



Village of Biscayne Park

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

Mayor and Commission

John R. Hornbuckle
Mayor

Kelly Mallette
Vice-Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Chester "Doc" Morris
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, February 3, 2009 - 7:00 pm

1. CALL TO ORDER and ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. ORDER OF BUSINESS - ADDITIONS, DEFERRALS, OR DELETIONS TO AGENDA
4. PRESENTATIONS - None
5. PUBLIC COMMENTS RELATED TO AGENDA ITEMS
6. CONSENT AGENDA (Motion to be made for all as one or remove for discussion)
 - A. Approval of Minutes – None
7. PUBLIC HEARINGS – TAB #7
 - A. SECOND READING OF ORDINANCES

(1) ORDINANCE NO. 2008-9

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA PURSUANT TO SECTION 166.041, FLORIDA STATUTES, TO AMEND ORDINANCE 2007-13 ADOPTED ON SEPTEMBER 18, 2007 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008, BY AMENDING VARIOUS PARTS OF THE BUDGET CONSISTENT WITH EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (2nd reading) (Continued from Commission Meeting January 3, 2009)

Manager's Recommendation: Approval

Village of Biscayne Park - Agenda

7. A. (2) ORDINANCE NO. 2009-1

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING CHAPTER 16 ENTITLED "PERMITS AND CERTIFICATES" BY AMENDING SECTION 16.15 ENTITLED "LANDLORD PERMITS;" CLARIFYING VARIOUS PROVISIONS INCLUDING FEES, APPLICATION PROCEDURES AND PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (2nd Reading)

Manager's Recommendation: Approval

8. ORDINANCES – FIRST READING – TAB #8

TBS A. ORDINANCE NO. 2009-2

AN ORDINANCE OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, FLORIDA BY CREATING A NEW CHAPTER ENTITLED, "ABANDONED REAL AND PERSONAL PROPERTY" TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR NOTIFICATION PROCEDURES; PROVIDING FOR REMOVAL OF ABANDONED PERSONAL PROPERTY; PROVIDING FOR THE REGISTRATION OF ABANDONED REAL PROPERTY; PROVIDING FOR MAINTENANCE AND INSPECTION REQUIREMENTS; PROVIDING FOR SECURITY REQUIREMENTS; PROVIDING PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (1st Reading)

Manager's Recommendation: Approval as amended

TBS B. ORDINANCE NO. 2009-3

AN ORDINANCE OF THE VILLAGE OF BISCAYNE PARK VILLAGE COMMISSION TO ADOPT ITS 2008-2025 WATER SUPPLY FACILITIES WORK PLAN AND TO AMEND THE VILLAGE OF BISCAYNE PARK COMPREHENSIVE PLAN TO STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING BY AMENDING THE TEXT CONTAINED IN THE FUTURE LAND USE ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT AND CAPITAL IMPROVEMENT ELEMENT, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (1ST Reading)

Manager's and Consultant Bell David's Recommendation:
Approval

Village of Biscayne Park - Agenda

9. RESOLUTIONS – TAB #9

A. RESOLUTION NO. 2009-1

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ESTABLISHING THE FEES FOR THE ISSUANCE OF LANDLORD PERMITS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE

Manager's Recommendation: Approval

10. OLD BUSINESS – TAB #10

- A. Consideration of Replacement of Alternate vacancy on the Planning and Zoning Board caused by moving Elizabeth Piotrowski to the permanent position (Continued from January 3, 2009, meeting)
- B. Consideration of filling the vacancy on the Parks & Parkways Advisory Board to replace Frank Rafi (Vice-Mayor Mallette's appointment)
- C. Award of bid for construction of Public Works Administration Building to NuSpace, Inc., in the amount of \$319,855.64 as the base bid, and authorization to process Memorandum of Agreement
 - 1. Recommendation of Architect
- D. Selection of site for placement of entry sign
 - 1. Recommendation of Consultant Savino/ Miller Design Studio
- E. Discussion of Village goals (continued from January 3, 2009, meeting) (Commissioner Bernard)
- F. Discussion of "mini Chamber of Commerce" event for Village businesses (Commissioner Bernard)
- G. Report on action taken by the Safe Neighborhood Parks Bond Program Advisory Committee on the \$25,000 grant for the Recreation Pavilion (Village Manager)

Village of Biscayne Park - Agenda

11. NEW BUSINESS – TAB #11

- A. Discussion of employee sick leave accrual time
(Vice-Mayor Mallette)
- B. Consideration of renewal of recycling contract with Miami Shores
Village which expires April 2009

12. GOOD AND WELFARE (PUBLIC)

13. REPORTS – TAB #13

A. Committee Reports

- 1. Parks & Parkways Advisory Board – Dan Keys, Chairman
- 2. Recreation Advisory Board – Roxanna Ross, Chairman

B. Village Attorney Comments

C. Village Manager Comments

- 1. Report from Police Chief Glansberg
- 2. Updates on various projects – Commission Directives

D. Commission Comments

- 1. Commissioner Anderson
- 2. Commissioner Bernard
- 3. Commissioner Morris
- 4. Vice-Mayor Mallette
- 5. Mayor Hornbuckle

14. ANNOUNCEMENTS - All public meetings are held at the Ed Burke Recreation Center 11400 NE 9th Court

- | | |
|-------------------------|--|
| *Monday, February 9 | Planning & Zoning Board 6:30 pm |
| *Monday, February 9 | Recreation Advisory Board 6:30 pm |
| *Tuesday, February 10 | Code Review Committee 6:30 pm |
| *Wednesday, February 11 | Parks & Parkways Advisory Board 6 pm |
| *Monday, February 16 | All Departments Closed in observance of
Presidents' Day |
| *Tuesday, February 17 | Code Enforcement Board 7 pm |
| *Tuesday, February 24 | Code Review Committee 6:30 pm |
| *Tuesday, March 3 | Regular Commission Meeting 7 pm |

Village of Biscayne Park - Agenda

15. 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.

ORDINANCE NO. 2008-9

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA PURSUANT TO SECTION 166.041, FLORIDA STATUTES, TO AMEND ORDINANCE 2007-13 ADOPTED ON SEPTEMBER 18, 2007 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008, BY AMENDING VARIOUS PARTS OF THE BUDGET CONSISTENT WITH EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, in accordance with the Village of Biscayne Park's Charter and all laws of the State of Florida, on September 18, 2007, the Village Commission finalized and adopted its operating budget for Fiscal Year 2007-2008, which is incorporated herein; and

WHEREAS, the Village Commission acknowledges that amendments are required to the Annual Operating Budget for Fiscal Year 2007-2008, as designated in Exhibit "A," attached hereto;

NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:

Section 1. Each and all the foregoing Whereas clauses are true and correct and are incorporated herein.

Section 2. That the Annual Operating Budget Fiscal Year 2007-2008, approved by the Village Commission on September 18, 2007, is amended as designated in Exhibit "A," attached hereto.

Section 3. The Village Commission hereby ratifies and confirms all other provisions of Ordinance 2007-13.

Section 4. **Conflicts.** That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5. **Severability.** The provisions of this Ordinance are declared to be 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 not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

The foregoing ordinance upon being put to a vote, the vote was as follows:

John Hornbuckle, Mayor

Attest:

Ann Harper, Village Clerk
Approved as to form:

John J. Hearn, Village Attorney

Mayor Hornbuckle: _____
Vice Mayor Mallett: _____
Commissioner Anderson: _____
Commissioner Bernard: _____
Commissioner Morris: _____

1st Reading – December 2, 2008
2nd Reading – February 3, 2009

VILLAGE OF WILMINGTON
BUDGET AMENDMENT 9/30/2007-2008

FUND	GENERAL FUND					
	REVENUES					
		FY 07-08	FY 07-08		FY 07-08	
OBJECT:		YEAR TO DATE	ADOPTED	BUDGET	AMENDED	
	GENERAL FUND	09/30/08	BUDGET	CHANGE	BUDGET	EXPLANATION
311100	Real & Personal Property	1,692,974.73	1,668,675	24,300	1,692,975	Int and late payment w/ no discount
	Total Ad Valorem Taxes:	1,692,974.73	1,668,675	24,300	1,692,975	
313100	Electric	133,438.74	105,000	28,439	133,439	inc in elect chg, gas surcharge
	Total Franchise Fees:	133,438.74	105,000	28,439	133,439	
3141000	Electric	102,427.17	94,000	8,427	102,427	inc in electric chg
3144000	Gas/Propane	5,523.20	-	5,523	5,523	varies yr to yr
	Total Utility Service Taxes:	107,950.37	94,000	13,950	107,950	
315100	Communications Service Tax	165,985.06	114,064	51,921	165,985	State audit, under payment in prior yrs
	Total Communications Service Tax:	165,985.06	114,064	51,921	165,985	
3221000	Building Permits	72,493.00	70,000	2,493	72,493	
3222000	Electrical Permits	9,689.00	8,000	1,689	9,689	
3223000	Plumbing Permits	14,376.75	8,000	6,377	14,377	
3224000	Air Conditioning/Mechanical Permits	8,425.00	6,000	2,425	8,425	
3226000	Paint Permits	2,641.60	3,000	(358)	2,642	
3227000	Garage Sale	1,120.00	900	220	1,120	
3228000	Plan Review	1,660.45	1,000	660	1,660	
3229001	Variance Application Fee	150.00	1,000	(850)	150	
3229010	Variance Advertisement	980.00	500	480	980	
3229900	Permit Administrative Fee	24,898.94	9,000	15,899	24,899	Based on number of permits (\$20) and other
3231000	Re-Occupancy	2,160.00	2,500	(340)	2,160	misc permits
3231100	Contractor Registration	2,735.00	1,000	1,735	2,735	
3231200	Landlord Permit Fees	1,900.00	10,000	(8,100)	1,900	Decreases after 2 yrs
3231300	Home Occupational Fees	850.00	2,000	(1,150)	850	
	Total (Village) Licenses & Permits:	144,079.74	122,900	21,180	144,080	

VILLAGE OF PALM BEACH
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
3312000	Federal Grants/ Cops Grant					
3313000	Federal Grants/ Fema	26,896.50		26,897	26,897	Close out FEMA
3342100	State Grants/Crime Prevention	3,760.37	-	3,760	3,760	Grants rec during fiscal year
3351200	State Revenue Sharing	75,051.36	73,834	1,217	75,051	
3351400	Fuel Tax Rebate		1,200	(1,200)		Req in road fund
3351800	Local Govt 1/2 Cent Sales Tax	193,190.82	228,212	(35,021)	193,191	Due to economic conditions
3383000	Occupational Licenses - County	4,021.13	2,500	1,521	4,021	Provided by County
	Total Intergovernmental Revenue:	302,920.18	305,746	(2,826)	302,920	
3412000	Certification, Copies & Lien Search	4,358.57	5,000	(641)	4,359	
3434001	Garbage/Waste Fees					
3434002	Garbage/Waste-Interest & Penalties					
3434003	Special Pick-up / Lot Clearing					
3434009	Garbage/Waste Revenue Write Off					
3472001	Recreation Program Fees	84,950.97	125,000	(40,049)	84,951	Decrease in attendance
3472002	Recreation - Concession Sales	8,321.30	15,000	(6,679)	8,321	Due to fee increases
3472003	Other Parks & Rec Fees (Special)	6,359.86	5,000	1,360	6,360	
	Total Service Revenue:	103,990.70	150,000	(46,009)	103,991	
3510100	Judgments/ Citations - Court Imposed	52,098.33	40,000	12,098	52,098	Incr in ticket revenues
3540001	Violations - Local Ordinance	49,600.00	35,000	14,600	49,600	
3590000	LETF					
	Total Fines & Forfeitures:	101,698.33	75,000	26,698	101,698	
3610000	Interest	21,636.95	53,900	(32,263)	21,637	Dec in interest rates
3690100	Miscellaneous Other	9,080.02	5,000	4,080	9,080	
3690102	Insurance Proceeds	5,098.57	-	5,099	5,099	
3690200	Misc Newsletter Ads	1,750.00	500	1,250	1,750	Varies by participation
3690300	North Miami Beach Police Reimbursable	8,711.50	-	8,712	8,712	Off duty
3690500	Police Donations	500.00	-	500	500	Resident donation
3800000	Fund Balance / Carryover					
	Total Miscellaneous Revenue:	46,777.04	59,400	(12,623)	46,777	
	TOTAL REVENUE/BUDGET:	2,799,814.89	2,694,785	105,030	2,799,815	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

		FY 07-08	FY 07-08	BUDGET	FY 07-08			
OBJECT:		YEAR TO DATE	ADOPTED	CHANGE	AMENDED	EXPLANATION		
		09/30/08	BUDGET		BUDGET			
DEPARTMENT:	EXECUTIVE/VILLAGE COMMISSION							
511 11 01	Salaries / Reimbursements	12,000.00	12,000	-	12,000			
511 21 01	FICA Taxes	558.00	744	(186)	558			
511 21 02	Medicare	130.50	174	(44)	131			
TOTAL PERSONAL SERVICES:		12,688.50	12,918	(230)	12,689			
511 40 01	Travel Conferences & Meetings	2,561.37	3,900	(1,339)	2,561			
511 47 01	Printing & Binding	499.14	1,500	(1,001)	499			
511 54 01	Dues, Subscriptions & Memberships	1,905.64	2,500	(594)	1,906			
511 55 01	Special Events	9,403.18	2,500	6,903	9,403	75th Birthday		
TOTAL MATERIALS, SUPPLIES, SERVICES:		14,369.33	10,400	3,969	14,369			
TOTAL OPERATING EXPENSES/BUDGET:		27,057.83	23,318	3,740	27,058			

