



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161

Telephone: 305 899 8000 Facsimile: 305 891 7241

AGENDA
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, July 12, 2016 at 7:00pm



Indicates back up documents are provided.

1 Call to Order

2 Roll Call

3 Pledge of Allegiance

4 Presentations

4.a Representative Daphne Campbell - Legislative update.

4.b Introduction of Kenneth Rivera, Municipal Marketing and Governmental Affairs Representative for Waste Pro



4.c Panel Interview - Village Manager Candidates

5 Additions, Deletions or Withdrawals to the Agenda

At this time, any member of the Village Commission or the Village Manager may request to add, change, or delete items from the agenda.

6 Public Comments Related to Agenda Items / Good & Welfare

Comments from the public relating to topics that are on the agenda, or other general topics.

6.a Response to prior public comments and inquiries

7 Information / Updates



7.a FY 2015-16 Monthly Financials ending 5/31/16

8 Consent Agenda

Items listed under Consent Agenda are viewed to be routine, and the recommendation will be enacted by ONE MOTION in the form listed below. If discussion is desired, then the item(s) will be removed from the Consent Agenda and will be considered separately.

-  8.a Approval of Minutes
- ◆ April 5, 2016 Regular Commission Meeting
 - ◆ April 11, 2016 Special Commission Meeting
 - ◆ May 3, 2016 Regular Commission Meeting
 - ◆ June 7, 2016 Regular Commission Meeting
 - ◆ June 21, 2016 Special Commission Meeting

-  8.b Acceptance of Board Minutes
- ◆ Biscayne Park Foundation - May 10, 2016
 - ◆ Parks & Parkway Advisory Board - May 28, 2016
 - ◆ Planning & Zoning Board - June 6, 2016
 - ◆ Planning & Zoning Board - June 20, 2016
 - ◆ Code Compliance Board - June 13, 2016

< End of Consent >

9 Ordinances

< First Reading and Second Reading - NONE >

10 Resolutions

< NONE >

11 Old Business

These items are generally discussion items that have been previously discussed by the Commission and new information or updates are available by either a member of the Commission or the Administration.

-  11.a Proposed code changes regarding driveway improvements
-  11.b Annexation application status

12 New Business

These items are generally discussion items that have been requested by members of the Commission or the Administration.

-  12.a Discussion on having a workshop on solar power referendum - As requested by Commissioner Watts



12.b Street signs as requested by Commissioner Jonas

12.c Florida League of Cities annual conference - voting delegate selection - As requested by Vice Mayor Ross.

13 Request for placement of items on next meeting agenda

Through general consensus a member of the Commission may request an item be placed on the next agenda for discussion (New Business) or as a Resolution/Ordinance.

14 Reports

14.a Interim Village Manager

- ◆ Community Signage update
- ◆ Municipal Election
- ◆ New bulk trash / yard debris collection schedule update

14.b Village Attorney

14.c Board / Committee Reports:

- ◆ Biscayne Park Foundation
- ◆ Code Review Board
- ◆ Parks & Parkway Advisory Board
- ◆ Public Art Advisory Board
- ◆ Recreation Advisory Board

14.d Commissioner Comments

- ◆ Vice Mayor Ross
- ◆ Commissioner Anderson
- ◆ Commissioner Jonas
- ◆ Commissioner Watts
- ◆ Mayor Coviello

15 Announcements

Wednesday, July 13, 2016 - Public Art Advisory Board at 6:00pm

Monday, July 18, 2016 - Biscayne Park Foundation at 7:00pm

Tuesday, May 19, 2016 - Code Compliance Board at 7:00pm

Tuesday, May 19, 2016 - Parks & Parkway Advisory Board at 7:00pm

Wednesday, July 20, 2016 - Special Commission Meeting at 6:30pm

Sunday, July 24, 2016 - Bark in the Park from 4:00pm to 6:00pm

Tuesday, July 26, 2016 - Recreation Advisory Board at 6:30pm

Monday, August 1, 2016 - Planning & Zoning Board at 6:30pm

Our next regular Commission meeting is Tuesday, August 2, 2016, at 7:00pm

16 Adjournment

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 four (4) days prior to the proceeding for assistance.

DECORUM - All comments must be addressed to the Commission as a body and not to individuals. 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.



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: July 12, 2016

Subject: Village Manager Panel Interview

Prepared By: Maria C. Camara, Interim Village
Manager

Sponsored By: Staff

Background

To recap the Village Manager Selection Process:

- A total of 57 resumes were received for the position of Village Manager and 43 were determined as qualified based on the position requirements.
- The resumes for the 43 qualified applicants were provided to both the Resident Review Committee and the Miami Dade County City Manager's Association for their review and to select their top candidates.
- Twelve (12) candidates were selected between the two groups.
- Commission reviewed the 12 candidates and then selected four (4) finalists.
- One of the four finalists dropped out leaving three (3) finalists that went forward to the interview stage and background/vetting process.
- The three finalists were interviewed by the Mayor and Commissioners on June 24th.
- Background to be completed by July 15th.

The next step in the process is to conduct a Panel Interview where each candidate is individually asked the same set of questions at the Commission meeting on July 12th. The Commission will select questions from those suggested by Resident Review Committee, as well as their own.

On July 20th, there will be a Special Commission Meeting at 6:30pm where the Commission will select the next Village Manager for the Village of Biscayne Park.

05/31/2016

BUDGET REPORT FOR VILLAGE OF BISCAYNE PARK

Calculations as of 05/31/2016

BUDGET COMPLETION 67%

FUND 001

| GL NUMBER | DESCRIPTION | 2015-16 ORIGINAL BUDGET | 2015-16 ACTIVITY THRU 05/31/16 | remaining | 2015-16 Projected % CHANGE |
|-----------------------|----------------------------|--------------------------------|---------------------------------------|------------------|-----------------------------------|
| REVENUES | | | | | |
| | AD VALOREM TAXES | 1,474,664 | 1,464,454 | 10,210.00 | 99.31% |
| | UTILITY FEES | 278,626 | 198,637 | 79,989.01 | 71.29% |
| | CHARGE FOR SERVICES | 191,153 | 145,543 | 45,610.00 | 76.14% |
| | FRANCHISE FEES | 169,339 | 116,465 | 52,874.00 | 68.78% |
| | OPERATING CONTRIBUTIONS | 7,600 | 7,383 | 217.00 | 97.14% |
| | INTERGOVERNMENTAL REVENUES | 289,406 | 222,120 | 67,285.97 | 76.75% |
| | JUDGEMENTS & FINES | 62,669 | 46,813 | 15,856.00 | 74.70% |
| | MISCELLANEOUS REVENUES | 14,500 | 3,715 | 10,785.00 | 25.62% |
| | TRANSFERS IN | 96,964 | 0 | 96,964.00 | 0.00% |
| TOTAL REVENUES | | 2,584,921 | 2,205,130 | 379,791 | 85.31% |

| | | | | | |
|---------------------------|--------------------------|------------------|------------------|------------------|---------------|
| EXPENDITURES | | | | | |
| | TRANSFER OUT | 192,400 | 0 | 192,400.00 | 0.00% |
| | 511-Village Commission | 23,818 | 10,421 | 13,397.00 | 43.75% |
| | 512-Administration | 212,449 | 150,373 | 62,076.00 | 70.78% |
| | 513-Finance | 108,418 | 64,559 | 43,859.00 | 59.55% |
| | 515-Planning & Zoning | 14,000 | 14,000 | 0.00 | 100.00% |
| | 519-General Government | 407,876 | 255,772 | 152,104.00 | 62.71% |
| | 521-Police | 1,009,816 | 699,750 | 310,066.00 | 69.29% |
| | 524-Building Department | 124,366 | 81,429 | 42,937.00 | 65.48% |
| | 529-Code Enforcement | 75,759 | 43,832 | 31,927.00 | 57.86% |
| | 539-Public Works | 281,334 | 177,146 | 104,188.00 | 62.97% |
| | 572-Parks and Recreation | 134,685 | 85,061 | 49,624.00 | 63.16% |
| TOTAL EXPENDITURES | | 2,584,921 | 1,582,343 | 1,002,578 | 61.21% |

NET OF REVENUES/EXPENDITURES

622,787

05/31/2016

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF BISCAYNE PARK

PERIOD ENDING 05/31/2016

% Fiscal Year Completed: 66.67

| DESCRIPTION | 2015-16 AMENDED BUDGET | YTD BALANCE 05/31/2016 NORMAL (ABNORMAL) | AVAILABLE BALANCE NORMAL (ABNORMAL) | % BDGT USED |
|---|------------------------------|--|---|----------------|
| Fund 101 - Road Fund | | | | |
| Revenues | | | | |
| Intergovernmental Revenues | 103,961 | 68,903 | 35,058 | 66.28% |
| Charge For Services | 23,173 | 354 | 22,819 | 1.53% |
| Total Revenues: | 127,134 | 69,257 | 57,877 | 54.48% |
| Expenditures | | | | |
| Total Dept 541-Streets and Roads | 127,134 | 87,679 | 39,455 | 68.97% |
| TOTAL Expenditures | 127,134 | 87,679 | 39,455 | 68.97% |
| Fund 101 - Road Fund: | | | | |
| TOTAL REVENUES | 127,134 | 69,257 | 72,558 | 54.48% |
| TOTAL EXPENDITURES | 127,134 | 87,679 | 48,244 | 68.97% |
| NET OF REVENUES & EXPENDITURES | 0 | -18,421 | | |

05/31/2016

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF BISCAYNE PARK

PERIOD ENDING 05/31/2016

% Fiscal Year Completed: 66.67

| DESCRIPTION | 2015-16 AMENDED BUDGET | YTD BALANCE 05/31/2016 NORMAL (ABNORMAL) | AVAILABLE BALANCE NORMAL (ABNORMAL) | % BDGT USED |
|-------------|------------------------------|--|---|----------------|
|-------------|------------------------------|--|---|----------------|

**Fund 103 - CITT-Transportation
Revenues**

| | | | | |
|----------------------------|--------|--------|--------|--------|
| Intergovernmental Revenues | 96,123 | 51,297 | 44,826 | 53.37% |
|----------------------------|--------|--------|--------|--------|

| | | | | |
|-----------------------|---------------|---------------|---------------|---------------|
| TOTAL Revenues | 96,123 | 51,297 | 44,826 | 53.37% |
|-----------------------|---------------|---------------|---------------|---------------|

Expenditures

| | | | | |
|-----------------------|--------|--------|--------|--------|
| 541-Streets and Roads | 96,123 | 15,163 | 80,960 | 15.77% |
|-----------------------|--------|--------|--------|--------|

| | | | | |
|---------------------------|---------------|---------------|---------------|---------------|
| TOTAL Expenditures | 96,123 | 15,163 | 80,960 | 15.77% |
|---------------------------|---------------|---------------|---------------|---------------|

| | | | | |
|---|---------------|---------------|---------------|---------------|
| Fund 103 - CITT-Transportation: | | | | |
| TOTAL REVENUES | 96,123 | 51,297 | 44,826 | 53.37% |
| TOTAL EXPENDITURES | 96,123 | 15,163 | 80,960 | 15.77% |
| NET OF REVENUES & EXPENDITURES | 0 | 36,134 | | |

05/31/2016

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF BISCAYNE PARK

PERIOD ENDING 05/31/2016

% Fiscal Year Completed: 66.67

| DESCRIPTION | 2015-16 AMENDED BUDGET | YTD BALANCE 05/31/2016 NORMAL (ABNORMAL) | AVAILABLE BALANCE NORMAL (ABNORMAL) | % BDGT USED |
|---|------------------------------|--|---|----------------|
| Fund 104 - CITT-Transit Revenues | | | | |
| Intergovernmental Revenues | 24,030 | 12,824 | 11,206 | 53.37% |
| TOTAL Revenues | 24,030 | 12,824 | 11,206 | 53.37% |
| Expenditures | | | | |
| 541-Streets and Roads | 0 | 0 | 0 | 0.00% |
| TOTAL Expenditures | 0 | 0 | 0 | 0.00% |
| Fund 104 - CITT-Transit: | | | | |
| TOTAL REVENUES | 24,030 | 12,824 | 11,206 | 53.37% |
| TOTAL EXPENDITURES | 0 | 0 | 0 | 0.00% |
| NET OF REVENUES & EXPENDITURES | 24,030 | 12,824 | 11,206 | |

05/31/2016

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF BISCAYNE PARK

PERIOD ENDING 05/31/2016

% Fiscal Year Completed: 66.67

| DESCRIPTION | 2015-16 AMENDED BUDGET | YTD BALANCE 05/31/2016 NORMAL (ABNORMAL) | AVAILABLE BALANCE NORMAL (ABNORMAL) | % BDGT USED |
|---|------------------------------|--|---|----------------|
| Fund 402 - Sanitation Fund | | | | |
| Revenues | | | | |
| Waste/Franchise Fees | 502,343 | 454,734 | 47,609 | 90.52% |
| TOTAL Revenues | 502,343 | 454,734 | 47,609 | 90.52% |
| Expenditures | | | | |
| 534-Garbage/Solid Waste | 502,343 | 233,545 | 268,798 | 46.49% |
| TOTAL Expenditures | 502,343 | 233,545 | 268,798 | 46.49% |
| Fund 402 - Sanitation Fund: | | | | |
| TOTAL REVENUES | 502,343 | 454,734 | 47,609 | 90.52% |
| TOTAL EXPENDITURES | 502,343 | 233,545 | 268,798 | 46.49% |
| NET OF REVENUES & EXPENDITURES | | 221,189 | | |



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: July 12, 2016

Subject: Approval of Minutes

Prepared By: Maria C. Camara, Village Clerk

Sponsored By: Staff

Background

The Minutes as listed below are being provided for the Commission's review and approval.

Fiscal/Budget Impact

None.

Staff Recommendation

Approval.

Attachments

- April 5, 2016 Regular Commission Meeting
- April 11, 2016 Special Commission Meeting
- May 3, 2016 Regular Commission Meeting
- June 7, 2016 Regular Commission Meeting
- June 21, 2016 Special Commission Meeting



MINUTES
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, April 5, 2016 at 7:00pm

1 Call to Order

Mayor David Coviello called the meeting to order at 7:00pm.

2 Roll Call

Mayor David Coviello - present
Vice Mayor Barbara Watts - absent (*Arrived at 7:18pm*)
Commissioner Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Roxanna Ross - present

Present from staff were:

Village Manager Heidi Siegel
Village Clerk Maria C. Camara
Village Attorney John Hearn
Finance Manager Claude Charles
Lieutenant Detective Hector Pineda
Parks & Recreation Manager Shelecia Bartley

3 Pledge of Allegiance

4 Presentations

4.a Miami-Dade Fire Rescue Chief Dave Downey presented their annual report summarizing the services provided to the Village.

4.b Manager Siegel presented a replica of the Log Cabin. This artwork was donated by Intensified Wood Restoration, the log specialists that worked on the log cabin renovation.

4.c Proclamation for Arbor Day on April 23, 2016

4.d Proclamation in support of the Pelican Harbor Seabird Station

5 Additions, Deletions or Withdrawals to the Agenda

Commissioner Anderson asks that on item 12.c, to have a special commission meeting to discuss in detail. (*Request discussed during 12.c.*)

Commissioner Ross adds a discussion on funding the Public Services Manager position. Added as item 12.e.

Commissioner Ross adds a discussion on the Manager's annual review. Added as item 12.f.

Vice Mayor Watts adds a discussion on the solar lights for community signage. Added as item 12.g.

6 Public Comments Related to Agenda Items / Good & Welfare

Dan Samaria: Will donate acrylic frame for the log cabin artwork. The Recreation Advisory Board is changing the date of the Pot Luck event to June 4, 2016. Will provide a flyer and asks the Mayor to include in Egret.

Chester Morris: The revenues collected for this building is \$1.7 million. You spent \$1.8 million. You have a \$150,000 deficit. Been on numerous boards. If we did that people would be fired. This is fiduciary irresponsibility. You want to hire an Assistant Manager - that is wrong. Miami Shores does not have that. To come up with the \$150,000 shortfall, you don't hire a \$70,000 Assistant Manager. Don't pay the Commission \$15,000. Take \$30,000 out of the Manager's salary who was responsible to sign off on this project.

