



NORTH BAY VILLAGE REGULAR VILLAGE COMMISSION MEETING PUBLIC MEETING NOTICE

North Bay Village Commission will hold a public meeting on:
Tuesday, January 11, 2022 at 6:00 PM
1666 Kennedy Causeway, #101, North Bay Village, FL 33141
(In-person and virtual via Zoom. See below for details)

The meeting agenda is available online at:
<https://northbayvillage-fl.gov/agendas-minutes>

Elected Officials and Village staff will participate from the physical meeting location. Members of the public may attend the meeting in person at the physical meeting location, or, alternatively, may watch or call in to the meeting by following these instructions:

ATTEND THE MEETING IN PERSON AT THE PHYSICAL MEETING LOCATION:

The meeting will be held in person at the physical meeting location stated above. Admission to the physical meeting location is on a first-come, first-serve basis and space is limited.

Doors will open 30 minutes prior to the meeting start time.
The Village highly encourages those in attendance to wear facial coverings and abide by social distancing as recommended by the CDC.

Watch the Public Meeting:

<https://northbayvillage-fl.gov/videos>

TV Channel 661

Facebook Live

Participate in the meeting via Zoom:

Meeting ID: 892 3085 3031

Passcode: 351175

Listen via telephone to the Virtual Public Meeting:

1-929-205-6099

For technical support during the meeting, please contact:

(786) 309-4991

PUBLIC COMMENTS

Public comments will be accepted by the following means:

IN-PERSON COMMENTS: Members of the public may attend the meeting at the physical meeting location stated above and deliver their public comments in person during the public comment portion of the agenda.

VIRTUAL COMMENTS: *Public comments will also be accepted during the meeting using the virtual meeting platform.*

VIA E-MAIL TO: publiccomment@nbvillage.com

Emails submitted for public comments will not be read into the record, but will be provided to the Village Commission prior to the meeting and made part of the record.

Public comments sent via e-mail will be accepted until 5:00 p.m. on the day of the meeting. If you have a matter you would like to discuss during public comments, please send your public comment to the e-mail address above by 5:00 p.m. on the day of the meeting with the subject line "PUBLIC COMMENT" and the following information in the body of the email: your name, address, if you are a hired Consultant or Village Employee, and/or if you are engaged in lobbying activities and/or representing an organization.

PUBLIC RECORDS

The meeting will be recorded for later viewing and is a public record. Minutes of the meeting will be taken and will be made available.

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.northbayvillage-fl.gov.

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LOBBYING ACTIVITIES

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.

Have questions or need additional information?

E-mail: eriera@nbvillage.com

Call: 305-756-7171



North Bay Village

OFFICIAL AGENDA REGULAR VILLAGE COMMISSION MEETING

1666 Kennedy Causeway, #101, North Bay Village, FL 33141 (In-person and virtual via Zoom. See below for details)
Tuesday, January 11, 2022
6:00 PM

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.

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1. Opening Items

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

2. Order of Business

3. Presentations

- A. Proclamations and Awards
- B. Special Presentations to Commission

3A. **Employee of the Month January 2022 - Village Manager Dr. Ralph Rosado (Deputy Village Manager/Human Resources Director Carla Maglio Gomez)**

The Employee of the Month Committee has reviewed the nominations submitted and has selected Helen Roldan, Director of Communications and Special Events, as the recipient for the Employee of the Month Award for January 2022. The

employee will be presented with a certificate of recognition during a Village Commission meeting, where she will also receive a \$50.00 American Express gift card.

4. Open Forum

5. Approval of Commission Minutes

- 5A. **2021-11-09 Regular Village Commission Meeting Minutes - Village Clerk Elora Riera, MMC**

[2021-11-09 DRAFT Regular Village Commission Meeting Minutes.docx](#)

- 5B. **2021-12-08 Regular Village Commission Meeting Minutes - Village Clerk Elora Riera, MMC**

[2021-12-08 DRAFT Regular Village Commission Meeting Minutes.docx](#)

6. Advisory Board Minutes/Written Reports.

- 6A. Animal Control Advisory Board

- No meeting minutes to report.

- 6B. Business Development Advisory Board

- No meeting minutes to report.

- 6C. Community Enhancement Advisory Board

- No meeting minutes to report.

- 6D. Financial Advisory Board

- No meeting minutes to report.

- 6E. Planning and Zoning Advisory Board

- No meeting minutes to report.

- 6F. Resident Services Advisory Board

[2021-12-07 DRAFT Resident Services Board Meeting Minutes.pdf](#)

- 6G. Resident Services Advisory Board

- 6H. The Heart of the Bay Task Force

- No meeting minutes to report.

7. Village Commission's Report

8. Village Attorney's Report

9. Village Manager's Report

9A. Grant Writer's Update (December 2021)

[Grant Writer's Update \(December 2021\).pdf](#)

9B.

