

Town of Cutler Bay

*Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189*



Meeting Agenda

Wednesday, July 15, 2015

7:00 PM

Council Chambers

Town Council

MAYOR AND COUNCIL MEMBERS

Mayor Peggy R. Bell

Vice Mayor Ernest N. Sochin

Council Member Mary Ann L. Mixon

Council Member Sue Ellen Loyzelle

Council Member Roger Coriat

CHARTER OFFICIALS

Town Attorney Mitchell Bierman

Town Attorney Chad Friedman

Town Manager Rafael G. Casals

Interim Town Clerk Jacqueline N. Wilson

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation or a sign language interpreter to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four days prior to the meeting. If hearing impaired, telephone the Florida Relay Services numbers at (800) 955-8771, Telecommunication Devices for the Deaf (TDD), or (800) 955-8700 (voice) for assistance. Wireless connection cbtc-wifi is now available in the Town Council Chambers, please enter cutlerbay as the password.

1. CALL TO ORDER, ROLL CALL, & PLEDGE OF ALLEGIANCE

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. · Proclamation -Social Security 80th Birthday Recognition
- B. · Presentation- Town Lobbyist- 2015 End of Special Session Report

3. APPROVAL OF MINUTES

- A. · March 18, 2015 Regular Town Council Minutes
- May 14, 2015 Town Council Workshop Minutes
- May 20, 2015 Executive Session Minutes

Attachments: [031815 RTC Minutes](#)

[051415 TCW Minutes](#)

[052015 Executive Session Minutes](#)

4. TOWN COUNCIL ANNOUNCEMENTS

5. PUBLIC COMMENTS

6. REPORTS

A. TOWN MANAGER'S REPORT

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

D. BOARD AND COMMITTEE REPORTS

7. CONSENT AGENDA

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING MULLINGS ENGINEERING SERVICES, LLC. FOR THE PURCHASE AND INSTALLATION OF SOD WITHIN THE TOWN'S PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - Athletic Fields Rehabilitation Project](#)
[Manager Memo - Attachment A - Agronomy Report](#)
[Resolution - Sod Purchase - Mullings Engineering](#)
[Resolution - Exhibit A - SEFGCG 066-2730-12 DJL](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE CONTRACT BETWEEN THE CHILDREN'S TRUST AND THE TOWN FOR THE PROVISION OF AN AFTER SCHOOL PROGRAM AT CUTLER RIDGE PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - 2015-18 Childrens Trust Agreement](#)
[Manager Memo - Attachment A - Award Letter](#)
[Resolution - 2015-18 Childrens Trust Agreement](#)
[Resolution - Exhibit A - Contract Agreement](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 13-61 TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo - Amending Agenda Order and Format](#)
[Clerk Memo - Attachment A - Resolution 13-61 Modifying Resolution 11-61](#)
[Resolution - Amending Agenda Order and Format](#)

7A. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo - Fiscal Year 2015-16 Proposed Millage Rate](#)
[Resolution - Fiscal Year 2015-16 Proposed Millage Rate](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA TO APPOINT ADVISORY COMMITTEE MEMBERS TO THE ECONOMIC GROWTH COMMITTEE, AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Clerk Memo - Economic Growth Committee](#)
[Clerk Memo - Attachment A - Public Notice Ad](#)
[Resolution - Economic Growth Committee Appointments](#)
[Resolution - Exhibit A - Committee Appointments](#)

8. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT THE CONVERSION OF 58,428 SQUARE FEET OF OFFICE SPACE IN AN EXISTING 4 STORY BUILDING LOCATED AT 10750 CARIBBEAN BOULEVARD FROM BUSINESS USE TO A CHARTER SCHOOL, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 2.16 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - Virtus School - Conditional Use](#)
[Attachment A Letter of Intent and Cond Use Application](#)
[Attachment B Aerial Photograph](#)
[Attachment C Future Land Use Map](#)
[Attachment D Zoning Map](#)
[Attachment E Advertisement Notices Postings](#)
[Resolution Virtus School - Conditional Use](#)
[Resolution Exhibit A - Legal Description](#)

9. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)

10. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

11. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TOWN OF CUTLER BAY EVALUATION AND APPRAISAL-BASED AMENDMENTS TO THE COMPREHENSIVE PLAN AND AUTHORIZING TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND REVIEW AGENCIES ON FIRST READING; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - 1st Reading with Attachments](#)
[Manager Memo - 2nd Reading -2015 EAR](#)
[Manager Memo - 2nd Reading Attachment A](#)
[Manager Memo - 2nd Reading Attachment B](#)
[Ordinance - 2nd Reading - 2015 EAR](#)

- B.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA UPDATING THE TOWN WATER SUPPLY PLAN AND ADOPTING WATER SUPPLY PLAN RELATED AMENDMENTS TO THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - 1st Reading with Attachments](#)
[Manager Memo- 2nd reading- Water Supply Plan](#)
[Manager Memo -2nd Reading Attachment A](#)
[Manager Memo - 2nd Reading Attachment B](#)
[Ordinance- 2nd Reading- Water Supply Plan](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-11 OF THE TOWN CODE OF ORDINANCES RELATING TO MAINTENANCE, REPAIR AND IMPROVEMENT STANDARDS FOR NONCONFORMING BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - 1st Reading](#)
[Manager Memo - 2nd reading- Non Conforming](#)
[Manager Memo - 2nd Reading Attachment A](#)
[Ordinance - 2nd Reading - Ameding Non Conforming Use Section](#)

12. PUBLIC COMMENTS

13. MAYOR AND COUNCIL COMMENTS

14. OTHER BUSINESS

15. ADJOURNMENT

WE, THE TOWN COUNCIL OF CUTLER BAY, HEREBY RECOMMIT OURSELVES TO MAINTAIN CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND WE HEREBY PLEDGE OUR COMMITMENT 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 of their forms, whenever and wherever they occur.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN 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 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 TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.