



**VILLAGE OF BISCAYNE PARK**  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
www.biscayneparkfl.gov

**AGENDA**  
**REGULAR COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Monday, June 20, 2011 at 7:00PM**

 Indicates documents are attached to this agenda.

Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**1 Call to Order**

**2 Roll Call**

**3 Pledge of Allegiance**

Led by Brownie Troop No. 553

**4 Presentations**

4.a Dr. Dorothy Bendross-Mindingall - Miami-Dade County School Board

4.b Church of the Resurrection - Establishing a charter elementary school for pre-K - 2. (Rolando Llanes, R.A., Civica, LLC)

4.c Miami Shores Recycling Program - Manager Tom Benton and Public Works Director Scott W. Davis

**5 Additions, Deletions or Withdrawals to Agenda**

**6 Public Comments Related to Agenda Items / Good & Welfare**

**7 Village Manager Report**

7.a Chief Glansberg - Click it Or Ticket update

7.b Landscaping update

- 7.c Upcoming quarterly trash and yard debris sweeps for new fiscal year.

## 8 Consent Agenda

-  8.a Approval of Minutes
- > April 12, 2011 Special Commission Meeting
  - > May 3, 2011 Regular Commission Meeting
  - > May 10, 2011 Special Commission Meeting
  - > May 25, 2011 Special Commission Meeting

## 9 Public Hearings

< None >

## 10 Ordinances - FIRST READING

< None >

### Ordinances - SECOND READING

 10.a **Ordinance 2011-1**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA; **APPROVING A MODIFICATION TO THE SCHEDULE FOR SOLID WASTE COLLECTION ASSESMENTS FOR NON-RESIDENTIAL SITES LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; WHICH FEE SHALL BE \$2,232.00; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.** *Approved at first reading on May 25, 2011.*

*A request will be made to move this item to date certain July 12, 2011, due to an issue with the advertisement for second reading.*

## 11 Resolutions

 11.a **Resolution 2011-29**

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK AUTHORIZING THE MAYOR TO EXECUTE **THE COLLECTIVE BARGAINING AGREEMENT EFFECTIVE OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013, BETWEEN THE VILLAGE AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION; PROVIDING FOR AN EFFECTIVE DATE**

 11.b **Resolution 2011-30**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **ESTABLISHING A GIFT POLICY FOR THE VILLAGE**; PROVIDING THE MANAGER THE DIRECTION TO ACCEPT MONETARY GIFTS TO THE VILLAGE UP TO \$5,000; ALL OTHER MONETARY GIFT ABOVE \$5,000 SHALL BE BROUGHT TO THE VILLAGE COMMISSION FOR DISCUSSION AND/OR AUTHORIZATION TO ACCEPT THE PROPOSED GIFT; AUTHORIZING THE VILLAGE MANAGER TO DECIDE WHAT PUBLIC PURPOSE THE MONETARY DONATIONS OF \$5,000 OR LESS SHOULD BE USED FOR; AUTHORIZING THE MANGER TO ACCEPT "IN KIND" DONATIONS; HOWEVER, ANY DONATIONS OF ART SHALL REQUIRE AUTHORIZATION BY THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

## 12 Old Business

 12.a Appointment of board members:

Code Enforcement Board - replacement for Dario Salazar by Commission Cooper *(notified March 1, 2011)*

 12.b A Order of the Village Commission of the Village of Biscayne Park, Florida directing the Village Attorney to receive from the Clerk a report on three to five "Ethics Hot-line" related companies providing services to government; with back-ground information, analysis, cost and resulting documentation forwarded in advance to the full Commission, along with Village Attorney recommendation, one week prior to next full Commission meeting. *(Sponsored by Commissioner Bryan Cooper and deferred from the April 5, 2011 regular commission meeting by motion, then moved from the May 3, 2011 meeting.)*

12.c Draft legislation - Changes to code of ordinances on fences, walls and hedges.

## 13 New Business

 13.a Commissioner Cooper: "Future condensed short bullet list of agenda items to be sent on day 7, prior to Commission meeting, by Clerk to Commission". *(Moved from the May 3, 2011 meeting.)*

 13.b Commissioner Cooper: Police style badges given to Commissioners *(Moved from the May 3, 2011 meeting.)*

 13.c Mayor Ross: Follow up on Kimley Horn Traffic Studies. *(Moved from the May 3, 2011 meeting.)*

 13.d Vice Mayor Bernard: A discussion of policies and procedures for donations.

 13.e Vice Mayor Bernard: A discussion of disposition of existing oak tree at rec center.

## 14 Final Public Comment

### 15 Reports

#### 14.a Committee Reports

- i > Parks & Parkway Advisory Board
- ii > Code Review Board
- iii > Recreation Advisory Board
- iv > Ecology Board

#### 14.b Village Attorney

#### 14.c Commissioner Comments

- > Vice Mayor Steve Bernard
- > Commissioner Bob Anderson
- > Commissioner Al Childress
- > Commissioner Bryan Cooper
- > Mayor Roxanna Ross

### 16 Announcements

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

Thursday, June 23rd - Code Enforcement Board at 7:00pm

Tuesday, June 28th - Code Review Board at 7:00pm

Monday, July 4th - All Village departments closed in observance of the Independence Day holiday.

Tuesday, July 5th - Planning & Zoning at 6:30pm

Our next regular Commission meeting is Tuesday, July 12, 2011 at 7:00pm. *(Moved to the second Tuesday due to the Independence Day long weekend.)*

Please visit our website regularly at [biscayneparkfl.gov](http://biscayneparkfl.gov) and click on the Calendar of Meetings & Events to view the full schedule.

### 17 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** - 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.

## **Minutes - April 12, 2011**

**Correction made to item 8.d as was discussed at the May 3, 2011 meeting.**



VILLAGE OF BISCAYNE PARK  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
www.biscayneparkfl.gov

Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**MINUTES**  
**SPECIAL COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Tuesday, April 12, 2011 at 7:30PM**

**1 Call to Order**

**2 Roll Call**

Mayor Roxanna Ross called the meeting to order at 7:52PM. In addition to Mayor Ross, present were:

Vice Mayor Steve Bernard  
Commissioner Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

Present from staff were:

Village Manager Ana Garcia  
Village Clerk Maria Camara  
Attorney John Hearn  
Finance Director Michael Arciola  
Police Chief Mitchell Glansberg  
Public Works Director Bernard Pratt  
Public Works Administrative Assistant Cesar Hernandez

**3 Pledge of Allegiance and Moment of Silence**

---

Mayor Ross asked for a motion to adjourn the meeting at 9:30PM due to personal commitments, both for the Mayor and Commissioner Cooper.

Commissioner Anderson makes a motion to adjourn the meeting at 9:30PM and it was seconded by Commissioner Cooper.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress, Commissioner Anderson, and Commissioner Cooper.

None opposed.

Motion carries: 5/0

---

#### **4 Additions, Deletions or Withdrawals to the Agenda**

Vice Mayor Bernard requests that Commissioner Comments be added to the agenda as they were not included.

Vice Mayor Bernard requests to add a discussion on changing the date of the next Code Review Board meeting to New Business. It was added as item 8.g.

Commissioner Cooper requests that item 8.c under New Business is deferred to the May meeting. ("Future condensed short bullet list of agenda items to be sent on day 7, prior to Commission meeting, by Clerk to Commission")

#### **5 Public Comments Related to Agenda Items / Good Welfare**

Dan Samaria - Shade tree donation, item 8.d.

John Holland - Meeting audio enhancements; Recreation Advisory Board; Shade tree donation, item 8.d.

Tracy Truppman (representing the Ecology Board) - Shade tree donation, item 8.d.

Barbara Kuhl (representing Parks & Parkway Advisory Board) - Shade tree donation, item 8.d.

#### **6 Village Manager Report**

> Chief Glansberg provided a recap of the Crime Watch meeting that took place on April 7, 2011; Chief's Night Out will be scheduled sometime in May and will be announced.

> Finance Director provided the 2011-12 Fiscal Year Budget calendar to the commission.

Commissioner Anderson requests that for the May meeting, Manager Garcia to provide the exact payout to former Village Manager Frank Spence when he resigned; what the cost per hour is for the commission meetings.

Manager Garcia advised that the drainage project is on target and that the median maintenance was scheduled to start by the end of the week by Groundkeepers.

#### **7 Consent Agenda**

Vice Mayor Bernard pulls the minutes for March 1st, 2011 (the only item on the consent agenda).

On the minutes of the March 1st, 2011, regular commission meeting, Vice Mayor Bernard makes a motion to approve the minutes with the additions he articulated. It was seconded by Commissioner Cooper.

The motion was called to a vote:

All in favor: Vice Mayor Bernard and Commissioner Cooper.

All opposed: Mayor Ross, Commissioner Anderson and Commissioner Childress

Motion fails: 2/3

Commissioner Anderson makes a motion to approve the minutes of the March 1st, 2011, regular commission meeting as submitted by the Clerk. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson and Commissioner Childress

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

## **8 New Business**

### **8.a Approval of the International Union of Painters & Allied Trades Contract (Public Works Division)**

Attorney Hearn provided a recap of the executive session to discuss this contract that took place just prior to this meeting as well as an overview of the major changes/points of the contract.

Manager Garcia provided background on the contract and negotiations.

Vice Mayor Bernard makes a motion to draft and adopt a resolution approving both the Supervisory and Non-Supervisory union contracts for Public Works. It was seconded by Commissioner Anderson

After discussion, the motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress, Commissioner Anderson, and Commissioner Cooper.

None opposed.