Genesis Troutman: Love Biscayne Park. Sense of community. Wants to make a positive difference in Biscayne Park. As a Code Compliance Inspector for City of Miami, want to provide my expertise as a board member on the Code Compliance Board. My background was provided with the board member application.

Milton Hunter: Have reviewed the numbers for the building projects. Shows we are \$800,000 over the grant amount. Dubious that we are only over 7%. Also told that the Village signage project is over budget. Who is responsible for this? Cannot afford to stay this course. How are we planning to recoup? How do we know these numbers are accurate unless an independent review is done? Urge you all to suspend all expenditures. Have reviewed Manager's contract. Believe Manager has not fulfilled her obligations. Feels it is time to remove her due to just cause. As elected officials you must govern with the best interests of the residents in mind. Time for responsible parties to be held responsible.

Barbara Kuhl: On entry signage, it was obtained through a \$50,000 grant. Then the solar collectors were added. Need to be removed. Parks & Parkway Board has stated that you need to find a better solution. Do all that is necessary to correct. One 12.c, a lot of information provided. To simplify, it is deceptive. That \$115,000 is a shortfall. Numbers do not add up. What has actually been paid? Need to better inform the residents. It is not not typical to have overage. Not clear what is over. The way spreadsheet is done, the revenues are not clear. Revenue is not something you take from another line item. Need to have an honest look at how the money was spent and not hire anyone else until done.

Mike Kopsick: The Commission does not show any concern - very surprised. You need to get together and cut back. You need to come back to us and explain how you are being fiscally responsible. None of you should be rehired. Look at what is being done, what we have and how you are spending. Very disappointed in the whole group.

Dan Keys: On 12.a, can CITT be used for other projects, such as for directional signage projects, curbing for future installations of entry signs. Provided proposed better language for placement of trash.

Janey Anderson: Thanks the Commission for tackling several problem ordinances. Great start, but need to have continued enforcement. Many residents don't think rules apply to them and have recurring fines. Need people on Code Board who have strength to enforce the rules. Concerned with a traffic issue from William Jennings Bryan School. On north side of 121st Street, pick ups and drop offs are taking place. Supposed to be on North Miami side. Have noticed it is spilling into Biscayne Park. Need the Commission to be aware.

Linda Dillon: Agree with all that have spoken. Tremendous mis-management of our money.

Mayor Coviello moves up item 12.c from New Business

12.c Reconciliation of new construction of Village Hall and the Log Cabin restoration projects - As requested by Commissioner Ross

After discussion, there is consensus to schedule a Special Commission Meeting on Wednesday, April 20th at 6:30pm.

7 Information / Updates

7.a Manager Siegel provided the financials for current fiscal year 2015-16 for the month ending February 29, 2016.

Commissioner Ross: Helpful and important to include the bank balances on the report. There is consensus to add to the monthly reports going forward.

8 Consent Agenda

Commissioner Ross pulls item 8.f, Resolution 2016-17, from the Consent agenda.

Left on the Consent agenda:

8.a Approval of Minutes

March 1, 2016 Regular Commission Meeting

8.b Acceptance of Board Minutes

Parks & Parkway Advisory Board - December 9, 2015

Parks & Parkway Advisory Board - January 20, 2016

Parks & Parkway Advisory Board - February 16, 2016

Parks & Parkway Advisory Board - March 16, 2016

Recreation Advisory Board - February 24, 2016

Recreation Advisory Board - March 23, 2016

Planning & Zoning Board - March 7, 2016

Planning & Zoning Board - March 21, 2016

Code Compliance Board - March 14, 2016

Public Art Advisory Board - March 8, 2016

Code Review Board - March 2, 2016

8.c Resolution 2016-14

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA MIAMI-DADE SCHOOLS POLICE DEPARTMENT** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

8.d Resolution 2016-15

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF MEDLEY, FLORIDA** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

8.e Resolution 2016-16

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF SOUTH MIAMI, FLORIDA** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

8.g Resolution 2016-18

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ACCEPTING DONATION OF ARTWORK** TO THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Anderson makes a motion to accept the consent agenda and it is seconded by Vice Mayor Watts.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 5/0

8.f **Resolution 2016-17**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR THE 2016-2017 COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT** THROUGH THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR AN EFFECTIVE DATE

Manager Siegel provided the background. Opportunity to get up to \$40,000 without any required match for technical assistance for a zoning re-write in our Code as was the consensus from the Commission following the "Commission in the Community Session" that took place in February.

After discussion, Commissioner Anderson makes a motion to bring back this grant opportunity at a future date and it is seconded by Vice Mayor Watts.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 5/0

9 **Ordinances**

< First Reading >

9.a **Ordinance 2016-05**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING CHAPTER 14 OF THE LAND DEVELOPMENT CODE ENTITLED "CODE COMPLIANCE BOARD"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment and there were none.

After discussion, Commissioner Jonas makes a motion to approve at first reading and it is seconded by Commissioner Ross.

The motion was called to a vote:

Commissioner Jonas: Yes

Commissioner Anderson: No

Vice Mayor Watts: Yes

Commissioner Ross: Yes

Mayor Coviello: Yes

Motion carries: 4/1

< Second Reading >

9.b **Ordinance 2016-02**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING SECTION 16-15 OF THE LAND DEVELOPMENT CODE ENTITLED "LANDLORD PERMITS"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment.

Janey Anderson: Glad to see we are extending permit requirement after 3 years. But not glad that you are removing the inspection requirement. When properties were inspected, several failed. It sends a clear message to business owners that this city holds them accountable. All or part of all ordinances make some upset. Need to consider what is best for overall community. Not just a taxable expense. Why treat landlords differently? If you are not close to a problem area, you may not realize magnitude of problem. Reconsider the inspection requirement.

Barbara Kuhl: Does not affect me, but Janey is right. Many look like they need an inspection. 20% of the properties are rentals. Make it a higher standard.

Commissioner Anderson makes a motion to approve Ordinance 2016-02 with the changes discussed to add back the inspection, and it is seconded by Commissioner Jonas

The motion was called to a vote:

Commissioner Ross: Yes

Vice Mayor Watts: Yes

Commissioner Anderson: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 5/0

9.c **Ordinance 2016-03**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING SECTION 6.3 ENTITLED "SOLID WASTE"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title and provided background.

Mayor Coviello opened the meeting for public comment.

Dan Keys: Term of domestic trash is not clearly defined. Not sure if recyclable materials or garden/bulky waste is well defined. Stating to place trash at property line is not a good choice. No provision for allowing pickup at the rear of yard. Provided suggested language to clear that up. Need to be clear if you are going to cite someone.

After discussion, Commissioner Ross makes a motion to change the time when garbage and recycling containers are to be placed out is no earlier than 5pm the day before collection. It is seconded by Commissioner Jonas.

All in favor: Vice Mayor Watts, Commissioner Jonas and Commissioner Ross.

Opposed: Mayor Coviello and Commissioner Anderson

Motion carries: 3/2

There is discussion the placement of containers, at property line or edge of pavement.

After discussion, there is consensus to state placement is at edge of pavement unless yard service is requested.

Commissioner Anderson makes a motion to approve Ordinance 2016-03 with the changes discussed, and it is seconded by Commissioner Jonas

The motion was called to a vote:

Commissioner Ross: No

Vice Mayor Watts: No

Commissioner Anderson: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 3/2

Mayor Coviello recognizes Don Festge in the audience who is running for Senate District 38.

9.d **Ordinance 2016-04**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING 6.3.3 OF THE LAND DEVELOPMENT CODE ENTITLED "OWNER/OCCUPANT RESPONSIBILITY"; AMENDING SECTION 6.3.4 OF THE LAND DEVELOPMENT CODE ENTITLED "GARDEN/BULKY WASTE"; "AMENDING SECTION 14.1 OF THE LAND DEVELOPMENT CODE ENTITLED "COMPLIANCE PROCEDURE"; AMENDING SECTION 15.4 OF THE LAND DEVELOPMENT CODE ENTITLED "OTHER PENALTIES AND REMEDIES";** PROVIDING FOR INTENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title and provided the background. All related changes for Ordinance 2016-03 are automatically moved to this ordinance.

Mayor Coviello opened the meeting for public comment and there were none.

Consensus to change from 10 days to 14 days at section 4.1 on pages 5-7.

Commissioner Jonas makes a motion to approve ordinance 2016-04 with changes and it is seconded by Commissioner Anderson.

The motion was called to a vote:

Vice Mayor Watts: No

Commissioner Anderson: Yes

Commissioner Ross: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 4/1

10 Resolutions

Clerk Camara tallied the Commission votes for Board Member selections. There is consensus that the second highest votes will be the alternate.

10.a Resolution 2016-12

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE PLANNING BOARD**; PROVIDING FOR AN EFFECTIVE DATE

Board members selected: Dan Schneiger and Laura Graves as the alternate.

Commissioner Anderson makes a motion to approve Resolution 2016-12 and it is seconded by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 5/0

10.b Resolution 2016-13

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE CODE COMPLIANCE BOARD**; PROVIDING FOR AN EFFECTIVE DATE

Board members selected: Gary Kuhl and Art Pyle as the alternate.

Commissioner Anderson makes a motion to approve Resolution 2016-12 and it is seconded by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 5/0

10.c Resolution 2016-19

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AMENDING THE SCHEDULE OF FEES** FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY VILLAGE CODE; PROVIDING FOR AN EFFECTIVE DATE

Clerk Camara provided the background and listed the changes to the fee schedule.

Commissioner Ross confirms that for Landlord permit with the inspection, the total is \$145 per year (\$50 permit and \$95 inspection fee).

After discussion, motion by Commissioner Ross to approve and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, commissioner Jonas and Commissioner Ross.

Opposed: Vice Mayor Watts

Motion carries: 4/1

11 Old Business

11.a Recreation Center Lighting - Commissioner Anderson

Commissioner Anderson: Recommends to hold off on installation at entrance until we do a review of entire park lighting needs.

Consensus to hold off installation for a future date.

12 New Business

12.a Discussion on utilization of CITT funds for bus shelter at 114th Street - As requested by Commissioner Ross.

Commissioner Ross: On the funding received from CITT (County's half penny sales tax), a certain element needs to be spent on transit. Current balance for that portion is approximately \$55,000. If not spent within the parameters that CITT specifies, funds could revert back to the County. Propose that these funds are used for a bus shelter at 6th Avenue at the bus stop just west of Village Hall. Welcomes all ideas.

After discussion, consensus to give staff direction to get more information on locations for a bus shelter.

12.b Discussion regarding dog park - As requested by Mayor Coviello

Mayor Coviello: Many residents have brought this forward. Possible area is triangle park on the Biscayne Park side of the bridge on 6th Avenue, but there are issues with that area that need to be worked out. Has been discussed in other municipalities. Should we take idea to next level?

No direction provided.

12.d Discussion on vacation home rentals - As requested by Commissioner Ross

Commissioner Ross: There have been concerns with rental properties that have reoccurring tenants, short term or vacation rentals. Impact on the neighbors. Legislation has been passed on this subject and has asked Attorney Hearn to look into.

Attorney Hearn: Law provides that local government can regulate short term rentals as long as they do not prohibit them, they cannot regulate the duration of the rental, or the frequency of the rentals. Ft. Lauderdale has passed legislation on this which provides for specific requirements for the short term rentals.

After discussion, consensus to have staff review and see what we can implement from this to make our code stronger.

12.e Discuss funding for Public Services Manager position - As requested by Commissioner Ross

After discussion, consensus to not fill the Public Services Manager position until further notice.

12.f Discussion of Manager's annual review - As requested by Commissioner Ross

Commissioner Ross: We were due to review the Manager this past October, but have not done so. Need to set time table.

After discussion, consensus for each Commissioner to complete the written evaluation within 30 days of receiving the form, which the Clerk is directed to provide.

12.g Discussion on the solar lights for community signage - As requested by Vice Mayor Watts.

Vice Mayor Watts: Agree with Parks & Parkway Board that the solar lighting is unacceptable. Suggest they are taken out and go back to Savino Miller for an alternative.

After discussion, there is consensus not to remove the solar lights. Use landscaping to soften the impact. Work on making the lights operate properly.

13 Request for Placement of Items on Next Meeting Agenda

Vice Mayor Watts: Issue with feral cats.

14 Reports

14.a Village Manager

Annexation update: Existing application to proceed. Verbal confirmation that we are on the April 12th meeting. Still waiting for official notice.

14.b Village Attorney

Provided highlights of legislation passed including forfeiture law, public records law and backyard shooting range prohibitions.

On water agreement with North Miami, look to set up a meeting with their attorney and new City Manager. Will provide them with newly updated draft agreement.

15 Announcements

Wednesday, April 6th - Code Review Board at 7:00pm

Saturday, April 9th - Quarterly Saturday Trash Pick-Up

Saturday, April 9th - Relay for Life

Monday, April 11th - Code Compliance Board at 7:00pm

Tuesday, April 12th - Biscayne Park Foundation at 7:00pm

Wednesday, April 13th - Public Art Advisory Board at 6:00pm

Monday, April 18th - Planning & Zoning Board at 6:30pm

Wednesday, April 20th - Special Commission Meeting at 6:30pm

Wednesday, April 20th - Parks & Parkway Advisory Board at 7:00pm

Saturday, April 23rd - Community Yard Sale & Home Improvement Workshop from

Saturday, April 23rd - Arbor Day / Earth Day from 2:00pm - 4:00pm

Tuesday, April 26th - Recreation Advisory Board at 7:00pm

Monday, May 2nd - Planning & Zoning Board at 6:30pm

Our next regular Commission meeting is Tuesday, May 3, 2016, at 7:00pm.

Adjournment

The meeting was adjourned at 10:37pm.

Commission approved on June 7, 2016.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



**MINUTES
SPECIAL COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Monday, April 11, 2016 at 12:00pm**

1 Call to Order

Mayor David Coviello called the meeting to order at 12:00pm

2 Roll Call

Mayor David Coviello - present
Vice Mayor Barbara Watts - present
Commissioner Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Roxanna Ross - present

Present from staff were:

Village Manager Heidi Siegel
Village Clerk Maria C. Camara
Village Attorney John Hearn

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

< None >

5 Public Comments

Dan Samaria: Holding meeting at this time is not right. Money was mishandled with the projects. Was this done in good faith? How can we run over and the Commission not know. Who managed the budget other than the Village Manager? Was there an allowance for overage. Calling for a forensic audit on this project and any others in the last 24 months. As a reporter I failed. I should have verified monies were properly spent. Calling for a full investigation.

Chester Morris: This was not a witch hunt. Don't be in a hurry to hire a new person. President of the Florida League of Cities is a good friend. If you need advice, contact him. Because of contract, suggest talking to League before hiring and get a forensic accounting. If I was a new comer, would want to verify.

Jorge Marinoni: A little shaken the way this is happening. Some of our neighbors are making a stink before getting the facts. If you don't have proof of any wrong doing, you are making unfounded accusations. Second Manager we are breaking.

Mike Kopsick: Upset last time I spoke. Did not mean to be mean. I am kind to those doing their job. Very glad to see the suggestions made and that you are having a meeting to review. Glad to see you are moving quickly. Thank you for taking our suggestions.

Max Deitermann: Very important to understand what we have here. We have 1,000 city managers, 1,000 police officers and 1,000 code officers. Not supposed to be like this. Let people we hire do their job. Do not micro-manage.

6 New Business

6.a Resignation of Village Manager

Attorney Hearn: Manager has notified the Village of her resignation. There is no severance, only payout of accrued vacation. Manager has also given the required 60 day notice, but is asking for an earlier separation date, April 29th.

Manager Siegel: Very proud of my record at Biscayne Park. Accomplished a lot. Proud of staff, both old and new. Resigning to move forward with my career and the betterment of my family. Not resigning due to the construction projects being 6% over budget.

Commissioner Jonas makes a motion to accept the Manager's request for the earlier separation date of April 29, 2016.

Mayor Coviello: Also agrees. In regards to Interim, asks Clerk Camara if she would take on that position.

Clerk Camara: Yes, would accept the position of Interim Village Manager.

