be considered for all purposes as original.
26. This **AGREEMENT** may be amended, extended or renewed only with the written approval of the parties. The **DISTRICT** shall be responsible for initiating any amendments to this **AGREEMENT**, if required.
27. This **AGREEMENT**, and any work performed hereunder, is subject to the Laws of the State of Florida. Nothing in this **AGREEMENT** will bind any of the parties to perform beyond their respective authority, nor does this **AGREEMENT** alter the legal rights and remedies which the respective parties would otherwise have, under law or at equity.
28. Should any term or provision of this **AGREEMENT** be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this **AGREEMENT**, to the extent that the

**AGREEMENT** shall remain operable, enforceable and in full force and effect to the extent permitted by law.

29. Failures or waivers to insist on strict performance of any covenant, condition, or provision of this **AGREEMENT** by the parties shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this **AGREEMENT**. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this **AGREEMENT** specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.
30. Any dispute arising under this **AGREEMENT** which cannot be readily resolved shall be submitted jointly to the signatories of this **AGREEMENT** with each party agreeing to seek in good faith to resolve the issue through negotiation or other forms of non-binding alternative dispute resolution mutually acceptable to the parties. A joint decision of the signatories, or their designees, shall be the disposition of such dispute.
31. This **AGREEMENT** states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this **AGREEMENT**.
32. Any inconsistency in this **AGREEMENT** shall be resolved by giving precedence in the following order:
  - (a) Terms and Conditions outlined in preceding paragraphs 1 – 31
  - (b) Exhibit "A" Statement of Work
  - (c) Exhibit "B" Payment and Deliverable Schedule
  - (d) all other exhibits, attachments and documents specifically incorporated herein by reference

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AGREEMENT** on the date first written above.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
BY ITS GOVERNING BOARD**

By: \_\_\_\_\_  
Lennart J. Lindahl, P.E.  
Assistant Executive Director

By: \_\_\_\_\_  
Dorothy A. Bradshaw, Director  
Administrative Services Division

**SFWMD OFFICE OF COUNSEL APPROVED**

By: \_\_\_\_\_  
Print Name: Frank Mender  
Date: 12/19/16

**SFWMD PROCUREMENT APPROVED**

By: [Signature]  
Date: 12/13/16

§

**CITY OF NORTH BAY VILLAGE**

By: \_\_\_\_\_  
Name of Authorized Individual

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

**EXHIBIT "A"**  
**STATEMENT OF WORK**  
Outfall Improvement Project  
City of North Bay Village

**1.0 INTRODUCTION AND BACKGROUND**

The South Florida Water Management District (**DISTRICT**) has allocated funding in Fiscal Year 2017 to local governments and other entities for construction and implementation of stormwater management, alternative water supply, and water conservation projects through the Cooperative Funding Program.

Through the Cooperative Funding Program, City of North Bay Village (**CITY**) continues an extensive stormwater retrofit project. This project will reduce pollutant loadings and improve the water quality discharged from North Bay Village to Biscayne Bay, a SFWMD priority surface water body. **CITY** is a municipality located in Miami-Dade County that consists of three islands (North Bay Island, Treasure Island and Harbor Island) surrounded by Biscayne Bay. The **CITY's** stormwater system is plagued with deteriorating pipes from saltwater intrusion and sediment. The Village has completed Phase I of the retrofit process. This included restoring the stormwater system to its original state and replacing pipes and equipment that had reached the "end of life".

**CITY** is now moving into Phase II of the retrofit project. This includes implementing best management practices that will improve the stormwater system and reduce pollutant load to Biscayne Bay. During Phase II, **CITY** will clean outfalls and install flexible closure valves (tideflex or equal) at approximately twenty-five (25) of the fifty (50) outfalls. **CITY** will begin with the outfalls located on Treasure Island, where residents experience the heaviest level of flooding. In addition to the installation of the flex valves, **CITY** will implement a public education campaign. Brochures will be distributed to all resident with the utility bill and posted on the **CITY's** website to inform residents about the project and steps that they can take to conserve water and protect Biscayne Bay.

**2.0 OBJECTIVE**

General project objectives, which align with the mission of the **DISTRICT**, include managing and protecting water resources of the region by balancing and improving flood control, water quality, and natural systems. The project specific objectives are to; (1) Protect the Phase I improvements to the stormwater system; (2) Improve the quality of life for residents due to reduced instances of street flooding; and (3) Protect the environment by reducing potential pollutant discharge to Biscayne Bay, an adopted verified impaired body of water.

**3.0 SCOPE OF WORK**

The **CITY** shall install twenty-five (25) flexible closure valves (tideflex or equal) on outfalls that currently release stormwater directly into the environmentally sensitive Biscayne Bay in accordance with design plans, project specifications, and applicable permits.

The **CITY** will be responsible for satisfactory completion of the scope of work and may retain consultants, contractors, and/or vendors to provide the professional and construction services required. The **CITY** will also be responsible for project management, budget management, quality control, and public outreach.

#### **4.0 WORK BREAKDOWN STRUCTURE**

The work breakdown structure is presented below:

##### **Task 1**

This is a design-build project and the flexible valves will be installed in accordance with the manufacturer's instructions. The **CITY** will subcontract the installation of the flexible valves with a qualified and licensed contractor, selected through the **CITY's** procurement process. The **CITY** shall prepare and solicit bids utilizing a bid package in accordance with state and federal laws and local regulations.

Submit plans, manufacturers' specifications, bid amount documentation, and Notice to Proceed (NTP) to the **DISTRICT** Project Manager via email.

Initiate construction activities per plans, manufacturers' specifications, and applicable permits.

##### **Tasks 2 through 7**

Continue construction activities per design plans, project specifications, and applicable permits.

Submit a quarterly status report (Exhibit "C") to the **DISTRICT** Project Manager via email which provides a narrative of construction activities completed since the NTP was issued; a discussion of project status; an explanation of conflicts or issues, if any, which may affect construction progress or project performance; and a description of other pertinent information attached to the quarterly status report such as project oversight/management documentation, results from applicable inspections or field tests, addendums or revisions to design plans or project specifications, and relevant project correspondence. The reports are due quarterly and shall be submitted until the project is complete.

##### **Task 8**

Complete construction activities (100%) per plans, manufacturers' specifications, and applicable permits.

Submit a Reimbursement Request Package to the **DISTRICT** Project Manager which includes Certificate of Completion, a **CITY** invoice and supporting documentation such as consultant, contractor, and/or vendor invoices and proof of payment(s).



**EXHIBIT "B"**  
**STATEMENT OF WORK**  
Outfall Improvement Project  
City of North Bay Village

The schedule set forth below is October 1, 2016 to September 28, 2018.

All deliverables submitted hereunder are subject to review and acceptance by the **District** Project Manager. Acceptability of all work will be based on the judgment of the **District** that the work is technically complete and accurate.

Payment shall be made following receipt and acceptance by the **District** of the Reimbursement Request Package(s) in accordance with the schedule set forth below. The **City** shall submit a reimbursement request upon completion of each Task noted below. If applicable, the **City** shall submit a final reimbursement request for payment on or before September 28, 2018 for reimbursement. All reimbursement requests shall be accompanied by adequate documentation to demonstrate completion of each Task in accordance with Exhibit A the Statement of Work (SOW).

Reimbursement Request Packages shall include, but not be limited to, a copy of the **City's** invoice, signed certification letter for partial payment that the Task(s) is (are) complete per the SOW or that the project is complete per the SOW, copies of vendor invoices, and any other documentation supporting payment. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit A the SOW.

The **District** shall only be obligated to pay for documented actual construction costs within the not-to-exceed amounts specified below. In *no event* shall the **District's** total obligation exceed the amount specified below for the total **Agreement**; however, an actual construction cost less than the estimated construction cost *may* result in a reduced final payment. The **City** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.

Total payment by the **District** for all work completed herein *shall not exceed* the amount of \$150,000.00. If the total consideration for this **Agreement** is subject to multi-year funding allocations, funding for each applicable fiscal year will be subject to Governing Board budgetary appropriation. In the event the **District** does not approve funding for any subsequent fiscal year, this **Agreement** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **Agreement** to the contrary.

<b>Task</b>	<b>Deliverable(s)</b>	<b>Due Date</b>	<b>CITY Share</b>	<b>DISTRICT Not-To-Exceed Share</b>	<b>Estimated Project Cost</b>
1	Plans, Manufacturers' Specifications, Bid Amount Documentation, and NTP	March 31, 2017	N/A	N/A	N/A
2	Exhibit "C" - Quarterly Status Report	March 31, 2017	N/A	N/A	N/A
3	Exhibit "C" - Quarterly Status Report	June 30, 2017	N/A	N/A	N/A
4	Exhibit "C" - Quarterly Status Report	September 29, 2017	N/A	N/A	N/A
5	Exhibit "C" - Quarterly Status Report	December 29, 2017	N/A	N/A	N/A
6	Exhibit "C" - Quarterly Status Report	March 30, 2018	N/A	N/A	N/A
7	Exhibit "C" - Quarterly Status Report	June 29, 2018	N/A	N/A	N/A
8	Exhibit "C" - Quarterly Status Report	September 28, 2018	\$225,000	\$150,000	\$375,000
	Complete 100% of construction activities per plans, manufacturers' specifications, and applicable permits.				
	Reimbursement Request Package				
<b>Total</b>			<b>\$225,000</b>	<b>\$150,000</b>	<b>\$375,000</b>

If applicable, interim Reimbursement Request Packages shall be submitted upon completion of the task(s) noted above. Reimbursement Request Packages must be submitted on or before September 28, 2018 for reimbursement.

Exhibit C Quarterly Status Reports are due within ten (10) days of the due date.

Ineligible costs include, but not limited to, permits, as-builts, videos, early completion bonus, bonds and insurance, etc.

**EXHIBIT "C"**  
**QUARTERLY STATUS REPORT**  
**NORTH BAY VILLAGE OUTFALL IMPROVEMENT PROJECT**

**1.0 DATE OF REPORT**

Click here to enter a date.

**2.0 NAME AND TITLE OF PERSON COMPLETING REPORT**

Click here to enter text.

**3.0 NARRATIVE OF CONSTRUCTION ACTIVITIES COMPLETED TO DATE OR SINCE LAST REPORT**

Click here to enter text.

**4.0 DISCUSSION OF OVERALL PROJECT STATUS**

Click here to enter text.

**5.0 EXPLANATION OF CONFLICTS, IF ANY, WHICH MAY AFFECT CONSTRUCTION PROGRESS OR PROJECT PERFORMANCE**

Click here to enter text.

**6.0 DESCRIPTION OF OTHER PERTINENT INFORMATION ATTACHED THIS REPORT FOR FURTHER CLARIFICATION OF DETAILS CONTAINED IN CONSTRUCTION ACTIVITIES NARRATIVE, OVERALL PROJECT STATUS DISCUSSION, AND/OR CONFLICTS EXPLANATION**

Click here to enter text.



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

#6G

**DATE: February 14, 2017**

**TO: Mayor Connie Leon Kreps  
Vice-Mayor Eddie Lim  
Commissioner Jose R. Alvarez  
Commissioner, Dr. Douglas N. Hornsby  
Commissioner Andreana Jackson**

**RECOMMENDED BY: Frank K. Rollason, Village Manager**

**PRESENTED BY: Bert Wrains, Finance Director**

**SUBJECT: Ratification of Village Manager's approval of Advanced Recreational Concepts, LLC Change Order for relocation of the Double Chest Press Machine at Dr. Paul Vogel Park**

---

### RECOMMENDATION

It is recommended that the Village Commission approve the attached Resolution ratifying the Village Manager's approval of Advanced Recreational Concepts, LLC, Change Order dated January 26, 2017 in the amount of \$10,800 for removal and relocation of the Double Chest Press Machine at Dr. Paul Vogel Park ("Vogel Park").

### BACKGROUND

In July 2014 the Village Commission adopted Resolution No. 2014-52 approving \$397,000 for upgrades to Schonberger and Vogel Parks. The major renovations at Schonberger Park have been completed. The Village Commission also approved an amount not to exceed \$61,000 for the shade structure at Vogel Park in July 16, 2016.

### CURRENT

Advanced Recreational Concepts (ARC), started work at Vogel Park and the installation of one of the canopy legs resulted in the relocation of one of the pieces of the exercise stations (Double-Chest Press Machine) in the park. The Village Manager approved a Change Order in the amount of \$10,800, since the contractor was already on site and mobilized, to prevent demobilization, thus incurring additional mobilization fees. The amount exceeded the manager's spending authority since three (3) written quotes were not obtained.

**FINANCIAL**

The amount for this Change Order will be expended from funds remaining in the original \$397,000 budget for the renovation of the two (2) Village parks.

**PERSONNEL**

None



## North Bay Village

Administrative Offices


1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** February 1, 2017

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

**FROM:** Frank K. Rollason  
Village Manager 

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RATIFYING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$10,800 TO ADVANCED RECREATIONAL CONCEPTS, LLC FOR REMOVAL AND RELOCATION OF AN EXERCISE STATION AT DR. PAUL VOGEL PARK; APPROVING THE EXECUTION OF ALL NECESSARY DOCUMENTS BY THE VILLAGE MANAGER; AND PROVIDING AN EFFECTIVE DATE.**

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

FR:yph

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RATIFYING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$10,800 TO ADVANCED RECREATIONAL CONCEPTS, LLC FOR REMOVAL AND RELOCATION OF AN EXERCISE STATION AT DR. PAUL VOGEL PARK; APPROVING THE EXECUTION OF ALL NECESSARY DOCUMENTS BY THE VILLAGE MANAGER; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, the Village Commission approved Resolution No. 2014-52 approving \$397,000 of Park Impact Fees for upgrades to the Dr. Paul Vogel Park and the Philip Schonberger Park; and

**WHEREAS**, a Shade Structure is being installed at Dr. Paul Vogel Park; and

**WHEREAS**, the location of the Shade Structure has resulted in the need to remove and replace one of the exercise station in the park (Double Chest Press Machine), and the contractor, Advanced Recreational Concepts, LLC, submitted a proposal for \$10,800 for the work involved; and

**WHEREAS**, the Village Manager accepted the proposal and approved the Work Order for the contractor to continue with the project, rather than the work being stopped and the site being demobilized pending approval of the expenditure by the Village Commission; and

**WHEREAS**, upon full review and consideration of the expenditure and all matters related thereto, the Village Commission is of the opinion that the expenditure should be ratified and approved, and the Village Manager is authorized to execute any and all documents on behalf of the Village for this work.

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

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted.

**Section 2. Commission Action.** The expenditure of \$10,800 to Advanced Recreational Services, LLC, for removal and relocation of the exercise station (Double Chest Press Machine) at Dr. Paul Vogel Park having been found to be acceptable, is hereby ratified and execution of all necessary documents to effectuate same by the Village Manager is hereby approved. The Commission further authorizes the Village Manager to expend up to an additional \$5,000.00, if found necessary as a result of conditions found during the relocation process.

**Section 3. Effective Date.**

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

PASSED and ADOPTED this 14th day of February 2017.

\_\_\_\_\_  
MAYOR CONNIE LEON-KREPS

**ATTEST:**

\_\_\_\_\_  
YVONNE P. HAMILTON, CMC  
Village Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Advanced Recreational Concepts, LLC- Removal and Relocation of Double Chest Press Machine at Dr. Paul Vogel Park)





Advanced Recreational Concepts, LLC  
Melbourne, FL 32934

Toll Free - 1-866-957-2355/Toll Free Fax - 1-866-957-2356

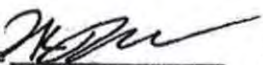
## Proposal

Prepared For Rodney Carrero-Santana  
 Organization North Bay Village  
 1666 Kennedy Causeway, Suite 300  
 North Bay Village, FL 33141  
 Customer Phone  
 Customer Fax  
 County Miami Dade  
 Ship To Vogel Park  
 7920 West Drive  
 North Bay Village, FL 33141

Date 1/26/2017  
 Quotation # 19032  
 Prepared By Allen Cooke - ZK  
 Payment Terms Net 30  
 Prices Valid U... 2/22/2017  
 Project Name MISC SITE WORK AND EPDM

Product ID	Description	Qty	Price	Total
	<b>TO BE DONE OR PROVIDED BY OTHERS:</b> - Asphalt Repairs as Needed at Completion of Installation - Any Finished Landscaping and Trimming of Trees as Necessary  <b>PROJECT NOTES:</b> - Access to Area is through 10' Wide Gate - Area Must have Access for Rental Machinery - Staging Area to be a Combination of Parking Lot Outside of Installation Area and Gate Area  <b>INSTALLATION PORTION</b> Installation to Include the Following: - Removal of GameTime Double Chest Press Machine Located in Playground Area to Include Cutting through 6" Thick Concrete Slab for Removal of Concrete Footer - Excavation and Disposal of an Area Covering 10' Wide x 12' Length x 6.5" Deep in Preparation for Installation of the GameTime Double Chest Press Machine in a New Location - Re-Installation of GameTime Double Chest Press Machine to Include Concrete Footer and Anchor Bolts - Supply and Installation of a 4" Wide x 6.5" Deep Concrete Curb - 44 LF	1	7,950.00	7,950.00
Poured In Place Rubber Mulch	<b>POURED IN PLACE RUBBER PORTION</b> Supply, Delivery and Installation of Rainbow Turf Poured In Place Rubber Mulch to Cover an Area of 120 sq. ft. at a Depth of 2.5" - Pricing Includes Supply and Installation of a Crushed Stone Sub Base Covering an Area of 120 sq. ft. at a Depth of 4"	120	25.00	3,000.00
DISCOUNT	Discount Based on The Clay County Contract #SDOC 13/14-8, -5% on Rainbow Turf Products	1	-150.00	-150.00T

Subtotal \$10,800.00  
 Sales Tax (0.0%) \$0.00  
 Total \$10,800.00

Signature  Print Name/Title FRANK K. ROUISON Date 1/27/17 P.O. # \_\_\_\_\_  
VILLAGE MANAGER

Upon acceptance of this proposal please sign above and initial the 'ARC Site Preparation Check List' and the 'ARC General Terms and Conditions' exhibits attached. Please return initialed copies to ARC.

**RESOLUTION NO. 2014-52**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXPEND PARK IMPACT FEES IN AN AMOUNT NOT TO EXCEED \$397,000; MAKING APPROPRIATIONS IN THE FY 2014 BUDGET; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, Section 100.151(B)(1) of the North Bay Village Code of Ordinances authorizes the imposition of Parks and Recreation Impact Fees on anyone seeking to construct or create a land development in the Village; and

**WHEREAS**, these fees are earmarked specifically and retained by the Village in a Capital Outlay Impact Fee Fund; and

**WHEREAS**, the Village Manager has recommended appropriation of \$397,000 of these funds in the FY 2014 Budget and expenditure for improvements to Dr. Paul Vogel Park (Installation of Full Shade Canopy for playground equipment, New Commercial Waterside and Street Side Fencing, and Artificial Turf) and Philip Schonberger Park (Installation of Playground Equipment, Full Shade Structure, and Artificial Turf with safety zones around playground equipment); and

**WHEREAS**, the Village Commission finds that this Resolution is in the best interest, safety, and general welfare of the residents of North Bay Village.

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

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

**Section 2. Appropriation of Funds.** Three Hundred and Ninety-Seven Thousand Dollars (\$397,000) is hereby appropriated in the FY 2014 Budget for improvements to Dr. Paul Vogel Park and the Philip Schonberger Park.

**Section 3. Approval of Expenditure.** Approval is granted for expenditure of Park and Open Space Impact Fees in an amount not to exceed \$397,000, as set forth herein, for improvements to Dr. Paul Vogel Park and the Philip Schonberger Park.


**Section 3. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Jorge Gonzalez, who moved for its adoption. This motion was seconded by Mayor Connie Leon-Kreps, and upon being put to a vote, the vote was as follows:

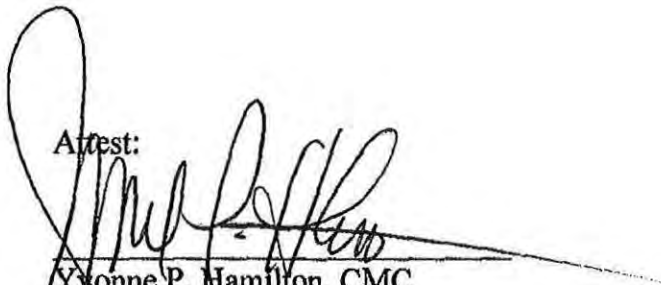
**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Eddie Lim	<u>Yes</u>
Commissioner Richard Chervony	<u>Absent</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Jorge Gonzalez	<u>Yes</u>


**PASSED AND ADOPTED this 8th day of July 2014.**

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

Attest:

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Expenditure of Park & Open Space Impact Fees.

**RESOLUTION NO. 2016-59**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AWARDED A CONTRACT TO ADVANCED RECREATION CONCEPTS, LLC NOT TO EXCEED AN AMOUNT OF \$61,000, UNDER THE PIGGYBACK PURCHASE PROVISION PURSUANT TO SECTION 36.25 (J) OF THE VILLAGE'S PURCHASING ORDINANCE, FOR THE PURCHASE AND INSTALLATION OF A SHADE STRUCTURE AT DR. PAUL VOGEL PARK; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, the Village intends to replace the Shade Structure at Dr. Paul Vogel Park; and

**WHEREAS**, the Village wishes to piggyback the purchase and installation of the equipment from Advanced Recreation Concepts, LLC, under the piggyback purchase provision, pursuant to Section 36.25(J) of the Village Purchasing Ordinance, which authorizes the Village Manager to waive the competitive bidding process, when he determines that the purchase meets acceptability criteria and the supplier has been selected in a competitive bidding process within the last 36-month period by another governmental entity or public agency.

