

RESOLUTION NO. _____

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 \$26,316; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay engaged the law firm of Lehtinen Schultz Riedi Catalano Fuente, PLLC to provide Village Attorney legal services for the Village; and

WHEREAS, Lehtinen Schultz Riedi Catalano Fuente, PLLC, submitted its statements to the Village for legal services rendered, and costs advanced, for the period ending April, 2016, in the amount of \$26,316; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval. The statements for attorneys' fees and costs received from Lehtinen Schultz Riedi Catalano Fuente, PLLC, in the total amount of \$26,316, copies of which are attached, are approved for payment.

Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this ____ day of June, 2016.

Attest: _____
Meighan J. Alexander
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

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FINAL VOTE AT ADOPTION:

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

Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131

April 2016
Village of Palmetto Bay

Statement Period: April 2016 Client: Village of Palmetto Bay, Florida

Date	Individual	Subject	Time
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General Government

4/1	DL	Confer with VPB staff regarding issues on upcoming Council meeting agenda	1.8
4/4	DL	Meeting with Mayor, Manager, Clerk re: pending issues (incl. website); prepare for Land Planning Agency (LPA) and Council meeting; attend LPA and Council meeting	7.8
4/5	DL	Review MOU and Letter of Support re: light rail transportation; confer with staff re: post meeting issues	2.2
4/6	DL	Meet with Manager and confer with Mayor (by phone); meet w/Manager and Clerk re: pending public records issues and problems; sign official documents w/ Clerk; brief new Public Outreach Committee on Sunshine Law	4.9
4/11	DL	Confer with Manager and Council Member; prepare for and attend meeting of Charter Revision Commission	3.9
4/12	CR	Research some solicitation ordinances and statutes	1.2
4/12	DL	Research Sunshine Law (public meetings) re; locations other than government buildings, informal locations; confer with VPB staff onm follow-up from previous meeting	2.8
4/13	DL	Draft proposed ordinances; meet with Clerk, staff to final draft Y-Green and Solicitation Permit Ordinance; confer with appropriate Council member	4.6
4/13	BF	Follow-up with L. Pittser re: unsolicited proposal issues; research exemptions; conference w/ L. Pittser; conference call w/ DL	1.4

**Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

April 2016/Village of Palmetto Bay

General Government (continued)

4/14	BF	Various correspondence to/from L. Pittser; legal research re: public records in bidding; conference call w/ DL re: same; conference call w/ DL and Pittser; draft correspondence to N. Ceavers re: garage unsolicited proposal public records request; draft correspondence to B. Boiko re: public records request	2.6
4/14	CR	Research Sunshine Law Attorney General Opinions and case law concerning government meetings in informal places; email to DL; research ethics opinions, case law and statutes on council members voting conflicts; email to DL re: same	3.2
4/14	DL	Meet with Mayor and Manager re: light rail; meet with County (via Phone) and Mayor re: light rail; review unsolicited bid issues; confer with BF; confer with CR re: Sunshine Law meetings at informal (non-government) locations; review materials	5.3
4/15	DL	review solicitation issues and PASCE issues with Council member; review/revise proposals; confer with staff; confer with BF re; public records for unsolicited bids	3.3
4/15	BF	Receive and review correspondence re: public records requests; conference call with DL; further research re: unsolicited proposals and exemptions from Ch. 119; conference call w/ Pittser; research on other positions taken in similar situations	2.3
4/18	DL	Attend meeting of Village Council (zoning issues); prepare for meeting; confer with staff	4.2
4/18	BF	Research re: statutes and revisions on procurement issues; further research on public records and procurement matters	2.9
4/18	CR	Review new Sunshine exemptions for competitive bids and unsolicited bids; confer with BF concerning same	1.2
4/19	BF	Follow-up Chg. 119 issues in procurement (Jane Forman Tennis and Structure Parking Solutions)	0.8

**Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

April 2016/Village of Palmetto Bay

General Government (continued)

4/20	DL	Review resolutions and public records requests; confer with staff and Clerk	2.0
4/20	BF	Respond to public records requests for: Pettis/Borromeo: HC Contracting; ; FOMT; Coach Joe	0.6
4/22	DL	Review in Manager's Office all proposed resolutions (incl. procurement and contracts) and ordinances for upcoming Council meeting; correct and re-write as necessary	4.6
4/24	DL	Prepare audit letter for VPB auditing firm	1.0
4/25	DL	Continue review and correction of agenda items (resolutions, incl. contracts and procurement, and ordinances); confer with staff re: upcoming issues; meet with and brief new Administration Advisory Committee on Sunshine Law	5.1

Zoning/Land Useg

4/13	CR	Review Brevard v. Snyder and applicable law to quasi-judicial proceedings (zoning); discuss with DL	0.8
4/14	BF	Research Village draft covenant re: Old Cutler Road	1.1
4/14	JC	Review and finalize Declarations of Restrictions and Covenants pertaining to 17777 Old Cutler Road and related development rights; mark-up draft	1.3
4/15	JC	Further review and markup to Declaration re: 17777 Old Cutler Road properties	0.7
4/19	JC	Finalize mark-up tp Declaration of Restrictions and Covenants; prepare correspondence to Planning Director and DL regarding same	0.5

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Miami, Florida 33131**

April 2016/Village of Palmetto Bay

Zoning/Land Use (continued)

4/20	CR	Review restrictive covenants for VMU/I property (old Burger King property); review Miami-Dade County Charter and Code re: park property; review Rule Against Perpetuity as applicable to restrictive covenants; review MRTA (Marketable Record Title Act); confer with DL regarding all of foregoing	2.2
4/20	DL	Confer with CR regarding restrictive covenants, expiration; case law re: duration and interpretations of duration clauses; review and confer on VMU issues	3.6
4/21	DL	Meet with Planning Director and (thereafter) with Manager on issues re: Village Mixed Use District and Transfer of Development Rights	2.9
4/22	DL	Meet with Manager, Planning Director; resident re: proposed VMU ordinances; review VMU with Planning Director	3.4
4/24	DL	Study historical documents relating to old Burger King property and VMU District (incl. Miami-Dade zoning actions, restrictive covenants; VPB zoning actions); study zoning classifications	3.9.
4/26	DL	Review all issues pertaining to VMU land use amendment ordinance, VMU comprehensive plan amendment ordinance, and TDR resolution; review land use history and restrictive covenants; meet with Planning Dept	4.5
4/27	JC	Conference (telephone) with DL and CR re: various issues pertaining to restrictive covenants, owner's requests for reversion rights, and related matters; further markup of draft	1.9
4/27	DL	Meeting with Manager, Planning Director, and traffic expert consultant re: VMU	1.0
4/28	JC	Further review and finalize mark-up to Declaration of Covenants and Restrictions; transmit to DL	1.1

