



The Village of Biscayne Park

600 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, March 19, 2019 7:00pm

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.



Indicates back up documents are provided.

1 Call to Order

2 Roll Call

Mayor Truppmann

Vice-Mayor Johnson-Sardella

Commissioner Samaria

Commissioner Tudor

Commissioner Wise

3 Pledge of Allegiance

4 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.

5 Presentations

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.

7 Information / Updates

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 Acceptance of Commission Minutes

- 
- Regular Commission Meeting February 05, 2019
 - Special Commission Meeting February 12, 2019
 - Workshop Code February 12, 2019
 - Workshop Swale February 26, 2019

8.b Acceptance of Board Minutes

- 
- Biscayne Park Foundation January 14, 2019
 - Parks & Parkway Advisory Board January 17, 2019
 - Parks & Parkway Advisory Board February 21, 2019
 - Planning & Zoning Advisory Board December 3, 2018
 - Planning & Zoning Advisory Board December 17, 2018
 - Planning & Zoning Advisory Board January 7, 2019
 - Public Art Advisory Board February 13, 2019

9 Ordinances

None

10 Resolutions

10.a Resolution 2019-02 - Vehicles Surplus Sale

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA DECLARING VILLAGE VEHICLE AS SURPLUS PROPERTY AND GRANTING THE VILLAGE MANAGER AUTHORIZATION TO SELL SAID SURPLUS THROUGH BIDERA AUCTIONS; PROVIDING FOR AN EFFECTIVE DATE

10.b Resolution 2019-03 - Parks & Parkway Advisory Board Member Selections

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION AND APPOINTMENT OF BOARD MEMBERS TO THE PARKS & PARKWAY ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE

10.c Resolution 2019-04 - Public Art Advisory Board Member Selections

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION AND APPOINTMENT OF BOARD MEMBERS TO THE PUBLIC ART ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE

10.d Resolution 2019-05 - Public Safety Advisory Board Member Selections

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION AND APPOINTMENT OF BOARD MEMBERS TO THE PUBLIC SAFETY ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE

10.e Resolution 2019-06 - Vehicles Donation

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; ACCEPTING THE DONATION OF VEHICLES FROM THE CITY OF GOLDEN BEACH POLICE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT TITLE TO THE VEHICLES TO BE USED WITHIN THE VILLAGE'S POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Discussion of Village Attorney



12 New Business

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



12.a Variance PV18-0003 - 11390 NE 8th Ave. - Legalization of shed & pergola in the back yard.



**12.b Discussion on Commissioners cell phones
by Commissioner Dan Samaria**



12.c Pelican Harbor - fee waiver for Quarterly Mixer - by Mayor Truppman



12.d Code Workshop - Next steps - by Mayor Truppman

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 Village Attorney

14.b Village Manager

14.c Board / Committee Reports

14.d Commissioners Comments:

- Mayor Truppman
- Vice Mayor Johnson-Sardella
- Commissioner Samaria
- Commissioner Tudor
- Commissioner Wise

15 Announcements

Thursday, March 21, 2019 7:00pm Parks & Parkway Advisory Board

Wednesday, March 27, 2019 7:00pm Public Safety Advisory Board

Thursday, March 28, 2019 7:00pm Code Compliance Board

Monday, April 1, 2019 6:30pm Planning & Zoning Advisory Board

Our next Regular Commission Meeting will be held on Tuesday, April 2, 2019 at 7:00pm

Commission Workshop - Communication, Tuesday, March 26, 2019 at 7:00pm

Saint Patrick's Day Celebration at Recreation Center, Saturday, March 30, 2019 7:00pm

16 Adjournment



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 8.a

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Roseann Prado, Village Clerk

DATE: March 19, 2019

TITLE: Acceptance of Commission Minutes

Background

The minutes as listed below are being provided for the Commissioner's review and acceptance.

Recommendation

Acceptance at Consent Agenda.

Attachment

- Regular Commission Meeting February 05, 2019
- Special Commission Meeting February 12, 2019
- Workshop Code February 12, 2019
- Workshop Swale February 26, 2019

Prepared by: Roseann Prado, Village Clerk



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

Minutes

Regular Commission Meeting

Log Cabin - 640 NE 114th Street

Biscayne Park, FL 33161

Tuesday, February 05, 2019 at 7:00pm

1 Call to Order

Mayor Tracy Truppmann called the meeting to order at 7:00pm.

2 Roll Call

Mayor Tracy Truppmann - present
Vice Mayor Johnson-Sardella - present
Commissioner Samaria - present
Commissioner Tudor - absent
Commissioner Wise - present

Presents from staff were:

Village Manager Krishan Manners
Village Attorney John R. Herin Jr.
Village Clerk Roseann Prado
Chief of Police Luis Cabrera
Commander Nick Wollschlager
Public Works Manager David Hernandez

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

Addition - Proclamation - Black History
Deletion - Purchase Police Radios

5 Presentation

- Proclamation - Black History Month
- Police Report
- Finance Report

6 Public Comments Related to Agenda Items / Good & Welfare

The following persons spoke on the record:

Linda Dillon
Janey Anderson
Barbara Kuhl
Chuck Ross
Dan Keys
David Raymond
Fred Jonas

Maud Boisacq
Rox Ross
Ernesto Riva
MacDonald Kennedy

7 Information / Updates

8 Consent Agenda

8.a Acceptance of Commission Minutes

- Revised Minutes - Regular Commission Meeting December 04, 2018
- Regular Commission Meeting January 08, 2019
- Workshop Driveway Ordinance January 24, 2019

8.b Acceptance of Board Minutes

- Parks & Parkway Advisory Board November 15, 2018
- Parks & Parkway Advisory Board November 26, 2018
- Parks & Parkway Advisory Board December 6, 2018
- Planning & Zoning Board October 15, 2018
- Planning & Zoning Board November 5, 2018
- Planning & Zoning Board November 19, 2018
- Public Safety Advisory Board October 24, 2018
- Public Safety Advisory Board November 29, 2018

Commissioner Samaria requested to remove and review Minutes of Regular Commission Meeting from December 04, 2018.

Vice-Mayor Johnson-Sardella motioned to approve the balance of the Consent Agenda. Commissioner Wise seconded. **Motion passed 4 - 0.**

Due to summary minutes, there were no changes to Minutes of Regular Commission Meeting of December 04, 2018. Commissioner Betsy Wise moved to approve Revised Minutes of Regular Commission Meeting of December 04, 2018. Vice-Mayor Johnson-Sardella seconded. **Motion passed 3 - 1.** Commissioner Samaria opposed.

9 Ordinances

None

10 Resolutions

Resolution 2019-01 - Amendment to GMS Agreement

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; APPROVING THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND GOVERNMENT MANAGEMENT SERVICES – SOUTH FLORIDA, LLC TO PROVIDE LOCAL GOVERNMENT FINANCIAL SERVICES TO THE VILLAGE OF BISCAYNE PARK; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria moved to approve Resolution 2019-01. Vice-Mayor Johnson-Sardella seconded. **Motion passed 4 - 0.**

11 Old Business

11.a Mayor Truppman - Update: Legislative Priorities & CITT Transit Funds

12 New Business



12.a Commissioner Wise - Discussion of CITT allocations



12.b Commissioner Wise - Report Out on FLC IEMO Learnings



12.c Public Safety Advisory Board Recommendations

Commissioner Dan Samaria motioned to accept the recommendations made by the Public Safety Advisory Board with the public inputs further on the implementation. Commissioner Wise seconded. **Motion passed 4 - 0.**



12.d Purchase - Code Department new vehicle

Commissioner Wise motioned to approve the purchase of a 2019 Toyota RAV4 on the amount of \$ 24,900 and \$ 476 a month with the Enterprise as budgeted to the Code Department. Vice-Mayor Johnson-Sardella seconded. **Motion passed 4 - 0.**



12.e Purchase - Police Radios

Item was back on the dais by request of the Village Manager and Police Commander Nicholas Wollschlager. Vice-Mayor Johnson-Sardella motioned to accept the Manager recommendation to wave the competitive bidding procedure pursuant Section 2-139 of the Village Code as sufficient cause is established. Commissioner Wise seconded. **Motion passed 4 - 0.**



12.f Commissioner Samaria - Driveway Ordinance

Commissioner Samaria motioned to have a workshop with the presentation of the results of 2014 Code Review Board by Mr. Gary Kuhl and Mr. Gage Hartung. Village Manager will coordinate to schedule a date. Commissioner Wise seconded. **Motion passed 4 - 0.**



12.g Commissioner Samaria - Decorum discussion

Commissioner Wise motioned to ratify the decorum as written currently on the agenda. Vice-Mayor Johnson-Sardella seconded. **Motion passed 3 - 1.** Commissioner Samaria opposed.



12.h Mayor Truppman - Clean Energy Coastal Corridor

Commissioner Wise made a motion to indicate Mayor Truppman and the Village Manager to represent the Village of Biscayne Park with the Board of Clean Energy Coastal Corridor. Vice-Mayor Johnson-Sardella seconded. **Motion passed 4 - 0.**

13 Request for placement of items on next meeting agenda

None

14 Reports

14.a Village Attorney

14.b Village Manager

14.c Board / Committee Reports

14.d Mayor Truppman
Vice-Mayor Johnson-Sardella
Commissioner Dan Samaria
Commissioner Tudor
Commissioner Wise

15 Announcements

Monday, February 11, 2019 7:00pm Code Compliance Board
Monday, February 11, 2019 7:00pm Biscayne Park Foundation
Wednesday, February 13, 2019 6:00pm Public Art Advisory Board
Tuesday, February 19, 2019 6:30pm Planning & Zoning Advisory Board
Thursday, February 21, 2019 7:00pm Parks & Parkway Advisory Board
Wednesday, February 27, 2019 7:00pm Public Safety Advisory Board
Monday, March 4, 2019 6:30pm Planning & Zoning Advisory Board

**Our next Regular Commission Meeting will be held on Tuesday, March 5, 2019 at 7:00pm
3rd Annual Art Show - February 9, 2019 from 2 - 6pm at Log Cabin
All Village Departments will be closed Monday, February 18, 2018 due to President's Day**

16 Adjournment

Vice-Mayor Jenny Johnson-Sardella motioned to adjourn and Commissioner Betsy Wise seconded. Meeting adjourned at 10:15pm.

Commission approved on March 05, 2019.

Attest:

Tracy Truppman, Mayor

Roseann Prado, Village Clerk



MINUTES
SPECIAL COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, February 12, 2019 6:30pm

1 Call to Order

Mayor Truppman called the meeting to order at 6:30pm

2 Roll Call

Mayor Truppman - present
Vice Mayor Johnson-Sardella - present
Commissioner Samaria - present
Commissioner Tudor - present
Commissioner Wise - present

Present from staff were:

Village Manager Krishan Manners
Chief of Police Luis Cabrera
Police Commander Nicholas Wollschlager
Acting Clerk Christina Caserta

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

Public Comments

The following persons spoke on the record:

Rox Ross
Barbara Kuhl
Chuck Ross
MacDonald Kennedy
Fred Jonas

5 Additions, Deletions or Withdrawals to the Agenda

6 New Business

6.a Decision on Village Attorney

Village Manager was directed to reach Gray Robinson and make sure the Village has an attorney.

7 Adjournment

Vice-Mayor Johnson-Sardella motioned to adjourn. Commissioner Tudor seconded.
Meeting adjourned at 7:13pm.

Commission approved on Regular Commission Meeting of March 05, 2019.

Attest:

Tracy Truppman, Mayor

Roseann Prado, Village Clerk



MINUTES
Workshop Code
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Thursday, February 12, 2019

1 Call to Order

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

2 Roll Call

Mayor Tracy Truppman - present
Vice Mayor Jenny Johnson-Sardella - absent
Commissioner Dan Samaria - present
Commissioner William Tudor - present
Commissioner Betsy Wise - present

Present from staff were:

Village Manager Krishan Manners
Acting Clerk Christina Caserta
Chief of Police Luis Cabrera
Public Works Manager David Hernandez
Recording: Public Works Supervisor Cesar Hernandez

3 Pledge of Allegiance

4 Public Comments Related to Agenda Items

The following persons spoke on the records:

MacDonald Kennedy
Barbara Kuhl
Gary Kuhl
Gage Hartung

5 Information / Updates

Discussion on Code

6 Announcements

Wednesday, February 13, 2019 6:00pm Public Art Advisory Board
Tuesday, February 19, 2019 6:30pm Planning & Zoning Advisory Board
Thursday, February 21, 2019 7:00pm Parks & Parkway Advisory Board
Wednesday, February 27, 2019 7:00pm Public Safety Advisory Board
Monday, March 4, 2019 6:30pm Planning & Zoning Advisory Board

Our next Regular Commission Meeting will be held on Tuesday, March 5, 2019 at 7:00pm

7

Adjournment

Commissioner Tudor motioned to adjourn. Vice-Mayor Johnson-Sardella seconded. Meeting adjourned at 10:04pm

Commission approved on March 05, 2019

Attest:

Tracy Trupman, Mayor

Roseann Prado, Village Clerk



MINUTES
Workshop Swale
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Thursday, February 26, 2019

1 Call to Order

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

2 Roll Call

Mayor Tracy Truppman - present

Vice Mayor Jenny Johnson-Sardella - present

Commissioner Dan Samaria - present

Commissioner William Tudor - present

Commissioner Betsy Wise - present

Present from staff were:

Village Manager Krishan Manners

Acting Clerk Christina Caserta

Chief of Police Luis Cabrera

Public Works Manager David Hernandez

Recording: Public Works Supervisor Cesar Hernandez

3 Pledge of Allegiance

4 Public Comments Related to Agenda Items

The following persons spoke on the records:

Barbara Kuhl

Chuck Ross

Janey Anderson

David Raymond

Rox Ross

MacDonald Kennedy

Barbara Watts

5 Information / Updates

Discussion on Swale areas

6 Announcements

Wednesday, February 27, 2019 7:00pm Public Safety Advisory Board

Monday, March 4, 2019 6:30pm Planning & Zoning Advisory Board

Our next Regular Commission Meeting will be held on Tuesday, March 5, 2019 at 7:00pm

7 Adjournment

Commissioner Tudor motioned to adjourn. Commissioner Wise seconded. Meeting adjourned at 9:48pm

Commission approved on March 05, 2019

Attest:

Tracy Trupman, Mayor

Roseann Prado, Village Clerk



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report

Item # 8.b

REGULAR MEETING

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Roseann Prado, Village Clerk

DATE: March 19, 2019

TITLE: Acceptance of Board Minutes

Background

The board/committee minutes as listed below are being provided for the commission's review and acceptance.

Recommendation

Acceptance on Consent Agenda

Attachment

- Biscayne Park Foundation January 14, 2019
 - Parks & Parkway Advisory Board January 17, 2019
 - Parks & Parkway Advisory Board February 21, 2019
 - Planning & Zoning Advisory Board December 3, 2018
 - Planning & Zoning Advisory Board December 17, 2018
 - Planning & Zoning Advisory Board January 7, 2019
 - Public Art Advisory Board February 13, 2019
-

Prepared by: Roseann Prado, Village Clerk



The Village of Biscayne Park

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MINUTES BISCAYNE PARK FOUNDATION

MONDAY, JANUARY 14, 2019

7:00 p.m.

**BISCAYNE PARK
FOUNDATION**

Jorge Marinoni
Marie Smith
Laura Graves
David Goehl

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

ROLL CALL: Jorge Marinoni, Marie Smith, Laura Graves and David Goehl.

IN ATTENDANCE: Krishan Manners.

APPROVAL OF THE MINUTES: Motion by Marie Smith seconded by Jorge Marinoni to approve Minutes of December 11, 2018. Motion passed.

TREASURER'S REPORT: Jorge Marinoni submitted report for period ending 12-31-2018 including funds held for advisory boards and special projects.

2019 CALENDAR: St. Patrick's Day event was discussed and the board was in agreement to hold the event on Saturday, March 30. The Breffini Irish dancers would not be performing this year due to safety concerns.

DOGGIE PALOOZA: Saturday April 13 was approved for this event to be held in the median in front of the Village log cabin. Laura would contact a dog trainer to see if he/she would participate. Also, Mary's store on West Dixie Highway would be contacted.

DOGGIE STATIONS: Requests have been made for additional Doggie Stations.

LIGHTING PROJECT: Krishan stated since we now have a new Public Works Director, David Hernandez, this long overdue project will move ahead as planned.



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Meeting Adjourned: 8:15 p.m.

Jorge Marinoni, President _____

Marie Smith, Secretary: _____

Next Meeting: Monday, February 11, 2019



MEETING MINUTES
PARKS & PARKWAY ADVISORY BOARD
640 NE 114th Street, Biscayne Park, FL
Thursday, January 17, 2019 at 7:00PM

PARKS & PARKWAY
ADVISORY BOARD

Dan Keys
Lynn Fischer
Barbara Kuhl
Yessenia Gonzalez
Randy Wagoner

NOTICE

Two or more members of the Village of Biscayne Park Commission and other Village Board members may be in attendance.

In the event a quorum is not met, a workshop may be opened to discuss agenda items.

- A. CALL TO ORDER AND ROLL CALL
In attendance - Barbara Kuhl, Dan Keys, Lynn Fischer and Randy Wagoner. Absent, Yessenia Gonzalez (prior notice given).
Staff – David Hernandez
- B. AGENDA ADDITIONS AND DELETIONS –
- C. PUBLIC COMMENT – as reported below.
- D. APPROVAL OF MINUTES:
a. Minutes – The minutes of November 15, 2018, November 26, 2018 and December 6, 2018, were approved unanimously.
- E. OLD BUSINESS –
1. David Hernandez advised that median edging activities had been reviewed with the staff. He determined that staff had been edging, but that they had not been edging back far enough. This was corrected for new work. Board members remarked that they had seen some of the new work and advised that that is what had been spoken of at earlier meetings. The evidence of the extensive removal of old grass and soil from the edge of pavement was a great improvement.
 2. Mr. Hernandez advised that he had reviewed the locations previously identified for the four new entrance signs. He said that if placed in the typical locations directly at the intersections, that there would be sight line issues. He mentioned the median of 8th Avenue and Griffing Blvd. as a possible alternate location for a sign. Mr. Keys suggested that the 121 Street sign locations could be set further South of the intersections in a way that would not present sight line issues. Mr. Hernandez advised that he would evaluate this for feasibility. **The Board discussed the 8th avenue median at Griffing Blvd. as an alternate location to the 11th Ave and 121 Street site. A motion was made, seconded and passed unanimously to recommend that change to the Commission as well as the 11th Ct., 9 Ave and 7th Ave (all at 121 St.) locations previously discussed.**
 3. Mr. Hernandez advised that he was getting quotes for the removal of Australian Pines. He specifically requested quotes for the removal of just one at a time and for the entire identified group of 12 pines. Mr. Keys again suggested that quotes be solicited from demolition companies and or firms who had large equipment that could be used



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- more efficiently for this type of work (for instance those with cranes and large grappling machinery).
The PW crews were also continuing trimming to clear signs and low hanging limbs over the right of way, in house. Eighth Avenue was specifically mentioned.
4. RE: "Policy/Ordinance development prohibiting debris deposition in medians after hurricanes.", Mr. Hernandez advised that he would discuss this with Mr. Manners to see how and if he wanted to move forward with developing a policy prior to the next hurricane. It was mentioned that this might help to ensure that less damage is done to any improvements that are made to the medians in the future.
 5. Mr. Hernandez advised that he had not been able to get in touch with Kevin Hardy with Ball Park Maintenance so as to discuss the strategy for moving forward with maintenance/renovation plans for the athletic field for FY2018-19.
 6. Re - 6th Ave bridge landscaping. The deterioration of the golden creeper ground cover was discussed as likely due to a chewing caterpillar. Staff would investigate remedies. Mr. Hernandez advised that mulch had been ordered and it was clarified that this meant tree trimming mulch that could be gotten for free from tree trimmers (specifically appropriate for this location as it was to be used primarily in the back area of the planting).
 7. The issue of conflicting tree Locations was explained to Mr. Hernandez. He was advised that there was a plan for resolution of co-located trees produced many years ago and that it was available in the office files. Also, Cesar Hernandez was aware of the issue and had been working on it.
 8. Re – Restoration of 6th Ave Irrigation and Landscaping. Mr. Hernandez advised that the issue with the faulty wiring for the valves had been resolved with the installation of individual battery-operated timers at each valve location. The need to schedule the replacement of batteries was mentioned and David advised that he had already set up a reminder on his calendar. Mr. Keys mentioned that fact that watering under normal circumstances was not necessary more than twice per week if that frequently. Previously, the timers were set to water daily and the water bills were excessive. The timers would need to be adjusted if and when any new landscaping was planted.

Mr. Keys mentioned that there was a budget for the replacement of green island ficus and for the replanting of the ends of the islands with a plant with more colorful foliage or flowers. Removal of the existing island end plants that for the most part were in bad shape, and the weeding and soil development of the planting area for the island ends was a necessary first step.

Lastly, the Board suggested that the Village aggressively pursue insurance coverage from those who cause damage to the median



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plants during car accidents. David advised that he was already working on this. The Village should recover its estimated costs including labor and materials regardless of whether it actually replaces the plant material.

9. Re - Seating Garden on East side of Village Hall. Bick paver fundraiser. The Board again reiterated that it had made the following recommendation:” **The Parks and Parkways Board recommends that the Village hire a Landscape Architect to produce a design and provide construction documents for development at the Log Cabin that considers and resolves all issues with parking and access to those spaces, all handicap access issues, lighting, irrigation and all walkways, and which provides for a seating courtyard and consideration of the location for existing and future outdoor sculpture. Said development would resolve any code issues while facilitating the integrity of the historic nature of the Log Cabin site and the Brick Paver fund raising project.”**
10. Re: Landscaping of Village Hall grounds and related issues including the uses of such spaces. Mr. Hernandez advised that he would speak with the Manager as to advice on the scope of and desire for the project moving forward. This would include a staff determination on the permissibility of use of the Drain Field area for light activities not involving vehicular traffic.

David advised that the 114 St. median grass was being monitored and treated as needed for chinch bugs.

11. It was reported that all of the proposed entrance landscaping had been completed including irrigation system modification and mulching.
12. Re – “Discussion of the original landscape design intent of the landscapes installed in the Village as related to their ongoing maintenance. Village Log Cabin, Village entrance signs, 6th Avenue Median, 6th Avenue Bridge. Trimming style (formal or informal, weeds vs. intended plants, process for determining appropriate adjustments to the landscapes as time goes by.)” The Board explained that the landscapes installed in the past several years had a specific design intent that needed to be developed and maintained (and modified if necessary). Keeping the plant material below sign lettering and the maintenance of the informal nature of the landscaping was discussed as specifics. Mr. Keys advised that this had been largely resolved previously, but that constant monitoring was necessary.
13. David advised that he would need to have a conversation with Mr. Manners regarding the Boards previous motion recommending to the Commission that the following studies be undertaken by the Administration in support of forward planning for new landscape development in the medians.
 - a) Irrigation system feasibility study.
 - b) Curbing feasibility study.
 - c) Ongoing maintenance feasibility study



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F. NEW BUSINESS -

1. Discussion was deferred regarding possible lighting projects for these locations. The Six Avenue Bridge Landscaping and behind Main Village Entrance Sign.
2. David Hernandez advised that the best way to communicate issues to him would be via E-mail so that he had a record of what to follow up on.
3. The Board asked David his intentions regarding the installation of the trees budgeted for this year. After discussion, it was decided that the Village had the equipment and expertise to install reasonably sized trees and therefore David advised that the Village would be installing the needed trees in house. The Board concurred.
The Board discussed ways it could recommend where and what to plant in various locations. Mr. Keys suggested that Board members individually survey the Village medians and compile a list of tree planting spaces and recommendations for each location if they could develop one. These individual lists could then be correlated at a meeting and if necessary, a field meeting could be arranged to verify the final list. There was not full agreement with this plan, but each member was free to survey as suggested and bring back information for consideration.
4. Discussion of a Permaculture Park was tabled.

G. NEXT MEETING AND ADJOURNMENT –

Thursday, February 21, 2019 at 7 P.M. was the scheduled date of the next meeting – at Village Hall.

The meeting adjourned.

Minutes approved on _____

By: _____
Dan Keys, Chair



PARKS & PARKWAY
ADVISORY BOARD

Dan Keys
Lynn Fischer
Barbara Kuhl
Randy Wagoner

NOTICE

Two or more members of the Village of Biscayne Park Commission and other Village Board members may be in attendance.

In the event a quorum is not met, a workshop may be opened to discuss agenda items.

**MEETING MINUTES
PARKS & PARKWAY ADVISORY BOARD
640 NE 114th Street, Biscayne Park, FL
Thursday, February 21, 2019 at 7:00PM**

- A. CALL TO ORDER AND ROLL CALL
In attendance - Barbara Kuhl, Dan Keys, Lynn Fischer and Randy Wagoner.
Staff – David Hernandez
Public – Barbara Watts, Mercedes Diaz
- B. AGENDA ADDITIONS AND DELETIONS –
- C. PUBLIC COMMENT – as reported below.
- D. APPROVAL OF MINUTES:
a. Minutes – The minutes of January 17, 2019, were approved unanimously.
- E. OLD BUSINESS –
1. **General median maintenance:** It was reported that the cocoplum hedge behind the 113 Street entrance sign had been cut down below the top of the sign as had been pointed out by Dan Keys. Dan suggested that the Village might buy additional time between trimmings if the hedge was trimmed even lower so that it could grow longer between trimmings' without going over the top of the sign. It was noted that the hedge around the pump was planted to hide the pump and the suggestion was made that its growth be encouraged for this purpose.

Discussion as to cleaning the iron stain on the front of the sign took place with all noting that some progress had been made. David Hernandez mentioned that the sign would be pressure cleaned and some Board members cautioned that the rock might actually be damaged by this. Coral Gables, at least at one time, had a prohibition against pressure cleaning their historic structures, which are oolitic limestone. Our sign is a different harder material but may still be vulnerable to erosion by pressure cleaning. The Board members suggested that the advisability of pressure cleaning at least be investigated prior to following through.

David Hernandez mentioned that he had met with representatives of North Miami regarding the maintenance of the 121 St. median. He was working on developing a memorandum of understanding regarding which City would maintain what with the initial idea that the



The Village of Biscayne Park

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

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

Village would maintain the area below 8 feet off the ground and North Miami the issues above that height. David mentioned that he had met with Kirk Oberholtzer, a resident of 121 Street, regarding the resident's desires to have landscaping installed in the median. The Board corrected the misconception that Mr. Hernandez brought from the meeting that the Board had somehow dropped the ball on this project. The Board and the residents had been waiting for the Village administration to move the project forward. David said that the planting of *Clusia guttifera* was discussed and the Board mentioned some issues that should be considered before moving forward with that plant material. Namely, the ability of the Village to maintain a hedge (of any species) on this median and on others in the Village where they may proliferate to. David was going to discuss the plantings with North Miami and return with their comments. The Board went on to ask why the area in question could not at least be better maintained – removal of high weeds and weeds around plant material, lack of edging along the street, plant material growing over the roadway, all of which have been unaddressed for some extended period of time by either North Miami or the Village.

2. **Village entrance signs:** David Hernandez reported that it was his opinion that signs could not be placed at any of the 121 Street locations primarily due to the sentiments of the adjacent residents against these installations, as was expressed to him in response to a letter he had sent to them which had discussed the project. The issue of adequate room on the right of way was also a possible factor. The Board members differed as to the issues in that some wished to honor the wishes of the residents and others noted the importance of these entrance signs as being significant to identifying the Village entrances for the good of the entire community. It was decided that some members needed to go by the sites in question to see if locating them along the right of way of either of the properties adjacent to the entrances, was in their mind feasible, and also in order to evaluate the impact of any installation on those residences.
3. **Tree removal and tree trimming issues:** David Hernandez reported that he had received preliminary estimates for the removal of the Australian Pines in the Village. The cost of \$94,000. or \$107,000. (if stumps were removed) was given, with only \$30,000. being specifically budgeted for the work. The cost was presumed to be higher per tree if fewer trees were removed at one time. It was suggested that the administration look one more time at the possibility of a demolition contractor doing this work as opposed to traditional tree removal contractor. If additional funding could not be found in this FY, it was suggested that the administration determine which trees might be of the highest priority for removal, based on a new evaluation or on the data that might be available in the Tree Inventory study that was done some years back. With this knowledge, a plan of action could be developed.



The Village of Biscayne Park

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4. **Policy/Ordinance Development related to hurricane debris deposition in the medians after hurricanes:** David Hernandez advised that he felt this was an issue that should go before the Commission – there was no opinion from the administration as to the advisability of such a policy which could be disseminated prior to a hurricane event.
5. **Athletic Field:** David Hernandez advised that they were continuing to repair the irrigation system control wires. It was not fully evident what the extent of the damage was (isolated or systemwide), but David suggested that all of the wires needed to be replaced and that he suggested that the new wires be placed in conduit. After discussion, it was suggested that, after further study determining if that replacement was actually necessary, the Village do what is necessary to ensure a functioning irrigation system. If new wires are installed, either with or without an enclosing conduit, care should be taken so as not to trench across the root system of the large trees. It was noted that the direct burial wires installed initially, lasted over 30 years and could be redone less expensively than conduit installation.

David advised that he had met with the “Ball Park Maintenance” contractor and discussions took place. Once irrigation was repaired, something would commence. It was not evident from the discussion at the Board what would be done, i.e. would efforts seek to rejuvenate any existing bermudagrass or move in the direction of replacement. The Board suggested that determining what the goal is should be the subject of the next meeting with Ball Park Maintenance. It was reiterated that since we are now into the growing season it is important to move quickly so as to take advantage of good grow in or treatment recovery time.

6. **Six Ave. Bridge Landscaping:** Discussion regarding the insect damage to the golden creeper ground cover took place. An effective insect control method had not yet been employed to curtail further damage to the plants.
7. **Resolution of “Conflicting Tree Location:** issues was explained to David and he advised that he would get back to us regarding what Cesar had done and what remained to be accomplished.
8. **Restoration of 6th Ave irrigation and landscaping:** David Hernandez advised that he was getting estimates for some unspecified work. The Board suggested some general cleanup and preparation of the island ends for future planting.
9. **Seating Garden on East side of Village Hall/Bick paver fundraiser:** No new information was provided as to whether there was movement towards resolving the issue of the lack of a design for the brick paver project for which funds are already being collected.



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10. **Landscape development of Village Hall grounds:** Mr. Hernandez advised that the administration had no opinion on this issue and that the Board needed to move it forward.
 11. **Report regarding 114th Street median planting:** No discussion.
 12. **Report on the Administration's desire if any regarding the Boards discussion related to developing needed information related to landscape development in the Village:** No discussion.
 13. **No discussion of possible lighting project for these locations.
Six Avenue Bridge Landscaping
Behind Main Village Entrance Sign**
 14. **Discussion of tree planting proposal for 2018-19**
Barbara Kuhl had begun the work of identifying locations for new trees. Board members were tasked with doing the same so that information could be coordinated for a field verification meeting.
 15. **Discussion of a Permaculture Park:** No discussion.
- G. **NEXT MEETING AND ADJOURNMENT –**
Thursday, March 21, 2019 at 7 P.M. was the scheduled date of the next meeting – at Village Hall.

The meeting adjourned.

Minutes approved on _____

By: _____
Dan Keys, Chair



The Village of Biscayne Park

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

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PLANNING & ZONING BOARD

Gage Hartung
Chairman

Andrew Olis
Vice Chairman

Elizabeth Hornbuckle
Dan Schneiger
Doug Tannehill

Alternates
Karim Alhagri

MINUTES **PLANNING & ZONING BOARD MEETING** **LOG CABIN**

600 NE 114 ST – Biscayne Park, FL
Monday, December 3, 2018 at 6:30 p.m.

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 - Present
Dan Schneiger- Board Member - Present
Doug Tannehill- Board Member - Present
Karim Alhagri- Alternate Board Member- Excused
Jean Paul Elie - Building Coordinator – Present
Noe Martinez – Building Official - Present

3. APPROVAL OF MINUTES

a. December 3, 2018

4. OLD BUSINESS

- a. Canaj – 1060 NE 119 St – After the Fact Fence
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0
- b. Vanterpool LLC – 11104 NE 9 Ct – After the Fact Fence
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0
*** Approved with conditions, stain for front fence to match ***

5. BUILDING PERMITS

- a. Pyle – 1016 NE 114 St – Awnings
Motion by A. Olis, second by D. Tannehill. Approved 5-0
- b. Reyes – 1036 NE 114 St – Windows & Doors
Motion by E. Hornbuckle, second by D. Tannehill. Approved 5-0
- c. Kaminsky – 11120 NE 11 PI – Driveway
*** Tabled pending plans ***
- d. Kaminsky – 11220 NE 11 PI – Driveway
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0
- e. Kaminsky – 11310 NE 11 PI - Driveway
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0
- f. Castiglia – 11660 NE 8 Ave – Windows
Motion by E. Hornbuckle, second by D. Tannehill. Approved 5-0



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
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g. Kaminsky – 11800 NE 12 Ct – Driveway
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0

h. Perez – 11802 NE 8 Ave – Fence
*** Tabled pending of color of dura fence ***

i. Kaminsky – 11820 NE 12 Ct – Driveway
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0

j. Poo – 12012 Griffing Blvd – Roof
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0

6. ADJOURNMENT

This workshop was adjourned at 6:54 P.M.

Minutes approved on:

12/17/18
(Date)

By:

Gage Hartung, Chair Planning & Zoning Board



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
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PLANNING & ZONING BOARD

Gage Hartung
Chairman

Andrew Olis
Vice Chairman

Elizabeth Hornbuckle
Dan Schneiger
Doug Tannehill

Alternates
Karim Alhagri

MINUTES **PLANNING & ZONING BOARD MEETING** **LOG CABIN**

600 NE 114 ST – Biscayne Park, FL
Monday, December 17, 2018 at 6:30 p.m.

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 - Present
Dan Schneiger- Board Member - Present
Doug Tannehill- Board Member - Excused
Karim Alhagri- Alternate Board Member- Present
Jean Paul Elie - Building Coordinator – Present
Noe Martinez – Building Official - Present

3. APPROVAL OF MINUTES

a. December 17, 2018

4. OLD BUSINESS

- a. Theard – 11390 NE 8 Ave – Revising Permit
Motion by A. Olis, second by E. Hornbuckle. Denied 5-0
- b. Perez – 11801 NE 8 Ave – Fence
Motion by A. Olis, second by K. Alhagri. Approved 5-0
- c. Morgan – 12000 NE 8 Ave – Revising Permit
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0
- d. Davis – 12000 NE 11 PI – Fence
Motion by E. Hornbuckle, second by A. Olis. Approved 5-0

5. BUILDING PERMITS

- a. Gasc – 750 NE 120 St – Windows & Doors
Motion by A. Olis, second by D. Schneiger. Approved 5-0
- b. Goddard – 1007 NE 116 St – Pool Deck
Motion by E. Hornbuckle, second by A. Olis. Approved 5-0
- c. Vanterpool LLC – 11104 NE 9 Ct – Doors
Motion by E. Hornbuckle, second by A. Olis. Approved 5-0
*** Provide product approval ***
- d. Kaminsky – 11220 NE 11 PI – Driveway
*** Tabled no plans ***



The Village of Biscayne Park

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

e. Fechler – 11222 NE 9 Ave – After The Fact Shutters
Motion by D. Schnieger, second by K. Alhagri. Approved 5-0

f. Abderrattim – 11433 NE 6 Ave – Garage Door
Motion by E. Hornbuckle, second by A. Olis. Approved 5-0

g. Corzo – 11503 NE 11 Pl - Paint
Motion by A. Olis, second by D. Schneiger. Approved 5-0

h. Garcia – 11206 NE 9 Ct- Fence
Motion by A. Olis, second by E. Hornbuckle. Approved 5-0

i. Smith – 12025 NE 11 Pl - Driveway
Motion by A. Olis, second by K. Alhagri. Approved 5-0

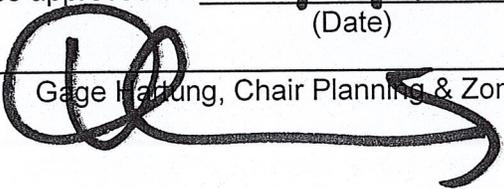
6. OLD BUSINESS

a. Jonas – 918 NE 119 St – Solar Panel Location

7. ADJOURNMENT

This workshop was adjourned at 6:54 P.M.

Minutes approved on: 11/7/19
(Date)

By:  _____
Gage Harding, Chair Planning & Zoning Board



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161
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PLANNING & ZONING BOARD

Gage Hartung
Chairman

Andrew Olis
Vice Chairman

Elizabeth Hornbuckle
Dan Schneider
Doug Tannehill

Alternates
Karim Alhagri

MINUTES **PLANNING & ZONING BOARD MEETING** **LOG CABIN**

600 NE 114 ST – Biscayne Park, FL
Monday, January 7th, 2018 at 6:30 p.m.

1. CALL TO ORDER

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

2. ROLL CALL

Gage Hartung- Board Member- Excused
Andrew Olis- Board Member- Present
Elizabeth Hornbuckle - Present
Dan Schneider- Board Member - Present
Doug Tannehill- Board Member - Present
Karim Alhagri- Alternate Board Member- Present
Jean Paul Elie - Building Coordinator – Present
Noe Martinez – Building Official - Present

3. APPROVAL OF MINUTES

a. December 17, 2018

4. OLD BUSINESS

a. Theard – 11390 NE 8 Ave – Variance Application
Motion by D. Tannehill, second by D. Schneider. Denied 4-0

5. BUILDING PERMITS

a. Hernandez – 660 NE 118 St – Shed
Motion by E. Hornbuckle, second by D. Schneider. Approved 4-0

b. Schinnerer – 719 NE 114 St – Accessory Structure
*** Tabled pending new design drawings ***

c. Pirello – 855 NE 111 St – New Garage
Motion by E. Hornbuckle, second by D. Schneider. Denied 4-0
*** Garage is in the front setback ***

d. Mc Cormick – 886 NE 117 St - Carport
Motion by E. Hornbuckle, second by D. Schneider. Approved 4-0

e. Carozzi – 11018 NE 8 Ave – Windows, Doors & Stairs
Motion by E. Hornbuckle, second by D. Tannehill. Denied 4-0

f. Hills – 11410 NE 11 PI – Overhead Garage Door
Motion by D. Tannehill, second by E. Hornbuckle. Approved 4-0

g. Harrington – 1106 NE 119 St – Reroof Flat
Motion by D. Tannehill, second by E. Hornbuckle. Approved 4-0



The Village of Biscayne Park

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h. Dial – 11501 NE 7 Ave - Paint
*** Tabled pending house picture ***

i. Goehl – 11625 NE 7 Ave - Fence
*** Tabled fence proposed location in conflict with village code ***

6. ADJOURNMENT

This workshop was adjourned at 7:44 P.M.

