



Town of Cutler Bay

Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189

Meeting Minutes

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

Wednesday, May 20, 2015

7:00 PM

Council Chambers

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

Mayor Bell called the meeting to order at 7:01pm. Interim Town Clerk Jacqueline

Wilson called the roll. Mayor Bell led the Pledge of Allegiance.

Present: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

A. · Amscot Financial Certificate of Appreciation

Mayor Bell introduced Darlene Echevarria with Amscot Financial and presented her with a Certificate of Appreciation honoring Amscot's involvement in enhancing Bicycle Safety Programs with the Town.

B. · Cutler Bay High Student Government Association Officers

Mayor Bell read the award for presentation to the Cutler Bay High School Student Government Association consisting of Autumn Lebron, President, Loxby Multivan, Vice President, Ian Hunt, Secretary, Levon Beck, Treasurer, and Illiana Llanas-Reyes, Historian in recognition as the inaugural class and demonstrating exceptional leadership; Mayor Bell will present the Certificates at the High School, as the students were unable to attend.

C. · Town Lobbyist- 2015 State Legislative Session Update

Mayor Bell introduced Fausto Gomez, Town of Cutler Bay Lobbyist to provide a status update on 2015 State Legislative Session items via phone.

D. · South Florida Water Management District- Update on CERP Project

Town Manager Rafael Casals introduced Town Lobbyist Frank Bernadino, Chief of Staff, South Florida Water Management District Dan DeLisi and Jorge Jaramillo Principal Engineer, South Florida Water Management District to present an update on the Comprehensive Everglades Restoration Plan project.

3. APPROVAL OF MINUTES

There were no minutes.

4. TOWN COUNCIL ANNOUNCEMENTS

Council Member Loyzelle reported on a community outreach newsletter she is currently working on. A motion was made by Council Member Loyzelle, requesting the Clerk poll the Council for proposed Town Council Workshop on June 24, 2015 at 5PM to discuss the Sign Ordinance. The motion received a second from Vice Mayor Sochin. After discussion, Mayor Bell called for the vote and the motion passed 5-0. Council Member Loyzelle reported on upcoming events including Lucky Casino Night on June 6, 2015, Day of Smiles Event on May 30, 2015, and Armed Forces Event on June 12, 2015. Mayor Bell reported on Charter Official Evaluations and requested they be completed and submitted by June 8, 2015 at 5PM.

5. PUBLIC COMMENTS

Mayor Bell opened Public Comments. Alex Villasuso in favor of the Sign Ordinance regulations and economic development in Cutler Bay. Mayor Bell closed Public Comments.

6. REPORTS

A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals presented his report to the Town Council. Gary Ratay and Marissa Baculo of Kimley Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project. Town Manager Rafael Casals announced Town Hall will be closed in observance of Memorial Day holiday. Town Manager Rafael Casals reported on his participation in the Neat Streets Complete Streets Forum highlighting our Old Cutler Road Project. Town Manager Rafael Casals announced upcoming events including the South Dade Solution Leadership Summit on June 6, 2015, Miami-Dade County Water and Sewer Department Regional Open House event on June 11, 2015 and the C.O.R.E. Hurricane Preparedness Event on July 21, 2015.

B. TOWN ATTORNEY'S REPORT

- Town Attorney Report- Bid Protest: RFP 15-02 Emergency Debris Removal Services

Town Attorney Mitchell Bierman deferred his report on the Bid Protests until those agenda items are discussed.

C. TOWN CLERK'S REPORT

No report.

D. BOARD AND COMMITTEE REPORTS

Council Member Loyzelle reported on a Communities for a Lifetime Committee initiative with assistance from the Department of Elder Affairs on a Car-Fit Senior Workshop to fit seniors properly in their cars. Council Member Coriat provided an update on the Parks and Recreation Advisory Committee and reported a motion passed to officially recommend their position on the Old Cutler Road property to the Town. Council Member Coriat clarified that as Town Council Liaison for the Parks and Recreation Committee, he did not participate in the vote.

