

VILLAGE OF PALMETTO BAY
Minutes of the Special Council Meeting of February 25, 2015
Village Hall Chambers
9705 East Hibiscus Street

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

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

Staff present:
 Village Manager Ron E. Williams
 Village Attorney Dexter W. Lehtinen
 Village Clerk Meighan J. Alexander

Mayor Flinn called the meeting to order at 7:00 p.m. He led the 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. REQUESTS, PETITIONS AND PUBLIC COMMENTS:** John Breeder, 9300 SW 181 Terrace, addressed the Council.

4. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO THE DOWNTOWN REDEVELOPMENT INITIATIVE, ACCEPTING THE ECONOMIC AND MARKET ASSESSMENT REPORT AND SUPPLEMENTAL APPENDIX COMPLETED BY BERMELLO, AJAMIL & PARTNERS FOR THE FUTURE DOWNTOWN PALMETTO BAY AREA; AND PROVIDING AN EFFECTIVE DATE.

Manager Williams stated that there are two presentations for the Council and staff will be available during and after for questions.

Building Official and Capital Projects Manager Ed Silva came before the Council and explained the discussion topics for the evening. He began a PowerPoint presentation that explained how Palmetto Bay received only 9% of the commercial activity, as compared to other cities. He also displayed the

comparison between the various cities with regard to residential units. Mr. Silva provided information concerning ad valorem taxes, noting that 82% of the Village's taxes come from the residential community. He advised that Palmetto Bay's average income is approximately \$105,000 per household, which is roughly equivalent to Pinecrest at \$112,000 per household. He stated that businesses and developers seem to be interested in developing in Pinecrest and Cutler Bay instead of Palmetto Bay.

Mr. Silva noted that from the first presentation of the market study in April of 2014 to today, there have been no changes to the report. He explained how the retail space can support the downtown redevelopment. He noted that the trade area for office space is south of Kendall to Florida City. Mr. Silva explained that branding and marketing the area is crucial, and US-1 should be established a critical component for visibility. He stated that the redevelopment requires a modest village investment and will result in an increase of \$600,000 to \$1,000,000 in ad valorem revenue.

Mr. Eric Liff of Lambert Advisory came forward. He stated that the objective of the Market Study was prepared to help guide the master plan in terms of understanding what is the opportunity for development in the downtown area during the next five or ten years. He stated that the report was completed in April of 2014 and contains a comprehensive profile.

Mayor Flinn asked for clarification concerning the methodology. Mr. Liff stated that the process was explained in the report. Mayor Flinn asked for the page in the report that contains the explanation of the methodology. Mr. Liff stated that his presentation will include the PowerPoint slideshow and there are several pages throughout the report that contain the methodology that correlate to each use described.

Mr. Liff remarked that the goal is to understand the demand by use for residential, retail, and office space. He explained that, historically, the demographics for housing (page 10) are provided and depict population and trends, and between 2000 and 2010 the Village lost population. He stated that a trade area wherein you would draw potential residents is the South Dade area, which is south of Kendall Drive. He explained the projections trend to 1.3% increase.

Vice Mayor DuBois asked if the references to statistics made by Mr. Liff refer to Miami-Dade County as the trade area. Mr. Liff attempted to clarify that the area is from Kendall south to Miami-Dade County southern boundary, west to the Urban Development Boundary. He explained the housing demand, stated that a household income of \$50,000 or higher would be required to support the housing projection, which is a household income that Palmetto Bay can support.

Following brief comment, Councilwoman Siegel Lara clarified that the demand is based upon potential residents, that is, whether a resident is coming to a new development or not. Mr. Liff stated that the demand is a "fair share" demand, which assumes an equal amount of land.

Councilwoman Siegel Lara asked if a supply comparison was performed. Mr. Liff stated that the focus was establishing what was the universe of demand. Councilwoman Siegel Lara asked if capturing the supply figures would be phase 2 of the study. Mr. Liff stated that it would be, if that was the direction of the Council; however, there is a profile of the competitive market provided that will indicate whether the supply is available, drawing from the universal demand.

Mr. Liff stated that their studies indicate that there could be over 800-900 housing units that could be demanded over the next ten years, if there is land available. He stated that with regard to multi-family development, the total amount increases to 1,100 to 1,200, which he believes is a conservative number when considering multi-family pent up demand.

Mr. Liff began discussing the retail trade area, which is the primary area to draw residents into the downtown area. He provided information concerning the retail trade models and information from the US Department of Labor that was used to determine demand.

