



**North Bay Village
Regular Village Commission Meeting**

**AGENDA
MAY 14, 2019
6:30 P.M.**

1666 Kennedy Causeway, Suite #101, North Bay Village, FL 33141

Decorum: Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the board shall be barred from further appearance before the board by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Village Clerk prior to engaging in lobbying activities per Village Code Sec. 38-17. "Lobbyist" specifically includes the principal, as well as any agent, officer or employee of a principal, regardless of whether the lobbying activities fall within the normal scope of employment of the agent, officer or employee. The term "lobbyist" specifically excludes the following persons: lobbyists hired by the Village who are communication with Village personnel in the course of performing under their contracts; attorneys or other representatives retained to represent individuals and corporate entities in quasi-judicial proceedings where the law prohibits ex-parte communications; expert witnesses who only provide scientific, technical or other specialized information or testimony at public meetings; employees of the principal who do not engage in lobbying activities and representatives of non-profit organizations who only appear at publicly noticed meetings, without special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support or opposition to any item.

1. Opening Items

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Roll Call**

2. A. Proclamations and Awards

- i. Retirement Recognition for Officer Lisa Gittner
- ii. Little Lighthouse Proclamation

B. Citizen Presentations to Commission

- i. The No Room for Hate Treasure Island Elementary School Choir
- ii. Legislative Report from State Senator Jason Pizzo
- iii. Legislative Report from State Representative Michael Grieco
- iv. Lobbyist Report from North Bay Village Lobbyist Ron Book

C. Additions and Deletions (Order of Business)

3. Good & Welfare (Open Forum)

4. Village Commission's Report

5. Grant Writer's Report

6. Advisory Board Reports

A. Appointment to Sustainability and Resiliency Task Force

B. Animal Control Advisory Board

- i. Board Chair Cecilia Veloz

C. Business Development Advisory Board

- i. Board Chair Timothy Dennis

D. Citizens Budget & Oversight Board

- i. Board Chair Jack Rattner

E. Community Enhancement Board

- i. Board Chair Dale Penn

F. Planning & Zoning Board

- i. Board Chair Bud Farrey

G. Resident Service Board

- i. Board Chair Indira Dejtjar

H. Sustainability and Resiliency Task Force

- i. Task Force Chair Denise O'Brien

7. Village Attorney's Report

8. Village Manager's Report

9. 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. Accepting a Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant (Jag) Direct Allocation in the Amount of \$1,041.00

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE NORTH BAY VILLAGE, FLORIDA, ACCEPTING A FISCAL YEAR 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) DIRECT ALLOCATION IN THE AMOUNT OF \$1,041.00; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Restaurant of the Month

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE MAYOR'S RESTAURANT OF THE MONTH PROMOTION CAMPAIGN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE

C. Approving the Miami Foundation Public Space Challenge Submittal

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE VILLAGE'S PROJECT SUBMITTAL TO THE MIAMI FOUNDATION'S PUBLIC SPACE CHALLENGE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

D. Baywalk South – Project Costs and Project Management

E. License Plate Reader Camera System

10. Ordinances for First Reading and Resolutions: *Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor when public comment is open. An opportunity for persons to speak on each item will be made available after the applicant and staffs have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse to be cross-examined or sworn-in, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.*

A. Unified Land Development Code Revisions to Fence Standards

AN ORDINANCE OF NORTH BAY VILLAGE FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE; AMENDING SECTION 8.16(F); CLARIFYING THAT FENCES ON CORNER LOTS SHALL NOT EXCEED 5 FEET IN HEIGHT IN BOTH YARDS WITH STREET FRONTAGE, SETTING A MINIMUM WIDTH FOR REQUIRED LANDSCAPING; ALLOWING FOR GOVERNMENT USES TO CONSTRUCT SAFE AND COMPATIBLE FENCES, WALLS AND HEDGES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Business Tax Receipts