Capital Improvement Project Update (December 2021)

[Dec-2021CIP_Commission_Meeting.pdf](#)

9C. Federal Lobbyist Update (December 2021)

[Federal lobbyist update January 2022.pdf](#)

9D. Branding & Beautification Initiatives Update (January 2021)

[Branding Beautification Initiatives.pdf](#)

9E. Police Accreditation Update (December 2021)

[CFA Accreditation Progress Matrix for January 2022.pdf](#)

9F. Traffic Enforcement Update (December 2021)

[Monthly Traffic Report \(December 2021\) .pdf](#)

9G. Code Enforcement Division Update (December 2021)

[P202100045132ADM1-00000063.pdf](#)

[P202100045430ADM1-00000063.pdf](#)

[P202100045700ADM1-00000063.pdf](#)

[P202100046160ADM1-00000063.pdf](#)

[stvr service calls 12-21.pdf](#)

[Copy of Code Monthly Report December- 2021.pdf](#)

10. Village Clerk's Report

10A. Village Clerk's Report - November, 2021

[Public Records Request Log - December 2021.pdf](#)

11. Consent Agenda

A. Staff Items

B. Proclamation/Award/Village Key Requests

11A1. Rescinding Participation in the HB1 Legal Challenge - Sponsored by Mayor Brent Latham

The Commission agreed to participate in this legal challenge at its November 2, 2021 Commission meeting. Upon further consideration, the Commission may want to further review the nuances of the proposed bill and should abstain from participating in the legal challenge for the time being, with the option of joining again in the near future. Adoption of this item will result in the Village's removal as a party to this challenge.

[Latham HB1 Letter-Messam.pdf](#)

11A2. **[Resolution Adopting a Memorandum of Understanding with the State of Florida a relating to the Opioid Litigation Settlement - Dr. Ralph Rosado, Village Manager](#)**

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE FLORIDA MEMORANDUM OF UNDERSTANDING WITH THE STATE OF FLORIDA AND OTHER PARTICIPATING LOCAL GOVERNMENT UNITS FOR THE ALLOCATION AND USE OF OPIOID SETTLEMENT FUNDS TO ABATE AND RESOLVE THE OPIOID EPIDEMIC; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Adoption of a Resolutions and to enter into an MOU with the State of Florida.

[3JZ6216-Exhibit A - Opioid Litigation Florida-Proposed-MOU.PDF](#)

[Resolution.opioidflorida.DOCX](#)

11A3. **[Resolution Adopting an Interlocal Agreement with Miami-Dade County relating to the Opioid Litigation Settlement - Dr. Ralph Rosado, Village Manager](#)**

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE OPIOID SETTLEMENT INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY GOVERNING THE USE OF OPIOID SETTLEMENT FUNDS ALLOCATED TO THE MIAMI-DADE COUNTY REGIONAL FUND; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopt a resolution and Interlocal Agreement with Miami-Dade County.

[3JZ6218-Exhibit A - MDC Interlocal Agreement Governing Use of Regional Funds 11.29.21 v.2 \(2\).PDF](#)

[Resolution.opioidcounty.DOCX](#)

12. First Reading of Ordinances

12A. **[Ordinance Adopting Special Events Permit - Village Manager Dr. Ralph Rosado \(Director of Communications Helen Roldan\)](#)**

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CREATING CHAPTER 105, "SPECIAL EVENTS," OF THE VILLAGE'S CODE

OF ORDINANCES TO ESTABLISH PERMITTING PROCEDURES FOR SPECIAL EVENTS HELD WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance.specialevents.01.04.21.DOCX](#)

- 12B. **Ordinance Regulating the Use of Gas-Powered Leaf Blowers - Sponsored by Commissioner Dr. Richard Chervony, Co-Sponsored by Vice Mayor Marvin Wilmoth and Commissioner Julianna Strout**

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CREATING CHAPTER 105 ENTITLED "USE OF GAS-POWERED LEAF BLOWERS" OF THE VILLAGE CODE OF ORDINANCES RELATING TO REGULATIONS ON THE USE OF GAS-POWERED LEAF BLOWERS WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Administration recommends the Mayor, Vice Mayor, and Commission to adopt the ordinance on First Reading with any additional recommendations approved from the dais.

[Miami Beach Leaf blower documents.pdf](#)

[Ordinance on NBV Leaf Blower.pdf](#)

13. Public Hearings

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.

- 13A. **Ordinance Clarifying the Village's Use of Miami-Dade County Area Median Income (AMI) in the Workforce Housing Program - Vice Mayor Marvin Wilmoth**

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 3, "DEFINITIONS," AND SECTION 15.2.1.B., "DEFINITION OF TERMS" IN CHAPTER 15, "FORM-BASED CODE," OF THE VILLAGE'S UNIFIED LAND DEVELOPMENT CODE (ULDC) TO CLARIFY THE VILLAGE'S USE OF AREA MEDIAN INCOME (AMI) AND THE DEFINITION OF ELIGIBLE HOUSEHOLD INCOME RANGE FOR WORKFORCE HOUSING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation: Adopt alternate ordinance (attached as Exhibit B)

recommended by staff with support from Vice Mayor Wilmoth (Refer to Background and Analysis for explanation).

