



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: November 10, 2014

Subject: Village Boards

Prepared By: Maria Camara, Village Clerk

Sponsored By: Staff

Background

At the October 6th commission meeting, the Commission began a discussion regarding Village Boards which was left unfinished when the meeting concluded.

Attachments

- E-Mail communications from Ecology Board members Carmen DeBernardi and Richie Strassberg to disband the board.
- Memorandum from Commissioner Fred Jonas regarding "advisor boards".

Maria Camara

Subject: FW: Ecology board

From: Carmen DeBernardi [<mailto:carmen@buildmckenzie.com>]
Sent: Monday, October 19, 2015 11:11 AM
To: Maria Camara
Subject: Fwd: Ecology board

Good morning Maria - after sending out an email to all members of the Ecology Board requesting items for an agenda, the only response I received was from Richie Strassberg (see below). I happen to agree with Richie. Please let me know how to proceed from here. You may also call me on my cell 305-915-5359. Thank you Maria.

Carmen De Bernardi

Begin forwarded message:

From: "Richie Strassberg" <richstrass@bellsouth.net>
Subject: Ecology board
Date: October 16, 2015 at 5:04:33 PM EDT
To: "Carmen DeBernardi" <carmen@buildmckenzie.com>

After two months of no meetings and no communication I suggest we disband the Ecology Board. It appears there no overwhelming need for it at this time.

This is just my opinion.

Richie Strassberg



MEMORANDUM

Date: November 2, 2015
To: Village Commission
From: Commissioner Fred Jonas
Re: VBP "Advisory Boards"

Two of the resident groups in the Village are "quasi-judicial" in their considerations and in the results of their determinations. They can, up to a point, force Village residents to do certain things or not to do certain things. All of the other Boards are "advisory," in the sense that they can deliberate about one or another topic within their scope, and they can propose activity or direction. These Boards are, by the Village Charter, advisory to the Commission. The Commission can accept or reject the advice provided to it by the Boards.

The advisory Boards are not empowered to give advice to the Village Manager or to any other Village employee. No one in the Village, except the Commission, is answerable to the advisory Boards.

If the Commission accepts the advice of the advisory Board, it may act on this advice by "tasking" the Manager to do one thing or another. But even the Commission has no authority to task or direct any Village employee, except the Manager.

As a corollary to the Commission's responsibility to respond to the advice given by an advisory Board, it seems to me the Commission also has the authority to stimulate or request certain kinds of advice from these Boards. For example, if the Commission decided it would be advantageous in some way for the Village to inaugurate an event of some sort, or to consider programming at the recreation facilities, it might properly ask the Recreation Advisory Board to consider and plan such an event, or investigate current programming at such facilities. Or, if the Commission wanted to improve landscaping at a conspicuous place in the Village, such as the southern end of the 6th Avenue entry, it might properly ask the Parks and Parkways Board for design ideas and planning.

As a personal matter, I have always advocated for the Boards, and I have always intended to defer to them whenever possible. This is out of respect for whatever might be the expertise and special interests of the members



The Village of Biscayne Park

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of the Board in question, as well as deference to Village residents who give of their time and trouble to sit on these Boards.

A problem can occur when the Village, or the Commission, want a certain kind of advice or input from the relevant Board, but the Board members do not wish to provide this kind of advice or input. Another problem can occur when what interests the Board members is something that does not require their input, or is already ongoing and adequately managed by other functions of the Village. Because the Village moved to professional management some years back, if the Boards want to manage what does not require their management, they run the risk of making themselves redundant, or irrelevant. Likewise, if the members of a certain Board are not disposed to provide to the Village the kind of input it needs from them, the Board similarly runs the risk of making unclear what opportunity the Board really represents to the Village. Either way, a Board can work itself out of real meaning, or even out of the necessity for existence.

An adequately integrated functional relationship is required between the Commission and the advisory Boards. There may be differences of opinion about one thing or another, and this kind of bridge will have to be crossed when the Commission and the Boards come to it. Ideally, this discrepancy will be resolved on the basis of mutual respect and a joint interest in the best functioning of the Village as a whole. Power struggles will never be a good way to address these discrepancies, since the Commission has great power, and the advisory Boards have none. If it was ever necessary for the Commission to overpower, or nullify, an advisory Board, it would certainly be with utmost dissatisfaction and disappointment, and it would mark a kind of failure on everyone's part.

And disputes can never be ad hominem: on the basis of personal senses of power or authority. This would be the worst failure of all.