**WHEREAS**, Advanced Recreation Concepts, LLC was awarded a contract from Clay County, Florida, for various equipment, including Shade Structures, under RFP No. 13/14-8, which was issued on January 7, 2014.

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

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

**Section 2. Purchase Approval:** The Village Commission hereby approves an amount not to exceed \$61,000 to Advanced Recreational Concepts, LLC for the purchase and installation of a Shade Structure at Dr. Paul Vogel Park, pursuant to the piggyback provision, as per Section 36.25(J) of the Village Code.

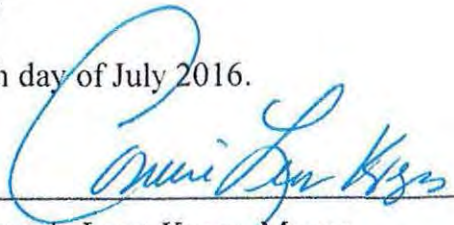
**Section 3. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Richard Chervony, who moved for its adoption. This motion was seconded by Mayor Connie Leon-Kreps, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**


Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Absence</u>

**PASSED AND ADOPTED** this 12th day of July 2016.



---

Connie Leon-Kreps, Mayor




**ATTEST:**

---

Yvonne P. Hamilton, CMC  
Village Clerk

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



---

Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution-Award of Contract to Advanced Recreation Concept, LLC for purchase and installation of Shade Structure n at Dr. Paul Vogel Park.

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 38 OF THE VILLAGE CODE, "CONFLICT OF INTEREST AND CODE OF ETHICS"; BY CREATING SECTION 38.40 ENTITLED "HONOR CODE FOR ELECTED AND APPOINTED VILLAGE OFFICIALS AND VILLAGE EMPLOYEES"; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE VILLAGE CODE; AND AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

**WHEREAS**, the first duty of a public servant is to protect the public interest, which requires a higher level of ethical conduct than is acceptable in private-sector affairs; and

**WHEREAS**, public trust in government institutions is a necessary pre-condition to the success of a democracy; and

**WHEREAS**, it is the collective duty of all public servants to respond to the public's concerns by redoubling their efforts to honor and serve the public interest by promoting the values of honesty, integrity, leadership and fairness; and

**WHEREAS**, maintaining a sense of honor in public service is an important component in fulfilling the goals of North Bay Village ("Village"); and

**WHEREAS**, the most fundamental way for Village officials and employees to address this goal is to support all public servants who both perform their duties honorably and possess the moral courage not to tolerate less than the same from their fellow public servants; and

**WHEREAS**, the Miami-Dade County Commission on Ethics and Public Trust has adopted a Resolution calling upon all County officials and employees to raise the standard of ethics in public service by establishing a public service honor code ("Honor Code") for the prevention of corruption and unethical practices in County government; and

**WHEREAS**, the Commission of North Bay Village believes that establishing an Honor Code is in the best interests of the citizens of North Bay Village; and

**WHEREAS**, the Commission of North Bay Village finds the codification and implementation of the proposed Honor Code, will serve the best interests of all residents of the Village; and

WHEREAS, the Commission of North Bay Village held the first reading of the Ordinance on \_\_\_\_\_ and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes and the Village Code; and

WHEREAS, the Commission of North Bay Village has conducted a second duly noticed public hearing on these regulations as required by law on \_\_\_\_\_ and further finds the proposed change to the Code necessary and in the best interest of the community.

**NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY V ILLAGE, FLORIDA:**

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

**Section 2. Code Amendment.** Chapter 38 of the North Bay Village Code of Ordinances, "Conflict of Interest and Code of Ethics" is hereby amended by creating Section 38.40 (A)-(E) entitled "Honor code for elected and appointed village officials and village employees."

**Section 38.40 - Honor Code for Elected and Appointed Village officials and Village employees.**

(A) It shall be the policy of the Village that all elected and appointed Village officials and Village employees shall adhere to the Public Service Honor Code ("Honor Code"). The Honor Code consists of the following minimum standards regarding the responsibilities of all public servants in the village.

(B) Each elected and appointed public official and employee of the Village shall, when acting in his or her official capacity, comply with the following standards:

- (1) Serve and protect the public interest above any personal or institutional interest or loyalty; and
- (2) Act as the public's surrogate by protecting it against waste or fraud; and
- (3) Respect and uphold laws, ordinances, resolutions, rules, and regulations that protect the public against abuses in village government by assisting law enforcement and other federal, state, county and local authorities charged with protecting the public trust; and
- (4) Report any information concerning activity which may constitute a crime, of which he or she has personal knowledge, immediately and personally to the State Attorney and/or the Miami-Dade County Commission on Ethics and Public Trust; and
- (5) Cooperate fully with law enforcement agencies or other official investigative authorities in providing truthful testimony and other relevant information pertaining to any alleged violation of the public trust.

(C) Village Department heads and supervisors shall counsel and encourage employees in their respective departments to report violations of Village code, including waste, fraud or other abuse of public resources, to the appropriate agency.

(D) The Honor Code shall be enforced as follows:

- (1) The Village Manager or the Village Manager's designee may use the administrative process of the Village for violations of the Honor Code committed by all officials or employees subject to the authority of the Village Manager.
- (2) The Miami-Dade County Commission on Ethics and Public Trust shall have jurisdiction over violations of the Honor Code committed by elected village officials and by all other village officials and employees not subject to the administrative authority of the Village Manager. The Miami-Dade County Commission on Ethics and Public Trust shall follow the procedures outlined in Section 2-1074 of the Miami-Dade County Code in conducting such investigations or hearings. The Miami-Dade County Commission on Ethics and Public Trust may impose a Letter of Reprimand or Letter of Instruction following a determination that a violation of the Honor Code has occurred. Such action by the Miami-Dade County Commission on Ethics and Public Trust shall not prevent the village or any department head or supervisor from taking any additional action, or imposing any penalties that they are authorized to take or impose.
- (3) Whenever any elected or appointed village official or employee is in doubt as to the proper interpretation or application of the Honor Code as to himself or herself, he or she may request a binding opinion from the Miami-Dade County Commission on Ethics and Public Trust.
- (4) Adherence to the Honor Code by village employees shall be included, wherever appropriate and to the extent legally permissible, in the criteria for evaluations for merit increases, promotions, and professional recognition.
- (5) The Miami-Dade County Commission on Ethics and Public Trust may include the Honor Code in its ethics training programs for village officials and employees.

(E) The village shall not dismiss, discipline, or take any other adverse personnel action against an employee for complying with the Honor Code. Further, the village shall not take any adverse action that affects the rights or interests of any employee in retaliation for the employee's compliance with the Honor Code. If the village takes any of the adverse actions stated in the preceding sentences as a result of an employee's compliance with the Honor Code, the employee shall be entitled to apply to the Village Manager and to the Miami-Dade County Commission on Ethics and Public Trust for redress, each of which shall take appropriate steps within their authority and discretion to ensure that no employee is penalized for compliance with the Honor Code.

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4. Conflict.** All sections or parts of sections of the North Bay Village Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.



**Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Commission of North Bay Village, Florida; and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the North Bay Village Code of Ordinances; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 6. Effective Date.** This Ordinance shall be effective upon final adoption on second reading.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its approval on first reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**THE VOTES WERE AS FOLLOWS:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**APPROVED ON FIRST READING** during a regular session of the North Bay Village Commission Meeting this \_\_\_\_ day of \_\_\_\_\_.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its enactment. This motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

**FINAL VOTE ON ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**PASSED AND ENACTED** by the Commission of North Bay Village this \_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
**Connie Leon-Kreps**  
**Mayor**

**ATTEST:**

---

**Yvonne Hamilton, CMC, Village Clerk**

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

---

**Village Attorney  
Robert L. Switkes & Associates, P.A.**

North Bay Village Ordinance: Ethical Municipal Code.



## North Bay Village

Administrative Offices

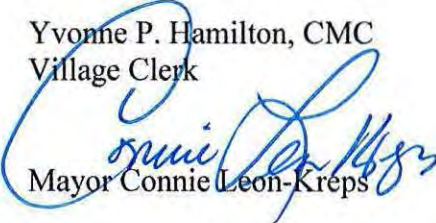
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** January 30, 2017

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

**FROM:**   
Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Ordinance

---

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 38 OF THE VILLAGE CODE, "CONFLICT OF INTEREST AND CODE OF ETHICS"; BY CREATING SECTION 38.40 ENTITLED "HONOR CODE FOR ELECTED AND APPOINTED VILLAGE OFFICIALS AND VILLAGE EMPLOYEES"; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE VILLAGE CODE; AND AN EFFECTIVE DATE.**

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

CLK:yph

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XIII OF THE CODE OF ORDINANCES ENTITLED "GENERAL OFFENSES" BY CREATING CHAPTER 137, TO BE ENTITLED "SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS," TO PROHIBIT LICENSED PROFESSIONALS FROM ENGAGING IN COUNSELING EFFORTS, PRACTICES, OR TREATMENTS WITH THE GOAL TO CHANGE A MINOR'S SEXUAL ORIENTATION OR GENDER IDENTITY; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

**WHEREAS**, the American Psychiatric Association published a position statement in December 1998 opposing any psychiatric treatment, including reparative or conversion therapy, which therapy regime is based upon the assumption that homosexuality *per se* is a mental disorder or that a patient should change his or her homosexual orientation; and

**WHEREAS**, the American Psychological Association's Task Force on Appropriate Therapeutic Responses to Sexual Orientation ("APA Task Force") concluded that sexual orientation change efforts can pose critical health risks to lesbian, gay, and bisexual people, including, among other things, confusion, depression, social withdrawal, suicidality, substance abuse, self-hatred, high-risk sexual behavior, and a feeling of being dehumanized; and

**WHEREAS**, following the report issued by the APA Task Force, the American Psychological Association issued a Resolution in 2009 on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts, advising parents, guardians, young people, and their families to avoid sexual orientation change efforts that portray homosexuality as a mental illness or developmental disorder and encouraging psychotherapy, social support, and educational services that provide accurate information on sexual orientation and sexuality, increased family and school support, and reduced rejection of sexual minority youth; and

**WHEREAS**, the American Academy of Child and Adolescent Psychiatry published a statement in 2012 in its journal that, "[g]iven that there is no evidence that efforts to alter sexual orientation are effective, beneficial or necessary, and the possibility that they carry the risk of significant harm, such interventions are contraindicated"; and

**WHEREAS**, the American Academy of Pediatrics, the American Medical Association Council of Scientific Affairs, the National Association of Social Workers, the American Counseling Association Governing Council, the American School Counselor Association, and the American Psychoanalytic Association have each asserted in reports or position statements that sexual orientation change efforts, including reparative therapy or conversion therapy, are not recommended and may be harmful; and

**WHEREAS**, the Pan American Health Organization issued a statement in 2012 that "[t]hese supposed conversion therapies constitute a violation of the ethical principles of health care and violate human rights that are protected by international and regional agreements"; and

**WHEREAS**, the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services issued a report in 2015 examining the scientific literature on conversion therapy and concluded that "conversion therapy-efforts to change an individual's sexual orientation, gender identity or gender expression-is a practice that is not supported by credible evidence" and that "may put young people at risk of serious harm"; and

**WHEREAS**, North Bay Village ("Village") has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual, transgender and questioning youth, and in protecting its minors against exposure to serious harms caused by sexual orientation and gender identity change efforts; and

**WHEREAS**, the Village Commission hereby finds that being lesbian, gay, bisexual, or transgender is not a disease, disorder, illness, deficiency, or shortcoming, and that research has demonstrated sexual orientation and gender identity change efforts can pose critical health risks to lesbian, gay, bisexual, or transgender persons; and

**WHEREAS**, it is the desire of the North Bay Village Commission to prohibit, within the geographic boundaries of the Village, the use of sexual orientation or gender identity change efforts with minors, including reparative and conversion therapy, which have been demonstrated to be harmful to the physical and psychological well-being of lesbian, gay, bisexual, and transgender persons.

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

**Section 1: Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

**Section 2: Village Code Amended.** TITLE XIII of the Code of Ordinances of North Bay Village, entitled "General Offenses" is hereby amended to create Chapter 137 as follows:

- A. Creation of new Chapter 137 entitled "Sexual Orientation or Gender Identity Change Efforts," to read as follows:

**TITTLE XIII: - GENERAL OFENSES**

**CHAPTER 137 - Sexual Orientation or Gender Identity Change Efforts**

### **§137.01 Definitions.**

The following words, terms, and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except when the context clearly indicates a different meaning:

Conversion therapy means any counseling, practice, or treatment performed with the goal of changing a person's sexual orientation or gender identity including, but not limited to, efforts to change behaviors, gender expression, or to reduce or eliminate sexual or romantic attraction or feelings toward a person of the same gender. Conversion therapy does not include counseling that:

- a) Provides support to a person undergoing gender transition; or
- b) Provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, if such counseling is not conducted with the goal of changing the person's sexual orientation or gender identity.

Minor means a person less than eighteen (18) years of age.

Reparative therapy has the same meaning as conversion therapy defined in this section.

### **§137.02 Conversion therapy prohibited.**

A person who is licensed by the State of Florida to provide professional counseling, or who performs counseling as part of his or her professional training under Chapters 458, 459, 490, or 491 of the Florida Statutes, as such chapters may be amended, including, but not limited to, medical practitioners, osteopathic practitioners, psychologists, psychotherapists, social workers, marriage and family therapists, and licensed counselors, may not engage in conversion or reparative therapy with a minor.

### **§137.03 Enforcement; penalties.**

A violation of Section 137.02 shall be enforced pursuant to the procedures set forth in Chapter 153 of this Code. The penalty for a violation shall be \$200.00. Each day that a violation occurs constitutes a separate offense.

**Section 3: Repeal.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

**Section 4: Severability.** The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

**Section 5: Inclusion in the Code.** It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word..

**Section 6: Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its approval on first reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**THE VOTES WERE AS FOLLOW:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas N. Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**APPROVED ON FIRST READING** during a regular session of the North Bay Village Commission Meeting this \_\_\_\_ day of \_\_\_\_\_ 2017.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its enactment. This motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

**FINAL VOTE ON ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas N. Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**PASSED AND ENACTED** by the Commission of North Bay Village this \_\_\_\_ day of \_\_\_\_\_ 2017.

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

ATTEST:

\_\_\_\_\_  
Yvonne Hamilton, CMC, Village Clerk

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

\_\_\_\_\_  
Village Attorney  
Robert L. Switkes & Associates, P.A.

North Bay Village Ordinance: Conversation Therapy.





## North Bay Village

Administrative Offices

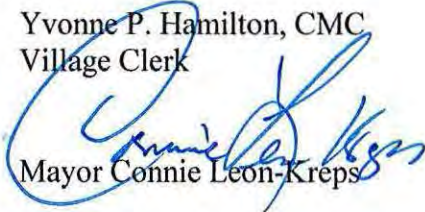
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** January 30, 2017

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

**FROM:**   
Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Ordinance

---

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XIII OF THE CODE OF ORDINANCES ENTITLED "GENERAL OFFENSES" BY CREATING CHAPTER 137, TO BE ENTITLED "SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS," TO PROHIBIT LICENSED PROFESSIONALS FROM ENGAGING IN COUNSELING EFFORTS, PRACTICES, OR TREATMENTS WITH THE GOAL TO CHANGE A MINOR'S SEXUAL ORIENTATION OR GENDER IDENTITY; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.**

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

CLK:yph



# The Florida House of Representatives

*Representative David Richardson*

113<sup>th</sup> District

February 3, 2017

Office of the Mayor and Commissioners  
1666 Kennedy Causeway, 3rd Floor  
North Bay Village, FL 33141

Mayor Connie Leon-Kreps and Commissioners,

I am pleased that you are revisiting your local ban on conversion therapy. Banning conversion therapy has been one of my top priorities in Tallahassee over the past few years and having the entirety of my district enact local bans will be key to my success.

As you know, so-called "conversion therapy" is a sham treatment which aims to "cure" subjects of their innate sexual orientation or gender identity. The practice of "conversion therapy" is actually not a clinically tested medical therapy at all, and has been tragically shown to lead to depression, anxiety, drug use, homelessness, self-harm and suicide, especially when practiced on children and teenagers. Numerous medical associations have come out against this sham treatment including the World Health Organization which stated in 2012: "These supposed conversion therapies constitute a violation of ethical principles of health care and violate human rights ... and conversion therapy lacks medical justification and represents a serious threat to the health and well-being of affected people."

None of the six conversion therapists identified by the Southern Poverty Law Center are practicing in North Bay Village. Therefore, the city is not expected to face any legal costs.

Passing a ban in North Bay Village gets me one step closer to establishing a statewide ban and sends a message to LGBT youth that their elected leaders are supportive of inclusive communities.

Sincerely,

David Richardson  
State Representative

*Appropriations Committee, Public Integrity & Ethics Committee,  
Health Care Appropriations Subcommittee, Criminal Justice Subcommittee, Rules & Policy Committee*

REPLY TO:

- 1701 Meridian Avenue, Suite 402A, Miami Beach, FL 33139 (305) 535-5426
- 200 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300, (850) 717-5113

Legislature's Website: <http://www.myfloridahouse.gov>

Richard Corcoran  
Speaker

Jeanette Nunez  
Speaker Pro Tempore

Janet Cruz  
Democratic Leader

Portia Palmer  
Clerk

Russell Hosford  
Sergeant at Arms

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES PERTAINING TO THE ORDER OF THE AGENDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

WHEREAS, the Village Commission desires to amend the Meeting and Agenda Procedures by changing the order of the agenda; and

WHEREAS, the Village Commission finds that the amendment of these procedures is in the best interest of North Bay Village.

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

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

**Section 2.** The Village Commission Meeting and Agenda Procedures are being revised as follows as indicated by strikethrough and underlining.

**1. Regular meetings; notice.**

1A. *Meetings.* The Village Commission shall hold one regular meeting per month on the second Tuesday at 7:30 pm, unless the Commission, by majority vote, elects not to have a regular meeting in the month of July or the month of August for the purposes of allowing summer vacations.

The Village Commission may hold a second regular meeting each month, called by the Village Manager or Acting Village Manager whenever in his or her opinion the public business may require it or at the express written request of the Mayor or any two members of the Commission, as necessary for the orderly conduct of Village business. Quasi judicial matters, as defined in Chapter 29, Section 29.02(a) of the Code of Ordinances,<sup>1</sup> may be heard at any regular or special meeting of the Commission.

1B. *Notice.* Notice of each regular meeting of the Village Commission shall be published at least four days prior to such meeting in a newspaper of general circulation within the Village and made in any other manner deemed appropriate by the Village Manager.

- (1) Pending notices of meetings of the Civil Service and Planning and Zoning Boards shall be included in such notices without time limitation.
- (2) The Village Manager shall also maintain signs on the public right-of-way, announcing such meetings prior to 8:00 a.m. on the day of each meeting, and notice of all commission meetings and boards shall be posted in a conspicuous place in Village Hall at least 24 hours before said meeting.

## **2. Special meetings.**

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

## **3. Meetings open to the public.**

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

## **4. Workshop Meetings.**

The Village Commission may meet at least once every three months in a workshop to be conducted as a public meeting, but without public comment, except as public comment may be permitted by the Chair or majority vote of the Village Commissioners present. Additionally, the Village Commission may call additional workshop meetings as needed. A workshop may be recessed to a later date certain which is announced at the workshop. The Village Commission shall discuss the agenda items and provide feedback, but shall not take action at workshops. The Village Manager shall attend the workshop, prepare an agenda with appropriate backup, and assure that relevant staff persons are present for the items on the agenda. The Village Attorney shall attend workshops.

## **5. Agenda.**

- 5A. *Agenda items.* All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Village Commission shall be delivered to the Village Manager no later than ten (10) business days prior to the scheduled Commission Meeting and shall be accompanied by, or in the form of, a signed memorandum from the party submitting the materials. No additional items shall be added to the agenda after the agenda closing date unless it is deemed to be an emergency as provided below.

All agenda items, including materials in support of the agenda item, are to be submitted to the Village Attorney, the Finance Director, and the Village Planner, if required, for review and submittal of their recommendation to the Village Manager. The final agenda shall be distributed to the members of the Village Commission no later than five (5) business days prior to the Village Commission meeting. Matters of an urgent or emergency nature may be presented to the Commission without strictly complying with these requirements, and such emergency matters shall be heard by the Village Commission if a majority of the Commission approves.

5B. *Who may place.* The Mayor, Village Commissioners, Village Manager, and Village Attorney are authorized to place matters on the agenda of the Village Commission Meeting for discussion and/or approval by the Village Commission.

5C. *Manager meeting with Commissioners.* The Village Manager shall make available an opportunity for an individual meeting with each member of the Commission prior to each Commission meeting for presentation and discussion of the agenda items.

5D. *Order of business; Consent agenda.* The Village Manager shall prepare the order of business. Items which, in the opinion of the Village Manager or the Village Commission, are non-controversial and may be handled and implemented without necessity for discussion shall be placed on the Consent Agenda. Unless a Commission Member specifically requests that an item be removed from the Consent Agenda, such items shall be approved and adopted by a single motion and roll call vote. Any item deemed not to be ready for discussion or approval by the Commission shall be pulled from the Agenda at the Village Commission meeting.

5E. *Taking items out of order.* Upon request by the Mayor or a Commissioner, items on the agenda may be moved out of sequence in order to expedite the matters before the Village Commission, or assure that items that are related to each other are considered in context.

