



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.

AGENDA

VIRTUAL REGULAR VILLAGE COUNCIL MEETING

MONDAY, MAY 4, 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**
 - Presentation by Commissioner Daniella Levine Cava
 - Proclamation-.Mr. Abe Ng, President, CEO CSO – Sushi Maki
3. **APPROVAL OF MINUTES**
 - A.. Virtual Special Council Meeting (March 23, 2020)
 - B. Virtual Regular Council Meeting (April 6, 2020)
 - C. Virtual Special Council Meeting (April 7, 2020)

4. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; ACCEPTING AND APPROVING THE AGREEMENT BETWEEN THE VILLAGE AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) CONTRACT # 026862 TO RECEIVE \$20,000 IN GRANT FUNDS FROM THE URBAN AND COMMUNITY FORESTRY (UCF) GRANT PROGRAM TO ASSIST WITH A TREE INVENTORY MANAGEMENT PLAN; AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE AGREEMENT AND OTHER RELATED DOCUMENTS AS REQUIRED; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*

5. REQUESTS, PETITIONS AND E-MAIL PUBLIC COMMENTS

6. VILLAGE MANAGER'S REPORT

- Emergency Declaration/COVID-19
- Update on Franjo Road

- Village Police Commander Report

7. VILLAGE ATTORNEY'S REPORT

- Litigation update

8. VILLAGE CLERK'S REPORT

- Calendar update (public meetings for May 2020)

9. BOARD AND COMMITTEE REPORTS

- A. Economic Task Force Meeting (December 2, 2019)
B. Tree Advisory Board Meeting (January 6, 2020)
C. Charter Revision Commission Meeting (February 10, 2020)
D. Charter Revision Commission Meeting (March 9, 2020)
E. Neighborhood Protection Committee Meeting (February 19, 2020)

10. RESOLUTIONS WITH E-MAIL PUBLIC COMMENT

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING THE SELECTION OF ENVIROWASTE SERVICES GROUP, INC. TO PROVIDE STORM DRAIN CLEANING SERVICES WITHIN THE VILLAGE OF PALMETTO BAY; APPROVING THE INCREASE OF THE APPROVED BUDGETED

AMOUNT FOR DRAIN CLEANING SERVICES FOR FY 2019-20 OF \$100,000 BY AN ADDITIONAL \$50,000 FOR A TOTAL BUDGET OF \$150,000; AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH ENVIROWASTE SERVICES GROUP, INC. FOR A TOTAL AMOUNT NOT TO EXCEED \$150,000; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and Mayor Karyn Cunningham)*

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING THE SELECTION OF SHORELINE FOUNDATION, INC., PURSUANT TO RFP#1920-12-002 TO CONSTRUCT AN OVERLOOK PIER AND TO STABILIZE THE SHORELINE AT THALATTA ESTATE PARK AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR SAID SERVICES AND ADDING A CAVEAT TO THE AGREEMENT THAT IF THE VILLAGE DOES NOT RECEIVE THE FUNDS FROM THE GRANTOR, THE PROJECT WILL NOT MOVE FORWARD; AND PROVIDING AN EFFECTIVE DATE *(Sponsored by Administration)*

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING THE SELECTION OF STANTEC ENGINEERS, INC. TO PROVIDE PROJECT MANAGEMENT/ QUALITY ASSURANCE SERVICES TO THE VILLAGE FOR THE FRANJO ROAD REDEVELOPMENT PROJECT; AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO A PROJECT AGREEMENT PURSUANT TO SECTION 2.3 OF THE CONTINUING SERVICES AGREEMENT WITH SAID FIRM FOR THE AMOUNT OF \$49,608; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE INTERIM VILLAGE MANAGER TO RETAIN A SPECIALTY CONSTRUCTION MANAGER TO OVERSEE THE COMPLETION OF THE FRANJO ROAD PROJECT; AND ESTABLISHING AN EFFECTIVE DATE *(Sponsored by Councilmember Marsha Matson)*

