



VILLAGE OF PALMETTO BAY

Mayor Eugene Flinn
Vice Mayor John DuBois
Council Member Karyn Cunningham
Council Member David Singer
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, December 5, 2016 - 7:00 pm Village Hall Chambers, 9705 E. Hibiscus Street (305) 259-1234

- 1. SWEARING IN OF VICE MAYOR AND COUNCIL MEMBER SEAT 2**
- 2. 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. Presentation by Linda Peterson (West Perrine Toy Drive - Toys 4 Kids)
 - B. Presentation by Noel and Rainer Schael (Palmetto Bay Holiday Boat Parade & Canned Food Drive)
 - C. Presentation by Sean Kramer (Micro Gardening/Micro Farming)
- 3. APPROVAL OF MINUTES**

The Agenda for the Regular Council Meeting scheduled for January 2, 2017 will include minutes for approval.
- 4. CONSENT AGENDA**

- A. 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 \$19,696.00 FOR PERIOD ENDING OCTOBER 31, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CERTIFYING AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF NOVEMBER 8, 2016, AND RUN-OFF ELECTION OF NOVEMBER 22, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Village Clerk Arocha)
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL MEETING PROCEDURES; ANNOUNCING THE REGULAR COUNCIL MEETING SCHEDULE; THE LAND DEVELOPMENT PERMIT HEARINGS; DATES, IF NECESSARY, FOR THE COMMITTEE OF THE WHOLE WORKSHOPS; AND, THE BUDGET WORKSHOP FOR FISCAL YEAR 2016-17; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Village Clerk Arocha)

5. REQUESTS, PETITIONS AND PUBLIC COMMENTS

6. VILLAGE MANAGER'S REPORT

- Update on Community Rating System
- Update on upcoming Visioning Session Meeting
- Request from Commissioner Daniella Levine Cava
- 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:

- A. Education Advisory Committee (October 11, 2016)
- B. Education Advisory Committee (October 13, 2016)
- C. Palmetto Bay Partnership Committee (September 14, 2016)
- D. Palmetto Bay Partnership Committee (October 13, 2016)

- E. Park & Recreation/Community Outreach Committee (September 8, 2016)
- F. Park & Recreation/Community Outreach Committee (October 26, 2016)
- G. Services/Administrative Advisory Committee (September 8, 2016)
- H. Veteran's Park Advisory Committee (October 12, 2016)

10. RESOLUTIONS WITH PUBLIC COMMENT

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; SUPPORTING THE DECEMBER 10, 2016, PALMETTO BAY CANAL ASSOCIATION CANNED FOOD DRIVE; PROVIDING FOR OFFICIAL SPONSORSHIP AND PARTICIPATION AND TRANSMITTAL TO INTERESTED PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; SUPPORTING THE DECEMBER 18, 2016, TOYS 4 KIDS EVENT AT WEST PERRINE PARK; PROVIDING FOR OFFICIAL SPONSORSHIP AND PARTICIPATION AND TRANSMITTAL TO INTERESTED PARTIES; 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, CREATING A POLICY REGARDING SPECIAL EVENTS AND FARMER'S MARKETS; CREATING A POLICY TO ALLOW DOGS AT SPECIAL EVENTS AND FARMER'S MARKETS – SPECIFICALLY NOT ALTERING EXISTING POLICY OF PETS/DOGS AT VILLAGE PARKS NOT ASSOCIATED WITH SPECIAL EVENTS AND FARMER'S MARKETS; 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, SUPPORTING THE CONCEPT OF PERMITTING MICROGARDENINGS AND/OR MICROFARMING WITHIN THE MUNICIPAL BOUNDARIES OF PALMETTO BAY; DIRECTING THE MANAGER AND VILLAGE ATTORNEY TO INVESTIGATE AND ADVISE THE VILLAGE COUNCIL AS TO AVAILABILITY UNDER CURRENT CODE, CODE MODIFICATIONS REQUIRED AND IMPACT UPON COMMUNITY FOR REPORT AT FUTURE COUNCIL MEETINGS; DETERMINING CREATION OF A COMMITTEE TO INVESTIGATE AS TO IMPACT UPON COMMUNITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE

VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE 22 ACRE PARCEL ZONED "I" ("INTERIM") ALONG OLD CUTLER ROAD (NORTH OF 184TH STREET); PROVIDING FOR REAFFIRMATION OF EFFORTS TO ACQUIRE SUCH LAND, IF THE LAND IS NOT OTHERWISE PRESERVED THROUGH TRANSFER OF OWNERSHIP TO THE VILLAGE OF PALMETTO BAY; PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PUBLIC TRANSIT DAY; DECLARING DECEMBER 9, 2016 TO BE "PUBLIC TRANSIT DAY" IN THE VILLAGE OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Karyn Cunningham and Co-Sponsored by Mayor Eugene Flinn)
- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ALLOWING DOGS WITHIN THE PERIMETER OF THE FARMERS MARKET ON DATES AND TIMES WHEN THE FARMERS MARKET IS BEING CONDUCTED ON THE PREMISES OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Karyn Cunningham)

11. RESOLUTIONS REQUIRING PUBLIC HEARING

12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

13. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENT

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO BIRD SANCTUARIES; DESIGNATING ALL AREAS WITHIN THE LIMITS OF THE VILLAGE OF PALMETTO BAY TO BE A BIRD SANCTUARY; PROVIDING FOR RESTRICTIONS WITHIN THE BIRD SANCTUARY AND PROVIDING FOR PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; ESTABLISHING THE DATE OF VILLAGE RUN-OFF ELECTIONS; ESTABLISHING ANY NECESSARY RUNOFF ELECTION TO OCCUR THREE WEEKS FOLLOWING THE GENERAL ELECTION, BUT IN NO EVENT TO OCCUR ON THE TUESDAY IMMEDIATELY PRECEDING THANKSGIVING DAY, IN WHICH CASE THE RUNOFF SHALL BE HELD ON THE TUESDAY FOLLOWING THANKSGIVING DAY; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION,

SEVERABILITY, AND AN EFFECTIVE DATE. (Sponsored by Councilmember Larissa Siegel Lara)

14. OTHER BUSINESS

Discussion on:

- Transportation Workshop (Mayor Eugene Flinn)
- Tri-City Traffic Summit/Commitment from Village Council to re-affirm no bridging (Mayor Eugene Flinn)
- Overall revisions of traffic circle located on 82nd Avenue and 168th Street (Mayor Eugene Flinn)
- Completion of Strategic Plan (Mayor Eugene Flinn)
- Fire Station (Councilmember Karyn Cunningham)
- Medical Marijuana Ordinance (Councilmember Larissa Siegel Lara)
- Set 2017 COW Agenda topics (Councilmember Larissa Siegel Lara)
- Requested Workshops (Councilmember Larissa Siegel Lara)
- Policy for Council Meeting Agenda production (Councilmember Larissa Siegel Lara)
- Park Survey questions (Councilmember Larissa Siegel Lara)

15. COUNCIL COMMENTS

16. 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.

RESOLUTION NO. 2016-_____

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 \$19,696.00 FOR PERIOD ENDING OCTOBER 31, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

WHEREAS, the Village Council of the Village of Palmetto Bay engaged the law firm of Lehtinen Schultz Riedi Catalano Fuente, PLLC to provide Village Attorney legal services for the Village; and

WHEREAS, Lehtinen Schultz Riedi Catalano Fuente, PLLC, submitted its statements to the Village for legal services rendered, and costs advanced, for the period ending October 31, 2016, in the amount of \$19,696; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval. The statements for attorneys' fees and costs received from Lehtinen Schultz Riedi Catalano Fuente, PLLC, in the total amount of \$19,696, copies of which are attached, are approved for payment.

Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5th day of December, 2016.

Attest: _____
Missy Arocha
Village Clerk

Eugene Flinn
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
2 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

3
4
5
6
7 _____
8 Dexter W. Lehtinen
9 Village Attorney

10
11
12 FINAL VOTE AT ADOPTION:

13
14 Council Member Karyn Cunningham _____
15
16 Council Member Tim Schaffer _____
17
18 Council Member Larissa Siegel Lara _____
19
20 Vice-Mayor John DuBois _____
21
22 Mayor Eugene Flinn _____

Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131

October 2016
Village of Palmetto Bay

Statement Period: October 2016

Client: Village of Palmetto Bay, Florida

Date	Individual	Subject	Time
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General Government

10/3	DL	Annexation legal research and memorandum/fact sheet preparation; confer with Council Members and Manager; resolution reviews	3.6
10/4	DL	Special Council meeting (no charge)	0.0
10/7	BF	Conference with L. Pittser re procurement matter; follow-up with DL re annexation matter; research re same; correspondence re same	1.3
10/7	DL	Preparation for upcoming Council meeting; coordinate with Clerk and Manager; draft agenda items (resolutions, etc)	4.5
10/11	BF	Review documents; confer with L. Pittser; revise correspondence to Tequesta; ; correspondence to L. Pittser	1.3
10/12	DL	Meetings at Village Hall with Mayor, Manager, Council Member (separate meetings) regarding VMU, annexation, other pending issues	3.6
10/13	DL	Attend meeting of Palmetto Bay Partnership (focusing on potential annexation	1.0
10/17	DL	Attend Village Council zoning meeting and Council regular meeting; prepare for meeting prior to meetings; confer with officials prior to meetings	6.3
10/18	DL	Attend Sunshine meeting of Council Members at Palmetto Bay Village Center	1.0

**Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

October 2016/Village of Palmetto Bay

General Government (continued)

10/19	DL	Attend State of the Village speech at Village HaLL (No charge)	0.0
10/25	BF	Follow-up with L. Pittser; conference call with L. Pittser re procurement matters and negotiations	0.5
10/26	DL	Confer with staff at Village Hall regarding upcoming issues; attend meeting regarding fire station issues at Library	2.9
10/31	DL	Prepare for upcoming Village Council meeting; confer with officials at Village Hall; research legal issues associated with upcoming agenda; confer with Clerk regarding agenda preparation	7.1

Human Resources (Personnel)

10/1-10/31 none

Zoning and Land Use

10/31	JC	Review correspondence from counsel to Van Orsdel regarding right-of-way, opinion of title and related matters; follow-up with Delsalle and DL regarding same; respond to J. Admire	1.1
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Litigation

10/1	CR	Review/edit draft in response in opposition to petition for certiorari (VMU); research spot zoning issues; confer w/ DL	5.4
10/1	DL	Research legal issues, case law regarding review of quasi-judicial land use matters; confer with CR; analyze issues	2.9
10/2	CR	Email to DL with instructions for October 6th hearing	0.3

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1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

October 2016/Village of Palmetto Bay

Litigation (continued)

10/3	CR	Confer with DL concerning hearing on motion to dismiss (seal case); email communications with counsel for defendant; ; review/revise settlement offer	1.1
10/3	BF	Review draft Response for Petition for Writ (VMU)	2.7
10/3	CR	Confer with E. Mehta (VMU writ); email to client re transcript; revise draft Response to incorporate Delsalle comments; review and revise draft Response again	4.0
10/4	CR	Review/revise Response for Petition for Certiorari (VMU); confer with client re transcript and review tapes; confer with BF' concerning response; confer with Delsalle concerning staff report in appendix	2.5
10/4	DL	Work on VMU issues; review zoning history of VMU	1.8
10/5	CR	Draft/revise Response Brief (VMU writ); conduct further legal research concerning issues; confer with Delsalle re exhibits; ; draft revised index to supplemental appendix	5.2
10/6	DL	Research and analysis for response to petition for writ of certiorari (VMU); study cases	3.2
10/7	CR	Review/revise Response to Petition for Certiorari (VMU writ)	0.8
10/10	CR	Continue review and revise Response brief; email with E. Mehta concerning owner request for extension	1.8
10/10	DL	Review final draft of response to Writ for Certiorari (VMU); review appendices	3.1
10/11	CR	Revise/finalize/file Response to Petition for Writ of Certiorari (VMU); confer with co-counsel concerning transcript of hearing; confer with client concerning same; confer with DL regarding final brief	5.5

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October 2016/Village of Palmetto Bay

Litigation (continued)