Minutes approved on: 1/22/19
(Date)

By: [Signature]
Gage Hartung, Chair Planning & Zoning Board



MINUTES
PUBLIC ART ADVISORY BOARD
Village Hall, 600 N.E. 114 St.
Wednesday, February 13, 2019 at 6:00PM

1. CALL TO ORDER AND ROLL CALL – The meeting was called to order at: 6:00 P.M. Amy Raymond, Susan Weiss, Karen Marinoni. Sarah Johnson unexcused absence
2. AGENDA ADDITIONS AND DELETIONS –
3. PUBLIC COMMENT (PERMITTED FOR EACH AGENDA ITEM)
Jorge Marinoni, Krishan Manners, Tracy Truppman present
4. APPROVAL OF MINUTES – yes
5. NEW BUSINESS-
 - A.. Art Board Members-
 1. Sarah Johnson is leaving the Board
 2. Two residents have shown interest in joining.
 3. March New applicants may apply- 2 regular, 2 alternate
 4. eblast from Village to ask for members
 - B. Discussed informing new and old residents about receiving Village Emails about Village events and Pblc meetings.
 - C. Mosaic Bench Project
 1. Jorge had the opportunity to sell the new bench he recently finished, however he decided to place it in a public median and use the Art Board funds to pay for it.
 2. In the future, the Art Board will be offering an opportunity to residents to donate a bench to a median, which will include a platinum plaque on the back of the bench with their name or whatever they choose to write.
 3. The Manager is looking into the legality of a Go Fund Me Page.
 - D. Will discuss if there will be a Mangofest 2019 in mid June at the Next meeting.



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
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6. NEXT MEETING DATE – Wednesday, March 13, 2019 6:00pm. All future meetings will take place at Village Hall
7. ADJOURNMENT – Meeting was adjourned at
8. _____.

Minutes approved on _____.



**VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING**

Item # 10.a

TO: Members of the Biscayne Park Village Commission
FROM: Krishan Manners, Village Manager
DATE: March 5, 2019
TITLE: Resolution No. 2019-02 Sale of Surplus Vehicles

Background

The following Village of Biscayne Park Police Department vehicle have seen its useful life to the Village and are not in running condition due to age, mileage, and condition.

- ❖ 2006 – Jeep - 1J4GK48K56W283162 - Mileage 188,222

Permission is sought to auction the vehicle via the online police vehicle auction at no cost to the Village of Biscayne Park by Bidera Auctions of Miami, Florida.

Fiscal/Budget Impact: Revenue from the sale of the vehicle.

Recommendation: Acceptance at consent

Attachment:

- Resolution 2019-02

Prepared by: Krishan Manners

RESOLUTION NO. 2019-02

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA DECLARING VILLAGE VEHICLE AS SURPLUS PROPERTY AND GRANTING THE VILLAGE MANAGER AUTHORIZATION TO SELL SAID SURPLUS THROUGH BIDERA AUCTIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Village of Biscayne Park owns a 2006 Jeep Utility vehicle that has been utilized for several years by Police Department; and,

WHEREAS, Village Administration has determined that this vehicle is no longer serviceable due to the deterioration; and,

WHEREAS, the Village Commission finds that it is in the best interests of the community to declare certain Village vehicle as surplus property and grant the Village Manager authority to sell the vehicle;

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

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

Section 2. The following vehicle is hereby declared surplus property of the Village:

- ❖ 2006 – Jeep - 1J4GK48K56W283162 - Mileage 188,222

Section 3. The Village Manager is authorized to sell the vehicle through Bidera Auctions, with proceeds to be put into the General Fund.

Section 4. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 5th day of March , 2019.

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

Tracy Truppman, Mayor

Mayor Truppman:
Vice Mayor Johnson-Sardella:
Commissioner Samaria:
Commissioner Tudor:
Commissioner Wise:

Attest:

Roseann Prado, Village Clerk

Approved as to form:

Village Attorney



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 10-b, 10-c, 10-d

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Krishan Manners, Village Manager

DATE: March 19, 2019

TITLE: Resolution 2019-03, 2019-04, 2019-05 Board Member Appointments

Background

In accordance with Village Code, the terms of office of the members of certain boards and committees shall be up for reappointment yearly at the regular March Village Commission meeting.

The normal process would be that:

- Applications are collected and are provided for the Commission's consideration.
- Ballots would be provided at the meeting and then the Village Commission, by majority vote, would select members for these boards.

All current Parks & Parkway Advisory Board, Public Art Advisory Board and Public Safety Advisory Board were provided a Board Application, as well as the same application was made available to anyone expressing an interest in becoming a member. E-mails blast was sent out as well. To date, the responses received are:

- For the Parks & Parkway Advisory Board, 4 (four) applications were received.
- For the Public Art Advisory Board, 4 (four) applications were received.
- For the Public Safety Advisory Board, 5 (five) applications were received.

Attachments

- Resolution 2019-03 Parks & Parkway Advisory Board
 - Applications for Parks & Parkway Advisory Board
 - Resolution 2019-04 Public Art Advisory Board
 - Applications for Public Art Advisory Board
 - Resolution 2019-05 Public Safety Advisory Board
 - Applications for Public Safety Advisory Board
-

Prepared by: Roseann Prado, Village Clerk

1
2
3 **RESOLUTION NO. 2019-03**
4

5 **RESOLUTION OF THE VILLAGE**
6 **COMMISSION OF THE VILLAGE OF**
7 **BISCAYNE PARK, FLORIDA, RATIFYING**
8 **THE SELECTION AND APPOINTMENT OF**
9 **BOARD MEMBERS TO THE PARKS &**
10 **PARKWAY ADVISORY BOARD;**
11 **PROVIDING FOR AN EFFECTIVE DATE**
12

13
14 WHEREAS the Village of Biscayne Park has established the Parks & Parkway
15 Advisory Board consisting of five members and alternates as deemed necessary; and
16

17
18 WHEREAS the Village's Code of Ordinances states that members of each board
19 and committee shall be up for reappointment yearly at the regular March Commission
20 meeting, and that new members may also be appointed; and
21

22
23 WHEREAS, Village residents interested in serving on or continuing to serve on the
24 Parks & Parkway Advisory Board have submitted a board application for the
25 Commission's consideration; and
26

27
28 WHEREAS, following the process whereby board applicants for the board were
29 placed on a ballot, the Village Commission, by majority vote, re-appointed and/or selected
30 new board members as follows:
31

32
33 Parks & Parkway Advisory Board:
34

- 35 1. Barbara Kuhl, Member, term expires March 2020
36 2. Mercedes Diaz, Member, term expires March 2020
37 3. Lynn Fischer, Member, term expires March 2020
38 4. Randal Wagoner, Member, term expires March 2020
39 5. Audra McCollum, Member, term expires March 2020
40

41
42 NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF
43 THE VILLAGE OF BISCAYNE PARK, FLORIDA
44

45
46 **Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby
47 ratified and confirmed by the Village Commission.
48

49
50 **Section 2.** Consistent with the Village's Code of Ordinances governing boards
51 and committees, members have been selected to serve on the Parks & Parkway Advisory
52 Board.
53
54



Village of Biscayne Park Board Member Application

Last Name <i>Fischer</i>		First Name <i>Lynn</i>		M.I. <i>D</i>	
Home Address <i>11605 NE 10 Ave</i>		City <i>Biscayne Park</i>	State <i>FL</i>	Zip Code <i>33161</i>	
Principal Business Address		City	State	Zip Code	
Home Telephone Number	Cell Number <i>786 515 4213</i>		Work Number		
E-Mail Address			Are you a registered voter? Yes or No <i>yes</i>		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. <i>Parks and Parkways</i>					
List all Village Boards on which you are currently serving or have previously served. Please include dates. <i>Parks and Parkways</i>					
Educational qualification. <i>master's degree in Instructional Technology from U of M</i>					
List any related professional certifications and licenses which you hold.					
Give your present, or most recent employer, and position. <i>retired teacher with Dade County Public Schools</i>					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) <i>I'm interested in planting to support our local wildlife.</i>					

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Lynn Smith

Signature

3/6/19

Date



Village of Biscayne Park Board Member Application

Last Name KEYS		First Name Daniel		M.I. <input type="checkbox"/>
Home Address 1107 NE118th STREET		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address <input type="text"/>		City <input type="text"/>	State <input type="text"/>	Zip Code <input type="text"/>
Home Telephone Number 305-895-9920	Cell Number 305-733-0063	Work Number <input type="text"/>		
E-Mail Address fdk@aol.com			Are you a registered voter? Yes or No yes	
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Parks and Parkways				
List all Village Boards on which you are currently serving or have previously served. Please include dates. VILLAGE COMMISSION (10 YEARS), MEDIAN REVIEW (ALL YEARS), PARKS AND PARKWAYS (ALL YEARS), CODE REVIEW, CHARTER REVIEW (3 OF THEM)				
Educational qualification. BS AGRICULTURE - UNIVERSITY OF FLORIDA				
List any related professional certifications and licenses which you hold. <input type="text"/>				
Give your present, or most recent employer, and position. RETIRED - CITY OF CORAL GABLES PUBLIC SERVICE DIRECTOR				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) FORMER COMMISSIONER - BISCAYNE PARK (10 YEARS), FORMER PARKS AND RECREATION DIRECTOR - BISCAYNE PARK, MEMBER OF COMMITTEE THAT WROTE NEW CHARTER, 30 YEARS MANAGEMENT EXPERIENCE IN THE FIELD OF HORTICULTURE, PPARK MAINTENENCE AND SOLID WASTE MANAGEMENT (CITY OF CORAL GABLES AND CITY OF MIAMI BEACH), SUCCESSFUL AT WRITNG 10 HORTICULTURE GRANTS,				
<input checked="" type="checkbox"/> I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.				
<input checked="" type="checkbox"/> I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.				
 Signature			3/1/19 Date	



Village of Biscayne Park
Board Member Application

Last Name KUHL		First Name BARBARA		M.I.	
Home Address 777 NE 111 ST		City Biscayne Park	State FL	Zip Code 33161	
Principal Business Address		City	State	Zip Code	
Home telephone Number 305 893-9173	Cell Number 786 269-7466	Work Number			
E-Mail Address THUNDERMOM1@GMAIL.COM			Are you a registered voter? Yes or No YES		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. PARKS AND PARKWAYS					
List all Village Boards on which you are currently serving or have previously served. Please include dates. PARKS AND PARKWAYS - SINCE ITS BEGINNING MEDIAN REVIEW BOARD - SINCE ITS BEGINNING CHARTER REVIEW BOARD					
Educational qualification.					
List any related professional certifications and licenses which you hold.					
Give your present, or most recent employer, and position. CROSSMARK - SALES REP.					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) I'VE BEEN INVOLVED WITH LANDSCAPING OUR MEDIANS AND PARKS FOR MANY YEARS AND I WOULD LIKE TO CONTINUE.					

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Barbara Kuhl
Signature

3-5-19
Date

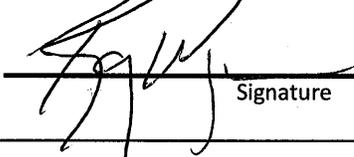


Village of Biscayne Park
Board Member Application

Last Name WAGONER		First Name RANDAL		M.I. K
Home Address 11227 NE 8TH AVE		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address		City	State	Zip Code
Home Telephone Number 305 213 2569	Cell Number	Work Number		
E-Mail Address coachwagoner@yahoo.com		Are you a registered voter? <input checked="" type="radio"/> Yes <input type="radio"/> No		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. RIGHT of WAY - PARKS & PARKWAY				
List all Village Boards on which you are currently serving or have previously served. Please include dates. RIGHT of WAY				
Educational qualification.				
List any related professional certifications and licenses which you hold. RETIRED CITY of N. MIAMI PARKS				
Give your present, or most recent employer, and position.				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.)				

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.



Signature

3-7-19

Date



Village of Biscayne Park Board Member Application

Last Name Diaz		First Name Mercedes		M.I. L
Home Address 723 NE 112 Street		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address N/A		City _____	State _____	Zip Code _____
Home Telephone Number 786-281-2292	Cell Number same	Work Number same		
E-Mail Address mercedssss@gmail.com			Are you a registered voter? Yes or No Yes	

What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference.

Park and Parkways

List all Village Boards on which you are currently serving or have previously served. Please include dates.

none

Educational qualification.

BBA Finance, minor Int'l Business FIU

Ongoing independent multidisciplinary study and research

List any related professional certifications and licenses which you hold.

Permaculture Design Certification (Permaculture Research Institute - Geoff Lawton)

Give your present, or most recent employer, and position.

2008-2008 Baptist Healthcare (Business Analyst, Project Manager - Web Initiatives) via Signature Consulting

2008-2009 Sync Matters (Business Analyst, Writer, UI Frontend Designer - Mobile App)

2010 - Current

Freelance Permaculture Design Consultant, Creative Consultant, photographer and occasional writer.

Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.)

Independent study/research (based on an ecological paradigm) in the areas of horticulture permaculture, botany, ecologically regenerative food systems, agroforestry, soil restoration. Experience in designing and implementing urban permaculture and native landscaping projects. 20+ years experience in IT (programming, databases, web development, technical writing, business analysis, project management, branding)

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Mercedes Diaz

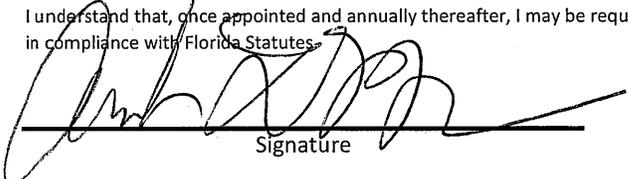
Signature

1/23/2019

Date



Village of Biscayne Park
Board Member Application

Last Name <i>McCollum</i>		First Name <i>Andra</i>		M.I. <i>L</i>	
Home Address <i>11450 NE 10th Ave.</i>		City <i>Biscayne Park</i>	State <i>FL</i>	Zip Code <i>33161</i>	
Principal Business Address <i>—</i>		City <i>—</i>	State <i>—</i>	Zip Code <i>—</i>	
Home Telephone Number <i>—</i>	Cell Number <i>786-326-1323</i>	Work Number <i>same</i>			
E-Mail Address <i>andra.miami@yahoo.com</i>			Are you a registered voter? Yes or No <i>Yes</i>		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. <i>Parks + Parkways</i>					
List all Village Boards on which you are currently serving or have previously served. Please include dates. <i>None.</i>					
Educational qualification. <i>College Graduate w/ double major in Spanish + Int'l. Relations; Lic. Real Estate Salesperson 20+ yrs.</i>					
List any related professional certifications and licenses which you hold. <i>See above.</i>					
Give your present, or most recent employer, and position. <i>Miami; Waterfront Realty.</i>					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) <i>I've lived in Biscayne Park for the last 15+ years. Would like to re-involve myself.</i>					
I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.					
I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.					
 Signature				<i>3/19/19</i> Date	

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3 **RESOLUTION NO. 2019-04**
4

5 **RESOLUTION OF THE VILLAGE**
6 **COMMISSION OF THE VILLAGE OF**
7 **BISCAYNE PARK, FLORIDA, RATIFYING**
8 **THE SELECTION AND APPOINTMENT OF**
9 **BOARD MEMBERS TO THE PUBLIC ART**
10 **ADVISORY BOARD; PROVIDING FOR AN**
11 **EFFECTIVE DATE**
12

13
14 WHEREAS the Village of Biscayne Park has established the Public Art Advisory
15 Board consisting of five members and alternates as deemed necessary; and
16

17
18 WHEREAS the Village's Code of Ordinances states that members of each board
19 and committee shall be up for reappointment yearly at the regular March Commission
20 meeting, and that new members may also be appointed; and
21

22
23 WHEREAS, Village residents interested in serving on or continuing to serve on the
24 Public Art Advisory Board have submitted a board application for the Commission's
25 consideration; and
26

27
28 WHEREAS, following the process whereby board applicants for the board were
29 placed on a ballot, the Village Commission, by majority vote, re-appointed and/or selected
30 new board members as follows:
31

32
33 Parks & Parkway Advisory Board:
34

- 35 1. Karen Marinoni, Member, term expires March 2020
36 2. Amy Raymond, Member, term expires March 2020
37 3. Barbara Watts, Member, term expires March 2020
38 4. Susan Weiss, Member, term expires March 2020
39 5. Patrice Bertin, Member, term expires March 2020
40

41
42 NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF
43 THE VILLAGE OF BISCAYNE PARK, FLORIDA
44

45
46 **Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby
47 ratified and confirmed by the Village Commission.
48

49
50 **Section 2.** Consistent with the Village's Code of Ordinances governing boards
51 and committees, members have been selected to serve on the Public Art Advisory Board.
52

53
54 **Section 3.** This Resolution shall become effective upon adoption.

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PASSED AND ADOPTED this 19th day of March, 2019.

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

Tracy Truppman, Mayor

Mayor Truppman: Yes
Vice Mayor Johnson-Sardella: Yes
Commissioner Samaria: Yes
Commissioner Tudor: Yes
Commissioner Wise: Yes

Attest:

Roseann Prado, Village Clerk

Approved as to form:

Julia Mandell, Interim Village Attorney



Village of Biscayne Park Board Member Application

Last Name MARINONI		First Name KAREN		M.I. A	
Home Address 1002 WE 118th ST		City Biscayne Park	State FL	Zip Code 33161	
Principal Business Address ↑		City ↑	State ↑	Zip Code ↑	
Home Telephone Number 505-895-8127		Cell Number 305-710-5525	Work Number N/A		
E-Mail Address MARINONIKAREN@GMAIL.COM			Are you a registered voter? <input checked="" type="checkbox"/> Yes or No		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. ART BOARD					
List all Village Boards on which you are currently serving or have previously served. Please include dates. BISCAYNE PARK ART BOARD PAST 4 YEARS					
Educational qualification. B.A. COLLEGE OF ST. SCHOLASTICA					
List any related professional certifications and licenses which you hold. CERTIFICATION IN CPR					
Give your present, or most recent employer, and position. CASE MANAGER UNIVERSITY OF MIAMI					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) HAVE TRAVELED A LOT TO EUROPE & THE CARIBBEAN / STAMP SEVERAL LINES					

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Karen Marinoni
Signature

3/6/19
Date



Village of Biscayne Park Board Member Application

Last Name Raymond		First Name Amy		M.I.
Home Address 11520 NE 9 Avenue		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address		City	State	Zip Code
Home Telephone Number	Cell Number 305-409-2191		Work Number	
E-Mail Address admas@aol.com			Are you a registered voter? Yes or No Yes	
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Public Art Advisory Board				
List all Village Boards on which you are currently serving or have previously served. Please include dates. Public Art Advisory Board				
Educational qualification. Bachelors Sociology & Anthropology, 1984 FIU Masters Early Childhood Special Education UM 2000				
List any related professional certifications and licenses which you hold.				
Give your present, or most recent employer, and position. Retired. Previous Employer University of Miami, Director Canterbury School				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) Chair of Public Art Advisory Board, past 3 year. Artist and Art Lover.				

<p>I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.</p> <p>I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.</p>	
<p><i>Amy S Raymona</i></p> <hr style="width: 80%; margin: 0 auto;"/> <p>Signature</p>	<p><i>3/2/15</i></p> <hr style="width: 80%; margin: 0 auto;"/> <p>Date</p>



Village of Biscayne Park Board Member Application

Last Name Watts		First Name Barbara		M.I. J
Home Address 720 N.E. 118th St		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address Florida International University 11200 S.W. 8th Street		City Miami	State FL	Zip Code 33199
Home Telephone Number 305-895-8053	Cell Number		Work Number 305-919-5967	
E-Mail Address Wattsb720@gmail.com			Are you a registered voter? Yes or No Yes	
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Public Art Advisory Board				
List all Village Boards on which you are currently serving or have previously served. Please include dates. Village Commission, ca. 2011-2016; Planning and Zoning, ca. 2014(?) -2015; Committee for Parkways and Medians (name?), Precursor to Parks and Parkways Board, ca. 2001-2003(?).				
Educational qualification. Art History: Ph.D., August, 1989, McIntire Department of Art, The University of Virginia, Charlottesville, Virginia (M.A., August, 1981).				
List any related professional certifications and licenses which you hold.				
Give your present, or most recent employer, and position. Present employer: Florida International University, Department of Art and Art History (formerly Visual Arts Department), Associate Professor.				
List any related professional certifications and licenses which you hold. Since 1985, I have taught in Art and Art History Departments in which studio art was the dominant program. For decades, I was one of the undergraduate Senior Thesis faculty, and, thus, have participated in innumerable critiques of student work and discussions about contemporary art, and have served as advisor to graduate (M.F.A.) candidates. At FU, where I have been teaching since 1986, I have regularly taught Art History Survey II, which includes Modern and Contemporary Art, and have taught Special Topics courses that include past-to-present discussion of issues regarding public art, its function, politics, and reception. I have written published museum catalogue essays on contemporary South Florida artists (ie. Clive King and Bill Burke), have mentored many students who are now established artists (ie. Victoria Gitman, David Le Batard (aka LEBO), and, recently, published a review of the Victoria and Albert Museum exhibition catalogue "Botticelli Reimagined" which addressed contemporary responses to the				

work of Renaissance artist, Sandro Botticelli, by contemporary artists, film makers, and videographers.

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public r

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Barbara J. Watts

3/14/19

Signature

Date



Village of Biscayne Park
Board Member Application

Last Name WEISS		First Name SUSAN		M.I. R
Home Address 960 NE 116 th St		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address		City	State	Zip Code
Home Telephone Number	Cell Number 305-968-1293	Work Number		
E-Mail Address SUSAN.R.WEISS@gmail.com		Are you a registered voter? Yes or No		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Public Art Advisory Board				
List all Village Boards on which you are currently serving or have previously served. Please include dates. Public Art Advisory 2013(?) -				
Educational qualification. BA Master Public Admin				
List any related professional certifications and licenses which you hold.				
Give your present, or most recent employer, and position. FIU Retired				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) 5 years experience on the board				

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Susan Weiss
Signature

March 11 2019
Date

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3 **RESOLUTION NO. 2019-05**
4

5 **RESOLUTION OF THE VILLAGE**
6 **COMMISSION OF THE VILLAGE OF**
7 **BISCAYNE PARK, FLORIDA, RATIFYING**
8 **THE SELECTION AND APPOINTMENT OF**
9 **BOARD MEMBERS TO THE PUBLIC**
10 **SAFETY ADVISORY BOARD; PROVIDING**
11 **FOR AN EFFECTIVE DATE**
12

13
14 WHEREAS the Village of Biscayne Park has established the Public Safety
15 Advisory Board consisting of five members and alternates as deemed necessary; and
16

17
18 WHEREAS the Village's Code of Ordinances states that members of each board
19 and committee shall be up for reappointment yearly at the regular March Commission
20 meeting, and that new members may also be appointed; and
21

22
23 WHEREAS, Village residents interested in serving on or continuing to serve on the
24 Public Safety Advisory Board have submitted a board application for the Commission's
25 consideration; and
26

27
28 WHEREAS, following the process whereby board applicants for the board were
29 placed on a ballot, the Village Commission, by majority vote, re-appointed and/or selected
30 new board members as follows:
31

32
33 Parks & Parkway Advisory Board:
34

- 35 1. Russel Ely, Member, term expires March 2020
36 2. Gavin McKenzie, Member, term expires March 2020
37 3. Michael Redmond, Member, term expires March 2020
38 4. Louis Rogers, Member, term expires March 2020
39 5. Sandor Scher, Member, term expires March 2020
40

41
42 NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF
43 THE VILLAGE OF BISCAYNE PARK, FLORIDA
44

45
46 **Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby
47 ratified and confirmed by the Village Commission.
48

49
50 **Section 2.** Consistent with the Village's Code of Ordinances governing boards
51 and committees, members have been selected to serve on the Public Safety Advisory
52 Board.
53
54



Village of Biscayne Park Board Member Application

Last Name ROGERS		First Name LOUIS		M.I. R
Home Address 655 NE 118 ST		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address —		City —	State —	Zip Code —
Home Telephone Number 305-895-3427		Cell Number 305-206-5786	Work Number —	
E-Mail Address d.c.rogers@att.net			Are you a registered voter? <input checked="" type="radio"/> Yes or <input type="radio"/> No	
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Public Safety Advisory Board				
List all Village Boards on which you are currently serving or have previously served. Please include dates. — None				
Educational qualification. BA from FSU, MEd from St Thomas, MPA from UM				
List any related professional certifications and licenses which you hold.				
Give your present, or most recent employer, and position. FPL Area Security Manager				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) 32 years with Miami-Dade Police				

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public re

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Louis R Rogers
Signature

03/14/2019
Date



Village of Biscayne Park
Board Member Application

Last Name McKENZIE		First Name Gavin		M.I. D	
Home Address 11080 Griffing Blvd.		City Biscayne Park	State FL	Zip Code 33161	
Principal Business Address 2247		City Miami	State FL	Zip Code 33142	
Home Telephone Number		Cell Number 305-213-8086	Work Number 786-412-7341		
E-Mail Address gavm@buildmckenzie.com			Are you a registered voter? Yes or No Yes		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. Public Safety Advisory Board					
List all Village Boards on which you are currently serving or have previously served. Please include dates. Public Safety Advisory Board					
Educational qualification. BA in business and political science.					
List any related professional certifications and licenses which you hold. General Contracting Licence, LEED AP.					
Give your present, or most recent employer, and position. Self employed, CEO, mckenzie Construction.					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) Development, planning, and construction experience.					

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

gi [Signature] _____ **3-7-19** _____
Signature Date



Village of Biscayne Park Board Member Application

Last Name Ely		First Name Russell		M.I. A
Home Address 800 NE 118st		City Biscayne Park	State FL	Zip Code 33161
Principal Business Address		City	State	Zip Code
Home Telephone Number 305-892-2920		Cell Number 305-812-8345	Work Number 305-873-9250	
E-Mail Address malmeg800@hotmail.com			Are you a registered voter? Yes or No yes	
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference.				
List all Village Boards on which you are currently serving or have previously served. Please include dates.				
public safety advisory board				
Educational qualification. associate of science in electronics, over thirty years experience as a locksmith dealing with security and life safety codes for our public schools since 1990				
List any related professional certifications and licenses which you hold.				
Give your present, or most recent employer, and position.				
Miami-Dade County Public Schools. Locksmith				
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.)				
I am already serving on the board				

<p>I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.</p> <p>I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.</p>		
Russell Ely <hr style="width: 80%; margin: 0 auto;"/>	<i>Russell Ely</i> <hr style="width: 80%; margin: 0 auto;"/> Signature	03/07/2019 <hr style="width: 80%; margin: 0 auto;"/> Date



Village of Biscayne Park Board Member Application

Last Name Scher		First Name Sandor		M.I.	
Home Address 955 NE 118th Street		City Biscayne Park	State FL	Zip Code 33161	
Principal Business Address 1035 N. Miami Avenue		City Miami	State FL	Zip Code 33136	
Home Telephone Number 305-981-9975		Cell Number 203-253-4747	Work Number 305-324-4700		
E-Mail Address SSCHER@CLAROCORP.COM			Are you a registered voter? Yes or No YES		
What Board(s) are you interested in serving? (All Village Boards are listed on the reverse side of this form.) Please list in order of preference. PUBLIC SAFETY					
List all Village Boards on which you are currently serving or have previously served. Please include dates. NONE					
Educational qualification. N/A					
List any related professional certifications and licenses which you hold. N/A					
Give your present, or most recent employer, and position. CLARO DEVELOPMENT - Principal					
QUALIFICATIONS ↓					
Describe experiences, skills or knowledge which qualify you to serve on this board. (Please feel free to attach a brief resume.) Claro Development is a real estate development company that has been involved in over 750MM in construction and development in the last 12 years. I have personally been in a leadership role on master planning, entitlement, neighborhood development, highest and best use studies, economic impact studies, construction cost feasibility studies, LEED and sustainability, estimating, budgeting and procurement activities. I have industry relationships that I am willing to tap for the benefit of Biscayne Park so we can advance as a community in a sustainable manner putting public safety and economic security as top priorities.					

I understand that in accordance with Florida Sunshine Law, this information becomes public and may be subject to public review.

I understand that, once appointed and annually thereafter, I may be required to complete a Financial Disclosure Affidavit in compliance with Florida Statutes.

Signature

8/25/2017

Date

03/15/2019



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Betsy Wise

March 19, 2019

Parks & Parkway Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Mercedes Diaz (new application)

Lynn Fischer (reappointment)

Daniel Keys (reappointment)

Barbara Kuhl (reappointment)

Randal Wagoner (reappointment)

Audra McCollum



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Dan Samaria

March 19, 2019

Parks & Parkway Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Mercedes Diaz (new application)

Lynn Fischer (reappointment)

Daniel Keys (reappointment)

Barbara Kuhl (reappointment)

Randal Wagoner (reappointment)

Ardena McCollum



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Mayor Tracy Truppman

March 19, 2019

Parks & Parkway Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Mercedes Diaz (new application)

Lynn Fischer (reappointment)

Daniel Keys (reappointment)

Barbara Kuhl (reappointment)

Randal Wagoner (reappointment)

Andre McCollum



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Vice-Mayor Johnson-Sardella

March 19, 2019

Parks & Parkway Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Mercedes Diaz (new application)

Lynn Fischer (reappointment)

Daniel Keys (reappointment)

Barbara Kuhl (reappointment)

Randal Wagoner (reappointment)

Audra Mc Collum (new application)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner William Tudor

March 19, 2019

Parks & Parkway Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Mercedes Diaz (new application)

Lynn Fischer (reappointment)

Daniel Keys (reappointment)

Barbara Kuhl (reappointment)

Randal Wagoner (reappointment)

Audra McCollum (new application)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner William Tudor

March 19, 2019

Public Art Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Patrice Bertin (new application)

Karen Marinoni (reappointment)

Amy Raymond (reappointment)

Barbara Watts (new application)

Susan Weiss (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Betsy Wise

March 19, 2019

Public Art Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

- Patrice Bertin (new application)
- Karen Marinoni (reappointment)
- Amy Raymond (reappointment)
- Barbara Watts (new application)
- Susan Weiss (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Dan Samaria

March 19, 2019

Public Art Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Patrice Bertin (new application)

Karen Marinoni (reappointment)

Amy Raymond (reappointment)

Barbara Watts (new application)

Susan Weiss (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Mayor Tracy Truppman

March 19, 2019

Public Art Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Patrice Bertin (new application)

Karen Marinoni (reappointment)

Amy Raymond (reappointment)

Barbara Watts (new application)

Susan Weiss (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Vice-Mayor Johnson-Sardella

March 19, 2019

Public Art Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

- Patrice Bertin (new application)
- Karen Marinoni (reappointment)
- Amy Raymond (reappointment)
- Barbara Watts (new application)
- Susan Weiss (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Dan Samaria

March 19, 2019

Public Safety Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

- Russell Ely (reappointment)
- Gavin McKenzie (reappointment)
- Michael Redmond (reappointment)
- Louis Rogers (reappointment)
- Sandor Scher (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner Betsy Wise

March 19, 2019

Public Safety Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

- Russell Ely (reappointment)
- Gavin McKenzie (reappointment)
- Michael Redmond (reappointment)
- Louis Rogers (reappointment)
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The Village of Biscayne Park

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

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COMMISSION MEMBER BALLOT

Mayor Tracy Truppman

March 19, 2019

Public Safety Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Russell Ely (reappointment)

Gavin McKenzie (reappointment)

Michael Redmond (reappointment)

Louis Rogers (reappointment)

Sandor Scher (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Vice-Mayor Johnson-Sardella

March 19, 2019

Public Safety Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

- Russell Ely (reappointment)
- Gavin McKenzie (reappointment)
- Michael Redmond (reappointment)
- Louis Rogers (reappointment)
- Sandor Scher (reappointment)



The Village of Biscayne Park

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

COMMISSION MEMBER BALLOT

Commissioner William Tudor

March 19, 2019

Public Safety Advisory Board

APPOINTMENT

BOARD MUST HAVE FIVE (5) MEMBERS

Please Circle Up to Five (5) Candidates

Russell Ely (reappointment)

Gavin McKenzie (reappointment)

Michael Redmond (reappointment)

Louis Rogers (reappointment)

Sandor Scher (reappointment)



Village of Biscayne Park

Parks & Parkway Advisory Board - Member selection March 19, 2019

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Mercedes Diaz	✓	✓	✓	✓	✓	5
Lynn Fischer	✓		✓	✓	✓	4
Danial Keys			✓			1
Barbara Kuhl	✓	✓	✓	✓	✓	5
Randal Wagoner	✓	✓	✓	✓		4
AUDRA McCOLLUM	✓		✓		✓	3

Vote for Alternates Members

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Name						
Name						

The votes placed by each Commissioner are attached.



Village of Biscayne Park

Public Art Advisory Board - Member selection March 19, 2019

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Patrice Bertin	✓		✓	✓	✓	4
Karen Marinoni	✓	✓	✓	✓	✓	5
Amy Raymond	✓	✓	✓	✓	✓	5
Barbara Watts	✓	✓	✓	✓	✓	5
Susan Weiss	✓	✓	✓	✓	✓	5

Vote for Alternates Members

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Name						
Name						

The votes placed by each Commissioner are attached.

Village of Biscayne Park

Public Art Advisory Board - Member selection March 19, 2019



Village of Biscayne Park

Public Safety Advisory Board - Member selection March 19, 2019

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Russel Ely	✓	✓	✓	✓	✓	5
Gavin McKenzie	✓	✓	✓	✓	✓	5
Michael Redmond	✓	✓	✓	✓	✓	5
Louis Rogers	✓	✓	✓	✓	✓	5
Sandor Scher	✓	✓	✓	✓	✓	5

Vote for Alternates Members

	Truppman	Johnson-Sardella	Samaria	Tudor	Wise	Total
Name						
Name						

The votes placed by each Commissioner are attached.



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 10.e

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Krishan Manners, Village Manager

DATE: March 19, 2019

TITLE: Resolution No. 2019-06 Vehicles Donation

Recommendation

Acceptance of Resolution 2019-06 Vehicles Donation

Background

The Town of Golden Beach Police Department has offered to donate in good condition three Ford Explorers to the Village of Biscayne Park. The vehicles are as follows:

2008 Ford Explorer VIN# 1FMEU63EX8UB32347 Mileage: 100,835

2008 Ford Explorer VIN# 1FMEU63E68UB32345 Mileage: 82,590

2007 Ford Explorer VIN# 1FMEU63E47UB78318 Mileage: 84,553

These vehicles will be used to supplement the current fleet to assist in the ongoing growth of the police department in its continued commitment to excellence. The Village has the right to surplus and sell the vehicles at any time after title transfer.

Resource Impact

N/A

Attachment

- Titles
- Resolution No. 2019-06 Vehicles Donation

Prepared by: Krishan Manners

1
2
3 **RESOLUTION NO. 2019-06**
4

5 **A RESOLUTION OF THE VILLAGE COMMISSION**
6 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA;**
7 **ACCEPTING THE DONATION OF VEHICLES**
8 **FROM THE CITY OF GOLDEN BEACH POLICE**
9 **DEPARTMENT; AUTHORIZING THE VILLAGE**
10 **MANAGER TO ACCEPT TITLE TO THE VEHICLES**
11 **TO BE USED WITHIN THE VILLAGE'S POLICE**
12 **DEPARTMENT; AND PROVIDING FOR AN**
13 **EFFECTIVE DATE.**
14

15 **WHEREAS**, a donation and gift policy exists in the Village of Biscayne Park which
16 provides direction to the Village Manager regarding same; and,
17

18 **WHEREAS**, the Village desires to promote consistency and transparency; and,
19

20 **WHEREAS**, consistent with the proposed gift policy the Village Manager is seeking
21 authorization to accept the following vehicles:

- 22 • 2008 Ford Explorer VIN# 1FMEU63EX8UB32347 Mileage: 100,835
- 23 • 2008 Ford Explorer VIN# 1FMEU63E68UB32345 Mileage: 82,590
- 24 • 2007 Ford Explorer VIN# 1FMEU63E47UB78318 Mileage: 84,553; and,
25

26 **WHEREAS**, the Village Manager would like to accept title to the vehicles and to use
27 the vehicles to enhance the Village's Police Department fleet; and,
28

29 **WHEREAS**, the Village Manager, is seeking authorization to accept the vehicles from
30 the City of Golden Beach Police Department, to have title transferred to the Village, and to
31 mark and stripe the vehicles for Village police use.
32

33 **NOW THEREFORE IT IS HEREBY RESOLVED BY THE MAYOR AND VILLAGE**
34 **COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:**
35

36
37 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
38 being true and correct and hereby made a specific part of this Resolution upon adoption hereof.
39

40 **Section 2.** The Mayor and Village Commission authorize the Village Manager to
41 accept the donation of :

- 42 • 2008 Ford Explorer VIN# 1FMEU63EX8UB32347 Mileage: 100,835
- 43 • 2008 Ford Explorer VIN# 1FMEU63E68UB32345 Mileage: 82,590
- 44 • 2007 Ford Explorer VIN# 1FMEU63E47UB78318 Mileage: 84,553

45 from the City of Golden Beach Police Department, and is authorized to obtain title to the
46 vehicles and expend such funds as is necessary to make the vehicles part of the Village Police
47 Department's fleet (striping, identifying markers, etc).
48



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 11.a

TO: Mayor and Members of the Biscayne Park Village Commission

FROM: Krishan Manners

DATE: March 19, 2019

TITLE: Discussion of Village Attorney

Background

On July 30, 2018, the Village Commission engaged the firm of GrayRobinson PA to provide legal services to the Village. On February 8, 2019, the Village received a letter from GrayRobinson PA indicating that the attorney serving as lead council, John Herin, Jr. had moved to Fox Rothschild LLP.

In the letter received on February 8, 2019, three options were provided for consideration:

1. Remain with GrayRobinson PA
2. Move and transfer files to Fox Rothschild LLP
3. Move and transfer files to different attorney/firm

A special meeting was held on February 12, 2019 to discuss how the Commission wanted to proceed. At the meeting on February 12, 2019, the Commission directed staff to:

1. Ask GrayRobinson PA who will be the lead council for the Village moving forward to ensure the Village has proper legal representation regarding all legal matters, and,
2. Obtain information from both GrayRobinson PA and Fox Rothschild LLP and submit to the Commission for review.

Firms would not be asked to present at this meeting.

Both items were to be completed prior to the next meeting, at which time the Commission will consider next steps.

Recommendations

N/A

Resource Impact

March 19, 2019
Item 11.a

Page 1 of 2

TBD

Attachment(s)

- Letter received February 8, 2019 from GrayRobinson PA
- GrayRobinson PA Packet
- Fox Rothschild LLC Packet

Prepared by: Staff



Fox Rothschild LLP
ATTORNEYS AT LAW

Information concerning Fox Rothschild for:

Mayor and Village Commission

Village of Biscayne Park

640 N.E. 114th Street

Biscayne Park, FL 33161

John Herin

One Biscayne Tower

2 South Biscayne Blvd., Suite 2750

Miami FL 33131

T: 786.501.7378

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At A Glance

Fox Rothschild is a national law firm delivering strategic and practical solutions for clients. We are innovative and entrepreneurial – a spirit that attracts some of the brightest legal talent from across the country.

Home to more than 900 attorneys in 27 offices coast to coast, Fox offers a team of accomplished professionals who have honed their legal skills in government and industry.

We appreciate the fluctuating nature of today’s competitive business environment and are skilled at crafting legal solutions that enable our clients to achieve outcomes that may once have seemed impossible. When you choose Fox, you choose an adviser as dedicated to your success as you are.

We serve a wide range of clients, from *Fortune* 500 corporations to startups, family-owned businesses, educational institutions, nonprofit organizations and individuals.