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Miami, Florida 33131**

April 2016/Village of Palmetto Bay

Zoning/Land Use (continued)

4/28	CR	Attend meeting with Manager, DL, Council Member; confer w/Planning Director re: various pending items; confer w/ DL re: same; review draft covenants; review draft resolution	5.2
4/28	DL	Meet with Mayor and Council members (not recused from VMU vote) at different times; draft amendments to VMU land development amendment ordinance, for no increase in traffic; confer with Planning Dept on all matters re: VMU	7.4
4/29	CR	Research continuing validity of restrictive covenant; review new restrictive covenant; confirm validity of notice for May 2, 2016 meeting; review existing and revised resolution; confer w/ JC and DL	6.8
4/29	JC	Research further issues relating to Declaration and Amendment; analyze case law regarding enforceability of restrictive covenant; research potential applicability of MRTA (Marketable Record Title Act); analyze title and deed matters with respect to imposition of restrictive covenants on VMU and I zoning contiguous to VMU, and potential expiration of same; confer with DL re: law and issues	3.2
4/29	DL	Conference with CR and JC regarding law of duration of restrictive covenants; discuss legal cases, MRTA, Rule Against Perpetuity; discuss history of VMU property titles and title transfers as relates to covenant longevity	2.4

Human Resources (Personnel)

2/1-2/29 none

Litigation

4/4	CR	Research burden of proof in challenge to constitutionality of municipal ordinances; draft/edit supplemental responses to Motion for Summary Judgement; discussion with DL; file same with court; email DL (Alexander School)	3.1
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**Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131**

April 2016/Village of Palmetto Bay

Litigation (continued)

4/4	DL	Discuss supplemental filing re: burden of proof and interrogatory responses, with CR; review (Alexander School)	1.8
4/8	CR	Hearing preparation; review case law; discussion with DL (Alexander School)	1.5
4/8	DL	Review/preparation for hearing (Alexander School)	1.0
4/11	CR	Attend hearing on Motion for Summary Judgement (Judge Thomas); prior hearing preparation	1.5
4/11	DL	Attend Alexander School continuation of hearing on Summary Judgement	1.4
4/20	CR	Shilling foreclosure; review newly filed complaint; open file; review public record for liens; draft answer and affirmative defenses	1.2

Total Fees

Monthly total hours.....	135.1
Total fees due (@ \$190/hour.....)	\$ 25,669

Reimbursable Expenses

WestLaw computer research charge.....	\$ 624
Parking for Village business.....	\$ 23
Total Reimbursable Expenses.....	\$ 647

Total amount due (fees and expenses).....\$ 26,316

DL = Dexter Lehtinen CR = Claudio Riedi JC = John Catalano
BF = Bob de la Fuente TS – Tom Schultz

RESOLUTION NO: _____

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3 **A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF**
4 **THE VILLAGE OF PALMETTO BAY, FLORIDA, DECLARING THE**
5 **VILLAGE OF PALMETTO BAY A PURPLE HEART CITY;**
6 **PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Eugene**
7 **Flinn.)**

8
9 **WHEREAS**, the people of the Village of Palmetto Bay have great admiration and the
10 utmost gratitude for all the brave men and woman who have selflessly served our country in the
11 Armed Forces; and

12
13 **WHEREAS**, veterans have paid the high price of freedom by leaving their families and
14 communities and placing themselves in harm's way for the good of all; and

15
16 **WHEREAS**, the contributions and sacrifices of the men and women from the Village of
17 Palmetto Bay and throughout the Country who served in the Armed Forces have been vital in
18 maintaining the freedom and way of life enjoyed by our citizens; and

19
20 **WHEREAS**, many men and women in uniform have been injured or have given their
21 lives while serving in the Armed Forces; and

22
23 **WHEREAS**, General George Washington, on August 7, 1782, by General Order,
24 established the Badge of Military Merit, an award for exemplary service in the Continental Army
25 during the War of Independence; and

26
27 **WHEREAS**, the Badge of Military Merit was the first military award of the independent
28 colonies and the first award in western civilization designated specifically for the common soldier;
29 and

30
31 **WHEREAS**, in 1932, with the assistance of General Douglas MacArthur, the Badge of
32 Military Merit was revived and re-designated as the Purple Heart, a valor award for United States
33 Army personnel; and

34
35 **WHEREAS**, in 1942, President Franklin D. Roosevelt, by Executive Order 9277,
36 retroactive to December 6, 1941, expanded the awarding of the Purple Heart to members of all
37 branches of the armed forces of the United States and established a uniform application of
38 standards for the award in the Army and Navy; and

39
40 **WHEREAS**, in 1952, President Harry S. Truman, in Executive Order 10409,
41 retroactively extended Navy, Marine Corps, and Coast Guard eligibility for the Purple Heart to
42 April 5, 1917, to cover World War I; and

43
44 **WHEREAS**, in 1962, President John F. Kennedy, in Executive Order 11016, extended
45 eligibility as well to any civilian national of the Unites States who, while serving under competent
46 authority in any capacity with an armed force, had been wounded; and

1
2 **WHEREAS**, many citizens of our community have earned the Purple Heart Medal as a
3 result of being wounded while engaged in combat with enemy forces. The Village of Palmetto
4 Bay commends these individuals and wishes to recognize veterans who are recipients of the
5 Purple Heart Medal.

6
7 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
8 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

9
10 **Section 1.** The Village Council hereby proclaims the Village of Palmetto Bay as a
11 Purple Heart City, honoring the service and sacrifice of our nation's men and women wounded
12 or killed by the enemy while serving to protect the freedom enjoyed by all Americans.

13
14 **Section 2.** This Resolution shall become effective upon the date of its adoption
15 herein.

