VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of May 6, 2013
Village Hall Chambers
9705 East Hibiscus Street

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

Mayor Shelley Stanczyk
Vice Mayor John DuBois
Council Member Patrick Fiore
Council Member Tim Schaffer
Council Member Joan Lindsay

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

Mayor Stanczyk called the meeting to order at 7:15 p.m. Mayor Stanczyk led the pledge of allegiance.

2. DECORUM STATEMENT: Clerk Alexander read the following decorum statement: Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Village of Palmetto Bay Council shall be barred from further audience at this meeting before the Village of Palmetto Bay Council by the presiding officer, unless permission to continue or again address the council be granted by the majority vote of the council members.

3. PROCLAMATIONS, AWARDS, PRESENTATIONS:

A. Odyssey of the Mind Florida Champions: Mayor Stanczyk and the members of the Council congratulated the children.

B. Winner of Earth Week Poster Contest: Westminster Christian School Student Alex Bae and his parents were recognized with Principal Jennifer Thompson. Mr. Bae explained the meaning of his poster and how he came up with the depictions. The Mayor and Council presented him with a Certificate of Appreciation.

4. APPROVAL OF MINUTES

A. Minutes of the Regular Council Meeting of April 1, 2013: Councilman Schaffer moved to approve the Minutes, as submitted. Seconded by Councilwoman Lindsay. All voted in favor. The Minutes were approved unanimously (5-0.)

5. CONSENT AGENDA

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PLANNING AND ZONING; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF ROSS GIS CONSULTING, INC., AS THE MOST RESPONSIVE PROPOSER IN PROVIDING PROFESSIONAL GEOGRAPHIC INFORMATION SYSTEM SERVICES UNDER RFP-2013-PZ-02; AND PROVIDING AN EFFECTIVE DATE.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PLANNING AND ZONING AND RFQ-2013-PZ-01; APPROVING THE APPOINTMENT OF MR. RICHARD L. DOODY, ESQ., PA, AS SPECIAL MASTER; AND PROVIDING AN EFFECTIVE DATE.

C. A RESOLUTION OF THE VILLAGE OF PALMETTO BAY, FLORIDA EXPRESSING SUPPORT FOR THE DESIGN AND CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF HOWARD DRIVE/SW 136 ST AND OLD CUTLER ROAD; PROVIDING FOR AN EFFECTIVE DATE.

D. 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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF $24,328.34; PROVIDING AN EFFECTIVE DATE.

Clerk Alexander advised that Items C & D were timely pulled from the Consent Agenda. Mayor Stanczyk noted they would be added to the Resolutions listed under Item 10.

Vice Mayor DuBois moved to approve the Consent Agenda items, as amended. Seconded by Councilman Fiore. All voted in favor. The Consent Agenda was unanimously approved (5-0.)

6. **REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: Barbara Nowak, 8840 SW 165 Terrace; Peter England, 7620 SW 171 Street; Chuck Latshaw, 8825 SW 154 Terrace; Two gentlemen, Andrew Novitsky, 17920 SW 88 Court, and Albert Diaz, 8287 SW 172 Street; Andrew Villalba, 8555 SW 168 Terrace; Henry Clifford, 8875 SW 171 Street; David Zisman, 14135 Farmer Road; Bev Gerald, 14271 SW 74 Court; Steve Kreisher, 18201 SW 98 Avenue; Mike Wallace, 9799 SW 182 Street; and, Gary Pastorella, 6940 SW 142 Terrace.

7. **VILLAGE MANAGER'S REPORT**

Manager Williams stated that he has been working on the draft of the Request for Proposals for Attorney Services and hopes to have a draft for the Council in June.

A. Village Police Commander Report

Policing Commander Gregory Truitt provided an update concerning the policing activities in the Village. He encouraged all to call for a watch order if residents will be on vacation.

Mayor Stanczyk thanked the police officer for working with the Council during Earth Week. Commander Truitt stated that the officers are currently being trained to help fit children to a well-fitting bike helmet. Mayor Stanczyk thanked the police for pursuing the grant that paid for the helmets.

Manager Williams commented that if individuals witness suspicious activities, such as "squatters" living in foreclosed homes, please report the matter to the police.