- Atlanta, GA
- Atlantic City, NJ
- Blue Bell, PA
- Charlotte, NC
- Chicago, IL
- Dallas, TX
- Denver, CO
- Exton, PA
- Greensboro, NC
- Greenville, SC
- Las Vegas, NV
- Los Angeles, CA
- Miami, FL
- Minneapolis, MN
- Morristown, NJ
- New York, NY
- Philadelphia, PA
- Pittsburgh, PA
- Princeton, NJ
- Raleigh, NC
- San Francisco, CA
- Seattle, WA
- Warrington, PA
- Washington, DC
- West Palm Beach, FL
- Wilmington, DE
- Wilmington, NC

Recognized

Fox attorneys are frequently recognized for their excellent work, both by clients and within the legal industry. Recent awards and recognition include:



Honor Roll in the 2018 *BTI Client Service A-Team*

- Top 15% of firms using technology in innovative ways



"Honor Roll of Most Feared Law Firms in Litigation" in *BTI's Litigation Outlook 2016-2018*



NJ Trailblazers in:

- Intellectual Property
- Cybersecurity & Data Privacy
- Regulatory & Compliance
- Energy & Environmental
- Litigation
- M&A and Antitrust



Noted in *Chambers USA* and *Chambers Global* as Leaders in the Law and Recognized Practitioners



A "Go-To Law Firm" in an annual survey of *Fortune 500* companies



A "Top Patent Firm" by *Intellectual Property Today*

Resourceful

We are innovative and entrepreneurial. Our value-driven, business-minded approach is what you should expect in your law firm. This is more important than ever in today's economy. We offer a comprehensive range of legal services in more than 60 practice areas in nine core areas of law:



Industries

We partner closely with clients to understand their business objectives and the unique challenges they face, working across a broad range of industries, including:



Construction



Education



Entertainment



Fashion



**Federal Government
Contracts**



Financial Services



Franchising



Gaming



Health Care



Hospitality



**Infrastructure and
Development**



Insurance



Life Sciences



Manufacturing



Medical Technology



Real Estate



Retail



Securities



Technology



**Transportation and
Logistics**

Government Relations

Attorneys in Fox Rothschild's Government Relations Practice Group have been significantly involved in legislative, administrative, and regulatory matters in Florida, Pennsylvania, New Jersey, Delaware, and Nevada, as well as at the local and federal levels. Our legislative efforts include drafting bills, resolutions and amendments, research and analysis of legislative issues, and firsthand communication with legislators and executive branch officials.

Fox's regulatory assistance includes working with clients before state agencies. We also are experienced in challenging statutes and administrative decisions in the courts.

The Government Relations Practice Group works with businesses and state and local governments regarding government contracts, compliance with state ethics, and lobbying registration requirements. We also work with local governments regarding the expenditure of funds.

Our attorneys consider how to best accomplish a client's objectives in the legislative, administrative, and judicial branches of government and then proactively aid clients in seeking successful outcomes. Fox's lawyer-advocates are skilled draftspersons and can analyze proposed bills and rules considering constitutional questions and other potential statutory or administrative law conflicts. In addition, our lawyers have first-hand legal knowledge of complicated election, ethics, lobbying, and contracting law, and can work with you and your business to assist in creating and maintaining laws and regulations that will help your business prosper.

Services

Our Government Relations attorneys bring a mix of state and federal political, legislative, and administrative background to their work. Services we provide include:

- Legislative Advocacy
- Regulatory & Administrative Law
- Government Contracting Law
- Government Ethics & Lobbying Services Law
- Election & Campaign Finance Law
- Legal Support for Associations and Registered Lobbyists

Government Litigation

We have broad and significant experience advising municipal and governmental clients on litigation, compliance, and risk management, and we are involved in legislative, administrative, and regulatory matters at local, state, and federal levels. Our team has a longstanding and successful history of working with government bodies as participants on commissions, solicitors, serving on government-appointed committees, and appearing before courts and regulatory agencies. We represent our government clients in disputes relating to bids and contracts, construction and public works projects, tax assessments, bankruptcy, and employment issues, among many others.

We find that thorough risk assessments and sound, pragmatic advice reduce the likelihood of litigation. However, if litigation becomes necessary or advisable, our team is composed of seasoned litigators with decades of trial experience, which includes handling a wide variety of litigation matters for government entities. We frequently handle matters in local, state, and federal courts at the trial and appellate levels involving issues that affect local governments and organizations, and we customize strategies tailored to our clients' goals, both long and short term. We're especially proud of our work in class-action litigation where we have a track record of securing important legal victories early on, sometimes shutting down cases completely or significantly narrowing the scope in ways that save our clients time and money.

Although we serve a diverse range of clients, they echo a common theme as to why they chose Fox: our commitment to delivering practical advice. We understand that clients want more than just quality work, so we focus on providing innovative guidance that aligns with their goals and objectives. Our pragmatic approach is evidenced by what we consider the top compliment we've received from clients: we treat their issues and their organizations as if they were our own.

Our litigation services include:

- Alternative Dispute Resolution
- Appellate
- Bankruptcy
- Class Actions
- Employment Litigation
- Eminent Domain/Condemnation
- Immigration
- Intellectual Property
- Tax Litigation
- White Collar Compliance & Defense

Representative examples of our work include:

- Acted as special counsel to a municipality in a federal court action involving a purported bid protest arising from a public works project. Secured a dismissal of all claims against the municipality by a motion to dismiss.
- Represented an assessment appeal board in a tax immunity dispute having widespread implications for school districts and municipalities throughout Pennsylvania.
- Represented a municipality in a multi-million dollar construction dispute in federal court, securing dismissal of the lawsuit.
- Represented a school district in significant state court litigation arising from a contract for architectural services and bankruptcy court litigation related to the bankruptcy and subsequent trusteeship of the architectural firm.
- Represented numerous school districts in dozens of tax assessment appeals.
- Represented a city in claims brought against it by a private utility company for negligence in carrying out a sewer repair project.
- Successfully defended a waste treatment facility in a toxic tort case by having the case dismissed by summary judgment.
- Successfully represented a school district in defending a whistle blower's claim brought by a former business manager, as the result of allegations of improprieties on the part of school administrators in reporting grant money.
- Represented various municipalities in bankruptcy avoidance actions and Chapter 9 filings.
- Represented school districts in various employment disputes.

Environmental

Businesses of every size and in a broad range of industries have come to recognize the advantages of not only complying with environmental law, but also planning for what lies ahead – for themselves and their customers. Whether you are facing complex litigation involving issues like toxic torts or air pollution, seeking to “green” for efficiency, looking for energy and utility advice, or buying or selling a business or property, we can help you navigate increasingly difficult challenges.

Our attorneys know the science, regulations and case law that impact environmental concerns. We know how to work, negotiate and litigate with government agencies such as federal and state environmental protection agencies. We know your business and are responsive and flexible in meeting your needs. Our Environmental Law Practice offers extensive experience across the broad spectrum of environmental law, from compliance advice to litigation.

We have a national record of strong results on behalf of clients in areas such as:

- Environmental litigation
- Environmental aspects of transactions and due diligence
- Permitting
- Compliance and enforcement
- Site remediation
- Product and take-back requirements
- Sustainable “green” development

Experienced Advocacy for All of Your Needs

Our attorneys include seasoned litigators with decades of trial experience. We know what it takes to evaluate risk fairly and avoid disputes. We approach dispute resolution pragmatically but are well-equipped to handle large, complex litigation. Our lawyers have led multiparty Superfund groups to successful settlements and litigated Superfund claims to verdict. We have brought and defended citizen suits; defended product liability and toxic tort claims; and successfully appealed permits, orders and penalty assessments in administrative tribunals.

We also help get deals done. Our extensive experience in structuring and documenting transactions to enhance client value and minimize short and long-term environment-related risks provides meaningful safeguards to the companies we represent. We have developed language for environmental disclosures, LEED compliance, indemnities, access agreements, remediation agreements, leases, stock purchase agreements, real estate purchase and sale agreements, restrictive covenants and deed restrictions. We also develop and negotiate contract language to implement corporate and social responsibility goals and to engage vendors for environmental consulting, EHS outsourcing, recycling and hazardous waste relationships.

Our combined experience has helped us to work successfully with clients on a range of key environmental issues, including:

- Air
- Alternative energy sources and utilities regulation
- Brownfield redevelopment
- Civil and criminal enforcement
- Corporate and commercial transactions
- Emerging technology
- End of life, takeback and recycling
- Energy
- Environmental management systems
- Hazardous waste
- Health and safety
- Land use and real estate
- Municipal and residual waste
- Natural resource damages
- REACH and RoHS and other product requirements
- Sewage planning
- Stormwater management
- Superfund
- Toxic tort
- Water
- Other regulatory programs and compliance

Our lawyers are also well-versed in developing areas of environmental law and policy, including climate change and greenhouse gases, chemical restriction and registration rules, Leadership in Energy and Environmental Design (LEED) certification and green building.

At Fox Rothschild, clients have access to all of the experience and talent of our Environmental Law Practice, backed by the resources of our national network of attorneys working in 60 areas, including real estate, corporate, litigation, zoning and land use, energy and more. Together, we can handle your environmental needs.

Services

- Environmental litigation in state and federal courts
- Environmental aspects of business and real estate transactions
- Collaboration with corporate counsel to implement environmental management systems, design environmental programs and comply with legal requirements
- Regulation of discharge of hazardous materials into the environment (air/water/soil)
- All compliance and related aspects of siting and redeveloping properties, including:
 - Brownfields development
 - Wetlands
 - Stormwater
 - Above- or below-ground tankage
 - Endangered species and ecological concerns
 - LEED certification
- ISRA compliance
- Environmental permitting (air and water)
- CERCLA (Superfund)

- New Jersey's Spill Act compliance
- Pennsylvania's Land Recycling Act (Act 2) and HSCA compliance
- Site remediation
- Natural resource damages
- Environmental regulation
- Toxic torts
- Vapor intrusion

Recent Matters

Environmental Practice Matters

- Advised on the environmental aspects of a corporate acquisition valued at more than \$10 billion.
- Helped sell a Superfund site in a high-end commercial district.
- Helped a small business acquire a parking lot where an oil company continues to monitor groundwater.
- Successfully defended a waste treatment company in a toxic tort case by winning a Daubert motion excluding an expert's testimony and having the case dismissed on summary judgment before it reached a jury.
- Participated as counsel – often in leadership roles – in virtually every one of New Jersey's multiparty environmental cases, from *U.S. v. Price to Passaic River*.
- Counseled clients on compliance with New Jersey's Industrial Site Recovery Act (ISRA - formerly ECRA) as to more than 100 sites.
- Serve as environmental counsel to a large international gaming company redeveloping a former shipyard into a casino and harness track.
- Serve as outside environmental counsel to an international manufacturer on a brownfield redevelopment project to enable expansion of its facility.
- Defended an international manufacturer of gas springs in a complex federal litigation alleging pollution of a public water supply well.
- Serve as overall Environmental Remediation Coordinating Counsel for a *Fortune 25* multinational manufacturing company.
- Serve as counsel on air-permitting and solid waste issues to a publicly traded owner and operator of resource recovery facilities in Pennsylvania.
- Represent Pennsylvania's first planned platinum LEED Certified community.
- Serve as common counsel for CERCLA (Superfund) actions for the Metcoa Radiation Site representing some 160 parties.
- Represented the seller in what is believed to be the first transaction under New Jersey's Brownfields Law.
- Act as liaison counsel for the third-party defendants in the Pennsauken Landfill litigation, involving more than 200 parties.
- Represent an international pharmaceutical company on all land use and zoning aspects for a new corporate headquarters and manufacturing facility.
- Represent a national biosolids company on regulatory compliance and litigation relating to land applications.

- Serve as mergers and acquisitions counsel on environmental issues for a multinational electronics company.
- Serve as counsel on air, water and waste matters, as well as health and safety matters, for facilities throughout the country.
- Assist landowners with negotiating new and existing oil and gas leases for the Marcellus Shale natural gas reserve to optimize the economics of the lease while minimizing the disruption to the landowner's surface use.

Zoning and Land Use

Fox Rothschild's Zoning and Land Use attorneys are active champions of our clients' right to do business and aggressively focus their efforts on helping clients achieve their objectives in zoning and land use activities, in real estate development work, and where necessary, in litigation proceedings. With a national practice, we are one of the largest and most experienced zoning and land use practices in Pennsylvania, New York, New Jersey and Delaware.

Services

We deliver swift and effective service as a project evolves – from pre-acquisition to disposition and all phases in between. We have extensive experience in:

Zoning and Land Use Related Permits and Approvals

- Subdivision approvals for new residential housing developments
- Redevelopment projects including redevelopment agreements and financial incentives
- Land development approvals for new office, industrial and commercial developments and for the renovation and expansion of existing projects
- Rezoning and zone amendments
- Conditional use permits and approvals, variances, special exceptions and certificates
- Highway-related permits from local and state agencies
- Environmental permits, approvals, clearances and releases from environmental liability from local and state agencies
- Military base reuse
- General Plan amendments and Specific Plans
- Compliance with the California Environmental Quality Act (CEQA)
- Compliance with affordable housing regulations
- Compliance with aesthetic and design review regulations
- Negotiating and documenting vested rights to pursue a real estate development
- Negotiation of exactions, dedications and development impact fees
- Compliance with government open meeting and public records laws during the development process

Real Estate Development

- Land use due diligence and site feasibility analysis
- Structuring public private partnerships between developers and cities, counties and other governmental agencies
- Agreements for the acquisition and sale of all types of real estate
- Real estate tax assessment appeals
- Condemnation/eminent domain claims
- Condominium and planned community documentation



- Loan documentation
- Miscellaneous site development documentation, including easements, restrictive covenants, cross-easements, declarations and municipal development/escrow agreements
- Leasing documentation, including the leasing of public trust lands and port district property
- Preparation of land use initiatives and referenda for public vote
- Partnership and limited liability company agreements

Litigation Proceedings Related to the Zoning and Land Use Process

- Land use appeals and mandamus actions in the local courts
- California Environmental Quality Act (CEQA) litigation
- Appeals to the appellate courts
- Federal 1983, equal protection and due process claims
- Injunctions
- Disputes under agreements of sale
- Disputes between property owners
- Code enforcement

Environmental-Related Services

- Environmental aspects development projects
- Regulation of discharge of hazardous materials into the environment (air/water/soil)
- Sustainability and climate change regulation
- All compliance and related aspects of siting and redeveloping properties, including:
 - Brownfields development
 - Wetlands
 - Stormwater
 - Above- or below-ground tankage
 - Endangered species and ecological concerns
 - Preservation of historic structures under federal and state laws
- Analysis of available water supplies for development
- Geologic and seismic hazards
- Greenhouse gas emissions
- Sea level rise and development within flood plains
- Sustainable energy facilities, such as solar, wind and geothermal
- LEED certification, GreenPoint rating, CalGreen compliance (including optional tiers)
- Biotechnology and medical facility impacts and hazards
- Mitigating the impact of development on public services

Additionally, we work closely with our colleagues in the firm's condemnation and eminent domain, construction law and litigation practice areas. We leverage the depth and breadth of our national network of attorneys to provide clients with excellent and cost-effective legal representation. It is one of the reasons our client retention is so high. Not surprisingly, our clients often refer their industry colleagues to us for their most important real estate development projects.

Recent Matters

- Represented a developer for a redevelopment project consisting of 1200 residential units and more than 400,000 square feet of commercial space.
- Represented billboard advertising company in exclusionary zoning litigation and obtained a favorable settlement leading to an ordinance that allowed new billboards.
- Represented a national bank and a national fast food restaurant navigating their application successfully through several hearings in the face of a newly enacted design standards ordinance. We secured a use variance and site plan approval for two primary uses on a single lot where such development was prohibited.
- Litigated and successfully settled a downzoning challenge to a series of predatory municipal ordinances.
- Secured approvals for a 500,000 sq. foot redevelopment project anchored by both one of the world's largest retailers and a major home improvement specialty store.
- Successfully litigated a builders remedy action, resulting in a property development of 185 units where prior zoning only permitted 17 homes.
- Obtained final major site plan approval for a new, 24-story hotel tower and structured parking garage addition and a new 2100-room hotel and casino project.
- Represented a developer in Egg Harbor Township with a 660 unit residential development project.
- Obtained land development approval for a 300,000 square foot shopping center.
- Obtained zoning relief and subdivision approval in connection with a residential cluster development.
- Obtained multiple variances from the zoning hearing board to permit development of a 300+ unit golf course community.
- Obtained final subdivision plan approval for a residential subdivision.
- Obtained final land development approval for the construction of a new automobile dealership.
- Represented a national financial institution in obtaining several variances from the zoning hearing board and final land development approval.
- Obtained final land development/conditional use approval for a continuing care facility and office complex.
- Obtained final land development approval and variances for a 400,000 sq. ft. shopping center.
- Obtained final land development approval for a 90,000 sq. ft. office and commercial complex.
- Negotiated an agreement with the Bedminster Township Municipal Authority in Bucks County New Jersey to construct a new sewage treatment plant and obtained subscription agreements with developers for connections to the new plant.
- Obtained final subdivision approvals for several high density residential subdivisions.
- Obtained multiple variances from the zoning hearing board to enable a new office/retail complex.
- Represented a developer in the rezoning of a development parcel near the Delaware River in Philadelphia for a residential high rise.
- Represented a developer with approvals for multiple self-storage facilities in Philadelphia and the surrounding suburbs.
- Obtained approval on behalf of client, Ian Schragger Company, for a large planned hotel on the Lower East Side of New York City.



- Represented the developer of a master planned community in San Diego, California, with build out of more than 4,500 residential units, more than 500,000 square feet of retail and office space, three new elementary schools, recycled water system and other supporting infrastructure.
- Prepared land use measure for ballot in Bay Area city for proposed redevelopment of 900-acre naval air station for more than 4,300 residential units, three million square feet of commercial uses, 600 boat slips and 145 acres of open space.
- Represented a national medical provider in the development of a more than 1.2 million square foot hospital and medical office building complex in southern California.
- Represented a developer in the land use entitlement and environmental review of a new town development in Los Angeles County consisting of approximately 20,000 residential units and 14 million square feet of commercial space.
- Advised clients in the redevelopment of a portion of the former Fort Ord military base into a resort community with three hotels, residential multifamily properties, retail and office uses.
- Counseled clients in the preparation of environmental impact reports pursuant to the California Environmental Quality Act for new development projects in northern and southern California.
- Represented a developer in the approval of a memorandum of understanding for a proposed major league soccer stadium in the Bay Area.
- Drafted covenants, conditions and restrictions governing the development of a major league baseball stadium and adjacent development.
- Represented a water supply company in obtaining approvals for a new state-of-the-art aquifer storage and recovery facility.

Labor & Employment

In a climate of increasingly complex workplace regulations, employers need strategies that result in productive and cost-effective business outcomes. From labor relations and discrimination claims to employee benefits, Fox Rothschild offers timely, creative and aggressive advice and solutions that resolve — and even prevent — disputes and costly litigation.

Services

- Affirmative action programs and OFCCP compliance
- Employee benefits and compensation planning
- Employee privacy and background checks
- Employment and wage and hour class actions
- Employment counseling, policy developments and audits
- Employment litigation
- Employment training
- Immigration
- Labor management relations
- Staffing law
- Unfair competition and trade secrets
- Wage and hour law
- Workplace safety and health

Employment Counseling, Policy Developments & Audits

Every workplace needs appropriate policies, procedures and auditing systems in order to function in the evolving world of employment law. While many policies and procedures are required by law, even those not state or federally mandated can serve as essential protection against legal claims. At an even more basic level, consistent policies are needed to assure equality of treatment across all employment levels. Treating employees consistently based on appropriately established policies is one of the most effective ways to prevent lawsuits and decrease employee turnover.

At Fox Rothschild, we understand the types of employment issues that arise in the workplace. We know that “one size does not fit all,” and we draft policies and procedures to best protect employers in myriad industries of all sizes and types. We have also learned from the litigation context how policies, procedures, audits and training (or the lack thereof) are viewed and what practices put employers in the best position to defend against claims.

Preventative audits to assess liability, alleviate concerns and update employment practices are an essential service we provide to help clients continually recalibrate in an ever-shifting legal landscape. Our teams work with our clients to comprehensively assess risk in the workplace with an eye toward avoiding future liability.

Whether through drafting an employee handbook, providing harassment training, reviewing a job application or salary matrix, designing a disciplinary or evaluation form, creating checklists for new hires or terminations, vetting a reduction-in-force or reorganization plan, reviewing payroll practices or drafting a policy for a particular workplace challenge, Fox Rothschild's team uses its extensive experience and practical approach to meet the individual needs of an employer.

Employment Litigation

Our employment litigation practice includes trial and appellate work before all state and federal courts and agencies in addition to arbitrations. Our attorneys have experience in litigating matters involving the full range of employment issues, including claims of age, disability, sex and race discrimination and retaliation; sexual harassment; wrongful discharge; whistle-blower violations, noncompete, nondisclosure and trade secret disputes; defamation; fraud; invasion of privacy; public policy violations; and a wide variety of other common law and statutory claims arising in the employment context.

All of our employment litigators are members of the firm's Labor and Employment Department and have the regulatory knowledge to advise clients daily about the implications of the employment laws under which they litigate. We apply the same practical know-how to handling employment litigation that we use in advising our clients.

Our first step in every litigation matter is to work with the client to determine its goals for representation—be it to aggressively defend to the end, resolve expeditiously and/or settle early; or something in between. We understand the cost/benefit analysis that employers and insurers must undertake in determining the appropriate response to litigation. We provide legal insights and candid assessments to our clients with an eye toward expediting the process and providing cost-effective, efficient and sound representation. In every litigation, we evaluate the merits of the case early and formulate a defense strategy tailored to achieving the client's needs and objectives.

We pride ourselves on successful case management through proper staffing, efficient use of information technology during discovery and at trial, coupled with a refusal to reinvent the wheel at our clients' expense. Firmwide accessibility to years of practical legal experience allows us to provide the high-quality representation our clients have come to expect without the extra cost other firms may incur to come up-to-speed on the nuances of employment law.

Our billing rates and fee arrangements are competitive with those of comparable firms. Our commitment to high-quality representation at a competitive price has earned Fox Rothschild the loyalty of our employer clients. It has also resulted in our appointment to a number of select EPL and D&O insurance panels as well as the approval to handle cases with carriers on a case-by-case basis.

Employment Class Actions

Employment class actions often share common traits, including the potential for significant liability, the likelihood of adverse publicity and a direct adverse impact on current employee relations. But these lawsuits

are at the same time unique, with each requiring skilled, strategic and customized legal advice to combat the challenges, thwart the claims (both procedurally and substantively) and help employers meet their overall business goals without interruption.

Fox Rothschild's team of labor and employment attorneys has successfully resolved complex employment-related class and collective action claims in federal and state courts and in a broad range of industries. We defend employers in claims arising out of tip pooling, meal/rest periods, overtime, off-the-clock work, employee misclassification, harassment, equal pay, employment discrimination and employee benefits. We have deep experience in all federal and state employment laws, including the Fair Labor Standards Act and state law equivalents.

By defeating class certification, obtaining summary judgment or using alternative dispute resolution methods, our attorneys effectively and efficiently help employers avert or minimize liability related to class actions. If a case proceeds to trial, we implement extensive cost-saving mechanisms to manage the case for our clients.

Recent decisions by the U.S. Supreme Court are opening doors for employer-defendants and helping to balance the playing field just a bit. However, this area of the law continues to evolve. Fox attorneys continually monitor the outcomes of state and federal court decisions and report to our clients via weekly email distributions and our various employment law blogs.

Employment Training

A rapidly increasing number of states and localities have laws or regulations that require employers to conduct a wide variety of workforce training(s). Even when training is not mandated by law, case law strongly encourages employers to be proactive and to provide training to both managers and employees on a regular basis. Best practices also suggest that preventative training increases employee satisfaction and retention.

We routinely offer training to our clients' employees, wherever they are located, on numerous issues, including:

- Harassment Prevention for Managers (required in California)
- Harassment Prevention (or Workplace Values) for Employees
- Employment Law Updates
- Effective Management Skills
- Employee Relations/Discipline and Discharge
- Effective Documentation
- Best Practices for Hiring and Firing
- Independent Contractor v. Employee Status
- Union Avoidance
- Administering Union Contracts
- How To Conduct an Internal Investigation
- Wage and Hour Compliance
- Leaves of Absences, including the FMLA, ADA, workers' compensation, pregnancy/maternity and various state laws (and the combination thereof)

- Employee Benefits/Health Care Reform
- Immigration Law/I-9 Compliance
- Religious Discrimination and Accommodation
- Social Media in the Workplace
- Violence in the Workplace
- Safety and Security
- Litigation Strategies

Fox Rothschild attorneys who provide training to our clients and to organizations in the communities where we practice are renowned for offering educational programs that are relevant, engaging, practical and enjoyable.

Wage & Hour Law

Wage and hour concerns represent one of the most substantial potential liabilities employers face today.

Every employer, regardless of size is vulnerable to these claims, and the costs of defending, settling or (worst of all) losing can be extreme. Both federal and state laws govern this area, with state law typically more restrictive and expansive than the federal counterparts. Because of the maze of wage and hour rules and regulations, the number of ways for employers to run afoul of the law is vast, and the penalties for even minor violations can far exceed the arguable harm caused. Those regulations, paired with increased government enforcement actions, a more activist plaintiffs' bar and a wealth of information available at employees' fingertips, pose significant challenges for employers.

Fox Rothschild's nationwide team of labor and employment attorneys has years of experience working with employers in a wide range of industries. From that experience, we understand that the only way for employers to "win" a wage dispute is to avoid the dispute in the first place. We guide clients on how to comply with the various wage and hour laws they face and are available to audit their current payroll practices and correct areas that may be out of compliance with the ever-changing wage and hour rules governing their businesses. And, if a wage and hour claim is made against them, we have the experience to aggressively defend individual, collective and class action claims in federal or state court and before the federal and state agencies that enforce these laws. Our lawyers have litigated, and are litigating, such class/collective actions throughout the country.

We provide employers with comprehensive representation on wage and hour issues involving:

- Employee misclassification (exempt v. nonexempt)
- Independent contractor status
- Pre- and post-shift activities, such as “donning and doffing” and other off-the-clock activities
- Travel, on-call and other “working” time
- Tipped employee issues, including tip pools and the tip credit
- Motor carrier exemptions
- Meal periods and rest breaks
- Commissions and bonuses, including retail sales commissions and outside sales exemption
- Overtime calculations and proper rate of pay

Fox Rothschild attorneys also keep clients informed of the latest cases, news and changes in wage and hour law through our numerous employment law blogs, including:

Real Estate

Customized Solutions From a Full-Service Team

At Fox Rothschild, our team of professionals is at the ready to help clients maximize real estate opportunities, whether portfolio transactions or deals involving a single property. Our attorneys are well versed in key areas, such as acquisitions, sales, leasing, financing, zoning, land use, construction, tax appeals and condemnation. We bring a multifaceted perspective to each real estate opportunity and help to identify and address risks and develop practical strategies to meet clients' needs.

With years of experience navigating the real estate market in both upswings and downturns, we are skilled at considering a client's motivation and objectives to advise on the best course of action for each real estate opportunity and challenge. We assist owners, developers, investors, lenders, real estate professionals, design firms, landlords, tenants, financial institutions, syndicators, insurance companies and many other clients. Additionally, throughout our network of offices, Fox Rothschild attorneys maintain key connections at the federal and state level with established and emerging players in the real estate market.

Services

We provide representation in connection with:

Acquisitions

We assist clients in the acquisition of property, directly and through the purchase of distressed debt, for the development, construction, leasing and sale of office buildings, shopping centers, retail properties, hotels and casinos, hospitals and medical centers, commercial and industrial facilities, residential/multifamily properties, mixed-use projects and more. We handle a wide range of complex acquisitions for real estate owners, REITs, lenders and other corporate clients, as well as for municipalities and other public entities, with the goal of structuring the transactions to the benefit of our clients. We manage all aspects of the site acquisition, including title, purchase agreements, joint development agreements, reciprocal easement agreements, access agreements, municipal agreements and approvals and developer agreements.

Sales

We also represent clients seeking to dispose of property and distressed debt secured by real estate. We help structure the deal to be advantageous to our clients and address all related issues, including closing requirements, tax-free exchanges, ground lease matters, title and survey concerns and other due diligence issues. We have handled the sale of both occupied and vacant commercial, retail and industrial facilities; residential properties; office buildings; land; mixed-use projects; and more. Because our firm handles both acquisitions and dispositions, we are well-versed in the issues of greatest importance to both sides and focus our efforts accordingly on closing the transaction to the greatest satisfaction of our client in the particular deal at hand.

Leasing

A well-negotiated lease can save a client time and money. With that in mind, we structure and negotiate leases for both landlords and tenants to reduce business and legal risks, so that the final lease document achieves maximum, practical protection of our client's interests. We handle a variety of leasing transactions for various properties, including office, retail, industrial and manufacturing facilities. We have experience negotiating build-to-suit leases, ground leases, subleases, bond type leases, sale-leaseback transactions and leases for franchisors and franchisees.

Joint Ventures

We assist in the formation of strategic joint ventures for commercial real estate property and for the provision of capital or loans for project funding. We advise clients on the full range of risks and responsibilities related to the venture and help structure the entity and formulate operating or partnership agreements, including any buy/sell or transfer provisions, and consider all capital contributions and tax implications that may impact the venture. When necessary, we also assist clients in exiting the venture and resolving any disputes over control rights and management.

Real Estate Capital Markets

We have a robust real estate capital markets practice headed by attorneys with deep experience in, and connections to, the Midwest's thriving financial services and real estate industries. Commercial lenders, borrowers, private equity funds, publicly traded REITS, municipalities and other public entities call on us for help with acquisitions and dispositions, fund formations, securitizations, private placements, joint ventures, credit lease and sale/leaseback financings and commercial lending and leasing. We advise a range of asset classes, including commercial, retail, office, land, industrial, medical office, student housing, hospitality, senior living, self-storage and mixed use entities.

Financing

We represent financial institutions, borrowers, owners and users in structuring and documenting loans, capital transactions and credit facilities involving REITS, developers and owners and operators of real estate. We also assist developers with loans (including construction, permanent and mezzanine loans) and refinancings for a range of property uses, including land acquisition and residential, historical, hotel, office, retail and mixed-use space. We have assisted clients with mortgages, synthetic leasing, portfolio and mezzanine finance, sale leasebacks, structured debt and REIT financings.

Commercial Foreclosures and Workouts

Our team understands that, for clients confronting the challenging situation of foreclosures and loan defaults on commercial properties, there is no "one size fits all" solution. We have extensive experience assisting corporate clients, including distressed companies and their boards, executives and business owners, management teams, creditors and investors in determining the most appropriate path for each individual situation. We know that foreclosure due to defaulting on commercial loans is not inevitable, and we provide counsel on the various ways to avoid foreclosure, including forbearance, loan modification, short sale, defending the foreclosure, and deed in lieu of foreclosure. When foreclosure is the only possible route, Fox

attorneys represent clients in all aspects of the workout of troubled and failed complex commercial and real estate loans, with an eye toward implementing creative, cost-effective solutions. Finally, based on our decades of experience in the commercial foreclosure and workout area, we have developed a practice that focuses, in large part, on bankruptcy and foreclosure prevention: We help clients avoid or minimize the adverse effects of financial crises through development of contingency plans and alternatives to bankruptcy.

Zoning and Land Use

Our attorneys deliver swift and effective service as a project evolves – from pre-acquisition to disposition and all phases in between. We tackle subdivision approvals for new residential housing developments; land development approvals for new office, industrial and commercial developments and for the renovation and expansion of existing projects; rezonings; conditional use approvals, variances, special exceptions and certificates; highway-related permits; and environmental permits, approvals, clearances and releases from environmental liability.

Condemnation

Whether you are a condemnor looking to get your project moving and completed in the most cost-effective way, or a condemnee looking to contest a condemnation or increase your compensation, Fox Rothschild attorneys can help. We provide assistance with pre-condemnation planning, project management, redevelopment projects, challenges to condemnation, determination of just compensation, litigation and creative settlements.

Hotels and Motels

Fox Rothschild is well-known within the hotel/motel and hospitality industries for our proactive approach to client representation. We represent independent and franchise owners, boutique hotel groups, operators and management companies throughout the United States and abroad, and both full-service and limited-service hoteliers in the negotiation and documentation of acquisitions and dispositions; financing arrangements; hotel management agreements; franchise agreements; and a variety of contractual and personnel issues, including vendor transactions and supplier contracts; workouts and bankruptcies; labor contract negotiations and disputes; and zoning and land use issues.

Tax Appeals

We work with clients to help ensure they pay only their fair share of property taxes based on a fair assessment. We understand the nuances of tax and real estate law and how it applies to each individual case. While we are ready to go to court and litigate your cause if needed, we understand that costs are always an issue and seek out alternative solutions as appropriate. We evaluate the valuation of residential properties as well as commercial properties such as shopping centers, office buildings, marinas, hotels, apartment buildings, casinos, malls, refineries, service stations, manufacturing facilities/plants and environmentally troubled properties.

Public/Private Development Partnerships

Whether it's a business searching for economic development incentives for a new facility or a complex project for a government or municipality involving its infrastructure, our attorneys are adept at maneuvering through

the maze of government bureaucracies to coordinate joint projects between the private sector and governments or municipalities. Our services include negotiating financing terms with lenders and institutional investors; drafting and negotiating lease and concession agreements; representing private entities in obtaining tax credits and subsidized financing; obtaining federal and state environmental approvals, state regulatory approvals, local zoning approvals and land-use clearances; and representing property owners subject to eminent domain actions.

Condominiums, Cooperatives and Planned Unit Communities

We represent developers, unit owner associations and declarants in the formation of condominiums, cooperatives and planned unit communities, both conversions and ground-up developments, for residential, office, retail, industrial and mixed use. For developers, we structure condominium transactions and create effective and efficient legal structures that satisfy the complex requirements of condominium law. We also prepare governing documents and advise numerous owners' associations on day-to-day governance matters as well as issues related to managing any large real estate project or business organization.

Construction Contracts and Disputes

From front-end to close-out, our attorneys are skilled at bringing construction projects to successful completion. We help clients navigate the obstacles that hinder a project's process, providing consultation and representation as needed during construction administration to minimize costs and the risk of any related litigation. We provide assistance with acquisition and land development; financing and bonding; contract negotiation, drafting and interpretation; insurance coverage and claims issues; employment issues; creditor-debtor issues; environmental issues; dispute resolution; intellectual property issues; and recommending teams for a successful construction project.

Sustainability

Fox Rothschild works with clients on many types of sustainability projects, advising on federal and state incentives available for sustainability development, managing legal issues in building green construction from contracts with design professionals to financing documents with lenders, and preparing or reviewing green leases from a landlord's or tenant's perspective.

Matters

Our representative transactions include:

- **Major national homebuilder:** Negotiated and secured 16-year lease of new 162,000-square-foot corporate headquarters, including \$12.5 million landlord contribution toward construction and other improvements.
- **National medical provider:** Represented in the development of a more than 1.2 million square foot hospital and medical office building complex in southern California.

- **Developer of master planned community in San Diego, CA:** Represented in the buildout of residential units, retail and office space, three new elementary schools, recycled water system and other supporting infrastructure.
- **National restaurant company:** Represented in more than 100 transactions, including dispositions, subleases, lease amendments, and leases and ground leases for more than 20 new locations.
- **LG Electronics U.S.A.:** Represented in connection with the acquisition of 111 Sylvan Avenue for LG's new North American headquarters.
- **Lennar Homes:** Represented in connection with numerous land acquisition projects, including Port Imperial in Weehawken, NJ.
- **Centro Watt:** Handled real estate aspects of acquisitions of two public real estate investment trusts and the subsequent disposition of certain non-strategic assets.
- **The Children's Hospital of Philadelphia:** Handled acquisition and development of the Philadelphia Civic Center site, major expansion of its main hospital and leasing for its network of affiliated practices.
- **Sports complex-adjacent property owners:** Represented land owners whose properties were sold or condemned during construction of two Philadelphia sports stadiums: Citizens Bank Park and Lincoln Financial Field.
- **Fulton Bank:** Counseled the bank on multiple commercial loans throughout the Delaware Valley area, including tax-free financing transactions.
- **Teva Pharmaceuticals:** Represented client with a variety of issues related to the development of its East Coast distribution center.
- **Hard Eight Group:** Handled acquisition of a \$100 million-plus portfolio of hotel properties.
- **The Borgata Hotel Casino & Spa:** Secured all permits and approvals for construction and expansion of the Atlantic City property.
- **Vitamin Shoppe:** Represented client in its national retail leasing program.
- **Sun Life Insurance Co. of Canada:** Handled loan transactions throughout Pennsylvania, New Jersey and Delaware, as well as office building acquisitions throughout the country.
- **Multifamily real estate developer:** Representing in the closing a \$13 million HUD loan to construct new apartment buildings in Rock Springs, WY.
- **Denver real estate developer:** Represented in the acquisition of a retail shopping center for \$6.5 million in Denver, CO.
- **Multifamily real estate developer:** Represented in the closing of permanent financing in the amount of \$17 million on an apartment project in Casper, WY.
- **Assisted senior living management company:** Served as the lead real estate lawyer representing the purchaser of Beverly Enterprises, Inc., a NYSE-listed company with a portfolio of more than 350 skilled nursing and related health care facilities, in its \$2.3 billion acquisition. This all-cash merger included the purchase of Beverly's owned real estate by a property holding company and the \$1.3 billion securitized first mortgage financing of the transaction.
- **Real estate owner group:** Counseled the group in the \$60+ million sale of a large ground floor, high-end retail cooperative unit in a prime Madison Avenue location to a large publicly traded Real Estate Investment Trust. The sale was highly structured to achieve the differing tax objectives of the members of the owner group

John R. Herin, Jr.

Partner

Miami, FL

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John has more than 20 years of experience in land use, zoning and environmental law.

Assisting clients in the private and public sectors, his practice centers on complex development entitlement matters throughout Florida, including comprehensive plan, platting, permitting, site plan and zoning applications and amendments; endangered species, submerged land leases, and stormwater and wastewater permitting; and lender/buyer due diligence issues. He also has extensive experience in representing clients with respect to eminent domain, inverse condemnation and land use litigation, as well as claims under Florida's Bert J. Harris, Jr., Private Property Rights Protection Act.

John has handled a broad range of environmental and land use issues before the Florida governor and cabinet, cabinet aides, district and circuit courts, division of administrative hearings, state agencies and local government bodies. He has also drafted hundreds of ordinances and resolutions for cities and counties on a wide range of subjects.

Before Fox Rothschild

Prior to joining Fox, John was a member of a regional Florida firm's Land Use, Environment, and Government Affairs Department.

Beyond Fox Rothschild

John is a frequent speaker on governmental and land use topics.