Motion carries: 5/0

### **8.b Commissioner Cooper: "New police department procedures vs. continuing crime waves in the Village".**

Commissioner Cooper provided background and challenged the entire commission to workshop and use monies creatively to bring in technology to lessen crime; or to consider street closures; or to reinforce the perimeters.

Commissioner Cooper distributed to the entire commission a handout provided from a resident on a plan to utilize surveillance cameras within the Village.

After discussion, a motion made by Commissioner Cooper to schedule a workshop and engage the Village Community to come up with creative ideas for addressing the reduction of crime in the Village. It was seconded by Vice Mayor Bernard.

Mayor Ross requested an amendment to the motion to replace "reduction of crime in the Village" to "crime prevention in the Village". Commissioner Cooper accepts the amendment.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, and Commissioner Cooper.

Opposed: Commissioner Childress

Motion carries: 4/1

Prior to scheduling a date for the workshop, information would be provided in the upcoming newsletter to residents.

---

At 9:30PM, Commissioner Cooper advised that he had to leave due to a personal commitment.

Vice Mayor Bernard made a motion to extend the meeting an additional 10 minutes. It was seconded by Commissioner Childress. It was then amended to extend an additional 30 minutes.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, and Commissioner Childress.

None opposed.

Motion carries: 4/0

*Commissioner Cooper excused himself from the meeting at 9:41PM.*

---

8.d Vice Mayor Bernard: A discussion of a new shade tree at the Recreation Center.

Vice Mayor Bernard provided background on the item. Each commissioner spoke on the item and provided a list of questions for Vice Mayor Bernard.

After Vice Mayor Bernard addressed the questions posed, he makes a motion to accept the donation. There was no second, except for Commissioner Childress who stated he is ready to make a motion.

After additional comments were made, a motion was made by Commissioner Childress to accept the \$2,220 donation, plus interest earned to date, for a tree or trees as determined by the Village Manager; and the Village Manager to determine the best location, and best award of contract for the purchase; and give thanks to the residents that participated in the donation. It was seconded by Commissioner Anderson.

Vice Mayor Bernard requested an amendment to Commissioner Childress' motion that it be limited to a single tree as was promised to the donors. Commissioner Childress did not accept the amendment.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, and Commissioner Childress.

None opposed.

Motion carries: 4/0

---

*Mayor Ross excused herself from the meeting at 10:08PM.*

---

The Clerk read the announcements:

**Announcements**

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

Wednesday, April 13th, Recreation Advisory Board at 6:30pm.

Saturday, April 16th, Egg Hunt at 10:00am

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

Wednesday, April 20th, Parks & Parkway at 6:00pm

Thursday, April 21st, Ecology Board at 6:30pm

Thursday, April 21st, Code Enforcement Board at 7:00pm

Tuesday, April 26th, Code Review Board at 7:00pm

Tuesday, April 26th, Sunshine and Public Records Workshop at 7:00PM

Our next regular Commission meeting is Tuesday, May 3rd at 7:00PM.

Motion made by Commissioner Anderson to adjourn and seconded by Commissioner Childress.

The meeting was adjourned at 10:11PM

Commission approved on \_\_\_\_\_.

Attest:

---

Roxanna Ross, Mayor

---

Maria Camara, Village Clerk

sion

rson

;

.

,



VILLAGE OF BISCAYNE PARK  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
www.biscayneparkfl.gov

Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Tuesday, May 3, 2011 at 7:00PM**

**1 Call to Order**

**2 Roll Call**

Mayor Roxanna Ross called the meeting to order at 7:11PM. In addition to Mayor Ross, present were:

Vice Mayor Steve Bernard  
Commissioner Bob Anderson  
Commissioner Al Childress

*Commissioner Bryan Cooper was absent.*

Present from staff were:

Village Manager Ana Garcia  
Village Clerk Maria Camara  
Attorney John Hearn  
Finance Director Michael Arciola  
Police Chief Mitchell Glansberg  
Public Works Director Bernard Pratt  
Parks & Recreation Director Issa Thornell  
Public Works Foreman Derrik Murray

**3 Pledge of Allegiance and Moment of Silence**

**4 Presentations**

4.a First Sergeant Shateria Rahming from the United States Army Recruiting Office provided a presentation.

4.b Mayor Ross presented the proclamation to Village Clerk Maria Camara recognizing the Week of May 1-7, 2011, as Municipal Clerks Week.

4.c Mayor Ross presented the proclamation to Public Works Director Bernard Pratt and Roscoe Tillman recognizing the week of May 15-21, 2011, as National Public Works Week.

4.d Manager Garcia presented employee recognitions and promotions:

> Building Clerk Jeanie Bridges recognized for her excellence in Customer Service and Organization

> Public Works employee Roscoe Tillman recognized for his excellence in Courage and Attitude.

> Parks & Recreation Coordinator Issa Thornell recognized for his excellence in Community Building and Youth Mentoring, and promoted to Director.

> Police Commander Ray Atesiano recognized for his excellence in Commitment and Perseverance.

> Village Clerk Maria Camara recognized for her excellence in Work Ethics and Integrity and promoted to Chief of Staff.

> Police Captain Antonio Sanchez promoted to Assistant Chief of Police.

---

*The Mayor called for a recess following the presentations.*

---

## **5 Additions, Deletions or Withdrawals to the Agenda**

All of Commissioner Cooper's items were moved to the next regular meeting, items 12b (Commissioner Cooper's selection to the Code Enforcement Board) and 12c under old business, and items 13a and 13c under new business.

Commissioner Anderson moves his selection to the Ecology Board, item 12b under old business to the consent agenda, item 8e.

Manager Garcia to add to her report, agenda item 7, a status on the shade tree project.

Mayor Ross adds item 13e under new business, communication from County Commissioner Sally Heyman regarding North Miami's annexation proposals.

Item 7b under the Manager's report, is moved to item 11b, Resolutions.

## **5 Public Comments Related to Agenda Items / Good Welfare**

Gage Hartung, Chair of Code Review Board - code changes for fences, walls and hedges, status on completion and presentation to the Commission.

Gary Kuhl - shade tree project.

Ray Salas - Code violations, homestead properties that are rented, noise violations, cat colonies, loose dogs, excessive trash.

John Narboni - Commission meeting attendance; speeding on Griffing Blvd; welcome packet for new residents.

James Murphy - shade tree project.

Chuck Ross - donations from residents to Public Works; Commissioner Cooper's statements on police budget and police statistics. (Handout provided to each Commissioner).

Fred Jonas - shade tree project.

Dan Samaria - accusations made by Commissioner Childress regarding shade tree donation; commission voting record.

## 7 **Village Manager Report**

> Recreation Advisory Board members Grisette Rocque Marcos and James Murphy provided a presentation on an initiative to create a Facebook page for the Recreation Department.

There was a consensus from the Commission to go forward with a pilot program.

> Manager Garcia presented the plaque to the Commission from the Arbor Day Foundation recognizing the Village of Biscayne Park as a Tree City USA 2010.

> Clerk Camara advised that additional information was pending for the renewal of the employee health benefits and that a special commission meeting would be scheduled on May 10th to finalize; the Miami-Dade County special election scheduled for May 24, 2011.

> Manager Garcia confirmed that the Biscayne Park Foundation scheduled their first event on Friday, June 10th, a summer concert in the park.

> Finance Director Arciola provided the status on the April 2011 financials, and the non-advalorem assessments schedule.

> Manager Garcia provided an update on the shade tree project and the nursery she had visited.

Commissioner Childress makes a motion to reconsider the motion that was passed at the April 12, 2011, meeting (*To accept the \$2,220 donation, plus interest earned to date, for a tree or trees as determined by the Village Manager; and the Village Manager to determine the best location, and best award of contract for the purchase; and give thanks to the residents that participated in the donation*). It was seconded by Commissioner Anderson

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress and Commissioner Anderson

All opposed: None

Motion carries: 4/0

Commissioner Childress makes a motion to not accept the \$2,220 donation, plus interest earned to date, and that the money be returned to the donors and have them use the funds as they wish. It was seconded by Commissioner Anderson.

After discussion, Mayor Ross requests an amendment to the motion to add that the 37 donors are thanked for their participation in the project and their hard work and efforts. Commissioner Childress accepts the donation.

After further discussion the motion, as amended, was called to a vote:

All in favor: Mayor Ross and Commissioner Childress

All opposed: Vice Mayor Bernard and Commissioner Anderson

Motion fails: 2/2

Commissioner Anderson makes a motion to take the exact motion that was rescinded and to amend it that the tree be planted in any location within the Ed Burke Recreation Center. Motion dies for lack of second.

After further discussion, no other motion was made, or no other action was agreed on.

> Manager Garcia provided a clarification on former Manager Frank Spence's payout. The total amount was \$19,685.31 for accrued sick and vacation as per his contract.

> Manager Garcia provided the cost for the commission meetings at approximately \$225 per hour.

## **8 Consent Agenda**

Vice Mayor Bernard pulls the minutes for April 5, 2011, and April 12, 2011. Also pulls item 8c, Resolution 2011-22, which is moved to item 11a.

Left on the consent agenda are items 8b, Resolution 2011-21, item 8d, Resolution 2011-23, and item 8e, appointment of Karen Cohen to the Ecology Board.

Motion made by Commissioner Childress to approve the consent agenda. It was seconded by Commissioner Anderson.

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress and Commissioner Anderson.

None opposed.

Motion carries: 4/0.

On the minutes of the April 5, 2011, regular commission meeting, Vice Mayor Bernard makes a motion to approve the minutes with the additions he articulated. Motion dies for lack of second.