Mayor Flinn asked the percentage of population outside of the Palmetto Bay that is within the trade area. Mr. Liff stated that the trade area boundaries matter, not the municipal boundary. Mayor Flinn disagreed, stating that the boundary matters when you are reviewing the potential customer base and it seems like there is a limited trade area outside of Palmetto Bay, particularly if you are considering increasing multi-family.

Vice Mayor DuBois stated that with regard to the retail trade area, the population south of 184 Street probably half of the entire area. Mr. Liff stated that the population is approximately 30% of the area. Mayor Flinn asked where in the report the numbers would be provided. Vice Mayor DuBois asked why the retail trade area is limited to between 152 Street and 184 Street plus a relatively small area of lower income people south of Palmetto Bay, rather than broadening. Mr. Liff stated that the area includes household incomes of \$100,000, rather than \$108,000 in Palmetto Bay, not a significant income reduction.

Councilwoman Siegel Lara stated that the boundary seems to be based upon proximity of shopping areas. Mr. Liff concurred.

Vice Mayor DuBois stated that Mr. Liff noted that the per capita income is \$36,971 in the slide and \$41,000 in Palmetto Bay. Mr. Liff agreed, stating that it is only slightly lower. Vice Mayor DuBois stated that half of the retail area is south of Palmetto Bay, with 14,000 individuals south and the income would be significantly lower. He asked why the decision to designate the retail area to include the area south of Palmetto Bay and east of US-1 and nothing west of US-1 was included in the area. Mr. Liff stated that the boundary does not dismiss individuals outside of our trade area. Vice Mayor DuBois stated that that area to the west is within walking distance to the Village. Discussion ensued. Mr. Liff clarified that the area was the primary draw, not the only draw.

Mr. Liff stated that the numbers indicate a demand of approximately 785,000 square feet of retail space. Councilwoman Cunningham remarked that she does not believe residents would be drawn to a multi-family area in Palmetto Bay without having a destination. Councilwoman Siegel Lara stated that proximity to Palmetto Bay could be considered the draw.

Discussion ensued concerning the suggestion that zoning may be the issue.

Vice Mayor DuBois asked if Mr. Liff was tasked with providing guidance for the master plan, with zoning being considered. Mr. Liff replied that regulatory changes may likely follow his report. Vice Mayor DuBois asked if there were any assumptions that the village would make zoning modifications. Mr. Liff replied affirmatively, noting that trending demands and how the demands would be changed by the regulations are important.

Vice Mayor DuBois stated that this report is not taking into account any type of incentives that the Village may put forward to skew the demand for retail in this area. He stated that this report does not include “what ifs” and he is disappointed with the report’s lack of probability of failure or success in terms of the downtown redevelopment. He stated that without a baseline and “what ifs”, he does not feel that he has received enough information to know whether investment should be made or not.

Mr. Silva stated that the first step is to determine why the Village is missing out on capturing the demand; the next step is traffic concerns.

Vice Mayor DuBois asked why the report was not prepared a year ago. Mr. Silva stated that staff did not wish to move forward during the election cycle with the Council, at that time, which may or may not have been making future decisions.

Following discussion, Mayor Flinn noted that in the past, the Council had made a policy decision that the Village did not wish to see the “big box” stores come in, and he suggested that may be why there is lack of growth.

Councilwoman Siegel Lara asked if the Council could be given an understanding of the process, the steps taken, what are the phases, and where will decision points be required. Vice Mayor DuBois suggested a report that would include the “what ifs” of the downtown redevelopment.

Vice Mayor DuBois remarked that he would not be interested in budgeting for two or three million dollars in infrastructure improvements if the report is not comprehensive.

Mayor Flinn stated that he would be interested in considering a flexible zoning code where individuals can discuss their options, rather than be told “no” by staff. Councilwoman Siegel Lara stated that until the Village’s identity is clear, it may be difficult to have a flexible zoning code.

Attorney Lehtinen explained that “accepting” the report is not necessarily approving the content; rather it is directing staff to move forward. Vice Mayor DuBois suggested that the Council does not appear to be in favor of the report and does not believe a resolution would be required.

Councilwoman Cunningham stated that the language in the Resolution should read “accepted”, not “approved”, as contained in the body of the document.

Manager Williams stated that the intent was to gather input and collect information and staff will be able to take the next steps based upon direction and guidance from Council. He remarked that the report targets demand and there is more work to be done; and, staff will follow the will of the Council.

Discussion ensued concerning accepting the report. Vice Mayor DuBois moved to direct staff to proceed with phase 2 of the report; and, at the next council meeting, the Council can discuss requirements as to what needs to be included in the phase 2 report. Seconded by Councilwoman Siegel Lara. All voted in favor (5-0.)