Representative Matters

Private Sector Experience

- Obtained a vested rights determination on summary judgment for developer of proposed 12-story beachfront residential condominium, notwithstanding a referendum initiative that resulted in an amendment to the city charter limiting the height of all new construction to three stories

- Obtained required permit approvals from local government allowing developer to use transferable development rights to increase density and height of office building project
- Assisted owner of regional mall in securing amendments to local government's comprehensive plan and land development regulations to facilitate redevelopment of property into a mixed-use regional activity center
- Represented group of agricultural property owners in a \$172 million Bert J. Harris, Jr. Private Property Rights Protection Act claim arising from county's change in interpretation of open-space requirements in comprehensive plan and land development regulations
- Negotiated and drafted public-private agreement for the construction of dual radio transmission/emergency management communications tower on special district property
- Represented clients completing environmental remediation projects in connection with ongoing industrial operations and redevelopment projects
- Assisted national banking institution in securing amendments to the Palm Beach County Land Development Code to allow stand-alone banking centers as a matter of right in most commercial zoning districts
- Represented clients in due diligence associated with acquisition of land for industrial, commercial and residential development

Public Sector Experience

- Served as city attorney for the City of Marathon
- Served as city attorney for the City of Doral
- Served as interim village attorney for the Village of Palmetto Bay
- Served as town attorney for the Town of Miami Lakes
- Served as village attorney for the Village of Islamorada
- Served as special counsel to city in the negotiation and drafting of a development agreement wherein property owner voluntarily contributed monetary and off-site improvements benefiting city's residents
- Served as special counsel to city in an annexation dispute with adjacent local government
- Served as special counsel to town with respect to draft environmental impact statement for proposed runway expansion
- Served as special counsel to hospital special district in court challenge to the imposition of a municipal special assessment
- Serves as special counsel to municipality in special assessment dispute with county
- Serves as Code Enforcement Special Magistrate to local municipality in Broward County
- Serves or has served as city attorney, assistant city attorney, assistant county attorney and special counsel to numerous local governments and quasi-governmental agencies

Reported Cases

- *Sansbury v. City of Orlando*, 654 So.2d 965 (Fla. 5th DCA 1995) [upholding juvenile curfew]
- *Bott v. City of Marathon*, 949 So.2d 295 (Fla. 3rd DCA 2007) [enforceability of affordable housing restrictive covenant]
- *Beyer v. City of Marathon*, - So.3d - , 2013 WL 5927690 (Fla. 3rd DCA 2013) [inverse condemnation claim – owners were not deprived of all economically beneficial use of their property]

- *City of Coral Springs v. North Broward Hospital District*, - So.3d - , 4D14-2351 (Fla. 4th DCA 2015) [imposition of city fire service special assessment on district property was illegal]
- *Department of Community Affairs v. City of Marathon*, DOAH Case No. 04-3500GM [challenge to adopted comprehensive plan]
- *Florida Keys Citizens Coalition, Inc. & Last Stand, Inc. v. Florida Administration Commission & City of Marathon*, DOAH Case No. 04-2755RP [proposed Administration Commission rule amending city's comprehensive plan not invalid exercise of delegated legislative authority]
- *Rossignol v. Village of Islamorada & Department of Community Affairs*, DOAH Case No. 01-2409GM [comprehensive plan provisions limiting transient rental uses in residential areas supported by appropriate data and analysis]
- *Department of Community Affairs v. Village of Islamorada*, DOAH Case No. 01-1216GM [challenge to adopted comprehensive plan]

Honors & Awards

- Martindale Hubbell, AV Preeminent
- The American Lawyer & Corporate Counsel, Top Lawyer in Land Use and Zoning, 2013

Practice Areas

- Environmental
- Real Estate
- Zoning & Land Use

Bar Admissions

- Florida

Education

- Stetson University College of Law (J.D., 1991)
- University of Central Florida (B.A., 1986)

Memberships

- The Florida Bar
 - Board Certified in City, County and Local Government Law
 - City, County and Local Government Law Section, Member
 - Environmental and Land Use Law Section, Member
- Florida Municipal Attorneys Association, Member
- Greater Miami Chamber of Commerce, Member
- Cuban American Bar Association, Member

TBD

Attachment(s)

- Letter received February 8, 2019 from GrayRobinson PA
- GrayRobinson PA Packet
- Fox Rothschild LLC Packet

Prepared by: Staff

Relationships. Resources. Results.

Prepared for:
Village of Biscayne Park

Prepared by:
Thomas H. Loffredo

February 25, 2019

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Melbourne | Miami | Naples | Orlando | Tallahassee | Tampa | Washington, DC | West Palm Beach

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Our Firm

Overview

GrayRobinson is a full-service law and lobbying firm with attorneys and government relations professionals throughout offices spanning the State of Florida and Washington, DC. Our attorneys, consultants and regulatory professionals provide legal and government relations services to our clients throughout Florida, our nation's capital, across the country and all over the world. GrayRobinson provides services to *Fortune* 500 companies, emerging businesses, lending institutions, local and state governments, developers, entrepreneurs and individuals. We offer not only an extensive range of services but also depth and proficiency in each one.

Client Service

GrayRobinson is committed to providing our clients with legal and government relations services that will assist them in accomplishing their business objectives. We conduct post matter reviews with clients to determine if their objectives were met and if their expectations were exceeded with a goal of the highest client satisfaction. We also keep abreast of changes within the client's industry and will periodically issue electronic alerts (E-Alerts) to clients advising them of changing regulations and how new regulations might impact their company.

A Commitment to Quality

The mission of GrayRobinson is to provide quality legal and legislative services to all clients in a timely fashion, maintain professionalism with integrity and be responsive to the needs of our community. This philosophy is consistently reflected by the commitment we make to our clients in helping them achieve their goals.

LOCATIONS

Boca Raton

Mizner Park Office Tower
225 N.E. Mizner Blvd.
Suite 500
Boca Raton, FL 33432

Fort Lauderdale

401 East Las Olas Blvd.
Suite 1000
Fort Lauderdale, FL 33301

Fort Myers

1404 Dean Street
Suite 300
Fort Myers, FL 33901

Gainesville

720 S.W. 2nd Avenue
Suite 106
Gainesville, FL 32601

Jacksonville

50 North Laura Street
Suite 1100
Jacksonville, FL 32202

Key West

221 Simonton Street
Key West, FL 33040

Lakeland

One Lake Morton Drive
Lakeland, FL 33801

Melbourne

1795 West NASA Blvd.
Melbourne, FL 32901

Miami

333 S.E. 2nd Avenue
Suite 3200
Miami, FL 33131

Naples

3838 Tamiami Trail North
Suite 410
Naples, FL 34103

Orlando

301 East Pine Street
Suite 1400
Orlando, FL 32801

Tallahassee

301 South Bronough Street
Suite 600
Tallahassee, FL 32301

Tampa

401 East Jackson Street
Suite 2700
Tampa, FL 33602

Washington, DC

439 New Jersey Ave. SE
Washington, DC 20003

West Palm Beach

Northbridge Centre
515 North Flagler Drive
Suite 1425
West Palm Beach, FL 33401



Practice Areas

We offer not only breadth across a great many legal practice areas, but depth and proficiency in each one as well. Our attorneys are at the forefront of emerging legal issues and work expeditiously on behalf of our clients and respond quickly to their needs. We have invented a brand of law firm that serves our clients and our communities while counting creativity as a hallmark characteristic and insisting on ingenuity and innovation. Our areas of practice include:

- Administrative & Regulatory
- Admiralty & Maritime Law
- Affordable Care Act
- Alcohol Beverage
- Alternative Dispute Resolution
- Antitrust & Trade Regulation
- Appellate
- Attorney General Defense
- Banking & Finance
- Bankruptcy & Creditors' Rights
- Business Contingency Litigation
- Class Action Defense
- Communications, Cable & Broadband
- Construction
- Corporate
- Criminal & White Collar Defense
- Customs & International Trade Law
- Cybersecurity
- Drone & Aviation Law
- Education
- Elder Law
- Election Law
- Eminent Domain & Condemnation
- Employment & Labor
- Entertainment & Sports
- Environmental
- ERISA & Employee Benefits
- ESOPs
- Estate Planning
- Exempt Organizations
- Family Law
- Food Law
- Franchising & Licensing
- Government
- Government Relations & Lobbying
- Guardianship
- Health Care
- Health Information Technology
- Higher Education
- Hospitality
- Immigration
- Insurance
- Insurance Defense
- Insurance Regulatory
- Intellectual Property & Technology
- International
- Land Use Law
- Litigation
- Managed Care
- Media
- Medicaid Planning
- Medical Malpractice Defense
- Medical Marijuana
- Mergers & Acquisitions
- OSHA
- Patent
- Personal Injury
- Petroleum
- Probate
- Product Liability & Toxic Tort
- Professional Liability Defense
- Public Finance
- Real Estate
- Religious Organizations
- Residential, Resort & Club
- Restaurant
- Securities
- Securities Litigation, Arbitration & Regulatory Practice
- Senior Housing
- Subrogation
- Taxation
- Technology Transactions
- Tobacco
- Trademark
- Transportation
- Trusts
- Utilities
- Venture Capital
- Wealth Transfer

Representation of Local Governments

The experience and reputation gained during the firm's years of public service enable it to provide quality legal services to local governments in such areas of administrative law, contracting and procurement, election law, environmental and land use law, governmental operations and home rule powers, legislative representation, public finance and taxation, utilities, and zoning, to name a few. In addition, members of our public law team have served on the staff of governmental agencies for both state and local governments, providing our clients with a unique perspective and knowledge of local government. The public law group is comprised of more than 45 attorneys and consultants that has been fulfilling the legal needs of cities, counties, special districts, and utilities throughout Florida since 1970.

- **Administrative Representation & Litigation.** Whether the issue is lobbying executive agencies, safeguarding legislation through the rule-making process, licensing, regulatory matters or Chapter 120 Administrative Law proceedings, GrayRobinson has the experience and relationships necessary to provide our clients with effective representation before the Division of Administrative Hearings, all state agencies, state offices and the Florida Cabinet.
 - Administrative litigation
 - Construction claims
 - Contractual disputes
 - Enforceability of affordable housing deed restrictions
 - Eminent domain & inverse condemnation
 - Forfeitures
 - Land use litigation
 - Liability & tort defense
 - Police issues
 - Sovereign immunity
 - Utility disputes
- **Contracting & Procurement.** The firm provides legal counsel relating to all aspects of public contracting and procurement, including assistance in the preparation of bids, RFP's and proposals (including the CCNA); contract documents, contract negotiation; bid protests; appellate review and contract disputes.
- **General Municipal Law.** Our government lawyers have long provided clients with effective representation in other areas of the law that are uniquely local in nature. For example, when litigation was brought to no longer allow cars on the beaches of Daytona, GrayRobinson was hired to represent Volusia County.
- **Governmental Operations and Home Rule.** Through our representation of counties and municipalities, we have developed experience and depth in all areas of home rule law, drafting contracts ordinances and resolutions, governmental ethics, public-private projects, public records law, public utilities, solid waste, sunshine law and all other aspects of daily governmental operations.
 - Annexations
 - Charter amendments & Charter issues

- Drafting & review of contracts, ordinances, and resolutions
 - Elections
 - Ethics
 - Code enforcement
 - Legislative affairs
 - Parliamentary procedures
 - Procurement
 - Public Finance
 - Public records
 - Public safety
 - Sunshine law
 - Utilities
- **Construction Law.** The GrayRobinson team is one of the largest construction law departments in the state and has litigated hundreds of millions of dollars in construction disputes ranging from simple construction lien disputes to major public and private works and facilities projects throughout the state.
 - **Eminent Domain and Inverse Condemnation.** GrayRobinson has earned a deserved reputation of being innovative and tenacious in our handling of eminent domain and inverse condemnation matters resulting from our handling of thousands of cases on behalf of our public and private clients.
 - **Employment and Labor Law.** The firm's attorneys have extensive employment law and litigation experience, and advise clients in all areas of agency, state and federal law. We also defend employers against equal employment opportunity charges and claims in the investigation and litigation stages and advise clients with respect to administrative actions and claims. The firm has represented Florida public sector employers at the city, county, constitutional officers, school district, community colleges, state universities, authority and special district levels in union elections, collective bargaining, arbitrations and unfair labor practice litigation.
 - ADA issues
 - Age discrimination claims
 - Arbitration of employee claims
 - Collective bargaining
 - EEOC & PERC claims
 - Employee benefits
 - Employment agreements
 - Employment litigation
 - Equal pay act
 - Drafting & counseling regarding employee policies and procedures
 - HR audits & training
 - Housing discrimination claims
 - Investigation & counseling regarding employee relations complaints
 - Unfair labor practice litigation
 - Union elections
 - Whistleblower litigation

- **Environmental and Land Use Law.** Our experience as city/county attorney for numerous jurisdictions has generated a sophisticated and wide-ranging practice in the fields of environmental regulation and land use planning. We are recognized throughout the state for our experience and ability in representing both public and private clients in comprehensive planning, environmental permitting, land use and zoning involving brownfields, “green” development, new development and redevelopment.
 - Affordable housing
 - Acquisition, development & sale of real property for municipal use
 - Beach re-nourishment
 - Comprehensive plan – growth management
 - Conservation easements
 - Endangered species
 - Environmental resource permits
 - Exactions & impact fees
 - “Green” development
 - Habitat conservation plans
 - Land development regulations
 - Marina permitting & operations
 - Overlay districts
 - Public-private projects
 - Quasi-judicial hearings and procedures
 - Re-zonings
 - Sea level rise
 - Sector plans
 - Site plan approval and development
 - Water based and water related activities
 - Wetlands
- **Legislative Representation.** We have decades of experience in lobbying the Florida Legislature and state agencies, both offensively and defensively, on behalf of public and private entities. Many of our public law attorneys began their careers as staff to the Florida Legislature, Governor’s Office and State agencies, providing our clients with a unique perspective on the most efficient means of meeting their legislative goals. We maintain close relationships with local delegations and political leadership.
- **Procurement.** We provide legal counsel relating to all aspects of procurement, including assistance in the preparation of bids, RFPs and proposals, contract negotiation, bid protests, appellate review and contract disputes.
- **Public Finance and Taxation.** With respect to public finance and taxation, we have represented issuers and underwriters in a variety of local government financings, including dependent and independent special districts.
- **Utilities.** GrayRobinson’s utilities lawyers have a long history of representing water, wastewater, solid waste, telecommunications, gas and electric utilities throughout the state of Florida. Our utilities lawyers have represented clients in numerous transactions for the purchase and sale of

entire water and wastewater facilities. When Palm Bay, Port St. Lucie and North Port decided to purchase major utilities, our government lawyers were there representing those municipalities.

The firm developed these skills initially while serving as the Orange County Attorney during the 70s and 80s. Since that time, the firm has represented governments, businesses, and individuals in thousands of federal, state, and local matters.

The Depth to Handle the Issues

Engaging GrayRobinson, one of Florida's largest law firms, affords our clients another unique advantage - namely, immediate access to lawyers who concentrate on a number of practice areas. GrayRobinson's lawyers and consultants, particularly those who practice in government relations, land use, tax, real estate and environmental law, are an invaluable resource for our government clients.

Team Resumes

Thomas H. Loffredo **Fort Lauderdale Managing Director**

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Experience

Tom is the managing director of GrayRobinson's Fort Lauderdale office. He is a commercial litigator whose practice has a specific emphasis on employment and labor matters on behalf of management and corporate clients, banking and finance litigation, appellate practice and class-action litigation. Tom also routinely advises and litigates on behalf of local municipalities and other governmental entities.

Tom's employment and labor practice involves representation of clients in litigation and arbitrations, as well as before the Equal Employment Opportunity Commission and various state and local agencies, concerning matters arising under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Fair Labor Standards Act, and other federal, state and local anti-discrimination and employment statutes as well as common-law claims. He represents employers in business tort claims and in enforcing noncompetition agreements. Tom advises clients on compliance with employment-related statutes and regulations and assists in the development and implementation of employment policies. He also represents management clients in matters before the National Labor Relations Board, in collective bargaining negotiations and in union organizing campaigns. He regularly represents clients on appeals in both state and federal courts.

Tom routinely represents financial institutions in their defense of mortgagee/servicer liability and false credit reporting claims at both the trial and appellate court levels.

Tom has successfully represented corporations in class actions seeking relief under the Americans with Disabilities Act, Title VII of the Civil Rights Act and the Federal Drivers Privacy Protection Act and in their defense against other consumer class actions. He also represents clients in their defense of common-law and statutory privacy and tort claims. Tom has also served as court-appointed receiver for corporations that were the subject of federal civil enforcement actions.

Tom is now a Circuit Certified Mediator, mediating labor and employment as well as commercial litigation matters.

Areas of Practice

- Alternative Dispute Resolution
- Appellate
- Banking & Finance
- Employment & Labor
- Litigation

Background

Tom earned his bachelor's degree in public relations in 1987 from the University of Florida, where he was a member of the Kappa Tau Alpha journalism honor fraternity. He earned his juris doctor *cum laude* in 1990 from the University of Miami School of Law, where he was a member of the *University of Miami Law Review*.

Tom served as a federal judicial law clerk to the Honorable Kevin Michael Moore of the U.S. District Court for the Southern District of Florida from March 1992 to September 1993. He is a member of The Florida Bar and is admitted to practice before the U.S. District Court for the Southern District of Florida, the U.S. District Court for the Middle District of Florida, the 11th Circuit Court of Appeal and the U.S. Supreme Court.

Education

- **University of Florida, B.S.** (1987)
 - Kappa Tau Alpha, Journalism Honor Fraternity
- **University of Miami School of Law, J.D.** (*cum laude*, 1990)
 - Member, *University of Miami Law Review*

Admissions

- State of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- 11th Circuit Court of Appeals
- U.S. Supreme Court

Professional Associations & Memberships

- The Florida Bar
- Florida Supreme Court
 - Certified Circuit Mediator, 2017-2019
- American Bar Association

- Federal Bar Association
- Academy of Florida Management Attorneys, Member
- Litigation Counsel of America, Trial Lawyer Honorary Society, Fellow

Awards & Recognitions

- *Best Lawyers in America*, 2016-2019
- *South Florida Business Journal*, Power Leaders in Law, 2014-2018
- *Florida Super Lawyers*, 2009-2018
- *Florida Trend*, Legal Elite, 2008, 2011, 2014

Civic

- Junior Achievement of South Florida
 - Board Member, 2018
- Leadership Florida, Class XXXI, 2012-2013
- Leadership Broward Foundation
 - Board Member, 2010-present
- Leadership Broward, Class XXVIII, 2009-2010
- Leadership Fort Lauderdale, Class XIV, 2007-2008
- Crimestoppers of Broward County, Legal Counsel, 2007-present
- The FLITE Center
 - Chair, 2015-present
 - Vice-Chair, 2014 - 2015
 - Board Member, 2010-2014
- Make-A-Wish Foundation of Southern Florida, Wish Granter
- Youth Leadership Broward, Class 25 Program Chair, 2011-2012
- Kiwanis of Cooper City, Charter Member

Presentations & Seminars

- "Today's Workplace....Sexual Harassment; Not On My Watch....," Broward County Bar Association's (BCBA) Employment Law Section Luncheon, December 14, 2017
- Panelist, "Looking for a Few Good Men," Broward County Bar Association's (BCBA) Third Annual Women Leaders in the Law Series, March 30, 2017
- "Whistleblower Statutes and Workers' Compensation Retaliation," The Florida Bar's 17th Labor and Employment Law Annual Update and Certification Review, January 26-27, 2017, Kissimmee, Florida

Julia C. Mandell
Shareholder

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Experience

As the former Tampa City Attorney, Julia is an experienced local government lawyer, specializing in land use, development and general municipal law. She brings more than 20 years of in house and private practice experience to assist clients in regulatory and public policy matters at the local and state level, including the drafting and enforcement of regulations and interacting with governmental agencies, officers and decision making boards and councils. In addition, Julia has been involved in a variety of litigation matters and contract bid disputes.

Board certified by The Florida Bar in City, County, and Local Government Law, Julia counsels clients on land use, zoning, permitting, real estate, environmental, eminent domain, entitlement, telecommunication and litigation associated within these areas. She also handles procurement, RFPs, contract negotiations with government agencies and public infrastructure projects.

Julia has experience in both the private and public sector, having served for more than a decade with the Tampa City Attorney's Office, the last three years as the City Attorney, as an assistant county attorney for Hillsborough County, and in private practice representing government and business clients in a myriad of legal issues relating to real estate and land use, environmental, bankruptcy and real property litigation.

Julia is a sought out thought leader, who works to translate bureaucracy into meaningful action. She has handled litigation matters including constitutional matters, personal injury and property claims, appellate cases, complex business disputes and collections and foreclosure matters.

Areas of Practice

- Environmental
- Litigation
- Government
- Real Estate
- Land Use Law

Background

Julia is a third generation Floridian. She was born in Miami Beach and grew up in the Aventura area. She graduated from North Miami Beach Sr. High in 1988. Following in the family footsteps of her mother and father, she attended the University of Florida, receiving her bachelor's degree with high honors in political science in 1992. Julia then received her J.D. from the University of Florida in 1995, serving on the Journal of Law and Public Policy. After graduation from law school, Julia moved to Tampa. Julia now lives in the up and coming Tampa Heights neighborhood with her two children, Morgan and James.

Education

- **University of Florida, B.A. *high honors*** (1992)
- **University of Florida College of Law, J.D.** (1995)

Admissions

- Florida
- U.S. Court of Appeals, 11th Circuit
- U.S. District Court, Middle District of Florida

Professional Associations & Memberships

- The Florida Bar
 - Board Certified in City, County and Local Government Law

Awards & Recognitions

- *Florida Trend's* "Legal Elite," 2008, 2010-2016

Presentations & Seminars

- Speaker, "Land Use Law," CLE International, August 2015
- Speaker, "Zoning and Land Use in Florida," Lorman Educational Services, November 2004
- Speaker, "Advanced Zoning and Land Use in Florida," Lorman Educational Services, June 2004

**Thomas A. Cloud, B.C.S.
Shareholder**

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Experience

Through four decades, Tom has been a local and state government, utility, land use, and environmental law attorney. Board certified in City, County and Local Government Law, Tom has represented over 70 Florida cities, including five as city attorney. His practice includes negotiating complex contracts, drafting dozens of city and county legislative initiatives and ordinances, creation and defense of municipal rates, fees, assessments, and charges, obtaining state and local government regulatory approvals and all matters attendant to the acquisition, development and utilization of both real property and business acquisitions and sales. He has been responsible for the application and approval of over 25 Developments of Regional Impact throughout central Florida, as well as dozens of other complex land use matters. In addition to handling municipal, land use and environmental matters, Tom is one of the preeminent municipal utility attorneys in Florida, having successfully handled a wide variety of both transactional and litigation matters within the field. He has handled a variety of complex municipal, county, and special district financial transactions, including the defense of various capital and operational rates, fees, assessments, and charges. Tom has written, presented and published dozens of articles on a variety of local government topics for various sections of The Florida Bar, *Stetson Law Review* and other publications.

Tom currently serves as city attorney in three cities in Central Florida, is the current President of the Florida Municipal Attorneys Association, and has represented numerous cities and counties throughout Florida in a variety of legal matters throughout his career.

Cities Represented:

Apopka	Marathon	Umatilla
Atlantis	Marco Island	Utilities Commission of New Smyrna Beach
Bartow	Melbourne	Valparaiso
Belleair	New Smyrna Beach	Vero Beach
Bonita Springs	Newberry	Wauchula
Bowling Green	North Port	Wildwood
Bunnell	Orlando	Winter Park
Bushnell	Orlando Utilities Commission	Zolfo Springs

Cape Coral	Oviedo
Casselberry	Palatka
Daytona Beach	Palm Bay
Eagle Lake	Palm Beach
Edgewood	Palm Springs
Estero	Pensacola
Fellsmere	Plant City
Fort Meade	Polk City
Fruitland Park	Port St. Lucie
Groveland	Riviera Beach
Haines City	Royal Palm Beach
Hollywood	San Antonio
Howey-in-the-Hills	Sanibel
Kissimmee	Sebastian
Lakeland	South Bay
Lake Mary	South Miami
Lantana	South Palm Beach
Longwood	South Pasadena
Maitland	Space Coast League of Cities
Manalapan	Tampa

Counties Represented:

Bay
Brevard
Charlotte
Citrus
DeSoto
Flagler
Lake
Martin
Marion
Orange
Seminole
VGMC

Areas of Practice

- Administrative & Regulatory
- Environmental
- Government
- Land Use Law
- Litigation
- Transportation
- Utilities

Background

Tom is a native Floridian hailing from Lakeland, Florida. He graduated from Wake Forest University in Winston-Salem, North Carolina, with a bachelor of arts, magna cum laude, with honors in history in 1976, and received his juris doctor with honors from Florida State University in 1979. Tom has been a practicing attorney in Orlando since 1979, focusing on city, county, and local government law, environmental and land use law, municipal finance law, public utilities law and administrative law.

Education

- **Lakeland High School** (1972)
- **Wake Forest University, B.A.** (*magna cum laude*, honors in history, 1976)
- **Florida State University, J.D.** (*honors*, 1979)

Admissions

- Florida

Professional Associations & Memberships

- The Florida Bar
 - Board Certified in City, County, and Local Government Law
 - Environmental and Land Use Law Section, 1990-present
 - Executive Council, 1981-present
 - Chairman, 1987-1988
 - City, County and Local Government Law Section, Member
 - Governmental and Public Policy Advocacy Committee
- Florida Municipal Attorneys Association
 - President-Elect, 2015-2016
 - Executive Council, 2014-2015
- American Bar Association

Awards & Recognitions

- AV Preeminent™ rated by *Martindale-Hubbell*
- *Best Lawyers in America*, 2012-2019
- *Best Lawyers*, Orlando Magazine, 2014
- *Florida Trend*, Legal Elite, 2004-2005, 2013
- *Daily Business Review*, Top Rated Lawyer, Energy, Environmental and Land Use Law, 2013
- *Florida Super Lawyers*, 2006-2007

Civic

- League of Cities Energy, Environment & Natural Resources Legislative Policy Committee
- Florida Chamber Growth Management Leadership Committee
- Boone High School Foundation Member, Board of Directors
- Wake Forest University National Alumni Council
- Greater Orlando Chamber of Commerce Leadership Programs, Board of Directors
- Mid-Florida Homebuilders Association, Program Committee
- Leadership Orlando Program, Greater Orlando Chamber of Commerce
- Leadership Central Florida Program
- Leadership Florida Program
- Lake Apopka Restoration Council
- Music Mission Kiev, Board of Directors
- Orange County Historical Commission
- First Florida Battery, Inc., Board of Directors
- Historic Lakeland, Inc.
- Historical Society of Central Florida, Inc., Board of Directors
- Florida Chautauqua, Inc., Member

Articles & Publications

For 30 years, Tom has been a frequent author and lecturer in Florida on a variety of municipal, land use and legal topics.

- "Allocating Limited Sewage Treatment Plant Capacity," *The Florida Bar Journal*, February 1982
- Co-Editor, *ELULS Manual*, Volume I & II, 1986
- "Public Facilities and Land Development Contracts," *ELULS*, 2005
- "Birch Rods in the Cupboard: The Link Between Municipal Franchise Purchase Options and Franchise Fees in Florida," *Stetson Law Review*, Vol. 35, No. 2, Winter 2006

Presentations & Seminars

- "Creating a Water and Sewer Utility in Florida," Lake County Board of County Commissioners Utilities Workshop, December 13, 2016
- "Celltowers in the Right of Way," Florida League of Cities 56th Annual Legislative Conference, Orlando, Florida, December 8, 2016
- "Birch Rods Revisited: An Updated Look at Municipal Franchise Fees in Florida," FMAA, 2014
- "Formation, Annexation, Dissolution and Contraction: The Florida Law of Municipal Territory and Its Boundaries," 31st FMAA Annual Seminar, Marco Island, Florida, July 2012
- "2011 Growth Management Law Changes: City Impacts," Florida League of Cities 2011 Annual Conference, Orlando, Florida, August 2011
- "500 Years of Florida Cities," 30th FMAA Annual Seminar, West Palm Beach, Florida, July 2011
- "Case Law Update: What You Need to Know About Recent Decisions and Trends," Land Use Law Conference, Jacksonville, Florida, May 2010
- "Annexation and Contraction: A Brief Essay on the Florida Law of Municipal Boundaries," Land Use Law Conference, Tampa, Florida, August 2009
- "Defense of Municipal Rates in Florida," 28th FMAA Annual Seminar, Bonita Springs, Florida, July 2009
- "Standing to Sue and Florida Cities," 27th FMAA Annual Seminar, Key Largo, Florida, July 2008
- "Turf Wars 2005: A Brief Study of Water and Sewer Service Area Authority and Disputes in Florida," 24th FMAA Annual Seminar, Amelia Island Plantation, Florida July 2005
- "Birch Rods in the Cupboard: Municipal Franchise Purchase Options in Florida," 22nd FMAA Annual Seminar, Amelia Island Plantation, Florida, July 2003
- "Turf Wars: A Brief Study of Water and Sewer Service Area Authority and Disputes in Florida," 18th FMAA Annual Seminar, Amelia Island Plantation, Florida, July 1999
- "A Brief Overview of Florida Municipal Franchise Law," 11th FMAA Annual Seminar, Amelia Island Plantation, Florida, July 1992

**Derek P. Rooney
Of Counsel**

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Experience

Derek Rooney practices in the areas of land use law and local government law and is a Board Certified Attorney in City, County & Local Government law. Derek represents private and government clients on questions of general municipal law, land use and public-private partnerships.

Derek currently serves as counsel to the Village of Estero, the Charlotte County Industrial Development Authority, the Lee County Metropolitan Planning Organization, the Area Agency on Aging for Southwest Florida, and as special counsel to a number of other local government entities. He previously served as counsel to the Charlotte County–Punta Gorda Metropolitan Planning Organization, the Town of Fort Myers Beach, the City of Marco Island, and Charlotte County.

Derek has a multi-disciplinary practice involving land use law, real estate and land development, environmental law, municipal finance and economic development. While he has represented clients throughout the state, Derek focuses on the needs of Southwest Florida and primarily practices in Charlotte, Collier, Desoto, Glades, Hendry, Lee, Manatee and Sarasota counties. As a litigator, Derek concentrates on prosecuting and defending land use decisions before Florida courts, the Division of Administrative Hearings and a variety of state and local bodies. He also has extensive experience with claims under the Bert J. Harris, Jr., Private Property Rights Protection Act.

Areas of Practice

- Environmental
- Government
- Land Use Law
- Senior Housing

Background

Derek is originally from Fort Lauderdale but grew up in Deland, Florida. He has lived in Punta Gorda with his wife and son since 2007 after returning to Florida from Washington, D.C.

Education

- **Florida International University, B.A.**, (2002)
- **American University, Washington College of Law, J.D.** (2006)

Admissions

- Florida
- District of Columbia

Professional Associations & Memberships

- The Florida Bar
 - Board Certified in City, County & Local Government Law
 - City, County and Local Government Law Section
 - Environmental and Land Use Law Section
 - City, County & Local Government Law Certification Standing Committee
 - Military Affairs Standing Committee
- Florida Municipal Attorneys Association, Member

Awards & Recognitions

- *Best Lawyers in America*, 2018-2019

Presentations & Seminars

- "Land Use Issues in Golf Course Redevelopment," The Florida Bar's Environmental & Land Use Law Sections "New, Different, Unusual, & Uncertain – Environmental & Land Use Law Issues Facing All Floridians" Conference, Orlando, Florida, January 29, 2016
- "Understanding Riparian and Water Rights," Determining Land Ownership and Access Rights Seminar, HalfMoon Education, Inc., Fort Myers, Florida, June 12, 2015
- "Who Participates in a Land Use Hearing," The Promise Lands of the American Planning Association (APA)'s Land Use Symposium, Port Charlotte, Florida, May 8, 2015
- "The Cast of Thousands," Relevance of Testimony and the Standard of Review in Quasi-Judicial Hearings, The Promise Lands of the American Planning Association Land Use Symposium, Cape Coral, Florida, May 16, 2014
- "Nollan and Dolan II, Burden of Proof," The American Planning Association's National Conference, Atlanta, Georgia, April 28, 2014

Civic

- Charlotte County Manatee Advisory Committee
- Charlotte County Law Library, Board of Trustees

Kristie Hatcher-Bolin Shareholder

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Experience

Attorney Kristie Hatcher-Bolin is a shareholder in GrayRobinson's Lakeland law office. Kristie focuses her practice in the areas of appellate, general civil and commercial litigation, as well as employment and labor law. She has handled a wide variety of appeals, including appeals of family law, probate, Title VII, ERISA, civil rights, police liability, eminent domain, public records, and mortgage foreclosure decisions. Kristie has argued appeals in all of Florida's District Courts of Appeal and the Eleventh Circuit Court of Appeals. She also enjoys serving as a volunteer attorney ad litem in dependency cases.

Areas of Practice

- Appellate
- Eminent Domain & Condemnation Law
- Employment & Labor
- Litigation

Background

Kristie is a graduate of Florida Southern College and a former high school English teacher. She obtained her Juris Doctor degree from Florida State University College of Law and joined the Lakeland office of Gray Robinson after serving as a law clerk to the Honorable Susan C. Bucklew, U.S. District Court Judge, in Tampa, Florida.

Education

- **Florida Southern College, B.A.** (*summa cum laude*, 1996)
 - FSC Academic Merit Scholarship
 - Alpha Delta Pi
- **Florida State University College of Law, J.D.** (*magna cum laude*, 2001)
 - *Law Review* – Associate Editor, Piece Selection Committee, Senior Articles Editor
 - Moot Court

- Phi Delta Phi
- Tobias Simon Scholarship Recipient
- Ausley Scholar
- Order of the Coif
- Research Assistant to Professor Rob Atkinson

Admissions

- Florida
- U.S. District Court, Middle District of Florida
- U.S. Court of Appeals, 11th Circuit

Professional Associations & Memberships

- The Florida Bar
- American Bar Association
- Judicial Nominating Commission, Second District Court of Appeal, 2014-2018

Civic

- Humane Society of Polk County, Board Member
- Guardian Ad Litem
- YMCA Youth in Government, Volunteer

Reported Cases

Florida Supreme Court

- *Arthur v. Arthur*, 54 So. 3d 454 (Fla. 2010)

Florida District Courts of Appeal

- *Strader v. Grothe*, 906 So. 2d 1229 (Fla. 2d DCA 2005)
- *Jerue v. Holladay*, 945 So.2d 589 (Fla. 2d DCA 2006)
- *Holladay v. Jerue*, 970 So. 2d 831 (Fla. 2d DCA 2007)
- *Winn-Dixie Stores, Inc. v. Dolgencorp, Inc.*, 964 So.2d 261 (Fla. 4th DCA 2007)(amicus brief)
- *City of Tampa v. Addison*, 979 So. 2d 246, 248 (Fla. 2d DCA 2007)(amicus brief)
- *Duck Dog, L.C. v. Brownstar Properties, LLC.*, 990 So.2d 525 (Fla. 2d DCA 2008)
- *Wavestone Properties, LLC v. Fortune Development Sales Corp.*, 978 So.2d 830 (Fla. 3d DCA 2008)
- *MasTec, Inc. v. TJS, LLC*, 979 So. 2d 285 (Fla. 2d DCA 2008)
- *Kirkland v. City of Lakeland*, 3 So.3d 398 (Fla. 2d DCA 2009)
- *Brady v. Publix Super Markets, Inc.*, 3 So.3d 1251 (Fla. 2d DCA 2009)
- *Vickers v. Safari Wild, L.L.C.*, 11 So.3d 954 (Fla. 2d DCA 2009)
- *Procacci v. Harllee*, 12 So.3d 230 (Fla. 2d DCA 2009)
- *Bishop v. Courtney*, 22 So.3d 117 Fla. 2d DCA 2009)
- *Lennar Homes, LLC v. Priority Developers, Inc.*, 3 So. 3d 1255 (Fla. 2d DCA 2009)

- *Harlee v. Procacci*, 44 So. 3d 587 (Fla. 2d DCA 2010)
- *Northey v. Northey*, 34 So. 3d 10 (Fla. 2d DCA 2010)
- *Strader v. Carpenter's Crest Owners Ass'n, Inc.*, 44 So. 3d 591 (Fla. 2d DCA 2010)
- *17315 Collins Ave., LLC v. Fortune Dev. Sales Corp.*, 34 So. 3d 166 (Fla. 3d DCA 2010)
- *Univ. Med. Clinics, Inc. v. Quality Health Plans, Inc.*, 51 So. 3d 1191 (Fla. 2d DCA 2011)
- *McDonald v. Johnson*, 83 So. 3d 889 (Fla. 2d DCA 2012)
- *Trevett v. Walker*, 89 So.3d 998 (Fla. 3d DCA 2012)
- *Centerstate Bank Cent. Florida, N.A. v. Krause*, 87 So. 3d 25 (Fla. 5th DCA 2012)
- *Roi Thi Do v. Lincoln Benefit Life Co.*, 2D12-2142, 2013 WL 561462 -- So. 3d -- (Fla. 2d DCA Feb. 15, 2013)
- *Swiss Supply Direct, Inc. v TIB Bank*, 109 So. 3d 1169 (Fla. 3d DCA 2013)
- *Richardson v. City of Lakeland*, 124 So. 3d 928 (Fla. 2d DCA 2013)
- *Branam v. Star Island Financial, LLC*, 109 So. 3d 1164 (Fla. 3d DCA 2013)
- *Harlee v. Procacci*, 154 So. 3d 1145 (Fla. 2d DCA 2014)
- *AgroSource, Inc. v. Fla. Dep't of Citrus*, 148 So. 3d 138 (Fla. 2d DCA 2014)
- *Florida Home Designs, Inc. v. Morgan Creek Preserve Residents' Ass'n, Inc.*, 136 So. 3d 600 (Fla. 2d DCA 2014)
- *Ausilio v. Fisher*, 136 So. 3d 598 (Fla. 2d DCA 2014)
- *J.P. Morgan Chase Bank, N.A. v. Estate of Neu*, 133 So. 3d 1068 (Fla. 4th DCA 2014)
- *Palm Beach Polo Holdings, Inc. v. Stewart Title Guar. Co.*, 134 So. 3d 1073 (Fla. 4th DCA 2014)
- *Palm Beach Polo Holdings, Inc. v. Stewart Title Guar. Co.*, 132 So. 3d 858 (Fla. 4th DCA 2014)
- *Amelia Island Restaurant II, Inc. v. Omni Amelia Island, LLC*, -- So. 3d -- 2014 WL 1809308 (Fla. 1st DCA Apr. 22, 2015)(amicus brief)
- *Florida Dep't of Health v. Choy*, 160 So. 3d 412 (Fla. 1st DCA 2015)

11th Circuit Court of Appeal

- *Locke v. SunTrust Bank*, 484 F.3d 1343 (11th Cir. 2007)
- *Jones v. City of Lakeland*, 318 Fed.Appx. 730 (11th Cir. 2008)
- *Nash v. Publix Super Markets, Inc.*, 417 F. App'x 879 (11th Cir. 2011)
- *Atheists of Florida v. City of Lakeland, et al*, 2013 WL 1197772, --F.3d-- (11th Cir. Mar. 26, 2013)
- *McCullum v. Orlando Regional Healthcare System, Inc.*, 768 F.3d 1135 (11th Cir. 2014)
- *Stonegate Bank v. TD Bank, N.A.*, 596 Fed. Appx. 834 (11th Cir. Jan. 6, 2015)
- *Devonshire Park, LLC v. F.D.I.C.*, 598 Fed. Appx. 750 (11th Cir. Mar. 16, 2015)
- *In re Herman*, 632 Fed. Appx. 580 (11th Cir. 2015)
- *Kenning v. Carli*, 648 Fed. Appx. 763 (11th Cir. 2016)

U.S. District Court

- *Action Outdoor Adver. JV, LLC v. City of Destin*, 2005 WL 2338804 (N.D.Fla. 2005)
- *Locke v. SunTrust Bank*, 2006 WL 923763 (M.D. Fla. 2006)
- *Gonzalez v. City of Lakeland*, 2006 WL 1319445 (M.D.Fla. 2006)
- *Johnson v. Young*, 2006 WL680655 (M.D. Fla. 2006)
- *Shuck v. Clark*, 2007 WL 676198 (M.D.Fla. 2007)
- *Nash v. Publix Super Markets, Inc.*, 2010 WL 1253372 (M.D. Fla. 2010)
- *Diaz v. City of Lakeland*, 2010 WL148728 (M.D. Fla. 2010)
- *Atheists of Florida v. City of Lakeland, et al*, 779 F.Supp.2d 1330 (M.D. Fla. 2011)
- *Atheists of Florida v. City of Lakeland, et al*, 838 F.Supp.2d 1293 (M.D. Fla. 2012)

Presentations & Seminars

- "Preserving Trial Error for Appellate Review," Orange County Bar Association Insurance Law Committee, February 5, 2018
- "Separation of Church and State Within the City," Florida Municipal Attorney Association, July 26, 2014
- "Defending a Local Invocation Policy in Federal Court," 37th Annual Local Government Law in Florida, May 9, 2014
- "Separation of Church and State Within the City," Florida Municipal Attorney Association, July 21, 2012

Articles & Publications

- Co-author with Monterey Campbell, "Board of Trustees of Internal Improvement Trust Fund v. American Education Enterprises: The Development of the Certiorari Standard in Florida," *Stetson Law Review*, Winter 2013, Florida Appellate Law: Certiorari Review of Non-Final Orders (Vol. 42, No. 2)

Gary I. Resnick Shareholder

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Experience

Gary was born in Newark, New Jersey. After receiving his bachelor's from Bucknell University, Gary attended Rutgers University School of Law, where he received his juris doctor with honors and was editor of *Rutgers Law Journal*. Prior to joining the firm, Gary was the director of law and public policy for MediaOne, one of the nation's largest cable and broadband companies, and was responsible for, among other things, its legal, regulatory, and Florida and federal government affairs programs.

