

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, FEBRUARY 4, 2008
MEETING OF THE VILLAGE COUNCIL**

DEERING ESTATE VISITOR CENTER
16701 SOUTHWEST 72 AVENUE
PALMETTO BAY, FLORIDA

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

Mayor Flinn called the meeting to order at 7:00 p.m. The following members of the Village Council were present:

Mayor Eugene P. Flinn, Jr.
Vice Mayor Linda Robinson
Councilman Ed Feller, MD
Councilman Paul Neidhart
Councilwoman Shelley Stanczyk

The following staff members were present:

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

Mayor Flinn led the audience in the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

A. Unveiling of commemorative art work – Hibiscus Dance

Director Arleen Weintraub, Planning, Zoning & Building, who oversees the Art in Public Places program announced that the Village had prepared a solicitation and call for artists and had selected Maida Yap Jimenez' piece for a five-year anniversary art piece.

Mayor Flinn thanked staff for their service and the artist for her vision.

Maida Yap Jimenez provided an explanation of the art work and how the development of the village was the inspiration for the progression of the hibiscus depicted.

Zoning Administrator Efren Nunez introduced the members of the Art in Public Places Board that were present.

Mayor Flinn thanked the Board for their service. The Council, staff, board members and artist unveiled the work.

The artist discussed the phases of the piece and how the Hibiscus flower in the first panel represents the beginning stages of Palmetto Bay to the beauty it has become which is depicted by the opened flower in the last panel.

- B. Presentation by representatives of Autism Speaks: Mayor Flinn asked Council to defer this presentation until representatives arrive.

III. APPROVAL OF MINUTES

- A. Minutes of the January 7, 2008 Regular Council Meeting

Vice Mayor Robinson moved to approve the Minutes. Seconded by Councilman Feller. All voted in favor. The motion passed.

IV. VILLAGE MANAGER'S REPORT

- A. Manager Williams congratulated Greg Truitt as the permanent Commander.

- B. First Quarter – Budget to Actuals

Director Chin provided the report to Council. He noted that all departments are tracking well. He stated that as the State has reduced revenue sharing and the state sales tax is lower, the Village anticipates a shortfall; however, contingencies will manage.

Manager Williams noted that the impact of loss revenue based upon the passage of amendment 1 is estimated to be a \$400,000 reduction. He stated that he will continue to keep Council abreast and staff will actively be seeking revenue enhancement.

Manager Williams stated that staff has the landscaping plans for Palmetto Bay Park; however, the plan will be refined and come to council with a recommendation to proceed. He asked the Council to provide dates wherein they can be available for the Alexander Jordan Memorial Tree dedication. He reported that the Deering Estate Seafood Festival is scheduled for March 30th and the Village has received a request to provide in-kind services, as had been done in year's past. He advised that he will return with a firm request at the March meeting.

Manager Williams also noted that staff has met with representatives of the Falls and will discuss the matter further at a Committee of the Whole meeting. He stated that staff will continue to be in touch with Mr. Eric Tullberg regarding his proposal for a bike tour throughout the four cities. He concluded his report by noting that staff has been speaking with Congressman Lincoln Diaz Balart regarding a fire station at the USDA property and he expects to have an update in April.

V. VILLAGE ATTORNEY'S REPORT

- A. Palmetto Bay Village Center Zoning District: Attorney Boutsis noted that staff continues the process to draft the district and it currently editing for consistency and preparing the map. Mayor Flinn suggested a public workshop. Attorney Boutsis advised that staff intends to bring the matter to the Council in May, have it final in June and a workshop could be scheduled prior to that date.

VI. BOARD AND COMMITTEE REPORTS

- A. Vice Mayor Robinson stated that the picnic is progressing well and that the Committee is still seeking donations, sponsors and volunteers.