Vice Mayor DuBois moved to defer discussion of this matter to the March 16th meeting. Seconded by Councilwoman Siegel Lara. All voted in favor.

Manager Williams asked the Council to consider deferring B, C, and D until Item A is concluded. Mayor Flinn suggested that items C and D should be heard at this time.

Vice Mayor DuBois moved to defer item B. Seconded by Councilwoman Siegel Lara. All voted in favor.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO THE DOWNTOWN REDEVELOPMENT TASK FORCE (DRTF) INITIATIVE; ACCEPTING THE RECOMMENDATIONS OF THE TRAFFIC IMPACT ANALYSIS FINAL REPORT DOCUMENTS AND RECOMMENDATIONS PERTINENT TO THE FUTURE DOWNTOWN PALMETTO BAY STUDY AREA, AS PREPARED BY MARLIN ENGINEERING, INC.; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ACQUIRE CONCURRENCY FROM BOTH MIAMI-DADE PUBLIC WORKS WASTE MANAGEMENT (PWWM) AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PRIOR TO PROCEEDING WITH IMPLEMENTATION OF REPORT FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

The matter was deferred.

- C. Capacity/Concurrency Study Update: Clerk Alexander advised that staff had requested deferral of this matter. Vice Mayor DuBois moved to defer the matter. Seconded by Councilwoman Siegel Lara. The motion passed 3 to 2, Mayor Flinn and Councilman Schaffer voted in opposition, stating that were looking forward to the presentation this evening.
- D. US-1 Island Beautification Update: Manager Williams explained that this beautification project was the result of a State matching grant in the amount of \$45,000.

Public Works Director Corrice Patterson explained the project, which included beautification of medians south to SW 184 Street on US-1. She explained that construction of the first segment would need to be completed by June 30th. She described the entire project would include 24 medians along US-1 and the two triangle areas, as well. She stated that \$45,000 would complete the design; \$45,000 for installation. She explained that the Tree Advisory Board had been consulted and staff would like to begin the first segment at SW 168 Street triangle and SW 183 Street entrance (US-1 gateway area, behind the monument area.)

Mr. George Puig, Project Manager and Landscape Architect for Kimley Horn, 1221 Brickell Avenue, explained the medians and the installation of the plants on sample medians.

Mayor Flinn asked the cost to complete all medians. Mr. Puig stated that the approximate cost of each median would be \$46,000, including demolition of existing landscaping, landscape lighting, cost of equipment and installation. He stated that the entire project is proposed at \$990,000.

Vice Mayor DuBois asked if the Village would be able to receive matching grants for all the medians. Mr. Puig stated that there is a good possibility of success as FDOT is more willing to give grant dollars when there is a full set of documents prepared, as the plans indicate the Village's commitment.

Councilwoman Siegel Lara asked for ongoing maintenance costs, as she noted that annuals were included in the plants. She stated that she would prefer including the most aesthetically pleasing and least maintenance plants. She asked for clarification concerning lighting. Mr. Puig stated that sleeves would be in place to prepare for the electrical wires at this time.

Councilwoman Siegel Lara stated that other items, such as Liriopi and Monkey Grass that requires little maintenance should be included, rather than grass.

Mayor Flinn asked about the signage for Rotary that was included in the 168 Triangle median in the past. Manager Williams stated that he recalls when the chain link marker was taken out, as it was not approved by FDOT. FDOT required it to be removed and the Village and FDOT tried to return it to the owners.

Mayor Flinn stated that he would be in favor of obtaining a satisfactory monument that would allow the Village to express its pride and allow our CBO's to be showcased.

Vice Mayor DuBois asked if Council direction is needed. Director Patterson advised that the bid documents would be prepared next month and the final plans would be sent to FDOT for approval prior to bid.

5. COUNCIL COMMENTS

Manager Williams asked for clarification regarding a report of the items deferred. Vice Mayor DuBois stated that only a report concerning the Phase 2 of Item A would be required at the next meeting.

Councilman Schaffer stated that with regard to Palmetto Bay Day in Tallahassee, he had spoken with the Village's Lobbyist and has been informed that the legislators want the council to have focused conversations. He suggested assisting Deering Estate with obtaining Amendment 1 funding.

Councilwoman Cunningham stated that she would be happy to assist with scheduling appointments in Tallahassee. She suggested that the Council people visit separately, provide a written report to all, and then work on different items. She stated that there is value in having a staff member travel with the council person. She stated that she will be including a resolution concerning Metrorail expansion at the Special Council Meeting.

