



## VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham  
Vice Mayor John DuBois  
Council Member Patrick Fiore (Seat 1)  
Council Member David Singer (Seat 2)  
Council Member Marsha Matson (Seat 3)

Interim Village Manager Gregory Truitt  
Village Attorney John C. Dellagloria  
Acting Village Clerk Melissa Dodge

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.

---

### **AMENDED - AGENDA**

## **VIRTUAL REGULAR VILLAGE COUNCIL MEETING MONDAY, APRIL 6, 2020 – 7:00 PM**

(305) 259-1234

---

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. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
3. **APPROVAL OF MINUTES**
  - A. Regular Council Meeting (March 2, 2020) – to be prepared
4. **CONSENT AGENDA**
  - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO ROADWAYS; APPROVING THE DESIGN SUPPLEMENTAL TO THE

ROADWAY IMPROVEMENTS BIKE LANE CONSTRUCTION PROJECT ON SW 136TH STREET PREVIOUSLY APPROVED BY RESOLUTION 2019-28; REVISING THE PLANS FROM A BICYCLE FACILITY TO A SHARED-USED PATH FACILITY TO INCLUDE REVISED ROADWAY, PAVEMENT MARKINGS, SIGNAGE, AND LANDSCAPE PLANS AND BONNETED BAT SURVEY; AUTHORIZING THE INTERIM VILLAGE MANAGER TO AMMEND THE CONTRACT WITH RJ BEHAR TO INCLUDE THESE REVISIONS NOT TO EXCEED \$58,000; 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, RELATED TO TRAFFIC CALMING PROJECTS; APPROVING THE SELECTION OF MAGGOLC, INC. FOR THE INSTALLATION OF UP TO 24 PERMANENT SPEED TABLES WITHIN THE VILLAGE; AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH SAID COMPANY FOR AN AMOUNT NOT TO EXCEED \$151,200; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*

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

**6. VILLAGE MANAGER'S REPORT**

- Emergency Order- COVID-19 Update
- Village Police Commander Report

**7. VILLAGE ATTORNEY'S REPORT**

- Litigation update

**8. VILLAGE CLERK'S REPORT**

- Calendar update (public meetings for April 2020)

**9. BOARD AND COMMITTEE REPORTS**

**10. RESOLUTIONS WITH PUBLIC COMMENT**

- A. AN EMERGENCY RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE INTERIM VILLAGE MANAGER TO ISSUE AN EXECUTIVE DECLARATION CALLING FOR A 10:00 P.M. TO 5:00 A.M. CURFEW THROUGHOUT THE BOUNDARIES OF THE VILLAGE OF PALMETTO BAY; PROVIDING FOR EXCEPTIONS,

AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Council Member David Singer)*

- B. AN EMERGENCY RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING THE MAYOR OF MIAMI-DADE COUNTY, FLORIDA TO IMMEDIATELY ISSUE AN EMERGENCY ORDER REQUIRING ALL MIAMI-DADE COUNTY RESIDENTS TO SHELTER-IN-PLACE, AND TO INCLUDE ENFORCEMENT PROVISIONS IN THE ORDER; PROVIDING FOR AN EFFECTIVE DATE *(Sponsored by Mayor Karyn Cunningham)*
  
- C. AN EMERGENCY RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE INTERIM VILLAGE MANAGER TO ISSUE AN EXECUTIVE DECLARATION THAT NO EMPLOYER IN THE VILLAGE OF PALMETTO BAY PREVENT OR PROHIBIT AN EMPLOYEE FROM WEARING PROTECTIVE PERSONAL EQUIPMENT; REQUIRING BUSINESSES TO OBSERVE DISTANCE SEPARATIONS OF NOT LESS THAN SIX (6) FEET BETWEEN INDIVIDUALS; ESTABLISHING AN EFFECTIVE DATE *(Sponsored by Councilman David Singer)*

**11. EMERGENCY ORDINANCE**

AN EMERGENCY ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CONFIRMING THE DECLARATION OF A STATE OF EMERGENCY FOR THE VILLAGE OF PALMETTO BAY INITIALLY ISSUED ON MARCH 13, 2020, AND CONFIRMING ALL SUBSEQUENT EXTENSIONS TO DATE, FOLLOWING A STATEWIDE EMERGENCY DECLARATION BY THE FLORIDA GOVERNOR THROUGH EXECUTIVE ORDER 20-52, RELATED TO THE COVID-19 PANDEMIC; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Administration)*

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

**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 PRIVATE DEVELOPMENT PROJECTS; AMENDING SECTION 30-30.2(V) OF THE VILLAGE'S ZONING CODE; REQUIRING NEW ZONING APPLICATIONS TO MAKE A PRESENTATION BEFORE THE GENERAL PUBLIC REGARDING A PROPOSED DEVELOPMENT PROJECT; PROVIDING THAT A MEETING SHALL BE HELD AT

LEAST TWO TO FOUR WEEKS PRIOR TO COUNCIL DELIBERATIONS ON A PROPOSED PROJECT; PROVIDING THAT NO MEETINGS BE SCHEDULED DURING MIAMI-DADE COUNTY PUBLIC SCHOOL HOLIDAYS, SPRING, SUMMER OR WINTER BREAKS AND FEDERAL HOLIDAYS; REQUIRING AT LEAST 7-DAYS PUBLIC NOTICE FOR THE MEETING; REQUIRING THAT A MEETING TAKE PLACE ON THE EVENING OF A REGULAR SEMESTER SCHOOL DAY OF MIAMI-DADE PUBLIC SCHOOLS; PROVIDING FOR AN EXEMPTION FOR PROJECTS ONLY REQUIRING ADMINISTRATIVE APPROVAL; REPEALING RESOLUTION 2018-14, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*

- B. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED "ENVIRONMENT" REGARDING SINGLE-USE DRINKING WATER PLASTIC BOTTLES; PROHIBITING THE SALE, DISTRIBUTION OR USE OF SINGLE-USE DRINKING WATER PLASTIC BOTTLES ON VILLAGE PROPERTY; BARRING THE USE OF VILLAGE FUNDS FOR PURCHASE OR DISTRIBUTION; PROVIDING FOR DEFINITIONS, EXEMPTIONS, ENFORCEMENT AND AN EFFECTIVE DATE. *(Sponsored by Vice Mayor John Dubois)*

**14. OTHER BUSINESS**

**15. COUNCIL COMMENTS**

**16. NEXT MEETING AND ADJOURNMENT**

---

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.

---

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.

---



# ITEM 4A



---

To: Honorable Mayor and Village Council

Date: April 6, 2020

From: Gregory H. Truitt, Interim Village Manager

Re: Design Supplemental to the  
Roadway Improvements Bike Lane  
Construction on 136<sup>th</sup> Street

---

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO ROADWAYS; APPROVING THE DESIGN SUPPLEMENTAL TO THE ROADWAY IMPROVEMENTS BIKE LANE CONSTRUCTION PROJECT ON SW 136<sup>TH</sup> STREET PREVIOUSLY APPROVED BY RESOLUTION 2019-28; REVISING THE PLANS FROM A BICYCLE FACILITY TO A SHARED-USED PATH FACILITY TO INCLUDE REVISED ROADWAY, PAVEMENT MARKINGS, SIGNAGE, AND LANDSCAPE PLANS AND BONNETED BAT SURVEY; AUTHORIZING THE INTERIM VILLAGE MANAGER TO AMMEND THE CONTRACT WITH RJ BEHAR TO INCLUDE THESE REVISIONS NOT TO EXCEED \$58,000; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)**

**BACKGROUND AND ANALYSIS:**

Resolution 2019-28 (attached Exhibit A) approved the allocation of 250,000 towards design cost of the Roadway Improvement of Bike Lanes on 136<sup>th</sup> Street. A design Supplemental is needed to revise the existing plans from a bicycle facility to a new shared used path facility to include roadway, pavement markings, signage plans, landscape plans and the Bonneted Bat Survey.

**FISCAL/BUDGETARY IMPACT:**

Funding is available and budgeted for this item under "Special Revenue Fund-Transportation – Engineering/Architectural" in an amount not to exceed \$58,000.00 in Fiscal Year 2019-2020.

**RECOMMENDATION:**

Approval is recommended.

**Attachments (1):**

- Attachment A: Resolution 2019-28
- Attachment B: Scope of Services

- Attachment C: RJ Behar breakdown of Cost
- Attachment D: Bonneted Bat Cost



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

**Section 2.** The Village Council hereby approves the amendment of the contract with RJ Behar to include design revisions in an amount not to exceed \$58,000.00.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this 6th day of April 2020.

Attest: \_\_\_\_\_  
**Melissa Dodge**  
**Acting Village Clerk**

\_\_\_\_\_  
**Karyn Cunningham**  
**Mayor**

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

\_\_\_\_\_  
**John C. Dellagloria, Esq.**  
**Village Attorney**

**FINAL VOTE AT ADOPTION:**

Council Member Patrick Fiore \_\_\_\_\_

Council Member David Singer \_\_\_\_\_

Council Member Marsha Matson \_\_\_\_\_

Vice-Mayor John DuBois \_\_\_\_\_

Mayor Karyn Cunningham \_\_\_\_\_

## RESOLUTION NO. 2019-28

1  
2  
3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE  
4 VILLAGE OF PALMETTO BAY, FLORIDA; RELATED TO ROADWAY  
5 IMPROVEMENTS; AMENDING RESOLUTION NO. 2017-47  
6 ALLOCATING \$500,000 TOWARDS THE BIKE LANE  
7 CONSTRUCTION ON SW 136<sup>TH</sup> STREET TO PROVIDE THAT UP TO  
8 \$250,000 ARE ALLOCATED FOR DESIGN COSTS AND THE  
9 REMAINING FUNDS ARE ALLOCATED TOWARDS  
10 CONSTRUCTION COSTS; AUTHORIZING THE VILLAGE MANAGER  
11 TO ENTER INTO A CONTRACT WITH RJ BEHAR AND CO. INC,  
12 FOR THE AMOUNT OF \$236,517; AND PROVIDING AN EFFECTIVE  
13 DATE (*Sponsored by Administration*)

14  
15 **WHEREAS**, the Village Council adopted Resolution No. 2017-47  
16 approving the Join Participation Agreement with Miami-Dade County  
17 to construct a bicycle lane along SW 136 Street from US 1 to Old  
18 Cutler Road; and,

19  
20 **WHEREAS**, Resolution No. 2017-47 allocated a total of  
21 \$500,000 in Village funds towards the project, with \$100,000 allocated  
22 for design services and \$400,000 for construction; and,

23  
24 **WHEREAS**, in order to fund the design of the bike lane  
25 improvements, the Village needs to utilize resources of the County to  
26 prepare the final design of the SW 136<sup>th</sup> bike lane project for  
27 construction purposes; and

28  
29 **WHEREAS**, the Village has negotiated a contract with RJ Behar,  
30 as the Design team, and the JPA has been executed by the Miami-  
31 Dade County Board of Commissioners (Exhibit C) and Resolution No.  
32 2017-47 must be amended to allocate up to \$250,000 for design costs  
33 and the remaining funds from the total allocation of \$500,000 towards  
34 construction.

35  
36 **WHEREAS**, the Village and the Design team desire to enter into a  
37 contractual agreement.

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

4  
5           **Section 1.** The Village Council hereby amends Resolution No.  
6 2017-47 and allocates up to \$250,000 for design services and the  
7 remaining funds from the total allocation of \$500,000 towards  
8 construction costs for the bike lane along SW 136<sup>th</sup> Street.

9  
10           **Section 2.** The Village Council hereby approves the contract  
11 between the Village of Palmetto Bay and RJ Behar & Co. Inc, in  
12 substantial form and content to the attached Exhibit "A" to provide  
13 design services for the bike lane improvements.

14  
15           **Section 3.** The Village Manager is authorized to take all action  
16 necessary to enter into contract with RJ Behar, subject to the terms  
17 and conditions negotiated between both parties prior to disbursement  
18 of funds to the County.

19  
20           **Section 4.** This Resolution shall take effect upon approval.

21  
22           **PASSED and ADOPTED** this 4<sup>th</sup> day of February 2019.