B. Second Quarter Budget to Actuals Report

Finance Director Desmond Chin provided the Second Quarter Budget to Actuals report. He stated that the Village has received 88% of the ad valorem taxes, which is approximately $4.9 million. He noted that the Village has only spent 35-39% of its budget and is; therefore, under in expenditures. Director Chin noted that he estimates a reduction in the Village's fund balance. He concluded his report by stating that the Building Department is currently at a break-even point.

Clerk Alexander announced the calendar

8. VILLAGE ATTORNEY'S REPORT

A. May, 2013 Update: Attorney Boutsis noted that her written report is provided for Council's information. She announced that a Special Council Meeting/public hearing will be held on May 20th to consider the proposed settlement agreement in the Shores of Palmetto Bay versus Village of Palmetto Bay litigation.

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

10. RESOLUTIONS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ART IN PUBLIC PLACES (AIPP) BOARD, APPOINTING MEMBERS TO THE VILLAGE OF PALMETTO BAY AIPP BOARD; AND, PROVIDING AN EFFECTIVE DATE.

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

Clerk Alexander provided an introduction to this item.

Director of Planning and Zoning Darby Delsalle provided staff report, noting that the seats will be staggered to coincide with the term of the Council member that is appointing the Board member.

Councilwoman Lindsay nominated Dana Pezoldt. Councilman Schaffer nominated Nicholas Stoetzer. Vice Mayor DuBois stated that he did not have an appointment at this time.

Clerk Alexander advised that this Board will not be able to meet without a third member. Vice Mayor DuBois suggested that the item be placed on the Agenda for the May 20th special council meeting.

Councilman Schaffer moved to approve and appoint the two nominees. Seconded by Councilwoman Lindsay. All voted in favor. The Resolution passed unanimously (5-0.)

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE HISTORIC PRESERVATION ADVISORY BOARD, APPOINTING ONE (1) MEMBER TO THE VILLAGE OF PALMETTO BAY HISTORIC PRESERVATION ADVISORY BOARD; AND, PROVIDING AN EFFECTIVE DATE.

Councilman Fiore moved this item forward. Seconded by Councilwoman Lindsay.

Director Delsalle provided staff report. He stated that one individual has sought to be appointed for a two year term.

Councilwoman Lindsay nominated Anthony Sabbag.

Councilwoman Lindsay moved to approve and appoint the nominee. Seconded by Councilman Schaffer. 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, RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR CONSTRUCTION SERVICES UNDER BID-2013-PR-001 TO BURKE CONSTRUCTION GROUP, INC. FOR THE THALATTA ESTATE RENOVATION PROJECT AT A COST OF $448,800; AND PROVIDING AN EFFECTIVE DATE.

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

Manager Williams provided staff report, noting that the matter was competitively bid and staff had negotiated the contract within the budgeted amount.

Director of Parks & Recreation Fanny Carmona Gonzalez concurred.

Vice Mayor DuBois asked the amount of the entire square footage. Building Official Ed Silva replied 4,200 square feet.

Mayor Stanczyk asked when the work would begin. Director Silva stated that a Notice to Proceed would be issued the following day and staff expects the exterior to be completed by September 1st.

Councilwoman Lindsay asked if the park would be closed. Director Carmona-Gonzalez replied that the park would be closed for safety reasons.

Councilwoman Lindsay moved to approve. Seconded by Councilman Schaffer. The Resolution passed (4 to 1, Vice Mayor DuBois opposed.)

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES; APPROVING THE QUALIFICATION OF FIRMS TO PROVIDE TRANSPORTATION PLANNING & ENGINEERING SERVICES, ENGINEERING SERVICES FOR ELECTRICAL ENGINEERING, MECHANICAL ENGINEERING & PLUMBING SYSTEMS, STRUCTURAL ENGINEERING, LANDSCAPE ARCHITECTURE, GENERAL PLANNING SERVICES, ARCHITECTURE, GENERAL CIVIL ENGINEERING SERVICES TO THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS WITH THE CORRADINO GROUP, INC., FLORIDA TRANSPORTATION ENGINEERING, INC., MARLIN ENGINEERING, WOLFBERG ALVAREZ AND PARTNERS, AMEC, PISTORINO & ALAM CONSULTING ENGINEERS, INC., STANTEC CONSULTING SERVICES, INC., NARMEL ENGINEERING, INC., O'LEARY RICHARDS DESIGN ASSOC., INC., KIMLEY-HORN & ASSOCIATES, INC., CALVIN, GIORDANO & ASSOC., INC., BERMELLO AJAMIL & PARTNERS, INC., AND KEITH & SCHNARS, P.A.; PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams provided an introduction. He explained that every three years, staff conducts a competitive process, soliciting professionals, who, if selected

compete for projects throughout the Village. He explained that the firms are pre-qualified, and we rotate the firms for projects through availability.

