VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham
Vice Mayor Mark Merwitzer
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 Quick
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, SEPTEMBER 14, 2026 – 7:00 PM
(PROCLAMATIONS, AWARDS, & PRESENTATIONS WILL BEGIN AT 6:30 PM)

(IMMEDIATELY FOLLOWING THE FIRST BUDGET HEARING)
VILLAGE HALL MUNICIPAL CENTER
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157
(305) 259-1234

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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 the retirement of Deputies from the Palmetto Bay Municipal Policing District *(Deputy Enrique Sanchez and Deputy Rolando Lechuga)*

   B. Recognition of 2026 Summer Counselors in Training (CIT) at Coral Reef Park *(Kellan Anderson, Alistair Briz, Xavier Castellano, Octavio Davila, Dariane Diaz, Angelique Garcia, Mike Garcia, Juan Gonzalez, Bryan Gutierrez-Curdi, Benjamin Haft, Ariana Harrison, Amelia Hernandez-Garcia, Brooklyn Kye, Olivia Ladner, Alexa Pavon, Ronald Rosales, Matthew*

Siewnarine, Meadow Wimberly, Catherine Zapata, Scott Bejarano, Justin Cabrero, Sofia Martinez, Santiago Paz Alba, Joao Francisco Neviani Carvalho, Victor Ten Have)

C. Recognition of American Legion Boys/Girl State Delegates *(Elena Beuter, Matthew Schimek, Alec Vancourt, Brandon Guterrez, and Troy Wilensky)*

D. Recognition of Newton Mulford for his efforts in capturing and removing an invasive python from Coral Reef Park

E. Proclamation in honor of National Recovery Month *(No More Dead Homies)*

F. Proclamation in honor of the 15th Annual National Diaper Need Awareness Week, September 14–20, 2026 *(Miami Diaper Bank)*

3. APPROVAL OF MINUTES

A. Regular Council Meeting (July 6, 2026)

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. Attorney Expenses

B. Litigation Update

7. VILLAGE CLERK'S REPORT

A. Calendar Update (September 2026)

B. Notice of General Election & Special Election (November 3, 2026)

8. BOARD AND COMMITTEE REPORTS

A. Art-in-Public Places Advisory Board Meeting (April 9, 2026)

B. Joint Meeting of the Tree Advisory Board & Resiliency Committee (January 26, 2026)

C. Tree Advisory Board Meeting (March 30, 2026)

D. Tree Advisory Board Meeting (October 27, 2025)

9. EMERGENCY ORDINANCES WITH PUBLIC HEARING

10. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

A. AN ORDINANCE OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CREATING SECTION 2-25 "VILLAGE COMMUNICATIONS", RELATING TO THE RECOGNITION OF RELIGIOUS, CULTURAL, AND HERITAGE OBSERVANCES THROUGH VILLAGE COMMUNICATION CHANNELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson) (Passed on First Reading at the July 6, 2026, Regular Council Meeting)*

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF PALMETTO BAY, FLORIDA, BY CREATING SECTION 21-1 TO ESTABLISH REGULATIONS FOR THE OPERATION OF MICROMOBILITY DEVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Vice Mayor Mark Merwitzer) (Passed on First Reading at the July 20, 2026, Special 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 PUBLIC SAFETY; CREATING THE PALMETTO BAY PUBLIC SAFETY DISTRICT AS A DEPENDENT SPECIAL DISTRICT PURSUANT TO SECTION 189.02, FLORIDA STATUTES; AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES BY CREATING SECTION 26-1; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Vice Mayor Mark Merwitzer) (Deferred from the Special Council Meeting of July 20, 2026)*

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO STORMWATER UTILITY FEES; REVISING THE STORMWATER UTILITY FEE STRUCTURE IN SUPPORT OF THE VILLAGE STORMWATER MANAGEMENT SYSTEM; PROVIDING FOR ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Stormwater Engineer, Mairelys Gensler)*

C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; AMENDING CHAPTER 32, “PASSPORT ACCEPTANCE FACILITY,” OF THE VILLAGE’S CODE OF ORDINANCES; ESTABLISHING THAT PASSPORT APPLICATION FEES AND RELATED FEES COLLECTED ON BEHALF OF THE UNITED STATES DEPARTMENT OF STATE SHALL AUTOMATICALLY CONFORM TO THE FEES THEN IN EFFECT AS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF STATE, WITHOUT THE NEED FOR FURTHER AMENDMENT TO THE VILLAGE’S CODE OF ORDINANCES; UPDATING THE VILLAGE’S PASSPORT PHOTO FEE; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Village Clerk, Missy Arocha)*

12. CONSENT AGENDA

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; SUPPORTING THE APPLICATION FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FLORIDA BEAUTIFICATION GRANT PROGRAM AND PROJECT MAINTENANCE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE GRANT APPLICATION AND OTHER RELATED DOCUMENTS ON BEHALF OF THE VILLAGE, AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Grants Administrator, Christina Cotto, and Public Services Director, Dionisio Torres)*

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; ACCEPTING A GRANT AWARD IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS ($112,500.00) UNDER THE HAZARD MITIGATION GRANT PROGRAM (HMGP) TO FUND THE DEVELOPMENT OF A STORMWATER MASTER PLAN, PROJECT NO. 4673-305-P47; APPROVING AGREEMENT NO. H1454 WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE GRANT AGREEMENT AND OTHER RELATED DOCUMENTS ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Grants Administrator, Christina Cotto, and Public Services Director, Dionisio Torres)*

