

# Town of Cutler Bay

*Town Hall  
10720 Caribbean Blvd  
Suite 105  
Cutler Bay, FL 33189*



## Meeting Agenda - Final

**Wednesday, November 20, 2013**

**7:00 PM**

**Council Chambers**

### **Town Council**

**MAYOR AND COUNCIL MEMBERS**

*Mayor Edward P. MacDougall  
Vice Mayor Ernest N. Sochin  
Council Member Peggy R. Bell  
Council Member Sue Ellen Loyzelle  
Council Member Mary Ann L. Mixon*

**CHARTER OFFICIALS**

*Town Attorney Mitchell Bierman  
Town Attorney Chad Friedman  
Town Manager Rafael G. Casals  
Town Clerk Debra E. Eastman, MMC*

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

Senior Needs Assessment Results

**Sponsors:** Sue Ellen Loyzelle

**Attachments:** [Senior Needs Assessment Report](#)  
[Senior Needs Assessment Power Point](#)

## 3. APPROVAL OF MINUTES

- First Budget Hearing, September 11, 2013
- Town Council Workshop, October 7, 2013
- Local Planning Agency, October 16, 2013
- Regular Town Council Meeting, October 16, 2013

**Attachments:** [9-11-13 First Budget Hearing Amended Minutes](#)  
[10-07-13 Town Council Workshop Draft Minutes](#)  
[10-16-13 Local Planning Agency Draft Minutes](#)  
[10-16-13 Town Council Meeting Draft Minutes](#)

## 4. TOWN COUNCIL ANNOUNCEMENTS

Give Miami Day

**Sponsors:** Sue Ellen Loyzelle

## 5. PUBLIC COMMENTS

*THE PRESIDING OFFICER SHALL HAVE THE DISCRETION TO LIMIT THE LENGTH OF PUBLIC COMMENTS IN THE INTEREST OF TIME IN ORDER TO ALLOW ALL PERSONS WHO WISH TO SPEAK AN OPPORTUNITY TO DO SO.*

## 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**

*ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION OR SEPARATE VOTE IF REQUESTED OR PULLED BY A COUNCIL MEMBER OR THE TOWN MANAGER.*

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO STANTEC CONSULTING SERVICES, INC. TO PROVIDE CONSTRUCTION SUPPORT AND POST DESIGN ENGINEERING SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT; AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Reso - Stantec Consulting Services Caribbean Blvd](#)

[Exhibit A - Resolution Stantec Consulting](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. (ESGI) FOR TOWN-WIDE ROADWAY RESURFACING - PHASE III; AND PROVIDING AN EFFECTIVE DATE

**Sponsors:** Town Manager's Office

**Attachments:** [Attachment A - Manager's Memo](#)

[Attachment B - Manager's Memo](#)

[Resolution - Envirowaste Phase III Resurfacing](#)

[Resolution - Exhibit A - Envirowaste Contract](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE LEGISLATION THAT WOULD MANDATE THE USE OF A UNIFORM CHART OF ACCOUNTS FOR ALL GOVERNMENTAL ENTITIES TO REPORT FINANCIAL INFORMATION.

**Attachments:** [Resolution - Uniform Chart of Accounts Project](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT OF WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS FOR AN ANNUAL AMOUNT OF \$38,940; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Resolution - Visualscape Contract Amendment](#)  
[Exhibit A - Resolution Visualscape Amendment](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, FORMALLY REQUESTING THAT THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS RENAME S.W. 184 STREET TO JOHN F. COSGROVE WAY; PROVIDING FOR AUTHORIZATION FOR THE MANAGER AND/OR DELEGATE TO ADVOCATE FOR SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Edward MacDougall

**Attachments:** [Resolution - SW 184th Street Renaming](#)

## **7A. RESOLUTIONS**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES; APPROVING THE QUALIFICATIONS OF THE FIRMS TO PROVIDE GENERAL PLANNING SERVICES TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SUCH QUALIFYING FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Attachments A thru H - Manager's Memo](#)  
[Resolution - Award of General Planning Services](#)  
[Resolution - Exhibit A - General Planning Services Agreement](#)  
[Resolution \(revised\) - Award of General Planning Services](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN RELATING TO THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Attachment A - Manager's Memo](#)  
[Attachment B - Manager's Memo](#)  
[Resolution - Amendment to JPA Caribbean Blvd](#)  
[Resolution - Exhibit A - First Amendment to JPA Caribbean Blvd](#)

- C. A RESOLUTION PROVIDING LIMITED APPROVAL TO THE ISSUANCE BY THE ALACHUA COUNTY HEALTH FACILITIES AUTHORITY (THE "AUTHORITY") OF ITS HEALTH FACILITIES REVENUE BONDS (EAST RIDGE RETIREMENT VILLAGE, INC. PROJECT) IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$79,500,000, WHICH WILL BE USED PRINCIPALLY TO FINANCE AND REFINANCE CERTAIN CAPITAL IMPROVEMENTS FOR EAST RIDGE RETIREMENT VILLAGE, INC. LOCATED IN THE TOWN OF CUTLER BAY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Manager's Memo - Attachment A](#)

[Resolution - East Ridge Retirement Village Bond Issuance](#)

[Resolution - Exhibits A-1 thru A-3 - East Ridge Bond Issuance](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 12-49, WHICH ADOPTED THE BUDGET FOR THE 2012/2013 FISCAL YEAR BY REVISING THE 2012/2013 OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE TOWN MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Resolution - Budget Amendment 2012-13](#)

[Resolution - Exhibit A - Budget Amendment](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RESCINDING RESOLUTION 13-76 RELATING TO THE ELEVATOR MODERNIZATION AND MAINTENANCE SERVICES REQUEST FOR PROPOSAL (RFP) 13-06; AUTHORIZING THE TOWN MANAGER TO RE-ADVERTISE A RFP FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager's Memo - Attachment A](#)

[Resolution - Rescinding Resolution 13-76, RFP 13-06](#)

## **8. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)**

*ALL PERSONS ADDRESSING THE TOWN COUNCIL SHALL BE SWORN-IN PRIOR TO GIVING TESTIMONY AND MAY BE SUBJECT TO CROSS EXAMINATION. ALL PERSONS ADDRESSING THE TOWN COUNCIL SHALL STATE THEIR NAME AND ADDRESS FOR THE RECORD.*

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

## **10. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE FUTURE LAND USE MAP (FLUM) WITHIN THE TOWN'S COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO MIXED-USE on property GENERALLY LOCATED ON OLD CUTLER ROAD And S.W. 216 STREET CONSISTING OF APPROXIMATELY 1.8 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager's Memo - Appendices A thru I](#)  
[Manager's Memo - Appendix F - School Concurrency Letter](#)  
[Ordinance - Old Cutler Future Land Use Map](#)  
[Ordinance - Exhibit A - Legal Description](#)  
[Ordinance - Exhibit B - Land Use Maps](#)

## 11. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING ARTICLE III "SIGN REGULATIONS" AND THE DEFINITIONS OF THE TOWN LAND DEVELOPMENT REGULATIONS, IN ORDER TO AMEND THE TOWN'S REGULATIONS OF SIGNS; AND PROVIDING FOR AN EFFECTIVE DATE

**Attachments:** [Ordinance - Sign Regulations Second Reading](#)  
[Ordinance - Attachment A - Newspaper Advertisement](#)

## 12. PUBLIC COMMENTS

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## 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.