

Town of Cutler Bay

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



Meeting Agenda

Wednesday, March 21, 2018

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 GUEST@TOWNOFCUTLERBAY is now available in the Town Council Chambers. Once connected, you will be redirected to the new splash page where you must read the Terms of Service and click "I Accept Connect Me Now". Please make note there is a maximum of two (2) hours before you are automatically disconnected from the WiFi and must reconnect.

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

2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

- Town Council Monthly Reports March 2018

Attachments: [Mayor Bell March 2018 Report](#)
[Vice Mayor Loyzelle March 2018 Report](#)
[Council Member Mixon March 2018 Report](#)
[Council Member Callahan March 2018 Report](#)
[Council Member Coriat March 2018 Report](#)

3. PUBLIC COMMENTS

4. REPORTS

A. TOWN MANAGER'S REPORT

- Town Manager Monthly Report March 2018

Attachments: [Town Manager Monthly Report March 2018](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

APPROVAL OF MINUTES

- A.** · February 21 2018 Local Planning Agency Minutes
- February 21 2018 Regular Town Council Minutes

Attachments: [02-21-18 LPA Minutes](#)
[02-21-18 RTC Minutes](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A 2018 NEAT STREETS MIAMI STREET TREE MATCHING GRANT AWARD; APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Accepting 2018 Neat Street Grant](#)
[Resolution-Accepting 2018 Neat Street Grant](#)
[Resolution-Exhibit A-2018 Neat Street Grant Contract](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR PROFESSIONAL ARCHITECTURAL SERVICES, FOR THE TOWN CENTER BUILDING; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFQ Architectural Services](#)
[Resolution-Issuance of RFQ Architectural Services](#)
[Resolution-Exhibit A-RFQ 18-03 Architectural Services](#)

- D.** 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 STANTEC CONSULTING SERVICES, INC. FOR DESIGN SERVICES FOR THE GULFSTREAM ELEMENTARY COMPLETE STREETS PROJECT FOR GULFSTREAM ROAD (FROM CARIBBEAN BOULEVARD TO SW 211 STREET); AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to Stantec Design SRTS Gulfstream](#)
[Manager Memo-Attachment A-Consultant Project Proposal](#)
[Manager Memo-Attachment B-Existing Conditions](#)
[Resolution-Issuance of PO to Stantec Design SRTS Gulfstream](#)
[Resolution-Exhibit A-Consultant Project Proposal](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE UNITED STATES DEPARTMENT OF COMMERCE TO RETAIN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISHERIES HEADQUARTERS ON VIRGINIA KEY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Member Memo-Urging NOAA Fisheries Remain On Virginia Key](#)
[Council Member Memo-Attachment A-Village of Key Biscayne Reso](#)
[Resolution-Urging NOAA Fisheries Remain On Virginia Key](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING METRO EXPRESS, INC. FOR THE CONSTRUCTION OF THE MANTA DRIVE ROADWAY IMPROVEMENT PROJECT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award of ITB 17-10 Manta Drive Roadway Project](#)
[Manager Memo-Attachment A- Advertisement ITB 17-10](#)
[Manager Memo-Attachment B-Mandatory Pre Bid Sign In Sheets](#)
[Manager Memo-Attachment C-Bid Submittal Review](#)
[Manager Memo-Attachment D-Bidder Submittal Package](#)
[Resolution-Award of ITB 17-10 Manta Drive Roadway Project](#)
[Resolution-Exhibit A-Agreement-ITB 17-10 Manta Drive](#)

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERNSHIP COOPERATIVE AGREEMENT WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-MDCPS Internship Cooperative Agreement](#)
[Manager Memo-Attachment A-Educational Compact](#)
[Manager Memo-Attachment B-2014-15 Internship Cooperative Agreement](#)
[Resolution-MDCPS Internship Cooperative Agreement](#)
[Resolution-Exhibit A-MDCPS Internship Cooperative Agreement](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL AGENT/BROKER OF RECORD FOR INSURANCE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP Agent-Broker for Insurance Services](#)
[Resolution-Issuance of RFP Agent-Broker for Insurance Services](#)
[Resolution-Exhibit A-RFP 18-04 Agent-Broker for Insurance Services](#)