Director of Public Works Corrice Patterson explained the procurement process. She noted that 59 proposals were received in the seven different disciplines. Staff sought the expertise of a six-member selection panel that short-listed five firms to perform an oral presentation. She explained that staff qualifies three of the firms for a two-year period, with a one-year renewal option.

Manager Williams explained that contracts for higher priced projects return to council for final approval.

Mayor Stanczyk 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, AUTHORIZING A SPECIAL ELECTION PURSUANT TO SECTION 10.1 OF THE VILLAGE CHARTER, AS REQUESTED BY THE APPLICANT, ALEXANDER SCHOOL, INC., TO INCREASE ITS PREVIOUSLY APPROVED STUDENT POPULATION OF 270 TO 329; PROVIDING FOR THE SPECIAL ELECTION ON JUNE 25, 2013, TO BE CONDUCTED VIA MAIL-IN BALLOT; PROVIDING FOR REQUISITE BALLOT LANGUAGE OF THE PROPOSED REFERENDUM VOTE FOR THOSE ELECTORS WITHIN 2000 FEET OF THE APPLICANT'S PROPERTY, LOCATED AT 14850 SW 67TH AVENUE, PALMETTO BAY FLORIDA; PROVIDING 75% VOTER APPROVAL REQUIRED FOR PASSAGE OF THE REFERENDUM PRIOR TO VILLAGE COUNCIL CONSIDERATION OF THE APPLICANT'S ZONING REQUEST AT A FUTURE QUASI-JUDICIAL PUBLIC HEARING; PROVIDING FOR COPIES OF THE BALLOT QUESTION BE AVAILABLE FOR PUBLIC INSPECTION; PROVIDING FOR THE VILLAGE CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO PLACE THE QUESTION ON THE BALLOT; PROVIDING AN EFFECTIVE DATE.

Director Delsalle provided staff report. He stated that the applicant is Alexander School, Inc., and they are seeking to increase their student population and modify their site plan. He noted that in 2009, the Village Charter was modified to require a vote of the electorate that live within 2000 feet of the property, approximately 359 eligible voters in this case. Director Delsalle explained that if the applicant wishes to move forward in its expansion of students, they need a 75% voter approval before the matter is presented to the Council.

Attorney Boutsis noted that Attorney Jerry Proctor and Mr. McGhee are present to represent the applicant. She explained that she, Director Delsalle and the

applicant have approved of the ballot language. She noted that the cost of election is reimbursed by applicant. She reported that Attorney Proctor filed a reservation of rights letter concerning the recent Attorney General report concerning an ordinance of Clay County. She stated that the issue is not clear at this point; however, the applicant wishes to proceed.

Attorney Proctor stated that the applicant would like to move forward.

Vice Mayor DuBois asked whether the charter provision is constitutional under state law.

Attorney Boutsis stated that the Attorney General was responding to a request by the Clay County Attorney. She stated that an ordinance was being enacted that would require that any rezoning required a vote of the neighbors. The AGO recommended against this based upon Chapter 163 of the Florida Statutes. She opined that the concept of referendum has case law separate and apart from the Attorney General's law referenced. Attorney Boutsis advised that a similar challenged was recently upheld in St. Petersburg Beach.

Councilwoman Lindsay expressed her support, not only for the increase in enrollment, but for the applicant's plans to replace the buildings, and staggering arrival and dismissal times

Councilman Fiore asked Attorney Proctor if his client would seek legal redress if the vote fails and the 4/5 Council approval fails.

Attorney Proctor stated that he did not know, but wished to maintain the option.

Councilman Fiore expressed his opposition to the process. He stated that he is fully supportive of the Alexander School's applicant and is displeased that this school is facing a referendum that he believes was "incubated" during the events surrounding the Palmer Trinity School application.

Mayor Stanczyk stated that she respects Alexander Montessori School and their contributions; however, the Council must follow the law.

Director Delsalle clarified that the request is to increase the number of students from 270 to 329; and that 359 is the number of voters.