**6. Presiding officer.**

6A. *Who may preside.* The Mayor, or in the Mayor's absence, the Vice-Mayor act as the presiding officer and shall take the chair at the hour appointed for the meeting and call the Village Commission to order. In the absence of the Mayor and Vice-Mayor, the Village Manager or Acting Village Manager shall call the Commission to order, whereupon an acting chairman shall be elected by the members of the Commission present. Upon the arrival of the Mayor or Vice-Mayor, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Commission. Where appropriate, references to the Mayor will be considered references to the Presiding Officer

6B. *Decorum; Questions of order.* The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Commission. He or she shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order, subject however to an appeal to the Commission, in which event a majority vote of the Commission shall govern and conclusively determine such question of order.

**7. Roll call; quorum.**

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

**8. Order of business.**

8A. *Regular meetings of the Commission.* Regular meetings of the Village Commission shall be held at least once per month. Regular Commission meetings may be cancelled, postponed, or the time of commencement changed by a majority vote of the Commission, provided that the Charter requirement of one meeting per month is met.

8B. *Order of Agenda.* The Village Commission shall convene on the day and time of each regular meeting, and take up the business of the Commission in the following order unless changed by action of a majority of the Commission. Certain matters may be given a certain time for consideration.

- (1) Call to Order, Pledge of Allegiance, Roll Call.
- (2) A. Proclamations and Awards.  
B. Special Presentations.  
C. Additions and Deletions
- ~~(3) Good & Welfare~~
- (3) Grant Writer's Report
- (4) Mayor and Commission's Remarks
- ~~(5) Board Reports~~
- ~~(6) Consent Agenda~~
- (5) Village Attorney's Reports
- ~~(7) Ordinances for First Reading and Resolutions~~
- (6) Village Manager's Report
- ~~(8) Public Hearings Including Ordinances for Second Reading~~
- (7) Good & Welfare at approximately 8:00 p.m.
- (8) Unfinished Business
- (9) New Business
- (10) Approval of Minutes

- ~~(11)~~ ~~Public Safety Discussion~~
- ~~(12)~~ ~~Commissioners' Reports~~
- ~~(13)~~ ~~Village Attorney's Report~~
- ~~(14)~~ ~~Village Manager's Report~~
- ~~(15)~~ ~~Finance Report~~
- ~~(16)~~ ~~Approval of Minutes~~
- (11) Advisory Board Reports
- (12) Consent Agenda
- (13) Ordinance for First Reading and Resolutions
- (14) Public Hearing Items, including Ordinances for Second Reading
- ~~(157)~~ ~~Adjournment~~

**9. Approval of minutes.**

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

**10. Rules of debate.**

- 10A. *Presiding officer not deprived of rights as commissioner.* The Mayor or Vice-Mayor, or such other member of the Village Commission as may be presiding, may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a commissioner by reason of his acting as the presiding officer.
- 10B. *Obtaining the floor.* Every member desiring to speak shall address the chair, shall be recognized by the presiding officer, and shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- 10C. *Interruptions.* A member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a member while speaking is called to order, he or she shall cease speaking until the question of order is determined and, if in order, he or she shall be permitted to proceed.
- 10D. *Motion to reconsider.* A motion to reconsider any action taken by the Commission may be made only on the day the action was taken or at the next meeting of the Commission whether a regular or special meeting. The motion must be made by one of the prevailing side, but may be seconded by any member and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

- 10E. *Recorded remarks of commissioner.* A commissioner may request, through the presiding officer, the privilege of having an abstract of his statement on any subject under consideration by the Commission entered in the minutes.
- 10F. *Synopsis of debate.* The Village Clerk may be directed by the presiding officer, with consent of the Commission, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commission.
- 10G. *Limitation on debate.* Upon motion duly adopted by a majority of the Commission, debate on any one subject before the Commission may be limited to seven (7) minutes per member of the Commission, at the expiration of which the pending question will be moved to a vote.
- 10H. *Parliamentary procedure.* Any issue of procedure not addressed in these procedures shall be governed by the rules of procedure provided by Robert's Rules of Order, Newly Revised, in the most current edition. Unless objection thereto is made by some member of the Village Commission, the Mayor may refrain from a too rigid enforcement of such rules, to the end of expediting the transaction of business.

**11. Voting; filing of reasons.**

- 11A. *Roll call vote.* The Village Clerk shall call the roll commencing with the commissioner seated immediately adjacent to the right of the commissioner who made the motion under consideration. All commissioners shall vote "yes" or "no", or "aye" or "nay" in accordance with the provisions of state law. The records of the roll call vote shall be incorporated in the minutes of the meeting.
- 11B. *Reasons for vote.* Upon the conclusion of any vote, any member of the Village Commission shall have the right to have the reasons for his or her vote entered upon the minutes.

**12. Motion to table or adjourn.**

- 12A. *Table.* A motion to table any matter then under consideration, except during a public hearing, shall always be in order and decided without debate.
- 12B. *Adjourn.* A motion to adjourn shall always be in order and decided without debate.



**13. Decorum.**

- 13A. *Commission members.* While the Village Commission is in session, the members must preserve order and decorum and a member shall, neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission or disturb any member while speaking or refuse to obey the orders of the Commission or its presiding officer, except as otherwise herein provided.
- 13B. *Impertinent remarks.* Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission shall not be permitted to continue speaking before the Commission, unless permission to continue is granted by a majority vote of the Commission. This remedy shall be in addition to the provisions of Section 135.03(A).<sup>2</sup>
- 13C. *Public comment.* Individual's wishing to speak on agenda items other than advertised public hearings shall fill out a speaker's card and be recognized by the Mayor. This requirement shall not prevent the Mayor from recognizing additional speakers.
- 13D. *Public hearings.* Individuals wishing to speak on matters that appear on the agenda as "Public Hearings" need only to be recognized by the Mayor. The public shall be permitted to speak after the Mayor opens an item for Public Hearing. After the Public Hearing is closed by the Mayor, only members of the Village Commission or Village administration shall discuss the item.
- 13E. *Addressing Commission, manner and time.* Public discussion at public hearings or at items which are opened to public discussion shall be limited to three (3) minutes maximum per person; however, the Mayor may authorize the extension of the aforesaid time frame, after due consideration for the substance, content, and relative importance of the subject. Each person who addresses the Commission shall step up to or present themselves at the speaker's podium and shall give his/her name and address. No other person other than the Commission and the person recognized by the Mayor as having the floor shall be permitted to enter into discussion without the permission of the Mayor. All questions from the public to the Commission; shall be addressed through the Mayor.

**14. Good and welfare presentations to commission.**

Any person desiring to address the Village Commission shall first secure the permission of the presiding officer to do so.

- 14A. *Written communications.* Interested parties, or their authorized representatives, may address the Commission by written communication in regard to matters then under discussion, a copy of which shall be provided to the Village Clerk.

14B. *Oral communications.* Taxpayers or residents of the Village, or their authorized legal representatives may address the Commission under Good and Welfare on any matter concerning Village business, or any matters over which the Commission has control. Additionally, any residents or taxpayers who desires to make a special presentation to the Commission under Good and Welfare and wishes to have the item placed on the agenda of the next regular Village Commission Meeting shall notify the Village Manager, in writing, subsequent to the previous Village Commission Meeting, but at least five business days in advance of the next regular meeting.

14C. *Decorum.* Each person addressing the Commission under Good and Welfare and Public Hearings shall step up to the microphone provided for the public and shall give his name and address in an audible tone of voice for the records. Unless further time is granted by the Commission, each speaker shall limit his address to three (180 seconds) minutes.

In the case of quasi-judicial hearings, the Village Commission shall allow parties sufficient time to present their case, provided that no one shall be allowed to speak more than thirty minutes without the express permission of the Village Commission. No person other than the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the presiding officer. No questions shall be asked of a commissioner except through the presiding officer.

**15. Public safety discussion.**

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

**16. Public hearings.**

As provided in Section 30.06 of the Code of Ordinances, whenever a public hearing is held pursuant to the Charter or ordinance or by direction of the Village Commission, the presiding officer shall read the title of the item on which the public hearing will be held. The presiding officer shall then recognize any interested persons or their authorized representatives, who may address the Commission in regard to the matter then under consideration. During the public hearing there shall be no debate by the Commission, although questions may be asked of the persons making such presentation by commissioners. Upon the conclusion of the presentation of the views by the public, the presiding officer shall declare the public hearing closed and the Commission may take action upon the subject matter of the public hearing.

If the Commission proposes to take any type of action, which was not on the published meeting agenda or added to the agenda prior to public comment, the Commission shall provide the opportunity for public comment on the issue prior to taking any action. Public comments shall be maintained at no more than three minutes per person, unless the Commission authorizes a different amount of time.

**17. Maintenance of records; parliamentarian.**

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

**Section 3.** Severability. If any word, clause, phrase, sentence, paragraph, or section of this Resolution is held to be invalid by a Court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph, or section of this Resolution.

**Section 4.** Conflicts. Any resolutions or parts thereof found to be in conflict with any provision of this Resolution are hereby repealed.

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

The foregoing Resolution was offered by \_\_\_\_\_, who moved for its adoption. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Jose Alvarez	_____
Commissioner Dr. Douglas N. Hornsby	_____
Commissioner Andreana Jackson	_____

PASSED and ADOPTED this 14th day of February 2017.

\_\_\_\_\_  
MAYOR CONNIE LEON-KREPS

**ATTEST:**

---

YVONNE P. HAMILTON, CMC  
Village Clerk

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

---

Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Amending Commission Meeting Agenda Procedures-Order of Items/Good & Welfare.



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM

North Bay Village

**DATE:** February 8, 2017

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

**FROM:** Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Resolution

---

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

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES PERTAINING TO THE ORDER OF THE AGENDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

CLK:yph

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Jose R. Alvarez

Commissioner  
Dr. Douglas N. Hornsby

Commissioner  
Andreana Jackson

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD” PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

WHEREAS, the Village Commission desires to create an Animal Control Advisory Board to advise on all matters pertaining to animal control in North Bay Village.

**BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Village Code Amended.** Chapter 32, Sections 32.92 through 32.99 of the North Bay Village Code of Ordinances is created to read as follows<sup>1</sup>:

**ANIMAL CONTROL ADVISORY BOARD**

**§ 32.92 Establishment**

There is hereby created an Animal Control Advisory Board to consider matters relating to animal control within the Village limits in order to improve the Village’s ability to handle animal issues effectively.

**§ 32.93 Composition**

There is hereby created the North Bay Village Animal Control Advisory Board which shall consist of five (5) members who may reside at any location within the Village, or owners of businesses located within the confines, or designees of such business owners; all of whom shall serve for a period of two years concurrent with the regular scheduled election of the Commission as provided in §6.01 of the Charter.

**§ 32.94 Qualifications**

The members of the Animal Control Advisory Board shall be appointed and shall be qualified electors of the Village or owners of businesses located within the confines of the Village or designees of such business owners as defined in the Charter. Resident members of the Board shall also be and remain during their respective terms of office, residents of the Village.

**§ 32.95 Terms; removal from office.**

Members of the Board shall be appointed by the Village Commission, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

**§ 32.96**

In the event that a vacancy shall occur on the Board by resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

**§ 32.97 Power and duties**

The Animal Control Advisory Board shall be charged with the following duties:

1. Discuss animal matters and make recommendations to the Village on animal care and control issues.
2. Review and make appropriate recommendations for amendments to existing animal control ordinances.
3. Make recommendations to the Village Commission for the betterment of the community concerning operations, policies, procedures, and new programs.
4. Promote safe and healthy use of public spaces by pets and pet owners.
5. Other duties as prescribed by the Village Commission.

**§ 32.98 Officers**

The Animal Control Advisory Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and the Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his/her stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Commission as to the attendance of the meetings and submit the minutes of its meetings to the Village Commission.

**§ 32.99 Meetings; quorum; voting period.**

- (A) The Animal Control Advisory Board shall hold regular and special meetings as necessary. All meetings shall be publicly noticed to residents, homeowners, and property owners by publication on the Village bulletin board. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.
- (B) All meetings of the Board shall be open to the public and three members shall constitute a quorum.
- (C) A majority vote of the Board shall be required on all recommendations made to the Village Commission.

\* \* \*

**Section 2. Conflicts.** All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

**Section 3. Codification.** This ordinance shall be codified and included in the code of ordinances.

**Section 4. Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon enactment.

A motion to approve the foregoing Ordinance on first reading on December 8, 2015 was offered by Mayor Connie Leon-Kreps, seconded by Commissioner Richard Chervony.

**The Votes were as follows:**

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

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



**FINAL VOTES AT ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**DULY PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_ 2017.**

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

**ATTEST:**

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

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

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Ordinance: Animal Control Advisory Board-2-14-2017



## North Bay Village

Administrative Offices

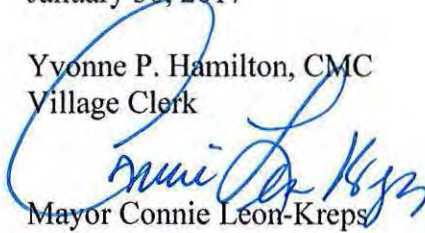
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** January 30, 2017

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

**FROM:**   
Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Ordinance

---

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN "ANIMAL CONTROL ADVISORY BOARD" PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

CLK:yph

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, SECTION 32.30 OF THE VILLAGE CODE, BY ALLOWING VILLAGE COMMISSIONERS TO SERVE AS EX OFFICIO MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

WHEREAS, Section 32.30 of the Village Code only allows the Mayor and the Village Manager to serve as ex officio members of the Planning and Zoning Board; and

WHEREAS, the Village Commission desires to allow Village Commissioners the opportunity to serve as ex officio members of the Planning and Zoning Board; and

WHEREAS, the Village Commission feels that allowing Village Commissioners to serve as ex officio members is in the best interest of the community.

**BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Village Code Amended.** Chapter 32, Sections 32.30 of the North Bay Village Code of Ordinances is hereby amended to read as follows<sup>1</sup>:

\* \* \*

**§ 32.30 - Creation; members.**

(A) *Created; composition.* A Planning & Zoning Board is hereby created which shall be composed of five members to be appointed by the Village Commission. The Board shall be composed of one member from North Bay Island, one member from Harbor Island, one member from Treasure Island and two at-large members.

(B) *Qualifications of members.* The members of the Board shall be appointed and shall be qualified electors of the Village as defined in the Charter, and shall also be and remain during their respective terms of office, residents of the Village.

(C) *Terms, vacancies, removal from office.* The original members of the Board shall be appointed by the Village Commission at the meeting in which this section is finally adopted. Members of the Board shall be appointed by the Village Commission for a term of two years.

(D) *Participation of ex officio members.* ~~The Mayor~~ Any member of the Village Commission and the Village Manager shall ~~may~~ serve as an ex officio members of the Planning and Zoning Board; however, their participation in matters before the Board shall be limited to discussion and their presence shall not constitute a quorum in the absence of other members, nor shall they be entitled to vote or otherwise participate in making recommendations to the Village Commission.

\* \* \*

**Section 2.** **Conflicts.** All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

**Section 3.** **Codification.** This ordinance shall be codified and included in the code of ordinances.

**Section 4.** **Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** **Effective Date.** This Ordinance shall take effect immediately upon enactment.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its approval on first reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

**THE VOTES WERE AS FOLLOW:**

Mayor Connie Leon-Kreps	_____
Vice Mayor Eddie Lim	_____
Commissioner Jose R. Alvarez	_____
Commissioner Dr. Douglas N. Hornsby	_____
Commissioner Andreana Jackson	_____

**APPROVED ON FIRST READING** during a regular session of the North Bay Village Commission Meeting this \_\_\_ day of \_\_\_\_\_ 2017.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its enactment. This motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

**FINAL VOTE ON ADOPTION:**

Mayor Connie Leon-Kreps \_\_\_\_\_  
Vice Mayor Eddie Lim \_\_\_\_\_  
Commissioner Jose R. Alvarez \_\_\_\_\_  
Commissioner Dr. Douglas N. Hornsby \_\_\_\_\_  
Commissioner Andreana Jackson \_\_\_\_\_

**PASSED AND ENACTED** by the Commission of North Bay Village this \_\_\_\_  
day of \_\_\_\_\_ 2017.

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

**ATTEST:**

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

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

\_\_\_\_\_  
Robert L. Switkes & Associates, P.A.  
Village Attorney



## North Bay Village

Administrative Offices

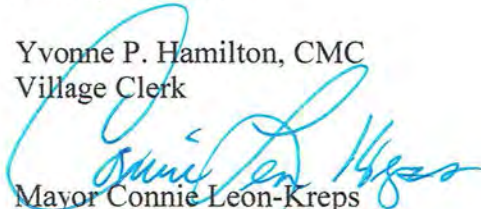
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: [www.nbvillage.com](http://www.nbvillage.com)

### MEMORANDUM North Bay Village

**DATE:** January 30, 2017

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

**FROM:**   
Mayor Connie Leon-Kreps

**SUBJECT:** Introduction of Ordinance

---

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

**AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, SECTION 32.30 OF THE VILLAGE CODE, BY ALLOWING VILLAGE COMMISSIONERS TO SERVE AS EX OFFICIO MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

CLK:yph

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Jose R. Alvarez

Commissioner  
Dr. Douglas N. Hornsby

Commissioner  
Andreana Jackson

## ARTICLE VI. - BOARDS

### 6.01. - Advisory boards.

The Commission may by ordinance establish advisory boards to assist the Commission or the Village. Advisory board members must be either residents of the Village, or owners of businesses located within the confines of the Village, or designees of such business owners. Advisory Board members shall serve a two (2) year term concurrent with the regular scheduled election of the Commission. A majority of the members of each advisory board must be residents of the Village. The Commission may appoint ex officio non-voting members to the board who do not meet the requirements set forth above. The members of advisory boards shall serve without compensation and may be removed at any time by a majority vote of the entire Commission. The Commission may also terminate any advisory board at any time that it deems that such board has fulfilled its purpose. Any vacancy occurring on an advisory board shall be filled within 30 days of the occurrence of the vacancy, in the same manner as the original appointment.

(Res. No. 2000-41, 11-8-00, Election of 11-7-00)

### 6.02. - Civil service.

#### A. *Civil Service Board.*

1. The Commission may by ordinance establish a civil service system and appoint the members, other than employee members, to the Civil Service Board, who are registered voters. Such ordinance shall provide the duties, responsibilities, terms of membership and conditions for removal of members from the Civil Service Board as well as all other terms and provisions of the civil service system.

#### B. *Employees covered by collective bargaining agreement.*

Any civil service system established by ordinance and the civil service rules and regulations adopted pursuant thereto shall not apply to nor be maintained for regular employees in the classified service who are covered by a collective bargaining agreement, unless otherwise provided in such agreement.

### 6.03. - Planning and Zoning Board.

- A. The Commission shall establish by ordinance a Planning and Zoning Board. Such ordinance shall provide the powers, duties, responsibilities, terms of membership, length of terms, and conditions for removal of members of the Planning and Zoning Board.
- B. Where the Planning and Zoning Board by unanimous vote of its full membership has presented a negative recommendation to the Village Commission relating to a request for a variance or special use exception, it shall require the Village Commission to act by at least four (4) affirmative votes in order to grant such request for variance or special use exception.

(Res. No. 2000-41, 11-8-00, Election of 11-7-00)



(B) above and authorize the construction activity at times other than allowed herein only as is necessary to meet the emergency.

(1964 Code, § 13-8(8); Ord. 198, passed 7-19-67; Am. Ord. 83-18, passed 9-28-83; Am. Ord. 84-07, passed 8-28-84)

**Cross reference**—General penalty for Code violations, § 10.99.

**§ 96.16 Blowers, fans, and engines.**

It shall be unlawful to operate or cause to be operated any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noises due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noises, so that the same shall not cause annoyance to the public or disturb the rest and quiet of persons residing or occupying property near enough thereto to be annoyed by the unmuffled blower, fan, or exhaust of any such engine.

(1964 Code, § 13-8(9); Ord. 198, passed 7-19-67)

**Cross reference**—General penalty for Code violations, § 10.99.

**§ 96.17 Motorboats to have mufflers.**

It shall be unlawful for any person to operate, or for the owners of any motorboat or outboard motorboat to permit same to be operated upon any river, bay or waterway in the Village, unless such motorboat or outboard motorboat is equipped with an adequate muffler, which muffler shall not be open or cutout while the boat is being operated. However, in the case of a sanctioned race, permission may be granted by the Village Manager to operate motorboats without mufflers.

(1964 Code, § 13-8(10); Ord. 198, passed 7-19-67)

**Cross reference**—General penalty for Code violations, § 10.99.

**§ 96.18 Motor vehicle burglar alarms.**

(A) Definition. The following term shall have the following meaning for purposes of this section:

"Alarm system" shall mean a motor vehicle siren or horn alarm system contained in or appurtenant to a motor vehicle, designed to activate and sound in the event of a break in or attempted invasion of the vehicle.

(B) It shall be unlawful for any motor vehicle equipped with an alarm system to activate and emit a siren or horn noise, audible at the distance of 100 feet intermittently or continuously within a period in excess of 15 minutes between the hours of 11:00 p.m. and 7:00 a.m.

(C) Any person who owns or has custody of any such offending motor vehicle shall be deemed in violation of this section and upon the first occurrence, receive a warning that a subsequent occurrence within 120 days shall result in enforcement action under Chapter 153 and subject to a civil penalty of up to \$100.00.