Commissioner Ross seconds the motion made by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross

Opposed: None

Motion carries: 5/0

6.b Selection of Interim Village Manager

Commissioner Ross recommends utilizing a management firm similar to when Manager Spence resigned in 2009. When Manager Garcia left, there were other people in place, for example the Assistant to the Manager/Public Works Manager. Too much to put on one person. On the Florida City Manager's Association website, there is reference to services of retired city managers.

After discussion, motion by Commissioner Anderson to appoint Maria Camara as the Interim Village Manager and it is seconded by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross

Opposed: None

Motion carries: 5/0

Clerk Camara provided the information on the salary increase in August 2013 through December 2013 when in the position of Interim Village Manager.

Mayor Coviello: Recommends the same percentage salary increase as the last time in 2013.

Commissioner Anderson makes a motion to increase salary to \$75,000. Motion fails for lack of second.

Commissioner Ross makes a motion to increase salary by the same percentage as in 2013 and it is seconded by Vice Mayor Watts.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, and Commissioner Ross

Opposed: Commissioner Jonas

Motion carries: 4/1

Mayor Coviello: Discussion on raises for rest of Staff to be discussed at April 20th meeting.

6.c Village Manager Selection Process

Clerk Camara provided the process conducted in 2013 and the updated position posting.

After discussion, motion made by Commissioner Jonas to accept the same process and position and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas and Commissioner Ross

Opposed: None

Motion carries: 5/0

Vice Mayor Watts asks that transcripts be provided by top applicants selected and there is consensus to add this change.

7 Announcements

Wednesday, April 20, 2016 - Special Commission Meeting at 6:30pm
Tuesday, May 3, 2016 - Regular Commission Meeting at 7:00pm

8 Adjournment

The meeting was adjourned at 12:53pm.

Commission approved on June 7, 2016.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



MINUTES
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, May 3, 2016 at 7:00pm

1 Call to Order

Mayor David Coviello called the meeting to order at 7:00pm

2 Roll Call

Mayor David Coviello - present
Vice Mayor Barbara Watts - absent (*Arrived at 7:26pm*)
Commissioner Bob Anderson - absent
Commissioner Fred Jonas - present
Commissioner Roxanna Ross - present

Present from staff were:

Interim Village Manager Maria C. Camara
Village Attorney John Hearn
Finance Manager Claude Charles
Police Chief Cornelius McKenna
Parks & Recreation Manager Shelecia Bartley

3 Pledge of Allegiance

4 Presentations

4.b Employee Health Insurance for the renewal due on June 1, 2016 was presented by Graeme Pentland from EBS Advisors.

4.c Amy Raymond, Chair of the Public Art Advisory Board presented to the Commission the sculpture for public display. There was Commission consensus to accept and to have the Board proceed with a suggested location.

4.d Jorge Marinoni, President of the Biscayne Park Foundation presented to the Commission the idea to have the west wall of the racquetball court painted with a mural. The mural would be designed to allow for participation of Village residents, children and adults. There was Commission consensus to have the Foundation proceed with the idea and to work with the Public Art Advisory Board on the project.

5 Additions, Deletions or Withdrawals to the Agenda

Commissioner Ross: Add a discussion on employee policy for vacation accruals.
(Added as item 12.d.)

6 Public Comments Related to Agenda Items / Good & Welfare

Virginia Halpin - Does the Church pay for grass cutting of the property adjacent to Village Hall? Have observed them working on roof on Sundays. Can police check and report on these issues? Did not know about a survey regarding Code. Parked commercial vehicles is a problem on some properties. Gives a bad image.

Charlie Easton - Commissioner Jonas asked for help in getting restroom doors fixed at the Log Cabin. Would be able to provide with some assistance. On the solar poles, ridiculously large. An eyesore. Do not do anything. On the birds that are on the sign, coat with reflective coating so headlights hit it and illuminate them.

Marie Smith - A month ago complained about signage. North Miami put up signs, why didn't we do similar. To remove poles will cost \$2,000. Who consented to this? It is ugly. Foundation will help to raise funds. Idea to light up the birds would be nice.

Barbara Kuhl - On signage and poles, at last meeting voted to keep as is since already paid for. At Parks & Parkway, unanimously voted to come back to the Commission and have them reconsider. Perhaps the lights can be sold, or used at other locations. They are too distracting and unattractive. Takes away from sign. Gives off a horrible white glow. Nothing redeeming. If a resident has offered to pay for removal, good. They hinder the landscaping. A good time to remove them.

Chuck Ross - There is ambiguity regarding accruals. Currently there is a carry over. Policy states at certain point they are capped. Reviewed the manager's payout and there should be only 148 hours accrued, not 240. Have heard that this has been a consistent policy. Need to go back to see where this was done before. Need to iron out the discrepancy. It is accumulation by definition.

7 Information / Updates

7.a Interim Manager Camara provided recap of FY 2015-16 at six months

Commission had questions which will be reviewed and answers brought back at next meeting, specifically line items that were at or close to 100% for the year.

Interim Manager Camara advised that what has been budgeted for the professional services of Estrada Hinojosa will be exhausted as of April. To continue with their services will require unbudgeted funds

After discussion, consensus from the Commission not to extend their services.

8 Consent Agenda

8.a Approval of Minutes

February 23, 2016 Special Commission Meeting

8.b Acceptance of Board Minutes

Parks & Parkway Advisory Board - September 16, 2015

Planning & Zoning Board - April 4, 2016

Planning & Zoning Board - April 18, 2016

Code Compliance Board - April 11, 2016

Public Art Advisory Board - April 14, 2016

Recreation Advisory Board - March 31, 2016

Recreation Advisory Board - April 26, 2016

8.d Resolution 2016-21

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE TO PROVIDE EMPLOYEE HEALTH BENEFITS FOR THE PERIOD OF JUNE 1, 2016, THROUGH MAY 31, 2017**; AND PROVIDING FOR AN EFFECTIVE DATE.

8.e Resolution 2016-23

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE LEASE AGREEMENT FOR POLICE VEHICLES** FOR THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Jonas makes a motion to accept the consent agenda and it is seconded by Vice Mayor Watts.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 4/0

9 Ordinances

< Second Reading >

9.a Ordinance 2016-05

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING CHAPTER 14 OF THE LAND DEVELOPMENT CODE ENTITLED "CODE COMPLIANCE BOARD"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE

Attorney Hearn read the title and provided the background.

Mayor Coviello opened the meeting to public comment and there were none.

Commissioner Jonas makes a motion to approve Ordinance 2016-05 and it is seconded by Commissioner Ross.

The motion was called to a vote:

Commissioner Ross: Yes

Vice Mayor Watts: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 4/0

10 Resolutions

9.a Resolution 2016-22

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ESTABLISHING THE ANNUAL WASTE FEE ASSESSMENT FOR THE VILLAGE OF BISCAYNE PARK**, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Hearn read the title.

Interim Manager Camara provided the background. While there was an increase in the annual cost for services from Waste Pro in the amount of \$15,420 (+3.96%), there was also a reduction in the administrative and direct fees of \$21,346 (-24.21%). The result is an overall decrease of 1.13%, and a reduced annual assessment of \$390.54 (a decrease of the current \$394.92 rate).

Commissioner Ross:

- Requests information regarding tipping fees.
- Provide current TracEZ report.
- Error in calculation for 1% administrative fee. The result will only be an increase of a few cents to the assessment. Attorney Hearn confirms we can proceed with passing the resolution.

Vice Mayor Watts:

- Percentage of money Waste Pro gets for recycling - do we get a portion of that?

Commissioner Jonas makes a motion to approve Resolution 2016-22 and it is seconded by Commissioner Ross.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Jonas and Commissioner Ross.

Opposed: None

Motion carries: 4/0

11 Old Business

11.a Discussion of the bathroom doors in the Log Cabin - As requested by Commissioner Jonas

Commissioner Jonas: Resident Charlie Easton volunteered to fix the restroom doors in the Log Cabin, and will provide assistance to him. Need commission consensus and access to the Log Cabin on a Saturday morning.

After discussion, there was Commission consensus to proceed, and for Staff to provide the access to the Log Cabin.

11.b Community Signage - As requested by Commissioner Watts

Commissioner Watts provided the background, specifically regarding the solar panels and poles.

After discussion, Commissioner Ross makes a motion to keep the installation as is and to take up new suggested landscaping from Parks & Parkways Advisory Board. The motion is seconded by Commissioner Jonas.

All in favor: Commissioner Ross and Commissioner Jonas.

Opposed: Mayor Coviello and Commissioner Watts.

Motion fails: 2/2

After further discussion, consensus to have Staff contact the vendor of the solar lights for possible return, or is there a filter that can be used on the lights, or other ideas. Also review if there is any impact on the grant funding if any changes are made. Bring back for June meeting.

12 New Business

12.a Cats in the Village - As requested by Commissioner Watts

Commissioner Watts provided the background and explained the TNR program (Trap, Neuter and Release).

After discussion, Commission consensus to continue to provide education to residents regarding this program and other programs promoting responsible care for cats.

12.b FDOT - Project Advisory Team Meeting for the US-1 planning study from SE 8 Street to the Miami Dade/Broward County Line - designation of a Commission member to represent the Village and to serve on the Project Advisory Team on May 17, 2016.

Commission consensus to have Mayor Coviello attend.

12.c Miami-Dade County Proposed Landscape Code Update - municipal input requested.

After discussion, Commission consensus to pass at this time.

12.d Discussion on employee policy for vacation accruals - Commissioner Ross

After discussion, Commission consensus to have Attorney Hearn to draft a memo to all non-union employees that going forward must adhere to Village policy regarding accruals and what is allowed to roll over to the next year.

13 Request for Placement of Items on Next Meeting Agenda

Commissioner Watts: Discuss the scheduling of a workshop regarding solar power referendum.

14 Reports

14.a Village Manager:

Annexation update: Tentatively scheduled for June Board of County Commissioners.

Village Manager Selection Process: Provided an update on the resumes received and the next calendared meetings and steps in the process.

14.b Village Attorney:

Municipal Ethics Officers program - Meeting on May 18th presented by Miami-Dade County Commission on Ethics which Attorney Hearn will attend.

14.d Commission Comments:

Mayor Coviello: Presented the award received by the Village from the Dade Heritage Trust for the Log Cabin restoration project.

15 Announcements

Wednesday, May 4, 2016 - Code Review Board at 7:00pm
Saturday, May 7, 2016 - Food & Tunes - Cinco de Mayo starting at 7:00pm
Monday, May 9, 2016 - Code Compliance Board at 7:00pm
Monday, May 9, 2016 - Biscayne Park Foundation at 7:00pm
Wednesday, May 11, 2016 - Public Art Advisory Board at 6:00pm
Monday, May 16, 2016 - Planning & Zoning Board at 6:30pm
Wednesday, May 18, 2016 - Parks & Parkway Advisory Board at 7:00pm
Thursday, May 19, 2016 - Resident Review Committee at 7:00pm
Tuesday, May 24, 2016 - Resident Review Committee at 6:30pm
Tuesday, May 24, 2016 - Recreation Advisory Board at 6:30pm

Monday, May 30, 2016 - All Village departments are closed in observance of Memorial Day

Wednesday, June 1, 2016 - Code Review Board at 7:00pm

Saturday, June 4, 2016 - Social Gathering/Pot Luck Event at 12:Noon

Monday, June 6, 2016 - Planning & Zoning Board at 6:30pm

Our next regular Commission meeting is Tuesday, June 7, 2016, at 7:00pm.

Adjournment

The meeting was adjourned at 9:35pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



MINUTES
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, June 7, 2016 at 7:00pm

1 Call to Order

Mayor David Coviello called the meeting to order at 7:00pm

2 Roll Call

Mayor David Coviello - present
Vice Mayor Barbara Watts - absent
Commissioner Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Roxanna Ross - present

Present from staff were:

Interim Village Manager Maria C. Camara
Village Attorney John Hearn
Code Compliance Officer Reginald White
Police Chief Cornelius McKenna
Parks & Recreation Manager Shelecia Bartley

3 Pledge of Allegiance

Mayor Coviello recognizes Commissioner Ross will serve as Vice Mayor for the next six months.

4 Presentations

4.a Proclamation presented to Code Officer Reginald White - Code Enforcement Officer Appreciation Week

4.b Vice Mayor Ross - presented the award by the Florida Trust For Historic Preservation given to the Village of Biscayne Park for the Log Cabin restoration project.

4.c Amy Raymond, Chair of the Public Art Advisory Board - presented possible location ideas for sculpture. Will go back to artist for more information.

4.d Waste Pro of Florida - Regional Vice President Russell Mackie presented the Village with an option to change the collection service of bulk trash and yard waste to Mondays, leaving Tuesday for garbage and Friday for garbage and recycling. Looks to provide better service and supervision with the new schedule.

After discussion, Commissioner Anderson makes a motion to go with the Monday collection of bulk trash and yard waste for a six month trial period, and it is seconded by Vice Mayor Ross.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

Schedule to go into effect on July 4th. Attorney Hearn to draft letter of agreement.

Item 12.e was moved up and also discussed.

5 Additions, Deletions or Withdrawals to the Agenda

Commissioner Jonas: Discussion on street signs, added as item 12.g.

Vice Mayor Ross: Discussion on staffing at Village Hall, added as item 12.h.

6 Public Comments Related to Agenda Items / Good & Welfare

Gary Kuhl: Allow for public comment on driveway presentation until after it is presented. On Recreation Center lighting, appreciate funding from the Biscayne Park Foundation. However, question the proposal for plastic fixtures. What kind of illumination will it provide. By Code, there are certain lighting requirements.

Jorge Marinoni: The money raised by the Foundation for the lighting at the Recreation Center done almost two years ago. A lot of effort and care, and want to move this project forward. Money already appropriated. Come up with something and do it.

Barbara Kuhl: On lighting, this will be the perfect project for the new Manager. Test them with this project. In favor of vetting the candidates. In favor of paying a professional company to do this. Do it correctly. Thanks the Recreation Advisory Board for Pot Luck event.

Janey Anderson: Was in favor of Monday trash. Worked hard to tighten up language. If you go to three days of collection, affects entire Village. Consider how many piles will be out. On lighting, uncomfortable making this decision on one proposal. Manager selection too important. Use additional funds for professional vetting.

Ernesto Oliva: Concerned with driveway ordinance. A lot of confusion. Is this for everybody, or just a group of people? Some look bad and nothing happening to those properties. See how Dade County has become. We are going in that direction. We are allowing fences, but not following up to make sure they have proper landscaping. On issue with swale area, house on 119th not following the rules. More than 40% being covered, not maintaining greenery. Will be full of cars. Why not enforce greenery. A lot of irresponsible drivers not respecting speed limits. Come up with something to prevent speeding, some type of obstacles.

Matt Kaminsky: Problem with driveway rules. Cannot be a standard thing due to septic locations which cannot be covered. Will there be exceptions?

Dan Schneiger: Member of Planning & Zoning Board. On driveways, concerned with intent and interpretation. Neighbor is adding turf block to entire front yard as they require four parking spaces. Entire front is a parking lot. Do we want code to remain as is or re-word it? Need to also require some percentage for foliage. Currently hard to understand. Getting different interpretations.

Louis Diraimondo: Driveway was denied because we could not go over our swale to get to the driveway. Makes no sense. Do not have resources to pay for this. Why was my permit denied?

Ron Coyle: Received notice about Australian Pines being cut down on Griffing. Last time this happened when I was Commissioner, had a horticulturist take a look and said those did not have to come down as they were structurally sound. Spoke with David Cardenas from Miami Dade County who stated that the Village was insisting they be removed. Trees are full of blooms and birds. Don't understand why three more trees are coming down.

Chuck Ross: One June 9th, having a Crime Watch Meeting at 7:00pm. Made a public records request two weeks ago. Trying to get a sense of where we are at on finances. Concerned that I have not received what was requested. This information should be produced on a monthly basis. Why taking so long? Is it a staffing issue? Some residents have offered to help. Finance information needs to be enhanced. Need to provide more information on all departments. Bank balances are produced but do not mean anything. Made a complaint on TracEz and in less than a minute, got a call from the Waste Pro supervisor.

Interim Manager Camara provided recap on the County's assessment of the trees on Griffing Blvd., and it was their decision to remove three trees, and then to trim the balance.