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING AND DIRECTING THE FILING OF A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS PUNISHING ELECTED OFFICIALS SET FORTH IN SECTION 790.33, FLORIDA STATUTES, FOR VIOLATING THE PREEMPTION RELATED TO THE REGULATION OF FIREARMS AND AMMUNITION ARE INVALID, AND INVITING OTHER LOCAL GOVERNMENTS TO JOIN THE LAWSUIT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Attorney Memo-Firearms Preemption Lawsuit](#)
[Resolution-Firearms Preemption Lawsuit](#)

- J. A RESOLUTION OF THE TOWN OF CUTLER BAY, FLORIDA, CALLING ON THE STATE OF FLORIDA, GOVERNOR RICK SCOTT, PRESIDENT DONALD TRUMP, AND THE FEDERAL GOVERNMENT TO REDUCE GUN VIOLENCE IN AMERICA AND HELP PREVENT FUTURE MASS SHOOTINGS BY REQUIRING A BACKGROUND CHECK FOR EVERY FIREARM SALE; SUPPORTING THE PASSAGE OF LEGISLATION THAT WOULD KEEP MILITARY-STYLE WEAPONS AND HIGH-CAPACITY MAGAZINES AWAY FROM OUR SCHOOLS; URGING THE FLORIDA LEGISLATURE TO REPEAL THE PUNITIVE PUNISHMENTS OF ELECTED OFFICIALS SET FORTH IN SECTION 790.33, FLORIDA STATUTES; AUTHORIZING THE TOWN CLERK TO TRANSMIT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Urging Support of Gun Law Reform](#)
[Resolution-Gun Law Reform](#)

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

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Vice Mayor Memo-Appointing Member to Economic Growth Committee](#)
[Resolution-Appointing Member to Economic Growth Committee](#)
[Resolution-Exhibit A-Appointment to Economic Growth Committee](#)

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)

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 3 LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-58 NC, NEIGHBORHOOD CENTER DISTRICT, SECTION 3-59 TRC, TRANSIT CORRIDOR DISTRICT, AND SECTION 3-60 TC, TOWN CENTER DISTRICT TO CHANGE THE LIST OF PERMITTED CONDITIONAL AND PROHIBITED USES TO ADDRESS PHARMACIES AND MEDICAL MARIJUANA DISPENSARIES AND TO PROVIDE CERTAIN REGULATIONS FOR SUCH USES; AND BY AMENDING SECTION 3-261, DEFINITIONS, TO PROVIDE NEW DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Pharmacies and Medical Marijuana Dispensaries](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Pharmacies and Medical Marijuana Dispensaries](#)
[Manager Memo-Pharmacies and Medical Marijuana Dispensaries](#)
[Manager Memo-Attachment A-Advertisement](#)
[Ordinance-1st Reading-Pharmacies and Medical Marijuana Dispensaries](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE TOWN CODE, DESIGNATING THE OFFICIAL SEAL AND TOWN LOGO OF THE TOWN OF CUTLER BAY; AMENDING ARTICLE II OF CHAPTER 2 BY THE REVISIONS OF SECTIONS 2-40 "TOWN SEAL" AND 2-75 "TOWN LOGO"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-2nd Reading-Official Town Seal and Logo](#)
[Clerk Memo-2nd Reading-Attachment A-Recognizable Municipal Seals](#)
[Clerk Memo-2nd Reading-Attachment B-Advertisement](#)
[Ordinance-2nd Reading-Official Town Seal and Logo](#)
[Clerk Memo-Official Town Seal and Logo](#)
[Clerk Memo-Attachment A-Recognizable Municipal Seals](#)
[Ordinance-1st Reading-Official Town Seal and Logo](#)

10. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF TOWN OF CUTLER BAY, FLORIDA, CALLING FOR A REFERENDUM REGARDING THE ISSUANCE OF GENERAL OBLIGATION BONDS BY THE TOWN OF CUTLER BAY IN AN AMOUNT NOT TO EXCEED \$40,000,000 FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING AND IMPROVING PROPERTY FOR PARKS, OPEN SPACE, ECONOMIC DEVELOPMENT AND TRANSIT PROJECTS; PROVIDING FOR PUBLICATION OF NOTICE OF SAID REFERENDUM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Issuance of General Obligation Bonds](#)

[Mayor Memo-Attachment A-Vacant Land Study July 2016](#)

[Mayor Memo-Attachment B-Town Council Priority Properties](#)

[Resolution-Issuance of General Obligation Bonds](#)

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.