(D) Any duly designated law enforcement officer and code enforcement officer is authorized and empowered to enter without force upon private property in order to detect and issue a citation and/or notice of violation to and upon any person who violates the provisions of this section. (Ord. No. 93-12, § 1, 10-12-93)



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

#10A

### MEMORANDUM

**DATE:** February 1, 2017

**TO:** Mayor Connie Leon Kreps  
Vice Mayor Eddie Lim  
Commissioner Jose Alvarez  
Commissioner, Dr. Douglas N. Hornsby, M.D.  
Commissioner Andreana Jackson

**FROM:** Frank K. Rollason  
Village Manager

**SUBJECT:** Appointment of Members to the Village's Advisory Boards/Committee

---

The attached applications have been received from individuals who wish to serve on the Village's Advisory Boards. Pursuant to Section 6.01 of the Village Charter, Advisory Board Members must be either residents of the Village, or owners of businesses located within the confines of the Village, or designee of such business owners. A majority of the Board Members must be residents of the Village.

Animal Control Advisory Board (The Board is to consist of five (5) members residing at any location within the Village.)

1. Maria De La Cruz Marquez Arrechea  
7545 East Treasure Drive
2. Javier D. Andreu  
1801 South Treasure Drive
3. Ruth Prado, 6900 Bay Drive  
Miami Beach, Florida
4. Sarah Mauer  
1865 Kennedy Causeway

Business Development Advisory Board (5 Members from any location within the Village, including Business Owners)

1. Laura Cattabriga, 7430 Center Bay Drive

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Jose R. Alvarez

Commissioner  
Dr. Douglas N. Hornsby

Commissioner  
Andreana Jackson  
Page 107

The following members were previously appointed:  
Miguel Angel Barbagallo, Business Owner  
1555/1755 Kennedy Causeway  
Carlos G. Rodriguez, 7421 Center Bay Drive

**Citizens Budget & Oversight Board.** This Board shall consist of five (5) Members – one member from North Bay Island, one member from Harbor Island, one member from Treasure Island, and two at-large members. Applicants' qualifications: Bachelor's Degree or higher in Finance, Accounting, or Business Administration or equivalent or a minimum of four years' experience.

1. Laura Cattabriga  
7430 Center Bay Drive
2. Mary Kramer  
7610 Coquina Drive

Carlos G. Rodriguez, 7421 Center Bay Drive, is the only member on the board.

**Community Enhancement Board.** This Board shall consist of five (5) members from any location within the Village.

1. Ana Watson  
7945 East Drive

The following members were previously appointed:  
Aniley Perez, of 7900 Harbor Island Drive  
Johnny Walker, of 1900 South Treasure Drive

**Signage Review Committee.** The Signage Review Committee shall consist of five (5) members. Two (2) members are to have expertise in architecture and design, one member with artist work background, and two at-large community members.

1. Ana Watson  
7945 East Drive

In accordance with Section 32.02(B) of the Village Code, appointments shall be made by a majority vote of the Commission.

/yph

Attachments: Advisory Board Applications



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

### BOARD/COMMITTEE APPLICATION

NAME MARIA DE LA CRUZ MARQUEZ ARRECHEA DATE 01/11/17

MAILING ADDRESS 7545 EAST TREASURE DR APT 10 C

EMAIL macdurazhito@hotmail.com TELEPHONE # 786 344 9532

VILLAGE RESIDENT: YES  NO

HOW MANY YEARS 2

BUSINESS OWNER: YES  NO

PAST OR PRESENT

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

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

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD

COMMUNITY ENHANCEMENT BOARD

ARTS, CULTURAL & SPECIAL EVENTS BOARD

PLANNING & ZONING BOARD

BUSINESS DEVELOPMENT ADVISORY BOARD

YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

SPECIAL NEEDS ADVISORY BOARD

SIGNAGE REVIEW COMMITTEE

ARE YOU AVAILABLE FOR EVENING MEETINGS?

YES

NO

HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE?

YES

NO

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE?

YES

NO

ARE YOU A REGISTERED VOTER?

YES

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)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

→ Please see attached.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).

**Maria de la Cruz Marquez Arrechea**  
**7545 east treasure dr apt 10C**  
**North bay village, FL 33141**

## **BOARD APPLICATION**

### **Summary of work and civic experience**

I work in the hospitality industry and I have a Major in tourism and Hospitality from Palermo University in Buenos Aires city.

I'm a member of the cat network and I have been working as a volunteer responsibly feeding stray cats in my area since I moved to the village two years ago.

I also participate in the TNR program sometimes with Doctor Javier and some others using the cat network meow mobile, Animal services or the Humane society. I have been able to fix more than 50 cats in this past year and I noted how the population is now smaller and totally under control.

I do also volunteer at the Cat network trapping for Miami beach area.

I think I qualify to be a member of this board because I have study cat behavior for years now and I think I can share my knowledge with this group in order to be able to meet both positions half way, organize this situation and keep every neighbor happy. Thank you for the opportunity.



# North Bay Village

Administrative Offices  
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APR 05 2017 8:50 AM

*Myself*

## BOARD/COMMITTEE APPLICATION

NAME Javier D Andrew DATE 1-12-17

MAILING ADDRESS petsandvets ac @ Gmail. com

EMAIL 1801 S Treasure Dr Apt 526 TELEPHONE # 305-861-1113

VILLAGE RESIDENT: YES  NO  HOW MANY YEARS 2y

BUSINESS OWNER: YES  NO  PAST OR PRESENT P

NAME AND ADDRESS OF BUSINESS Pets & Vets Animal Clinic  
700-71st Street. MIAMI BEACH, FL 33141

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

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD	<input checked="" type="checkbox"/>	COMMUNITY ENHANCEMENT BOARD	<input type="checkbox"/>
ARTS, CULTURAL & SPECIAL EVENTS BOARD	<input type="checkbox"/>	PLANNING & ZONING BOARD	<input type="checkbox"/>
BUSINESS DEVELOPMENT ADVISORY BOARD	<input type="checkbox"/>	YOUTH & EDUCATION SERVICES BOARD	<input type="checkbox"/>
CITIZENS BUDGET AND OVERSIGHT BOARD	<input type="checkbox"/>	SPECIAL NEEDS ADVISORY BOARD	<input type="checkbox"/>
SIGNAGE REVIEW COMMITTEE	<input type="checkbox"/>		

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES  NO

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

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES  NO

ARE YOU A REGISTERED VOTER? YES  NO

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

I am a veterinarian 9 years of experience. Working  
with community feral cats program for over 3 years

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)

My knowledge and experience as a vet, and my work  
with feral cat population will help to control  
not only the amount of cat, but also the transmission  
of zoonotic diseases to humans.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).



# North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

## BOARD/COMMITTEE APPLICATION

NAME RUTH PRADO DATE JAN 11, 2017

MAILING ADDRESS 6900 BAY DRIVE 6L, MIAMI BEACH, FL 33141

EMAIL ruthpra@hotmail.com TELEPHONE # 786 262-7004

VILLAGE RESIDENT: YES \_\_\_\_\_ NO X HOW MANY YEARS \_\_\_\_\_

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

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

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

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD	<input checked="" type="checkbox"/>	COMMUNITY ENHANCEMENT BOARD	<input type="checkbox"/>
ARTS, CULTURAL & SPECIAL EVENTS BOARD	<input type="checkbox"/>	PLANNING & ZONING BOARD	<input type="checkbox"/>
BUSINESS DEVELOPMENT ADVISORY BOARD	<input type="checkbox"/>	YOUTH & EDUCATION SERVICES BOARD	<input type="checkbox"/>
CITIZENS BUDGET AND OVERSIGHT BOARD	<input type="checkbox"/>	SPECIAL NEEDS ADVISORY BOARD	<input type="checkbox"/>
SIGNAGE REVIEW COMMITTEE	<input type="checkbox"/>		

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

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

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

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

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

After becoming an icon in the community as being one of the feeders and being approached by the City Manager, Mr. Frank Rollason, I became the liaison between the City of North Bay Village and members of the Cat Network and other organizations that helped implement the TNR program with Dr. Javier Andreu.

At this point more than 80 cats have been trapped and neutered. Out of the 80, over 25 have been adopted.

I was able to identify most feeders in the area and have been their point of contact 24/7 in case of emergencies. I was able to speak to some of the feeders about being responsible and keep the feeding areas clean.

Other services I have provided as volunteer these past years are:

- removal dead cats
- transportation to and from the veterinary's office and adoption places
- personal care and facility to cats that need especial care after surgery
- medication when needed
- TNR
- domesticating kittens and finding them a home
- database that identifies the cats by name, location, gender, etc. .

**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)

- My involvement as part of the committee will be to further identify feeders and make sure they are in accordance with the City of North Bay Village's requirements involving cat feeding.
- Organize and promote workshops where residents will be able to learn about these creatures and the responsible and humane way to TNR.
- Speak at local schools to encourage students to be part of the TNR program
- Identify owners that refuse to TNR their cat promoting over population.
- Look for more volunteers to help with the TNR program
- 

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).





# North Bay Village

Administrative Offices  
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

## BOARD/COMMITTEE APPLICATION

NAME Sarah mauer DATE 1/12/16  
 MAILING ADDRESS 1865 79th St. SW, Apt. 15G  
 EMAIL sarah.mauer@hotmail.com TELEPHONE # (412)508-9049  
 VILLAGE RESIDENT: YES  NO  HOW MANY YEARS 2  
 BUSINESS OWNER: YES  NO  PAST OR PRESENT   
 NAME AND ADDRESS OF BUSINESS \_\_\_\_\_

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

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD	<input checked="" type="checkbox"/>	COMMUNITY ENHANCEMENT BOARD	<input type="checkbox"/>
ARTS, CULTURAL & SPECIAL EVENTS BOARD	<input type="checkbox"/>	PLANNING & ZONING BOARD	<input type="checkbox"/>
BUSINESS DEVELOPMENT ADVISORY BOARD	<input type="checkbox"/>	YOUTH & EDUCATION SERVICES BOARD	<input type="checkbox"/>
CITIZENS BUDGET AND OVERSIGHT BOARD	<input type="checkbox"/>	SPECIAL NEEDS ADVISORY BOARD	<input type="checkbox"/>
SIGNAGE REVIEW COMMITTEE	<input type="checkbox"/>		<input type="checkbox"/>

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES  NO   
 HAVE YOU EVER SERVED ON A VILLAGE BOARD/COMMITTEE? YES  NO   
 HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES  NO   
 ARE YOU A REGISTERED VOTER? YES  NO

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

Since graduating with a marketing degree in 2012, I've worked in the travel industry, first completing an internship at Walt Disney World Resorts, and then going on to work in the marketing departments at Carnival Cruise Line & Spirit Airlines.

As far as civic service goes, I am an elected precinct committee member of the Miami-Dade Democratic Executive Committee.

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)

See attached sheet

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).

Mayor Connie Leon-Kreps Vice Mayor Eddie Lim Commissioner Jose Alvarez Commissioner Dr. Douglas N. Hornsby Commissioner Andreana Jackson

Dear Village Commission,

Though I have only lived in North Bay Village for a little less than two years, I have been an extremely active, responsible, and instrumental citizen in regards to the feral cat issue. Shortly after moving to the Kennedy House, I noticed that there were several stray cats that lived in the parking lot. I ensured that all were fixed, had rabies shots and other current vaccinations, and even had to take one to have his tail removed after it was partially removed in an accident. Since day one, I have kept an eye out for the welfare of the neighborhood cats, as well as those of my neighbors, often stepping in to resolve disputes when it came to the cats.

Soon I was approached by others in the city who were taking care of larger colonies on Treasure Island. They asked me to assist them in trapping and neutering their colonies. I dedicated many a Saturday to getting up early, patiently waiting to trap cats, and driving them to the Meow Mobile or Miami Dade Animal Services.

In truth, I have never used the Village's TNR resources – I find it easier to get it done my own way. In working with the others, we have successfully TNR-ed hundreds of cats in the neighborhood. We keep track of our colonies and know them well, which enables us to easily spot new, sick, or pregnant cats.

Additionally, I have lots of ideas and connections that can greatly assist the Animal Control Advisory Board. I volunteered with The Cat Network, a local non-profit dedicated to serving community cats, for more than two years. I know people in the organization, and hope to coordinate having the Meow Mobile (their mobile spay and neutering unit) in North Bay Village. I have ideas on how we can do community outreach to educate everyone on TNR, ideas on how to get more residents to participate in the program, ideas on how to coordinate feeding stations to drive down complaints about litter, and much more.

I believe it is vital to have someone on this board who has worked extensively with community cats and has experience with trapping, neutering, and releasing. It is far more easier said than done. I am practical, young, hard-working, and made what I thought to be the most important point about the community cat situation at the last commission meeting – that, at the end of the day, we all want the same thing – to stabilize and reduce the feral cat population. I've already been working on this in the short time I've been living here. Please give me the opportunity to do more.

Thank you for your consideration!

Sincerely,

Sarah Mauer

## Yvonne Hamilton

---

**From:** Sarah Mauer <sarah.mauer@hotmail.com>  
**Sent:** Friday, January 13, 2017 5:17 PM  
**To:** Yvonne Hamilton  
**Subject:** Animal Control Advisory Board Application  
**Attachments:** SarahMauer\_BoardApplication.pdf; SarahMauer\_BackgroundStatement.docx; SarahMauer\_IncomeStatement.pdf; SarahMauer\_VoterRegistration.pdf

Good Evening Yvonne,

I wish to submit my application for a position on the Animal Control Advisory Board. Please find attached the following -

- Completed application
- Supplement for background statement
- Income statement (I found a form used for Miami Dade County, let me know if this is sufficient)
- Copy of my voter registration card (please let me know if this also suffices for my proof of residence, as I haven't updated my Driver's License for several years, it has an old address on it)

Let me know if I am missing anything, or if you have any questions at all.

Sincerely,

Sarah Mauer  
[sarah.mauer@hotmail.com](mailto:sarah.mauer@hotmail.com)  
(412) 508-9049



**North Bay Village**

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

**BOARD/COMMITTEE APPLICATION**

NAME Laura Cattabongia DATE 1/23/2017  
 MAILING ADDRESS 7430 Center Bay Dr. NBV  
 EMAIL Laura.Cattabongia@gmail.com TELEPHONE # 305-481-5588  
 VILLAGE RESIDENT: YES X NO \_\_\_\_\_ HOW MANY YEARS 14  
 BUSINESS OWNER: YES X NO \_\_\_\_\_ PAST OR PRESENT \_\_\_\_\_  
 NAME AND ADDRESS OF BUSINESS Polaris Business Advisors  
Core Orthopedics (Home Address)

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

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

COMMUNITY ENHANCEMENT BOARD

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

ARTS, CULTURAL & SPECIAL EVENTS BOARD

PLANNING & ZONING BOARD

BUSINESS DEVELOPMENT ADVISORY BOARD

YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

SPECIAL NEEDS ADVISORY BOARD

SIGNAGE REVIEW COMMITTEE

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

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

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

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

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

I am currently a Chief Operations Officer for a Medical Device Co  
I have helped start, plan & manage several businesses. I have  
experience of finance & management

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 experience managing organizations, reviewing financial statements  
and growing business.  
My advisory experience has taught me to use good questions and analyze  
data.

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Jose R. Alvarez

Commissioner  
Dr. Douglas N. Hornsby

Commissioner  
Andreana Jackson



RECEIVED FEB 01 2017

### North Bay Village

Administrative Offices  
1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### BOARD/COMMITTEE APPLICATION

NAME Jan Watson DATE 2.1.17

MAILING ADDRESS 7945 EAST DR. #104

EMAIL WATSONISLAND@gmail.com TELEPHONE # 786.468.7168

VILLAGE RESIDENT: YES  NO  HOW MANY YEARS

BUSINESS OWNER: YES  NO  PAST OR PRESENT

NAME AND ADDRESS OF BUSINESS N/A

HOW LONG HAVE YOU BEEN OPERATING IN THE VILLAGE? N/A

CHECK THE BOARD COMMITTEE YOU WOULD LIKE TO SERVE ON:

ANIMAL CONTROL ADVISORY BOARD

COMMUNITY ENHANCEMENT BOARD

ARTS, CULTURAL & SPECIAL EVENTS BOARD

PLANNING & ZONING BOARD

BUSINESS DEVELOPMENT ADVISORY BOARD

YOUTH & EDUCATION SERVICES BOARD

CITIZENS BUDGET AND OVERSIGHT BOARD

SPECIAL NEEDS ADVISORY BOARD

SIGNAGE REVIEW COMMITTEE

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES  NO

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

HAVE YOU EVER BEEN A VILLAGE EMPLOYEE? YES  NO

ARE YOU A REGISTERED VOTER? YES  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)

---

---

---

---

(All Board Members are required to disclose their Financial Interest annually. Additionally, at least four hours of Ethics Training are required for all Board members during their term of Office.) Planning & Zoning Board Members complete Form 1, Statement of Financial Interest and other Boards Members complete "Source of Income Statement". Verification of residency and North Bay Village Voter is required (Voter Registration Card/Driver License/ID).

Mayor  
Connie Leon-Kreps

Vice Mayor  
Eddie Lim

Commissioner  
Jose Alvarez

Commissioner  
Dr. Douglas N. Hornsby

Commissioner  
Andreana Jackson

## **ARTICLE VI. – BOARDS**

### **6.01. - Advisory boards.**

The Commission may by ordinance establish advisory boards to assist the Commission or the Village. Advisory board members must be either residents of the Village, or owners of businesses located within the confines of the Village, or designees of such business owners. Advisory Board members shall serve a two (2) year term concurrent with the regular scheduled election of the Commission. A majority of the members of each advisory board must be residents of the Village. The Commission may appoint ex officio non-voting members to the board who do not meet the requirements set forth above. The members of advisory boards shall serve without compensation and may be removed at any time by a majority vote of the entire Commission. The Commission may also terminate any advisory board at any time that it deems that such board has fulfilled its purpose. Any vacancy occurring on an advisory board shall be filled within 30 days of the occurrence of the vacancy, in the same manner as the original appointment.

(Res. No. 2000-41, 11-8-00, Election of 11-7-00)

•

**\RESOLUTION NO. 2015-53**

**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)**

**WHEREAS**, the Village Commission recognizes the need for signage uniformity in the Village, particularly along the Kennedy Causeway, to enhance the aesthetic appeal of the community; and

**WHEREAS**, the Village Commission wishes to establish a Signage Review Committee to serve in an advisory capacity in developing a set of guidelines to help visually unify North Bay Village through implementation of coordinated signage elements.

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

**Section 1. Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference.

**Section 2. Establishment.** There is hereby created a Signage Review Committee for the Village.

**Section 3. Composition.** The Signage Review Committee shall consist of five (5) members: two members with expertise in architecture and design, one member with artist work background, and two at-large community members.

**Section 4. Qualifications.** The members of the Signage Review Committee shall be qualified electors of the Village or owners of businesses located within the confines of the Village or designees of such business owners as defined in the Charter. Resident members of the Committee shall also be and remain during their respective terms of office, residents of the Village.

**Section 5. Terms; removal from office.** Members of the Committee shall be appointed by the Village Commission, by a majority vote of the members present. Any member may be removed from the office by the Commission upon a majority vote of the Commission members present. The Committee shall terminate upon completion of the project.

**Section 6. Vacancies.** In the event that a vacancy shall occur on the Committee by resignation, removal, death, or for any other reason, a successor shall be appointed to fill the vacancy by a majority vote of the Commission members present.

**Section 7. Power and duties.** The Signage Review Committee shall be charged with the following duties:

1. Study the needs of the Village in reference to signage and establish major sign design/size criteria that are uniform in nature and reflect an aesthetic quality that will enhance North Bay Village.

2. Work closely with the Planning & Zoning Board and recommend sign design/size criteria that when finalized will reflect a consistent uniform sign code that will be presented to the Village Commission.

**Section 8. Officers.** The Signage Review Committee shall elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Committee, and shall be the representative of the Committee to the Planning & Zoning Board. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Committee suitable and proper accommodations for the transactions of the business of the Committee. The Committee shall submit Minutes of its meeting to the Planning & Zoning Board and the Village Commission monthly.

**Section 9. Meetings**

The Signage Review Committee shall hold regular monthly meetings at such time and place as the Committee may determine and may hold special meetings at any other time. All meetings shall be publicly noticed to residents, homeowners, and property owners by publication on the Village Bulletin Boards. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Committee, a special meeting shall be held upon written call of two other members of the Committee provided by email or mailed three days prior to the called meeting.

(A) All meetings of the Committee shall be open to the public and three members shall constitute a quorum.

(B) A majority vote of the Committee shall be required on a recommendations made to the Village Commission.

**Section 10. Effective Date.** This Resolution shall take effect immediately upon enactment.

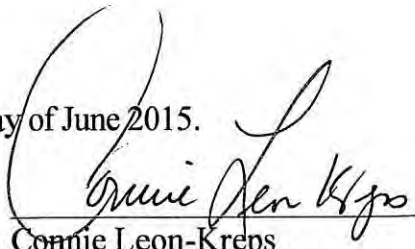
A motion to approve the foregoing Resolution was offered by Commissioner Richard Chervony, seconded by Commissioner Wendy Duvall.



**FINAL VOTES AT ADOPTION:**

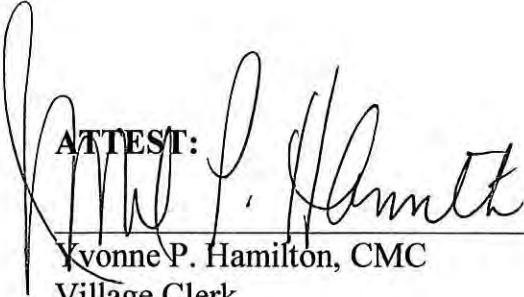
Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Eddie Lim	<u>Absent</u>

**DULY PASSED AND ADOPTED** this 9<sup>th</sup> day of June 2015.




Connie Leon-Kreps  
Mayor

**ATTEST:**



Yvonne P. Hamilton, CMC  
Village Clerk

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



Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Establishment of a Signage Review Committee.