[EXHIBIT A - ORDINANCE AMENDING CHAPTERS 3 15 RE USE OF AMI_VC_01112022.docx](#)
[Proof of Ad.pdf](#)

13B. **[Ordinance Prohibiting Sago Palms within Specified Areas - Sponsored by Commissioner Rachel Streitfeld](#)**

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING SECTION 9.7 “LANDSCAPING GUIDELINES” OF THE VILLAGE’S UNIFIED LAND DEVELOPMENT CODE TO PROHIBIT SAGO PALMS WITHIN SPECIFIED AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation: Recommend approval to the Mayor and Village Commission, as presented.

[Sago_Palm_Ordinance \(2nd Reading\)-01112022.pdf](#)
[Proof of Ad.pdf](#)

14. Discussion/Action Items

A. Unfinished Business

B. New Business

14B1. **[Discussion of Potential Local Issues for EAR-based Comprehensive Plan Amendments - Village Manager Dr. Ralph Rosado \(Village Planner Silvia Vargas, FAICP\)](#)**

Provide input and direction to staff regarding local issues and other topics that the Commission may wish to address in the EAR-based Comprehensive Plan Amendment process (due in late 2022).

[Exhibit A- DEO EAR Letter of Notification_11292021.pdf](#)
[Exhibit B - NBV Comp Plan Amended 7-10-2018.pdf](#)

14B2. **[Discussion on RFP#2021-013 Development and Operation of Sports Complex and Academy, recreational Facilities, Municipal Office, and other Amenities \(“Galleon/TIES”\) - Village Manager Dr. Ralph Rosado \(Chief Financial Officer Angela Atkinson\)](#)**

Discussion and next steps of the Galleon/TIES RFP.

[Exhibit 1 - AFA Memo.pdf](#)
[Exhibit 2 - AFA MOU Document.pdf](#)
[Exhibit 3 - AFA MOU Renderings.pdf](#)
[Exhibit 4 - RFP# 2021-013 Galleon TIES Revised 11.12.21.pdf](#)
[Exhibit 5 -Request for Information - Fabian A. Pal, PA \(AFA\).pdf](#)

14B3. **[Resolution to FDOT/USCG to Modify the Schedule for the East and West 79th](#)**

St. Bridges - Sponsored by Commissioner Dr. Richard Chervony

A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF NORTH BAY VILLAGE, FLORIDA, URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) AND THE UNITED STATES COAST GUARD TO MODIFY THE SCHEDULE FOR THE EAST AND WEST 79^{T H} STREET BRIDGES DURING PEAK ROADWAY HOURS; DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO FDOT AND THE UNITED STATES COAST GUARD; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation is for the Village Commission to adopt a resolution in support of the Coast Guard’s offer to modify the schedule for the East and West 79th St. Bridges so that the bridges do not open more than once an hour during AM and PM rush hours, so that the Village can transmit it and get the process of initiating this change as soon as possible. This is an important step in improving the Village’s livability as this affects residents’ quality of life on a daily basis.

[79th Street - Reg Change Request_NBV.docx](#)
[Resolution Requesting Bridge Closure.docx](#)

14B4. ***Discussion on NBV Marine Protected Area - Sponsored by Commissioner Rachel Streitfeld, Co-Sponsored by Vice Mayor Marvin Wilmoth and Commissioner Dr. Richard Chervony***

Approval of this item will advocate for resilience and prosperity of North Bay Village and the Biscayne Bay.

[NBV Marine Educational and Research Park.pdf](#)

14B5. ***Village Manager Evaluation - Village Manager Dr. Ralph Rosado***

It has been my pleasure to serve as Village Manager of North Bay Village since February 2019. After almost three years, I continue to be honored to serve the Village Commission and work alongside talented staff to improve the lives of our residents on a daily basis. Pursuant to my employment contract, I have been entitled since February of this year to undergo a performance review (which was completed over the summer) and to subsequently request and, should the Village Commission support it, receive a salary adjustment that would bring me closer in line to the other coastal managers, my benchmark peers for comparable cities.

In support of this request you will find for your consideration:

- a document capturing many of the key Village accomplishments from 2019 through 2021
- a summary of the status of the A & M report's recommendations
- a spreadsheet indicating tax revenue increases for causeway properties pursuant to adoption of NBV100 zoning changes, the largest and most successful overhaul of the Village's land development code in Village history
- a spreadsheet indicating permit fee increases as the result of renegotiating

CAP Government's Building Services contract

- a benchmark salary survey for the coastal managers

[NBV 2019-2021 Accomplishments.docx](#)

[Tax Valuations of a Sample of Treasure Island Causeway Properties.pdf](#)

[Renegotiated Financial Terms of CAP Building Services Contract.docx](#)

[Status Summary of AM Recommendations - Department Status Report.pdf](#)

15. Adjournment

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