Motion made by Commissioner Childress to accept the minutes of April 5, 2011, as presented by the Clerk. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress and Commissioner Anderson.

All opposed: Vice Mayor Bernard.

Motion carries: 3/1

On the minutes of the April 12, 2011, special commission meeting, Vice Mayor Bernard stated he made a motion to accept the shade tree donation, but it was not included in the minutes. Clerk Camara was instructed to review and bring the minutes back for approval at the next regular commission meeting.

**9 Public Hearings**

< None >

**10 Ordinances**

< None >

**11 Resolutions**

**11a Resolution 2011-22**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE VILLAGE MANAGER AND THE VILLAGE ATTORNEY TO NEGOTIATE AN **AGREEMENT FOR DEBRIS REMOVAL AND DISASTER RECOVERY SERVICES WITH GRUBBS EMERGENCY SERVICES, LLC**; PROVIDING FOR AN EFFECTIVE DATE.

Attorney read the title of the resolution and Manager Garcia provided the background.

After two questions from Vice Mayor Bernard were answered, Vice Mayor makes a motion to accept resolution 2011-22. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, and Vice Mayor Bernard.

All opposed: None

Motion carries: 4/0

**11b Resolution 2011-24**

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE EXISTING AGREEMENT WITH MAGNA CONSTRUCTION FOR PAVING OF THE ROADWAY** ASSOCIATED WITH PHASE III OF THE VILLAGE'S STORMWATER DRAINAGE PROJECT AT SITE D, 109 STREET AND NORTHEAST 9TH COURT; FOR AN AMOUNT NOT TO EXCEED \$34,100.00; PROVIDING FOR AN EFFECTIVE DATE

Attorney read the title of the resolution and Manager Garcia provided the background.

After discussion and clarification of the funding, and the timeline for completion as presented by Mitch Tourino from Magna Construction, Commissioner Childress makes a motion to approve resolution 2011-24. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, and Vice Mayor Bernard.

All opposed: None

Motion carries: 4/0

## 12 **New Business**

12a Manager Garcia provided the selected workshop/seminars for clear communication, conflict resolution techniques, organizational growth and development, and consensus building/training.

Recommendation was given to go forward with the selection of Wingspan Seminars and to schedule the workshop for this fiscal year, and for the next fiscal year, continue to look at the FIU presentation and compare to what is provided by former county commissioner Katy Sorenson.

Motion made by Commissioner Childress to accept Manager Garcia's recommendation. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, and Vice Mayor Bernard.

All opposed: None

Motion carries: 4/0

## 13 **New Business**

13b Vice Mayor Bernard's discussion for an ad hoc Art Review Board.

Vice Mayor Bernard provided the background and after discussion, Vice Mayor Bernard makes a motion to consider an ad hoc Art Review Board with members that have interest in, or knowledge in, or professional background in art. It was seconded by Commissioner Anderson.

After further discussion, Commissioner Childress asks to defer the item to the Manager to do further research on how other cities handle this subject, but there was no consensus.

Mayor Ross called the vote on the original motion made by Vice Mayor Bernard.

All in favor: Vice Mayor Bernard

Opposed: Mayor Ross, Commissioner Childress, and Commissioner Anderson.

Motion fails: 1/3

---

At 11:PM motion made to extend the meeting for an additional 15 minutes by Commissioner Anderson. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, and Vice Mayor Bernard.

All opposed: None

Motion carries: 4/0

---

13e Mayor Ross: North Miami's annexation proposal.

Mayor Ross received communication from County Commissioner Sally Heyman's office that North Miami was proposing the annexation of the area east of Peachtree to the Bay, from 121st street to 105th street.

Mayor Ross recommends that a workshop be scheduled to discuss the annexation of this area by North Miami, and whether there are annexation opportunities that the Village needs to consider.

There was consensus from the entire commission to schedule a workshop and to provide preliminary studies for discussion at the workshop.

---

The Clerk read the announcements:

**Announcements**

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

Tuesday, May 10th, Code Review Board at 7:00pm

Wednesday, May 11th, Recreation Advisory Board at 6:30pm

Saturday, May 14th, Village Market from 8:00am to 2:00pm

Saturday, May 14th, Arbor Day / Earth Day / Tree City USA Celebration at 10:30am.

Monday, May 16th, Planning & Zoning Board at 6:30pm

Tuesday, May 17th, Code Enforcement Board at 7:00pm

Wednesday, May 18th, Parks & Parkway Advisory Board at 6:30pm

Tuesday, May 19th, Ecology Board at 6:30pm

Tuesday, May 24th, Miami Dade County Election from 7am to 7pm

Tuesday, May 24th, Code Review Board at 7:00pm

Monday, May 30th, all Village Departments are closed in observance of Memorial Day

Friday, June 10th, Biscayne Park Foundation Summer Concert event

Our next regular Commission meeting is Tuesday, June 21st at 7:00pm.

Motion made by Commissioner Anderson to adjourn and seconded by Commissioner Childress.

The meeting was adjourned at 11:15pm

Commission approved on \_\_\_\_\_.

Attest:

\_\_\_\_\_  
Roxanna Ross, Mayor

\_\_\_\_\_  
Maria Camara, Village Clerk



VILLAGE OF BISCAYNE PARK  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
www.biscayneparkfl.gov

Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**MINUTES**  
**SPECIAL COMMISSION MEETING**  
Ed Burke Recreation Center - 11400 NE 9th Court  
Biscayne Park, FL 33161  
Tuesday, May 10, 2011 at 6:30PM

**1 Call to Order**

**2 Roll Call**

Vice Mayor Steve Bernard called the meeting to order at 6:45PM. In addition to Vice Mayor Bernard, present were:

Commissioner Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

*Mayor Roxanna Ross was absent.*

Present from staff were:

Village Manager Ana Garcia  
Village Clerk Maria Camara  
Attorney Eve Boutsis  
Police Chief Mitchell Glansberg

**3 Pledge of Allegiance**

**4 Additions, Deletions or Withdrawals to the Agenda**

< None >

**5 Public Comments Related to Agenda Items / Good Welfare**

Chuck Ross  
Linda Dillon

**6 New Business**

Selection of employee health benefits for 2011-12. Renewal of premium due June 1, 2011

Clerk Camara provided the background on the recommended selection:

- Coventry Health Care of Florida - Premier Choice 100-5000 Plan, coupled with gap plan from American Fidelity Assurance Company.
- Life insurance benefit from Unum Group.
- Buy up plans for additional dental and vision benefits.

This rate for this plan would be \$130,803 annually, a 7.4% decrease from the current plan.

Manager Garcia also proposes to eliminate the \$30 per pay period contribution for the staff (police and general staff) towards their health benefits.

Clerk Camara would also look towards doing a renewal for October 1, 2011, which would bring our renewal period in line with our fiscal year budget. This will be done in September.

During discussion, the following questions came up from the Commission:

> For pre-existing conditions for the first 12 months from the effective date of a covered person's coverage. The exclusion is waived if your employer pays the employee only premium. So that means if an employee has a pre-existing condition, that means it is OK since the Village is paying the premium. But what about if the spouse or a child has a pre-existing condition?

> Is a pregnancy considered "pre-existing" ?

> If the employee chooses a doctor out of network, the deductible is \$7,500. The GAP will only cover up to \$5,000. Can the employee "buy up" on a GAP Plan to cover the additional \$2,500?

> If I utilize one of their outpatient facilities for a procedure it states that I only pay \$250. Can I get that \$250 reimbursed under the GAP plan? Or is the "minimum" on an "occurrence" \$500? If that is the case and I went to the hospital for the outpatient procedure (not one of the Coventry facilities) and I paid \$800, can I get the \$800 reimbursed under the GAP plan?

> Under the Coventry Plan: It states that for outpatient physical, speech and occupational therapy, the cost is 0% after deductible. So if each session is \$150 and I have to go for 20 visits, that totals \$3,000. That is under the deductible, so do I then go to the GAP plan to get that reimbursed?

> What if I'm traveling out of the state and I need a procedure or an MRI and I am not able to use one of their facilities?

Clerk Camara was instructed to get clarification on these questions. If there is a material change based on the answers, an emergency meeting would be called to discuss further.

Attorney Boutsis read the title of **Resolution 2011-25**:

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA RELATING TO CONTRACTS; **AUTHORIZING THE VILLAGE TO PROVIDE EMPLOYEE HEALTH BENEFITS FOR THE PERIOD OF JUNE 1, 2011 THROUGH MAY 31, 2012**; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Childress makes a motion to accept the Manager's recommendation. It was seconded by Commissioner Anderson.

All in favor: Vice Mayor Bernard, Commissioner Anderson, Commissioner Cooper and Commissioner Childress.

All opposed: None

Motion carries: 4/0

The meeting was adjourned at 9:10pm

Commission approved on \_\_\_\_\_.

Attest:

\_\_\_\_\_

Roxanna Ross, Mayor

\_\_\_\_\_

Maria Camara, Village Clerk



VILLAGE OF BISCAYNE PARK  
640 NE 114TH STREET  
BISCAYNE PARK, FL 33161  
TEL: 305 899 8000 FAX: 305 891 7241  
www.biscayneparkfl.gov

Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

**MINUTES**  
**SPECIAL COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Wednesday, May 25, 2011 at 6:30PM**

**1 Call to Order**

**2 Roll Call**

Mayor Ross called the meeting to order at 6:40PM. In addition to Mayor Ross, present were:

Vice Mayor Bernard  
Commissioner Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

Present from staff were:

Village Manager Ana Garcia  
Village Clerk Maria Camara  
Police Chief Mitchell Glansberg  
Public Works Director Bernard Pratt  
Public Works Admin. Assistant Cesar Hernandez  
Public Works Foreman Derrik Murray

**3 Pledge of Allegiance**

**4 Presentations**

< None >

**4 Additions, Deletions or Withdrawals to the Agenda**

< None >

**5 Public Comments Related to Agenda Items / Good Welfare**

Karen Cohen: Recycling

Audrey Earhardt: Recycling; annexation of Peachtree section; landscaping addition to the Recreation center; allow more time for commissioners to speak.