10/11	DL	Confer with CR regarding final response brief (VMU); review proposed final filing	1.0
10/12	CR	Review answer brief (Alexander School); begin drafting reply; review cited case law and authorities	1.7
10/12	DL	Outline final VMU response brief; prepare summary for argument	1.2
10/12	CR	Confer via email with Mehta (counsel) concerning case law; email to DL concerning same; call with Mehta (VMU)	2.8
10/13	CR	Review all briefs and motions below; draft reply brief concerning equal protection argument; confer with DL concerning arguments; research applicable law (Alexander School)	4.3
10/13	CR	Krakoski foreclosure; attend calendar call (postponed without notice; confer with opposing counsel; prepare to argue superiority of Village special assessment lien	2.9
10/14	CR	Research/draft reply brief (Alexander School); email to DL; confer with DL (Alexander School)	4.2
10/15	CR	Review briefs with DL; consider possible arguments (Alexander School)	0.7
10/15	DL	Review Alexander School Reply Brief and consider possible arguments	0.7
10/16	CR	Revise Reply Brief (Alexander School); revise and finalize Table of Contents and Table of Cases; review case cites by Appellee	1.2
10/25	CR	Email from attorney Auernacher re seal lawsuit; telephone call with DL; telephone call with Village Manager; revise discovery	1.2

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1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

October 2016/Village of Palmetto Bay

Litigation (continued)

10/17	CR	Review Response Brief of owner (VMU Writ): compare to Village version; review minute in appendix; confer with DL; confer with E. Mehta	2.7
10/31	CR	Review Reply Brief of Burch (VMU Writ); review case law	0.6
10/31	CR	Seal case; confer with Village Manager concerning discovery response; email to attorney Auerbacher	0.2

Total Fees

Monthly total hours.....	99.9
Total fees due (@ \$190/hour.....	\$ 18,981

Reimbursable Expenses

WestLaw computer research charge General \$308; VMU \$319).....	\$ 627
Courier services and postage (VMU case).....	\$ 88
Total Reimbursable Expenses.....	\$ 715

Total amount due (fees and expenses).....\$ 19,696

DL = Dexter Lehtinen CR = Claudio Riedi JC = John Catalano
BF = Bob de la Fuente TS – Tom Schultz

RESOLUTION NO. 2016-____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CERTIFYING AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF NOVEMBER 8, 2016, AND RUN-OFF ELECTION OF NOVEMBER 22, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Village Clerk Arocha)

WHEREAS, the certification of the results of the General Election of November 8, 2016 and of the Run-Off Election of November 22, 2016, has been delivered to the Council; and

WHEREAS, the General Election and Run-Off Election of the Village of Palmetto Bay has been canvassed and returns have been made by inspectors and the Supervisor of Elections of Miami Dade County; and

WHEREAS, ballots of registered voters for the Village of Palmetto Bay have been tabulated and a determination of the total number of votes cast as such election has been conducted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. That the above and foregoing recitals are true and correct.

Section 2. The Village Council hereby declares and certifies that at the General Election of November 8, 2016, the following votes were cast as provided in *Exhibit A* (Certificate of County Canvassing Board of Miami Dade County): **For Vice-Mayor, the whole number of votes cast was 11,684 of which number:**

John Edward DuBois received 4,801 votes
 Erica Watts received 4,228 votes
 David Zisman received 2,655 votes

For Council Member – Seat 2, the whole number of votes cast was 10,916 of which number:

Tim Schaffer received 4,414 votes
 David M. Singer received 6,502 votes

Charter Amendment Number One – Powers of the Manager: Deleting from section 3.3 of the Village Charter the requirement that department directors appointed by the Village Manager be approved by the Council.

Should this amendment be adopted?

YES 4,308 votes
 NO 6,830 votes

49 **Proposed Charter Amendment Number Two – Appointment and Removal of Charter**
50 **Officers and Auditors:** Amending section 4.1(C) of the Village Charter to require a quorum of
51 four members of the Village Council (replacing the quorum of three members) for appointment
52 and removal of any Charter officer (Village Manager, Village Clerk, and Village Attorney) and for
53 the appointment of auditors.

54
55 Should this amendment be adopted?

56
57 YES 7,138 votes
58 NO 4,034 votes
59

60 **Proposed Amendment Number Three – Interference with Administration:** Amending
61 section 4.2(D) of the Village Charter to provide that action by the State Attorney to enforce the
62 prohibition on interference with administration is not the exclusive remedy for enforcement; and
63 deleting confusing language which incorrectly states that the Village Manager and the Village
64 Attorney are employees subject to the direction of the Village Manager.

65
66 Should this amendment be adopted?

67
68 YES 7,100 votes
69 NO 3,724 votes
70

71 **Proposed Amendment Number Four – Nonpartisan Campaigning:** Amending section
72 5.1(B) of the Village Charter to provide that action by the State Attorney to enforce the
73 nonpartisan election provision is not the exclusive remedy for enforcement.

74
75 Should this amendment be adopted?

76
77 YES 5,715 votes
78 NO 5,000 votes
79

80 **Annexation Question:** Should the Village Council, in accordance with the Village Charter,
81 initiate the process with Miami Dade County (with subsequent steps as provided by Miami Dade
82 County law and the Village Charter) to annex the area bounded by the Busway on the west, the
83 Palmetto Bay boundary (Highway US 1) on the east, SW 160 Street on the north, and SW 184
84 Street on the south, which is presently a non-residential commercial area?

85
86 YES 5,726 votes
87 NO 5,838 votes
88

89 **Section 3.** The Village Council hereby declares and certifies that a total of 3,580
90 ballots were cast at the Run-Off Election of November 22, 2016, and the following votes were
91 cast as provided in *Exhibit B* (Certification of Palmetto Bay Run-Off Election):

92
93 **VICE MAYOR**

94
95 John Edward DuBois received 2,088 votes
96 Erica Watts received 1,492 votes

**CERTIFICATE OF COUNTY CANVASSING BOARD
MIAMI-DADE COUNTY**

We, the undersigned, County Judge ANDREW S. HAGUE, **Chairperson**, County Judge SHELLEY J. KRAVITZ, **Member** and Supervisor of Elections CHRISTINA WHITE, **Member**, constituting the Miami-Dade County Canvassing Board and for said County, do hereby certify that we met on the 18th day of November, 2016 A.D., and proceeded publicly to canvass the votes for the **Palmetto Bay General and Special Elections** held on the Eighth day of November, 2016 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For **Vice-Mayor**, the whole number of votes cast was 11,684 of which number

John Edward DuBois received 4,801 Votes

Erica Watts received 4,228 Votes

David Zisman received 2,655 Votes

For **Council Member – Seat 2**, the whole number of votes cast was 10,916 of which number

Tim Schaffer received 4,414 Votes

David M. Singer received 6,502 Votes

Charter Amendment Number One – Powers of the Manager

Deleting from section 3.3 of the Village Charter the requirement that department directors appointed by the Village Manager be approved by the Council.

Should this amendment be adopted?

YES 4,308 Votes

NO 6,830 Votes

Proposed Charter Amendment Number Two – Appointment and Removal of Charter Officers and Auditors

Amending section 4.1© of the Village Charter to require a quorum of four members of the Village Council (replacing the quorum of three members) for appointment and removal of any Charter officer (Village Manager, Village Clerk, and Village Attorney) and for the appointment of auditors.

Should this amendment be adopted?

YES 7,138 Votes

NO 4,034 Votes

Proposed Amendment Number Three – Interference with Administration

Amending section 4.2(D) of the Village Charter to provide that action by the State Attorney to enforce the prohibition on interference with administration is not the exclusive remedy for enforcement; and deleting confusing language which incorrectly states that the Village Manager and the Village Attorney are employees subject to the direction of the Village Manager.

Should this amendment be adopted?

YES 7,100 Votes

NO 3,724 Votes

Proposed Amendment Number Four – Nonpartisan Campaigning

Amending section 5.1(B) of the Village Charter to provide that action by the State Attorney to enforce the nonpartisan election provision is not the exclusive remedy for enforcement.

Should this amendment be adopted?

YES 5,715 Votes

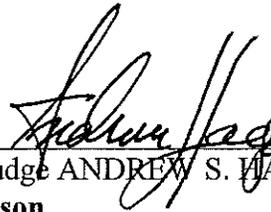
NO 5,000 Votes

Annexation Question

Should the Village Council, in accordance with the Village Charter, initiate the process with Miami-Dade County (with subsequent steps as provided by Miami-Dade County law and the Village Charter) to annex the area bounded by the Busway on the west, the Palmetto Bay boundary (Highway US 1) on the east, SW 160 Street on the north, and SW 184 Street on the south, which is presently a non-residential commercial area?

YES 5,726 Votes

NO 5,838 Votes



County Judge ANDREW S. WAGUE
Chairperson

County Judge SHELLEY J. KRAVITZ
Member



Supervisor of Elections CHRISTINA WHITE
Member

EXHIBIT B

SUMMARY REPT-GROUP DETAIL

OFFICIAL RUN-OFF ELECTION
PALMETTO BAY, FLORIDA
NOVEMBER 22, 2016

OFFICIAL RESULTS

RUN DATE:11/28/16 11:05 AM

REPORT-EL45A

PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	VBM	PROV
PRECINCTS COUNTED (OF 10)	10	100.00				
REGISTERED VOTERS - TOTAL	17,045					
BALLOTS CAST - TOTAL	3,582		2,097	0	1,484	1
VOTER TURNOUT - TOTAL		21.01				
VICE-MAYOR CITY:PALMETTO BAY						
Vote for 1						
John Edward DuBois	2,088	58.32	1,198	0	889	1
Erica Watts	1,492	41.68	899	0	593	0
Total	3,580		2,097	0	1,482	1
Over Votes	0		0	0	0	0
Under Votes	2		0	0	2	0

Erica Watts
11/28/16

John Edward DuBois
11/28/16



Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY: 305-499-8480

miamidade.gov

CERTIFICATION

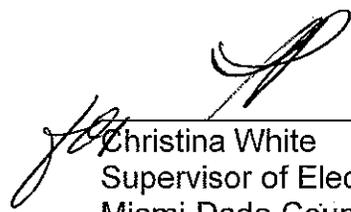
STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

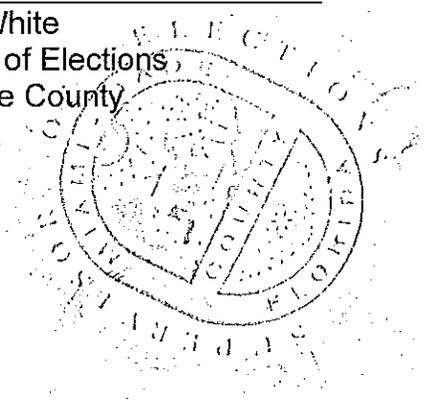
I, Christina White, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal office listed below in the **Palmetto Bay Run-Off Election** conducted on November 22, 2016:

VICE-MAYOR

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 28th DAY OF NOVEMBER, 2016



Christina White
Supervisor of Elections,
Miami-Dade County

The official seal of Miami-Dade County, Florida, is circular and contains the text "MIAMI-DADE COUNTY, FLORIDA" around the perimeter. In the center, it reads "SUPREMACY OF THE LAW" and "ELECTIONS".

Enclosure

49 **Section 5.** This Resolution shall take effect immediately upon approval.

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51 PASSED AND ADOPTED this 5th day of December, 2016.

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Attest: _____

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Missy Arocha

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Village Clerk

Eugene Flinn

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Mayor

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE

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USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

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Dexter W. Lehtinen

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Village Attorney

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FINAL VOTE AT ADOPTION:

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Council Member Karyn Cunningham _____

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Council Member David Singer _____

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Council Member Larissa Siegel Lara _____

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Vice-Mayor John DuBois _____

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Mayor Eugene Flinn _____

**VILLAGE OF PALMETTO BAY
EDUCATION ADVISORY COMMITTEE AGENDA
Wednesday, October 11, 2016 at 6:30 pm
9705 E. Hibiscus Street
Palmetto Bay, FL 33157**

Attendance

- Committee Members: Orestes Mayo, Chair; Diane Quick; Greg Zawyer; Erica Watts
 - Council Members – Village Employees: Eugene Flinn, Mayor and Council Liaison;
 - Members of the Public – Nancy Lawther, Vice President of Advocacy and Legislation for Miami Dade County PTA; Julia Cespedes, Palmetto Bay resident
1. Call to Order
 - a. Mr. Mayo called the meeting to order at 6:40 p.m.
 2. Approval of Minutes
 - a. Approval of minutes for the Tuesday, September 20th meeting was tabled for to correct several errors noted by committee members in attendance at that meeting.
 3. Public Comments
 - a. Nancy Lawther, Vice President of Advocacy and Legislation for Miami Dade County PTA
 - i. County PTA held its fall leadership conference. Ms. Lawther distributed an informal survey of those in attendance and received 75 responses. Survey asked respondents to identify top educational concerns. Top issues identified: school safety; high stakes testing; class size; availability of technology; quality of instruction; recess
 - ii. Ms. Lawther visited a number of education committees. Her findings:
 1. Cutler Bay: concerns are recess and homework. Committee recently discovered that Cutler Bay is paying \$350,000 for the Cambridge Program and want to know if other municipalities are paying for Cambridge Program. Only 9 graduates from Cambridge Program this year.
 2. Miami Beach: concerned with traffic and is working with the District and residents living near schools to solve problems. Also concerned with class size. As a sunshine body, presented to their Council a recommendation that class size be addressed as a state issue. Recommendation was approved by the Council and a previous recommendation of per pupil funding also remains active.