23  
24           **Attest:**

25  
26           DocuSigned by:  
27           *Missy Arocha*  
28           \_\_\_\_\_  
29           Missy Arocha  
30           Village Clerk

DocuSigned by:  
*Karyn Cunningham*  
\_\_\_\_\_  
Karyn Cunningham  
Mayor

31  
32           **APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE**  
33 **USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY,**  
34 **FLORIDA ONLY:**

35  
36  
37           DocuSigned by:  
38           *Dexter W. Lehtinen*  
39           \_\_\_\_\_  
40           Dexter W. Lehtinen  
Village Attorney

- 1 **FINAL VOTE AT ADOPTION:**  
2  
3 Council Member Patrick Fiore YES  
4  
5 Council Member David Singer YES  
6  
7 Council Member Marsha Matson YES  
8  
9 Vice-Mayor John DuBois YES  
10  
11 Mayor Karyn Cunningham YES

## SCOPE OF SERVICES

### SW 136 STREET PROJECT REDESIGN

#### PROJECT DESCRIPTION ANDE SERVICES

The Village of Palmetto Bay (CLIENT) has coordinated with Miami-Dade County (OWNER) to redesign and revise the SW 136 Street from east of US 1 to west of Old Cutler Road project. The SW 136 Street project is currently under design by RJ Behar & Company, Inc. (CONSULTANT) and generally consists of milling and resurfacing the existing road revising the plans from bicycle facility to a new shared used path facility, revise the pavement marking and signing plans and landscape plans per directive form the Village of Pine Crest.

This section describes the scope of work and the responsibilities of CONSULTANT and the CLIENT in connection with the redesign and to revise the roadway plans, signing and pavement marking plans and landscape plans for improvements to the transportation facility described herein. The reason for redesign and revision of the roadway plans and pavement and signing plans is due to a change in the roadway typical section from a Bicycle Lane facility to a Shared Use Path facility. The change to the roadway typical section was requested by Miami Dade County and occurred after the roadway plans were 60% complete. The landscape plans require revision due to a directive from the Village of Pine Crest to change the Tree Disposition Plan along the Village of Pine Crest. The change to landscape plans occurred after the plans were 60% complete. The general objective is for the CONSULTANT to redesign and revise the current set of plans and obtain the necessary permits, to be used by a contractor to build the project, and to provide construction support services during construction and to close out the project, all in accordance with County requirements.

All plans and design documents are to be prepared with Standard English values in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) and Miami-Dade County Department of Transportation and Public Works (DTPW) manuals and guidelines.

The CONSULTANT shall demonstrate good project management practices while working on this project. These include communication with the OWNER and others as necessary, management of time and resources, and documentation. The CONSULTANT shall maintain a contract file throughout the design of the project. It shall be the CONSULTANT's responsibility to utilize the very best engineering judgment, practices, and principles possible during the prosecution of the work commissioned under this contract.

The CLIENT will provide contract administration, management services, and reviews of all work associated with the development and preparation of the contract plans. The CLIENT will provide job-specific information and/or functions as outlined in this contract.

### **SUBMITTALS**

The CONSULTANT shall resubmit plans and documents as required by all agencies having jurisdiction for review, approval, and issuance of permits. Plan submittals for review and comment shall be made at 90%, and 100% completion.

All maps, plans and designs are to be prepared with English values in accordance with all applicable current federal, state, county, and local manuals, memorandums, and guidelines.

### **DOCUMENTS AND SERVICES TO BE PROVIDED BY THE CLIENT**

The CLIENT will provide the following:

- Input regarding objectives, constraints, and time constraints regarding environmental permitting services
- Signatures on application forms
- Letters of authorization designating the CONSULTANT as an agent of the OWNER (if needed).
- Permit fee to be paid by CLIENT

### **PROJECT GENERAL TASKS**

Listed below are work efforts that are applicable to many project activities. These tasks and fees are to be included in the project scope for each applicable activity.

Cost Estimates: The CONSULTANT shall be responsible for producing a construction cost estimate and reviewing and updating the cost estimate when scope changes occur and/or at milestones of the project. Prior to 90% plans and completion of quantities. Once the quantities have been developed (beginning at 90% plans submittal), the CONSULTANT shall be responsible for preparing construction cost estimates based on quantities. Summary of Quantities sheets shall be prepared with all required 90%, and 100% Plans submittals.

Technical Meetings: Includes meetings with CLIENT, County, and/or other Agency staff, between disciplines and subconsultants, phase review meetings, and miscellaneous meetings. The CONSULTANT shall prepare, and submit to the OWNER for review, the meeting minutes for all meetings attended by them. The meeting minutes are due within five (5) days of attending the meeting.

Quality Assurance/Quality Control: It is the intention of the OWNER that CONSULTANTS are held responsible for their work, including plan reviews. The purpose of CONSULTANT plan reviews is to ensure that CONSULTANT plan submittals are complete.

The CONSULTANT shall be responsible for the professional quality, technical accuracy and coordination of all surveys, designs, drawings, specifications and other services

furnished by the CONSULTANT under this contract.

The CONSULTANT shall, without additional compensation, correct all errors or deficiencies in the designs, maps, drawings, specifications and/or other services.

### **1 ROADWAY PLANS**

The CONSULTANT shall revise Roadway Plans in accordance with the changes dictated by Miami Dade County and all applicable manuals, guidelines, standards, handbooks and procedures. The revised plans may include, but not be limited to, the following sheets necessary to convey the intent and scope of the project for the purposes of construction:

- Key Sheet
- Typical Section Sheets
- General Notes
- Summary of Quantities
- Plan Sheets
- Roadway Soil Survey Sheet
- Cross Sections
- Traffic Control Plan Sheets
- Utility Verification Sheet (SUE Data)
- Preparation of Design Variances for Trees not in compliance with horizontal clearance and sight line criteria.

### **2 SIGNING AND PAVEMENT MARKING PLANS**

The CONSULTANT shall revise Signing and Pavement Marking Plans in accordance with Miami Dade County direction and all applicable manuals, guidelines, standards, handbooks, and procedures. The plans may include, but not be limited to, the following sheets:

- Tabulation of Quantities
- General Notes/Pay Item Notes
- Signing and Pavement Marking Plan Sheets

### **3 LANDSCAPE PLANS**

The CONSULTANT shall resubmit all necessary permits required for construction of the Project. The Consultant shall coordinate pre-application meetings as necessary with the SW 136 Street project with various governmental agencies having jurisdiction over the Project including, but not limited to:

- Re-evaluation of trees within the clear zone previously identified to be removed. These
- trees received a preliminary evaluation during the basic services, but since they were
- identified to be in conflict – they were just placed on the removal category. The evaluation
- will include – a more detailed evaluation to determine the health and structural condition
- of the trees in order to determine any that could be hazards, from a horticultural
- standpoint. There are a total of 62 trees that need evaluation.

- Revision of Tree Disposition Plans to reflect new directive – 18 plan sheets & 3 sheets with tables.
- Revision of Planting Plans to reflect trees remaining and delete new one planned, as needed. 18 plan sheets plus plant list.
- Updated Estimate of Probable Cost
- Coordination with team
- Resubmission to County for permitting.

#### **4 PERMITTING**

The CONSULTANT shall resubmit all necessary permits required for construction of the Project. The Consultant shall coordinate pre-application meetings as necessary with the SW 136 Street project with various governmental agencies having jurisdiction over the Project including, but not limited to:

- Miami-Dade County Department of Transportation and Public Works (DTPW)
- Miami-Dade County DRER

The Consultant shall prepare the necessary permit applications, including any sets of signed and sealed drawings, as required, for submittal to the affected agencies. The Consultant will be expected to advise the Owner on the complete permit process and timelines, and the Owner will be responsible for all fees (i.e. review, impact, permit) associated with the permits.

The Consultant shall review any request for additional information (RAI) from the permitting agencies, and prepare adequate responses as needed, on behalf of the Owner. Due to the limited schedule for this project, the Owner will expect that the Consultant's knowledge and experience will be more than enough for the permits to be issued after only one response to RAI by the regulatory agency(ies).

CONSULTANT'S QUOTATION PROPOSAL

Project Name: SW 136 Street Bike Lane  
 Consultant's Name: R.J. Behar & Company, Inc.  
 Project Number:  
 Project Length: 1.74 miles

Prepared by:  
 Date:

Activity	STAFF HOURS							Staff Hours by Activity	Salary Cost for Activity
	Principal Engineer	Project Manager	Sr. Engineer	Engineer	Designer	Sr. CADD Tech.	100%		
	2%	8%	15%	25%	30%	20%			
1 Roadway Plans	5	22	40	67	81	54	269	\$34,117	
2 Pavement Marking & Signing Plans	1	6	10	17	21	14	69	\$8,751	
3 Signalization Plans	0	0	0	0	0	0	0	\$0	
4 Roadway Lighting Plans	0	0	0	0	0	0	0	\$0	
5 Drainage Design, Report & Permit Sketches	0	0	0	0	0	0	0	\$0	
6 Post Design Services	0	0	0	0	0	0	0	\$0	
7 Master Plan	0	0	1	1	1	1	4	\$507	
<b>TOTAL HOURS</b>	7	27	51	86	103	68	342	\$43,375	
	2016 Rates	\$78.12	\$54.47	\$45.67	\$36.50	\$33.00			
<b>Totals S-H and Cost</b>	\$534.34	\$1,721.49	\$2,794.31	\$3,904.79	\$3,744.90	\$2,257.20	\$14,957.03	\$126.83	

TOTAL LUMP SUM FEE BREAKDOWN BY ACTIVITY	Amount
Roadway Plans	\$34,116.89
Signing & Marking Plans	\$8,751.17
Signal Plans	\$0.00
Lighting Plans	\$0.00
Drainage Plans	\$0.00
Construction Services	\$507.31
Master Plan	\$8,000
Landscape Plans	\$0
Geotechnical	\$434
Out-of-Pocket Expenses	
<b>Maximum Lump Sum Fee</b>	<b>\$51,809.14</b>

TOTAL CONTRACT COST COMPUTATIONS

Total Activity Salary Costs	\$14,957
(a) Overhead Additives	
(a1) Combined O-H percent	
(a2) Combined O-H Cost	
Subtotal (Salary + Overhead)	
(b) Operating Margin Percent	
(b1) Operating Margin Cost - Fixed Fee	
Subtotal (Salary Related Cost)	
Multiplier	2.9
Expenses	\$43,375
(a) Misc. & Out-of-Pocket Expenses	\$0
(b) Design Survey & Mapping (SUE)	\$434
(c) Geotechnical	\$0
(d) Environmental	\$0
(e) Landscape Plans	\$8,000
<b>SUBTOTAL</b>	<b>\$51,809.14</b>

TOTAL	LUMP SUM	\$51,809.14
<b>TOTAL FEE</b>		<b>\$51,809.14</b>

COUNTY PROJ. NO.: N/A F.A.P. N/A DESCRIPTION: SW 136 Street Bike Lane

LENGTH: 1.74 MILES LANES: 2 DIV'D: URBAN: FEET

ITEM	SCALE	BASIS OF ESTIMATE	NO. OF UNITS	NO. OF SHEETS	M - H UNITS	TOTAL M-H	COMMENTS
<b>ROADWAY PLANS</b>							
Key Map	N/A	SHT	1	1	0	0	
Typical Section	N/A	SHT	3	1	6	18	Revisions
Summary of Quantities	N/A	SHT	1	1	6	6	Revisions
General Notes	N/A	HRS	1	1	0	0	
Plan & Profile	1"=40'	SHT					
Intersection Details		SHT				0	
Intersection Profiles		SHT					
Back of Sidewalk Profiles		HRS	0	0	8	0	
Special Profiles		HRS	1	1	0	0	
Misc. Construction Details		SHT	1	1	8	8	Revisions
Detour Plans/Maint. of Traffic		HRS	2	2	0	0	
Cross-Sections		SHT					
Quantity Calculations	N/A	HRS	1		0	0	
Cost Estimates	N/A	HRS	2		0	0	
Pavement Design	N/A	HRS	1		0	0	Use Miami Dade County Pavement Section
Project Control Network sheet		HRS	1		0	0	To be provided by Surveyor
Bike Lane Plan & profile	1"=40'	SHT	19	19	6	114	
Bike Lane Cross Sections		SHT	101	16	0.5	51	Every 100'
Geometry Plan		HRS					
Utility Coordination		HRS	9		0	0	
Utility Conference		HRS	1		0	0	
Specifications		HRS	1		0	0	
Plateau Intersection Plans		SHT				0	
Design Variance		HRS	1		31	31	Required for tree sight distance and horizontal clearance (Simplified Version)
Meetings and Reviews	N/A	HRS	0		8	0	Additional Meetings
Field Reviews	N/A	HRS	3		8	24	
Miami Dade County Traffic Permit		HRS	1		0	0	
Tree Permit		HRS	1		8	8	Tree revisions
FDOT Require Documentation		HRS	1		9	9	Reports and memos required by FDOT
<b>ROADWAY PLANS TOTALS</b>				43		269	

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_



COUNTY PROJ. NO.: 1.74 MILES 1.74 FEET 1.74 LANES: 2 DIV'D: 2 URBAN: 2  
 N/A F.A.P. N/A DESCRIPTION: SW 136 Street Bike Lane