Laurie Cajas: Driveway repair from the drainage project.

Matt Davis: Recycling

Estelle Hacias: Recycling

Kate Skindzer: Recycling

Lauren Caban: Recycling

Carmen DiBernardi: Recycling; waste fee assessments for multi-family residential units.

Jeanmarie Massa, Recycling Manager, Miami-Dade County Department of Solid Waste Management, was in attendance and provided answers to questions that were raised.

As there were additional questions regarding the recycling proposal, Commissioner Cooper makes a motion to move up item 8a, Resolution 2011-27, to discuss immediately after Public Comments. It was seconded by Vice Mayor Bernard.

The motion was called to a vote:

All in favor: Vice Mayor Bernard, Commissioner Childress, Commissioner Cooper

All opposed: Mayor Ross and Commissioner Anderson

Motion carries: 3/2

8a **Resolution 2011-27**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL AGREEMENT WITH MIAMI-DADE COUNTY TO PROVIDE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS WITHIN THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Clerk Camara read the title of the resolution

Manager Garcia provided background.

Based on the questions raised during Public Comment, and questions and comments from the commission, Commissioner Childress makes a motion to defer the item to another date, to be determined, as there is not enough information to make a decision. It is seconded by Vice Mayor Bernard.

The main issues to be looked into further are:

> Have the residents been given ample time and information on the change being recommended and to allow for their input. It is recommended that a flyer be included in the next newsletter to get feedback on the container size, the frequency of pick-up, allowable materials that can be recycled.

> The size and mechanics of the Miami-Dade County recycling truck. Manager Garcia requested that Miami-Dade County have one of their trucks come to the Village to drive through our streets.

> Has Miami Shores been given an opportunity to present their services or to improve on areas that we have a concern with. Manager Garcia advised that they will be invited to the next regular commission meeting to give a presentation.

> What would be the cost if we opt out of the contract?

After discussion, the motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Childress, Commissioner Cooper and Commissioner Anderson

All opposed: None

Motion carries: 5/0

Mayor Ross asked that the item be brought back to the June 21, 2011 regular commission meeting.

## 7 **Ordinances (First Reading)**

### **Ordinance 2011-01**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA; **APPROVING A MODIFICATION TO THE SCHEDULE FOR SOLID WASTE COLLECTION ASSESSMENTS FOR MULTI-FAMILY ASSESSED PROPERTY WITH FOUR OR MORE RESIDENTIAL UNITS ON A SITE AND FOR NON-RESIDENTIAL SITES** LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; WHICH FEE SHALL BE \$1,750.00; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

Clerk Camara read the title of the ordinance.

Manager Garcia provided the background and added a change to the fee from \$1,750, to \$2,232 for both multi-family units and non-residential sites, and also the number of units affected from '4 and over' to '6 and over'.

Mayor Ross opened the floor for public comment, but there were none.

Vice Mayor Bernard makes a motion to not accept the ordinance. It was seconded by Commissioner Cooper.

There was further discussion on the method used to calculate the proposed rate, keeping the same single family rate of \$558 for properties with 3, 4 and 5 units, size of the dumpsters used, having outside vendors bring their trucks through our Village.

After discussion, Vice Mayor Bernard amends his original motion to go forward with the ordinance, but to strike the wording on multi-family assessed properties, and only leave the language for non-residential sites. In regards to the fee assessed, it would be left open until after an analysis is done to confirm the calculation of the cost. The amendment was accepted by Commissioner Cooper.

The motion was called to a vote.

All in favor: Vice Mayor Bernard, Commissioner Childress and Commissioner Cooper.

All opposed: Mayor Ross and Commissioner Anderson

Motion carries: 3/2

## 8 Resolutions

### 8.b Resolution 2011-28

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 FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2011**; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; AND PROVIDING FOR AN EFFECTIVE DATE.

Manager Garcia provided the background which is supported by the Manager's proposed Sanitation budget for fiscal year 2011-12.

Commissioner Anderson makes a motion to accept resolution 2011-28 as per the manager's recommendation. It was seconded by Vice Mayor Bernard.

The primary points of discussion were the purchase of two vehicles (a pick up truck and garbage truck), the calculation of the administrative fee, the projection of the revenues for special pick up fees.

---

*There was a 10-minute recess from 9:36pm to 9:46pm*

---

Commissioner Childress was unclear on the changes that needed to be made based on the first reading of ordinance 2011-01, and the fee that would be assessed for the non-residential sites.

The original motion was amended to clarify that the same changes made on ordinance 2011-01 would be reflected on this resolution, and the \$1,750 fee assessment stated on the resolution would be further analyzed and confirmed and could be adjusted +/- \$500.

The motion as amended was called to a vote:

All in favor: Mayor Ross, Commissioner Childress and Commissioner Anderson

All opposed: Vice Mayor Bernard and Commissioner Cooper.

Motion carries: 3/2

8.c **Resolution 2011-29**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **GRANTING AUTHORITY TO THE VILLAGE CLERK, AS THE VILLAGE MANAGER'S CHIEF OF STAFF TO SERVE AS THE TEMPORARY CONTRACTING OFFICER AND BANK SIGNATORY** DURING THE VILLAGE MANAGER'S ABSENCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Manager Garcia provided the background.

Commissioner Cooper makes a motion to approve and it was seconded by Commissioner Anderson

Manager Garcia clarified that the provision to have two signatures on all checks, one from an elected official and one from the administration, would remain.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Bernard, Commissioner Anderson, Commissioner Cooper and Commissioner Childress.

All opposed: None

Motion carries: 5/0

**9 Final Public Comment**

< None >

**10 Final Public Comment**

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

Thursday, May 26th - Code Enforcement at 7:00pm

Monday, May 30th - All Village departments closed in observance of Memorial Day.

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

Wednesday, June 8th - Recreation Advisory Board at 6:30pm

Friday, June 10th - The Biscayne Park Foundation's Summer Concert Event beginning at 6:30pm.

Tuesday, June 14th - Code Review Board at 7:00pm

Wednesday, June 15th - Parks & Parkway Advisory Board at 6:00pm

Thursday, June 16th - Ecology Board at 6:30pm

Monday, June 20th - Planning & Zoning at 6:30pm

Our next regular Commission meeting is Tuesday, June 21, 2011 at 7:00pm.

Motion made by Commissioner Anderson to adjourn and it was seconded by Commissioner Childress.

The meeting was adjourned at 10:11pm

Commission approved on \_\_\_\_\_.

Attest:

\_\_\_\_\_  
Roxanna Ross, Mayor

\_\_\_\_\_  
Maria Camara, Village Clerk



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

June 10, 2011

To: Mayor Roxana Ross  
Vice Mayor Steve Bernard  
Commission Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

From: Ana M. Garcia, Village Manager

Re: **Ordinance 2011-01 – Approving a modification to the schedule for solid waste collection to provide a fee for nonresidential sites.**

### **Background Analysis:**

The Village's public works department has been rendering services to a nonresidential site, and as there is no fee associated with nonresidential uses, the Village, by default, has charged the single-family residential fee (\$558) to the site. The intensity of uses relating to the nonresidential use is greater, and it is recommended that the fee of \$2,232 be charged for this type of use.

### **Fiscal/Budgetary Impact:**

An increase in the annual waste fee assessment for the nonresidential site from \$558 to \$2,232.

### **Manager Recommendation:**

Manager recommends approval at second reading.

Ordinance 2011-01 follows incorporating the changes made after first reading, along with a copy that is RED LINED with the changes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

**ORDINANCE NO. 2011-01**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA; APPROVING A MODIFICATION TO THE SCHEDULE FOR SOLID WASTE COLLECTION ASSESMENTS FOR NON-RESIDENTIAL SITES LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; WHICH FEE SHALL BE \$2,232.00; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 17.4 of the Village's Land Development Code authorizes the imposition of solid waste management fees; and

WHEREAS, the purpose of the solid waste management fee assessment is to fund the cost of providing solid waste services; and

WHEREAS, the imposition of a solid waste management fee assessment is an equitable and efficient method of allocating and apportioning solid waste collection assessed costs among residential units; and

WHEREAS, pursuant to Village Ordinance 2010-13, consistent with Section 17.4 of the Village's Land Development Code, the Village Commission imposed a solid waste management fee assessment within the Village for the fiscal year beginning on October 1, 2010, using the tax bill collection methods; and,

WHEREAS, the Village already provides solid waste services for nonresidential use sites but does not designate a fee for said services in the Village Code, and the Village seeks to implement same; and,

1           WHEREAS, the Village assessment as to the remaining residential units shall remain  
2 unchanged, at \$558.00, per residential unit, as enacted in fiscal year 2010 and add to the two new  
3 fees for the category of: nonresidential use sites; and,

4           WHEREAS, the total assessment from the solid waste management fee assessment,  
5 including for the non-residential units, throughout the Village is estimated to be \$733,440.00;  
6 now, therefore,

7           **BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF**  
8 **BISCAYNE PARK, FLORIDA, AS FOLLOWS:**

9           **Section 1.**     The foregoing “Whereas” clauses are hereby ratified and confirmed as  
10 being true and correct and are hereby made a specific part of this Ordinance upon adoption  
11 hereof.