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE STORMWATER MASTER PLAN; APPROVING THE SELECTION OF KIMLEY-HORN AND ASSOCIATES, INC. TO UPDATE THE VILLAGE'S STORMWATER MASTER PLAN; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH SAID COMPANY AND ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND TWO HUNDRED THIRTY-FIVE DOLLARS AND ZERO CENTS ($149,235.00); AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration Prepared by Stormwater Engineer, Mairelys Gensler)*

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, RELATED TO THE CONSTRUCTION OF SUB-BASIN 44; APPROVING A CHANGE ORDER FOR AN AMOUNT OF ONE HUNDRED SEVENTY-ONE THOUSAND SIX HUNDRED FORTY-SEVEN DOLLARS AND THIRTY CENTS ($171,647.30); TO COVER NECESSARY MODIFICATIONS FOR THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Stormwater Engineer, Mairelys Gensler)*

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-160 OF THE ART-IN-PUBLIC PLACES (AIPP) PROGRAM; ACCEPTING THE AIPP BOARD'S RECOMMENDATION OF THE "COPPER PYRAMID OF ART & ENERGY" REVISIONING BY ARTIST AND RESIDENT TONE CALLE; DIRECTING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH THE ARTIST FOR THE MATERIALS AND LABOR FOR PROJECT EXECUTION WITH SIMPLY EVOLVING ENDLESS DESIGN (S.E.E.D.) LLC; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Sustainability & Resiliency Planner, Andrea Candelaria)*

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO INVESTIGATE THE OWNERSHIP AND/OR CONTROL OF THE PEOPLE'S DOCK AND 72 AVENUE, SOUTH OF 168 STREET, AND TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ADDRESSING THE UNAPPROVED NAME "DIADEM PICKLEBALL COMPLEX" DEPICTED ON OFFICIAL VILLAGE SIGNAGE FOR THE PALMETTO BAY PARK INDOOR PICKLEBALL CENTER; DIRECTING THE VILLAGE MANAGER TO CORRECT THE SIGNAGE; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*

E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ESTABLISHING DIGITAL ACCESSIBILITY AS A POLICY PRIORITY OF THE VILLAGE; DIRECTING THE VILLAGE MANAGER TO CONDUCT AN INVENTORY AND BASELINE ACCESSIBILITY AUDIT OF THE VILLAGE'S DIGITAL SERVICES AND CONTENT; ESTABLISHING PRIORITIES FOR REMEDIATION; DIRECTING THE DEVELOPMENT OF DIGITAL ACCESSIBILITY PROCUREMENT STANDARDS AND INTERNAL POLICIES; REQUIRING AN ANNUAL DIGITAL ACCESSIBILITY REPORT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Councilmember Steve Cody)*

F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING THE MIAMI-DADE COUNTY MAYOR AND BOARD OF COUNTY COMMISSIONERS TO RESTORE FUNDING FOR THE MIAMI-DADE COUNTY ENVIRONMENTALLY ENDANGERED LANDS ("EEL") PROGRAM TO NOT LESS THAN $20 MILLION IN THE ADOPTED FISCAL YEAR 2026-27 BUDGET; URGING THE BOARD TO REJECT THE PROPOSED WAIVER OF THE $10 MILLION MINIMUM RESERVE REQUIREMENT FOR THE EEL TRUST FUND; URGING THE COUNTY TO IDENTIFY AND ADOPT A DEDICATED, RECURRING SOURCE OF FUNDING FOR THE ACQUISITION, RESTORATION, AND MANAGEMENT OF ENVIRONMENTALLY ENDANGERED LANDS; URGING THAT SUCH FUNDING REMAIN AVAILABLE FOR THE ACQUISITION AND EXPANSION OF EEL PRESERVES WITHIN THE VILLAGE OF PALMETTO BAY AND ELSEWHERE; AND FURTHER, DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY MAYOR, EACH MEMBER OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, THE MIAMI-DADE COUNTY OFFICE OF MANAGEMENT AND BUDGET, THE DIRECTOR OF THE MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT, ALL OTHER MUNICIPALITIES WITHIN MIAMI-DADE COUNTY, AND THE MIAMI-DADE COUNTY LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Vice Mayor Mark Merwitzer)*

G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO PROCUREMENT; APPROVING THE SELECTION OF BEEFREE, LLC. D/B/A FREEBEE TO PROVIDE A RELIABLE FLEET CONSISTING OF TWO (2), SIX (6) PASSENGER VEHICLES AND/OR TWO (2) TWELVE (12) PASSENGER VEHICLES PURSUANT TO INVITATION TO BID (ITB) NO. 2026-11-016; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH AND ISSUE A PURCHASE ORDER TO THE COMPANY IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY-THREE THOUSAND THIRTY-TWO

DOLLARS AND ZERO CENTS ($233,032.00), PROVIDED THAT SERVICES REMAIN FLEXIBLE AND SUBJECT TO MODIFICATIONS AT A LATER DATE IN THE BEST INTEREST OF THE VILLAGE, AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and Prepared by Procurement Specialist, Alessia Bencomo)*

15. OTHER BUSINESS

16. COUNCIL COMMENTS

17. NEXT MEETING AND ADJOURNMENT

- REGULAR COUNCIL MEETING (Monday, October 5, 2026)

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.