

RESOLUTION NO. 2018-68

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3 **A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL**
4 **OF THE VILLAGE OF PALMETTO BAY, FLORIDA,**
5 **RELATING TO PRESERVATION OF CERTAIN LAND IN ITS**
6 **NATURAL STATE; PROVIDING THE INTENT OF THE**
7 **VILLAGE COUNCIL TO PRESERVE IN ITS NATURAL**
8 **STATE THE LAND CURRENTLY ZONED INTERIM (“I”),**
9 **LOCATED CONTIGUOUS TO AND EAST OF OLD CUTLER**
10 **ROAD AND CONTIGUOUS TO AND NORTH OF SW 184TH**
11 **STREET (AT THE NORTHEAST CORNER OF OLD CUTLER**
12 **ROAD AND SW 184TH STREET), AT SUCH TIME AS THE**
13 **VILLAGE BECOMES THE OWNER OF SUCH LAND; AND**
14 **PROVIDING FOR AN EFFECTIVE DATE.** *(Sponsored by*
15 *Councilmember David Singer)*

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18 **WHEREAS**, the preservation of land in its natural state, especially
19 land containing any portion of pine rockland, is in the interests of the
20 residents of the Village of Palmetto Bay; and

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22 **WHEREAS**, receipt of ownership by the Village of the land
23 currently zoned Interim (“I”), located at the northeast corner of Old Cutler
24 Road and SW 184th Street, is likely in the future; and

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26 **WHEREAS**, portions of this land contains consusyts of pine
27 rockland and other natural vegetation worth preserving.

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29 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR**
30 **AND THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO**
31 **BAY, FLORIDA,**

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33 **Section 1.** The Village Council hereby states its intention to
34 preserve in its natural state the land currently zoned Interim (“I”), located
35 east of and contiguous to Old Cutler Road, and north of and contiguous
36 to SW 184th Street (that is, located at the northeast corner of Old Cutler
37 Road and SW 184th Street), when the Village becomes the owner of
38 such land, by taking the following steps at such time:

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40 (A) Adopting and recording a covenant running with the land,
41 which requires the land be preserved in its natural state and prohibits

1 any development, except for the development of: (1) bicycle or
2 pedestrian trails which do not disturb the fundamental natural condition
3 of the contiguous land; and (2) a Miami-Dade Fire and Rescue facility at
4 the southeast corner of the land, no larger than necessary and
5 appropriate to accommodate a fire/rescue station in the health and safety
6 interests of area residents.

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8 **Section 2.** This Resolution shall take effect immediately upon
9 adoption.

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11 **PASSED AND ADOPTED** this 7th day of May, 2018

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13 DocuSigned by:
14 *Missy Arocha*
15 _____
16 Missy Arocha
17 Village Clerk

DocuSigned by:
Eugene Flinn

Eugene Flinn
Mayor

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

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22 DocuSigned by:
23 *Dexter W. Lehtinen*
24 _____
25 Dexter W. Lehtinen
26 Village Attorney

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28 **FINAL VOTE AT ADOPTION:**

- 29 Council Member Karyn Cunningham YES
- 30 Council Member David Singer YES
- 31 Council Member Larissa Siegel Lara YES
- 32 Vice Mayor John DuBois ABSENT
- 33 Mayor Eugene Flinn YES



To: Honorable Mayor and Village Council

Date: April 2, 2018

From: Councilmember David Singer

Re: Covenant on Environmentally
Endangered Lands at Palmetto Bay
Village Center

PURPOSE OF THE PROPOSED ACTION:

This proposed action will provide the Village a legal opinion from the Village Attorney on how to write a covenant to protect these lands once we acquire ownership

MAJOR POINTS/REASONS FOR THE PROPOSED ACTION:

Currently, there is no protection to these vitally sensitive lands, through this legal analysis the best possible protections shall be placed on this land to ensure we properly maintain and protect this ecosystem. Additionally, we will work with and obtain documents and guidance from our tree board, Miami Dade County Derm offices and also work closely with the lands that are being protected directly south of this location.

PRELIMINARY ESTIMATE OF THE COST OF IMPLEMENTATION:

To be determined

SOURCE OF FUNDS TO PAY SUCH COSTS:

Reserves