



## VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham  
Vice Mayor Leanne Tellam  
Council Member Patrick Fiore (Seat 1)  
Council Member Steve Cody (Seat 2)  
Council Member Marsha Matson (Seat 3)

Village Manager Nick Marano  
Village Attorney John C. Dellagloria  
Village Clerk Missy Arocha

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

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### AGENDA

#### SPECIAL VILLAGE COUNCIL MEETING

#### MONDAY, FEBRUARY 8, 2021 – 7:00 PM

Village Hall Chambers, 9705 E. Hibiscus Street, Palmetto Bay, FL 33157  
(305) 259-1234

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1. **CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER:** 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.
2. **REQUESTS, PETITIONS AND PUBLIC COMMENTS SUBMITTED**
3. **RESOLUTIONS WITH PUBLIC COMMENT**
  - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, OPPOSING THE RECENT ACTION OF THE MIAMI-DADE COUNTY COMMISSION WHICH DIRECTED THE COUNTY MAYOR TO TAKE ALL ACTION NECESSARY FOR THE CONSTRUCTION OF A BRIDGE THAT

WOULD EXTEND SW 87<sup>TH</sup> AVENUE FROM SW 164<sup>TH</sup> STREET TO SW 163<sup>RD</sup> TERRACE, CROSSING OVER THE CUTLER DRAIN CANAL C-100 WITHIN THE MUNICIPAL LIMITS OF PALMETTO BAY, FLORIDA (“BRIDGE PROJECT”), INCLUDING APPROPRIATING FUNDING FOR THE BRIDGE PROJECT, AND WHICH DIRECTED THE COUNTY MAYOR TO PLACE ALL NECESSARY AGENDA ITEMS ON THE FIRST AVAILABLE TPO GOVERNING BOARD AGENDA; REQUESTING THE COUNTY COMMISSION TO RECONSIDER THE ACTION AND POSTPONE THE UPCOMING FEBRUARY 2021 GOVERNING BOARD MEETING OF THE TRANSPORTATION PLANNING ORGANIZATION; REQUESTING THE COUNTY MAYOR TO VETO THE COMMISSIONER’S ACTION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

- B.** A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REQUESTING THE MIAMI-DADE COUNTY TRANSPORTATION PLANNING ORGANIZATION (TPO) BOARD DEFER TO A LATER DATE, CONSIDERATION OF THE RECENT ACTION OF THE MIAMI-DADE COUNTY COMMISSION WHICH DIRECTED THE COUNTY MAYOR TO TAKE ALL ACTION NECESSARY FOR THE CONSTRUCTION OF A BRIDGE THAT WOULD EXTEND SW 87<sup>TH</sup> AVENUE FROM SW 164<sup>TH</sup> STREET TO SW 163<sup>RD</sup> TERRACE WITHIN THE MUNICIPAL LIMITS OF PALMETTO BAY, FLORIDA (“BRIDGE PROJECT”), INCLUDING APPROPRIATING FUNDING FOR THE BRIDGE PROJECT, AND WHICH DIRECTED THE COUNTY MAYOR TO PLACE ALL NECESSARY AGENDA ITEMS ON THE FIRST AVAILABLE TPO GOVERNING BOARD AGENDA; REQUESTING THAT THE TPO RESCHEDULE THE MEETING TO ALLOW THE RESIDENTS OF PALMETTO BAY TO CONSIDER THE ISSUE AND APPEAR AT THE RESCHEDULED MEETING TO VOICE CONCERNS OVER THE EFFECT THIS ACTION WOULD HAVE ON THE LOCAL ROADS AND THE SAFETY OF THE NEIGHBORHOOD RESIDENTS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

**4. NEXT MEETING AND ADJOURNMENT**

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WE, THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, HEREBY COMMIT OURSELVES TO MAINTAINING CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND PLEDGE TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;
- We will avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
- We will strive to understand differing perspectives;
- We will choose our words carefully;
- We will speak truthfully without accusation and we will avoid distortion;
- We will speak out against violence, prejudice, and incivility in all of their forms, whenever and wherever they occur.