3. Miami Springs: concerned about overcrowding. Barbara Goleman High School is at 147% capacity. Students are eating outdoors and parents are concerned with Zika exposure.
 4. Norland High feeder pattern: slow roll out of GOB is a concern. Miami Gardens does not have an education committee.
 5. Pinecrest: Palmetto High selected its contractor. Process is also slow but moving forward.
 - iii. Mr. Mayo asks whether education committees should reach out to each other and communicate on common issues. Mayor Flinn agrees with the Mr. Mayo.
 - b. Greg Zawyer
 - i. Congratulates Ms. Watts on her front page article in Community Newspapers.
 - ii. Congratulates the Village on a successful Principal's Breakfast on October 5, 2016.
 - c. Julia Cespedes, Palmetto Bay residents
 - i. Notes that charter schools are being held to higher standards and requirements than in the past.
 - d. Mayor Flinn
 - i. Recommends that when the Committee discusses its legislative plan for the year that charter school issues are included.
4. Discussion and finalization of Town Hall Meeting scheduled for Thursday, October 13, 2016 at 7:00 p.m. at Southwood Middle School to address educational issues for stakeholders in the community
- a. Mr. Mayo asks that a representative from the Village attend to discuss traffic calming and that Ms. Regueira or another District representative attend to discuss busing and the proposed app.
 - i. Mr. Zawyer notes that Major Serralta should attend to discuss traffic and safety.
 - ii. Mr. Zawyer asks about liability and the app; is the Village liable if there is an issue with a carpool designed through the app. Ms. Watts and Ms. Quick note that this falls under the purview of the District, not the Village.
 - b. Mr. Zawyer asks whether a representative from Palmetto Community Schools can attend the town hall meeting to discuss community courses. Mayor Flinn would like to see a list of popular courses to know what courses should be pursued locally.

- c. Mr. Zawyer raises the topic of homework. Mr. Mayo shares his perspective as a teacher and Ms. Watts shares her perspective as a parent. Ms. Watts and Mr. Mayo both agree that the large homework load is a result of testing.
 - i. Mr. Mayo asks to put the heat where the heat belongs. He notes that teachers are held to a high standard and homework is the result of needing to meet this high standard. This is an issue for the District and Ms. Quick notes that it also is an issue for the state. Ms. Lawther notes that the federal government does not require that schools are graded on their students' results. This is mandated by the state.
- d. Mr. Mayo states that the Town Hall meeting invitation list includes the Region, District, Village, Palmetto Community Schools
- e. Ms. Watts asks how the invitation has been distributed. Would like the invitation to be sent to all Village public schools. Ms. Lawther says she can notify Palmetto High School and Middle School. Mr. Mayo asks Ms. Lawther to send the invitation to the public schools in the area.
- f. Ms. Quick states that she will take minutes at the Town Hall meeting.
- g. Mr. Mayo states that the agenda will generally be as follows:
 - i. A pledge
 - ii. An introduction of the meeting presented by Mr. Mayo
 - iii. Recognition of elected officials by Mr. Mayo and a brief greeting from Mayor Flinn
 - iv. Introduction of guests by Mr. Mayo
 - v. Floor will be open to attendees to ask questions in a typical town hall format. An official agenda will be sent by Mr. Mayo for thoughts from the committee. His goal is for the event to be positive, upbeat and fluid.
- h. The committee discusses whether to time questions from the audience.
- i. Ms. Quick asks what time committee members should arrive. Mr. Mayo states he will be there at 6:30 p.m.
- j. Mayor Flinn asks if the committee wants to distribute anything to attendees as they leave.
- k. Mr. Mayo addresses the survey distributed by the Committee. He shares his surprise at the results. There was little to no opinion on proposals that would alleviate traffic. Ms. Quick notes that traffic was the second highest concern on the survey yet respondents were not interested in the proposals suggested to alleviate traffic.
- l. Mr. Mayo notes that the most interest generated was for after school enrichments. Mr. Zawyer offers to gather information on popular community courses and present the information at the next meeting.

5. Future Agenda Items
 - a. Legislative plan

6. Next Meeting(s) Date/Time
 - a. Tuesday, November 1, 2016
 - b. Mr. Mayo asks that the committee attend the Mayor's State of the Village on October 19th at 6:00 p.m.

7. Adjourn
 - a. Meeting was adjourned by Mr. Mayo at 7:45 p.m.

Signature

Date

**VILLAGE OF PALMETTO BAY
EDUCATION ADVISORY COMMITTEE TOWN HALL MINUTES
Thursday, October 13, 2016 at 7:00 pm
Southwood Middle School
16301 SW 80th Avenue, Palmetto Bay, FL 33157**

- Attendance – Committee Members: Orestes Mayo, Chair; Diane Quick; Greg Zawyer; Erica Watts, Tanya Marrero
- Council Members – Village Employees: Eugene Flinn, Mayor and Council Liaison; Larissa Siegel Lara, Council Member; Karyn Cunningham, Council Member
- Village Representatives – Ed Silva, Village Manager
- Members of the Public – Nancy Lawther, Vice President of Advocacy and Legislation for Miami Dade County PTA; Richard Phelan, Palmetto Bay resident and Coral Reef Elementary PTA President; Erika Hew, Palmetto Bay resident; Paola Jaramillo, Palmetto Bay resident; Alex Jaramillo, Palmetto Bay resident; Olivia Hammer, Palmetto Bay resident; Kerry Sheridan, Palmetto Bay resident.

1. Introduction

- a. The town hall meeting was called to order by Mr. Mayo at 7:05 p.m.
- b. Explanation of Town Hall purpose
 - i. Mr. Mayo provided an explanation of the creation of the Education Advisory Committee as a result of the compact between the Village and School District.
 - ii. Mr. Mayo explained that each municipality has a compact with the District and that each committee formed through the compact has goals that they pursue pursuant to the Compact.
- c. Introduction of Guests
 - i. Mr. Mayo introduced the members of the Committee.

2. Topics to be Addressed

- a. Mr. Mayo states that the committee called for the town hall to learn more about transportation, traffic and other issues in the Village so that the committee was better served to address them.

3. PowerPoint Presentation on Survey Results

- a. Mr. Mayo briefly discussed the results of the survey via PowerPoint.
- b. Mr. Mayo read each question and stated the corresponding response. When necessary, he provided background information regarding why particular questions were included in the survey.
- c. Mr. Mayo noted which responses reflected strong interest from residents. He noted less interest in the app and more interest in after school enrichments.

4. Question and Answer Session

a. Proposed App

- i. Ms. Watts asked member of the public Richard Phelan, Coral Reef Elementary PTA President, whether there was any discussion of the app at the elementary school.
 1. She stated that Ms. Eva Regueira of the School District informed the Committee at a previous meeting that the app would be piloted at Coral Reef Elementary.
 2. Mr. Phelan states that he had not been informed of this app.

b. Proposed Parking Changes at Coral Reef Elementary

- i. Ms. Watts asked Ed Silva, Village Manager, to discuss proposed parking changes at Coral Reef Elementary.
 1. He stated that there have been discussions regarding parking, particularly on 152nd street. States that the Village would like one egress into both the school and park. This cannot happen without a Joint Use Agreement from the District and cooperation from the County.
 2. There has been discussion about adding crosswalks and other safe routes to schools. This will be accomplished in the next few months. Discussions include safe routes for those who ride bikes to school. Mr. Silva notes that bike routes are an issue brought to him by Mr. Phelan.
 3. Ms. Watts asked how bike routes can be created out of existing roads. Mr. Silva states that one option that would allow the creation of bike lanes is turning two-way roads into one-way roads. Mr. Zawyer agrees that this would be an excellent idea.
 4. Mr. Silva noted that similar proposals are being made for Howard Drive Elementary jointly with Village of Pinecrest and the County. There is discussion of changing the bridge on 72nd avenue.

c. Discussion of drop off and dismissal at different Village schools

- i. Mr. Mayo asked the attendees which schools they are affiliated with. After a show of hands, it is noted that all Village schools are represented at the meeting.
- ii. Alex and Paola Jaramillo note that as part of their after school program, they participate in dismissal procedures at three Village schools. They observed that the smoothest dismissal procedures are at Perrine Elementary. Mr. Jaramillo states there is no traffic at Perrine at both the 1:50 and 3:05 dismissal.
 1. Ms. Jaramillo states that traffic is stopped more frequently at Coral Reef Elementary than any other school they visit. There are two crosswalks and sometimes both are stopped at the same time and that traffic is stopped for long periods of time.
 2. Mr. Jaramillo notes that the administration at Perrine Elementary will take part in the process to ensure that it flows smoothly. This includes active participation by the principal.

3. Mr. Mayo notes that administrator involvement has proven to be effective in his own personal experience at other district schools.
 - iii. Mr. Mayo comments that the discussion thus far has been very informative and that the Committee will share this information with the District
- d. Alternative Methods of Transportation to School
- i. Kerry Sheridan, a Village resident whose child attends Coral Reef Elementary, states that her family is the only one in her neighborhood walking to school.
 - ii. Ms. Lawther asked why she thinks this is the case. Ms. Sheridan responds that the elimination of the stop sign at 148th street and 82nd avenue has made walking to school more difficult. The County engineer recommended that they cross at the traffic light on 152nd street and 82nd avenue. She says that this is a much larger area and due to various issues is not as safe. She feels strongly about walking to school since she lives less than half a mile from the school and hopes to find a safe solution.
 - iii. Ms. Watts notes that the community needs to embrace alternate methods of transportation to school like walking, riding bikes or public transportation when available. She suggests creating neighborhood walking teams with matching shirts and encouraging walking through competitions or other programs.
 - iv. Mayor Flinn notes that students do not attend neighborhood schools and therefore these alternative traffic suggestions are not applicable. He would like to find a way to keep local families in the local schools.
 - v. Nancy Lawther states that there is a method through which it can be determined how many children live in a neighborhood are attending a particular school. Through this tool, walking groups can be formed.
 - vi. Mr. Flinn is looking for solutions from residents that will result in putting children on school buses. He notes that everyone wants to find ways to put other people on buses but do not want to put their own children on a bus.
- e. Perception of Before/After Care
- i. Larissa Siegel Lara, Village Council Member, notes that working parents need to be remembered in this process. She notes that before care is not always an option and recommends that the Village partner with schools to create safe drop off points for parents who work and must drive to school at a particular time.
 - ii. Mr. Mayo states that the perception is that parents do not want to entrust their children to before/after care programs or school bus programs.
 - iii. Mayor Flinn notes that his priority is to enhance the quality of life for Palmetto Bay residents who want to walk to school or embrace other alternative transportation methods. He states that before and after care enrichment may be the avenue to pursue. Mr. Mayo notes that enrichment programs received the most interest on the survey.
 - iv. Mr. Mayo asked the audience whether they feel that enrichment programs and other alternatives to the status quo are issues that should be raised with the District.

f. Public vs. Private School – The Homework Issue

- i. Erika Hew is a Village resident who enrolled her child in private school in part because of the volume of homework assigned in public school and in part because she has a child with ASD and does not feel that public school provides an opportunity for inclusion of children with ASD.
- ii. Ms. Marrero notes that she sits on her school's EESAC committee and the volume of homework is recognized as a big issue.
- iii. Ms. Lawther states that there is an item on the next School Board meeting proposing a "no homework" pilot program at a set of schools. Student achievement at the pilot schools would be compared to those at other schools.
- iv. Ms. Lawther notes that there are countries with tremendous academic success that do not require homework. Mr. Mayo notes that these countries do not mandate testing.
- v. Ms. Lawther states that Florida is in the process of reevaluating the standards, testing and accountability currently mandated. She notes that many of the standards mandated by the state are not required by the federal government and therefore can be changed by the state legislature. She believes that state government is satisfied by the status quo and that most parents are not.
- vi. Mr. Mayo notes that many schools spend nearly an entire quarter of the school year solely on testing. Mr. Zawyer explains that the state has no vision for the legislation they implement.
- vii. Returning to Ms. Hew's point about ASD, she notes that she observed the ASD program at Perrine and Coral Reef Elementary and was displeased with what she saw. She did a lot of research to identify the best program for her child's needs. Once she identified the best program, she had to wait for a spot to open up which shows there are not enough opportunities for the number of children with these needs.
 1. Ms. Watts states that a takeaway from this meeting that the Committee can bring back to the District is that ASD programs in the Village need to be reexamined at that level given that the number of children with ASD is growing. Ms. Hew states that she knows families who drive great distances to take their children to a school that fits their child's needs.
 2. Mr. Mayo notes the shrinking budget for public schools due to the growth of charter schools. He states that many of the issues raised tonight are the result of action by the state government and cannot be fixed at the municipal level. Mr. Zawyer concurs. Ms. Jaramillo asks why charter schools are given so much money by the government. Ms. Quick notes that many state politicians are personally involved in charter schools. Mr. Mayo notes that pro-charter school legislation has been proposed by legislators who have personal ties to charter schools.

g. Getting the Word Out

- i. Ms. Sheridan asks how the issues discussed today can be broadcasted publically through the media or other methods.
 1. Mr. Mayo explains that getting reporters into schools is challenging.

