

Town of Cutler Bay

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



Meeting Agenda

Wednesday, September 27, 2017

6:00 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

- Town Council Message- Hurricane Irma Recovery

Attachments: [Message From Mayor and Town Council- Hurricane Irma Recovery](#)

- Town Council Monthly Reports September 2017

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

[Vice Mayor Loyzelle Monthly Report September 2017](#)

[Council Member Mixon Monthly Report September 2017](#)

[Council Member Callahan Monthly Report September 2017](#)

[Council Member Coriat Monthly Report September 2017](#)

3. PUBLIC COMMENTS

4. REPORTS

A. TOWN MANAGER'S REPORT

- Town Manager Monthly Report September 2017

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

- Robert Daddario, Finance Department- Quarterly Financial Report

Attachments: [FY 2016-17 Third Quarterly Financial Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

- Appointment of Charter Review Committee Members

Attachments: [Clerk Memo- Charter Revision Commission](#)
[Exhibit A- Excerpt Town Charter - Charter Review 6.2](#)
[Exhibit B- Historical Notes Cutler Bay Town Charter](#)

5. CONSENT AGENDA

A. APPROVAL OF MINUTES

- A. · July 10 2017 Town Council Workshop Minutes
· July 19 2017 Local Planning Agency Minutes
· July 19 2017 Regular Town Council Minutes

Attachments: [07-10-17 TCW Meeting Minutes](#)
[07-19-17 LPA Meeting Minutes](#)
[07-19-17 RTC Meeting Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING TROY & BANKS, INC. PURSUANT TO REQUEST FOR PROPOSAL NO. 17-03 FOR UTILITY INVOICE AUDITING SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award of RFP 17-03 Utility Invoice Auditing](#)
[Manager Memo-Attachment A-Ad in DBR](#)
[Manager Memo-Attachment B-Mandatory Pre-RFP Sign-In](#)
[Manager Memo-Attachment C-Selection Committee Memo](#)
[Manager Memo-Attachment D-Submittal Package](#)
[Resolution-Award of RFP 17-03 Utility Invoice Auditing](#)
[Resolution-Exhibit A-Utility Invoice Auditing Agreement](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE COMMUNITY FOR A LIFETIME COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Clerk's Memo- Appointment to Community For a Lifetime Committee](#)
[Resolution- Appointing Member to Community for a Lifetime Committee](#)
[Resolution- Exhibit A- Appointment to Community For a Lifetime Committee](#)

- D.** 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 SW 100 AVENUE STORMWATER RETROFIT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of ITB 17-08 SW 100 Ave Stormwater Project](#)
[Resolution-Issuance of ITB 17-08 SW 100 Ave Stormwater Project](#)
[Resolution-Exhibit A-ITB 17-08 SW 100 Ave Stormwater Project](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND IMPLEMENTING A COMPLETE STREETS MASTER PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Adopting Complete Streets Master Plan](#)
[Resolution-Adopting Complete Streets Master Plan](#)
[Resolution-Exhibit A-Complete Streets Master Plan](#)

- F.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING A DECLARATION OF STATE OF EMERGENCY DUE TO HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Confirming State of Emergency-Hurricane Irma](#)
[Manager Memo-Attachment A-State of Emergency Declaration](#)
[Manager Memo-Attachment B-State of Emergency Termination](#)
[Resolution-Confirming State of Emergency-Hurricane Irma](#)
[Resolution-Exhibit A-State of Emergency Declaration](#)
[Resolution-Exhibit B-State of Emergency Termination](#)

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING SUPERIOR PARK SYSTEMS, INC. FOR THE INSTALLATION OF A SINGLE BASKETBALL COURT AT SAGA BAY PARK; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Saga Bay Single Basketball Court](#)
[Manager Memo-Attachment A-Basketball Court Location](#)
[Manager Memo-Attachment B-Single Basketball Court Quotes](#)
[Resolution-Approving Saga Bay Single Basketball Court](#)
[Resolution-Exhibit A-Superior Park Systems Agreement](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) FOR THE INSTALLATION OF UNIVERSALLY ACCESSIBLE OUTDOOR FITNESS EQUIPMENT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo- Accepting AARP Community Challenge Grant](#)
[Manager Memo-Attachment A-AARP Grant Application](#)
[Manager Memo-Attachment B-Notice of AARP Grant Award](#)
[Resolution- Accepting AARP Community Challenge Grant](#)
[Resolution-Exhibit A-AARP Community Challenge Grant Agreement](#)

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE GRANT OF EASEMENT TO THE TOWN OF CUTLER BAY BY AND BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR THE CONSTRUCTION OF A PUBLIC BUS SHELTER; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving MDCPS Easement Agreement](#)
[Manager Memo-Attachment A-MDCPS Easement Agreement](#)
[Resolution-Approving MDCPS Easement Agreement](#)
[Resolution-Exhibit A-MDCPS Easement Agreement](#)

- J. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (CONTRACT #NS023) FOR STORMWATER RETROFIT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-FDEP Grant Agreement-SW 100 Ave Stormwater Retrofit](#)
[Resolution-FDEP Grant Agreement-SW 100 Ave Stormwater Retrofit](#)
[Reso-Exhibit A-FDEP Grant Agreement-SW 100 Ave Stormwater Retrofit](#)