16
17 PASSED AND ADOPTED this _____ day of June, 2016.

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19
20 Attest: _____
21 Meighan J. Alexander
22 Village Clerk

Eugene Flinn
Mayor

23
24 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
25 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

26
27
28 _____
29 Dexter W. Lehtinen
30 Village Attorney

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33 **FINAL VOTE AT ADOPTION:**

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35 Council Member Karyn Cunningham _____

36
37 Council Member Tim Schaffer _____

38
39 Council Member Latissa Siegel Lara _____

40
41 Vice-Mayor John DuBois _____

42
43 Mayor Eugene Flinn _____

RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY; REPEALING RESOLUTION NO. 2015-84, RELATING TO THE BOARDS AND AGENCIES; CREATING THE VETERANS' PARK COMMITTEE TO WORK WITH THE VILLAGE MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution Number 2015-84 created the Veterans' Park Advisory Committee; and

WHEREAS, it is the intent of the Mayor and Village Council that members of the Committee may communicate and coordinate directly with the Village Manager to move forward its scope, as provided in Section 3, below.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Resolution Number 2015-84 is hereby repealed.

Section 2. The Veterans' Park Committee is hereby established within the Village Manager's office. This Committee shall communicate and coordinate directly with the Village Manager and is not an advisory committee of the Council pursuant to the Charter; therefore, the Committee is not subject to the Florida Sunshine Laws.

Section 3. Scope: The Veterans' Park Advisory Committee shall:

- Advise the Village Council as to the possible location and design for recognizing United States Veterans and first responders within the municipal boundaries of Palmetto Bay.
- Offer suggestions concerning the most appropriate manner by which to recognize United States Veterans and first responders.
- Assist with the planning, promotion, and implementation of any events to be held with regard to the grand-opening of the location – future events, as approved by the Council.
- Promote patriotism.
- Work with the Council, Village administration, and other organization to further the aim and objective of providing United States Veterans and first responders with an appropriate recognition of gratitude for their service.

Section 4. **Membership:** The Board of the American Legion Marlin Moore Post shall offer five members to be approved by the Village Manager for appointment on the Committee. Additional appointments shall be made by the Village Manager from the following

1 committees: Parks and Recreation, Art in Public Places, Community Outreach, Tree Advisory
2 Board, and Education Advisory. The Palmetto Bay Garden Club shall also be entitled to appoint
3 one member. The total number of members shall be eleven (11). A quorum shall be six (6)
4 members. Council members may attend and participate through coordination with the Village
5 Manager. Members of the Veterans' Park Committee shall serve without compensation.
6

7 **Section 5.** Members shall meet regularly with the Village Manager or his designee(s)
8 to address the matters as defined in its scope. Staff assistance shall be provided as determined by
9 the Village Manager. The Committee shall select the Chair and Secretary, who shall be
10 responsible for providing a written record of the proceedings of the Committee that shall be
11 regularly submitted to the Village Manager.

12 **Section 6.** Members of the Veterans' Park Advisory Committee formerly created by
13 Resolution 2015-84 shall serve as members of the new Veterans' Park Committee until and
14 unless determined otherwise by the Manager.
15

16 **Section 7.** This Committee shall sunset two years from the date of this Resolution,
17 unless extended by the Village Manager.
18

19 **Section 8.** The Veterans' Park Committee shall not engage in political activity or
20 expression in Village of Palmetto Bay municipal elections. No member of the village council or
21 candidate for village office may solicit any member of the Veterans' Park Committee to
22 participate in any municipal campaign.
23

24 PASSED AND ADOPTED this ____ day of June, 2016.

25
26 Attest: _____

27
28 Meighan J. Alexander
29 Village Clerk

30
31 Eugene Flinn
32 Mayor

33 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
34 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
35

36 _____
37 Dexter W. Lehtinen
38 Village Attorney

39 FINAL VOTE AT ADOPTION:

40 Council Member Karyn Cunningham _____

41 Council Member Tim Schaffer _____

42 Council Member Larissa Siegel Lara _____

43 Vice-Mayor John DuBois _____

44 Mayor Eugene Flinn _____
45
46
47
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RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY; REPEALING RESOLUTION 2015-51, RELATING TO THE BOARDS AND AGENCIES; CREATING THE YOUTH COMMUNITY INVOLVEMENT BOARD TO WORK WITH THE VILLAGE MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution Number 2015-51 created the Youth Advisory Council, which was subsequently renamed via Resolution to be called the Youth Community Involvement Board; and

WHEREAS, it is the intent of the Mayor and Village Council that members of the Youth Community Involvement Board may communicate and coordinate directly with the Village Manager to move forward its scope, as provided in Section 3, below.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Resolution 2015-51 is hereby repealed.

Section 2. The Youth Community Involvement Board is hereby established within the Village Manager's office. This Board shall communicate and coordinate directly with the Village Manager and is not an advisory committee of the Council pursuant to the Charter; therefore, the Committee is not subject to the Florida Sunshine Laws.

Section 3. Scope: The Youth Advisory Council shall:

- Advise the Village Council as to the quality of life and recreational needs of the youth of the Village.
- Assist in the planning, promotion, and implementation of programs and services for youth and teens of the Village.
- Participate in Village events such as the Village picnic, Earth Week, and sponsored events including, but not limited to Relay for Life, and other events as determined to be appropriate.
- Foster a greater involvement of youth and teens in municipal government and community service.

Section 4. **Membership:** The Village Manager shall appoint members. Council members may recommend members to the Village Manager. Appointments to replace any vacancies may be made as needed. The Youth Community Involvement Board shall consist of eleven (11) school students who reside within, are home schooled, or who attend public or private schools within the municipal limits of Palmetto Bay. Membership shall be limited to age

1 twenty-one (21) or up through date of graduation. A quorum shall be six members. Members of
2 the Youth Advisory Council shall serve without compensation.

3
4 **Section 5.** Members shall meet regularly with the Director of Parks and Recreation
5 and/or Special Events Coordinator or designee(s) to address the matters as defined in its scope.
6 Staff assistance shall be provided as determined by the Village Manager. The Board shall select
7 the Chair and Secretary, who shall be responsible for providing a written record of the
8 proceedings of the Board that shall be regularly submitted to the Village Manager.