Councilwoman Siegel Lara stated that she will be raising the discussion of the advisory boards and committees at the meeting of March 16th.

Councilwoman Cunningham congratulated the teachers of the year: Coral Reef Elementary: Ms. Debbie Castel (SPED); Howard Drive Elementary: Ms. Jasman Gist (First grade); Perrine Elementary: Ms. Alice Webb (First grade); Southwood Middle: Ms. Raquelle Santiago-Argote (Language Arts); and Palmetto Senior: Mr. John Hayduk (AP Human Geography).

Following brief comment, Vice Mayor DuBois moved to have Item 4B heard on March 16th. Seconded by Councilwoman Siegel Lara. Discussion ensued, with the understanding that the matter would take no longer than one hour. All voted in favor. The motion passed.

6. NEXT MEETING AND ADJOURNMENT: The Meeting adjourned at 10:30 pm.

Prepared and submitted by:

*Meighan J. Alexander, CMC
Village Clerk*

Approved by the Village Council on this ____ day of April, 2015.

Eugene Flinn, Mayor

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VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of March 2, 2015
Village Hall Chambers
9705 East Hibiscus Street

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

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

Staff present:
 Village Manager Ron E. Williams
 Village Attorney Dexter W. Lehtinen
 Village Clerk Meighan J. Alexander

Mayor Flinn called the meeting to order at 7:15 p.m. He asked Girl Scouts Katie Signori and Livvy Hochman to lead the 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. Officer Gregory Stuber – 30 year service recognition: Palmetto Bay Policing Unit Commander Gregory Truitt and Mayor Flinn and the Council recognized Officer Stuber for his outstanding performance.
- B. Recognition of the 96th Anniversary of the American Legion: The Council recognized representatives of the American Legion and presented the gentlemen with a Proclamation honoring the organization.

Vice Mayor DuBois moved to hear the Art-in-Public-Places Committee Report as the next item. Councilman Schaffer seconded the motion. All voted in favor.

Mr. Nicholas Stoetzer provided an update of the Committee's recent work. He explained how the Village received stone from the "Friends of Harry" group and is considering whether an art piece made from the stone could be commissioned. He

provided information concerning an upcoming community event to promote the arts in conjunction with Perrine Elementary School.

4. APPROVAL OF MINUTES

- A. Minutes of the Special Council Meeting of January 28, 2015
- B. Minutes of the Local Planning Agency Meeting of February 2, 2015
- C. Minutes of the Regular Council Meeting of February 2, 2015

Councilwoman Cunningham noted that page 2 of 16 (February 2 Regular Meeting) had two errors – the words should read “rest” and “competitive”. Clerk Alexander stated that she would make the changes. Councilman Schaffer moved to approve the Minutes, as amended. Vice Mayor DuBois seconded. All voted in favor. The Minutes were approved.

5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: Mr. Eric Tullberg, 7884 SW 179 Terrace; Girl Scouts Katy Signori and Libby Kaufman; Dr. Ed Feller, 7960 SW 144 Street; Mr. Chet England, 15300 SW 80 Ave; Mr. Gary Pastorella, 6940 SW 142 Terrace; and Mr. Peter England, 7620 SW 171 Street.

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 \$6,753; PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ADOPTING THE CONSENSUS OF THE COMMITTEE OF THE WHOLE MEETING OF FEBRUARY 17, 2015, REGARDING THE PUBLICATION OF A REQUEST FOR PROPOSAL FOR EXECUTIVE SEARCH FIRM TO ASSIST WITH THE SELECTION OF PERMANENT VILLAGE MANAGER; PROVIDING AN EFFECTIVE DATE. (Village Attorney)
- C. A RESOLUTION OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING THE FINAL COMPENSATION AND BENEFITS FOR VILLAGE MANAGER RON E. WILLIAMS IN CONNECTION WITH HIS DEPARTURE FROM VILLAGE EMPLOYMENT ON MARCH 31, 2015; SPECIFYING CONTINUED INSURANCE TO BE PROVIDED PURSUANT TO CONTRACT; SPECIFYING RETROACTIVE PAY INCREASE AS OF OCTOBER 13, 2014; SPECIFYING CERTAIN OTHER TERMS OF DEPARTURE; AND PROVIDING AN EFFECTIVE DATE. (Councilmember Tim Schaffer)

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING EXTENSION OF THE INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD FOR USE OF THE CORAL REEF PARK, BASEBALL FIELD 3; PROVIDING FOR A THREE YEAR EXTENSION OF THE EXISTING NON-EXCLUSIVE USE INTERLOCAL AGREEMENT FOR MIAMI PALMETTO SENIOR HIGH SCHOOL; AND PROVIDING AN EFFECTIVE DATE. (Administration)

Vice Mayor DuBois moved to approve the Consent Agenda items. Seconded by Councilwoman Cunningham. All voted in favor. The items were passed unanimously.

