



## VILLAGE OF PALMETTO BAY

Mayor Eugene Flinn  
Vice Mayor John DuBois  
Council Member Karyn Cunningham (Seat 1)  
Council Member David Singer (Seat 2)  
Council Member Larissa Siegel Lara (Seat 3)

Village Manager Edward Silva  
Village Attorney Dexter Lehtinen  
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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### **VILLAGE COUNCIL MEETING AGENDA (Revised)** **MONDAY, APRIL 2, 2018 – 7:00 PM** **(Proclamations, Awards, & Presentations will commence at 6:30 PM)** Village Hall Chambers, 9705 E. Hibiscus Street (305) 259-1234

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1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
3. **APPROVAL OF MINUTES**
  - A. Special Council Meeting of February 21, 2018
  - B. Special Council Meeting of February 22, 2018
  - C. Local Planning Agency Meeting of February 22, 2018
  - D. Regular Council Meeting of March 5, 2018

#### 4. CONSENT AGENDA

- A. 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 \$18,823.00 FOR PERIOD ENDING FEBRUARY 28, 2018; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING AND DIRECTING THE VILLAGE CLERK TO FORMALLY SUBMIT WRITTEN NOTIFICATION TO THE UNITED STATES DEPARTMENT OF STATE, OFFICE OF PASSPORT SERVICES THE VILLAGE'S INTEREST IN BECOMING A PASSPORT ACCEPTANCE FACILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Eugene Flinn)*
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING AWARDS AND RECOGNITIONS; APPROVING THE LAUNCHING OF THE "MAYOR'S ENVIRONMENTALIST OF THE YEAR AWARD", TO BE PRESENTED ANNUALLY IN PERPETUITY, RECOGNIZING A RESIDENT, GROUP OR BUSINESS OF PALMETTO BAY AS SELECTED BY AN AWARD COMMITTEE BEGINNING FY-2018-2019; PRESENTING THE WINNER WITH THE RECOGNITION/AWARD, DINNER FOR TWO, AND A TREE PLANTED IN ONE OF THE VILLAGE PARKS; AND FURTHER APPROVING THE NAMING OF THE INAUGURAL FY-2017-2018 AWARD WINNER BY VILLAGE ADMINISTRATION, SELECTING RESIDENT ERIC TULLBERG TO BE RECOGNIZED AT THIS YEAR'S EARTH DAY EVENT ON APRIL 22, 2018; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Eugene Flinn)*
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; AUTHORIZING THE DEVELOPMENT OF AN ANNUAL SPECIAL EVENT ENTITLED 'STUDENT PHOTO CONTEST'; INCORPORATING INPUT FROM THE VILLAGE COUNCIL, EDUCATION ADVISORY BOARD, ART-IN-PUBLIC PLACES BOARD, AND YOUTH COMMUNITY INVOLVEMENT BOARD FOR THE CREATION OF APPROPRIATE CRITERIA, IN WHICH ENTRIES CONCEPTUALLY DOCUMENT THE POSITIVE LIFE IN PALMETTO BAY AND EMPHASISES THE THEME OF 'VILLAGE OF PARKS' IN CREATION OF APPROPRIATE CRITERIA FOR THE PROGRAM;

APPROPRIATING FY2017-2018 FUNDING IN THE AMOUNT NOT TO EXCEED \$2,500 FROM GENERAL GOVERNMENT CONTINGENCY AND SUBSEQUENT YEARS FROM THE SPECIAL EVENTS BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Eugene Flinn)*

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC CALMING, PRICING, TIMELINE AND FORMAL APPLICATION TO THE COUNTY FOR APPROVAL TO IMPLEMENT TRAFFIC IMPROVEMENTS IN THE AREAS NORTH OF SW 168<sup>TH</sup> ST AND WEST OF 82<sup>ND</sup> AVE; SW 136<sup>TH</sup> ST SOUTH TO SW 141<sup>ST</sup> ST AND EAST OF SW 77<sup>TH</sup> AVE TO SW 73<sup>RD</sup> CT; SE AREA OF PALMETTO BAY (PALMER AREA); AND NORTH OF SW 156<sup>TH</sup> ST AND EAST OF 82<sup>ND</sup> AVE; DIRECTING THE VILLAGE MANAGER TO WORK TO IMPLEMENT TRAFFIC IMPROVEMENTS AS SOON AS POSSIBLE, INCLUDING OBTAINING APPROVAL FROM MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Eugene Flinn and Co-Sponsored by Councilmember David Singer)*
  
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A WAIVER OF BUILDING PERMIT FEES; PROVIDING THAT THE MANAGER IS ENCOURAGED TO WAIVE BUILDING PERMIT FEES RELATING TO THE EXTENSION OF FENCE REPLACEMENT PERMIT FEES TO JUNE 1, 2018; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*

