



# 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 Sue Ellen Loyzelle*

*Council Member Mary Ann L. Mixon*

*Council Member Michael P. Callahan*

*Council Member Roger Coriat*

#### **CHARTER OFFICIALS**

*Town Attorney Mitchell Bierman*

*Town Attorney Chad Friedman*

*Town Manager Rafael G. Casals*

*Interim Town Clerk Debra E. Eastman, MMC*

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Wednesday, February 15, 2017

7:00 PM

Council Chambers

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

Mayor Peggy Bell called the meeting to order at 7:08 p.m. Interim Town Clerk Debra Eastman called the roll with Council Member Michael Callahan, Council Member Roger Coriat, Council Member Mary Ann Mixon and Mayor Peggy Bell in attendance. Vice Mayor Loyzelle attended via telephone.

A motion was made by Council Member Mary Ann Mixon to allow Vice Mayor Loyzelle to attend via telephone. The motion received a second from Council Member Coriat. Mayor Bell called for the vote and all were in favor.

**Present:** 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael P. Callahan and Council Member Roger Coriat

## 2. TOWN COUNCIL ANNOUNCEMENTS & REPORTS

Council Member Coriat made a motion to move item 5B to follow item 2A. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and all were in favor.

### A. TOWN COUNCIL ANNOUNCEMENTS

Council Member Roger Coriat reported on the recent Education Advisory Committee meeting and announced that the next meeting will be held on March 2, 2017. He has requested that the Town Clerk invite Dr. Feldman to the meeting. Council Member Mixon announced that the next meeting of the Floodplain Mitigation Committee will be held in March.

Council Member Callahan announced upcoming Parks and Recreation events and advised of two remaining committee vacancies. He reported on his attendance at the YES movement event and the Green Master Plan meeting. Vice Mayor Loyzelle reported on the Fraud Prevention event in February and two CDBG workshops and the beginning of the active adult education program at Cutler Bay Senior High.

- Mayor Bell Monthly Report January 14 - February 4 2017

Mayor Peggy Bell reported on a meeting with Miami-Dade County Public Schools Superintendent Alberto Carvalho regarding the Town's Interlocal Agreement and their discussion of the joint use agreement for use of public school grounds, the concerns of the Education Advisory Committee on the Cambridge Program and fifty percent enrollment of Cutler Bay resident students.

Council Member Callahan expressed concern regarding the COAST program, construction and school appearance. Mayor Bell suggested a Town Council workshop be planned to discuss the issues with school construction.

Mayor Bell also reported on attendance at the City Shorts event in February. Council Member Coriat suggested that the Vice Mayor and Council Members have a written report similar to the Mayor's monthly report with a section for each of the other members of the Town Council. Vice Mayor Loyzelle suggested that events in the past be put in writing and upcoming events still be announced verbally.

Mayor Bell thanked staff for the holiday lights.

Mayor Bell announced the potential trip to Tallahassee for the Youth Council Committee members and reported on their fundraising efforts. Mayor Bell passed the gavel to Council Member Mixon and made a motion to allocate \$3,000 of the \$5,000 budgeted committee travel funds to the Youth Council Committee trip. The motion received a second from Council Member Coriat. Council Member Coriat amended the motion to allocate up to \$4,000 and that the students can commit to continued fundraising. Vice Mayor Loyzelle expressed support for the trip and requested further details. There was discussion regarding the number of students allocated to a room, meals, travel and chaperones. Council Member Mixon called for the vote and all were in favor.

Vice Mayor Loyzelle suggested that the Youth Council Committee have at least two fundraising events per year to prepare for future travel.

## B. BOARD AND COMMITTEE REPORTS

- Community for a Lifetime Age-Friendly Action Plan

Community for a Lifetime Committee Chairman Jose Rodriguez gave a presentation to the Town Council for a Community for a Lifetime Age-Friendly Action Plan. Mayor Bell requested that the report be called the CFAL Advisory Plan. Ms. Victoria Funes from AARP spoke on the AARP Age-Friendly Network and the criteria. Mayor Bell suggested that the plan be discussed with the Town Manager and that he may make a report to the Town Council for their comment.

## 3. PUBLIC COMMENTS

There were no public comments.

## 4. REPORTS

## A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals introduced Town Lobbyist Fausto Gomez who provided a report on the Town's Legislative initiatives. At the request of Town Attorney Mitchell Bierman, he provided an update on HB 17 and provided clarification on the proposed state budget cuts. Mr. Gomez pledged a contribution of \$100 toward the Youth Council Committee trip to Tallahassee. Oscar Camejo of the Metropolitan Planning Organization was introduced and the Town Manager thanked him for his work.

Town Manager Rafael Casals introduced Gary Ratay from Kimley Horn and Associates and Mr. Ratay provided an update on the Caribbean Boulevard Gap 2 project. Janet Delgado also from Kimley Horn provided an update on the public outreach efforts for the Gap 2 project.