- ii. Ms. Sheridan asks whether there is a union that can advise parents on the platforms of various politicians with regard to education. Councilwoman Cunningham was introduced to discuss United Teachers of Dade. She explains that the UTD website lists their endorsements.
- iii. Ms. Cunningham notes that Ms. Lawther is a good resource for current and proposed legislation. Explains that most residents are not aware of many different pieces of legislations and cites as an example the legislation signed into a law a few years ago that would allow charter schools to use public school facilities if the school is under-enrolled. Notes that all schools in the Village are under-enrolled.
 - 1. Mr. Jaramillo notes that his personal experience at Coral Reef did not indicate that the school is under-enrolled. Ms. Watts explains that individual classes may be crowded but enrollment is determined at a school-wide level.
- iv. Ms. Watts and Mr. Mayo both state that this town hall meeting is the first of other meetings that will be held and that the discussion will continue.
 - 1. Ms. Marrero asks whether schools and PTAs can be used as a forum for discussion.
 - 2. Ms. Lawther notes challenges in communication between the County PTA and local PTAs
 - 3. Ms. Watts explains that she held a successful forum on FSA testing at Coral Reef Elementary and that it can be done with proper notice and advertising.
 - 4. Mr. Mayo informs the audience that the Committee meets the first Tuesday of each month and welcomes members of the public to all meetings. Ms. Quick notes that the next meeting of the Committee is Tuesday, November 1st. Ms. Watts added that Committee meeting begins at 6:30 p.m.

h. Other Issues

- i. Mr. Mayo asks whether there are other issues the public would like to raise such as safety.
- ii. Ms. Sheridan asks on behalf of her husband whether “we are stuck with Common Core?”
 - 1. Mr. Mayo notes that Common Core has become something more than it was initially intended. The original purpose was to ensure that all children in the country had a common education. Mr. Zawyer notes that many schools have opted out of Common Core or changed the name, and that more changes may come with the new administration.
 - 2. Several parents raise the issue of the challenges of helping children with Common Core, particularly in math. Mr. Mayo explained the reasoning behind Common Core math. The purpose is to teach children the meaning of numbers.

5. Closing Remarks

- a. Mr. Mayo thanked the audience for attending.

Village of Palmetto Bay
 Palmetto Bay Partnership Committee Minutes
 Wed, Sep 14, 2016 – 6:30 @ Edward & Arlene Feller Community Room at Ludovici Park
 17641 Old Cutler Road, Palmetto Bay FL 33157

Peter England (Chairman) called the meeting to order at 6:45 p.m.

1) Roll Call/Attendance:

Juan Alayo	N	Suzanne Gottlieb-Calleja	Y	Courtney Reeder	Y
Peter England	Y	Eric Haas	Y*	Dan Yglesias	Y
Eddie Escobar	Y	Susan Hotzman	Y	[available appointment]	N
Hal Feldman	Y	Edward Joffe	Y		
Anthony Gorman	N	Rick Lujan	N		

* Eric Haas missed almost the entire meeting.

Attorney Dexter Lehtinen	N	Clerk Missy Arocha (acting)	N
Manager Ed Silva	Y	Planning & Zoning Darby Desalle	Y

2) Approval of Minutes:

Motioned: Suzanne

Seconded: Dan

Approved:

Unanimous	X	In favor	X	Opposed	
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3) Public Comments:

- a) Julia Cespedes visited as our first public attendee (thanks to her!)
- b) She said the public wants to know why the Village does things (example; stop sign removal on 82nd Ave), not the technical details.
- c) Just today, to further this cause, she started the *Village of Palmetto Bay Leadership thru Transparency* Facebook page to discuss why we do what we do. Not fighting. Just facts.

4) Chairman's Report:

- a) Review of Monday's Council meeting where the Partnership Business Retention representative, Dan Yglesias, did a "wonderful" presentation on the Business Satisfaction survey and asked the Council for a budget/resources for this matter. Council approved this, and as a result, Peter England is to meet with Village Manager Silva Thursday morning to take this forward.
- b) Beacon Council presentation - Paul Griegel attended from Beacon Council and is new hire to work on public outreach. States Beacon Council is at our service and that they will be working harder to reach out to the communities. Beacon Council was in Homestead to understand their resources. Paul will be doing the same for Palmetto Bay and is our designated point person. Paul will work with Susan Green (Beacon Council Marketing) to do marketing pieces for Palmetto Bay.
- c) Chairman gave Darby DeSalle floor to speak about November 8th election and annexation referendum question. He stated the Downtown Urban Village (DUV) code is flexible to allow for maximum opportunity. Palmetto Bay is working with other municipalities for rapid transit. Annexation is a critical component for rapid transit functionality and economic opportunity for downtown.

- d) Village Manager Ed Silva adds that "if it is approved, it will be years before it happens" and the "area zoning will not be transferred automatically, but rather new zoning would be developed to work in harmony with DUV."
- e) Village Manager Ed Silva states Annexation makes both sides of US-1 compatible. The annexed area currently brings \$200k in tax revenue per year. Once rezoned, it would yield \$2.5M annually.
- f) Annex area is severely underutilized. Low crime rate now. So not extra resources if brought into Palmetto Bay.
- g) Annex area is window to the transit line. Allows us to span "downtown" to rapid transit hub. Once Palmetto Bay approves this annexation, the County will need to also analyze and approve. So not a "done deal" if Palmetto Bay voters approve for annexation.

5) Sub-Committee Reports

[sub-committees are now defunct – therefore deprecated]

6) New Business

- a) Chairman asks if Hal can help get the word out about annexation. Village will soon provide Partnership with bullet points and ballot number(s). Hal says he can create flyers and perhaps Partnership members can put feet on street in lower Palmetto Bay and knock on annex area doors.
Village Manager Silva states Village can only further facts and not sway or ask for a votes in a particular direction. Hal says he should be able to do a video with facts only for distribution on WBAY. Further work will be done during next Partnership meeting.
- b) It is announced to Partnership that Sept 27 @ 6:30 p.m. - Traffic Summit at Village Hall. Good information with County included. We should try to attend.
- c) Village Manager Ed Silva announced to Partnership the County is working with Palmetto Bay to remove the light at 176th Street and Old Cutler. Other changes at 152 St. and 136 St. should "vastly improve" traffic flow.
- d) Chairman requests Partnership members should attend Taste of Palmetto Bay event October 1 6-9 p.m.
- e) Good question raised about whether we can have natural gas in the DUV area. Ed Silva and Darby to investigate further.
- f) Ben Powell has stepped down from Partnership. Eugene is looking to replace his appointment.

7) Next Meeting Date(s):

- a) Committee meeting October 13 at 6:30 p.m. at the Edward & Arlene Feller Community Room at Ludovici Park.

8) Adjournment:

Motioned: Edward

Seconded: Dan

Approved:

Unanimous	X	In favor	X	Opposed	
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Peter England (Chairman) called the meeting adjourned at 8:15 p.m.

A handwritten signature in black ink, reading "Hal Feldman". The signature is written in a cursive, flowing style.

Minutes signed by Secretary

Village of Palmetto Bay
 Palmetto Bay Partnership Committee Minutes
 Thu, Oct 13, 2016 – 7:30 @ Edward & Arlene Feller Community Room at Ludovici Park
 17641 Old Cutler Road, Palmetto Bay FL 33157

Peter England (Chairman) called the meeting to order at 7:31 p.m.

1) Roll Call/Attendance:

Juan Alayo	N	Suzanne Gottlieb-Calleja	Y	Courtney Reeder	Y
Peter England	Y	Eric Haas	Y	Dan Yglesias	N
Eddie Escobar	N	Susan Holzman	N	[available appointment]	N
Hal Feldman	Y	Edward Joffe	Y		
Anthony Gorman	N	Rick Lujan	N		

Attorney Dexter Lehtinen	Y	Clerk Missy Arocha (acting)	N
Manager Ed Silva	N	Planning & Zoning Darby Desalle	N

*Larrissa Siegel-Lara attended to provide pertinent annexation facts at

2) Approval of Minutes:

Motioned: [skipped]

Seconded: [skipped]

Approved:

Unanimous	X	In favor	X	Opposed	
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3) Public Comments:

- a) Julia Cespedes visited as public attendee (thanks to her!)
- b) Her Facebook page *The Village of Palmetto Bay Leadership thru Transparency* is gaining traction. She attends our meeting to provide facts back to that page and other social media outlets.

4) Chairman's Report:

- a) The Village has temporarily halted the branding effort for the Downtown Redevelopment area for now.
- b) The Village has asked the Partnership to work with Greg (an intern from the branding company) to create a 'present business owners' satisfaction survey. Peter asked Eric Haas, Courtney Reeder and Dan Yglesias to do this.
- c) Peter reminds the group that the Partnership is charged by Council to maximize the economic development within our Village and that annexation should allow the Village to flourish, particularly as it enhances our Downtown District.

5) Annexation

[Dexter Lehtinen given floor]

Dexter's presentation highlights the facts of what the annexation referendum is about and he provided a one-page handout.

He states that Miami-Dade County has true "home rule" authority, meaning it can create, abolish and change municipalities...including annexation.

The area in question is SW 160th Street through SW 184th Street between the busway and the southbound lanes of US-1, a solely commercial district with zero

residents. The Village would like to investigate the feasibility of annexing this area to enhance our Downtown District.

It would be unlikely that the County would ever annex property without guidance to do so. So, Palmetto Bay believes (via efforts started by Larissa Siegel-Lara) that we must ask for annexation in order to get the ball rolling.

Dexter also points out that if a target area has less than 250 residents, the first step of a local referendum is not required. The Village can move directly to a general election referendum on the matter.

[Larissa Siegel-Lara entered at 7:54p and was given the floor]

The referendum is a way for us to initiate the annexation process. It is not a yes or no vote. There are many steps at both the Village and County level that would have to be successful to conclude with an annexation.

Larissa explained that the Council and Village cannot provide anything other than facts. Further, the Partnership, should it want to proactively support the annexation, would first need to ask Council to do so and it would be shot down. However, as informed individual citizens, we could choose to speak our minds and position on the matter to whomever we want.

Larissa went on to explain that among many factors, one of the issues that people must weigh should they look at annexation is density.

The current CUC density states 59 units/acre and up to 12 stories of height. This would equate to 3669.8 units. Under current Palmetto Bay code, which would likely apply, the density would go to 29 units/acre or 1803.8 total units. Other factors are policing, taxation, utility, etc.

Larissa concluded that saying 'no' to the annexation referendum on the ballots means that you don't want to hear anything about the issue, even foregoing discussion about the pros or cons. It means you don't want the Village to even research the possibilities.

At this point, Julia Cespedes requested floor time and stated the Concerned Citizens of Old Cutler were opposed to a general election referendum because (she believes) they thought that was a vote, yes or no, for annexation. When she explained it was just to further research, she felt the group did a 180 and started saying yes.

Peter England added that the ballot, which he had just completed as part of his mail-in, was exceedingly long and that the annexation question had the unfortunate position of dead last on a double-sided four page ballot.

6) New Business

- a) Hal Feldman was given the floor to explain the upcoming Citizens-Led Candidates' Forum/Town Hall on Tuesday October 18. He invited everyone to help him spread the word.

7) Next Meeting Date(s):

- a) Committee meeting November 9 at 6:30 p.m. at the Edward & Arlene Feller Community Room at Ludovici Park.

8) Adjournment:

Motioned: Peter

Seconded: Hal

Approved:

Unanimous	X	In favor	X	Opposed	
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Peter England (Chairman) called the meeting adjourned at 8:37 p.m.



