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, March 03, 2020 at 7:00 pm
Revised

1 Call to Order

Mayor O'Halpin called the meeting to order at 7:00 pm.

2 Roll Call

Mayor O'Halpin - present
Vice Mayor Tudor - present
Commissioner Kennedy - present
Commissioner Ross - present
Commissioner Samaria - present

Staff present:
Interim Village Manager David Hernandez
Interim Village Attorney John Herin
Village Clerk Roseann Prado
Recording: Cesar Hernandez

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

Mayor O'Halpin requested to move item 9.a - Ordinance 2019-06 to discussion under Old Business.
Commissioner Samaria requested to introduce Chief of Police contract for discussion under New Business.
Commissioner Kennedy requested to introduce discussion on hiring a Village Manager to New Business.
Commissioner Ross motioned to approve agenda changes. Commissioner Kennedy seconded. **Motion passed 5 - 0.**

5 Presentation

5.a Public Hearing - Krishan Manners

Commissioner Samaria left the Chambers and provided form 8B, further attached to this Minutes.

Public Comments related to the agenda item. The following persons spoke on the records:

Ute Nitsch
Kate Eaton
Dan Keys
Barbara Kuhl
Chuck Ross
Dan Schneiger
Fred Jonas
Gary Kuhl
Bob Anderson
Barbara Watts
Rodolfo Barreto
Milton Hunter

Commissioner Ross motioned to ratify Resolution 2020-05 and approve Resolution 2020-15. Commissioner Kennedy seconded .

Commissioner Ross requested to change the language on page 2 of 4, Section 2 to rephrase as "testimony was given".

Commissioners voted as follows:

Mayor O'Halpin - Yes
Vice-Mayor Tudor - No
Commissioner Kennedy - Yes
Commissioner Ross - Yes

Motion passed 3 - 1 (Vice-Mayor Tudor opposed)

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

The following persons spoke on the record:

- Amy Raymond - requested to schedule Mango Fest 2020 to June 16, 2020

Commissioner Samaria motioned to approve. Vice-Mayor Tudor seconded. **Motion passed 5 - 0.**

- David Raymond - requested permission to start a Civic Club first meeting on March 18, 2020 at the Recreation Center.

Commissioner Kennedy motioned to approve. Commissioner Samaria seconded.

Motion passed 5 - 0.

Nancy Davis
Bob Anderson
Chuck Ross

7 **Information / Updates**

Charter Review Advisory Board's Final Report to the Commission

- Cover Memo from Chair

- Final Report

Commissioner Kennedy motioned to table the item indefinitely. Commissioner Ross seconded. **Motion passed 4 - 1** (Vice-Mayor Tudor opposed)

Mayor O'Halpin called for a recess at 9:15 pm. Meeting resumed at 9:25 pm.

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 04, 2020
- Special Commission Meeting February 11, 2020

8.b Acceptance of Boards Minutes

- Parks & Parkway Advisory Board Meeting May 8, 2019
- Parks & Parkway Advisory Board Meeting May 10, 2019
- Parks & Parkway Advisory Board Meeting July 25, 2019
- Parks & Parkway Advisory Board Meeting August 22, 2019
- Parks & Parkway Advisory Board Meeting August 27, 2019
- Parks & Parkway Advisory Board Meeting September 26, 2019
- Parks & Parkway Advisory Board Meeting October 3, 2019
- Parks & Parkway Advisory Board Meeting October 21, 2019
- Parks & Parkway Advisory Board Meeting October 22, 2019
- Parks & Parkway Advisory Board Meeting October 25, 2019
- Parks & Parkway Advisory Board Meeting October 29, 2019
- Parks & Parkway Advisory Board Meeting October 30, 2019
- Parks & Parkway Advisory Board Meeting November 04, 2019
- Parks & Parkway Advisory Board Meeting November 07, 2019
- Parks & Parkway Advisory Board Meeting November 13, 2019
- Parks & Parkway Advisory Board Meeting November 21, 2019
- Biscayne Park Foundation Meeting December 10, 2019
- Biscayne Park Foundation Meeting January 15, 2020
- Public Art Advisory Board Meeting January 8, 2020
- Public Art Advisory Board Meeting February 12, 2020

8.c Resolution # 2020-11 - MOU Agreement w El Portal

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE VILLAGE OF EL PORTAL POLICE DEPARTMENT AND THE VILLAGE OF BISCAYNE PARK POLICE DEPARTMENT; AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE JOINT DECLARATION; PROVIDING FOR AN EFFECTIVE DATE.

