



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

**AGENDA  
REGULAR COMMISSION MEETING  
TUESDAY, AUGUST 16, 2022 – 7:00 PM**

Tuesday, August 16, 2022 at 7:00 p.m. Log Cabin, 640 NE 114th Street, Biscayne Park FL 33161 <https://us06web.zoom.us/j/85198082408> Zoom Meeting ID: 851 9808 2408

**Addendum # 1**

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 [2022 Legislative Update Presentation with Rep. Dottie Joseph and Senator Shevrin Jones](#)
  - 5.b [Biscayne Park Flag Retirement Collection Box Program](#)  
[Biscayne Park Flag Retirement Collection Box Program.pdf](#)
6. **Public Comments**
7. **Commission Reply to Comments**
8. **Reports**
  - Village Boards**
  - Village Commission**
  - Village Attorney**
  - Village Manager**
  - 8.a [Manager's Report - June 2022](#)  
[June 2022 Manager Report.pdf](#)  
[Freebee Monthly Comparison May-July](#)
9. **Consent Agenda**
  - 9.a [Board Reports](#)  
**Village Boards**

**Village Commission**

**Village Attorney**

**Village Manager**

[07-11-22\\_Signed & Approved Planning Board Minutes.pdf](#)

[06-27-22\\_Signed & Approved Planning Board Minutes.pdf](#)

9.b [Commission Meeting Minutes](#)

**July 12, 2022- Regular Commission Meeting Minutes**

**July 28, 2022- Special Commission Meeting Minutes**

**July 28, 2022- Commission Workshop Meeting Minutes**

[Regular Commission Meeting Minutes 07.12.2022.pdf](#)

[Special Commission Meeting Minutes 07.28.2022.pdf](#)

[Workshop Commission Meeting Agenda 07.28.2022- revised.pdf](#)

**10. Ordinances**

10.a [AMENDING SECTION 11.6 "FENCES, WALLS AND HEDGES." \(FIRST READING\)](#)

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 11.6. "FENCES, WALLS AND HEDGES." OF CHAPTER 11 "ACCESSORY STRUCTURES" OF THE BISCAYNE PARK LAND DEVELOPMENT CODE TO AMEND SUBSECTION (E) OF SECTION 11.6.3 PROHIBITING THE USE OF SECONDARY FENCE OR DECORATIVE FENCING MATERIALS ON CHAIN LINK FENCES; REQUIRING LANDSCAPE MATERIALS WHERE AN EXISTING CHAIN LINK FENCE IS FACING THE FRONT RIGHT OF WAY; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

[ORDINANCE\\_NO 2022-07- FENCES.pdf](#)

**11. Resolutions**

11.a [Resolution No. 2022-34 Great Waste Contract Amendment](#)

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING A First AMENDMENT TO THE AGREEMENT WITH GREAT WASTE AND RECYCLING SERVICE, LLC; PROVIDING FOR AN INCREASE IN RATES; PROVIDING FOR THE ADDITION OF EQUITABLE ADJUSTMENT TERMS IN THE AGREEMENT; PROVIDING FOR WAIVER OF THE FRANCHISE FEE FOR FISCAL YEAR 2023, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAID AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

[RESO 2022-34 Approving First Amendment Great Waste.pdf](#)  
[Great Waste - First Amendment \(FINAL with attachment\).pdf](#)

[June Discussion Item.pdf](#)

- 11.b [Resolution 2022-38- Approving a Collective Bargaining Agreement between the Village of Biscayne Park and the Dade County Police Benevolent Association, Inc.](#)

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (“PBA”), ATTACHED HERETO AS EXHIBIT “A”; AUTHORIZING THE MAYOR AND THE VILLAGE MANAGER TO EXECUTE SAID AGREEMENT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

[RESO\\_2022-38 PBA\\_CBA.pdf](#)  
[2020-2023 Proposed Agreement PBA.pdf](#)

- 11.c [RESOLUTION 2022-39- AWARDING REQUEST FOR PROPOSAL NO. 2022-005 TO C.A.P. GOVERNMENT, INC.](#)