7. VILLAGE MANAGER'S REPORT

- A. Village Police Commander Report: Commander Truitt provided an update with regard to the crime statistics in the Village. He stated that he will be reviewing the reciprocal agreement with regard to golf carts within the Village.

Vice Mayor DuBois asked if the police would be monitoring certain areas with regard to the golf carts. Commander Truitt stated that he would and also expressed his concern regarding the ordinance, in general, as he asserted that due to the prohibition of traveling on County roadways, it is not possible to traverse the Village on a golf cart without violating the law.

Mayor Flinn remarked that he will be meeting with County Commissioner Levine Cava and area Mayors to discuss the possibility of the County enacting a rule wherein the use of golf carts on County roadways may be considered within a municipality that permits golf carts.

Commander Truitt stated that regardless of the road, golf carts are prohibited on sidewalks. He concluded his presentation by thanking Manager Williams for his support and mentoring throughout the time he has worked with Palmetto Bay. He expressed his gratitude for Manager Williams' dedication.

Manager Williams thanked the Commander and noted that through the support of the Village Council, the Village's Community Outreach Officers were provided with a national award.

- B. Strategic Plan Update: Planning & Zoning Director Darby Delsalle thanked Mr. Williams for his leadership.

Director Delsalle provided a copy of the draft procurement solicitation for a consultant to perform the efforts needed to draft a Strategic Plan.

Councilwoman Cunningham asked how the schedule of events is determined. Director Delsalle replied that the schedule is an estimate.

Councilwoman Cunningham asked if a resolution would be necessary to adopt the draft procurement solicitation. Manager Williams stated that staff will need comments/feedback from Council prior to returning with a document to advertise.

Councilwoman Cunningham suggested the final comments be provided in April. Director Delsalle stated that staff is seeking input, and then will advertise the Request for Proposals, which could take three months until final selection.

Mayor Flinn stated that there should be some type of delivery listed in order for the consultant to be entitled to a fee. He asked who will serve on the selection committee. Director Delsalle stated that a selection of department directors will perform initial ranking and the top candidates will be brought to council for selection and direction.

Following comments, Councilman Schaffer remarked that he believes deliverables should be listed. He stated that the ideal firm must demonstrate that they have local experience and the proven ability to reach out to the citizens and get reflective answers.

Councilwoman Siegel Lara stated that the language in the draft should include the consultant's description as to how they intend to develop a strategic plan, utilizing the materials we have, and considering updates to the plan. She stated that spelling out that we want a mission, a vision, and definition of core values is too specific. She remarked that a list of what the consultant believes are the most important priorities should be included. She noted that representative samples of the entire community, not just those who are frequent voices or the loudest voices, should be gathered; and, the consultant's methodology should include this matter. Councilwoman Siegel Lara stated that someone with experience in performing strategic plans at a government level is important, and the consultant's methodology should be the deciding factor.

Manager Williams stated that staff would revise the draft and return same to Council.

- C. Update re Executive Search firm recruitment: Manager Williams noted that the Executive Search Firm advertisement was advertised February 23rd, with an opening scheduled for March 26.

Clerk Alexander updated the Council calendar.

8. **VILLAGE ATTORNEY'S REPORT:** Attorney Lehtinen stated that he did not have anything specific to report and is available for any questions.

9. **BOARD AND COMMITTEE REPORTS**

A. Art-in-Public Places Advisory Board: Provided out of order, noted above.

10. **RESOLUTIONS**

Vice Mayor DuBois moved to hear Item 10D as the next item. Seconded by Councilman Schaffer. All voted in favor. The motion carried unanimously.

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ENGINEERING SERVICES FOR COMPREHENSIVE OPERATIONAL ANALYSIS (COA) OF VILLAGE SHUTTLE BUS SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A PROJECT AGREEMENT WITH THE CORRADINO GROUP, INC. TO PROVIDE THIS SPECIALIZED TRANSIT STUDY AND TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$32,000.00; AND PROVIDING FOR AN EFFECTIVE DATE. (Request to un-table – Councilwoman Siegel Lara)

Vice Mayor DuBois moved to un-table this item. Seconded by Councilwoman Siegel Lara. All voted in favor.

Councilwoman Siegel Lara moved the item forward. Seconded by Councilwoman Cunningham.

Public Works Director Corrice Patterson noted that she had provided some adjustments to the scope of work, as suggested by Councilwoman Siegel Lara.