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
DEPARTMENT:	EXECUTIVE/ADMINISTRATION					
512 12 01	Regular Salaries	136,393.16	130,520	5,373	136,393	
512 13 01	Other Salaries & Wages		4,240	(4,240)		
512 14 01	Overtime					
512 19 01	Compensated Absences					
512 21 01	FICA Taxes	8,556.17	8,355	201	8,556	
512 21 02	Medicare	2,001.06	1,954	47	2,001	
512 22 01	Retirement	24,684.65	11,271	13,414	24,685	FRS req Ann Harrier
512 23 01	Life, Health & Dental Insurance	6,067.84	5,772	295	6,068	
512 24 01	Workers Compensation	1,116.00	1,228	(112)	1,116	
512 34 01	Contractual Services		1,200	(1,200)		
TOTAL PERSONAL SERVICES:		178,818.88	164,540	14,279	178,819	
512 40 01	Travel, Conferences & Meetings	2,957.36	3,500	(543)	2,957	
512 40 02	Travel/Auto Allowance	4,800.00	4,800		4,800	
512 46 02	R&M - Equipment	629.40	750	(121)	629	
512 47 01	Printing & Binding		500	(500)		
512 48 02	Legal Advertising	10,455.70	25,000	(14,544)	10,456	Varies upon # of ordinances
512 49 04	Ordinance Codification		15,000	(15,000)		Cost came in lower than anticipated
512 49 06	Election	15,093.18	10,000	5,093	15,093	Inc from Dade County
512 51 01	Office Supplies	1,199.53	1,500	(300)	1,200	
512 52 12	Special Departmental Supplies	537.14	1,000	(463)	537	
512 54 01	Dues, Subscriptions & Memberships	1,487.13	2,500	(1,013)	1,487	
512 54 02	Education & Training	240.90	2,500	(2,259)	241	
TOTAL MATERIALS, SUPPLIES, SERVICES:		37,400.34	67,050	(29,650)	37,400	
	TOTAL DEPARTMENT EXPENSES/BUDGET:	216,219.22	231,590	(15,371)	216,219	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08	FY 07-08	FY 07-08		
DEPARTMENT:	FINANCE	YEAR TO DATE	ADOPTED	BUDGET	AMENDED	EXPLANATION
		09/30/08	BUDGET	CHANGE	BUDGET	
513.12.01	Regular Salaries	10,932.27	13,217	(2,285)	10,932	
513.14.01	Overtime	239.48	430	(191)	239	
513.21.01	FICA Taxes	707.55	846	(138)	708	
513.21.02	Medicare	165.50	198	(33)	166	
513.22.01	Retirement	1,068.01	1,344	(276)	1,068	
513.23.01	Life, Health & Dental Insurance	2,947.63	2,939	9	2,948	
	TOTAL PERSONAL SERVICES:	16,060.44	18,974	(2,914)	16,060	
513.32.01	Accounting & Audit Services	25,500.00	25,500	-	25,500	
513.34.01	Consulting Services	81,267.50	70,000	11,268	81,268	Add'l help due to maternity leave
513.34.02	Contract Services-HTE	17,398.00	17,500	(102)	17,398	
513.40.01	Travel, Conferences & Meetings	153.68	350	(196)	154	
513.46.02	R&M - Equipment	-	-	-	-	
513.51.01	Office Supplies	346.89	500	(153)	347	
513.54.01	Dues, Subscriptions & Memberships	610.00	75	535	610	
513.54.02	Education & Training	-	-	-	-	
	TOTAL MATERIALS, SUPPLIES, SERVICES:	125,276.07	113,925	11,351	125,276	
	TOTAL OPERATING EXPENSES/BUDGET:	141,336.51	132,899	8,438	141,337	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
DEPARTMENT:	GENERAL GOVERNMENT					
519.12.01	Regular Salaries	25,550.90	27,069	(1,518)	25,551	
519.14.01	Overtime	216.52	200	17	217	
519.21.01	FICA Taxes	1,585.23	1,691	(106)	1,585	
519.21.02	Medicare	370.74	395	(24)	371	
519.22.01	Retirement	3,611.14	1,322	2,289	3,611	FRS req part-time position
519.23.01	Life, Health & Dental Insurance	6,979.43	8,711	(1,732)	6,979	
519.24.01	Workers' Compensation	224.00	246	(22)	224	
519.25.01	Unemployment Compensation	61.98	-	62	62	
	TOTAL PERSONAL SERVICES:	38,599.94	39,634	(1,034)	38,600	
519.31.01	Attorney Legal Fees	59,930.22	60,000	(70)	59,930	
519.31.02	Legal - Other	18,905.61	30,000	(11,094)	18,906	Cost less than est
519.31.03	Other Professional Services	23,096.60	25,000	(1,903)	23,097	
519.31.04	Contract Services	436.46	2,500	(2,064)	436	
519.41.01	Telephone	14,926.07	13,000	1,926	14,926	
519.42.01	Postage, Freight & Express Charges	2,998.21	6,000	(3,002)	2,998	
519.43.01	Electric Utility Service	28,139.61	30,000	(1,860)	28,140	
519.43.02	Water Utility Services	1,389.03	1,500	(111)	1,389	
519.44.02	Equipment Rental & Lease	15,763.42	13,200	2,563	15,763	
519.45.01	Insurance	24,089.01	35,000	(10,911)	24,089	Re-evaluation
519.46.02	Repair & Maintenance - Equipment	6,382.20	5,000	1,382	6,382	
519.47.01	Printing & Binding	277.35	2,000	(1,723)	277	
519.48.01	Communications - Newsletter/ Website	5,063.23	3,350	1,713	5,063	
519.48.02	Legislative Representative	27,083.33	25,000	2,083	27,083	
519.49.01	Miscellaneous - Credit Card/Bank Fees	6,734.93	10,000	(3,265)	6,735	based on usage
519.49.02	Dog Park Expenses	-	-	-	-	
519.51.01	Office Supplies - General	3,291.36	4,900	(1,608)	3,291	
519.52.01	Operating Supplies	2,990.39	1,600	1,390	2,990	
519.54.01	Dues, Subscriptions & Memberships	-	1,200	(1,200)	-	
519.59.01	Contingency	-	2,998	(793)	2,205	
	TOTAL MATERIALS, SUPPLIES, SERVICES:	241,497.03	272,248	(28,546)	243,702	
	TOTAL OPERATING EXPENSES/BUDGET:	280,096.97	311,882	(29,580)	282,302	
519.64.01	Capital Outlay	23,756.56	13,609	10,146	23,757	Transfer to Cap Projects for Pavilion, P/W Bidg and Entry Sign
	TOTAL CAPITAL OUTLAY	23,756.56	13,609	10,146	23,757	
519.82.01	Aids to Private Organizations	2,500.00	2,500	-	2,500	
519.82.01	Ed Burke Pension	-	2,000	(2,000)	-	
	GRANTS & AIDS:	2,500.00	4,500	(2,000)	2,500	
	TOTAL DEPARTMENT EXPENSES/BUDGET:	308,353.53	329,991	(21,432)	308,559	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE	FY 07-08 ADOPTED	BUDGET	FY 07-08 AMENDED	
DEPARTMENT:	POLICE	09/30/08	BUDGET	CHANGE	BUDGET	EXPLANATION
521.12.01	Regular Salaries	536,885.96	516,267	20,599	536,686	addition of officer
521.13.01	Other Salaries & Wages	11,210.00	17,000	(5,790)	11,210	pd reserve officers
521.14.01	Overtime	142,071.62	64,000	78,072	142,072	3 officers on w/c
521.15.01	Special Pay - Officer Incentive	8,185.00	6,000	2,185	8,185	
521.16.01	Court Time	6,384.73	5,000	1,385	6,385	
521.17.01	Holiday Pay					
521.19.01	Banked Sick Leave	19,842.04		19,842	19,842	officers leaving
521.21.01	FICA Taxes	47,273.10	37,714	9,559	47,273	
521.21.02	Medicare	10,280.74	8,820	1,461	10,281	
521.22.01	Retirement	137,594.33	127,254	10,340	137,554	
521.23.01	Life, Health & Dental Insurance	57,416.14	69,578	(12,162)	57,416	
521.24.01	Workers' Compensation	182,417.65	49,041	133,377	182,416	self-insured exp
521.25.01	Unemployment Compensation					
TOTAL PERSONAL SERVICES:		1,159,561.31	960,694	258,867	1,159,561	
521.31.04	Contract Services	3,298.39	500	2,798	3,298	
521.40.01	Travel, Conferences & Meetings		3,000	(3,000)		
521.41.01	Telephone & Cellular Air Time	5,400.95	7,000	(1,599)	5,401	
521.44.01	Rental & Lease - Beepers	1,110.99	1,500	(389)	1,111	
521.45.01	Insurance - Auto	18,303.00	21,700	(3,397)	18,303	
521.45.02	Insurance - Prof. Liability	32,913.70	25,600	7,314	32,914	Based on payroll
521.46.01	R&M - Vehicles	24,035.51	15,000	9,036	24,036	age of vehicles
521.46.02	R&M - Equipment	9,632.10	4,000	5,632	9,632	improve computers
521.46.03	R&M - Radio	3,230.32	4,000	(770)	3,230	
521.47.01	Printing & Binding	1,188.67	1,000	189	1,189	
521.51.01	Office Supplies	3,658.09	4,500	(842)	3,658	
521.52.02	Gas & Oil	52,504.27	50,000	2,504	52,504	
521.52.03	Tires & Tire Repair	6,032.67	3,500	2,533	6,033	
521.52.04	Uniforms	7,214.15	5,000	2,214	7,214	addition of officers
521.52.05	Vests - Body Armor	1,149.15	600	549	1,149	addition of officers
521.52.06	Dry Cleaning - Uniforms	2,203.14	2,000	203	2,203	
521.52.07	Ammunition		1,600	(1,600)		
521.52.08	Photography	193.27	200	(7)	193	
521.52.12	Special Department Supplies	10,721.33	3,000	7,721	10,721	Improve dept Commission direction
521.54.01	Dues, Subscriptions & Memberships	2,240.45	3,500	(1,260)	2,240	
521.54.02	Education & Training	690.00	3,000	(2,310)	690	
TOTAL MATERIALS, SUPPLIES, SERVICES:		185,720.35	160,200	25,520	185,720	
TOTAL OPERATING EXPENSES/BUDGET:		1,345,281.66	1,060,894	284,388	1,345,282	
521.64.01	Vehicles (Debt Service)		5,968	(5,968)		ini inc in capital account applied
521.64.02	Machinery & Equipment - 800 MHZ					to payment
TOTAL CAPITAL OUTLAY		-	5,968	(5,968)	-	
TOTAL DEPARTMENT EXPENSES/BUDGET:		1,345,281.66	1,066,862	278,420	1,345,282	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08	FY 07-08	BUDGET	FY 07-08	
DEPARTMENT:	BUILDING	YEAR TO DATE	ADOPTED	CHANGE	AMENDED	EXPLANATION
		09/30/08	BUDGET		BUDGET	
524 12 01	Regular Salaries	27,538.10	26,434	1,104	27,538	
524 13 01	Other Salaries & Wages	28,658.80	16,260	12,399	28,659	Increase due to increase
524 14 01	Overtime	246.37	750	(504)	246	in permits
524 21 01	FICA Taxes	2,804.51	2,694	111	2,805	
524 21 02	Medicare	655.89	630	26	656	
524 22 01	Retirement	2,880.03	2,688	192	2,880	
524 23 01	Live. Health & Dental Insurance	5,770.49	5,772	(2)	5,770	
524 24 01	Workers Compensation	227.00	249	(22)	227	
524 25 01	Unemployment Taxes					
	TOTAL PERSONAL SERVICES:	68,781.19	55,477	13,304	68,781	
524 21 06	Inspectors Retainers		500	(500)		
524 21 07	Inspectors Fees	56,110.22	49,000	7,110	56,110	Increase due to increase
524 21 08	Structural Engineer	1,350.00	1,000	350	1,350	in permits
524 46 02	R&M Equipment	1,198.00	1,500	(302)	1,198	
524 47 01	Printing & Binding	59.45	500	(441)	59	
524 49 03	Special Departmental Supplies	372.74	850	(477)	373	
524 51 01	Office Supplies	528.20	2,500	(1,972)	528	
524 54 01	Subscriptions, Memberships, Books	460.00	250	210	460	
524 54 02	Education & Training		1,000	(1,000)		
	TOTAL MATERIALS, SUPPLIES, SERVICES:	60,078.61	57,100	2,979	60,079	
	TOTAL OPERATING EXPENSES/BUDGET:	128,859.80	112,577	16,283	128,860	

VILLAGE OF WAYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
DEPARTMENT:	CODE ENFORCEMENT					
529 12 01	Regular Salaries	42,474.45	40,900	1,574	42,474	
529 13 01	Other Salaries & Wages	2,585.91		2,586	2,586	Union requirements
529 14 01	Overtime	736.49		736	736	
529 21 01	FICA Taxes	2,867.85	2,536	332	2,868	
529 21 02	Medicare	670.71	593	78	671	
529 22 01	Retirement	4,556.22	4,029	527	4,556	
529 23 01	Life, Health & Dental Insurance	5,770.49	5,772	(2)	5,770	
529 24 01	Workers' Compensation	349.00	385	(36)	349	
529 25 01	Unemployment Compensation					
TOTAL PERSONAL SERVICES:		60,011.12	54,215	5,796	50,011	
529 33 01	Recording Fees	842.00		842	842	
529 41 01	Telephone & Cellular Air Time	623.03	800	(177)	623	
529 42 01	Postage		500	(500)		
529 46 01	R&M Equipment	1,633.50	1,500	134	1,634	
529 47 01	Printing	132.00	1,000	(868)	132	
529 51 01	Office Supplies & Misc.	841.31	1,500	(659)	841	
529 52 04	Uniforms	154.69	250	(95)	155	
529 54 01	Dues, Subscriptions & Memberships	30.00	500	(470)	30	
529 54 02	Education & Training	175.00	500	(325)	175	
TOTAL MATERIALS, SUPPLIES, SERVICES:		4,431.53	6,550	(2,118)	4,432	
529 64 02	Machinery & Equipment					
TOTAL DEPARTMENT EXPENSES / BUDGET:		64,442.65	60,765	3,678	64,443	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
DEPARTMENT:	PUBLIC WORKS					
OBJECT/ACCOUNT NAME:						
534 12.01	Regular Salaries	122,909.89	165,102	(42,192)	122,910	Employees not replaced
534 13.01	Other Salaries & Wages	8,524.19	12,362	(3,838)	8,524	
534 14.01	Overtime	1,381.46	3,500	(2,119)	1,381	
534 21.01	FICA Taxes	8,661.39	11,220	(2,559)	8,661	
534 21.02	Medicare	2,025.76	2,624	(599)	2,026	
534 22.01	Retirement	15,591.39	17,825	(2,234)	15,591	
534 23.01	Life, Health & Dental Insurance	31,354.04	36,940	(5,586)	31,354	
534 24.01	Workers' Compensation	18,183.00	20,003	(1,820)	18,183	
534 26.01	Other Personnel Services	780.00	780	780	780	
TOTAL PERSONAL SERVICES:		209,411.12	269,576	(60,165)	209,411	
534 40.02	Education & Training	2,263.14	3,500	(1,237)	2,263	
534 41.01	Telephone	2,446.72	5,700	(3,253)	2,447	
534 43.01	Electric	2,576.61	3,100	(523)	2,577	
534 43.02	Water	950.59	3,000	(2,049)	951	
534 44.02	Equipment Rental	5,092.36	5,000	92	5,092	
534 45.01	Insurance - Auto	1,965.00	2,400	(435)	1,965	
534 45.02	Insurance - Liability	4,084.00	3,679	405	4,084	
534 45.03	Insurance - Village Bus/Vans	4,489.00	5,482	(993)	4,489	
534 46.01	R&M Vehicles	5,263.70	4,000	1,264	5,264	
534 46.02	R&M Equipment	3,171.78	4,500	(1,328)	3,172	
534 46.03	R&M Buildings	13,316.07	31,500	(18,184)	13,316	limited to necessary exp
534 46.04	R&M Vehicles/Village Bus/Vans		2,500	(2,500)		not used
534 47.01	Printing & Binding		1,000	(1,000)		not used
534 49.05	Truck Washing		2,000	(2,000)		not used
534 51.01	Office Supplies	1,453.43	1,200	253	1,453	
534 52.01	Operating Supplies	9,380.62	13,500	(4,119)	9,381	
534 52.02	Gas & Oil	12,228.59	5,500	6,729	12,229	inc in gas costs
534 52.03	Tires & Tire Repair	777.35	2,000	(1,223)	777	
534 52.04	Uniform Rental	2,648.63	2,500	149	2,649	
534 52.05	Gas & Oil/Village Bus/Vans	3,691.91	3,320	372	3,692	
TOTAL MATERIALS, SUPPLIES, SERVICES:		75,799.60	105,381	(29,581)	75,800	
TOTAL OPERATING EXPENSES / BUDGET:		285,210.72	374,957	(89,746)	285,211	
534 62.01	Buildings	1,335.00		1,335	1,335	
534 63.02	Landscaping	11,262.00	31,000	(19,738)	11,262	limited to necessary exp
534 64.02	Machinery & Equipment					
TOTAL CAPITAL OUTLAY:		12,597.00	31,000	(18,403)	12,597	
534 74.01	Lease/Purchase					
534 75.01	Lease/Purchase	12,091.14	12,930	(839)	12,091	
TOTAL DEBT SERVICE		12,091.14	12,930	(839)	12,091	
TOTAL NON-OPERATING BUDGET:		24,688.14	43,930	(19,242)	24,688	
TOTAL DEPARTMENT EXPENSES / BUDGET:		309,898.86	418,887	(108,988)	309,899	

VILLAGE OF WAYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
DEPARTMENT:	RECREATION					
572 12.01	Regular Salaries	73,224.26	88,215	(14,991)	73,224	Clerk not replaced
572 13.01	Other Salaries/Wages	72,994.44	90,225	(17,231)	72,994	Less employees due to less attendance
572 21.01	FICA Taxes	9,157.93	11,063	(1,905)	9,158	
572 21.02	Medicare	2,141.71	2,588	(446)	2,142	
572 22.01	Retirement	7,212.59	8,971	(1,758)	7,213	
572 23.01	Life, Health & Dental Insurance	11,540.98	17,316	(5,775)	11,541	
572 24.01	Workers Compensation	20,548.00	22,606	(2,058)	20,548	
TOTAL PERSONAL SERVICES:		196,819.91	240,984	(44,164)	196,820	
572 31.08	Professional Services	944.45	2,500	(1,555)	944	
572 40.03	Travel, Conferences & Meetings		100	(100)		
572 41.01	Telephones	4,327.49	6,000	(1,673)	4,327	
572 42.01	Postage, Freight & Express Charges		100	(100)		
572 43.01	Electric Utility Service	8,751.26	8,000	751	8,751	
572 43.02	Water Utility Services	878.47	700	178	878	
572 44.02	Equipment Rental & Lease	788.00	1,000	(212)	788	
572 45.02	Insurance - Liability	5,543.00	3,912	1,631	5,543	
572 46.02	R&M Equipment	1,340.00	1,500	(160)	1,340	
572 47.01	Printing & Binding	205.00	400	(195)	205	
572 51.01	Office Supplies - General	903.32	2,000	(1,097)	903	
572 52.01	Operating Supplies	10,273.22	11,000	(727)	10,273	
572 52.09	Concession - Resale	5,105.37	10,000	(4,895)	5,105	Based on actual
572 52.10	Games - Indoor	2,808.74	4,000	(1,191)	2,809	
572 52.11	Games - Outdoor	4,671.31	4,000	671	4,671	
572 54.01	Dues, Subscriptions & Memberships	265.00	300	(35)	265	
572 54.02	Education & Training		400	(400)		
572 55.01	Special Events	6,680.67	8,000	(1,319)	6,681	
TOTAL MATERIALS, SUPPLIES, SERVICES:		53,485.30	63,912	(10,427)	53,485	
TOTAL OPERATING EXPENSES / BUDGET:		250,305.21	304,896	(54,591)	250,305	
572 63.01	Improvements Other Than Buildings	2,992.50	8,000	(5,008)	2,993	
572 64.02	Machinery & Equipment	4,861.81	5,000	(138)	4,862	
TOTAL CAPITAL OUTLAY		7,854.31	13,000	(5,146)	7,854	
TOTAL DEPARTMENT EXPENSES / BUDGET:		258,159.52	317,896	(59,736)	258,160	
TOTAL EXPENSES		2,797,609.58	2,694,785	102,824	2,799,815	
TOTAL REVENUE		2,799,814.89	2,694,785	105,030	2,799,815	
TOTAL REVENUES/TOTAL EXPENSES		2,205.31	-	0	0	

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
FUND 101	ROAD FUND					
	REVENUE:					
312 40 10	Local Option Gas Tax -Capital Improvements	23,251.32	25,838		25,838	
312 40 20	Local Option Gas Tax (6 Cents)	59,647.78	61,533		61,533	
334 10 00	Forestry Grants	35,058.00		35,058	35,058	Received grant proceeds
334 20 00	DOT Landscaping Grant	4,975.00	3,980	995	4,975	
335 12 00	State Revenue Sharing	28,118.70	27,796	323	28,119	
335 14 00	Fuel Tax Rebate	2,339.82		2,340	2,340	Budgeted in GF
361 00 00	Interest	341.26	1,382		1,382	Int rate decrease
369 01 00	Miscellaneous Revenue					
391 91 00	CIT Road Improvements	20,000.00	68,000	(38,716)	29,284	Transfer based on required funding
	Cash Carryover/Prior Year's Reserves					
	TOTAL REVENUES/BUDGET:	173,731.88	188,529		188,529	
534 12 01	Regular Salaries	82,809.85	83,446		83,446	
534 13 01	Other Salaries/Wages	3,947.35	4,570		4,570	
534 14 01	Overtime	791.20	850		850	
534 19 01	Banked Sick Leave					
534 21 01	FICA Taxes	5,422.08	5,510		5,510	
534 21 02	Medicare	1,267.88	1,288		1,288	
534 22 01	Retirement	7,464.73	8,753		8,753	
534 23 01	Life, Health & Dental Insurance	14,407.51	16,163		16,163	
534 24 01	Workers Compensation	11,288.00	12,418		12,418	
534 25 01	Unemployment Insurance					
534 31 08	Contract Services	1,498.05	3,500		3,500	
534 45 01	Insurance - Auto	1,943.00	2,372		2,372	
534 45 02	Insurance - Liability	1,284.00	1,859		1,859	
534 46 01	R&M Vehicles	1,098.00	5,500		5,500	
534 46 02	R&M Equipment	286.93	4,500		4,500	
534 52 01	Operating Supplies	4,733.73	3,500	1,235	4,735	
534 52 02	Gas & Oil	5,949.37		6,000	6,000	Transfer from Public Works
534 52 04	Uniforms	1,235.68	800	450	1,250	
534 53 01	Road Materials	1,789.49	3,500		3,500	
534 59 01	Contingency					
534 63 01	Improvements other than Buildings	4,189.00	30,000	(7,685)	22,315	limited to necessary exp
534 64 02	Machinery & Equipment	12,062.18		12,062	12,062	Purchase of lawn equipment
	TOTAL DEPARTMENT EXPENSES/BUDGET	163,468.03	188,529		188,529	
	TOTAL EXPENSES	163,468.03	188,529		188,529	
	TOTAL REVENUE	173,731.88	188,529		188,529	
	TOTAL REVENUES/TOTAL EXPENSES	10,263.85				

