

Town of Cutler Bay

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



Meeting Agenda

Wednesday, June 21, 2017

7:00 PM

Council Chambers

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
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 townhall as the password.

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

2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

- A. · Presentation- Honorable Senator Jose Javier Rodriguez

- B. · Mayor Bell Monthly Report June 2017

Attachments: [Mayor Bell Monthly Report June 2017](#)

- C. · Vice Mayor Loyzelle Monthly Report June 2017

Attachments: [Vice Mayor Loyzelle Monthly Report June 2017](#)

- D. · Council Member Mixon Monthly Report June 2017

Attachments: [Council Member Mixon Monthly Report June 2017](#)

- E. · Council Member Callahan Monthly Report June 2017

Attachments: [Council Member Callahan Monthly Report June 2017](#)

- F. · Council Member Coriat Monthly Report June 2017

Attachments: [Council Member Coriat Monthly Report June 2017](#)

3. PUBLIC COMMENTS

4. REPORTS

A. TOWN MANAGER'S REPORT

- 2017 State Legislative Session Report

Attachments: [2017 State Legislative Session Report](#)

- Town Manager Monthly Report June 2017

Attachments: [Town Manager Monthly Report June 2017](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

APPROVAL OF MINUTES

- A. · May 17 2017 Local Planning Agency Minutes
· May 17 2017 Regular Town Council Minutes
· June 5 2017 Sunshine Meeting Minutes

Attachments: [05-17-17 LPA Minutes](#)
[05-17-17 RTC Minutes](#)
[06-05-17 Sunshine Meeting Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE POSITION OF DEPUTY TOWN CLERK WITHIN THE OFFICE OF THE TOWN CLERK; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk's Memo- Creating Position of Deputy Town Clerk](#)
[Resolution - Creating Position of Deputy Town Clerk](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE PARIS AGREEMENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell
Attachments: [Mayor Memo-Supporting Paris Agreement](#)
[Resolution-Supporting Paris Agreement](#)
[Resolution-Exhibit A-Paris Agreement](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE FIVE (5) YEAR INTERLOCAL AGREEMENT BETWEEN THE TOWN OF CUTLER BAY AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR STORMWATER MANAGEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-Canal Maint Interlocal Agreement](#)
[Manager Memo-Attachment A-Canal Maint Interlocal Agreement](#)
[Manager Memo-Attachment B-Map Town Drainage Canals](#)
[Resolution-Canal Maint Interlocal Agreement](#)
[Resolution-Exhibit A-Canal Maint Interlocal Agreement](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF AN INVITATION TO BID (ITB) FOR CONSTRUCTION SERVICES FOR THE CUTLER BAY MIDDLE SCHOOL SIDEWALK CONNECTIVITY PROJECT; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of ITB 17-07 CBMS Sidewalk Connectivity](#)
[Manager Memo-Attachment A-Project Construction Plans](#)
[Resolution-Issuance of ITB 17-07 CBMS Sidewalk Connectivity](#)
[Resolution-Exhibit A-Town ITB 17-07 CBMS Sidewalk Connectivity](#)
[Resolution-Exhibit B-Project Construction Plans](#)

- F. 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. FOR PHASE V PART I OF THE ROADWAY RESURFACING PROJECT WITHIN THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO Envirowaste Neighborhood Resurfacing](#)
[Manager Memo-Attachment A-Town Pavement Survey Report](#)
[Manager Memo-Attachment B-Phase V Part I Neighborhood Resurfacing Plans](#)
[Resolution-Issuance of PO Envirowaste Neighborhood Resurfacing](#)

- 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 VISUALSCAPE INC. FOR TREE PLANTING SERVICES FOR THE CUTLER BAY STREETScape ENHANCEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo - Issuance of PO Visualscape Tree Planting](#)
[Manager Memo-Attachment A-NEAT Streets Grant Award Letter](#)
[Manager Memo-Attachment B-NEAT Streets Agreement](#)
[Manager Memo-Attachment C-VisualScape Proposal](#)
[Resolution - Issuance of PO Visualscape Tree Planting](#)
[Resolution-Exhibit A-VisualScape Proposal](#)

- H. 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 VISUALSCAPE, INC. FOR TREE TRIMMING MAINTENANCE SERVICES WITHIN THE TOWN'S DESIGNATED RIGHT-OF-WAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo - Issuance of PO VisualScape Tree Trimming](#)
[Manager Memo-Attachment A-Tree Trimming Designated Area Map](#)
[Resolution-Issuance of PO Visualscape Tree Trimming](#)
[Resolution-Exhibit A-Tree Trimming Designated Area Map](#)

- I. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RATIFYING THE TOWN MANAGER'S BID WAIVER RECOMMENDATION FOR TOWN MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Ratifying Bid Waiver Miami Maps Inc](#)
[Manager Memo-Attachment A-Miami Maps Inc Proposal](#)
[Manager Memo-Attachment B-Town Map](#)
[Resolution-Ratifying Bid Waiver Miami Maps Inc](#)
[Resolution-Exhibit A-Town Map](#)