9
10 **Section 6.** The Youth Community Involvement Board shall not engage in political
11 activity or expression in Village of Palmetto Bay municipal elections. No member of the village
12 council or candidate for village office may solicit any member of the Youth Community
13 Involvement Board to participate in any municipal campaign.

14
15 PASSED AND ADOPTED this ____ day of June, 2016.

16
17 Attest: _____
18 Meighan J. Alexander
19 Village Clerk

Eugene Flinn
Mayor

20
21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
22 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

23
24
25 _____
26 Dexter W. Lehtinen
27 Village Attorney

28
29
30 FINAL VOTE AT ADOPTION:

31
32 Council Member Karyn Cunningham _____
33
34 Council Member Tim Schaffer _____
35
36 Council Member Larissa Siegel Lara _____
37
38 Vice-Mayor John DuBois _____
39
40 Mayor Eugene Flinn _____



To: Honorable Mayor and Village Council Date: June 6, 2016
From: Edward Silva, Village Manager  Re: Lot Maintenance and
Abandoned Property

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF E. RODRIGUEZ LANDSCAPING, INC. FOR LAWN MAINTENANCE SERVICES IN RELATION TO THE "LOT MAINTENANCE AND ABANDONED PROPERTY PROGRAM" ADOPTED ON OCTOBER 6, 2008 ORDINANCE NO. 08-19; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS WITH THE SELECTED FIRM; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS:

Pursuant to the powers granted by the Florida Constitution, and applicable sections of Chapter 166 of the Florida Statutes, the Mayor and Council adopted Ordinance No. 2008-19 on October 6, 2008, creating Chapter 27 of the Village's Code of Ordinances entitled, "Lot Maintenance and Abandoned Property". This program seeks to address abandoned properties that are not being maintained by the owner or lending institution. In implementing the program, the Village requires the assistance of a qualified vendor to ensure that these abandoned properties do not become a nuisance to the community.

In an effort to procure these services for the Village, Request for Proposal (RFP) No. 1516-07-003 was submitted in accordance with established guidelines to select the most responsive and cost-effective qualified proposer for the services delineated in proposal. The selection committee reviewed the bid proposals received and determined that E. Rodriguez Landscaping Inc. was the most responsive and cost-effective proposed vendor. Copies of the Ranking Score Tabulation Breakdown are attached as (Exhibit A).

It is recommended that the Village Manager be authorized to enter into negotiations with E. Rodriguez Landscaping, Inc. as the most responsive proposer and, contingent upon successful negotiations, bring this item back before Council for formal review and ratification of the governing contract for services.

FISCAL/BUDGETARY IMPACT:

For fiscal year 2015-16, the Village has budgeted \$30,000.00 for the “Lot Maintenance and Abandoned Property” program. Properties which are serviced under this program are assessed so that the Village may recover the costs associated with the clean-ups.

RECOMMENDATION:

Approval of this item is recommended.

Attachments:

(Exhibit A) – Ranking Score Tabulation Breakdown

Corrice



Village of Palmetto Bay
Ranking Score Tabulation Breakdown
Lawn Maintenance and Services A.K.A. "Mow and Go"
Bid Open Date: April 29, 2016 at 3:00pm

PROPOSERS	E. RODRIGUEZ	SFM SERVICES	ORCHARDMAN LANDSCAPE
Proposal Checklist			
Quality of the firm's proposal pursuant to the RFP 20PTS.	16	20	11
Firms past experience & performance on comparable contracts 20pts	20	15	15
Cost of Services 20pts	20	15	16
TOTALS	0 56	50 0	0 42

DePato 5/23/16

Note: Maximum allowable points is 60.

Darby



Village of Palmetto Bay
Ranking Score Tabulation Breakdown
Lawn Maintenance and Services A.K.A. "Mow and Go"
Bid Open Date: April 29, 2016 at 3:00pm

PROPOSERS	E. RODRIGUEZ	SFM SERVICES	ORCHARDMAN LANDSCAPE
Proposal Checklist			
Quality of the firm's proposal pursuant to the RFP 20PTS.	20	20	15
Firms past experience & performance on comparable contracts 20pts	20	20	15
Cost of Services 20pts	20	10	15
TOTALS	60	50	45

Note: Maximum allowable points is 60.

Desmond

Village of Palmetto Bay

Ranking Score Tabulation Breakdown

Lawn Maintenance and Services A.K.A. "Mow and Go"

Bid Open Date: April 29, 2016 at 3:00pm



PROPOSERS	E. RODRIGUEZ	SFM SERVICES	ORCHARDMAN LANDSCAPE
Proposal Checklist			
Quality of the firm's proposal pursuant to the RFP 20PTS.	20	20	20
Firms past experience & performance on comparable contracts 20pts	20	20	20
Cost of Services 20pts	20	10	15
TOTALS	60	50	55

Note: Maximum allowable points is 60.

PROPOSED
RESOLUTION

1 RESOLUTION NO. _____
2

3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF
4 THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO
5 CONTRACTS; APPROVING THE SELECTION OF E.
6 RODRIGUEZ LANDSCAPING, INC. FOR LAWN
7 MAINTENANCE SERVICES IN RELATION TO THE "LOT
8 MAINTENANCE AND ABANDONED PROPERTY PROGRAM"
9 ADOPTED ON OCTOBER 6, 2008 ORDINANCE NO. 08-19;
10 AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO
11 CONTRACT NEGOTIATIONS WITH THE SELECTED FIRM;
12 AND PROVIDING FOR AN EFFECTIVE DATE.
13

14 WHEREAS, pursuant to the powers granted by the Florida constitution, and applicable
15 sections of Chapter 166 of the Florida Statutes, the Mayor and Council adopted Ordinance No.
16 08-19 on October 6, 2008, creating a Chapter 27 of the Village's Code of Ordinances entitled,
17 "Lot Maintenance and Abandoned Property"; and
18

19 WHEREAS, the Village requires the assistance of a qualified vendor to implement the
20 "Lot Maintenance and Abandoned Property" program to ensure that abandoned properties do
21 not become a nuisance to the community; and
22

23 WHEREAS, in an effort to procure services for the Village, Request for Proposal (RFP)
24 No. 1516-07-003 was submitted in accordance with established guidelines; and
25

