



# *The Village of Biscayne Park*

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

## **AGENDA REGULAR VIRTUAL COMMISSION MEETING VIRTUAL PUBLIC MEETING**

**Tuesday, December 1, 2020 7:00 pm**

**Meeting ID: 987 9786 7533**

<https://zoom.us/j/98797867533>

***Please read the virtual meeting instructions attached***



*Indicates back up documents are provided.*

### **1 Call to Order**

### **2 Roll Call**

Mayor O'Halpin

Vice-Mayor Kennedy

Commissioner Gonzalez

Commissioner Hamelburg

Commissioner Samaria

### **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**

#### **5.a Oath of Office - Mario Diaz, Village Manager**



#### **5.b Proclamation - Heritage Month**



#### **5.c Vice-Mayor Nomination**



#### **5.d 2021 Calendar of Commission Meetings**



### **7 Public Comments Related to Agenda Items / Good & Welfare**

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

### **8 Information / Updates**

### **9 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.


#### **9.a Acceptance of Commission Minutes**

- First Budget Hearing FY 2020-2021 Minutes 09 08 2020
- Special Commission Meeting Minutes 09 29 2020
- Regular Commission Meeting Minutes 10 06 2020
- Special Commission Meeting Minutes 10 28 2020
-  ▪ Special Commission Meeting Minutes - Village Manager Selection - Interviews 11 04 2020
- Special Commission Meeting Minutes - Village Manager Selection Interviews (Continuation) 11 05 2020
- Special Commission Meeting Minutes - Village Manager Selection 11 06 2020
- Special Commission Meeting Minutes - Village Manager Agreement 11 10 2020
- Special Commission Meeting Minutes - Variance Hearing 11 10 2020

#### **9.b Acceptance of Board Minutes**


- Parks & Parkway Advisory Board Minutes 02 20 2020
- Parks & Parkway Advisory Board Minutes 08 03 2020

#### **9.c Resolution 2020-63 - MOA w Office of the State Attorney for the 11th Judicial Court**

 A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT COURT OF FLORIDA TO REIMBURSE THE STATE ATTORNEY'S OFFICE FOR THE COST OF STATE PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE MUNICIPAL CODE OF THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE.

### **10 Ordinances**

#### **10.a Ordinance 2020-06 - Board Members Alternates - First Reading**

 AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 2-30 "GENERAL RULES AND POLICIES" OF ARTICLE III "COMMISSIONS, BOARDS AND COMMITTEES" OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, PROVIDING THAT ALTERNATE MEMBERS OF BOARDS OR COMMITTEES SHALL HAVE THE SAME POWERS AS REGULAR MEMBERS IN THE EVENT OF AN ABSENCE OR CONFLICT OF INTEREST INVOLVING A REGULAR MEMBER OF THE BOARD OR COMMITTEE WHICH MAKES THEM UNABLE TO PARTICIPATE IN A MEETING; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

***Public Comments on Ordinance 2020-06 - First Reading***

#### **10.b Ordinance 2020-07 - Construction Sites - First Reading**



AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ADOPTING A NEW CHAPTER XX OF THE BISCAYNE PARK LAND DEVELOPMENT CODE ENTITLED "CONSTRUCTION" RELATING TO LIMITATIONS ON CONSTRUCTION AND CONSTRUCTION RELATED ACTIVITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESPONSIBILITIES FOR SECURITY AND MAINTENANCE; PROVIDING FOR PERMITTED DAYS AND HOURS OF WORK; PROVIDING FOR FENCING REQUIREMENTS; PROVIDING FOR CONSTRUCTION DUMPSTER REQUIREMENTS; PROVIDING FOR REQUIREMENTS DURING WEATHER EMERGENCIES; PROVIDING FOR TEMPORARY TOILET REQUIREMENTS; PROVIDING FOR LIMITATIONS ON PARKING OF CONSTRUCTION VEHICLES; PROVIDING FOR BOND REQUIREMENTS; PROVIDING FOR ENFORCEMENT AND PENALTIES; DELETING SECTIONS 10.4.8. AND 10.4.10 of the Biscayne Park Land Development Code; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

***Public Comments on Ordinance 2020-07 - First Reading***

**11 Resolutions**

**11.a Resolution 2020-64 - Landscape Maintenance NE 6th Ave**



RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE RENEWAL FOR THE TURF AND LANDSCAPE MAINTENANCE JOINT PARTICIPATION AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE VILLAGE OF BISCAYNE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

**12 Old Business**

**12.a FAA Flight Path - by Ed Dion, Village Attorney**



**13 New Business**

**13.a Replying to Residents - by Vice-Mayor Art Gonzalez**



**13.b Paperless Agenda Items - by Commissioner Kennedy**



**13.c Discussion on Goals and Priorities - New Commission and New Village Manager - by Commissioner Samaria**



**13.d Goals for Village Manager - by Commissioner Kennedy**



**13.e Use of Attorney's time by Commissioners - by Commissioner Hamelburg**



**14 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.*

## 15 Reports

- 15.a Village Attorney
- 15.b Village Manager
- 15.c Board / Committee Reports
  
- 15.d Commission
  - Mayor O'Halpin
  - Vice-Mayor Gonzalez
  - Commissioner Hamelburg
  - Commissioner Kennedy
  - Commissioner Samaria

## 16 Announcements

## 17 Adjournment

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899 8000 no later than four (4) days prior to the proceeding for assistance.

**DECORUM** - All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.

## **Village of Biscayne Park meeting on December 1, 2020 at 7:00 pm with Social Distancing Modifications**

The Village of Biscayne Park is using Zoom to hold the Virtual Public Meeting via communications media technology as authorized by Governor DeSantis' Executive Order 2-69. Members of the public may also use Zoom to view and participate in the meeting online. Zoom is a cloud platform for video and audio conferencing, collaboration, chat and webinars across mobile devices, laptops, desktops, telephones and room systems.

## **Public Comment**