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

F. A RESOLUTION OF THE VILLAGE OF PALMETTO BAY, FLORIDA EXPRESSING SUPPORT FOR THE DESIGN AND CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF HOWARD

DRIVE/SW 136 ST AND OLD CUTLER ROAD; PROVIDING FOR AN EFFECTIVE DATE.

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

Vice Mayor DuBois stated that he wished to express his opposition, which is why he pulled the item from Consent.

Councilman Fiore stated that he is concerned with the traffic light at Ludlum and the 67th Avenue intersection. He asserted that the current configuration would be a problem and re-design may be necessary.

Manager Williams stated that he believes the Council should not approve any expenditure of a traffic calming item until the design is presented; however, the Council passed a resolution that has a number of steps that must be taken before traffic calming can occur. He stated that this Resolution is for the "possibility" of constructing; there is no design, and this is the final step in the process – does Council wish staff to work toward the design.

Mayor Stanczyk asked if this circle is part of the transportation master plan. Manager Williams noted it was identified by the Corradino Group in the Village's award winning 2004 plan; however it must be designed in a fashion that works.

Mayor Stanczyk stated that there are funds ear-marked for these programs. She reported that she approached Commissioner Suarez, Vice Chair Bell, and Mayor Gimenez and they are supportive, adding that Commissioner Suarez stated that if Vice Chair Bell provides funds, he will give the same plus $1.

Councilman Schaffer asked what would occur if only Palmetto Bay feels the design is not acceptable. Manager Williams replied that the County has control of those two arterials and has the ability to put their design in place; however, whether the County would fully fund it, is uncertain.

Councilman Schaffer asked if the County is not providing funding. Mayor Stanczyk stated that it was uncertain until the design is completed.

Discussion ensued. Attorney Boutsis explained that she would be consulted upon the drafting of an interlocal agreement between the agencies.

Mayor Stanczyk called the question. The Resolution passed (4 to 1, Vice Mayor DuBois opposed.)

G. 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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF $24,328.34; PROVIDING AN EFFECTIVE DATE.

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

Vice Mayor DuBois asked is the $1,560 spent on code enforcement is related to foreclosures on liens the Village holds. Attorney Boutsis stated that this was correct.

Vice Mayor DuBois asked if the $1,390 was the cost for one and half hour service of a Court Reporter for the Palmer Trinity shade session. Attorney Boutsis confirmed this charge. Vice Mayor DuBois suggested negotiating a less expensive method. Attorney Boutsis concurred, adding that she did not ask for a rush, but would negotiate with the Court Reporting firm.

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

11. RESOLUTIONS REQUIRING PUBLIC HEARING

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PARKS AND RECREATION PARKS MASTER PLAN; HOLDING A PUBLIC HEARING TO AUTHORIZE REVISIONS TO THE PALMETTO BAY PARK MASTER PLAN TO INCLUDE 1) TWO ADDITIONAL BATTING CAGES; 2) PAVILION WITHIN PLAYGROUND AREA AND 3) CONVERSION OF THE EXISTING SKATE PARK TO TWO MINI SOCCER FIELDS WITH ARTIFICIAL TURF; ADDITIONALLY, APPROVING THE APPLICATION OF THE VILLAGE OF PALMETTO BAY REQUESTING ZONING APPROVAL PURSUANT TO SECTION 30-50.21 TO ALLOW FOR PUBLIC FACILITY PUBLIC USE AT THE PROPERTY KNOWN AS PALMETTO BAY PARK, 17535 SW 95 AVENUE; AND PROVIDING AN EFFECTIVE DATE.

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

Attorney Boutsis swore in individuals who wished to speak and asked the Council to provide any additional disclosures since the first meeting on this matter.

Mayor Stanczyk disclosed that she had met, discussed, and/or received emails from several residents, including, Aida Cruzan, Bev Allen, Monica Brandt, Ana Brown, Lisa Hunt, Glen Luire, Marsha Matson, Jack Morrow, Jacqueline Prussing, Amy Nelson, Susan Pierpont, Shirley Maloney, Steve Kreisher, and Chris and Lee Marenkers. She met with most of these residents at Sheila

Frazier's home. She also received a phone call from Beatriz Hermann. She stated she can remain impartial.
Vice Mayor DuBois stated that he did not have any additional disclosures.
Councilwoman Lindsay stated that she had received an email from Sheila Frazier, which she forwarded to Director Delsalle. She noted that she will remain impartial.
Councilman Schaffer stated that he had also received Ms. Frazier's email and will remain impartial.
Councilman Fiore noted he, too, received Ms. Frazier's email and will be impartial.