VILLAGE OF DAYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
FUND 402	SANITATION FUND					
	REVENUE:					
3434001	Garbage/Waste Fees	691,768.80	695,856		695,856	
3434003	Special Pick-up / Lot Clearing	34,514.67	10,000	24,515	34,515	
	TOTAL REVENUES/BUDGET:	726,283.47	705,856	24,515	730,371	
534.12.01	Regular Salaries	239,533.96	217,020	22,514	239,534	Change in personal
534.13.01	Other Salaries & Wages	4,222.50	11,700		11,700	
534.14.01	Overtime	600.03	1,000		1,000	
534.19.01	Banked Sick Leave		3,200		3,200	
534.21.01	FICA Taxes	15,057.08	14,243	815	15,058	
534.21.02	Medicare	3,521.23	3,331	190	3,521	
534.22.01	Retirement	22,689.65	22,627	65	22,692	
534.23.01	Life, Health & Dental Insurance	45,613.69	50,792		50,792	
534.24.01	Workers' Compensation	47,952.00	52,755		52,755	
	TOTAL PERSONAL SERVICES:	379,190.14	376,668	23,584	400,252	
534.34.02	Dump - Garbage/Waste	152,471.94	174,000	(20,000)	154,000	Cost cutting measures
534.34.03	Dump - Recycling	35,000.00	35,000		35,000	
534.34.03	Cart Pickup		3,000	(3,000)		Not required
534.41.01	Telephone	2,446.72	1,265	1,200	2,465	
534.43.01	Electric	2,576.61	720	1,900	2,620	
534.43.02	Water	950.68	225	750	975	
534.45.01	Insurance - Auto	4,796.00	5,856	(1,000)	4,856	
534.45.02	Insurance - Liability	7,453.00	4,836	2,651	7,487	
534.46.01	R&M Vehicles	9,632.21	7,000	2,650	9,650	
534.49.05	Truck Washing		1,000	(1,000)		
534.52.01	Operating Supplies	4,637.19	5,795	(1,000)	4,795	
534.52.02	Gas & Oil	21,881.65	16,380	5,550	21,930	Inc in gas costs
534.52.03	Tires & Tire Repair	1,656.24	2,000		2,000	
534.52.04	Uniform Rental	2,113.31	3,015	(200)	2,815	
534.53.01	Depreciation	30,360.00	30,360		30,360	
534.53.02	Administration Fee-Miami-Dade	34,566.75	35,482		35,482	
534.54.02	Machinery & Equipment	12,430.00		12,430	12,430	Unanticipated exp. truck engine
534.55.01	Lease/Purchase Interest	3,254.00	3,254		3,254	
	TOTAL MATERIALS, SUPPLIES, SERVICES:	326,226.30	329,188	931	330,119	
	TOTAL EXPENSES	705,416.44	705,856	24,515	730,371	
	TOTAL REVENUE	726,283.47	705,856	24,515	730,371	
	TOTAL REVENUES/TOTAL EXPENSES	20,867.03				

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT		FY 07-08 YEAR TO DATE	FY 07-08 ADOPTED	BUDGET	FY 07-08 AMENDED	
FUND 105	POLICE FORFEITURE	09/30/08	BUDGET	CHANGE	BUDGET	EXPLANATION
	REVENUE:					
359.00.00	Fines and Forfeitures	2,276.76		2,300	2,300	
361.00.00	Interest	637.91	2,000	(1,360)	640	
380.00.00	Fund Balance / Carryover	20,716.60		20,800	20,800	
	TOTAL REVENUES/BUDGET:	23,631.27	2,000.00	21,740	23,740	
521.35.01	Crime Watch	207.00		210	210	
521.40.01	Travel, Conferences & Meetings	4,250.00		4,250	4,250	Commission approved exp
521.49.01	Miscellaneous		2,000	(2,000)		
521.52.01	Operating Supplies	89.58		100	100	Commission approved exp
521.64.01	Machinery & Equipment	11,539.40		11,580	11,580	Commission approved exp
521.64.02	Capital Outlay	7,545.29		7,600	7,600	Commission approved exp
	TOTAL MATERIALS, SUPPLIES, SERVICES:	23,631.27	2,000.00	21,740	23,740	
	TOTAL EXPENSES	23,631.27	2,000.00	21,740	23,740	
	TOTAL REVENUE	23,631.27	2,000.00	21,740	23,740	
	TOTAL REVENUES/TOTAL EXPENSES					
FUND 301	CITY-SURTAX					
	REVENUE:					
338.35.00	Transit Surtax	104,862.00	117,257		117,257	
361.00.00	Interest	1,215.51	2,400		2,400	
380.00.00	Fund Balance / Carryover	63,873.56		112,111	112,111	
	TOTAL REVENUES/BUDGET:	169,951.07	119,657.00	112,111	231,768	
519.34.01	North Miami-NOMI	35,000.00	30,000	5,000	35,000	Contract renewal at higher cost
519.34.02	Contract Services	21,168.00		21,168	21,168	Kimley Horn
519.63.01	Improvements	50,873.04	21,657	29,216	50,873	TRW Rec Sidewalks
581.90.01	Transfer to Road Fund	20,000.00	68,000	(38,716)	29,284	Transfer required
581.90.02	Transfer to Stormwater	42,910.03		95,443	95,443	Required CITY allocation to commit all remaining funds
	TOTAL MATERIALS, SUPPLIES, SERVICES:	169,951.07	119,657.00	112,111	231,768	
	TOTAL EXPENSES	169,951.07	119,657.00	112,111	231,768	
	TOTAL REVENUE	169,951.07	119,657.00	112,111	231,768	
	TOTAL REVENUES/TOTAL EXPENSES					

VILLAGE OF WYNE PARK
BUDGET AMENDMENT 9/30/2007-2008

OBJECT:		FY 07-08 YEAR TO DATE 09/30/08	FY 07-08 ADOPTED BUDGET	BUDGET CHANGE	FY 07-08 AMENDED BUDGET	EXPLANATION
FUND 401	STORMWATER					
	REVENUE:					
361.00.00	Interest	214.97		215	215	
391.91.01	Transfer from CITT	42,910.03		42,910	42,910	Transfer to cover project (stormwater)
380.00.00	Fund Balance / Carryover	5,361.20		5,361	5,361	
	TOTAL REVENUES/BUDGET:	48,486.20	-	48,486	48,486	
534.66.05	Stormwater Project	48,486.20		48,486	48,486	Complete drainage project
	TOTAL MATERIALS, SUPPLIES, SERVICES:	48,486.20	-	48,486	48,486	
	TOTAL EXPENSES	48,486.20	-	48,486	48,486	
	TOTAL REVENUE	48,486.20	-	48,486	48,486	
	TOTAL REVENUES/TOTAL EXPENSES	-	-	-	-	
FUND 601	CAPITAL IMPROVEMENTS					
	REVENUE:					
337.70.00	Recreation Grants					
361.00.00	Interest					
381.00.00	Transfer from General Fund	23,756.56		54,665	54,665	
380.00.00	Fund Balance / Carryover					
	TOTAL REVENUES/BUDGET:	23,756.56	-	54,665	54,665	
590.66.02	Public Works Building	1,663.22		1,665	1,665	Commission approved exp
590.66.04	Recreation Pavilion	3,000.00		15,000	15,000	Commission approved exp
590.66.05	Entryway Sign	6,093.34		38,000	38,000	Commission approved exp
	TOTAL MATERIALS, SUPPLIES, SERVICES:	10,756.56	-	54,665.00	54,665.00	
	TOTAL EXPENSES	10,756.56	-	54,665	54,665	
	TOTAL REVENUE	23,756.56	-	54,665	54,665	
	TOTAL REVENUES/TOTAL EXPENSES	13,000.00	-	-	-	

ORDINANCE NO. 2009-1

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING CHAPTER 16 ENTITLED "PERMITS AND CERTIFICATES" BY AMENDING SECTION 16.15 ENTITLED "LANDLORD PERMITS;" CLARIFYING VARIOUS PROVISIONS INCLUDING FEES, APPLICATION PROCEDURES AND PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Village Commission of the Village of Biscayne Park adopted Ordinance 2006-13 addressing landlord permits in order to preserve and protect the aesthetics and property values within its community; and

WHEREAS, the Village Commission has found it to be in the best interests of its citizens to amend Ordinance 2006-13 in order to clarify certain regulations including fees, application procedures and penalties;

NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:

Section 1. Each and all the foregoing Whereas clauses are true and correct and are incorporated herein.

Section 2. Chapter 16 of the Municipal Code of the Village of Biscayne Park, Florida is hereby amended to create Section 16-15, entitled "Landlord Permits," to read as follows:

Sec. 16.15. Landlord permits.

Sec. 16.15.1. Application for permit; issuance of permit. Every owner of a dwelling is required to ~~get~~ obtain an annual landlord permit for each dwelling unit from the Village Manager or designee prior to leasing, subleasing, renting or allowing the occupancy of such unit to another natural person or other natural persons, unrelated to the

owner, whether or not for consideration, except as provided in subsection 16.15.2.3. In the case of multiple owners of any such dwelling unit, it shall be sufficient for any one of the owners to have obtained a permit on the unit. The application shall be in writing and on a form provided by the Village. Such annual permit shall be valid from January 1 through December 31 of each year and shall be issued and not revoked if:

(1) ~~The An annual regulatory fee in accordance with the schedule set out in Appendix A is paid.~~

(2) The applicant and the applicant's property are not in violation of this section.

(3) The applicant provided the correct street address for all parcels or property covered by this section.

Sec. 16.15.2 Landlord permit required. It is hereby deemed unlawful for any person to lease, sublease, rent or allow the occupancy of any dwelling or dwelling unit for the purpose of tenancy, whether or not for consideration, without first obtaining the required landlord permit.

Sec. 16.15.2.3 Exemption. The provisions of this section do not apply if the dwelling unit is occupied by less than three persons 18 years of age or older, one of whom is the owner, and the children of one or both of these people.

Sec. 16.15.3.4 Payment; late payment. The Village shall bill each applicant or holder of a landlord permit for the annual fee, once the Village Manager or designee determines that all requirements for the permit have been met. If payment is not received on the due date, the account shall be considered delinquent and subject to a delinquency penalty of ten percent (10%) for the first thirty (30) days of delinquency and an additional five percent (5%) penalty for each month of delinquency thereafter until paid; provided that the total delinquency penalty shall not exceed twenty five percent (25%) of the fee due. an extra fee shall be due and payable as specified in Appendix A. If payment is not received within one hundred twenty (120) days ~~the time frames specified in Appendix A,~~ the Village Manager or designee may refer the account to a collection agency. If the collection agency does not collect the amount due within 90 days of the referral, or if the Village Manager or designee decides not to refer the account to a collection agency, the applicant or permit holder shall be subject to citation for violation of this section and proceedings before the code enforcement board.

Sec.16.15.5 Fees.

(a) Fees to be charged for the purpose of administering this ordinance shall be established by separate resolution.

(b) The Village Manager shall collect all fees due and owing to the Village.

(c) Inspections of the applicant's premise shall be scheduled at the convenience of both the enforcement officer/inspector, landlord, and tenant(s). If the landlord and/or tenant fails to be present at the time of the scheduled inspection or if the enforcement

officer/inspector is denied and/or unable to gain access to the swelling or dwelling unit to conduct the requisite inspection, the landlord may be subject to being charged a re-inspection fee of twenty five dollars (\$25.00), for each re-inspection, at the discretion of the Village. Additionally, after three (3) such attempts and/or denials of access to the premises, the Village may pursue the revocation of any existing permit(s) of use issued to the subject premises.

Sec. 16.15.4. 6. Waiver of permit fee. If the property has received no violations for 3 consecutive years, then the landlord permit fee shall be waived.

Sec. 16.15.7. Application procedures.

(a) No landlord permit shall be issued or granted to any person unless an application is filed with the Village Manager, or his/her designee on forms provided for that purpose, disclosing the following:

(1) The landlord's name and address and telephone number, and any other emergency contact information. Any changes in such information during the period for which the landlord permit is issued shall be made to the Village Manager or his/her designee, in writing.

(2) If the applicant is a corporation or partnership, the full name and address of the corporation or partnership and the state of incorporation. Applicant must submit a copy of the articles of incorporation.

(b) All applications and permits shall be assigned a number, which may be an individual's social security number, a corporation's federal tax number, or such other uniform method of numbering selected by the Village Manager or his designee.

(c) Statement of accuracy: The application form shall contain the following language:

"The undersigned has carefully reviewed this application and all information contained herein has been freely and voluntarily provided. All facts, figures, statements contained in this application are true, correct, and complete to the best of my knowledge and belief. The applicant also acknowledges and understands that the issuance of a Village landlord permit is contingent upon a compliance inspection and in conjunction with the issuance of a certificate of occupancy. The undersigned understands that failure to comply with the Village's ordinances may result in revocation of said landlord permit."

(d) The applicant shall print and sign his or her name to the application immediately after the statement required in subsection (c) above. In the case of a corporation, an officer shall be required to sign the application in his individual capacity and not solely as a corporate agent.

(e) Dwelling or dwelling units that are required to obtain a certificate of occupancy pursuant to the Florida Building Code, must do so prior to the issuance of a

landlord permit. The Village shall honor any certificate of occupancy issued by Miami Dade County provided that the occupancy for which the certificate was issued remains the same.

(f) State license, certificate, registration required. All premises regulated by the state must submit a copy of their current state license, certificate, and/or registration prior to the issuance of their landlord permit and thereafter each year at the time of renewal. Only the state license itself or receipt therefore shall constitute proof of current state license.

(g) Landlord permits shall not be issued unless:

- (1) There has been a site inspection of the dwelling or dwelling unit(s) by the Village.
- (2) The Village has verified compliance with all applicable laws and regulations and has collected all applicable fees due to the Village.

Sec. 16.15.5.8 Failure to apply for permit. If the Village Manager or designee has reasonable cause to believe that a dwelling unit is being leased, subleased, rented or occupied without a permit in violation of this section, the owner of the property shall be given notice that a permit is required and that an application must be filed with the Village within 30 days of the notice. If an application, or evidence that a permit is not required, is not received on the due date, ~~an extra fee shall be charged for the permit as specified in Appendix A. Failure to apply or provide evidence that a permit is not required within the time frames specified in Appendix A shall subject the~~ The owner shall be cited ~~to citation~~ for violation of this section and proceedings before the code enforcement board will begin.

Sec. 16.15.6.9. Tenant documents. Prior to executing a lease for the dwelling unit covered by the permit, applicant will provide each tenant with a copy of:

- (a) F.S. Chapter 83, pt. II, entitled "Residential Tenancies;" and
- (b) Chapter 16, Section 16.15 of this Code, entitled "Landlord Permits."

Sec. 16.15.7.10. Obligation to pursue lawful remedies. In the event the Village provides notice to the applicant (property owner or designated agent) of repeated violations of certain ordinances by a tenant or guests of a tenant of the dwelling unit, the applicant will pursue all lawful remedies available under F.S. Section 83.56, regarding termination of the rental agreement due to the tenant's failure to comply with F.S. Chapter 83, the provisions of the lease or this Code.

Sec. 16.15.8.11. Requirements of permittee.

(a) Any owner who resides outside of Miami-Dade County either at the time of procuring a permit or after having procured a permit shall appoint an agent who resides within the county for the purpose of receiving notices from the Village concerning the

permit. The owner shall notify the Village in writing of the name, address, and telephone number of the agent. If the owner fails to appoint an agent or notify the Village, the permittee shall be presumed to have agreed to constructive notice by publication in a newspaper of countywide circulation within Miami-Dade County.

(b) The permittee and appointed agent, if any, shall maintain a list of the names of tenants in each dwelling unit. Such lists shall be available to the Village upon reasonable notice.

Sec. 16.15.9-12. Material breaches of lease. Adjudications of guilt or pleas of no contest of the Village's ordinances, including but not limited to noise, animal control, solid waste, storage, trash and yard maintenance, shall be a material breach of a lease of any unit regulated by this section, and grounds for termination of the lease.

Sec. 16.15.10-13. Agreement to allow inspection. By applying for a permit, the owner agrees to allow inspection of the unit for violations of the housing code at any reasonable time; however, this provision shall not be interpreted as authorizing the Village to conduct an inspection of an occupied rental unit without obtaining either the consent of an occupant or a warrant.

Sec. 16.15.14-14. Contact information. No permit shall be issued or renewed until the applicant or permit holder has provided the name and phone number of a natural person 18 years of age or older who can be contacted 24 hours a day, seven days a week, regarding the rental unit. This contact person may be the owner, the owner's agent, or any other person other than a resident of the rental unit who has agreed to be the contact person.

Sec. 16.15.12-15. Denial or revocation of permit.

(a) The Village Manager or designee may deny issuance of, or revoke, any permits applied for under this section if it is determined either that the applicant or holder has made material misrepresentations about the condition of his/her property, ~~or that the occupancy of the property is, or at any time subsequent to the issuance of the permit becomes, in excess of occupancy by a single family,~~ or that the owner has otherwise violated a provision of this section.