· Youth Council Committee Report - Victor Mederos, Youth Council Committee Chairman

Vice Mayor Sochin motioned to move this item up on the agenda. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and the motion passed 5-0. Youth Council Advisory Committee Chair, Victor Mederos along with members of the Youth Council Advisory Committee presented a report and memorandum before the Council in support of a Green Movement within the Town of Cutler Bay. Mayor Bell introduced Dr. Justin Koren as District Liaison for the Youth Council Advisory Committee, who commended the Council for enabling the students to have a voice and hopes the Council continues to embrace the Youth Council Advisory Committee.

7. CONSENT AGENDA

Town Manager Rafael Casals requested to pull item F from the Consent Agenda and move it under Resolutions. Council Member Loyzelle requested to pull item H from the Consent Agenda. A motion was made by Council Member Mixon, seconded by Council Member Coriat, to approve Consent Agenda items A, B, C, D, E, G and I. Mayor Bell called for the vote and the motion passed 5-0.

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO THE ADOPTION OF THE REVISED FLOODPLAIN MITIGATION PLAN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO SUBMIT A GRANT APPLICATION WITH THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; AND PROVIDING AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING AJP MANAGEMENT GROUP, LLC FOR PROPERTY MANAGEMENT SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT RELATING TO THE SAME; AND PROVIDING AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SIME REALTY CORPORATION FOR LEASING CONSULTANT SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT RELATING TO THE SAME; AND PROVIDING AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSAL (RFP) FOR PROPERTY, LIABILITY AND CASUALTY INSURANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH ACOSTA TRACTORS INC. FOR THE CONSTRUCTION OF SW 212 STREET DRAINAGE IMPROVEMENTS; PROVIDING FOR AUTHORIZATION OF THE TOWN MANAGER TO EXECUTE THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Town Attorney Mitchell Bierman informed the Town Council that this item is currently under bid protest. South Eastern Engineering Contractors filed a bid protest. South Eastern Engineering Contractors' bid was submitted without State of Florida credential documentation required in the RFP, when it was further investigated as to whether they actually held the credential at the time of the proposal submittal, it was determined that they did not. Town Manager Rafael Casals found them to be nonresponsive. South Eastern Engineering Contractors were not in attendance to respond to this item. Town Attorney Mitchell Bierman recommended approving the Town Manager's recommendation. A motion was made by Council Member Mixon, seconded by Vice Mayor Sochin, that this Resolution be adopted.

Mayor Bell opened public comments. There was no one wishing to speak.

Mayor Bell closed public comments.

The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- G.** 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 SEGWAY INC. FOR THE PURCHASE OF TWO (2) SE-3 PATROLLER UNITS IN THE AMOUNT OF \$ 24,621.00, AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXPRESSING SUPPORT FOR THE FEASIBILITY AND ADVISABILITY OF PROVIDING LOCATIONS, SUCH AS MIAMI-DADE POLICE STATIONS OR OTHER LOCATIONS THAT WOULD DETER CRIMINAL ACTIVITY, TO SERVE AS SAFE HAVENS IN MIAMI-DADE COUNTY FOR ANYONE SEEKING TO COMPLETE A CRAIGSLIST TRANSACTION OR SIMILAR TRANSACTION RELATED TO A CLASSIFIED ADVERTISEMENT WEBSITE; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Loyzelle expressed support of this Resolution and requested it be shared with other municipalities if adopted. A motion was made by Council Member Loyzelle, seconded by Council Member Mixon, that this Resolution be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- I.** 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 DON REID FORD, INC. FOR THE PURCHASE OF TWO (2) POLICE MOTOR VEHICLES AND RELATED EQUIPMENT IN THE AMOUNT OF \$52,174.00, AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

7A. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$13,000,000 SALES TAX REVENUE REFUNDING NOTES OF THE TOWN OF CUTLER BAY, FLORIDA FOR THE PURPOSE OF REFUNDING THE TOWN'S PROMISSORY NOTES, SERIES 2010A, B, C, D AND E AND PAYING COSTS OF ISSUANCE OF THE NOTES; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH TD BANK, N.A.; AWARDING THE LOAN TO THE BANK; PROVIDING FOR SECURITY FOR THE NOTES; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE OF THE NOTES; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Town Manager Rafael Casals introduced Weiss Serota Partner Jeff Decarlo to present the proposed Refinance Loan Agreement with TD Bank. A motion was made by Vice Mayor Sochin, seconded by Council Member Nixon, that this Resolution be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Nixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING TD BANK, N.A. FOR BANKING SERVICES; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Town Manager Rafael Casals presented this item piggy-backing the City of Sunny Isles Beach's competitive bid process. A motion was made by Council Member Nixon, seconded by Vice Mayor Sochin, that this Resolution be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Nixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE ECONOMIC GROWTH COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell brought this item forward to express support and requested to be Town Council Liaison for this committee. A motion was made by Council Member Coriat, seconded by Council Member Nixon, that this Resolution be adopted. After discussion, the motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Council Member Mary Ann Nixon and Council Member Roger Coriat