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PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT 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.

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**PUBLIC NOTICE:**  
**INSTRUCTIONS FOR PUBLIC ARTICIPATION**



## VILLAGE OF PALMETTO BAY NOTICE OF SPECIAL COUNCIL MEETING

**NOTICE IS HEREBY GIVEN** that on Monday, February 8, 2021 at 7:00 p.m. the Village of Palmetto Bay shall conduct a Special Council Meeting at Village Hall Municipal Center, 9705 East Hibiscus Street, Palmetto Bay, FL 33157. The purpose of the Special Council Meeting is to discuss and take action on opposing the County's intent to construct a bridge that would extend SW 87<sup>th</sup> Avenue from SW 164<sup>th</sup> Street to SW 163<sup>rd</sup> Terrace crossing over the Cutler Drain Canal C-100 ("bridge project") and further allowing the constituents of Palmetto Bay to voice their opinion over the project.

This meeting will be conducted using a teleconferencing platform and broadcast live. **Members of the public may attend the meeting at the physical meeting location and/or watch the virtual meeting via the Village's official Facebook page and/or our Granicus web stream on [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov).** Facial coverings are required for admission to the meeting at the physical meeting location and must be worn throughout the entirety of the meeting in accordance with State and County Orders. Social distancing requirements set forth in State and County Orders must be adhered to.

**PLEASE NOTE** that pursuant to the Village of Palmetto Bay's Declaration of COVID-19 Virus State of Emergency Order No. 2020-11, all Village Advisory Boards, Committees, Task Forces, Charter Officers, and staff shall continue to meet virtually. Commencing December 1, 2020, a minimum of three members such as the Mayor and Village Council shall be present to maintain a quorum at meetings requiring legislative actions. This Emergency Order allows any Councilmember who believes they are at high risk to not be required to be physically present in the Village Chambers, but shall be permitted to participate virtually and vote provided they remain physically present in Village Hall, including waiving all applicable requirements in the Village Charter, Code of Ordinances, Resolutions, or other Village policy that may require the physical presence at any public meeting. All virtual meetings shall otherwise continue to comply with the Florida Constitution, Florida's Government in the Sunshine Law, and Chapter 286, Florida Statutes.

**For persons wishing to participate virtually and provide public comment, please refer to the options described below:**

**Public comments forum (Option 1):** Prior to the meeting, the public can submit a web form available at this address: <https://www.palmettobay-fl.gov/FormCenter/Public-Comments-Form-10/Public-Comments-Form-52>. Form submissions received prior to the meeting will be read before the item is heard. Form submissions received after 7:00 p.m. will be read at the end of the Village Council's Agenda.

**Public comments forum (Option 2):** Public attendees wishing to provide real-time, audible public comments during the meeting may do so using GoToWebinar's desktop, laptop, tablet, or smartphone app. Once registered, attendees will receive GTW session information and call-in telephone numbers for those wishing to use a telephone. Telephone attendees may not participate in public comment as the system has no way to mute or unmute. Attendees wishing to speak during public comment time must use the GoToWebinar application on their desktop, laptop, or smart device. Attendees may not use a webcam whatsoever. In lieu if no availability to participate through the webinar, please submit your public comment using the web form as described above.

**Please register to attend the session as follows:**

**<https://attendee.gotowebinar.com/register/4130926071461116688>**

**After registering, you will receive a confirmation email containing information about joining the webinar.**

Any meeting may be opened and/or continued, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall at (305) 259-1234 for additional information. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than twelve (12) hours prior to the proceedings. If a person decides to appeal any decision made by the Village Council, with respect to any matter considered at a meeting or hearing, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