## **Chapter 32 - DEPARTMENTS AND BOARDS**

### **GENERAL PROVISIONS**

- **§ 32.01 - Village Manager as appointing officer and head of Village Departments.**

(A)

The Village Manager is designated as the appointing officer of each and every Department within the classified service of the Village.

(1964 Code, § 2-1; Ord. 119, passed 1-30-57)

(B)

The Village Manager is designated and appointed as the head of the Police Department, Maintenance Department, Water Department, and Clerical Department of the Village. The Village Manager is hereby authorized, empowered, and instructed to direct the operations of each of the Departments.

(1964 Code, § 2-2; Ord. 118, passed 2-15-57)

- **§ 32.02 - Vacancies of membership on Village Boards.**

(A)

Upon a vacancy, for any reason, of a Village Commission appointed membership on any Village Board, the Village Commission shall appoint a new member to fill the vacancy within 30 days of the occurrence of vacancy, or the next regular Village Commission meeting, whichever later occurs.

(B)

Appointment of members to the various Boards of the Village, on their annual appointment or otherwise, shall be from a list of nominees. The Mayor and each Commissioner shall be entitled to nominate, without the necessity for a second, as many nominees as they desire. The Mayor and each Commissioner shall be entitled to vote for as many seats as are vacant and for which the Commission may make an appointment. The Mayor and the Commissioners shall vote by stating the names of their selections. Nominees receiving a vote from a majority of the Commission shall be appointed. Successive votes may be taken if required to select a nominee by a majority vote until each vacancy has been filled.

(C)

If a member of any Board fails to attend two consecutive meetings without prior notification or fails to attend five meetings during a 12-month period, the Board, upon a majority vote, may request the Village Commission to remove the member and to appoint a successor for the unexpired term.

(Ord. 82-10, passed 12-22-82; Ord. No. 02-05, § 1, 3-12-02)

- **§ 32.03 - Reserved.**

**Editor's note**— Ord. No. 04-04, adopted Feb. 17, 2004, has been treated as superceding the provisions of [§ 32.03](#). Formerly, said section pertained to conclusion of term of all Village Boards as enacted by Ord. No. 83-09, adopted April 13, 1983; as amended.

- **§ 32.04 - Reserved.**

**Editor's note**— Ord. No. 04-04, adopted Feb. 17, 2004, has been treated as superceding the provisions of [§ 32.04](#). Formerly, said section pertained to nonresident appointments to Village Boards as enacted by Ord. No. 86-02, adopted May 27, 1986.

- **COMMUNITY ENHANCEMENT BOARD<sup>III</sup>**

- **§ 32.10 - Establishment.**

In order to enhance the aesthetic appeal of this community by properly exercising its police power in accordance with the provisions of the Florida Home Rule Power Act, and recognizing the value of scenic surroundings to tourists, prospective residents, and commercial developments, as well as the citizens and taxpayers of the Village, and further to preserve the quality of the environment which is a legitimate concern of the Village Commission, there is established a permanent Community Enhancement Board of the Village, it being understood that this Board and the powers and responsibilities granted it pursuant to this subchapter shall be in addition to any existing laws and remedies which presently exist or shall be enacted in the future.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.11 - Composition.**

There is hereby created the North Bay Village Community Enhancement Board which shall consist of five members who may reside at any location within the Village, or owners of businesses located within the confines, or designees of such business owners; all of whom shall serve for a period of two years concurrent with the regular scheduled election of the Commission as provided in [Section 6.01](#) of the Charter.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.12 - Qualifications.**

The members of the Community Enhancement Board shall be appointed and shall be qualified electors of the Village or owners of businesses located within the confines of the Village, or designees of such business owners as defined in the Charter. Resident members of the Board shall also be and remain during their respective terms of office, residents of the Village.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.13 - Terms; removal from office.**

Members of the Board shall be appointed by the Village Commission, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new Board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.14 - Vacancies.**

In the event that a vacancy shall occur on the Board by resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04)

- **§ 32.15 - Power and duties.**

The Community Enhancement Board shall be charged with the following duties:

(1)

To continually study the needs of the entire Village for floral landscaping, including the entrances of the several islands and the median strips, including both privately owned and publicly owned property.

(2)

Determine the existence of alleged violations of law which adversely affect the aesthetics of the Village.

(3)

Entertain complaints from citizens regarding existence of conditions which are detrimental to the aesthetic values and quality of life of the Village.

(4)

To file a report of its activities with the Village Commission and the Village Manager, including the recommendations to the Commission for the beautification of the Village at least once per year.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 05-04, 3-15-05; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.16 - Officers.**

The Community Enhancement Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and the Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead. The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager monthly.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **§ 32.17 - Meetings; quorum; voting period.**

(A)

The Community Enhancement Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be publicly noticed to residents, homeowners, and property owners by publication on the Village bulletin boards. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

(B)

All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C)

A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 04-04, 2-17-04; Ord. No. 04-12, 6-8-04; Ord. No. 2013-08, § 2, 10-8-13)

- **CIVIL SERVICE BOARD**

- **§ 32.20 - Establishment.**

For provisions concerning the Civil Service Board, see [§ 33.021](#).

- **PLANNING AND ZONING BOARD**

- **§ 32.30 - Creation; members.**

(A)

*Created; composition.* A Planning & Zoning Board is hereby created which shall be composed of five members to be appointed by the Village Commission. The Board shall be composed of one member from North Bay Island, one member from Harbor Island, one member from Treasure Island and two at-large members.

(B)

*Qualifications of members.* The members of the Board shall be appointed and shall be qualified electors of the Village as defined in the Charter, and shall also be and remain during their respective terms of office, residents of the Village.

(C)

*Terms, vacancies, removal from office.* The original members of the Board shall be appointed by the Village Commission at the meeting in which this section is finally adopted. Members of the Board shall be appointed by the Village Commission for a term of two years.

(D)

*Participation of ex officio members.* The Mayor and the Village Manager shall serve as ex officio members of the Planning and Zoning Board; however, their participation in matters before the Board shall be limited to discussion and their presence shall not constitute a quorum in the absence of other members, nor shall they be entitled to vote or otherwise participate in making recommendations to the Village Commission.

(1964 Code, § 2-40; Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76; Ord. No. 04-15, 7-27-04)

**State Law reference**— Municipal planning and zoning, F.S. § 163.01 et seq.

- **§ 32.31 - Vacancy.**

In the event that a vacancy shall occur on the Planning and Zoning Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term of the member. Any member may be removed from office by the Village Commission upon majority vote of the Commission.

(1964 Code, § 2-40(c); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

- **§ 32.32 - Officers.**

The Planning and Zoning Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. At all meetings the Vice-Chairman, in case of the absence of the Chairman, shall act in his stead. The Board shall designate its own Secretary and professional advisors, the compensation thereof to be fixed by the Village Commission.

(1964 Code, § 2-40(d); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

- **§ 32.33 - Meetings.**

The Planning and Zoning Board shall hold regular meetings at such time and place as the Mayor and Commission may establish by Resolution and may hold special meetings at any other time on written call of the Chairman, mailed three days prior to the called meeting. Notices of all meetings shall be sent to residents, home owners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairman shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting. All meetings of the Board shall be open to the public and three members shall constitute a quorum. A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(1964, Code, § 2-40(e); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76; Ord. No. 01-03, § 1, 3-27-01)

- **§ 32.34 - Powers; rules and regulations.**

(A)

The Planning and Zoning Board shall have the authority and duties set forth in [§ 152.101](#).

(B)

The Board shall adopt its own rules and regulations and rules of procedure including but not limited to rules and regulations in connection with the processing of applications for variances.

(1964 Code, § 2-40(f) and (g); Ord. 186, passed 6-2-65; Am. Ord. 275, passed 8-18-76)

- **§§ 32.40—32.44 - Reserved.**

Ord. No. 2015-008, § 2, adopted May 15, 2015, amended the Code by repealing former §§ 32.40—32.44 in their entirety. Former §§ 32.40—32.44 pertained to the police department, and derived from the 1964 Code, §§ 15-7—15-9; Ord. 2, adopted August 9, 1945; Ord. 241, adopted May 24, 1972; Ord. 81-13, adopted July 15, 1981; Ord. No. 2008-22, adopted October 14, 2008. For similar provisions, see [Ch. 39](#).

- **RENT CONTROL BOARD**

- **§ 32.50 - Establishment.**

For provisions concerning the Rent Control Board, see §§ 95.13 and 95.14.

- **ARTS, CULTURAL AND SPECIAL EVENTS BOARD**

- **§ 32.60 - Arts, Cultural and Special Events Board.**

An Arts, Cultural and Special Events Board is hereby created which shall be composed of five members, appointed by the Village Commission to serve at the pleasure of the Commission without compensation. Each member shall be appointed by a majority vote of the Village Commission.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

- **§ 32.61 - Qualification of members.**

The members of the Arts, Cultural and Special Events Board shall be appointed and shall be qualified electors of the Village as defined in the Charter and shall also be and remain during their respective terms of office, residents of the Village.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07)

- **§ 32.62 - Terms; vacancies; removed from office.**

Members of the Board shall be appointed by the Village Commission for a term of two years. In the event that a vacancy shall occur on the Board by reason or resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

- **§ 32.63 - Officers.**

The Arts, Cultural and Special Events Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead. The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager not later than two weeks after each meeting.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)



- **§ 32.64 - Meetings; quorum; voting period.**

(A)

The Arts, Cultural and Special Events Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be open to the public. All meetings shall be publicly noticed to residents, homeowners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

(B)

All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C)

A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

- **§ 32.65 - Powers and duties.**

(A)

The Arts, Cultural and Special Events Board shall be charged with the duty and responsibilities to act in an advisory capacity to the Village Commission and Village Manager in matters pertaining to the delivery of the following human services:

(1)

Recreation and park planning activities.

(2)

Program financing and services.

(3)

Physical components of outdoor and indoor leisure, cultural and recreational activities to meet the needs of as many kinds of people as possible.

(4)

Social services and other human resources program planning with special emphasis on the needs of residents of the Village.

(5)

Cooperate with all other similar governmental agencies and all public or private organizations working for the same or similar objectives.

(B)

The Board shall submit to the Village Manager and through him or her to the Village Commission interim reports as to the performance of its duties and responsibilities as set forth above.

(Ord. No. 05-05, 3-15-05; Ord. No. 07-03, § 1, 3-20-07; Ord. No. 2010-07, § 1, 12-14-10)

- **YOUTH AND EDUCATION SERVICES BOARD**

- **§ 32.66 - Youth and Education Services Board.**

A Youth and Education Services Board is hereby created which shall be composed of five members appointed by the Village Commission to serve at the pleasure of the Commission without compensation. Each member shall be appointed by a majority vote of the Village Commission.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **§ 32.67 - Qualification of members.**

The members of the Youth and Education Services Board shall be appointed with one member having a professional background in education and shall be at least 15 years in age and shall also be and remain during their respective terms of office, residents of the Village.

Minors between the ages of 15—17 must obtain parental consent and must be accompanied to the meeting by a parent.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **§ 32.68 - Terms; vacancies; removal from office.**

(A)

Members of the Board shall be appointed by the Village Commission for a term of two years to coincide with the Village's general election. In the event that a vacancy shall occur on the Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

(B)

Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **§ 32.69 - Officers.**

The Youth and Education Services Board shall annually, each by majority vote, elect one of its members as Chairman and one of its members as Vice-Chairman. The Chairman shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Manager as to the attendance of the meeting and submit the minutes of its meetings to the Village Manager no later than two weeks after each meeting.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **§ 32.70 - Meetings; quorum; voting period.**

(A)

The Youth and Education Services Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be open to the public. All meetings shall be publicly noticed to residents, homeowners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

(B)

All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C)

A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **§ 32.71 - Powers and duties.**

(A)

The Youth and Education Services Board shall be charged with the duty and responsibilities to act in an advisory capacity to the Village Commission and Village Manager in matters pertaining to the needs of the children and youth in the community including:

(1)

Recreation and park planning activities.

(2)

Physical components of outdoor and indoor leisure, cultural and recreational activities.

(3)

To advocate for the needs and involvement of the Village's children and youth in the community.

(4)

To promote the exchange of ideas and resources in order to better meet the needs of the children and youth in the Village.

(5)

To provide input and ideas as to educational programs and initiatives that affect the Village youth, including but not limited to the Treasure Island Elementary IB Program.

(Ord. No. 2010-08, § 1, 12-14-10; Ord. No. 2013-01, § 2, 1-8-13)

- **CITIZENS BUDGET AND OVERSIGHT BOARD**

- **§ 32.72 - Citizens Budget and Oversight Board.**

A Citizens Budget and Oversight Board is hereby created which shall be composed of five members appointed by the Village Commission to serve at the pleasure of the Commission without compensation. All members shall be appointed as provided in [Section 32.02](#). The Board shall be composed of one member from North Bay Island, one member from Harbor Island, one member from Treasure Island, and two at-large members.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

- **§ 32.73 - Qualification of members.**

The members of the Citizens Budget and Oversight Board shall be appointed and shall be qualified electors of the Village as defined in the Charter. Qualified electors shall also be and remain during their respective term of office, residents of the Village and the geographic area they represent. Applicants must possess a Bachelor's Degree or higher in either Finance, Accounting, or Business Administration or equivalent or a minimum of four years' experience.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

- **§ 32.74 - Terms; vacancies; removal from office.**

(A)

Members of the Board shall be appointed by the Village Commission, for a term of two years concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new Board is appointed after the election. Board members shall be appointed as soon as possible after new Commissioners are sworn in to office. In the event that a vacancy shall occur on the Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member, based on the original appointment process.

(B)

Any member may be removed from the office by the Commission upon majority vote of the Commission.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

• **§ 32.75 - Officers.**

The Citizens Budget and Oversight Board shall annually, each by majority vote, elect one of its members as Chair and one of its members as Vice-Chair. The Chair shall chair the meetings of the Board, and shall be the representative of the Board to the Village Manager and Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chair shall act in his stead. The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board may designate its own Secretary and the Secretary shall make and furnish minutes of the Board's meetings.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

• **§ 32.76 - Meetings; quorum; voting period.**

(A)

The Citizens Budget and Oversight Board shall hold regular monthly meetings, unless the Board chooses not to meet in a particular month, at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be open to the public. All meetings shall be publicly noticed to residents, homeowners, and property owners in accordance with the current practice of the Village Clerk in noticing meetings of the Village Commission. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board by postal mail or by email three days prior to the called meeting.

(B)

All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C)

A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

• **§ 32.77 - Powers and duties.**

(A)

The Citizens Budget and Oversight Board shall be charged with the duty and responsibilities to act in an advisory capacity to the Village Commission and Village Manager in matters pertaining to delivery of the following services:

- (1) Examine and analyze the budget.
- (2) Hold monthly meetings as needed.
- (3) Present reports to the Commission indicating whether the expenditures match those promised during the bond campaign.
- (4) Review the annual performance audit to analyze whether the Bond funds have been expended only for the specified project.
- (5) Examine, analyze, and make recommendations on the preliminary budget to the Commission.

(Ord. No. 2010-09, § 1, 12-14-10; Ord. No. 2013-07, § 2, 10-10-13)

- **BUSINESS DEVELOPMENT ADVISORY BOARD**

- **§ 32.78 - Establishment.**

A Business Development Advisory Board is hereby created to establish a dialog with existing members of the North Bay Village business community and to provide recommendations for the recruitment of new commerce to become part of the Village.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.79 - Composition.**

There is hereby created the North Bay Village Business Development Advisory Board which shall consist of five members who may reside at any location within the Village, or owners of businesses located within the confines, or designees of such business owners; all of whom shall serve for a period of two years concurrent with the regular scheduled election of the Commission as provided in § 6.01 of the Charter.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.80 - Qualifications.**

The members of the Business Development Advisory Board shall be appointed and shall be qualified electors of the Village or own or operate a business within the Village for a minimum of one year. Resident members of the Board shall also be and remain during their respective

terms of office, residents of the Village and shall have been a resident of North Bay Village for a minimum of two years.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.81 - Terms; removal from office.**

Members of the Board shall be appointed by the Village Commission pursuant to [Section 32.02](#) of the Village Code, by a majority vote of the members present, concurrent with the regular scheduled election of the Commission; however, in order to maintain continuity, members shall serve until the new board is appointed after the election. Any member may be removed from the office by the Commission upon majority vote of the Commission members present.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.82 - Vacancy.**

In the event that a vacancy shall occur on the Board by resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member by a majority vote of the Commission.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.83 - Power and duties.**

The Business Development Advisory Board shall be charged with the following duties:

- (1) Appoint its own chair and vice-chair;
- (2) Appoint a secretary, who shall keep an accurate record of the Board's Meetings;
- (3) Provide monthly written reports containing its activities and recommendations concerning the economic development of the Village, including but not limited to, the existing business environment in the Village and what measures the Commission and Village staff may take to attract businesses to the Village.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.84 - Officers.**

The Business Development Advisory Board shall annually, each by majority vote, elect one of its members as Chair and one of its members as Vice-Chair. The Chair shall chair the meetings

of the Board, and shall be the representative of the Board to the Village Commission. In the case of the absence of the Chair at any meetings, the Vice-Chair shall act in his stead.

The Village Manager is directed and authorized to furnish, supply, and make available to the Board suitable and proper accommodations for the transactions of the business of the Board. The Board shall designate its own secretary and the Secretary shall make and furnish minutes of the Board's meetings and shall report to the Village Commission as to the attendance of the meeting and submit the minutes of its meetings to the Village Commission monthly.

(Ord. No. 2014-06, § 2, 7-8-14)

- **§ 32.85 - Meetings; quorum; voting period.**

(A)

The Business Development Advisory Board shall hold regular monthly meetings at such time and place as the Board may determine and may hold special meetings at any other time. All meetings shall be publicly noticed to residents, homeowners, and property owners by publication on the Village's bulletin board or website. In the event that the Chairperson shall fail to call a special meeting, upon request of any member of the Board, a special meeting shall be held upon written call of two other members of the Board mailed three days prior to the called meeting.

(B)

All meetings of the Board shall be open to the public and three members shall constitute a quorum.

(C)

A majority vote of the Board shall be required on all recommendations made to the Village Commission.

(Ord. No. 2014-06, § 2, 7-8-14)

- **SPECIAL NEEDS ADVISORY BOARD**

- **§ 32.86 - Created.**

A Special Needs Advisory Board (the "Board") is hereby created which shall be composed of three members appointed by the Village Commission to serve at the pleasure of the Commission. Each member shall be appointed by a majority vote of the Village Commission.

(Ord. No. 2015-001, § 2, 1-13-15)

- **§ 32.87 - Purpose.**



The Board will act in an advisory capacity to provide the Village Commission, Village Manager, and Village residents with information regarding matters pertaining to the needs of community residents with functional impairments, disabilities, and other such special needs, as well as seniors and children.

(Ord. No. 2015-001, § 2, 1-13-15)

- **§ 32.88 - Powers and duties.**

The powers and duties of the Board shall include the following:

- (1) Promote the exchange of ideas and resources in order to better meet the needs of residents with special needs;
- (2) Provide input and information as to government and/or private agencies that provide services for residents with special needs.

(Ord. No. 2015-001, § 2, 1-13-15)

- **§ 32.89 - Meetings; selections of officers.**

(A) The Board shall hold quarterly meetings to carry out its purpose and duties, as called by its Chairman or the Village Commission.

(B) The Board shall annually, each by majority vote, elect a Chairman and a Vice-Chairman from among its members. The Chairman shall chair meetings of the Board, and shall be the representative of the Board to the Village Manager and the Village Commission. In the case of the absence of the Chairman at any meetings, the Vice-Chairman shall act in his or her stead. The Board shall designate its own secretary, and the Secretary shall make and furnish minutes of the Board's meetings and submit the minutes of its meetings to the Village Manager monthly.

(Ord. No. 2015-001, § 2, 1-13-15)

- **§ 32.90 - Terms; vacancies; removal.**

(A) Members of the Board shall be appointed by the Village Commission for a term of two years to coincide with the Village's general election; however, in order to maintain continuity, members shall serve until the new board is appointed after the election. In the event that a vacancy shall occur on the Board by reason of resignation, removal, death, or for any other reason, a successor shall be appointed to fill the unexpired term for such member.

(B)

The Village Commission shall have the authority to remove any member of the Board for misconduct, or for more than three unexcused absences in any calendar year.

(C)

Members of the Board have a responsibility to keep confidential information confidential. If a member of the Board discloses confidential information, that member is acting outside his/her scope of authority and could be removed from the Board or be held personally liable for claims of defamation, invasion of privacy, violations of statute, etc.

(Ord. No. 2015-001, § 2, 1-13-15)

- **§ 32.91 - Sunset review.**

The Board shall have a Sunset Review by the Commission after one year from the date that the ordinance from which section 32.86—32.91 derived was adopted.

(Ord. No. 2015-001, § 2, 1-13-15)



## North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

#14

### VILLAGE MANAGER'S REPORT

TO

THE MAYOR AND MEMBERS OF THE VILLAGE COMMISSION

FEBRUARY 14, 2017

**1. FOLLOW-UP ON DIRECTION BY COMMISSION FOR FOLLOWING REQUESTED WORKSHOPS:**

- a. Cats
- b. Advisory Boards
- c. Need recommended dates/possibility of combining into one workshop?