ITEM	SCALE	BASIS OF ESTIMATE	NO. OF UNITS	NO. OF SHEETS	M - H UNITS	TOTAL M-H	COMMENTS	
<b>DRAINAGE PLANS</b>								
Drainage Map	200'	SHT						
Drainage Design (Including Report)		HRS	1		0	0	Revised due to trees	
Drainage Structure Sheets		SHT	0		2.5	0		
Summary of Drainage Structure		SHT				0	N/A	
Permit Sketches		HRS						
Meetings / Review / Quality Control		HRS	0		16	0		
Drainage Details		HRS	0	1	24	0		
Environmental Issues		HRS						
Erosion Control Plan		HRS	0		8	0		
Stormwater Pollution Prevention Plan		HRS	0		8	0		
Base Clearance Water Elevation		HRS						
Optional Pipe Material		HRS						
Miami Dade County DRER Permit		HRS	0		24	0		
<b>DRAINAGE PLANS TOTALS</b>							<b>0</b>	

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_





Invoice for Professional Services

VILLAGE OF PALMETTO BAY  
 ATTN: DIONISIO TORRES  
 9495 SW 180TH STREET  
 PALMETTO BAY, FL 33157

Invoice No: 15708571  
 Invoice Date: Jan 31, 2020  
 Invoice Amount: \$6,185.00  
 Project No: 044649028.1  
 Project Name: BONNETED BAT SURVEY  
 Project Manager: JOHNSON, SARAH  
 Client Reference: AGREEMENT 06/20/13  
 WA #19-08

Please send payments to:  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 P.O. BOX 932520  
 ATLANTA, GA 31193-2520

For Services Rendered through Jan 31, 2020

Federal Tax Id: 56-0885615

**LUMP SUM**

Description	Contract Value	% Complete	Amount Earned to Date	Previous Amount Billed	Current Amount Due
TASK 1 - BONNETED BAT SURVEY	6,185.00	100.00%	6,185.00	0.00	6,185.00
<b>Subtotal</b>	<b>6,185.00</b>	<b>100.00%</b>	<b>6,185.00</b>	<b>0.00</b>	<b>6,185.00</b>
<b>Total LUMP SUM</b>					<b>6,185.00</b>

**Total Invoice: \$6,185.00**



# ITEM 4B



---

To: Honorable Mayor and Village Council

Date: April 6, 2020

From: Gregory H. Truitt, Interim Village Manager

Re: Installation of Permanent Speed Tables

---

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO TRAFFIC CALMING PROJECTS; APPROVING THE SELECTION OF MAGGOLC, INC. FOR THE INSTALLATION OF UP TO 24 PERMANENT SPEED TABLES WITHIN THE VILLAGE; AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH SAID COMPANY FOR AN AMOUNT NOT TO EXCEED \$151,200; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)**

#### **BACKGROUND AND ANALYSIS:**

The speed tables will be constructed with asphalt materials and are 22 feet in length with a flat top maximum height of 3.5 inches to 4 inches in height. The design of the flat top speed hump contains two, six feet tapered sections with a 10 feet flat section in the middle. The flat top speed table is designed for use on residential streets. The speed tables will be placed at a distance that will reduce the average vehicular speeds between speed tables to 20 to 25 mph.

The lowest, most responsive proposal received for installation of speed tables was from Maggolc, Inc. for an amount of \$6,300.00 per speed table installed including striping and signs Attached is Exhibit A which details the location and number of speed tables planned for installation at this location for a total project amount not to exceed \$151,200.00. It is requested that the Village Council authorize the Village Manager to execute an agreement with Maggolc, Inc. to construct speed tables on:

1. Farmer Road from Old Cutler Road to SW 136<sup>th</sup> Street
2. SW 139<sup>th</sup> Terrace from SW 80<sup>th</sup> Avenue to SW 82<sup>nd</sup> Avenue
3. Near intersection of SW 142<sup>nd</sup> Street and 78<sup>th</sup> Avenue
4. SW 148<sup>th</sup> Terrace from Old Cutler Road to SW 69<sup>th</sup> Court
5. SW 149<sup>th</sup> Street between 71<sup>st</sup> Avenue and 69<sup>th</sup> Court
6. SW 80<sup>th</sup> Avenue from SW 152<sup>nd</sup> Street to SW 151<sup>st</sup> Street
7. SW 146<sup>th</sup> Terrace between SW 74<sup>th</sup> Court and Old Cutler Road
8. SW 182<sup>nd</sup> Street between 92<sup>nd</sup> Avenue and 94<sup>th</sup> Avenue
9. SW 85<sup>th</sup> Avenue between SW 152<sup>nd</sup> Street and 160<sup>th</sup> Street

10. SW 90<sup>th</sup> Avenue between SW 168<sup>th</sup> Street and SW 164<sup>th</sup> Street

11. SW 163<sup>rd</sup> Street between 82<sup>nd</sup> and 83<sup>rd</sup> Avenue

**FISCAL/BUDGETARY IMPACT:**

Funding is available and budgeted for this item under “Special Revenue Fund-Transportation – Traffic Calming” in an amount not to exceed \$151,200.00 in Fiscal Year 2019-2020.

**RECOMMENDATION:**

Approval is recommended.

**Attachments (1):**

- Attachment A: Maggoc, Inc. Quote/ Location Detail
- Attachment B: Metro Express, Inc. Quote
- Attachment C: H&R Paving Quote



1           **WHEREAS**, funding for installation of permanent speed tables in  
2 these neighborhoods for an amount not to exceed \$151,200.00 is within  
3 the current fiscal year's budget for Traffic Calming Improvements, and  
4

5           **WHEREAS**, upon Village Council approval, Maggolg, Inc. will  
6 install permanent speed tables at the locations identified in compliance  
7 with Village of Palmetto Bay Traffic Calming Procedures.  
8

9           **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE**  
10 **OF PALMETTO BAY, FLORIDA, THAT:**

11  
12           **Section 1.** The Village Council hereby approves the selection of  
13 Maggolg, Inc. to construct speed tables on:  
14

- 15           1. Farmer Road from Old Cutler Road to SW 136<sup>th</sup> Street
- 16           2. SW 139<sup>th</sup> Terrace from SW 80<sup>th</sup> Avenue to SW 82<sup>nd</sup> Avenue
- 17           3. Near intersection of SW 142<sup>nd</sup> Street and 78<sup>th</sup> Avenue
- 18           4. SW 148<sup>th</sup> Terrace from Old Cutler Road to SW 69<sup>th</sup> Court
- 19           5. SW 149<sup>th</sup> Street from 71<sup>st</sup> Avenue and 69<sup>th</sup> Court
- 20           6. SW 80<sup>th</sup> Avenue from SW 152<sup>nd</sup> Street to SW 151<sup>st</sup> Street
- 21           7. SW 146<sup>th</sup> Terrace between SW 74<sup>th</sup> Court and Old Cutler Road
- 22           8. SW 182<sup>nd</sup> Street between 92<sup>nd</sup> Avenue and 94<sup>th</sup> Avenue
- 23           9. SW 85<sup>th</sup> Avenue between SW 152<sup>nd</sup> Street and 160<sup>th</sup> Street
- 24           10. SW 90<sup>th</sup> Avenue between SW 168<sup>th</sup> Street and SW 164<sup>th</sup> Street
- 25           11. SW 163<sup>rd</sup> Street between 82<sup>nd</sup> and 83<sup>rd</sup> Avenue

26  
27           **Section 2.** The Interim Village Manager is hereby authorized to  
28 execute an agreement with Maggolg, Inc. for construction of speed  
29 tables for a contract amount not to exceed \$151,200.00, and execute  
30 related documentation on behalf of the Village once approved as to  
31 final form, content and legal sufficiency by the Village Attorney.  
32

33           **Section 3.** This Resolution shall become effective upon the date  
34 of its adoption herein.  
35

36           **PASSED AND ADOPTED** this 6th day of April 2020.  
37  
38  
39

1 Attest: \_\_\_\_\_  
2 **Melissa Dodge**  
3 **Acting Village Clerk**

\_\_\_\_\_ **Karyn Cunningham**  
**Mayor**

4  
5 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
6 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:  
7

8  
9  
10 \_\_\_\_\_  
11 **John C. Dellagloria, Esq.**  
12 **Village Attorney**

13  
14  
15 **FINAL VOTE AT ADOPTION:**

- 16  
17 Council Member Patrick Fiore \_\_\_\_\_  
18  
19 Council Member David Singer \_\_\_\_\_  
20  
21 Council Member Marsha Matson \_\_\_\_\_  
22  
23 Vice-Mayor John DuBois \_\_\_\_\_  
24  
25 Mayor Karyn Cunningham \_\_\_\_\_



ENGINEERING CONTRACTOR – LIC: E-251302  
11020 SW 55 ST., MIAMI, FL 33165  
PHONE: 786-291-2949 FAX: 786-472-8831  
[maggolc@yahoo.com](mailto:maggolc@yahoo.com)

## PROPOSAL

February 20, 2020

To:  
Dionisio F. Torres, P.E.  
Director of Public Services  
Village of Palmetto Bay

Project: Construction of one (1) Speed Table

Proposal Includes:

- |  |             |
|--|-------------|
| 1. Mobilization and MOT-----             | \$ 2,000.00 |
| 2. Milling Existing Asphalt -----        | \$ 1,400.00 |
| 3. Superpave Asphalt Concrete SP-9.5---- | \$ 2,500.00 |
| 4. Thermoplastic Striping-----           | \$ 200.00   |
| 5. Signs-----                            | \$ 200.00   |

**LS Price Proposed: \$ 6,300.00**

**Notes:**

**This proposal does not include:**

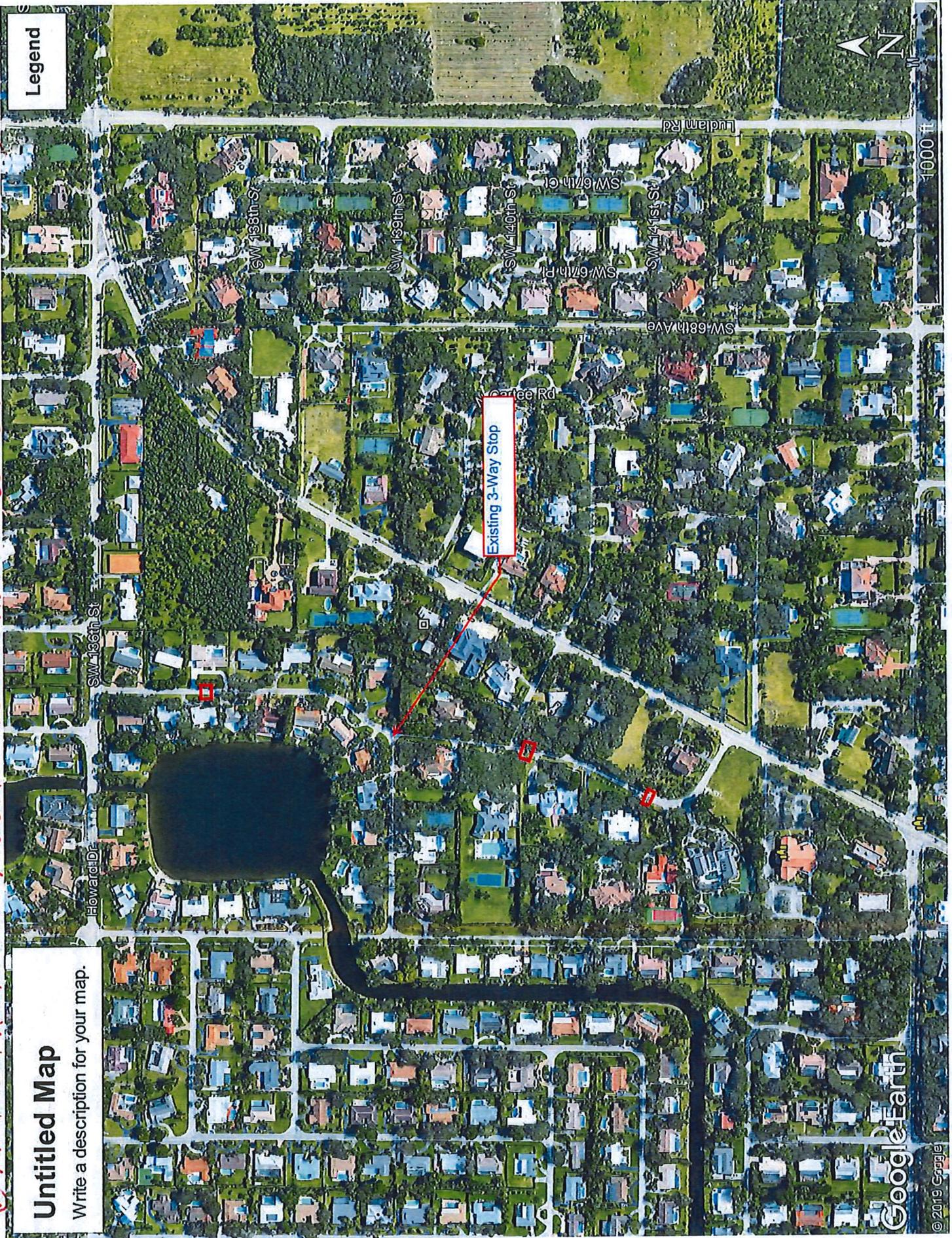
- Any pattern or color in the asphalt
- Construction As-built

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mario Gonzalez', is written over the word 'Sincerely,'.

