

Town of Cutler Bay

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



Meeting Agenda

Wednesday, February 20, 2019

7:00 PM

Council Chambers

Town Council

MAYOR AND COUNCIL MEMBERS

*Mayor Tim Meerbott
Vice Mayor Sue Ellen Loyzelle
Council Member Robert "BJ" Duncan
Council Member Michael P. Callahan
Council Member Roger Coriat*

CHARTER OFFICIALS

*Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Manager Rafael G. Casals, ICMA-CM, CFM
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

- A.**
- Mayor Meerbott February 2019 Report
 - Vice Mayor Loyzelle February 2019 Report
 - Council Member Duncan February 2019 Report
 - Council Member Callahan February 2019 Report
 - Council Member Coriat February 2019 Report

Attachments: [Mayor Meerbott February 2019 Report](#)
[Vice Mayor Loyzelle February 2019 Report](#)
[Council Member Duncan February 2019 Report](#)
[Council Member Callahan February 2019 Report](#)
[Council Member Coriat February 2019 Report](#)

3. PUBLIC COMMENTS

4. REPORTS

A. TOWN MANAGER'S REPORT

- Town Manager Monthly Report February 2019

Attachments: [Town Manager Monthly Report February 2019](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

APPROVAL OF MINUTES

- A.**
- January 9 2019 Town Council Workshop Minutes
 - January 16 2019 Regular Town Council Minutes
 - January 17 2019 Town Council Workshop Minutes
 - January 17 2019 Zoning Workshop Minutes

Attachments: [01-09-19 TCW Minutes](#)
[01-16-19 RTC Minutes](#)
[01-17-19 TCW Minutes](#)
[01-17-19 ZW Minutes](#)

- B.** 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 FLORIDA DIVISION OF EMERGENCY MANAGEMENT'S HAZARD MITIGATION GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Authorizing HMGP Grant Application](#)
[Manager Memo-Attach A-HMGP Grant Overview](#)
[Resolution-Authorizing HMGP Grant Application](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING H & R PAVING, INC. FOR THE CONSTRUCTION OF THE TOWNWIDE ROADWAY RESURFACING & SIDEWALK IMPROVEMENTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award ITB 18-07 Roadway Resurfacing Improvements](#)
[Manager Memo-Attach A-Advertisement-Daily Business Review](#)
[Manager Memo-Attach B-Mandatory Pre-Bid Meeting Sign-In Sheet](#)
[Manager Memo-Attach C-Town Selection Committees Recommendation](#)
[Manager Memo-Attach D-Bidders Submittal Package](#)
[Resolution-Approving Award ITB 18-07 Roadway Resurfacing Improvements](#)
[Reso-Exhibit A-Roadway Resurfacing Improvements Agreement](#)

- 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 GULFSTREAM ROAD COMPLETE STREETS PROJECT (GULFSTREAM ROAD FROM CARIBBEAN BOULEVARD TO SW 211 STREET); AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of ITB Gulfstream Elem Complete Streets Project](#)
[Resolution-Issuance of ITB Gulfstream Elem Complete Streets Project](#)
[Resolution-Exhibit A-ITB 19-03 Gulfstream Elem Complete Streets Project](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING ELECTRICAL CONTRACTING SERVICE, INC. FOR THE FRANJO PARK ATHLETIC FIELDS LIGHTING PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award ITB 18-06 Franjo Park Athletic Fields Lighting](#)
[Manager Memo-Attach A-Advertisement-Daily Business Review](#)
[Manager Memo-Attach B-Mandatory Pre-Bid Sign-In Sheet](#)
[Manager Memo-Attach C-Town Consultant Bid Review](#)
[Manager Memo-Attach D-Bidders Submittal Package](#)
[Resolution-Approving Award ITB 18-06 Franjo Park Athletic Fields Lighting](#)
[Reso-Exhibit A-Franjo Park Athletic Field Lighting Agreement](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF THE CONTINUING PROFESSIONAL SERVICES AGREEMENT WITH KEITH AND SCHNARS, P.A. TO KCI TECHNOLOGIES, INC.; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Assign Professional Services Agreement to KCI Technologies](#)
[Manager Memo-Attach A-KCI Technologies Purchase of Keith & Schnars PA](#)
[Manager Memo-Attach B-Professional Svcs Agreement-Keith & Schnars PA](#)
[Reso-Assign Professional Services Agreement to KCI Technologies](#)
[Reso-Exhibit A-Professional Services Agreement-KCI Technologies](#)