**2. REQUEST FOR MOTION FROM THE COMMISSION:**

- a. Authorizing Manager to draft amendment to Ordinance No. 151.101 – Property Addresses as follows:
  - i. Section A.(1) which currently reads, “All numbers assigned to a property shall be clearly legible and shall be visible from the streets, alleys, and roadways, and waterways, except single-family residence addresses must be visible only from the street and roadways.”
  - ii. **PROPOSED NEW LANGUAGE:** “All Address Numbers assigned to a property shall be clearly legible and shall be visible from the streets, alleys, roadways, and waterways.
  - iii. Section A. (2) which currently reads, “Property numbers that are visible from any distance up to 100 feet from the centerline of the street or roadway, or alley fronting the property shall be no less than three inches high for single family dwellings and not less than six inches high for commercial and multi-family buildings.”
  - iv. **PROPOSED NEW LANGUAGE:** “Property Address Numbers are to be visible up to 100 feet from the centerline of the street, roadway, or alleyway fronting the property and shall be no less than three inches in height for single family dwellings and no less than six inches in height for commercial and multi-family buildings. Address Numbers on sea walls shall be no less than eight inches in height and be of a reflective material.”

Frank K. Rollason, Village Manager



## North Bay Village

#16A

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

### **OFFICIAL MINUTES** **REGULAR VILLAGE COMMISSION MEETING**

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

**TUESDAY, JANUARY 10, 2017**

**7:30 P.M.**

---

#### **1. CALL TO ORDER**

The meeting was called to order at 7:39 p.m. by Mayor Connie Leon-Kreps.

#### **1A. OATH OF OFFICE (BY JUDGE JAMES COLE CARTLEDGE)**

##### **A. DOUGLAS N. HORNSBY, M.D. AT-LARGE COMMISSIONER**

Judge Cartledge administered the "Oath of Office" to Commissioner Dr. Douglas Hornsby. The judge stated for the record that he was present on his own behalf and was not representing the U.S. Government.

A moment of silence was observed for the victims of the Ft. Lauderdale Airport Shooting that took place on January 8<sup>th</sup>.

#### **PLEDGE OF ALLEGIANCE**

Former Vice Mayor Reinaldo Trujillo led the Pledge of Allegiance.

#### **ROLL CALL**

Commissioner Jose Alvarez  
Commissioner Eddie Lim  
Mayor Connie Leon-Kreps  
Commissioner, Dr. Douglas Hornsby  
Commissioner Andreana Jackson

Also Present:

Village Manager Frank K. Rollason

Deputy Village Manager/HR Director Jenice Rosado

Village Attorney Robert L. Switkes

Finance Director Bert Wrains

Chief Carlos Noriega

Public Works Director Rodney Carrero-Santana

Village Clerk Yvonne P. Hamilton

Deputy Village Clerk Jenorgen M. Guillen

**2. A. PROCLAMATIONS AND AWARDS**

**1. NORTH BAY VILLAGE SCHOOL CHOICE WEEK**

The Mayor read a proclamation into the record declaring January 22-28, 2017 as “North Bay Village School Choice Week”.

**B. SPECIAL PRESENTATIONS**

**1. TAI CHI AND MEDITATION – KESENIJA CUTURILO**

Ms. Kesenija Cuturilo made a presentation to the Commission on Tai Chi and meditation in an effort to bring these teachings to the community with the assistance of the Village.

**C. ADDITIONS AND DELETIONS**

Mayor Connie Leon-Kreps requested that Item 10D be heard after “Good & Welfare” and to remove Item 6D from the “Consent Agenda” to be heard separately.

Mayor Connie Leon-Kreps made a motion to approve the Agenda as amended. Commissioner Andrea Jackson seconded the motion and all voted in favor.

**3. GOOD & WELFARE**

Jane Blake, of 7601 Coquina Drive, Mario Garcia, of 7540 Hispanola Avenue, Kathy Graham, Esquire, of Miami Beach, Maria Farrey, of 1315 Bay Terrace, Myerly Wolf, of 7611 Coquina Drive (provided exhibits on cat information), Mary Finklestead, Cat Network, Alvin Blake, of 7601 Coquina Drive, Sarah Mauer, of 1865 Kennedy Causeway, Reinaldo Trujillo, property owner at 7601 East Treasure Drive, Theresa Andrews, of 7800 N.E. Bayshore Court, representative of Miami-Dade County TNR, Javier Andreu, of 1801 South Treasure Drive, Cicilia Veloz, of 7504 Bounty Avenue, Gudrin Volker, of 7517 Cutlass Avenue, and Allen Weiner, of 7941 West Drive, addressed the Commission.

**10. NEW BUSINESS**

**A. APPOINTMENT OF VICE MAYOR (PURSUANT TO SECTION 3.05(B) OF THE VILLAGE CHARTER.**

Commissioner Dr. Douglas N. Hornsby made a motion to elect Eddie Lim as the Vice Mayor. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Commissioner Dr. Douglas N. Hornsby all voting Yes.

**4. GRANT WRITER'S REPORT**

The Grant Writer, Lakeesha Morris, President & CEO of BellTower Consulting Group, was not present at the meeting.

**5. ADVISORY BOARD REPORTS**

**A. ARTS, CULTURAL & SPECIAL EVENTS BOARD  
None**

**B. BUSINESS DEVELOPMENT ADVISORY BOARD  
None**

**C. CITIZENS BUDGET & OVERSIGHT BOARD  
None**

**D. COMMUNITY ENHANCEMENT BOARD  
None**

**E. PLANNING & ZONING BOARD  
None**

**F. YOUTH & EDUCATION SERVICES BOARD  
None**

**6. CONSENT AGENDA: (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be adopted 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, ADOPTING A FISCAL SUSTAINABILITY ANALYSIS AND ASSET MANAGEMENT PLAN FOR NORTH BAY VILLAGE; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
  
- B. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PURCHASE OF 30 ACTIVE SHOOTER VESTS, UNDER THE SOLE SOURCE PROVISION, FROM ATS ARMOR, PURSUANT TO SECTION 36.25(H) OF THE VILLAGE PURCHASING REGULATIONS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**
  
- C. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION AND DISBURSEMENT OF \$22,232 FROM THE STATE FORFEITURE ACCOUNT (FUND 105) TOWARDS THE PURCHASE OF ACTIVE SHOOTER VESTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

Mayor Connie Leon-Kreps made a motion to approve the Consent Agenda. Commissioner, Dr. Douglas N. Hornsby seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas N. Hornsby and Mayor Connie Leon-Kreps all voting Yes.

Item 6D was removed from the Consent Agenda, by Mayor Connie Leon-Kreps, to be discussed separately.

- D. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA EXTENDING THE ENGAGEMENT OF KEEFE, MCCULLOUGH & CO., LLP, A CERTIFIED PUBLIC ACCOUNTANT, TO CONDUCT THE ANNUAL FINANCIAL AUDITS FOR THE FISCAL YEARS ENDING SEPTEMBER 30, 2017 AND SEPTEMBER 30, 2018; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; 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.

There was discussion on the length of time that Keefe, McCullough & Co., LLP has served the Village, as well as on a previous Resolution to limit the service of the auditors to three (3) years. The Village Attorney explained the Resolution, and the Finance Director Bert Wrains discussed the RFP process and the current agreement with the auditor for two (2) one-year renewal options.

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

The Mayor opened the floor to public comments.

Reinaldo Trujillo, property owner at 7601 E. Treasure Drive, addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 3-2 roll call vote. The vote was as follows: Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Vice Mayor Eddie Lim all voting Yes. Commissioner Dr. Douglas Hornsby and Mayor Connie Leon-Kreps voted No.

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

There were no ordinances or resolutions for first reading.

At this time the Village Attorney Robert L. Switkes advised the Commission and the public on the procedures for quasi-judicial hearings, pursuant to Chapter 29 of the Village Code. The members of the Commission indicated that there were no conflicts or ex parte communications regarding the public hearing items. The Village Attorney also swore in those individuals who indicated that they would provide testimony.

8. **PUBLIC HEARINGS ITEMS INCLUDING ORDINANCES FOR SECOND READING**

- A. **A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PERMITTING CONSTRUCTION OF A DOCK STRUCTURE, PURSUANT TO SECTION 150.11(F) OF THE VILLAGE CODE OF ORDINANCES, FOR THE CONSTRUCTION OF A DOCK At 7800 MIAMI VIEW DRIVE; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**



The Village Clerk read the Resolution by title.

The Village Planner, Jim LaRue, of LaRue Planning & Management Services, Inc., presented the Staff Report recommending approval of the request with the following conditions being met prior to issuance of a Building Permit:

1. Verification of the 5-foot height restriction at the time of building permit issuance.
2. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
3. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
4. Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit 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.
5. Authorization or issuance of a building permit by the Village 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 issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

The contractor and representative for the property owner, Robert Rossi, of Southern Marine Construction, accepted the conditions of approval and indicated that the seawall has been repaired.

The Mayor opened the Public Hearing. There being no other speakers, she closed the Public Hearing.

Mayor Connie Leon-Kreps made a motion to approve the request with the conditions set forth herein and agreed to by Mr. Robert Rossi. Vice Mayor Eddie Lim seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas N. Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PERMITTING CONSTRUCTION OF A DOCK STRUCTURE, GRANTING A WAIVER, PURSUANT TO SECTION 150.11(G) OF THE VILLAGE CODE OF ORDINANCES, FOR THE CONSTRUCTION OF A DOCK AT 1610 SOUTH TREASURE DRIVE, WHICH WILL EXTEND BEYOND THE 25 FOOT LENGTH LIMIT; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

The Village Planner, Jim LaRue, of LaRue Planning & Management Services, Inc., presented the Staff Report recommending approval with the following conditions being met prior to issuance of a Building Permit:

1. Agreement from the applicant and contractor that the proposed seawall cap repairs will be completed as depicted on the plans, prior to, or concurrent with, the dock construction.
2. Verification of the 5-foot height restriction at the time of building permit issuance.
3. Compliance with all state, federal, and environmental laws including, but not limited to, compliance with a State Programmatic General Permit as may be required by the U.S. Army Corps of Engineers. All applicable state and federal permits must be obtained before commencement of construction.
4. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
5. Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit 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.
6. Authorization or issuance of a building permit by the Village 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 issuance of a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

The contractor and representative for the property owner, Robert Rossi, accepted the conditions of approval and indicated that the seawall will be repaired prior to the construction of the dock. He also agreed to add solar light at the farthest end of both docks.

The Mayor opened the Public Hearing.

Dr. Paul Norris, of 1690 South Treasure Drive, and Reinaldo Trujillo, property owner at 7601 E. Treasure Drive, addressed the Commission.

The Mayor closed the Public Hearing.

Commissioner Dr. Douglas N. Hornsby made a motion to approve the request with the conditions outlined herein and agreed to by Mr. Robert Rossi. Vice Mayor Eddie Lim seconded the motion, which was adopted by a 4-1 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Commissioner Dr. Douglas N. Hornsby all voting Yes. Mayor Connie Leon-Kreps voted No.

**C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 152 OF THE ZONING CODE BY REVISING SECTIONS 152.076 ENTITLED "SIGN DEFINITIONS"; 152.078 ENTITLED PHOHIBITED SIGNS; 152.080 ENTITLED "EXEMPTED SIGNS"; 152.081 ENTITLED "TEMPORARY SIGNS"; 152.082 ENTITLED "REMOVAL OF SIGNS"; 152.083 ENTITLED "DISTRICT SIGN REGULATIONS"; 152.084 ENTITLED "VARIANCES, PLANNING"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Ordinance by title.

The Village Planner Jim LaRue, of LaRue Planning & Management Services, Inc., explained the ordinance.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

Commissioner Andreana Jackson made a motion to adopt the ordinance. Commissioner Dr. Douglas N. Hornsby seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Dr. Douglas Hornsby, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes.

- D. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 151, SECTION 151.26 ENTITLED “OFF-STREET PARKING REGULATIONS” TO PROHIBIT CHARGING FOR PARKING AT HOTEL, MOTEL, APARTMENT AND CONDOMINIUM PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Ordinance by title.

The Village Planner, Jim LaRue, of LaRue Planning & Management Services, Inc., discussed the ordinance.

The Mayor opened the Public Hearing. There being no speakers, the Mayor closed the Public Hearing.

Mayor Connie Leon-Kreps made a motion to adopt the ordinance. Commissioner Dr. Douglas N. Hornsby seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas N. Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**9. UNFINISHED BUSINESS**

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING AN AMENDMENT TO THE CURRENT CAP GOVERNMENT AGREEMENT FOR ADDITIONAL SERVICES; AUTHORIZING THE VILLAGE MANAGER TO ENGAGE PERSONNEL TO ASSIST THE PUBLIC WORKS DEPARTMENT IN MEETING THE REPORTING REQUIREMENTS FOR THE VILLAGE WATER MAIN REHABILITATION PROGRAM, WATER METER REPLACEMENT PROGRAM AND THE SANITARY SEWER REHABILITATION PROGRAM AS PART OF THE STATE FUNDING REQUIREMENTS RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING LOAN FUND PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

The Village Manager Frank K. Rollason and the Public Works Director Rodney Carrero-Santana presented the item to the Commission.

Commissioner Andreana Jackson made a motion to approve the Resolution and Vice Mayor Eddie Lim seconded the motion.

The Mayor opened the floor to public comments.

Gudrin Volker, of 7517 Cutlass Avenue, addressed the Commission.

The Mayor closed the floor to public comments.

The motion was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Dr. Douglas N. Hornsby, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes.

**B. APPOINTMENT OF ADVISORY BOARD MEMBERS:**

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

Mayor Connie Leon-Kreps made a motion to appoint Aniley Perez and Johnny Walker to the Arts, Cultural & Special Events Board. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**3. BUSINESS DEVELOPMENT ADVISORY BOARD**

Mayor Connie Leon-Kreps made a motion to appoint Miguel Angel Barbagallo and Carlos Rodriguez to the Business Development Advisory Board. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**4. CITIZENS BUDGET & OVERSIGHT BOARD**

Mayor Connie Leon-Kreps made a motion to appoint Dr. Paul Norris and Carlos Rodriguez to the Citizens Budget & Oversight Board. Commissioner Jose Alvarez seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner, Dr. Douglas Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**5. COMMUNITY ENHANCEMENT BOARD**

Mayor Connie Leon-Kreps made a motion to appoint Aniley Perez and Johnny Walker to the Community Enhancement Board. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**5. PLANNING & ZONING BOARD**

Mayor Connie Leon-Kreps made a motion to appoint the majority vote getters to the Planning & Zoning Board: Bud Farrey as the North Bay Island representative, Doris O'Hare as the Treasure Island representative, Marvin Wilmoth as the Harbor Island representative and Dr. Paul Norris and Aniley Perez as the at-large members. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas N. Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**C. DISCUSSION REGARDING BOARDS AND COMMITTEES (*MAYOR CONNIE LEON-KREPS*)**

Mayor Connie Leon-Kreps initiated discussion on incentives to attract members to the Village's Advisory Boards.

The Mayor opened the floor to public comments.

Kevin Vericker, of 7520 Hispanola Avenue and Mary Kramer, of 7610 Coquina Drive addressed the Commission.

The Mayor closed the floor to public comments.

Mayor Connie Leon-Kreps made a motion to hold an Advisory Board Workshop. Commissioner Andreana Jackson seconded the motion, and all voted in favor.

The Mayor requested that the Animal Control Advisory Board Ordinance be brought back to the Commission for second reading at the next Commission Meeting.

Mayor Connie Leon-Kreps made a motion to appoint Commissioner Dr. Douglas N. Hornsby as the Ex Officio Member to the Planning & Zoning Board, and Commissioner Carlos Alvarez 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 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, Commissioner Dr. Douglas N. Hornsby, and Mayor Connie Leon-Kreps all voting Yes.

**D. DISCUSSION REGARDING GARDEN LEAF BLOWERS (*MAYOR CONNIE LEON-KREPS*)**

Item 10D was deferred to the January 10<sup>th</sup> Commission Meeting.

**E. DISCUSSION REGARDING FEEDING OF STRAY ANIMALS (*COMMISSIONER ANDREANA JACKSON*)**

Commissioner Jackson explained that the draft ordinance regarding the feeding of stray cats was withdrawn from the agenda, in order to obtain public input.

The Mayor opened the floor to public comments.

Allen Weiner, of 7941 West Drive, Nancy Sonnett-Selwyn, of 7512 Cutlass Avenue, Kevin Vericker, of 7520 Hispanola Avenue, Mary Kramer, of 7610 Coquina Drive, and Gudrin Volker, of 7517 Cutlass Avenue, addressed the Commission.

The Mayor closed the floor to public comments.

Commissioner Andreana Jackson made a motion to hold a Workshop in February regarding the stray animals. Commissioner Dr. Douglas N. Hornsby seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Commissioner Dr. Douglas N. Hornsby, Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes.

**11. PUBLIC SAFETY DISCUSSION**

Police Chief Carlos Noriega discussed police issues.

**12. COMMISSIONERS' REPORTS**

Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim and Commissioner Dr. Douglas N. Hornsby gave verbal reports.

**13. VILLAGE ATTORNEY'S REPORT**

The Village Attorney Robert L. Switkes gave a verbal report.

**14. VILLAGE MANAGER'S REPORT**

Village Manager Frank K. Rollason discussed his report, which was included in the agenda package and responded to questions from the Commission.

The Village Manager announced a workshop to address the New Village Hall design options on January 24<sup>th</sup> at 6:30 p.m.

The Village Manager further requested authorization from the Commission to create a floater position for the first floor office.

Vice Mayor Eddie Lim made a motion authorizing the Village Manager to create a floater position to be funded from the Unreserved Reserves at the cost of \$44,000. Commissioner Andreana Jackson seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Vice Mayor Eddie Lim, Commissioner Andreana Jackson, Commissioner Dr. Douglas Hornsby, Mayor Connie Leon-Kreps, and Vice Mayor Eddie Lim all voting Yes.

Mayor Connie Leon-Kreps made a motion to extend the meeting to 12:30 a.m. Commissioner Andreana Jackson seconded the motion, and all voted in favor.

Allen Weiner, of 7941 West Drive, addressed the Commission.

**15. FINANCE REPORT**

The Finance Director Bert Wrains discussed the financial status of the Village as of December 2016.

**16. APPROVAL OF MINUTES – COMMISSION MEETINGS**

**None.**



**17. ADJOURNMENT**

The meeting adjourned at 12:11 a.m.

Prepared by: Yvonne P. Hamilton, Village Clerk

Adopted by North Bay Village on this 14<sup>th</sup> day of February 2017.

---

*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.)



## North Bay Village

#16B

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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

### OFFICIAL MINUTES REGULAR VILLAGE COMMISSION MEETING

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

TUESDAY, DECEMBER 13, 2016

7:30 P.M.

---

#### 1. CALL TO ORDER

The meeting was called to order at 7:33 p.m. by Mayor Connie Leon-Kreps.

#### PLEDGE OF ALLEGIANCE

At-Large Commissioner candidate Dr. Joshua Furman led the Pledge of Allegiance.

#### ROLL CALL

Commissioner Jose Alvarez  
Commissioner Eddie Lim  
Mayor Connie Leon-Kreps  
Commissioner Andreana Jackson

Also Present:

Village Manager Frank K. Rollason  
Deputy Village Manager/HR Director Jenice Rosado  
Village Attorney Robert L. Switkes  
Finance Director Bert Wrains  
Chief Carlos Noriega  
Public Works Director Rodney Carrero-Santana  
Village Clerk Yvonne P. Hamilton  
Deputy Village Clerk Jenorgen M. Guillen

2. **A. PROCLAMATIONS AND AWARDS**

No proclamations or awards were presented.

**B. SPECIAL PRESENTATIONS**

There were no special presentations.

**C. ADDITIONS AND DELETIONS**

Mayor Connie Leon-Kreps requested that Items 5A, 5B, 5C, 5F, and 5G be removed from the Consent Agenda to be discussed separately; and that Items 9B and 9A be heard in such order after the Consent Agenda.

Commissioner Eddie Lim requested that Items 7D and 7E be removed from the agenda.

Commissioner Andreana Jackson sponsored Item 6C (previously introduced by former Commissioner Richard Chervony) and requested that it be heard after Item 7A.

Commissioner Eddie Lim made a motion to approve the agenda as amended. Mayor Connie Leon-Kreps seconded the motion, which carried 4-0 on a roll call vote. The vote was as follows: Commissioner Jose Alvarez, Commissioner Andreana Jackson, Mayor Connie Leon-Kreps, and Commissioner Eddie Lim all voting Yes.

3. **GOOD & WELFARE**

Ann Bakst, of 1865 Kennedy Causeway, Alvin Blake, of 7601 Coquina Drive, Miela Gonzalez, of 1790 South Treasure Drive, Jane Blake, of 7601 Coquina Drive, Brian Oppenheimer, of 7939 East Drive, Elizabeth Wheaten, City of Miami Beach, Kevin Vericker, of 7520 Hispanola Avenue, Caryn Lavernia, International University, 11 Euclid Avenue, Miami Beach, Alana Greer, 2462 S.W. 22<sup>nd</sup> Avenue, Miami, Florida, Humberto Reyes, 1881 79<sup>th</sup> Street Causeway, Maxime Tuchman, 1035 Bay Harbor Drive, and Cicilia Veloz, 7504 Bounty Avenue, addressed the Commission.

4. **ADVISORY BOARD REPORT**

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

None

**B. BUSINESS DEVELOPMENT ADVISORY BOARD**

None

**C. CITIZENS BUDGET & OVERSIGHT BOARD**

None

**D. COMMUNITY ENHANCEMENT BOARD**

None

**E. PLANNING & ZONING BOARD**

None

**F. YOUTH & EDUCATION SERVICES BOARD**

None

5. **CONSENT AGENDA:** (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be adopted 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.)