(b) If the Village Manager or designee determines there is reasonable cause to believe that there are grounds to revoke or deny a permit applied for or held, a written notice shall be mailed by registered mail to the owner or agent whose address was provided in the application for such permit. If the dwelling unit in question is occupied, a copy of the notice shall be mailed to at least one tenant. Such written notice shall state the alleged grounds for revocation or denial. For revocation of a permit, such written notice shall also state that the revocation will become effective 30 days from the date of the notice unless, within the 30 days, the alleged grounds for revocation are remedied (or legal action to do so is begun) to the satisfaction of the Village Manager or designee or a hearing is applied for in accordance with this section.

(c) Within 30 days of from the date the notice of revocation or denial is mailed, a holder of or applicant for a permit or the appointed agent may request in writing to the Village Manager a hearing on the revocation or denial. The Village Manager or designee shall schedule the hearing to occur within 15 days after receiving the request for hearing and shall notify the permit holder or applicant at least five days in advance. The hearing may be postponed if mutually agreed upon by all parties.

(d) The hearing shall be conducted informally and adherence to the rules of evidence normally followed by the courts shall not be required. Any person may present testimony, documents or other evidence as deemed relevant by the Village Manager or designee. Any person may be represented by counsel.

(e) The Village Manager or designee shall consider all evidence presented, and if the preponderance of the evidence supports the allegation of violation the permit shall be denied or revoked. If the preponderance of the evidence does not support the allegation of violation, the permit shall be issued or allowed to continue. The decision of the Village Manager or designee may be appealed to the county court of Miami-Dade County.

(f) The Village Manager or designee may waive the revocation requirement as to any permit if it is determined that the owner has attempted in good faith to comply with this section. In determining asserted good faith as required for a waiver, the Village Manager or designee may consider, but not be limited to, the owner's having remedied the violation, and the owner's past history of violations of the conditions of the landlord permit.

(g) If a permit is revoked under this section, the owner whose permit was revoked shall not be issued another permit on the same premises for a period of 6 months after the date of revocation.

Sec. 16.15.13.16. Inspections and complaints.

(a) *Inspections.* If there is cause to believe a violation of this section exists, the Village Manager or designee is hereby authorized to make inspections of any premises at reasonable times with 72 hours notice to the owner or agent at the address provided in the application for the permit for the premises or, if no permit has been applied for, to the owner as shown on the latest tax rolls, and one occupant (if any), to determine if a violation exists. Upon refusal to allow entry into the dwelling, the Village may apply for a search warrant from the appropriate court for authorization to enter the dwelling.

(b) *Complaints.* All complainants shall be requested to state their names and addresses and give a statement of the facts giving rise to the complainant's belief that the provisions of this section are being violated. Such information may be obtained orally or in writing.

Sec. 16.15.17. Penalties for violations. Any person who violates any section of this ordinance shall be subject to the issuance of a civil citation with a civil penalty in the amount of two hundred fifty dollars (\$250.00) per day. Violations of this ordinance may also be punished by a fine not to exceed five hundred dollars (\$500.00). Each day any violation or any provision of this Code shall continue, shall constitute a separate offense.

Section 3. **Conflicts.** That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. **Severability.** The provisions of this Ordinance are declared to be 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 not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Effective Date.** This Ordinance shall be effective upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner _____,
who moved its adoption. The motion was seconded by _____ and
upon being put to a vote, the vote was as follows:

**The foregoing ordinance upon
being put to a vote, the vote was as
follows:**

John Hornbuckle, Mayor

Attest:

Ann Harper, Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

Mayor Hornbuckle: _____
Commissioner Mallette: _____
Commissioner Bernard: _____
Commissioner Morris: _____
Commissioner Anderson: _____

1st Reading - January 6, 2009
2nd Reading - February 3, 2009

ORDINANCE NO. 2009-3

AN ORDINANCE OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ADOPTING ITS 2008-2025 WATER SUPPLY FACILITIES WORK PLAN; AMENDING THE VILLAGE OF BISCAYNE PARK'S COMPREHENSIVE PLAN TO STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING BY AMENDING THE TEXT CONTAINED IN THE FUTURE LAND USE, INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION AND THE CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 163.3167(13), Florida Statutes, requires each local government to address in its Comprehensive Plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

WHEREAS, Section 163.3177(4)(a), Florida Statutes, requires coordination of the local Comprehensive Plan with the water management district's regional water supply plan; and

WHEREAS, the Village of Biscayne Park recognizes the need for better integration between land use planning and water supply planning; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt a 10-Year Water Supply Work Plan and amend their comprehensive plans within eighteen months after the Water Management District approves a regional water supply plan or its update; and

WHEREAS, the South Florida Water Management District updated and approved its regional water supply plan entitled the Lower East Coast Water Supply Plan ("LEC") in February, 2007; and

WHEREAS, since February, 2007, the Miami-Dade County water and Sewer Department has worked toward the development of the Miami-Dade County 20-Year Water Supply Facilities Work Plan to satisfy the requirements of Section 163.3177(6)(c), Florida Statutes for Miami-Dade County; and

WHEREAS, the Village acquires water for its residents from Miami-Dade County, Florida; and

WHEREAS, for this reason, the Village proposes to adopt the Miami-Dade County 20-Year Water Supply Facilities Work Plan, by reference, as its own 20-Year Water Supply Facilities Work Plan, as required by Section 163.3177(6)(c), Florida Statutes; and

WHEREAS, the Village proposes to adopt the necessary amendments to its Comprehensive Plan in order to comply with Florida law; and

WHEREAS, the Village has proposed amendments to the objectives and policies of the Future Land Use, Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Ground Water Aquifer Recharge, Conservation, Intergovernmental Coordination and Capital Improvement Elements to support and implement its adopted 2008-2025 Water Supply Facilities Work Plan; and

WHEREAS, the Village Council believes it is in the best interests of the public to adopt the 2008-2025 Water Supply Work Plan and to include these amendments in the Comprehensive Plan; and

WHEREAS, the Village Council, sitting as the Local Planning Agency, held a duly noticed public hearing and reviewed the proposed 2008-2025 Water Supply Plan and related water supply Comprehensive Plan amendments and recommended approval; and

WHEREAS, the Village Council finds this Ordinance to be in the best interests and welfare of the residents of the Village; now, therefore

BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. **Amendment of Future Land Use Element of the Village's Comprehensive Plan:** The Future Land Use Element of the Village's Comprehensive Plan is hereby amended as provided in Exhibit "A," which is attached hereto and made a part of this Ordinance.

Section 3. **Amendment of the Infrastructure Element of the Village's Comprehensive Plan:** The Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Ground Water Aquifer Recharge Element of the Village's Comprehensive Plan is hereby amended as provided in Exhibit "B," which is attached hereto and made a part of this Ordinance.

Section 4. **Amendment of the Conservation Element of the Village's Comprehensive Plan:** The Conservation Element of the Village's Comprehensive Plan is

hereby amended as provided in Exhibit "C," which is attached hereto and made a part of this Ordinance.

Section 5. Amendment of the Intergovernmental Coordination Element of the Village's Comprehensive Plan: The Intergovernmental Element of the Village's Comprehensive Plan is hereby amended as provided in Exhibit "D," which is attached hereto and made a part of this Ordinance.

Section 6. Amendment of the Capital Improvements Element of the Village's Comprehensive Plan: The Capital Improvements Element of the Village's Comprehensive Plan is hereby amended as provided in Exhibit "E," which is attached hereto and made a part of this Ordinance.

Section 7. Adoption of the Water Supply Plan: The Village Commission hereby adopts the Miami-Dade 20-Year Water Supply Facilities Work Plan as its required 2008-2025 Water Supply Plan.

Section 8. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 9. Severability. The provisions of this Ordinance are declared to be 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 not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 10. Effective Date. This Ordinance shall be effective immediately upon passage by the Village Commission on second reading, except that the effective date of these Plan amendments approved by this Ordinance shall be the date a final order is issued by the

Department of Community Affairs or Administration Commission finding the Plan amendments in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. The Department of Community Affairs notice of intent to find the Plan amendments in compliance shall be deemed to be a final order if no timely petition challenging the Plan amendments is filed.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

PASSED AND ADOPTED upon first reading this ___ day of _____, 2009.

PASSED AND ADOPTED upon second reading this ___ day of _____, 2009.

John Hornbuckle, Mayor

ATTEST:

Ann Harper, Village Clerk

**APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:**

John J. Hearn, Village Attorney

EXHIBIT "A"

Future Land Use Element

Policy 4.2: The Village of Biscayne Park, through the Land Development Regulations will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

EXHIBIT "B"

Infrastructure Element

Objective 3: The Village of Biscayne Park shall comply with its 2008-2025 Water Supply Facilities Work Plan (Work Plan) to be adopted XXXXXX, as required by section 163.3177(6)(c), F.S. within 18 months after the governing board of the South Florida Water Management District approved its Lower East Coast Water Supply Plan Update on February 15, 2007. The Work Plan will be updated, at a minimum, every 5 years. The Village's Work Plan is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the Village's water demands for the planning period.

Policy 3.1: Comply with the Village's Work Plan and incorporate such Work Plan by reference into the Village of Biscayne Park Comprehensive Plan.

Policy 3.2: Coordinate appropriate aspects of its Comprehensive Plan with the South Florida Water Management District's regional Water Supply Plan adopted February 15, 2007 and with the Miami-Dade County 20-year Water Supply Facilities Work Plan adopted April 24, 2008 (Notice of Intent published July 18, 2008), and the City of North Miami Water Facilities Supply Work Plan 2008-2025. The Village shall amend its Comprehensive Plan and Work Plan as required to provide consistency with the District and County plans.

Monitoring Measure: The Work Plan shall remain consistent with the City of North Miami Water Facilities Supply Work Plan 2008-2025, Miami-Dade County 20-year Water Supply Facilities Work Plan, which is compatible with the Miami-Dade County Water Use Permit renewals and with the projects listed in the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5 years and within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan.

EXHIBIT "C"

Conservation Element

- Policy 1.4: Implementation of the Work Plan shall ensure that adequate water supplies and public facilities are available to serve the water supply demands of any population growth that the Village may experience.
- Policy 1.5: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.
- Policy 1.6: If in the future there are issues associated with water supply, conservation or reuse the Village will immediately contact City of North Miami to address the corresponding issue(s). In addition, the Village will follow adopted communication protocols with City of North Miami to communicate and/or prepare an appropriate action plan to address any relevant issue(s) associated with water supply, conservation or reuse.
- Policy 1.7: The Village will encourage the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all retrofitted residential and commercial projects.
- Policy 1.8: The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all new residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards.
- Policy 1.9: The Village shall require the use of sub-metering for all multi-unit residential development which will include: separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings in all new and redeveloped multi-family residential projects.
- Policy 1.10: The Village will encourage the use of Florida Friendly Landscape guidelines and principals; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.
- Policy 1.11: The Village will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the Lower East Coast Water Supply Plan.

Policy 1.12: The Village shall coordinate with the City of North Miami to submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

EXHIBIT "D"

Intergovernmental Coordination Element

Policy 2.7: The Village shall coordinate the adopted Comprehensive Plan with the plans of the school board, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, with the state comprehensive plan and with the South Florida Water Management District's regional water supply plan.

Policy 2.8: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami Miami-Dade County WASD, Miami-Dade County Department of Environmental Resources Management, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.

Policy 2.9: Ensure and identify the consistency of local level of service standards by annually contacting all local governments to which water service is provided and provide current information, including: populations, level of services, service areas, and water supply facilities, and evaluate if future modification to either the service agreement or level of service standards should be include in subsequent Comprehensive Plan Amendments.

Policy 2.10: Negotiate or renew interlocal agreements with water supply providers ensuring contractual agreement of the adopted level of service standards, service area, populations and time periods for services provided.

EXHIBIT "E"

Capital Improvement Element

Policy 2.6: Appropriate mechanisms will be developed and adopted with the City of North Miami, South Florida Water Management District, and Miami-Dade County in order to assure that adequate water supplies are available to all water users. Prior to approval of a building permit or its functional equivalent, the City of Sunny Isles Beach shall consult with the North Miami Beach Utility to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy. Furthermore, the Village will be responsible for monitoring the availability of water supplies for all water users and for implementing a system that links water supplies to the permitting of new development.

Policy 2.7 The Village will ensure the financial feasibility of the public water infrastructure system by coordinating its land development practices with the City of North Miami water service production and delivery systems.

Policy 2.8: The Village shall provide monthly data to the City of North Miami, as required by such entity, to track the amount of water to be allocated for new use.

Policy 2.9: The Village shall incorporate capital improvements affecting Village levels of service by referencing the Capital Improvements Schedules of the City of North Miami, state agencies, regional water supply authorities and other units of government providing services but not having regulatory authority over the use of land into its 5-year Schedule of Capital Improvements (Fiscal Years 2008/2009 through 2012/2013). The Village Schedule shall be maintained and updated annually.



Village of Biscayne Park

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

AGENDA

Local Planning Agency Meeting
Ed Burke Recreation Center – 11400 NE 9th Court
Monday, January 5, 2009 - 6:30 pm

Chair and Board Members

Peter "Gage" Hartung
Chair

Andrew Olis
Vice-Chair

Alfred Jonas
Board Member

Marro Rumiano
Board Member

Elizabeth Hornbuckle
Board Member

Arlenis Silvera
Building Clerk

CALL TO ORDER: Meeting called to order at 6: 35 pm

ROLL CALL: Peter J. Hartung – Chair - Present
Andrew Olis - Vice-Chair - Present
Mario Rumiano - Board Member - Present
Alfred Jonas - Board Member – Present
Elizabeth Hornbuckle –Board Member - Absent
Arlenis Silvera – Building Clerk – also in attendance

Presentation of Amendments to the Comprehensive Plan by Bell David Planning Group.

See attachments:

1. Village of Biscayne Park water supply Facilities Work Plan 2008-2025
Related Amendments to the Comprehensive Plan. November 11, 2008

2. Village of Biscayne Park water supply Facilities Work Plan 2008-2025
November 11, 2008

Motion to recommend to the Village Commission the transmittal of the Water Supply Plan to the appropriate review and comment made by Alfred Jonas second by Andrew Olis. Vote of 5 yes and 0 No.

Adjournment: Meeting adjourned at 6:40 pm

Minutes Approved, on this _____ day
of _____, 2009
by Planning and Zoning Chairman
Gage Hartung: _____

8B



BELL DAVID PLANNING GROUP, INC.
Navigating Florida's Planning Requirements

MEMORANDUM

TO: Village Commission, Village of Biscayne Park

FROM: Alex A. David, AICP

DATE: January 6, 2009

RE: Executive Summary
Proposed Approval to Transmit the Village of Biscayne Park 2008-2025 Water Supply Facilities Work Plan and Water Supply Plan Related Amendments

Water Supply Plan and Amendments

Statutory History

The Florida Legislature enacted bills in the 2002, 2004, and 2005 sessions to address the state's water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

Background

The purpose of the Village's 2008-2025 Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. As required in Chapter 163, Part II, F.S., local governments must prepare and adopt Work Plans and Work Plan related comprehensive plan amendments into their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update. The South Florida Water Management District did so on February 15, 2007. The District's plan is known as the *Lower East Coast Water Supply Plan Update*.

The City of North Miami is the designated supplier of potable water for the City. North Miami owns, operates and maintains a central potable water system and distributes potable water to its customers. This system provides potable water for both residential and non-residential purposes, including fire protection demands.

The Village recognizes that in order to maintain a water supply system and conservation program there must be effective coordination with both North Miami and M-D Water and Sewer Department.

The Village's Work Plan will reference the initiatives already identified in the City of North Miami 2008-2025 Water Supply Facilities Work Plan, the MDWASD 20-year Water Supply Work Plan and the SFWMD Lower East Coast Water Supply Plan Update (adopted February 15, 2007). According to state guidelines, the Village's Work Plan and the comprehensive plan amendments must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period.

The Village's Work Plan is divided into six sections: Section 1 – Introduction; Section 2 – Background Information; Section 3 – Data and Analysis; Section 4 – Intergovernmental Coordination; Section 5 – Capital Improvements; and Section 6 – Goals, Objectives and Policies.

To address water supply planning amendments are being proposed to the following elements: Future Land Use; Infrastructure; Conservation; Intergovernmental Coordination; and, Capital Improvement.

Recommendation

Approval to transmit to the Department of Community Affairs and other review agencies.

VILLAGE OF BISCAYNE PARK
WATER SUPPLY FACILITIES WORK PLAN
2008-2025 RELATED AMENDMENTS TO THE
COMPREHENSIVE PLAN

November 11, 2008



Prepared By

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8B(2)

Note: The Village of Biscayne Park's Evaluation and Appraisal Report Based Amendments to the Comprehensive Plan are in process. The Comprehensive Plan has not been amended since its adoption in 1989 and, due to that fact a wholesale rewrite will be completed. There will be proposed revisions and renumbering to Objectives and Policies at a later date.

Future Land Use Element

Policy 4.2: The Village of Biscayne Park, through the Land Development Regulations will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

Infrastructure Element

Objective 3: The Village of Biscayne Park shall comply with its 2008-2025 Water Supply Facilities Work Plan (Work Plan) to be adopted XXXXXX, 2008, as required by section 163.3177(6)(c), F.S. within 18 months after the governing board of the South Florida Water Management District approved its Lower East Coast Water Supply Plan Update on February 15, 2007. The Work Plan will be updated, at a minimum, every 5 years. The Village's Work Plan is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the Village's water demands for the planning period.

Policy 3.1: Comply with the Village's Work Plan and incorporate such Work Plan by reference into the Village of Biscayne Park Comprehensive Plan.

Policy 3.2: Coordinate appropriate aspects of its Comprehensive Plan with the South Florida Water Management District's regional Water Supply Plan adopted February 15, 2007 and with the Miami-Dade County 20-year Water Supply Facilities Work Plan adopted April 24, 2008 (Notice of Intent published July 18, 2008), and the City of North Miami Water Facilities Supply Work Plan 2008-2025. The Village shall amend its Comprehensive Plan and Work Plan as required to provide consistency with the District and County plans.

