



VILLAGE OF PALMETTO BAY

Mayor Eugene Flinn
Vice Mayor John DuBois
Council Member Karyn Cunningham
Council Member Tim Schaffer
Council Member Larissa Siegel Lara

Village Manager Edward Silva
Village Attorney Dexter Lehtinen
Village Clerk Missy Arocha

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, October 17, 2016 - 6:00 pm Village Hall Chambers, 9705 E. Hibiscus Street (305) 259-1234

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT**

Decorum Statement: Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.

2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**

- A. Recognition of Michael Muni (Councilman Tim Schaffer)
- B. Check presentation to the Village of Palmetto Bay in the amount of \$50,0000 from Florida Recreation Development Assistance Program (Administration)

3. **APPROVAL OF MINUTES**

4. **CONSENT AGENDA**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC STOP SIGNS AT SW 148TH DRIVE AND 82ND AVENUE IN THE VILLAGE OF PALMETTO BAY; REQUESTING MIAMI DADE COUNTY

TO RE-ESTABLISH THE FOUR-WAY STOP SIGNS AT THE INTERSECTION OF SW 148TH DRIVE AND SW 82ND AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn and Councilmember Karyn Cunningham)

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, OPPOSING BRIDGING OF EITHER 87TH AVENUE AND/OR 77TH AVENUE WITHIN THE MUNICIPAL LIMITS OF PALMETTO BAY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, EXPOSING THE HIDDEN AGENDA BEHIND FLORIDA CONSTITUTION AMENDMENT 1 BALLOT QUESTION TITLED “RIGHTS OF ELECTRICITY CONSUMERS REGARDING SOLAR ENERGY CHOICE”, SCHEDULED FOR NOVEMBER 8, 2016 GENERAL ELECTION BALLOT, AND INFORMING THE PUBLIC OF THE FACTS SURROUNDING THE AMENDMENT AND ITS EFFECTS AND RAMIFICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING EXPEDITED COMPREHENSIVE ACTIONS TO STORE, TREAT AND CONVEY CLEAN WATER TO AND FROM LAKE OKEECHOBEE TO ALLEVIATE HARMFUL DISCHARGES TO EVERGLADES NATIONAL PARK, FLORIDA BAY AND NORTHERN COASTAL ESTUARIES; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Karyn Cunningham and Co-Sponsored by Mayor Eugene Flinn)
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE “CREATING OPPORTUNITIES” CAMPAIGN; ENCOURAGING CITIZENS TO EMBRACE THE “CREATING OPPORTUNITIES” CAMPAIGN BY TAKING SUCH STEPS AS ARE FEASIBLE TO CREATE OPPORTUNITIES FOR DISABLED CITIZENS WITHIN THE COMMUNITY OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Karyn Cunningham)
- F. 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 EXPEND UP TO \$ 78,265.00 FOR THE PURCHASE, DELIVERY AND

INSTALLATION OF PLAYGROUND EQUIPMENT AT CORAL REEF PARK AND PALMETTO BAY PARK; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$78,265.00; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC VILLAGE-WIDE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A PROJECT AGREEMENT WITH MARLIN ENGINEERING, INC. FOR DEVELOPMENT OF A COMPREHENSIVE VILLAGE-WIDE TRAFFIC CALMING PLAN; FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS IN AN AMOUNT UP TO \$84,150.00; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS FOR CONSTRUCTION OF TRAFFIC CALMING IMPROVEMENTS; APPROVING THE SELECTION OF WILLIAMS PAVING COMPANY TO PROVIDE CONSTRUCTION SERVICES FOR THE INSTALLATION OF MULTIPLE PERMANENT ASPHALTIC SPEED TABLES ON SW 148TH STREET BETWEEN SW 87TH AVENUE AND NORTHBOUND LANES OF US-1/SOUTH DIXIE HIGHWAY; FURTHER AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT UP TO \$20,000 FOR PERMANENT TRAFFIC CALMING DEVICES THAT WILL SUBSTANTIALLY IMPROVE THE FLOW OF TRAFFIC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO IBUS OPERATIONS; AUTHORIZING THE VILLAGE MANAGER TO SUBMIT A NEW ROUTE OR ROUTE CHANGE TO MIAMI-DADE COUNTY FOR THEIR APPROVAL TO UTILIZE OR OPERATE THE IBUS ON THE SOUTH MIAMI-DADE BUSWAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- J. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE MANAGER TO BEGIN THE PLANNING/SECURING COMPONENTS OF ALL SPECIAL EVENTS TO BE CONDUCTED IN FISCAL YEAR 2016-2017, WITH AN AMOUNT NOT TO EXCEED \$190,000 AND AS APPROVED IN THE FISCAL YEAR 2016-2017 ANNUAL PARKS AND RECREATION BUDGET; PROVIDING THAT