8.d Resolution # 2020-12 - MOA Agreement w North Miami - Fuel

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF BISCAYNE PARK, AUTHORIZING THE CITY TO SELL AND DISPENSE DIESEL AND UNLEADED FUEL FOR SERVICE VEHICLES OWNED BY THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE .

8.e Resolution # 2020-14 - Engagement Letter FoxRotschild Interim Village Attorney

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE ENGAGEMENT LETTER AGREEMENT FOR INTERIM VILLAGE ATTORNEY BETWEEN FOXROTSCHILD, LLP AND THE VILLAGE OF BISCAYNE PARK FOR PROFESSIONAL LEGAL SERVICES AND EXPEND BUDGETED FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Ross moved to approve Consent Agenda. Commissioner Samaria seconded. **Motion passed 5 - 0.**

9 Ordinances

9.a Ordinance 2019-06 - establishing Commission Meeting Procedures - Second Hearing

AN ORDINANCE OF THE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 2-16 OF THE VILLAGE OF BISCAYNE PARK CODE OF ORDINANCES; ADOPTING COMMISSION RULES AND PROCEDURES FOR MEETINGS AND WORKSHOPS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE,

Public Hearing on Ordinance # 2020-06

Item 9.a moved to Old Business

9.b Ordinance 2020-01 - Changing Language on Boards Members Resignation - Second Reading

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING ARTICLE III OF CHAPTER 2 OF THE CODE OF ORDINANCES, VILLAGE OF BISCAYNE PARK, ENTITLED "COMMISSIONS, BOARDS AND COMMITTEES" BY AMENDING SECTION 2-30(d)(3) REGARDING THE ONE YEAR RESTRICTION ON THE ELIGIBILITY OF APPOINTMENT OF MEMBERS OF BOARDS OR COMMITTEES THAT HAVE RESIGNED; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing on Ordinance # 2020-01

The following person spoke on the record:
Dan Keys
Commission Samaria moved to approve Ordinance 2020-01 on second reading. Commissioner Ross seconded. Commission voted as follows:
Mayor O'Halpin - Yes
Vice-Mayor Tudor - Yes
Commissioner Kennedy - No
Commissioner Samaria - Yes
Commissioner Ross - Yes
Commissioner Kennedy requested to reconsider the vote on Ordinance # 2020-01. Commission voted as follows:
Mayor O'Halpin - Yes
Vice-Mayor Tudor - Yes
Commissioner Kennedy - Yes
Commissioner Samaria - Yes
Commissioner Ross - Yes
Ordinance approved 5 - 0.

9.c Ordinance # 2020-02 - First Reading

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, REPEALING ORDINANCE 2019-05 AND AMENDING CHAPTERS 14 AND 15 OF THE BISCAYNE PARK LAND DEVELOPMENT CODE REGARDING THE POWERS AND DUTIES OF THE BISCAYNE PARK CODE ENFORCEMENT BOARD; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

Public Hearing on Ordinance # 2020-02
The following persons spoke on the record:
Dan Keys
Janey Anderson
Commission Ross moved to approve Ordinance 2020-02 on first reading. Commissioner Samaria seconded. Commission voted as follows:
Mayor O'Halpin - Yes
Vice-Mayor Tudor - No
Commissioner Kennedy - Yes
Commissioner Samaria - Yes
Commissioner Ross - Yes
Ordinance approved 4 - 1 (Vice-Mayor Tudor opposed).