12           **Section 2.**     Authority. This Ordinance is adopted pursuant to provisions of Section  
13 17.4 of the Land Development Code and Sections 166.021 and 166.041, Florida Statutes, and  
14 other applicable provisions of law.

15           **Section 3.**     The Village’s Code of Ordinances, Section 17.4(a) is amended as follows:

16           17.4   Imposition of Solid Waste Management Fee Assessment.

17           (A)   The assessed properties are hereby found to be specially benefited by the  
18 provision of the solid waste collection services in the amount of the solid waste management fee  
19 assessment of \$558.00 per residential unit and are determined to be fairly and reasonably  
20 apportioned.

21           (B)   Non-residential use sites shall be provided with solid waste collection services at  
22 a solid waste management fee of \$2,232.00, per building.

23           (C)   For the fiscal year beginning October 1, 2011, the total solid waste management  
24 fee assessment throughout the Village is estimated to be \$733,440.00.

1 (D) The solid waste management fee assessment for solid waste collection services is  
2 hereby approved and shall continue to be the current schedule for solid waste collection,  
3 transportation, separation and disposal service in subsequent years unless and until a new  
4 management fee assessment is established by separate ordinance.

5 (E) The solid waste management fee assessment shall constitute a lien upon the real  
6 property, so assessed equal in rank and dignity with the liens of all state, county, district and  
7 municipal taxes and other non-ad valorem assessment.

8 **Section 4. Effect and Adoption of Ordinance.** The adoption of this Ordinance shall  
9 be the final adjudication of the issues presented unless proper steps shall be initiated in a court of  
10 competent jurisdiction to secure relief within twenty (20) calendar days from the date of this  
11 assessment.

12 **Section 5. Severability.** The provisions of this Ordinance are declared to be  
13 severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be  
14 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining  
15 sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it  
16 being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any  
17 part.

18 **Section 6. Repeal of Conflicting Provisions.** To the extent any provisions of the  
19 Code conflict with this Chapter, those provisions are repealed in its entirety.

20 **Section 7. Effective Date.** This Ordinance shall be effective upon adoption on  
21 second reading.

22

23 FIRST READING: May 25, 2011

24 SECOND READING: \_\_\_\_\_

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

Mayor Ross : \_\_\_\_\_  
Vice Mayor Bernard: \_\_\_\_\_  
Commissioner Anderson: \_\_\_\_\_  
Commissioner Childress : \_\_\_\_\_  
Commission Cooper: \_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

\_\_\_\_\_  
Roxanna Ross, Mayor

\_\_\_\_\_  
Maria C. Camara, Village Clerk

Approved as to form:

\_\_\_\_\_  
Village Attorney



1 WHEREAS, the Village assessment as to the remaining residential units shall remain  
2 unchanged, at \$558.00, per residential unit, as enacted in fiscal year 2010 and add to the two new  
3 fees for the category of: ~~nonresidential use sites~~; and,

**Deleted:** ies  
**Deleted:** multifamily residential and

4 WHEREAS, the total assessment from the solid waste management fee assessment,  
5 including for the ~~non-residential~~ units, throughout the Village is estimated to be \$733,440.00;  
6 now, therefore,

**Deleted:** multi-family

7 **BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF**  
8 **BISCAYNE PARK, FLORIDA, AS FOLLOWS:**

9 **Section 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as  
10 being true and correct and are hereby made a specific part of this Ordinance upon adoption  
11 hereof.

12 **Section 2.** Authority. This Ordinance is adopted pursuant to provisions of Section  
13 17.4 of the Land Development Code and Sections 166.021 and 166.041, Florida Statutes, and  
14 other applicable provisions of law.

15 **Section 3.** The Village’s Code of Ordinances, Section 17.4(a) is amended as follows:

16 17.4 Imposition of Solid Waste Management Fee Assessment.

17 ~~(A)~~ The assessed properties are hereby found to be specially benefited by the  
18 provision of the solid waste collection services in the amount of the solid waste management fee  
19 assessment of \$558.00 per residential unit and are determined to be fairly and reasonably  
20 apportioned.

**Deleted:** (A) Multifamily residential buildings containing four (4) or more contiguous dwelling units are to contract with the Village for solid waste services.  
**Deleted:** B

21 ~~(B)~~ Non-residential use sites shall be provided with solid waste collection services at  
22 a solid waste management fee of ~~\$2,232.00~~, per building.

**Deleted:** Multi-family residential buildings containing four (4) or more contiguous dwelling units shall be provided solid waste collection services with a solid waste management fee assessment of 1,750.00, per building.  
**Deleted:** C  
**Deleted:** 1,750  
**Deleted:** D

23 ~~(C)~~ For the fiscal year beginning October 1, 2011, the total solid waste management  
24 fee assessment throughout the Village is estimated to be \$733,440.00.

Deleted: E

1 | ~~(D)~~ The solid waste management fee assessment for solid waste collection services is  
2 hereby approved and shall continue to be the current schedule for solid waste collection,  
3 transportation, separation and disposal service in subsequent years unless and until a new  
4 management fee assessment is established by separate ordinance.

Deleted: F

5 | ~~(E)~~ The solid waste management fee assessment shall constitute a lien upon the real  
6 property, so assessed equal in rank and dignity with the liens of all state, county, district and  
7 municipal taxes and other non-ad valorem assessment.

8 **Section 4. Effect and Adoption of Ordinance.** The adoption of this Ordinance shall  
9 be the final adjudication of the issues presented unless proper steps shall be initiated in a court of  
10 competent jurisdiction to secure relief within twenty (20) calendar days from the date of this  
11 assessment.

12 **Section 5. Severability.** The provisions of this Ordinance are declared to be  
13 severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be  
14 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining  
15 sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it  
16 being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any  
17 part.

18 **Section 6. Repeal of Conflicting Provisions.** To the extent any provisions of the  
19 Code conflict with this Chapter, those provisions are repealed in its entirety.

20 **Section 7. Effective Date.** This Ordinance shall be effective upon adoption on  
21 second reading.

22

23 FIRST READING: \_\_\_\_\_

24 SECOND READING: \_\_\_\_\_

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

Mayor Ross : \_\_\_\_\_  
Vice Mayor Bernard: \_\_\_\_\_  
Commissioner Anderson: \_\_\_\_\_  
Commissioner Childress : \_\_\_\_\_  
Commission Cooper: \_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

\_\_\_\_\_  
Roxanna Ross, Mayor

\_\_\_\_\_  
Maria C. Camara, Village Clerk

Approved as to form:

\_\_\_\_\_  
Village Attorney



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

June 10, 2011

To: Mayor Roxana Ross  
Vice Mayor Steve Bernard  
Commission Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

From: Ana M. Garcia, Village Manager

**Re: Resolution 2011- 29 – Approval of the Police Benevolent Association (PBA) union contract.**

### **Background Analysis:**

It is with a great deal of pride and conviction that I convey to you my recommendation to approve the PBA union contract for the Village of Biscayne Park police officers. This contract is a result of the contributions and the sacrifices that have been made by Chief Glansberg and Assistant Chief Sanchez, working with this administration and our Village of Biscayne Park Commission, putting an exclamation mark and recognizing a very talented, high performing results and achievement oriented police team.

I want to acknowledge some of the many accomplishments of one of the best police departments in the State of Florida, a department that for the past 20 months as your Manager, I have seen get better and better every day. When I tell you I have seen it, it's because I am receiving stats from FDOT and FDLE. Additionally and most important to me, the outpour of phone calls, letters, and emails received commending individual officers and the department as a whole has been tremendous. My interaction with our department, including riding with them and responding to a call with them, has further reassured me of the commitment, dedication and the value of the Village of Biscayne Park Police Department.

In 2009 our police department had a crime clearance rate of 52.7%, a statistic that was number one in the county. In 2010, the clearance rate was 50%, again number one in Miami Dade County per FDLE. The follow up and follow through on our cases and the communication with our residents was instrumental in this accomplishment. Community policing and detective work at its best.

In 2010 the Village of Biscayne Park Police Department achieved the distinction of being number one in the State in our division in the Click it or Ticket Safety campaign, resulting in the Village receiving over \$30,000 in equipment and supplies further enhancing our operations at a time where reductions had to be made to the budget. This year we have already been informed that again we are in the top three in the State with a final announcement of the results to be received in July. We are confident we will bring home the title again! The Village of Biscayne Park Police Department as a result of our efforts in developing a comprehensive DUI traffic safety program has also placed in the top three in the State of Florida for this endeavor and will be eligible to win a new police vehicle for our Village.

In April of 2010, Police Chief Glansberg working with the Executive Director of Miami Dade Crime Watch, developed **VBPOP**, the Village of Biscayne Park on Patrol, a crime prevention initiative that does not exist anywhere else in our county, where we trained over a dozen employees from Public Works, Parks and

**Manager Recommendation**

**Page 1 of 2**

other Village departments on how to detect, prevent and report a suspicious person and/or situation. This creative initiative resulted in one of our civilian employees noticing and reporting a suspicious vehicle and individual in our Village. The arrest was made and our police personnel reported that not only did this individual have a warrant for their arrest in Broward County, but also that items found in that vehicle led them to believe that this criminal was going to strike in our Village.

In addition to what has been mentioned, our Police Department continues to go above and beyond the call of duty, ensuring all Village special events are safe and that every resident gets the professional and personal attention they deserve.

