



SOME OF THE CONTENTS OF THIS AGENDA ARE ITEMS THAT WERE DEFERRED FROM THE REGULAR COUNCIL MEETING AGENDA OF SEPTEMBER 9, 2019 BY THE APPROVAL OF THE VILLAGE COUNCIL.

**AGENDA
ZONING HEARING
MONDAY, SEPTEMBER 23, 2019 – 7:00 PM
(Immediately following the Second Budget Hearing)
VILLAGE HALL COUNCIL CHAMBERS
9705 E. HIBISCUS STREET, PALMETTO BAY, FLORIDA**

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE VILLAGE OF PALMETTO BAY COUNCIL SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE VILLAGE OF PALMETTO BAY COUNCIL BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COUNCIL BE GRANTED BY THE MAJORITY VOTE OF THE COUNCIL MEMBERS PRESENT.

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1. **CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER.**
 2. **REQUESTS, PETITIONS, AND PUBLIC COMMENT**
 3. **APPROVAL OF MINUTES**
 - A. Regular Council Meeting (July 1, 2019)
 4. **ORDINANCE FOR FIRST READING:**
 - A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING ZONING MAP, REFERRED TO IN SECTION 30.10.5, TO CHANGE FROM “AGRICULTURAL” (“AG”) TO “SINGLE FAMILY RESIDENTIAL” (“R-1”) (ONE UNIT PER 7,500 NET SQ. FEET) PROVIDING FOR CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
 5. **ORDINANCE FOR SECOND READING AND PUBLIC HEARING** *(Deferred from the September 9, 2019 Regular Council Meeting Agenda)*
 - A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO MEDICAL MARIJUANA DISPENSARIES; CREATING SECTION 30-60.32;

ADDRESSING MEDICAL CANNABIS DISPENSARIES, MEDICAL MARIJUANA TREATMENT FACILITIES, AND INDEPENDENT TESTING LABORATORIES WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF PALMETTO BAY; ALLOWING AND REGULATING MEDICAL MARIJUANA DISPENSARIES ONLY ON THE BUSINESS DISTRICT LIMITED (B-1) ZONE ALONG US1 AND NO LESS THAN 1,000 FEET FROM A SCHOOL, PLACE OF WORSHIP OR PARK, AND NO LESS THAN 1 MILE FROM ANOTHER DISPENSING FACILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham and Co-Sponsored by Councilmember David Singer) (Deferred from the September 9, 2019 Regular Council Meeting Agenda)*

6. RESOLUTIONS WITH PUBLIC COMMENT *(Deferred from the September 9, 2019 Regular Council Meeting Agenda)*

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO LOCAL POLICE SERVICES INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY; EXTENDING POLICE SERVICES AGREEMENT FOR A FIVE-YEAR PERIOD EXPIRING ON SEPTEMBER 30, 2024; AUTHORIZING TRANSMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; APPROVING THE SPECIAL EVENTS LIST FOR FISCAL YEAR 2019-20; AUTHORIZING THE VILLAGE MANAGER TO PLAN AND SECURE THE COMPONENTS FOR THE APPROVED SPECIAL EVENTS FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$135,000 AS PROPOSED IN THE VILLAGE'S OPERATING AND CAPITAL BUDGET FOR FY 2019-20, UNDER THE PARKS AND RECREATION, SPECIAL EVENTS BUDGET; 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 PROFESSIONAL SERVICES; APPROVING THE SELECTION OF KIMLEY HORN AND ASSOCIATES TO AMEND THE LANDSCAPE AND IRRIGATION PLANS FOR THE US1 HIGHWAY BEAUTIFICATION PROJECT; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR SAID SERVICES IN THE AMOUNT OF \$39,600; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO STREET