- K. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO SUBMIT AN APPLICATION FOR THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES 2017 URBAN AND COMMUNITY FORESTRY GRANT; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-2017 Forestry Grant Submittal-LBTB Park](#)
[Resolution-Approving 2017 Forestry Grant Submittal-LBTB Park](#)
[Resolution-Exhibit A-2017 Forestry Grant Submittal-LBTB Park](#)

- L. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING STONE CONCEPT MIAMI, INC. PURSUANT TO INVITATION TO BID NO. 17-04 FOR CONSTRUCTION OF TOWNWIDE BUS SHELTERS PHASE I; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award of ITB 17-04 Townwide Bus Shelters](#)
[Manager Memo-Attachment A-ITB 17-04 Bid Ad](#)
[Manager Memo-Attachment B-Mandatory Pre Bid Sign In](#)
[Manager Memo-Attachment C-Selection Committee Bid Review](#)
[Manager Memo-Attachment D-Stone Concept Miami-Bid Submittal](#)
[Resolution-Award of ITB 17-04 Townwide Bus Shelters](#)
[Resolution-Exhibit A-ITB 17-04 Townwide Bus Shelters Contract](#)

- M. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; APPROVING A GRANT AGREEMENT (CONTRACT NO. LP13191) FOR STORMWATER IMPROVEMENT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-FDEP Grant-Saga Bay Stormwater Improvement](#)
[Manager Memo-Attachment A-Saga Bay 1.2 Legislative Request](#)
[Resolution-FDEP Grant-Saga Bay Stormwater Improvement](#)
[Resolution-Exhibit A-FDEP Grant Agreement-Saga Bay Improvement](#)

- N. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT EXTENDING THE PROFESSIONAL SERVICES AGREEMENT WITH AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC. (F/K/A AMEC ENVIRONMENT & INFRASTRUCTURE, INC.); AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Extending AMEC Prof Services Agreement](#)
[Manager Memo-Attachment A-Town Resolution 13-14](#)
[Manager Memo-Attachment B-FEMA CRS Verification Report](#)
[Resolution-Extending AMEC Prof Services Agreement](#)
[Resolution-Exhibit A-AMEC Professional Service Agreement](#)

- O. 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 AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC. (F/K/A AMEC ENVIRONMENT & INFRASTRUCTURE, INC.) TO DEVELOP THE TOWN'S WATERSHED MASTER PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to AMEC-Watershed Master Plan](#)
[Resolution-Issuance of PO to AMEC-Watershed Master Plan](#)
[Resolution-Exhibit A-AMEC Watershed Plan Proposal](#)

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.

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 CHAPTER 3 LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-58 NC, NEIGHBORHOOD CENTER DISTRICT AND SECTION 3-59 TRC, TRANSIT CORRIDOR DISTRICT TO PERMIT MEDICAL MARIJUANA DISPENSARIES AND ADD LAND DEVELOPMENT REGULATIONS WITHIN THOSE DISTRICTS FOR PHARMACIES AND MEDICAL MARIJUANA DISPENSARIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Medical Marijuana-Request for Withdrawal](#)
[Manager Memo-Attachment A-Advertisement](#)

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S GROWTH MANAGEMENT PLAN; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-CIE 2017 Annual Update](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-CIE 2017 Annual Update](#)
[Ordinance-2nd Reading-Exhibit A-CIE 2017 Annual Update](#)
[Manager Memo-1st Reading-CIE 2017 Annual Update](#)
[Ordinance-1st Reading-CIE 2017 Annual Update](#)
[Ordinance-1st Reading-Exhibit A-CIE 2017 Annual Update](#)

10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DECLARING ZONING IN PROGRESS FOR PREPARATION OF AMENDMENTS TO THE TOWN OF CUTLER BAY LAND DEVELOPMENT REGULATIONS TO REGULATE OR TO PROHIBIT MEDICAL MARIJUANA DISPENSARIES; PROVIDING FOR CONFLICTS, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC HEARING REQUIRED)

Attachments: [Manager Memo-Zoning In Progress Medical Marijuana](#)
[Manager Memo-Attachment A-Advertisement](#)
[Resolution-Zoning in Progress Medical Marijuana](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING DISCOUNTED FENCE PERMIT FEES DUE TO DAMAGE CAUSED BY HURRICANE IRMA; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Approving Discounted Permit Fees-Hurricane Irma](#)
[Resolution-Approving Discounted Permit Fees-Hurricane Irma](#)

- 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 KIMLEY-HORN AND ASSOCIATES, INC. FOR THE FINAL TOWN CENTER PLAZA CONSTRUCTION PLANS AND DESIGN SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to KHA Town Center Plaza](#)
[Manager Memo-Attachment A-KHA Project Summary Report](#)
[Resolution - Issuance of PO to KHA Town Center Plaza](#)
[Resolution-Exhibit A-KHA Proposal Town Center Plaza](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AMENDED EMPLOYMENT AGREEMENT WITH THE TOWN MANAGER; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Approving Town Manager Employment Agreement](#)
[Resolution-Approving Town Manager Employment Agreement](#)
[Resolution-Exhibit A-Town Manager Employment Agreement](#)

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.