Minutes signed by Secretary

**MINUTES
PARK & RECREATION AND COMMUNITY OUTREACH COMMITTEE
SEPTEMBER 8, 2016 – 6:30 PM
VILLAGE HALL MUNICIPAL CENTER – 1ST FL CONFERENCE ROOM**

COMMITTEE MEMBERS IN ATTENDANCE:

LIEDE DEVALDIVIELSO
CHRIS OLSON
HEIDI FEDER
BEATRICE HERMANN
DAVID GREENWELL
DR. ED FELLER
BETH ADLER
OLGA CADAVAL- VILLAGE HUMAN RESOURCE DIRECTOR
FANNY CARMONA-PARKS AND RECREATION DIRECTOR
MISSY AROCHA- VILLAGE CLERK, IN AND OUT OF MEETING

ABSENT:

MARGERY GLICKMAN
COUNCIL MEMBER KARYN CUNNINGHAM
COUNCIL MEMBER TIM SCHAFFER

1. MEETING CALLED TO ORDER AT 6:44 PM
2. LIEDE DEVALDIVIELSO WAS SELECTED AS CHAIRPERSON.
BETH ADLER WAS SELECTED AS SECRETARY.
3. PUBLIC COMMENT- NONE
4. APPROVAL OF AUGUST 16, 2016 MINUTES-DAVID & CHRIS SECOND MOTION. THE COMMITTEE APPROVED MINUTES.
5. DISCUSSION OF ITEMS-
 - A. DISCUSSED ORDINANCE# 2016-17., THE MERGING OF THE TWO COMMITTEES. THE COMMITTEE REVIEWRD THE SCOPE OF SECTION 2-55, PAGE 2 OF DOCUMENT, FOCUSING ON ITEM (b). THERE WAS NO DISCUSSION ON SCOPE.
 - B. PENDING PROJECTS OF COMMITTEE
COMMUNITY PTOJECTS DISCUSSED.
 1. NEWCOMERS -WELCOMING PACKET TO NEW MUNICIPALITY RESIDENTS. INCLUDE BASIC FUNDAMENTAL INFORMATION ABOUT MUNICIPALITY. ONE TO TWO PAGES LONG. CONSIDER FORMAT OF OTHER MUNICIPALITY'S WELCOMING PACKET. CONSIDER SENDING THIS INFORMATION TO ALL MUNICIPALITY RESIDENTS ONCE A

YEAR. NEED TO HAVE ALL COMMITTEE MEMBERS READ PACKETS AND THEN MAKE RECOMMENDATIONS. THE PACKETS NEED TO BE APPROVED BY COUNCIL.

2. 2ND QUARTERLY PUBLICATION DISCUSSED. FIRST QUARTERLY SENT WITHIN COMMUNITY PAPER, 2ND HAS BEEN TABLED. TALK ABOUT IT BEING SENT AS AN INDEPENDENT, BULK MAILING.

PARKS PROJECTS DISCUSSED

1. CPR NON-CERTIFIED, 2 HR. INSTRUCTION PROVIDED BY BAPTIST HOSPITAL AT \$25/PERSON. THE COURSE HAS BEEN POSTPONED FROM SEPT 10TH TO 22ND. CHRIS IS GOING TO INVESTIGATE OFFERING COURSE THRU PRIVATE CPR FIRM, HE IS FAMILIAR WITH. IT IS BELIEVED COST MIGHT BE A PARTICIPATION RELATED FACTOR. HEIDI RECOMMENDED HAVING LOCAL PEDIATRIC OFFICES PROMOTE COURSE.

2. WEST, OUTSIDE WALL, OF CORAL REEF RACQUETBALL CTS. APPROVED BY COMMITTEE, FOR SPORTS MURAL. BEATRICE MENTIONED HER CONNECTION TO ARTS COMMUNITY, "ART SOUTH", AND THEIR ABILITY TO HELP WITH THIS PROJECT. DR. FELLER MENTIONED THAT THE RACQUETBALL -HAND BALL COURTS, WERE NOT THAT WELL USED AND ARE MAINLY USED FOR TENNIS PRACTICE (AFFORDABLE).

3. DR. FELLER ASKED FOR FEEDBACK ABOUT PROPOSED CORAL REEF PARK BASEBALL - BACK TO BACK, HOME PLATE CONFIGURATION. DAVID, WITH A STRONG DIAMOND PLAYING BACKGROUND, APPROVES NEW CONFIGURATION. BETH APPROVES BACK TO BACK PLATE CONFIGURATION ALSO. BUT DOES NOT WANT TO ADD FENCING BEYOND INFIELD FOUL LINE FENCING. SO GREEN SPACE REMAINS AS PARK AND IS NOT TRANSFORMED INTO ___ - SPORTS PLEX.

4. SUNDAY, 4PM, DEERING ESTATE FAMILY RUNS, 3 MONTH TRIAL PERIOD. IT WAS PUBLICIZED, FIRST RUN THIS COMING SUNDAY, SEPT. 11TH.

5. MIRACLE BASEBALL FIELD GRANT APPLICATION WAS MENTIONED.

6. VETERAN PARK (LOCATED DIRECTLY BEHIND SOUTH MOTORS & CLOSE TO DOG PARK) LIASON REPORT-VETERAN'S PARK GROUNDBREAKING CEREMONY IS MONDAY, SEPTEMBER 26, 5:30 PM. THE GOLD STAR GROUNDBREAKING CEREMONY IS SATURDAY, OCTOBER 15 TH, 4 PM.

7. AGAIN, THE COMMITTEE WOULD LIKE TO BE INFORMED OF AND DISCUSS ALL PENDING PARK RELATED PROJECTS. IT WOULD ALSO LIKE TO BE PROVIDED WITH HARD COPY, COMPUTER GENERATED, ARCHITECTURAL RENDERINGS, LIKE THOSE THAT HAVE BEEN ON EASEL DISPLAY AT THE PARK PUBLIC FORUMS (SIMILAR TO COMPUTER GENERATED RENDERINGS PROVIDED FOR VETERANS PARK COMMITTEE MEMBERS).

8. SURVEYS, PAST COMMITTEE MEETINGS-

THE PAST PARK COMMITTEE MEETING MINUTES CAN BE ACCESSED ON MUNICIPALITY WEB SITE.

THE COMMUNICATIONS SURVEY FINDINGS HAVE BEEN EMAILED TO ALL COMMITTEE MEMBERS.

THE COMMUNITY OUTRACH COMMITTEE SURVEYED RESIDENTS DURING LARGE COMMUNITY EVENT. THERE WAS DISCUSSION ABOUT METHODS TO RETRIEVE PUBLIC FEEDBACK. FANNY HAS PARK WORKSHOPS FEEDBACK INFO AVAILABLE.

NEXT MEETING:

IT WAS DETERMINED TO MEET ON MONTHLY BASIS.

THURSDAY, OCTOBER 6Th, 6:30, AT VILLAGE HALL.

VILLAGE OF PALMETTO BAY
PARKS & RECREATION ADVISORY COMMITTEE
&
COMMUNITY OUTREACH COMMITTEE
AGENDA

Wednesday, October 26, 2016 - 6:30 p.m.
Village of Palmetto Bay Municipal Center
9705 E. Hibiscus Street, Palmetto Bay, FL 33157

The Parks and Recreation Advisory Committee and the Community Outreach Committee were merged on July 11, 2016 via Ordinance No. 2016-17.

Committee members in attendance:

- Liede DeValdivielso - Chair
- Heidi Caplan Feder
- David Greenwell
- Frank DeValdivielso
- Chris Olson
- Beth Adler-Secretary
- Olga Cadaval – Human Resources & Communications Director Village of Palmetto Bay
- Fanny Carmona-Parks and Recreation Director
- Missy Arocha- Village Clerk

1. Call to Order - 6:38PM
2. Public Comments - None
3. Discussion of the Village’s application for the Florida Department of Environmental Protection’s 2017-18 FRDAP grant program.

Fanny Carmona made presentation discussing the improvements proposed to Palmetto Bay Park; *Boundless® Playground upgrades and improvements, construction of sand volley ball court (only 1 at this time), 2 picnic pavilions to be constructed with tables, basketball court resurfacing, and building of a storage facility adjacent to the current recreation room.*

Project Cost: \$200,000 FRDAP Grant
 \$200,000 Village Match
 \$400,000 Total Cost of Project

Improvements included in FRDAP Grant are part of the Village CIP and this allows us more points on the submitted application. Site plan was passed around showing the scope of work and the proposed locations of projects.

Question regarding issue with the softball field at Coral Reef Park using sand instead of clay was brought up, response from Fanny was that this matter is addressed annually with field maintenance, and other funding has been pursued to assist with field upgrades.

Concern about a missing swing was addressed - by adding an ADA accessible swing which cannot have another swing directly next to it for safety issues.

4. New Business for future Agenda

Parks 1st publication has been submitted with notice on the back page of upcoming Survey for community participation. The Parks Publication will be created quarterly and hope to be distributed by mail along with the current electronic delivery for future issues.

Committee members were asked to create the survey questions; will be inclusive for all Village parks. Only 10 questions with a YES/NO format requested. A previous survey will be used as a template and emailed to committee members. These questions should be ready for the November 10, 2016 meeting to be released in December for community members to take.

Participation in Holiday by the Bay (12/10/16) and Unique Abilities Fair (12/03/16) by having booths open with the surveys available will be run by volunteers.

5. Adjournment – 7:06PM



VILLAGE OF PALMETTO BAY
Minutes of the Village Service Committee
Meeting of September 8, 2016 at 6:30pm
 Village Hall- 9705 East Hibiscus Street
 Palmetto Bay, FL 33157

In attendance:

Committee Members:

Jim Araiza (JD)
 Jon Beisenherz (TS)
 Eric Eikenberg (KC)No
 Robert Loughlin (LSL)
 Tony Musto (TS)

Liaisons:

Larissa Siegel Lara (council)
 Corrice Patterson (admin)
 Desmond Chin (admin)

Agenda Item No. 2- Public Comments

No members of the public in attendance, therefore no public comments heard.

Agenda Item Nos. 3-4- Welcome and Committee Ordinance Review

Councilwoman Siegel Lara provided attendees with copies of a proposal presented to council on the Committee Ordinance. There were two readings of the user fee changes for Parks Ordinance by council in October and November of 2015. Proposal includes sponsoring and voting record information. The main focus was on the tennis fee changes since those were more than doubled. In the first reading, the fee increase for Tennis was passed unanimously, 5-0 vote. However the final vote was 3-2. At the same time Councilwoman Cunningham had proposed a roll back of most of the votes which was approved 5-0 on January 4th and then the service committee the following of that roll back by a 3-2 vote, consequently being approved by Council. Item was discussed again at the July 20th Committee of the Whole, but second reading is coming up on Monday, September 12, 2016.

Proposed terms are as follows:

- 4 (four) years for user fee reviews because of the depth of the review;
- Benchmark data regarding the rate itself must be included as to how much money;
- Quality of the service provided;
- Users feedback of services in similar private or public areas (i.e. Tennis Courts);
- Service Usage Data collection needs to be done- Who is using the service and Where;

Village Clerk, Missy Arocha handed out rosters to committee attendees for their review and confirmation of their contact information.

At least for the cost comparison we should exclude anything that is not service related fee; There should be recommendations for user fee changes to council at least two weeks before they are implemented

The service ordinance rate also includes a funding policy. If there are any site changes to the Parks master plan in an amount over \$50,000, residents within 500 feet of Park must be notified, and changes require Council approval. In addition, if there is an offer for funding (grant), it cannot be presented to Council until after 45 days of council being provided complete documentation of the funding source and proposed project. Council always has to vote on accepting a grant, not for application of the grant, so that Council is fully informed on what they are voting on.

Corrice confirmed procedure for application of grants. Council is presented with a Resolution advising of the application of the grant.

We are looking for the Committees recommendation on the user fee proposal. The Village Manager did some further research on this proposal and his idea is that because there is a recovery pyramid of services provided, then we use a recovery benchmark data to set the range for the recovery, and then customize it using local data from that study. My Ordinance does not provide for methodology.

Member agrees with service rate policy; however in the long term planning there needs to be a quality of living statement where we want to be the Village of Parks or we want to be the Village of Parks and be sure and be able to recover 50% of our costs. This has a direct effect on setting your rates. In the strategic planning process there needs to be a discussion of where we want to be on this issue.

Councilwoman Siegel-Lara agrees that this is a discussion that needs to be had.

Desmond- Rates are equal for residents and non-residents because we are not allowed to charge different rates for state funded facilities. Only if the Village builds something solely using resident's money, then we could differentiate rates.

Councilwoman Siegel-Lara- The philosophy of what we value is definitely something we need to discuss.

Member- Our value needs to be mentioned in our Ordinance because this council is not forever. I don't want to depend on the philosophies of the council members.

Councilwoman Siegel-Lara - Is there a motion to make a recommendation on this Ordinance? All in favor of proposing a positive recommendation without any changes- all in favor- unanimous 5-5 vote (after revising the user fee study from every 4 years to no more than 4 years between reviews).

Assessments regarding the quality of life amendment statement as a proposed charter amendment to be considered by the council. All in favor- unanimous 5-5 vote.

