



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

COMMITTEE OF THE WHOLE WORKSHOP

TUESDAY, FEBRUARY 22, 2022 - 7:00 PM

Village Hall Council Chambers, 9705 E. 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. **PUBLIC COMMENTS**
3. **PRESENTATIONS**
 - A. PARK VIEW BUILDING OFF-SITE IMPROVEMENTS (9500 SW 174TH STREET)
4. **VILLAGE COUNCIL/ADMINISTRATION DISCUSSION ITEMS**
 - A. WELL WATER ABANDONMENT GRANT (*Sponsored by Mayor Karyn Cunningham*)

- B. HIRING PROCEDURE FOR FIRM MONITORING VILLAGE'S AMERICAN RESCUE PLAN ACT (ARPA) SPENDING *(Sponsored by Councilmember Marsha Matson)*
 - C. HIRING OF AMERICAN RESCUE PLAN ACT (ARPA) MONITOR *(Sponsored by Village Attorney John C. Dellagloria, Esq.)*
 - D. CONSIDERATION OF ANNEXATION: ANNEX THE AREA BOUNDED BY THE BUSWAY ON THE WEST, THE PALMETTO BAY BOUNDARY (HIGHWAY US-1) ON THE EAST, SW 160TH STREET ON THE NORTH, AND SW 184TH STREET ON THE SOUTH, WHICH IS PRESENTLY A NON-RESIDENTIAL COMMERCIAL AREA *(Sponsored by Councilmember Patrick Fiore)*
 - E. POCKET PARKS INITIATIVE *(Sponsored by Councilmember Steve Cody)*
 - F. "THE WOODS" LEASE AGREEMENT *(Sponsored by Councilmember Marsha Matson)*
 - G. USES OF PARK DRIVE *(Sponsored by Councilmember Marsha Matson)*
5. **NEXT COMMITTEE OF THE WHOLE WORKSHOP DATE**
- TUESDAY, MARCH 22, 2022
6. **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; and**

- **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



VILLAGE OF PALMETTO BAY NOTICE OF HYBRID COUNCIL WORKSHOP ("COMMITTEE OF THE WHOLE WORKSHOP")

NOTICE IS HEREBY GIVEN that on **TUESDAY, FEBRUARY 22, 2022, AT 7:00 PM** the Village of Palmetto Bay shall hold a *hybrid* Committee of the Whole Workshop at Village Hall Municipal Center, 9705 East Hibiscus Street, Palmetto Bay, FL 33157. ***No official action shall be taken by the Village Council during this Council Workshop.***

This meeting will be conducted using a teleconferencing platform and broadcast live. **Members of the public may participate in the virtual workshop and/or watch the virtual workshop via the Village's official Facebook page and/or our Granicus web stream on www.palmettobay-fl.gov.**

PLEASE NOTE that pursuant to the Village of Palmetto Bay's Declaration of COVID-19 Virus State of Emergency Order No. 2020-11, all Village Advisory Boards, Committees, Task Forces, Charter Officers, and staff shall continue to meet virtually. Commencing December 1, 2020, a minimum of three members such as the Mayor and Village Council shall be present to maintain a quorum at meetings requiring legislative actions. This Emergency Order allows any Councilmember who believes they are at high risk to not be required to be physically present in the Village Chambers but shall be permitted to participate virtually and vote provided they remain physically present in Village Hall, including waiving all applicable requirements in the Village Charter, Code of Ordinances, Resolutions, or other Village policy that may require the physical presence at any public meeting. All virtual meetings shall otherwise continue to comply with the Florida Constitution, Florida's Government in the Sunshine Law, and Chapter 286, Florida Statutes.

For persons wishing to participate virtually and provide public comment, please refer to the options described below:

Public comments forum (Option 1): Prior to the meeting, the public can submit a web form available at this address: <https://www.palmettobay-fl.gov/FormCenter/Public-Comments-Form-10/Public-Comments-Form-52>. **Form submissions received prior to the meeting will be read before the item is heard. Form submissions received after 5:00 p.m. will remain part of the record.**

Public comments forum (Option 2): Public attendees wishing to provide real-time, audible public comments during the meeting may do so using GoToWebinar's desktop, laptop, tablet, or smartphone app. Once registered, attendees will receive GTW session information and call-in telephone numbers for those wishing to use a telephone. Telephone attendees may not participate in public comment as the system has no way to mute or unmute. Attendees wishing to speak during public comment time must use the GoToWebinar application on their desktop, laptop, or smart device. Attendees may not use a webcam whatsoever. In lieu if no availability to participate through the webinar, please submit your public comment using the web form as described above.