VII. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS; SPONSORING THE JUVENILE DIABETES RESEARCH FOUNDATION; AUTHORIZING THE VILLAGE MANAGER TO DISBURSE AN AMOUNT NOT TO EXCEED \$1,000.00; PROVIDING AN EFFECTIVE DATE. (Sponsored by Council Member Shelley Stanczyk)

Mayor Flinn noted that he wished to co-sponsor this item.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$33,452.41; PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO FRIENDS FOREVER RESCUE; PROVIDING FOR CONTRIBUTION TO DOG WALK TO PROVIDE SERVICES TO THE VILLAGE'S PERRINE WAYSIDE PARK SCHEDULED FOR MARCH 8, 2008; PROVIDING AN EFFECTIVE DATE. [Sponsored in part by Mayor Eugene Flinn; and in part by Council Person Paul Neidhart].
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; OFFICIALLY ADOPTING THE PARKS MASTER PLAN DESIGN PREPARED BY BERMELLO AJAMIL AND PARTNERS, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO CONTRACTS; APPROVING THE SECOND ADDENDUM TO THE EXISTING CONTRACT WITH WOLFBERG ALVAREZ AND PARTNERS TO PROVIDE ARCHITECTURAL AND CIVIL ENGINEERING SERVICES FOR THE PALMETTO BAY BRANCH LIBRARY AND COMMUNITY ROOM PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ADDENDUM FOR AN AMOUNT NOT TO EXCEED \$16,500 FOR SITE RE-DESIGN AND MODIFICATION SERVICES; AND PROVIDING AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATED TO INSURANCE; APPROVING THE REQUIRED INSURANCE POLICIES FOR THE LIBRARY PROJECT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE REQUIRED DOCUMENTS ON BEHALF OF THE VILLAGE AND DISBURSE FUNDING TO THE APPLICATION INSURANCE AGENCIES; AND PROVIDING AN EFFECTIVE DATE.

Councilman Feller moved to approve. Seconded by Councilman Neidhart. All voted in favor. The consent items passed unanimously (5-0).

VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PROVIDING FOR THE APPROVAL OF AN AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN MIAMI-DADE COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Robinson moved the item forward. Seconded by Councilman Neidhart.

Attorney Boutsis provided staff report.

Director Weintraub reported that a public facility comprehensive plan amendment is being performed. She introduced Alex David, Planning Consultant Joe Corradino and Ivan Rodriguez, Director of Planning Facilities-Miami-Dade County School Board.

Mayor Flinn asked if staff had input into the Agreement.

Director Weintraub stated that staff did not have input into the progress; however, a group from Miami-Dade County and representatives of the municipalities have been conducting planning meetings.

Mayor Flinn asked if the Village has the ability to modify the agreement.

Director Weintraub stated that the Village does not and is obligated to pass same through State mandate.

Manager Williams advised that Council's feelings would be transmitted.

Mayor Flinn expressed his displeasure with the lack of input solicited and the lack of participation from the Miami-Dade County School Board concerning the Village's efforts to alleviate traffic in the neighborhood schools. He noted that the school has not offered to reimburse or assist the Village with providing officers each morning to assist with traffic congestion.

Councilman Feller asked the ramifications should the Village fail to pass the agreement.

Attorney Boutsis stated that administrative sanctions could be placed upon the Village, which may include the State blocking comprehensive plan amendments.

Mr. Rodriguez noted that Miami-Dade County schools has a five-year plan to bring each school to 100% or less in capacity.

Councilwoman Stanczyk expressed her displeasure with the School Board's management of the current schools, as some are being closed while other schools are over-crowded.

Mayor Flinn noted that the Village has a local high school baseball team playing in our parks because there is no space due to the construction at the existing schools. He reiterated his disapproval with the lack of reciprocal service from the schools.

Brief discussion ensued. Councilwoman Stanczyk asked Mr. Corradino to advise as to what is the most serious impact on the village with approval of this document.

Mr. Corradino opined that it is a positive agreement, as it includes school concurrency and the agreement impacts growing areas outside the Village.

Manager Williams stated that staff recommends approval, as 16 cities of the 28 cities have passed it. He asserted that the Village could consequently be restricted when it intends to amend the comprehensive plan if the agreement were not adopted.

