VILLAGE OF PALMETTO BAY

Mayor Shelley Stanczyk
Vice Mayor John DuBois
Council Member Patrick Fiore
Council Member Tim Schaffer
Council Member Joan Lindsay

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

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

VILLAGE COUNCIL MEETING AGENDA
Monday, March 4, 2013 - 7:00 p.m.
Village Hall Chambers
9705 E. Hibiscus Street
(305) 259-1234

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

2. DECORUM STATEMENT

3. PROCLAMATIONS, AWARDS, PRESENTATIONS

4. APPROVAL OF MINUTES

A. Minutes of the Regular Council Meeting of February 4, 2013

5. CONSENT AGENDA

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING HOUSE BILL 325 AND 327; RELATING TO CREATING THE SAFE SCHOOLS TRUST FUND UNDER SECTION 1010.88, FLORIDA STATUTES, WHICH FUNDS SHALL BE ALLOCATED TO THE VARIOUS SCHOOL DISTRICTS TO PROVIDE ADDITIONAL PROJECTS AND PROGRAM TO IMPROVE THE SAFETY OF STUDENTS WHILE THEY ARE WITHIN SCHOOL SAFETY ZONES; THE FUND WOULD EXPIRE JULY 1, 2017; AND PROVIDE THAT STATE SALES AND USE TAXES COLLECTED ON FIREARMS AND AMMUNITION BE ALLOCATED

TO THE FUND; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY PUBLIC SCHOOLS 2013 STATE LEGISLATIVE PROGRAM AND PRIORITY POSITIONS, INCLUDING BUT NOT LIMITED TO ACCOUNTABILITY OF CHARTER SCHOOLS; SUPPORTING CAPITAL FUNDING FOR CHARTER SCHOOLS THAT CREATES NEITHER A REDUCTION OF FUNDING TO TRADITIONAL PUBLIC SCHOOLS, EITHER IN OPERATING OR CAPITAL FUNDING, NOR A REQUIREMENT FOR ADDITIONAL TAXING MANDATE ON THE LOCAL SCHOOL DISTRICT; REQUIRING PUBLIC INPUT AND PROTECTS THE TAXPAYERS' INVESTMENT ENSURING THAT CAPITAL FUNDING BE SPENT ONLY ON ASSETS THAT CAN BE RETURNED TO THE PUBLIC SCHOOL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING SENATE BILLS 80 AND 82; AND COMPARABLE HOUSE BILLS 25 AND 449; RELATING TO EXPANDING EARLY VOTING LOCATIONS AND TIME PERIODS; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE REPEAL OF THE EARLY COST RECOVERY PROCESS CREATED FOR FLORIDA POWER AND LIGHT AS DELINEATED IN FLORIDA STATUTE 366.93; URGING THE FLORIDA LEGISLATURE TO REPEAL THE STATUTE RELATING TO ELECTRIC UTILITY CHARGES FOR SITING, DESIGN, LICENSING, AND CONSTRUCTION OF FUTURE PLANTS; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING SENATE BILL 498 AND HOUSE BILL 309 RELATING TO RENEWABLE

ENERGY PRODUCERS; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING SENATE BILL 96 AND HOUSE BILL 207 RELATING TO CITIZENS PROPERTY INSURANCE CORPORATION RATES; SUPPORTING KEEPING THE CAP OF A 10 PERCENT INCREASE UNIFORM ON ALL POLICIES; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE FLORIDA LEAGUE OF CITIES; AND OPPOSES THE LEGISLATION THAT RESTRICTS OR ELIMINATES MUNICIPAL REVENUES GENERATED UNDER THE COMMUNICATION SERVICES TAX AS PROPOSED UNDER HOUSE BILL 303; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE EFFORTS OF THE FLORIDA LEAGUE OF CITIES AND OPPOSING THE LEGISLATION THAT RESTRICTS OR ELIMINATES THE LOCAL BUSINESS TAX; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING SENATE BILL 294 AND HOUSE BILL 619 RELATING TO CONTROLLED SUBSTANCES; ADDING CERTAIN NEW DRUGS TO THE SCHEDULE I LIST FOR ENFORCEMENT; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

J. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO

ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF $18,440.88; PROVIDING AN EFFECTIVE DATE.

K. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PURCHASE OF VEHICLES; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER FOR THE PURCHASE OF TWO (2) 2013 FORD F-150'S FROM DUVAL FORD IN THE AMOUNT OF $28,894.00; AND PROVIDING FOR AN EFFECTIVE DATE.

6. REQUESTS, PETITIONS AND PUBLIC COMMENTS

7. VILLAGE MANAGER'S REPORT

A. Village Commander Report

8. VILLAGE ATTORNEY'S REPORT

A. March, 2013 Update

9. BOARD AND COMMITTEE REPORTS

10. RESOLUTIONS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE TREE ADVISORY BOARD, APPOINTING MEMBERS TO THE VILLAGE OF PALMETTO BAY TREE ADVISORY BOARD; AND, PROVIDING AN EFFECTIVE DATE.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE FILING OF A GRANT APPLICATION UNDER THE STATE'S 2013 RECREATIONAL TRAILS PROGRAM FOR IMPROVEMENTS TO THE CORAL REEF PARK TRAIL; INCLUDING SAID PROJECT IN ITS CAPITAL IMPROVEMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

11. RESOLUTIONS REQUIRING PUBLIC HEARING

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PARKS AND RECREATION PARKS MASTER PLAN; HOLDING A PUBLIC HEARING TO AUTHORIZE REVISIONS TO THE CORAL REEF PARK MASTER PLAN TO INCLUDE 1) TWO NEW BATTING CAGES TO

REPLACE EXISTING; 2) REPLACEMENT OF THE TENNIS CENTER SPORTS LIGHTING SYSTEM AND 3) BENCHED SITTING AREAS WITH SHADE CANOPIES WITHIN TENNIS CENTER; ADDITIONALLY, APPROVING THE APPLICATION OF THE VILLAGE OF PALMETTO BAY REQUESTING ZONING APPROVAL PURSUANT TO SECTION 30-50.21 TO ALLOW FOR PUBLIC FACILITY PUBLIC USE AT THE PROPERTY KNOWN AS CORAL REEF PARK, 7895 SW 152 STREET; AND PROVIDING AN EFFECTIVE DATE.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PARKS AND RECREATION PARKS MASTER PLAN; HOLDING A PUBLIC HEARING TO AUTHORIZE REVISIONS TO THE PALMETTO BAY PARK MASTER PLAN TO INCLUDE 1) TWO ADDITIONAL BATTING CAGES; 2) PAVILION WITHIN PLAYGROUND AREA AND 3) CONVERSION OF THE EXISTING SKATE PARK TO TWO MINI SOCCER FIELDS WITH ARTIFICIAL TURF; ADDITIONALLY, APPROVING THE APPLICATION OF THE VILLAGE OF PALMETTO BAY REQUESTING ZONING APPROVAL PURSUANT TO SECTION 30-50.21 TO ALLOW FOR PUBLIC FACILITY PUBLIC USE AT THE PROPERTY KNOWN AS PALMETTO BAY PARK, 17535 SW 95 AVENUE; AND PROVIDING AN EFFECTIVE DATE.

12. ORDINANCES FOR FIRST READING

A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BUILDING PERMIT FEES; ADOPTING THE 2013 PERMIT FEE SCHEDULE FOR THE BUILDING DEPARTMENT; REPEALING THE 2008-2009 PERMIT FEE SCHEDULES FOR BUILDING PERMITS; PROVIDING FOR ORDINANCES IN CONFLICT; CODIFICATION; SEVERABILITY; AND AN EFFECTIVE DATE.

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

14. OTHER BUSINESS

A. Revision to ordinance concerning residential driveways – Councilman Schaffer
B. Release of Attorney-Client Session transcripts for concluded cases – Councilman Fiore
C. Revision to Code of Ordinances Section 2-45(b) – Councilman Fiore

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.