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

(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.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR SUPERIOR AT OLD CUTLER FOR PROPERTY GENERALLY LOCATED SOUTH OF S.W. 198TH STREET, WEST OF OLD CUTLER ROAD, EAST OF S.W. 85TH AVENUE, AND NORTH OF SW 199TH STREET, AS LEGALLY DESCRIBED IN EXHIBIT "A" ON APPROXIMATELY 1.71 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Granting Final Plat Approval FP-2017-008](#)
[Manager Memo-Attachment A-Final Plat Application FP-2017-008](#)
[Manager Memo-Attachment B-Ad Postings and Courtesy Notices](#)
[Resolution-Granting Final Plat Approval FP-2017-008](#)
[Resolution-Exhibit A-Legal Description](#)

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

8. 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 TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MIXED USE CATEGORY LAKES-BY-THE-BAY TO PERMIT RESIDENTIAL USES AS A PART OF A MIXED USE PROJECT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amend Comp Plan LBB FLU District](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Letter of Intent](#)
[Manager Memo-Attachment C-Advertisement](#)
[Ordinance-1st Reading-Amend Comp Plan LBB FLU District](#)
[Ordinance-1st Reading-Exhibit A-Amendment Application](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-58 OF THE CODE OF ORDINANCES NC, NEIGHBORHOOD CENTER DISTRICT REGARDING RESIDENTIAL USES AND RELATED LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending NC Zoning District](#)
[Manager Memo-1st Reading-Attachment A-Consultant Report](#)
[Manager Memo-1st Reading-Attachment B-Letter of Intent](#)
[Manager Memo-1st Reading-Attachment C-Advertisement](#)
[Ordinance-1st Reading-Amending NC Zoning District](#)

9. 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 14 OF THE TOWN CODE TO INCLUDE SECTION 14-1, "PROHIBITIONS REGARDING SALE OR USE OF EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES BY TOWN CONTRACTORS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Mary Ann Mixon

Attachments: [Council Member Memo-2nd Read-Polystyrene Regulations Town Contractors](#)
[Council Member Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Polystyrene Regulations Town Contractors](#)
[Council Member Memo-1st Reading-Polystyrene Regulations Town Contractors](#)
[Ordinance-1st Reading-Polystyrene Regulations Town Contractors](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-60 OF THE CODE OF ORDINANCES RELATING TO MEDICAL OFFICE USES WITHIN TC, TOWN CENTER DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan

Attachments: [Manager Memo- 2nd Reading- Amend TC Zoning District](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement](#)
[Manager Memo-2nd Reading-Attachment B-Town Zoning District Map](#)
[Manager Memo-2nd Reading-Attachment C-Town Land Use Map](#)
[Ordinance- 2nd Reading- Amend TC Zoning District](#)
[Manager Memo- 1st Reading- Amend TC Zoning District](#)
[Manager Memo-Attachment A-Advertisement](#)
[Manager Memo-Attachment B-Town Zoning District Map](#)
[Manager Memo-Attachment C-Town Land Use Map](#)
[Ordinance- 1st Reading- Amend TC Zoning District](#)

10. RESOLUTIONS

- A.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE PLACEMENT OF A PLAQUE IN RECOGNITION OF ERNEST "ERNIE" SOCHIN AT THE SAGA BAY PARK TENNIS AND PICKLEBALL COURTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Approving Sochin Plaque Placement](#)
[Resolution-Approving Sochin Plaque Placement](#)
[Resoulution-Exhibit A-Sochin Plaque Wording](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS AND TRANSPORTATION PLANNING ORGANIZATION TO CONSTRUCT LIGHT RAIL AND/OR METRORAIL (ONE SEAT RIDE) ON THE EXISTING SOUTH DADE TRANSITWAY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Urging Rail on South DadeTransitway](#)
[Mayor Memo-Attachment A-Joint Letter-Rail Extension](#)
[Resolution-Urging Rail on South Dade Transitway](#)

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DEDICATING A BUTTERFLY GARDEN IN MEMORY OF LOUISE LOCKWOOD AT WHISPERING PINES PARK; AUTHORIZING THE TOWN MANAGER TO EXPEND FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Member Memo-Dedicating Butterfly Garden](#)
[Council Member Memo-Attachment A-Existing Conditions-Whispering Pines](#)
[Council Member Memo-Attachment B-Proposed Butterfly Garden Design](#)
[Resolution-Dedicating Butterfly Garden](#)
[Resolution-Exhibit A-Dedication Plaque Proof](#)

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXPEND FUNDS FOR THE REIMBURSEMENT OF TRAVEL COSTS FOR COMMITTEE MEMBERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Member Memo-Committee Member Travel Reimbursement](#)
[Resolution- Committee Member Travel Reimbursement](#)

11. PUBLIC COMMENTS

12. 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.