Please register to attend the session as follows:

<https://attendee.gotowebinar.com/rt/4930714135011816463>

After registering, you will receive a confirmation email containing information about joining the webinar.

Any meeting may be opened and/or continued, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall at (305) 259-1234 for additional information and/or may express their views in writing addressed to the Village Council via email: council@palmettobay-fl.gov. If a person decides to appeal any decision made by the Village Council, with respect to any matter considered at a meeting or hearing, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than twelve (12) hours prior to the proceedings.

www.palmettobay-fl.gov



DISCUSSION ITEM:

3A



February 11, 2022

Nick Marano

Village Manager, Village of Palmetto Bay
9705 E Hibiscus Street
Palmetto Bay, FL 33157

Dear Mr. Marano:

For the last three years, Atlantic Residential has managed the design and execution of *Indigo Palmetto Bay*, also known as *Parkview*, an apartment building under construction on 9500 SW 174th Street in Palmetto Bay, Florida. It has been a huge pleasure to work with Village representatives, local administration, and proud citizens of Palmetto Bay in creating a highly desirable and gracious new residential community that compliments the tranquility and uniqueness of the *Village of Parks*.

Our team would like your feedback on the topics below, crucial for completion of our building by **May 2022** complying with code requirements governed by Miami-Dade County, and satisfying technical recommendations made by architects and engineers of record.

New Road: Fire Department Accessibility and Y-Turn Area

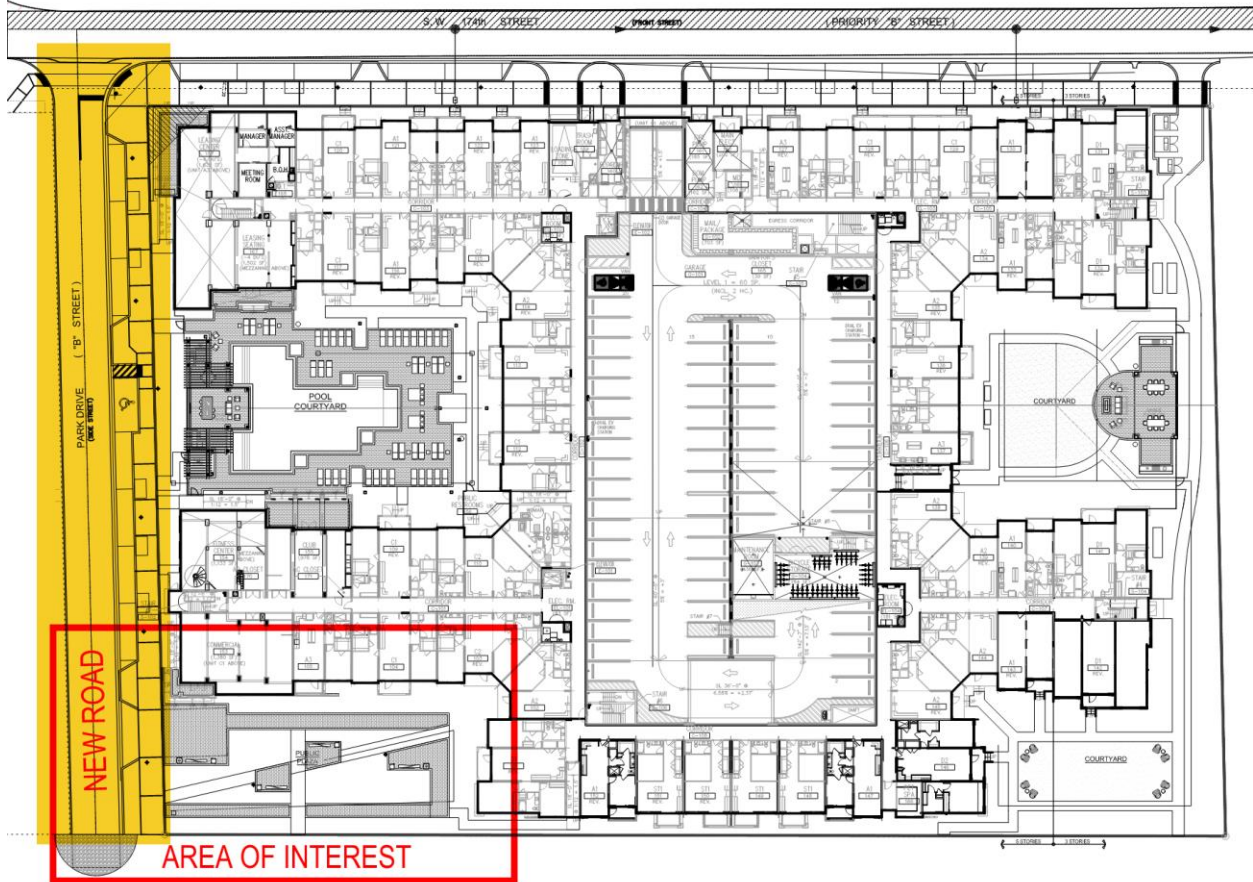
In early stages of site plan approval, the Village of Palmetto Bay has requested the inclusion of the following items as part of the proposed residential project: (1) a **new public road** abutting our west neighbor (*South Dade Nursing and Rehabilitation Center*) and our new building, envisioned to connect SW 174th Street to SW 175th Terrace; (2) a **new public plaza** at the southwest portion of the property, open to *Palmetto Bay Park* and adjacent to its existing skate pavilion and basketball courts; (3) a **1,000 square feet commercial space** within the new building, facing the new public plaza and the Park.