Mario Gonzalez  
Maggolc Inc./ President

*① FARMER ROAD FROM OCR → 136 STREET (3 SETS OF TABLES)*



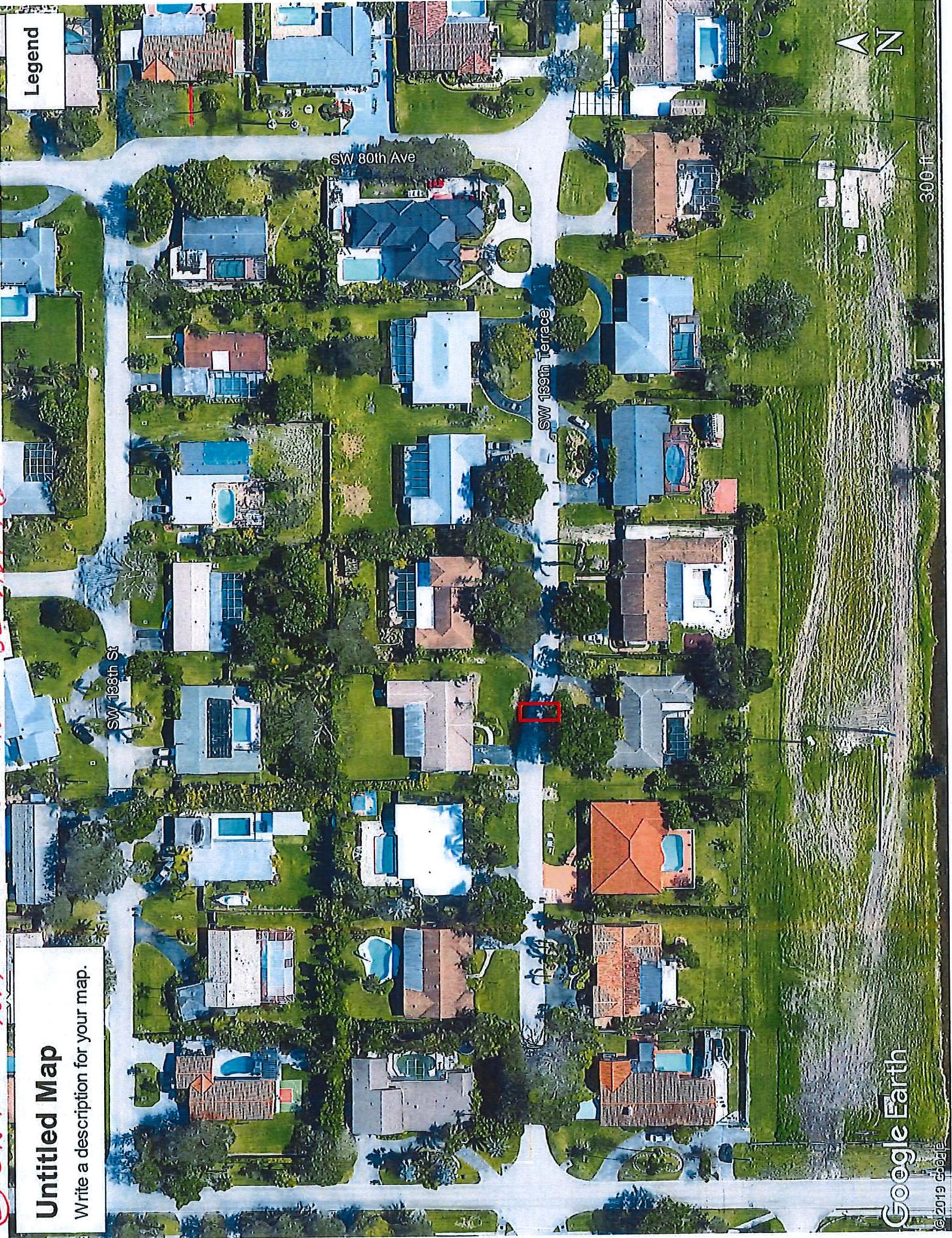
Legend

**Untitled Map**  
Write a description for your map.

Google Earth

© 2019 Google

② SW 139th Terr from SW 80 Ave - 82 Ave 1 (2 SETS OF TABLES)



**Untitled Map**  
Write a description for your map.

**Legend**

Google Earth

© 2019 Google

⑧ NEAR INTERSECTION OF 142nd STREET & 78th Ave. (1 SW of Tables)

### Untitled Map

Write a description for your map.

### Legend

- Dadaab Refugee Camp
- Feature 1
- Feature 2
- Feature 3
- SW 77 Av@SW



Google Earth

© 2019 Google

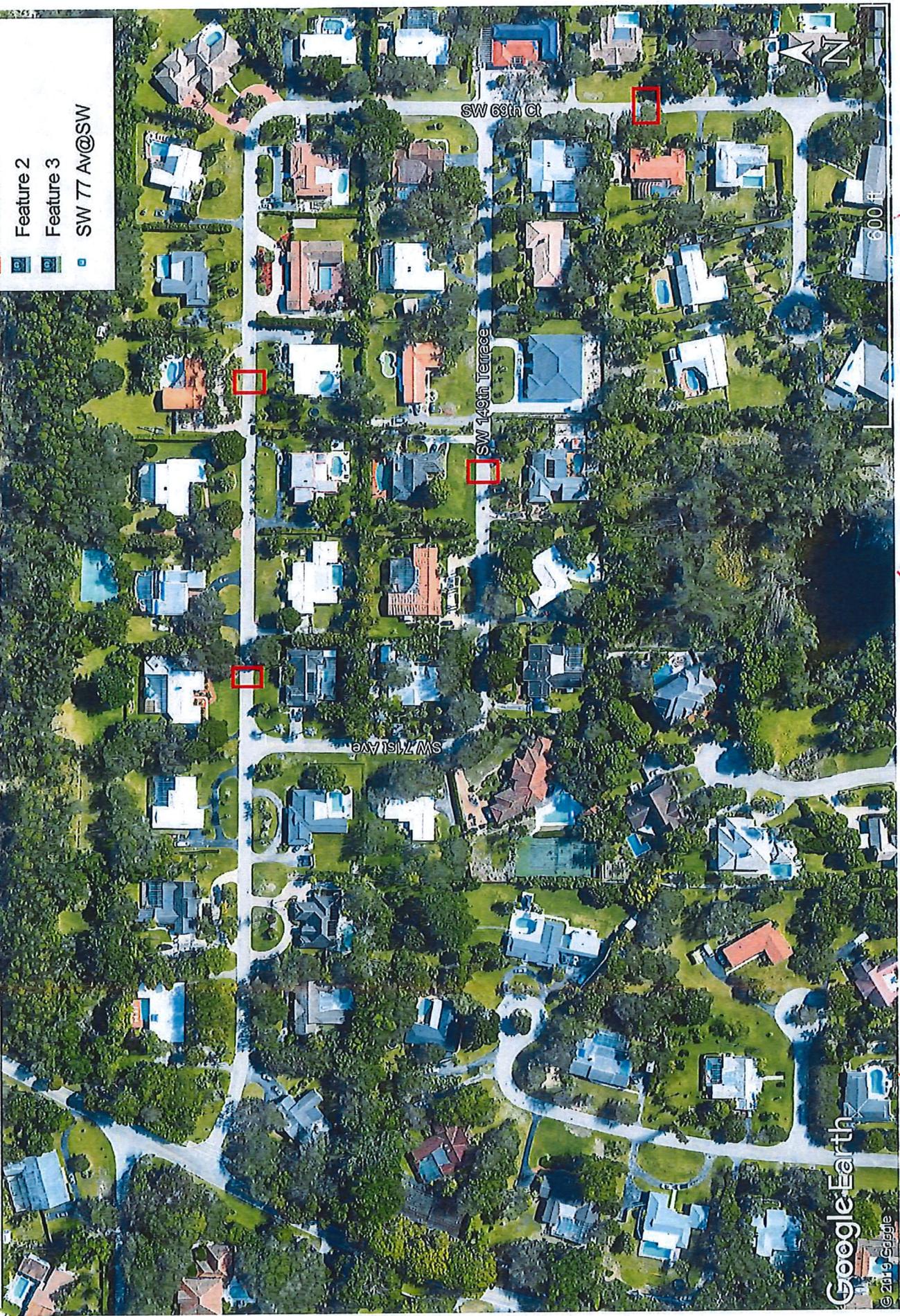
5) SW 148 Terrace from OCR → SW 69 Ct (2 SETS OF TABLES)

### Untitled Map

Write a description for your map.

### Legend

-  Dadaab Refugee Camp
-  Feature 1
-  Feature 2
-  Feature 3
-  SW 77 Av@SW

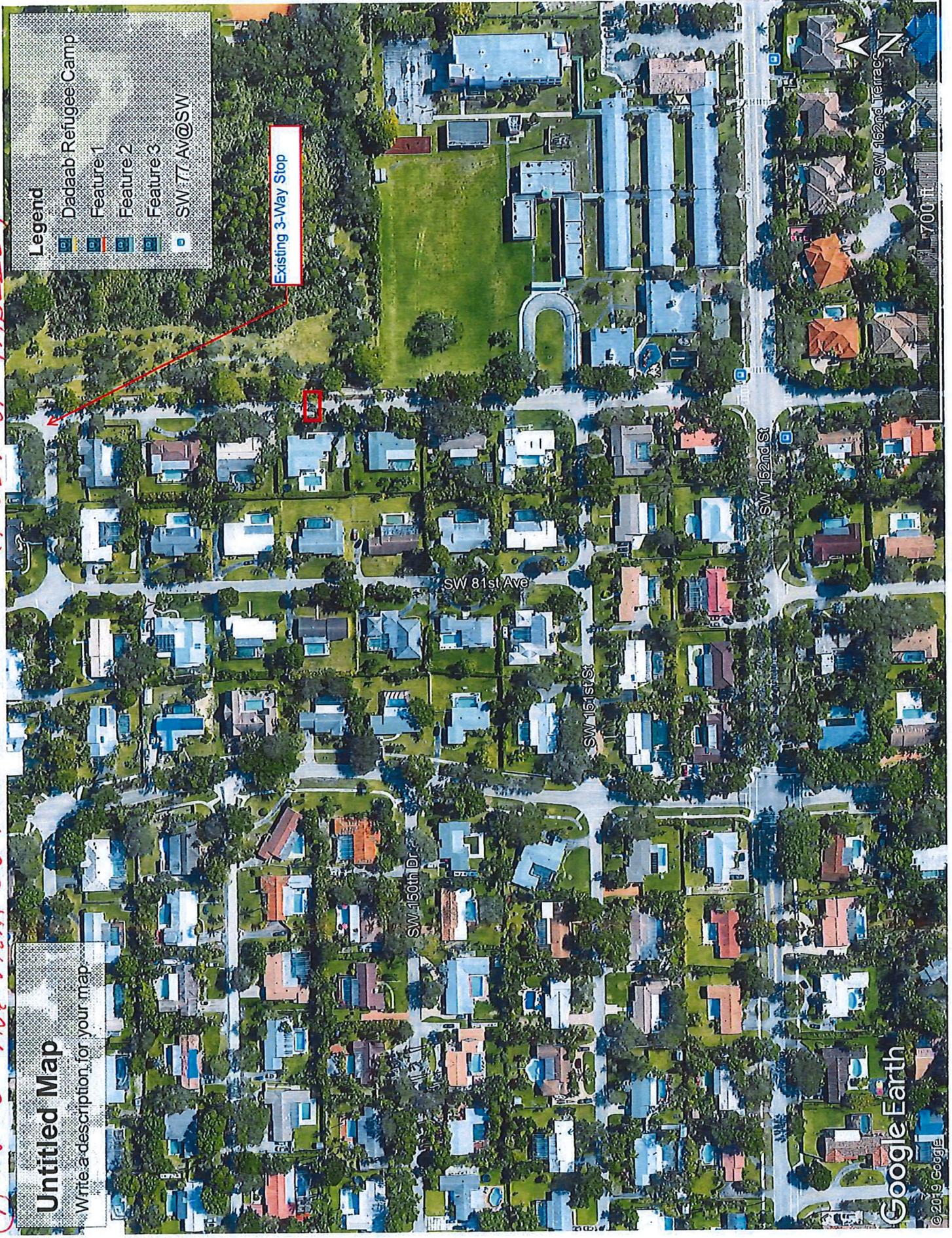


6) SW 149 Terrace from 71 Av → 69 Ct (2 SETS OF TABLES)

