



Log Cabin - 640 NE 114th Street, Biscayne Park, FL 33161

**AGENDA
REGULAR COMMISSION MEETING
TUESDAY, NOVEMBER 1, 2022 – 7:00 PM**

Tuesday, November 1, 2022, at 7:00 pm Log Cabin, 640 NE 114th Street, Biscayne Park FL 33161. <https://us06web.zoom.us/j/84083232152>
Zoom Meeting ID: 840 8323 2152

1. Call to Order
2. Roll Call
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 [Recognition of Commissioner Sally A. Heyman](#)
 - 5.b [Recognition of Commission Member Mayor Virginia O'Halpin](#)

[Proclamation- V O'Halpin .pdf](#)
 - 5.c [Proclamation- Veterans' Day Veterans Day 2022.pdf](#)
 - 5.d [Halloween Decorating Contest Winners Scariest House- 1010 NE 117th Street Best Decoration for Kids- 862 NE 111 Street](#)

Honorable Mention (Best Decoration for Kids)- 11305 NE 10th Ave
6. **Public Comments**
7. **Commission Reply to Comments**
8. **Reports**
 - 8.a [Manager's Report](#)

[November 2022 Manager Report.pdf](#)
[Biscayne Park September Ridership Report_compressed.pdf](#)
[LTC-0012-2022-Biscayne Park Unaudited Financial Statements Unaudited Financial Statements for July and August 2022.pdf](#)
[PD - September New Stat Report 2022.pdf](#)

9. Consent Agenda

- 9.a [Commission Minutes](#)
September 13, 2022
September 26, 2022

[9.13.2022 Regular Commission Meeting Minutes.pdf](#)
[9.26.2022 Second Budget Hearing Meeting](#)
[10.04.2022 Regular Commission Meeting Minutes.pdf](#)

- 9.b [Board Minutes](#)
[Minutes Sustainability and Resilience Advisory Board 9-2022.pdf](#)
[Signed 09-19-22_Signed & Approved Planning Board Minutes.pdf](#)
[Arts Board.pdf](#)
[Minutes Sustainability and Resilience Advisory Board 8-2022.pdf](#)
[ccb minutes-aug-24-22.pdf](#)
[ccb minutes-sept-28-22.pdf](#)
[ccb minutes-aug-17-22.pdf](#)

- 9.c [RESO 2022-48- AGREEMENT WITH DRISHTI PLISKE TO PROVIDE YOGA SERVICES](#)

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING AN AGREEMENT WITH DRISHTI PLISKE FOR THE PURPOSE OF PROVIDING YOGA CLASSES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

[INSTRUCTOR AGREEMENT - Drishti Pliske.pdf](#)
[RESO 2022 -48- Approving Agreement Drishti Pliske \(yoga\).pdf](#)

10. Ordinances

- 10.a [Ordinance 2022-13- Amending Chapter 2 of the Code of Ordinances Pertaining to Elections Matters. \(Second Reading\)](#)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 2-33, TITLED “VILLAGE CANVASSING BOARD” OF CHAPTER 2, “ADMINISTRATION”, OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK TO REVISE THE COMPOSITION AND DUTIES OF THE VILLAGE CANVASSING BOARD; AMENDING ARTICLE V “ELECTIONS” OF CHAPTER 2, “ADMINISTRATION”, PROVIDING CLARIFICATION ON THE SPECIAL PROCEDURES FOR FILLING OF VACANT COMMISSION SEATS AND THAT THE VILLAGE CLERK SHALL SERVE AS THE VILLAGE SUPERVISOR OF ELECTIONS; REPEALING SECTION 2-62 WITH RESPECT TO EARLY

VOTING; PROVIDING FOR THE MANNER IN WHICH TO CALL FOR AND ADVERTISE A VILLAGE ELECTION; PROVIDING FOR A DEFINED CANDIDATE QUALIFYING PERIOD; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance 2022-13- Canvassing Board and Elections procedures \(2nd reading\) .pdf](#)
[Village of Biscayne Park PROOF OF PUBLICATION.pdf](#)

- 10.b [Ordinance No. 2022-14 Amending Village Land Development Code to Address Single-Family Residential Building Form. \(First Reading\)](#)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, amending THE BISCAYNE PARK LAND DEVELOPMENT CODE TO PRESERVE AND ENHANCE PROSPERITY IN THE VILLAGE OF BISCAYNE PARK BY MODIFYING CHAPTER 2, “DEFINITIONS”; CHAPTER 10 “DESIGN AND IMPROVEMENT STANDARDS”; AND CHAPTER 17 “FEES, BONDS AND CHARGES”; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance No 2022-14-Land Development Code 10.19.22.pdf](#)
[CH10 Design and Improv Standards Commission 100422 \(003\).pdf](#)
[CGA Memo LDC Comm 1st Reading 100422 \(003\).pdf](#)
[CH02 Definitions Comm 1st Reading 100422 \(003\).pdf](#)
[CH17 Planning and Zoning Fee Schedule Comm 1st Reading 100422.pdf](#)

