

VILLAGE OF PALMETTO BAY
Minutes of the Meeting of Monday, April 7, 2008
Deering Estate Visitor's Center
16701 SW 72 Avenue

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

Mayor Eugene P. Flinn, Jr.
Vice Mayor Linda Robinson
Council Member Ed Feller
Council Member Paul Neidhart
Council Member Shelley Stanczyk

Staff present:
Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Rader

Mayor Flinn called the meeting to order at 7:00 p.m. Mayor Flinn led the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

Mark Schusterman, Athletic Director for Gulliver Schools, expressed his gratitude to the Mayor and each member of the Village Council, Manager Williams, and Director of Parks and Recreation Ana Garcia for the success of the girls' softball tournament, Slam Fest. He presented each individual with a plaque. Mayor Flinn noted that he had attended the tournament and all who attended seemed well-pleased. Councilwoman Stanczyk stated that she, too, had attended and had a wonderful time.

III. APPROVAL OF MINUTES

A. Minutes of the March 3, 2008 Regular Council Meeting: Vice Mayor Robinson noted a scrivener's error on Page 5 – the dollar amount should be \$3,500. She moved to approve with revisions noted. Seconded by Councilman Feller. All voted in favor.

IV. VILLAGE MANAGER'S REPORT

Manager Williams reported that the opening of Thalatta Park on the weekend is continuing to result in interest and attendance with over 200 people visiting the Park in March. He advised that water restrictions remain in effect and compliance appears to be occurring. Manager Williams announced that the GovQA program, which is the Village's on-line interactive program that Councilwoman Stanczyk had urged, is currently on the Village's website to facilitate responses to issues relating to Village business.

Councilwoman Stanczyk thanked Manager Williams for providing this service.

Manager Williams advised that the audit of the Jane Forman Tennis Academy had been completed and he will be providing it to Council. He introduced Finance Director Desmond Chin and Mr. Jerry Chiocca for the Audit Report

Mr. Chiocca reported that the Village is in excellent financial condition. He reviewed the Auditor's opinion letter, noting that the opinion is clear and that the Village is operating under acceptable standards. He reviewed the report provided to Council, concluding with the Management Letter

Mayor Flinn asked the Clerk to post the report on the Village's website.

Manager Williams thanked the Auditors and Director Chin for their diligence and professionalism.

Mayor Flinn thanked Director Chin and Manager Williams.

Councilwoman Stanczyk moved to accept the Report. Seconded by Vice Mayor Robinson. All voted in favor. The motion carried (5-0.)

Clerk Rader advised that the upcoming meetings are as follows: April 14th, Zoning; April 23rd, Committee of the Whole; and, May 5th, Council.

V. VILLAGE ATTORNEY'S REPORT

Attorney Boutsis advised that her office had an Add-On item concerning an appellate rules resolution that she had previously advised the Council of via email. She reported that she had spoken to Scott Silver regarding clarification of the definition of adult facility under the Palmetto Bay Village Center matter.

VI. BOARD AND COMMITTEE REPORTS: None at this time.

VII. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; APPROVING THE 2004 SAFE NEIGHBORHOOD PARKS BOUNDLESS AGREEMENT WITH MIAMI-DADE COUNTY; AUTHORIZING THE MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; ACCEPTING THE GRANT AWARD IN THE AMOUNT OF \$180,000; PROVIDING FOR A MATCH IN THE AMOUNT OF \$180,000 EQUAL TO THE AMOUNT AWARDED FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.
- 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 LOTT & LEVINE IN THE AMOUNT OF \$1,706.25; PROVIDING AN EFFECTIVE DATE.

- C. 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 \$26,095.20; PROVIDING AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT ACCEPTING A GRANT IN THE AMOUNT OF \$10,000 FOR THE PURPOSES OF SUPPORTING AN OFFICER FRIENDLY PROGRAM OF THE VILLAGE OF PALMETTO BAY'S POLICING UNIT; AND PROVIDING AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS; SPONSORING THE FIRST ANNUAL INSPIRANDO NUESTRA JUVENTUD (Inspiring Our Youth) GALA; AUTHORIZING THE VILLAGE MANAGER TO DISBURSE AN AMOUNT NOT TO EXCEED \$500.00 TO THE MEXICAN AMERICAN COUNCIL, INC., FOR THE GALA; PROVIDING AN EFFECTIVE DATE. (Sponsored by the Mayor and all members of the Village Council)

Councilman Feller moved to approve the Consent Agenda, as modified. Seconded by Councilman Neidhart. All voted in favor.

VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING RESOLUTION 03-86; RELATING TO ATHLETIC FIELD LIGHTS AT CORAL REEF PARK, MODIFYING THE ADOPTED POLICY OF THE VILLAGE COUNCIL TO ALLOW PERMANENT OR TEMPORARY LIGHTING OF SOLELY THE SOUTHERN-MOST ATHLETIC FIELD AT CORAL REEF PARK; PROVIDING AN EFFECTIVE DATE. [Sponsored by Council Person Neidhart].

Councilman Neidhart moved this item forward. The matter failed for lack of second.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; ENTERING INTO A FIVE-YEAR AGREEMENT WITH THE COCA-COLA BOTTLING COMPANY AND GRANTING THE BOTTLER THE EXCLUSIVE RIGHT TO SELL OR DISTRIBUTE

BEVERAGES AT PALMETTO BAY PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams reported that through a collaborative effort with his office, Attorney Boutsis and the Parks and Recreation Department, he believes that staff has been able to provide a beneficial contract with Coca-Cola Bottling Company.

Attorney Boutsis reviewed several terms of the contract, noting that the Village would be responsible for installation and maintenance of the scoreboards. She also explained that while the contract had contained a non-compete clause, she successfully included language that would allow for other vendors to distribute at the park in the event of an emergency distribution. She advised that she also had the jurisdictional venue changed from Georgia (Coca-Cola headquarters) to Florida should there be any legal dispute in the future.

Mayor Flinn thanked Director Garcia for her initiative, as, initially, the cost of the scoreboards had to be removed from the park plans due to the expense. He thanked staff for their hard work.

Director Garcia thanked Attorney Boutsis, Manager Williams, Park Manager Rehban, and Parks and Recreation Manager Carmona for their assistance.

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

Manager Williams remarked that Attorney Boutsis did an excellent job with negotiations, particularly moving venue to Florida. The Council concurred.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, IN SUPPORT OF EARTH WEEK ACTIVITIES; AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE A TOTAL NOT TO EXCEED \$3,500.00 FOR THE EVENTS COMMENCING APRIL 21 AND CONCLUDING ON MAY 2, 2008; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Clerk Rader asked the Public Information Officer Bill Kress to provide a report on the events that were developed through Mayor Flinn's suggestions and urging.

Mr. Kress provided a report concerning the celebration activities, including a commuter challenge, two lady bug releases, environmental presentations at the

Committee of the Whole meeting, a neighborhood clean-up, a community bike ride, and ending with the showing of the movie "Hoot" on May 2nd.

Mayor Flinn thanked Howard Tendrich, Eric Tullberg and the Economic Development Council for their assistance.

Councilman Feller asked for clarification regarding the funding of the events.

Mayor Flinn noted that \$1,250 would come from his discretionary account and \$500 from Vice Mayor Robinson's. Manager Williams advised that the remaining amount would be taken from the Parks' Department contingency account.

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

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC CALMING IN THE AREA OF SW 77TH COURT AND 79TH AVENUE BETWEEN SW 152ND STREET AND SW 155TH STREET AND SW 79TH AVENUE BETWEEN SW 156TH STREET AND SW 160TH STREET; APPROVING THE SELECTION OF MIGUEL LOPEZ, JR., INC., TO PROVIDE ADDITIONAL CONSTRUCTION SERVICES FOR MULTIPLE PERMANENT ASPHALTIC TRAFFIC TABLES; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT UP TO \$34,580; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams provided staff report. He noted that this project would continue the Village's traffic calming program and includes construction of traffic tables.

Following brief discussion, Councilman Neidhart called the question. All voted in favor. The Resolution passed unanimously (5-0.)

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CORAL REEF PARK ENHANCEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH H & J ASPHALT, INC. TO PROVIDE CONSTRUCTION SERVICES FOR REPAVING THE WALKING PATH AND THE EAST PARKING LOT DRIVEWAY ENTRANCE AT CORAL REEF PARK; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$72,616; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams provided staff report, noting that this project will provide a safer path for park users by through re-routing and paving unsightly areas along the path.

Mayor Flinn – matching dollars and FRDAP grants for these projects. Walking area is important, much needed upgrades.

Following brief discussion, Councilwoman Stanczyk called the question. All voted in favor. The Resolution was approved unanimously (5-0.)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; APPROVING A CONTRACT WITH M.C. HARRY ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL SERVICES FOR THE CORAL REEF PARK RESTROOM AND CONCESSION BUILDING; AND DISBURSE AN AMOUNT NOT TO EXCEED \$58,642; AND PROVIDING AN EFFECTIVE DATE.

