

Town of Cutler Bay

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



Meeting Agenda

Wednesday, March 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

DECORUM POLICY

No individuals shall make slanderous or unduly repetitive remarks or engage in any other form of behavior that disrupts or impedes the orderly conduct of the meeting, as determined by the Presiding Officer. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted.

Individuals addressing the Town Council must first be recognized by the Presiding Officer and must do so utilizing the designated podium in the Council Chambers. No more than one person may address the Council at a time unless specifically permitted by the Presiding Officer. Comments are to be made to the Town Council and not to the audience. Persons exiting the Council Chambers shall do so quietly. Any individuals determined to have violated the Rules of Decorum, as determined by the Presiding Officer, may be required to leave the Council Chambers.

NOTICE TO ALL LOBBYISTS

Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the Town Clerk prior to engaging in lobbying activities before the Town Council pursuant to Sec. 2-236, Town Code and Sec. 7.6, Town Charter.

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE**2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS**

- A. · Mayor Meerbott March 2019 Report
 · Vice Mayor Loyzelle March 2019 Report
 · Council Member Duncan March 2019 Report
 · Council Member Callahan March 2019 Report
 · Council Member Coriat March 2019 Report

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

3. PUBLIC COMMENTS

Any person who wishes to comment on an agenda item which is not under public hearings may be heard at this time and must sign up in advance. Please limit your comments to three (3) minutes or less, as directed by the Presiding Officer. Comments made by members of the public are important to the Town Council. If appropriate, items may be referred to town staff for review and resolution. Speakers will address the Town Council with respect. Inappropriate language will not be tolerated.

4. REPORTS**A. TOWN MANAGER'S REPORT**

- Town Manager Monthly Report March 2019

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

- Robert Daddario, Finance Department-Quarterly Financial Report

Attachments: [FY 2017-18 Fourth Quarterly Financial Report](#)

- Mobility Hubs Project Update Report

Attachments: [Mobility Hubs Project Update Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

Any items shall be removed from the Consent Agenda for discussion or separate vote if requested or "pulled" by a Council Member or the Town Manager. Those items shall then be heard under Resolutions.

APPROVAL OF MINUTES

- A. · February 20 2019 Local Planning Agency Minutes
· February 20 2019 Regular Town Council Minutes

Attachments: [02-20-19 LPA Minutes](#)

[02-20-19 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 H & R PAVING, INC. FOR TOWN-WIDE SIDEWALK REPAIRS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to H&R Paving Sidewalk Improvements](#)

[Resolution-Issuance of PO to H&R Paving Sidewalk Improvements](#)

[Resolution-Exhibit A-H & R Paving Inc Proposal](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXPRESSING OPPOSITION TO FLORIDA SENATE BILL 7030 WHICH PROPOSES TO IMPLEMENT THE MARJORY STONEMAN DOUGLAS COMMISSION REPORT RECOMMENDATIONS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-Opposing Florida Senate Bill 7030](#)
[Council Memo-Attachment A-Senate Bill 7030](#)
[Council Memo-Attachment B-Coach Aaron Feis Guardian Program](#)
[Resolution-Opposing Florida Senate Bill 7030](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING AN URBAN AND COMMUNITY FORESTRY MATCHING GRANT IN THE AMOUNT OF \$10,000; APPROVING A FEDERAL FINANCIAL ASSISTANCE SUBRECIPIENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Accepting FY2018 FDACS Forestry Grant Award](#)
[Manager Memo-Attach A-FY2018 FDACS Forestry Grant Award Letter](#)
[Resolution-Accepting FY2018 FDACS Forestry Grant Award](#)
[Resolution-Exhibit A-FY2018 FDACS Forestry Grant Agreement](#)

- E. 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 LANDSCAPE MAINTENANCE SERVICES FOR VARIOUS RIGHT-OF-WAY MEDIANS, SWALES, AND CUL-DE-SAC AREAS LOCATED WITHIN THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP Landscape Maintenance Services](#)
[Resolution-Issuance of RFP Landscape Maintenance Services](#)
[Resolution-Exhibit A-RFP 19-04 Landscape Maintenance Services](#)