Mayor Coviello moves up item 14.b

14.b Review of Ord 2015-04 regarding driveways.

Attorney Hearn introduced the item, followed by a power point presentation by Interim Manager Camara which provided examples of properties in relation to the current language in our Code.

Matt Kaminsky: Concerned with taking over the front yard and covering up with concrete or gravel. Concerned with septic tanks and drain fields.

Dan Schneiger: Have a separate code for duplex', allowing use of swale for parking. The deterioration of front yards is not what we want.

Barbara Kuhl: What we have here is not what the Code Review Board presented. We did not require that all properties have a driveway. The Commission decided to put this in. We suggested that the Commission talk to the Boards again and have a workshop. You should allow parking on swales due to lot sizes.

Rolf Kretschmer: Is there a border requirement for gravel?

Brad Piper: On the swales, wasn't that to have a safety zone for walkers? If you allow parking, won't that be contradictory.

Chuck Ross: Does our code state that parking is allowed on swale. If it is, needs to be corrected. Intent was to stop future development of swales. Exceptions were supposed to be built in.

Mac Kennedy: Imagine worst case scenarios and act quickly. Put moratorium until you know what you want to do. Stop permits on driveways. Need to add protection of green spaces. Protect swales as much as possible.

Dan Schneiger: Have approved many driveways for duplex' at Planning & Zoning that will create same issue with entire front yard used for parking. Get together with Planning & Zoning to discuss and move forward.

Howard Tonkin: Live outside of Biscayne Park, but work on landscape projects. Concerned with climate change. If you park on grass, no longer absorbs water. Parking on swales will not help the problem. Hardscape is not the answer.

Gary Kuhl: County has a program to "save our swales". Swales not intended for parking, but to provide drainage. Approach on a swale needs to have proper drainage. Should adopt county standards for driveway construction. Concern for parking on front yard could destroy some single family, the same as for duplex'. Need to provide for an administrative variance. Discourage impervious on the swale. What is the impact of making it a universal provision. Consider posting a bond for this type of work. Many never finish a job completely.

Consensus for the Commission to consider all comments made and to come back to discuss further at a special commission meeting on Tuesday, June 21st at 7:00pm. Also to put a hold on all permits for driveways that are submitted.

Mayor Coviello calls for a recess at 9:55pm. Meeting resumes at 10:05pm.

Mayor Coviello moves up item 11.b

11.b Village Manager Selection Process

Interim Manager Camara provides the Commission with the tabulation of the Commission's selection of top candidates of the twelve provided by the Resident Review Committee and Manager's Association:

| Candidate Name | Mayor Coviello | Comm. Anderson | Comm. Jonas | Comm. Ross | Comm. Watts | |
|-----------------------|----------------|----------------|-------------|------------|-------------|---|
| Mark Kutney | 1 | 1 | 1 | 1 | 1 | 5 |
| Sharon Ragoonan | 1 | 1 | 1 | 1 | 1 | 5 |
| Robert Santos-Alborna | 1 | 1 | | 1 | 1 | 4 |
| Martin Murphy | 1 | | 1 | 1 | | 3 |
| James Poag | 1 | 1 | | | | 2 |
| Aretha Adams | | | 1 | | | 1 |
| Timothy Boland | 1 | | | | | 1 |
| Louie Chapman | | | | | 1 | 1 |
| Angie Whisnant | | | 1 | | | 1 |
| Ann Capela | | | | | | |
| Jim McCroskey | | | | | | |
| Jannette Smith | | | | | | |

After discussion, Commissioner Jonas makes a motion that the Commission move forward with the top four candidates to the interview/background stage, and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

Commissioner Anderson makes a motion to have an outside professional company do the background/vetting process and the cost not to exceed \$500 per candidate, and it is seconded by Vice Mayor Ross.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

A Special Meeting will not be necessary for June 29th.

Mayor Coviello moves up item 8 Consent Agenda

8 Consent Agenda

Vice Mayor Ross pulls the minutes for April 5th and April 11th.

Left on the consent agenda:

8.a Approval of Minutes

April 20, 2016 Special Commission Meeting

8.b Acceptance of Board Minutes

Biscayne Park Foundation - March 8, 2016
Biscayne Park Foundation - April 12, 2016
Parks & Parkway Advisory Board - April 19, 2016
Parks & Parkway Advisory Board - May 18, 2016
Parks & Parkway Advisory Board - May 28, 2016
Planning & Zoning Board - May 2, 2016
Planning & Zoning Board - May 16, 2016
Code Compliance Board - May 9, 2016
Public Art Advisory Board - May 11, 2016

8.c **Resolution 2016-24**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH, FLORIDA AND THE VILLAGE OF BISCAYNE PARK**; PROVIDING FOR AN EFFECTIVE DATE

8.d **Resolution 2016-25**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY MIAMI, FLORIDA AND THE VILLAGE OF BISCAYNE PARK**; PROVIDING FOR AN EFFECTIVE DATE

8.e **Resolution 2016-26**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AMENDING THE SCHEDULE OF FEES** FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY VILLAGE CODE; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Anderson makes a motion to accept the consent agenda and it is seconded by Vice Mayor Ross.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

Vice Mayor Ross: On the minutes for April 5th and April 11th, need to be action minutes.

Consensus to have the Clerk review and bring them back at the next meeting.

7 Information / Updates

7.a Interim Manager Camara provided recap of FY 2015-16 at month end, April 30, 2016.

9 Ordinances

< *None* >

10 Resolutions

< *None* >

11 Old Business

11.a Code Review Board - Zoning review and proposed language regarding new builds.

Commission consensus to bring back at next meeting for further discussion.

12 New Business

12.a Discussion on a formal bid process for property, general liability, automobile and worker's compensation insurance.

After discussion, consensus to not bid out at this time, and to renew with Florida Municipal Insurance Trust (FMIT) in October.

At 10:56pm, motion made by Commissioner Anderson to extend the meeting an additional 15 minutes and it is seconded by Vice Mayor Ross.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

12.b Discussion on mosquito control.

After discussion, consensus to continue providing education through newsletter and website.

12.c Having John Hearn attend P&Z to discuss scope of review of applications.

After discussion, consensus to proceed with scheduling for Attorney Hearn to meet with the P&Z Board.

12.d Discussion regarding lighting at entry to park.

After discussion, consensus to task the new Manager with this project within first two months of starting.

12.f Discussion regarding Employee Policy and Procedures Manual

After discussion, consensus that no changes to be made at this time. Issue with accruals already being addressed by Attorney's memo to staff.

Agenda items 12.g and 12.h are moved to the July 12th meeting.

13 Request for Placement of Items on Next Meeting Agenda

Mayor Coviello: Median closure at 121st Street and 5th Avenue.

Vice Mayor Ross: Florida League of Cities voting delegate selection.

14 Reports

< None >

15 Announcements

Wednesday, June 8th - Public Art Advisory Board at 6:00pm
Thursday, June 9th - Crime Watch Meeting at 7:00pm
Monday, June 13th - Code Compliance Board at 7:00pm
Monday, June 13th - Biscayne Park Foundation at 7:00pm
Wednesday, June 15th - Parks & Parkway Advisory Board at 7:00pm
Monday, June 20th - Planning & Zoning Board at 6:30pm
Saturday, June 25th - Quarterly Saturday Trash Pick Up
Tuesday, June 28th - Recreation Advisory Board at 6:30pm
Monday, July 4th - All Village Departments are closed.
Tuesday, July 5th - Planning & Zoning Board at 6:30pm
Monday, July 11th - Code Compliance Board at 7:00pm

Our next regular Commission meeting is Tuesday, July 12, 2016, at 7:00pm.

Adjournment

The meeting was adjourned at 11:16pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



**MINUTES
SPECIAL COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Wednesday, June 21, 2016 at 7:00pm**

1 Call to Order

Mayor David Coviello called the meeting to order at 7:20pm.

2 Roll Call

Mayor David Coviello - present
Vice Mayor Roxanna Ross - present
Commissioner Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Barbara Watts - absent

Present from staff were:

Interim Village Manager Maria C. Camara
Village Attorney John Hearn

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

5 Public Comments

Art Pyle: Speaking on behalf of a neighbor. Front yard has two drainfields/septic tanks and unable to put in a driveway. Need ability to request a variance.

Richard Strassberg: Have viewed prior meeting videos and attended board meetings. This ordinance has made it much more complicated. There are two issues: In section 5.6.8, the Miami Dade County manual is listed, but it does not exist. Instead we are relying on Building Official and P&Z Board; on the indemnification form, previously not available, but now it is. There is a drawing for driveways available on website, but not referenced in the ordinance. Refers to a 5' setback, but form is outdated and should not be relied on. Need to make the code clearer.

JDP Construction, contractor representing property owner at 940 NE 108th Street: Owner cannot afford to put parking on the property. Many other properties have parking on the swales. How can this be done if can afford to?

Lisa McGee: Have lived in Village for 25 years. Disturbing to get the notice. While I do like restrictions, what if people cannot afford? Don't want to be forced to do something that I don't feel is necessary. Who mandated this? Am I going to have fines and liens? Revisit and extend the deadline since it is so confusing.

Cristina Lane - Have two cement slabs filled with rocks. Who got the letters? For so many years it was OK? Looks to be arbitrary. An imposition. Rather spend money on other things such as fencing. May need to spend \$1,500 to \$2,000 for this. Would rather use in a different way. Disagree with it and the timeline. Request an extension be given in order to give property owners the ability to find a resolution and find the money.

Rafael Ciordia - Echo the sentiments already expressed. Have a ribbon driveway and wanted to re-do it. But then an unintended consequence. The asphalt driveway was not in compliance with the 60/40 rule and has to also be re-done. Feels this is a capital improvement on the swale you are requiring in order to allow me to improve an area in our property. Will keep ribbon driveway as is for now.

Marco Lijeron - Confirms that the walkway can be allowed to go up to the edge of road, and that an indemnification would be required.

Macdonald Kennedy - If you push through requiring a driveway now, with the code as it is today, an entire front yard can be covered with pervious pavers.

Eddie Bridges - With gravel, in time it will allow grass to grow through if not properly maintained.

6 Old Business

6.a Review of Ordinance 2015-04 regarding driveways.

Commissioner Anderson: Provided pictures of several properties. Suggests to give back to Code Review to work through and then return to the Commission.

Mayor Coviello: Changes are intended to improve aesthetics and increase property values. The core issues are that parking on the grass be not allowed; whether parking on the swale is allowed; how to handle front yards that cannot accommodate a driveway; allowable materials.

Vice Mayor Ross: What impact will there be to allow parking on the swales.

Commissioner Jonas: Prefer to have only pervious materials on swales.

After discussion, there was consensus to direct Attorney Hearn to draft an ordinance for first reading at the July 12th meeting with the following:

- > If currently a swale is being used for parking and there is a parking surface also provided on the property, that swale area can remain and will be grandfathered.

- > If currently a swale is being used for parking and there is no parking surface on the property, the swale area can remain and will be grandfathered, but the property owner must also provide for parking on the property. If there is a condition that exists that prohibits putting sufficient parking on the property, an administrative variance process is provided.

- > No new developments of the swale area for parking if it does not exist today.

- > If parking does not exist on the property, new parking surface cannot exceed 40% of the total area. At least 60% of the front area must be landscaped.

- > Walkways must be of the same material/design as the driveway surface.

- > Provide for an Administrative Variance process.

- > Property owners will need to come into compliance within six (6) months after adoption of the new ordinance, both to obtain a permit and complete the work.

At the July 12th meeting after the first reading of the ordinance, the Commission will discussion the timeline for compliance and whether different provisions will be provided based on what needs to be corrected.

7 New Business

7.a Waiver of rental fees for the Villagers, Inc.

Vice Mayor Ross makes a motion to waive the rental fees for the Log Cabin for the Villagers, Inc. for September 23, 2016, and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, and Commissioner Jonas.

Opposed: None

Motion carries: 4/0

Interim Manager Camara asked the Commission to consider what questions will be asked of the three final candidates for the Village Manager position at the July 12th Commission Meeting. The questions suggested by the Resident Review Committee will be provided to the Commission for consideration, then their selection will be forwarded prior to the meeting.

8 Announcements

Saturday, June 25th - Quarterly Saturday Trash Pick Up
Tuesday, June 28th - Recreation Advisory Board at 6:30pm
Wednesday, June 29th - Special Commission Meeting at 6:30pm
Monday, July 4th - All Village Departments are closed.
Tuesday, July 5th - Planning & Zoning Board at 6:30pm
Monday, July 11th - Code Compliance Board at 7:00pm

The next regular Commission Meeting is Tuesday, July 12, 2016, at 7:00pm.

9 Adjournment

The meeting was adjourned at 9:50pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



Village of Biscayne Park

Commission Agenda Report

Village Commission Meeting Date: July 12, 2016

Subject: Acceptance of Board Minutes

Prepared By: Maria C. Camara, Village Clerk

Sponsored By: Staff

Background

The Board Minutes as listed below are being provided for the Commission's review and acceptance. If the minutes provided have not yet been approved by the Board, they are noted as DRAFT.

Staff Recommendation: Acceptance at Consent

Attachments

- Biscayne Park Foundation - May 10, 2016
- Parks & Parkway Advisory Board - May 28, 2016 DRAFT
- Planning & Zoning Board - June 6, 2016
- Planning & Zoning Board - June 20, 2016
- Code Compliance Board - June 13, 2016 DRAFT



**MINUTES
BISCAYNE PARK FOUNDATION**

**BISCAYNE PARK
FOUNDATION**

Jorge Marinoni
Erica Pettis
Marie Smith
Peter Trupia

Tuesday, May 10th, 2016

7:00 p.m.

Meeting called to order at 7:05 p.m.

ROLL CALL: Jorge Marinoni, Marie Smith, Erica Pettis and Peter Trupia.

APPROVAL OF MINUTES: Motion by Erica Pettis, seconded by Peter Trupia to approve the Minutes of April 12, 2016, Foundation meeting. Motion passed.

TREASURER'S REPORT: Peter reported on the proceeds from Cinco de Mayo Food & Tunes, held May 7, 2016. The total amount was \$683.00 broken down as follows: \$109.00 from the raffle of the Marlin tickets, drinks \$150.00, food and sodas \$424.00.

Jorge requested that we acknowledge and thank our volunteers: Walter Pettis for lending us his BBQ grill for the event. Milena Salazar, Mr./Mrs. David Raymond, Susan Weiss and Karen Marinoni for helping at the tables and selling raffle tickets.

Jorge reported on the leftover inventory: 127 beers, 12 bottles of wine.

Jorge said he could purchase the wine and Peter suggested we donate the wine to the art board for their coming art showing event.

A discussion followed on how to donate the beer. Erica said she will purchase 50 beers for personal use, leaving 107 to be disposed of, suggestion was made that we should donate the remaining beer at upcoming Village events, or at our next event, Oktoberfest, October 15. Jorge will try to sell beer at cost before our next event to prevent spoiling of stock.

Jorge issued receipts for reimbursement in the amount of \$115.24; Peter donated his purchases of \$115.00, Erica made a donation of \$99.60 for purchase of the Pretzels.

NEW BUSINESS:

Jorge suggested that the money from the raffle of the Marlin tickets (\$109.00) should be used to purchase materials for the proposed wall mural at the Ed Burke Rec. Center.



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An estimated cost for one the Vita Course Station project would be \$5,000.00

It was suggested that at the next Commission meeting scheduled for June 7, 2016, that that a date be obtained for the start of the lighting project at the Rec. Center, since the Village has budgeted \$2,000.00 for the commencement of this Foundation project.

Erica has sent a letter of thanks to the Marlins organization for the 4 Miami Marlins baseball tickets donation that we raffle at our Cinco de Mayo event.

Another suggestion was made that the Foundation have a presence at Village events to build on membership, next event is Bark in the Park, July 24.

Oktoberfest will be advertised in the Village newsletter.

MEETING ADJOURNED AT 8:15 P.M.

NEXT MEETING: June 14, 2016 @ 7:00 p.m.

