

Town of Cutler Bay

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



Meeting Agenda

Wednesday, April 17, 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**

- Mayor Meerbott April 2019 Report
- Vice Mayor Loyzelle April 2019 Report
- Council Member Duncan April 2019 Report
- Council Member Callahan April 2019 Report
- Council Member Coriat April 2019 Report

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

3. PUBLIC COMMENTS

THE PRESIDING OFFICER SHALL HAVE THE DISCRETION TO LIMIT THE LENGTH OF PUBLIC COMMENTS IN THE INTEREST OF TIME IN ORDER TO ALLOW ALL PERSONS WHO WISH TO SPEAK AN OPPORTUNITY TO DO SO.

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 April 2019

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

- 2018 Miami-Dade Fire Rescue Annual Report

Attachments: [Miami Dade Fire Rescue 2018 Annual Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION OR SEPARATE VOTE IF REQUESTED OR PULLED BY A COUNCIL MEMBER, THE TOWN MANAGER, THE TOWN ATTORNEY, OR THE TOWN CLERK.

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.**
- March 20 2019 Local Planning Agency Minutes
 - March 20 2019 Regular Town Council Minutes

Attachments: [03-20-19 LPA Minutes](#)
[03-20-19 RTC Minutes](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A 2019 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 2019 Neat Street Grant](#)
[Manager Memo-Attachment A-2019 Neat Streets Award Letter](#)
[Resolution-Accepting 2019 Neat Street Grant](#)
[Resolution-Exhibit A-2019 Neat Streets Grant Contract](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING ESTRADA HINOJOSA & CO., INC. FOR FINANCIAL ADVISORY SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Attachments: [Manager Memo-Award of RFQ 19-02 Financial Advisory Services](#)
[Manager Memo-Attachment A-Advertisement-Daily Business Review](#)
[Manager Memo-Attachment B-Committees Recommendation](#)
[Manager Memo-Attachment C-Bidders Submittal Package](#)
[Manager Memo-Attachment D-Bidders Oral Presentation](#)
[Resolution-Approving Award RFQ 19-02 Financial Advisory Services](#)
[Resolution-Exhibit A-RFQ 19-02 Financial Advisory Services Agreement](#)

- 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 R.J. BEHAR & COMPANY, INC. FOR THE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE GULFSTREAM ELEMENTARY COMPLETE STREETS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issurance of PO RJ Behar Gulfstream Complete Streets](#)
[Manager Memo-Attach A-Gulfstream Complete Streets Project Proposal](#)
[Resolution-Issuance of PO RJ Behar Gulfstream Complete Streets](#)
[Resolution-Exhibit A-Gulfstream Complete Streets Project Proposal](#)

- E. 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 MISCELLANEOUS ROADWAY AND DRAINAGE IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo -Issuance of ITB Misc. Roadway & Drainage Improvements](#)
[Resolution-Issuance of ITB Misc. Roadway & Drainage Improvements](#)
[Resolution-Exhibit A-ITB 19-08 Misc. Roadway & Drainage Improvements](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 19-17, AS AMENDED, TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott

Attachments: [Mayor Memo-Modifying Reso 19-17 Agenda Format](#)
[Resolution-Modifying Reso 19-17 Agenda Format](#)

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

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.

(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. (*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting)

Attachments: [Manager Memo-Deferral of Frontier Development Variance](#)
[Manager Memo-Attachment A-Frontier Development LLC Deferral Letter](#)
[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](#)

- B.** 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. (*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting)

Attachments: [Manager Memo-Deferral of Frontier Development LLC Site Plan](#)
[Manager Memo-Attachment A-Frontier Development LLC Deferral Letter](#)
[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 2, "ADMINISTRATION" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR THE PROHIBITION OF BOARD, COMMITTEE, OR TASK FORCE MEMBERS FROM CONDUCTING ANY BUSINESS TRANSACTIONS WITH THE TOWN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Memo-1st Reading-Prohibition of Conducting Business with Town](#)
[Council Memo-Attachment A-2014-19 Strategic Master Plan Excerpt](#)
[Ordinance-1st Reading-Prohibition of Conducting Business with Town](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 18, "FLOODS"; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND ADOPTING TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Repealing and Replacing Chapter 18 Flood Regs](#)
[Manager Memo-1st Reading-Attach A-Notes and Instructions for FPM Ord](#)
[Ordinance-1st Reading-Repealing and Replacing Chapter 18 Flood Regs](#)
[Ordinance-1st Reading-Exhibit A-Chapter 18 Flood Regulations](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, ENTITLED "LOBBYIST REGISTRATION," BY ADDING SECTION 2-238 ENTITLED "PROHIBITING LOBBYING BY CAMPAIGN CONSULTANTS," BY PROHIBITING CAMPAIGN CONSULTANTS AND CERTAIN AFFILIATED PERSONS OR ENTITIES FROM LOBBYING TOWN COUNCIL MEMBERS FOR A PERIOD OF TIME AFTER AN ELECTION; PROVIDING FOR DEFINITIONS AND LIMITED EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-1st Reading-Prohibiting Lobbying by Campaign Consultants](#)
[Ordinance-1st Reading-Prohibiting Lobbying by Campaign Consultants](#)

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 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. (*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting)

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Memo-2nd Reading-Amending Section 24-43 Purchasing Guidelines](#)
[Council Memo-2nd Reading-Attachment A-Advertisement](#)
[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](#)

- B.** 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-2nd Reading-Adopting Stormwater Regulations](#)
[Manager Memo-2nd Reading-Attachment A-Town Consultant Report](#)
[Manager Memo-2nd Reading-Attachment B-Advertisement](#)
[Ordinance-2nd Reading-Stormwater Managament Regulations](#)
[Manager Memo-1st Reading-Adopting Stormwater Regulations](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Ordinance-1st Reading-Stormwater Managament Regulations](#)

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.