



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161
(305) 899-8000

Mayor and Commission

John R. Hornbuckle
Mayor

Ted Walker
Vice-Mayor

Robert (Bob) Anderson
Commissioner

Kelly Mallette
Commissioner

Chester H. Morris, MD
Commissioner

Frank R. Spence
Village Manager

John J. Hearn
Village Attorney

Ann Harper
Village Clerk

AGENDA

REGULAR COMMISSION MEETING

Ed Burke Recreation Center – 11400 NE 9th Court

Tuesday, April 10, 2007 - 7:00 pm

Rescheduled from April 3, 2007

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PRESENTATIONS - None
2. ADDITIONS, DELETIONS OR WITHDRAWALS TO AGENDA
3. CONSENT AGENDA (Motion to be made for all as one or remove for discussion) – Tab #3
 - A. Approval of Minutes – (1) Regular Meeting November 14, 2006
(2) Special Meeting January 16, 2007
 - B. Approval of Monthly Budget to Actual Statement February 2007
 - C. (1) RESOLUTION 2007-6

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA OPPOSING THE PROPERTY TAX REVISION PROPOSED BY THE FLORIDA LEGISLATURE; EXPRESSING SUPPORT FOR THE ALTERNATIVE PROPERTY TAX REFORM PROPOSED BY THE GOVERNOR WITH CHANGES; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; RECOMMENDATION OF THE CREATION OF A BLUE RIBBON PANEL; DIRECTING THE VILLAGE CLERK TO TRANSMIT AN EXECUTED COPY OF THIS RESOLUTION TO THE APPROPRIATE PARTIES; PROVIDING FOR AN EFFECTIVE DATE

Village of Biscayne Park - Agenda

C. (2) RESOLUTION 2007-7

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE EXPENDITURE OF TWO THOUSAND DOLLARS (\$2,000.00) TO BE PAID ANNUALLY TO FORMER MAYOR ED BURKE AS A PENSION IN RECOGNITION OF SIGNIFICANT SERVICE TO THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

D. Proclamation in recognition of Code Enforcement Officers' Appreciation Week

E. Proclamation proclaiming April as Water Conservation Month

4. ORDINANCES – FIRST READING

A. ORDINANCE 2007 - 4

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING CHAPTER 16 ENTITLED "PERMITS AND CERTIFICATES" BY CREATING SECTION 16.14 ENTITLED "HOME BASED OCCUPATIONS;" PROVIDING FOR ISSUANCE OF HOME BASED OCCUPATION LICENSES; PROVIDING FOR RESTRICTIONS OF A HOME BASED OCCUPATION; PROVIDING FOR A LICENSING FEE; PROVIDING FOR PROCEDURES FOR SUSPENSION AND REVOCATION OF A LICENSE; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

B. ORDINANCE 2007- 5

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA ADOPTING A NEW LOCAL COMMUNICATION SERVICES TAX RATE; PROVIDING FOR THE ADOPTION OF A NEW LOCAL COMMUNICATION SERVICES TAX RATE; PROVIDING FOR ADJUSTMENT OF TAX RATE FOR PERMIT FEES; PROVIDING FOR NOTICE TO THE DEPARTMENT OF REVENUE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

C. ORDINANCE 2007-6

AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AND ELECTRIC FRANCHISE,IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE VILLAGE OF BISCAYNE PARK, AND PROVIDING FOR AN EFFECTIVE DATE.

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4. D. ORDINANCE 2007- 7

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING CHAPTER 8 ENTITLED "ENVIRONMENTAL MANAGEMENT" AND CREATING A NEW SECTION 8.6 ENTITLED "TREE PROTECTION PROGRAM;" SPECIFYING INTENT; DESIGNATING AUTHORITY TO SUPERVISE, ENFORCE, MODIFY AND SUPPLEMENT; PROVIDING DEFINITIONS; ESTABLISHING TREE PLANTING STANDARDS; SPECIFYING TREE PRUNING STANDARDS; PROVIDING TREE REMOVAL STANDARDS; PROHIBITING TREE ABUSE; DESCRIBING PUBLIC PROPERTY PLANTING AND MAINTENANCE STANDARDS; APPLICABILITY TO UTILITY COMPANIES; ESTABLISHING EMERGENCY PROVISIONS; DESIGNATING ENFORCEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

TBS E. ORDINANCE 2007 - _____

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA ESTABLISHING SPECIAL TRASH PICKUP FEES PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

5. OLD BUSINESS – Tab #5

- A. Formation of Biscayne Park Foundation, Inc., - Bylaws and Articles of Incorporation
- B. Status of Village entry sign
- C. Appointment to the Planning & Zoning Board to fill the vacancy created by the resignation of Russ Bralley - Commissioner Mallette
- D. Appointments to Parks and Parkways Board – Commissioner Mallette, Vice-Mayor Walker, Mayor Hornbuckle
- E. Appointments to Ecology Board - Commissioner Mallette, Vice-Mayor Walker, Mayor Hornbuckle
- F. Discussion on status of lowering speed limit (a) on all Village roads and (b) preliminary response from County regarding Griffing Blvd. (Commissioner Anderson)

Village of Biscayne Park - Agenda

6. NEW BUSINESS – Tab #6

- A. Receipt and consideration of petition to close N. E. 5th Avenue at N.E. 121st Street
- B. Consideration of approving employment contract with Village Manager Frank R. Spence
- C. Consideration of rescheduling the May 1, 2007, Commission meeting to May 8, 2007
- D. Designation of Emergency Response Clean-up Contractors for Post Hurricane Clean-up: Grubbs Emergency Services, LLC; World Waste Services, Inc.; and Lancaster Landscaping, Inc., and accepting their proposals and rates.

7. GOOD AND WELFARE (PUBLIC)

8. REPORTS

- A. Committee Reports - Dog Park, Chair, John Ise
- B. Village Attorney Comments
- C. Village Manager Comments – Tab #8
 - 1. Police Chief's Report
 - 2. Perez-Pinon Fundraiser on April 28, 2007
 - 3. Status of website updating
- D. Commission Comments
 - 1. Commissioner Anderson
 - 2. Commissioner Mallette
 - 3. Commissioner Morris
 - 4. Vice-Mayor Walker
 - 5. Mayor Hornbuckle

Village of Biscayne Park - Agenda

9. ANNOUNCEMENTS

All public meetings are held at the Ed Burke Recreation Center – 11400 NE 9th Court, Biscayne Park

- *Thursday, April 12 – Code Enforcement Board
- *Monday, April 16 - Planning and Zoning Board at 7 pm
- *Thursday, April 19 – Code Enforcement Board at 7 pm
- *Saturday, April 28 – Fundraiser for Perez-Pinon Family 11 am
- *Tuesday, May 8– Regular Village Commission Meeting 7 pm

10. ADJOURNMENT

NOTE: TBS – To Be Submitted

Visit our website at www.biscayneparkfl.gov

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person 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.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899-8000 no later than (4) days prior to the proceeding for assistance.

DECORUM

Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission 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 in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.