**D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING ADEQUATE FUNDING OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP); AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS AND COMMISSIONER ANDREANA JACKSON)**

**E. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING SECTION 8 OF THE COMMISSION MEETING AND AGENDA PROCEDURES, ENTITLED "ORDER OF BUSINESS" BY ADDING "GRANT WRITER'S REPORT"; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

Commissioner Andreana Jackson made a motion to approve the Consent Agenda Items 5D and 5E. Commissioner Eddie Lim seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Jose Alvarez and Commissioner Andreana Jackson all voting Yes.

**9B. AT-LARGE COMMISSIONER VACANCY**

Mayor Connie Leon-Kreps opened the floor to the candidates for the At-Large Commissioner Vacancy. Dr. Joshua Furman, Dr. Douglas Hornsby, Marvin Wilmoth, and Jane Blake addressed the Commission. Mrs. Blake subsequently withdrew her name from consideration for the vacancy.

The Village Commission voted by ballot to appoint an At-Large Commissioner, and the Village Clerk announced the results as follows: Commissioner Jose Alvarez, Commissioner Eddie Lim and Mayor Connie Leon-Kreps voted for Dr. Douglas Hornsby. Commissioner Andreana Jackson voted for Marvin Wilmoth.

Dr. Hornsby will be sworn into office at the January 10, 2017 Commission Meeting.

**9A. INTERIM VICE MAYOR**

The appointment of an Interim Vice Mayor was withdrawn from the agenda. The Village Attorney Robert L. Switkes explained the process to appoint a Vice Mayor, when the full commission is seated, pursuant to the Village's Charter.

The Mayor recessed the meeting at 8:26 p.m.

The meeting reconvened at 8:42 p.m.

The following items were removed from the Consent Agenda by Mayor Connie Leon-Kreps to be discussed separately.

**5A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING AN AMENDMENT TO THE CURRENT CAP GOVERNMENT AGREEMENT FOR ADDITIONAL SERVICES; AUTHORIZING THE VILLAGE MANAGER TO ENGAGE PERSONNEL TO ASSIST THE PUBLIC WORKS DEPARTMENT IN MEETING THE REPORTING REQUIREMENTS FOR THE VILLAGE WATER MAIN REHABILITATION PROGRAM, WATER METER REPLACEMENT PROGRAM AND THE SANITARY SEWER REHABILITATION PROGRAM AS PART OF THE STATE FUNDING REQUIREMENTS; RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING LOAN FUND PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Eddie Lim moved the item to the floor, and Commissioner Andreana Jackson seconded the motion.

The Mayor asked about the duration of the project and the projected cost.

The Village Manager Frank K. Rollason and the Public Works Director Rodney Carrero-Santana discussed the project.

The Mayor opened the floor to public comments.

Alvin Blake, of 7601 Coquina Drive, Ana Watson, of 7945 East Drive, Raul Toro, of 7536 Hispanola Avenue, and Robert Alvarez, of 7529 Buccaneer Avenue, addressed the Commission.

The Mayor closed the floor to public comments.

The motion to approve the Resolution failed 2-2. The votes were as follows: Commissioner Jose Alvarez and Mayor Connie Leon-Kreps voted No. Commissioner Eddie Lim and Commissioner Andreana Jackson voted Yes.

The matter was deferred to the next Commission Meeting scheduled for January 10, 2017 for Village Manager to provide the projected cost for the personnel to assist Public Works with mandatory grant reporting requirements for the Water Meter Replacement and Water Main Rehabilitation Projects.

**B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE FISCAL YEAR 2016 BUDGET; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE BUDGET AMENDMENTS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK ROLLASON)**

The Village Clerk read the Resolution by title.

The Mayor questioned certain adjustments relating to the proposed budget amendments.

Mayor Connie Leon-Kreps made a motion to approve the Resolution, and Commissioner Eddie Lim 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 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps all voting Yes.

**C. 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 A LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH THE CITY OF FT. LAUDERDALE; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Eddie Lim moved the item to the floor, and Commissioner Andreana Jackson seconded the motion.

The Mayor inquired about the vendors who currently maintain the Village vehicles.

Chief Carlos Noriega discussed the Village current fleet maintenance system.

The motion to approve the Resolution was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Jose Alvarez, Commissioner Andreana Jackson, Mayor Connie Leon-Kreps and Commissioner Eddie Lim all voting Yes.

**F. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF MIAMI BEACH FOR FLEET MAINTENANCE AND REPAIR SERVICES; AUTHORIZING THE VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Commissioner Andreana Jackson moved the item to the floor, and Commissioner Eddie Lim seconded the motion.

The Mayor opened the floor to public comments.

Robert Alvarez, of 7529 Buccaneer Avenue, addressed the Commission.

The motion to adopt the Resolution was adopted by a 3-1 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes. Mayor Connie Leon-Kreps voted No.

The Village Manager was instructed to provide supporting documents to the Commission to show whether the \$35,000 referenced in the agenda package represented an annual amount or the amount for the duration of the agreement.

**G. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND TYLER TECHNOLOGIES, INC. FOR RENEWAL AND UPGRADE OF THE COMPUTER SYSTEM; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Resolution by title.

Mayor Connie Leon-Kreps moved the item to the floor, and Commissioner Eddie Lim seconded the motion.

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

The Mayor pointed out that certain cities were having problems with the Tyler system.

The motion to approve the Resolution was adopted by 4-0 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps all voting Yes.



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

- A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 152 OF THE ZONING CODE BY REVISING SECTIONS 152.076 ENTITLED “SIGN DEFINITIONS”; 152.078 ENTITLED “PROHIBITED SIGNS”; 152.080 ENTITLED “EXEMPTED SIGNS”; 152.081 ENTITLED “TEMPORARY SIGNS”; 152.082 ENTITLED “REMOVAL OF SIGNS”; 152.083 ENTITLED “DISTRICT SIGN REGULATIONS”; 152.084 ENTITLED “VARIANCES, PLANNING”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)-DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

The Village Clerk read the ordinance by title.

Ben Smith, of LaRue Planning & Management Services, Inc., Village Planner presented the Staff Report.

Mayor Connie Leon-Kreps made a motion to approve the ordinance on first reading as amended, and Commissioner Eddie Lim seconded the motion.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

The motion was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreama Jackson, and Mayor Connie Leon-Kreps all voting Yes.

- B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 151, SECTION 151.26 ENTITLED “OFF-STREET PARKING REGULATIONS” TO PROHIBIT CHARGING FOR PARKING AT HOTEL, MOTEL, APARTMENT AND CONDOMINIUM PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)-DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

The Village Clerk read the ordinance by title.

Commissioner Andreana Jackson moved the item to the floor, and Commissioner Eddie Lim seconded the motion.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

The motion to adopt the ordinance was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes.

7. **PUBLIC HEARINGS ITEMS INCLUDING ORDINANCES FOR SECOND READING**

- A. **AN ORDINANCE OF THE COMMISSION NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XIII OF THE CODE OF ORDINANCES ENTITLED “GENERAL OFFENSES” BY CREATING CHAPTER 137, TO BE ENTITLED “SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS,” TO PROHIBIT LICENSED PROFESSIONALS FROM ENGAGING IN COUNSELING EFFORTS, PRACTICES, OR TREATMENTS WITH THE GOAL TO CHANGE A MINOR'S SEXUAL ORIENTATION OR GENDER IDENTITY; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)-DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

The Village Clerk read the Ordinance by title.

The Mayor opened the Public Hearing.

Justin Kutcher, of S.A.V.E., addressed the Commission.

Commissioner Andreana Jackson moved the item to the floor, and Mayor Connie Leon-Kreps seconded the motion.

Dr. Richard Chervony, of 7601 Center Bay Drive, and Kevin Vericker, of 7520 Hispanola Avenue, addressed the Commission.

The Mayor closed the Public Hearing.

The motion to adopt the ordinance failed by a 2-2 vote. The vote was as follows: Commissioner Jose Alvarez and Mayor Connie Leon-Kreps voted Yes. Commissioner Lim and Commissioner Andreana Jackson voted No.

**C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE PROHIBITION AGAINST LICENSED PROFESSIONALS ENGAGING IN COUNSELING EFFORTS, PRACTICES, OR TREATMENTS WITH THE GOAL TO CHANGE A MINOR'S SEXUAL ORIENTATION OR GENDER IDENTITY; PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY FORMER COMMISSIONER RICHARD CHERVONY)-DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

Commissioner Andreana Jackson introduced the item on behalf of former Commissioner Dr. Richard Chervony.

The Village Clerk read the Resolution by title.

Former Commissioner Dr. Richard Chervony, of 7601 Center Bay Drive, addressed the Commission.

Commissioner Andreana Jackson moved the item to the floor, and Commissioner Jose Alvarez seconded the motion.

The Mayor opened the Public Hearing. There being no further speakers, she closed the Public Hearing.

The motion to approve the resolution was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Jose Alvarez, and Commissioner Andreana Jackson all voting Yes.

**B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 152, SECTION 152.112 OF THE ZONING CODE, TO INCLUDE THE RM-40 AND RM-70 ZONING DISTRICTS AS AREAS SUBJECT TO THE VILLAGE'S VACATION RENTAL REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS-DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

The Village Clerk read the Ordinance by title.

Mayor Connie Leon-Kreps made a motion to approve the Ordinance, and Commissioner Andreana Jackson seconded the motion.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

The motion was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps all voting Yes.

**C. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 152, ADDING SECTION 152.033 ENTITLED “GOVERNMENT USE DISTRICT” TO CREATE STANDARDS FOR A GOVERNMENT USE ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)- DEFERRED FROM OCTOBER 25, 2016 COMMISSION MEETING)**

The Village Clerk read the Ordinance by title.

Ben Smith, of LaRue Planning & Management Services, Inc., Village Planner, presented the Staff Report.

Commissioner Eddie Lim made a motion to approve the Ordinance, and Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

The motion was adopted by a 3-0 roll call vote. The vote was as follows: Commissioner Jose Alvarez, Mayor Connie Leon-Kreps, and Commissioner Eddie Lim all voting Yes. Commissioner Andreana Jackson was absent from the dais.

- D. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO INCREASE IN THE WHOLESALE WATER RATES CHARGED TO THE VILLAGE BY MIAMI-DADE COUNTY, AMENDING SECTION 51.04(D) OF VILLAGE CODE TO PROVIDE THAT ANY PASS THROUGH INCREASE TO THE UTILITY CUSTOMERS BE APPROVED BY THE VILLAGE COMMISSION; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY; AND AN EFFECTIVE DATE. (INTRODUCED BY FORMER COMMISSIONER RICHARD CHERVONY)**

This item was withdrawn from the agenda, as no member of the Commission sponsored it in the absence of Dr. Richard Chervony, who is no longer a member of the Commission.

- E. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, RELATING TO INCREASE IN RATES CHARGED TO THE VILLAGE BY MIAMI-DADE COUNTY FOR SOLID WASTE DISPOSAL, AMENDING SECTION 94.08(F) OF VILLAGE CODE TO PROVIDE THAT PASS THROUGH OF THESE COSTS TO UTILITY CUSTOMERS MUST BE APPROVED BY THE VILLAGE COMMISSION; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY; AND AN EFFECTIVE DATE. (INTRODUCED BY FORMER COMMISSIONER RICHARD CHERVONY)**

This item was withdrawn from the agenda, as no member of the Commission sponsored it in the absence of Dr. Richard Chervony, who is no longer a member of the Commission.

At this time, the Mayor recessed the meeting.

#### **VILLAGE GRANT WRITER'S REPORT**

Lakeesha Morris, of BellTower Group, discussed the status of Village grants.

**8. UNFINISHED BUSINESS**

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER, AND AWARDING RFP NO. NBV 2016-004 FOR LANDSCAPE MAINTENANCE SERVICES TO VISUALSCAPE, INC.; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO THE RELATED CONTRACT PURSUANT TO THE SCOPE OF SERVICES OUTLINED IN THE RFP; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)-(CONTINUED FROM OCTOBER 25, 2016)**

The Village Clerk read the Resolution by title.

Commissioner Eddie Lim moved the item to the floor, and Commissioner Andreana Jackson seconded the motion.

The Village Manager Frank K. Rollason, Christian Infante, of SMF Services, Robert Alvarez, of 7529 Buccaneer Avenue, Kevin Vericker, of 7520 Hispanola Avenue, Ana Watson, of 7945 East Drive, and Raul Toro, of 7536 Hispanola Avenue, addressed the Commission.

The motion to adopt the Resolution failed by 3-1 roll call vote. The vote was as follows: Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps, all voting No. Commissioner Eddie Lim voted Yes.

Mayor Connie Leon-Kreps made a motion directing the Village Manager to negotiate with the highest ranked bidder, and submit a modified contract to the Commission for approval. Commissioner Andreana Jackson seconded the motion, which was adopted by a 3-1 roll call vote. The vote was as follows: Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps all voting Yes. Commissioner Eddie Lim voted No.

**9. NEW BUSINESS**

- C. DISCUSSION REGARDING BOARDS AND COMMITTEES (CONNIE LEON-KREPS)**

Mayor Connie Leon-Kreps deferred Item 9C to the next Commission Meeting scheduled for January 10, 2017, as the sponsor.

**10. PUBLIC SAFETY DISCUSSION**

Chief Carlos Noriega discussed police issues.

**11. COMMISSIONERS' REPORTS**

Mayor Connie Leon-Kreps, Commissioner Andreana Jackson, and Commissioner Jose Alvarez gave verbal reports.

**12. VILLAGE ATTORNEY'S REPORT**

Village Attorney Robert L. Switkes gave a verbal report.

**13. VILLAGE MANAGER'S REPORT**

The Village Manager requested that a public workshop be held for the New Village Hall Project.

Mayor Connie Leon-Kreps made a motion to hold a public workshop on January 24, 2017 at 6:30 p.m. to discuss the new Village Hall project. Commissioner Eddie Lim seconded the motion, which carried 4-0.

The Village Manager Frank K. Rollason discussed the items in his written report included in the agenda package and responded to questions from the Commission.

**14. FINANCE REPORT**

Finance Director Bert Wrains reported on the financial status of the Village as of November 30, 2016.

**15. APPROVAL OF MINUTES – COMMISSION MEETINGS**

- A. REGULAR MEETING – SEPTEMBER 13, 2016**
- B. TENTATIVE BUDGET PUBLIC HEARING – SEPTEMBER 15, 2016**
- C. FINAL BUDGET PUBLIC HEARING – SEPTEMBER 27, 2016**
- D. REGULAR MEETING – OCTOBER 25, 2016**
- E. REGULAR MEETING – NOVEMBER 29, 2016**

Mayor Connie Leon-Kreps made a motion to approve the Minutes, including the Minutes of October 25, 2016 as amended. Commissioner Andreana Jackson seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Jose Alvarez, Commissioner Andreana Jackson, and Mayor Connie Leon-Kreps all voting Yes.

**16. ADJOURNMENT**

The meeting adjourned at 12:10 a.m.

Prepared by: Yvonne P. Hamilton, Village Clerk

Adopted by North Bay Village on February 14, 2017.

---

*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.)



# **MONTHLY STAT REPORTS**



North Bay Village, FL

# JANUARY 2017 ALL FUNDS MONTHLY BUDGET REPORT

## Group Summary

For Fiscal: 2016-2017 Period Ending: 01/31/2017

Department;RevCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 001 - GENERAL</b>							
<b>Revenue</b>							
31 - Taxes	5,302,653.00	5,302,653.00	256,490.25	3,829,210.11	0.00	-1,473,442.89	27.79 %
32 - Licenses, Fees & Permits	461,000.00	461,000.00	30,252.50	74,556.96	0.00	-386,443.04	83.83 %
33 - Intergovernmental Revenues	859,000.00	859,000.00	67,558.51	210,345.88	0.00	-648,654.12	75.51 %
34 - Charges for Services	91,680.00	91,680.00	4,674.93	20,301.19	0.00	-71,378.81	77.86 %
35 - Fines & Forfeits	97,000.00	97,000.00	17,341.95	37,050.40	0.00	-59,949.60	61.80 %
36 - Miscellaneous Revenues	81,500.00	81,500.00	15,574.29	49,830.64	0.00	-31,669.36	38.86 %
38 - Other Sources & Transfers In	790,443.00	787,443.00	65,869.75	263,479.00	0.00	-523,964.00	66.54 %
<b>Revenue Total:</b>	<b>7,683,276.00</b>	<b>7,680,276.00</b>	<b>457,762.18</b>	<b>4,484,774.18</b>	<b>0.00</b>	<b>-3,195,501.82</b>	<b>41.61 %</b>
<b>Expense</b>							
511 - LEGISLATIVE	66,083.00	66,083.00	5,056.07	13,531.88	0.00	52,551.12	79.52 %
512 - EXECUTIVE	714,956.00	714,956.00	61,243.98	224,689.70	0.00	490,266.30	68.57 %
513 - FINANCIAL AND ADMINISTRATIVE	443,722.00	443,722.00	33,964.22	135,039.07	800.00	307,882.93	69.39 %
514 - LEGAL COUNSEL	204,000.00	204,000.00	14,704.20	58,702.90	80,000.00	65,297.10	32.01 %
519 - OTHER GENERAL GOVERNMENTAL SERVICES	1,116,060.00	1,116,060.00	80,297.66	515,793.95	145,293.93	454,972.12	40.77 %
521 - LAW ENFORCEMENT	4,901,355.00	4,904,355.00	362,206.25	1,474,409.40	10,768.74	3,419,176.86	69.72 %
574 - SPECIAL EVENTS	237,100.00	237,100.00	31,998.48	93,555.34	0.00	143,544.66	60.54 %
<b>Expense Total:</b>	<b>7,683,276.00</b>	<b>7,686,276.00</b>	<b>589,470.86</b>	<b>2,515,722.24</b>	<b>236,862.67</b>	<b>4,933,691.09</b>	<b>64.19 %</b>
<b>Fund: 001 - GENERAL Surplus (Deficit):</b>	<b>0.00</b>	<b>-6,000.00</b>	<b>-131,708.68</b>	<b>1,969,051.94</b>	<b>-236,862.67</b>	<b>1,738,189.27</b>	<b>28,969.82 %</b>
<b>Fund: 105 - STATE FORFEITURES</b>							
<b>Revenue</b>							
36 - Miscellaneous Revenues	0.00	0.00	0.00	587.53	0.00	587.53	0.00 %
<b>Revenue Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>587.53</b>	<b>0.00</b>	<b>587.53</b>	<b>0.00 %</b>
<b>Expense</b>							
521 - LAW ENFORCEMENT	0.00	0.00	22,232.00	22,232.00	43,404.00	-65,636.00	0.00 %
<b>Expense Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,232.00</b>	<b>22,232.00</b>	<b>43,404.00</b>	<b>-65,636.00</b>	<b>0.00 %</b>
<b>Fund: 105 - STATE FORFEITURES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-22,232.00</b>	<b>-21,644.47</b>	<b>-43,404.00</b>	<b>-65,048.47</b>	<b>0.00 %</b>
<b>Fund: 107 - FEDERAL FORFEITURES</b>							
<b>Revenue</b>							
35 - Fines & Forfeits	0.00	0.00	4,136.70	53,461.56	0.00	53,461.56	0.00 %
36 - Miscellaneous Revenues	0.00	0.00	114.84	4,172.67	0.00	4,172.67	0.00 %
<b>Revenue Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>4,251.54</b>	<b>57,634.23</b>	<b>0.00</b>	<b>57,634.23</b>	<b>0.00 %</b>

