

# Town of Cutler Bay

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



## Meeting Agenda

**Wednesday, May 17, 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. TOWN COUNCIL ANNOUNCEMENTS, BOARD AND COMMITTEE REPORTS**

- Mayor Bell Monthly Report April 12 - May 9 2017

**Attachments:** [Mayor Bell Monthly Report April 12 - May 9 2017](#)

## **3. PUBLIC COMMENTS**

## **4. REPORTS**

### **A. TOWN MANAGER'S REPORT**

- Robert Daddario, Finance Department- Quarterly Financial Report

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

- CFAL Age-Friendly Action Plan Fiscal Impact

**Attachments:** [Manager Memo- CFAL Age-Friendly Action Plan Fiscal Impact](#)  
[Manager Memo-Attach A-CFAL Age-Friendly Plan 2017-20 Fiscal Impact](#)

- Town Council Priority Properties

**Attachments:** [Manager Memo-Possible Acquisition of Properties](#)  
[Manager Memo-Attachment A-Town Resolution 16-25](#)  
[Manager Memo-Attachment B-Vacant Land Study July 2016](#)  
[Manager Memo-Attachment C-Town Council Priority Properties](#)

- Proposed Memorial Butterfly Garden

**Attachments:** [Manager Memo-Proposed Memorial Butterfly Garden](#)  
[Manager Memo-Attachment A-Existing Conditions-Whispering Pines](#)  
[Manager Memo-Attachment B-Proposed Butterfly Garden Design](#)  
[Manager Memo-Attachment C-Proposed Butterfly Garden Budget](#)

## B. TOWN ATTORNEY'S REPORT

## C. TOWN CLERK'S REPORT

**5. CONSENT AGENDA****A. APPROVAL OF MINUTES**

- April 17 2017 Sunshine Meeting Minutes
- April 19 2017 Regular Town Council Minutes

**Attachments:** [04-17-17 Sunshine Meeting Minutes](#)  
[04-19-17 RTC Minutes](#)

- 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 MARLIN ENGINEERING, INC. FOR DESIGN SERVICES FOR THE LAKES BY THE BAY PARK CANOE/KAYAK LAUNCH PROJECT; AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Issuance of a PO to Marlin Engineering](#)  
[Resolution-Issuance of a PO to Marlin Engineering](#)  
[Resolution-Exhibit A-Town Consultant Proposal](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN FOR THE LAKES BY THE BAY PARK CANOE/KAYAK LAUNCH PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Accepting FDEP Grant-Canoe-Kayak Launch](#)  
[Manager Memo-Attachment A-FDEP Grant Award Letter](#)  
[Resolution-Accepting FDEP Grant-Canoe-Kayak Launch](#)  
[Resolution-Exhibit A-FDEP Grant Agreement-Canoe-Kayak Launch](#)

- D.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CO-PERMITTEES NAMED IN NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Approving National Pollutant Discharge \(NPDES\) Interlocal](#)  
[Resolution-Approving National Pollutant Discharge \(NPDES\) Interlocal](#)  
[Resolution-Exhibit A-NPDES Interlocal Agreement](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATION (RFQ) FOR GENERAL PLANNING SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Authorizing Issuance of RFQ-General Planning Services](#)  
[Resolution-Authorizing Issuance of RFQ-General Planning Services](#)  
[Resolution-Exhibit A-RFQ General Planning Services](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING ACOSTA TRACTORS INC. FOR THE CONSTRUCTION OF SAFE ROUTES TO SCHOOL CUTLER BAY MIDDLE SCHOOL PROJECT; PROVIDING FOR RATIFICATION OF INVITATION TO BID NO. 17-03; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Award of ITB Safe Routes to School](#)  
[Manager Memo-Attachment A-FDOT Notice to Proceed](#)  
[Manager Memo-Attachment B-Daily Business Review Ad](#)  
[Manager Memo-Attachment C-Pre Bid Meeting Sign in Sheet](#)  
[Manager Memo-Attachment D-Summary of Bid Opening](#)  
[Manager Memo-Attachment E-Acosta Tractors Bid Submittal](#)  
[Manager Memo-Attachment F-FDOT Construction Award Letter](#)  
[Resolution-Award of ITB Safe Routes to School](#)  
[Resolution-Exhibit A-Acosta Tractors Contract](#)

## 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, APPROVING MODIFICATIONS TO CERTAIN CONDITIONS IN RESOLUTION 16-37 FOR MATER ACADEMY CUTLER BAY LOCATED 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 Moditification of Conditional Use](#)  
[Manager Memo - Attachment A - Town Consultant Report](#)  
[Manager Memo - Attachment B- Letter Intent and Application](#)  
[Manager Memo - Attachment C - Ad Courtesy Notices and Posting](#)  
[Resolution- Mater Academy Modification of Conditional Use](#)  
[Resolution-Exhibit A-Legal Description](#)

## 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 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-1st Reading-Polystyrene Regulations Town Contractors](#)  
[Ordinance-1st Reading-Polystyrene Regulations Town Contractors](#)

## 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 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- 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](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE MIXED USE FUTURE LAND USE DISTRICT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-1st Reading-Amending Comp Plan-Mixed Use Element](#)  
[Manager Memo-Attachment A-Consultant Report](#)  
[Manager Memo-Attachment B-Advertisement](#)  
[Ordinance-1st Reading-Amending Comp Plan-Mixed Use Element](#)  
[Ordinance-1st Reading-Exhibit A-Comp Plan](#)

## **9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**

## **10. RESOLUTIONS**

## **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.