Gary is a shareholder with the firm and concentrates his practice in the representation of local governments and private clients in government and regulatory affairs, communications and cable law, utilities, charter schools and use of rights-of-way.

Areas of Practice

- Communications, Cable & Broadband Law
- Land Use Law
- Medical Marijuana
- Religious Organizations
- Utilities
- Education
- Higher Education
- Real Estate
- Government
- Government Relations & Lobbying

Education

- **Bucknell University, B.A.** (1982)
- **Rutgers University School of Law, J.D.** (*with honors*, 1985)
 - *Rutgers Law Journal*, Associate Editor, 1984-1985

Admissions

- Florida
- New Jersey
- Pennsylvania
- District of Columbia
- U.S. District Court, Middle District of Florida

Professional Associations & Memberships

- City of Wilton Manors, Florida
 - Mayor, 2008-present
 - City Commissioner, 1998-2008
- Florida Department of Revenue
 - Communications Services Tax Working Group, Member, 2012-2013
- Broward League of Cities
 - President (2009-2010)
 - Treasurer
 - Board of Directors
 - Legislative Advocacy Committee, Chair
- Florida League of Cities
 - Board of Directors, 2003-present
 - Executive Committee, 2009-2011
 - Technology Leadership Committee, Chair, 2013
- Florida League of Mayors
 - Board of Directors, 2009-2016
- Alzheimer's Family Center, Trustee
 - Vice President of the Board, 2001-present
- Children's Home Society
 - Board of Directors
- Federal Communications Commission
 - Intergovernmental Advisory Committee, 2004-2016
 - Chair, 2014-2016
- National Association of Telecommunications Officers and Advisors
 - Board of Directors, 2005-2006
- National League of Cities
 - Board of Directors, 2018
 - Information Technology & Communications Committee
 - Chair, 2017-2018
 - Vice Chair, 2016-2017
 - Member, 2006-present
- Florida Chapter of NATOA, Founding Member and President of the Board of Directors
- Multifamily Broadband Council, formerly known as Independent Multi-Family Communications Council
 - Board of Directors, 2009-present
- The Golden Rule Foundation
 - Community Advisory Council
 - President

- Broward Days
 - Board of Directors, 2016

Awards & Recognitions

- National Association of Telecommunications Officers and Advisors (NATOA), Jane E. Lawton Commemorative Award, 2017
- Florida League of Cities, Home Rule Hero Award, 2016-2018
- *South Florida Legal Guide*, Top Attorney in South Florida, 2005-2006, 2008-2010
- National Association of Telecommunications Officers and Advisors, Ovation Award, 2012

Articles & Publications

- "Use of Public Rights-of-Way for Wireless Communications Infrastructure — A Game Changer," *Inside Towers*, December 2016
- "Pressure North Carolina to Change Discriminatory Law," *Sun Sentinel*, April 2016
- "Florida Communications Services Tax and the Digital Subscriber Line: To Tax or Not to Tax?," *The Florida Bar Journal*, April 2003
- "Before All Havoc Breaks Out: The Need for Local Governments to Regulate the Use of Their Rights-of-Way Under Florida's Communications Services Tax Simplification Law, The Agenda City, County & Local Government Law Section," *The Florida Bar Journal*, May 2001
- "Responding to a Cable Operator's Petition for Effective Competition: How One Community Succeeded in Fighting a Petition," *The Agenda*, Published by the City, County, and Local Government Law Section of The Florida Bar, 2004
- "Focusing on States: A Brave New World," *Journal of Municipal Telecommunications Policy*, Winter 2004

Presentations & Seminars

U.S. Senate Testimony: Testified before the Senate Committee on Commerce, Science and Transportation at the hearing, "Rebuilding Infrastructure in America: Investing in Next Generation Broadband," March 13, 2018.

U.S. Senate Testimony: Testified before the Senate Committee on Commerce, Science and Transportation at the hearing, "Investing in America's Broadband Infrastructure: Exploring Ways to Reduce Barriers to Deployment," May 3, 2017.

U.S. Senate Testimony: Testified at the invitation of Senator John Thune, Chairman, and request of Senator William Nelson, Vice Chairman, at the U.S. Senate Committee on Commerce, Science, and Transportation hearing entitled "Removing Barriers to Wireless Broadband Deployment," October 7, 2015.

- Panelist, Next Century 5G Webinar, April 12, 2018
- "Collocation of Wireless Telecommunications Devices on Utility Poles – The New Law," The Florida Bar Public Utilities Law Committee in collaboration with the Energy Bar Association, "Florida Electric, Renewable and Telecommunications Updates: the Interplay of Federal, State and Local Jurisdictions," Tampa, Florida, October 6, 2017

- "Telecom Update 2017," National Association of Telecommunications Officers and Advisors (NATOA), 2017 Annual Conference, Seattle, Washington, September 14, 2017
- "Attack Of Small Cell Facilities In The Rights Of Way," Florida League of Cities (FLC) Legislative Policy Committee Meeting, July 14, 2017
- "Attack of the Mini Cell Towers in Public Rights-of-Way," Florida Association of Counties Attorneys (FACA) CLE program, Florida Association of Counties (FAC) 2017 Annual Conference and Educational Exposition, Palm Beach, Florida, June 29, 2017
- "Understanding Communication Infrastructure Challenges," Florida League of Cities Legislative Conference, Orlando, FL, December 8, 2016
- "Practical Strategies for Overcoming Obstacles to Infrastructure Deployment," National Telecommunications Cooperative Association (NTCA–The Rural Broadband Association), 2016 Legal Seminar, Miami, FL, October 31, 2016
- "DAS & Small Cell Deployments: Perspectives From Local Government," Wireless Infrastructure Association (WIA) HetNet Expo, Houston, TX, October 26, 2016
- "Telecom Infrastructure: Competing for Access," National Association of Telecommunications Officers and Advisors (NATOA), 2016 Annual Conference, Austin, TX, September 22, 2016
- "Exclusive from Your Top City Officials: Wilton Manors, Oakland Park & Uptown Fort Lauderdale," Greater Fort Lauderdale Chamber of Commerce, September 29, 2016
- "Problem in the Rights of Way: Wireless Siting Concerns," National Association of Telecommunications Officers and Advisors' (NATOA) Webinar, June 21, 2016
- "Community Broadband: Broadband Legislative Update," 15th Anniversary Annual Broadband and PEG Conference, SouthEast Association of Telecommunications Officers & Advisors Conference (SEATO), St. Augustine, FL, March 15, 2016
- "The Courts, The Hill and The FCC – A Year in Review and Setting the Stage for 2016," National Association of Telecommunications Officers And Advisors' (NATOA) Webinar, December 14, 2015
- "Update on Wireless Communications Facilities," Board of Directors Meeting, The Palm Beach County League of Cities, Inc., West Palm Beach, FL, October 28, 2015
- "Removing Barriers to Wireless Broadband Deployment," The Senate Committee on Commerce, Science and Transportation, Washington, D.C., October 7, 2015
- "The FCC's New Wireless-Service-Facility Rules," Florida Municipal Attorneys Association (FMAA) 34th Annual Seminar, Ft. Lauderdale, Florida, July 9-11, 2015
- "Information Technology and Communications (ITC) Policy and Advocacy Committee Meeting," National League of Cities Congressional City Conference, Washington, D.C., March 8, 2015
- "Charting Our Cities," Greater Fort Lauderdale Chamber of Commerce, Oakland Park Wilton Manors & Uptown Council Luncheon, October 2, 2014
- Panel speaker, "Florida's Model for Communications Regulations," Advanced Communications Law & Policy Institute Summit, New York City, January 15-17, 2014
- "The Courts, The Hill and The FCC – A Year in Review and Setting the Stage for 2014," National Association of Telecommunications Officers and Advisors Webinar, December 2, 2013
- "Implications of the IP Transition for Legal and Regulatory Policy," National Association of Telecommunications Officers and Advisors Annual Conference, Orlando, Florida, September 16, 2013
- "Communications Facilities in Rights of Way," National Association of Telecommunications Officers and Advisors Annual Convention, New Orleans, Louisiana, September 29, 2012
- "Legal Leaders," 2012 Broadband Communities Summit, Dallas, Texas, April 25, 2012
- "Legal Jobs in the Communications Field," University of Miami School of Law, March 5, 2012
- "Walkable Cities Enhancing Communities: Complete Streets Issues and Initiatives," The Broward Metropolitan Planning Organization Seminar, Fort Lauderdale, Florida, May 24, 2011

- Featured Speaker, 8th Annual Broadband Properties Summit, Dallas, Texas, April 28, 2011
- Featured Speaker, 7th Annual Broadband Properties Summit, Dallas, Texas, April 28, 2010

Civic

- Leadership Florida, Class XXXV

Anastasia Protopapadakis Shareholder

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Experience

Anastasia is a shareholder in GrayRobinson's Miami and Fort Lauderdale law firm offices and currently practices in the areas of commercial litigation, funeral and cemetery law, civil rights law, local government/municipal defense, employment law, ADA/Title III defense, banking litigation and general tort litigation/personal injury defense. Anastasia has state and federal court experience in both the trial and appellate court levels. She is admitted to practice before the U.S. Appellate Court for the Eleventh Circuit; U.S. District Courts for the Southern, Middle, and Northern Districts of Florida; and all Florida trial and appellate courts. She is also admitted to practice in the District of Columbia.

For the first five years of her career, she practiced solely on municipal defense, defending the Florida League of Cities exclusively and all their member municipalities as well as some non-League cities and other municipalities in litigation matters in state, federal and appellate courts. For municipalities, she has defended numerous employment litigation matters, assault and battery cases, sexual assault cases, defamation cases, section 1981 and 1983 cases, trip/slip and fall cases, and other general tort matters for municipalities.

Anastasia currently represents several municipalities in the same types of matters, including the School Board of Broward County where she also serves on their Marjory Stoneman Douglas defense team (in addition to other general legal representations, including sexual assault, employment, ADA, and general tort), and the City of North Miami Beach. She has a niche practice in Title II ADA defense of municipalities, including Orange County, Palm Beach School Board, Manatee County and the City of Pompano Beach. She has also assisted the GrayRobinson team serving as Marathon's City Attorney. In addition, she has done appellate work for municipalities in the District Courts as well as in the Eleventh Circuit.

Areas of Practice

- Class Action Defense Law
- Litigation
- Religious Organizations

- Government
- Employment & Labor

Background

Anastasia was born and raised in South Florida. She graduated *summa cum laude* from the University of Florida in 2004 with a bachelor of science in advertising. In 2007, Anastasia earned her juris doctor from the University of Florida's Levin College of Law. While in law school, she worked as a certified legal intern for the 8th Judicial Circuit State Attorney's Office, prosecuting domestic violence cases. She also served on the University of Florida's Law Alumni Council and was the head student recruiter for the University of Florida Levin College of Law's Student Recruitment Team. Anastasia currently serves as a member of the University of Florida Levin College of Law Alumni Matching Program, which connects newly admitted students to law school alumni and remains active in student recruitment through this program.

Education

- **University of Florida, B.S.** (*summa cum laude*, 2004)
- **University of Florida College of Law, J.D.** (2007)

Languages

- Fluent in Greek
- Conversational Spanish

Admissions

- Florida
- District of Columbia
- U.S. District Court, Northern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Court of Appeal, 11th Circuit

Professional Associations & Memberships

- The Florida Bar
- Broward County Bar Association
- The District of Columbia Bar
- Leadership Council on Legal Diversity
 - Fellow, 2018

Civic

- American Heart Association South Florida Go Red For Women
 - Young Professionals Group, Chair, 2016
 - Executive Leadership Committee, 2014-2016

- Leadership Broward, Class of XXXIV
 - Government and Education Day, Co-Chair, 2016
- Urban League of Broward County
 - Executive Planning Committee, 2016

Representative Experience

- *Zinn v. SCI Funeral Services of Florida, Inc.*, 568 Fed.Appx. 841 (11th Cir. 2014) (affirming district court's dismissal of a 200 million dollar class action lawsuit for lack of standing under Article III).
- *Schwartz v. SCI Funeral Services of Florida, Inc.*, 554 Fed.Appx. 823 (11th Cir. 2014) (affirming district court's dismissal of a 200 million dollar class action lawsuit for lack of standing under the Class Action Fairness Act); 931 F.Supp.2d 1191 (S.D. Fla. 2013).
- *McDaniel v. Sheriff of Palm Beach County, Fla.*, 491 Fed.Appx. 981 (11th Cir. 2012) (affirming summary judgment to Defendants and the district court's imposition of procedural and monetary sanctions on Plaintiff); Case No.: 10-81082-CIV, 2011 WL 6372788 (S.D. Fla., Dec. 20, 2011).
- *Harrington v. City of Key West, Florida*, 2009 WL 1788406 (S.D. Fla. June 23, 2009) (order granting summary judgment in favor of defendant in section 1983 case).
- *Abella v. Simon*, 49 So. 3d 1276 (3d DCA 2010) (per curiam affirmation of summary judgment in favor of defendant in defamation case).
- *Kessler v. Monroe County*, 995 So. 2d 505 (3d DCA 2008) (per curiam affirmation of summary judgment in favor of defendant in employment case).

Awards & Recognitions

- Florida *Super Lawyers*, Rising Star, 2016-2018
- AV Preeminent™ rated by *Martindale-Hubbell*
- *Brickell Magazine*, "Top 20 Professionals Under Forty," 2015

Articles & Publications

- "A New Variation of the ADA Accessibility Lawsuit That Specifically Targets Hotels and Other Places of Lodging," *Employment Law Alliance Newsletter*, March 2018
- "Accessibility of Places of Public Accommodation Act: An Answer To Our ADA Prayers, or Buyer Beware?" *The Checkoff*, August 2017
- "New ADA Lawsuits Target Businesses," *Inside Counsel*, December 2016
- Co-Author, "Avoiding Litigation: Is Your Website Accessible to Visually, Hearing Impaired?" *Daily Business Review*, October 2016
- "Litigator, Meet Lion: A Miami Lawyer's Travel Adventures Online," *Daily Business Review*, August 2016

Media Mentions

- "Businesses 'Sitting Ducks' for Lawsuits Because Websites Aren't ADA Compliant," WFLA-TV, February 2019
- "ADA Lawsuits Targeting Hotels' Websites For Not Disclosing How Accessible They Are," *Miami Herald*, January 2019

- "Got Access for People with Disabilities Covered? Don't Forget your Website," *The Guardian*, November 2018
- "Florida's Serial ADA Lawsuits: Long Overdue or 'Legal Extortion'," *Daily Business Review*, November 2018
- "Are Floridians Wasting Billions on Litigation? A New Report Says Yes." *Daily Business Review*, October 2018
- "Where In The World Is Anastasia Protopapadakis?" *Super Lawyers*, June 2017
- "Judge Backs Making Consumer Websites Accessible to Blind," *Wall Street Journal*, June 2017

Rebecca A. Rodriguez

Senior Associate

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Experience

Rebecca is a senior associate attorney in the firm's Fort Lauderdale and Miami offices. Her practice focuses on state and federal litigation and appellate matters on behalf of institutional and government clients. Her past experience includes matters on behalf of firm clients City of Coral Gables, City of Doral, City of Marathon, Village of Palmetto Bay, and the Broward County Clerk of the Court. She is admitted to practice before the U.S. Court of Appeals for the Eleventh Circuit; U.S. District Courts for the Southern, Middle, and Northern Districts of Florida; and all Florida trial and appellate courts. She is also admitted to practice before the U.S. Court of Appeals for the Federal Circuit.

Areas of Practice

- Administrative & Regulatory
- Appellate
- Banking & Finance
- Food Law
- Government
- International
- Litigation
- Real Estate

Background

Rebecca was born and raised in Miami, Florida. After attending Coral Reef Senior High in Miami, Florida, she attended the University of Florida in Gainesville, where she received her bachelor's degree in anthropology. She then earned her master of science in criminal justice from Florida International University.

Rebecca attended law school at Nova Southeastern University in Fort Lauderdale, Florida. While in law school, Rebecca served as the associate executive editor for the *ILSA Journal of International and*

Comparative Law. She was also awarded The Florida Bar Gift Award, the book award in Antitrust Law, the SunTrust Bank Florence Bayuk Trust Scholarship for two consecutive school years, and the Florida Association of Realtors Education Foundation Scholarship. In 2012, Rebecca represented Nova Law as one of two selected international negotiations competitors in Washington D.C.

Education

- **University of Florida, B.A. (2007)**
 - Florida Bright Futures Merit Scholarship
- **Florida International University, M.S. (2010)**
- **Nova Southeastern University Shepard Broad Law Center, J.D. (2012)**
 - *ILSA Journal of International & Comparative Law*, Associate Executive Editor
 - Certificate in International Legal Practice
 - Florida Bar Gift Award
 - SunTrust Bank Florence Bayuk Trust Scholarship
 - Florida Association of Realtors Education Foundation Scholarship
 - Cali Book Award of Excellence in Antitrust Law
 - BLSA International Negotiations Competitor
 - Teaching Assistant: Constitutional Law courses and Lawyering Skills and Values courses

Admissions

- Florida
- U.S. Court of Appeals, 11th Circuit
- U.S. District Court, Northern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Court of International Trade
- U.S. Court of Appeals, Federal Circuit

Professional Associations & Memberships

- The Florida Bar
 - Diversity and Inclusion Committee, 2018-2019
- Organization of Women in International Trade, South Florida
- Greater Fort Lauderdale Alliance
- American Bar Association
 - International Law Section
 - Fall Meeting Planning Committee, 2013-2015
 - Spring Meeting Planning Committee, 2014, 2016
 - Customs Law Committee, Steering Group; Vice-Chair, 2013-2017

Civic

- Leadership Fort Lauderdale, Class XXII
- Greater Miami Chamber of Commerce
 - International Business Committee, Global Linkage Initiatives

- Leadership Miami, Class XL
- Diamond Angels of Joe DiMaggio Children's Hospital Foundation, Committee Member

Articles & Publications

- "Customs Law," American Bar Association's *International Legal Developments Year In Review: 2017*
- *Customs Law*, 51 Int'l Law. 5, 2017
- *Customs Law*, 50 Int'l Law. 5, 2016
- *Customs Law*, 49 Int'l Law. 5, 2015
- *Customs Law*, 48 Int'l Law. 5, 2014
- "Customs Law," American Bar Association's *International Legal Developments Year In Review: 2013*
- "FDA Issues Final Rule Defining the Term "Gluten Free": What Food Manufacturers Need to Know for Product Labeling," *FDLI Update Magazine*, November 2013
- "TTB and FDA Policy Updates on Gluten-Free Labeling," *FDLI Update Magazine*, January 2013
- *ILSA Journal of International & Comparative Law*
 - Associate Executive Editor, Volume 19:3, Summer 2013
 - Associate Executive Editor, Volume 19:2, Spring 2013
 - Associate Executive Editor, Volume 19:1, Fall 2012
 - Associate Executive Editor, Volume 18:3, Summer 2012
 - Junior Bilingual Editor, Volume 18:2, Spring 2012
 - Junior Bilingual Editor, Volume 18:1, Fall 2011

Languages

- Spanish

Reported Cases

- *Florida Research Inst. of Equine Nurturing, Dev., and Safety, Inc. v. Dillon*, 247 So. 3d 538 (Fla. 4th DCA 2018)
- *?Polisky v. JPMorgan Chase Bank, N.A.*, 242 So. 3d 1120 (Fla. 4th DCA 2018)
- *Pathak v. JPMorgan Chase Bank, N.A.*, 236 So. 3d 1099 (Fla. 5th DCA 2017)
- *Waisome v. JPMorgan Chase Bank, N.A.*, 703 Fed. App'x 913 (11th Cir. 2017)
- *In Re: Nelvare R. Scott*, 567 B.R. 847, (Bankr. S.D. Fla. 2017)
- *Peterson v. JPMorgan Chase Bank, N.A.*, 219 F.Supp. 3d 1195 (S.D. Fla. 2016)
- *Waisome v. JPMorgan Chase Bank, N.A.*, 6:16-cv-445-PGB-KRS, 2016 WL 4567098 (M.D. Fla Sept. 1, 2016)

Presentations & Seminars

- Panelist, "Looking for a Few Good Men," Broward County Bar Association's (BCBA) Third Annual Women Leaders in the Law Series, March 30, 2017

Awards & Recognitions

- Florida *Super Lawyers*, Rising Star, 2017-2018



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 12.a

TO: Honorable Mayor and Members of the
Biscayne Park Village Commission

FROM: Roseann Prado, Village Clerk

DATE: March 05, 2019

TITLE: Variance Application PV18-0003
Marie-Emmanuelle Theard
11390 NE 8 Ave. Biscayne Park, FL 33161

Recommendation

Planning & Zoning Board denied approval on P&Z Board meeting of 01/07/2019.

Background

The owners appeal before this Commission on Regular Commission Meeting of March 05, 2019.

Notices of Hearing were sent to all residents on a radius of 500 ft as well as advertised on Daily Business Review on February 07, 2019 and February 22, 2019.

Financial Impact:

The owners paid the required fees of \$ 150.00 for Application and \$ 250.00 for Advertisement.

Attachments

- Variance Application
- Advertisement
- Letter of Notice of Hearing

Prepared by: Roseann Prado



VILLAGE OF BISCAYNE PARK

640 NE 114th St. Biscayne Park, FL 33161
Tel: 305 899 8000 Fax: 305 891 7241

VARIANCE APPLICATION

Pursuant to Section 15.3 of the Code of Ordinances of the Village of Biscayne Park, Florida, a property owner may request a variance of the zoning code.

Date: 12/23/2018

PROPERTY ADDRESS: 11390 NE 8 Ave BISCAYNE PARK, FL 33161

PROPERTY OWNER

Name: MARIE-EMMANUELLE THEARD
FIRST LAST MI

Mailing Address: 11390 NE 8 Ave City: BISCAYNE PARK ST: FL Zip: 33161

Telephone: (305) 502-3308 Home Cell Work

E-Mail Address: emmanuelle@hotmail.com

Application is made for (type of variance requested): legalization of shed & pergola in the back yard. please see attached

OWNER AFFIDAVIT

I, Marie Emmanuelle Theard, being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed variance, and that all statements and representations made are true and correct.

I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of this variance for any false or misleading statements in this application.

State of Florida
County of Miami-Dade

[Signature of Marie Emmanuelle Theard]
Signature of Property Owner

On this 27 day of December, 2018, before me, the undersigned notary public, personally appeared Marie-Emmanuelle Theard, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

Personally Known -OR-
Produced ID - Type of ID: FL-Driver's License

[Signature of Notary Public]
Notary Public



Date: 12/27/18

Board of Zoning

We would like to request that you please review and approve our petition for a variance for the following reasons:

1. We don't have enough square footage in the backyard as we only have $15\text{ft} + 65\text{ft} = 975$ sq ft total. We have a decent front yard but a tiny back yard not allowing us to choose the location of the pergola and shed.
2. The pergola and the shed are already installed. The posts of the pergola are already 3+ feet underground, in poured concrete, making it complicated to relocate. (See photos).
3. Next to the house we have to cope with AC unit + Gas meter/tank less water heater, so all these spots are blocking the possibility to put the pergola anywhere other than where it is currently located.
4. If the shed had to be relocated, it could only be moved to the North West side of the property, where it would become visible from the street making it an esthetic issue. We would also have to pour a concrete slab to be able to relocate it there, so this would be a hardship with more work and money involved. While where it is now it sits very discreetly in the least visible possible location. If requested we could even hide it behind a fence, but I doubt it is necessary as we can barely see it from the street, you really need to look for it to see it. (See photos).
5. The shed and the pergola are barely visible from the street, there is just a tiny angle where you can see them and you really need to look carefully to see them from the street. Even our (unique) neighbor can barely see them as they are hidden by a 6 foot fence. As he has a 13,000 sq ft lot (we have only 5,800 sq ft), that does not impact him in any way.
6. The Shed was inspected and approved on Wednesday December 14th, 2018 by the village inspector.

PROPERTY ADDRESS:

11390 NE 8 Ave

BISCAYNE PARK, FL 33161

PLANNING & ZONING BOARD REVIEW

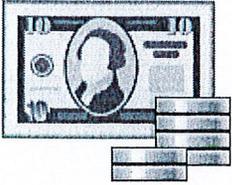
Section(s) of the Code to be appealed for the variance request:

Date of Meeting: 1 / 2 / 19

APPROVAL: _____ _____ _____ _____ _____

DENIED: ARO gph (DPS) (D) _____

REASON FOR DECISION: All 4 Variance Requirements not met.



RECEIPT NUMBER

00006333

Village of Biscayne Park

600 Northeast 114th Street

Biscayne Park, FL 33161

Ph: (305) 899-8000

Fax: (305) 891-7241

Paid By

MARIE EMMANUELLE THEARD

11390 NE 8 AVE

BISCAYNE PARK, 33161

12/31/2018

Type	Record	Category	Description	Amount
Permit	PV18-0003	Standard Item	Application Fee - With Permit	\$ 150.00
Permit	PV18-0003	Standard Item	Advertisement Fee	\$ 225.00

Total	\$ 375.00
Cash	
Check	\$ 375.00
Credit	
Transferred	
Tendered	\$ 375.00
Change	\$ 0.00
To Overpayment	\$ 0.00

PAID

CHK. NO. 1337

DATE 1/10

Village of Biscayne Park

600 Northeast 114th Street

Biscayne Park, FL 33161

(305) 899-8000

(305) 891-7241

Invoice For Permit: PV18-0003

Print Date: 12/31/2018

Pay by Account In Full



Pay by Account In Full

MARIE EMMANUELLE THEARD

11390 NE 8 AVE

BISCAYNE PARK 33161

\$ 375.00

Invoice No	Invoice Date	Permit Number	Address	Amount Due
 00006522	12/31/18	PV18-0003	11390 NE 8 AVE	\$ 375.00
Fee Details:	Quantity	Description	Amount Cost	Balance
	1.000	Application Fee - With Permit App	\$150.00	\$ 150.00
	1.000	Advertisement Fee	\$225.00	\$ 225.00
Total Amount Due				\$ 375.00



Village of Biscayne Park

Building Department

640 Northeast 114th Street

Biscayne Park, FL 33161

Phone: (305) 899-8000 Fax: (305) 891-7241

Permit #: PB18-0523 **Issued:** 09/11/2018 **Expires:** 03/10/19

LOCATION	OWNER
11390 NE 8 AVE 17-2231-003-0650	MARIE EMMANUELLE T 11390 NE 8 A BISCAYNE P
WORK DESCRIPTION: INSTALLATION OF SHED	CONTRACTOR

APPROVED: _____

POST THIS CARD SO IT IS VISIBLE FROM THE STREET

Building Inspection Approvals	Plumbing Inspection Approvals	Electrical Inspection Approvals
Foundation	Rough	Rough
Rough	Final	Final
Insulation	Heating Inspection Approvals	Refrigeration Inspection Approvals
	Rough	Rough
Final	Final	Final

PERMIT REQUIRED: Dble Fee - Chapter: 16Enforcement | EEN18-1106

Property Information

17-2231-003-0650

11390 NE 8 AVE

Code Officer: Christina Caserta

Name Information

Owner: MARIE EMMANUELLE THEARD

Phone:

Occupant:

Phone:

Complainant:

Phone:

Enforcement Information

Date Filed: 08/01/2018

Date Closed:

Status: OPEN

VIOLATION:

Pergola installed in backyard without a permit.

LAST ACTION DATE: 08/01/2018

LAST ACTION: COURTESY NOTICE

NEXT ACTION DATE:

12/10/2018

NEXT ACTION PLANNED:

CODE BOARD

PREVIOUS COMMENTS:

8/1: rang bell no answer, check BS&A for permit & none on file. Pics taken . CC

8/6: Spoke with owners husband, Laurent, he advd he was out of town. He advd the previous owners told them they pulled all the permits. I told him we will pull the files from storage to see if there are any older permits on file that may be associated with the structure on the property. I asked him to check back with me at the end of the week to find out the status. CC

8/6: External storage revealed no files for this property. All documents are contained in the street file in city hall office. Reviewed the street files and found the shed permit, but no permit for pergola.

8/13: Recv'd message from Marie Emmanuelle (305) 502-3308.

8/14: Retn'd call to Marie Emmanuelle & left message on voice mail.

8/14: Spoke w/ Marie Emmanuelle and advd her no permits on file. Also advd no permits on file for a pergola. She advd she will come in and obtain a permit (I provided her with the next cut off date for P&Z which is the 24th of August and if she is has submiitted the plans by then I can grant her additional time to get approvals. I asked her to keep in touch with the progress she has made.

8/24: Owner came in & applied for the Permit.

9/4: P&Z Board disapproved the plans as they needed more details on how it is being anchored and built. owner indicated to Jean (Building dept) that she would bring in new details and hope to make the next meeting. Next meeting is October 1st.

11/30: No further action to obtain permit

11/30: Notice to Appear issued

11/30: Notice to Appear Posted at property

EXTENSION:

SEND NOV:

ISSUE NOTICE TO APPEAR:

COMPLIED / CLOSE CASE:

CODE OFFICER: _____









Village of Biscayne Park

640 Northeast 114th Street
Biscayne Park, FL 33161
(305) 899-8000
(305) 891-7241

Invoice For Permit: PB18-0523

Print Date: 09/04/2018

Pay by Account In Full



Pay by Account In Full

MARIE EMMANUELLE THEARD
11390 NE 8 AVE
BISCAYNE PARK 33161

\$ 197.38

Invoice No	Invoice Date	Permit Number	Address	Amount Due
 00006118	09/07/18	PB18-0523	11390 NE 8 AVE	\$ 197.38
Fee Details:	Quantity	Description	Amount Cost	Balance
	1.000	Admin Fee	\$20.00	\$ 20.00
	1.000	Base Fee	\$60.00	\$ 60.00
	1.000	Building Inspector Review Fee - \$95	\$95.00	\$ 95.00
	900.000	Building Permit Fee	\$17.00	\$ 17.00
	900.000	Dade County Surcharge	\$.72	\$ 0.72
	17.000	DBPR Surcharge	\$2.00	\$ 2.00
	17.000	DCA (Radon Gas) Surcharge	\$2.00	\$ 2.00
	1.000	Technology Fee	\$.42	\$ 0.42
	900.000	Training/Education Surcharge	\$.24	\$ 0.24
Total Amount Due				\$ 197.38

Village of Biscayne Park

640 Northeast 114th Street
Biscayne Park, FL 33161
(305) 899-8000
(305) 891-7241

Invoice For Permit: PB18-0508

Print Date: 08/22/2018

Pay by Account In Full



Pay by Account In Full

MARIE EMMANUELLE THEARD
11390 NE 8 AVE
BISCAYNE PARK 33161

\$ 50.00

Invoice No	Invoice Date	Permit Number	Address	Amount Due
 00006076	08/24/18	PB18-0508	11390 NE 8 AVE	\$ 50.00
Fee Details:	Quantity	Description	Amount Cost	Balance
	2.000	P&Z Meeting Charge	\$50.00.	\$ 50.00
Total Amount Due				\$ 50.00

Tel: 305 899 8000
 Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION
 Fees set October 7, 2014



Village of Biscayne Park
 640 NE 114th Street
 Biscayne Park, FL 33161
 building@biscayneparkfl.gov

DATE: _____

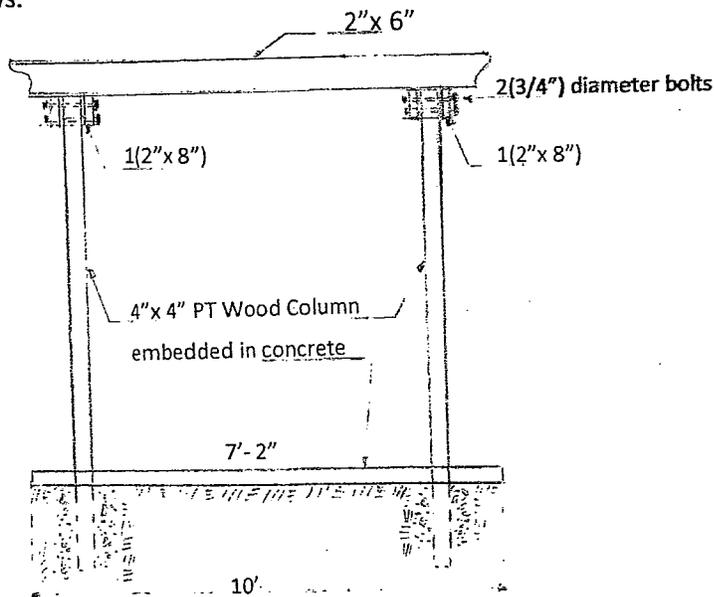
PERMIT #: _____

JOB ADDRESS: _____

PROPERTY OWNER INFORMATION		CONTRACTOR INFORMATION																		
Name: <u>Marie Emmanuelle Theard</u>	Company Name: _____	Address: <u>11390 NE 8th AVE</u>	Address: _____																	
City: <u>Biscayne Park ST FL</u> Zip: <u>33161</u>	City: _____ ST _____ Zip: _____	Telephone: <u>305 - 502 - 3308</u>	Telephone: _____ - _____ - _____																	
E-Mail: <u>Emmanuelle.Theard@gmail.com</u>	License No.: _____																			
PERMIT TYPE (Check ONLY one)		TYPE OF WORK (Check ONLY one)																		
<input checked="" type="checkbox"/> BUILDING	<input type="checkbox"/> CHANGE CONTRACTOR	<input type="checkbox"/> NEW CONSTRUCTION	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><th style="text-align: left;">ESTIMATED JOB COST</th></tr> <tr><td> </td></tr> <tr><th style="text-align: left;">SQUARE FOOTAGE</th></tr> <tr><td> </td></tr> </table>	ESTIMATED JOB COST		SQUARE FOOTAGE														
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City: _____ ST _____ Zip: _____	Telephone: _____ - _____ - _____	License No.: _____	<input type="checkbox"/> OTHER: _____																	
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<u>E. Theard</u> 8/23/2018 Signature of Owner or Agent Date Print Name (Owner or Agent) <u>Marie Emmanuelle Theard</u> STATE OF FLORIDA, COUNTY OF <u>MIAMI-DADE</u> Sworn to and subscribed before me this <u>23</u> day of <u>August</u> 20 <u>18</u> . <u>Fatima Dominguez</u> NOTARY FOR OWNER OR AGENT FATIMA DOMINGUEZ Personally Known OR Provided ID <u>Driver License</u> Notary Public - State of Florida Commission # GG 101211 Commission Expires May 3, 2021	_____ Signature of Qualifier Date Print Name (Qualifier) _____ STATE OF FLORIDA, COUNTY OF _____ Sworn to and subscribed before me this _____ day of _____ 20____. _____ NOTARY FOR QUALIFIER Personally Known OR Provided ID _____																			
PLANNING & ZONING BOARD REVIEW FEE \$25.00 Date: _____, 20____ <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved By _____	TOTAL FEE \$ _____	<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="font-size: x-small;">Discipline</th> <th style="font-size: x-small;">AP</th> <th style="font-size: x-small;">DAP</th> </tr> </thead> <tbody> <tr><td style="font-size: x-small;">Electrical</td><td> </td><td> </td></tr> <tr><td style="font-size: x-small;">Mechanical</td><td> </td><td> </td></tr> <tr><td style="font-size: x-small;">Plumbing</td><td> </td><td> </td></tr> <tr><td style="font-size: x-small;">Roofing</td><td> </td><td> </td></tr> <tr><td style="font-size: x-small;">Bldg Official</td><td> </td><td> </td></tr> </tbody> </table>	Discipline	AP	DAP	Electrical			Mechanical			Plumbing			Roofing			Bldg Official		
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10(2'x 6') @ 12" wood joists are connected to

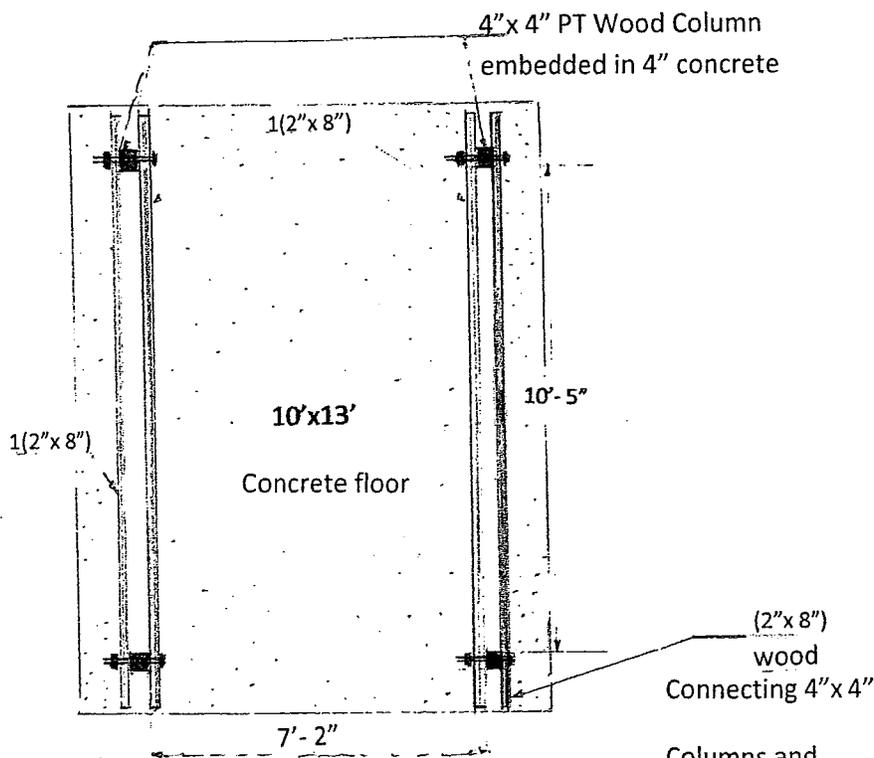
the 2(2'x 8') wood beams with 8(3-1/2") long screws.