### Robert Daddario, Finance Department- Quarterly Financial Report

Town Manager Rafael Casals called upon the Town Finance Director who provided the 4th quarter of 2016 financial report and the 1st quarter of 2017 financial report to date. Mr. Daddario announced that the audit for 2016 will begin in a week and he expects that it will last through mid-March.

Mr. Casals provided an update on the Town Clerk search to date, renegotiation with sports leagues on park use and the distribution of updated town maps. He announced that he will be out of the office February 24 through March 1.

## B. TOWN ATTORNEY'S REPORT

Town Attorney Mitchell Bierman suggested that the Town Council may want to amend their list of legislative priorities. Mayor Peggy Bell handed the gavel to Council Member Mixon and made a motion to amend the list of legislative priorities to include the opposition of preemption of local power (specifically HB 17), any legislation that causes diminution of local revenue and also to make texting while driving a primary offense. The motion received a second from Council Member Coriat. Council Member Mixon called for the vote and all were in favor.

## C. TOWN CLERK'S REPORT

Interim Town Clerk Debra Eastman provided a written report of the activity within the Town Clerk's Office during the last month, updated the Town Council on the appointments to the Unified Bylaws Committee and on the status of filling the unoccupied Town Clerk Assistant position.

## 5. CONSENT AGENDA

Council Member Coriat pulled item 5 I from the Consent Agenda. Council Member Callahan pulled item 5 G from the Consent Agenda. Council Member Coriat made a motion to approve items 5 C, D, E, F, and H. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and all were in favor.

## A. APPROVAL OF MINUTES

There were none.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE YOUTH COUNCIL COMMITTEE AS PROVIDED IN EXHIBIT "A;" AND PROVIDING FOR AN EFFECTIVE DATE.

**Vice Mayor Loyzelle requested that Teresa Schuster come to the podium and speak with the Town Council. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Nixon, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)**

- C.** 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 R.J. BEHAR & COMPANY, INC. FOR THE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE SAFE ROUTES TO SCHOOL, CUTLER BAY MIDDLE SCHOOL PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR 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, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY AUTHORIZING THE TOWN TO PERFORM CERTAIN TRAFFIC ENGINEERING FUNCTIONS ON TOWN OWNED STREETS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR 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 UTILITY INVOICE AUDITING SERVICES; 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, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE TOWN OF CUTLER BAY FOR MAINTENANCE OF CERTAIN IMPROVEMENTS ALONG SOUTH DIXIE HIGHWAY (US-1) AND SW 200 STREET (CARIBBEAN BOULEVARD); PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE PRINCIPLES OF INCLUSION, FOR INDIVIDUALS WITH AUTISM AND OTHER SPECIAL NEEDS WHICH WERE ESTABLISHED BY THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES; AND URGING ACTION BY NATIONAL, STATE, AND LOCAL GOVERNMENTS, BUSINESSES, AND RESIDENTIAL COMMUNITIES CONSISTENT WITH THESE PRINCIPLES; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Resolution be adopted . The motion carried by an unanimous vote. (5-0)

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AFFIRMING THE TOWN'S OPPOSITION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENVIRONMENTAL REGULATION COMMISSION'S WEAKENING OF HUMAN HEALTH PROTECTIONS THROUGH NEW HUMAN HEALTH-BASED WATER QUALITY CRITERIA FOR OUR WATERS; URGING THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO NOT APPROVE FLORIDA'S PROPOSED HUMAN HEALTH-BASED WATER QUALITY CRITERIA; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- I.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE UNITED STATES ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO EXPEDITE PHASE II OF THE BISCAYNE BAY COASTAL WETLANDS PROJECT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Coriat pulled the item from the Consent Agenda to provide background and express support. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted . The motion carried by an unanimous vote. (5-0)

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

There were no Quasi-Judicial Hearings.

**(THESE HEARINGS ARE SCHEDULED FOR A TIME CERTAIN OF 8:00 P.M.)**

**EACH PARTY WILL BE LIMITED TO A PRESENTATION OF 20 MINUTES. THIS TIME LIMITATION MAY BE EXTENDED BY THE CHAIR OF THE MEETING.**

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 2-270 "BOARD TERMS" OF THE TOWN CODE OF ORDINANCES RELATING TO TOWN ADVISORY BOARD MEMBER SERVICE LIMITS; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Ordinance be approved on first reading. Council Member Callahan requested a deferral of this item. Town Attorney Mitchell Bierman provided clarification and Council Member Callahan withdrew his request.

The motion carried by the following vote:

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

**8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

There were none.

**9. ORDINANCES FOR SECOND READING (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 2018 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on second reading. Mayor Bell opened the public hearing. There being no one wishing to speak, Mayor Bell closed the public hearing. Interim Town Clerk Debra Eastman explained that the adoption of this ordinance will set the qualifying dates for candidate for the 2018 election.

The motion carried by the following vote:

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

**10. RESOLUTIONS**

There were none.

**11. PUBLIC COMMENTS**

Mayor Bell opened the floor for public comments and there were none.

**12. ADJOURNMENT**

The meeting adjourned at 9:47 p.m.

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