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AWARDING REQUEST FOR PROPOSAL (“RFP”) NO. 2022-005 TO CAP GOVERNMENT SERVICES INC., FOR “BUILDING/PLANNING SERVICES”; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH CAP GOVERNMENT INC.; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED HERETO AS EXHIBIT “A” AND EXPEND BUDGETED FUNDS ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.**

[RESO\\_2022-39- Awarding\\_and\\_Approving\\_Building\\_and\\_Planning\\_to\\_CAP\\_Govt.pdf](#)  
[CAP Agreement with Attachments \(FINAL\).pdf](#)  
[RFP-2022-05-Cone of Silence Memo.pdf](#)  
[Public Notice - RFP 2022-005 “ Building Planning Support Services.pdf](#)  
[Conflict of Interest forms.pdf](#)  
[BP-RFP 2022-005-EVALUATION CRITERIA-COMPOSITE.pdf](#)

- 11.d [RESO 2022-40- Appointment to the Parks and Parkway Board](#)  
**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA APPROVING THE SELECTION AND APPOINTMENT OF MEMBERS TO THE PARKS & PARKWAY ADVISORY BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

[RESO 2022- 40 Parks Parkway Advisory Board Member Selections.pdf](#)  
[J. Di Polo.pdf](#)  
[M. Gruen.pdf](#)

## 12. Discussion- Old Business

- 12.a [Commission Discussion Amending Village Land Development Code to Address Single-Family Residential Building Form CGA Memo LDC Discussion 080122.pdf](#)
- 12.b [Swale Ordinance Discussion Ordinance Amending Ch. 5 - Swales \(002\).pdf](#)
- 12.c [Village Traffic and Road Safety Kennedy - Village Traffic and Road Safety](#)

**13. Discussion- New Business**

- 13.a [Discussion of code regarding living/dwelling units a la Miami-Dade County code that applies only to unincorporated MDC, and the tax implications of that section of the code.](#)

**Using this background, I would like the commission to discuss with staff the impact of additional dwelling units, which are not allowed per our code. The number of dwelling units impacts many issues in BP, including taxes, solid waste fees (charged per property), traffic, density, neighbors, noise, and more—particularly as more properties are being offered as short-term rentals. Are we effectively counting dwelling units during pre-sale re-occupancy inspections, and do we have the applicable codes to authorize that? At that point in the process, we have an opportunity to require compliance before authorizing the sale. The discussion could also include allowing additional living units, if that’s the will of the village and commission.**

**A quick comparison of properties for sale in BP will undercover dwelling units and bedrooms/bathrooms that are not allowed, may have been unpermitted, and that are not being included in the county tax rolls. One such example (not the only example) is 11520 Griffing, presently listed for sale as a main house with 4 bedrooms/3 bathrooms plus a separate 1/1 guest house. The MDC property appraiser describes 11520 as one living unit with 4 bedrooms and 3 bathrooms.**

**\*Per BP Attorney Valerie Vincent in an email exchange on this topic: “If the Village would like to utilize those factors in establishing a presumption that a single family home is actually multi-family or illegally subdivided, then the Village would need to enact its own ordinance.”**

[Aug16 agenda re dwelling units.pdf](#)

- 13.b [BP Landscaping Requirements](#)  
**I am asking the commission to discuss with Mario how the village will meet its obligations in regard to landscaping at new construction and during major renovations, which will require inclusion in Opengov, our new**

planning software. Our Planning Board has the authority to approve all aspects of those projects. (MDC code specifies that authority and requirement in its code Chapter 18A-7. And, MDC code includes all the charts and lists necessary for plant selections and criteria.) Our outside building vendor then has the responsibility to ensure the plans are followed as with all other aspects of projects using its professional inspectors. Certificates of Occupancy should not be issued until all parts of those projects are complete, including landscaping.

Because we will be changing building vendors in the coming months, this matter is quite timely. We need to ensure that the selected vendor has the ability to inspect for landscaping and that costs are included in their proposal.

[Aug16 agenda re landscaping requirements.pdf](#)

14. Request for Placement of Items on Next Meeting Agenda
15. Announcements
16. Adjournment