Google Earth

© 2019 Google

(7) SW 80<sup>th</sup> Ave from SW 162<sup>nd</sup> St - 151<sup>st</sup> (1 SET OF TABLES)



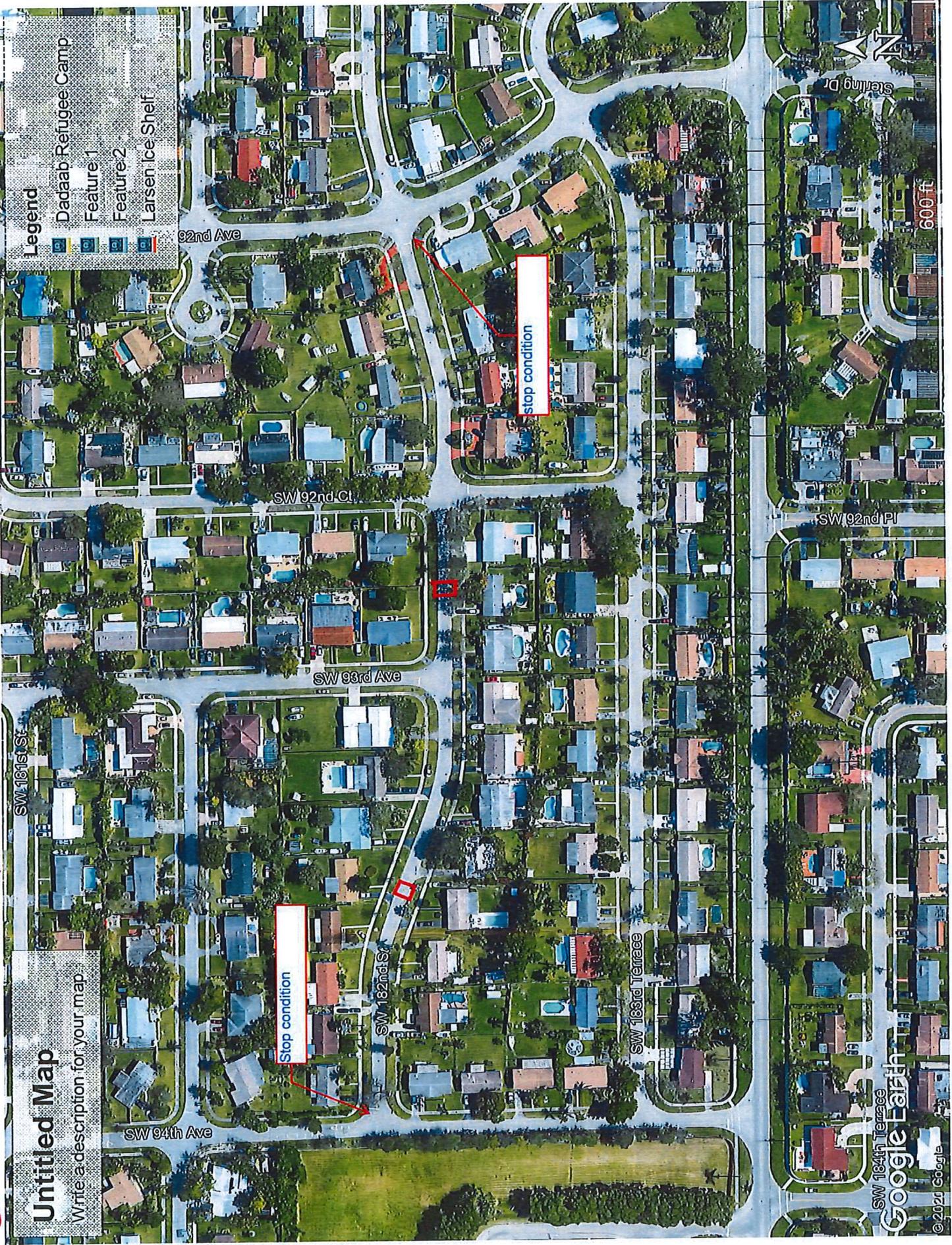
Untitled Map  
Write a description for your map.

- Legend
- Dadaab Refugee Camp
  - Feature 1
  - Feature 2
  - Feature 3
  - SW 77 AV@SW

Existing 3-Way Stop



(9) SW 182 STREET FROM 94 AVE → 92 AVE (2 SETS OF TABLES)



### Untitled Map

Write a description for your map.

### Legend

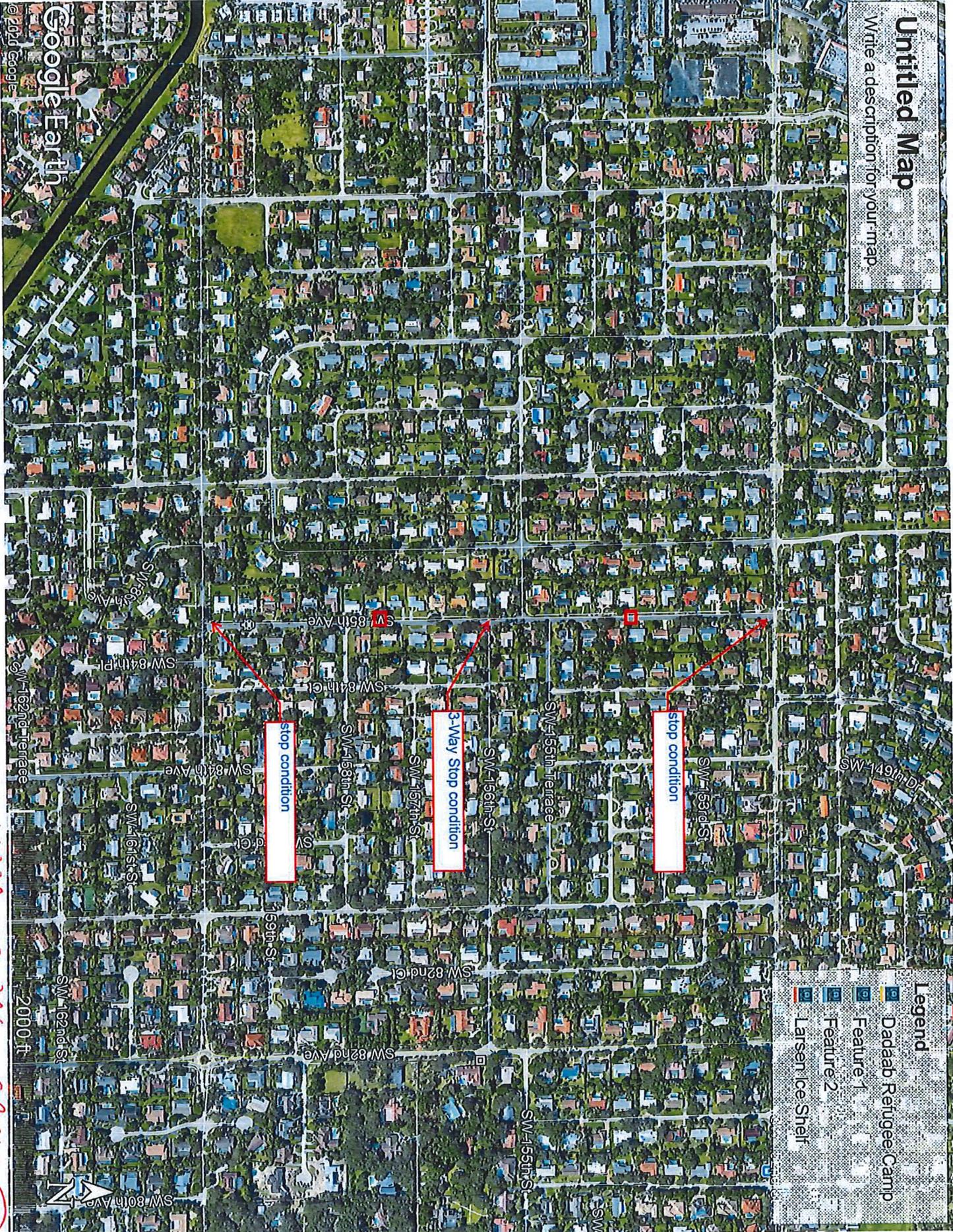
- Dadaab Refugee Camp
- Feature 1
- Feature 2
- Larsen Ice Shelf

SE76BL FOSTERS (2 SETS OF TABLES) + WAS 291 - 152 SW + 091 NS + 22ND + 9 AV + 58 NS (10)

# Untitled Map

Write a description for your map.

- Legend**
- Daddab Refugee Camp
  - Feature 1
  - Feature 2
  - Larsen Ice Shelf



Google Earth

© 2021 Google



① SW 90<sup>th</sup> Avenue between SW 168-164 Street (2 SETS OF TABLES)



Untitled Map

Write a description for your map

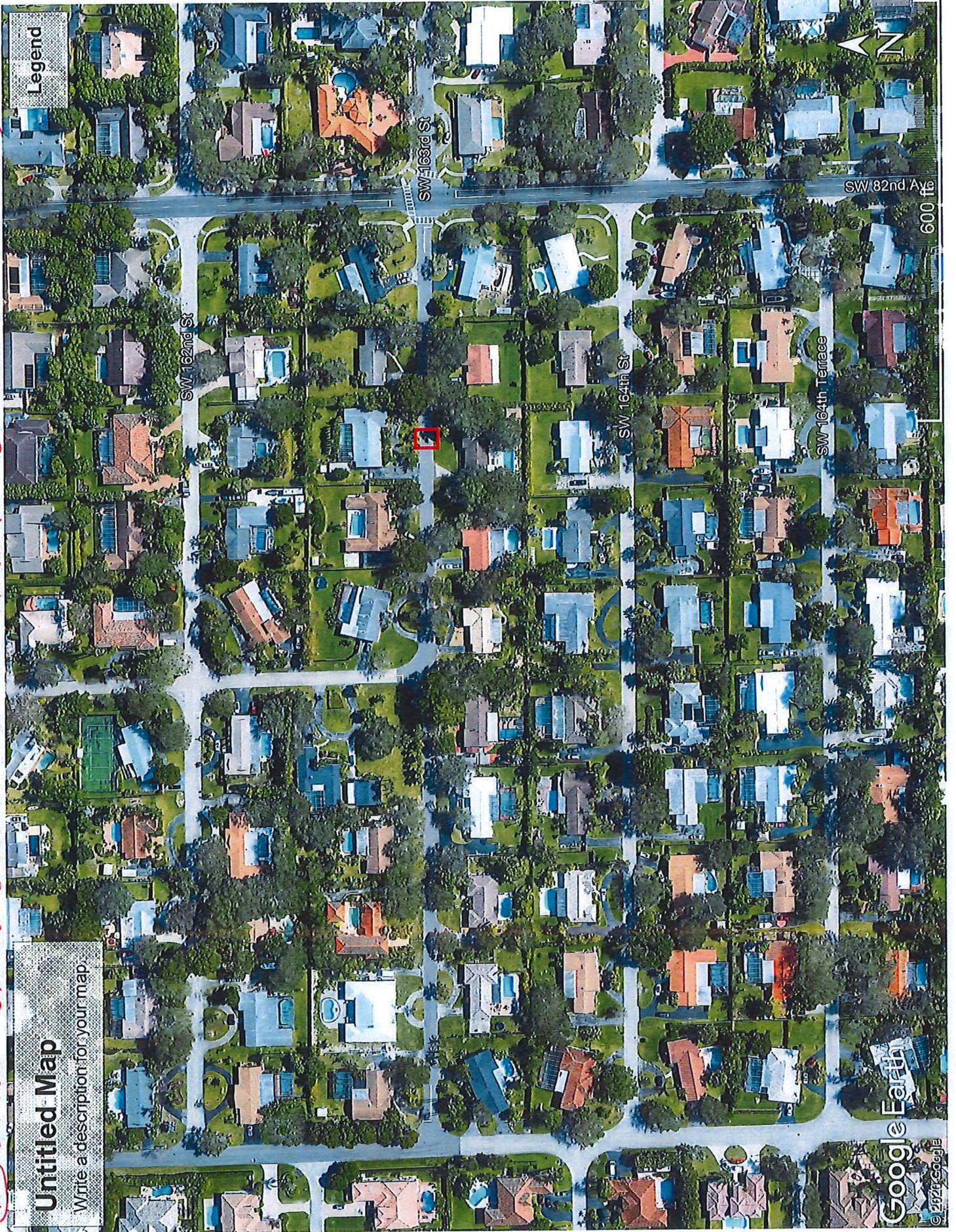
Legend

Google Earth

© 2020 Google

609 ft

(12) SW 163<sup>rd</sup> Street between 83 - 82 Avenue (1 SET OF TABLES)



Untitled Map

Write a description for your map.

