



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 COUNCIL MEETING

MONDAY, JUNE 5, 2023 – 7:00 PM

(PROCLAMATIONS, AWARDS, & PRESENTATIONS WILL BEGIN AT 6:30 PM)

VILLAGE HALL MUNICIPAL CENTER
 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.
 - A. Meeting Notice (June 5, 2023)
2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
 - A. Florida House Representative Alina Garcia (Legislative Update)
 - B. Recognition of Josh Clarin (Member of the Education Advisory Committee)
 - C. Recognition of Matthew James Handel (Military Academy Student Acceptance)

- D. Recognition of graduating high school seniors (Youth Community Involvement Task Force Members): Hamzah Bouhouj, Giancarlo Diago, Ella Foxworthy, Valentina Nicollini, and Lorenzo Vinueza
- E. Recognition of LGBT Pride Month

3. APPROVAL OF MINUTES

- 4. REQUESTS, PETITIONS AND PUBLIC COMMENTS SUBMITTED** Individuals wishing to speak on matters on the agenda and on items pertinent to the Village may do so by speaking during this section of the agenda. The Mayor will recognize those persons who wish to speak. Each speaker must sign-in prior to speaking on the designated public commentary sign-in sheet. Items for public hearing provided for within the agenda shall not be a topic of discussion during this section of the agenda. Please limit your comments to three (3) minutes or less. Public comments made by members of the public are important to the Village Council. Speakers will address the Village Council with respect.

5. VILLAGE MANAGER'S REPORT

- A. Departmental Updates
- B. Police Commander Report

6. VILLAGE ATTORNEY'S REPORT

- A. Litigation Update

7. VILLAGE CLERK'S REPORT

- A. Calendar update for the month of June 2023

8. BOARD AND COMMITTEE REPORTS

- A. Parks & Recreation Committee Meeting (April 6, 2023)
- B. Resiliency Committee Meeting (February 16, 2023)
- C. Tree Advisory Board Meeting (October 24, 2022)
- D. Tree Advisory Board Meeting (January 30, 2023)
- E. Veterans Park Task Force Meeting (September 22, 2022)
- F. Youth Community Involvement Task Force Meeting (April 6, 2023)

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 SECTION 2-49(e) REGARDING THE CURRENT PROCEDURE OF READING PUBLIC COMMENTS DURING COUNCIL MEETINGS; ELIMINATING THE REQUIRMENT OF READING THE COMMENTS RECEIVED BY THE

PUBLIC; DIRECTING THE VILLAGE CLERK TO PROVIDE COPIES TO COUNCIL MEMBERS OF ALL PUBLIC COMMENTS PRIOR TO A MEETING; PLACING ALL COMMENTS RECEIVED AS PART OF THE PUBLIC RECORD OF THE MEETING; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham) (Passed on First Reading on May 1, 2023 - Regular Council Meeting)*

11. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENTS

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING CHAPTER 2 OF THE VILLAGE OF PALMETTO BAY CODE OF ORDINANCES, ENTITLED "ADMINISTRATION," AT SECTION 2-49 STYLED "COUNCIL DISCUSSION, PUBLIC PARTICIPATION AND DECORUM," ADDING THE REQUIREMENT OF EQUAL TIME FOR WRITTEN, ELECTRONIC, AND IN-PERSON PUBLIC COMMENT, PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson) (Continued from Regular Council Meeting - May 1, 2023)*
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BUILDING PERMITS; AMENDING CHAPTER 5 BUILDING AND BUILDING REGULATIONS ARTICLE I; CREATING SECTION 5-1 BUILDING PERMIT EXEMPTIONS; CREATING SECTION 5-2 ZONING PERMITS; AUTHORIZING THE VILLAGE MANAGER TO IMPLEMENT BUILDING PERMIT EXEMPTIONS CONSISTENT WITH THE FLORIDA BUILDING CODE; AUTHORIZING THE VILLAGE MANAGER TO CREATE A ZONING PERMIT PROCEDURE FOR CERTAIN ITEMS THAT DO NOT REQUIRE A BUILDING PERMIT; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Patrick Fiore) (Continued from Regular Council Meeting - May 1, 2023)*
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE FISCAL YEAR 2022-2023 BUDGET; AMENDING ORDINANCE NUMBER 2022-10; AMENDING THE VILLAGE'S BUDGET FOR THE 2022-2023 FISCAL YEAR; AUTHORIZING THE VILLAGE 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)*
- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ANIMALS; ADOPTING "SENIORS ASSISTANCE FOR VETERINARY EXPENSES" (SAVE) TO PROVIDE REIMBURSEMENT FOR VETERINARY SERVICES OF TWO-HUNDRED FIFTY DOLLARS (\$250.00) PER PALMETTO BAY LOWER-INCOME SENIOR RESIDENT TO ACCESS HEALTH CARE FOR THEIR PETS; ADDING SECTION 15-3 TO CHAPTER 15 "ENVIRONMENT," PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*
- E. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ENVIRONMENTAL REGULATIONS; AMENDING SUB-SECTION 30-100.1(E)(2)(a) BY REQUIRING THE PLANTING OF FLORIDA NATIVE PLANTS ON PUBLIC SPACES, PARKS, AND RIGHTS-OF-WAY; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*
- F.