ADDITIONAL SPECIAL EVENTS MAY BE ADDED ONLY UPON APPROVAL OF THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

- K. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) ACCEPTING A GRANT IN THE AMOUNT OF \$125,000 FOR THE PURPOSE OF MAKING STORMWATER IMPROVEMENTS WITHIN THE VILLAGE OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- L. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO PRELIMINARY CONTRACT NEGOTIATIONS WITH HILDEBRAND RIDES, INC. TO UTILIZE VILLAGE OF PALMETTO BAY PARKING LOTS AT BOTH VILLAGE HALL AND PALMETTO BAY PARK FROM DECEMBER 16, 2016 THROUGH JANUARY 8, 2017, TO ACCOMMODATE PARKING FOR A HOLIDAY CARNIVAL TO BE HELD ON THE PRIVATELY-OWNED 5-ACRE PROPERTY FRONTING FRANJO ROAD AND ADJACENT TO VILLAGE HALL; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- M. 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 LEHTINEN SCHULTZ RIEDI CATALANO FUENTE, PLLC IN THE AMOUNT OF \$_____ FOR PERIOD ENDING AUGUST 31, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

5. REQUESTS, PETITIONS AND PUBLIC COMMENTS

6. VILLAGE MANAGER'S REPORT

- Recap on hurricane preparedness
- Update on FEMA (CRS)
- Update on Green Certification
- Update on communications
- Lobbying efforts for the Village
- Village Police Commander Report

7. VILLAGE ATTORNEY'S REPORT

8. VILLAGE CLERK'S REPORT

- Calendar update

9. BOARD AND COMMITTEE REPORTS - Minutes provided for Council's information, in lieu of verbal reports: None at this time.

10. RESOLUTIONS WITH PUBLIC COMMENT

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE LEGISLATIVE FUNCTION OF THE COUNCIL AND COMMUNICATIONS BY COUNCIL MEMBERS; REPEALING RESOLUTION NO. 2016-81 RELATING TO THE LEGISLATIVE FUNCTIONS OF THE COUNCIL AND COMMUNICATIONS BY COUNCIL MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; REQUESTING MIAMI DADE COUNTY TO ALLOW THE VILLAGE OF PALMETTO BAY TO ESTABLISH A PASSIVE PARK AT SW 168TH STREET AND 88TH COURT; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

11. RESOLUTIONS REQUIRING PUBLIC HEARING

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY

AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY; AMENDING ELEMENTS, 1, 4, 6, 8, 9, AND 11 OF THE VILLAGE'S COMPREHENSIVE PLAN AS THEY PERTAIN TO WATER SUPPLY FACILITY GOALS, OBJECTIVES, AND POLICIES OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Administration)

13. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENT

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PERTAINING TO THE VILLAGE'S PARTICIPATION IN THE COMMUNITY RATING SYSTEM, "CRS"; AMENDING SECTION 30-100(6), SECTION 30-100.6, ENTITLED "FLOODPLAIN MANAGEMENT REGULATIONS" OF THE VILLAGE'S LAND DEVELOPMENT REGULATIONS; AND AMENDING, PURSUANT TO SECTION 553.73(5) OF THE FLORIDA BUILDING CODE, THE LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Administration)

14. REPORT ON CLERK SELECTION PROCESS

15. OTHER BUSINESS

16. COUNCIL COMMENTS

17. 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.