Monitoring Measure: The Work Plan shall remain consistent with the City of North Miami Water Facilities Supply Work Plan 2008-2025, Miami-Dade County 20-year Water Supply Facilities Work Plan, which is compatible with the Miami-Dade County Water Use Permit renewals and with the projects listed in the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5 years and within 18 months after the South Florida

Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan.

Conservation Element

Policy 1.4: Implementation of the Work Plan shall ensure that adequate water supplies and public facilities are available to serve the water supply demands of any population growth that the Village may experience.

Policy 1.5: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.

Policy 1.6: If in the future there are issues associated with water supply, conservation or reuse the Village will immediately contact City of North Miami to address the corresponding issue(s). In addition, the Village will follow adopted communication protocols with City of North Miami to communicate and/or prepare an appropriate action plan to address any relevant issue(s) associated with water supply, conservation or reuse.

Policy 1.7: The Village will encourage the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all retrofitted residential and commercial projects.

Policy 1.8: The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all new residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards.

Policy 1.9: The Village shall require the use of sub-metering for all multi-unit residential development which will include: separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings in all new and redeveloped multi-family residential projects.

Policy 1.10: The Village will encourage the use of Florida Friendly Landscape guidelines and principals; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

Policy 1.11: The Village will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the Lower East Coast Water Supply Plan.

Policy 1.12: The Village shall coordinate with the City of North Miami to submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

Intergovernmental Coordination Element

Policy 2.7: The Village shall coordinate the adopted Comprehensive Plan with the plans of the school board, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, with the state comprehensive plan and with the South Florida Water Management District's regional water supply plan.

Policy 2.8: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami Miami-Dade County WASD, Miami-Dade County Department of Environmental Resources Management, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.

Policy 2.9: Ensure and identify the consistency of local level of service standards by annually contacting all local governments to which water service is provided and provide current information, including: populations, level of services, service areas, and water supply facilities, and evaluate if future modification to either the service agreement or level of service standards should be include in subsequent Comprehensive Plan Amendments.

Policy 2.10: Negotiate or renew interlocal agreements with water supply providers ensuring contractual agreement of the adopted level of service standards, service area, populations and time periods for services provided.

Capital Improvement Element

Policy 2.6: Appropriate mechanisms will be developed and adopted with the City of North Miami, South Florida Water Management District, and Miami-Dade County in order to assure that adequate water supplies are available to all water users. Prior to approval of a building permit or its functional equivalent, the City of Sunny Isles Beach shall consult with the North

Miami Beach Utility to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy. Furthermore, the Village will be responsible for monitoring the availability of water supplies for all water users and for implementing a system that links water supplies to the permitting of new development.

Policy 2.7 The Village will ensure the financial feasibility of the public water infrastructure system by coordinating its land development practices with the City of North Miami water service production and delivery systems.

Policy 2.8: The Village shall provide monthly data to the City of North Miami, as required by such entity, to track the amount of water to be allocated for new use.

Policy 2.9: The Village shall incorporate capital improvements affecting Village levels of service by referencing the Capital Improvements Schedules of the City of North Miami, state agencies, regional water supply authorities and other units of government providing services but not having regulatory authority over the use of land into its 5-year Schedule of Capital Improvements (Fiscal Years 2008/2009 through 2012/2013). The Village Schedule shall be maintained and updated annually.

VILLAGE OF BISCAYNE PARK
WATER SUPPLY FACILITIES WORK PLAN
2008-2025

November 11, 2008



8B(3)

Acknowledgements

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1.0 INTRODUCTION

The purpose of the Village of Biscayne Park Water Supply Facilities Work Plan 2008-2025 (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. Chapter 163, Part II, F.S., requires local governments to prepare and adopt Work Plans after the water management district approves a regional water supply plan or its update. The Village of Biscayne Park is located in the South Florida Water Management District (SFWMD) region in southeast Florida (Figure 1).

The City of North Miami (NM Utility) is the designated supplier of potable water for portions of Miami-Dade County, including the Village of Biscayne Park (Figure 2). In that capacity, the NM Utility fulfills Biscayne Park's potable water needs.

The Village of Biscayne Park recognizes that in order to maintain a water supply system and conservation program there must be effective coordination with NM Utility. Biscayne Park enjoys an excellent working relationship with NM Utility in ensuring compliance with all regulations and guidelines. In accordance with the service agreement, Biscayne Park staff coordinates with NM Utility to ensure 1) enough capacity is available for existing and future customers and 2) supporting infrastructure is adequately maintained.

As part of established intergovernmental coordination efforts, the Work Plan was developed in coordination with the North Miami 2008-2025 Water Supply Work Plan, adopted October 7, 2008, and the Miami-Dade Water Supplies Facilities Work Plan, adopted April 24, 2008. According to state guidelines, the Work Plan and the comprehensive plan amendments must address the development of traditional and alternative water supplies, bulk sales agreements, and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. In order to ensure consistency with adopted regional, county, and city planning efforts, the Work Plan will coordinate its planning efforts with the water supply work plans adopted by the City of North Miami, Miami-Dade County, and SFWMD. The Village's Work Plan is divided into six sections:

- Section 1 – Introduction
- Section 2 – Background Information
- Section 3 – Data and Analysis
- Section 4 – Intergovernmental Coordination
- Section 5 – Work Plan Projects/Capital Improvement Element/Schedule
- Section 6 – Goals, Objectives, Policies

1.1 Statutory History

The Florida Legislature has enacted bills in the 2002, 2004, and 2005 sessions to address the state's water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.2 Statutory Requirements

Each local government must comply with the following requirements:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district's regional water supply plan, [163.3177(4)(a), F.S.]
2. Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services [s.163.3177(6)(a), F.S., effective July 1, 2005]. Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Department for review. The submitted package must also include an amendment to the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map modification.
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy [s.163.3180 (2)(a), F.S., effective July 1, 2005]. This "water supply concurrency" is now in effect, and local governments should be complying with the requirement for all new development proposals. In addition, local governments should update their comprehensive plans and land development regulations as soon as possible to address these statutory requirements. The latest point at which the comprehensive plan must be revised to reflect the concurrency requirements is at the time the local government adopts plan amendments to implement the recommendations of the Evaluation and Appraisal Report (EAR).
4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the "Infrastructure Element"), within 18 months after the water management district approves an updated regional water supply plan, to:

- a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the alternative project proposed by the local government under s. 373.0361(7), F.S. [s. 163.3177(6)(c), F.S.]; 9
 - b. Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government's jurisdiction [s. 163.3177(6)(c), F.S.]; and
 - c. Include a water supply facilities work plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development. [s. 163.3177(6)(c), F.S.] Amendments to incorporate the water supply facilities work plan into the comprehensive plan are exempt from the twice-a-year amendment limitation. [s. 163.3177(6)(c), F.S.]
5. Revise the Five-year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period.
 6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s). [s.163.3177 (6)(d), F.S.]

If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand for established planning period, considering the appropriate regional water supply plan. [s.163.3167 (13), F.S.]

7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans. [s.163.3177(6)(h)1., F.S.]
8. Address in the EAR, the extent to which the local government has implemented the 10-year water supply facilities work plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs are meeting local water use demands. [s.163.3191 (2)(1), F.S.]

2.0 BACKGROUND

2.1 Overview

The Village of Biscayne Park, "the village of homes", is a municipality of 3,269 residents. Biscayne Park was incorporated in 1933 and encompasses approximately 0.6 square miles. Located in the northeast corner of Miami-Dade County, the Village is bounded by unincorporated Miami-Dade County to the east, the City of North Miami to the north, the Village of Miami Shores to the south, and unincorporated Miami-Dade County to the west.

Biscayne Park is a diverse, primarily residential community. The multi-generational population is made up of array of cultures, household types, and incomes.

Multi-Generational

The 2000 Census found that Biscayne Park's population expands the generations with residents in all age groups from infancy through childhood to adulthood and into senior age. Specifically, the Census found that the Village population consisted of:

- 23.8% under the age of 18.
- 6.3% from 18 to 24.
- 34.1% from 25 to 44.
- 24.6% from 45 to 64.
- 11.3% who were 65 years of age or older.

The multigenerational makeup of the Village gives the community median age of 37 years of age.

Cultural Makeup

The 2000 Census also found that the Village is a diverse community with a racial makeup as follows: 72.22% White (50.7% were Non-Hispanic White), 18.51% African American, 0.67% Native American, 2.72% Asian, 2.51% from other races, and 3.36% from two or more races. Hispanic or Latinos of any race made up 26.52% of the population. This diversity can also be seen in the fact that the Village ranks in top 100 US Cities for its percentage of a number of foreign ancestries including:

- 14th highest percentage of Peruvian residents.
- 17th highest percentage of Haitian residents.
- 19th highest percentage of Lebanese residents.
- 26th highest percentage of Honduran residents.
- 57th highest percentage of Cuban residents.
- 73rd highest percentage of Columbian residents.

Household Types

Additionally, the 2000 US Census found that 1,283 households in the Village of Biscayne Park. The makeup of these households include an array of family types including those with children, married couples without children, single moms, and single head of households. The Census reported that the Village household makeup was as follows:

- 44.9% were married couples living together,
- 35.2% were non-families.
- 31.3% had children under the age of 18 living with them,
- 25.0% of all households were made up of individuals
- 14.8% had a female householder with no husband present
- 7.2% had someone living alone who was 65 years of age or older.

Biscayne Park's average household size was 2.55 and the average family size was 3.12.

Income

Finally, the 2000 Census showed that the median income for the Village of Biscayne Park is higher than the median income for the country as a whole. The median income for a household in Biscayne Park was \$53,409, while the national median income in 2004 was \$44,334. Other findings from the 2000 Census regarding income and economic status for the Village include:

- Family median income was \$53,409.
- Males had a median income of \$39,964 versus \$33,125 for females.
- Per capita income was \$22,923.
- Approximately 9.5% of families and 12.0% of the population were below the poverty line, including 18.8% of those under age 18 and 7.3% of those age 65 or over.

2.2 Relevant Regional Issues

As the state agency responsible for water supply in the Lower East Coast planning area, the SFWMD plays a pivotal role in resource protection, through criteria used for Consumptive Use Permitting. As pressure increased on the Everglades ecosystem resource, the Governing Board initiated rule making to limit increased allocations dependent on the Everglades system. As a result, the Regional Water Availability Rule was adopted by the Governing Board on February 15, 2007 as part of the SFWMD's water use permit program. This reduced reliance on the regional system for future water supply needs, mandates the development of alternative water supplies, and increasing conservation and reuse.

3.0 DATA AND ANALYSIS

The intent of the data and analysis section of the Work Plan is to describe the information that local governments need to provide to state planning and regulatory agencies as part of their proposed comprehensive plan amendments, particularly those that would change the Future Land Use Map (FLUM) to increase density and/or intensity.

3.1 Biscayne Park Population Information

Miami-Dade County Planning and Zoning Department and BEBR projected the Village of Biscayne Park future population utilizing transportation analysis zones (Tables 1 and 2).

Table 1
 Historic and Projected Population Projections
 From Miami-Dade County and US Census

Year	2000	2007	2010	2015	2020	2025	2030
Population	3,269	3,443	3,453	3,471	3,476	3,480	3,484

Source: Miami-Dade County and U.S. Census Bureau

Miami-Dade County's 2030 projections for the Village are 12% higher than the population projected by the City of North Miami (Table 2). The 382 person difference is due to variations in the methodologies used to project the Village's future population. Since this Water Plan utilizes the water supply calculations made in accordance with the Utility's population projections, the Water Plan utilizes the higher NM Utility projections.

3.2 North Miami Utility Service Area

As depicted on Figure 3, the City of North Miami Utility is a multi-jurisdictional water service provider in northeast Miami-Dade County. The service area is a 13 square-mile area generally bounded by NE 163rd Street to the north, Biscayne Bay to the east, NW 105th Street to the south, and NW 27th Avenue to the west. The NM Utility serves nearly 95,000 people (Table 2) in the municipalities of North Miami, Biscayne Park, and portions of unincorporated Miami-Dade County including the neighborhoods of Golden Glades, Westview, and Pinewood. The Utility's boundaries are as follows:

- North— N.E. 163rd Street
- East—Biscayne Bay
- South—N.W. 105th Street
- West—N.W. 27th Avenue

The Utility serves its customers through an interconnected water system that features a high pressure distribution system comprised of three main distribution lines.

3.2.1 North Miami Utility Service Area Water Demands

The NM Utility determined future potable water demands by first determining population projections for the entire NM Utility service area (Table 2).

Table 2
 City of North Miami Service Area – Including Biscayne Park
 Current and Projected Service Customers

WSA	2000	2005	2010	2015	2020	2025	2030
Inside North Miami	59,880	60,312	65,377	78,280	83,962	86,301	88,231
Inside Biscayne Park	3,269	3,209	3,149	3,089	3,093	3,098	3,102
Inside Miami Shores	313	305	298	290	291	291	292
Inside Unincorporated M-D	30,309	30,676	31,042	31,409	31,809	32,208	32,608
Total in District	93,771	94,502	99,866	113,068	119,155	121,898	124,233

Source: North Miami Utility

As shown in Table 3, water supply demands will rise to meet the increases in the Utility's service area population.

Table 3
 City of North Miami Service Area – Including Biscayne Park
 Population and Demands for Water Supply Facilities Work Plan

WATER SUPPLY UTILITY SERVICE WITHIN WATER DISTRIBUTION SERVICE AREA*												
YEAR	POPULATION PROJECTIONS (medium-BEBR)						WATER SUPPLY DEMAND (MGD)					
	2005	2010	2015	2020	2025	2030	2005	2010	2015	2020	2025	2030
	94,502	99,866	113,068	119,155	121,898	124,233	10.76	11.24	13.00	12.43	13.00	13.41

Source: Miami-Dade County and NM Utility

Notes:

- The analysis includes City of North Miami and all customers served by North Miami including Biscayne Park

3.2.2 Population and Water Demand Projections from SFWMD

In the development of the *Lower East Coast Water Supply Plan Update (LEC)*, the SFWMD also analyzed potable water demands for the City of North Miami, which includes the Village of Biscayne Park (Table 4). While the SFWMD population projections are lower than the NM Utility and Miami-Dade County calculations (Tables 3 and 5), the projected demand is higher. As a result, all three analyses concur that there is sufficient water to meet the current and future needs of the NM Utility service area.

Table 4
 City of North Miami Service Area – Including Biscayne Park
 Current and Projected Water Supply

	ACTUAL	PROJECTED	
	2005	2015	2025
Population	95,073	107,081	115,034
Per Capita (gallons per day finished water)		147	147
	MGD	MGD	MGD
Potable Water Demands (daily average annual)	12.86	15.72	16.89
Water Source:			
Volume from Biscayne/Surficial	12.86 ^(b)	9.30 ^(a)	9.33 ^(a)
Volume from Floridan	0.00	10.00	16.00
Volume from Other	0.00	0.00	0.00
Volume from Reclaimed	0.00	0.00	0.00
Additional Potable Water Needed (after assessing historic use or proposed projects)	0.00	0.00	0.00

Source: SFWMD, LEC Plan

Notes

- All potable volumes are finished water unless noted.
- The analysis includes City of North Miami and all customers served by North Miami including Biscayne Park
- a. There is potential for this volume of water to be affected by an inward migration of salt water.
- b. Includes purchase of 4.20 MGD for 2005 from WASD. There will be no bulk purchases in the future.

3.2.3 Per Capita Water Demands

The North Miami Utility's per capita usage is 160 gpcpd. As shown in Table 5, based on continued use at this level, the Utility's per capita water demands will increase to meet the growth in population.

Table 5
 City of North Miami Service Area – Including Biscayne Park
 Per Capita Water Demand Projections

Projected Population						Per Capita Projected Water Demand (mgd)					
Year						Year					
2007	2010	2015	2020	2025	2030	2007	2010	2015	2020	2025	2030
94,502	99,866	113,068	119,155	121,898	124,233	1.95	1.99	2.07	2.14	2.22	2.29

Source: North Miami Utility

3.3 North Miami Utility Water System

The NM Utility is a multi-jurisdictional water and wastewater utility that furnishes potable water service for a variety of residential, commercial, and industrial customers in northeast Miami-Dade County. The Utility's service area, which covers approximately 13 square miles, consists of North Miami, Biscayne Park, and portions of unincorporated Miami-Dade County. The NM Utility owns, operates, and maintains both separate and interconnected potable systems to meet the area's potable water supply needs.

3.3.1 Interconnected Distribution Resources

NM Utility services its customers by utilizing potable water from its own water treatment plant and purchased treated bulk water from the Miami-Dade Water and Sewer Department (MDWASD). The water purchased from MDWASD fulfills 35% of the Utility's finished water needs. The Utility has eight interconnection sites. Seven of the interconnection sites utilized for water purchased from MDWASD and one site is an emergency interconnection site that connects the NM Utility with the City of North Miami Utility. Table 6 lists the location of the NM Utility interconnections sites.

Table 6
 North Miami Interconnections

Current Interconnections with MDWASD
N.E. 2nd Ave & 115th Street
N.W. 17th Avenue & 112th Street
N.W. 5th Avenue & 119th Street
N.W. 6th Avenue & West Biscayne Canal Road
NE 16th Avenue & 123rd Terrace
N.E. 16th Avenue & 143rd Street
135th Street & N.E. 16th Avenue
Current Interconnections with City of North Miami
1981 N.E. 135th Street

Source: North Miami Utility

3.3.2 Winson Water Treatment Plant

The NM Utility operates a single water treatment facility, which provides approximately 65% of the water needed to meet the demands of the service area. The Winson Water Treatment Plant (WTP) permit allows the Utility to pump 9.3 million gallons of groundwater per day (MGD) from the Biscayne Aquifer. The Utility utilizes an average of 8.73 MGD, which gives the Utility has the ability to pump an additional 0.57 MGD.

The WTP utilizes an aeration treatment process for hydrogen-sulphide removal, lime-softening, filtration, and chloramines for disinfection.