Minutes Approved by the board on: June 14th, 2016

Jorge Marinoni, President

Marie Smith, Secretary



PARKS &
PARKWAY
ADVISORY BOARD

Dan Keys
Chairman

Tom Ferstle
MacDonald Kennedy
Barbara Kuhl
Randy Wagoner

MINUTES
PARKS & PARKWAY ADVISORY BOARD
Saturday, May 28, 2016 at 9:00AM

1. CALL TO ORDER AND ROLL CALL

Present - Dan Keys, Barbara Kuhl, Randy Wagoner, Mac Kennedy

Absent – Tom Ferstle

Mac filled in as secretary in Tom's absence.

This meeting was held outside at the Log Cabin, as a separate meeting to discuss only landscaping in that location.

In attendance from the public: Gary Kuhl, who made comments about plant choices throughout the meeting.

In attendance from commission: Roxanna Ross

2. AGENDA ADDITIONS AND DELETIONS

None

3. PUBLIC COMMENT (PERMITTED FOR EACH AGENDA ITEM)

Gary commented on plant options throughout the meeting.

4. APPROVAL OF MINUTES –

N/A

5. NEW BUSINESS

Meeting called to order at 9:13AM.

General discussion about landscaping the newly renovated Log Cabin. No money was set aside in that budget, so P&P is making recommendations to commission for a comprehensive landscaping plan as a separate plan.

The architect suggested minimal landscaping so as not to screen the building or cover the foundation.

Lots of discussion about steering clear of the fire equipment on the south side of the Log Cabin, with general agreement to stay outside the sign and the concrete slab for AC, as general markers.

The board walked around the Log Cabin and discussed general plant placements and creating a pallet of plant materials. Everyone contributed plant choices, and Dan emailed the following approved list to Mac for inclusion in these meeting minutes. At the next general P&P meeting on June 15, Dan will propose a layout using some/all of these plant choices.

Dwarf coffee

Tetrazigia bicolor

Bahama cassia



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Pineland lantana
Bay cedar
Limber Caper
Native salvias
Fire bush
Muhly grass
Dwarf Fackahatcheegrass
Coontie
Dwarf porterweed
Leucothrinax morrisii
Cocothrinax argentata
Thrinax radiata
Beauty berry

The board also discussed existing plants on the north side of the building, including several unidentified small trees, which Mac volunteered to try to identify for the next meeting. We also discussed the possibility of moving one small tree to the west side.

Mac proposed the idea of marking all plants around the cabin with name markers.

7. NEXT MEETING DATE –

June 15, 2016

8. ADJOURNMENT

The meeting was adjourned at 10:32AM. (Motion by Mac, second by Randy.)

Minutes approved on _____

By: _____
Dan Keys, Chair



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161

Telephone: 305-899-8000 Facsimile: 305 891 7241

MINUTES

PLANNING & ZONING BOARD MEETING

Log Cabin

640 NE 114 St – Biscayne Park, FL

Monday, June 6th, 2016 at 6:30pm

PLANNING & ZONING BOARD

**Gage Hartung
Chairman**

**Andrew Olis
Vice Chairman**

Elizabeth Hornbuckle

**Dan Schneiger
Doug Tannehill**

**Alternates
Mario Rumiano**

1. CALL TO ORDER

This meeting was called to order at 6:31 P.M.

2. ROLL CALL

Gage Hartung – Board Member– absent- Motion to excuse by M. Rumiano, seconded by E. Hornbuckle. Approved 5-0

Andrew Olis – Board Member – present

Elizabeth Hornbuckle – Board Member –present

Doug Tannehill – Board Member – present

Dan Schneiger- Board Member- present

Mario Rumiano – Alternate – present

Irwina Peterson, Sal Annese– staff attendance – present

3. OLD BUSINESS, DELETIONS OR DISCUSSIONS TO ORDER OF BUSINESS

a. Esteves- 930 NE 120 St- Driveway

Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0

4. APPROVAL OF MINUTES

May 16th, 2016

Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0

5. BUILDING PERMITS

a. Leroi- 12001 NE 6 Ave- Windows/ Doors

Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0

b. Malagon- 1030 NE 111 St- Roof

Tabled for more information

c. Mee- 11150 Griffing Blvd- Roof

Motion by D. Tannehill, seconded by D. Schneiger. Denied 5-0

d. Alhagri- 674 ME 117 St- Landscape/Driveway

Motion by E. Hornbuckle, seconded by D. Schneiger. Denied 5-0



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- e. Serrano- 1015 NE 117 St- Fence
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0
- f. Eskevazi- 11215 NE 8 Ave- Pool
Motion by D. Tannehill, seconded by D. Schneider. Approved 5-0
- g. Tannehill- 750 NE 112 St- Refinish Pool & Deck
D. Tannehill recused from voting. Motion by E. Hornbuckle, seconded by D. Schneider. Approved 4-0
- h. Whitefield- 1002 NE 116 St- Windows/Doors
Motion by A. Olis, seconded by D. Tannehill. . Approved with conditions 5-0
- i. Beyene- 11540 NE 8 Ave- Driveway
Motion by D. Tannedhill, seconded by E. Hornbuckle. Approved 5-0
- j. Cancemi- 1075 NE 120 St- Roof
Motion by E. Hornbuckle, seconded by D. Schneider. Approved 5-0
- k. Scott- 1070 NE 120 St- Roof
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- l. Rawson- 728 NE 112 St- Garage Door
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0
- m. Oughourlian- 10801 NE 9 Ave- Windows
Motion by E. Hornbuckle, seconded by D. Schneider. Approved 5-0
- n. Spitzer- 1005 NE 117 St- Windows/Door
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- o. Goswick- 11827 NE 7 Ave- Driveway Approach
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- p. Blum- 755 NE 115 St- Driveway
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0
- q. Pagani- 11430 Griffing Blvd- Fence
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- r. Berhard- 1015 NE 120 St- Windows/Doors
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0

The next meetings of the Planning & Zoning Board are Monday, June 20th, 2016 and Tuesday July 5th, 2016



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161

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MINUTES PLANNING & ZONING BOARD MEETING LOG CABIN

**640 NE 114 ST – Biscayne Park, FL
Monday, June 20th, at 6:30 p.m.**

PLANNING & ZONING BOARD

Gage Hartung
Chairman

Andrew Olis
Vice Chairman

Elizabeth Hornbuckle
Dan Schneider
Doug Tannehill

Alternates
Mario Rumiano

1. CALL TO ORDER

This meeting was called to order at 6:30 p.m.

2. ROLL CALL

Gage Hartung- Board Member- present
Andrew Olis- Board Member- present
Elizabeth Hornbuckle- Board Member- present
Doug Tannehill- Board Member- present
Dan Schneider- Board Member- present
Irwina Peterson- Staff
Sal Annessee- arrived at 6:30 p.m.

3. OLD BUSINESS, DELETIONS OR DISCUSSIONS TO ORDER OF BUSINESS

- a. Alhagri- 674 NE 117 St- Landscape/Driveway
Motion to table until after next Commission meeting as recommended by Staff member Irwina Peterson.
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- b. Malagon- 1030 NE 111 St- **Add On**- Roof
Tabled for more information
- c. Cohen- 11638 NE 7 Ave- **Add On**- Fence
Chairman Hartung placed under old business. Fence permit brought to P&Z February 2014 and now installed.
If fence is 6'high, it needs to be 7' from property line. In the front, the bump out no closer than 12' to property line.
Staff to confirm and report back to Board.
- d. Board Member, E. Hornbuckle initiated discussion of gravel driveways which may not have solid surfaces or greenery. Board member A. Olis advised he wrote a letter to the Commission for the next meeting to address the driveways.

4. APPROVAL OF MINUTES

June 6th, 2016

Motion by E. Hornbuckle, seconded by D. Schneider. Approved 5-0

5. PAINT PERMITS

- a. Nogueira – AFTER THE FACT- 1070 NE 121 St
Motion by E. Hornbuckle, seconded by D. Tannehill. Approved 5-0
- b. Lyndaker- 11940 NE 6 Ave
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0



The Village of Biscayne Park

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6. BUILDING PERMITS

- a. Lyndaker- 11940 NE 6 Ave- Pool
Motion by A. Olis, seconded by E. Hornbuckle. Approved 5-0
- b. Deitermann Group- 11900 Griffing Blvd- Fence
Motion by A. Olis, seconded by E. Hornbuckle. Approved 5-0
- c. Cohen- 11638 NE 7 Ave- Shed
Motion by A. Olis, seconded by E. Hornbuckle. Denied 5-0
- d. Parris- 846 NE 116 St- Garage Door
Motion by A. Olis, seconded by D. Schneiger. Approved 5-0
- e. Etzler- 11120 NE 9 Ave- Windows/Doors
Motion by E. Hornbuckle, seconded D. Schneiger. Approved 5-0
- f. DiRaimondo- 940 NE 108 St- Windows/Doors
Motion by D. Tannehill, seconded by E. Hornbuckle. Approved 5-0
- g. Cote- 847 NE 116 St- Driveway/Walkway
Motion by D. Tannehill, seconded by A. Olis. Approved 5-0
- h. Vale Properties- 11800 NE 11 Ave- Driveway
Tabled for more information.
- i. Huffman- 915 NE 120 St- Roof
Motion by E. Hornbuckle, seconded by A. Olis.
Amended motion by D. Tannehill, seconded by A. Olis. Approved 4-1
Disapproved on vote by G. Hartung.
- j. Gonzalez- 10926 Griffing Blvd- Chickee Hut
Motion by E. Hornbuckle, seconded by A. Olis. Approved 5-0
- k. Joseph- 10700 Griffing Blvd- Driveway
Motion by A. Olis, seconded by D. Tannehill. Approved 5-0
- l. Rumph- 11804 NE 11 Ave- Windows/Doors
Motion by A. Olis, seconded by D. Tannehill. Approved 5-0

The next meetings of the Planning & Zoning Board are Tuesday, July 6th, 2016 and tba.



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
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7. Adjournment
This meeting was adjourned at 7:33 p.m.

Minutes approved on : _____

By: _____

Gage Hartung, Chair Planning & Zoning Board



**CODE COMPLIANCE
BOARD**

Gary Kuhl
Chairman

Dale Blanton
Vice-Chair

Harvey Bilt
Linda Dillon
Jenny Johnson-Sardella

Alternate
Art Pyle

MINUTES
CODE COMPLIANCE BOARD
Log Cabin 640 NE 114 St, Biscayne Park, FL
Monday, June 13th, 2016 at 7:00 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:00 P.M.

2. ROLL CALL

Gary Kuhl – Chair – Present

Dale Blanton – Vice Chair – Present

Harvey Bilt – Present

Linda Dillon – Present

Jenny Johnson-Sardella – Absent- Motion for excused absence by Harvey Bilt.

Motion failed 3-2.

Motion for unexcused absence by Dale Blanton, seconded by Linda Dillon. Motion passed 4-1.

Art Pyle- Alternative- Present

3. ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS

4. APPROVAL OF MINUTES

a. May 9, 2016

- 1st motion to amend minutes according to recommendation by Linda Dillon and minutes to reflect motion for adjournment by Jenny Jonson-Sardella , seconded by Dale Blanton.

Motion by Harvey Bilt, seconded by Art Pyle.

-2nd motion to amend #6 old business for screen to remain if maintained due to being pre ordinated.

5. NEW BUSINESS

Code Officer White reports the following cases are in compliance and closed:

a. Case # 16-0394- Carmela Dorregary- 664 NE 114th St- Shutter covering the front window of the house.

c. Case # 16-0441– Roger & Jean Biamby- 703 NE 117 St- Vehicle without an updated registration.



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161

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- e. Case # 16-0444- Richard Halter- 11555 Griffing Blvd- Unused/Unsightly objects stored on the property.
- f. Case # 16-0443 – Richard Halter- 15555 Griffing Blvd- No address numbers posted on the property.
- g. Case # 16-0447- New Capital Real Estate Holdings LLC- 1010 NE 120th St- Overgrown grass, weeds and shrubberies.
- i. Case # 16-0446- Afredo Milanes & W Katherine- 810 NE 118th St- Address numbers not visible from the road.
- j. Case # 16-0445- Maria Andrea Serrano- 1015 NE 117th St- Watercraft stored in the front yard.
 - Motion to accept all in compliance and close cases by Linda Dillon, Seconded by Art Pyle. Motion passed 5-0.
- h. Case # 16-0442- Felix Figueras- 970 NE 111th St- Watercraft not properly stored.
 - Motion by Dale Blanton, Seconded by Linda Dillon.
 - Motion that resident is given until 07-31-16 to obtain permit..
 - If resident not in compliance, \$25 fine and \$5 daily fine.
 - Resident also given 30 days after issuance of permit to have fence constructed.
 - If resident not in compliance, \$50 fine and \$10 daily.
 - Motion passes 5-0
- b. Case # 16-0395- Patrice Cohen- 11638 NE 7th Ave- Fence permit expired
 - Motion by Dale Blanton, Seconded by Harvey Bilt.
 - Motion that resident to obtain permit by June 22, 2016. If resident not in Compliance, \$25 fine and \$5 daily.
- d. Case # 16-0440- Roger & Jean Biamby- 703 NE 117th St- Vehicles parked on the grass.
 - Motion by Linda Dillon to close case due to upcoming decision by Commission regarding driveways.
 - Motion passes 5-0

6. BOARD DISCUSSION

- a. Board Member Dale Blanton asked regarding the property address of 11155 Griffing Blvd, if the fence and landscaping has been looked at. Code Officer White advised he has been in touch with the property owner and the property Has been under construction for a couple of years with extended permits.



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

9. ADJOURNMENT

- Motion to adjourn by Dale Blanton, seconded by Harvey Bilt.

The meeting was adjourned at 7:48 pm.

Minutes approved on _____

Gary Kuhl, Chair



Village of Biscayne Park

Commission Agenda Report

Village Commission Meeting Date: July 12, 2016

Subject: Revisions to Chapter 5
TRANSPORTATION

Prepared By: Maria C. Camara, Interim Village
Manager

Sponsored By: Staff

Background

At the June 7th and June 21st meetings, the Commission reviewed the previously adopted Ordinance 2015-04, specifically as it relates to driveway requirements and use of swales/right-of-way for off street parking.

At the conclusion of the June 21st meeting, the Village Attorney was directed to draft the agreed upon changes to Chapter 5.

Recommendation

Commission to review the submitted draft, make any edits per consensus, and move forward with the first and second reading of the ordinance.

Attachments

- Draft – Chapter 5 Transportation

CHAPTER 5. - TRANSPORTATION

5.1. - General provisions.

5.1.1 Definitions.

Driveway shall mean a private road leading from a street or other thoroughfare to a building, house, garage, or other structure.

Off-street Parking shall mean an area dedicated for parking of vehicles on private property.

Public Right-of-way shall mean the surface, the area above, and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, parkway, waterway, public easement, or similar property in which the village, county or state now or hereafter holds any property interest. Public rights-of-way do not include buildings, parks, or other property owned or leased by the village.

Swale shall mean the right-of-way property between the edge of the roadway pavement and the property contiguous to that property.

~~5.1.1~~ 5.1.2 *Purpose.* This chapter establishes minimum requirements applicable to the transportation system, including public and private streets, bikeways, pedestrian ways, parking, and access control from public streets. The standards in this chapter are intended to minimize the traffic impacts of development, and to assure that all developments adequately and safely provide for the storage and movement of vehicles with good engineering and development design practices.

~~5.1.2~~ 5.1.3 *Compliance with technical construction standards manual.* All required elements of the transportation system shall be provided in compliance with the engineering design and construction standards of ~~the Public Works Manual, Metro~~ Miami-Dade County, as amended from time to time.

5.2. - Streets.

5.2.1 *Street classification system established.* Streets in the village are classified and mapped according to function served in order to allow for regulation of access and appropriate design and construction standards. Streets dedicated to the village and private streets are classified in a street hierarchy system with design tailored to function. The street hierarchy system shall be defined by road function and average daily traffic (ADT), calculated by trip generation rates prepared by the Institute of Transportation Engineers. The following street hierarchy is established: Residential, collector, and arterial. Each street type is divided into subcategories.