26 WHEREAS, after reviewing the proposals received, the assigned selection committee
27 determined that E. Rodriguez Landscaping, Inc. was determined to be the most responsive and
28 cost effective proposed vendor for lawn maintenance services in relation to the lot maintenance
29 and abandoned property program; and
30

31 WHEREAS, E. Rodriguez Landscaping, Inc. provided all the required documentation
32 pursuant to the proposal and proposed the lowest fees for the program.
33

34 WHEREAS, the Mayor and Village Council desire to approve the selection of E.
35 Rodriguez Landscaping, Inc., as the most responsive proposer and to authorize the Village
36 Manager to begin contract negotiations.
37

38 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
39 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
40

41 Section 1. E. Rodriguez Landscaping, Inc. is the most responsive bidder. The Village
42 Manager is authorized to enter into contract negotiations with the firm.
43

44 Section 2. E. Rodriguez Landscaping, Inc. is selected to provide the Village of
45 Palmetto Bay with the lawn maintenance services in relation to the lot maintenance and
46 abandoned property program pursuant to Ordinance No. 2008-19.
47



To: Honorable Mayor and Village Council Date: June 6, 2016

From: Edward Silva, Village Manager *ES* Re: Playground Equipment for
Coral Reef Park – Dynamo
Industries

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 EXPEND UP TO \$46,455.00 FOR THE PURCHASE, DELIVERY AND INSTALLATION OF PLAYGROUND EQUIPMENT AT CORAL REEF PARK; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$ 46,455.00; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS:

In response to suggestions by Palmetto Bay citizens and park patrons regarding possible efforts to provide enhanced and challenging recreational amenities within the playgrounds of Coral Reef Park, the Village would like to move forward by purchasing playground equipment. The review of structures for the park has yielded recommendation for the purchase, delivery, and installation of an Apollo Rope Swing and a Biggo Duo Swing Set as manufactured by Dynamo Playgrounds. Diagram and picture for playground equipment is attached as (Exhibit A).

Pricing for these two pieces of equipment are based on piggybacking RFP No. 13/14-8 Various Equipment and Amenities for Parks and Playgrounds for Clay County, Florida, which pricing is believed in good faith to be pursuant to a competitive bid process. Dynamo Quote No. 1605278-USA is attached as (Exhibit B).

FISCAL/BUDGETARY IMPACT:

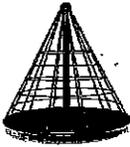
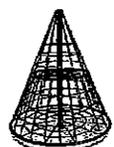
Capital dollars necessary for this expenditure is identified and approved in the Village's Fiscal Year 2015-16 Annual Capital Improvement Budget.

RECOMMENDATION:

Approval of this item is recommended.

Attachments:

- (Exhibit A) – Diagrams and pictures for playground equipment
- (Exhibit B) – Dynamo Playground Industries Quote# 1605278-USA

Product ID	Image	Specifications	MSRP	
DX-2000-F		Capacity 25 Size D 10' 10" H 10' 11" Use Zone D 23' 11" Fall Height 6' 8" Shipping Weight 1829.8 lb	\$19,710.00	† ‡
DX-2100		Capacity 35 Size D 10' 10" H 12' 8" Use Zone D 23' 11" Fall Height 9' 3" Shipping Weight 1300.7 lb	\$21,960.00	† ‡
DX-2100-F		Capacity 35 Size D 10' 10" H 12' 8" Use Zone D 23' 11" Fall Height 9' 3" Shipping Weight 1995.2 lb	\$23,055.00	† ‡
		<i>Apollo</i>		
DX-2200		Capacity 25 Size D 10' 10" H 10' 11" Use Zone D 30' 6" Fall Height 6' 11" Shipping Weight 1565.3 lb	\$25,190.00	† ‡
DX-2300-F		Capacity 25 Size D 10' 10" H 11' 3" Use Zone D 30' 6" Fall Height 7' 10" Shipping Weight 1653.5 lb	\$23,405.00	† ‡
DX-2400		Capacity 40 Size D 13' 5" H 9' 0" Use Zone D 29' 6" Fall Height 4' 11" Shipping Weight 3130.6 lb	\$40,385.00	† ‡
(Patent Pending)				
DX-1101		Capacity 4 Size D 18' 4" H 3' 11" Use Zone D 30' 5" Fall Height 3' 11" Shipping Weight 1124.4 lb	\$15,670.00	† ‡
DX-1102		Capacity 11 Size D 24' 7" H 4' 11" Use Zone D 36' 7" Fall Height 4' 11" Shipping Weight 1388.9 lb	\$21,270.00	† ‡
DX-BB4		Capacity N/A Size H 10' 0" L 60' 8" W 60' 8" Use Zone N/A Fall Height N/A Shipping Weight 1069.2 lb	\$11,730.00	† ‡
DX-BB3		Capacity N/A Size H 10' 0" L 73' 2" W 25' 11" Use Zone N/A Fall Height N/A Shipping Weight 948.0 lb	\$9,925.00	† ‡

NEW

CPT-1006  Capacity 240
 Size L 93' 11" W 93' 11" H 24' 7"
 Use Zone L 106' 6" W 106' 6"
 Fall Height 7' 3"
 Shipping Weight 7222.3 lb
 CALL FOR QUOTE † ‡

CPT-1007  Capacity N/A
 Size N/A
 Use Zone N/A
 Fall Height N/A
 Shipping Weight N/A
 CALL FOR QUOTE † ‡

CPT-1009  Capacity N/A
 Size N/A
 Use Zone N/A
 Fall Height N/A
 Shipping Weight N/A
 CALL FOR QUOTE † ‡

DX-3100  Capacity 4
 Size W 11' 9" H 10' 3"
 Use Zone L 31' 4" W 24' 6"
 Fall Height 7' 10"
 Shipping Weight 925.9 lb
 \$11,280.00 † ‡

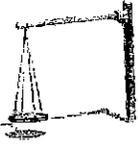
DX-3200  Capacity 8
 Size W 24' 1" H 10' 3"
 Use Zone L 31' 4" W 36' 1"
 Fall Height 7' 10"
 Shipping Weight 1477.1 lb
 \$16,160.00 † ‡
Biggo Duo