Since permits were issued and construction started at Parkview, the Village's intent to create a road connection between SW 174th Street and SW 175th Terrace has changed. Local community and representatives have decided that **this road will not be extended** past the south limit of our property and will not cross *Palmetto Bay Park*.

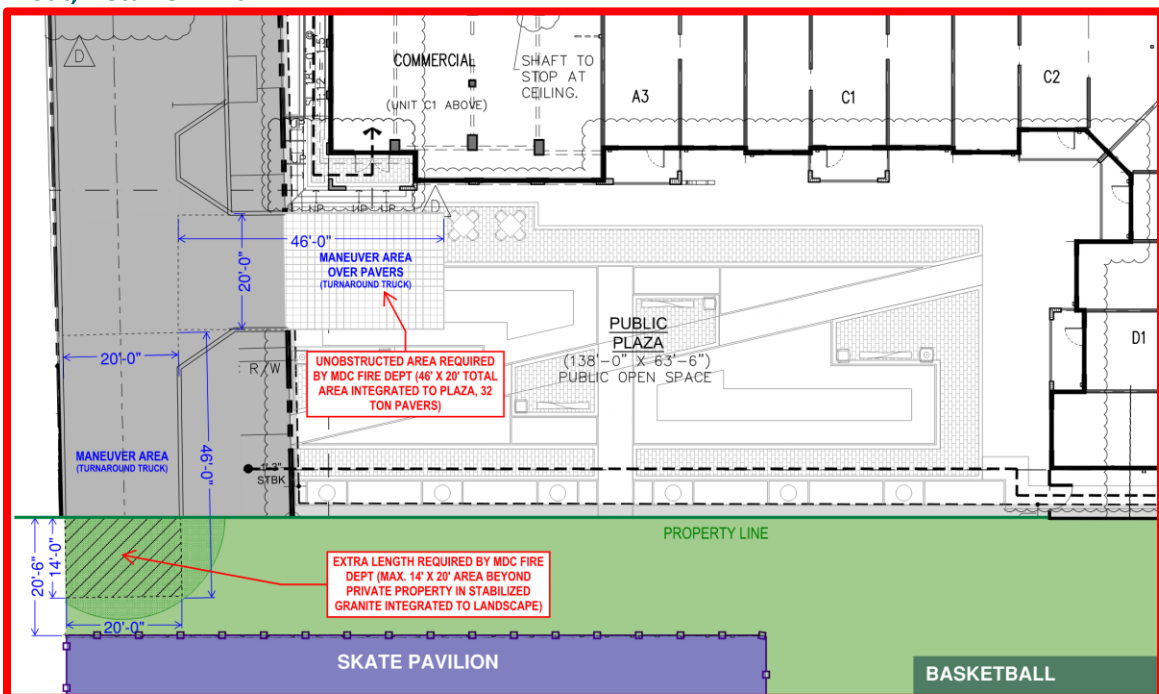
For this reason, the section of new road executed as part of Parkview (following site plan approved by the Village of Palmetto Bay since 2017) must be now modified to operate as a *dead-end road*. Miami-Dade County Fire Department determines in its *Access Road Requirements* document that "[...] *dead end fire department access roads exceeding 150 feet shall be provided with approved provisions for the turning around of fire apparatus per the Florida Fire Prevention Code NFPA 1:18.2.3.4.4*".

