



## VILLAGE OF PALMETTO BAY

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

Village Manager Edward Silva  
Village Attorney Dexter Lehtinen  
Village Clerk 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 7, 2016 - 7:00 pm Village Hall Chambers, 9705 E. Hibiscus Street (305) 259-1234

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
2. **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.
3. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
  - A. Palmetto Senior High Girls Soccer Championship recognition
  - B. Proclamation for Bike 305 Month
  - C. Recognition of Michael Kesti
4. **APPROVAL OF MINUTES**
  - A. Special Council Meeting of January 21, 2016
  - B. Local Planning Agency Meeting of February 1, 2016
  - C. Regular Council Meeting of February 1, 2016
5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**

**6. 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 \$15,505; AND PROVIDING FOR AN EFFECTIVE DATE.

**7. VILLAGE MANAGER'S REPORT**

- A. Village Police Commander Report
- B. Information on Coral Gables Ordinance
- C. Miami-Dade Fire Rescue Annual Report
- D. Calendar update (Village Clerk)

**8. VILLAGE ATTORNEY'S REPORT**

**9. BOARD AND COMMITTEE REPORTS** - Minutes provided for Council's information, in lieu of verbal reports:

- A. Community Outreach Advisory Board – January 6, 2016
- B. Education Advisory Committee – January 5, 2016
- C. Palmetto Bay Partnership Advisory Committee – January 6, 2016
- D. Village Services Advisory Committee – January 6, 2016
- E. Art in Public Places Advisory Board – October 29, 2015

**10. RESOLUTIONS**

- A. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; SUPPORTING THE CITY OF HOMESTEAD'S RESOLUTION NO. R2015-12-130, URGING MIAMI-DADE COUNTY TO MOVE FORWARD WITH THE RELOCATION OF THE DADE COUNTY YOUTH FAIR (THE "FAIR") TO SOUTH DADE AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilwoman Karyn Cunningham)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PUBLIC SERVICES FLEET OPERATIONAL EQUIPMENT; AUTHORIZING THE VILLAGE MANAGER TO PIGGYBACK ONTO THE CITY OF KISSIMMEE, FLORIDA BID NUMBER BA2016-006; AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER FOR THE PURCHASE OF A 2016 ALTEC LR-7 BUCKET TRUCK FROM ALTEC INDUSTRIES, INC. IN THE AMOUNT OF \$143,560; AND PROVIDING FOR AN EFFECTIVE DATE.

C. RESOLUTION CONCERNING SEAL/LOGO:

1. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE OF PALMETTO BAY SEAL AND LOGO; DESIGNATING THE VILLAGE MANAGER TO AS THE VILLAGE COUNCIL DESIGNEE FOR THE PURPOSE OF AUTHORIZING THE USE OF THE VILLAGE SEAL (OFTEN REFERRED TO AS “LOGO”) IN SIGNAGE AND/OR MARKETING MATERIALS TO PROMOTE VILLAGE-SPONSORED EVENTS; REQUIRING THE VILLAGE MANAGER TO PROVIDE AN UPDATED LIST OF VILLAGE-SPONSORED EVENTS TO THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

OR – ALTERNATIVELY,

2. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE OF PALMETTO BAY SEAL AND LOGO; AUTHORIZING THE VILLAGE MANAGER TO USE THE VILLAGE SEAL (OFTEN REFERRED TO AS “LOGO”) IN SIGNAGE AND/OR MARKETING MATERIALS FOR THE VILLAGE-SPONSORED EVENTS LISTED ON EXHIBIT A; AND PROVIDING FOR AN EFFECTIVE DATE.

**11. RESOLUTIONS REQUIRING PUBLIC HEARING**

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-30.15, ENTITLED TRANSFER OF DEVELOPMENT RIGHTS (TDR); TRANSFERRING 85 RESIDENTIAL UNITS FROM 17901 OLD CUTLER ROAD, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT A; TO 17777 OLD CUTLER ROAD, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT B; AND ACCEPTING BY THE VILLAGE, AS A CONDITION THEREOF, THE OWNERSHIP OF PARCELS OF APPROXIMATELY 40± ACRES, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT C, FOR PUBLIC FACILITIES, PARKS, AND CONSERVATION PURPOSES; AND PROVIDING FOR AN EFFECTIVE DATE. (Quasi-Judicial public hearing)