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SML, INC. TO DEVELOP A COMPREHENSIVE RECORDS MANAGEMENT PLAN AND PROVIDE RECORDS MANAGEMENT PLAN CONSULTING AND IMPLEMENTATION SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving SML Inc Records Management Plan](#)
[Manager Memo-Attach A-SML Inc Client List and Testimonials](#)
[Manager Memo-Attach B- SML Inc Records Management Plan Proposal](#)
[Manager Memo-Attach C-Town Clerk Memorandum-Feb 5 2019](#)
[Resolution-Approving SML Inc Records Management Plan Services](#)
[Resolution-Exhibit A -SML Inc Records Management Plan Proposal](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING AND REAFFIRMING MEMBERS TO THE TOWN OF CUTLER BAY BOARDS; APPOINTING NEW TOWN COUNCIL LIAISONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-Appointing and Reaffirming Board Members](#)
[Resolution-Appointing And Reaffirming Members To Town Advisory Boards](#)
[Resolution-Exhibit A-2018-19 Committee Appointment Updates](#)

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING A NONDISCRIMINATION POLICY AND THE INCLUSION OF A LIMITED ENGLISH PROFICIENCY PLAN REQUIRED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Adopting FDOT Limited English Proficiency Plan](#)
[Resolution -Adopting FDOT Limited English Proficiency Plan](#)
[Resolution-Exhibit A-FDOT Limited English Proficiency Plan](#)

- J. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR ON-DEMAND TRANSPORTATION SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving On-Demand Transportation Interlocal Agreement](#)
[Resolution-Approving On-Demand Transportation Interlocal Agreement](#)
[Reso-Exhibit A-Miami-Dade County Interlocal Agreement](#)

- K. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REAFFIRMING SUPPORT FOR A STATE BAN ON TEXT MESSAGING WHILE OPERATING A MOTOR VEHICLE; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott

Attachments: [Mayor Memo-Reaffirming Support of Ban on Texting and Driving](#)
[Mayor Memo-Attach A-Reso No 09-59 Supporting Ban on Texting and Driving](#)
[Resolution-Reaffirming Support for Ban on Texting and Driving](#)

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)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS," BY AMENDING SECTION 3-158, "SHEDS" TO AMEND THE MAXIMUM NUMBER OF SHEDS PERMITTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott

Attachments: [Manager Memo-1st Reading-Amending Chapter 3 LDR Sheds](#)
[Ordinance-1st Reading-Amending Chapter 3 LDR Sheds](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS"; AMENDING SECTION 3-30 "GENERAL REQUIREMENTS FOR APPLICATIONS" RELATING TO ADVERTISING AND NOTICE REQUIREMENTS; AMENDING SECTION 3-34 "SITE PLAN MODIFICATION; MINOR MODIFICATIONS" RELATING TO SETBACKS; AMENDING SECTION 3-60(4) "TC, TOWN CENTER DISTRICT" CORRECTING A SCRIVENER'S ERROR RELATING TO THE FLOOR AREA RATIO WITH GREEN BONUS; AMENDING SECTION 3-155 "PROPERTY MAINTENANCE REQUIREMENTS" RELATING TO STORMWATER MANAGEMENT SYSTEM REQUIREMENTS; AMENDING SECTION 3-261, "DEFINITIONS" CREATING A DEFINITION FOR BUILDING FRONTAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending Sections in Chapter 3 LDR](#)
[Ordinance-1st Reading-Amending Sections in Chapter 3 LDR](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS," BY CREATING A SECTION 3-178.8, "VACATION RENTALS" TO PROVIDE REGULATIONS FOR SUCH USES; AMENDING SECTION 3-261, "DEFINITIONS" TO PROVIDE NEW DEFINITIONS RELATED TO VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan

Attachments: [Council Memo-1st Reading-Amending Chapter 3 LDR Vacation Rentals](#)
[Ordinance-1st Reading-Amending Chapter 3 LDR Vacation Rentals](#)

- D.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 24-43 OF THE TOWN CODE, "PURCHASES OF MORE THAN \$5,000.00 BUT LESS THAN \$25,000.00;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Memo-1st Reading-Amending Section 24-43 Purchasing Guidelines](#)
[Ordinance-1st Reading-Amending Section 24-43 Purchasing Guidelines](#)

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

10. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 17-06 TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT TO PROVIDE FOR RULES OF DECORUM; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott and Council Member Michael Callahan

Attachments: [Mayor Memo-Adding Decorum Language to Agenda](#)
[Resolution-Amending Agenda Order and Format Adding Decorum](#)

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.