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING THE SELECTION OF STAR PAVING CORPORATION., PURSUANT TO ITB#1920-12-003 TO CONSTRUCT A PATHWAY EXTENSION AT CORAL REEF PARK WITH AWARDED GRANT FUNDS FROM THE DEPT. OF ENVIRONMENTAL PROTECTION AND AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR SAID SERVICES;

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 PROCUREMENT; APPROVING THE SELECTION OF STAR PAVING CORPORATION., PURSUANT TO ITB#1920-12-004 TO CONSTRUCT A PATHWAY EXTENSION AT CORAL REEF PARK-PHASE II WITH AWARDED GRANT FUNDS FROM THE DEPT. OF ENVIRONMENTAL PROTECTION DEPARTMENT OF LAND & WATER CONSERVATION PROGRAM AND AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR SAID SERVICES; AND PROVIDING AN EFFECTIVE DATE (*Sponsored by Administration*)
- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING THE SELECTION OF FARMER'S MARKET OF SOUTH FLORIDA, INC., PURSUANT TO RFP#1920-12-005 TO MANAGE AND OPERATE A FARMER'S MARKET AT CORAL REEF PARK AND AUTHORIZING THE INTERIM VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR SAID SERVICES; AND PROVIDING AN EFFECTIVE DATE (*Sponsored by Administration*)

11. RESOLUTIONS REQUIRING PUBLIC HEARING

12. ORDINANCES FOR SECOND READING AND E-MAIL PUBLIC HEARING

- 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 A NEW ZONING APPLICATION TO MAKE A PRESENTATION BEFORE THE GENERAL PUBLIC REGARDING A PROPOSED DEVELOPMENT PROJECT; PROVIDING THAT A MEETING FOR THE PRESENTATION SHALL BE HELD BETWEEN TWO TO FOUR WEEKS PRIOR TO COUNCIL DELIBERATIONS ON A PROPOSED PROJECT; PROVIDING THAT NO MEETING BE SCHEDULED DURING MIAMI-DADE COUNTY PUBLIC SCHOOL SPRING, SUMMER OR WINTER BREAKS, FEDERAL HOLIDAYS, OR WHEN THE VILLAGE HAS A ZONING IN PROGRESS OR A MORATORIUM IN EFFECT; 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*)

13. ORDINANCES FOR FIRST READING WITH E-MAIL PUBLIC COMMENT

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS IN PARKS AND ON VILLAGE PROPERTY; AMENDING VILLAGE CODE SECTION 30-60.18 REGARDING PERMIT APPLICATIONS; REQUIRING COMPLETE APPLICATIONS; ADDING SOUND REGULATIONS; REQUIRING DISCLOSURE REGARDING CHARITABLE ORGANIZATIONS; PROHIBITING THE FENCING OF PARKING AREAS AND PARK SPACE; REQUIRING A BOND AND AN INDEMNIFICATION AGREEMENT; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING ORDINANCE NUMBER 2019-21; WHICH ADOPTED THE VILLAGE'S BUDGET FOR THE 2019-2020 FISCAL YEAR; AUTHORIZING THE VILLAGE INTERIM MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Administration)*
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING THE BORROWING OF MONEY AND THE INCURRENCE OF DEBT IN AN AMOUNT NOT TO EXCEED \$13,000,000, FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF AN OUTSTANDING LOAN PREVIOUSLY UNDERTAKEN FROM THE FLORIDA MUNICIPAL LOAN COUNCIL BY THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FURTHER DESCRIBED HEREIN; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AUTHORITY TO ENACT THE ORDINANCE; PROVIDING FOR AUTHORITY TO UNDERTAKE A LOAN FROM THE FLORIDA MUNICIPAL LOAN COUNCIL FOR THE PURPOSE OF REFINANCING SAID OUTSTANDING LOAN; PROVIDING FOR AUTHORIZATION OF THE INTERIM VILLAGE MANAGER AND VILLAGE FINANCE DIRECTOR TO TAKE ALL ACTIONS NECESSARY IN ORDER TO REFINANCE SAID OUTSTANDING LOAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

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.