Mayor Flinn moved to amend to include language to read that the Village is required to pass the agreement by State Law without having been able to offer

any input to the content of the underlying agreement. He also amended Section 2 to include "as required by law".

A roll call vote was taken, as follows: Mayor Flinn: no; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Resolution passed (4-1).

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PERMANENT TRAFFIC CALMING DEVICES IN THE AREA OF SW 174TH STREET FROM US-1 TO SW 90TH AVENUE, SW 92ND AVENUE FROM SW 174TH STREET TO SW 184TH STREET AND SW 141ST STREET FROM SW 77TH AVENUE TO SW 74TH COURT IN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH THE CORRADINO GROUP, INC. TO PROVIDE DESIGN AND CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR THESE VARIOUS AREAS AND TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$56,485.00; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Feller moved this item forward. Seconded by Councilwoman Stanczyk.

Manager Williams provided staff report, noting the amount is budgeted and consistent with the policy.

Mayor Flinn asked if the Corradino Group performed the last project.

Manager Williams noted that the Corradino Group prepared the planning documents and approval would allow a single line of communication to take the project to fruition.

All voted in favor of the Resolution. The Resolution passed unanimously (5-0).

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH H & J ASPHALT, INC. FOR RESURFACING AND STRIPING OF PUBLIC ROADWAYS WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$350,000.00; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Neidhart moved this item forward. Seconded by Councilman Feller.

Manager Williams provided staff report.

Councilwoman Stanczyk called the question. All voted in favor of the Resolution. The Resolution passed unanimously (5-0).

IX. RESOLUTIONS REQUIRING PUBLIC HEARING: None at this time.

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING ORDINANCE NUMBER 07-30; AMENDING THE VILLAGE'S BUDGET FOR THE 2007-2008 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.

Councilman Neidhart moved this item forward. Seconded by Councilwoman Stanczyk.

Manager Williams provided staff report, noting that staff is seeking to utilize unallocated dollars to proceed with the important project of improvements to Thalatta.

Councilwoman Stanczyk asked if staff had concluded an Interlocal agreement for parking.

Manager Williams stated that improvements are needed to the County lot and staff is continuing discussions.

Mayor Flinn stated that the Village continues to work with the county for their events, such as donating the Ibus and other items. He suggested assigning a deadline.

Manager Williams stated that placing a deadline would be appropriate once the Village has decided to begin the project.

Councilman Feller stated that he visited the county lot and noted that the parking lot is in bad shape.

Councilwoman Stanczyk called the question.

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance passed on first reading unanimously (5-0).

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO NOISE; AMENDING CHAPTER ____ OF THE CODE OF ORDINANCES

ENTITLED "NOISES", AMENDING THE ACCEPTABLE AMBIENT NOISE LEVEL CUT-OFF TIME FOR CELEBRATIONS ON NEW YEARS EVE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Vice Mayor Robinson moved this item forward. Councilman Feller seconded.

Attorney Boutsis noted that she was directed to exempt holiday parties for New Year's Eve.

Mayor Flinn stated that as New Year's Eve occurs at midnight, he felt it would be appropriate to allow for an extension of the 11 pm cut-off for this one holiday.

Following discussion, a roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance passed on first reading unanimously (5-0).

- C. AN EMERGENCY ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO MODIFYING CHAPTER 15 ENTITLED WATER CONSERVATION AND EMERGENCY WATER RESTRICTION ENFORCEMENT; FINDING AN EMERGENCY SITUATION FOR THE LIFE, HEALTH, PROPERTY OR PUBLIC PEACE AS REQUIRED BY ARTICLE 4.4 OF THE VILLAGE CHARTER; THUS AMENDING CHAPTER 15 TO PROVIDE A 30 DAY – ONE TIME COURTESY WARNING WINDOW TO RESIDENTS, RATHER THAN IMMEDIATE NOTICE OF CIVIL CITATION TO PROPERTY OWNERS FOR THE PERIOD JANUARY 15TH, 2008 THROUGH FEBRUARY 14, 2008, DUE TO THE CHANGE IN WATERING RESTRICTIONS FROM TWICE A WEEK TO ONCE A WEEK, WHICH WATERING RESTRICTION REQUIREMENTS HAVE BEEN CHANGED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT DUE TO MODIFIED PHASE 3 WATER RESTRICTIONS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Council Person Dr. Ed Feller.)