Following brief comments, Councilwoman Siegel Lara stated that her proposed changes include targeting ridership, such as: 1. considering a targeted audience of ages 12-22 (for example) – young, mobile residents who will want to use the transportation; and, 2. How to integrate connecting with schools and local municipalities, tying into County services; and 3. How to create routes that will assist traveling to destinations within Palmetto Bay, once the downtown redevelopment has begun.

Councilwoman Cunningham remarked that clearly marked bus stops should be included and/or refurbished.

Vice Mayor DuBois stated that he does not believe that parents today will want to put their children on the IBus and that senior ridership is more viable. He

commented that spending \$32,000 at this time, when the downtown redevelopment has not begun, is not appropriate.

Mayor Flinn stated that the IBus and connectivity with cities and the County was discussed at a Mayors' roundtable with County Commissioner Levine Cava. He remarked that the Village has a bike/pedestrian master plan and using the CITT funds to improve that plan seems more appropriate, as the downtown redevelopment will take some time to come to fruition.

Mr. Joe Corradino stated that the purpose of the some of the public transportation issues is to include all modes of transportation. He acknowledged that the community is not very bike friendly, and not well-connected. He stated that his firm is working within the County's goal of improving various modes of transportation.

Following brief comments, Vice Mayor DuBois moved to defer this matter until later in the meeting so staff could discuss the matter with Mr. Corradino. Seconded by Councilman Schaffer. All voted in favor.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ROADWAY RESURFACING AND STRIPING OF PUBLIC ROADWAYS WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE WAIVER OF FORMAL BIDDING REQUIREMENTS AND UTILIZING RFQ NO. 20130281, PREVIOUSLY ADVERTISED FOR BID BY MIAMI-DADE COUNTY WHICH IS REASONABLE AND OTHERWISE IN THE BEST INTEREST OF THE VILLAGE OF PALMETTO BAY AND PROVIDING FOR THE AWARD THEREOF TO H & J ASPHALT, INC., FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$300,000.00 TO CONTINUE RESURFACING AND STRIPING VILLAGE ROADWAYS IN FY 2014-15; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Schaffer moved this item forward. Seconded by Councilwoman Siegel Lara.

Director Patterson provided staff report. She stated that Vice Mayor DuBois had asked to investigate a new piggy-back contract under the County's recent procurement solicitation. She explained that staff had review the Pinecrest and Cutler Bay's recent contract and found the County contract to be the most economical.

Following brief comments, Mayor Flinn called the question. All voted in favor. The Resolution passed unanimously (5-0.)

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA APPOINTING THE BOARD OF DIRECTORS OF THE PALMETTO BAY FOUNDATION, INC. (PBFI) DUE TO THE CHANGE IN THE VILLAGE COUNCIL COMPOSITION OF THE VILLAGE OF PALMETTO BAY, THE SINGLE MEMBER OF PBFI; PROVIDING AN EFFECTIVE DATE. (Village Attorney)

Vice Mayor DuBois moved this item forward. Seconded by Councilwoman Siegel Lara.

Attorney Lehtinen advised that the "sole member" of the PBFI is the Village Council, which will later appoint officers. He stated that PBFI will meet at a later date to appoint the officers, which historically is the council in a different capacity.

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

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING A TITLE VI PROGRAM POLICY FOR THE PURPOSE OF ENSURING COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT PURSUANT TO THE CIVIL RIGHTS ACT OF 1964 AND THE CIVIL RIGHTS RESTORATION ACT OF 1987; APPROVING THE ASSOCIATED LIMITED ENGLISH PROFICIENCY PLAN; AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO SUBMIT THE POLICY DOCUMENTS TO MIAMI-DADE TRANSIT AUTHORITY FOR INCLUSION IN THEIR TITLE VI PROGRAM ON BEHALF OF THE VILLAGE OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

Councilwoman Siegel Lara moved this item forward. Seconded by Councilman Schaffer.

Manager Williams advised that the Village is receiving funding and all recipients of County grant dollars are required to provide this assurance in accordance with federal law.

Mayor Flinn asked if there was any impact on the CITT funding. Manager Williams replied there was not.

Vice Mayor DuBois asked if staff had received notice from the Miami-Dade County Transit Authority that the Village was not in compliance. Manager Williams stated that the Village had received notification and will come into compliance through the passage of this resolution and appropriate documentation.

Councilwoman Cunningham moved to approved. Seconded by Councilman Schaffer. All voted in favor. The Resolution passed unanimously.

