



VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Council Member Patrick Fiore (Seat 1)
Council Member Steve Cody (Seat 2)
Council Member Marsha Matson (Seat 3)

Village Manager Nick Marano
Village Attorney John C. Dellagloria
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

REGULAR VILLAGE COUNCIL MEETING

MONDAY, DECEMBER 6, 2021 – 7:00 PM

(PROCLAMATIONS, AWARDS, & PRESENTATIONS WILL BEGIN AT 6:30 PM)
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157
(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**
 - A. Recognition of Pastor Dr. Tony Martin - South Miami Heights Baptist Mission Emmanuel
 - B. Recognition of community activist and volunteer, Beatriz Hermann

3. APPROVAL OF MINUTES

- A. Regular Council Meeting (November 1, 2021)

4. REQUESTS, PETITIONS AND PUBLIC COMMENTS SUBMITTED

5. VILLAGE MANAGER'S REPORT

6. VILLAGE ATTORNEY'S REPORT

- Litigation update

7. VILLAGE CLERK'S REPORT

- Calendar update for the month of December 2021

8. BOARD AND COMMITTEE REPORTS

- A. Parks & Rec./Comm. Outreach Committee Meeting (October 7, 2021)
- B. Tree Advisory Board Meeting (September 27, 2021)

9. EMERGENCY ORDINANCES WITH PUBLIC HEARING

10. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING THE VILLAGE CODE, ADOPTING A NEW SECTION TO CREATE NEW REGULATIONS FOR MOBILE FOOD DISPENSING VEHICLES SECTION 30-60.33; LIMITING HOURS AND LOCATIONS OF OPERATION OF MOBILE FOOD TRUCKS; PROVIDING FOR SUSPENSIONS AND APPEALS; PROVIDING FOR APPLICABILITY AND SEVERABILITY; CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING APPENDIX "A" OF THE FEE SCHEDULE OF THE CODE OF ORDINANCES RELATING TO PARK IMPACT FEES; PROVIDING FOR COMMERCIAL PARK IMPACT FEES FOR NEW DEVELOPMENTS; 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, RELATING TO PRIVATE DEVELOPMENT PROJECTS; AMENDING ORDINANCE 2020-06 WHICH REQUIRED NEIGHBORHOOD MEETINGS FOR NEW

APPLICATIONS, BY ADDING SECTION 30-30.2 (V)(E) THAT ALL PRESENTATIONS TO THE PUBLIC BE HELD AT VILLAGE HALL; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*

11. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENTS

- A.** **AN ORDINANCE** OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.1 OF THE CODE OF ORDINANCES BY PROVIDING FOR THE PROHIBITION ON THE RENTAL OF RESIDENTIAL PROPERTIES FOR RECREATIONAL USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

12. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL MEETING PROCEDURES; ANNOUNCING THE REGULAR COUNCIL MEETING SCHEDULE; THE ZONING LAND DEVELOPMENT PERMIT HEARINGS; COMMITTEE OF THE WHOLE WORKSHOPS; AND, THE BUDGET WORKSHOPS FOR THE YEAR 2022; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Village Clerk Missy Arocha)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS; APPROVING THE PARTICIPATION OF THE VILLAGE OF PALMETTO BAY AS A SPONSOR OF THE WEST PERRINE DR. MARTIN LUTHER KING, JR., ANNUAL CELEBRATION; AUTHORIZING THE VILLAGE MANAGER TO DISBURSE UP TO \$1,000 AS PART OF THE VILLAGE'S SPONSORSHIP CONTRIBUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TASK FORCES; APPOINTING MEMBERS TO THE YOUTH COMMUNITY TASK FORCE; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

13. RESOLUTIONS REQUIRING PUBLIC HEARING

14. RESOLUTIONS WITH PUBLIC COMMENT

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING THE EMPLOYMENT AGREEMENT WITH THE VILLAGE ATTORNEY; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Village Attorney John C. Dellagloria, Esq.)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING THE EMPLOYMENT AGREEMENT WITH THE VILLAGE MANAGER; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Village Manager Nick Marano)*
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COMMUNITY DEVELOPMENT; ACCEPTING AND ADOPTING THE CREATION OF THE COMMUNITY RATING SYSTEM (CRS) PROGRAM FOR PUBLIC INFORMATION (PPI) AS PART OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- D. 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; THE APPROVED BUDGETED AMOUNT FOR DRAIN CLEANING SERVICES FOR FY 2021-2022 FOR A TOTAL AMOUNT OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS WITH ZERO CENTS (\$150,000.00); AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH ENVIROWASTE SERVICES GROUP, INC.; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO PROCUREMENT, APPROVING THE SELECTION OF METRO EXPRESS, INC. TO PROVIDE SIDEWALK REPAIRS AND INSTALLATION PIGGY-BACKING FROM THE CITY OF HOMESTEAD ITB# 201904; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH SAID COMPANY FOR THE AMOUNT NOT TO EXCEED THE BUDGETED 2021-2022 IN THE AMOUNT OF ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$125,000.00); AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO

PROCUREMENT , APPROVING THE AGREEMENT WITH CALVIN, GIORDANO AND ASSOCIATES FOR CONSTRUCTION ENGINEERING & INSPECTION SERVICES FOR THE SAFE ROUTES TO SCHOOL IMPROVEMENTS, PERRINE ELEMENTARY AND CORAL REEF ELEMENTARY PROJECTS PRIORITY 2, GRANTED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION GRANT NO. 431507-1 AND 431503-1; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH CALVIN, GIORDANO AND ASSOCIATES AND APPROVE EXPENDITURE OF FUNDS IN THE AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND ONE HUNDRED AND SIXTY-ONE DOLLARS AND ZERO CENTS (\$18,161.00) TO PERRINE ELEMENTARY AND NOT TO EXCEED FIFTY-FOUR THOUSAND THREE HUNDRED AND NINETY DOLLARS AND ZERO CENTS (\$54,390.00) FOR CORAL REEF ELEMENTARY; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO IBUS TRANSIT SERVICES; ADOPTING A VILLAGE SYSTEM SAFETY PROGRAM PLAN (SSPP) AND A SECURITY PROGRAM PLAN (SPP) FOR THE TRANSIT DIVISION TO MEET COMPLIANCE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT 6 OFFICE OF MODAL DEVELOPMENT FOR RECIPIENTS OF STATE PUBLIC TRANSPORTATION FUNDING, AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration)*
- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE HERITAGE COMMITTEE FOR THE VILLAGE'S 20TH YEAR ANNIVERSARY; APPOINTING COMMITTEE MEMBERS TO THE HERITAGE COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Village Clerk Missy Arocha)*
- I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE FLORIDA RESILIENCY AND ENERGY DISTRICT; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Village Attorney John C. Dellagloria, Esq.)*
- J. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH FORTIFI FINANCIAL THROUGH THE FLORIDA PACE FUNDING AGENCY; AND

PROVIDING AN EFFECTIVE DATE. *(Sponsored by Village Attorney John C. Dellagloria, Esq.)*

15. OTHER BUSINESS

16. COUNCIL COMMENTS

17. 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.



PUBLIC NOTICE:
INSTRUCTIONS
FOR
PUBLIC PARTICIPATION