



VILLAGE OF PALMETTO BAY

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

VILLAGE COUNCIL MEETING AGENDA Monday, February 6, 2012 - 7:00 P.M. Village Hall Chambers 9705 E. Hibiscus Street (305) 259-1234

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

2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**

- A. Recognition of Coral Reef High School
- B. Recognition of Arbor Day Poster Contest winners
- C. Recognition of sponsors of the Shade Palmetto Bay
- D. Recognition of Oscar Roque
- E. Recognition of USTA Men Team
- F. Recognition of Junior Novice Tennis Team

3. **APPROVAL OF MINUTES**

- A. Minutes of the Special Council Meeting of January 7, 2012
- B. Minutes of the Regular Council Meeting of January 9, 2012

4. **CONSENT AGENDA**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL MEETING PROCEDURES; AMENDING RESOLUTION NO. 2011-79 TO RESCHEDULE THE MARCH, 2012, REGULAR COUNCIL MEETING; PROVIDING AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$30,163.99; PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR WHITE & CASE IN THE AMOUNT OF \$10,388.26; PROVIDING AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO DRAINAGE IMPROVEMENT PROJECTS IN AREAS 1 THROUGH 8 AS PER ATTACHED WORK ORDER, WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH CORZO CASTELLA CARBALLO THOMPSON SALMAN, P.A. (C3TS) TO PROVIDE ENGINEERING SERVICES FOR DESIGN AND PERMITTING OF DRAINAGE IMPROVEMENTS, AND TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$66,300.; AND PROVIDING FOR AN EFFECTIVE DATE.

5. REQUESTS, PETITIONS AND PUBLIC COMMENTS

6. VILLAGE MANAGER'S REPORT

7. VILLAGE ATTORNEY'S REPORT

- A. February, 2012 Update

8. BOARD AND COMMITTEE REPORTS

- A. Building & Permitting Advisory Committee – Final Report

9. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AD HOC ADVISORY BOARDS; CREATING THE EDUCATIONAL COMPACT ADVISORY COMMITTEE; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A DRAINAGE IMPROVEMENT PROJECT AT SUB-BASIN NO. 10 WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH KIMLEY HORN &

ASSOCIATES, INC. TO PROVIDE DESIGN, PERMITTING, BIDDING AND CONSTRUCTION SUPPORT; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SAFE ROUTES TO SCHOOL AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE NECESSARY DOCUMENTS OR AGREEMENTS IN ASSOCIATION WITH THE VILLAGE'S PARTICIPATION IN THE LOCAL AGENCY PROGRAM; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY FOR PARTICIPATION IN THE LOCAL AGENCY PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH GAMETIME C/O DOMINICA RECREATION PRODUCTS, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF PLAYGROUND EQUIPMENT AND SURFACING AT CORAL REEF PARK AND PALMETTO BAY PARK; PIGGYBACKING ONTO CONTRACT NO. 110179 WITH U.S. COMMUNITIES, WHO IS ALSO UNDER PIGGYBACK CONTRACT WITH CITY OF MIAMI BEACH AND CITY OF NORTH MIAMI BEACH; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$97,858.15; AND PROVIDING AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH KORKAT PLAYGROUNDS & SITE AMENITIES FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A TODDLER PLAYGROUND AREA (AGES 0-2) AT CORAL REEF PARK; PIGGYBACKING WITH THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA'S CONTRACT NO. 10C-54; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$31,252.82; AND PROVIDING AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE EXTENSION OF THE INTERLOCAL AGREEMENT WITH THE MIAMI-DADE SCHOOL BOARD FOR USE OF THE CORAL REEF PARK, BASEBALL FIELD 3; PROVIDING FOR A THREE YEAR EXTENSION OF THE EXISTING NON-EXCLUSIVE

USE INTERLOCAL AGREEMENT FOR PALMETTO SENIOR HIGH SCHOOL; AND PROVIDING AN EFFECTIVE DATE.

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION AND RFP-2011-PR-005; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION TO BEGIN NEGOTIATIONS WITH JUNIOR'S CATERING TO PROVIDE CONCESSION SERVICES AT CORAL REEF AND PALMETTO BAY PARKS WITH SUBSEQUENT RECOMMENDATION FOR AWARD CONTINGENT UPON TERMS AND CONDITIONS AGREEABLE BY BOTH PARTIES; AUTHORIZATION OF SAID NEGOTIATIONS BY THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

10. RESOLUTIONS REQUIRING PUBLIC HEARING

11. ORDINANCES FOR FIRST READING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING DIVISION 30-160 ENTITLED "ART IN PUBLIC PLACES" TO CLARIFY APPLICATION OF COUNTY CODE SECTION 2-11.15(2), INCREASING FEE FOR GOVERNMENT PROJECTS TO BE CONSISTENT WITH COUNTY CODE FROM 1.25 TO 1.5 PERCENT; AND CLARIFYING PROCEDURAL APPLICATIONS OF THE DIVISION; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CREATING CHAPTER 3, ENTITLED THE ADVISORY BOARD "FRIENDS OF THALATTA"; PROVIDING FOR APPOINTED BOARD MEMBERS, SCOPE OF RESPONSIBILITIES, POWERS AND DUTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-30.7(b) MODIFYING DIVISION 30-30, ENTITLED "DEVELOPMENT APPROVAL PROCEDURES"; TO FURTHER DELINEATE SUBSECTION 30-30.2(p) THE PROCESS FOR REVOCATION, SUSPENSION OR ZONING DENIAL AS IT RELATES TO THE DEVELOPMENT ORDER OR ADMINISTRATIVE DETERMINATION BEING APPEALED AND IMPLEMENTED UNTIL FINAL RESOLUTION OF THE APPELLATE LITIGATION, IN PART OR IN WHOLE; PROVIDING AN EXCEPTION DUE TO LIFE, SAFETY, OR MATERIAL DETERIORATION AS DEFINED UNDER THE FLORIDA BUILDING CODE OR WHERE PROHIBITED BY STATE STATUTE OR COUNTY ORDINANCE; AND ACCORDINGLY

UPDATE SECTION 30-30.14; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, AMENDING DIVISION 30-130, ENTITLED "ALCOHOLIC BEVERAGES" AMENDING DISTANCE SEPARATION EXEMPTIONS FOR SPECIFIED USES; PROVIDING FOR SUNDAY PACKAGE SALES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, AMENDING DIVISION 30-90, ENTITLED "SIGN REGULATIONS"; REGULATING TEMPORARY SIGNS UNIFORMLY AS TO SIZE, AND DURATION, INCLUDING BUT NOT LIMITED TO POLITICAL SIGNS AND PERSONAL EXPRESSION SIGNS; AND PROVIDING FOR A MINIMUM 90 DAY PERIOD FOR DISPLAY OF SAID SIGNS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk and Council Person Tendrich].

13. OTHER BUSINESS

14. COUNCIL COMMENTS

15. NEXT MEETING AND ADJOURNMENT

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT 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.