**5. REQUESTS, PETITIONS AND PUBLIC COMMENTS**

- A. PROPOSED ACTION MEMORANDUMS SPONSORED BY MAYOR EUGENE FLINN:
  - (1) Resolution related to the regulation of firearms and ammunitions
  - (2) Tai-Chi Day
  - (3) Pilot Program for first/last mile option
  - (4) Town Hall dates for the completion of the Strategic Plan
  - (5) Expansion option for city gas and hardening on grid system

B. PROPOSED ACTION MEMORANDUMS SPONSORED BY COUNCILMEMBER KARYN CUNNINGHAM:

- (1) Strategic Plan Adoption
- (2) Continuation of the Veterans Park Committee
- (3) Creating policy for Bully Free Zones in the Village's parks/public facilities
- (4) Traffic calming initiatives for Farmer's Road
- (5) Traffic calming initiatives for area north of SW 77<sup>th</sup> Court (between SW 152<sup>nd</sup> Street to SW 157<sup>th</sup> Terrace)
- (6) Hurricane Workshop

C. PROPOSED ACTION MEMORANDUMS SPONSORED BY COUNCILMEMBER DAVID SINGER:

- (1) Zero tolerance on speeding
- (2) Ad-Valorem Fund Policy (Community Center)
- (3) Construction site emergency contact information
- (4) Ban on electronics during meetings
- (5) I-Bus study as school children pick-up service
- (6) Covenant on environmentally endangered lands
- (7) Request ownership of proposed park land for Veteran's park

D. PROPOSED ACTION MEMORANDUM SPONSORED BY COUNCILMEMBER LARISSA SIEGEL LARA:

- (1) Direction for Age-Friendly Task Force on Senior Housing Options

**6. VILLAGE MANAGER'S REPORT**

- Introduction of Village staff members
- Status of the Village's reimbursement with FEMA
- Pilot Program update
- Park and Ride update

- Tree Grant submittal update
- Coral Reef Park Tennis Operations update
- Implementation of 25 MPH speed limit
- Landscape to prevent parking (Bill Sadowski Park) update
- South Motors Veterans Park update
- Community Center update
- Village Police Commander Report

**7. VILLAGE ATTORNEY’S REPORT**

- Update on litigation
- Update on extending covenant on VMU
- Update on Village mixed-use modification
- Update on proposed Ordinance on Charter Officer Removal

**8. VILLAGE CLERK’S REPORT**

- Calendar update

**9. BOARD AND COMMITTEE REPORTS** - Minutes provided for Council’s information, in lieu of verbal reports:

- A. Parks & Rec. & Community Outreach Committee (February 13, 2018)
- B. Youth Community Involvement Board (February 21, 2018)

**10. RESOLUTIONS WITH PUBLIC COMMENT**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH SACYR CONSTRUCTION, INC., AS THE 2<sup>ND</sup> RANKED PROPOSER FOR THE “ROADWAYS AND COMPLETE INFRASTRUCTURE IMPROVEMENTS; FRANJO ROAD PROJECT” PURSUANT TO RFP NO. 1617-11-003 FOR A TOTAL PROJECT COST OF \$10,856,000; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; APPROVING AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A NON-EXCLUSIVE USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI DADE COUNTY FOR THE USE OF THE NORTHEAST BASEBALL FIELD #3 AT CORAL REEF PARK FOR THE SCHOOL’S BOYS BASEBALL PROGRAM; COMMENCING ON JUNE 1, 2018 AND TERMINATING ON MAY 31, 2023, WITH FURTHER CONSIDERATION OF TWO ONE-YEAR EXTENSIONS EFFECTUATING USE THROUGH MAY 31, 2025; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; APPROVING AND AUTHORIZING THE VILLAGE MANAGER TO INITIATE NEGOTIATIONS WITH MIAMI-DADE COUNTY REGARDING A LEASE AGREEMENT FOR THE USE OF 900 PERRINE AVE, ALSO KNOW AS THE 'CORAL ROCK HOUSE' PROPERTY, FOR THE PURPOSE OF POSSIBLE PROGRAMMING OPPORTUNITIES UNDER THE JURISDICTION OF THE VILLAGE OF PALMETTO BAY; AND FURTHER, SUBSEQUENTLY PRESENT BEFORE THE COUNCIL ANY AND ALL PROPOSALS PROFERRED BY MIAMI-DADE COUNTY FOR REVIEW AND CONSIDERATION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; APPROVING AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE LEASE AGREEMENT WITH MIAMI-DADE COUNTY FOR 8.69 ACRE PROPERTY IDENTIFIED AS FOLIO NO.:33-5033-000-0040 AND FOLIO NO.: 33-5033-000-0050 FOR THE PURPOSE OF A POSSIBLE PASSIVE PARK UNDER THE JURISDICTION OF THE VILLAGE OF PALMETTO BAY; TO INCLUDE CREDIT FOR THE COSTS OF ANY CAPITAL IMPROVEMENTS TOWARD THE POSSIBLE PURCHASE OF THE PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO TRAFFIC ENFORCEMENT; APPROVING THE IMPLEMENTATION OF THE COMPREHENSIVE IMPROVISED TRAFFIC ENFORCEMENT INITIATIVE (CITE); AUTHORIZING THE VILLAGE MANAGER TO APPROVE POLICE OVERTIME EXPENDITURES NOT TO EXCEED \$65,000 TO COVER THE COSTS RELATED TO THE PROGRAM; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO SAFETY; AUTHORIZING THE VILLAGE MANAGER TO IMPLEMENT A SCHOOL SAFETY INITIATIVE AT THE PUBLIC SCHOOLS IN THE VILLAGE; APPROVING THE EXPENDITURE OF UP TO \$53,000 TO IMPLEMENT THE PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PERSONNEL; RATIFYING THE SELECTION OF DIONISIO TORRES AS THE PUBLIC SERVICES DIRECTOR AND MARIA PINEDA AS THE COMMUNITY SERVICES DIRECTOR; TO FILL THE CURRENT VACANCIES IN BOTH OF THOSE POSITIONS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC CALMING, PRICING, TIMELINE AND FORMAL APPLICATION TO THE COUNTY FOR APPROVAL TO IMPLEMENT TRAFFIC IMPROVEMENTS FOR FARMERS ROAD AREA FROM OLD CUTLER ROAD TO SW 136<sup>TH</sup> STREET AND THE AREA OF SW 136<sup>TH</sup> STREET AND OLD CUTLER ROAD; DIRECTING THE VILLAGE MANAGER TO WORK TO IMPLEMENT TRAFFIC IMPROVEMENTS AS SOON AS POSSIBLE, INCLUDING OBTAINING APPROVAL FROM MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Eugene Flinn)* [The Agenda was revised to include item 10H]