**Fiscal/Budgetary Impact:**

On June the 20<sup>th</sup> you will be presented with much more in regards to Data and Cost analysis, as we will have an executive session at 630pm prior to our Commission meeting.

**Manager Recommendation:**

Today, as you read this memo, I ask you to weigh what I have communicated to you and give us your support on what we believe is a fair and very well earned contract. Thank you.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

\_\_\_\_\_  
Roxanna Ross, Mayor

Mayor Ross: \_\_\_\_\_  
Vice Mayor Bernard: \_\_\_\_\_  
Commissioner Anderson: \_\_\_\_\_  
Commission Childress: \_\_\_\_\_  
Commissioner Cooper: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Maria C. Camara, Village Clerk

Approved as to form:

\_\_\_\_\_  
John J. Hearn, Village Attorney



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

## Mayor and Commission

Roxanna Ross  
Mayor

Steve Bernard  
Vice Mayor

Robert "Bob" Anderson  
Commissioner

Albert Childress  
Commissioner

Bryan Cooper  
Commissioner

Ana Garcia  
Village Manager

John J. Hearn  
Village Attorney

Maria Camara  
Village Clerk

June 10, 2011

To: Mayor Roxana Ross  
Vice Mayor Steve Bernard  
Commission Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

From: Ana M. Garcia, Village Manager

**Re: Resolution 2011-30 – Establishing A Gift Policy for the Village of Biscayne Park**

### **Background Analysis:**

In these past 19 months since I have been your Manager, we have sought and received donations from various sources:

- Just under \$5,000 for a new entry sign at the Ed Burke Recreation enter and volleyball area improvements.
- \$1,200 from the North Shore Medical Foundation for the entire Commission to attend the annual Miami Dade County League of Cities Installation Gala.
- Monetary donations from the Miami Shores Rotary Club and Knights of Columbus for special events.
- Monetary donations from residents for landscape improvements on 113<sup>th</sup> Street.
- Conference table donation for the new Public Works Facility, and another for Village Hall.
- Donations from residents for much needed equipment and supplies at the Public Works Facility including art, microwave ovens, coffee makers, and patio furniture.
- A donation was secured from Busy Bee Car Wash for a free weekly car wash for all police vehicles, a value of \$2,000 annually.
- \$15,000 from Florida Power & Light for future use, or in the event of an emergency situation.
- Monetary donations from our business partners for the landscaping enhancements on Sixth Avenue.

### **Fiscal/Budgetary Impact:**

The continued flow of donations or in kind service to the Village that offsets or minimizes expenses.

### **Manager Recommendation:**

With a gift / donation policy in place, it insures that during these challenging economic times, the Village will continue to have a Manager and staff that will seek donations and partnerships for services. Manager recommends approval.

**Manager Recommendation**

**Page 1 of 1**

1  
2  
3 **RESOLUTION NO. 2011-30**  
4

5 **A RESOLUTION OF THE VILLAGE COMMISSION**  
6 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA;**  
7 **ESTABLISHING A GIFT POLICY FOR THE**  
8 **VILLAGE; PROVIDING THE MANAGER THE**  
9 **DIRECTION TO ACCEPT MONETARY GIFTS TO**  
10 **THE VILLAGE UP TO \$5,000; ALL OTHER**  
11 **MONETARY GIFT ABOVE \$5,000 SHALL BE**  
12 **BROUGHT TO THE VILLAGE COMMISSION FOR**  
13 **DISCUSSION AND/OR AUTHORIZATION TO**  
14 **ACCEPT THE PROPOSED GIFT; AUTHORIZING**  
15 **THE VILLAGE MANAGER TO DECIDE WHAT**  
16 **PUBLIC PURPOSE THE MONETARY DONATIONS**  
17 **OF \$5,000 OR LESS SHOULD BE USED FOR;**  
18 **AUTHORIZING THE MANGER TO ACCEPT “IN**  
19 **KIND” DONATIONS; HOWEVER, ANY DONATIONS**  
20 **OF ART SHALL REQUIRE AUTHORIZATION BY**  
21 **THE VILLAGE COMMISSION; AND PROVIDING**  
22 **FOR AN EFFECTIVE DATE.**  
23

24 WHEREAS, the Village of Biscayne Park does not have a written policy relating to  
25 gifts and/or donations; and,  
26

27 WHEREAS, the Village desires to promote consistency and transparency; and,  
28

29 WHEREAS, the Village Commission desire to create a “Gift” or “Donation” policy and  
30 provide direction to the Village Manager regarding same; and,  
31

32 WHEREAS, the Village Manager is the chief administrative officer of the Village and  
33 is authorized to execute, without Village Commission action, contracts not exceeding  
34 \$5,000.00.; and,  
35

36 WHEREAS, the Village Manger, as the Chief administrative officer of the Village is  
37 responsible for the day-to-day operations of the Village, and the Village Commission does not  
38 desire to interfere with the Village’s daily operations; and,  
39

40 WHEREAS, the Village Manager has previously informed the Commission of various  
41 small “gifts” or “donations” made to the Village; and,  
42

43 WHEREAS, to ensure consistency and ensure that the Village administration is  
44 provided clear direction, the Village Commission desires to create a gift or donation policy.  
45

46 **NOW THEREFORE IT IS HEREBY RESOLVED BY THE MAYOR AND VILLAGE**  
47 **COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:**  
48  
49



VILLAGE OF BISCAAYNE PARK  
GIFT AND/OR DONATION POLICY

1  
2  
3  
4       The Village of Biscayne Park, a municipal corporation, receives tax exempt status as a  
5 governmental entity, and any gift made to the Village may be considered a “tax event” gift  
6 under the Internal Revenue Code. As such, the donor of any gift or donation to the Village is to  
7 receive a “gift receipt.” The Village administration is to maintain an annual, fiscal year, log of  
8 all donations or gifts made to the Village. The donations or gifts are to be made to the Village  
9 of Biscayne Park, deposited in the general revenue fund, and to be administered by the Village  
10 Manager. The Village Manager is to decide how to best use the donated funds/goods/ or “in  
11 kind” goods or services – for all donations under \$5,000.00. Any donations to be presented to  
12 the Village exceeding \$5,000.00, shall be first presented to the Village Commission, for  
13 authorization to accept the donation, gift, or “in-kind” goods or services.  
14

15       The donations or gifts may not be provided to ensure a the passage of any law,  
16 resolution, or contract. The donations or gifts are to be used for a proper public purpose. The  
17 term "gift" shall refer to the transfer of anything of economic value, whether in the form of  
18 money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form,  
19 without adequate and lawful consideration. Food and beverages consumed at a single sitting or  
20 meal shall be considered a single gift, and the value of food and beverage provided at that  
21 sitting or meal shall be considered the value of the gift.  
22

**PLANNING & ZONING**

Meets the 1st and 3rd Monday at 6:30PM

	<b>Member</b>	<b>Appointed By</b>	<b>Comment</b>
1	Gage Hartung	Childress	
2	Barbara Watts	Cooper	
3	Andrew Olis	Bernard	
4	Doug Tannehill	Ross	
5	Elizabeth Hornbuckle	Anderson	
6	Mario Rumiano		< Alternate >
7	Carl Bickel		< Alternate >
	<i>Fred Jonas</i>	<i>Ross</i>	<i>Resigned.</i>

**Code Enforcement**

Meets the 3rd Tuesday at 7:00PM

1	Harvey Bilt	Anderson	
2	Dale Blanton	Bernard	
3	David Coviello	Childress	
4	Carmen DiBernardi	Ross	
5	<b>Dario Salazar</b>	<b>Cooper</b>	<i>Notified March 1, 2011. Due 5/20/11</i>
6	Kelli Romano	Anderson	< Alternate >
7	Milt Hunter	Anderson	< Alternate >
	Victor Cannon	Cooper	<i>Resigned.</i>
	Ray Irizzary	Ross	<i>Resigned.</i>

**Code Review**

Meets the 2nd & 4th Tuesday at 7:00PM

1	Gage Hartung	Auto from P&Z	
2	Andrew Olis	Auto from P&Z	
3	Gary Kuhl	Anderson	
4	Dale Blanton	Auto from Code Enf	
5	David Coviello	Auto from Code Enf	
6	Carmen DiBernardi	Auto from Code Enf	
7	Kelli Romano	Auto from Code Enf	
8	Judi Hamelburg	Bernard	
	<i>Ray Irizzary</i>	<i>Auto from Code Enf</i>	<i>Resigned</i>
	<i>Fred Jonas</i>	<i>Auto from P&amp;Z</i>	<i>Resigned</i>
	<i>Harvey Bilt</i>	<i>Auto from Code Enf</i>	<i>Resigned, but remains on Code Enf.</i>
	<i>Milt Hunter</i>	<i>Auto from Code Enf</i>	<i>Resigned, but remains on Code Enf.</i>
	<i>Victor Cannon</i>	<i>Auto from Code Enf</i>	<i>Resigned</i>

**Recreation Advisory Board**

Meets the 2nd Wednesday at 6:30PM

1	James Murphy	Bernard	
2	John Holland	Cooper	
3	Caitlin H. Spurr	Ross	
4	Rachel O'Conner	Childress	

5	Grisette Marcos	Anderson	
	<i>Helga Silva</i>	<i>Ross</i>	<i>Resigned</i>
	<i>Ron Gwynn</i>	<i>Anderson</i>	<i>Resigned</i>
	<i>Vicki Mallette O'Brien</i>	<i>Childress</i>	<i>Resigned.</i>

