

RESOLUTION NO. 07-49

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO MIAMI-DADE COUNTY ADOPTING A DEVELOPMENT PLAN FOR MAINTENANCE OF "168TH STREET PROPERTY"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 168th Street property "the property" is described as two parcels land of located to the South of Southwest 168th Street and to the North of 172nd Street between Southwest 88th Court and Southwest 88th Avenue (Folio Nos. 33-5033-000-0050 and 33-5033-000-0040); and,

WHEREAS, the property is owned by Miami-Dade County and zoned as agricultural land; and,

WHEREAS, Miami-Dade County has designated the property as environmentally sensitive land; and,

WHEREAS, Miami-Dade County has placed a sign at the site indicating it as a bird sanctuary and nature preserve even though Miami-Dade County has not maintained the property in a manner that would constitute a preserve or bird sanctuary; and,

WHEREAS, the property borders residential areas on all sides and the property has not been maintained by Miami-Dade County. The property has become an eye sore to residents, a nuisance to the community and harmful to the environment; and,

WHEREAS, the property could serve as a green space within an urban area that could serve as a habitat for a number of bird and butterfly species (such as the atala butterfly (*Enmarus atala*), once thought to be extinct, but has been documented as present in the Village of Palmetto Bay; and,

WHEREAS, Miami-Dade County should be responsible for preserving the native trees and plants of the property in accordance with the County's Environmental Protection Ordinance for Tree Preservation and Protection (Article 3-Section 24-60); and,

WHEREAS, the property should be managed using a combination of routine exotic vegetation treatment and a prescribed burning regime; and,

WHEREAS, the county should install two signs, at a minimum, designating the area as a natural preserve so as to assist in awareness to residents of the importance of maintaining the property and,

WHEREAS, Moreover, Miami-Dade County should develop a management plan to restore and maintain the property in order to preserve the native trees in a natural condition, keep areas free of millipedes, mosquitoes and other insect infestations, and take measures to prevent the property from becoming a seed source for non-native invasive species.

WHEREAS, the Mayor and Village Council desire to petition the county manager to draft and provide to the village council for final sign off a management plan, within 60 days, for the property, which management agreement shall include, at a minimum: (1) restoration and maintenance of the property in a alignment with the County's Environmental Protective Ordinance for Tree Preservation and Protection, (2) maintain the property using a combination of routine exotic vegetation treatment and a prescribed burning routine, (3) preservation of native trees, and (4) posting of at least two signs designating the area as a nature preserve or bird sanctuary.

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

Section 1. All of the above whereas clauses are incorporated by reference.

Section 2. This resolution shall be provided to the Miami-Dade County manager.

Section 3. The village council requests that the county prepare a management plan within 60 days and to provide the draft to the village for its review and approval.

Section 4. The village council requests Miami-Dade County to expedite the development and final execution of the management plan for the 168th Street property.

Section 5. This resolution shall take effect immediately upon approval and shall be forwarded to the Board of County Commissioners.

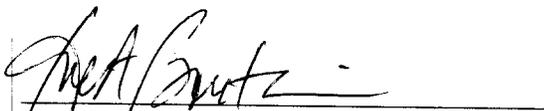
PASSED and ADOPTED this 7th day of May, 2007.

Attest:


Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Nagin Gallop Figueredo, P.A.
Office of Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member Shelly Stanczyk	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>