Legend

Google Earth

© 2021 Google

SW 82nd Ave  
600 ft

SW 164th Terrace

SW 164th St

SW 163rd St

SW 162nd St



Metro Express, Inc.  
 State Wide General Engineering Contractors  
 CGCO50965- E-201301

Licensed  
 Insured  
 Bonded

# PROPOSAL

Quote No. DEPB021820-001

Date: 2/18/2020

To:	Village of Palmetto Bay 9495 SW 180th Street Palmetto Bay, FL 33157		
Contact	Danny Casals Phone: 305-969-5011	Fax: 305-969-5091	Cell: email: <a href="mailto:dcasals@palmettobay-fl.gov">dcasals@palmettobay-fl.gov</a>
Job:	Speed Table Construction with Asphalt Pavement		

We hereby propose to furnish all labor, material and equipment subject to terms and conditions as follows:  
 The job will include and be limited to the following:

	<u>Unit</u>	<u>Qty</u>	<u>UP</u>	<u>Total</u>
<u>Breakdown for One Speed Table:</u>				
Asphalt Overbuild for speed table 22'x3.1/2", Hot Mix type S-III	EA	1	3600.00	3,600.00
Striping Thermoplastic minimum charge	EA	1	1500.00	1,500.00
Regulatory Signs	EA	4	600.00	2,400.00
<b>Total Cost for One(01) Speed Table Construction:</b>				<b>\$ 7,500.00</b>
<b>Total Cost for Twenty-Four(24) Speed Tables Construction:</b>				<b>\$ 180,000.00</b>

NOTE:  
 No surface imprinting will be used.

GENERAL NOTES: \*\*All other job not listed above will be billed at additional charge. \*\*Price do not include any permit (to be obtained by others), MOT, surveying, tree removal, valve adjustment, testing, layout, marking, painting, as-built, regrading, landscaping, etc. \*\*Not responsible for area not ready, cars or any other obstacle in the area of work. \*\*All work to be performed in regular daily operation hours during weekdays.

We hereby propose to furnish labor and materials, complete in accordance with above specifications, for the sum showm above, with payment to be made within 3 days after work completed.

THIS PROPOSAL SUBJECT TO ACCEPTANCE WITHIN 15 DAYS AND IS VOID THREATER AT THE OPTION OF METRO EXPRESS INC.

Authorized Signature: D.T.

**ACCEPTANCE OF PROPOSAL**

The above prices, specifications and conditions are hereby accepted. You are authorized to do work as specified. Payment will be made as outilne above and interest charges may be charged upon deliquent accounts.

ACCEPTED BY: \_\_\_\_\_  
 name signature

DATE: \_\_\_\_\_

**Yanara Modroño**

---

**From:** Dionisio Torres  
**Sent:** Thursday, March 19, 2020 11:08 AM  
**To:** Yvonne Picado  
**Subject:** FW: Village Palmetto Bay updated Proposal

---

**From:** Abe Rodriguez <abe@hrpaving.com>  
**Sent:** Wednesday, February 12, 2020 9:56 AM  
**To:** 'Abe Rodriguez' <abe@hrpaving.com>; Danny Casals <dcasals@palmettobay-fl.gov>  
**Cc:** Dionisio Torres <dtorres@palmettobay-fl.gov>  
**Subject:** RE: Village Palmetto Bay updated Proposal

**CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.**

GOOD MORNING DANNY, I WENT OVER THE PRICE AS WE SPOKE AND MY LOWEST PRICE IS \$6,650.00 EA.

---

**From:** Abe Rodriguez [<mailto:abe@hrpaving.com>]  
**Sent:** Tuesday, February 4, 2020 3:54 PM  
**To:** 'Danny Casals'  
**Cc:** 'Dionisio Torres'  
**Subject:** RE: Village Palmetto Bay updated Proposal

DANNY, BEST I CAN DO WILL \$ 6,750.00 EA. THIS INCLUDES M.O.T.

---

**From:** Danny Casals [<mailto:dcasals@palmettobay-fl.gov>]  
**Sent:** Monday, February 3, 2020 8:59 AM  
**To:** Abe Rodriguez  
**Cc:** Dionisio Torres  
**Subject:** FW: Village Palmetto Bay updated Proposal

Good morning Abe,

Will H&R Paving be willing to honor the same attached pricing for new speed hump installations throughout Village?

---

**From:** Abe Rodriguez <[abe@hrpaving.com](mailto:abe@hrpaving.com)>  
**Sent:** Friday, March 15, 2019 12:02 PM  
**To:** Danny Casals <[dcasals@palmettobay-fl.gov](mailto:dcasals@palmettobay-fl.gov)>  
**Subject:** FW: Village Palmetto Bay updated Proposal

DANNY, ATTACHED YOU WILL FIND THE PROPOSAL FOR THE SPEED TABLES. I FORGOT TO INCLUDE THE 2 SIGNS IN MY ORIGINAL PRICE.

---

**From:** Pedro Cruz [<mailto:pedro@hrpaving.com>]  
**Sent:** Friday, March 15, 2019 11:43 AM  
**To:** 'Abe Rodriguez'  
**Subject:** Village Palmetto Bay updated Proposal

See Proposal in attachment.

Pedro Cruz  
Account Receivable  
[pedro@hrpaving.com](mailto:pedro@hrpaving.com)



1955 N.W. 110 Avenue  
Miami, Fl 33172

*More than 40 Years  
Serving Our Community !*



Virus-free. [www.avast.com](http://www.avast.com)

1955 NW 110 Ave., Miami, FL 33172  
 Telephone: (305) 261-3005  
 Fax: (305) 592-6079



# PROPOSAL

QUOTE NO.	AR378
DATE:	Mar 15, 2019

LICENSED AND INSURED

TO	VILLAGE OF PALMETTO BAY 9705 EAST HIBISCUS ST PALMETTO BAY, FL 33157
CONTACT	DANNY CASAS

TO	SPEED TABLES
CONTACT	305 259-1234* FAX: 305 259-1290

We hereby propose to furnish all labor, material, equipment and insurance, **SUBJECT TO ALL TERMS AND CONDITIONS AS SET FORTH ON BOTH SIDES OF THIS PROPOSAL, AS FOLLOWS:**

- 1- Install new Speed Tables including milling key joints, asphalt and striping = \$2,500 ea
- 2- M.O.T. \$350.00 per day

**TOTAL:**

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sum shown above, with payment to be made as follows:

NOTE: Cost of permits to be billed additionally. Subgrade preparation if required under equipment rental basis. This proposal subject to acceptance within 30 days and is void thereafter at the option of H & R PAVING, Inc. (READ RESERVE SIDE)

Authorized Signature: \_\_\_\_\_

### ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. 1/3 upon acceptance, when rock base is in place, balance upon completion. INTEREST will be charged on all delinquent accounts at the highest legal rate of interest allowable under the laws of the state of Florida.

ACCEPTED: \_\_\_\_\_  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Signature: \_\_\_\_\_

## ADDITIONAL TERMS & CONDITIONS

1. All work and material shall be guaranteed by **H & R Paving, Inc.**, in accordance with the terms and conditions of this agreement and all work shall be completed in a workman like manner and according to standard paving practice in Dade County area.
2. Any change, alterations or deviation from the specifications as set forth in this agreement, which involve additional charge or cost, will be permitted only upon written change order and same will be an extra charge which shall be due and payable upon execution of the change order.
3. **H & R Paving, Inc.**, Shall not be responsible for damages to sidewalks, fences, lawns, underground installations, septic tanks, water and drain lines, water ponding, etc.
4. **H & R Paving, Inc.**, Shall not be responsible for any damages caused by automobile power steering, tire marks, peeling of asphalt, grass growing in asphalt, leakage of gasoline or oil or detergent placed upon the asphalt.
5. **H & R Paving, Inc.**, Shall not be responsible for any loss, damage or injury to persons or property caused by acts of government civil or military authorities, theft, vandalism, labor disputes, explosions, power failure, water damage, storms, lightning, natural or public catastrophe, acts of God or by any other cause which is unavoidable or beyond our reasonable control and, in any event, we shall not be liable for incidental or consequential damages.
6. You shall not be entitled to recover from **H & R Paving, Inc.**, Any consequential damages, damages to property, damages for delay, loss of profits or income or any other incidental damages and do hereby waive and release H & R Paving, Inc., from any such claims.
7. In the event of your non performance under the terms and conditions of this agreement of failure to pay the amounts due within the time period as set forth within the agreement, you agree that if an attorney is engaged to enforce the terms of this agreement, or to collect payment due hereunder either with or without suit, you shall pay all costs incurred by **H & R Paving, Inc.**, including reasonable attorney's fees in the trial court and the appellate level.
8. It is agreed that you hereby waive trial by jury, and further agree and consent that venue shall for any proceeding under this agreement be in the County of Dade and State of Florida.
9. No agent or employees shall have authority to waive or modify any of the terms and conditions of this agreement.
10. Down time due to General Contractor or Sub-Contractor will be billed extra at a rate of \$ 150.00 per hour.
11. **H & R Paving, Inc.**, will not be responsible for asphalt raveling, which is a normal part of the curing process for up to 1 year on fresh asphalt.



# ITEM 10A

RESOLUTION NO. 2020-\_\_\_\_\_

**AN EMERGENCY RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE INTERIM VILLAGE MANAGER TO ISSUE AN EXECUTIVE DECLARATION CALLING FOR A 10:00 P.M. TO 5:00 A.M. CURFEW THROUGHOUT THE BOUNDARIES OF THE VILLAGE OF PALMETTO BAY; PROVIDING FOR EXCEPTIONS, AND PROVIDING AN EFFECTIVE DATE.** *(Sponsored by Council Member David Singer)*

**WHEREAS**, COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare and safety of the residents of Palmetto Bay, Florida; and

**WHEREAS**, Section 252.38(3), Florida Statutes provides authority to political subdivisions to declare and enact State of Local Emergency for up to seven (7) days and waiving procedures which would otherwise be required by State and local law:

**WHEREAS**, in response to the COVID-19 virus, a State of Emergency was declared by Governor Ron DeSantis on March 9, 2020; and

**WHEREAS**, in response to the COVID-19 virus, on March 12, 2020 Miami-Dade County issued a Declaration of Local State of Emergency and which has been extended on March 25, 2020; and

**WHEREAS**, in response to the COVID-19 virus, and acting on the authority of Section 252.38(3), Florida Statutes and Section 14-80 of the Village Code of Ordinances, the Interim Village Manager issued a Declaration of a State of Emergency which has been extended on March 26, 2020; and

**WHEREAS**, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (the "CDC") and the Florida Department of Health highly recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing of at least 6 feet between persons in smaller gatherings; and

**WHEREAS**, in order to implement a mitigation strategy most helpful to stem the rampant spread of the virus, the Village Council believes it is the best interests of the residents of the Village to be safe at home during this pandemic.

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

**Section 1.** The Village Manager is hereby authorized to issue an Emergency Declaration imposing a curfew throughout the boundaries of the Village of Palmetto Bay.

**Section 2.** The Curfew shall run from 10:00 P.M to 5:00 A.M., and shall include but not be limited to the prohibition of pedestrian and vehicular movement.

**Section 3.** The following are exceptions to the Curfew:

- (i) the provision of essential state, county and local emergency services including fire-rescue, police services, physician and hospital services, including the transportation of patients;
- (ii) Utility repairs;
- (iii) third party food deliveries;
- (iv) walking dogs within five hundred (500) feet of the owner's residence;
- (v) travel to and from work.

**Section 4.** This Resolution shall take effect immediately upon its adoption.

**PASSED and ADOPTED** this 6th day of April, 2020.

Attest:

\_\_\_\_\_  
Melissa Dodge  
Acting Village Clerk

\_\_\_\_\_  
Karyn Cunningham  
Mayor

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

\_\_\_\_\_  
John C. Dellagloria  
Village Attorney

**FINAL VOTE AT ADOPTION:**

Council Member Patrick Fiore \_\_\_\_\_

Council Member David Singer \_\_\_\_\_

Council Member Marsha Matson \_\_\_\_\_

Vice-Mayor John DuBois \_\_\_\_\_

Mayor Karyn Cunningham \_\_\_\_\_



# ITEM 10B

## RESOLUTION NO. 2020-\_\_\_\_\_

**AN EMERGENCY RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING THE MAYOR OF MIAMI-DADE COUNTY, FLORIDA TO IMMEDIATELY ISSUE AN EMERGENCY ORDER REQUIRING ALL MIAMI-DADE COUNTY RESIDENTS TO SHELTER-IN-PLACE, AND TO INCLUDE ENFORCEMENT PROVISIONS IN THE ORDER; PROVIDING FOR AN EFFECTIVE DATE** (*Sponsored by Mayor Karyn Cunningham*)

**WHEREAS**, On March 26, 2020, Miami-Dade County Emergency Order 12-20 “urged” all residents and visitors to remain in their homes other than to engage in essential activities, as allowed through previous Orders issued by the County ; and

**WHEREAS**, it has become the unquestioned opinion in the scientific community that the most effective way to prevent contracting the COVID-19 Virus is to self-self-quarantine; and

**WHEREAS**, the Cities that have issued “shelter-in place” Orders have realized a gradual reduction in its residents contracting the virus; and

**WHEREAS**, the cities and villages of Miami-Dade County need a coordinated effort to help control the spread of this deadly virus; and

**WHEREAS**, only by the County exercising its county-wide jurisdiction by issuing a blanket shelter-in-place Order ,with enforcement powers, can the cities and villages of the County effectively deal with the continuing spread of the virus among its residents.