No: 2 - Vice Mayor Ernest Sochin and Council Member Sue Ellen Loyzelle

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING PHILLIPS & JORDAN, INC. AND DRC EMERGENCY SERVICES, INC. FOR EMERGENCY DEBRIS REMOVAL SERVICES; PROVIDING FOR AUTHORIZATION OF THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Mitchell Bierman informed the Town Council that this item is currently under bid protest. Town Manager Rafael Casals reported on this item and presented the results of the bid and his recommendation before the Town Council. Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell opened public comments.

Joseph Goldstien, legal counsel representing Bergeron Emergency Services responded with Bergeron Emergency Services' bid protest presentation. Tommy Webster, Phillips and Jordan Program Manager of Disaster Services thanked the Town Manager and Town Council for the opportunity as a selected emergency debris removal company in case of a disaster and looks forward to working with the Town in developing a debris management plan. Bryan Fike, Regional Manager for DRC Emergency Services expressed gratitude as a selected emergency debris removal company and presented a brief history on DRC Emergency Services.

Mayor Bell closed public comments. After discussion, a motion was made by Vice Mayor Sochin, seconded by Council Member Coriat, that this Resolution be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

8. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

There were no quasi-judicial items.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. A motion was made by Vice Mayor Sochin, seconded by Council Member Coriat, that this Ordinance be approved on first reading. After discussion, a motion was made by Mayor Bell, seconded by Vice Mayor Sochin to defer this item upon further direction regarding dates for our eleven 2016 meetings from the Town Manager. Mayor Bell called for the vote and the motion to defer this Ordinance passed 5-0. Council Member Loyzelle motioned to authorize the Town Manager to provide the Supervisor of Elections with placeholder dates as proposed in this deferred Ordinance. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and the motion passed 5-0.

10. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

There were no Resolutions for first reading which required a public hearing.

11. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

A motion was made by Council Member Coriat to move item 11A up on the Agenda prior to 7A Resolutions. The motion received a second by Council Member Loyzelle. Mayor Bell called for the vote and the motion passed 5-0.

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE BORROWING OF FUNDS IN AN AMOUNT NOT TO EXCEED \$13,000,000 FOR THE PURPOSE OF REFUNDING THE TOWN'S PROMISSORY NOTES, SERIES 2010A, B, C, D AND E; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Financial Advisor Ed Stull, Managing Director of First South West to highlight and reiterate the benefits for the Town to refinance with TD Bank.

Mayor Bell opened the public hearing. There was no one wishing to speak.

Mayor Bell closed the public hearing.

A motion was made by Vice Mayor Sochin, seconded by Council Member Mixon, that this Ordinance be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

12. PUBLIC COMMENTS

Mayor Bell opened public comments and there were none.

13. MAYOR AND COUNCIL COMMENTS

Council Member Mixon requested reformatting the Agenda to alleviate confusion. Town Attorney Mitchell Bierman confirmed that the Agenda format is set by Town Ordinance and recommended bringing forth an Ordinance allowing the Agenda format to be adopted by Resolution, reevaluating the Agenda format and drafting a Resolution changing the Agenda format.

Council Member Loyzelle acknowledged Parks and Recreation Director Etienne Bejarano for his attendance on behalf of the Town at tonight's meeting to discuss the state of County Parks hosted by Commissioner Daniella Levine-Cava.

14. OTHER BUSINESS

There was no other business.

15. ADJOURNMENT

A motion was made by Council Member Mixon to adjourn. The motion received a second from Council Member Coriat. The meeting adjourned at 10:28pm.

For complete audio recording of this meeting, please visit www.cutlerbay-fl.gov or contact the Town Clerks Office at (305) 234-4262.