

Town of Cutler Bay

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



Meeting Agenda

Wednesday, July 20, 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- Dr. Justin A. Koren
- B. · Proclamation- Mr. Marshall G. Ruffo
- C. · Certificate of Appreciation- Mr. Robert Fortunato Jr. & Mrs. Leeza Fortunato
- D. · Officer of the Quarter Award- Officer William Robinson
- E. · 2015 Comprehensive Annual Financial Report (Auditor Report)

Attachments: [2015 CAFR and Governance Letter](#)

3. APPROVAL OF MINUTES

- A. · June 15 2016 Local Planning Agency Minutes
- June 15 2016 Regular Town Council Minutes
- June 22 2016 Town Council Workshop- Budget Visioning Workshop Minutes

Attachments: [061516 LPA Minutes](#)

[061516 RTC Minutes](#)

[062216 TCW Minutes- Budget Visioning Workshop](#)

4. TOWN COUNCIL ANNOUNCEMENTS

- A. · Mayor Bell Monthly Report May 12-June 13 2016
- Mayor Bell Monthly Report June 13-July 19 2016

Attachments: [Mayor Bell Monthly Report May 12-June 13 2016](#)

[Mayor Bell Monthly Report June 13-July 19 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, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION (MPO) AND THE TOWN OF CUTLER BAY FOR THE CUTLER BAY TRANSPORTATION COMPLETE STREETS CORRIDOR ANALYSIS; PROVIDING FOR THE AUTHORIZATION OF THE TOWN MANAGER TO ENTER INTO THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-MPO Grant-Complete Streets Project](#)
[Manager Memo-Attachment A-MPO Grant Submittal](#)
[Resolution-MPO Interlocal Agreement-Complete Streets](#)
[Resolution-Exhibit A-MPO Complete Streets Agreement](#)

- 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 THE CORRADINO GROUP, INC. FOR THE PREPARATION OF THE COMPLETE STREETS CORRIDOR ANALYSIS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to Corradino Group Inc](#)
[Manager Memo-Attachment A- MPO Grant Submittal Package](#)
[Manager Memo-Attachment B- Corradino Group Inc Proposal](#)
[Reso - Corradino Complete Streets Corridor Analysis](#)
[Resolution-Exhibit A- Corradino Group Inc Proposal](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION (MPO) AND THE TOWN OF CUTLER BAY FOR THE SOUTH DADE TRANSIT WAY IMPLEMENTATION PLAN; PROVIDING FOR THE AUTHORIZATION OF THE TOWN MANAGER TO ENTER INTO THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-MPO Interlocal Agreement-S Dade Transitway](#)
[Resolution-MPO Interlocal Agreement-S Dade Transitway](#)
[Exhibit A - MPO Interlocal Agreement- S Dade Transitway](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, TO APPOINT A NEW MEMBER TO THE EDUCATION ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Town Clerk Memo- Appointment to fill vacant position EAC Committee](#)
[Resolution- Appointment to EAC Committee](#)
[Exhibit A- EAC Committee Appointments](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA IN SUPPORT OF LOWERING ENERGY COSTS AND REMOVING BARRIERS FOR SOLAR POWER AND SUPPORT FOR AMENDMENT 4 ON THE AUGUST THIRTIETH PRIMARY BALLOT; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-Support of Amendment 4 Ballot Question](#)
[Resolution-Support of Amendment 4 Ballot Question](#)

- F.** 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.

Attachments: [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](#)

- G.** 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.

Attachments: [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](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING BALLPARK MAINTENANCE, INC. FOR THE INSTALLATION OF VOLLEYBALL COURTS AT LAKES BY THE BAY PARK; PROVIDING FOR AUTHORIZATION AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Installation of Volleyball Courts](#)
[Manager Memo-Attachment A-Project Location](#)
[Manager Memo-Attachment B-Vendors Proposals Volleyball Courts](#)
[Resolution-Installation of Volleyball Courts](#)
[Resolution-Exhibit A-Ballpark Maintenance, Inc. Agreement](#)

8. 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-FY 2016-17 Proposed Millage Rate](#)
[Resolution-FY 2016-17 Proposed Millage Rate](#)

