

Town of Cutler Bay

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



Meeting Agenda

Wednesday, September 21, 2016

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
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 townhall as the password.

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE & INVOCATION

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. · Proclamation- Blood Cancer Awareness Month- Yomayra Mora, Campaign Director
The Leukemia & Lymphoma Society
- B. · 2015 Miami Dade Fire Rescue Town of Cutler Bay Annual Report

3. APPROVAL OF MINUTES

- A. · July 18 2016 Town Council Workshop- Second Budget Workshop Minutes
- July 20 2016 Regular Town Council Minutes
- August 31 2016 Town Council Workshop- Third Budget Workshop Minutes

Attachments: [071816 TCW Minutes- 2nd Budget Workshop](#)

[072016 RTC Minutes](#)

[083116 TCW Minutes- 3rd Budget Workshop](#)

4. TOWN COUNCIL ANNOUNCEMENTS

- A. · Mayor Bell Monthly Report July 21-September 13 2016

Attachments: [Mayor Bell Monthly Report July 21-September 13 2016](#)

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, AUTHORIZING THE TOWN MANAGER TO AMEND THE CONTRACT WITH ACOSTA TRACTORS INC. FOR CONSTRUCTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT - GAP #2; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-Authorizing Second Amendment to Acosta Contract](#)
[Manager Memo-Attachment A-Carib Blvd Gap 2 Graphic](#)
[Manager Memo-Attachment B-Town Resolution 15-56](#)
[Manager Memo-Attachment C-Town Request to County](#)
[Manager Memo-Attachment D- County Approval Letter](#)
[Manager Memo-Attachment E-Detailed Unit Pricing](#)
[Manager Memo-Attachment F-Second Amendment to JPA](#)
[Resolution-Authorizing Second Amendment to Acosta Contract](#)
[Resolution-Exhibit A-Second Amendment to Acosta Contract](#)

- 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 STANTEC CONSULTING SERVICES, INC. TO PROVIDE CONSTRUCTION SUPPORT AND POST DESIGN SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAYS IMPROVEMENT(S) PROJECT – GAP #2; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to Stantec Carib Blvd Gap 2](#)
[Manager Memo-Attach A- Stantec Proposal Carib Blv Gap 2](#)
[Resolution-Issuance of PO to Stantec Carib Blvd Gap 2](#)
[Resolution Exhibit A-Stantec Proposal Carib Blvd Gap 2](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE ADDITIONAL CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT - GAP #2; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Managers Memo-Issuance of PO to KHA Carib Blvd Gap 2 CEI Service](#)
[Manager Memo-Attachment A-KHA Carib Blvd Gap 2 CEI Services](#)
[Resolution-Issuance of PO to KHA Carib Blvd Gap 2 CEI Services](#)
[Resolution-Exhibit A-Issuance of PO to KHA Carib Blvd Gap 2 CEI Serv](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR TOWNWIDE TREE TRIMMING MAINTENANCE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP 16-02 Tree Maintenance Services](#)
[Manager Memo-Attachment A-RFP 16-02 Tree Maintenance Services](#)
[Resolution-Issuance of RFP 16-02 Tree Maintenance Services](#)
[Resolution-Exhibit A-RFP 16-02 Tree Maintenance Services](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR A TOWNWIDE TREE PLANTING PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP 16-03 Tree Planting Program](#)
[Manager Memo-Attachment A-RFP 16-03 Tree Planting Program](#)
[Resolution-Issuance of RFP 16-03 Tree Planting Program](#)
[Resolution-Exhibit A-RFP 16-03 Tree Planting Program](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, TO APPOINT A NEW MEMBER TO THE ECONOMIC GROWTH COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo- Appointment to Economic Growth Committee](#)
[Resolution- Appointment to Economic Growth Committee](#)
[Resolution Exhibit A- Economic Growth Committee Appointments](#)

8. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SUPERIOR PARK SYSTEMS, INC. FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT AND SHADE STRUCTURES AT VARIOUS TOWN OWNED PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 20, 2016 Regular Town Council Meeting)

Attachments: [PR Committee Recommendation- Playground Outdoor Fitness Equipme](#)
[Manager Memo-Installation of New Playground Equipment](#)
[Manager Memo-Attachment A-Town Park Locations](#)
[Manager Memo-Attachment B-Playground Equipment Renderings](#)
[Manager Memo-Attachment C- Vendor's Proposal](#)
[Resolution-Installation of New Playground Equipment](#)
[Resolution-Exhibit A-Superior Playground Bid Submittal](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING DOMINICA RECREATION PRODUCTS, INC. FOR THE INSTALLATION OF OUTDOOR FITNESS EQUIPMENT AND SHADE STRUCTURES AT VARIOUS TOWN OWNED PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 20, 2016 Regular Town Council Meeting)

Attachments: [PR Committee Recommendation- Playground Outdoor Fitness Equipme](#)
[Manager Memo- Purchase of Outdoor Fitness Equip](#)
[Manager Memo- Attachment A - Town Park Locations](#)
[Manager Memo- Attachment B - Equipment Renderings](#)
[Manager Memo- Attachment C - Vendor Proposal](#)
[Resolution- Purchase of Outdoor Fitness Equip](#)
[Resolution- Exhibit A - Dominica Recreation Agreement](#)

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 S. DIXIE HIGHWAY, TO PERMIT A MONUMENT SIGN TO BE 137.7 SQUARE FEET WHERE 48 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain September 21, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Harley Davidson Sign Area Variance REVISED](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Variance Application](#)
[Manager Memo-Attachment B1-Applicant Letter of Intent](#)
[Manager Memo-Attachment C-Easement and Operating Agreement](#)
[Manager Memo-Attachment D-Photos and Roadway Conditions](#)
[Manager Memo-Attachment E-Monument Site Diagram](#)
[Manager Memo-Attachment F-Advertisement Notices Postings](#)
[Resolution-Harley Davidson Sign Area Variance](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 S. DIXIE HIGHWAY, AND TO PERMIT A MONUMENT SIGN TO BE 15.5 FEET IN HEIGHT WHERE 10 FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain September 21, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Harley Sign Height Variance REVISED](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Variance Application](#)
[Manager Memo-Attachment B1-Applicant Letter of Intent](#)
[Manager Memo-Attachment C-Easement and Operating Agreement](#)
[Manager Memo-Attachment D-Photos and Roadway Conditions](#)
[Manager Memo-Attachment E-Monument Site Diagram](#)
[Manager Memo-Attachment F-Advertisement Notices Postings](#)
[Resolution-Harley Davidson Height Variance](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

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

11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CUTLER BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Attorney Memo- 1st Reading- Adoption of Town Code](#)
[Attorney Memo- 1st Reading- Attachment A- Ordinance Disposition](#)
[Attorney Memo- 2nd Reading- Attachment B- Advertisement](#)
[Ordinance- 1st Reading- Adoption of Town Code](#)

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN CODE OF ORDINANCES ENTITLED "ELECTIONS" AND CREATING SECTION 10-2 ENTITLED "CAMPAIGN FINANCE REPORTS"; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Sue Ellen Loyzelle

Attachments: [Council Memo- 2nd Reading- Electronic Filing Campaign Reports](#)
[Council Memo- 2nd Reading- Attachment A- Advertisement](#)
[Ordinance- 2nd Reading- Electronic Filing Campaign Reports](#)
[Council Memo-Ord-1st Read-Electronic Filing Campaign Reports](#)
[Ordinance- 1st Reading- Electronic Filing Campaign Reports](#)

13. PUBLIC COMMENTS

14. MAYOR AND COUNCIL COMMENTS

15. OTHER BUSINESS

16. 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.