5.2.2 *Residential streets (local roads).* Residential streets are primarily suited to providing direct access to residential development and are designed to minimize unnecessary and/or speeding traffic. Each residential street shall meet the minimum standards for one (1) of the following street types:

- (a) *Residential access street.* This is the lowest order street in the hierarchy. A residential access street is a frontage street which provides direct access to abutting properties and should not carry more traffic than is generated on the street itself. Residential access streets may take access from any higher order street type. Both ends of a residential loop street must take access from a single higher order street. Residential access streets shall have a maximum ADT of five hundred (500). Loop streets shall have a maximum of four hundred (400). Cul-de-sacs shall have a maximum ADT of two hundred (200).
- (b) *Residential subcollector street.* This is the middle order street in the residential street hierarchy. It will collect traffic from residential access streets and provide direct access to abutting properties. Residential subcollector streets may take access from any higher order street type and may give access to residential access streets and may provide direct access to nonresidential uses. Residential subcollector streets shall have a maximum ADT of one thousand (1,000).
- (c) *Residential collector street.* This is the highest order street that can be classified as residential. It will collect traffic from residential access and subcollector streets and may provide direct access to nonresidential uses. Residential collector streets shall have a maximum ADT of two thousand (2,000).

5.2.3 *Collector roads (county collectors).* Collector roads connect lower order streets to other collector streets and to arterial streets, provide access to nonresidential uses, and serve through traffic. Collector streets shall have an average daily traffic volume of no greater than seven thousand (7,000).

5.2.4 *Arterial roads (state minor arterials).* There are three (3) types of arterial roads, minor, major, and freeways but there is only a minor type in the village. The minor arterial links community districts to regional and state highways and may give access to any lower order street type.

5.2.5 *Special purpose roadways.*

- (a) *Alley.* Alleys are not considered part of the street hierarchy system as they are generally unpaved thoroughfares for the purpose of service to adjacent properties.
- (b) *Divided streets.* Divided streets are for the purpose of protecting environmental features or avoiding excessive grading. In such a case, the standards shall be applied to the aggregate dimensions of the two (2) street segments.

5.2.6 *Future traffic circulation map.* The future traffic circulation map and any amendments thereto, adopted by the village as part of the comprehensive plan (Map 3.4), is hereby made a part of this code. Roadways within the village are either designated in the future traffic circulation map or may be classified according to function, design, and use by the village upon request. The map shall be the basis for all decisions regarding required road improvements or access.

5.3. - Rights-of-way.

5.3.1 *Right-of-way widths.* The right-of-way shall be measured from lot line to lot line.

5.3.2 *Protection and use of rights-of-way.*

- (a) No encroachment shall be permitted into existing rights-of-way, except for temporary uses authorized by the village.
- (b) Use of the right-of-way for public or private utilities, including, but not limited to, potable water, telephone wires, cable television wires, gas lines, sanitary sewer, or

electricity transmission, shall be allowed subject to the placement specifications of Miami-Dade County in the Public Works Manual, Metro Dade County, and other applicable county regulations.

- (c) All vehicles of any type parked on any street, alley, or public right-of-way in the Village of Biscayne Park shall have at all times attached a current license plate.
- (d) Sidewalks and bicycle ways shall be placed within the right-of-way.

5.3.3 *Parking of trucks, etc., prohibited in the right-of-way.*

- (a) It shall be unlawful to park or cause to be parked upon any public street or in the public right-of-way in the village any truck, trailer, semitrailer, bus (public or private owned) except while loading or unloading or when such vehicle is parked in connection with and in the aid of the performance of a service to or on the property being serviced.
- ~~(b) Nothing herein contained shall be deemed to prohibit the parking of one (1) truck in front of any one property not exceeding three fourths ton net weight that contains no lettering or advertising and is owned or leased by the occupant of the property, when it is proven to be physically impossible to park it off of the public right-of-way.~~
- (e**b**) It shall be unlawful to park or store any boat, boat trailer, air boat, any self-propelled or nonself-propelled mobile home, motor home or camper upon any public street or in the public right-of-way in the village.

5.3.4 *Landscaping and objects in the swale area of the right-of-way.*

- (a) *Markers.* Dome-type markers only may be placed within dedicated right-of-way, provided that they are placed not closer than eighteen (18) inches to the nearest edge of the paved surface of the designated roadway. All markers must be at least twenty-four (24) inches apart. Markers placed in the right-of-way shall not exceed twelve (12) inches in diameter, nor be more than six (6) inches in height and shall be white in color.
- (b) *Landscaping.* Nothing shall be planted or allowed to grow in such a manner so as to obstruct the right-of-way clear zone at a level between three (3) feet and six (6) feet above the grade, measured at the centerline of right-of-way. Trees or palms, however, having trunks and foliage trimmed in such a manner that no branches or foliage extend into the right-of-way area clear zone shall be allowed, provided they are so located so as not to create a traffic hazard.
- (c) *Paving and drainage.* Pervious pavers shall be allowed but any impervious paving shall be adequately drained to prevent the buildup of stormwater in the right-of-way. The pervious pavers and impervious area shall be limited to no more than forty (40) percent of the swale area.
- (d) *Other objects prohibited.* Other than as provided for in section 5.6.8 of this Code, it shall be unlawful to install, place or maintain within the dedicated right-of-way, parking or swale area of the village any pointed concrete or other unapproved hard materials, such as rocks, stones, bricks, metal objects or other similar obstructions.
- (e) A combination of an approved parking approach and ~~sodding of rights-of-way~~ landscape consistent with the Village Code shall be permitted, provided the pervious pavers and impervious sections does not exceed forty (40) percent of the total area and such paved areas shall be kept in good condition.
- (f) *Removal of obstructions by the village.* In the event any object or tree placed in the swale creates an emergency situation involving potential danger to the health, safety and welfare of the community, the village may perform removal operations

immediately, thus eliminating the emergency, and may assess the cost of such removal against the adjacent property owner.

- (g) *Removal of trees in the swale by the abutting property owner.* Property owners must obtain a permit from the village and Miami-Dade County to remove trees in the swale.
- (h) *Property owner/resident responsibilities for maintenance.* The property owner or resident living in the property shall be jointly and severally responsible for the maintenance of the swale area contiguous to their property. Maintenance shall include, but not be limited to, mowing the sod and performing general edging, weeding, trimming, pruning and cleanup activities. The landscaping and sod shall be maintained in good plant health. The landscaping shall be kept free of dead limbs and branches. No swale landscaping shall be maintained in such manner as to constitute a nuisance.
- (i) Property owners shall be responsible for the maintenance of the swale area contiguous to their property as well as for the removal and costs of dead, diseased and/or fallen trees and any trees that may interfere with the right-of-way or otherwise pose a danger to the health, safety and welfare of the community.

5.3.5 *Vacation of rights-of-way.* Applications to vacate a right-of-way may be approved upon a finding that all the following requirements are met:

- (a) The requested vacation is consistent with the traffic circulation element of the village comprehensive plan.
- (b) The right-of-way does not provide the sole access to any property. Remaining access shall not be by easement.
- (c) The vacation would not imperil the current or future location of any utility.
- (d) The proposed vacation is not detrimental to the public interest, and provides a benefit to the village.

5.4. - Street standards.

5.4.1 *Clear visibility triangle.* In order to provide a clear view of intersecting streets to the motorist, there shall be a triangular area of clear visibility formed by two (2) intersecting streets or the intersection of a driveway and a street. The following standards shall be met:

- (a) For street intersections the clear visibility triangle shall be formed by a line along the street pavement edge fifteen (15) feet long from the street corner perpendicular, generally, to a second line of the street pavement edge of approaching traffic, connected by a third line that measures three (3) times the speed limit of the street.
- (b) For driveways two (2) clear visibility triangles shall be formed by connecting, in each case, a point on the edge of the street pavement and a point on the edge of the driveway, each to be located at a distance of twenty (20) feet from the intersection of the street and driveway lines, and a third line joining the two (2) points.
- (c) Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner so as to obstruct cross-visibility at a level between three (3) feet and six (6) feet above the grade, measured at the centerline of the intersection. Trees or palms, however, having trunks and foliage trimmed in such a manner that no trunks or foliage extend into the cross-visibility area shall be allowed, provided they are so located so as not to create a traffic hazard.

5.5. - Sidewalks and bikeways.

5.5.1 *Design and construction standards.* Design and construction of sidewalks, bikeways, or other footpaths shall conform to the requirements of ~~the Public Works Manual, Metro~~ Miami-Dade County, including provision for access by physically handicapped persons.

5.6. - Off-street parking.

5.6.1 *Applicability.* Off-street parking facilities shall be provided within each property in the village pursuant to the requirements of this code. The facilities shall be maintained as long as the use exists that the facilities were designed to serve.

- (a) All vehicles must be parked on an approved parking surface subject to the design standards set forth in section 5.6.8.
 - (1) Nonconforming residential properties that do not have an approved parking surface, including an approved approach, shall have ~~one (1) year~~ [REDACTED] from the date of enactment of this ordinance to have the compliant parking surface permitted and installed.
 - (2) Existing nonconforming parking surfaces permitted by the village, may remain unless a substantial portion, fifty (50) percent or greater, requires repair or an addition to the parking surface occurs.
 - (3) When an approved parking surface exists, all vehicles shall park on said approved parking surface effective upon enactment of this ordinance. If the occupants of a residential property currently park vehicles on the swale using an approved parking surface, the occupants will be allowed to continue parking on the swale provided that no damage occurs to the grass and landscaped areas and that parking does not cover any portion of any sidewalk. Parking on any swale shall be considered a non-conforming parking surface requiring a release agreement to be executed by the adjacent property owner. Consistent with section 5.3.2, this section does not create any rights or ownership by the adjacent property to the swale and is not an approved permanent use. The Village may remove all or any portion of any driveway on the swale, if the Village, in its sole discretion, deems it necessary to achieve a public purpose. If the occupants of a residential property do not currently have parking surface on the swale, the occupants of that property shall not be allowed to utilize the swale for parking in the future.
 - (4) Swale parking may not be used to meet the minimum off-street parking requirements.
 - (5) All residential properties, as well as those currently utilizing the swale for parking, are required to have a driveway using approved parking surface materials. The driveway area shall be limited to no more than forty percent (40%) of the front yard and may be of pervious or impervious material. The remaining sixty percent (60%) of the front yard must be landscaped consistent with the village code.
 - (6) In rare occasions, and due to the unusual nature of the property, relief from this section may be granted through a special exception as provided for in Section 5.6.9 of this Code.

5.6.2 *Computation.* In the village hall, recreation area, and church, the occupancy shall be based on the maximum capacity rating given the building by the fire marshal. Gross floor

area shall be the sum of the gross horizontal area of all floors of a building measured from the exterior faces of the exterior walls.

5.6.3 *Number of parking spaces required.* The table below specifies the required minimum number of off-street parking spaces. The number of off-street parking spaces for uses not listed in the table shall be determined by the planning board. The term "tandem parking space" means a parking space that abuts a second parking space in such a manner that vehicular access to the second space can be made only through the abutting (tandem) space.

| | Use | Minimum Off-Street Parking Requirement | |
|-----|---|--|-------------------|
| | | Resident Parking | Visitor Parking |
| (a) | Residential | | |
| | Detached one-family: | | |
| | 1, 2 and 3 bedrooms | 2 spaces* | 1 space** |
| | 4 bedrooms | 3 spaces* | 1 space** |
| | Duplexes/attached and detached: | | |
| | 1, 2, 3 or more bedrooms | 2 spaces/unit* | 0.5 spaces/unit** |
| (b) | Recreation area: | | |
| | Determined by the planning board. | | |
| (c) | Public assembly/service: | | |
| | Church: 1 space/3 seats or 1 space/35 square feet of gross floor area | | |
| (d) | Government buildings: | | |
| | 1 space/300 square feet of gross floor area | | |

* Resident parking spaces may be tandem.

** If on-street parking is not permitted or is restricted on the unit's street frontage, then one visitor parking space shall be required. The visitor space shall be located not more than one hundred (100) feet from the unit's street frontage.

5.6.4 *Handicapped parking spaces.* Any parking area to be used by the general public shall provide suitable, marked and paved parking spaces for handicapped persons. The number,

design, and location of these spaces shall be consistent with the requirements of F.S. §§ ~~316.1955, and 316.1956~~ 553.5041, ~~or succeeding provisions~~ as amended from time to time. No parking spaces required for the handicapped shall be counted as a parking space in determining compliance with subsection 5.6.3, public uses, above, but supplemental spaces for the handicapped shall be counted. The parking and related features contained in the Department of Community Affairs, Florida Board of Building, Codes and Standards, Accessibility Requirements Manual are hereby incorporated by reference into the Village Code.

- 5.6.5 *Parking in medians prohibited.* No parking shall be allowed in median open spaces or median parkways.
- 5.6.6 *Existing nonconforming minimum off-street parking requirements.* The number of off-street parking spaces existing on properties at the time of the adoption of this code (June 14, 1985), although such number does not conform to the minimum off-street parking requirements hereof, may be lawfully continued. However, all vehicles must be parked on an approved parking surface consistent with section 5.6.1.
- 5.6.7 *Historic preservation exemption.* The preservation of any property that has been placed on the county or national register of historic places, shall be grounds for a grant by the planning review board of a reduction in, or complete exemption from, the parking requirements in subsection 5.6.3 of this chapter.
- 5.6.8 *Design standards for off-street parking.* Except as provided herein, all required off-street parking spaces and the use they are intended to serve shall be located on the same parcel. Unless expressly addressed in this subsection, the size and layout of these spaces shall be according to the Miami-Dade County Code and Public Works Manual, Miami-Dade County. Vehicles shall be parked on impervious or pervious surfaces but ~~impervious areas~~ the driveway shall not exceed forty (40) percent of the front yard, excluding the right-of-way. Off-street parking (within the lot lines of all properties) shall only be permitted on approved surfaces by the Village of Biscayne Park. In no circumstances shall grass or sod be an approved surface.
- (a) All parking surfaces shall be of approved materials except as otherwise provided below.
 - (b) All parking surfaces must have an improved approach across the swale which shall meet the minimum standard of gravel construction.
 - (c) All parking surfaces shall be no closer than thirty (30) inches from side property line unless exempted below in subsection (d).
 - (d) All nonconforming parking surfaces, as related to setback, shall come into compliance when there is a change in parking surface material or the installation of a new parking surface. If a determination is made by the village manager or designee that adhering to the setback would make the parking surface nonfunctional, the village manager may waive this requirement in writing.
 - (e) Parking surfaces shall only be constructed with the following materials: concrete, paver, brick, gravel, asphalt, cut stone or turf block.
 - (f) Gravel parking surfaces shall be built with a permanent perimeter border consisting of suitable material as approved by village staff a minimum of four (4) inches deep with the width of the border being sixteen (16) inches immediately adjacent to the road perimeter and four (4) inches along the entire length of both edges of the parking surface.

Construction of a portion of a parking surface in the swale or right-of-way, such as the apron and parking surface approach, shall require the property owner to indemnify, hold harmless, and defend the village from any and all actions, caused by, resulting from, or in any way associated with the proposed work within the village right-of-way on a form provided by the village.

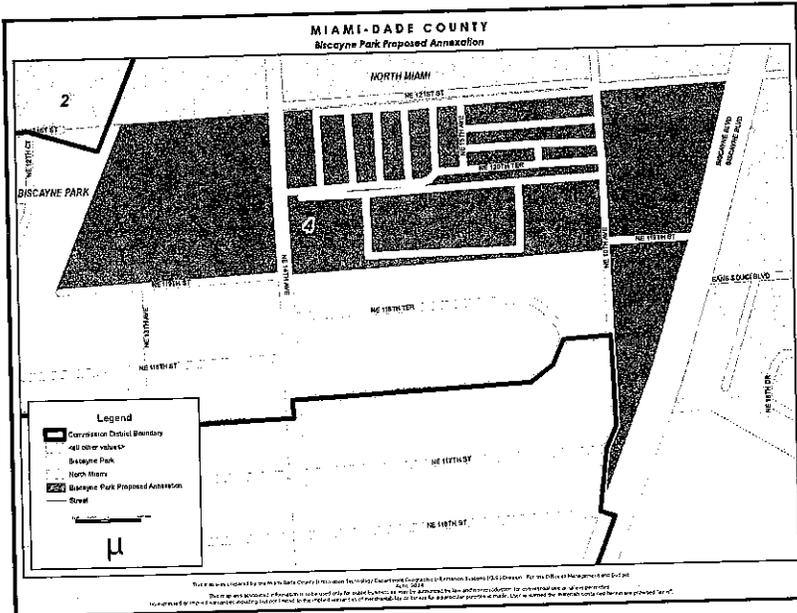
5.6.9 The owner of any property affected by the requirement to have an approved driveway on their property shall have the right to apply for a special exception which may be granted where, due to the extreme and unusual nature of the property, a driveway cannot be placed on the property. In determining whether or not to grant a special exception, the Village must find that:

- (a) There are special circumstances or conditions affecting the property, such as the unusual size and/or configuration of the lot that makes the installation of the driveway impractical; and
- (b) The granting of a special exception will not be detrimental to the public welfare or injurious to other adjacent properties; and
- (c) Any appropriate mitigation measures will be implemented by the owner seeking a special exception.