Agenda Item No. 5- Revision to Council Agendas

New revisions made to Council meeting Agendas. Presentation and Proclamations now to start at 6:30pm. Second Readings have been moved up to be heard before First readings because they take more time. Two sections of Public Comments for the whole Resolution block. Core statement is always read at the discretion of the mayor. Is there a support for this? All in favor - 5-5 vote.

Agenda Item No. 6- Annexation Procedures

Councilwoman Siegel-Lara- The Charter Review Committee had a provision that we have a double loop in our charter for the bus lane annexation procedures. Council can only consider a bus lane annexation if asked by residents. My suggestion is for us to put it on the ballot and have residents ask about it. Council voted 5-0 to put it on the ballot. Should the administration be campaigning for this ballot? Members unanimously agree, there should be information for voters on what is on the ballot. There should be a fact sheet with the pros and cons distributed by the Village to give information on this. Costs would be something to be determined. Depending on the type of advertising we use. Website posts and facebook would not carry any costs. The telephonic townhall meeting with the Manager would be another outlet, and that reached about 700 people last time. Members' recommendation is to provide information to the voters as long as no significant money is spent. All in favor -5-5 unanimous vote.

Agenda Item No. 7- Clarification of Council Role

Siegel-Lara- Zoning ordinance was put in place to restrict where marijuana can be sold. Selling will start as of October and we need to figure out where it will be placed.

Charter says that manager is in charge of ALL administration and it appears that council gets involved in the administration. In the past, there have been questions as to whether council is clear on their duties. Through the voice of residents, it appears that council members were speaking on behalf of the village, and we can't do this. The intention is to clarify procedures to avoid friction between council members, and to promote operations in the Village.

Member suggested this would be the responsibility of the Village Attorney, not council woman Siegel-Lara. The downside is that we are setting a trade by writing new rules every time something is wrong. This could be written up as a memo between the Manager and Village attorney instead of a resolution.

Any matters involving violations of existing charter need to be brought up at the time they occur and the Village attorney needs to get involved.

Member recommendation is to use the existing ordinance already in place and enforce them to take care of misrepresentation issues. If part of the problem are council members interfering with the

administration of the Village that is a bigger problem than communication issues.

Erick motioned to table this resolution. All in favor- 5-5 vote unanimous.

Meeting adjourned.



**VETERAN'S PARK ADVISORY COMMITTEE
SPECIAL PLANNING MEETING
MEETING MINUTES FROM MEETING ON
WEDNESDAY, OCTOBER 12, 2016
6:30PM AMERICAN LEGION POST 133**

ADVISORY BOARD MEMBERS PRESENT:

Paul Amato, Thomas Frank, Cesar Lastra, Don Pybas, William Richards, Dana Pezoldt, Jerry Bryda, Chris Amayo and Ex-officio member, Councilmember Tim Schaffer was also present

ADVISORY BOARD MEMBERS ABSENT:

Beth Adler, Pam Tabor and Richard Dorn

STAFF PRESENT:

Chief Gadyaces Serralta, Parks Director, Fanny Carmona and Village Manager, Ed Silva

PUBLIC PRESENT:

Ralph Aponte Guzman and Erika Watts-Sosa.

- I. Roll Call, Pledge of Allegiance – 6:40 PM**
- II. Approval of Minutes – tabled due to lack on September minutes**
- III. Chairman's Report –**
 - a. No report from William "Billy" Richards.
- IV. Old Business**

Vote taken regarding absenteeism of committee member Beatriz Herman. Discussion of how she has yet to attend a meeting but was present for the ground breaking. Vote was unanimous to remove her from the committee.
- V. New Business:**
 - a. Paul Amato went over the order of the program for the upcoming Veteran's Park Memorial Ceremony where attendance is expected of several Gold Star Families and Hershel Woodrow "Woody" Williams and his grandson.
 - b. Paul asked who will be the Master of Ceremony for the event and chairman Billy Richards asked that Paul would take the lead.

- c. Jerry Bryda will place the POW flag in honor of POW's and the Village will supply the flag poles for the Village Flag, the American Flag, the State of Florida Flag and the American Legion Flag.
- d. Discussion of how to involve the youth in the community to tie in that this park will have educational connection. Erica Watts-Sosa will have several children there. Chris Amayo reported that there will be Boy Scouts and Dana Pezoldt will bring her son who is also a scout to attend. The decision to have all the children hand out American flags and recite the pledge of allegiance was made.
- e. Arrangements to have a color guard (Felix Varela High ROTC), the St. Andrews Pipe and Drum corps and a chaplain have been made and confirmed.
- f. The Village arrangements for tents, dirt, shovels, chairs, refreshments, port-o-potties, flags and flag poles have all been confirmed by Fanny Carmona.
- g. Several members from the committee were inadvertently left off of the list on the program for the initial ground breaking ceremony. The list was completed by Dana and given to Fanny.
- h. Chief Serralta will reach out to have Fire Rescue on hand in case of any medical emergencies.
- i. Everyone asked to be at the American Legion by 3:45 to walk in parade procession to the park site and honoree, Woody Williams will lead the procession.

VI. Next regularly scheduled meeting will be on October 24, 2016 at 7pm at the American Legion.

Meeting was adjourned. Motion and seconded at 7:55pm

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE DECEMBER 10, 2016, PALMETTO BAY CANAL ASSOCIATION CANNED FOOD DRIVE; PROVIDING FOR OFFICIAL SPONSORSHIP AND PARTICIPATION AND TRANSMITTAL TO INTERESTED PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)

WHEREAS, Palmetto Bay cares and has a history of supporting worthwhile causes that benefit our community, both in and nearby/adjacent to our municipal boundaries; and

WHEREAS, the Palmetto Bay Canal Association is holding its 7th annual Boat Parade and Canned food Drive (see attached event promotional flyer as "Exhibit A"); and

WHEREAS, Palmetto Bay typically participates in Holiday charitable events, specifically including Canned Food Drives; and

WHEREAS, this event, as presented annual by Noel and Rainer Schael, is a meritorious event, deserving of participation of our village residents and officially through the village of Palmetto Bay.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The Village of Palmetto Bay supports both the concept as well as the participation in the Palmetto Bay Canal Association is holding its 7th annual Boat Parade and Canned food Drive, scheduled on December 10, 2016, in areas of the Village of Palmetto Bay.

Section 2. The Village authorizes the Village Manager to take all action required to facilitate Palmetto Bay's sponsorship and participation in this event, including, but not necessarily limited to the following action:

A. Provide/allow the use of the Village Municipal Center as a designated drop off point for canned food, consistent with prior years.

B. Provide authorization for use of Coral Reef Park, after sunset, for as long as reasonably required, as a staging area for the 7th Annual Boat Parade.

C. Provide authorization for use of the official Village seal/logo for this event, listing Palmetto Bay as an official sponsor.

Section 3. The Mayor, Village Council, Charter Officers and staff encourages our Village residents, businesses, students and any other organizations, to participate in this event, including the donation of canned food to the Palmetto Bay Municipal Center during regular

1 business hours or to any co-sponsoring schools during business hours up until the day prior to
2 the event.

3
4 **Section 4.** The Village Clerk is authorized on behalf of the Village to provide
5 executed copies of this Resolution as appropriate.

6
7 **Section 3.** This Resolution shall take effect immediately upon adoption.

8
9 PASSED and ADOPTED this 5th day of December, 2016.

10
11
12
13 Attest: _____
14 Missy Arocha Eugene Flinn
15 Village Clerk Mayor

16
17 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
18 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

19
20
21 _____
22 Dexter W. Lehtinen
23 Village Attorney

24
25
26 FINAL VOTE AT ADOPTION:

27
28 Council Member Karyn Cunningham _____
29
30 Council Member David Singer _____
31
32 Council Member Larissa Siegel Lara _____
33
34 Vice-Mayor John DuBois _____
35
36 Mayor Eugene Flinn _____

7th Annual Palmetto Bay Holiday Boat Parade & Canned Food Drive

Brought to you by the Palmetto Bay Canal Association.



Saturday, Dec. 10, 2016 @ 5:30pm

Join your fellow Palmetto Bay Friends and Residents to help us ring in the holiday season. All canned foods gathered will support local families. This year's theme is COMMUNITY!! Join your fellow residents and businesses in supporting our neighbors. Canned food drop-off points can be found at:

*GC Miami Barbers (184th St.)
Palmetto Bay Village Hall*

Parade Participants will meet on their boats at Coral Reef Park at 5:30pm. The parade route will travel south on the canal through Palmetto Bay, passing Bill Sadowski Park and ending in southwest Palmetto Bay.

Canned food donations will be accepted at the pedestrian bridge at Coral Reef Park between 4:30 and 5:30pm and by the boats along the parade route.



Spectators can enjoy the parade from Coral Reef Park, Bill Sadowski Park, or anywhere along the canal parade route. Gather your family and friends in the beautiful Palmetto Bay outdoors while celebrating the spirit of the holidays.

If you wish to enter your boat into the parade, or for additional information, please email Rainer Schael at rainer@rs-env.com or call (305) 799-8533

RESOLUTION NO. _____

1
2
3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE
5 DECEMBER 18, 2016, TOYS 4 KIDS EVENT AT WEST PERRINE
6 PARK; PROVIDING FOR OFFICIAL SPONSORSHIP AND
7 PARTICIPATION AND TRANSMITTAL TO INTERESTED PARTIES;
8 AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor
9 Eugene Flinn)

10
11 WHEREAS, Palmetto Bay cares and has a history of supporting worthwhile causes that
12 benefit our community, both in and nearby/adjacent to our municipal boundaries; and
13

14 WHEREAS, Cartel Baggers is presenting a "Toys 4 Kids" event at West Perrine Park,
15 10301 SW 170th Terrace, Miami, FL, 33157, on December 18, 2016; this event currently co-
16 sponsored by Miami-Dade County Commissioner Dennis C. Moss, Miami-Dade County,
17 Peterson Harley Davidson and many others (see attached event promotional flyer "Exhibit A");
18 and
19

20 WHEREAS, Palmetto Bay typically participates in Holiday charitable events, specifically
21 including Toy Drives; and
22

23 WHEREAS, the Palmetto Bay Village Council approves the expenditure of up to
24 \$2,000.00 to assist in the costs of this event; and
25

26 WHEREAS, this event, as presented through Linda Peterson, of Peterson Harley
27 Davidson, is a meritorious event, deserving of participation of the residents of the Village of
28 Palmetto Bay.
29

30 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
31 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
32

33 **Section 1.** The Village of Palmetto Bay supports both the concept as well as the
34 participation in the Toys 4 Kids, scheduled for 1 PM on December 18, 2016, at West Perrine
35 Park.
36

37 **Section 2.** The Village authorizes the Village Manager to take all action required to
38 facilitate Palmetto Bay's sponsorship and participation in this event, including, but not necessarily
39 limited to the following action:
40

41 A. Disperse \$2,000.00 of Village funds for this event. This funding is to allow for
42 defraying costs associated with this event including but not limited to:
43

- 44 i. Logistics, including police service;
45
46 ii. Actual purchase of gifts or pay for costs of transporting, holding and/or
47 distributing gifts for the children;
48

- 1 Vice-Mayor John DuBois _____
- 2
- 3 Mayor Eugene Flinn _____

CARTEL BAGGERS PRESENTS MARY & "SUGAR"



Exhibit A



TOYS 4 KIDS

DEC.
18TH
2016

Dave Shep

1PM



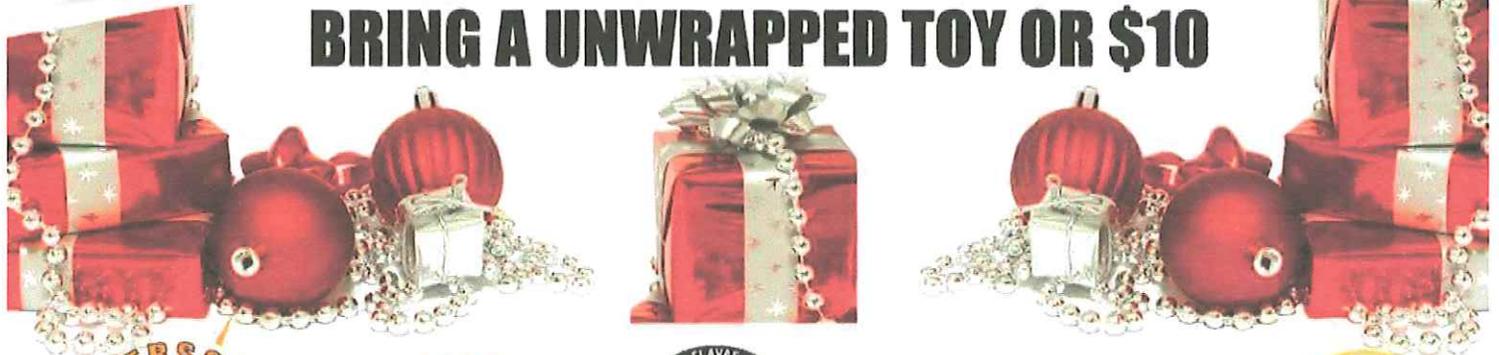
COMMISSIONER
DENNIS C. MOSS
DISTRICT 9



FOOD, FUN, DRINKS, FACE PAINTING
BOUNCE HOUSES, CAROUSEL & MORE...