**Parks & Parkway Advisory Board**

Meets the 3rd Wednesday at 6:00PM

1	Dan Keys	Anderson	
2	Barbara Kuhl	Childress	
3	Randy Wagoner	Ross	
4	John Zoeller	Bernard	
5	Daniel Samaria	Cooper	
6	Lynn Fisher		< Alternate >
7	Mary Ann Jones		< Alternate >
	<i>David Tunnel</i>	<i>Cooper</i>	<i>Resigned.</i>
	<i>Anne Marie Jonckheer</i>	<i>Bernard</i>	<i>Resigned.</i>
	<i>Barbara Kiers</i>	<i>Cooper</i>	<i>Resigned.</i>
	<i>Jane Ansley</i>		<i>Resigned. (Alternate)</i>

**Ecology Board**

Meets the 3rd Thursday at 6:30PM

1	Karen Cohen	Anderson	
2	Matt Davis	Bernard	
3	Art Pyle	Childress	
4	Tom Pliske	Cooper	
5	Tracy Truppman	Ross	
6	Linda Carrington		< Alternate >
	<i>Victor Romano</i>	<i>Anderson</i>	
	<i>Linda Domin</i>		<i>Will participate on special projects only.</i>



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161

Tel: 305 899 8000  
Fax: 305 891 7241

Date: March 27, 2011 (Per email of that date)

To: Attorney's Office; Village Manager; Clerk

From: L. Bryan Cooper

**Re: Protection of staff; Village liability and a Resolution/Order**

## **Background Analysis:**

Given recent allegations against the Villager Manager's Office, see below Order. (Background analysis of vendors providing services per the Resolution/Order below can be analyzed by Village staff in the same professional manner with which they approach Village insurance.

## **Fiscal/Budgetary Impact:**

To be determined by Village Staff per Order below.

## **Recommendation:**

**A Order of the Village Commission of the Village of Biscayne Park, Florida directing the Village Attorney to receive from the Clerk a report on three to five "Ethics Hot-line" related companies providing services to government; with back-ground information, analysis, cost and resulting documentation forwarded in advance to the full Commission, along with Village Attorney recommendation, one week prior to next full Commission meeting."**

**village clerk**

---

**Subject:** FW: Agenda Item Request Form.doc

---

**From:** Bryan Cooper [mailto:bryancooper7@yahoo.com]  
**Sent:** Sunday, January 23, 2011 9:29 PM  
**To:** villageclerk@biscayneparkfl.gov; bcooper@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov; John Hearn; attyhearn@aol.com  
**Subject:** Re: Agenda Item Request Form.doc

#2

Date: (Please refer to the email sent when this was first placed on the agenda in Dec. of 2010).

To: Clerk; Manager, for inclusion on agenda

From: Bryan Cooper

**Re:** Future condensed short bullet list of agenda items to be sent on day 7, prior to Commission meeting, by Clerk to Commission.

**Background Analysis:** In the past year, there have been times that the agenda with backup was not presented to Commissioners for review until shortly before the date of the Commission meeting. It would be helpful if the Clerk, upon closing the deadline for submission of new agenda items from Commissioners, compiled a simple bullet list of clear, understandable titles of all new agenda items and forward them by email to Commissioners.

**Fiscal/Budgetary Impact:** None; a few minutes of the Clerks time to send a brief summary. This will foster a higher degree of transparency and hopefully collegiality, by allowing all Commissioners to see a week in advance the other items set to be brought forth by their colleagues.

**Recommendation:** Ask Manager to direct the Clerk to provide this list to the Commission following the deadline for submission of new agenda items.

---

**From:** village clerk <villageclerk@biscayneparkfl.gov>  
**To:** bcooper@biscayneparkfl.gov  
**Cc:** agarcia@biscayneparkfl.gov  
**Sent:** Thu, January 20, 2011 6:34:56 PM  
**Subject:** Agenda Item Request Form.doc

**village clerk**

---

**From:** Bryan Cooper [bryancooper7@yahoo.com]  
**Sent:** Friday, January 28, 2011 9:24 PM  
**To:** villagemanager@biscayneparkfl.gov  
**Cc:** Village clerk; Archives  
**Subject:** Re: badges; agenda item for March meeting

Ms. Garcia:

Per you question below....I do not have (and would never accept) a badge.

Please place the below on the agenda for the March meeting. I have no backup documentation; nor is there a cost analysis.

Date: January 28, 2011

To: Clerk; Manager

From: Bryan Cooper

**Re: Police-style badges given to Commissioners**

**Background Analysis: None.**

**Fiscal/Budgetary Impact: None.**

**Recommendation: None at this time; To be discussed before the full Commission.**

Bryan Cooper

---

**From:** Ana M. Garcia <villagemanager@biscayneparkfl.gov>  
**To:** Rox Ross <rox@roxross.com>; Steve Bernard <steve@stevebernardarchitect.com>; Commissioner Bob Anderson <banderson@biscayneparkfl.gov>; Al Childress <albertchildress@yahoo.com>; Bryan Cooper <bryancooper7@yahoo.com>  
**Cc:** Village clerk <villageclerk@biscayneparkfl.gov>; Archives <vobparchives@biscayneparkfl.gov>  
**Sent:** Fri, January 28, 2011 5:06:12 PM  
**Subject:** badges

Good afternoon all, Tom from the herald called me as he is doing a story on North Miami and badges for officials. How many of you have badges? This varies from City to City. If you have already answered this please disregard. Thank you.

Ana M. Garcia, CPRP  
Village Manager  
640 NE 114th Street  
Biscayne Park, FL 33161  
Ph. 305.899.8000 ext. 229  
Fax. 305.891.7241  
[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)



Date: 04/25/2011

To: Vice Mayor Steve Bernard  
Commissioner Bob Anderson  
Commissioner Al Childress  
Commissioner Bryan Cooper

cc: Manager Ana Garcia  
Attorney John Hearn  
Clerk Maria Camara

From: Mayor Roxanna Ross

Re: Follow-up on Kimley Horn Traffic Studies  
[This item of business first appeared on the 03/01/2011 Agenda. It was not reached during the regular Commission meeting in March. Therefore, the matter is refreshed for discussion here.]

---

**REQUEST:**

**CONSENSUS AND DIRECTION CONCERNING KIMLEY-HORN AND ASSOCIATES, INC.'S TRAFFIC STUDY DATED JANUARY 2007, AND TRAFFIC STUDY UPDATE DATED JULY 2008 (THE "KH TRAFFIC STUDIES")**

**BACKGROUND AND ANALYSIS:**

- ne KH Traffic Studies provided supporting data and proposed traffic plan for the Village of Biscayne Park, which included:
1. Converting NE 9 Court to one-way southbound (implemented);
  2. Median extension on NE 121 Street at 5 Avenue to restrict turning movement;
  3. Channelizing eastbound right-turn only movement at NE 121 Street and 6 Avenue (implemented and reinforced with the planting of trees to avoid median cross-over traffic);
  4. Re-routing southbound Griffing Blvd. to NE 115 Street (implemented with unfavorable results and reversed);
  5. Installing traffic circles along NE 7 Ave and 9 Avenue;
  6. Installing landscaped entry features on local streets throughout the Village;
  7. Where feasible, install lane width reduction striping that designates space for pedestrians and bicyclists (discussed by community at large, committee and commission);
  8. Implementing 25 MPH speed limit on local streets within the Village (implemented); and
  9. Generally recommending CPTED guidelines, including landscaping and lighting considerations.

Two of the above-described nine measures were implemented with immediate favorable results: #1 and 8. Item #3 was implemented and further enhanced last fall by planting trees along the median to discourage u-turns by vehicles seeking to avoid the right-turn channelization. Item #4 was implemented, determined unfavorable and the measure was reversed. Plans to implement Item #7 were discussed at length without reaching consensus.

Last month the Commission voted unanimously in support of a resolution to work with the residents in the vicinity of NE 5 Ave and 121 Street to implement recommendation #2 – extension of that median.

I urge the Commission to continue in this support of Recommendation #2, and to focus on the items that have not yet been addressed --- Recommendations #5, 6 and 9 proposed by KH Traffic Studies, as well as any further recommendation that may be developed through the process. Let's continue to move forward on the items that we can agree upon, and direct the Manager, at her discretion, to work with Kimley Horn, contract landscapers, resident boards and volunteers to implement these commendations:

Recommendation #6, landscaped entry features have been discussed and plans may already be available from our Park & Parkways Board, whose members are always ready to assist in enhancing our greenspaces. Starting with the

## **Village of Biscayne Park – 05-2011 Agenda**

landscaping at our NE 6 Avenue entrance, which was the focus of the recent MLK Day of Service event, and continuing with every entrance point to the Village: 107 Street and the FEC railway at our southern end, 10 Avenue, 8 Avenue, Griffing Boulevard along the Village northern entryways. The replacement of weathered signs for these points, as well as at NE 12 Avenue, 9 Avenue and 7 Avenue; procurement may be through the County, as was our recently installed sign at the Ed Burke Recreation Center.

Recommendation #9 further explore specific improvements, including landscaping and lighting employing CPTED principles, further reducing cut-through traffic and continuing to make our streets safe for pedestrians.

Recommendation #5 installing traffic circles at the suggested locations, or such other sites as the community deems appropriate.

### **FISCAL/BUDGETARY IMPACT:**

The current budget allows for minimal spending on any improvements. However, through fundraising, private contributions and forestry match-grant monies, these improvements can become a reality for our Village. Studies show that one of the top ways to improve the market value of your home, with high return on investment is LANDSCAPING. I believe that these enhancements will further reinforce our sense of place and continue to distinguish the Village of Biscayne Park as a bird sanctuary and Tree City USA community.