DX-3300  Capacity 12
 Size W 35' 8" H 10' 3"
 Use Zone L 31' 4" W 47' 8"
 Fall Height 7' 10"
 Shipping Weight 2105.4 lb
 \$23,055.00 † ‡

DX-3175  Capacity 4
 Size W 9' 9" H 7' 5"
 Use Zone L 26' 8" W 21' 9"
 Fall Height 6' 8"
 Shipping Weight 793.7 lb
 \$7,045.00 † ‡

DX-3275  Capacity 8
 Size W 18' 6" H 7' 5"
 Use Zone L 26' 8" W 31' 0"
 Fall Height 6' 8"
 Shipping Weight 1071.4 lb
 \$12,930.00 † ‡

DX-3375  Capacity 12
 Size W 27' 9" H 7' 5"
 Use Zone L 26' 8" W 40' 3"
 Fall Height 6' 8"
 Shipping Weight 806.9 lb
 \$18,590.00 † ‡

DX-3150  Capacity 4
 Size W 13' 0" H 11' 7"
 Use Zone L 27' 7" W 31' 0"
 Fall Height 9' 8"
 Shipping Weight 881.8 lb
 \$12,465.00 † ‡
 (Patent Pending)



5-733 Industrielle St.
 Rockland, ON K4K 1T2
 Canada
 Tel: (613) 446-0030
 Fax: (613) 446-0034

QUOTE

Quote No.: 1605278-USA
 Date: 05/25/2016
 Page: 1

EXHIBIT B

Sold To:

City of Palmetto Bay
 Fanny Carmona
 9705 East Hibicus Street
 Palmetto Bay, FL 33157
 USA

Ship To:

City of Palmetto Bay
 Fanny Carmona
 9705 East Hibicus Street
 Palmetto Bay, FL 33157
 USA

GST/HST No: 872335070

Quantity	Unit	Description	Unit Price	Amount
1	Each	Apollo with floor	23,055.00	\$23,055.00
1	Each	Biggo Solo	11,280.00	\$11,280.00
1	Each	Installation - estimated cost of installing the above products only	8,585.00	\$8,585.00
* Freight quotation is for standard delivery only; any extras such as lift gate, limited access, etc may require a surcharge * Heavy machinery such as a forklift or other mechanical device will be required to offload this shipment * Freight rates are estimated, and may be subject to change up until time of shipment *This quotation includes installation, but does not include any site preparation, grading, over-excavating or surfacing. Any caliche, rock or obstacles interfering with basic excavation for footers will be the responsibility of the General Contractor. *Dynamo is not responsible for any required box expansions *Dynamo is not responsible for any additional surfacing required to meet fall height requirements *Dynamo is not responsible for any damages to surfacing *Site plan is required				
Freight				\$3,535.00
Comments We submit this quotation as our offer to sell equipment to the buyer quoted above. This is not an acknowledgement and no goods will be produced until all requirements are met as stated herein, to the satisfaction of the seller. To accept this proposal, please sign, date and return with other materials required. Once signed and returned any changes must be submitted in writing and approved by the seller. No goods may be returned without prior written consent. Errors & Omissions excluded. Terms: 50% deposit required to process order. * Please allow 9 to 11 weeks for delivery. When placing order, please reference quote: 1605278-USA				\$46,455.00

PROPOSED
RESOLUTION

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Attest: _____
Meighan J. Alexander
Village Clerk

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND
RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

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



To: Honorable Mayor and Village Council Date: June 6, 2016

From: Edward Silva, Village Manager  Re: Playground Equipment for
Coral Reef Park - GameTime

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 EXPEND UP TO \$37,831.58 FOR THE PURCHASE, DELIVERY AND INSTALLATION OF PLAYGROUND EQUIPMENT AT CORAL REEF PARK; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$ 37,831.58; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS:

In response to suggestions by Palmetto Bay citizens and park patrons regarding possible efforts to provide enhanced and challenging recreational amenities within the playgrounds of Coral Reef Park, the Village would like to move forward by purchasing playground equipment. The review of play structures for the park has yielded a recommendation for the purchase, delivery, and installation of a Sky Run Zip Line, Expression Swing Set, and Toss N Score equipment. Diagrams and pictures for the playground equipment are attached as (Exhibit A).

GameTime c/o Dominica Recreation Products, Inc. has quoted expenditure of funds in an amount of \$37,831.58 for the three pieces of playground equipment. GameTime Quote No. 75472 is attached as (Exhibit B). The pricing for these pieces of equipment are based on US Communities pricing in which the Village takes part of and is registered under 050541068.

FISCAL/BUDGETARY IMPACT:

Capital dollars necessary for this expenditure is identified and approved in the Village's Fiscal Year 2015-16 Annual Capital Improvement Budget.

RECOMMENDATION:

Approval of this item is recommended.

Attachments:

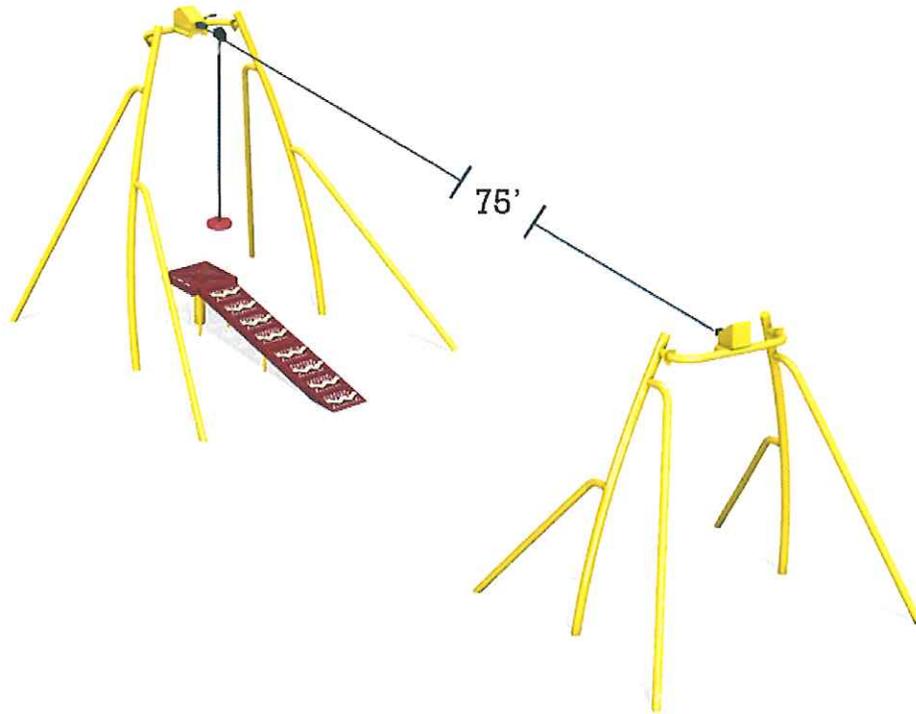
- (Exhibit A) – Diagrams and pictures for playground equipment
- (Exhibit B) – Gametime Quote# 75472



