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, OCTOBER 5, 2026 – 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

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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. Proclamation in recognition of Breast Cancer Awareness Month *(October 1-31,2026)*

3. APPROVAL OF MINUTES

A. Regular Council Meeting (September 14, 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 (October 2026)

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

8. BOARD AND COMMITTEE REPORTS

A. Art-in-Public Places Advisory Board Meeting (July 7, 2026)

B. Resiliency Committee Meeting (June 16, 2026)

C. Resiliency Committee Meeting (May 13, 2026)

D. Resiliency Committee Meeting (April 21, 2026)

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, 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) (Passed on First Reading on September 14, 2026, Regular Council Meeting)*

B. 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) (Passed on First Reading on September 14, 2026, 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 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 and Regular Council Meeting of October 5, 2026)*

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO STORMWATER MANAGEMENT; AMENDING SECTION 15-103 OF ARTICLE III OF CHAPTER 15 OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALMETTO BAY TO ADD AND REVISE DEFINITIONS; AMENDING SECTION 15-109 TO EXPAND PERMISSIBLE STORMWATER UTILITY FUND EXPENDITURES; PROVIDING FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Vice Mayor Mark Merwitzer)*

12. CONSENT AGENDA

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING THE PARTCIPATION OF THE VILLAGE OF PALMETTO BAY AS A SPONSOR OF THE 2027 ANNUAL WEST PERRINE DR. MARTIN LUTHER KING, JR., HOLIDAY CELEBRATION; AUTHORIZING THE VILLAGE MANAGER TO DISBURSE UP TO ONE-THOUSAND DOLLARS ($1,000) AS PART OF THE VILLAGE'S SPONSORSHIP; PERMITTING THE VILLAGE MANAGER TO TAKE NECESSARY ACTIONS TO FACILITATE THE SPONSORSHIP; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration and prepared by Village Clerk, Missy Arocha)*

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 TWO MILLION FIVE HUNDRED SIXTEEN THOUSAND THREE HUNDRED ONE DOLLARS AND NINETY CENTS ($2,516,301.90) UNDER THE HAZARD MITIGATION GRANT PROGRAM (HMGP) FOR SUB-BASIN IMPROVEMENTS; APPROVING AGREEMENT NO. H1565 WITH THE

FLORIDA DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE GRANT AGREEMENT IN SUBSTANTIAL FORM AND CONTENT AND OTHER RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration and prepared by Grants Administrator, Christina Cotto, and Public Services Director, Dionisio Torres)*

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 NAMING OF THE NEW INDOOR PICKLEBALL FACILITY AT PALMETTO BAY PARK AS THE “VILLAGE OF PALMETTO BAY-DIADEM PICKLEBALL COMPLEX”; RECOGNIZING DIADEM’S SUBSTANTIAL FINANCIAL CONTRIBUTION TOWARD THE CONSTRUCTION OF THE FACILITY; AUTHORIZING APPROPRIATE SIGNAGE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO PROCUREMENT; APPROVING THE SELECTION OF FERENCZI CONSULTING, CORP. D/B/A CENTRAL MAKERS TO MANAGE AND OPERATE THE FOOD TRUCK AND MARKET ON PARK DRIVE, PURSUANT TO REQUEST FOR PROPOSAL (RFP) NO. 2026-12-014 AND AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT FOR SAID SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and prepared by Alessia Bencomo, Procurement Specialist)*

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE SOUTH DADE AEROSPACE AND DEFENSE CORRIDOR AS A REGIONAL ECONOMIC DEVELOPMENT INITIATIVE FOR SOUTH MIAMI-DADE; PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Administration and prepared by Village Manager, Nick Marano)*

15. OTHER BUSINESS

16. COUNCIL COMMENTS

17. NEXT MEETING AND ADJOURNMENT

- Regular Council Meeting (Monday, November 2, 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.