- F. 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 THE CUTLER RIDGE PARK LIGHTING ENHANCEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of ITB Cutler Ridge Park Lighting Project](#)
[Resolution-Issuance of ITB Cutler Ridge Park Lighting Project](#)
[Resolution-Exhibit A-ITB 19-06 Cutler Ridge Park Lighting Project](#)

- G.** 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 PARKS LANDSCAPE/GROUNDS MAINTENANCE SERVICES FOR PARKS AND PARKWAYS LOCATED WITHIN THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP Parks Landscaping Maintenance Services](#)
[Resolution-Issuance of RFP Parks Landscaping Maintenance Services](#)
[Resolution-Exhibit A-RFP 19-07 Parks Landscape Maintenance Services](#)

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DESIGNATING LINCOLN CITY PARK AS A NATURAL PRESERVE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan

Attachments: [Council Memo-Preserving Lincoln City Park](#)
[Council Memo-Attachment A-Lincoln City Park Aerial](#)
[Council Memo-Attachment B-Lincoln City Park Analysis](#)
[Resolution-Preserving Lincoln City Park](#)

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

(These hearings are scheduled for a time certain of 8:00 P.M.)

All persons addressing the Town Council shall be sworn-in prior to giving testimony and may be subject to cross examination. All persons addressing the Town Council shall state their name and address for the record.

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 A VARIANCE FROM SECTION 3-59(5) OF THE TOWN CODE TO PERMIT 24.89% BUILDING FRONTAGE WHERE 75% IS REQUIRED ALONG A SECONDARY STREET FOR FRONTIER DEVELOPMENT LLC LOCATED AT 19875 SOUTH DIXIE HIGHWAY CONSISTING OF APPROXIMATELY .99 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Frontier Development LLC Variance](#)
[Manager Memo-Attachment A-Consultant Report](#)
[Manager Memo-Attachment B-Variance Application](#)
[Manager Memo-Attachment C- Ad Courtesy Notices and Posting](#)
[Resolution-Approving Frontier Development LLC Variance](#)
[Resolution-Exhibit A-Legal Description](#)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A SITE PLAN FOR FRONTIER DEVELOPMENT LLC TO PERMIT A COMMERCIAL MIXED-USE DEVELOPMENT CONSISTING OF 8,370 SQUARE FEET ON PROPERTY LOCATED AT 19875 SOUTH DIXIE HIGHWAY, CONSISTING OF APPROXIMATELY .99 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Frontier Development LLC Site Plan](#)
[Manager Memo-Attachment A-Consultant Report](#)
[Manager Memo-Attachment B-Site Plan Application](#)
[Manager Memo-Attachment C- Ad Courtesy Notices and Posting](#)
[Resolution-Approving Frontier Development LLC Site Plan](#)
[Resolution-Exhibit A-Legal Description](#)

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

- A. AN ORDINANCE OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 36, "UTILITIES" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR STORMWATER MANAGEMENT REGULATIONS AND A FACILITY INSPECTION PROGRAM; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Adopting Stormwater Regulations](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Ordinance-1st Reading-Stormwater Management Regulations](#)

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 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: [Mayor Memo-2nd Reading-Amending Chapter 3 LDR Sheds](#)
[Mayor Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Amending Chapter 3 LDR Sheds](#)
[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 3-144 "MINIMUM PARKING RATIOS" RELATING TO HOUSING FOR OLDER PERSONS; 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-2nd Reading-Amending Sections in Chapter 3 LDR](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Amending Sections in Chapter 3 LDR](#)
[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-2nd Reading-Amending Chapter 3 LDR Vacation Rentals](#)
[Council Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Amending Chapter 3 LDR Vacation Rentals](#)
[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-2nd Reading-Amending Section 24-43 Purchasing Guidelines](#)
[Ordinance-2nd Reading-Amending Section 24-43 Purchasing Guidelines](#)
[Council Memo-1st Reading-Amending Section 24-43 Purchasing Guidelines](#)
[Ordinance-1st Reading-Amending Section 24-43 Purchasing Guidelines](#)

10. RESOLUTIONS

11. PUBLIC COMMENTS

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12. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, the town hereby advises the public that if a person decides to appeal any decision made by the 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.

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. Hearing Assistance Devices are available with the Town Clerk.

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 Wi-Fi and must reconnect.

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.