Vice Mayor Robinson moved this matter forward. Seconded by Councilman Feller.

Attorney Boutsis noted that as Phase III water restrictions went into effect, many residents claimed not to know or had water timer difficulties. She noted that Councilman Feller's direction was to draft language to allow for a courtesy warning with a retroactive grace period to continue to February 14th – one month since the Phase III restrictions went into effect.

Manager Williams opined that staff recommends keeping the process as is since there has been a great deal of information made available to the public and the Village also has a process in place to question the validity through Special Master.

Councilman Feller asserted that he is in favor of water conservation and supports all actions to enforce it; however, his intention is solely to be fair to those who may have made "honest mistakes". He disclosed that he was out of town and was fined for programming his sprinkler timer for the wrong day. He stated that he has paid the fine and does not want reimbursement; rather the issue of fairness arose prior to his receiving a citation. He opined that the Village should give citizens an opportunity to correct mistakes.

Mayor Flinn opened the public hearing.

The following individuals spoke in favor of the emergency ordinance: Mr. Peter Salas, 8541 SW 144 Street; Deborah Escalante, 8550 SW 162 Street; Paul Bell, 8330 SW 148 Drive; Teresa Leyva, 16800 SW 79 Court; and, Dan McLaughlin, 16720 SW 82 Court.

The following individuals spoke in opposition: Eric Tullberg, 7884 SW 179 Terrace; and, Paula Palm, 8895 SW 152 Street.

Public hearing closed.

Vice Mayor Robinson stated that she would be in favor of a 15 day warning window, not 30 days.

Mayor Flinn expressed his opposition to the emergency ordinance. He provided information with regard to the serious nature of the water restrictions throughout Florida. He stated that there is a special master process, and the special master will consider each case that is appealed. He explained that the Village carefully created this ordinance in April and then passed in June. Mayor Flinn noted that the South Florida Water Management District has had to mandate stricter restrictions due to the serious need to conserve. He opined that information has been provided to the public in the Miami Herald regularly, on television, on the internet and through his newsletter. He thanked the individuals who participated this evening; however, he encouraged all to go to special master for due process. Mayor Flinn reiterated that he feels strongly in favor of the restrictions.

Councilman Neidhart concurred, adding that the matter has been highly publicized.

Councilwoman Stanczyk noted that for the most part, most of the village has been in compliance and there have been numerous articles in the community news and the herald. She concurred with Mayor Flinn.

Councilman Feller asked how many of the 286 violation notices went to Special Master and what was the total result from the special master.

Attorney Boutsis noted that the next hearing is next week and many of the cases would be heard then. She noted that some of the arguments have been heard and due to the severity of water restrictions, the special master is being strict.

Vice Mayor Robinson moved to amend to be a 15-day warning period, ending February 4th. Councilman Feller seconded. The Motion failed 3 to 2 (Vice Mayor Robinson and Councilman Feller being in favor).

A roll call vote on the Ordinance without amendment was taken, as follows: Mayor Flinn: no; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: no; and, Councilwoman Stanczyk: no. The Ordinance failed (3-2).

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ELECTIONS; AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES ESTABLISHING ELECTION PROCEDURES; PROVIDING FOR MODIFICATION OF THE QUALIFYING PERIOD; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilwoman Stanczyk moved this item forward. Seconded by Vice Mayor Robinson.

Clerk Rader provided staff report.

Mayor Flinn noted that the matter was administrative and mirrors the vote recently passed by the County.