**Missy Arocha**  
**Village Clerk**

**[www.palmettobay-fl.gov](http://www.palmettobay-fl.gov)**



## **ITEM 3A**

1 RESOLUTION NO. 2021-\_\_\_\_\_

2  
3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL  
4 OF THE VILLAGE OF PALMETTO BAY, FLORIDA,  
5 OPPOSING THE RECENT ACTION OF THE MIAMI-DADE  
6 COUNTY COMMISSION WHICH DIRECTED THE COUNTY  
7 MAYOR TO TAKE ALL ACTION NECESSARY FOR THE  
8 CONSTRUCTION OF A BRIDGE THAT WOULD EXTEND SW  
9 87<sup>TH</sup> AVENUE FROM SW 164<sup>TH</sup> STREET TO SW 163<sup>RD</sup>  
10 TERRACE, CROSSING OVER THE CUTLER DRAIN  
11 CANAL C-100 WITHIN THE MUNICIPAL LIMITS OF  
12 PALMETTO BAY, FLORIDA (“BRIDGE PROJECT”),  
13 INCLUDING APPROPRIATING FUNDING FOR THE BRIDGE  
14 PROJECT, AND WHICH DIRECTED THE COUNTY MAYOR  
15 TO PLACE ALL NECESSARY AGENDA ITEMS ON THE  
16 FIRST AVAILABLE TPO GOVERNING BOARD AGENDA;  
17 REQUESTING THE COUNTY COMMISSION TO  
18 RECONSIDER THE ACTION AND POSTPONE THE  
19 UPCOMING FEBRUARY 2021 GOVERNING BOARD  
20 MEETING OF THE TRANSPORTATION PLANNING  
21 ORGANIZATION; REQUESTING THE COUNTY MAYOR TO  
22 VETO THE COMMISSIONER’S ACTION, AND PROVIDING  
23 FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn*  
24 *Cunningham)*

25  
26 **WHEREAS**, the Village of Palmetto Bay has created its own  
27 transportation Master Plan, Pedestrian and Bicycle Master Plan and  
28 has worked with Miami-Dade County on long-range transportation and  
29 traffic issues; and

30  
31 **WHEREAS**, the Village Council has long opposed allowing cut -  
32 through traffic flow throughout the Village, and steadfastly opposed  
33 any project that would adversely impact existing neighborhoods, as  
34 evinced by the passage eighteen years ago of Village Resolution  
35 2003-22 and subsequent legislative actions; and

36  
37 **WHEREAS**, many residents of the Village of Palmetto Bay  
38 share the position of the Village Council that bridging SW 87<sup>th</sup> Avenue  
39 would disproportionately and negatively impact residents living along  
40 those streets and avenues, diminishing significantly the affected

1 residents' quality of life; and

2  
3 **WHEREAS**, with virtually no public notice to the residents or  
4 elected officials of Palmetto Bay, and while waiving standard notice  
5 requirements under the auspices of the County's COVID-19 state of  
6 emergency, the Miami-Dade County Commission approved a  
7 Resolution directing the County Mayor to take all action necessary to  
8 effectuate the bridging of SW 87<sup>th</sup> Avenue from SW 164<sup>th</sup> Street to SW  
9 163<sup>rd</sup> Terrace; and

10  
11 **WHEREAS**, as the Village residents are owed the respect of  
12 having their voices heard on this matter, and as neither the Village  
13 Council nor the Village Administration were afforded the meaningful  
14 opportunity to address this devastating decision with the County's staff  
15 or elected officials, the Village Council is expressing its fervent  
16 opposition to the action taken by the County Commission.

17  
18 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE**  
19 **OF PALMETTO BAY, FLORIDA, THAT:**

20  
21 **Section 1.** The Village Council of Palmetto Bay strenuously  
22 opposes the action of the Miami-Dade County Commission to  
23 construct bridging SW 87<sup>th</sup> Avenue from SW 164<sup>th</sup> Street to SW 163<sup>rd</sup>  
24 Terrace.

25  
26 **Section 2.** The Village Council respectfully requests that the  
27 County Commission both reconsider the Resolution and postpone the  
28 Transportation Planning Organization's Governing Board meeting  
29 scheduled for February 2021 which will consider the action.

30  
31 **Section 3.** The Village of Council respectfully requests the  
32 County Mayor, Daniella Levine Cava to veto the Resolution passed  
33 February 2<sup>nd</sup>, 2021.

