



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)

Village Manager Edward Silva
Village Attorney Dexter Lehtinen
Village Clerk Missy Arocha

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

AGENDA

SPECIAL VILLAGE COUNCIL MEETING

MONDAY, OCTOBER 7, 2019 – 6:50 PM

Village Hall Chambers, 9705 E. Hibiscus Street
(305) 259-1234

1. **CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, DECORUM STATEMENT, IN THAT ORDER:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
2. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
3. **RESOLUTION WITH PUBLIC COMMENT**
 - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; REGARDING THE MANAGER'S EMPLOYMENT CONTRACT; AMENDING THE CONTRACT TO PROVIDE THAT SEVERANCE BENEFITS WILL BE PAID TO THE MANAGER IN THE EVENT OF RESIGNATION; AND PROVIDING AN EFFECTIVE DATE. (*Sponsored by Mayor Karyn Cunningham*)

4. COUNCIL COMMENTS

5. 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.

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING THE MANAGER’S EMPLOYMENT CONTRACT; AMENDING THE CONTRACT TO PROVIDE THAT SEVERANCE BENEFITS WILL BE PAID TO THE MANAGER IN THE EVENT OF RESIGNATION; AND PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Karyn Cunningham)

WHEREAS, the Village Council perceives that the Manager and the Council may wish to pursue alternative arrangements for the management of the Village; and

WHEREAS, the Council does not wish to take any adverse action with respect to the Manager’s employment and does not wish for any Council action to be perceived as adverse employment action.

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

Section 1. The existing employment contract of the Village Manager is hereby amended to provide as follows: “Notwithstanding any other provision herein, should the Manager resign from office the Manager will receive the same severance benefits which would be provided in the event that the Manager was terminated without cause, as well as all accrued personal time off.”

Section 2. This Resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED this _____ day of October 2019.

Attest:

Missy Arocha
Village Clerk

Karyn Cunningham
Mayor

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

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9 Dexter W. Lehtinen
10 Village Attorney

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13 **FINAL VOTE AT ADOPTION:**

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Council Member Patrick Fiore _____

Council Member David Singer _____

Council Member Marsha Matson _____

Vice-Mayor John DuBois _____

Mayor Karyn Cunningham _____