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF Chanterelle Properties, Inc. TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO NR (NEIGHBORHOOD RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED ON S.W. 200TH TERRACE AND S.W. 87TH AVENUE (FOLIO NUMBER 36-6009-002-1820), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 1.08 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per May 18, 2016 Regular Town Council Meeting to date certain July 20, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-2nd Reading-Giraud Rezoning ZC-2016-001](#)
[Manager Memo-2nd Reading-Attachment A-CGA Report](#)
[Manager Memo-2nd Reading-Appendix A-Legal Description](#)
[Manager Memo-2nd Reading-Appendix B-Location Map](#)
[Manager Memo-2nd Reading-Appendix C-Transportation](#)
[Manager Memo-2nd Reading-Appendix D-Zoning Map](#)
[Manager Memo-2nd Reading-Attachment B-Notices Advertisement](#)
[Ordinance-2nd Reading-Giraud Rezoning ZC-2016-001](#)
[Ordinance-2nd Reading-Exhibit A-Legal Discription](#)
[Manager Memo-2nd Reading-Giraud Rezoning ZC-2016-001](#)
[Manager Memo-2nd Reading-Attachment A-CGA Report](#)
[Manager Memo-2nd Reading-Attachment B-Notices Advertisement](#)
[Ordinance-2nd Reading-Giraud Rezoning ZC-2016-001](#)
[Manager Memo- 1st Reading- Giraud Rezoning ZC-2016-001](#)
[Manager Memo- 1st Reading- Attachment A- CGA Report](#)
[Manager Memo- 1st Reading- Attachment B- Notices](#)
[Ordinance- 1st Reading- Giraud Rezoning ZC-2016-001](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VII, SECTION 3-102 (F) (1) AND (4) OF THE TOWN CODE RELATING TO THE REQUIRED BUFFER AREAS FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 AND 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain July 20, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Village of Old Cutler Corp V-2015-021](#)
[Manager Memo-Attachment A-Letter Intent and Applications](#)
[Manager Memo-Attachment B-Aerial Photo](#)
[Manager Memo-Attachment C-Future Land Use Map](#)
[Manager Memo-Attachment D-Zoning Map](#)
[Manager Memo-Attachment E-Ad Notice Posting](#)
[Manager Memo-Attachment F-Revised Site Plan](#)
[Manager Memo-Attachment G-Registered Lobbyists](#)
[Resolution-Village of Old Cutler Corp V-2015-021](#)
[Resolution-Exhibit A-Legal Description](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-58(5) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR BUILDING FRONTAGE FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 AND 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain July 20, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Village of Old Cutler V-2015-017](#)
[Manager Memo-Attachment A-Letter Intent and Applications](#)
[Manager Memo-Attachment B-Aerial Photo](#)
[Manager Memo-Attachment C-Future Land Use Map](#)
[Manager Memo-Attachment D-Zoning Map](#)
[Manager Memo-Attachment E-Ad Notice Posting](#)
[Manager Memo-Attachment F-Revised Site Plan](#)
[Manager Memo-Attachment G-Registered Lobbyists](#)
[Resolution-Village of Old Cutler V-2015-017](#)
[Resolution-Exhibit A-Legal Description](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT A DRIVE-THRU AT A BUILDING LOCATED AT 36-6009-003-0310 AND 36-6009-003-0290, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 3.64 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain July 20, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Village of Old Cutler Corp CU-2015-012](#)
[Manager Memo-Attachment A-Letter Intent and Application](#)
[Manager Memo-Attachment B-Aerial Photo](#)
[Manager Memo-Attachment C-Future Land Use Map](#)
[Manager Memo-Attachment D-Zoning Map](#)
[Manager Memo-Attachment E-Ad Notices Posting](#)
[Manager Memo-Attachment F-Revised Site Plan](#)
[Manager Memo-Attachment G-Registered Lobbyists](#)
[Manager Memo-Attachment H-Traffic Study](#)
[Resolution-Village of Old Cutler Corp CU-2015-012](#)
[Resolution-Exhibit A-Legal Description](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST BY VILLAGE OF OLD CUTLER CORP. FOR A SITE PLAN CONTAINING A 15,852 SQUARE FOOT CVS BUILDING AND A 40,536 SQUARE FOOT MIXED-USE BUILDING ON THE PROPERTY LOCATED AT 36-6009-003-0310 AND 36-6009-003-0290, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 3.64 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain July 20, 2016 Regular Town Council Meeting)

Attachments: [Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)
[Manager Memo-Village of Old Cutler Corp SP-2015-001](#)
[Manager Memo-Attachment A-Letter Intent and Application](#)
[Manager Memo-Attachment B-Aerial Photo](#)
[Manager Memo-Attachment C-Future Land Use Map](#)
[Manager Memo-Attachment D-Zoning Map](#)
[Manager Memo-Attachment E-Ad Notice Posting](#)
[Manager Memo-Attachment F-Revised Site Plan](#)
[Manager Memo-Attachment G-Traffic Study](#)
[Manager Memo-Attachment H-Registered Lobbyists](#)
[Resolution-Village of Old Cutler Corp SP-2015-001](#)
[Resolution-Exhibit A-Legal Description](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT A SCHOOL (WITH NO RESIDENTIAL COMPONENT) AT 22025 SW 87 AVENUE, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 44.03 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Mater Academy Conditional Use CU-2015-013](#)
[Manager Memo-Attachment A- Town Consultant Report](#)
[Manager Memo-Appendix A-Legal Description](#)
[Manager Memo-Appendix B-Letter Intent and Application](#)
[Manager Memo-Appendix C-Location Map](#)
[Manager Memo-Appendix D-Future Land Use Map](#)
[Manager Memo-Appendix E-Zoning Map](#)
[Manager Memo-Attachment B-Ad Courtesy Notices and Posting](#)
[Manager Memo-Attachment C-Registered Lobbyist](#)
[Resolution- Mater Academy Conditional Use CU-2015-013](#)
[Resolution-Exhibit A-Legal Description](#)

10. 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 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-Ord-1st Read-Electronic Filing Campaign Reports](#)
[Ordinance- 1st Reading- Electronic Filing Campaign Reports](#)

11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING SECTION 30-1 ENTITLED "PAVEMENT CUTTING AND EXCAVATION PROHIBITION" OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Pavement Cutting and Excavation Prohibition](#)
[Manager Memo-2nd Reading-Attachment A-PMMP Manual](#)
[Manager Memo-2nd Reading-Attachment B-Photographs of Existing Conditions](#)
[Manager Memo-2nd Reading-Attachment C-Advetisement](#)
[Ordinance-2nd Reading-Pavement Cutting and Excavation Prohibition](#)
[Manager Memo-1st Reading-Pavement Cutting and Excavation Prohibition](#)
[Manager Memo-1st Reading-Attachment A-PMMP Manual](#)
[Manager Memo-1st Reading-Attachment B-Photographs of Existing Conditions](#)
[Ordinance-1st Reading-Pavement Cutting and Excavation Prohibition](#)

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.