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

**Section 1.** The above recitals are incorporated as if set forth in full.

**Section 2.** The Mayor and Council of the Village of Palmetto Bay, Florida urge the Mayor of Miami-Dade County to immediately issue a “shelter-in-place’ Order enforceable throughout the county to provide for a coordinated effort for all cites and villages in the county to help control and reduce the spread of the COVID-19 virus.

**Section 3.** The acting Village Clerk is hereby directed to send a conformed copy of this Resolution to the Mayors of all cities and villages in Miami-Dade County.

**Section 4.** This Resolution shall be effective immediately upon adoption.

**PASSED** and **ADOPTED** this 6th day of April, 2020.

Attest:

\_\_\_\_\_  
Melissa Dodge  
Acting Village Clerk

\_\_\_\_\_  
Karyn Cunningham  
Mayor

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

\_\_\_\_\_  
John C. Dellagloria  
Village Attorney

**FINAL VOTE AT ADOPTION:**

Council Member Patrick Fiore \_\_\_\_\_

Council Member David Singer \_\_\_\_\_

Council Member Marsha Matson \_\_\_\_\_

Vice-Mayor John DuBois \_\_\_\_\_

Mayor Karyn Cunningham \_\_\_\_\_



# ITEM 10C

## RESOLUTION NO. 2020-\_\_\_\_\_

1  
2  
3 **AN EMERGENCY RESOLUTION OF THE MAYOR AND**  
4 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY,**  
5 **FLORIDA, DIRECTING THE INTERIM VILLAGE MANAGER TO**  
6 **ISSUE AN EXECUTIVE DECLARATION THAT NO EMPLOYER**  
7 **IN THE VILLAGE OF PALMETTO BAY PREVENT OR PROHIBIT**  
8 **AN EMPLOYEE FROM WEARING PROTECTIVE PERSONAL**  
9 **EQUIPMENT; REQUIRING BUSINESSES TO OBSERVE**  
10 **DISTANCE SEPARATIONS OF NOT LESS THAN SIX (6) FEET**  
11 **BETWEEN INDIVIDUALS; ESTABLISHING AN EFFECTIVE**  
12 **DATE** (*Sponsored by Councilman David Singer*)

13  
14 **WHEREAS**, on March 1<sup>st</sup>, 2020, the Governor of the State of Florida  
15 issued Executive Order Number 20-51 declaring a public health emergency  
16 owing to the outbreak of the Novel Coronavirus Disease 2019 (Covid-19);  
17 and

18  
19 **WHEREAS**, on March 9<sup>th</sup>, 2020 the Governor issued Executive Order  
20 20-52 which declared a State of Emergency which authorized  
21 governmental bodies responding to the emergency to have the authority to  
22 suspend the operation of the statutes, rules ordinances they administer;  
23 and

24  
25 **WHEREAS**, in response, on March 12<sup>th</sup>, 2020, the Mayor of Miami-  
26 Dade County issued a "County Declaration of Local State of Emergency";  
27 and

28 **WHEREAS**, in order to protect the health, safety and welfare of the  
29 residents of the Village, the Interim Village Manager issued a Declaration  
30 of a State of Emergency; and

31  
32 **WHEREAS**, Miami-Dade County has experienced the significant  
33 growth of those infected with the Covid-19 virus; and

34  
35 **WHEREAS**, for the health and safety of residents of Palmetto Bay, in  
36 order to reduce excessive congregation of residents and potential  
37 contamination it is essential that business that are permitted to remain open  
38 pursuant to the above-referenced Orders and Declarations permit its  
39 workers to fully exercise their right to personal protection;

1  
2       **WHEREAS**, the CDC has strongly urged a distance separation of six  
3 (6) feet between individuals; and  
4

5       **WHEREAS**, in order to mitigate the spread of the virus to others the  
6 Village Council wishes to Order the Interim Village Manager to issue the  
7 Declaration below.  
8

9       **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF**  
10 **PALMETTO BAY, FLORIDA, THAT:**  
11

12       **Section 1.** The above recitals are incorporated as if set forth in full.  
13

14       **Section 2.** The Village Council hereby directs the Interim Village  
15 Manger to issue a Declaration to help mitigate the spread of the Covid-19  
16 virus by ordering the following:

- 17       (i) That all employers of businesses permitted to be open in the  
18 Village of Palmetto Bay are not permitted to prevent any and  
19 all employees from wearing personal protective equipment,  
20 including but not limited to gloves, masks, goggles, or any  
21 other equipment recommended by the CDC to control the  
22 spread of respiratory illness;
- 23       (ii) That all businesses that are permitted to be open in the Village  
24 of Palmetto be required to ensure that a minimum distance of  
25 not less than 6' feet between customers is maintained in order  
26 to help mitigate the spread of Covid-19 ( the "Corona Virus").  
27

28       **Section 3.** Any employer or business establishment that is found in  
29 violation of this Emergency Declaration shall be fined One Hundred Dollars  
30 per violation, per day, until found to be in compliance.  
31

32       **Section 4.** This Resolution shall take effect immediately upon its  
33 adoption.  
34

35       **PASSED** and **ADOPTED** this 6th day of April, 2020.  
36  
37  
38  
39

1 Attest:

2

3

4 \_\_\_\_\_  
Melissa Dodge  
5 Interim Village Clerk

\_\_\_\_\_ Karyn Cunningham  
Mayor

6

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

9

10 \_\_\_\_\_  
John C. Dellagloria  
11 Village Attorney

12

13

14 **FINAL VOTE AT ADOPTION:**

15

16 Council Member Patrick Fiore \_\_\_\_\_

17

18 Council Member David Singer \_\_\_\_\_

19

20 Council Member Marsha Matson \_\_\_\_\_

21

22 Vice-Mayor John DuBois \_\_\_\_\_

23

24 Mayor Karyn Cunningham \_\_\_\_\_



# ITEM 11

## ORDINANCE 2020-\_\_\_\_\_

1  
2  
3 AN EMERGENCY ORDINANCE OF THE MAYOR AND VILLAGE  
4 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA,  
5 CONFIRMING THE DECLARATION OF A STATE OF EMERGENCY FOR  
6 THE VILLAGE OF PALMETTO BAY INITIALLY ISSUED ON MARCH 13,  
7 2020, AND CONFIRMING ALL SUBSEQUENT EXTENSIONS TO DATE,  
8 FOLLOWING A STATEWIDE EMERGENCY DECLARATION BY THE  
9 FLORIDA GOVERNOR THROUGH EXECUTIVE ORDER 20-52,  
10 RELATED TO THE COVID-19 PANDEMIC; PROVIDING FOR  
11 ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN  
12 EFFECTIVE DATE. (*Sponsored by Administration*)  
13

14       **WHEREAS**, Section 14-80 (a) of the Village's Code of Ordinances,  
15 entitled "Declaration of a state of emergency" provides that the "Village  
16 Manager or designee and Mayor or member of the Village Council shall  
17 have the authority to declare a state of emergency"; and,  
18

19       **WHEREAS**, on March 9, 2020, the Florida Governor declared a State  
20 of Emergency through Executive Order 20-52, and Miami-Dade County  
21 executed a Declaration of Local State of Emergency on March 12, 2020,  
22 following the discovery of the dangerous and highly contagious COVID-19  
23 virus; and,  
24

25       **WHEREAS**, the Mayor and Village Manager executed a Declaration  
26 of a State of Emergency for the Village of Palmetto Bay on March 13, 2020,  
27 and renewed on March 20 and on March 26, and subject to additional  
28 renewals every 7 days as necessary; and,  
29

30       **WHEREAS**, Section 14-80 (b) of the Village's Code of Ordinances  
31 requires that a declaration of a state of emergency "shall be confirmed by  
32 the Village Council by emergency ordinance no later than at the next  
33 regular meeting"; and,  
34

35       **WHEREAS**, pursuant to Section 14-80 (e) and Section 4.4 (2) of the  
36 Village Charter, emergency ordinances shall require only one public  
37 hearing.  
38

39 **NOW, THEREFORE, THE VILLAGE COUNCIL ADOPTS THE**  
40 **FOLLOWING EMERGENCY ORDINANCE:**

1  
2       **Section 1. Whereas Clauses:** The whereas clauses above are  
3 incorporated herein as reference.

4  
5       **Section 2. Confirmation Of The Declaration Of A State Of**  
6 **Emergency:** The Mayor and Village Council hereby confirm the  
7 Declaration of State of Emergency for the Village of Palmetto Bay pursuant  
8 to COVID-19, issued on March 13, 2020 and all subsequent renewals  
9 therewith, which such declaration is consistent with the State of Emergency  
10 declared by the Florida Governor and the County Mayor.

11  
12       **Section 2. Conflicting Provisions.** The provisions of the Code of  
13 Ordinances of the Village of Palmetto Bay, Florida and all ordinances or  
14 parts of ordinances in conflict with the provisions of this ordinance are  
15 hereby repealed.

16  
17       **Section 3. Severability.** The provisions of this Ordinance are  
18 declared to be severable, and if any sentence, section, clause or phrase of  
19 this Ordinance shall, for any reason, be held to be invalid or  
20 unconstitutional, such decision shall not affect the validity of the remaining  
21 sentences, sections, clauses or phrases of the Ordinance, but they shall  
22 remain in effect it being the legislative intent that this Ordinance shall stand  
23 notwithstanding the invalidity of any part.

24  
25       **Section 4. Codification.** It is the intention of the Village Council and  
26 it is hereby ordained the provisions of this Ordinance shall become and be  
27 made part of the Code of Ordinances of the Village of Palmetto Bay,  
28 Florida, that sections of this Ordinance may be renumbered or re-lettered to  
29 accomplish such intentions, and that the word "Ordinance" shall be  
30 changed to "Section" or other appropriate word.

31  
32       **Section 5. Effective Date.** This Ordinance shall take effect  
33 immediately upon first reading.

34  
35       **PASSED and ENACTED on this** \_\_\_ day of \_\_\_\_\_, 2020.  
36  
37  
38  
39  
40

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Attest:

\_\_\_\_\_  
**Melissa Dodge**  
**Acting Village Clerk**

\_\_\_\_\_  
**Karyn Cunningham**  
**Mayor**

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

\_\_\_\_\_  
**John C. Dellagloria**  
**Village Attorney**

**FINAL VOTE AT ADOPTION:**

- Council Member Patrick Fiore \_\_\_\_\_
- Council Member David Singer \_\_\_\_\_
- Council Member Marsha Matson \_\_\_\_\_
- Vice-Mayor John DuBois \_\_\_\_\_
- Mayor Karyn Cunningham \_\_\_\_\_



# ITEM 13A

## ORDINANCE 2020-\_\_\_\_\_

1  
2  
3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE  
4 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PRIVATE  
5 DEVELOPMENT PROJECTS; AMENDING SECTION 30-30.2(V) OF THE  
6 VILLAGE'S ZONING CODE; REQUIRING NEW ZONING APPLICATIONS  
7 TO MAKE A PRESENTATION BEFORE THE GENERAL PUBLIC  
8 REGARDING A PROPOSED DEVELOPMENT PROJECT; PROVIDING  
9 THAT A MEETING SHALL BE HELD AT LEAST TWO TO FOUR WEEKS  
10 PRIOR TO COUNCIL DELIBERATIONS ON A PROPOSED PROJECT;  
11 PROVIDING THAT NO MEETINGS BE SCHEDULED DURING MIAMI-  
12 DADE COUNTY PUBLIC SCHOOL HOLIDAYS, SPRING, SUMMER OR  
13 WINTER BREAKS AND FEDERAL HOLIDAYS; REQUIRING AT LEAST  
14 7-DAYS PUBLIC NOTICE FOR THE MEETING; REQUIRING THAT A  
15 MEETING TAKE PLACE ON THE EVENING OF A REGULAR SEMESTER  
16 SCHOOL DAY OF MIAMI-DADE PUBLIC SCHOOLS; PROVIDING FOR  
17 AN EXEMPTION FOR PROJECTS ONLY REQUIRING ADMINISTRATIVE  
18 APPROVAL; REPEALING RESOLUTION 2018-14, AND PROVIDING FOR  
19 SEVERABILITY AND AN EFFECTIVE DATE. (*Sponsored by*  
20 *Councilmember Marsha Matson*)

21  
22 **WHEREAS**, the Village Council prides itself on transparency and open  
23 government; and

24  
25 **WHEREAS**, new development in the Village has a great impact on the  
26 quality of life of the residents of the Village; and

27  
28 **WHEREAS**, it is appropriate for developers to present to the general  
29 public information available on their proposed project, inclusive of  
30 responding to questions and inquiries from the residents; and

31  
32 **WHEREAS**, the scheduling of the presentations in advance of Council  
33 considerations will allow sufficient time for residents to address any and all  
34 questions and concerns to the potential developer, which also reduces the  
35 amount of time to be dedicated to project discussions during a Council  
36 meeting where time is more limited; and

37  
38 **WHEREAS**, the presentations should be meaningful in the scope of  
39 information presented, in the time allowed and required for the presentation,

1 in the time for when the presentations are scheduled, and with adequate  
2 advance notice given for such presentation; and

3  
4 **WHEREAS**, in order to maximize public participation, developer  
5 presentations shall not occur when Miami-Dade County public schools are  
6 on spring, summer or winter break, on federal holidays or when there are  
7 development moratoria or Zoning in Progress in effect for the properties to  
8 be developed.