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

Manager Williams provided staff report.

Following brief discussion, Vice Mayor Robinson called the question.

Councilman Feller remarked that the Village may wish to consider using the slab of the other concession area in order to save funds.

Manager Williams replied that staff is viewing the project holistically, fully aware of the need for storage and restrooms.

Vice Mayor Robinson asked the time frame for completion.

Manager Williams noted approximately six to eight weeks for the plan to be final.

All voted in favor. The Resolution was approved unanimously (5-0.)

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, RELATING TO THE RENOVATION OF THE THALATTA CARRIAGE HOUSE; SPECIFICALLY APPROVING THE SELECTION OF M.C. HARRY ASSOCIATES, INC., TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES; AUTHORIZING

THE VILLAGE MANAGER TO DISBURSEE AN AMOUNT NOT TO EXCEED \$34,758.00; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams provided staff report, advising that the Village is desirous of being able to use the facility.

Councilwoman Stanczyk remarked that she is pleased to see this project started. She thanked Councilman Neidhart for his foresight.

Councilman Neidhart called the question. All voted in favor. The Resolution was approved unanimously (5-0.)

- H. **ADD ON** - A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROPOSED AMENDMENT TO FLORIDA RULE AND APPELLATE PROCEDURE 9.310(b)(2); ELECTING TO OPPOSE THE AMENDED RULE AND SUBMIT WRITTEN COMMENTS; PROVIDING AN EFFECTIVE DATE.

Councilwoman Stanczyk moved to add this item to the Agenda. Seconded by Councilman Feller. All voted in favor.

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

Attorney Boutsis advised that the appellate court is proposing to stop the automatic stay afforded to government regarding administrative procedures. She noted that halting of the process while appeal is going forward has been around since 1940 and the Florida League of Cities is looking for support to oppose the rule change. She stated that the deadline is April 1st; however, she is asking for ratification of the action.

All voted in favor. The Resolution was approved unanimously (5-0.)

IX. RESOLUTIONS REQUIRING PUBLIC HEARING

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO WAIVER OF POSSIBLE CONFLICT PURSUANT TO VILLAGE CODE OF ETHICS SECTION 3(B), AFTER PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE. (Staff requests deferral to date certain – Regular Council Meeting of May 5, 2008)

Vice Mayor Robinson moved to defer the item to date certain of May 5, 2008. Seconded by Councilwoman Stanczyk. All voted in favor. The Motion carried.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO REAL PROPERTY; RELEASING AN INTEREST IN CERTAIN REAL PROPERTY AND ABANDONING A RIGHT-OF-WAY FOR THREE PORTIONS OF ROADS LOCATED WITHIN THE CHARLES DEERING ESTATE: ROAD SECTION 1: 72 AVENUE BETWEEN SW 156 STREET AND SW 164 TERRACE, ROAD SECTION 2: 72 AVENUE BETWEEN SW 168 STREET AND SW 169 STREET, and ROAD SECTION 3: SW 169 STREET BETWEEN SW 72 AVENUE AND BISCAYNE BAY; PROVIDING FOR REVERTER OF TITLE TO ADJACENT PROPERTY OWNERS; PROVIDING AN EFFECTIVE DATE (Continued from Council Meeting of March 3, 2008)

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

Attorney Boutsis advised she had met with representatives of the Deering Estate and discussed the agreement for perpetual public access. She provided the Access Easement Agreement for consideration. She advised that the Deering Estate representatives agree to the provisions of the contract, but do not have the authority tonight to approve and agree to same.

The Council discussed the procedure. Mayor Flinn opened the public hearing.

Eric Tullberg, 7884 SW 179 Terrace; and Brenda Storch, 7885 SW 179 Terrace, spoke in support of the agreement.

Following brief discussion, the Council voted upon the proposed resolution. The Resolution failed (0 to 5).

Councilman Feller moved to approve the Access Easement Agreement. Seconded by Councilman Neidhart. All voted in favor. The Motion carried (5-0).

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

- A. AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; AMENDING ORDINANCE NUMBER 03-06 RELATING TO "PLANNING AND ZONING POWERS;" PROVIDING FOR AN UPDATE OF BU-2, "SPECIAL BUSINESS" ZONING DISTRICT TO BE CONSISTENT WITH THE 2006 UPDATES IN THE MIAMI-DADE COUNTY CODE, PROVIDING FOR HOTEL USE WITHIN THE BU-2, BUSINESS ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE. [Sponsored by Councilperson Neidhart].