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE TREE ADVISORY BOARD, APPOINTING A MEMBER TO THE VILLAGE OF PALMETTO BAY TREE ADVISORY BOARD; AND, PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Karyn Cunningham)

Councilman Schaffer moved this item forward. Seconded by Councilwoman Cunningham.

Councilwoman Cunningham nominated Anthony Saabag for a two year term.

Mayor Flinn called the question. The Resolution passed unanimously (5-0.)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO THE DOWNTOWN REDEVELOPMENT INITIATIVE, ACCEPTING THE ECONOMIC AND MARKET ASSESSMENT REPORT AND SUPPLEMENTAL APPENDIX COMPLETED BY BERMELLO, AJAMIL & PARTNERS FOR THE FUTURE DOWNTOWN PALMETTO BAY AREA; AND PROVIDING AN EFFECTIVE DATE. (Deferred by Council from the February 25, 2015 Regular Council Meeting.)

Councilman Schaffer moved this item forward. Seconded by Vice Mayor DuBois.

Vice Mayor DuBois moved to defer this matter. Seconded by Councilman Schaffer. All voted in favor. The matter was deferred.

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

12. ORDINANCES FOR FIRST READING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-90.24 OF THE LAND DEVELOPMENT CODE RELATING TO SPECIAL EVENT SIGNS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

Councilman Schaffer moved this item forward. Seconded by Councilwoman Siegel Lara.

Director Delsalle provided staff report. He advised that, currently, the Code allows businesses to have temporary banners displayed for 30 days, following completion of a simple application that contains information regarding the dimension of the banner. He stated that for years, the businesses would be able to promote their event without problem; however, in recent times, businesses are using this Code to display banners each month without difficult, which is resulting in year-round banners at the business site. Director Delsalle suggested the solution of allowing for a three time event within any 12 month period, and allowing for a maximum banner size of 30 square feet (rather than specific dimension.)

Mayor Flinn stated that this Code will have a big impact on many events. He explained that the Village was impacted by the banner ordinance with wanting to promote the Relay for Life event. He stated that he would like to address the matter globally and workshop the matter.

Vice Mayor DuBois remarked that the Village should address the root cause, and consider the consequences, even if well-intended. He agreed that the matter should be addressed at a workshop.

Councilman Schaffer stated that the definition of "temporary" should be considered in order to manage this function.

Councilwoman Siegel Lara stated that this amendment is too narrow and the Village should consider the entire ordinance.

Councilwoman Cunningham concurred with the previous comments and agrees that a workshop would be helpful.

Vice Mayor DuBois moved to table the matter to a workshop. Seconded by Councilwoman Siegel Lara. All voted in favor.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; CREATING SECTION 30-70.2(b)(4) OF THE LAND DEVELOPMENT CODE RELATING TO REQUIRED PARKING EXEMPTIONS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

Councilman Schaffer moved this matter forward. Seconded by Councilwoman Cunningham.

Director Delsalle provided staff report. He noted that this ordinance provides an alternative approach to seeking a variance, which would be 50% less costly for applicants that are unable to meet current code. He explained that staff would

review the request; and, approval could be specific to that business. He noted that if there is a disagreement, then the business owner can apply for a variance.

Mayor Flinn asked the name of a business that is experiencing difficulties. Manager Williams advised that the property south of Gus Machado Ford has had problems, as have the properties within the Duncan Donuts mall.

Mayor Flinn stated that he would have preferred receiving advance notification/a report concerning businesses that are experiencing problems. He stated that staff's memo states there will be no budget impact; however, cutting a fee by 50% will be an impact on the budget. He also noted that clarification as to what would trigger hiring a parking consultant should be included. Mayor Flinn stated that he would like to see this matter addressed in detail at a workshop, rather than substantial changes being included that may require a third reading.

Councilman Schaffer stated that it may be advisable to fix some of the least cumbersome items now.

Councilwoman Siegel Lara concurred that a workshop would be appropriate.

Vice Mayor DuBois stated that this item is appropriate, as he believes that the Village has the reputation of being unfriendly to businesses; however, he suggested deferring the matter to the April Council meeting in order to allow the Council to receive specific information. Councilwoman Cunningham concurred.

Director Delsalle stated that some businesses are operating; however, the parking issues are preventing them from being legal. He stated that he is not able to provide a list of businesses that may have been unsuccessful in opening.

Mayor Flinn stated that simply offering a 50% reduction is not necessarily helping a business as staff is establishing an entirely new process that may be cumbersome and lengthy. He stated that he wishes to be business-friendly, but the matter must be properly vetted.