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XI, CHAPTER 110, ENTITLED "GENERAL LICENSING AND OTHER PROVISIONS," OF THE VILLAGE CODE OF ORDINANCES BY UPDATING THE BUSINESS TAX RECEIPT ISSUANCE PROCESS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

C. Commission Meeting and Agenda Procedures

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, UPDATING AND RESTATING PROCEDURES AND STANDARDS FOR COMMISSION MEETINGS AND AGENDA ITEMS AND NOTICES RELATED THERETO; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

D. Invasive Species

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCE BY THE CREATION OF SECTION 100.03, "PROHIBITED VEGETATION"; PROHIBITING THE PLANTING OF INVASIVE PLANT SPECIES; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

E. Hiring of new Public Works Director, Jose Olivo, P.E.

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CONFIRMING THE APPOINTMENT OF JOSE OLIVO, PE, AS THE PUBLIC WORKS DIRECTOR PURSUANT TO SECTION 4.01 OF THE VILLAGE CHARTER; AND PROVIDING AN EFFECTIVE DATE.

F. Resolution Authorizing Funding for a Master Plan and LDR Update

RESOLUTION OF THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE \$200,000 FROM AVAILABLE FISCAL YEAR 2019 AND FISCAL YEAR 2020 UNRESERVED FUND BALANCE; SETTING AN EFFECTIVE DATE.

11. Public Hearings Including Ordinance(s) for Second Reading

Please be advised that if you wish to comment upon any of these quasi-judicial items, please inform the Mayor during public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse to be cross-examined or sworn-in, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further, details of the quasi-judicial procedures may be obtained from the Village Clerk.

A. Establishing a Moratorium for a Period of One Hundred Eighty (180) Days from the Effective Date of this Ordinance on the Acceptance of Applications for Administrative Review, Site Plan Approval, and Building Permits for the Use of Land for New Public Self Storage Facilities

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, ESTABLISHING A MORATORIUM FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE ON THE ACCEPTANCE OF APPLICATIONS FOR ADMINISTRATIVE REVIEW, SITE PLAN APPROVAL, AND BUILDING PERMITS FOR THE USE OF LAND FOR NEW PUBLIC SELF STORAGE FACILITIES; PROVIDING FOR WAIVERS; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR APPEALS; PROVIDING FOR MODIFICATIONS TO VESTED DEVELOPMENTS; REQUIRING EXHAUSTION OF ADMINISTRATIVE REMEDIES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Mitigation Process for Code Enforcement Fines

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE XV, CHAPTER 153, ENTITLED "CODE ENFORCEMENT," OF THE VILLAGE CODE OF ORDINANCES BY CLARIFYING THE MITIGATION PROCESS FOR CODE ENFORCEMENT FINES, THE ROLE OF THE VILLAGE ATTORNEY, THE ENFORCEMENT OF LIENS AND COMPLIANCE WITH THE VILLAGE CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Planning and Zoning Board Composition

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING TITLE IV, CHAPTER 32, ENTITLED "DEPARTMENTS AND BOARDS," OF THE VILLAGE CODE OF ORDINANCES, AND CHAPTER 4, "ADMINISTRATION AND ENFORCEMENT," BY MODIFYING THE COMPOSITION OF THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

12. Unfinished Business

A. Verbal Update on Charter Positions

13. New Business

- A. Potential Dog Park at Sakura Site**
- B. Short Term Vacation Rentals**
- C. Freebee Passenger Shuttle**
- D. Noriega v. North Bay Village**

14. Approval of Minutes

- A. March 12, 2019 Regular Village Commission Meeting**
- B. April 16, 2019 Village Commission Workshop Meeting**

15. Adjournment

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK AT 305-756-7171 EXT. 45 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY VILLAGE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE VILLAGE CLERK, NORTH BAY VILLAGE, 1666 KENNEDY CAUSEWAY. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE VILLAGE CLERK AT 305-756-7171 EXT 45. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE VILLAGE WEBSITE AT www.nbvillage.com.

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).