Lieutenant Robert Simmons, assigned MDC Fire reviewer for this project, informed the NFPA approved provision viable in our conditions is the creation of a **Y-Turn**, with "[...] *each extension of the 'Y' to be a minimum of 46 feet from the edge of each side of the roadway*". While the first of two extensions can encroach the proposed plaza with no problem, the second would cross our south property line, and encroach the grass area between our property and the existing Skate Pavilion by no more than 14 feet of length. Please see diagrams below.

Adjusted Site Plan, Y-Turn at south end of new road



Blow-out, Detail of Y-Turn

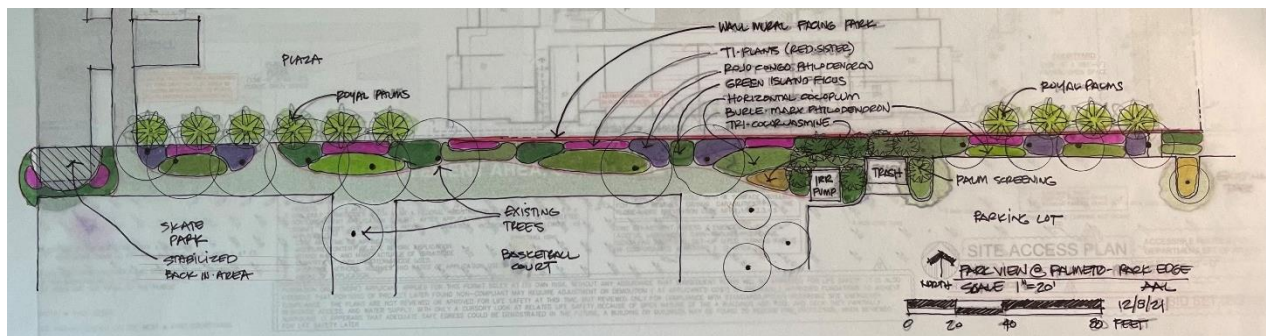


The portion of the Y-Turn beyond our property limits (no more than 14 feet long by 20 feet wide) must be covered in stabilized gravel, stabilized granite, or another acceptable material for transit of fire apparatus per NFPA requirements. This limited space will be used as maneuver area just in the event a fire truck has to access this road, which would be a life-threatening occasion and, most certainly, a rare event.

The plan described above has been prepared in a joint effort between the Village Administration (former Director Mrs. Maria Pineda) and Miami-Dade County (Lieutenant Robert Simmons). The solution was deemed reasonable by all parties, considering the life safety requirements applicable and public interests involved. Upon agreement by the Village Administration, Atlantic Residential must resubmit Parkview's life safety plants depicting the Y-Turn design for permit amendment with Miami-Dade Fire. The plan revision clarifying that Palmetto Bay will no longer extend the new road to SW 175th Terrace is an important pre-requisite for a *Certificate of Occupancy* to be issued for the new building in the next months.

Landscape Improvements on Park (corridor along Parkview's South Property Line)

In addition to the life safety matter above, Atlantic Residential proposes that the 20-foot wide "green corridor" along the almost 500 feet of frontage between Parkview and Palmetto Bay Park to receive new planting materials and other natural ground coverings. These improvements will give new life to this area and are intended to be implemented and maintained by our apartment community.



The existing sod in this area has suffered with the adjacent construction activities, so we will restore its topsoil, relevel the area, and create a nice transition between the new landscaping within our property and the public park. The portion of the Y-Turn beyond our property limits will also be nicely blended into these improvements. Moreover, our AiPP project under development by Floridian artist Seth Palmiter is also expected to be installed in this area, facing Palmetto Bay Park and its users.

Provided the details above, our team requests to be on the agenda for the *Council of the Whole* meeting that will take place on February 22, 2022. We are confident that the solutions proposed above serve the best interest of the Palmetto Bay community, including the future residents of this project.

Kindest regards,

Eduardo Cademartori

Director of Development, Atlantic Residential
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