Miami-Dade County Board of County Commissioners Proposed Annexation to the Village of Biscayne Park

July 19, 2016, 9:30 a.m.
111 NW 1st Street, Miami, FL 33128
Commission Chambers



An application to annex the area depicted (left) to the Village of Biscayne Park has been filed. As required by Section 20-6 of the Miami-Dade County Code, this is to notify you that a **public hearing** on a boundary change application filed by the Village of Biscayne Park is scheduled for **July 19, 2016, 9:30 a.m.** in front of the Board at the address shown above. The Code requires notification to all property owners within the boundaries of the proposed annexation and 600 feet thereof. You are welcome to attend and participate in the public hearing. This area is

generally bounded on the north by NE 121st Street, on the east by Biscayne Boulevard, on the south by NE 119th Street (except that between NE 16th Avenue and Biscayne Boulevard the south border shall extend to the point where NE 16th Avenue and Biscayne Boulevard intersect near NE 116th Street in Miami-Dade County), and on the west by the FEC railway. In general, the municipal type services currently provided by the County in the proposed annexation area are local police, public works, code enforcement and building services. If the annexation is approved, the Village of Biscayne Park will provide these services. The current municipal millage rate for the proposed annexation area is the adopted FY 2015-16 unincorporated millage rate of 1.9283. If the annexation area were part of the Village of Biscayne Park, the adopted FY 2015-16 millage rate of 9.700 would be applied, an increase of 7.7717 mills, the average property owner would pay an additional \$29,153 in municipal taxes. For additional information **visit <http://www.miamidade.gov/incorporationandannexation/village-of-biscayne-park.asp>**

For further information regarding the proposed annexation or for sign language interpreters, materials in accessible format, or any other accommodation needed to participate in this meeting, please call the Miami-Dade County Office of Management and Budget at 305-375-5143 at least five days in advance of the meeting/hearing.

For legal ads online, go to <http://legalads.miamidade.gov>



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Agenda Item

Village Commission Meeting Date: July 12, 2016

Subject: Florida Amendment 1

Prepared by: Commissioner Barbara Watts

Sponsored by: Commission

Background Analysis:

The August and November ballots contain two FL proposed Constitutional Amendments (nos. 1 and 4) to the state Constitution that regard solar power. Amendment 4 on the August ballot (title: “Solar Devices or renewable energy source devices; exemption from certain taxation and assessment”), seems to be straightforward and seems not to have been challenged regarding clarity of wording, content, and ramifications. This is not the case, however, with Amendment 1, which is on the November ballot (Rights of Electricity Consumers Regarding Solar Energy Choice”), which has been criticized with respect to its title, for being vague and not suggesting what the amendment actually proposes, much less its long-term ramifications and limitations (see below).

The proposed amendment, if passed, may affect the rate of expansion of the use of solar power in our Sunshine state; and, it seems that it will determine the coffers to which solar energy profits will go.

The wording of **Amendment 1’s title, “Rights of Electricity Consumers Regarding Solar Energy Choice,”** does not indicate its actual content, only its overall subject matter. To me, the word “rights” in the title does not indicate whether the amendment proposes a replication, expansion, or reduction of already existing consumer rights and might prompt a somewhat unprepared voter to make a knee-jerk reaction/vote on this complex, important and complex issue **and submit a vote utterly opposite to what he/her intended.**

The passing of “FL Amendment 1” will affect Biscayne Park residents and, the Village itself (in various ways—see below for documentation and arguments links This amendment is so nuanced, that it warrants detailed consideration.

This issue is a non-partisan issue, I suggest that we ask representatives from the primary organizations on both/all sides give presentations at the September Commission meeting and/or that we consider having a forum/workshop on the matter (and other items on the FL Ballot, perhaps in collaboration with El Portal, North Miami, and Miami Shores..

Back-up Information:

1)
[https://ballotpedia.org/Florida_Right_to_Solar_Energy_Choice_Initiative,_Amendment_1_\(2016\)](https://ballotpedia.org/Florida_Right_to_Solar_Energy_Choice_Initiative,_Amendment_1_(2016))
):

Florida Right to Solar Energy Choice Initiative, Amendment 1 (2016)

This amendment is different from [Florida Amendment 4](#), the [legislatively referred constitutional amendment](#) that addresses [energy](#) and has been certified for the [August 2016 ballot](#).

| Florida Amendment 1 | |
|--|---|
| Election date November 8, 2016 | |
| Topic Energy | |
| Status <i>On the ballot</i> | |
| Type Constitutional amendment | Origin Citizens |

The **Florida Right to Solar Energy Choice Initiative**, also known as **Amendment 1**, is on the [November 8, 2016](#), ballot in [Florida](#) as an [initiated constitutional amendment](#).

A vote "**for**" the measure would add a section in the state constitution giving residents of Florida the right to own or lease solar energy equipment for personal use.

A vote "**against**" the measure would prevent the addition of this right to the constitution.

The measure would also ensure that those who do not produce their own solar energy would not be required to subsidize the costs of electric grid access and backup power to those who do.^[1]

Background

Solar energy was the focus of several ballot measures in Florida in 2015 and 2016. Another [competing citizen initiated amendment](#) petition was circulated in 2015, but was withdrawn due to a shortage of signatures. That initiative would have given businesses and individuals the constitutional right to produce up to two megawatts of solar energy that could be sold to others at the same or contiguous property. The support campaign for that measure, Floridians for Solar Choice, now leads the opposition campaign for Amendment 1. In addition to these citizen initiatives, the [Florida Legislature](#) approved a measure to appear on the ballot in August 2016 as [Amendment 4](#), which provides property tax exemptions for renewable energy devices.

Solar power in Florida

See also: [Energy in Florida](#)

Despite Florida's nickname as the Sunshine State, the majority of the renewable energy produced there comes from [biomass](#), not [solar](#). Solar energy accounted for 5 percent of the all the energy generated from renewable sources in 2014. The use of solar energy is expected to increase in the coming years, however; according to the [U.S. Energy Information Administration](#), photovoltaic (PV) solar is expected to account for almost one-third of Florida's new renewable energy capacity by 2023.^[2]

In 2012, H.B. 7117 established a renewable energy tax credit program, which is set to expire in 2017. The credit equals one cent per kilowatt hour of electricity produced and sold during a tax year for taxpayers using renewable energy, including solar power. According to the Florida Solar Energy Industries Association, it is illegal for any entity, including homeowner associations, from banning the installation of solar panels on buildings in the state. These entities can, however, have an approval process. Florida does not have a [Renewable Portfolio Standard](#) (RPS). It does, however, have other incentive programs to increase renewable energy facilities, including a [net metering](#) program. Net metering is a billing system where customers who generate their own electricity—usually using [renewable sources](#) such as [solar panels](#)—are able to sell their excess electricity back to the grid.^{[3][4][5][6]}

Net metering

According to the Database of State Incentives for Renewables and Efficiency, "net metering is required by law in most U.S. states, but state policies vary widely."^[7] While many energy experts support net metering, there is debate over the price at which those generating excess power should be compensated. In some states, consumers are compensated at the retail rate, while other states compensate individual producers at the wholesale rate. Retail electricity rates are the final prices paid by consumers and include the costs of that [electricity from generation to delivery](#). Wholesale electricity rates "include the cost of the fuel used to generate electricity and the cost of buying the power," but do not include the costs of transporting or delivering electricity.^{[4][8]}

Proponents of net metering argue the system is beneficial because it promotes renewable energy and incentivizes consumers to produce their own electricity—a practice that proponents argue is more efficient. Consumers are often drawn to this program because they can save money by

generating their own electricity (as opposed to buying it from a utility company), and they can even receive credit back on their electricity bill for the excess electricity they generated.^[9]

Opponents of net metering argue that customers who sell their electricity back to the grid at the full electricity price are not paying for the fixed costs associated with power generation—such as wires, poles, meters, and other infrastructure—and that these costs are shifted onto customers without net metering. According to these opponents, consumers producing their own energy are often still using power supplied by a utility company when their own generation isn't sufficient. For example, on cloudy days, those with solar panels must rely on the grid system for electricity. Instead, opponents argue that consumers should be paid the wholesale price for electricity.^[4]

Note: This information was last updated on June 2, 2016.

Text of measure

Ballot title

The ballot title is:^[1]

“ Rights of Electricity Consumers Regarding Solar Energy Choice^[10] ”

Ballot summary

The ballot summary is:^[1]

“ This amendment establishes a right under Florida's constitution for consumers to own or lease solar equipment installed on their property to generate electricity for their own use. State and local governments shall retain their abilities to protect consumer rights and public health, safety and welfare, and to ensure that consumers who do not choose to install solar are not required to subsidize the costs of backup power and electric grid access to those who do.^[10] ”

Constitutional changes

See also: [Article X of the Florida Constitution](#)

The measure would add Section 29 to Article X of the [Florida Constitution](#).

Full text

The full text is:^[1]

“ Section 29 – Rights of electricity consumers regarding solar energy choice. – ”

(a) ESTABLISHMENT OF CONSTITUTIONAL RIGHT. Electricity consumers have the right to own or lease solar equipment installed on their property to generate electricity for their own use.

(b) RETENTION OF STATE AND LOCAL GOVERNMENTAL ABILITIES. State and local governments shall retain their abilities to protect consumer rights and public health, safety and welfare, and to ensure that consumers who do not choose to install solar are not required to subsidize the costs of backup power and electric grid access to those who do.

(c) DEFINITIONS. For purposes of this section, the following words and terms shall have the following meanings:

(1) "consumer" means any end user of electricity regardless of the source of that electricity.

(2) "solar equipment," "solar electrical generating equipment" and "solar" are used interchangeably and mean photovoltaic panels and any other device or system that converts sunlight into electricity.

(3) "backup power" means electricity from an electric utility, made available to solar electricity consumers for their use when their solar electricity generation is insufficient or unavailable, such as at night, during periods of low solar electricity generation or when their solar equipment otherwise is not functioning.

(4) "lease," when used in the context of a consumer paying the owner of solar electrical generating equipment for the right to use such equipment, means an agreement under which the consumer pays the equipment owner/lessor a stream of periodic payments for the use of such equipment, which payments do not vary in amount based on the amount of electricity produced by the equipment and used by the consumer/lessee.

(5) "electric grid" means the interconnected electrical network, consisting of power plants and other generating facilities, transformers, transmission lines, distribution lines and related facilities, that makes electricity available to consumers throughout Florida.

(6) "electric utility" means any municipal electric utility, investor-owned electric utility, or rural electric cooperative which owns, maintains, or operates an electric generation, transmission, or distribution system within the state.

(d) EFFECTIVE DATE. This section shall be effective immediately upon voter approval of this amendment. [\[10\]](#)

Support

The group behind the initiative is Consumers for Smart Solar, who are running a campaign called "Yes on 1 for the sun." [\[11\]\[12\]](#)

Supporters

- Jim Kallinger, former state representative and co-chair of Consumers for Smart Solar^[13]
- Dick Batchelor, former state representative and co-chair of Consumers for Smart Solar
- Kevin Doyle, executive director of Consumer Energy Alliance - Florida^[14]

Arguments

Sarah Bascom, spokeswoman for Consumers for Smart Solar, said the Smart Solar Amendment would:^[15]

“ ...promote the increased use of solar power in Florida by protecting our rights to own solar equipment, providing consumer protections and ensuring that all citizens are treated fairly whether they choose to put solar panels on their home or not.^[10] ”

Dick Batchelor, a former Democratic member of the Florida House of Representatives, said:^[16]

“ [I]n looking at ways to increase the amount of our energy that comes from the sun, it is essential that we do so in a way that safeguards consumers – particularly our seniors – with commonsense consumer protection rules that benefit every consumer, and that we have all come to expect. Amendment 1 is a straightforward plan for the future of solar energy in Florida.^[10] ”

Ad paid for by Consumers for Smart Solar

Matthew Carter, a former Public Service Commissioner, said:^[16]

“ Read Amendment 1 – and you will see that it was not written to benefit any one industry. It is written to benefit consumers. It establishes a framework in our constitution that cements important rights and protections with regard to solar energy, so that they cannot be weakened or ignored by special interests or policy makers...In fact, while Amendment 1 doesn't preclude any other approach to solar energy in Florida, it merely makes certain that in this ever-changing world of solar, individual citizens will always have the right to generate their own electricity from their own solar equipment. And, it allows state and local governments to continue their current role of ensuring safe and reliable energy, while ensuring that consumers are dealt with fairly by companies that provide energy services.^[10] ”

Opposition

Opponents

The group Floridians for Solar Choice, who failed to get a [competing measure](#) on the ballot, oppose Amendment 1.^[17]

Arguments

David Guest, managing attorney for the Florida office of Earthjustice, said:^[18]

“ What makes it so insidious is that they are trying to extend their monopoly for burning fossil fuels to the sun...But the sun is not theirs.”^[10] ”

Debbie Dooley, a Tea Party activist, said that Consumers for Smart Solar:^[19]

“ ...claims to support a free-market principle, but they are taking an anti-free-market position by siding with monopolies to stop competition from solar.”^[10] ”

Stephen A. Smith, the executive director of the Southern Alliance for Clean Energy and a board member of the group that attempted to put a [competing measure](#) on the ballot, Floridians for Solar Choice, said:^[16]

“ The only people their proposed amendment would protect are utility shareholders. Period. This amendment seeks to limit non-utility solar options in Florida by enshrining the status quo and providing the utilities with leverage to continue to control their customers.”^[10] ”

David Guest and others argue that the measure could potentially get rid of net metering, the practice that requires electric companies to purchase excess electricity from solar homes. The amendment states that state and local governments would have the authority "to ensure that consumers who do not choose to install solar are not required to subsidize the costs of backup power and electric grid access to those who do." The amendment could allow utilities to argue that net metering is a "subsidy" for solar, and lawmakers could prohibit the use of net metering.^[19]

Campaign finance

Support

The *Tampa Bay Times* reported on December 16, 2015, that the solar energy committee surpassed Gov. [Rick Scott](#)'s PAC, Let's Get to Work, in fundraising amounts. As of December 16, 2015, Scott's committee had raised \$4.2 million.^[20]

The Consumers for Smart Solar committee raised \$7.2 million between July 2015 and February 2016. The committee raised \$235,000 in February 2016 alone and had \$445,000 in cash on hand. In March 2016, the group spent \$268,000 on public opinion research and legal fees to defend the

measure from a lawsuit. Although the campaign only raised \$35,000 in March from the Gulf Power Company, the group had raised over \$7 million as of the beginning of April 2016. The group raised more than \$8.5 million in April 2016, representing their largest fundraising month of 2016. Nearly \$7.7 million of the April contributions came from Florida Power & Light, Duke Energy, Tampa Electric Company, and Gulf Power Company. The group also reported expenditures of \$74,606 in April 2016. Fundraising for Consumers for Smart Solar decreased dramatically in May 2016, with only \$5,000 in contributions. However, the group spent over \$6.5 million of their cash reserves on media buys in May, bringing expenditures to over \$13.5 million. [\[21\]\[22\]\[23\]\[12\]\[24\]\[25\]\[26\]](#)

Committee info:

| PAC | Amount raised | Amount spent |
|---------------------------|------------------------|------------------------|
| Consumers for Smart Solar | \$16,119,245.00 | \$13,703,105.83 |
| Total | \$16,119,245.00 | \$13,703,105.83 |

Top contributors:

| Donor | Amount |
|--|------------------------|
| Florida Power and Light Company | \$4,145,000 |
| Duke Energy | \$3,987,000 |
| Tampa Electric Company | \$2,121,675 |
| Gulf Power Company | \$1,659,450 |
| 60 Plus Association, Inc. | \$1,440,000 |
| Total campaign cash [27] <i>as of May 12, 2016</i> | |
| Support: | \$16,119,245.00 |
| Opposition: | \$0.00 |

The following is a list of those who contributed \$100,000 or more to the campaign supporting the initiative. As of the end of April 2016, Gulf Power Company, Duke Energy, Tampa Electric Company, and Florida Power and Light had contributed \$11.9 million of the \$16.1 million raised by the campaign. [\[21\]\[12\]](#)

- Tampa Electric Company
- Gulf Power Company

- Partnership for Affordable Clean Energy
- Let's Preserve the American Dream
- National Black Chamber of Commerce
- PowerSouth Energy Cooperative
- Florida Power and Light Company
- Duke Energy
- 60 Plus Association, Inc.
- Checks and Balances
- National Rural Electric Cooperative Association
- Floridians for a Stronger Democracy
- Florida Faith and Freedom Coalition Inc

Opposition

Ballotpedia has not yet found campaign finance information in opposition to the measure. If you are aware of opposition, please email it to ballotmeasures@ballotpedia.org.

