

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Special Council Meeting of March 16, 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:** The following individuals addressed the Council: Peter England, 7620 SW 171 Street; and, Dr. Ed Feller, 7960 SW 144 Street.

**4. RESOLUTIONS**

- A. 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. (Deferred from February 25, 2015 Special Council Meeting)

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

Manager Williams asked Building Official and Capital Projects Manager Ed Silva to come forward to provide a presentation concerning the Downtown Redevelopment initiative.

Mr. Silva thanked Manager Williams for his guidance throughout the years. He began his presentation by explaining the statistics for growth throughout this area. He introduced the Director of Public Works Corrice Patterson.

Director Patterson thanked the Council for authorizing the selection of Marlin Engineering to perform the traffic study. She introduced James Spinks, III, PE. Mr. Spinks provided a report concerning the Traffic Impact Analysis. He noted that the purpose was to consider three phases, five districts, and 6,641 multi-family residential units and determine the demand. He explained the methodology used. He explained the difficulty with 97<sup>th</sup> Avenue and stated that if 95<sup>th</sup> Avenue were constructed, the intersections of 97<sup>th</sup> Avenue would still “fail”, but the overall roadway would improve.

Mayor Flinn asked if Cutler Bay’s expansion was considered by Mr. Spinks when he performed the study. Mr. Spinks explained that traffic zones are fluid; therefore, all traffic zones captured traffic coming from all directions, including Cutler Bay.

Mayor Flinn asked Mr. Spinks if he formulated an opinion regarding from which direction the increase in traffic would be. Mr. Spinks replied that most of the growth in this area is north to south, as the majority of growth potential is in the southern area of the County.

Mayor Flinn asked if the increase in traffic would occur regardless of the improvements in the downtown area. Mr. Spinks responded they would.

Councilwoman Siegel Lara asked for clarification regarding the charter that displayed the result of the 95<sup>th</sup> Avenue construction. Mr. Spinks explained that US-1 is expected to fail within 30 years regardless of Palmetto Bay’s actions. He advised that the projection does include transit improvements, but does not include change in the infrastructure.

Vice Mayor DuBois asked if the projection of 178,000 residents is accurate, what percentage of these new residents are expected or assumed to use public transportation. Mr. Spinks replied that 20% of these residents are expected to use public transportation. Discussion ensued.

Councilwoman Cunningham asked for clarification concerning the grades given for roadways. Mr. Spinks stated that the grades are similar to school grading systems, with an E being the lowest.

Councilman Schaffer asked for clarification regarding the location of SW 95<sup>th</sup> Avenue. Mr. Spinks explained that there has been discussion to utilize this roadway to alleviate traffic congestion on SW 97<sup>th</sup> Avenue. Mr. Silva advised that 95<sup>th</sup> Avenue would be a new two-lane, undivided roadway constructed west of Palmetto Bay Park that would be located between Public Works and the Total Bank property, heading north.

Mayor Flinn asked for the projection if 95<sup>th</sup> Avenue were to be constructed. Mr. Spinks advised that traffic will route to 95<sup>th</sup> Avenue, as a parallel roadway. Councilwoman Siegel Lara added that it would draw traffic to where there is no residential area.

Mr. Spinks reported that a trip generation analysis with several projections, including commercial square feet, was performed; and, the results found significant failures along the roadway. He stated that following a sensitivity analysis, if traffic could be reduced by 19%, the impact on the roadway would be reduced. He noted that it is a "given" that US-1 will fail; however, there will be failures at other intersections (184<sup>th</sup> Street, 97<sup>th</sup> Avenue) that could be mitigated with improvements at the intersections, such as adding turn lanes, installing signals, and turn lane improvements.

Mayor Flinn asked if signalization is the responsibility of Miami-Dade County. Mr. Spinks replied affirmatively, adding that the traffic engineer would present the traffic study to the County and request the signals, with the ultimately decision being made by the County.

Mr. Spinks stated that with regard to the circulation and access, the review concluded that service vehicles will be able to circulate and pedestrian-vehicular conflicts would be minimal at lower speeds, as the streets will be narrow and landscaped. He added other recommendations, including bike racks, transit information stations, and other transit-oriented amenities, to be considered.

Mr. Silva advised that the next step would be Phase 2 of the market study.

Vice Mayor DuBois and Mayor Flinn asked the impact of the resolution. Mr. Silva explained that the resolution, if approved, would allow staff to begin conversations with the County and FDOT to move forward with the recommendations.

Mayor Flinn asked the cost of "acquiring concurrency" and what is involved with moving forward. He asked if the Council's discretion is removed at this point.

Attorney Lehtinen advised that the acceptance is of no great impact, but to authorize staff to proceed.

Manager Williams noted that the Village staff needs to be able to communicate with the County and FDOT through a broad policy direction. He added that no commitments beyond the policy guidance will be made without Council approval; and, no significant dollars can be expended without the costs coming to the Council for review and approval. He concluded that without Council consensus, staff may not move forward.