Following discussion regarding workshops and special council meetings, Vice Mayor DuBois moved to defer the matter to the April 6th Regular Council Meeting. Seconded by Councilwoman Cunningham. All voted in favor.

Councilwoman Siegel Lara stated that prior to hearing the matter on April 6th, she would like a report provided to Council concerning the impact of adoption. Vice Mayor DuBois concurred, adding he would like the report within two weeks.

Returning to Item 10D, deferred from earlier in the meeting:

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

ENGINEERING SERVICES FOR COMPREHENSIVE OPERATIONAL ANALYSIS (COA) OF VILLAGE SHUTTLE BUS SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A PROJECT AGREEMENT WITH THE CORRADINO GROUP, INC. TO PROVIDE THIS SPECIALIZED TRANSIT STUDY AND TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$32,000.00; AND PROVIDING FOR AN EFFECTIVE DATE.

Manager Williams stated that staff would like to return with this item, which would be complete for Council to consider.

Councilman Schaffer moved to defer the matter to April 6. Seconded by Vice Mayor DuBois. All voted in favor. The matter was deferred unanimously (5-0.)

- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC; AMENDING VILLAGE CODE CHAPTER 28, ARTICLE II, CONCERNING GOLF CART USE ON CERTAIN DESIGNATED STREETS OR ROADS, PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Councilman Tim Schaffer)

Councilman Schaffer moved this item forward. Seconded by Councilwoman Siegel Lara.

Councilman Schaffer stated that this Ordinance would clarify and “clean-up” an ordinance that has been in place. He noted that certain issues had been brought to his attention by owners of golf carts within the Village. He stated that he has suggested the modification of page 2 of 6 to allow the use of golf carts on all Palmetto Bay streets, leaving County roads prohibited. Councilman Schaffer suggested removing superfluous definition language, clarified the day/night usage, and provided more appropriate language, such as “head lights” instead of “head lamps”.

Attorney Lehtinen advised that he had reviewed the language and the Ordinance is clear and legally acceptable.

Mayor Flinn called the question. All voted in favor on first reading.

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 DIVISION 30-160 ENTITLED “ART IN PUBLIC PLACES”, AMENDING SECTION 30-160.4(a) ENTITLED “PUBLIC ART BOARD”, TO PERMIT BROADER ELIGIBILITY STANDARDS FOR MEMBERSHIP TO THE ART IN

PUBLIC PLACES (AIPP) BOARD; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

Councilman Schaffer moved this item forward. Councilwoman Siegel Lara seconded.

Director Delsalle advised that there have been no additions or deletions from first reading; no additional staff report.

Mayor Flinn opened the public hearing. No one wished to address the Council.

The matter was adopted unanimously via roll call vote (5-0.)

14. OTHER BUSINESS

A. Discussions regarding (Mayor Flinn):

a. Green Corridor Meeting Update

Mayor Flinn stated that he would have the Clerk provide information to Council, as he recently attended a meeting of the Green Corridor Board.

b. "Village Update" at Palmetto Bay Business Association Meetings: Vice Mayor DuBois volunteered to provide the next Village update, per Mayor Flinn's suggestion that the Council rotate the giving of this report. Councilwoman Siegel Lara stated that she would handle the April report; Councilwoman Cunningham stated she would report in May.

c. Village celebration picnic

Mayor Flinn advised that he will be sitting in the dunk tank at the picnic, with proceeds being given to the Ronald McDonald House charity.

Mayor Flinn announced that Autism Awareness Day is April 2nd and the Village will be participating in the "light up blue" events. He also stated that he has been asked to support a presidential youth council and the April 7th Mayor's Day of Recognition for National Service.

Councilwoman Siegel Lara stated that she would be the Village's representative at the EDC Wednesday morning meeting wherein County Commissioner Suarez would be speaking.

Councilwoman Cunningham stated that she would be bringing forward a Resolution concerning the expansion of Metrorail south to Florida City and will have the document prepared for the March 16th meeting.

Attorney Lehtinen suggested that the Council consider holding the Palmetto Bay Foundation meeting prior to the Regular Council meeting. He provided a brief history of the Foundation.

Councilwoman Cunningham suggested that the Council consider walking the parks with her to provide input concerning the Village's parks. Attorney Lehtinen stated that this type of event would have to be noticed and minutes taken, but it is legal to do so.

15. **COUNCIL COMMENTS:** None at this time.
16. **NEXT MEETING AND ADJOURNMENT:** The Meeting adjourned at 11:10 pm.

Prepared and submitted by:

Meighan J. Alexander, CMC
Village Clerk

Approved by the Village Council on this ____ day of April, 2015.

Eugene Flinn, Mayor

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