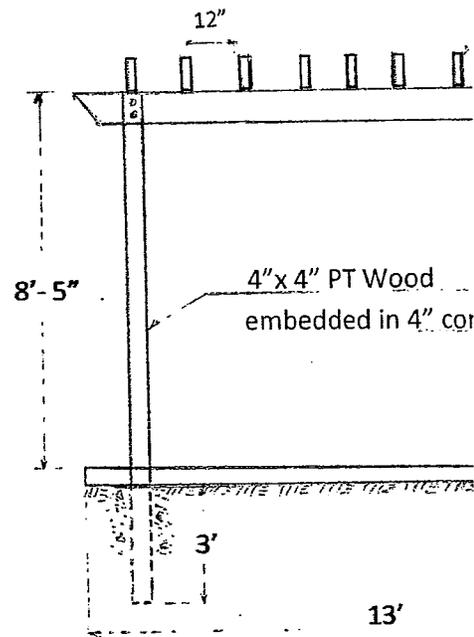
REAR ELEVATION

Scope of work for New Wood Pergola on Concrete

A new 7'-2" x 10'-2" wood pergola built for recre
 opened area at rear of existing 2 story house by in
 4 new Pressure treated 4" x 4" wood columns w/
 Embedment of 3' below slab, centered & encasec
 Diameter concrete poured in place foundation.
 These 4" x 4" columns are connected 2 by 2 on bot
 By using 1(2" x 8") in and out attached together w
 with 2(3/4") diameter bolts.



FLOOR PLAN



NORTH ELEVAT

(2" x 8")
 wood
 Connecting 4" x 4"
 Columns and
 anchored with 3/4" x 8"
 carriage bolts and nuts

All materials used and work to be
 and with approval of local authori

Tel: 305 899 8000
 Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION
 Fees set October 7, 2014

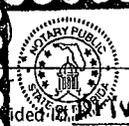


Village of Biscayne Park
 640 NE 114th Street
 Biscayne Park, FL 33161
 building@biscayneparkfl.gov

DATE:

PERMIT #:

JOB ADDRESS:

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E-Mail: <u>Emmanuelle@hotmail.com</u>	License No.: _____																			
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Tel: 305 899 8000
Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION



Village of Biscayne Park
640 NE 114th Street
Biscayne Park, FL 33161
building@biscayneparkfl.gov

Fees set October 7, 2014

DATE:

PERMIT #:

JOB ADDRESS:

PROPERTY OWNER INFORMATION	CONTRACTOR INFORMATION
Name: <u>Marie Emmanuelle Theard</u>	Company Name: _____
Address: <u>11390 NE 8th AVE</u>	Address: _____
City: <u>Biscayne Park ST FL</u> Zip: <u>33161</u>	City: _____ ST _____ Zip: _____
Telephone: <u>305 - 502 - 3308</u>	Telephone: _____ - _____ - _____
E-Mail: <u>Emmanuelle.T@hamail.com</u>	License No.: _____

PERMIT TYPE (Check ONLY one)	TYPE OF WORK (Check ONLY one)
<input checked="" type="checkbox"/> BUILDING <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> MECHANICAL <input type="checkbox"/> PLUMBING/GAS <input type="checkbox"/> PAVING/DRAINAGE <input type="checkbox"/> ROOFING <input type="checkbox"/> CHANGE CONTRACTOR <input type="checkbox"/> EXTENSION <input type="checkbox"/> RENEWAL <input type="checkbox"/> SHOP DRAWING <input type="checkbox"/> PAINTING (exterior only) <input type="checkbox"/> FENCE	<input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ADDITION DETACHED <input type="checkbox"/> ALTERATION EXTERIOR <input type="checkbox"/> REPAIR / REPLACE <input type="checkbox"/> ALTERATION INTERIOR <input type="checkbox"/> ADDITION ATTACHED <div style="border: 1px solid black; padding: 5px; width: fit-content; margin-top: 10px;"> ESTIMATED JOB COST <div style="font-size: 2em; text-align: center; margin: 5px 0;">900</div> SQUARE FOOTAGE </div>

Architectural plans must be provided in both hard copy and electronic format.

ARCHITECT / ENGINEER INFORMATION	PROPERTY INFORMATION
Name: _____	FOLIO NO: <u>17-2231-003-0650</u>
Address: _____	<input checked="" type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> DUPLEX
City: _____ ST _____ Zip: _____	<input type="checkbox"/> OTHER: _____
Telephone: _____ - _____ - _____	
License No.: _____	

DESCRIPTION OF WORK

~~Perforate 20' x 20' by 10' x 10'.~~ 10 feet by 8m feet Storage Shed.
* ONLY SHED *

APPLICATION IS HEREBY submitted to obtain a PERMIT to do work and installations as indicated. I certify that no work has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in the Village of Biscayne Park. If work has commenced without such permit, a double fee will be applied to the permit cost. I understand that separate permits must be secured for each permit type. **OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated. **AGENT'S AFFIDAVIT:** If an agent is representing the owner, a separate affidavit must be completed and attached herewith authorizing this substitution. A tenant can submit on behalf of the owner with a notarized letter of acknowledgement. **WARNING TO OWNER:** Your failure to record a Notice of Commencement may result in paying twice for improvements to your property. If you intend to obtain financing, you must consult with your lender or an attorney BEFORE recording your Notice of Commencement.

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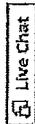
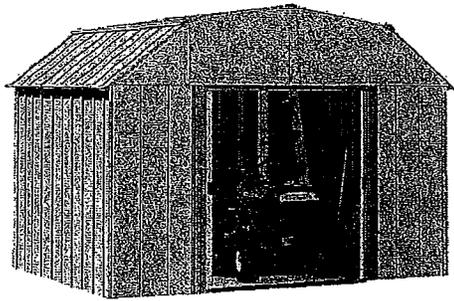
PLANNING & ZONING BOARD REVIEW FEE \$25.00
 Date: 9/14/18, 20____
 Approved
 Not Approved
 By: [Signature] [Signature] [Signature]

TOTAL FEE	Discipline	AP	DAP
\$ _____	Electrical		
	Mechanical		
	Plumbing		
	Roofing		
	Bldg Official		

[Signature] 9/14/18

Home / Storage & Organization / Sheds, Garages & Outdoor Storage / Sheds / Metal Sheds

Model # DK108 Internal #100151102 Store SKU #817573



Share Save to Favorites Print

Arrow

Dakota 10 ft. x 8 ft. Steel Shed

★★★★★ (88) Write a Review Questions & Answers (56)

- Gambrel roof provides an abundance of head room and storage space
- Electro galvanized steel for corrosion resistance
- Appealing two tone aesthetics in Eggshell and Taupe

\$479⁰⁰ /each

Quantity

Pick Up at a Nearby Store Today

We'll Deliver It to You

Add to Cart

Add to Cart

Not in Stock at your N Miami/Biscayne store

Standard Delivery

3 in Stock at Hollywood, FL (7.8 mi)

Expect it
August 31 - September 11

Aisle 53, Bay 008 Text to Me

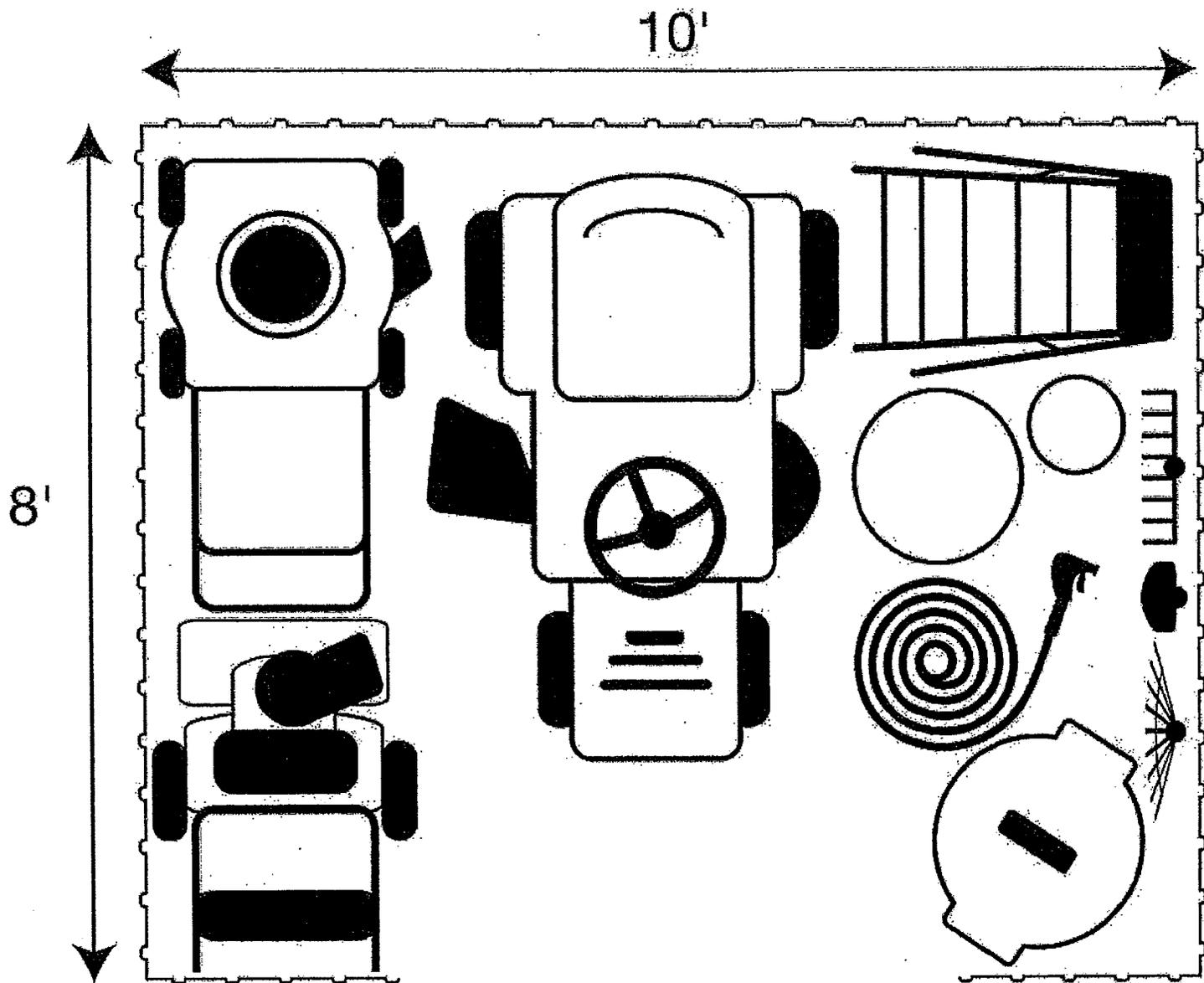
Delivery Options

Check Another Nearby Store

Or buy now with

We're unable to ship this item to:
AK, GU, HI, PR, VI/More

Easy returns in store and online
Learn about our return policy





DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (RER)
BOARD AND CODE ADMINISTRATION DIVISION

MIAMI-DADE COUNTY
PRODUCT CONTROL SECTION
11805 SW 26 Street, Room 208
Miami, Florida 33175-2474
T (786) 315-2590 F (786) 315-2599

www.miamidade.gov/economy

NOTICE OF ACCEPTANCE (NOA)

Arrow Shed, LLC
1101 N. 4th Street
Breese, IL 62230

SCOPE:

This NOA is being issued under the applicable rules and regulations governing the use of construction materials. The documentation submitted has been reviewed and accepted by Miami-Dade County RER- Product Control Section to be used in Miami Dade County and other areas where allowed by the Authority Having Jurisdiction (AHJ).

This NOA shall not be valid after the expiration date stated below. The Miami-Dade County Product Control Section (in Miami Dade County) and/or the AHJ (in areas other than Miami Dade County) reserve the right to have this product or material tested for quality assurance purposes. If this product or material fails to perform in the accepted manner, the manufacturer will incur the expense of such testing and the AHJ may immediately revoke, modify, or suspend the use of such product or material within their jurisdiction. RER reserves the right to revoke this acceptance, if it is determined by Miami-Dade County Product Control Section that this product or material fails to meet the requirements of the applicable building code.

This product is approved as described herein, and has been designed to comply with the High Velocity Hurricane Zone of the Florida Building Code.

DESCRIPTION: Cold Formed Steel Utility Sheds

APPROVAL DOCUMENT: Drawing No. S1, S2 and S3, titled "6' x 5', 8' x 6', 8' x 8' & 10' x 8' Utility Sheds", sheets S1 through S3, dated 06/12/2012, prepared by McGinnis & Associates Consulting Engineers, Inc., signed and sealed by Daniel W. McGinnis, P.E., on 04/08/2013, bearing the Miami-Dade County Product Control Revision stamp with the Notice of Acceptance number and expiration date by Miami-Dade County Product Control Section.

MISSILE IMPACT RATING: Large and Small Missile Impact Resistant

LABELING: Each unit shall bear a permanent label with the manufacturer's name or logo, city, state and the following statement: "Miami-Dade County Product Control Approved", unless otherwise noted herein.

RENEWAL of this NOA shall be considered after a renewal application has been filed and there has been no change in the applicable building code negatively affecting the performance of this product.

TERMINATION of this NOA will occur after the expiration date or if there has been a revision or change in the materials, use, and/or manufacture of the product or process. Misuse of this NOA as an endorsement of any product, for sales, advertising or any other purposes shall automatically terminate this NOA. Failure to comply with any section of this NOA shall be cause for termination and removal of NOA.

ADVERTISEMENT: The NOA number preceded by the words Miami-Dade County, Florida, and followed by the expiration date may be displayed in advertising literature. If any portion of the NOA is displayed, then it shall be done in its entirety.

INSPECTION: A copy of this entire NOA shall be provided to the user by the manufacturer or its distributors and shall be available for inspection at the job site at the request of the Building Official.

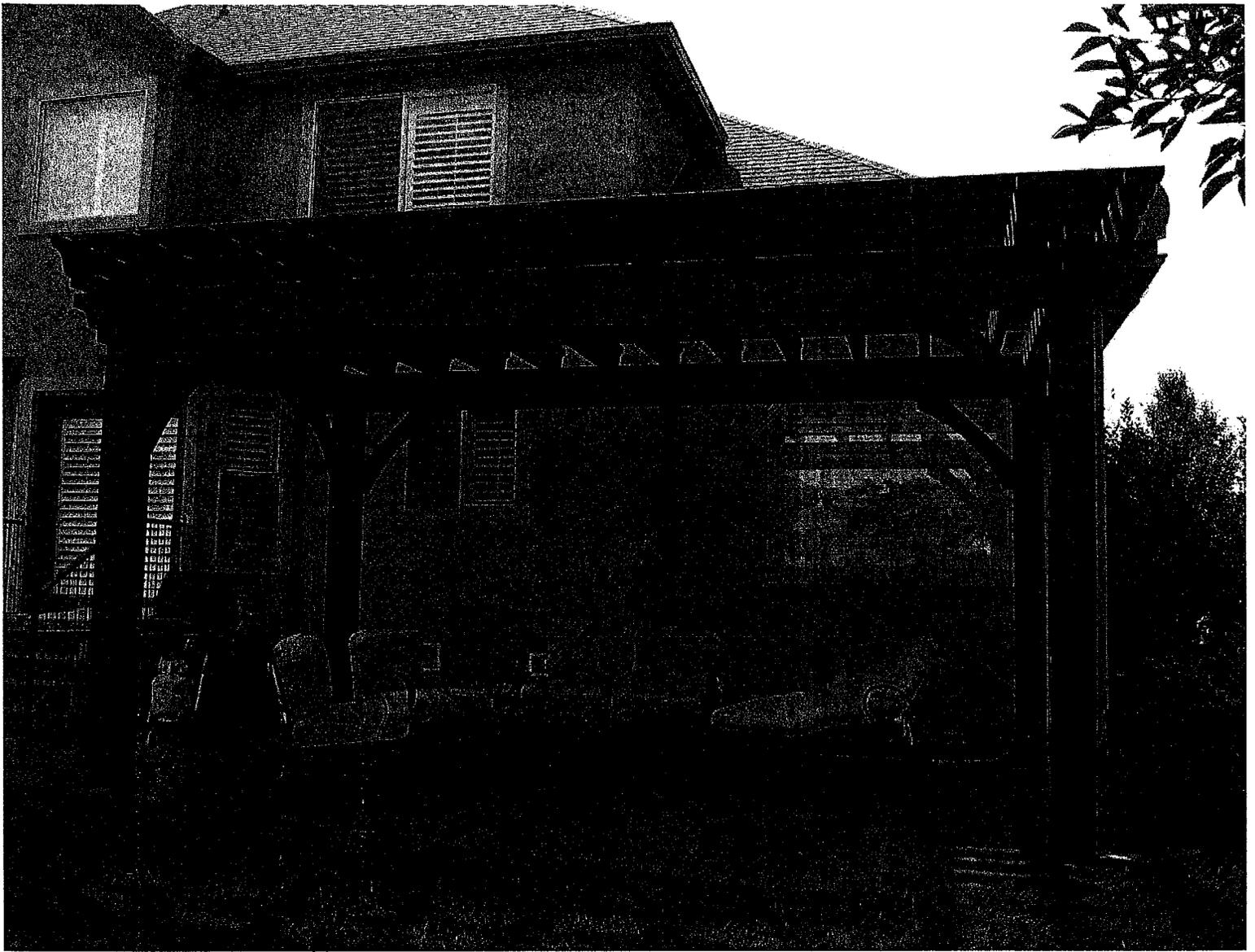
This NOA revises & renews NOA # 07-0214.15 and consists of this page 1, evidence submitted pages E-1, E-2, E-3, & E-4 as well as approval document mentioned above.

The submitted documentation was reviewed by Helmy A. Makar, P.E. M.S.



Helmy A. Makar
04/25/2013

NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013
Page 1





11390 NE 8 AVE, BIRMINGHAM, AL



11390 NE 8

W F BISCAYNE DR

777 N.W. 7th AVENUE SUITE 3025
 MIAMI, FLORIDA 33126
 TELEPHONE: (305) 262-0400
 FAX: (305) 262-0401
 www.ibarralandsurveyors.com

JOHN IBARRA & ASSOC., INC.

SURVEY No. 12-001116-

LAND SURVEYORS

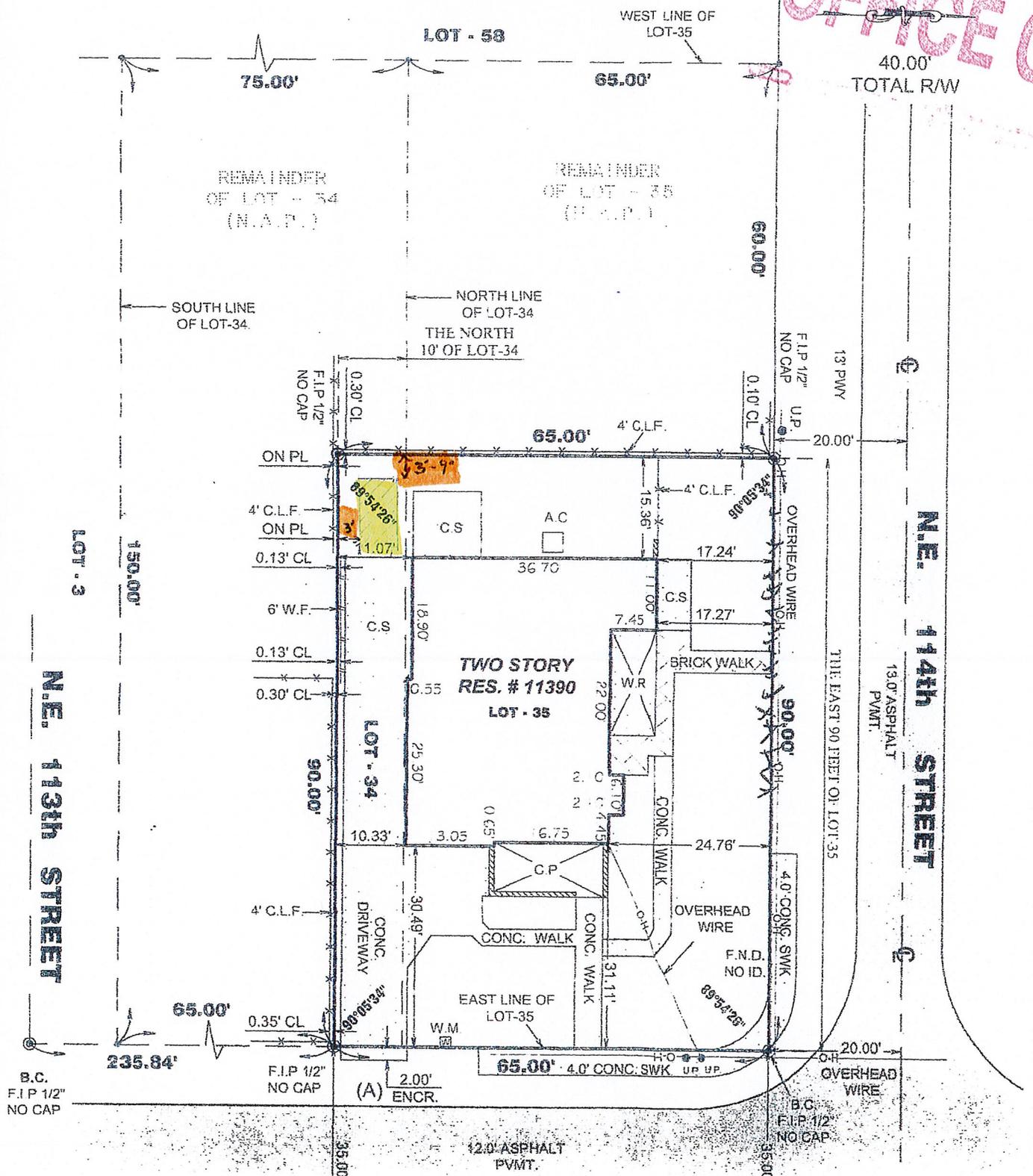
SHEET No. 2 OF 2

DRAWN BY: NGH

BOUNDARY SURVEY

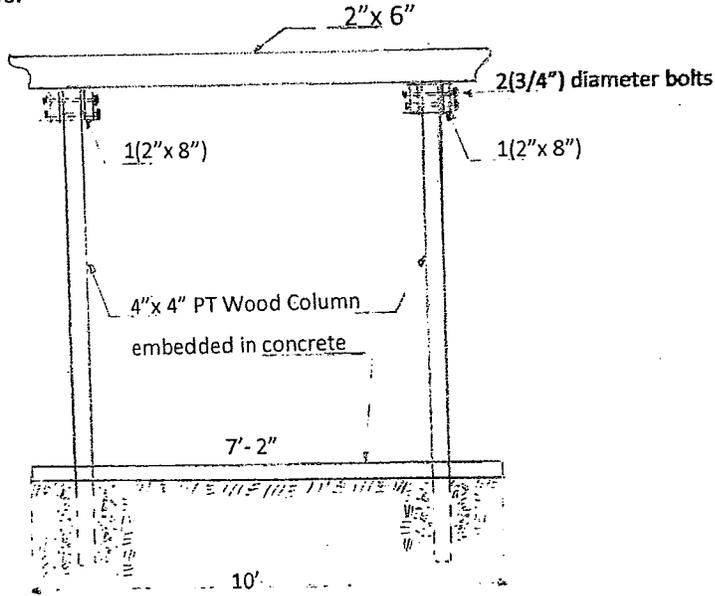
SCALE = 1" = 20'

VILLAGE OF DISCAYN
 OFFICE CC



10(2'x 6') @ 12" wood joists are connected to

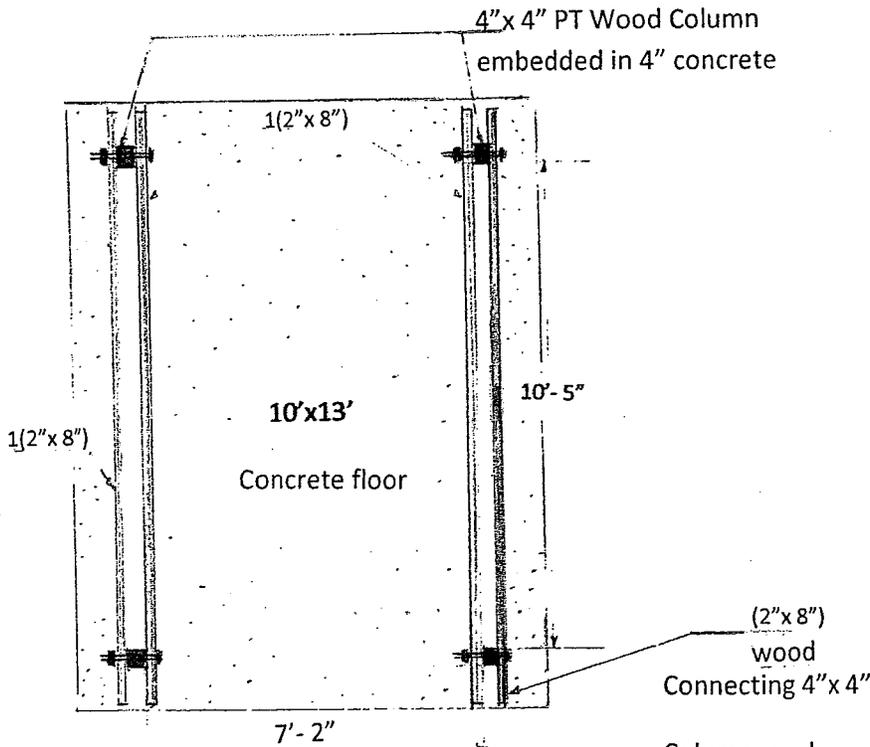
the 2(2'x 8') wood beams with 8(3-1/2") long screws.



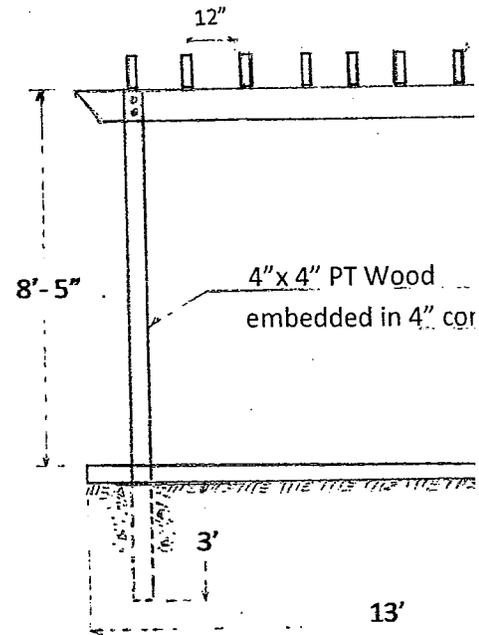
REAR ELEVATION

Scope of work for New Wood Pergola on Concrete

A new 7'- 2" x 10'- 2" wood pergola built for recre
 opened area at rear of existing 2 story house by ir
 4 new Pressure treated 4" x 4" wood columns w/
 Embedment of 3' below slab, centered & encased
 Diameter concrete poured in place foundation.
 These 4" x 4" columns are connected 2 by 2 on bot
 By using 1(2" x 8") in and out attached together w
 with 2(3/4") diameter bolts.



FLOOR PLAN



NORTH ELEVAT

(2" x 8")
 wood
 Connecting 4" x 4"
 Columns and
 anchored with 3/4" ⌀ - 8"
 carriage bolts and nuts

All materials used and work to be
 and with approval of local authori

Tel: 305 899 8000
 Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION
 Fees set October 7, 2014



Village of Biscayne Park
 640 NE 114th Street
 Biscayne Park, FL 33161
 building@biscayneparkfl.gov

DATE:

PERMIT #:

JOB ADDRESS:

PROPERTY OWNER INFORMATION		CONTRACTOR INFORMATION																							
Name: <u>Marie Emmanuelle Theard</u>	Company Name: _____	Address: <u>11390 NE 8th AVE</u>	Address: _____																						
City: <u>Biscayne Park ST FL</u> Zip: <u>33161</u>	City: _____ ST _____ Zip: _____	Telephone: <u>305 - 502 - 3308</u>	Telephone: _____ - _____ - _____																						
E-Mail: <u>Emmanuelle@hotmail.com</u>	License No.: _____																								
PERMIT TYPE (Check ONLY one)		TYPE OF WORK (Check ONLY one)																							
<input checked="" type="checkbox"/> BUILDING	<input type="checkbox"/> CHANGE CONTRACTOR	<input type="checkbox"/> NEW CONSTRUCTION	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><th style="text-align: left; padding: 2px;">ESTIMATED JOB COST</th></tr> <tr><td style="height: 20px;"> </td></tr> <tr><th style="text-align: left; padding: 2px;">SQUARE FOOTAGE</th></tr> <tr><td style="height: 20px;"> </td></tr> </table>	ESTIMATED JOB COST		SQUARE FOOTAGE																			
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<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> EXTENSION	<input type="checkbox"/> ADDITION DETACHED																							
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> RENEWAL	<input type="checkbox"/> ALTERATION EXTERIOR																							
<input type="checkbox"/> PLUMBING/GAS	<input type="checkbox"/> SHOP DRAWING	<input type="checkbox"/> REPAIR / REPLACE																							
<input type="checkbox"/> PAVING/DRAINAGE	<input type="checkbox"/> PAINTING (exterior only)	<input type="checkbox"/> ALTERATION INTERIOR																							
<input type="checkbox"/> ROOFING	<input type="checkbox"/> FENCE	<input type="checkbox"/> ADDITION ATTACHED																							
<small>Architectual plans must be provided in both hard copy and electronic format.</small>																									
ARCHITECT / ENGINEER INFORMATION		PROPERTY INFORMATION																							
Name: _____	FOLIO NO: <u>17-2231-003-0650</u>	Address: _____	<input checked="" type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> DUPLEX																						
City: _____ ST _____ Zip: _____	Telephone: _____ - _____ - _____	License No.: _____	<input type="checkbox"/> OTHER: _____																						
DESCRIPTION OF WORK																									
<u>Pergola size 11 feet by 9 feet. 10 feet by 8 feet storage shed.</u>																									
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<u>E. Theard</u> 8/23/2018 Signature of Owner or Agent Date Print Name (Owner or Agent) <u>Marie Emmanuelle Theard</u> STATE OF FLORIDA, COUNTY OF <u>MIAMI-DADE</u> Sworn to and subscribed before me this <u>23</u> day of <u>August</u> 20 <u>18</u> .	_____ _____ Signature of Qualifier Date Print Name (Qualifier) _____ STATE OF FLORIDA, COUNTY OF _____ Sworn to and subscribed before me this _____ day of _____ 20____.																								
<u>Fatima Dominguez</u> NOTARY FOR OWNER OR AGENT Personally Known OR Provided ID <u>Yes</u>	 FATIMA DOMINGUEZ Notary Public - State of Florida Commission # GG 101211 My Comm. Expires May 3, 2021 NOTARY FOR QUALIFIER Personally Known OR Provided ID _____																								
PLANNING & ZONING BOARD REVIEW FEE \$25.00 Date: _____, 20____ <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved By _____	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">TOTAL FEE</th> <th style="text-align: left; padding: 2px;">Discipline</th> <th style="text-align: left; padding: 2px;">AP</th> <th style="text-align: left; padding: 2px;">DAP</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">\$ _____</td> <td style="padding: 2px;">Electrical</td> <td style="padding: 2px;"> </td> <td style="padding: 2px;"> </td> </tr> <tr> <td style="padding: 2px;"> </td> <td style="padding: 2px;">Mechanical</td> <td style="padding: 2px;"> </td> <td style="padding: 2px;"> </td> </tr> <tr> <td style="padding: 2px;"> </td> <td style="padding: 2px;">Plumbing</td> <td style="padding: 2px;"> </td> <td style="padding: 2px;"> </td> </tr> <tr> <td style="padding: 2px;"> </td> <td style="padding: 2px;">Roofing</td> <td style="padding: 2px;"> </td> <td style="padding: 2px;"> </td> </tr> <tr> <td style="padding: 2px;"> </td> <td style="padding: 2px;">Bldg Official</td> <td style="padding: 2px;"> </td> <td style="padding: 2px;"> </td> </tr> </tbody> </table>	TOTAL FEE	Discipline	AP	DAP	\$ _____	Electrical				Mechanical				Plumbing				Roofing				Bldg Official		
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Tel: 305 899 8000
 Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION



Village of Biscayne Park
 640 NE 114th Street
 Biscayne Park, FL 33161
 building@biscayneparkfl.gov

Fees set October 7, 2014

DATE:

PERMIT #:

JOB ADDRESS:

PROPERTY OWNER INFORMATION	CONTRACTOR INFORMATION
Name: <u>Marie Emmanuelle Theard</u>	Company Name: _____
Address: <u>11390 NE 8th AVE</u>	Address: _____
City: <u>Biscayne Park ST FL</u> Zip: <u>33161</u>	City: _____ ST _____ Zip: _____
Telephone: <u>305 - 502 - 3308</u>	Telephone: _____ - _____ - _____
E-Mail: <u>EmmanuelleTheard@gmail.com</u>	License No.: _____

PERMIT TYPE (Check ONLY one)	TYPE OF WORK (Check ONLY one)
<input checked="" type="checkbox"/> BUILDING <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> MECHANICAL <input type="checkbox"/> PLUMBING/GAS <input type="checkbox"/> PAVING/DRAINAGE <input type="checkbox"/> ROOFING	<input type="checkbox"/> CHANGE CONTRACTOR <input type="checkbox"/> EXTENSION <input type="checkbox"/> RENEWAL <input type="checkbox"/> SHOP DRAWING <input type="checkbox"/> PAINTING (exterior only) <input type="checkbox"/> FENCE <input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ADDITION DETACHED <input type="checkbox"/> ALTERATION EXTERIOR <input type="checkbox"/> REPAIR / REPLACE <input type="checkbox"/> ALTERATION INTERIOR <input type="checkbox"/> ADDITION ATTACHED
Architectual plans must be provided in both hard copy and electronic format.	

ESTIMATED JOB COST
900
SQUARE FOOTAGE

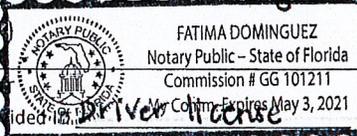
ARCHITECT / ENGINEER INFORMATION	PROPERTY INFORMATION
Name: _____	FOLIO NO: <u>17-2231-003-0650</u>
Address: _____	<input checked="" type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> DUPLEX <input type="checkbox"/> OTHER: _____
City: _____ ST _____ Zip: _____	
Telephone: _____ - _____ - _____	
License No.: _____	

DESCRIPTION OF WORK

~~Remove gate~~ 10 feet by 8-m feet Storage shed.
ONLY SHED

APPLICATION IS HEREBY submitted to obtain a PERMIT to do work and installations as indicated. I certify that no work has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in the Village of Biscayne Park. If work has commenced without such permit, a double fee will be applied to the permit cost. I understand that separate permits must be secured for each permit type. **OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated. **AGENT'S AFFIDAVIT:** If an agent is representing the owner, a separate affidavit must be completed and attached herewith authorizing this substitution. A tenant can submit on behalf of the owner with a notarized letter of acknowledgement. **WARNING TO OWNER:** Your failure to record a Notice of Commencement may result in paying twice for improvements to your property. If you intend to obtain financing, you must consult with your lender or an attorney BEFORE recording your Notice of Commencement.

<p><u>ET Theard</u> <u>8/23/2018</u> Signature of Owner or Agent Date Print Name (Owner or Agent) <u>Marie Emmanuelle Theard</u> STATE OF FLORIDA, COUNTY OF <u>MIAMI-DADE</u> Sworn to and subscribed before me this <u>23</u> day of <u>August</u> 20<u>18</u> <u>Fatima</u> NOTARY FOR OWNER OR AGENT Personally Known OR Provided ID <u>Driver license</u></p>	<p>_____ Signature of Qualifier Date Print Name (Qualifier) STATE OF FLORIDA, COUNTY OF _____ Sworn to and subscribed before me this _____ day of _____ 20____. NOTARY FOR QUALIFIER Personally Known OR Provided ID _____</p>
---	--



PLANNING & ZONING BOARD REVIEW FEE \$25.00	TOTAL FEE	Discipline	AP	DAP
Date: <u>9/4/18</u> , 20____	\$ _____	Electrical		
<input checked="" type="checkbox"/> Approved		Mechanical		
<input type="checkbox"/> Not Approved		Plumbing		
By <u>[Signature]</u>		Roofing		
		Bldg Official	<u>[Signature]</u>	<u>9/4/18</u>

777 N.W. 72nd AVENUE SUITE 3025
 MIAMI, FLORIDA 33126
 TELEPHONE: (305) 262-0400
 FAX: (305) 262-0401
 www.ibarralandsurveyors.com

JOHN IBARRA & ASSOC., INC.