### **RECOMMENDATION:**

I urge the Commission to work together in the areas where we are all in agreement, enhancing greenspaces and finding the funds to accomplish these goals.



Date: **5/27/11**

To: **Clerk Maria Camara**

From: **Commissioner Steve Bernard**

Re: **June Agenda Item – Policies & Procedures for Donations**

---

**REQUEST:**

**A DISCUSSION OF: Policies & Procedures for Donations**

**BACKGROUND AND ANALYSIS:**

**Several Donations for specific purposes have been offered to the Village in the last several years, but there has been a lack of consistency over the procedures of how to accept. The Village should have a written policy so that Residents who have a desire to assist the Village with donations of money and projects that the Village wouldn't ordinarily purchase through normal processes can be assured that their efforts and donations will be utilized to the fullest extent.**

**Attached is a breakdown of costs for two recent Village projects which were recently accepted, showing data including donations from residents, Staff, "business partners", and the Village Foundation to highlight how these funds were accepted and utilized.**

**FISCAL/BUDGETARY IMPACT:**

**Costs – Minimal, the creation and approval by Commission of a written Policy  
Potential Revenues – Possible added Revenues due to consistent Policies and Resident participation**

**RECOMMENDATION:**

**Direct Village Manager to create written Policies & Procedures for Commission Approval regarding Donations to the Village**

**From:** Ana M. Garcia ([villagemanager@biscayneparkfl.gov](mailto:villagemanager@biscayneparkfl.gov))  
**To:** [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov);  
**Date:** Thu, May 12, 2011 4:41:38 PM  
**Cc:** [agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov);  
**Subject:** RE: update

Vice Mayor and Full Commission:

The total project cost for the Sixth Avenue Landscaping was \$5,965.00.

Contributions and donations are as follows:

\$3,438.79 – Civic Club  
\$500.00 – Balance from MLK 113<sup>th</sup> Street Project  
\$989.00 – Resident, staff and business partner donations  
\$450.00 – Credit for oak from Aquatic Landscaping  
**Total: \$5,377.79**

Actual cost to the Village is \$587.21 to come from Landscaping line item.

The total project cost for the Ed Burke Park front entrance was \$1,375.00

Contributions and donations are as follows:

\$126.00 – Resident donations  
\$1,249.00 – Biscayne Park Foundation contribution (originally from the Parks & Parkway sale of oaks and owl house project)  
**Total: \$ 1,375.00**

Actual cost to the Village is \$0.00.

We worked with Parks & Parkway who unanimously approved the design. Parks & Parkway also presented the design to the Civic Club who also approved the project.

Thank you and have a great evening.

Ana M. Garcia, CPRP  
Village Manager  
640 NE 114th Street  
Biscayne Park, FL 33161  
Ph. 305.899.8000 ext. 229  
Fax. 305.891.7241  
[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)

---

**From:** Steve Bernard [<mailto:steve@stevebernardarchitect.com>]  
**Sent:** Thursday, May 12, 2011 8:20 AM  
**To:** [villagemanager@biscayneparkfl.gov](mailto:villagemanager@biscayneparkfl.gov)  
**Cc:** [vobparchives@biscayneparkfl.gov](mailto:vobparchives@biscayneparkfl.gov)  
**Subject:** Re: update

Ana,

I didn't get a chance to see the scope of either project, but a couple of residents have asked me what the cost of them are... do you have those numbers available?

Thanks,

Steve

---

**From:** Ana M. Garcia <[villagemanager@biscayneparkfl.gov](mailto:villagemanager@biscayneparkfl.gov)>  
**To:** [rox@roxross.com](mailto:rox@roxross.com); Commissioner Bernard <[sbernard@biscayneparkfl.gov](mailto:sbernard@biscayneparkfl.gov)>; Steve <[Steve@stevebernardarchitect.com](mailto:Steve@stevebernardarchitect.com)>; [banderson@biscayneparkfl.gov](mailto:banderson@biscayneparkfl.gov); Al Childress <[albertchildress@yahoo.com](mailto:albertchildress@yahoo.com)>; Bryan Cooper <[bryancooper7@yahoo.com](mailto:bryancooper7@yahoo.com)>  
**Cc:** [villageclerk@biscayneparkfl.gov](mailto:villageclerk@biscayneparkfl.gov)  
**Sent:** Wed, May 11, 2011 5:27:44 PM  
**Subject:** update

Good evening all,

An update on both landscaping projects, Aquatica is getting ready to pick up for the day, more plantings to come tomorrow both at 6<sup>th</sup> avenue and the park including the larger material, Sabal Palmetto Palms.

It was great to me on site and have our residents go by and honk their horns and give us a thumbs up! Have a great evening, Ana.

Ana M. Garcia, CPRP  
Village Manager  
640 NE 114th Street  
Biscayne Park, FL 33161  
Ph. 305.899.8000 ext. 229  
Fax. 305.891.7241  
[agarcia@biscayneparkfl.gov](mailto:agarcia@biscayneparkfl.gov)

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 9.0.894 / Virus Database: 271.1.1/3630 - Release Date: 05/11/11 02:34:00



Date: **5/27/11**

To: **Clerk Maria Camara**

From: **Commissioner Steve Bernard**

Re: **June Agenda Item – Disposition of existing Oak Tree at Rec Center**

---

**REQUEST:**

**A DISCUSSION OF: Disposition of existing Oak Tree at Rec Center**

**BACKGROUND AND ANALYSIS:**

**In July 2010, several trees were planted at the Rec Center playground, one of which has already been removed by the Contractor because it was not thriving.**

**There is another tree that is also not thriving (photos on page 2 of this memo), and before the 1 year warranty is reached, the Village should have a plan as to the removal, replacement or credit of this tree.**

**In addition, all of the trees planted last July should be reviewed prior to the end of warranty period to be assured that they are acceptable to remain.**

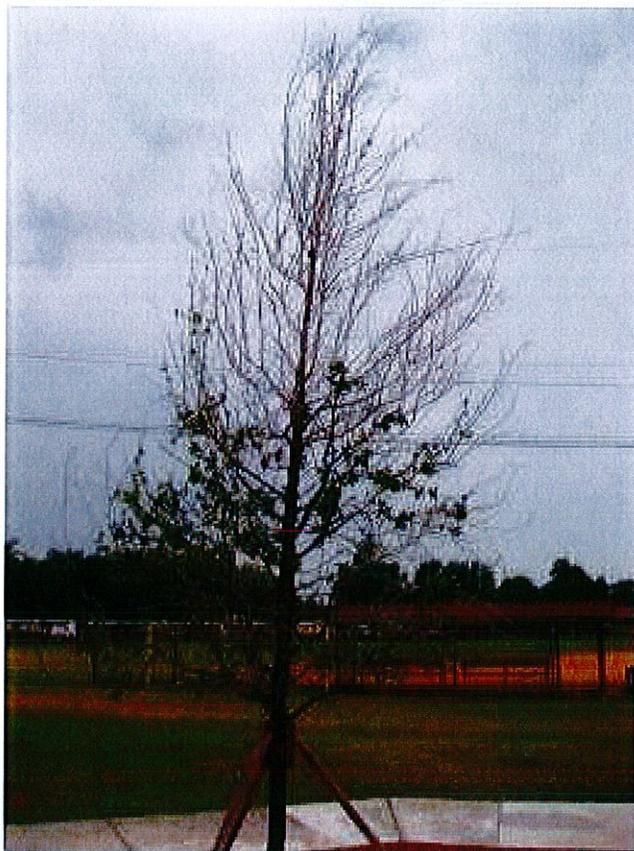
**FISCAL/BUDGETARY IMPACT:**

**Costs – None**

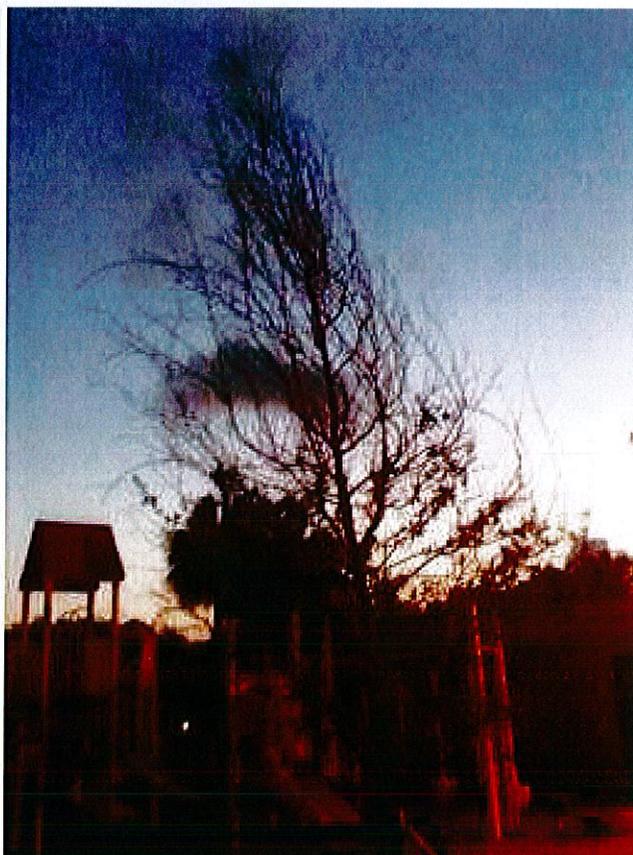
**RECOMMENDATION:**

**Direct Village Manager to investigate conditions and options for all trees planted last July prior to end of Warranty period.**

**Village of Biscayne Park - Agenda**



**Photo taken in April 2011**



**Photo taken in May 2011**