A PLAYCORE Company

SKYRUN ZIPLINE - 75'

EXHIBIT A



Deck



Metal



Model: 5120
Fall Height: 4'
Age Groups: 5 to 12 Years

Features and Benefits:

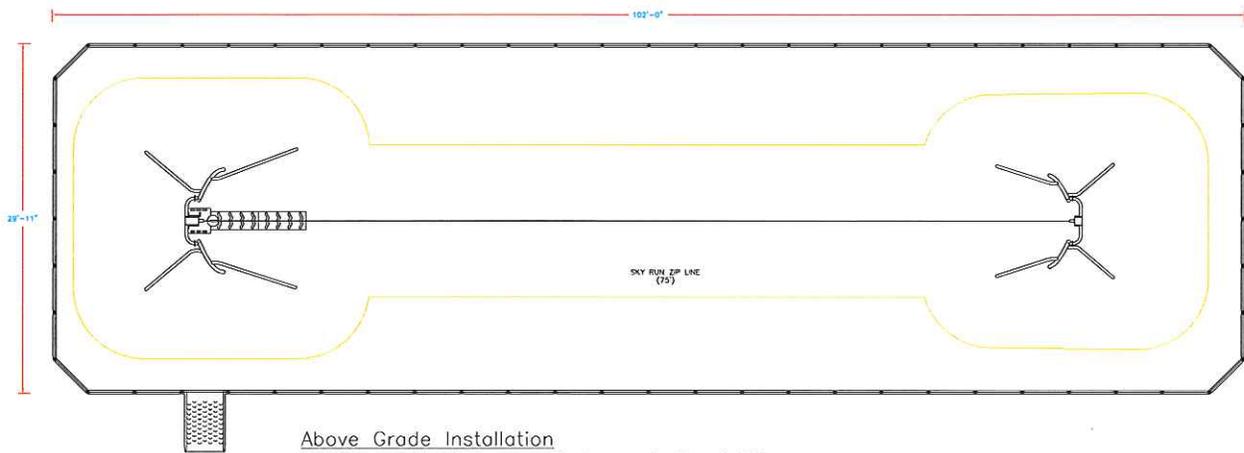
- ClearView® Supports - 3.5" galvanized steel supports are positioned on either side of the ZipLine to prevent impact hazards
- Disc seat is a structural aluminum plate with soft-touch coating for slip-resistance
- Cable can be tightened with a built-in tensioning system. Adjustment tools are built into the secure, tamper-proof housing
- Trolley mechanism features HDPE plastic sidewalls that keep fingers clear from moving parts and help maintain correct position during ride
- Constructed of durable steel and plastic materials and backed by the industry's leading warranty

Product Description:

Introducing a freestanding Xtreme Play! activity from GameTime that brings the excitement of a ZipLine course to the park or playground. SkyRun is the result of exploring the design of cable rides throughout the world, as well as exhaustive research and development to create a playground activity that is true to its heritage. SkyRun gives children the sensation of flight and provides unique physical and developmental benefits like enhanced upper body strength, balance and coordination.

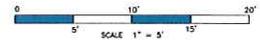


Access to site for Bob-Cats machinery and wood fiber trucks will be required!
 Owner to provide accessible path and staging area.



Above Grade Installation
 3,000 sq. ft. GTImpax Engineered Wood Fiber
 - 8" Compacted Depth
 - No Fabric
 Recycled Plastic PlayCurb Borders
 Accessible PlayCurb Border

ACCESS TO SITE BY OTHERS (i.e. sidewalk)



150 PlayCore Drive SE
 Fort Payne, AL 35967
www.gametime.com

Village of Palmetto Bay
 Coral Reef Park

Represented by
 Dominica Recreation Products

This play equipment is recommended for children ages
 5 - 12

Minimum Area Required:
 Scale: 1" = 5'-0"
 This drawing can be scaled only when in an 18" x 24" format.

IMPORTANT: Schreibleit surfacing should be placed in the use zones of all equipment, as specified for each type of equipment, and set depths to meet the critical fall heights as specified by the U.S. consumer Product Safety Commission, ASTM standard F 1187 and Canadian Standard CAN/CSA-Z614.

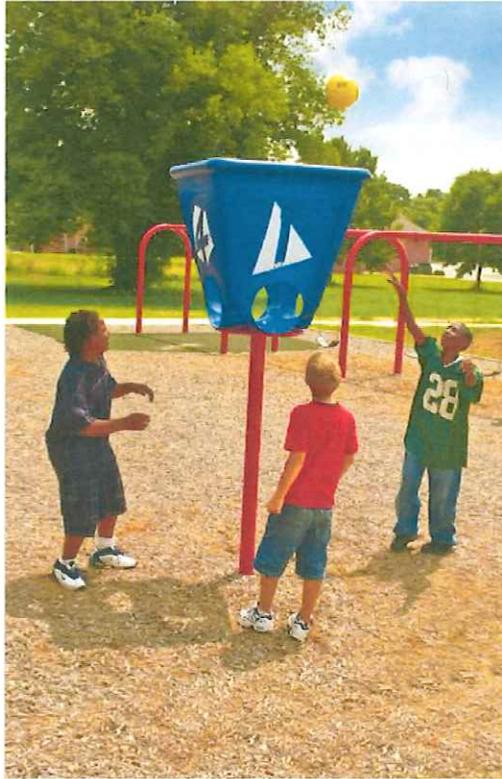
Drawn By:
 Rob
 Date:
 5-25-16
 Drawing Name:
 Palmetto Zip





A PLAYCORE Company

TOSS N' SCORE - NUMBER GRAPHICS



Model: 9847
Age Groups:

Features and Benefits

- 3'2" (97cm) square top goal opening.
- 3-1/2" (9cm) O.D. powder coated galvanized pipe upright.
- Exit holes have 12" (31cm) O.D., for basketballs.