Media editorials

Support

Ballotpedia has not found media editorials supporting the measure. If you are aware of an editorial, please email it to ballotmeasures@ballotpedia.org.

Opposition

- **Tampa Bay Times** said:^[28]

“ The wording of this solar energy measure financed by the utilities is deceptive, and the justices should not allow it to go on the fall ballot. The amendment is an attempt to block the private market for solar in Florida — not to expand consumer choice — and voters should not be confronted with this sneak attack.^[10] ”

- **Ocala Star Banner**, referencing state supreme court Justice [Barbara Pariente](#)'s dissenting opinion from a [lawsuit over the measure](#), said:^[29]

“ If you support solar energy, or even just greater individual freedom, heed Justice Pariente’s observation of the proposed amendment’s effect: 'Clearly, this is an amendment geared to ensure nothing changes with respect to the use of solar energy in Florida — it is not a ‘pro-solar’ amendment,' she wrote. 'Let the pro-solar energy consumers beware.' Beware indeed.^[10] ”

- **Bradenton Herald** said:^[30]

“ The Consumers for Smart Solar amendment proposal comes from the utility companies, not consumers. It does nothing but enshrine current law into the Constitution, continuing the utilities unjust tight grip on the power market. It does nothing to broaden consumer choice. It does nothing to advance competitive pricing or free market doctrine. The amendment title, however, proved persuasive enough to deceive plenty of Floridians as petition drives amassed more than a million signatures in less than five months -- thanks to an outsized infusion of money from the utilities. This blatant manipulation worked, and the power industry's servants ballyhoo the "strong support from every demographic." Be forewarned and forearmed with knowledge and clarity on this ballot measure. Approval is only in the best interests of the utilities.^[10] ”

Other

- The **Sun Sentinel** expressed concern over the measure's language and its place in the [constitution](#), saying:^[31]

“ We'll listen to their arguments in the coming months. But the Florida Supreme Court opinion barely approving the ballot language — as well as the history of how this proposed amendment came into being — leave us for the time being in the Highly Skeptical category. We are skeptical that the high court should have approved the amendment's ballot language. And we are skeptical that the substance of the amendment — if it should become state policy at all — belongs in the state Constitution rather than in statute.^[10] ”

The **Orlando Sentinel**, which is owned by the same company that owns the Sun Sentinel, Tribune Publishing, also said:^[32]

“ OK. We'll listen to their arguments. But the Florida Supreme Court's divided opinion on the ballot language, and the history of how this proposed amendment came into being, leave us skeptical for the time being. And we aren't convinced at this point that the substance of the amendment — even if it is a worthy policy — belongs in the state constitution rather than in law.^[10] ”

Polls

See also: [Polls, 2016 ballot measures](#)

| [hide]Florida Amendment 1 (2016) | | | | | |
|---|---------|--------|-------|-----------------|-------------|
| Poll | Support | Oppose | Other | Margin of Error | Sample Size |
| Hill Research Consultants Poll 2/16/2016 - 2/18/2016 | 73% | 15% | 12% | +/-4.0 | 607 |
| Mason-Dixon Polling & Research 3/7/16 - 3/9/16 | 64% | 18% | 18% | +/-4.0 | 625 |
| AVERAGES | 68.5% | 16.5% | 15% | +/-4 | 616 |

Note: The polls above may not reflect all polls that have been conducted in this race. Those displayed are a sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to editor@ballotpedia.org.

Path to the ballot

See also: [Laws governing the initiative process in Florida](#)

On November 24, 2015, the initiative was sent to the [Florida Supreme Court](#) for review to ensure that the measure was unambiguous, covered a single topic, and ran no more than 75 words. Supporters needed to collect at least [683,149 valid signatures](#) by [February 1, 2016](#), to qualify the measure for the 2016 ballot. Petitioners submitted 720,395 valid signatures on February 3, 2016, according to the secretary of state. The measure was then certified and given a ballot number.^[1]

Lawsuit

Floridians for Solar Choice, a group that had submitted an opposing measure for the 2016 ballot, announced on January 11, 2016, that they had filed a brief against the amendment with the [Florida Supreme Court](#). The brief claimed that Consumers for Smart Solar's measure is misleading, that it promises solar energy rights for voters that the state constitution already provides, and lures voters into thinking it will increase access to rooftop solar when it will actually reduce solar options. On February 15, 2016, the Florida Supreme Court granted permission for oral arguments to be heard on May 5, 2016. On February 24, 2016, the court rescheduled oral arguments for March 7, 2016.^{[33][34][35][36]}

On March 31, 2016, the [Florida Supreme Court](#) ruled that the measure was not misleading and approved it to remain on the November ballot. In a 4-3 decision, the court stated that the measure was clearly worded and was compliant with the state's single-subject requirement for constitutional amendments. In the dissenting opinion, Justice [Barbara Pariente](#) wrote that the amendment was "masquerading as a pro-solar initiative."^[37]

State profile

Florida's population in 2014 was 19,893,297.

Florida's population in 2014 was 19,893,297, according to the United States Census Bureau. This estimate represented a 5.8 percent increase from the bureau's 2010 estimate. The state's population per square mile was 350.6 in 2010, exceeding the national average of 87.4.

Florida experienced a 3 percent increase in total employment from 2011 to 2012, exceeding the 2.2 percent increase at the national level during the same period.^[38]

Demographics

Florida fell below the national average for residents who attained at least bachelor's degrees, according to data from 2009 to 2013. The United States Census Bureau found that 26.4 percent of Florida residents aged 25 years and older attained bachelor's degrees, compared to 28.8 percent at the national level.

The median household income in Florida was \$46,956 between 2009 and 2013, compared to a \$59,836 national median income. Census information showed a 17 percent poverty rate in Florida during the study period, compared to a 14.5 percent national poverty rate.^[38] **To expand the boxes below, click [show] on the right side of each box.**

[show] [Racial Demographics, 2013](#)^[38] **[show] [Presidential Voting Pattern, 2000-2012](#)**^{[39][40]}

Note: Each column will add up to 100 percent after removing the "Hispanic or Latino" percentage, although rounding by the Census Bureau may make the total one- or two-tenths off. Read more about race and ethnicity in the Census [here](#).^[41]

See also

[Suggest a link](#)

- [Florida 2016 ballot measures](#)
- [2016 ballot measures](#)
- [Florida Legislature](#)
- [List of Florida ballot measures](#)

External links

Support

- [Consumers for Smart Solar](#)

Opposition

- [Floridians for Solar Choice](#)

Footnotes

1.

- [Florida Department of State, "Constitutional Amendment Petition Form," accessed November 18, 2015](#)
- [U.S. Energy Information Administration, "Florida Profile Analysis," May 21, 2015](#)

- • [Database of State Incentives for Renewables and Efficiency, "Glossary," accessed October 22, 2014](#)
- • [Edison Electric Institute, "Straight Talk About Net Metering," September 2013](#)
- • [U.S. Department of Energy, "Florida Renewable Energy Production Tax Credit," accessed March 6, 2014](#)
- • [Florida Solar Energy Industries Association, "The Florida Solar Rights Act," accessed June 2, 2016](#)
- • [Database of State Incentives for Renewables and Efficiency, "Glossary," accessed October 22, 2014](#)
- • [Institute for Energy Research, "Net Metering 101," January 14, 2014](#)
- • [Solar Energy industries Alliance, "Net Metering," accessed October 22, 2014](#)
- • *Note: This text is quoted verbatim from the original source. Any inconsistencies are attributed to the original source.*
- • [Orlando Sentinel, "Consumers for Smart Solar proposal goes to Florida Supreme Court," November 25, 2015](#)
- • [Bradenton Herald, "Utility-backed solar group launches campaign for Florida constitutional amendment," April 12, 2016](#)
- • [Florida Politics, "Jim Kallinger and Dick Batchelor: Vote 'Yes on 1 for the sun,'" April 13, 2016](#)
- • [Tallahassee Democrat, "'Smart Solar' amendment beneficial for Floridians," April 13, 2016](#)
- • [Florida Politics, "Earthjustice strikes back against Smart Solar group," March 2, 2016](#)
- • [Florida Politics, "Consumers for Smart Solar' launches new phase of ballot initiative campaign," April 12, 2016](#)
- • [Floridians for Solar Choice, "End the Solar Eclipse in the Sunshine State," accessed April 13, 2016](#)
- • [Tampa Bay Times, "As utilities embrace solar, critics accuse them of trying to monopolize the sun," March 4, 2016](#)
- • [Mother Jones, "Are Big Power Companies Pulling a Fast One on Florida Voters?" March 7, 2016](#)
- • [Tampa Bay Times, "Solar power, Gov. Rick Scott and Adam Putnam head list of top PACs in 2015," December 16, 2015](#)
- • [Florida Department of State, "Contributions Query Results," accessed December 14, 2015](#)
- • [Sun Sentinel, "Utilities-backed 'Smart Solar' group raises \\$235,000 in February," March 10, 2016](#)
- • [Florida Politics, "Consumers for Smart Solar spends nearly \\$268,000 in March," April 11, 2016](#)
- • [Florida Politics, "'Consumers for Smart Solar' initiative brings in more than \\$8.5 million in April," May 11, 2016](#)
- • [Flagler Live, "Group Backing Controversial Solar Amendment Raises \\$5.8 Million in April," May 11, 2016](#)
- • [Sunshine State News, "Consumers for Smart Solar Slows Down in Fundraising, Spends Millions in TV Buy," June 13, 2016](#)
- • *Note: These totals may include in-kind donations as well as cash donations.*
- • [Tampa Bay Times, "Editorial: Court should reject 'solar' amendment," March 10, 2016](#)
- • [Ocala Star Banner, "Editorial:Solar choice is no choice at all," April 2, 2016](#)
- • [Bradenton Herald, "A sensible, pro-consumer solar power amendment on Florida ballot," April 27, 2016](#)

- • [Sun Sentinel](#), "Be skeptical of 'Smart Solar' amendment," April 26, 2016
 - • [Orlando Sentinel](#), "Be wary of "smart solar" on ballot: Where we stand," May 3, 2016
 - • [Floridians for Solar Choice](#), "Floridians for Solar Choice Coalition Discusses Future of the Coalition and Opposition to Misleading Utility-Backed Petition," January 11, 2016
 - • [Florida Politics](#), "State Supreme Court allows oral argument for smart solar amendment," February 15, 2016
 - • [Florida Politics](#), "Supreme Court Reschedules Oral Argument for 'Smart Solar' Amendment," February 24, 2016
 - • [Tampa Bay Times](#), "Court indicates it's divided during arguments over solar amendment," March 7, 2016
 - • [Greenfield Reporter](#), "Florida voters will get a chance to vote this fall on a solar power initiative that has been placed on the ballot with the financial backing of the state's largest power companies," March 31, 2016
 - • [United States Census Bureau](#), "QuickFacts Beta," accessed March 24, 2015
 - • [Florida Department of State](#), "Election Results," accessed April 16, 2015
 - • [The American Presidency Project](#), "Presidential Elections Data," accessed March 24, 2015
41. • [United States Census Bureau](#), "Frequently Asked Questions," accessed April 21, 2014

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<http://www.motherjones.com/environment/2016/03/florida-solar-amendment-utility-companies-electricity>

Right_to_Solar_Energy_Choice_Initiative,_Amendment_1_(2016)

miamiherald.com (March 31, 2016):

Utility-funded solar power amendment approved for November ballot

By Michael AuslenHerald/Times Tallahassee Bureau

The Florida Supreme Court on Thursday approved a constitutional amendment backed by utility companies that would maintain the status quo in how solar energy is regulated.

It will appear on the ballot in November's election as "Amendment 1," and 60 percent of voters must approve it in order for it to go into effect.

Under the proposed amendment — called Consumers for Smart Solar — local and state regulators would maintain control over solar energy.

"We are pleased that the Supreme Court will allow the people of Florida to have a voice on our amendment to advance solar energy in the Sunshine State," Consumers for Smart Solar co-chair Dick Batchelor said in a written statement. "We look forward to making our case to the people of Florida — that we must advance solar energy — and do it the right way — a way that protects all consumers, whether they choose solar or not."

The solar issue has been a hot one.

The utility-backed group launched after another ballot item was proposed that would have allowed property owners to sign lease agreements with solar companies to finance and install equipment and to potentially sell excess power they generate to neighbors or the utility that services their area. That could have threatened monopolies held by the utilities.

That amendment — backed by Floridians for Solar Choice — failed to gather enough signatures to appear on the ballot. They're looking to 2018.

Floridians for Solar Choice was supported by many environmental groups as a way to encourage more alternative energy. Shortly after the Supreme Court's ruling on the utility-backed Consumers for Smart Solar, environmentalists started to voice their opposition.

"This amendment hoodwinks voters by giving the impression that it will encourage the use of rooftop solar when, in fact, it would do the opposite," said Earthjustice attorney David Guest. "If the Constitutional amendment passes, people who install rooftop solar could end up with higher utility bills than if they did not have solar."

A separate solar power constitutional amendment to give commercial property owners a tax break on solar panels will appear on the August primary ballot.

Back-up Information:

Fiscal Impact:

Recommendation:



Village of Biscayne Park

Commission Agenda Report

Village Commission Meeting Date: July 12, 2016

Subject: Street Signs

Prepared By: Commissioner Fred Jonas

Sponsored By: Commission

Background

History has it that many years ago, many BP streets and avenues had names, as well as numbers. Either the streets were named for trees, and the avenues for birds, or the other way around. As Barbara Watts suggested some time ago, it might be a nostalgic, as well as a charming, idea for us to resume that practice. Our one time historical committee collected the names that had once been used. Those names might still be saved somewhere. I'm also told, as an aside, that neighborhoods with named streets have higher property values than those with numbered streets.

Fiscal / Budget Impact

It is undetermined what the fiscal impact of such a change would be. For now, I only propose that we discuss whether this is something we would approve doing.

Recommendation

The recommendation is to agree to have signs remade, to give both a street, and avenue, name and number. For example, the street sign nearest my house might say Mockingbird St/119th St in one direction and Live Oak Ave/9th Ave in the perpendicular direction.

Attachments

- Map from 1925



Current

121 Street
 120 Street (east of 8th Ave)
 119 Street
 118 Street (east of 8th Ave)
 118 Street (west of 6th Ave)
 117 Street
 116 Street
 115 Street
 113 Street
 111 Street
 109 Street
 107 Street

From map dated February 1925

EIGHTH STREET
 SEVENTH COURT
 SEVENTH STREET
 GRATIGNY COURT
 DATE COURT
 SIXTH STREET
 FIFTH TERRACE
 FIFTH STREET
 FOURTH STREET
 THIRD STREET
 SECOND STREET
 FIRST STREET

Current

5th Avenue
 6th Avenue
 7th Avenue
 8th Avenue
 10th Avenue
 11th Avenue

From map dated February 1925

EVERGREEN COURT
 AVENUE E
 EUCALYPTUS COURT
 AVENUE D
 COCOANUT COURT
 AVENUE C