**12. ORDINANCES FOR FIRST READING**

A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, AMENDING POLICY 1.1.3 OF THE VILLAGE’S COMPREHENSIVE PLAN LAND USE CATEGORY, “VILLAGE MIXED-

USE”, TO INCLUDE ALL PERMITTED RESIDENTIAL USES TO BE CLASSIFIED AS MULTIPLE FAMILY, AND TO PROVIDE A NOTATION REGARDING TRANSFER OF DEVELOPMENT RIGHTS CONSISTENT WITH POLICY 1.1.14 OF THE COMPREHENSIVE PLAN; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Quasi-Judicial public hearing)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.19, “VILLAGE MIXED-USE DISTRICT”, TO INCLUDE ALL PERMITTED RESIDENTIAL USES TO BE CLASSIFIED AS MULTIPLE FAMILY; TO ADJUST MAXIMUM PERMITTED HEIGHT FOR ALL BUILDINGS TO BE 85 FEET; AND TO PROVIDE A NOTATION THAT THE VMU ZONING DISTRICT IS ELIGIBLE TO PARTICIPATE IN SECTION 30-30.15 TRANSFER OF DEVELOPMENT RIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Quasi-Judicial public hearing)
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING THE OFFICIAL ZONING MAP; CHANGING .98 ACRES (+/-), FROM E-1 ESTATE SINGLE FAMILY TO E-M ESTATE MODIFIED SINGLE FAMILY DISTRICT; FOR THE PROPERTY LOCATED AT 13650 SW 82<sup>ND</sup> COURT BEARING FOLIO 33-5022-000-0191, IN PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Public Hearing – Quasi-judicial hearing)
- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; CREATING SECTION 30-70 OF THE LAND DEVELOPMENT CODE RELATING TO REQUIRED PARKING EXEMPTIONS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- E. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE FISCAL YEAR 2015-2016 BUDGET; AMENDING ORDINANCE NUMBER 2015-10; AMENDING THE VILLAGE’S BUDGET FOR THE 2015-2016 FISCAL YEAR; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AMENDING CHAPTER 20, ARTICLE 1, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Sponsored by Councilwoman Karyn Cunningham)
  
- B. AN ORDINANCE OF THE VILLAGE OF PALMETTO BAY FLORIDA, MODIFYING CHAPTER 16 "ENVIRONMENT" BY CREATING ARTICLE V "EXPANDED POLYSTYRENE "STYROFOAM" FOOD SERVICE ARTICLES" AND PROVIDING FOR LEGISLATIVE INTENT, DEFINITIONS, PROHIBITIONS OF SALE OR USE BY VILLAGE CONTRACTORS, AND EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn and Councilwoman Karyn Cunningham)
  
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PERTAINING TO THE VILLAGE'S PARTICIPATION IN THE COMMUNITY RATING SYSTEM, "CRS"; ADDING REQUIRED ELEMENTS AND PROVIDING FOR OTHER ELEMENTS THAT MAY HAVE THE NET EFFECT OF LOWERING FLOOD INSURANCE PREMIUMS FOR THE RESIDENTS OF PALMETTO BAY; AMENDING, PURSUANT TO SECTION 30-30.7(b), SECTION 30-100.6, ENTITLED "FLOODPLAIN MANAGEMENT REGULATIONS" OF THE VILLAGE'S LAND DEVELOPMENT REGULATIONS; AND AMENDING, PURSUANT TO SECTION 553.73(5) OF THE FLORIDA BUILDING CODE, LOCAL ADMINISTRATIVE AND LOCAL TECHNICAL PROVISIONS OF THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**14. OTHER BUSINESS**

- A. Cutler Bay Zoning matter (Council had placed the matter on the Agenda at the February 1<sup>st</sup> Council meeting; however, this matter is moot, as the zoning application in Cutler Bay has been withdrawn.)
- B. Update concerning Miami-Dade County Days by all participating members of Council
- C. Update concerning Cerebral Palsy 5K event
- D. Update concerning negotiations on Palmetto Bay Park appropriations

- E. Strategic Plan Meetings – attendance by Council (Councilwoman Siegel Lara)
- F. Discussion concerning signage along canal banks

**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.