34  
35 **Section 4.** The Village Council directs the Village Clerk and staff  
36 to communicate this Resolution, and the statements and wishes of the  
37 Village of Palmetto Bay to the Miami-Dade County Commission and  
38 County Mayor.



1           **Section 5.** This Resolution shall take effect immediately upon its  
2 passage and adoption.

3  
4           **PASSED** and **ADOPTED** this 8<sup>th</sup> day of February 2021.

5  
6  
7           **ATTEST:**

8  
9  
10 \_\_\_\_\_  
11           **Missy Arocha**  
12           **Village Clerk**

10 \_\_\_\_\_  
11           **Karyn Cunningham**  
12           **Mayor**

13  
14  
15           **APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE**  
16           **USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY**  
17           **ONLY:**

18  
19  
20  
21 \_\_\_\_\_  
22           **John C. Dellagloria, Esq.**  
23           **Village Attorney**

24  
25  
26           **FINAL VOTE AT ADOPTION:**

27  
28           Council Member Patrick Fiore           \_\_\_\_\_

29  
30           Council Member Steve Cody           \_\_\_\_\_

31  
32           Council Member Marsha Matson           \_\_\_\_\_

33  
34           Vice-Mayor Leanne Tellam           \_\_\_\_\_

35  
36           Mayor Karyn Cunningham           \_\_\_\_\_



## ITEM 3B



1           **WHEREAS**, as the Village Council, the Village Manager and the  
2 Village residents are owed the respect of having their voices heard on  
3 this matter, and as none were afforded the meaningful opportunity to  
4 address this devastating decision with the County’s staff or its elected  
5 officials, the Village Council is expressing its fervent opposition to the  
6 action taken by the County Commission; and

7  
8           **WHEREAS**, as the TPO is scheduled to consider the matter at its  
9 meeting scheduled for February 2021, the Village Council requests that  
10 the item be rescheduled to allow the Village residents the opportunity to  
11 be heard on the measure.

12  
13           **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE**  
14 **OF PALMETTO BAY, FLORIDA, THAT:**

15  
16           **Section 1.** The Village Council of Palmetto Bay strenuously  
17 opposes the action of the Miami-Dade County Commission to construct  
18 bridging SW 87<sup>th</sup> Avenue from SW 164<sup>th</sup> Street to SW 163<sup>rd</sup> Terrace.

19  
20           **Section 2.** The Village Council respectfully requests that the  
21 Miami-Dade Transportation Planning Organization Board defer  
22 consideration of Miami-Dade Resolution 210164 to a later date to allow  
23 the Village Council, Village Manager and Village Residents to voice  
24 their concerns over an issue that will dramatically affect the safety and  
25 quality of life of the neighborhood residents.

26  
27           **Section 3.** The Village Council directs the Village Clerk and staff  
28 to communicate this Resolution to all members of the Miami-Dade  
29 County Transportation Planning Organization.

30  
31           **Section 4.** This Resolution shall take effect immediately upon its  
32 passage and adoption.

33  
34           **PASSED and ADOPTED** this 8<sup>th</sup> day of February 2021.

35  
36           **ATTEST:**

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38  
39           \_\_\_\_\_  
40           **Missy Arocha**  
          **Village Clerk**

37  
38  
39           \_\_\_\_\_  
40           **Karyn Cunningham**  
          **Mayor**

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

3  
4  
5  
6 \_\_\_\_\_  
7 **John C. Dellagloria, Esq.**  
8 **Village Attorney**

9  
10  
11 **FINAL VOTE AT ADOPTION:**

- 12  
13 Council Member Patrick Fiore \_\_\_\_\_  
14  
15 Council Member Steve Cody \_\_\_\_\_  
16  
17 Council Member Marsha Matson \_\_\_\_\_  
18  
19 Vice-Mayor Leanne Tellam \_\_\_\_\_  
20  
21 Mayor Karyn Cunningham \_\_\_\_\_  
22