Description



GameTime
 c/o Dominica Recreation Products, Inc.
 P.O. Box 520700
 Longwood, FL 32752-0700
 800-432-0162 * 407-331-0101
 Fax: 407-331-4720
www.playdrp.com

QUOTE
 #75472

05/26/2016

Coral Reef Park - Zip Line & Swing

Village of Palmetto Bay
 Attn: Fanny Carmona
 9705 E. Hibiscus Street
 Palmetto Bay, FL 33157
 Phone: 305-259-1234
 Fax: 305-259-1290
fcarmona@palmettobay-fl.gov

Ship To Zip: 33157

EXHIBIT B

Qty	Part #	Description	List \$	% Disc.	Selling \$	Ext. Selling \$
1	5120	Game Time - SkyRun ZipLine 75'	\$11,892.00	16.00	\$9,989.28	\$9,989.28
1	26119	Game Time - ADA Xscape Swing	\$1,176.00	6.00	\$1,105.44	\$1,105.44
2	5128	Game Time - Expression Swing 3 1/2" x 8'	\$1,199.00	6.00	\$1,127.06	\$2,254.12
2	9847	Game Time - 8' Toss'N Score W/ Numbers	\$658.00	9.00	\$598.78	\$1,197.56
98	4850	Game Time - 8" Playcurb Pkg	\$48.00	6.00	\$45.12	\$4,421.76
2	4854	Game Time - Accessible Playcurb	\$425.00	6.00	\$399.50	\$799.00
4030	EWf-8	GT-Impax - Engineered Wood Fiber - 8" Compacted Depth - per sq. ft. - ADA Compliant - IPEMA Certified - ASTM F1292 & F1951 Compliant			\$1.49	\$6,004.70
1	INSTALL	5-Star Plus - Five Star Plus Playground Installation Services - Performed by a Certified Installer, includes meeting and unloading delivery truck, signed completion forms, site walkthrough, 90 day site revisit by installation foreman, and 3-Year Labor Warranty!			\$7,490.00	\$7,490.00
1	Sealed	5-Star Plus - Signed/Sealed FBC 2014 5th Ed Building Code Drawings			\$975.00	\$975.00
1	Permits	5-Star Plus - Building Permits - Estimated Costs of Permits plus Time. If actual permit fees are significantly higher or lower, final invoice will be adjusted accordingly. Includes two visits to the permit office, if additional time spent acquiring permits, final invoice to be adjusted. Site Plans are to be provided by the owner for the permit application.			\$1,200.00	\$1,200.00

Access to site with machinery required.
 ADA access to play area by others.

NOTE : Zip lines require bi-yearly tightening and maintenance.
 Contract: USC

This quote was prepared by Rob Dominica, President.
 For questions or to order please call - 800-432-0162 ext. 113 robd@gametime.com

SubTotal: \$35,436.86
 Freight: \$2,394.72
Total Amount: \$37,831.58



Coral Reef Park - Zip Line & Swing

QUOTE
#75472

05/26/2016

All pricing in accordance with U.S. Communities Contract #110179.

All terms in the U.S. Communities Contract take precedence over terms shown below.

For more information on the U.S. Communities contract please visit www.uscommunities.org/gametime

Permits are not included in cost, unless specifically listed in pricing. If permits are required Signed/Sealed drawings are usually needed and are also not included unless specifically listed in pricing. Any costs for municipal permits, paid by installer, will be charged back to the owner. Adding permits to any job will increase the length of completion, expect total time to be 90-120 days, after receipt of order (this is not due to manufacturing but rather the permit process at the municipality level). It is expected that the **owner will provide approved site plans** of the area for the permit office, and will help and assist in the securing of all required approvals before assembly of equipment can begin. Installer cannot provide site plans. The permit process does not begin until the site plans are available.

Payment Terms: Governmental Purchase Order.

Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to GameTime.

Net 30 days subject to approval by GameTime Credit Manager. A completed Credit Application and Bank Reference Authorization, must be received with the order. The decision on credit is the sole discretion of GameTime/PlayCore. A 1.5% per month finance charge will be imposed on all past due accounts.

Multiple Invoices: Invoices will be generated upon services rendered. When equipment ships it will be invoiced separately from installation and/or other services. Terms are Net 30 for each individual invoice.

This Quotation is subject to policies in the current GameTime Park and Playground Catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment.

Pricing: Firm for 60 days from date of quotation.

Shipment: F.O.B. factory, order shall ship within 45 days after GameTime's receipt and acceptance of your purchase order, color selections, approved submittals, and receipt of payment.

Taxes: State and local taxes will be added at time of invoicing, if not already included, unless a tax exempt certificate is provided at the time of order entry.

Exclusions: Unless specifically discussed, this quotation excludes all sitework and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; security of equipment (on site and at night); equipment assembly and installation; safety surfacing; borders; drainage; signed/sealed drawings; or permits.

Installation Terms: Shall be by a Certified Installer. The installer is an independent installer and not part of PlayCore, GameTime, nor Dominica Recreation Products. If playground equipment, installer will be NPSI and Factory Trained and Certified. Unless otherwise noted, installation is based on a standard installation consistent with GameTime installation sheets and in suitable soil. Customer shall be responsible for scheduling and coordination with the installer. Site should be level and allow for unrestricted access of trucks and machinery. Customer shall also provide a staging and construction area. Installer not responsible for sod replacement or damage to access path and staging area. Customer shall be responsible for unknown conditions such as buried utilities, tree stumps, rock, or any concealed materials or conditions that may result in additional labor or material costs. Customer will be billed hourly or per job directly by the installer for any additional costs that were not previously included.

Acceptance of quotation:

Accepted By (printed): _____

P.O. No: _____

Signature: _____

Date: _____

Title: _____

Phone: _____

E-Mail: _____

Purchase Amount: **\$37,831.58**

PROPOSED
RESOLUTION