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING ANIMAL PROTECTION; AMENDING SECTION 20-59 OF THE VILLAGE CODE OF ORDINANCES STYLED: "PROTECTION AND PRESERVATION OF WILDLIFE; PROHIBITING THE CAPTURE/REMOVAL OF ANY WILDLIFE FROM ANY VILLAGE PROPERTY; DIRECTING THE VILLAGE MANAGER TO SEEK AUTHORIZATION FROM THE VILLAGE COUNCIL PRIOR TO RETAINING THE SERVICES OF ANY "TRAPPER" OR OTHER INDIVIDUAL ENGAGED IN THE CAPTURE/TRANSPORT OF ANY WILDLIFE WITHIN THE VILLAGE; PROVIDING AN EXCEPTION FOR DISTRESSED OR INJURED ANIMALS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Patrick Fiore)*

- G. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS; ADOPTING "THE TREE MEMORIAL PROGRAM;" ADDING SECTION 20-92 TO CHAPTER 20 OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALMETTO BAY STYLED "PARKS AND RECREATION; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*

12. CONSENT AGENDA

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, RELATING TO THE BICYCLE AND PEDESTRIAN MASTER PLAN; ACCEPTING THE FINAL REPORT PRESENTED BY THE CORRADINO GROUP, INC.; FURTHER AUTHORIZING THE VILLAGE MANAGER TO PROCEED WITH IMPLEMENTATION OF THE REPORT FINDINGS, FOLLOWING IDENTIFICATION AND AVAILABILITY OF APPROPRIATE FUNDING SOURCES; AND 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 SUSTAINABILITY AND RESILIENCY; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT NOT EXCEEDING ONE-HUNDRED AND FIFTY THOUSAND (\$150,000.00) FOR THE HIGHEST RANK BIDDER TO PROVIDE A RESILIENCE ACTION PLAN; FURTHER AUTHORIZING THE VILLAGE MANAGER TO APPROVE A CONTRACT FOR THESE SERVICES FOR THE STATED AMOUNT; 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, RELATED TO PROCUREMENT, APPROVING ALPHA SECURITY AND FIRE ALARM SERVICES, INC.; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A CONTRACT WITH SAID COMPANY AND CREATE A PURCHASE ORDER IN THE AMOUNT OF ONE HUNDRED AND SEVEN THOUSAND THREE HUNDRED AND FIFTY-NINE DOLLARS AND SEVENTY-EIGHT CENTS (\$ 107,359.78); AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, RELATING TO FEDERAL GRANTS; ACCEPTING THE SAFE STREETS

AND ROADS FOR ALL (SS4A) GRANT AWARD NO. 693JJ32340056 IN THE AMOUNT OF THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$375,000) IN ORDER TO ENTER INTO A PROJECT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (DOT) AND FEDERAL HIGHWAY ADMINISTRATION (FHWA), TO COMPLETE A STREET SAFETY ACTION PLAN; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT AND ALL SUBSEQUENT RELATED DOCUMENTS AS REQUIRED ON BEHALF OF THE VILLAGE; 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, RELATING TO THE ACQUISITION OF LAND; AUTHORIZING THE VILLAGE MANAGER TO COORDINATE WITH THE COUNTY, IN ACCORDANCE WITH COUNTY IMPLEMENTING ORDER 8-4, FOR THE ACQUISITION OF LAND TO BE USED FOR POCKET PARKS; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

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.

NOTICE OF APPEAL RIGHTS

Pursuant to Florida Statutes 286.0105, the Village hereby advises the public that if a person decides to appeal any decision made by the Council with response 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 verbatim record of the proceedings is made, which record includes 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.

AMERICAN DISABILITIES ACT OF 1990

This meeting is open to the public. In accordance with the American Disabilities Act of 1990, persons needing special accommodation or a sign language interpreter to participate in this proceeding should contact the Village Clerk at (305) 259-1234 no later than four (4) days prior to the meeting. Hearing Assistance Devices are available with the Village Clerk.