MUSIC BY DJ LAZ

BRING A UNWRAPPED TOY OR \$10



MR. & MRS. TONY DELANCY

MR. & MRS. WILLIE G SMITH

MR. & MRS. "BUBBA" ARRON

GOD MOTHER "SASSY"

WEST PERRINE PARK

10301 SW 170TH TERRACE, MIAMI, FL 33157



RESOLUTION NO. _____

1
2
3 **A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF**
4 **THE VILLAGE OF PALMETTO BAY, FLORIDA, CREATING A**
5 **POLICY REGARDING SPECIAL EVENTS AND FARMER'S**
6 **MARKETS; CREATING A POLICY TO ALLOW DOGS AT SPECIAL**
7 **EVENTS AND FARMER'S MARKETS - SPECIFICALLY NOT**
8 **ALTERING EXISTING POLICY OF PETS/DOGS AT VILLAGE**
9 **PARKS NOT ASSOCIATED WITH SPECIAL EVENTS AND**
10 **FARMER'S MARKETS; AND PROVIDING FOR AN EFFECTIVE**
11 **DATE.** (Sponsored by Mayor Eugene Flinn)

12
13
14 **WHEREAS,** Palmetto Bay wants to foster successful events within our village parks; and

15
16 **WHEREAS,** the Village Council is desirous of creating a reasonable policy that allows
17 for dogs, under defined circumstances at the Farmer's Market, as is common in Farmer's Markets
18 in neighboring municipalities; and

19
20 **WHEREAS,** the municipal Code of Palmetto Bay, specifically Sec. 20-66. - Domestic
21 animals, provides that:

22
23 Sec. 20-66. - Domestic animals.

24
25 (a) No person shall be permitted to take any domestic animal into any park
26 unless the park specifically permits domestic animals. Canines (dogs) are
27 particularly excluded from all parks other than Perrine Wayside Park. The
28 provisions of Chapter 5 (sections 5-3 through 5-15) of the Code of Miami-Dade
29 County (Miami-Dade County Dog Control Ordinance No. 58-28) shall apply to
30 all park property not specifically designated for canine use. The provisions of this
31 rule shall not apply to the use of a special needs service animal. As special needs
32 service animal is defined as any dog guide or other animal individually trained to
33 work or perform tasks for an individual with a disability.

34
35 (b) Cattle, mules, swine, sheep, goats, fowl or horses shall be precluded from
36 entry into park property. All owners or attendants of such animals are charged
37 with the duty of preventing such occurrences. However, this prohibition does not
38 apply to animals and fowl kept by the parks department of under its direction.
39 Any person found violating this provision shall receive a \$200.00 civil citation.

40
41 (c) Animals may be allowed into the park for special events upon obtaining a
42 written permit from the department director.

43
44 (Ord. No. 07-16, § 1(Rule 16), 6-11-2007)

45
46 **WHEREAS,** the Village Council of the Village of Palmetto Bay has approved events to
47 be held at parks other than the Perrine Wayside Park (Village Dog Park) including the Dogs of
48 Summer event held in August, 2016 in cooperation with the Mayors of Cutler Bay, Palmetto Bay,

1 and Pinecrest, along with our District 8 County Commissioner, and now desires to set a standing
2 policy for the inclusion of dogs at the Farmer's Market recently created at Coral Reef Park; and
3

4 **WHEREAS**, the Village Council has the authority pursuant to municipal code to set a
5 policy allowing for dogs at Farmer's Market and/or as suitable in other special events held at
6 Palmetto Bay facilities, including the Village Municipal Center and Village Parks.
7

8 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
9 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

10
11 **Section 1.** The Village of Palmetto Bay hereby creates and adopts a policy to allow
12 dogs at the Farmer's Market, currently held at Coral Reef Park as of November, 2016, under
13 specified conditions.
14

15 **Section 2.** The Village Council authorizes the Village Manager to take all action
16 required to facilitate Palmetto Bay's policy to allow dogs at the Farmer's Market, currently held at
17 Coral Reef Park beginning as of November, 2016, in line with the following:
18

19 A. All dogs will have proof of vaccination and comply with all rules and regulations
20 for dog safety and conduct, as published/maintained regarding the Village Dog Park, with the
21 exception that, at no time, shall any dog be allowed to be off lead or on lead greater than 4 feet in
22 length.
23

24 B. Regardless of the published applicable rules, referenced above, that at all times, all
25 dog owners must have with them at all time, and use, when necessary, dog waste disposal bags.
26 Any bags, once used, shall not be disposed of in any manner that introduces dog refuse into the
27 common garbage of the Farmer's Market or the Park in general but must be carried out of the
28 area.
29

30 C. That dogs are permitted only in the hard lot of the Farmer's Market. Dogs are
31 not permitted entrance into any other areas of the parks.
32

33 D. That at all times dog owners are to be responsible for their dogs and all dogs are
34 subject to removal if determined to be aggressive or not sufficiently under control of the
35 owner/handler.
36

37 **Section 3.** The policy specifically excludes the sale of any dogs through public or
38 private sale at any of the village parks. This policy does allow pet rescue groups and/or Miami-
39 Dade County Animal Services onto Village Park property, for purpose of participating in an
40 official village event where the Village Council participates in any dog adoption/rescue events.
41

42 **Section 4.** This policy shall be enforced in the same manner as all village
43 resolutions/ordinances, operationally through the village manager and as delegated to applicable
44 village personal, including, but not limited to the Manager, Parks Director and Village Police
45 Commander.
46

RESOLUTION NO. _____

1
2
3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE
5 CONCEPT OF PERMITTING MICROGARDENINGS AND/OR
6 MICROFARMING WITHIN THE MUNICIPAL BOUNDARIES OF
7 PALMETTO BAY; DIRECTING THE MANAGER AND VILLAGE
8 ATTORNEY TO INVESTIGATE AND ADVISE THE VILLAGE
9 COUNCIL AS TO AVAILABILITY UNDER CURRENT CODE, CODE
10 MODIFICATIONS REQUIRED AND IMPACT UPON COMMUNITY
11 FOR REPORT AT FUTURE COUNCIL MEETINGS; DETERMINING
12 CREATION OF A COMMITTEE TO INVESTIGATE AS TO IMPACT
13 UPON COMMUNITY; AND PROVIDING FOR AN EFFECTIVE
14 DATE. (Sponsored by Mayor Eugene Flinn)
15

16 WHEREAS, residents have contacted Village Mayor requesting to form a group to
17 support urban agriculture in our community; and
18

19 WHEREAS, this is a movement, where communities have adapted current suburban
20 zoning codes to allow for micro gardening / micro farming – within guidelines. Many of the
21 animals potentially involved include pot belly pigs and goats, often used as pets within these same
22 residential areas; and
23

24 WHEREAS, sustainability of communities – microgardening / microfarming are revised
25 concepts being brought forward as part of sustainable community.
26

27 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
28 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
29

30 Section 1. The Village of Palmetto Bay will investigate current code and restrictions
31 or availability of the micro gardening / micro farming within Palmetto Bay.
32

33 Section 2. The Village authorizes the Village Manager and Village Attorney to
34 investigate and prepare a report at a future village council meeting on the status of micro
35 gardening / micro farming within the Village.
36

37 Section 3. The Village Council shall create a committee of residents to further
38 investigate – research and propose the scope and impact of micro gardening / micro farming –
39 such committee. Membership would include Sean Kramer, catalyst resident, as well as current
40 members of the Garden Club and Tree Board along with up to a total of 10 members.
41

42 Section 4. The Village Clerk is authorized on behalf of the Village to provide
43 executed copies of this Resolution as appropriate.
44

45 Section 3. This Resolution shall take effect immediately upon adoption.
46
47

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PASSED and ADOPTED this 5th day of December, 2016.

Attest: _____
Missy Arocha
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham _____
- Council Member David Singer _____
- Council Member Larissa Siegel Lara _____
- Vice-Mayor John DuBois _____
- Mayor Eugene Flinn _____

RESOLUTION NO. 2016-__

1
2
3 **A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE**
4 **VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE 22**
5 **ACRE PARCEL ZONED "I" ("INTERIM") ALONG OLD CUTLER**
6 **ROAD (NORTH OF 184TH STREET); PROVIDING FOR**
7 **REAFFIRMATION OF EFFORTS TO ACQUIRE SUCH LAND, IF THE**
8 **LAND IS NOT OTHERWISE PRESERVED THROUGH TRANSFER OF**
9 **OWNERSHIP TO THE VILLAGE OF PALMETTO BAY; AND**
10 **PROVIDING FOR AN EFFECTIVE DATE.** (Sponsored by Vice Mayor John
11 DuBois)
12

13 **WHEREAS**, on January 12, 2009 the Village Council adopted Resolution 09-11,
14 endorsing the concept of acquiring (and expressing the desire that such acquisition be
15 accomplished) the 22 acre of land zoned "I" ("Interim") on the east side of Old Cutler Road and
16 north of 184th Street, through the Environmentally Endangered Lands (EEL) program; and
17

18 **WHEREAS**, the 22 acre parcel will be preserved in its natural state, through Village
19 ownership (with approximately 1 acre for a fire station), if the litigation over Ordinance 2016-13,
20 Ordinance 2016-14, and Resolution 2016-28 (adopted by the Village Council in May 2016, which
21 will result in the transfer of ownership of the 22 acre parcel to the Village), if litigation over the
22 Village action is concluded successfully in favor of the Village; and
23

24 **WHEREAS**, if the litigation over the actions taken by the Village Council in May 2016 is
25 not resolved successfully in favor of the Village, the 22 acre parcel will remain in private
26 ownership with development rights preserved to the private landowner; and
27

28 **WHEREAS**, efforts to designate the 22 acre parcel as a "Natural Forest Community"
29 site under Miami-Dade County Code (which preserves a portion of, and permits development of
30 a portions of, any such designated property) cannot be accomplished without permission of the
31 landowner and without funds to compensate the private landowner for the loss of development
32 rights; and
33

34 **WHEREAS**, if ownership of the 22 acre parcel is not preserved through transfer of
35 ownership to the Village, the Council wishes to reaffirm its commitment to pursue acquisition
36 through the Environmentally Endangered Lands Program, under which the 22 acre parcel is
37 designated status "B" (providing EEL funding for 50% of the purchase price), if the 50% of the
38 cost not covered by the EEL Program can be found.
39

40 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
41 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
42

43 **Section 1.** The above whereas clauses are incorporated herein by reference.
44

45 **Section 2.** The Village Council reaffirms its commitment to pursue acquisition of the
46 22 acre parcel through the Environmentally Endangered Lands Program, under which the 22
47 acre parcel is designated status "B" (providing EEL funding for 50% of the purchase price), if
48 the 22 acre parcel is not preserved through transfer of ownership to the Village of Palmetto Bay.

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Section 3. This Resolution shall take effect immediately upon approval.

PASSED AND ADOPTED this 5th day of December, 2016.

