

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Special Council Meeting of July 23, 2012**  
**Village Hall Chambers**  
**9705 East Hibiscus Street**

**1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

Mayor Shelley Stanczyk  
Vice Mayor Brian W. Pariser  
Council Member Patrick Fiore  
Council Member Howard Tendrich  
Council Member Joan Lindsay

Staff present:  
Village Manager Ron E. Williams  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Alexander

Mayor Stanczyk called the meeting to order at 6:30 p.m. Mayor Stanczyk led the pledge of allegiance. She welcomed Mayor Phillip Stoddard of South Miami and Mayor Cindy Lerner of Pinecrest.

**2. RESOLUTION**

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING THE INTERLOCAL AGREEMENT RELATING TO THE GREEN CORRIDOR - PACE DISTRICT; TO UPDATE THE INTERLOCAL TO REFLECT THE MODIFICATION OF STATE LAW UNDER HOUSE BILL 7117, TO ENSURE THAT THE DISTRICT CAN EXECUTE FINANCING AGREEMENTS AND LEVY THE NON AD VALOREM SPECIAL ASSESSMENTS; TO REQUIRE A SUPERMAJORITY VOTE TO EXPAND THE BOARD AND TO PROVIDE FOR RESIDENT PARTICIPANTS ON THE BOARD; PROVIDING FOR THE NOMINATION OF A PACE DISTRICT MEMBER BY THE VILLAGE OF PALMETTO BAY; PROVIDING FOR AN EFFECTIVE DATE.

Councilwoman Lindsay moved this item forward. Seconded by Councilman Fiore.

Councilman Tendrich asked if the Village Council would allow for a public hearing.

Attorney Boutsis provided staff report, offering a history of the agreement being considered. She noted that the governing ordinance provided that amendments could be made via resolution. She explained that during the approval process that established the green district, several cities were concerned regarding levying special assessments. Attorney Boutsis noted that the Cutler Bay lobbyist successfully had the law amended (House Bill 7117), so the District could act, rather than municipalities. She noted that with the

modification to the agreement, other matters were raised. She referred to Attorney Friedman's memorandum, noting that the District would sign the financing agreement and levy assessments, instead of cities. Attorney Boutsis also explained that the Board appointments and how the Board could be expanded were clarified. She noted that cities would not be responsible for liabilities of the District and would not waive sovereign immunity. She advised that the third party administrator (currently YGreene) indemnifies the District – clarified in the agreement.

Vice Mayor Pariser noted that there is a four-year term for whoever is appointed. He asked if that appointee would serve at the pleasure of the Council. Attorney Boutsis advised that the Vice Mayor could modify section 3 of the Resolution to state this. Vice Mayor Pariser moved to include the language, "the appointee shall serve at the will of the Council and may be rescinded at any time." Seconded by Councilman Tendrich. Following brief discussion. All voted in favor. The motion passed unanimously (5-0.)

Mayor Stoddard stated that the appropriate place for that revision is within the Resolution.

Mayor Stanczyk opened the public hearing. Ed Feller, 7960 SW 144 Street, addressed the Council and provided a rough draft of the document that he believes should be given to the public.

Mayor Stanczyk noted that staff is in the process of process of drafting a brochure.

Mayor Stoddard reported that certain items concerned him and Mayor Lerner had negotiated several. He advised that the City of Miami's charter didn't allow elected officials to serve on the board, so the language "and/or elected or appointed" was included. He noted that he initiated the language for expansion of the board to be done by 2/3 majority vote, as he believes the control of the District should remain as it was conceived.

Mayor Lerner concurred with Mayor Stoddard. She noted that some federal legislation remains to be modified, such as those rules concerning Freddie Mac and Fanny Mae. She thanked Dr. Feller for working on providing information to residents.

Attorney Boutsis noted that the Council should appoint its representative to the Board.

Following brief discussion, Vice Mayor Pariser nominated Mayor Stanczyk. Councilwoman Lindsay seconded. All voted in favor. Mayor Stanczyk was named as representative to the Board unanimously (5-0.)

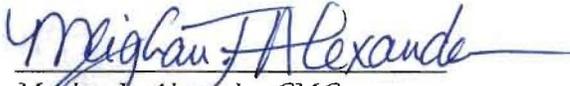
Councilman Tendrich asked if the Council needed to vote on the disclaimer form. Attorney Boutsis advised that there was a vote in November of last year that required staff to prepare a "pro and con" list for residents.

Vice Mayor Pariser moved to approve as amended. Seconded by Councilman Tendrich. All voted in favor. The Resolution passed unanimously (5-0.)

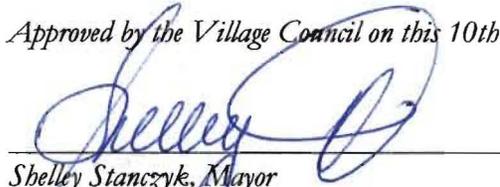
### 3. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 7:35 pm.

*Prepared and submitted by:*

  
Meghan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 10th day of September, 2012.*

  
Shelley Stanczyk, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW. WHILE THE FLORIDA STATUTES DO NOT REQUIRE TAPE RECORDINGS, TO THE EXTENT THAT TAPE RECORDINGS ARE MADE, THE TAPES MAY BE REQUESTED FROM THE VILLAGE CLERK FOR REVIEW AND/OR COPYING. THE VILLAGE OF PALMETTO BAY CAN NOT GUARANTEE QUALITY OF ANY RECORDING.