10 Resolutions

10.a Resolution # 2020-07 - Appointment of Board Members to Parks & Parkway Advisory Board

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.

Commissioner Ross motioned to approve Resolution 2020-07 appointing the Board Members as follows:
Barbara Kuhl, Member
Lynn Fisher, Member
David Raymond, Member
Randal Wagoner, Member
Audra McCollum, Member
Michael Rawson, Alternate Member
Commissioner Samaria seconded. **Motion passed 5 -0.**

10.b Resolution # 2020-08 - Appointment of Board Members to Public Art Advisory Board

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.

Commissioner Ross motioned to approve Resolution 2020-08 appointing the Board Members as follows:
Amy Raymond, Member
Karen Marinoni, Member
Barbara Watts, Member
Trevor Lafargue, Member
Susan Weiss, Member
Patrice Bertin, Alternate Member
Commissioner Samaria seconded. **Motion passed 5 -0.**

10.c Resolution # 2020-09 - Appointment of Board Members to Public Safety Advisory Board

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.

Commissioner Ross motioned to sunset the Public Safety Advisory Board. Commissioner Samaria seconded. **Motion passed 5 -0.**

Mayor O'Halpin called to extend the meeting to 11:30 pm.

10.d Resolution # 2020-13 - Change of Compensation to Interim Village Manager

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE OF COMPENSATION FOR INTERIM VILLAGE MANAGER BETWEEN THE VILLAGE OF BISCAYNE PARK AND DAVID HERNANDEZ; PROVIDING FOR AN EFFECTIVE DATE.
Commissioner Samaria motioned to approve Resolution 2020-13. Commissioner Ross seconded. **Motion passed 5 - 0.**

11 Old Business

Ordinance 2019-06 - Commission Meeting Procedures
Commissioner Ross motioned to lay the item on the table. Commissioner Samaria seconded. Commission voted as follows:
Mayor O'Halpin - Yes
Vice-Mayor Tudor - No
Commissioner Kennedy - Yes
Commissioner Ross - Yes
Commissioner Samaria - Yes
Motion passed 4 - 1 (Vice-Mayor Tudor opposed)

12 New Business

12.a Discussion on Change of Compensation to Commissioners - by Mayor O'Halpin
Postponed to next Commission meeting.

Commissioner Ross motioned to extend the meeting for 15 minutes. Commissioner Samaria seconded. Motion passed 5 - 0.

13 Request for placement of items on next meeting agenda
Commissioner request for a Special Commission meeting on March 18, 2020 at 6:30 pm. Commissioner Ross motioned. Commissioner Samaria seconded. **Motion passed 5 - 0.**

14 Reports

14.a Village Attorney
14.b Village Manager
14.c Board / Committee Reports

14.d Commission Comments:
Mayor O'Halpin
Vice-Mayor Tudor
Commissioner Kennedy
Commissioner Ross
Commissioner Samaria

15 Announcements

- Biscayne Park Foundation Meeting, March 9, 2020 6:30 pm at Village Hall
- Public Art Advisory Board Meeting, March 11, 2020 6:00 pm at Village Hall
- Planning & Zoning Board Meeting, March 16, 2020 6:30 pm at Log Cabin
- Parks & Parkway Advisory Board Meeting, March 19, 2020 5:30 pm at Village Hall
- Public Safety Advisory Board Meeting, March 25, 2020 7:00 pm at Village Hall
- Planning & Zoning Board Meeting, April 6, 2020 6:30 pm at Log Cabin
- **Next Regular Commission Meeting - Tuesday, April 7, 2020 7:00 pm at Log Cabin**

18 Adjournment

Commission Kennedy motioned to adjourn the meeting. Commissioner Samaria seconded. Meeting adjourned at 11:38 pm.

Commission approved as REVISED Minutes on Special Commission

Meeting of May 19, 2020.

Attest:

Virginia O'Halpin, Mayor Roseann Prado, Village Clerk