Attest: _____
Missy Arocha
Village Clerk
Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:
Council Member Karyn Cunningham _____
Council Member David Singer _____
Council Member Larissa Siegel Lara _____
Vice-Mayor John DuBois _____
Mayor Eugene Flinn _____

RESOLUTION NO. 2016-____

1
2
3 **A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF**
4 **THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO**
5 **PUBLIC TRANSIT DAY; DECLARING DECEMBER 9, 2016 TO BE**
6 **“PUBLIC TRANSIT DAY” IN THE VILLAGE OF PALMETTO**
7 **BAY; AND PROVIDING FOR AN EFFECTIVE DATE.** (Sponsored
8 by Councilmember Karyn Cunningham and Co-Sponsored by Mayor Eugene
9 Flinn)

10
11 **WHEREAS,** there are few issues that matter more to the future of Miami than the
12 growth of its public transit system; and

13
14 **WHEREAS,** Miami-Dade Transit is the 15th largest transit system in the USA, and the
15 largest transit agency in the state of Florida; and

16
17 **WHEREAS,** Miami-Dade Transit records over 353,000 daily (weekday) boardings on
18 Metrobus, Metrorail, Metromover and STS combined; and

19
20 **WHEREAS,** the 2015 Urban Mobility Scorecard from the Texas A&M Transportation
21 Institute, the national authority on transportation issues, ranks the Miami-Dade/Broward/Palm
22 Beach region in 12th place of 15 urban areas with the worst traffic congestion in the nation; and

23
24 **WHEREAS,** every \$1.00 invested in public transit generates \$4.00 in local economic
25 activity; and

26
27 **WHEREAS,** in March 2016, the 100 Great Ideas produced a community engagement
28 campaign focused on the future of transit; and

29
30 **WHEREAS,** over 1,700 Miamians joined a social media brainstorming session and
31 generated more than 400 unique ideas to strengthen public transit; and

32
33 **WHEREAS,** the most popular idea from the campaign was to engage locals (especially
34 local leaders) in using public transit; and

35
36 **WHEREAS,** in response, elected leaders across Miami Dade have committed to riding
37 public transit during Miami's first Public Transit Day; and

38
39 **WHEREAS,** Public Transit Day is a community-wide day of action that will encourage
40 elected leaders, community leaders and engaged locals to use public transit to navigate the city
41 and to engage in social media to dialogue about the experience; and

42
43 **WHEREAS,** Public Transit Day is being produced by Radical Partners and Urban
44 Impact Lab and sponsored by The Miami Foundation, the Miami Center for Architecture &
45 Design, Lyft, Ride2MD, Whole Foods, Tri-Rail, and Health Foundation of South Florida; and

1 **WHEREAS**, Public Transit Day will teach thousands of locals how to use public transit
2 to get where they're going, get locals to experience and understand the wins and pains of our
3 transit system, and most importantly, will increase locals' commitment to this issue.

4
5 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
6 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

7
8 **Section 1.** The above recitals are true and correct and are incorporated herein by this
9 reference.

10
11 **Section 2.** December 9, 2016 is hereby declared to be "Public Transit Day" in the
12 Village of Palmetto Bay.

13
14 **Section 3.** This Resolution shall become effective immediately.

15
16 **PASSED AND ADOPTED** this 5th day of December, 2016.

17
18 Attest:

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20
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22
23 _____
24 Missy Arocha
25 Village Clerk

Eugene Flinn
Mayor

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27
28
29 **APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE**
30 **AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:**

31
32
33 _____
34 Dexter W. Lehtinen
35 Village Attorney

36
37
38 **FINAL VOTE AT ADOPTION:**

39
40 Council Member Karyn Cunningham _____

41
42 Council Member David Singer _____

43
44 Council Member Larissa Siegel Lara _____

45
46 Vice-Mayor John DuBois _____

47
48 Mayor Eugene Flinn _____

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; ALLOWING DOGS WITHIN THE PERIMETER OF THE FARMERS MARKET ON DATES AND TIMES WHEN THE FARMERS MARKET IS BEING CONDUCTED ON THE PREMISES OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Karyn Cunningham)

WHEREAS, dogs, with the exception of service dogs, are currently not permitted at any of the Village Parks other than the Wayside Dog Park; and

WHEREAS, the Village Council has agreed previously that a Farmers Market will be conducted on certain dates on the grounds of a Village Park; and

WHEREAS, the presence of dogs on leashes at a Farmers Market is consistent with the setting and atmosphere of a Farmers Market, notwithstanding other prohibitions of dogs within Village parks.

BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Notwithstanding any other prohibitions, dogs on leashes and otherwise under the control of a person responsible for the dog shall be allowed within the perimeter of the Farmers Market at such time as the Market is active and open to the public and during reasonable times necessary for the preparation for opening and cleanup following closing.

Section 3. Effective Date. This Resolution shall take effect immediately upon enactment.

PASSED and ENACTED this ____ day of December, 2016.

Attest: _____
Missy Arocha
Village Clerk

Eugene Flinn
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
2 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

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Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham _____
- Council Member David Singer _____
- Council Member Larissa Siegel Lara _____
- Vice-Mayor John DuBois _____
- Mayor Eugene Flinn _____

ORDINANCE NO: _____

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3 **AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE**
4 **VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO BIRD**
5 **SANCTUARIES; DESIGNATING ALL AREAS WITHIN THE LIMITS OF**
6 **THE VILLAGE OF PALMETTO BAY TO BE A BIRD SANCTUARY;**
7 **PROVIDING FOR RESTRICTIONS WITHIN THE BIRD SANCTUARY**
8 **AND PROVIDING FOR PENALTIES; PROVIDING FOR ORDINANCES**
9 **IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN**
10 **EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)**

11
12 **WHEREAS**, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter
13 166 of the Florida Statutes, the Village of Palmetto Bay is authorized to protect the public health,
14 safety, and welfare of its residents and has the power and authority to enact regulations for valid
15 governmental purposes that are not inconsistent with general or special law; and

16
17 **WHEREAS**, the protection of birds is in the interest of the environment of the Village and
18 its residents; and

19
20 **WHEREAS**, the Village of Palmetto Bay finds that this Ordinance is necessary for the
21 preservation of the public health, safety, and welfare of the Village's residents and animals.

22
23 **BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE**
24 **VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

25
26 **Section 1.** The foregoing "WHEREAS" clauses are ratified and confirmed as being true
27 and correct and are hereby made a part of this Ordinance.

28
29 **Section 2.** Chapter 32 of the Code of the Village of Palmetto Bay is hereby created as
30 follows:

31
32 **Chapter 32 – BIRD SANCTUARY**

33
34 **ARTICLE I. - IN GENERAL**

35
36 **Sec. 32-1. - Definitions.**

37
38 Bird sanctuary means a Village designated place of refuge or safety intended for birds.

39
40 **Sec. 32-2. – Village designated bird sanctuary.**

41
42 (a) The Village declares all territory within the municipal limits of the Village of Palmetto
43 Bay to be a bird sanctuary. Areas such as shorelines, special habitats such as located at the Palmetto
44 Bay Village Center, close to or affiliated with Biscayne National Park, and Deering Estate are
45 specially protected or as otherwise designated by Federal, State, Regional or county officials
46 authorized to make such designations.

1 (b) It shall be unlawful for any person within the Village of Palmetto Bay to hunt, wound,
2 injure, kill, take, capture, ensure, net, trap, or in any other manner molest any bird, bird nest, or bird
3 eggs. Birds and bird eggs may only be removed after prior authorization is granted pursuant to the
4 procedures of this Ordinance.
5

6 (c) Prior authorization shall be obtained from a Code Compliance Official or his/her
7 designee, to trap or remove birds, or bird eggs, after an animal control officer determines that said
8 birds, and/or their eggs, are a nuisance. Upon the determination of the animal control officer of the
9 existence of the nuisance, said birds and/or eggs, may be removed and disposed of in only a humane
10 manner.
11

12 (d) Any unauthorized acts or inhumane treatment of birds and/or their eggs that are found
13 to have occurred shall be subject to the penalties found herein.
14

15 (e) These applicable rules and regulations may be posted at sites upon signage approved by
16 the Village Manager or other designated Village official. Signage will be prepared and approved for
17 use within the Village of Palmetto Bay as a designated wildlife or bird sanctuary.
18

19 Sec. 32-3. – Penalty.
20

21 (a) Any person in violation of this Ordinance shall be subject to prosecution as determined
22 by the Village of Palmetto Bay, which may include a notice to appear, civil citation, or a notice of
23 violation that schedules their appearance before the Village Code Enforcement Special Magistrate or
24 a court of competent jurisdiction.
25

40 **Section 3.** This Ordinance expressly authorizes the Village of Palmetto Bay to bill itself
41 as a designated wildlife or bird sanctuary.
42

43 **Section 4. Conflicting Provisions.** The provisions of the Code of Ordinances of the
44 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
45 provisions of this ordinance are hereby repealed.
46

47 **Section 5. Severability.** The provisions of this Ordinance are declared to be severable,
48 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be
49 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,
50 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
51 intent that this Ordinance shall stand notwithstanding the invalidity of any part.
52

53 **Section 6. Codification.** It is the intention of the Village Council and it is hereby
54 ordained the provisions of this Ordinance shall become and be made part of the Code of
55 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
56 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
57 changed to "Section" or other appropriate word.
58

59 **Section 7. Effective Date.** This Ordinance shall take effect immediately upon
60 enactment.
61

1 **PASSED and ENACTED** this ____ day of December, 2016.

2
3 First Reading: _____

4
5 Second Reading: _____

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9 Attest: _____
10 Missy Arocha Eugene Flinn
11 Village Clerk Mayor

12
13
14
15 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE
16 OF THE VILLAGE OF PALMETTO BAY ONLY:

17
18
19 _____
20 Dexter W. Lehtinen
21 Village Attorney

22
23 FINAL VOTE AT ADOPTION:

24
25 Council Member Karyn Cunningham _____
26
27 Council Member David Singer _____
28
29 Council Member Larissa Siegel Lara _____
30
31 Vice-Mayor John DuBois _____
32
33 Mayor Eugene Flinn _____

34
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36

ORDINANCE NO. _____

1
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3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA; ESTABLISHING
5 THE DATE OF VILLAGE RUN-OFF ELECTIONS; ESTABLISHING
6 ANY NECESSARY RUNOFF ELECTION TO OCCUR THREE
7 WEEKS FOLLOWING THE GENERAL ELECTION, BUT IN NO
8 EVENT TO OCCUR ON THE TUESDAY IMMEDIATELY
9 PRECEDING THANKSGIVING DAY, IN WHICH CASE THE
10 RUNOFF SHALL BE HELD ON THE TUESDAY FOLLOWING
11 THANKSGIVING DAY; PROVIDING FOR ORDINANCES IN
12 CONFLICT, CODIFICATION, SEVERABILITY, AND AN
13 EFFECTIVE DATE. (Sponsored by Councilmember Larissa Siegel Lara)
14
15

16 WHEREAS, the Village Charter establishes the date of the general election as the first
17 Tuesday following the first Monday in November in even-numbered years; and
18

19 WHEREAS, the existing municipal Code of Palmetto Bay, Chapter 10, Sec. 10-3 –
20 Elections, specifically relating to general election dates and run-off election dates is obsolete,
21 incorrect, and unworkable, and therefore must be updated; and
22

23 WHEREAS, the best date for a run-off election is three weeks following the general
24 election but in no event on the Tuesday immediately preceding Thanksgiving Day.
25

26 BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE
27 VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
28

29 **Section 1.** The foregoing “WHEREAS” clauses are ratified and confirmed as being
30 true and correct and are hereby made a part of this Ordinance.
31

32 **Section 2.** Chapter 10, Section 10-3 – Elections is hereby created and amended as
33 follows:
34

35 (c) *Election dates.* ~~*type and strike the existing first sentence.*~~ A general
36 election shall be held in each even-numbered year, on the day of the first state primary
37 election, or if none is held in the year, on the first Tuesday following the second
38 Monday in November. A runoff election, if necessary, shall be held.....] Elections shall
39 be held in each even-numbered year on the first Tuesday following the first Monday in
40 November of that year, as provided in the Village Charter, Article V, section (C).
41 Pursuant to the Charter, the runoff date shall be set by ordinance. A runoff election, if
42 necessary, shall be held on the Tuesday three weeks following the general election,
43 except that if such Tuesday is the Tuesday immediately preceding Thanksgiving Day,
44 then the runoff shall be on the Tuesday immediately following Thanksgiving Day. The
45 village council shall hold no meetings between the general election and the swearing in
46 of those newly elected or re-elected council members, except in the case of an
47 emergency affecting life, health, property or the public peace, to adopt a budget, or

1 otherwise to comply with a requirement of state law which must be satisfied during that
2 period of time.

3
4 **Section 3. Conflicting Provisions.** The provisions of the Code of Ordinances of
5 the Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
6 provisions of this ordinance are hereby repealed.

7
8 **Section 4. Severability.** The provisions of this Ordinance are declared to be
9 severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be
10 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining
11 sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect it being
12 the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

13
14 **Section 5. Codification.** It is the intention of the Village Council and it is hereby
15 ordained the provisions of this Ordinance shall become and be made part of the Code of
16 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
17 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
18 changed to "Section" or other appropriate word.

19
20 **Section 6. Effective Date.** This Ordinance shall take effect immediately upon
21 enactment.

22
23
24
25 PASSED and ENACTED this ___ day of December, 2016.

26
27 First Reading: _____
28 Second Reading: _____
29

30
31 Attest: _____
32 Missy Arocha Eugene Flinn
33 Village Clerk Mayor
34

35 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
36 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:
37

38
39 _____
40 Dexter W. Lehtinen
41 Village Attorney
42

43
44 FINAL VOTE AT ADOPTION:

45
46 Council Member Karyn Cunningham _____

47
48 Council Member David Singer _____

- 1
- 2 Council Member Larissa Siegel Lara _____
- 3
- 4 Vice-Mayor John DuBois _____
- 5
- 6 Mayor Eugene Flinn _____