## **11. RESOLUTIONS REQUIRING PUBLIC HEARING**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING IN PROGRESS PURSUANT TO SECTION 30-30.10; DURING WHICH TIME THE COUNCIL WILL REVIEW AND CREATE SECTION 30-60.32; THIS NEW SECTION SHALL ADDRESS MEDICAL CANNABIS DISPENSARIES, MEDICAL MARIJUANA TREATMENT FACILITIES, AND INDEPENDENT TESTING LABORATORIES WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF PALMETTO BAY BY THE EARLIER OF 120 DAYS OR THE FINAL ADOPTION OF THE VILLAGE'S REVISIONS TO THE LAND DEVELOPMENT CODE; FOR THE DURATION OF THE ZIP NO DEVELOPMENT ORDERS OF ANY KIND IN CONNECTION WITH MEDICAL MARIJUANA SHALL BE ISSUED; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*

## **12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PALMETTO BAY PARTNERSHIP ADVISORY COMMITTEE ("PBPAC"); AMENDING SECTION 2-74, VILLAGE CODE, BY ABOLISHING THE PBPAC AND RECOMMENDING TO THE VILLAGE MANAGER THAT A TASK FORCE, REPORTING TO AND CONTROLLED BY THE MANAGER, BE ESTABLISHED BY THE MANAGER FOR THE PURPOSE OF PROVIDING INFORMATION

AND FACTS TO THE MANAGER REGARDING MATTERS PREVIOUSLY CONSIDERED BY THE PBPAC; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING APPENDIX A OF THE CODE OF ORDINANCES RELATING TO PARK IMPACT FEES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BUILDING PERMIT FEES; AMENDING APPENDIX A OF THE CODE OF ORDINANCES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Administration)*
- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CHARTER SCHOOLS; MODIFYING VILLAGE CODE SECTION 30-120.3, RELATING TO REQUIRED INFORMATION FOR PUBLIC CHARTER SCHOOLS; REQUIRING A TRAFFIC IMPACT STUDY AS PART OF REQUIRED INFORMATION FOR THE REQUIRED PUBLIC HEARING; MODIFYING VILLAGE CODE SECTION 30-120.6, RELATING TO FACILITY PLAN REVIEW STANDARDS; REQUIRING THAT THE TRAFFIC IMPACT STUDY DEMONSTRATE THAT THE TRAFFIC GENERATED BY THE PROPOSED FACILITY WILL MEET THE VILLAGE LEVEL OF SERVICE CRITERIA; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*

### **13. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENT**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL COMMITTEES AND ADMINISTRATION TASK FORCES; PROVIDING FOR THE ABOLISHMENT OF COUNCIL VILLAGE SERVICES AND ADMINISTRATIVE ADVISORY COMMITTEE; PROVIDING FURTHER FOR THE AUTHORITY OF THE COUNCIL TO RECOMMEND (BUT NOT DIRECT) THE CREATION OF AN ADMINISTRATIVE TASK FORCE UNDER THE DIRECTION AND CONTROL OF THE MANAGER; PROVIDING FURTHER THAT THE COUNCIL RECOMMENDS THE CREATION OF AN ADMINISTRATIVE TASK FORCE ON THE SUBJECT OF VILLAGE



SERVICES AND ADMINISTRATION; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Larissa Siegel Lara)*

**14. OTHER BUSINESS**

**15. COUNCIL COMMENTS**

**16. 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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