SURVEY No. 12-001116

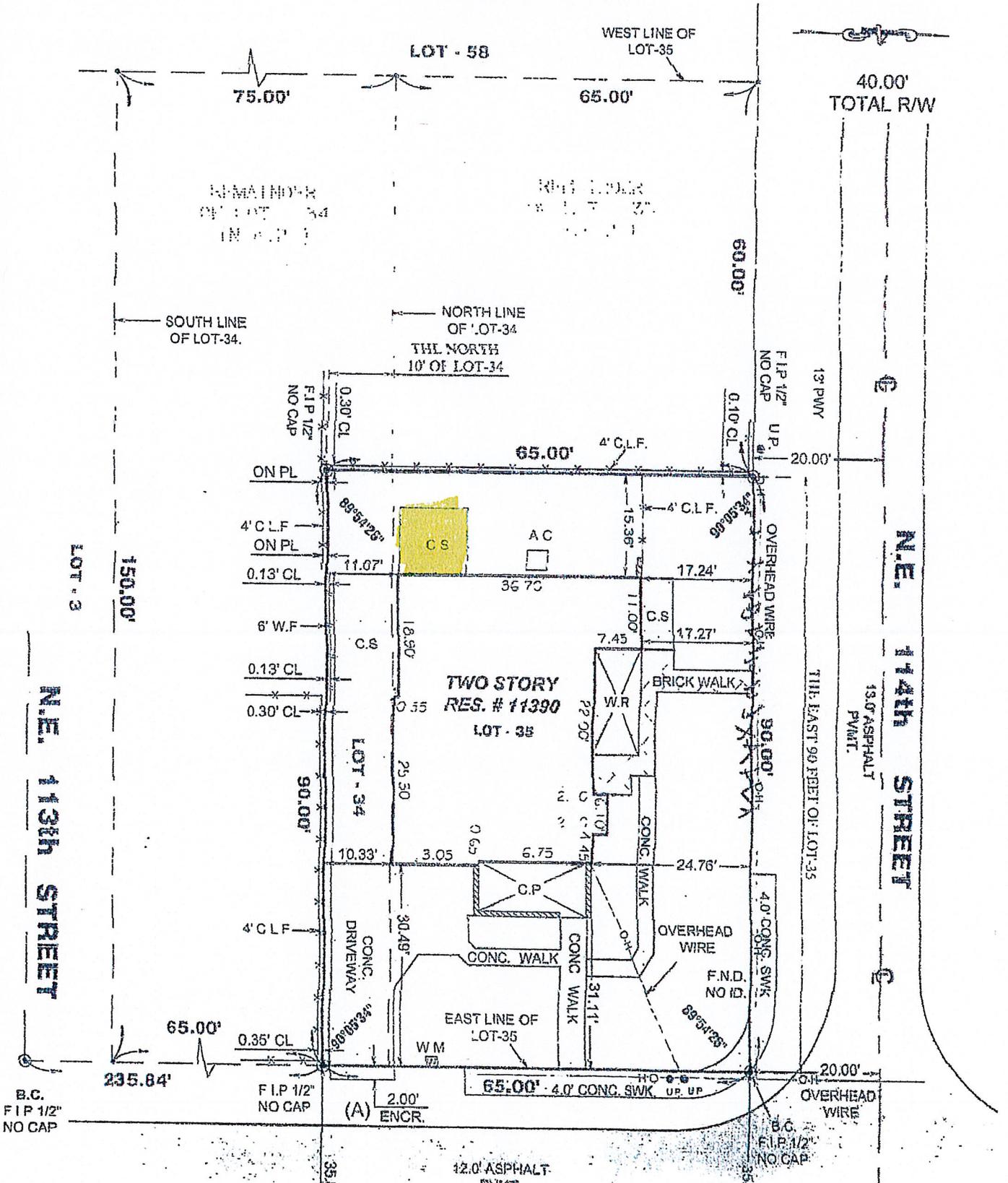
LAND SURVEYORS

SHEET No. 2 OF 2

DRAWN BY: NGH

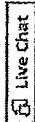
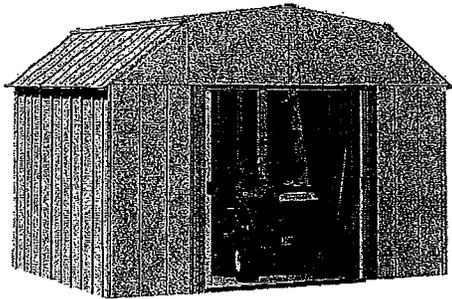
BOUNDARY SURVEY

SCALE = 1" = 20'



Home / Storage & Organization / Sheds, Garages & Outdoor Storage / Sheds / Metal Sheds

Model # DK108 Internet # 100151102 Store SKU # 817573



Share Save to Favorites Print

Arrow

Dakota 10 ft. x 8 ft. Steel Shed

★★★★★ (88) Write a Review Questions & Answers (56)

- Gambrel roof provides an abundance of head room and storage space
- Electro galvanized steel for corrosion resistance
- Appealing two tone aesthetics in Eggshell and Taupe

\$479⁰⁰ /each

Quantity

Pick Up at a Nearby Store Today

We'll Deliver It to You

Add to Cart

Add to Cart

Not in Stock at your N Miami/Biscayne store

Standard Delivery

in Stock at Hollywood, FL (7.8 mi)

Expect it
August 31 - September 11

Aisle 53, Bay 008 Text to Me

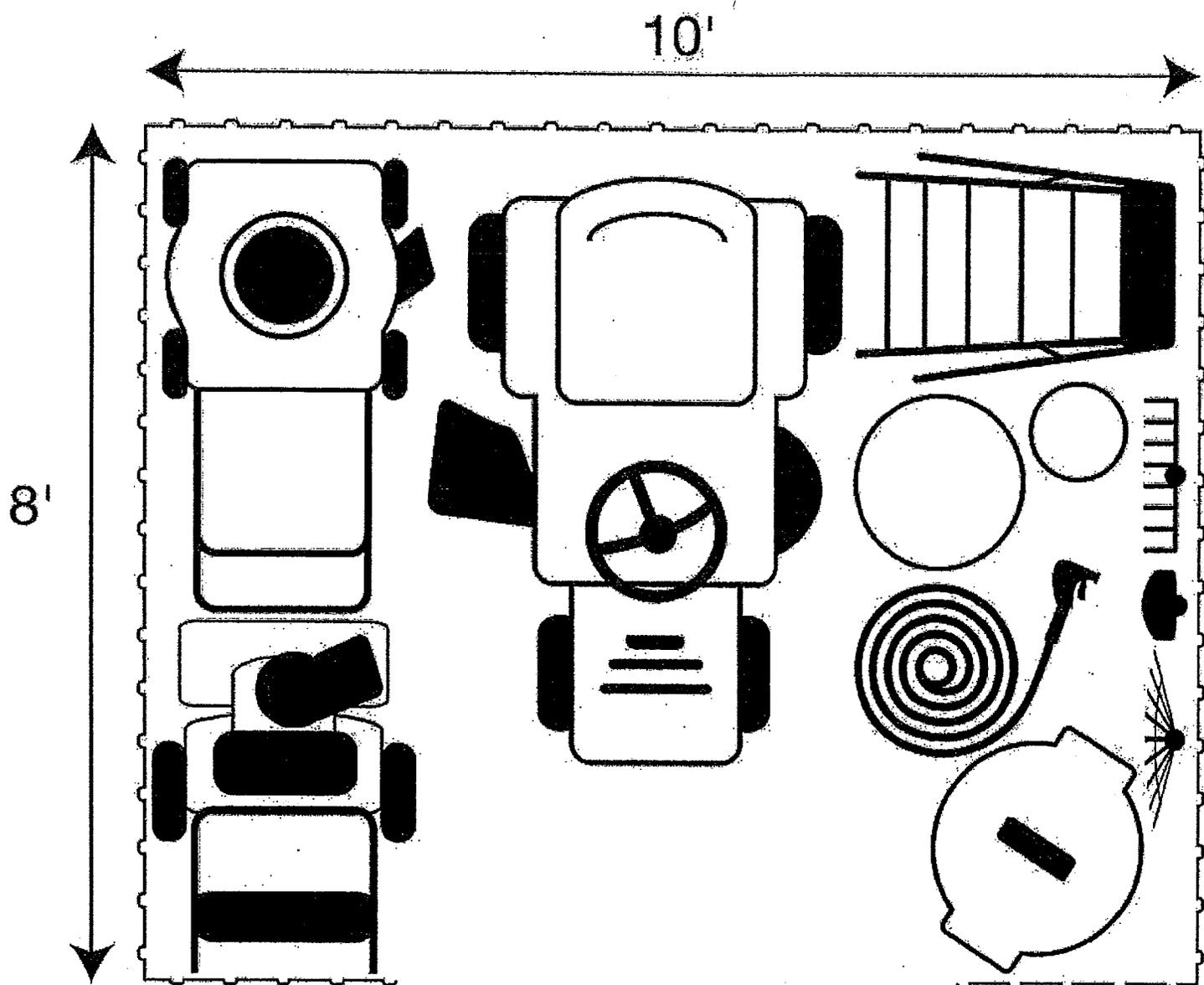
Delivery Options

Check Another Nearby Store

Or buy now with

We're unable to ship this item to:
AK, GU, HI, PR, VI More

Easy returns in store and online
Learn about our return policy





DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (RER)
BOARD AND CODE ADMINISTRATION DIVISION

MIAMI-DADE COUNTY
PRODUCT CONTROL SECTION
11805 SW 26 Street, Room 208
Miami, Florida 33175-2474
T (786) 315-2590 F (786) 315-2599

www.miamidade.gov/economy

NOTICE OF ACCEPTANCE (NOA)

Arrow Shed, LLC
1101 N. 4th Street
Breese, IL 62230

SCOPE:

This NOA is being issued under the applicable rules and regulations governing the use of construction materials. The documentation submitted has been reviewed and accepted by Miami-Dade County RER- Product Control Section to be used in Miami Dade County and other areas where allowed by the Authority Having Jurisdiction (AHJ).

This NOA shall not be valid after the expiration date stated below. The Miami-Dade County Product Control Section (in Miami Dade County) and/or the AHJ (in areas other than Miami Dade County) reserve the right to have this product or material tested for quality assurance purposes. If this product or material fails to perform in the accepted manner, the manufacturer will incur the expense of such testing and the AHJ may immediately revoke, modify, or suspend the use of such product or material within their jurisdiction. RER reserves the right to revoke this acceptance, if it is determined by Miami-Dade County Product Control Section that this product or material fails to meet the requirements of the applicable building code.

This product is approved as described herein, and has been designed to comply with the High Velocity Hurricane Zone of the Florida Building Code.

DESCRIPTION: Cold Formed Steel Utility Sheds

APPROVAL DOCUMENT: Drawing No. S1, S2 and S3, titled "6' x 5', 8' x 6', 8' x 8' & 10' x 8' Utility Sheds", sheets S1 through S3, dated 06/12/2012, prepared by McGinnis & Associates Consulting Engineers, Inc., signed and sealed by Daniel W. McGinnis, P.E., on 04/08/2013, bearing the Miami-Dade County Product Control Revision stamp with the Notice of Acceptance number and expiration date by Miami-Dade County Product Control Section.

MISSILE IMPACT RATING: Large and Small Missile Impact Resistant

LABELING: Each unit shall bear a permanent label with the manufacturer's name or logo, city, state and the following statement: "Miami-Dade County Product Control Approved", unless otherwise noted herein.

RENEWAL of this NOA shall be considered after a renewal application has been filed and there has been no change in the applicable building code negatively affecting the performance of this product.

TERMINATION of this NOA will occur after the expiration date or if there has been a revision or change in the materials, use, and/or manufacture of the product or process. Misuse of this NOA as an endorsement of any product, for sales, advertising or any other purposes shall automatically terminate this NOA. Failure to comply with any section of this NOA shall be cause for termination and removal of NOA.

ADVERTISEMENT: The NOA number preceded by the words Miami-Dade County, Florida, and followed by the expiration date may be displayed in advertising literature. If any portion of the NOA is displayed, then it shall be done in its entirety.

INSPECTION: A copy of this entire NOA shall be provided to the user by the manufacturer or its distributors and shall be available for inspection at the job site at the request of the Building Official.

This NOA revises & renews NOA # 07-0214,15 and consists of this page 1, evidence submitted pages E-1, E-2, E-3, & E-4 as well as approval document mentioned above.

The submitted documentation was reviewed by Helmy A. Makar, P.E. M.S.



Helmy A. Makar
04/25/2013

NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013
Page 1



11390 NE 8 AVE. BIRMGHAM, AL





11390 NE 8th AVE Biscayne Park, FL 33131



NOTICE OF PUBLIC HEARING VILLAGE OF BISCAYNE PARK

NOTICE IS HEREBY GIVEN that the Village Commission of the Village of Biscayne Park, Florida will hear the following variance request at the Regular Commission Meeting to be held on **Tuesday, March 05, 2019, at 7:00PM**, at the **Log Cabin located at 640 NE 114th Street, Biscayne Park, FL 33161**.

Pursuant to Section 13.4 of the Code of Ordinances of the Code of Biscayne Park, Florida, the property owners hereby seek the following variance from the Village Code for their property located at:

**Marie-Emmanuelle Theard – 11390 NE 8TH AVE
Biscayne Park, FL 33161**

Variance Request: Legalization of shed and pergola in the back yard.

All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 600 NE 114th Street, Biscayne Park, FL 33161. Interested parties may appear at the meeting and be heard with respect to the proposed Variance.

In accordance with the provision 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 who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than 48 hours prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.
Roseann Prado, Village Clerk



February 5, 2019

Property Owner
11380 NE 8 AVE
Biscayne Park, FL 33161

**NOTICE OF PUBLIC HEARING
VARIANCE REQUEST**

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In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than (4) days prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.

Roseann Prado, Village Clerk
Village of Biscayne Park

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF PUBLIC HEARING
VILLAGE OF BISCAYNE PARK - MAR. 05, 2019

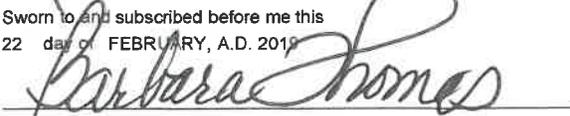
in the XXXX Court,
was published in said newspaper in the issues of

02/07/2019 02/22/2019

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

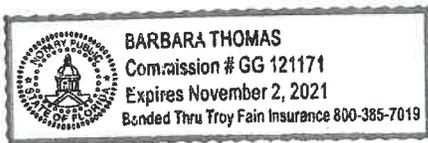


Sworn to and subscribed before me this
22 day of FEBRUARY, A.D. 2019



(SEAL)

GUILLERMO GARCIA personally known to me



NOTICE OF PUBLIC HEARING VILLAGE OF BISCAYNE PARK

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2/7-22 19-178/0000378810M

11.2. - Accessory buildings.

11.2.1 Permitted accessory buildings, which include private garages, storage buildings, private workshops, utility buildings, and greenhouses, shall:

- (a) Maintain the same setbacks as the principal building.
- (b) Comply with the general standards and requirements of subsection 11.1.2 above.
- (c) Not be used as a place of abode.
- (d) Not occupy in the aggregate more than thirty (30) percent of the area between the rear line of the main building and the rear property line except that a lot having a dual frontage shall have the same setback on each street property line.

11.7. - Outdoor utility or storage sheds.

Utility or storage sheds shall be permitted upon the following conditions:

- 11.7.1 Building permits shall be required.
- 11.7.2 A utility shed may be attached to or separated from the main building and used only for the storage of property related to the premises which it serves and shall not be used as a place of abode.
- 11.7.3 Only one (1) utility shed shall be permitted per building site and shall not exceed one hundred (100) square feet in area and shall not have a height greater than nine (9) feet, and no utility service shall be connected thereto.
- 11.7.4 Sheds shall be installed in accordance with standards and specifications established by the Products Control Division of Metro-Dade County.
- 11.7.5 All sheds shall be installed only to the rear of the existing building and shall conform to the side setback lines and in no event be nearer than three (3) feet to the rear property line. When attached to the building the shed shall be firmly and securely attached to the satisfaction of the building official.
- 11.7.6 In the case of corner lots, when there is not space in the rear to install a shed to conform with subsection 11.7.5 above, a shed may be installed attached to the side of the building that does not face a street, so installed that the shed shall be flush with and contiguous with the rear line of the building, and there shall be planted trees or shrubs at least three (3) feet in height and not more than one and one-half (1½) feet apart, of a fast growing variety so that eventually it will be seen or be visible from the street. When the shed is attached to the building and is constructed of the same materials as the house, planting shall not be required.
- 11.7.7 All utility sheds existing at the time of adoption of Ordinance No. 172 (1, 1975) that are located to the rear of the building line and are not a nuisance or a hazard shall be allowed to remain until such time that they deteriorate or are declared to be a nuisance or a hazard by the building inspector at which time they shall be made to conform with this section in all respects.

(Ord. No. 283, § 6, 10-5-93)

Cross reference— Utility or storage shed building permit, § 16.12.



DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (RER)
BOARD AND CODE ADMINISTRATION DIVISION

MIAMI-DADE COUNTY
PRODUCT CONTROL SECTION
11805 SW 26 Street, Room 208
Miami, Florida 33175-2474
T (786) 315-2590 F (786) 315-2599

www.miamidade.gov/economy

NOTICE OF ACCEPTANCE (NOA)

Arrow Shed, LLC
1101 N. 4th Street
Breese, IL 62230

SCOPE:

This NOA is being issued under the applicable rules and regulations governing the use of construction materials. The documentation submitted has been reviewed and accepted by Miami-Dade County RER- Product Control Section to be used in Miami Dade County and other areas where allowed by the Authority Having Jurisdiction (AHJ).

This NOA shall not be valid after the expiration date stated below. The Miami-Dade County Product Control Section (In Miami Dade County) and/or the AHJ (in areas other than Miami Dade County) reserve the right to have this product or material tested for quality assurance purposes. If this product or material fails to perform in the accepted manner, the manufacturer will incur the expense of such testing and the AHJ may immediately revoke, modify, or suspend the use of such product or material within their jurisdiction. RER reserves the right to revoke this acceptance, if it is determined by Miami-Dade County Product Control Section that this product or material fails to meet the requirements of the applicable building code.

This product is approved as described herein, and has been designed to comply with the High Velocity Hurricane Zone of the Florida Building Code.

DESCRIPTION: Cold Formed Steel Utility Sheds

APPROVAL DOCUMENT: Drawing No. S1, S2 and S3, titled "6' x 5', 8' x 6', 8' x 8' & 10' x 8' Utility Sheds", sheets S1 through S3, dated 06/12/2012, prepared by McGinnis & Associates Consulting Engineers, Inc., signed and sealed by Daniel W. McGinnis, P.E., on 04/08/2013, bearing the Miami-Dade County Product Control Revision stamp with the Notice of Acceptance number and expiration date by Miami-Dade County Product Control Section.

MISSILE IMPACT RATING: Large and Small Missile Impact Resistant

LABELING: Each unit shall bear a permanent label with the manufacturer's name or logo, city, state and the following statement: "Miami-Dade County Product Control Approved", unless otherwise noted herein.

RENEWAL of this NOA shall be considered after a renewal application has been filed and there has been no change in the applicable building code negatively affecting the performance of this product.

TERMINATION of this NOA will occur after the expiration date or if there has been a revision or change in the materials, use, and/or manufacture of the product or process. Misuse of this NOA as an endorsement of any product, for sales, advertising or any other purposes shall automatically terminate this NOA. Failure to comply with any section of this NOA shall be cause for termination and removal of NOA.

ADVERTISEMENT: The NOA number preceded by the words Miami-Dade County, Florida, and followed by the expiration date may be displayed in advertising literature. If any portion of the NOA is displayed, then it shall be done in its entirety.

INSPECTION: A copy of this entire NOA shall be provided to the user by the manufacturer or its distributors and shall be available for inspection at the job site at the request of the Building Official.

This NOA revises & renews NOA # 07-0214.15 and consists of this page 1, evidence submitted pages E-1, E-2, E-3, & E-4 as well as approval document mentioned above.

The submitted documentation was reviewed by Helmy A. Makar, P.E. M.S.



Helmy A. Makar
04/25/2013

NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013
Page 1

Arrow Shed, LLC

NOTICE OF ACCEPTANCE: EVIDENCE SUBMITTED

1. EVIDENCE SUBMITTED UNDER PREVIOUS APPROVAL # 98-0113.03

A. DRAWINGS

1. *Drawing No. S1, S2, & S3, total 3 sheets, prepared by R. T. Wharton, P.E., titled " 6' x 5', 8' x 6', 8' x 8', & 10' x 8' Utility Sheds", dated December 12, 1997, last revision #1 dated July 13 (sheets S1 & S3) and July 14 (sheet S2), 1998, signed and sealed by R. T. Wharton, P.E.*

B. TESTS

1. *Test report on Large Missile Impact Test and Cyclic Wind Pressure Test of "Utility Shed Doors", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-97-693, dated 11/18/97, signed and sealed by Hector M. Medina, P.E.*
2. *Test report on Uniform Static Air Pressure Test of "Utility Shed Doors", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-97-692, dated 11/18/97, signed and sealed by Hector M. Medina, P.E.*
3. *Test report on Large Missile Impact Test and Cyclic Wind Pressure Test of "Utility Shed Panels", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-97-691, dated 11/17/97, signed and sealed by Hector M. Medina, P.E.*
4. *Test report on Uniform Static Air Pressure Test of "Utility Shed Panels", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-97-690, dated 11/17/97, signed and sealed by Hector M. Medina, P.E.*

C. CALCULATIONS

1. *Calculation of " 6' x 5', 8' x 6', 8' x 8', & 10' x 8' Utility Buildings" and anchor calculations dated 12/26/97, pages 1 to 39 of 39, prepared by Van Dam Engineering, signed and sealed by R. T. Wharton, P.E.*
2. *Calculation of " 6' x 5', 8' x 6', 8' x 8', & 10' x 8' Utility Buildings" and anchor calculations dated 07/14/98, pages 1 to 10 of 10, prepared by Van Dam Engineering, signed and sealed by R. T. Wharton, P.E.*

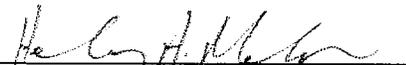
D. MATERIAL CERTIFICATIONS

1. *Mill Certified Test Report issued by National Steel Corporation, with chemical composition and mechanical properties of structural members.*
2. *Mill Certified Test Report issued by Bethlehem Steel Corporation, with chemical composition and mechanical properties of cold-formed panel, dated 07/09/98.*
3. *Tensile Test Report No. HETI-97-T64, prepared by Hurricane Engineering & Testing, Inc., dated 12/29/97, signed and sealed by Hector M. Medina, P.E.*
4. *Tensile Test Report No. HETI-97-T65, prepared by Hurricane Engineering & Testing, Inc., dated 12/29/97, signed and sealed by Hector M. Medina, P.E.*

2. EVIDENCE SUBMITTED UNDER PREVIOUS APPROVAL # 01-0430.04

A. DRAWINGS

1. *None.*



Helmy A. Makar, P.E., M.S.

Product Control unit Supervisor

NOA No. 12-0716.03

Expiration Date: 08/24/2017

Approval Date: 04/25/2013

Arrow Shed, LLC

NOTICE OF ACCEPTANCE: EVIDENCE SUBMITTED

B. TESTS

1. *None.*

C. CALCULATIONS

1. *None.*

D. MATERIAL CERTIFICATIONS

1. *None.*

3. EVIDENCE SUBMITTED UNDER PREVIOUS APPROVAL # 02-0401.03

A. DRAWINGS

See NOA 01-0430.04

B. TESTS

See NOA 01-0430.04

C. CALCULATIONS

See NOA 01-0430.04

D. MATERIAL CERTIFICATIONS

See NOA 01-0430.04

E. STATEMENTS

See NOA 01-0430.04

F. OTHER

See NOA 01-0430.04

4. EVIDENCE SUBMITTED UNDER PREVIOUS APPROVAL #06-0505.07

A. DRAWINGS

1. *None.*

B. TESTS

1. *None.*

C. CALCULATIONS

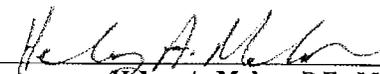
1. *None.*

D. QUALITY ASSURANCE

1. *By Miami-Dade County Building Code Compliance Office.*

E. MATERIAL CERTIFICATIONS

1. *None.*



Helmy A. Makar, P.E., M.S.
Product Control Unit Supervisor
NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013

NOTICE OF ACCEPTANCE: EVIDENCE SUBMITTED

5. EVIDENCE SUBMITTED UNDER PREVIOUS APPROVAL # 07-0214.15

A. DRAWINGS

1. *Drawing No. S1, S2 and S3, titled "6' x 5', 8' x 6', 8' x 8' & 10' x 8' Utility Sheds", sheets S1 through S3, dated 08/01/2007, prepared by McGinnis & Associates Consulting Engineers, Inc., signed and sealed by Daniel W. McGinnis, P.E.*

B. TESTS

1. *Test report on Uniform Static Air Pressure Test of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-06-4073, dated 12/27/06, signed and sealed by Rafael E. Droz-Seda, P.E.*
2. *Test report on Cyclic Wind Pressure Test of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-06-4074, dated 12/27/06, signed and sealed by Rafael E. Droz-Seda, P.E.*
3. *Test report on Uniform Static Air Pressure Test of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-06-4075A, dated 12/27/06, signed and sealed by Rafael E. Droz-Seda, P.E.*
4. *Test report on Cyclic Wind Pressure Test of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-06-4075B, dated 12/27/06, signed and sealed by Rafael E. Droz-Seda, P.E.*

C. CALCULATIONS

1. *None.*

D. QUALITY ASSURANCE

1. *By Miami-Dade County Building Code Compliance Office.*

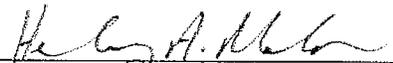
E. MATERIAL CERTIFICATIONS

1. *Tensile Test report of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-07-T601, dated 01/17/07, signed and sealed by Rafael E. Droz-Seda, P.E.*
2. *Tensile Test report of "Utility Shed", prepared by Hurricane Engineering & Testing, Inc., Report No. HETI-07-T602, dated 01/17/07, signed and sealed by Rafael E. Droz-Seda, P.E.*

6. NEW EVIDENCE SUBMITTED

A. DRAWINGS

1. *Drawing No. S1, S2 and S3, titled "6' x 5', 8' x 6', 8' x 8' & 10' x 8' Utility Sheds", sheets S1 through S3, dated 06/12/2012, prepared by McGinnis & Associates Consulting Engineers, Inc., signed and sealed by Daniel W. McGinnis, P.E., on 04/08/2013.*



Helmy A. Makar, P.E., M.S.
Product Control Unit Supervisor
NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013

Arrow Shed, LLC

NOTICE OF ACCEPTANCE: EVIDENCE SUBMITTED

B. TESTS

1. *None.*

C. CALCULATIONS

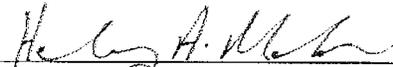
1. *Calculation of " 6' x 5' " Utility Buildings" and anchor calculations dated 06/12/12, pages 1 to 34 of 34, prepared by Daniel W. McGinnis, P.E., signed and sealed by Daniel W. McGinnis, P.E., on 06/28/12.*
2. *Calculation of " 8' x 6' " Utility Buildings" and anchor calculations dated 06/12/12, pages 1 to 34 of 34, prepared by Daniel W. McGinnis, P.E., signed and sealed by Daniel W. McGinnis, P.E., on 06/28/12.*
3. *Calculation of " 8' x 8' " Utility Buildings" and anchor calculations dated 06/12/12, pages 1 to 34 of 34, prepared by Daniel W. McGinnis, P.E., signed and sealed by Daniel W. McGinnis, P.E., on 06/28/12.*
4. *Calculation of " 10' x 8' " Utility Buildings" and anchor calculations dated 06/12/12, pages 1 to 34 of 34, prepared by Daniel W. McGinnis, P.E., signed and sealed by Daniel W. McGinnis, P.E., on 06/28/12.*

D. QUALITY ASSURANCE

1. *By Miami-Dade County Department of Regulatory and Economic Resources.*

E. MATERIAL CERTIFICATIONS

1. *None.*



Helmy A. Makar, P.E., M.S.
Product Control Unit Supervisor
NOA No. 12-0716.03
Expiration Date: 08/24/2017
Approval Date: 04/25/2013

DESIGN CRITERIA:
THE DESIGN SHOWN ON THESE DRAWINGS MEET THE REQUIREMENTS OF THE 2010 FLORIDA BUILDING CODE.

GRAVITY LOADS:
DEAD LOAD: AS CALCULATED PER MEMBER
LIVE LOAD: 15 PSF

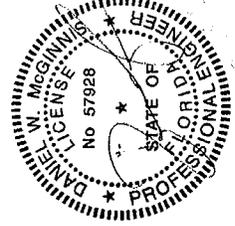
WIND LOADS:
ULTIMATE WIND SPEED: 155 MPH
EXPOSURE CATEGORY: C
NOTE: PER SECTION 1609.1.2 STORAGE SHEDS THAT ARE NOT DESIGNED FOR HUMAN HABITATION AND THAT HAVE A FLOOR AREA OF 720 SQUARE FEET OR LESS ARE NOT REQUIRED TO COMPLY WITH THE MANDATORY WINDBORNE DEBRIS IMPACT STANDARDS OF THE 2010 FLORIDA BUILDING CODE

MATERIAL SPECIFICATIONS:
PANELS: ASTM A625-76, Fy=50 KSI
CHANNELS & OTHER MEMBERS: ASTM A627-80, Fy=55 KSI
BOLTS & SCREWS: ASTM A1018, Fy=30 KSI
ANCHOR BOLTS: ASTM A307, Fy=33KSI
REINFORCING STEEL: ASTM A615-40, GRADE 40
WIRE MESH: ASTM A-185
CONCRETE: 2,500 PSI COMPRESSIVE STRENGTH @ 28 DAYS

ASSUMED ALLOWABLE SOIL BEARING PRESSURE: 1,000 PSF @ A DEPTH OF 1'-0"

PRODUCT REVISED as complying with the Florida Building Code
Acceptance No. 17-0716-03
Expiration Date 03/22/2017
By: [Signature]
Mullikin Design-Build Contract

ALTERNATE APPROVAL PER STATE OF FL. 7/1/12 EXPIRES 7/1/17
ACCEPTANCE



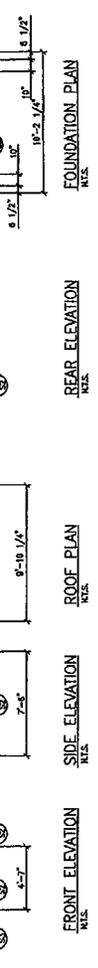
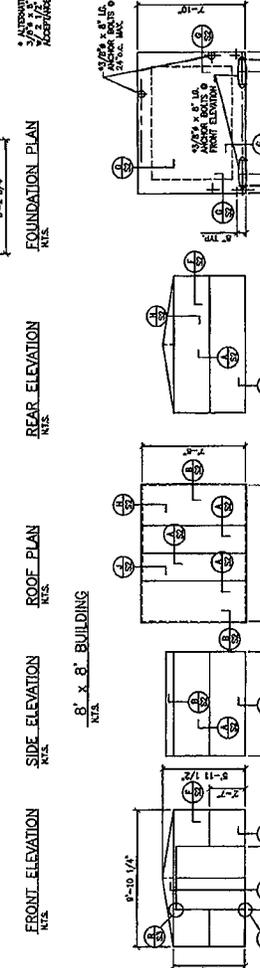
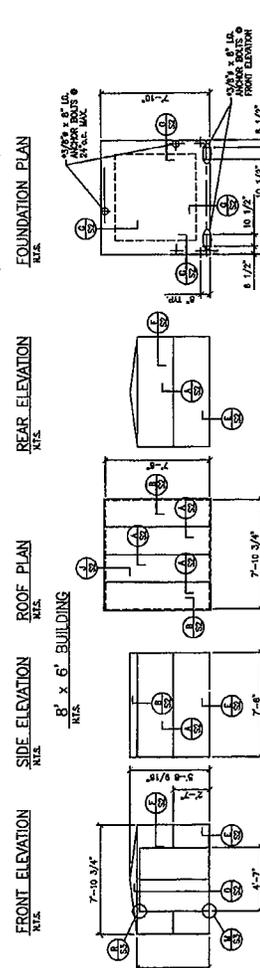
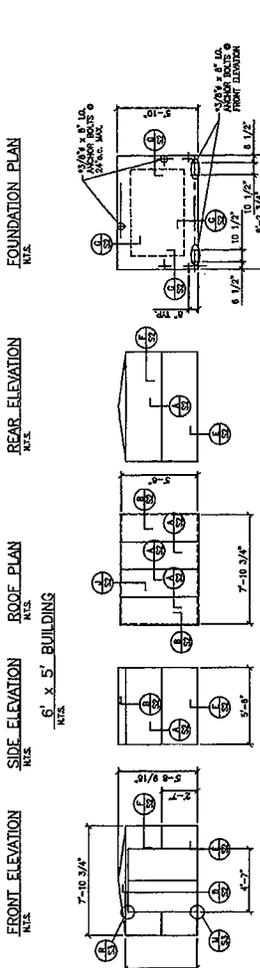
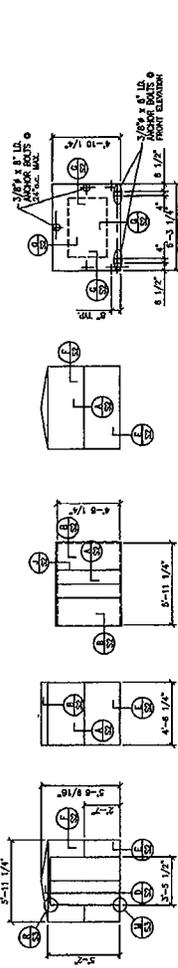
McGINNIS & ASSOCIATES
CONSULTING ENGINEERS, INC.
1110 WESTMARK DRIVE
ST. LOUIS, MISSOURI 63131

12909

Arrow Shed, LLC
1101 N. 4th St.
Breesee, IL 62230
(618) 528-4546

DRAWING # **S1**

NO.	DATE	REASON	BY
SHEET TITLE: PLANS & ELEVATIONS			
SCALE: NONE			
PROJECT: 6'x5', 8'x6', 8'x8' & 10'x8' UTILITY SHEDS			
DRAWN BY: DWM			
DATE: 6/12/12			



10' x 8' BUILDING

11.2. - Accessory buildings.

11.2.1 Permitted accessory buildings, which include private garages, storage buildings, private workshops, utility buildings, and greenhouses, shall:

- (a) Maintain the same setbacks as the principal building.
- (b) Comply with the general standards and requirements of subsection 11.1.2 above.
- (c) Not be used as a place of abode.
- (d) Not occupy in the aggregate more than thirty (30) percent of the area between the rear line of the main building and the rear property line except that a lot having a dual frontage shall have the same setback on each street property line.

Sec. 33-20. - Accessory buildings; utility sheds; swimming pools; fallout shelters; boat storage; decorative elements.

(a) *Temporary.* Temporary accessory buildings, tents, out-buildings, and other similar structures are prohibited for residential use whether on a temporary or permanent basis. Permanent accessory buildings, at the discretion of the Director, may be constructed and used as a temporary residence prior to erection of permanent or main residence under conditions herein specified and a portion of a main residence, at the discretion of the Director, may be used and occupied as a temporary residence under the same and following conditions:

- (1) Where application is made and permit is issued for a permanent residential structure on the site to be used for a temporary residence.
- (2) Sanitary facilities approved by the Director and Health Department are provided.
- (3) Waivers of objection are secured from all residents and property owners within a radius of seventy-five (75) feet of the proposed building site as described on the application for building permit, unless upon sufficient proof, it is clearly shown that upon diligent search, the applicant was unable to ascertain the name and whereabouts of the owner of property within the radius specified.
- (4) That the applicant execute a cash escrow agreement in a sum not less than one hundred dollars (\$100.00) (at the discretion of the Director) guaranteeing reasonable progress in the construction of a permanent residential structure and its completion within the time specified in the permit and according to its terms.
- (5) Where reasonable progress is made and justifiable reasons shown, satisfactory to the Director, he may grant an additional maximum of ninety (90) days for compliance with the terms of the agreement and building permit.
- (6) The cash escrow agreement will be released and escrow refunded upon completion of the main residence and in the case where an accessory building has been used for the temporary residential purposes, where said accessory is converted to its proper use as permitted under applicable district.

The foregoing provisions shall not be construed to mean that residential uses, either on a temporary or permanent basis, will be permitted in IU-2 or IU-3 Districts.

- (b) *Permanent.* Accessory buildings, structures or uses shall not be closer than seventy-five (75) feet to the front property line except where it is desired to place them closer than seventy-five (75) feet to the front property line; each side line offset distance required for such lot shall be increased by the number of feet less than seventy-five (75) feet above referred to, provided such setback from the front property line is at least fifteen (15) feet greater than the setback for a principal building in the same block and said front line setback is not less than fifty (50) feet. No permit shall be issued for an accessory building for any use unless the principal building exists on front of lot, or unless a permit is obtained simultaneously for both buildings and construction progress concurrently. Accessory buildings shall not occupy a greater percent of the rear yard area than the following:

<i>District</i>	<i>Percent</i>
EU-M	20
RU-1	30
RU-2	30
EU-1	5
EU-2	2
BU & IU	30

Where less than twenty-five (25) percent of the lot is available for rear yard the above percentage available for accessory buildings shall be correspondingly reduced. On lots occupied by apartments, hotels, stores, clubs or other buildings at least one and one-half (1½) square feet of open yard area shall be provided for each lineal foot of septic tank drain tile.

(c) *Swimming pools.* Swimming pools in all districts shall be constructed no closer than five (5) feet to any building foundation, unless both the design and construction are approved by the Director as safe and will not possibly result in a weakening of or damage to the building foundation. In no event shall said pools be closer than eighteen (18) inches to any wall or any enclosure. Screen enclosures, enclosing swimming pools or other approved uses, where attached to the principal building, shall be permitted no closer to the front property line than the principal building; and if so attached, such enclosures shall not be considered as a part of such residence or building, but shall be considered as an accessory building for purposes of lot coverage only. Swimming pools, whether or not enclosed within screen enclosures, that are not attached to the principal building, and other permitted detached screen enclosures, shall be considered as accessory uses and shall be setback at least seventy-five (75) feet from the front property line. In addition to the above and foregoing, the following setbacks shall apply:

- (1) Minimum setback distances for swimming pools in any RU Districts shall be ten (10) feet from any interior side property line, twenty (20) feet from a side street property line, and seven and one-half (7½) feet from a rear property line, except that where the pool is accessory to other than one- or two-family residential use, the minimum setback distance from a side street property line shall be five (5) feet greater than required for the principal building.
- (2) Screen enclosures enclosing swimming pools or other approved uses in all RU Districts shall be setback a minimum distance of seven and one-half (7½) feet from any interior side property line, fifteen (15) feet from any side street property line and six (6) feet from the rear property line, except that the minimum setback distance from a side street property line for a screen enclosure accessory to other than one- or two-family residential use, shall be the same as required for the principal building.
- (3) Minimum setback distances for swimming pools in EU-M and EU-S Districts shall be twenty (20) feet from any interior side property line, thirty (30) feet from any side street property line and seven and one-half (7½) feet from a rear property line.
- (4)

Screen enclosures enclosing swimming pools or other approved uses in EU-M and EU-S Districts shall be setback a minimum distance of fifteen (15) feet from any interior side property line, twenty-five (25) feet from any side street property line and six (6) feet from a rear property line.

- (d) *Fallout or bomb shelters.* A fallout or bomb shelter shall be permitted to be constructed within five (5) feet of the rear property line and without regard for the spacing requirement applicable to buildings located on the same premises if such shelter is attached to an existing building or accessory to an existing building, in all districts; provided, that it shall otherwise conform to all other setback requirements prescribed for the principal building and further provided, that such shelter shall be designed and constructed in accordance with the provisions of the South Florida Building Code, and in accordance with the minimum specifications and requirements as prescribed in the pamphlets published by the Office of Civil and Defense Mobilization designated as Fallout Shelter Surveys; Guide for Architects and Engineers, MP-10-2 National Plan Appendix Services, May 1960; Family Fallout Shelters of Wood, NP-21, December 1960; The Family Fallout Shelter, MP-15, June, 1959; and Clay Masonry Family Fallout Shelters, MP-18, February 1960, which pamphlets are hereby adopted as a part hereof by reference.
- (e) *Boat storage.* Boats of less than thirty (30) feet in length, not more than one hundred and two (102) inches in width and thirteen (13) feet six (6) inches in height above grade, may be stored or temporarily parked in the RU, EU, AU and GU Zoning Districts on lots developed with a residential structure subject to the following conditions:
- (1) Sites with less than one-half (0.5) acre of lot area shall be permitted to store up to one (1) boat. The place of storage shall be to the rear of the front building line of the residential structure. Where the boat storage area is located between the residence and a side street property line, the boat shall be visually buffered by a minimum six-foot high privacy fence, masonry wall, or trees or shrubs maintained to a minimum height of six feet. The front building line referred to shall be that portion furthest from the street.
 - (2) Sites containing a minimum of one-half (0.5) acre of lot area shall be permitted to store up to two (2) boats. Sites containing a minimum of five (5) acres of lot area shall be permitted to store up to three (3) boats. The place of storage shall be to the rear of the front building line of the residential

structure, and such front building line shall be that portion furthest from the street. Where two or more boats are located on a site, the boat storage area shall meet the rear and side setback requirements for the principal structure and be visually buffered from the adjacent property and right-of-way by a minimum six-foot high privacy fence, masonry wall or trees or shrubs maintained to a minimum height of six feet, provided however, if a permit was approved for a five-foot high privacy fence or masonry wall prior to the effective date of this ordinance and thereafter constructed, such a fence or wall shall be acceptable in lieu of one that is six-feet high.