Mayor Flinn opened the public hearing. No one wished to be hearing. The public hearing was closed.

A roll call vote on the Ordinance was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance was adopted (5-0).

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING ORDINANCE NO. 06-06 ADOPTED MAY 1, 2006, AS AMENDED BY ORDINANCE NO 07-33, ADOPTED OCTOBER 1, 2007, ENTITLED "FRANJO TRIANGLE & U.S. 1 ISLAND ZONING DISTRICT" (FT&I); PROVIDING FOR USE VARIANCES FROM THE

PERMITTED USE SCHEDULE FOR THE ZONING DISTRICT, AFTER PUBLIC HEARING; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Council Person Paul Neidhart.)

Councilman Neidhart moved this item forward. Seconded by Councilman Feller.

Attorney Boutsis reported the modifications from first reading.

Mayor Flinn noted that he would be in favor of this ordinance being part of the overall variance procedure, rather than being included for only one area.

Councilman Neidhart stated that this procedure is for existing and for new construction.

Mayor Flinn opened the public hearing.

Ralph Thiel, 17300 SW 90 Avenue, owns a parcel at 170 Street & US-1. He began to discuss his property. Attorney Boutsis noted that Mr. Thiel was discussing a matter that could be presented to the zoning board and asked that he cease discussion. Mr. Thiel did so, adding that he was in favor of the ordinance.

A roll call vote on the Ordinance was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance was adopted (5-0).

XII. REQUESTS, PETITIONS AND PUBLIC COMMENTS

The following individuals addressed the council: Eric Tullberg, remarking that the sidewalks constructed with the SinFin homes do not encourage a walkable community as they need to be straight through to the street; Arlene Feller, 7960 SW 144 Street, would like to see Thalatta Park opened to the public for small groups; and Steve Kreisler, 18201 SW 98 Avenue, asking that the pending sewer construction for this summer be monitored in accordance with the noise ordinance. He also asked staff to ask the County to remove the sign that blocks traffic view at the dump on 184 Street.

XIII. MAYOR AND COUNCIL COMMENTS

Mayor Flinn remarked that the pending County sewer project that Mr. Kreisler mentioned should be done during the times when people are at work, not in the evenings. Councilman Neidhart report that the project would be performed at night from the Total Bank area north to Dixie Highway and it would not be advantageous to not tie up Dixie highway during the day.

Councilman Feller concurred that Thalatta Park should be opened on weekends and/or holidays.

Councilwoman Stanczyk concurred. She stated that she would like to work on organizing a farmer's market in the Village.

Vice Mayor Robinson concurred to open Thalatta Park. She noted that the picnic is March 1st. She expressed her pleasure that construction on meditation garden will be starting soon – grand opening later in the spring.

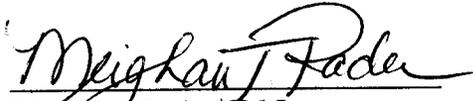
Mayor Flinn announced that he will be sitting in a dunk tank at the picnic and will give all proceeds to Autism Speaks.

XIV. OTHER BUSINESS: None at this time.

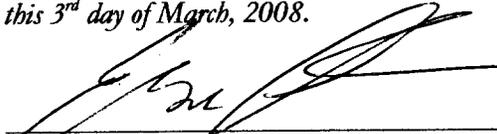
XV. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 9:30 pm.

Prepared and submitted by:


Meighan J. Rader, CMC
Village Clerk

*Adopted by the Village Council on
this 3rd day of March, 2008.*


Eugene P. Flinn, Jr., Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, 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. WHILE THE FLORIDA STATUTES DO NOT REQUIRE TAPE RECORDINGS, TO THE EXTENT THAT TAPE RECORDINGS ARE MADE, THE TAPES MAY BE REQUESTED FROM THE VILLAGE CLERK FOR REVIEW AND/OR COPYING. THE VILLAGE OF PALMETTO BAY CAN NOT GUARANTEE QUALITY OF ANY RECORDING.