- 10.c [Ordinance No. 2022-15 Prohibited/Illegal Multi-Family Use Dwelling Unit \(First Reading\)](#)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 4, TITLED “HOUSING”, OF THE BISCAYNE PARK LAND DEVELOPMENT CODE TO PROVIDE FOR A REBUTTABLE PRESUMPTION THAT A PROHIBITED MULTI-FAMILY USE, OR ILLEGAL ROOMING HOUSE, HAS BEEN ESTABLISHED WHEN CERTAIN CONDITIONS ARE OBSERVED; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance No 2022-15 -Multiple_Use_Dwelling_Unit.pdf](#)

11. Resolutions

- 11.a [RESOLUTION NO. 2022-44 - ACCEPTING THE PUBLIC TRANSIT SERVICE DEVELOPMENT PROGRAM GRANT FUNDS](#)

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF

BISCAYNE PARK, FLORIDA, APPROVING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PUBLIC TRANSPORTATION GRANT AGREEMENT; ACCEPTING THE PUBLIC TRANSIT SERVICE DEVELOPMENT PROGRAM GRANT FUNDS IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PUBLIC TRANSPORTATION GRANT AGREEMENT, INCLUDING EXPENDING THE BUDGETED MATCHING FUNDS IN THE AMOUNT OF SEVENTY THOUSAND (\$70,000); AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

[RESO_2022-44 Freebee.pdf](#)

[G2D55 Draft.pdf](#)

[NOGA Village of Biscayne Park Service Development SFY 2023.pdf](#)

- 11.b [RESOLUTION 2022-45 ASSIGNMENT OF FRANCHISE AGREEMENT AND REQUEST CONSENT IN CONNECTION WITH THE REORGANIZATION OF TAMPA ELECTRIC COMPANY \(TECO\)](#)

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA APPROVING AND CONSENTING TO THE ASSIGNMENT OF THE EXISTING NON-EXCLUSIVE FRANCHISE AGREEMENT WITH PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY TO PEOPLES GAS SYSTEM INC., AN INDIRECT WHOLLY OWNED SUBSIDIARY OF TECO ENERGY, INC. ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAID CONSENT; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[RESO_2022-45_Consent_to_Assignment_Peoples_Gas_System.pdf](#)

[Consent Letter - Biscayne Park.pdf](#)

- 11.c [RESOLUTION NO. 2022-46- GRANT WRITING AND MANAGEMENT](#)

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA WAIVING THE VILLAGE'S COMPETITIVE BIDDING PROCEDURES PURSUANT TO SECTION 2-139 OF THE VILLAGE'S CODE OF ORDINANCES; APPROVING AN AGREEMENT WITH ECOSTRATA SERVICES INC. FOR RESEARCHING, WRITING AND SUBMITTING GRANT APPLICATIONS ON BEHALF OF THE VILLAGE OF BISCAYNE PARK IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000) ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAID AGREEMENT ; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

[RESO 2022-46 Ecostrata Agreement.pdf](#)

[Ecostrata-BiscaynePark-Agreement-2022.pdf](#)

[BiscaynePark-Ecostrata-fiscal23-proposal.pdf](#)

11.d [RESOLUTION 2022-47 -FLORIDA PACE PROGRAM](#)

A RESOLUTION OF VILLAGE OF BISCAYNE PARK, FLORIDA , PERMITTING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS WITHIN THE CORPORATE LIMITS OF VILLAGE OF BISCAYNE PARK FOR RESIDENTIAL PROPERTIES; APPROVING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT AND THE FLORIDA PACE FUNDING AGENCY, IN SUBSTANTIALLY THE FORM ATTACHED HERETO; UTILIZING VOLUNTARY NON-AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAID AGREEMENTS; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER’S ERRORS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

[PACE_Resolution_No._2022-47.pdf](#)

[FRED FORM Limited Purpose Party Membership Agreement - 10-19-2022.pdf](#)

[Florida PACE Funding Agency ILA.pdf](#)

[FGFA-Village of Biscayne Park Party Membership Agreement REV.pdf](#)

12. Discussion- Old Business

- 12.a [Swale Ordinance Discussion](#)
[Ordinance Amending Ch. 5 - Swales \(revised 9.13\).pdf](#)

13. New Business

- 13.a [Rebuilding after a Natural Disaster](#)

I would like to task our attorneys and our design and development board(formerly planning and zoning) to address the issue of an owners ability to rebuild after a natural disaster such as hurricane Ian.

- 13.b [FAA Letter](#)

I am asking the commission to either approve the attached letter of solidarity to neighboring communities, which I drafted, or to propose edits so we can unanimously approve a final version this evening. Once approved, I would like staff to email and deliver printed copies with original signatures of all elected BP officials (electeds and manager) to the managers, mayors, and all elected officials of NoMi and BHI. The least we can do is to send “thank you notes” to our colleagues who continue the good fight that will benefit our “Oasis in the Heart of Miami” when they prevail.

[BP Nov1 2022 FAA cover memo.pdf](#)

[BP Letter of Solidarity re FAA Fight.pdf](#)

14. Placement of Items on next meeting agenda

15. Announcements

16. Adjournment