- (3) Up to two (2) personal watercrafts not exceeding five (5) feet in width by twelve (12) feet in length may be stored or parked in lieu of a boat authorized by this section. Such watercraft shall be visually buffered in accordance with Section 33-20(e)(2) or (3), as applicable.
 - (4) Boats and place of storage or temporary parking shall be kept in a clean, neat and presentable condition.
 - (5) No major repairs or overhaul work shall be made or performed on the premises.
 - (6) The boats shall not be used for living or sleeping quarters, and shall be placed on and secured to a transporting trailer.
 - (7) The temporary parking of a boat in front of the front building line or in front of the side street building line for no more than 2 hours in any 24-hour period, while the boat is hitched to an operable motor vehicle with a valid permanent license tag, for the purposes of loading and unloading equipment and supplies shall be permitted, but under no circumstances shall a boat be parked in the public right-of-way, including the swale area of a right-of-way.
 - (8) Commercial boat parking shall be prohibited. All boats stored on the property must be registered to the property owner or authorized residential tenant.
- (f) *Recreational and camping equipment.* Recreational and camping equipment in the form of travel and camping trailer, truck trailer and motor travel home, designed and used as temporary living quarters for recreation, camping or travel use may be parked in the open on sites containing a single-family or duplex residence, subject to the following conditions:
- (1) No more than one (1) such equipment shall be parked on such site.

- (2) Such parking shall be limited to such equipment owned or leased by the occupant-owner or occupant-lessee of the site concerned, or owned or leased by a bona fide out-of-Miami-Dade County house guest of the occupant-owner or occupant-lessee of the site concerned, with the parking of such equipment by guest not to exceed fourteen (14) days.
- (3) The location for such parked equipment shall be in the rear yard or in the side yard to the rear of a line established by the front building line furthest from the street and set back to at least the rear building line wherever possible, but in no event in front of such front building line. Such equipment shall be setback from side property lines at least a distance equivalent to the required side setback for the principal building and shall be set back from the rear property line at least ten (10) feet.
- (4) Such equipment and the area of parking shall be maintained in a clean, neat and presentable manner and the equipment shall be in a usable condition at all times.
- (5) Such equipment shall, at all times, have attached a current vehicle registration license plate.
- (6) No major repairs or overhaul work on such equipment shall be made or performed on the site, (or any other work performed thereon which would constitute a nuisance under existing ordinances).
- (7) When parked on the site, such equipment shall not be used for living or sleeping quarters, or for housekeeping or storage purposes and shall not have attached thereto any service connections lines, except as may periodically be required to maintain the equipment and appliances.
- (8) Such equipment shall not exceed the maximum length, width, height and weight permitted under applicable provisions of the motor vehicle laws of the State of Florida; provided, however, the maximum length shall not exceed thirty (30) feet and the maximum height shall not exceed ten (10) feet.
- (9) Such equipment shall be so secured so that it will not be a hazard or menace during high winds or hurricane.
- (10) A seller (dealer or individual) offering for sale such new or used equipment, must furnish and attach to such equipment a true copy of this subsection.

(g)

Recreational and camping equipment as temporary watchman's quarters in AU district. Recreational and camping equipment in the form of travel and camping trailer, truck trailer and motor travel home, designed and used as temporary watchman's quarters for security purposes, may be parked in the open on sites in the AU district, subject to the following conditions:

- (1) No more than one (1) such equipment shall be parked on such site.
 - (2) Such parking shall be limited to those sites containing a minimum of five (5) gross acres, located outside the Urban Development Boundary as shown on the Comprehensive Development Master Plan Land Use Plan Map.
 - (3) Such equipment shall be parked for security purposes and shall be accessory to an actively farmed agricultural crop, with the parking of such equipment by the watchman not to exceed nine (9) months maximum at any occurrence.
 - (4) The location for such parked equipment shall be a minimum of one hundred (100) feet from any property line.
 - (5) Such equipment and the area of parking shall be maintained in a clean, neat and presentable manner and the equipment shall be in a usable condition at all times.
 - (6) Such equipment shall, at all times, have attached a current vehicle registration license plate.
 - (7) Such equipment shall not exceed the maximum length, width, height and weight permitted under applicable provisions of the motor vehicle laws of the State of Florida.
 - (8) A permit shall be obtained prior to each occurrence for the parking of such equipment.
 - (9) All applicable requirements shall be complied with for the disposal of sewage.
- (h) *Outdoor boat and RV storage area on private residential condominium association, homeowner's association or multi-family tenant community property.* The term "boat" as used in this subsection shall include every description of watercraft or airboat used or capable of being used as a means of transportation on water. The term "RV" shall mean recreational and camping equipment in the form of travel and camping trailer, swamp buggy and other off-road vehicles and motor travel home.

Conditions and limitations. An outdoor storage area designated for residents' parking of boats and RV's shall be permitted, subject to compliance with the following:

- (1) The private storage area is an accessory use for a residential condominium, homeowner's association or multi-family tenant association and shall be located on the residential condominium, homeowner's association or multi-family tenant association property.
- (2) Each boat and RV stored in the designated area shall be registered to a resident of the subject condominium, homeowner's or tenant's association community. In no event shall non-residents' recreational vehicles or boats be parked in the storage area. Each boat shall be secured to a transporting trailer in compliance with all applicable regulations.
- (3) The area devoted to storage shall be setback a minimum of 25 feet from all property lines; said 25-foot setback area to be maintained as an open landscaped area and shall be free of walls and/or fences. In no event shall the storage area count toward required landscaped open space; providing, however, the 25-foot landscaped setback area may be computed toward required open landscaped space.
- (4) The storage area shall be enclosed by (1) a five-foot decorative masonry wall or (2) a five-foot high chain link fence with hedges a minimum of three feet in height when measured immediately after planting and maintained to form a visual screen around the site within one year after the time of planting, except that gated openings shall be permitted for ingress and egress.
- (5) The storage area shall not be included in maximum lot coverage.
- (6) The storage area shall either be paved or shall be hard-surfaced and shall comply with the requirements of the Department of Environmental Resources Management as well as the Florida Building Code.
- (7) Boats placed in the storage area shall be restricted to the following dimensions as measured pursuant to Section 33-20(e):
 - (a) thirty (30) feet in overall length
 - (b) eight feet six inches (8'6") in width
 - (c) thirteen (13) feet six (6) inches in height.
- (8) RV's placed in the storage area shall not exceed thirty (30) feet in length, eight

feet six inches (8'6") in width nor exceed ten (10) feet in height.

- (9) The boats, RV's and place of storage shall be kept in a clean, neat condition.
- (10) Where required under Florida Statute, all RV's, boats and trailers for transporting same shall have and display a current Florida registration or license plate.
- (11) No major repairs or overhaul work shall be made or performed on the premises; and no flushing of outdrive or outboard motors shall be permitted from sunset to sunrise.
- (12) Neither the boats nor the RV's shall be used for living or sleeping quarters while parked in the storage area.
- (13) Common open space on residential condominium property may be utilized for such a storage area, all subject to the conditions enumerated herein.
- (14) Maintenance of the storage area shall either be provided through (i) a multi-purpose special taxing district, (ii) through the associations execution of a declaration of restrictions, or (iii) other maintenance provisions acceptable to Miami-Dade County in recordable form approved by the County Attorney, accepting responsibility for the maintenance of the storage area and ensuring continued compliance with the conditions enumerated herein.

Administrative review required. Such storage area(s) shall be shown on plans submitted for site plan approval or plat approval, whichever is required by code to occur first, and the storage area shall be subject to review for compliance with the conditions enumerated in this subsection; or such proposed storage area(s) for previously developed (existing) communities containing required common open space shall be reviewed for substantial compliance, and an application for substantial compliance determination may be considered in substantial compliance with previously approved plans if the proposed storage area is shown in a location that had previously been indicated as common open space, provided the storage area complies with all the conditions contained in this subsection. Substitution of a storage area for previously approved recreational amenities, such as but not limited to tennis and racketball court(s) and similar recreational amenities may be permitted upon a showing that the majority of the property owners or tenants in the community approve same.

(i)

Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner's lot, parcel or tract and is designed to be delivered to and/or removed from the homeowner's site by a truck or other street-legal vehicle.

One temporary portable mini-storage unit may be placed on a fee simple lot, parcel or tract containing a single-family residence, subject to the following conditions and limitations:

- (1) The homeowner:
 - (a) Has a valid building permit for the major remodeling of, or for a significant addition to, or for damage repair to the single-family residence on the lot, parcel, or tract whereon the portable mini-storage unit is requested to be placed; or
 - (b) Is conducting work involving interior improvements that do not require a building permit; or
 - (c) Is using the portable mini-storage unit to move personal items or furnishings to another location; and
- (2) The portable mini-storage unit, shall not exceed 8 feet in width, 16 feet in length, and 8 feet in height; and
- (3) The portable mini-storage unit shall be placed at ground level, shall be setback a minimum of ten (10) feet from the front property line and a minimum of five (5) feet from all other property lines, and shall comply with the safe sight distance triangle regulations; and
- (4) In no instance shall hazardous material be placed in the portable mini-storage unit; and
- (5) The property owner shall apply for and obtain a Certificate of Use (C.U.) pursuant to Section 33-8 for a portable mini-storage unit that will be kept on the lot/parcel; and
- (6) The C.U. shall be placed in a conspicuous place on the portable mini-storage unit so as to be easily readable by law enforcement and code enforcement officials; and
- (7)

No homeowner may have a portable mini-storage unit for more than 90 days total in a calendar year. The Director may approve additional time if the Director determines that additional time is necessary because of construction delays.

- (8) No mechanical, plumbing or electrical installations or connections are made to the portable mini-storage unit. All portable mini-storage units must be kept in good, clean, and finished condition, with no visible signs of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks; and
 - (9) The portable mini-storage unit shall be locked at all times when it is not being loaded or unloaded.
 - (10) The portable mini-storage unit shall have clearly posted on the exterior of the unit, the name, current phone number and address of the company providing the portable mini-storage unit, a copy of the current C.U. permit issued for the mini-storage unit, and the date the portable mini-storage unit was placed at the site.
 - (11) The conditional C.U. approval may be revoked by the Director at any time should the homeowner's utilization of such temporary portable mini-storage unit result in unsafe or unsanitary conditions on the site or upon violation of any of the conditions or limitations stated herein. All portable mini-storage units shall be removed or secured to withstand winds in excess of 100 mph immediately upon the issuance of a hurricane watch by a federal agency. Any property owner placing a portable mini-storage unit on their property must attest that they have property insurance for damages caused by windstorms.
 - (12) Enforcement. A courtesy warning shall be issued prior to commencing any enforcement action, and the responsible party shall have five calendar days within which to correct the violation. Thereafter, the County may commence appropriate enforcement action.
- (j) *Cargo container storage units ("units").* For the purpose of this section, the term cargo container storage unit shall mean a shipping container that is designed for cargo storage and is placed on a given property. Cargo container storage units are subject to the following conditions and limitations:
- (1) Units may only be placed on property with a minimum size of 10 acres located in the following zoning districts: IU, BU-1A, BU-2, and BU-3.

- (2) Units may only be used for storage that is ancillary to an existing business.
- (3) No hazardous materials may be stored in the cargo container storage unit.
- (4) Units may not be placed in a manner that renders the site non-conforming with parking, landscaping, or lot coverage requirements.
- (5) Containers may not be stacked.
- (6) Containers shall be placed behind the building and not visible from the side street. No container shall alter or impede the traffic flow within the site or that of service alleys when applicable.
- (7) Containers shall be maintained free from rust and graffiti and painted the same color as the building.
- (8) The number of containers shall be limited to 1 for parcels of 10 acres. An additional container may be permitted for each additional acre of net lot area, not to exceed 5 containers.
- (9) The container setback shall be as follows:

Rear and interior:	5 feet
Side street:	15 feet
Spacing between a container and existing structure:	Zero
Spacing between containers:	Zero

- (10) Units shall setback 500 feet from EU or RU zoning district boundary lines or within 500 feet of a zoning district which is developed residential. Units legally established prior to October 1, 2014 are exempt from this requirement.
- (11) The property owner shall apply for and obtain a Zoning Improvement Permit (ZIP) pursuant to Section 33-8.1 for each cargo container storage unit.
- (12) A ZIP may be revoked by the Director at any time upon violation of any of the conditions or limitations stated herein.
- (13) Hours for access to the units shall only be from 8 a.m. to 8 p.m.

(k) *Decorative Elements.* Decorative elements shall be permitted on lots developed with a residential structure in the AU, EU, GU, and RU Districts, provided that the decorative element is in front of the building line of the principal structure and complies with the following:

- (1) For lots in the RU Districts, decorative elements shall be setback at least ten (10) feet from the front and side property lines and shall not exceed six (6) feet in height and fifty (50) square feet in area.
- (2) For lots in the AU, EU, and GU Districts, decorative elements shall be setback at least ten (10) feet from the front and side property lines. The maximum height of decorative elements shall be six (6) feet at a setback of ten (10) feet, except that the maximum height may increase an additional 0.6 feet per additional foot of setback to a maximum height not to exceed twelve (12) feet.
- (3) A Zoning Improvement Permit shall be obtained prior to construction of a decorative element that is permanently affixed to the ground. Additional or alternative permits may be required when decorative elements include electrical or plumbing connections.

(l) *Utility sheds and pergolas.* Utility sheds and pergolas shall be subject to the following conditions and limitations:

- (1) Notwithstanding any other provision of this section, there shall be no more than one utility shed per residential lot and such structure shall not exceed 20 percent of the square footage of the primary or principal building on the property, up to a maximum of 400 square feet.
- (2) Where applicable, all utility sheds shall be in compliance with the Florida Building Code or be approved by the State of Florida and shall be subject to easement restrictions pursuant to Sections 33-24 and 33-284.43(k).
- (3) Utility sheds and pergolas larger than 100 square feet shall comply with the accessory building setbacks contained in Section 33-50.
- (4) Utility sheds and pergolas not larger than 100 square feet, not exceeding 10 feet in height, and incidental to an existing single-family residential use shall be setback as follows:

Setback location	Feet

Front	55
Rear	5; or 2 *
Interior side	5; or 2 *
Spacing from house	10
Side street	10

* Rear and interior side setbacks may be reduced to two feet provided an affidavit is submitted indicating consent from the owner of the property that directly abuts the property boundary where the reduction is requested.

Notwithstanding the foregoing, utility sheds and pergolas in townhouse developments shall be regulated by Section 33-202.3(2)(q).

Notwithstanding any other provision of the Code to the contrary, where it is finally adjudicated that a previously permitted utility shed is being used beyond the scope permitted, the shed shall be brought into compliance with the requirements of this ordinance (Ordinance No. 18-123) within 30 days from the date of such final adjudication. For purposes of this subsection, "final adjudication" shall mean the exhaustion of opportunity to appeal either a civil citation notice or order granting permanent injunction, whichever occurs first, at the discretion of the Department. In addition, notwithstanding any provisions of the Code pertaining to non-conforming uses, where a previously permitted utility shed must be or is replaced or rebuilt, the shed shall be brought into compliance with the requirements of this ordinance (Ordinance No. 18-123).

(Ord. No. 57-19, § 5(O), 10-22-57; Ord. No. 58-34, § 1, 9-9-58; Ord. No. 59-48, § 4, 12-22-59; Ord. No. 61-36, § 1, 9-5-61; Ord. No. 62-5, § 1, 2-6-62; Ord. No. 63-16, § 2, 5-7-63; Ord. No. 68-39, § 1, 6-18-68; Ord. No. 75-3, § 1, 1-7-75; Ord. No. 79-19, § 1, 3-6-79; Ord. No. 96-2, § 1, 1-9-96; Ord. No. 97-19, § 2, 2-25-97; Ord. No. 03-135, § 1, 6-3-03; Ord. No. 03-183, § 1, 9-9-03; Ord. No. 04-58, § 1,

3-16-04; Ord. No. 05-191, § 2, 11-1-05; Ord. No. 12-93, § 1, 11-8-12; Ord. No. 12-96, § 2, 11-8-12; Ord. No. 13-33, § 1, 4-2-13; Ord. No. 13-80, § 1, 9-4-13; Ord. No. 14-82, § 1, 9-16-14; Ord. No. 16-129, § 1, 11-15-16; Ord. No. 16-74, § 2, 7-6-16; Ord. No. 18-123, § 2, 10-2-18)

Editor's note— Ord. No. 16-74, § 2, adopted July 6, 2016, amended the title of § 33-20 to read as herein set out. The former § 33-20 title pertained to accessory buildings; utility sheds and pergolas; swimming pools; fallout shelters; boat storage; portable mini-storage units; cargo container storage units.

Cross reference— Fences and safety barriers for swimming pools, § 33-12.

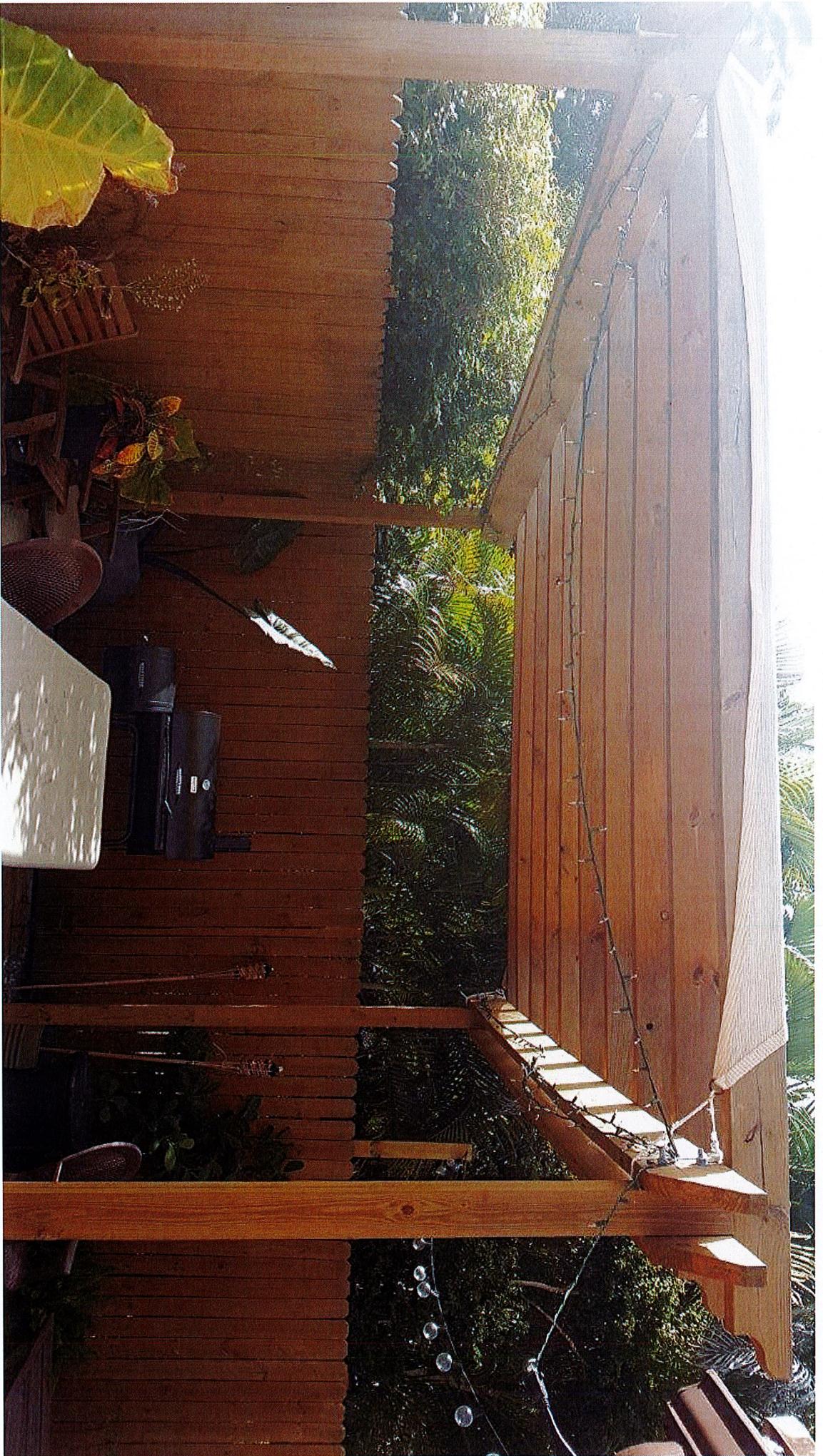


















VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report

Item # 12.b

REGULAR MEETING

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Dan Samaria, Commissioner

DATE: March 5, 2019

TITLE: Village issue of Cell Phones to Commissioners

Recommendation: I recommend we discuss the proposed purchase of cell phones for commission members by the village. This needs to be transparent to our residents.

Background: It is being proposed that commissioners be given cell phones that would be paid for by the village. The cost of buying the phones and increased monthly fees aren't in the budget. If it wasn't necessary to provide cell phones to commissioners in the past what has changed?

Resource Impact: I was told the cost of the phones would be \$150.00 each plus the increase to the monthly service fee to AT&T.

Attachment(s)

-
-

Prepared by: Commissioner Dan Samaria



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 12.c

TO: Members of the Biscayne Park Village Commission

FROM: Mayor Truppman

DATE: March 19, 2019

TITLE: Pelican Harbor – Fee Waiver for Quarterly Mixer

Background

Pelican Harbor provides the Village and surrounding communities assistance with sick and injured wildlife. This year is Pelican Harbor's 40th anniversary as a non-profit 501(c)(3). Pelican Harbor relies solely on donations and is asking the commission to waive the fee for use of the Log Cabin for one of their quarterly volunteer mixers.

Recommendations

In order to remain revenue neutral while supporting the wonderful work of the Pelican Harbor, I am seeking the Commission's support to waive the fee again this year to host one of their quarterly mixers. The Manager and I will be happy to volunteer our time to offset any cost.

Resource Impact

Minimal – time for staff to set up and tear down.

Attachment(s)

- See attached letter
-

Prepared by: Tracy Truppman

Tracy Truppman

From: Christopher Boykin <christopher@pelicanharbor.org>
Sent: Thursday, March 7, 2019 9:12 AM
To: Tracy Truppman
Cc: Teresa Kowall
Subject: Re: Biscayne Park's Support

Wonderful, thanks for your efforts Mayor Truppman

On Wed, Mar 6, 2019 at 4:26 PM Tracy Truppman <ttruppman@biscayneparkfl.gov> wrote:

Dear Christopher,

I will be happy ask the commission for use of the log cabin for one of your quarterly mixers. I will let you know the Commission's decision.

Kind regards,

Mayor Truppman

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Christopher Boykin <christopher@pelicanharbor.org>
Date: 3/1/19 3:17 PM (GMT-05:00)
To: Tracy Truppman <ttruppman@biscayneparkfl.gov>, Jenny Johnson-Sardella <jjohnson-sardella@biscayneparkfl.gov>
Subject: Biscayne Park's Support

Hi Mayor Trupman and Vice-Mayor Johnson-Sardella,

It's been so wonderful having the Village of Biscayne Park at Pelican Party the last few years. Biscayne Park's tree canopy and Bird Sanctuary status make it one of the most magical and alluring municipalities within South Florida.

I'm reaching out to inquire if Biscayne Park can join twelve other municipalities in the region in supporting our mission again this year? It would be great to have your support and wonderful to have you at the party on Saturday, April 13th at the Miami Shores Country Club as we celebrate our 40th Anniversary.

Sponsorship details can be found [here](#) and in the link below. Thanks for your prior support and consideration. If BP is unable to do a monetary sponsorship would you consider doing an in-kind swap and granting us use of your logcabin for one of our quarterly volunteer mixers? We had a wonderful time there back in December.

Thanks again for your consideration and have a great weekend.

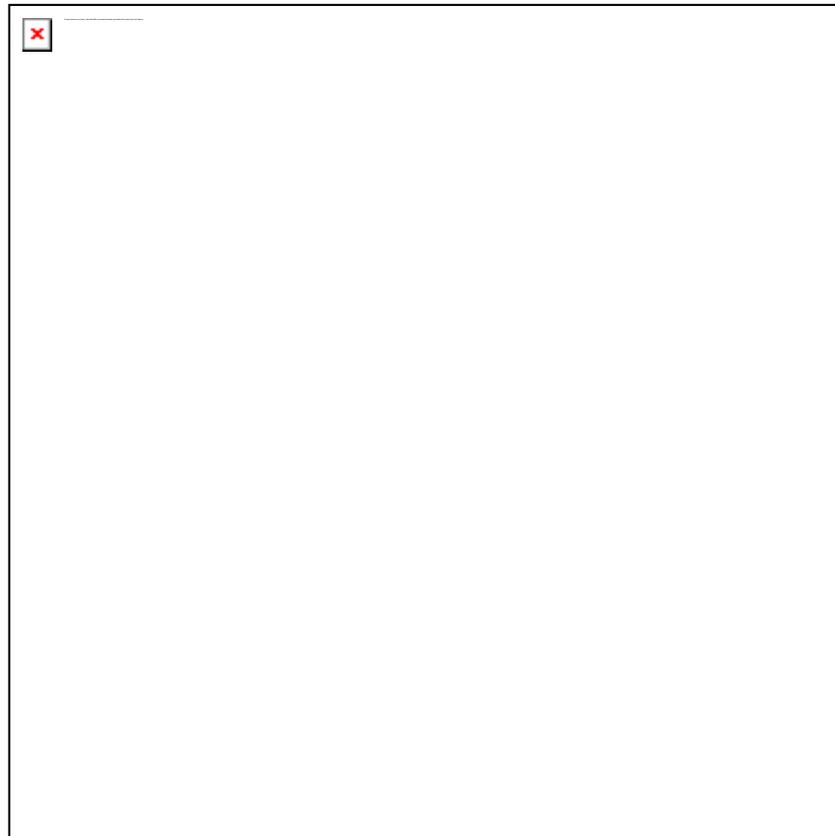
Christopher Boykin
Executive Director

Pelican Harbor Seabird Station

[1279 NE 79th Street Causeway](#)

Miami, FL 33138

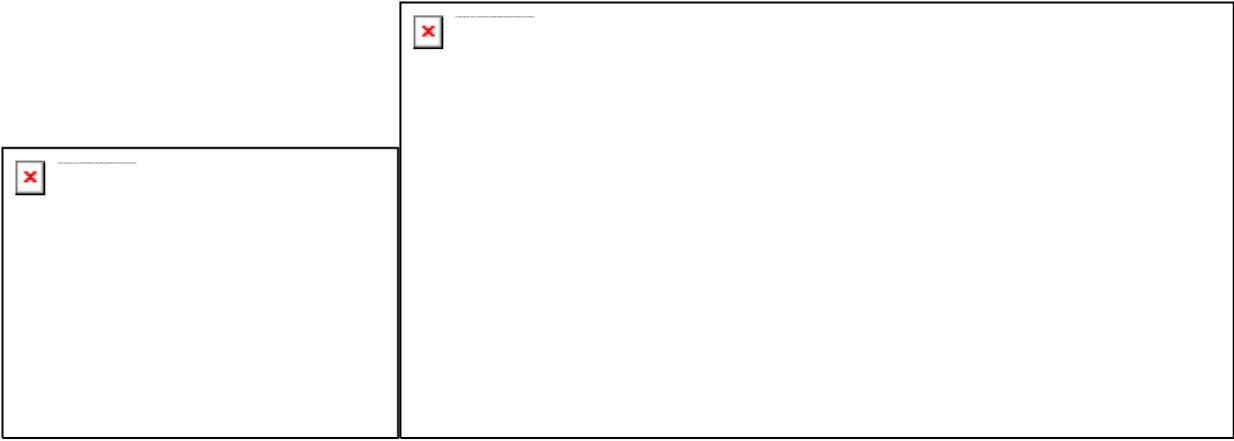
[2017 Annual Report](#) | 305.762.7633 | [PelicanHarbor.org](#)



<https://pelicanharbor.org/pelicanparty2019/>



--
Christopher Boykin
Executive Director
Pelican Harbor Seabird Station
1279 NE 79th Street Causeway
Miami, FL 33138 | 305.762.7633



[Celebrate Our 40th Anniversary at Pelican Party on April 13, 2019](#)



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report
REGULAR MEETING

Item # 12.d

TO: Members of the Biscayne Park Village Commission

FROM: Mayor Tracy Truppman

DATE: March 19, 2018

TITLE: Code Workshop – Next Steps

Background

The Commission held a code workshop on February 12, 2019 to address staff concerns over gaps in our code of ordinance – see attached document and a summary of the workshop. The commission was able to build consensus on all items except item #1.

Recommendations

1. Finish discussion on the first item on whether to allow permitted construction work on Saturdays*.
2. Review changes from resident, staff, and commissioner input from the workshop on 2/12/19.
3. Direct staff to research and recommend to the commission appropriate fines and/or fees for these items for the commission meeting on May 7, 2019.
4. Request the Manager to obtain quotes to write the ordinance for these changes.

*This item **will not**, in any way, prevent homeowners from completing property maintenance or other work on weekends that does not require a permit (e.g. painting, lawn work, pressure cleaning, driveway maintenance, etc.).

Resource Impact

TBD

Attachment(s)

Amended: Code and Construction- Updates

Recommendations by Village Staff on Changes to Code of Ordinance

CATEGORY	ISSUES	MODIFICATION	Formatted: Left: 0.81", Right: 0.56", Top: 1", Bottom: 1", Width: 8.5", Height: 14"
1. Construction	The Village is experiencing an increase <u>in the</u> number of major construction projects. Code changes are needed to minimize the negative impacts to nearby residents. Hours need to coincide with the Villages normal daily business hours to provide sufficient oversight.	<p><u>New proposed hours of operations for permitted construction work:</u></p> <ul style="list-style-type: none"> <u>Weekdays (Monday -Friday) 8:00 am – 5:00 pm.</u> <u>Weekend & Holidays:</u> <ul style="list-style-type: none"> <u>Permitted construction project will be allow to complete work on Saturdays from 9:00 am – 5:00 pm, except for major structural renovation or new construction. Contractors with new construction project or major structural renovations may apply for a special permit for interior finish work only at the discretion of and signed off by the Village Manager to complete interior finish work on Saturdays from 9:00 to 5:00 pm, providing the work does not involve any heavy or noisy equipment that would disturb the neighbors.</u> <u>Weekends & Holidays:</u> Emergency repairs only. Homeowner with emergency repairs will need to <u>shall</u> notify the Building Department the following business day to avoid being assessed double permit fees <u>and fines</u> if <u>the emergency repair</u> work requires a permit. <u>There are no restriction for homeowners performing Pressure cleaning, painting, and lawn property maintenance on weekends that does not require a building permit. are permitted on weekends from 8:00 am to 5 pm.</u> <u>Public Works Right of Way</u> Construction hours shall also apply to all utility companies (gas, North Miami Water, ATT, comcast, and FPL) and their subcontractors. 	<p>Formatted: Font color: Red</p> <p>Formatted: Highlight</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Auto</p> <p>Formatted: Font color: Red</p> <p>Formatted: Indent: Left: 0.3", Bulleted + Level: 1 + Aligned at: 0.49" + Indent at: 0.74"</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Underline, Font color: Red</p> <p>Formatted: Underline, Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Underline</p> <p>Formatted: Font color: Red</p> <p>Formatted: Strikethrough</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font: Bold, Underline, Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p> <p>Formatted: Font color: Red</p>
2. Construction	The Village's code does not require construction bonds and thus does not have a mechanism to hold owner/builders or contractors responsible for damaging the public right of way and utilities.	<ul style="list-style-type: none"> Construction bonds shall be required for all new construction and renovations projects. Bond fees will be reflected in the Master Fee Schedule. Bonds do not grant contractors, subcontractors, or any affiliated vendors permission to park vehicles or equipment on the public right of way. <p><i>(Parking of construction vehicles and equipment on the swales will also be addressed during the swale workshop.)</i></p>	<p>Formatted: Highlight</p> <p>Formatted: schedule: TBD</p>
Construction	Code language is deficient with regard to construction barriers.	<ul style="list-style-type: none"> All new construction and <u>major structural</u> renovations will require the installation of a 6' high chain link construction barrier on the perimeter of the property with full length green or black screening material, unless otherwise determined by the building inspector. The barrier shall be installed prior to commencement of permitted work, unless otherwise determined by the building inspector. The fence shall be closed, except during delivery of materials or other related construction activities and locked after hours. Orange plastic construction fences or other similar barrier material shall not be permitted 	<p>Formatted: Font color: Red</p> <p>Formatted: Highlight</p>

Recommendations by Village Staff on Changes to Code of Ordinance

	CATEGORY	ISSUES	MODIFICATION	Formatted: Left: 0.81", Right: 0.56", Top: 1", Bottom: 1", Width: 8.5", Height: 14"
			except for drain fields or other excavations of less than 3 feet, as determined by the building inspector. <ul style="list-style-type: none"> Construction barriers will not be required for excavation of new driveways or roofing, unless otherwise determined by the building inspector. 	
3.	Construction	Code language is deficient with regard to portable toilets.	<ul style="list-style-type: none"> Portable toilets shall be stored behind the required 6' construction barriers and shall be serviced and waste emptied regularly. Deliver, pickup, and servicing of portable toilets shall occur weekdays 8:00 am to 5 pm excluding holidays. If portable toilets are not provide, the owner or contractor must provide restroom facilities for all workers during working hours. 	Formatted: Highlight
4.	Construction	The Village has encountered owner/builders and contractors commencing work without obtaining permits, including large editions, septic tanks and drain fields, and other violations.	<ul style="list-style-type: none"> The Village shall not permit delivery of any building materials or construction equipment prior to obtaining the require permit(s). Deliveries of materials, equipment and supplies, shall be permitted weekdays from 8 am to 5 pm, excluding holidays. Concrete pours shall commence and be completed weekdays from 8 am to 5 pm, excluding holidays. 	Formatted: Highlight
5.	Construction	Neither our code nor the Florida Building Code address height requirements for two story residences.	<ul style="list-style-type: none"> Building height requirements in the Village shall be a maximum of 30 feet above base floodplain elevation level (BFE) for all new two stories construction projects with required side and rear setbacks a minimum of 10 feet for the first story and a minimum of 15 feet for the second story. Building height requirements in this Village shall be a maximum of 25 30 feet for all major structural renovations adding that are adding a second story. The that currently have 10 foot setbacks required side and rear setbacks for the second story are a minimum of 15 feet. (The first story shall maintain the current minimum 10 foot rear and side setbacks.) <p>(The building height requirement for new construction or major renovations takes into account the regrading mandated by the new flood level elevation requirements. This could add to the overall height relative to the neighboring properties.)</p>	Formatted: Highlight Formatted: Font color: Red, Not Strikethrough Formatted: Font color: Red residents and Formatted: Font color: Red the commission. Formatted: Indent: Left: 0.05" Formatted: Strikethrough, Highlight Formatted: Font color: Red Formatted: Superscript Formatted: Font color: Red Formatted: Font color: Red Formatted: Normal, No bullets or numbering Formatted: Normal, Indent: Left: 0"
6.	Construction	Code does not adequately address construction dumpsters.	<ul style="list-style-type: none"> Construction dumpsters or construction bags cannot be placed on site until the required permit(s) are obtained. Deliver, pickup and servicing of dumpsters shall occur weekdays 8:00 am to 5:00 pm excluding holidays. Construction bags may be delivered at the convenience of the property owner. Dumpsters and construction bags shall be placed on private property (not on the swale) with adequate set back to minimize impact to the adjacent property and emptied within 24 hours of reaching maximum capacity. Dumpsters and construction bags are to be used for construction debris only. Food debris shall be placed in a separate garbage containers and 	Formatted: Font color: Red Formatted: Highlight Formatted: Font color: Red Formatted: Font color: Red Formatted: Font color: Red

Recommendations by Village Staff on Changes to Code of Ordinance

	CATEGORY	ISSUES	MODIFICATION	Formatted: Left: 0.81", Right: 0.56", Top: 1", Bottom: 1", Width: 8.5", Height: 14"
			<p><u>park on the swales or partially block roadways as long as they follow MUTCD safety guidelines and do not exceed one hours. Commercial vehicles blocking roadways must be performing a services related to the property owner adjacent to the commercial vehicle.</u></p>	
8-9	Parking	Code does not adequately address parking of commercial trucks on the swale.	<ul style="list-style-type: none"> No commercial vehicles, other than Class 1 vehicles, are permitted to park on the swale, unless actively engaging in a service to the adjoining property, unless otherwise authorized by the Village. 	Formatted: Highlight
9-10	Parking	Code is deficient and does not prevent a contractor from using a property to store construction vehicles, equipment and materials not being used for permitted work on the property where it is being stored.	<ul style="list-style-type: none"> Properties shall not be used by owner/builder, contractor, or subcontractor to store construction vehicles and/or equipment not associate with the current and active permitted work. Only construction equipment related to the current permitted work property shall be allowed to remain overnight. If activity has stopped for 10-5 consecutive days (staff needs to revisit this – David and Christina), then all vehicles and equipment shall be removed and may only return when permitted work commences. Construction equipment and vehicles not related to permitted work shall not be stored at the property (inclusive of the right of way), including trailers used to transport construction equipment. Any construction vehicles or equipment improperly stored on the public right-of-way may be towed at the owners expense. Vehicles used by construction workers, construction passenger vehicles, and construction employee’s vehicles are not permitted to remain parked overnight at any construction property or right of way within the Village. 	Formatted: Highlight Formatted: Font color: Red, Highlight want more defined language, less time, and equipment not being permitted Formatted: Strikethrough, Highlight Formatted: Highlight Formatted: Highlight Formatted: Font color: Red Formatted: Highlight
10-	Parking	Car cover cars are not being maintained properly and there is insufficient code language to address.	Car covers must be properly maintained. Tarps shall not be permitted to used as a car cover.	Formatted: Highlight Formatted: Underline Formatted: Font color: Red, Highlight Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5" Formatted: Highlight Formatted: Font color: Red, Highlight Formatted: Font color: Red, Highlight Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5" Formatted: Font color: Red, Highlight Formatted: Highlight Formatted: Font color: Red, Highlight Formatted: Highlight

Parking issues that are related to the swale will be discussed in the swale workshop scheduled for 2/26/19.

Additional recommendations

- Change process and ordinance allowing staff to give citations/administrative fines. Staff will adjust fee schedule and language on code.
- Fines amounts should be a deterrent. Progressive fines should be considered.
- For building without a permit – consider tiered fees in addition to the double permit fees and increasing fees for repeat offenders.
- Legality of fining contractors directly who are repeat offenders rather than the homeowners? Staff will look at Miami Beach’s code which is suppose to have language dealing with said issues.
- Add and distribute materials for rules for contractors/homeowners as part of the permit process, and put on the website.