3.3.3 Raw Water Resources

Eight, 12-inch diameter raw water wells draw water from the Biscayne Aquifer to the WTP (Figure 4). The wells, which were constructed in 1962, range in depth from 56-feet to 124-feet. Two of the wells are located at the WTP and three others are located at nearby parks. Other Miami-Dade County Wellfields and Cones of Influence are depicted in Figure 5.

The water from the wells is transferred to the WTP via raw water mains. According to the North Miami Water Supply Facilities Work Plan, a summary of the mains that serve the Utility is as follows,

“These mains are sized at five different pipe diameters that range from 8-inches to 24-inches, Four raw water wells (Well #3 through Well #6) are connected to an 8-inch main. Water Well #7 and Well #8 are connected to a 10-inch main. The raw water main connections for Well #1 and Well #2 are 12-inches and 10-inches, respectively. The cumulative raw water of six wells (Well #3 through Well #8) are connected into one main sized at 12-inches which then connects into a 20-inch main. The raw water from Well #2 also connects to this 20-inch main. The 20-inch main connects to the final header main leading into the WTP which is sized at 24-inches. The raw water main from Well #1 which is 12-inches also connects to the 24- inches raw water main prior to introduction into the WTP's aerator.”

3.3.4 Water Storage Facilities

The WTP has two above-ground (ground level) tanks that store 2.25 million gallons (MG) of finished water storage. The older tank, which pre-dates 1962, holds 1.5 MG and the newer tank, built in 1964, holds 0.75 MG. These tanks meet the Utility's current potable water and fire flow demands. No other auxiliary tanks are used by the Utility.

3.3.5 Water Transmission and Distribution Pipelines

The WTP has three transmission mains that serve to distribute the water to the service area. According to the North Miami Water Supply Facilities Work Plan, two of the mains are 16-inch and one is a 12-inch ductile iron pipe. The two 16-inch pipes are used primarily to service the areas east of the WTP. One of the 16-inch mains connects to a 20-inch pipe and then to two 12-inch pipes. The 20-inch and one of the two 12-inch pipes connect to a large 30-inch transmission main at different points. This large diameter pipe serves as a main trunkline for distribution on the far, east side of the NM Utility service area. The other 16-inch reduces to a 12-inch pipe. The 12-inch transmission main which leaves the plant travels west, then north, and expands into the distribution system (Figure 4).

Twelve percent of the water distributed through the NM Utility system is classified as "unaccounted water". In order to address this loss, the Utility has an active and ongoing pipe replacement program.

3.3.6 High Service Pumps

There are six high service pumps that service the WTP, including one backup pump. All five pumps have been in place since before the plant was constructed. The City of North Miami Water Supply Facilities Workplan 2008 – 2025 describes the capacity, size, and rating of these pumps in the following manner:

"The five working pump are rated at 160 TDH and 1,750 RPM. Three 8-inch impellers pumps have a 2,000 gpm (2.88 MGD) rating. Two 5 inch impeller pumps have a 1,000 gpm (1.44 MGD) rating. The backup pump has a rating of 3,000 gpm (4.32 MGD) at 160 feet TDH. The total design pumping capacity of all pumps is approximately 15 mgd."

3.4 Capacity to Meet the Average Day Water Supply Needs

Recognizing the increased demands that will be placed on the NM Utility by future populations, the Utility has undertaken proactive measures to increase its water supply capacity. Specifically, the Utility is working to 1) increase its permitted raw water withdrawal amounts and 2) expand the Winson WTP facility to provide for additional water treatment capacity.

3.4.1 Consumptive Use Permit Renewal

According to the North Miami Water Supply Facilities Work Plan, the NM Utility Consumptive Use Permit which had been issued by SFWMD expired on December 12, 2007. Under the terms of this permit, the Utility's annual allocation of raw water withdrawals from the Biscayne aquifer was limited to 3,395 MG and the maximum daily and annual average allocations are limited to 9.3 MG.

The Utility applied for a renewal of the CUP in October 2007, and is currently going through the renewal process. The renewal application includes a request for a modification to allow withdrawal of 8.73 MGD from the Biscayne aquifer and 10.03 MGD average from the Floridan aquifer for a 20-year duration. This request demonstrates 1) the Utility's plan to rely less on the Biscayne Aquifer as a source of raw water and 2) to pursue using the Floridan Aquifer as an alternative water supply. This will enable the Utility to meet its future water demands.

3.4.2 Winson Water Treatment Plant Expansion

In order to meet increased water demands and provide for the treatment of water from the Floridan Aquifer, the NM Utility has committed to expanding the capacity of the Winson WTP. The WTP expansion is expected to occur in two phases.

- Phase I (completion date 2013), the Utility construction of a new RO system which will provide an additional 8.4 MGD.
- Phase II (completion by 2025) of the expansion will add additional membrane treatment trains to the RO system which will result in an additional 4.2 MGD of capacity, totaling 12.6 MGD for RO treatment.

During the construction of these facilities, the Utility will need to coordinate with MDWASD to ensure that water will be available to supplement NM Utility's water service area needs. Currently, the SFWMD LEC Water Supply Plan Update projects that Miami-Dade County will be able to provide water until the year 2025.

Table 7 shows the estimated cost for each phase of this project. However, if the City of North Miami is able to secure all of the monies needed for this project, the NM Utility may seek to complete this expansion in a single phase.

Table 7.
Estimated Cost of Upgrading Winson Water Treatment Plant for
Phase I & Phase II

Program Element	Phase I	Phase II	Total Costs
Lime-Softening Upgrades	\$15,000,000	-	\$15,000,000
Reverse Osmosis	\$42,000,000	\$10,000,000	\$52,000,000
Floridan Wells	\$17,500,000	\$7,500,000	\$25,000,000
Deep Injection Wells	\$10,000,000	-	\$10,000,000
East Storage & Repump Facility	\$10,000,000	-	\$10,000,000
Grand Total	\$94,500,000	\$17,500,000	\$112,000,000

Source: City of North Miami Winson Water Treatment Plant Expansion Feasibility Study

3.5 Conservation

The NM Utility recognizes the intrinsic link between water quality, water availability, and water conservation for both human and natural populations. In order to support this link and promote the sustainable use of potable water resources, the NM Utility will assist the Village implement conservation measures in correlation with the Conservation Element of the Biscayne Park Comprehensive Plan.

Such conservation efforts include:

- Prevention of undue water loss by:
 - o Tracking non-revenue water.
- Promotion of personal water conservation by:
 - o Supporting the County's and SFWMD's landscape irrigation practices and policies.
 - o Exercising water restrictions as needed to address severe water supply issues.
 - o Implementing proactive education, outreach, and demonstration projects which teach, support, and encourage the public to exercise effective water conservation in their homes and businesses.
 - o Encouraging xeriscaping and low-water water irrigation practices.
 - o Actively teaching the community about water conservation through public speaking outreach.

3.6 Reuse

Reclaimed water is not yet available to the NM Utility from MDWASD. NM Utility continues to have discussions with Miami-Dade and SFWMD regarding the potential use of reclaimed water in the future. The following sections further explain the County's efforts to increase use of reclaimed water as detailed in the Miami-Dade County 20-year Work Plan and stresses the willingness for the NM Utility and Village of Biscayne Park to support the County's efforts.

3.6.1 Regional and County-wide Reuse Issues

State law supports reuse efforts. For the past number of years, Florida's utilities, local governments, and water management districts have led the nation in implementing water reuse programs that increase the quantity of reclaimed water used and public acceptance of reuse programs. Section 373.250(1) F.S. provides that "water reuse programs designed and operated in compliance with Florida's rules governing reuse are deemed protective of public health and environmental quality." In addition, Section 403.064(1), F.S., provides that "reuse is a critical component of meeting the state's existing and future water supply needs while sustaining natural systems."

The Village of Biscayne Park and NM Utility support water reuse initiatives under consideration by both the SFWMD and Miami-Dade County. The County has committed to implement a total of 170.0 MGD of water reuse as noted in the County's 20-year water use permit. In the 20-year Work Plan, the County identified a number of water reuse projects and their respective schedules. According to the Plan, "reuse projects to recharge the aquifer with highly treated reclaimed water will be in place before additional withdrawals over the base condition water use are made from the Alexander Orr, Jr. and South Dade subarea wellfields. In addition, reuse irrigation projects are anticipated for the North and Central District Wastewater Treatment Plants. These projects will be implemented in the Cities of North Miami and North Miami Beach, and are currently under construction for Key Biscayne."

3.6.2 Village Specific Actions, Programs, Regulations, or Opportunities

The Village will support the NM Utility, SFWMD, and Miami-Dade County water reuse projects, and implementation of new regulations or programs designed to increase the volume of reclaimed water used and public acceptance of reclaimed water. Until reclaimed water becomes available for use by its customers, the NM Utility will not promote reclaimed water as a irrigation water alternative.

3.6.3 Identify any Local Financial Responsibilities as Detailed in the CIS

As a service area customer of the NM Utility, the Village does not currently have financial responsibilities for potable water projects including those that support reuse resources.

3.7 Alternative Water Supplies

The NM Utility has determined that the Floridan Aquifer is the only alternative water source available to meet the water demands of the area. As explained in section 3.4.2 of this report, the Utility is working to construct a reverse osmosis treatment plant at the Winson WTP to process water from the Floridan Aquifer.

As part of the construction, 10 new proposed Floridan raw water wells are planned. The raw water wells will utilize 10-inch pipes which will link into a 30-inch pipe at the WTP. Additionally, a 16-inch deep injection well will be used for brine concentrate disposal.

Funding for this project has been scheduled as part of the North Miami Capital Improvement Element. The first part of this project, the engineering design, is expected to be completed this year.

4.0 INTERGOVERNMENTAL COORDINATION

The provision of water supply needs in Village of Biscayne Park is achieved in coordination with local, county, and regional partners including the North Miami Utility, Miami-Dade County, and South Florida Water Management District. NM Utility is Biscayne Park's primary water partner as they provide the Village its water service utilities. Miami-Dade County works in coordination with the Village and NM Utility to ensure that water supply services are provided to all residents of Miami-Dade County in the most efficient and effective manner. SFRPC acts to protect the region's water supply resources and coordinates the implementation of state water regulations and policies through local water planning efforts and water supply services.

4.1 Achieving Level of Service through Coordination

Since the Village does not provide potable water utility services, it must work in coordination to ensure the Village's adopted level of service standards are met.

As described through this report, the Village coordinates the achievement of its adopted level of service standard with the North Miami Utility. The result of this coordination is that the Village has been able to provide its residents and businesses the water resources they need in the most efficient and effective manner possible. In doing so, the Village has been able to effectively maintain its adopted level of service for potable water.

Moreover by coordinating with the Utility on the implementation of the Work Plan outlined in the North Miami Water Supply Facilities Work Plan 2008-2025, the Village will continue meeting these needs. Through this coordinated effort, the Village will be able to ensure that the water demands of both current and future residents are met.

4.0 CAPITAL IMPROVEMENTS

4.1 Work Plan Projects

Since the Village of Biscayne Park is not responsible for the maintenance, expansion, and operation of the potable water system that serves the community, the Village does not implement any water improvements or construction work projects. Such projects are implemented as a result of user fees, development impact fees, and other fees associated with receiving services from the NM Utility.

5.2 Capital Improvements Schedule

Tables 7 and 8 detail the potable water improvements listed as part of the City of North Miami Capital Improvement Schedule.

Table 7
 Potable Water System Projects in the FY 2008 – FY 2012 North Miami Capital Improvement Plan

Potable Water Projects	2008	2009	2010	2011	2012
Water Line Replacement	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Stainless Steel Column Piping	\$25,000	-	-	-	-
New Reverse Osmosis WTP	\$20,838,692	\$12,400,000	\$18,400,000	\$25,300,000	\$12,700,000
Upgrade of Existing Lime Softening WTP	\$9,062,729	\$10,750,000	\$9,000,000	\$0	\$0
Water Plant #6 High Ser Rotating Assembly Replacement	\$10,000	\$0	\$0	\$0	\$0
Lime Slaker Replacement	\$216,591	\$33,182	\$33,182	\$33,182	\$33,182

Source: City of North Miami

Note

- None of the water projects listed above are needed to address Level of Service Deficiencies

4.3 Funding

The costs of operating, maintaining, and improving the water and sewers systems are offset by water and sewers fees. The volume of water sold to customers is measured by water meters that are installed at each customer's address. The System is an enterprise fund of the City of North Miami, separate from all other funds of the City of North Miami.

The rates that are charged to customers are reviewed annually and adjusted as needed in order to provide sufficient revenues to offset the administrative, operation, maintenance, debt service and other expenses set forth in the Department's annual budget.

The NM Utility, through the City of North Miami Capital Improvement Plan, has committed to the modernization and expansion of the WTP and addition of wells. The cost of this project is estimated at \$112,000,000 (2006 dollars). According to the North Miami Water Supply Facilities Work Plan, the City has already approved the financing of these projects via Special Revenue Bonds. Revenue obtained from the issuance of these bonds and water & sewer rate increases will be used to finance the upgrade, design and construction of the water facilities. The City of North Miami will pay for the Special Revenue Bonds through water rate increases to its customers, including those in the Village of Biscayne Park.

A breakdown of the funding allocation over the next five years is included in the City of North Miami's current CIP schedule. All other CIP projects are being funded from a combination of the City's Water and Sewer Revenue and Bond Funds.

5.0 GOALS, OBJECTIVES AND POLICIES

Future Land Use Element

Policy 4.2: The Village of Biscayne Park, through the Land Development Regulations will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

Infrastructure Element

Objective 3: The Village of Biscayne Park shall comply with its 2008-2025 Water Supply Facilities Work Plan (Work Plan) to be adopted XXXXXX, 2008, as required by section 163.3177(6)(c), F.S. within 18 months after the governing board of the South Florida Water Management District approved its Lower East Coast Water Supply Plan Update on February 15, 2007. The Work Plan will be updated, at a minimum, every 5 years. The Village's Work Plan is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the Village's water demands for the planning period.

Policy 3A: Comply with the Village's Work Plan and incorporate such Work Plan by reference into the Village of Biscayne Park Comprehensive Plan.

Policy 3B: Coordinate appropriate aspects of its Comprehensive Plan with the South Florida Water Management District's regional Water Supply Plan adopted February 15, 2007 and with the Miami-Dade County 20-year Water Supply Facilities Work Plan adopted April 24, 2008 (Notice of Intent published July 18, 2008), and the City of North Miami Water Facilities Supply Work Plan 2008-2025. The Village shall amend its Comprehensive Plan and Work Plan as required to provide consistency with the District and County plans.

Monitoring Measure: The Work Plan shall remain consistent with the City of North Miami Water Facilities Supply Work Plan 2008-2025, Miami-Dade County 20-year Water Supply Facilities Work Plan, which is compatible with the Miami-Dade County Water Use Permit renewals and with the projects listed in the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5 years and within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan.

Conservation Element

- Policy 1.4: Implementation of the Work Plan shall ensure that adequate water supplies and public facilities are available to serve the water supply demands of any population growth that the Village may experience.
- Policy 1.5: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.
- Policy 1.6: If in the future there are issues associated with water supply, conservation or reuse the Village will immediately contact City of North Miami to address the corresponding issue(s). In addition, the Village will follow adopted communication protocols with City of North Miami to communicate and/or prepare an appropriate action plan to address any relevant issue(s) associated with water supply, conservation or reuse.
- Policy 1.7: The Village will encourage the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all retrofitted residential and commercial projects.
- Policy 1.8: The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all new residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards.
- Policy 1.9: The Village shall require the use of sub-metering for all multi-unit residential development which will include: separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings in all new and redeveloped multi-family residential projects.
- Policy 1.10: The Village will encourage the use of Florida Friendly Landscape guidelines and principals; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

- Policy 1.11: The Village will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the Lower East Coast Water Supply Plan.
- Policy 1.12: The Village shall coordinate with the City of North Miami to submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

