



VILLAGE OF PALMETTO BAY
9705 E. HIBISCUS STREET
PALMETTO BAY, FLORIDA 33157
(305) 259-1234 Fax: (305) 259-1290

Approved

Edward Silva, Village Manager

Date

REQUEST FOR PUBLIC RECORDS

Requests are filled in accordance with the provisions of Chapters 119 and 257, Florida Statutes.

DATE: 8-9-18

NAME: Jeffrey Leary

COMPANY: _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: mdcpr.jl@gmail.com

REQUEST (Attach additional page, if necessary): Copies of the following documents:

Please see attached email for description of request.

FOR USE BY VILLAGE STAFF ONLY TRACKING NO.: 2018-054

DATE FORWARDED: 8-9-18 ASSIGNED DEPT: Administration

DATE REQUEST FILLED: _____ NUMBER OF COPIES: _____

ESTIMATED TIME (IF APPLICABLE): _____ ESTIMATED COST: _____

HOW WAS REQUEST FILLED? _____

IF NOT FILLED, REASON: _____

BY: _____

Melissa Dodge

From: Missy Arocha
Sent: Thursday, August 09, 2018 4:14 PM
To: Melissa Dodge
Subject: FW: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Please log, acknowledge, and process.



Missy Arocha

Village Clerk
MDCMCA Treasurer

Village of Palmetto Bay

9705 East Hibiscus Street
Palmetto Bay, FL 33157
Phone: (305) 259-1234
www.palmettobay-fl.gov

PLEASE NOTE: Florida has very broad public records laws. Most written communications to or from local officials regarding official business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.



Please save a tree. Don't print this e-mail unless it's really necessary.

From: Jeffrey Leary [mailto:mdcpr.jl@gmail.com]
Sent: Wednesday, August 08, 2018 2:23 PM
To: Missy Arocha
Subject: RE: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Ms. Arocha:

Thank you for providing such ease of access to the compiled record of the Village of Palmetto Bay Council's decision to approve site plan application VPB-16-018 this afternoon.

As we discussed, there were a few issues/requests that I would like to follow-up on in writing.

- 1.) I am requesting copies of the Village of Palmetto Bay Staff report produced in response to site plan application/file #: VPB-15-014 which was provided as part of the record of a Village Council meeting held on June 20, 2016.

- 2.) I would like an update regarding the status of Public Records Request VPB 2018-186. At your convenience, please advise.
- 3.) I would like to request copies of any/all communications in which the staff report prepared in response to site plan application/file # VPB-16-018 was attached or included since June 28, 2018.
- 4.) You stated that a final, executed copy of the resolution approving site plan application VPB-16-018 with conditions has not yet been prepared. At your earliest convenience, I would like to request a copy of the executed resolution or direction to the publically available copy of the executed resolution once it exists.
- 5.) I would like to request a quote for a certified copy of the compiled record made available for my review on August 8, 2018. Please advise at your earliest convenience.

Please confirm your receipt of this email and do not hesitate to contact myself with any questions, comments, etc. Hope you enjoy the (well deserved) days off next week!

Thank you.

Jeffrey P. Leary, Esq.

From: Missy Arocha [mailto:marocha@palmettobay-fl.gov]
Sent: Friday, August 3, 2018 5:29 PM
To: Jeffrey Leary <mdcpr.jl@gmail.com>
Cc: Melissa Dodge <mdodge@palmettobay-fl.gov>
Subject: RE: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Dear Mr. Leary:

In response to your email dated August 2, 2018 I have deferred a copy of your email correspondence to the Village's legal team in regards to your objections produced for Zoning Hearing Application No. VPB-16-018.

I am confirming your file inspection for Wednesday, August 8, 2018 at 10:00 a.m. in the Village Clerk's office.

Respectfully,



Missy Arocha

Village Clerk
MDCMCA Treasurer

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Please save a tree. Don't print this e-mail unless it's really necessary.

From: Jeffrey Leary [<mailto:mdcpr.jl@gmail.com>]
Sent: Thursday, August 02, 2018 6:21 PM
To: Missy Arocha
Subject: RE: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Ms. Arocha:

In the first paragraph on page 4 of our submitted objections, a public records request is made for the date of production, completion and transmission of the staff report produced for Application VPB-16-018. Additionally, our objections attached public records request 2018-016 which to date has gone completely unanswered. As such, I disagree with your assertion that no public records requests were made or included in our objections filed with the Clerk's office on July 16, 2018 and re-incorporated into the July 23, 2018 zoning hearing.

With regards to 10:00 a.m. on Wednesday August 8, 2018, I am available and would like to schedule an in-person review as you have provided below. Please confirm this date and time at your convenience and I will put it in my calendar.

Thank you.

Jeffrey P. Leary, Esq.

From: Missy Arocha [<mailto:marocha@palmettobay-fl.gov>]
Sent: Thursday, August 2, 2018 5:29 PM
To: Jeffrey Leary <mdcpr.jl@gmail.com>
Cc: Melissa Dodge <mdodge@palmettobay-fl.gov>
Subject: RE: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Good afternoon Mr. Leary:

In response to your email dated August 2, 2018 (copy below), please confirm if you are available on Wednesday, August 8th at 10:00 a.m. for the file inspection relating to site plan application VPB-16-018.

Also, please note that a request for answers to any and all written or verbal objections to a request, is not considered a public records requests under the Florida Public Records Law. Your letter dated July 16, 2016 (time stamped 2:00 PM), is a compilation of written objections to Zoning Application VPB-16-018. The Public Records Law relates to reviewing recorded information. As the Village's records custodian, I am unable to provide any public record on this matter because your request does not relate to an existing record to your written objections. I apologize if I am unable to continue to assist

you on this matter, best assure that if you are in need of existing information, I will be more than happy to assist you.

I look forward to hearing back from you regarding your file inspection confirmation.

Respectfully,



Missy Arocha

Village Clerk
MDCMCA Treasurer

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Please save a tree. Don't print this e-mail unless it's really necessary.

From: Jeffrey Leary [<mailto:mdcpr.jl@gmail.com>]
Sent: Thursday, August 02, 2018 11:45 AM
To: Missy Arocha
Subject: Request for in-person inspection of 7.23.18 Zoning Hearing Record

Good Morning Ms. Arocha:

I would like to request to schedule a time to examine the entirety of the compiled record for the July 23, 2018 Zoning Hearing held on site plan application VPB-16-018. If possible, I would like to schedule sometime next week (Mon – Wednesday). Please advise if there are any times which would be of mutual convenience for yourself or any other Village Staff required to be present for such an inspection.

Additionally, I would like to inquire regarding the status of public records request(s) which were made in my July 16, 2018 submission of objections to VPB-16-018. To date, I have not received any follow-up regarding the same. Please advise at your convenience.

Thank you.

Jeffrey P. Leary, Esq.