Vice Mayor DuBois expressed his disapproval with a resolution that simply accepts a report and does not believe that the Council should create unnecessary documentation. Following brief comment, he added that the Council remains supportive of this initiative, as evidenced by seeking the County's \$7,000,000 grant for the downtown redevelopment infrastructure.

Councilwoman Siegel Lara remarked that the study presents the scenario with or without any downtown redevelopment initiative. She stated that the Council is being proactive in pursuing improvements and when the documents includes that the Council is advocating for a traffic solution, it helps the downtown project achieve success. She remarked that she is in favor of staff returning with specifics.

Following comments, Vice Mayor DuBois moved to strike, "prior to proceeding with implementation of report findings" and replace with "ask the County to make changes in accordance with recommendations in the report" and replace references to DRTF to "Downtown Redevelopment Project". Councilman Schaffer seconded the motion.

Councilwoman Siegel Lara moved to strike Section 1, "The Village council accepts recommendations and authorizes the Village Manager to acquire concurrency." Vice Mayor DuBois moved to include the revisions as one motion. Seconded by Councilman Schaffer. All in favor.

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

A brief recess was taken.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ADVISORY BOARDS AND COMMITTEES, ABOLISHING FORMER ADVISORY BOARDS AND COMMITTEES ESTABLISHED VIA RESOLUTION, WITH THE EXCEPTION OF THE EDUCATION ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

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

Councilwoman Siegel Lara stated that the purpose of this matter is to resolve the number of inactive committees. Clerk Alexander provided the list of the inactive Committees.

Vice Mayor DuBois expressed his support.

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

- C. Discussion regarding Advisory Boards and Committees: Councilwoman Siegel Lara provided a hand-out and explained how she was desirous of providing uniformity and clarity to new Advisory Boards and Committees of the Village.

Mayor Flinn and Councilman Schaffer expressed their support. Councilman Schaffer added that the "Village Services" may have too many areas to consider.

Councilwoman Siegel Lara stated that she would be removing the "police services" from that subject matter and the areas would be considered when the scope is defined.

Councilman Schaffer remarked that more than one Council member may wish to serve as liaison on a particular Board and wondered how that could be accomplished. Attorney Lehtinen advised that the meetings would be publicly noticed; therefore, more than one Council member may be present, even if he/she is not the liaison.

Councilwoman Siegel Lara stated that the specific criteria of the various committees would be defined. She asked the Council to note that in Section 2-72, each Board would be reviewed annually to determine whether the Board is serving for its intended purpose.

Following Councilwoman Cunningham and Vice Mayor DuBois expressing their support, Vice Mayor DuBois clarified that as a non-voting liaison, a Council member could speak with a member of the Committee to address a particular issue. Attorney Lehtinen confirmed that members of the Council would not be members of the Committee, as it is currently drafted.

Councilwoman Siegel Lara stated that she would meet with the Village Clerk to prepare a draft Ordinance. She stated that she would also be meeting with Councilwoman Cunningham in a sunshine meeting to further discuss the proposed Ordinance.

- D. A RESOLUTION OF THE VILLAGE OF PALMETTO BAY, FLORIDA, EXPRESSING SUPPORT FOR THE EXPANSION OF METRORAIL

SOUTH TO FLORIDA CITY; PROVIDING FOR AN EFFECTIVE DATE.  
(Sponsored by Councilwoman Karyn Cunningham.)

Councilwoman Cunningham moved this item forward. Seconded by Councilman Schaffer. Clerk Alexander noted that Mayor Flinn will be listed as a co-sponsor.

Councilwoman Cunningham stated that US-1 is a focal point for transit and several cities in South Dade are in need of relief. She noted that in 2002, there was a ballot amendment for the half-cent tax to expand Metrorail to Florida City; however, that project is listed as a "future project" with no dates.

Mayor Flinn expressed his support, adding that there should be a resolution that would consider the restructuring of the Metropolitan Planning Organization.

Councilman Schaffer moved to remove lines 21-23, concerning the cross-cultural component and correcting the scrivener's error that states "City" council and lists "Florida City" in lines 32 and 33.

Councilwoman Cunningham asserted that the matter is cross-cultural, but she would like to see this item move forward regardless. Councilwoman Siegel Lara asked if other cities are adopting similar resolutions.

Clerk Alexander stated that she has been advised that Cutler Bay, Homestead, and Florida City all have similar resolutions.

Vice Mayor DuBois stated that the Council should define a station within Palmetto Bay. He moved to add a section to include a Metrorail station at SW 144 Street and SW 168 Street, in addition to including Councilman Schaffer's modification. Seconded by Councilman Schaffer.

Resident Peter England was permitted to briefly provide his opinion.

Mayor Flinn called the question for approval of the Resolution, as modified. The motion passed unanimously. The Resolution was approved (5-0.)

**5. NEXT MEETING AND ADJOURNMENT:** The meeting adjourned at 10:22 pm.

*Prepared and submitted by:*

  
Meighan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 4<sup>th</sup> day of May, 2015.*

  
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*Eugene Flinn, Mayor*

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