CO-DESIGNATION, CO-DESIGNATING THE PORTION OF SW 83RD AVENUE BETWEEN SW 168TH STREET AND 172ND STREET AS "IRVING WHITMAN WAY" IN HONOR OF IRVING WHITMAN; PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNAGE; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PRIVATE DEVELOPMENT PROJECTS; AMENDING RESOLUTION 2018-14; REQUIRING THAT A POTENTIAL DEVELOPER MAKES A PRESENTATION AT A MEETING BEFORE THE GENERAL PUBLIC REGARDING A PROPOSED DEVELOPMENT PROJECT FOR THE PURPOSE OF DISCUSSING THE PROJECT PARAMETERS AND CHARACTERISTICS AND TO RESPOND TO QUESTIONS AND INQUIRIES FROM THE RESIDENTS; PROVIDING THAT SUCH A MEETING SHALL BE AT LEAST TWO WEEKS PRIOR TO COUNCIL DELIBERATIONS ON SAID PROPOSED PROJECT; PROVIDING THAT ALL RELEVANT QUESTIONS BY RESIDENTS MAY BE ASKED AT THE MEETING; PROVIDING FOR FACILITATION OF THE MEETING BY THE VILLAGE PUBLIC INFORMATION OFFICER; REQUIRING ANSWERS TO BE GIVEN BY STAFF AND THE DEVELOPER RELEVANT TO THE PROPOSED PROJECT; REQUIRING AT LEAST 7-DAYS NOTICE FOR THE MEETING; REQUIRING THAT ALL SUCH MEETING TAKE PLACE ON THE EVENING OF A REGULAR SEMESTER SCHOOL DAY OF THE MIAMI-DADE PUBLIC SCHOOLS; AND TEMPORARILY SUSPENDING A DEVELOPER MEETING DURING TIMES WHEN THE VILLAGE HAS A DEVELOPMENT MORATORIUM AND/OR A ZONING IN PROGRESS RESOLUTION IN EFFECT FOR THE PROPERTY TO BE DEVELOPED; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING TO PERSONNEL POLICIES; PROVIDING THAT THE MANAGER SHALL DEVELOP PROPOSED PERSONNEL POLICIES REQUIRING EMPLOYEES AND OFFICERS TO REPORT ALL INSTANCES OF ETHICAL OR CHARTER VIOLATIONS BY EMPLOYEES OR OFFICERS, FOR SUBSEQUENT SUBMISSION TO AND APPROVAL BY THE COUNCIL; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPROVING THE 2020 STATE LEGISLATIVE AGENDA IN SUPPORT OF THE VILLAGE PRIORITIES FOR THE UPCOMING LEGISLATIVE SESSION;

PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SCHOOL SAFETY; APPROVING THE FIRST AMENDMENT AND RENEWAL TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE VILLAGE OF PALMETTO BAY AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR SCHOOL-BASED LAW ENFORCEMENT OFFICERS FOR PUBLIC SCHOOLS WITHIN THE VILLAGE OF PALMETTO BAY; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REQUESTING ADMINISTRATION TO APPROACH MIAMI-DADE COUNTY TO COMPLETE THE BICYCLE NETWORK IN THE COMMUNITY; BRING BACK OPTIONS ON DESIGN AND FUNDING NO LATER THAN 90-DAYS FROM APPROVAL WITH OPTIONS ON HOW TO IMPLEMENT SAID BICYCLE NETWORK; NETWORK SHALL CONSIST OF EAST-WEST CONNECTIVITY ON SW 152ND STREET, SW 168TH STREET, SW 184TH STREET AND NORTH-SOUTH CONNECTIVITY ON SW 77TH AVENUE AND SW 87TH AVENUE; AUTHORIZING THE VILLAGE MANAGER TO BEGIN A DIALOGUE WITH MIAMI-DADE COUNTY, PROVIDE COST ESTIMATES TO THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- J. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO POLICE EQUIPMENT; APPROVING THE SELECTION OF SEGWAY, INC. TO PURCHASE (2) SEGWAY SE-3 PATROLLER UNITS FOR THE VILLAGE OF PALMETTO BAY IN THE AMOUNT OF \$ 27,890.00, GIVING THE VILLAGE MANAGER THE AUTHORITY TO GENERATE A PURCHASE ORDER FOR THESE ITEMS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- K. 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 \$16,951 FOR PERIOD ENDING JUNE 30, 2019; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- L. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND

RECREATION; AUTHORIZING THE USE OF CORAL REEF PARK AT NO COST ON NOVEMBER 17, 2019 TO MIGGY'S GIFT INC FOR THE PURPOSE OF CONDUCTING A MELANOMA WALK-A-MILE; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

- M. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; AUTHORIZING THE USE OF PALMETTO BAY PARK AT NO COST ON DECEMBER 3, 2019 TO WE COACH FOUNDATION, INC. FOR THE PURPOSE OF CONDUCTING A FUNDRAISING KICKBALL TOURNAMENT; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- N. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; AUTHORIZING THE USE OF PALMETTO BAY PARK AT NO COST ON JANUARY 18, 2020 TO THE BROTHERS PROJECT, INC. FOR THE PURPOSE OF CONDUCTING A FUNDRAISING MUSIC AND FOOD FESTIVAL; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- O. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; AUTHORIZING THE USE OF PALMETTO BAY PARK AT NO COSTS ON FEBRUARY 29, 2020 TO THE CYSTIC FIBROSIS FOUNDATION - CURE CF MIAMI FOR THE PURPOSE OF CONDUCTING A FUNDRAISING KICKBALL TOURNAMENT; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- P. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; APPROVING A CONTRACT BETWEEN THE VILLAGE OF PALMETTO BAY AND RICOH USA, INC. FOR A 36-MONTH TERM; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A LEASE AGREEMENT WITH RICOH USA, INC., THROUGH US COMMUNITIES MASTER LEASE AGREEMENT CONTRACT #44003732 FOR TWO (2) COLORED MULTIFUNCTION PHOTOCOPIERS AND ONE (1) BLACK AND WHITE COPIER; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- Q. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN AGREEMENT SIGNED ON FEBRUARY 23, 2016 WITH FAIRCHILD TROPICAL BOTANICAL GARDEN TO PROVIDE ORCHIDS FOR PLANTING IN THE PUBLIC RIGHT-OF-WAYS WITHIN THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE

ORDER IN THE AMOUNT OF \$ 30,000.00; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*

- R. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING VILLAGE PARK FACILITIES; DIRECTING THE MANAGER TO RECOMMEND TO THE VILLAGE COUNCIL AN ARCHITECT WITH AN ASSOCIATED PROPOSED CONCEPT FOR DRAWING CONSTRUCTION PLANS TO REPLACE THE CORAL REEF PARK RECREATION BUILDING; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- S. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING THE VILLAGE VETERANS' PARK; DIRECTING THE MANAGER TO RECOMMEND TO THE VILLAGE COUNCIL AN APPROPRIATE DESIGN PROFESSIONAL (ARCHITECT, PARK PLANNER, OR OTHER APPROPRIATE PROFESSIONAL) WITH AN ASSOCIATED PROPOSED CONCEPT FOR DRAWING DESIGN AND/OR CONSTRUCTION PLANS FOR THE VILLAGE VETERANS' PARK; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- T. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE MIAMI-DADE COUNTY TRANSIT ONE-HALF (1/2) CENT SALES TAX FOR TRANSIT; DIRECTING THE VILLAGE ATTORNEY TO FILE A MOTION FOR THE VILLAGE TO INTERVENE AS PLAINTIFF IN THE EXISTING LAWSUIT CHALLENGING THE ILLEGAL DIVERSION OF REVENUE RAISED BY THE VOTER-APPROVED TRANSIT ONE-HALF (1/2) CENT SALES TAX; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*
- U. *(Alternate A)*
A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A COMMUNITY CENTER ON VILLAGE-OWNED PROPERTY; DIRECTING THE MANAGER TO PREPARE A RECOMMENDED PLAN FOR THE DEVELOPMENT OF A COMMUNITY CENTER ON THE PROPERTY OWNED BY THE VILLAGE (FORMER SCHOOL SITE) IN THE DOWNTOWN URBAN VILLAGE (DUV) ZONING DISTRICT (EAST OF AND NEAR VILLAGE HALL); AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*

(Alternate B)

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SALE OF

VILLAGE-OWNED PROPERTY; DIRECTING THE MANAGER TO DEVELOP A RECOMMENDED PLAN FOR THE SALE OF THE PROPERTY OWNED BY THE VILLAGE (FORMER SCHOOL SITE) IN THE DOWNTOWN URBAN VILLAGE (DUV) ZONING DISTRICT (EAST OF AND CLOSE TO VILLAGE HALL); AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember David Singer)*

7. VILLAGE MANAGER'S REPORT *(Deferred from the September 9, 2019 Regular Council Meeting Agenda)*

- Village-wide updates:
 - Storm/hurricane preparation
 - South Florida Water Management District (SFWMD)
 - FEMA reimbursement
 - Freebee
 - Old Cutler/Malbrook area
 - Complete Streets (SW 184th ST/SW 136th ST)
 - Coral Reef Park Recreational Building Demolition
 - Thalatta Estate Park
 - Snowden's Bridge
 - Strategic Plan
- Village Police Commander Report

8. VILLAGE ATTORNEY'S REPORT *(Deferred from the September 9, 2019 Regular Council Meeting Agenda)*

- Litigation updates
- Rules for Advisory Board and Committee Meeting dates
- Committee Members and Elections

9. VILLAGE CLERK'S REPORT *(Deferred from the September 9, 2019 Regular Council Meeting Agenda)*

- Calender update

10. COUNCIL COMMENTS

11. 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.**
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NOTICE OF APPEAL RIGHTS

Decisions of the Village of Palmetto Bay Council (VPB) are appealed to the Circuit Court. Appeals to Circuit Court must be filed within 30 days of the execution of the Village of Palmetto Bay resolution. 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. Further information and assistance may be obtained by contacting the Village Clerk at (305) 259-1234. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 375-5955.