Councilman Fiore asked if this vote required super-majority. Attorney Boutsis replied affirmatively.

Director Delsalle provided staff report, noting there is no re-zoning included in this request. He stated that staff will be conducting a series of workshops to solicit input from the residents. He explained that items may not be added, but can be removed at this time.

Councilwoman Lindsay asked if the concern raised by the girls softball concerning placement of the batting cages was addressed. Director Carmona-Gonzalez stated that they had clarified where the batting cages are and the softball organizations are satisfied.

Councilman Schaffer clarified that he is in favor of the skate park remaining and eliminating the inclusion of the soccer fields until further discussions are held.

Mayor Stanczyk opened the public hearing. The following individuals addressed the Council: Buster Trocin, 11316 SW 112 Circle Lane East, Miami; Jacqueline Prussing, 9341 SW 178 Street; Gary Pastorella, 6940 SW 142 Terrace; Lisa Mundt, 9361 SW 178 Street; Sheila Frazier, 9305 SW 181 Street; Todd Morrow, 9375 SW 178 Terrace; Andrew Novitsky, 17920 SW 88 Court, and Albert Diaz, 8287 SW 172 Street; and David Singer, 8360 SW 154 Terrace.

Councilman Fiore supported Councilman Schaffer's comment.

Vice Mayor DuBois asked if the poles depicted on the plan and the current lighting. Director Carmona-Gonzalez confirmed that those poles are currently in existence, simply placed on the map for accuracy.

Councilwoman Lindsay thanked all residents for coming, noting that the 2004 master plan language is incorporated, concerning lighting in particular. She reminded the audience that the Council cannot include new amenities, such as beach volleyball and a water feature at this meeting, but those items can be considered and advertised for a subsequent meeting.

Discussion ensued.

Councilman Schaffer moved to approve the batting cages, leave the skate park, as is, and include the picnic pavilion. Seconded by Councilman Fiore. All voted in favor. The motion passed unanimously (5-0.)

Councilwoman Lindsay moved to approve the site plan and all development approvals for construction. Seconded by Councilman Schaffer. All voted in favor. The Resolution passed unanimously (5-0.)

12. ORDINANCES FOR FIRST READING: None at this time.

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None at this time.

14. OTHER BUSINESS

A. Seeking a class extension of time from Miami-Dade County Environmental Quality Control Board for Project GOB-MISC-8 – Basin C Construction – Palmetto Bay Water and Sewer Improvement Project (Councilman Fiore)

Councilman Fiore stated that he has discussed this project with staff at Miami-Dade Water & Sewer and DERM and believes the Village, on behalf of residents, can seek an extension of time to assist these residents. He asked the Council for an affirmative vote to apply for a class extension of time to the Miami-Dade County Environmental Quality Control Board. He stated that this extension would give the homeowners the ability to prepare for this expense in the future.

Mayor Stanczyk moved to approve the direction. Seconded by Councilman Fiore. All voted in favor. The motion passed unanimously (5-0.)

15. COUNCIL COMMENTS

Vice Mayor DuBois stated that he had discussed the matter concerning Basin C with Vice Chair Lynda Bell, who had suggested drafting a resolution to support the extension of time and asked the County Commission to address it administratively. He suggested adding this matter for the May 20th Special Council meeting. Councilman Fiore concurred.

Councilwoman Lindsay thanked the Manager, Director Carmona-Gonzalez, and Special Events Coordinator Mary Fernandez for scheduling and coordinating the school visits and lady bug releases during Earth Week. She noted that the Mayor and she attended events at eight schools and released over 75,000 lady bugs, having a great, educational time.

Mayor Stanczyk echoed the appreciation of staff and stated she was glad to be able to share the importance of preserving the environment with the children. She also thanked staff for showing the film, The Lorax, and for soliciting citizen input through the on-line survey for this movie choice.

16. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 9:35 pm.

Prepared and submitted by:

Meighan J. Alexander, CMC
Village Clerk

Adopted by the Village Council on this 3rd day of June, 2013.

Shelley Stanczyk, 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.