9  
10 **NOW THEREFORE. BE IT RESOLVED BY THE VILLAGE OF**  
11 **PALMETTO BAY, FLORIDA, THAT:**

12  
13 **Section 1. The above recitals are incorporated as if set forth in**  
14 **full.**

15  
16 **Section 2. Resolution 2018-14 is repealed in its entirety.**

17  
18  
19 **Section 3.** Section 30-30.2(v) of the zoning code of Ordinances is  
20 added as follows:

21  
22 **(a) Presentations required.** Private developers of residential projects  
23 which are greater than five (5) units and commercial projects in excess of  
24 fifteen thousand square feet (15,000) which require Council approval to  
25 develop shall make a presentation to the general public between two (2) and  
26 four (4) weeks prior to Council deliberations. At which time, traffic studies,  
27 plans, characteristics, parameters architectural presentations and any and  
28 all other pertinent information by professionals working on the project shall  
29 be presented to the public for public discussion.

30  
31 **(b) Notice.** Developers shall schedule the presentations with the  
32 Village Clerk and notice of the meeting shall be placed on the official website  
33 of the Village of Palmetto Bay at least seven (7) calendar days prior to the  
34 meeting.

35  
36 **(c) Meeting procedure.** The meeting for such presentation shall take  
37 place on the evening of a regular semester school day of the Miami-Dade  
38 County Public Schools. No meetings shall be scheduled during spring,  
39 summer or winter breaks, federal holidays or when the Village has Zoning-  
40 in-Progress or a moratorium is in effect. The meeting shall allocate equal

1 time to the developer and the public, for a minimum of fifteen (15) minutes  
2 for the presentation of the developer, and fifteen (15) minutes for questions  
3 by the public, whereby the developer and any Village staff present will  
4 attempt to answer all relevant questions from the public to the best of their  
5 ability. The said meeting shall be facilitated by the Village's Public  
6 Information Officer.

7  
8 **(d) Exemption. This subsection shall not apply to any**  
9 **development that can be administratively approved by the Planning**  
10 **and Zoning Department.**

11  
12  
13 **Section 4. Effective Date.** This Ordinance shall become effective  
14 upon adoption.

15  
16 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2020.

17  
18 First Reading: \_\_\_\_\_

19  
20 Second Reading: \_\_\_\_\_

21  
22  
23  
24 Attest:

25 \_\_\_\_\_  
26 **Melissa Dodge**  
27 **Acting Village Clerk**

28 \_\_\_\_\_  
29 **Karyn Cunningham**  
30 **Mayor**

31  
32 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF  
33 THE VILLAGE OF PALMETTO BAY ONLY:

34 \_\_\_\_\_  
35 **John C. Dellagloria**  
36 **Village Attorney**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**VOTE ON FIRST READING**

- Mayor Karyn Cunningham \_\_\_\_\_
- Vice-Mayor DuBois \_\_\_\_\_
- Council Member Singer \_\_\_\_\_
- Council Member Matson \_\_\_\_\_
- Council Member Fiore \_\_\_\_\_

**FINAL VOTE AT ADOPTION ON SECOND READING:**

- Mayor Karyn Cunningham \_\_\_\_\_
- Vice Mayor John Dubois \_\_\_\_\_
- Council Member David Singer \_\_\_\_\_
- Council Member Patrick Fiore \_\_\_\_\_
- Council Member Marsha Matson \_\_\_\_\_

**ATTACHMENT A**

---

To: Honorable Mayor and Village Council      Date: August 28, 2019  
From: Councilmember Masha Matson      Re: Developer Community  
Presentations

---

**PURPOSE OF THE PROPOSED ACTION:**

The purpose of this Amendment to Resolution 2018-14 is to clarify the procedures to be followed for the Developer Presentations required by Resolution 2018-14.

**MAJOR POINTS/REASONS FOR THE PROPOSED ACTION:**

It appears that some of the presentations have been ineffective due to insufficient notice, short time period, inopportune time during vacations when fewer residents attend, and restrictions on questions. The existing Resolution does not clarify when and how the developer presentation has to occur, except that it has to occur at least 2 weeks prior to Council consideration. The proposed additions will strengthen Resolution 2018-14, and the developer presentation will become more meaningful and informative for the public.

The additions make it clear that the presentation should be on the evening of a regular semester public school day, which avoids the perception that matters are considered when many residents are absent.

**PRELIMINARY ESTIMATE OF THE COST OF IMPLEMENTATION**

None, as the Resolution simply amends an existing Resolution with specific notice and procedural guidelines.

**SOURCE OF FUNDS TO PAY SUCH COSTS:**

Not applicable.



# ITEM 13B

## ORDINANCE 2020-\_\_\_\_\_

1  
2  
3 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE  
4 OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 15 OF THE  
5 CODE OF ORDINANCES ENTITLED "ENVIRONMENT" REGARDING  
6 SINGLE-USE DRINKING WATER PLASTIC BOTTLES; PROHIBITING  
7 THE SALE, DISTRIBUTION OR USE OF SINGLE-USE DRINKING  
8 WATER PLASTIC BOTTLES ON VILLAGE PROPERTY; BARRING  
9 THE USE OF VILLAGE FUNDS FOR PURCHASE OR DISTRIBUTION;  
10 PROVIDING FOR DEFINITIONS, EXEMPTIONS, ENFORCEMENT  
11 AND AN EFFECTIVE DATE. (*Sponsored by Vice Mayor John Dubois*)  
12

13 **WHEREAS**, the Village of Palmetto Bay has the responsibility to  
14 protect the natural environment, economy and health of the residents of  
15 the Village; and  
16

17 **WHEREAS**, the Village has demonstrated its commitment to the  
18 environment by enacting legislation prohibiting the distribution or use of  
19 plastic straws and expanded polystyrene Styrofoam by Village vendors;  
20 and  
21

22 **WHEREAS**, Americans currently purchase half a billion bottles of  
23 water each week and  
24

25 **WHEREAS**, on a world-wide basis, only nine (9%) percent of all the  
26 plastic ever produced has been recycled; and  
27

28 **WHEREAS**, an estimated two (2) million tons of plastic water  
29 bottles end up in landfills each year; and  
30

31 **WHEREAS**, daily news reports describe the staggering volume of  
32 plastic consumed by marine life and the continuing effect this has on  
33 diminishing animal reproduction; and  
34

35 **WHEREAS**, the Council wishes to adopt this Ordinance to protect  
36 its citizens, to protect wildlife and protect the environment from the  
37 pollution effect caused by the over-abundance of single-use plastic  
38 bottles.  
39  
40

1 NOW THEREFORE, BE IT ENACTED BY THE MAYOR AND  
2 COUNCIL OF PALMETTO BAY, FLORIDA THAT:

3  
4 SECTION 1. That Section 15-184 of the Village Code of  
5 Ordinances is created as follows:

6  
7 SECTION 15-184: SINGLE USE DRINKING WATER  
8 PLASTIC BOTTLES:

9 Definitions:

- 10 (i) Village Property means real property, including but not  
11 limited to buildings owned or leased by the Village, park  
12 property and Village streets and rights-of -way.
- 13  
14 (ii) Rigid Plastic Bottle means any formed or molded container  
15 comprised primarily of plastic resin, having a relatively  
16 inflexible fixed shape or form, having a neck that is smaller  
17 than the container body, and is intended primarily as a  
18 single use container.
- 19  
20 (iii) Single Use Drinking Water means drinking water in a rigid  
21 plastic bottle having a capacity of twenty-one (21) fluid  
22 ounces or less.
- 23  
24 (iv) Water includes natural spring or well water, water taken  
25 from public or private systems or other sources, including  
26 distilled, deionized, filtered or purified water. Water does  
27 not include carbonated or sparking water, soda, seltzer,  
28 tonic water, flavored water, fitness, vitamin, or energy  
29 water.

30  
31 SECTION 2. That Section 15-185 is created as follows:

32  
33 Section 15-185: Prohibition on Sales, Use and  
34 Distribution

- 35 (i) Beginning January 1<sup>st</sup>, 2021, no person or entity may sell or  
36 distribute Single Use Drinking Water Plastic Bottles on  
37 Village Property except as provided in Section 15-186,  
38 below.

1 (ii) Beginning January 1<sup>st</sup>, 2021, no person may use  
2 Single Use Drinking Water Plastic Bottles on Village  
3 Property.

4  
5 (iii) Beginning January 1<sup>st</sup>, 2021 no Village funds shall be  
6 used to buy or distribute Single Use Drinking Water  
7 Plastic Bottles except as provided in Section 15-186,  
8 below.

9  
10 **SECTION 3.** That Section 15-186 is created as follows:

11  
12 **Section 15-186: Waivers and Exclusions:**

13 (i) The Village Council may authorize a waiver of the  
14 provisions of Section 15-185 upon a majority vote of the  
15 Council to allow the sale and distribution of Single Use  
16 Drinking Water Plastic Bottles at Village sponsored or  
17 permitted events.

18  
19 (ii) The provisions of Section 15-185 shall not apply to any  
20 person or entity that sells or distributes Single Use  
21 Drinking Water Plastic Bottles during periods of  
22 hurricanes or other instances where the health, welfare  
23 and safety of the public is endangered.

24  
25 **SECTION 4.** That Section 15-187 is created as follows:

26  
27 **Section 15-187: Notifications and Penalties.**

28 (i) Beginning with the effective date of the Ordinance, the Village  
29 shall undertake the process of notifying the public through the  
30 Village website regarding the prohibition that will take effect  
31 January 1<sup>st</sup>, 2021 regarding the sale, use or distribution of Single  
32 Use Drinking Water Plastic Bottles on Village Property.

33  
34 (ii) Penalties for the violation of this section are as follows:

35 (a) One Hundred Dollars (\$100) for the first violation.

36 (b) Two Hundred Fifty Dollars (\$250) for a second violation.

37 (c) Five Hundred Dollars (\$500) each successive violation.

38

1 (iii) Penalties for the violation of this Ordinance shall only apply to  
2 entities that are in the business of selling or distributing Single  
3 Use Drinking Water Plastic Bottles.

4  
5 **SECTION 5.** This Ordinance shall take effect immediately upon its  
6 adoption upon second reading.

7  
8 **FIRST READING:** \_\_\_\_\_  
9 **SECOND READING:** \_\_\_\_\_

10  
11 **PASSED and ENACTED on SECOND READING** this \_\_\_\_ day of  
12 \_\_\_\_\_, 2020.

13  
14 Attest:

15  
16 \_\_\_\_\_  
17 **Melissa Dodge**  
18 **Acting Village Clerk**

16 \_\_\_\_\_  
17 **Karyn Cunningham**  
18 **Mayor**

19  
20  
21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE  
22 OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

23  
24 \_\_\_\_\_  
25 **John C. Dellagloria**  
26 **Village Attorney**

27  
28  
29 **VOTE UPON FIRST READING:**

30  
31 Mayor Karyn Cunningham \_\_\_\_\_

32  
33 Vice Mayor John Dubois \_\_\_\_\_

34  
35 Council Member David Singer \_\_\_\_\_

36  
37 Council Member Patrick Fiore \_\_\_\_\_

38  
39 Council Member Marsha Matson \_\_\_\_\_

40

1 **FINAL VOTE AT ADOPTION ON SECOND READING:**

2

3 Mayor Karyn Cunningham \_\_\_\_\_

4

5 Vice Mayor John Dubois \_\_\_\_\_

6

7 Council Member David Singer \_\_\_\_\_

8

9 Council Member Patrick Fiore \_\_\_\_\_

10

11 Council Member Marsha Matson \_\_\_\_\_

12

13