JANUARY 2017 ALL FUNDS MONTHLY BUDGET REPORT

For Fiscal: 2016-2017 Period Ending: 01/31/2017

Department;RevCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
<b>Expense</b>							
521 - LAW ENFORCEMENT	417,775.00	417,775.00	40,929.22	142,287.74	7,520.00	267,967.26	64.14 %
<b>Expense Total:</b>	<b>417,775.00</b>	<b>417,775.00</b>	<b>40,929.22</b>	<b>142,287.74</b>	<b>7,520.00</b>	<b>267,967.26</b>	<b>64.14 %</b>
<b>Fund: 107 - FEDERAL FORFEITURES Surplus (Deficit):</b>	<b>-417,775.00</b>	<b>-417,775.00</b>	<b>-36,677.68</b>	<b>-84,653.51</b>	<b>-7,520.00</b>	<b>325,601.49</b>	<b>77.94 %</b>
<b>Fund: 110 - PARKS IMPROVEMENT FUND</b>							
<b>Expense</b>							
572 - PARKS AND RECREATION	0.00	0.00	0.00	375.00	60,793.55	-61,168.55	0.00 %
<b>Expense Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>375.00</b>	<b>60,793.55</b>	<b>-61,168.55</b>	<b>0.00 %</b>
<b>Fund: 110 - PARKS IMPROVEMENT FUND Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>375.00</b>	<b>60,793.55</b>	<b>-61,168.55</b>	<b>0.00 %</b>
<b>Fund: 111 - BUILDING FEES FUND</b>							
<b>Revenue</b>							
32 - Licenses, Fees & Permits	570,000.00	570,000.00	30,888.40	132,871.23	0.00	-437,128.77	76.69 %
36 - Miscellaneous Revenues	4,764.00	4,764.00	2,260.83	9,663.80	0.00	4,899.80	-102.85 %
<b>Revenue Surplus (Deficit):</b>	<b>574,764.00</b>	<b>574,764.00</b>	<b>33,149.23</b>	<b>142,535.03</b>	<b>0.00</b>	<b>-432,228.97</b>	<b>75.20 %</b>
<b>Expense</b>							
524 - PROTECTIVE INSPECTIONS	574,764.00	574,764.00	20,420.55	123,464.68	117,446.34	333,852.98	58.09 %
<b>Expense Total:</b>	<b>574,764.00</b>	<b>574,764.00</b>	<b>20,420.55</b>	<b>123,464.68</b>	<b>117,446.34</b>	<b>333,852.98</b>	<b>58.09 %</b>
<b>Fund: 111 - BUILDING FEES FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>12,728.68</b>	<b>19,070.35</b>	<b>-117,446.34</b>	<b>-98,375.99</b>	<b>0.00 %</b>
<b>Fund: 112 - STREET MAINTENANCE FUND</b>							
<b>Revenue</b>							
31 - Taxes	124,000.00	124,000.00	9,721.95	30,222.78	0.00	-93,777.22	75.63 %
33 - Intergovernmental Revenues	56,808.00	56,808.00	4,505.36	18,021.44	0.00	-38,786.56	68.28 %
34 - Charges for Services	2,833.00	2,833.00	0.00	708.03	0.00	-2,124.97	75.01 %
36 - Miscellaneous Revenues	2,000.00	2,000.00	425.75	5,825.75	0.00	3,825.75	-191.29 %
38 - Other Sources & Transfers In	179,610.00	179,610.00	14,966.83	59,867.32	0.00	-119,742.68	66.67 %
<b>Revenue Surplus (Deficit):</b>	<b>365,251.00</b>	<b>365,251.00</b>	<b>29,619.89</b>	<b>114,645.32</b>	<b>0.00</b>	<b>-250,605.68</b>	<b>68.61 %</b>
<b>Expense</b>							
541 - ROADS AND STREET FACILITIES	365,251.00	365,251.00	34,669.10	94,274.56	15,630.16	255,346.28	69.91 %
<b>Expense Total:</b>	<b>365,251.00</b>	<b>365,251.00</b>	<b>34,669.10</b>	<b>94,274.56</b>	<b>15,630.16</b>	<b>255,346.28</b>	<b>69.91 %</b>
<b>Fund: 112 - STREET MAINTENANCE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-5,049.21</b>	<b>20,370.76</b>	<b>-15,630.16</b>	<b>4,740.60</b>	<b>0.00 %</b>
<b>Fund: 114 - AFTER SCHOOL SUMMER CAMP</b>							
<b>Revenue</b>							
33 - Intergovernmental Revenues	169,252.00	169,252.00	13,672.07	33,766.75	0.00	-135,485.25	80.05 %
38 - Other Sources & Transfers In	6,428.00	6,428.00	535.00	2,140.00	0.00	-4,288.00	66.71 %
<b>Revenue Surplus (Deficit):</b>	<b>175,680.00</b>	<b>175,680.00</b>	<b>14,207.07</b>	<b>35,906.75</b>	<b>0.00</b>	<b>-139,773.25</b>	<b>79.56 %</b>
<b>Expense</b>							
572 - PARKS AND RECREATION	175,680.00	175,680.00	4,824.79	35,933.92	0.00	139,746.08	79.55 %

JANUARY 2017 ALL FUNDS MONTHLY BUDGET REPORT

For Fiscal: 2016-2017 Period Ending: 01/31/2017

Department;RevCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
<b>Expense Total:</b>	<b>175,680.00</b>	<b>175,680.00</b>	<b>4,824.79</b>	<b>35,933.92</b>	<b>0.00</b>	<b>139,746.08</b>	<b>79.55 %</b>
<b>Fund: 114 - AFTER SCHOOL SUMMER CAMP Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>9,382.28</b>	<b>-27.17</b>	<b>0.00</b>	<b>-27.17</b>	<b>0.00 %</b>
<b>Fund: 115 - TRANSPORTATION FUND</b>							
<b>Revenue</b>							
31 - Taxes	320,000.00	320,000.00	0.00	29,771.00	0.00	-290,229.00	90.70 %
36 - Miscellaneous Revenues	2,000.00	2,000.00	0.00	0.00	0.00	-2,000.00	100.00 %
38 - Other Sources & Transfers In	898,990.00	898,990.00	4,604.00	18,416.00	0.00	-880,574.00	97.95 %
<b>Revenue Surplus (Deficit):</b>	<b>1,220,990.00</b>	<b>1,220,990.00</b>	<b>4,604.00</b>	<b>48,187.00</b>	<b>0.00</b>	<b>-1,172,803.00</b>	<b>96.05 %</b>
<b>Expense</b>							
541 - ROADS AND STREET FACILITIES	1,220,990.00	1,220,990.00	13,575.14	40,171.72	0.00	1,180,818.28	96.71 %
<b>Expense Total:</b>	<b>1,220,990.00</b>	<b>1,220,990.00</b>	<b>13,575.14</b>	<b>40,171.72</b>	<b>0.00</b>	<b>1,180,818.28</b>	<b>96.71 %</b>
<b>Fund: 115 - TRANSPORTATION FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-8,971.14</b>	<b>8,015.28</b>	<b>0.00</b>	<b>8,015.28</b>	<b>0.00 %</b>
<b>Fund: 116 - POLICE IMPROVEMENTS FUND</b>							
<b>Expense</b>							
521 - LAW ENFORCEMENT	3,462.00	3,462.00	0.00	3,055.48	0.00	406.52	11.74 %
<b>Expense Total:</b>	<b>3,462.00</b>	<b>3,462.00</b>	<b>0.00</b>	<b>3,055.48</b>	<b>0.00</b>	<b>406.52</b>	<b>11.74 %</b>
<b>Fund: 116 - POLICE IMPROVEMENTS FUND Total:</b>	<b>3,462.00</b>	<b>3,462.00</b>	<b>0.00</b>	<b>3,055.48</b>	<b>0.00</b>	<b>406.52</b>	<b>11.74 %</b>
<b>Fund: 250 - DEBT SERVICE</b>							
<b>Revenue</b>							
31 - Taxes	648,059.00	648,059.00	0.00	493,411.00	0.00	-154,648.00	23.86 %
<b>Revenue Surplus (Deficit):</b>	<b>648,059.00</b>	<b>648,059.00</b>	<b>0.00</b>	<b>493,411.00</b>	<b>0.00</b>	<b>-154,648.00</b>	<b>23.86 %</b>
<b>Expense</b>							
517 - DEBT SERVICE PAYMENTS	648,059.00	648,059.00	0.00	216,435.09	0.00	431,623.91	66.60 %
<b>Expense Total:</b>	<b>648,059.00</b>	<b>648,059.00</b>	<b>0.00</b>	<b>216,435.09</b>	<b>0.00</b>	<b>431,623.91</b>	<b>66.60 %</b>
<b>Fund: 250 - DEBT SERVICE Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>276,975.91</b>	<b>0.00</b>	<b>276,975.91</b>	<b>0.00 %</b>
<b>Fund: 325 - CAPITAL PROJECTS FUND</b>							
<b>Revenue</b>							
33 - Intergovernmental Revenues	100,000.00	100,000.00	0.00	0.00	0.00	-100,000.00	100.00 %
36 - Miscellaneous Revenues	0.00	0.00	0.00	47,925.80	0.00	47,925.80	0.00 %
38 - Other Sources & Transfers In	1,281,000.00	1,281,000.00	0.00	0.00	0.00	-1,281,000.00	100.00 %
<b>Revenue Surplus (Deficit):</b>	<b>1,381,000.00</b>	<b>1,381,000.00</b>	<b>0.00</b>	<b>47,925.80</b>	<b>0.00</b>	<b>-1,333,074.20</b>	<b>96.53 %</b>
<b>Expense</b>							
572 - PARKS AND RECREATION	61,000.00	61,000.00	0.00	0.00	0.00	61,000.00	100.00 %
630 - CAPITAL PROJECTS	1,320,000.00	1,320,000.00	6,265.25	25,360.56	-8,700.00	1,303,339.44	98.74 %
<b>Expense Total:</b>	<b>1,381,000.00</b>	<b>1,381,000.00</b>	<b>6,265.25</b>	<b>25,360.56</b>	<b>-8,700.00</b>	<b>1,364,339.44</b>	<b>98.79 %</b>
<b>Fund: 325 - CAPITAL PROJECTS FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-6,265.25</b>	<b>22,565.24</b>	<b>8,700.00</b>	<b>31,265.24</b>	<b>0.00 %</b>

JANUARY 2017 ALL FUNDS MONTHLY BUDGET REPORT

For Fiscal: 2016-2017 Period Ending: 01/31/2017

Department;RevCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 360 - WATER IMPROVEMENTS TRUST</b>							
<b>Revenue</b>							
38 - Other Sources & Transfers In	9,100,000.00	9,100,000.00	0.00	0.00	0.00	-9,100,000.00	100.00 %
<b>Revenue Surplus (Deficit):</b>	<b>9,100,000.00</b>	<b>9,100,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-9,100,000.00</b>	<b>100.00 %</b>
<b>Expense</b>							
533 - WATER UTILITY	9,100,000.00	9,100,000.00	0.00	2,470.00	0.00	9,097,530.00	99.97 %
<b>Expense Total:</b>	<b>9,100,000.00</b>	<b>9,100,000.00</b>	<b>0.00</b>	<b>2,470.00</b>	<b>0.00</b>	<b>9,097,530.00</b>	<b>99.97 %</b>
<b>Fund: 360 - WATER IMPROVEMENTS TRUST Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-2,470.00</b>	<b>0.00</b>	<b>-2,470.00</b>	<b>0.00 %</b>
<b>Fund: 365 - SEWER IMPROVEMENTS</b>							
<b>Revenue</b>							
36 - Miscellaneous Revenues	0.00	0.00	0.00	20.42	0.00	20.42	0.00 %
38 - Other Sources & Transfers In	13,078,959.00	13,078,959.00	33,634.02	187,126.08	0.00	-12,891,832.92	98.57 %
<b>Revenue Surplus (Deficit):</b>	<b>13,078,959.00</b>	<b>13,078,959.00</b>	<b>33,634.02</b>	<b>187,146.50</b>	<b>0.00</b>	<b>-12,891,812.50</b>	<b>98.57 %</b>
<b>Expense</b>							
535 - SEWER/WASTERWATER SERVICE	13,078,959.00	13,078,959.00	0.00	312,685.57	0.00	12,766,273.43	97.61 %
<b>Expense Total:</b>	<b>13,078,959.00</b>	<b>13,078,959.00</b>	<b>0.00</b>	<b>312,685.57</b>	<b>0.00</b>	<b>12,766,273.43</b>	<b>97.61 %</b>
<b>Fund: 365 - SEWER IMPROVEMENTS Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>33,634.02</b>	<b>-125,539.07</b>	<b>0.00</b>	<b>-125,539.07</b>	<b>0.00 %</b>
<b>Fund: 370 - SANITATION IMPROVEMENTS</b>							
<b>Revenue</b>							
38 - Other Sources & Transfers In	65,000.00	65,000.00	5,416.66	21,666.64	0.00	-43,333.36	66.67 %
<b>Revenue Surplus (Deficit):</b>	<b>65,000.00</b>	<b>65,000.00</b>	<b>5,416.66</b>	<b>21,666.64</b>	<b>0.00</b>	<b>-43,333.36</b>	<b>66.67 %</b>
<b>Expense</b>							
534 - GARBAGE/SOLID WASTE SERVI	65,000.00	65,000.00	0.00	0.00	0.00	65,000.00	100.00 %
<b>Expense Total:</b>	<b>65,000.00</b>	<b>65,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>65,000.00</b>	<b>100.00 %</b>
<b>Fund: 370 - SANITATION IMPROVEMENTS Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>5,416.66</b>	<b>21,666.64</b>	<b>0.00</b>	<b>21,666.64</b>	<b>0.00 %</b>
<b>Fund: 430 - UTILITIES</b>							
<b>Revenue</b>							
34 - Charges for Services	5,530,503.15	5,530,503.15	518,800.50	2,070,459.25	0.00	-3,460,043.90	62.56 %
36 - Miscellaneous Revenues	520.00	520.00	199.47	554.47	0.00	34.47	-6.63 %
<b>Revenue Surplus (Deficit):</b>	<b>5,531,023.15</b>	<b>5,531,023.15</b>	<b>518,999.97</b>	<b>2,071,013.72</b>	<b>0.00</b>	<b>-3,460,009.43</b>	<b>62.56 %</b>
<b>Expense</b>							
533 - WATER UTILITY	2,486,037.15	2,486,037.15	195,680.65	662,995.85	48,594.57	1,774,446.73	71.38 %
534 - GARBAGE/SOLID WASTE SERVI	1,080,790.00	1,080,790.00	111,167.70	371,691.20	480.00	708,618.80	65.56 %
535 - SEWER/WASTERWATER SERVICE	1,964,196.00	1,964,196.00	162,071.82	630,029.74	120.00	1,334,046.26	67.92 %
<b>Expense Total:</b>	<b>5,531,023.15</b>	<b>5,531,023.15</b>	<b>468,920.17</b>	<b>1,664,716.79</b>	<b>49,194.57</b>	<b>3,817,111.79</b>	<b>69.01 %</b>
<b>Fund: 430 - UTILITIES Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>50,079.80</b>	<b>406,296.93</b>	<b>-49,194.57</b>	<b>357,102.36</b>	<b>0.00 %</b>

JANUARY 2017 ALL FUNDS MONTHLY BUDGET REPORT

For Fiscal: 2016-2017 Period Ending: 01/31/2017

Department;RevCategor...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 440 - STORM WATER</b>							
<b>Revenue</b>							
33 - Intergovernmental Revenues	372,644.00	372,644.00	0.00	0.00	0.00	-372,644.00	100.00 %
34 - Charges for Services	874,282.00	874,282.00	9,781.10	38,895.99	0.00	-835,386.01	95.55 %
38 - Other Sources & Transfers In	673,269.00	673,269.00	0.00	0.00	0.00	-673,269.00	100.00 %
<b>Revenue Surplus (Deficit):</b>	<b>1,920,195.00</b>	<b>1,920,195.00</b>	<b>9,781.10</b>	<b>38,895.99</b>	<b>0.00</b>	<b>-1,881,299.01</b>	<b>97.97 %</b>
<b>Expense</b>							
538 - STORMWATER MANAGEMENT	1,920,195.00	1,920,195.00	1,151.16	9,992.78	5,125.00	1,905,077.22	99.21 %
<b>Expense Total:</b>	<b>1,920,195.00</b>	<b>1,920,195.00</b>	<b>1,151.16</b>	<b>9,992.78</b>	<b>5,125.00</b>	<b>1,905,077.22</b>	<b>99.21 %</b>
<b>Fund: 440 - STORM WATER Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>8,629.94</b>	<b>28,903.21</b>	<b>-5,125.00</b>	<b>23,778.21</b>	<b>0.00 %</b>
<b>Report Surplus (Deficit):</b>	<b>-421,237.00</b>	<b>-427,237.00</b>	<b>-91,032.58</b>	<b>2,535,151.56</b>	<b>-527,276.29</b>	<b>2,435,112.27</b>	<b>569.97 %</b>

**Fund Summary**

<b>Fund</b>	<b>Original Total Budget</b>	<b>Current Total Budget</b>	<b>Period Activity</b>	<b>Fiscal Activity</b>	<b>Encumbrances</b>	<b>Variance Favorable (Unfavorable)</b>
001 - GENERAL	0.00	-6,000.00	-131,708.68	1,969,051.94	-236,862.67	1,738,189.27
105 - STATE FORFEITURES	0.00	0.00	-22,232.00	-21,644.47	-43,404.00	-65,048.47
107 - FEDERAL FORFEITURES	-417,775.00	-417,775.00	-36,677.68	-84,653.51	-7,520.00	325,601.49
110 - PARKS IMPROVEMENT FUND	0.00	0.00	0.00	-375.00	-60,793.55	-61,168.55
111 - BUILDING FEES FUND	0.00	0.00	12,728.68	19,070.35	-117,446.34	-98,375.99
112 - STREET MAINTENANCE FUNC	0.00	0.00	-5,049.21	20,370.76	-15,630.16	4,740.60
114 - AFTER SCHOOL SUMMER CAI	0.00	0.00	9,382.28	-27.17	0.00	-27.17
115 - TRANSPORTATION FUND	0.00	0.00	-8,971.14	8,015.28	0.00	8,015.28
116 - POLICE IMPROVEMENTS FUN	-3,462.00	-3,462.00	0.00	-3,055.48	0.00	406.52
250 - DEBT SERVICE	0.00	0.00	0.00	276,975.91	0.00	276,975.91
325 - CAPITAL PROJECTS FUND	0.00	0.00	-6,265.25	22,565.24	8,700.00	31,265.24
360 - WATER IMPROVEMENTS TRU	0.00	0.00	0.00	-2,470.00	0.00	-2,470.00
365 - SEWER IMPROVEMENTS	0.00	0.00	33,634.02	-125,539.07	0.00	-125,539.07
370 - SANITATION IMPROVEMENT:	0.00	0.00	5,416.66	21,666.64	0.00	21,666.64
430 - UTILITIES	0.00	0.00	50,079.80	406,296.93	-49,194.57	357,102.36
440 - STORM WATER	0.00	0.00	8,629.94	28,903.21	-5,125.00	23,778.21
<b>Report Surplus (Deficit):</b>	<b>-421,237.00</b>	<b>-427,237.00</b>	<b>-91,032.58</b>	<b>2,535,151.56</b>	<b>-527,276.29</b>	<b>2,435,112.27</b>

**NORTH BAY VILLAGE POLICE DEPARTMENT  
CODE UNIT  
MONTHLY TOTALS FOR JANUARY 2017**

DESCRIPTION	NORTH BAY ISLAND	HARBOR ISLAND	TREASURE ISLAND	TOTALS
SIDEWALK/ROADWAY OBSTRUCTED	1	3	8	12
REMOVED ROADWAY OBSTRUCTIONS	6			6
LANDSCAPING NOT MAINTAINED			2	2
SIGN IN DISREPAIR/ILLEGAL SIGN		2	8	10
DUMPING/LITTER		1	4	5
TRASH/RECYCLE CANS VIOLATION			1	1
TRASH/RUBBISH/DEBRIS			6	6
EXCESSIVE YARD WASTE PILE OUT			1	1
BUILDING MAINTENANCE VIOLATION			6	6
FENCE IN DISREPAIR	1			1
PARKING LOT/DRIVEWAY MAINTENANCE			3	3
CONSTRUCTION SITE VIOLATION	1			1
COMMERCIAL VEHICLE VIOLATION		1		1
ILLEGAL USE OF PUBLIC RIGHT-OF-WAY	3		3	6
SEAWALL IN DISREPAIR		1	1	2
ILLEGAL BUSINESS			2	2
PERMIT VIOLATIONS/ILLEGAL WORK	2		6	8
ILLEGAL FISHING		4	4	8
HEALTH HAZARD		1	5	6
NOISE VIOLATION		1	1	2
GRAFFITI			1	1
PROHIBITED COLLECTION BIN			1	1
ILLEGAL AUTO REPAIR		1		1
ABANDONED NEWSPAPER BIN			1	1
KNOX BOX INSPECTIONS/VIOLATIONS		18	2	20
STOP WORK ORDER ISSUED/POSTING		2	2	4
S.T.V.R. VIOLATIONS		1		1
<b>TOTAL</b>	<b>14</b>	<b>36</b>	<b>68</b>	<b>118</b>
Phone Calls	11	15	42	68
Text Messages	2	5	10	17
E-mail	8	13	45	66
Meetings	2	14	45	61
Initial Inspections	19	52	78	149
Re-inspections	38	60	102	200
Complaints Received	2	11	23	36
Case Closed	5	24	25	54
Verbal Warnings Issued	2	4	20	26
Written Warnings Issued	2	3	20	25
Citation Issued/Fines Charged	1	3	13	17
Lien Search	1	6	15	22
Zoning/Permit/Plan Review		1	5	6



NORTH BAY VILLAGE  
MONTHLY REPORTS 2016-17  
BUILDING DEPARTMENT

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
PERMITS/UPFRONT FEES/HOLD HARMLESS/ EXTENTIONS/CERT OF COMPETION/CERT OF OCCUPANCY/REINSPECTI ON /BLDG RECERTIFICATIONS	\$26,850.05	\$25,038.21	\$50,094.57	\$30,888.40									\$132,871.23
VISITORS	260	249	226	181									916
PERMIT APPLICATIONS/ REVISIONS	91	87	81	56									315
BLDG INSPECTIONS/REVIEW	91	130	129	90									440
ELEC INSPECTIONS	45	31	51	31									158
MECH INSPECTIONS	27	29	22	19									94
PLUMBG INSPECTIONS	99	55	61	53									268
STRUCTURAL REVIEWS	13	21	11	0									45
<b>*Not available</b>													

NORTH BAY VILLAGE  
MONTHLY REPORTS 2016-17  
ADMINISTRATION

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
VISITORS	195	175	290	202									862
PASSPORT ISSUED	42	46	30	33									151
NOTARY SERVICES	11	8	8	11									38
TAX RECEIPTS (OCCUP LICENSES)	\$15,653.14	\$7,338.87	\$8,677.40	\$575.88									\$32,245.29
LIEN SEARCH/REQUESTS FOR INFORMATION:	64	49	51	42									206
POST OFFICE	741	737	1022	892									3392
ATS (AMERICAN TRAFFIC SOLUTIONS PRIOR TO 7/1/10) HEARINGS IN NBV	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0
LAF (NBV-AFTER 7/1/10) HEARINGS IN MDC	N/A	N/A	N/A	N/A	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

Revised-highlighted in red