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

Director of Planning and Zoning Arleen Weintraub provided staff report. She noted that the County had adopted several updates to its zoning districts, and this matter would consider allow hotels, as is permitted under County Code for the BU-2 district.

Councilwoman Stanczyk asked for further clarification.

Director Weintraub noted that all BU-2 zoned parcels would be permitted to build with the additional use. She provided an explanation of the footprints. She stated that she would provide RU-4 requirements to Council for further clarification.

A roll call vote to pass the matter on first reading and schedule second reading/public hearing at the May 5th Council meeting was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and Councilwoman Stanczyk: no (4-1). The matter shall be scheduled for public hearing on May 5, 2008

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PLAN FOR THE VILLAGE OF PALMETTO BAY, FLORIDA, SAID AMENDMENTS TO INCLUDE A NEW EDUCATIONAL FACILITIES ELEMENT, AMENDMENTS TO THE INTERGOVERNMENTAL COORDINATION ELEMENT AND AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENTS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, TO OTHER UNITS OF GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Director Weintraub provided staff report, noting that all municipalities are required to adopt a new plan element to include educational facilities in accordance with the Florida Statutes.

Councilman Feller questioned the necessity of the document.

Director Weintraub advised that the included goals and objectives would make the Village be in compliance with the Florida Statutes. She noted that nothing in the document requires any expenditure by the Village.

Attorney Boutsis added that the document is required by State law and the document fulfils the vision of the State of Florida.

Following brief discussion, a roll call vote to pass the matter on first reading was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and Councilwoman Stanczyk: yes (5-0). Councilwoman Stanczyk moved for reconsideration. Seconded by Vice Mayor Robinson. A roll call vote on reconsideration was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: no; Councilman Feller: yes; Councilman Neidhart: yes; and Councilwoman Stanczyk: no (3-2). The matter passed on first reading. Second reading/public hearing shall be scheduled.

- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; ESTABLISHING THE REGISTRATION FEE SCHEDULE FOR THE 2008 SUMMER CAMP PROGRAM; PROVIDING EXCEPTIONS; PROVIDING FOR ORDINANCES IN CONFLICT; CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Manager Williams provided staff report.

Mayor Flinn asked if the camp would cover the entire summer break.

Manager Williams noted that he believes the camp ends one week early due to college students who assist having to return to school.

Mayor Flinn asked if the local business that participated last year was going to do so this year.

Manager Williams stated that he would ask staff to verify that information.

Councilman Feller asked if the school is allowing the Village to use its building.

Manager Williams advised that staff is finalizing the details with the school.

A roll call vote to pass the matter on first reading and schedule second reading/public hearing at the May 5th Council meeting was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and Councilwoman Stanczyk: yes (5-0). The matter shall be scheduled for public hearing on May 5, 2008

- XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING:** None at this time.

- XII. REQUESTS, PETITIONS AND PUBLIC COMMENTS**

Eric Tullberg, 7884 SW 179 Terrace, reminded everyone of April 19th Baynanza and that Chapman Field Park and Deering Estate are both having bay cleanups. He encouraged all to ride their bicycles to the ride on Saturday.

XIII. MAYOR AND COUNCIL COMMENTS

Mayor Flinn stated that he is happy that staff has done so much to prepare for the Earth Week activities. He thanked Mr. Kress for his diligence.

Councilman Feller expressed his gratitude with the progress of the library construction. He added that Alexandra Flinn, Lois Neidhart and Arleen Feller have been working together to form a community-based organization to assist with programming of the library. He stated that anyone who wished to assist the group is welcomed to do so, as it is not a sunshine committee.

Vice Mayor Robinson announced the dedication of meditation garden shall be held on June 8th at 12:30 p.m.

Councilwoman Stanczyk stated that she is pleased with the Village's progress.

Vice Mayor Robinson stated that several people are leaving tomorrow to Tallahassee and she is hopeful that they will return with good news.

XIV. OTHER BUSINESS: None.

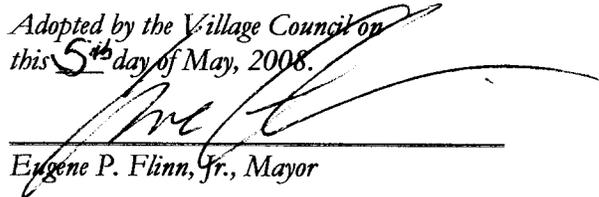
XV. NEXT MEETING AND ADJOURNMENT: The meeting adjourned at 9:30 p.m.

Prepared and submitted by:



*Meighan J. Rader, CMC
Village Clerk*

*Adopted by the Village Council on
this 5th day of May, 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.