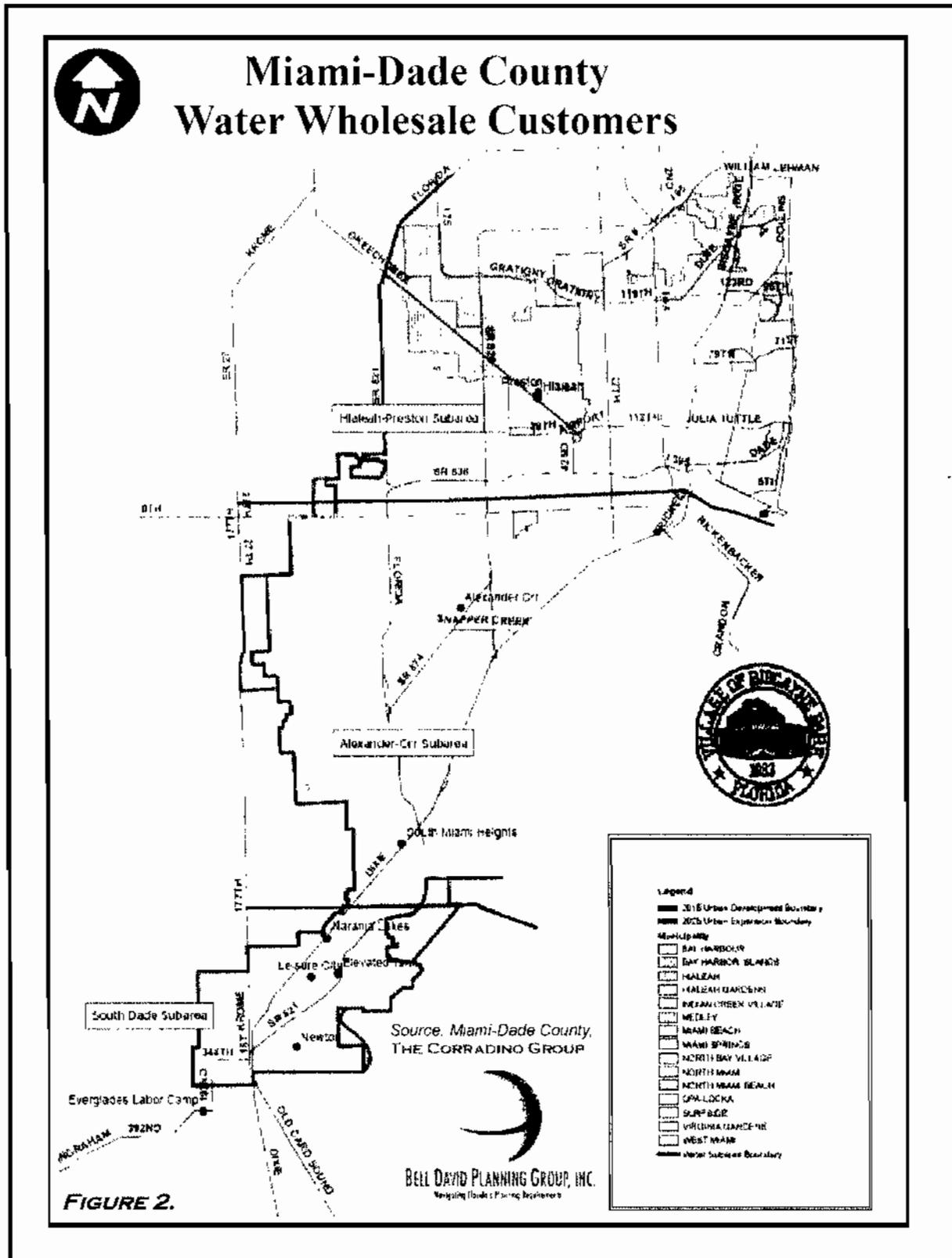
Intergovernmental Coordination Element

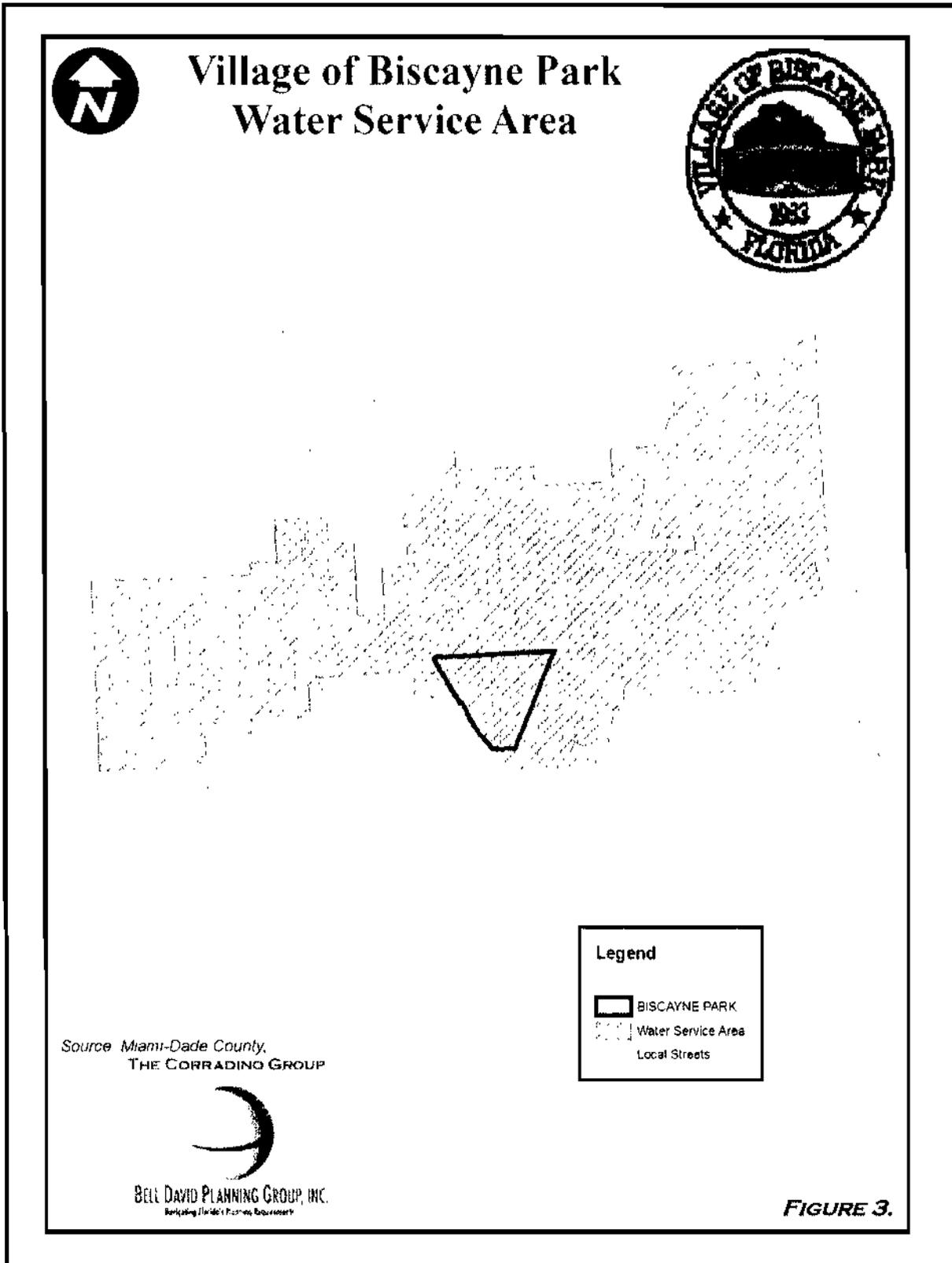
- Policy 2.7: The Village shall coordinate the adopted Comprehensive Plan with the plans of the school board, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, with the state comprehensive plan and with the South Florida Water Management District's regional water supply plan.
- Policy 2.8: The Village shall coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the City of North Miami Miami-Dade County WASD, Miami-Dade County Department of Environmental Resources Management, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.
- Policy 2.9: Ensure and identify the consistency of local level of service standards by annually contacting all local governments to which water service is provided and provide current information, including: populations, level of services, service areas, and water supply facilities, and evaluate if future modification to either the service agreement or level of service standards should be include in subsequent Comprehensive Plan Amendments.
- Policy 2.10: Negotiate or renew interlocal agreements with water supply providers ensuring contractual agreement of the adopted level of service standards, service area, populations and time periods for services provided.

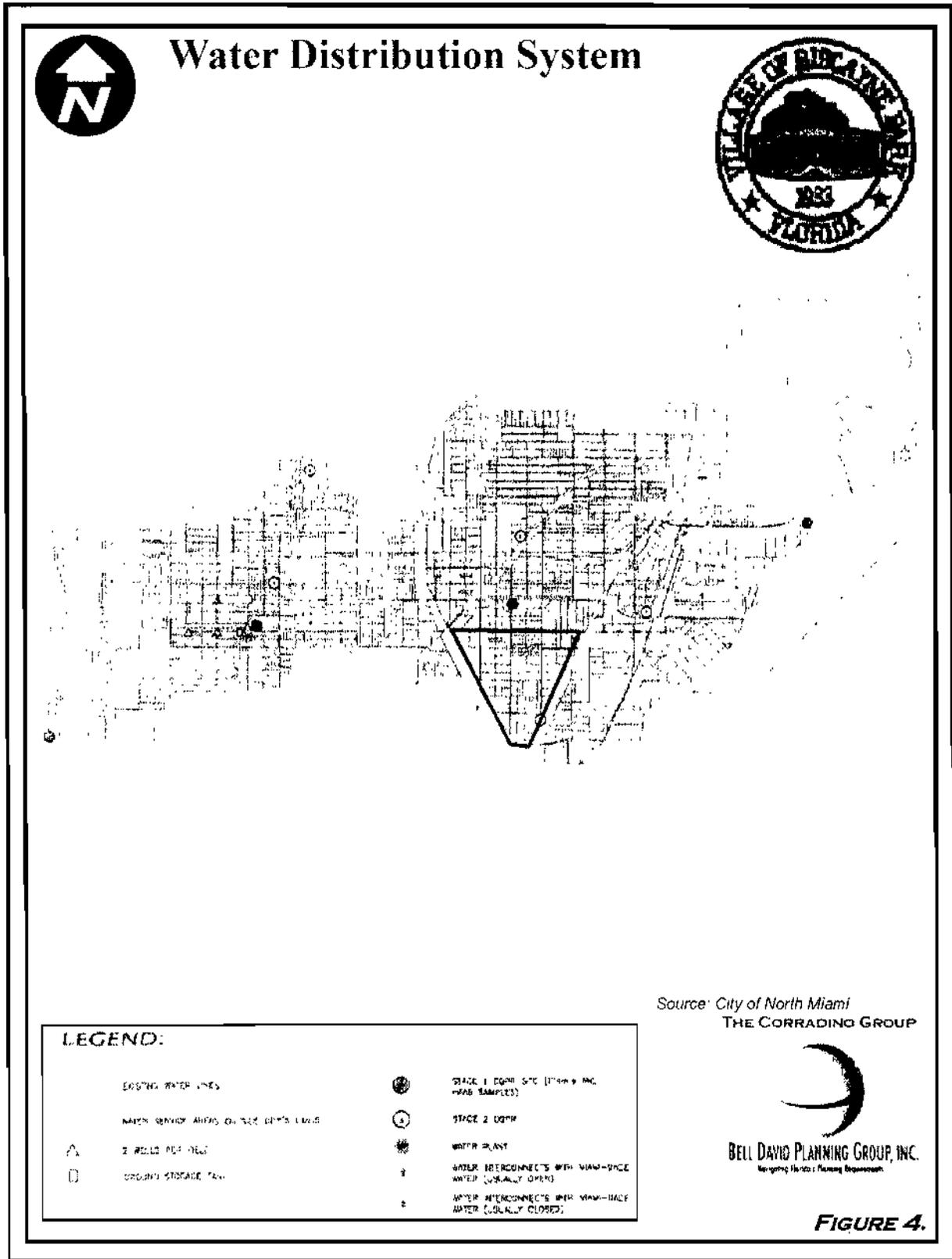
Capital Improvement Element

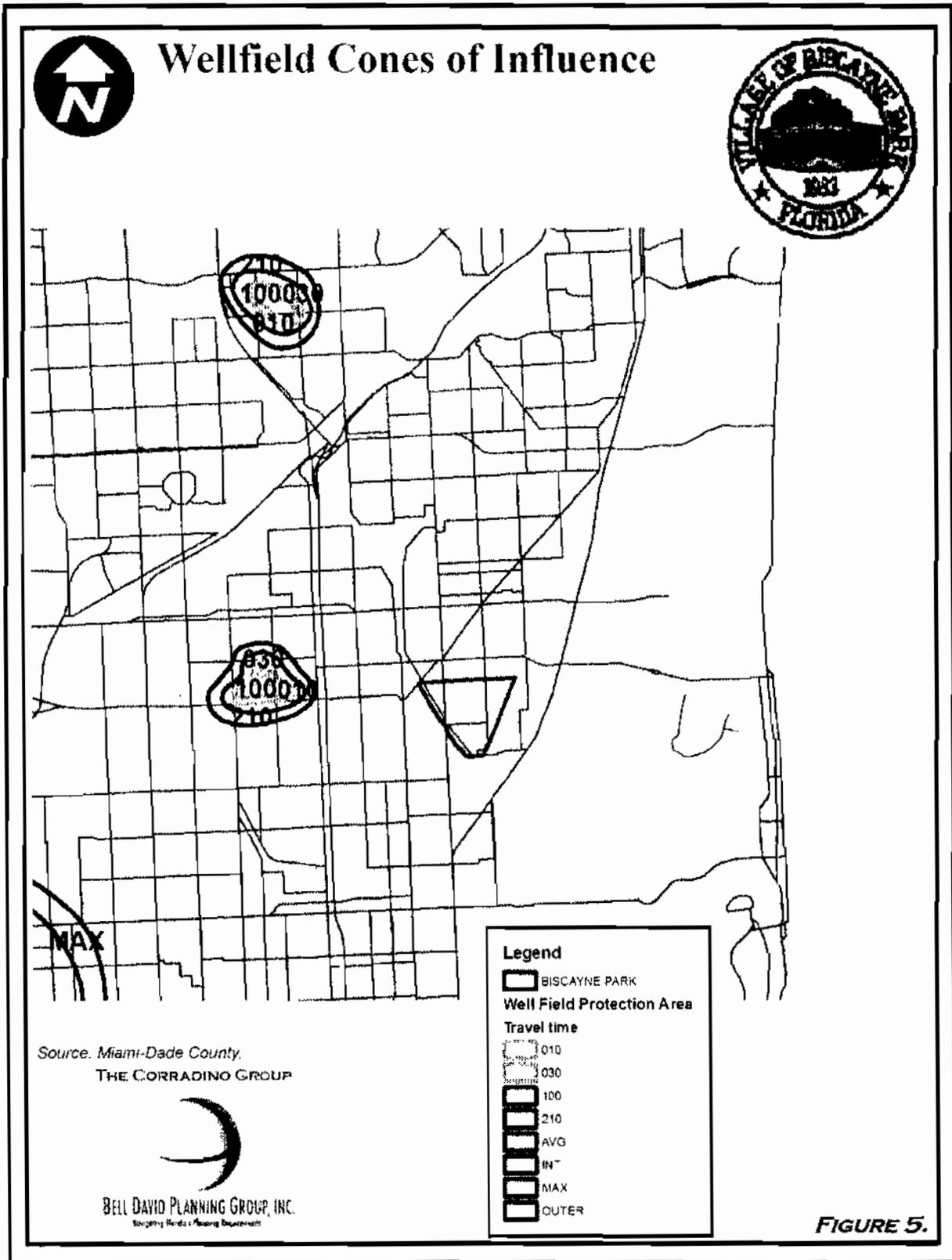
- Policy 2.6: Appropriate mechanisms will be developed and adopted with the City of North Miami, South Florida Water Management District, and Miami-Dade County in order to assure that adequate water supplies are available to all water users. Prior to approval of a building permit or its functional equivalent, the City of Sunny Isles Beach shall consult with the North Miami Beach Utility to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy. Furthermore, the Village will be responsible for monitoring the availability of water supplies for all water users and for implementing a system that links water supplies to the permitting of new development.
- Policy 2.7 The Village will ensure the financial feasibility of the public water infrastructure system by coordinating its land development practices with the City of North Miami water service production and delivery systems.
- Policy 2.8: The Village shall provide monthly data to the City of North Miami, as required by such entity, to track the amount of water to be allocated for new use.
- Policy 2.9: The Village shall incorporate capital improvements affecting Village levels of service by referencing the Capital Improvements Schedules of the City of North Miami, state agencies, regional water supply authorities and other units of government providing services but not having regulatory authority over the use of land into its 5-year Schedule of Capital Improvements (Fiscal Years 2008/2009 through 2012/2013). The Village Schedule shall be maintained and updated annually.

FIGURES









ATTACHMENTS

City of North Miami Water Facilities Work Plan 2008-2025

RESOLUTION NO. 2009-1

**A RESOLUTION OF THE VILLAGE COMMISSION
OF THE VILLAGE OF BISCAYNE PARK, FLORIDA,
ESTABLISHING THE FEES FOR THE ISSUANCE OF
LANDLORD PERMITS; PROVIDING FOR THE
ADOPTION OF REPRESENTATIONS; PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, the Village Commission has adopted an ordinance providing for the issuance of landlord permits; and

WHEREAS, it is appropriate to establish fees related to the issuance of landlord permits; now, therefore

BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

Section 2. The Village Commission hereby establishes fees to be charged for the purpose of administering the landlord permit ordinance as follows:

(A) The fees for landlord permits and yearly renewals thereof shall be charged at the following rates.

(1) Single Family Dwellings:

\$60.00 per year, per unit

(2) Multi-Family Dwellings with more than one units, includes apartments and condominiums, etc.:

First unit: \$50.00

Each additional unit: \$25.00 per year, per unit

(B) An application fee of ten dollars (\$10.00) shall be assessed for the processing of a new application for landlord permit.

Section 3. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this ___3rd___ day of ___February___, 2009.

**The foregoing resolution upon being
Put to a vote, the vote was as follows:**

John Hornbuckle, Mayor

Attest:

Ann Harper, Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

Mayor Hornbuckle: _____
Vice-Mayor Mallette: _____
Commissioner Anderson: _____
Commission Bernard: _____
Commissioner Morris: _____

VILLAGE OF BISCAYNE PARK
PLANNING & ZONING BOARD
MEMBERSHIP

Gage Hartung, Chairman
1029 N.E. 114th Street
Biscayne Park FL 33161
305-898-6974 cell
305-891-0910 home

Alfred Jonas
918 NE 119th Street
Biscayne Park FL 33161
305-891-5030 home
fredjonasmd@hotmail.com
Recommended by Comm. Mallette
Appointed April 10, 2007

Andrew Olis, Vice-Chairman
11935 N.E. 5th Avenue
Biscayne Park FL 33161
786-223-5151
AOLIS@Hotmail.com
Recommended by Comm. Morris

Alternate

Mario L. Rubio
12020 N.E. 5th Ave.
Biscayne Park FL 33161
786-417-3610
Appointed by Comm. Morris 11/6/07

Elizabeth P. Hornbuckle
950 N.E. 117th Street
Biscayne Park FL
786-282-7699
Appointed by Commissioner
Anderson 6/3/08

Appointments made at Commission meeting October 3, 2006
Organizational meeting October 16, 2006
Meets 1st and 3rd Mondays 7 pm in Recreation Center

VILLAGE OF BISCAYNE PARK
PARKS & PARKWAYS ADVISORY BOARD
MEMBERSHIP

Dan Keys, Chairman
1107 NE 118th St.
305-895-9920 - home
keypalmnut@aol.com
Comm. Anderson appointed

Lynn Fischer
11605 NE 10th Ave.
305-891-4787
fish009@bellsouth.net
Mayor Hornbuckle appointed 4/10/07

Barbara K. Kuhl, Vice-Chairman
777 NE 111th St.
305-893-9173 - home
thunder_mom@juno.com
Comm. Morris appointed 10/2/07

Bryan Cooper
839 NE 115th Street
786-252-2861 (Cell)
bcooper839@yahoo.com
appointed by Comm. Bernard

Alternate
Jane Ansley
janeansley@gmail.com
Appointed 3/4/08

Established Ord. 2007-2 approved March 6, 2007
Organizational meeting 9/19/07
Meets 1st and Wednesday 6:30 pm in Recreation Center

scot di stefano, architect

2410 Woodside Drive

Ft. Lauderdale, Florida 33312

954.316.8800 phone

954.321.1996 fax (954 to 316)

Memo

To: Frank Spence / VoBP City Manager via facsimile @ 305.891.7241
Date: 23 January, 2009
Subject: Village of Biscayne Park
Public Works Administration Building

As you are aware I requested supplemental information from the two bidders for the Public Works projects. NuSpace DB responded in full and their documentation is attached. Perillo Construction Inc. did not respond.

I have reviewed all the information requested and received, including the bid, references, bonding letter of intent and licensure status. Based upon this review I find it appropriate to recommend that the bid be awarded to NuSpace Design Build. Award of the contract should be contingent upon NuSpace securing a Performance Bond in the full amount of the awarded contract.

NuSpace's bond is contingent upon the award of the contract. I recommend that you use a Standard Owner-Contractor Agreement as prepared by the American Institute of Architects. These can be purchased online for a nominal fee. Once you have secured said document I would agree to sit with you and tailor it to your project.

Per my original agreement with the Village, my services during construction would be invoiced on an hourly basis. I will follow this memo with a letter affirming the original conditions of our Agreement.

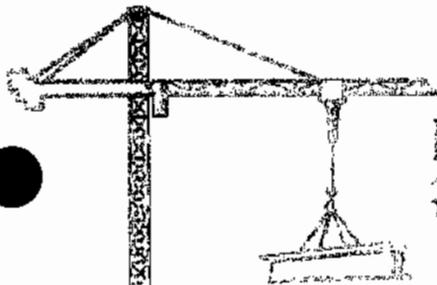
If you have any questions please do not hesitate to contact me.

Regards, Scot DiStefano

SD

2

10C



NIELSON, ALTER & ASSOCIATES

THERE IS A DIFFERENCE...

NCI
NIELSON & COMPANY, INC.

December 29, 2008

Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

RE: NUSPACE, INC.
Estimate \$320,000

To Whom It May Concern:

This is to advise you that we have just been retained by NuSpace, Inc. to expand the limited bond line of credit for their company. Earlier this year, they had qualified for bonds up to \$250,000 under one of our special surety bond programs. Going beyond these parameters requires additional underwriting information. This expanded bond line will enable them to fulfill Bid, Performance & Payment Bonds requested by various obligees that exceed \$250,000.

Although we have not received all of the required documentation to expand the bond program, based on our preliminary review, we are hopeful about meeting the bonding requirements for the above referenced project. Upon the receipt of the remainder of underwriting information, we will pursue the required Performance & Payment Bonds for the above referenced project.

This letter is not an assumption of liability, nor is it a bid or performance & payment bond, nor does it provide any assurances that we will ultimately obtain the necessary bonds. If you should have any questions, please do not hesitate to give me a call.

Sincerely,

Warren M. Alter
Surety Bond Specialist

PROVIDING BONDS FOR THE CONSTRUCTION INDUSTRY

8000 GOVERNORS SQUARE BLVD. • SUITE 101 • MIAMI LAKES, FL 33016 • DADE: 1800-557-2663 (BOND)
PHONE: (305) 722-2663 (BOND) • FAX: (305) 556-9880
WWW.NIELSONBONDS.COM

2 of 6



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
12/28/08

PRODUCER Florida Sureties Insurance
7278 SW 8 Street
Miami, FL 33164
Phone (305)285-3493 Fax (305)285-0678

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

INSURED NU SPACE INC
12020 N.E. 5 Ave
BISCAYNE PARK, FL 33161

INSURERS AFFORDING COVERAGE
INSURER A. LLOYD'S OF LONDON
INSURER B.
INSURER C.
INSURER D.
INSURER E.
INSURER F.

NAIC #

COVERAGES

THE POLICIES OF INSURANCE LISTED HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON OWNED AUTOS GARAGE LIABILITY <input type="checkbox"/> ANY AUTO EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER / MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	ART1004137	03/26/08	03/26/09	EACH OCCURRENCE 1,000,000.00 DAMAGE TO RENTED PREMISES (EA occurrence) 50,000.00 MED EXP (Any one person) EXCLUDED PERSONAL & ADV INJURY 1,000,000.00 GENERAL AGGREGATE 2,000,000.00 PRODUCTS - COMPOR AGG 1,000,000.00 COMBINED SINGLE LIMIT (EA accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) AUTO ONLY - EA ACCIDENT OTHER THAN EA ACC AUTO ONLY AGR EACH OCCURRENCE AGG AGGREGATE <input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

PUBLIC WORKS FACILITIES FOR
VILLAGE OF BISCAYNE PARK
893 NE 109th ST
BISCAYNE PARK, FL 33161

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
MARTA M ALONSO

ACORD 25 (2001/08) QP

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STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
1940 NORTH MONROE STREET
TALLAHASSEE FL 32309-0783

(407) 487-3395

NU SPACE INC
12020 NE 5TH AVE
BISCAYNE PARK

FL 33161

STATE OF FLORIDA ACP 327487
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
 QB27487 06/29/07 060797556
 QUALIFIED BUSINESS ORGANIZATION
 NU SPACE INC
 (NOT A LICENSE TO PERFORM WORK. ALLOWS COMPANY TO DO BUSINESS IF IT HAS A LICENSED QUALIFIER.)
 IS QUALIFIED under the provisions of Ch. 489 FS.
 Expiration date: AUG 31, 2009 L07062900748

DETACH HERE

3274784

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ#L07062900748

DATE	BATCH NUMBER	LICENSE NBR
6/29/2007	060797556	QB27487

The BUSINESS ORGANIZATION

Named below IS QUALIFIED

Under the provisions of Chapter 489 FS.

Expiration date: AUG 31, 2009

(THIS IS NOT A LICENSE TO PERFORM WORK. THIS ALLOWS COMPANY TO DO BUSINESS ONLY IF IT HAS A QUALIFIER.)

NU SPACE INC
12020 NE 5TH AVE
BISCAYNE PARK

FL 33161

CHARLIE CRIST
GOVERNOR

DISPLAY AS REQUIRED BY LAW

HOLLY BENSON
SECRETARY

4 of 6



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
1940 NORTH MONROE STREET
TALLAHASSEE FL 32399-0783

(850) 487-1395

RUMIANO, MARIO LIONELLO
NU SPACE INC
17100 COLLINS AVE.
STE 212
SUNNY ISLES BEACH FL 33160

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

AC# 3880081

CGC062162 07/29/08 088016647

CERTIFIED GENERAL CONTRACTOR
RUMIANO, MARIO LIONELLO
NU SPACE INC

IS CERTIFIED under the provisions of Ch. 489 FS
Expiration date: AUG 31, 2010 L08072901640

DETACH HERE

AC# 3880081

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L08072901640

DATE	BATCH NUMBER	LICENSE NBR
07/29/2008	088016647	CGC062162

The GENERAL CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2010

RUMIANO, MARIO LIONELLO
NU SPACE INC
17100 COLLINS AVE
STE 212
SUNNY ISLES BEACH FL 33160

CHARLIE CRIST
GOVERNOR

CHUCK DRAGO
INTERIM SECRETARY

DISPLAY AS REQUIRED BY LAW

5 of 6

**BID PROPOSAL FOR
BID # 2008 - 5
PUBLIC WORKS ADMINISTRATION BUILDING**

Contractor Information
Firm Name
Qualifier Name
C.G.C. #

Nu Space Inc
Marlo Rumsion
062162

Office Address :

17100 Collins Ave - STE 212
Sunny Isles Beach - FL
33160

Mailing Address (if different)

Same as above

Phone :
Fax:
Email:
Date (of original bid)

561.319.6883 / 305.945.3919
305.945.3929
jorge@nuspacedb.com
12.15.08

Authorized Signatures

Print Name :

Jorge Ortigosa

Base Bid :

\$319,855.64

Additive Alternate # 1 :

\$16,350.00

Additive Alternate # 2 :

Part # 1
Part # 2
Part # 3
Part # 4

\$6,700.00
\$4,450.00
\$27,850.00
\$4,850.00

Additive Alternate # 3

\$6,615.00

Additive Alternate # 4

\$6,682.50

Additive Alternate # 5 :

\$15,000.00

MEMORANDUM OF UNDERSTANDING

Between

MIAMI SHORES VILLAGE

And

VILLAGE OF BISCAYNE PARK

For

HOUSEHOLD RECYCLING PICKUP

11C

MEMORANDUM OF UNDERSTANDING

Between

MIAMI SHORES VILLAGE

And

VILLAGE OF BISCAYNE PARK

For

HOUSEHOLD RECYCLING PICKUP

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between MIAMI SHORES VILLAGE, FLORIDA, a municipal corporation of the State of Florida ("MIAMI SHORES"), and VILLAGE OF BISCAYNE PARK, a municipal corporation of the State of Florida ("BISCAYNE PARK"), collectively referred to as the "Parties."

WHEREAS, the parties are desirous of putting their understanding in writing; NOW, THEREFORE,

IN CONSIDERATION of the mutual covenants set forth, the Parties agree as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. Term. This MOU shall be effective upon execution by both parties for a period of three (3) years. However, either party may terminate this Agreement by providing six (6) month's written notice.
3. Purpose: The parties acknowledge and agree that this MOU is for the purpose of household recycling pickup for the Village of Biscayne Park residents.
4. Responsibilities.
 - A. MIAMI SHORES shall:

(1) Provide one (1) bin per household to the residents of BISCAYNE PARK within two (2) months of execution of this Agreement; and

(2) Provide recycling pickup one (1) time per week on a day to be agreed upon by the Parties.

B. BISCAYNE PARK shall pay MIAMI SHORES the sum of Thirty Five Thousand and xx/100 Dollars (\$35,000.00) each year for the first three (3) years of this MOU. Payments shall be made quarterly in equal installments of Eight Thousand Seven Hundred Fifty and xx/100 Dollars (\$8,750.00).

C. BISCAYNE PARK shall be responsible to distribute to the residents thereof such information concerning the recycling program and services as MIAMI SHORES may reasonably request, including but not limited to, advising the residents of the contact information for the MIAMI SHORES office to which questions and complaints should be directed, advising residents that MIAMI SHORES will be entitled to collect reasonable charges for providing replacement bins (consistent with policies applicable to MIAMI SHORES residents) as well as information encouraging full participation in the recycling program.

5. Amendment. No modification, amendment, or alteration in the terms or conditions shall be effective unless contained in a written document prepared with the same or similar formality as this MOU and executed by the Parties, as provided for herein.

6. Liability. The Parties are state agencies or political subdivisions of the state of Florida and each agrees to be fully responsible for the acts and omissions of its agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any of the Parties to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this MOU or any other contract. Additionally, the Parties shall each individually defend any action or proceeding brought against their respective agency and shall be individually responsible for all its own costs, attorneys fees, expenses and liabilities incurred as a result of any such claims, demands, suits, actions, damages and causes of action, including the investigation or the defense thereof, and from and against any orders, judgments or decrees which may be entered as a result thereof; except such claims, demands, suits, actions, damages and causes of action caused by negligent acts or omissions of a party, its officers, agents, servants, and employees.

7. Insurance. The Parties shall each individually maintain throughout the term of this MOU any and all applicable insurance coverage required by Florida law for municipalities.

8. Subcontracting. The obligations to perform household recycling pickup shall not be subcontracted out by MIAMI SHORES without written approval by BISCAYNE PARK's Commission.

9. Miscellaneous:

A. Notice. Whenever either of the Parties desires to give notice to the other, such notice must be in writing, sent by certified United States Mail, postage prepaid, return receipt requested, or by hand delivery with a request for a written receipt of acknowledgment of delivery, addressed to the of the Parties for whom it is intended at the place last specified. The place for giving notice shall remain the same as set forth herein until changed in writing in the manner provided in this section. For the present, the Parties designate the following:

MIAMI SHORES: Village Manager
10050 NE 2 Avenue
Miami Shores, Florida 33138

BISCAYNE PARK: Village Mayor
640 NE 114 Street
Biscayne Park, Florida 33161

B. Assignment. Neither this MOU nor any interest herein shall be assigned, transferred, or encumbered by either of the Parties.

C. Materiality. The Parties agree that each requirement, duty, and obligation set forth in this MOU is substantial and important to its formation and, therefore, is a material term.

D. Waiver. The failure of the Parties to enforce any provision of this MOU shall not be deemed a waiver of such provision or modification of this MOU. A waiver of any breach of a provision of this MOU shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this MOU.

E. Severability. In the event a portion of this MOU is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless either of the Parties elects to terminate this MOU. An election to terminate this MOU based upon this provision shall be made in writing after the finding by the court becomes final.

F. Joint Preparation. The Parties acknowledge that they have sought and received whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations herein and that the preparation of this MOU has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than the other.

G. Governing Law and Venue. This MOU shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. Any controversies or legal problems arising out of this MOU and any action involving the enforcement or interpretation of any rights under this MOU shall be submitted to the jurisdiction of the State courts of the Eleventh Judicial Circuit of Dade County, Florida, and shall be governed by the laws of the state of Florida. To encourage prompt and equitable resolution of any litigation that may arise, each party waives any rights it may have to a trial by jury of any such litigation related to or arising out of this MOU.

H. Merger. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained and the Parties agree that there are no commitments, agreements or understandings concerning the subject matter of this MOU that are not contained in this document. Accordingly, the Parties agree that no deviation from the terms shall be predicated upon any prior representations or agreements, whether oral or written. It is further agreed that no modification, amendment or alteration in the terms or conditions shall be effective unless set forth in writing in accordance with this MOU.

I. Independent Contractors. MIAMI SHORES is an independent contractor under this MOU. Services provided by MIAMI SHORES pursuant to this MOU shall be subject to the supervision of MIAMI SHORES. In providing such services, neither MIAMI SHORES nor its agents shall act as officers, employees, or agents of BISCAYNE PARK. No partnership, joint venture, or other joint relationship is created hereby. Other than by the express terms of this Agreement, BISCAYNE PARK does not extend to MIAMI SHORES or MIAMI SHORES' agents any authority of any kind to bind BISCAYNE PARK in any respect whatsoever.

J. Incorporation by Reference. The truth and accuracy of each "Whereas" clause set forth above is acknowledged by the Parties and incorporated herein as if set forth in full hereunder.

K. Multiple Originals. This MOU may be fully executed in multiple copies by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Memorandum of Understanding between the Miami Shores Village and the Village of Biscayne Park for Household Recycling Pickup in the Village of Biscayne Park.

ATTEST:

MIAMI SHORES VILLAGE, FLORIDA

Barbara Estep
Village Clerk

T. A. [Signature]
Mayor Manager

APPROVED AS TO FORM:

Richard Sarafa
Village Attorney

State of Florida
County of Dade

The foregoing instrument was acknowledged before me, the undersigned notary public in and for the State of Florida, on this the 26 day of April, 2006, by

Tom Benton and Barbara Estep, Village Clerk and Mayor, respectively, Manager

[Handwritten Signature]
Notary Public, State of Florida

MAILED VAREZAS
Printed, Typed or Stamped Name of Notary Public Exactly as Commissioned Individuals Who Signed Are: Personally Known, No Identification Produced

ATTEST:

VILLAGE OF BISCAYNE PARK, FLORIDA

[Handwritten Signature]
Village Clerk

[Handwritten Signature]
Mayor John R. Hornbuckle

APPROVED AS TO FORM:

[Handwritten Signature]
Village Attorney
State of Florida
County of Dade

The foregoing instrument was acknowledged before me, the undersigned notary public in and for the State of Florida, on this the 10th day of April, 2006, by Ann Harper and John R. Hornbuckle, Village Clerk and Mayor, respectively.

[Handwritten Signature]
NOTARY PUBLIC STATE OF FLORIDA
Notary Public, State of Florida
Arlenis Alicia Silvera
Commission # DD447607
Expires: MAR. 04, 2008

Printed, Typed or Stamped Name of Notary Public Exactly as Commissioned Individuals Who Signed Are: Personally Known, No Identification Produced

village clerk

"Commission Direction"

- 12/2/08 1. Budget Amendment explanations to be added by Holly for 2nd reading of Ordinance
 12/2/08 2. Signage at Park to be installed to control usage of groups, including parties
 12/2/08 3. Resolution for CPTED/Traffic Study, so that 6th Ave configuration can be adjusted by County
 12/2/08 4. Drainage calculations for 'dog park' to be provided by Manager
 12/2/08 5. Cost estimate for stop bars to be provided by Manager
 12/2/08 6. Status of tree removal permit to be provided by Manager
 12/2/08 7. Details on Truck Engine repair to be provided by Manager
 12/2/08 9. Cost to repair/replace exterior water fountain to be provided by Manager
 12/2/08 10. Cost to correct/bring up to code interior water fountain to be provided by Manager
 12/2/08 11. Procedure for 501(c) charity to be worked out as written policy
- 1/6/09 1. Resolution to be written to request GOB funds be transferred from "Learning Center" to "Public Works Facility"
 1/6/09 2. Landscape Architect to be directed to study new location for Entry Sign (without redesign of sign), additional service fee to be negotiated.
 1/6/09 3. 3 Bids to be obtained for purchase of "Cherry-Picker"
 1/6/09 4. 3 Bids to be obtained for Webmaster
 1/6/09 5. Manager to prioritize Commissioner's Goals, once submitted for 2/3 Meeting
 1/6/09 6. Manager to establish direction, hours, budget for Rec Center, based on 'spirit' of approved RAB recommendations.
 1/6/09 7. Manager to notify all Village Employees of available free Tax Returns by Human Services Coalition (\$42,000 / year or less).

come up with a plan regarding Village Emails - what's required for archive, how we can make sure Commissioners can enable records of Village Business, rules on Sunshine Law, etc... that was at the January Meeting too.

13 C (2)