

Town of Cutler Bay

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



Meeting Agenda

Wednesday, July 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**

- A. · Mayor Meerbott July 2019 Report
 · Vice Mayor Loyzelle July 2019 Report
 · Council Member Duncan July 2019 Report
 · Council Member Callahan July 2019 Report
 · Council Member Coriat July 2019 Report
 · Council Member Coriat-IHAT Institute Discussion Item

Attachments: [Mayor Meerbott July 2019 Report](#)
[Vice Mayor Loyzelle July 2019 Report](#)
[Council Member Duncan July 2019 Report](#)
[Council Member Callahan July 2019 Report](#)
[Council Member Coriat July 2019 Report](#)
[Council Member Coriat-IHAT Institute Discussion Item](#)

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 July 2019

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

- CITT-Update on the Peoples Transportation Plan

Attachments: [CITT-Update on the Peoples Transportation Plan](#)

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.

APPROVAL OF MINUTES

- A.**
- June 19 2019 Local Planning Agency Minutes
 - June 19 2019 Regular Town Council Minutes
 - June 27 2019 Town Council Workshop Minutes

Attachments: [06-19-19 LPA Minutes](#)

[06-19-19 RTC Minutes](#)

[06-27-19 TCW Minutes](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A NEW MEMBER TO THE FLOODPLAIN MITIGATION PLAN ADVISORY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-Appointment to Floodplain Mitigation Committee](#)

[Resolution-Appointment to Floodplain Mitigation Committee](#)

[Exhibit A-Appointment to Floodplain Mitigation Committee](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A NEW MEMBER TO THE YOUTH COUNCIL COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-Appointment to Youth Council Committee](#)

[Resolution-Appointment to Youth Council Committee](#)

[Resolution-Exhibit A-Appointment to Youth Council Committee](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AWARD OF \$7,500.00 IN GRANT FUNDING FROM THE CUTLER BAY COMMUNITY FUND TO SUPPORT LOCAL NOT-FOR-PROFIT ORGANIZATIONS IN FURTHERING THE EDUCATIONAL DEVELOPMENT OF THE TOWN'S YOUTH; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Awarding Cutler Bay Fund Grants-2 Qtr 2019](#)
[Manager Memo-Attach A-Community Fund Balance Sheet](#)
[Manager Memo-Attach B-CAPA Application-2 Qtr 2019](#)
[Manager Memo-Attach C-DEEP Application-2 Qtr 2019](#)
[Manager Memo-Attach D-CBSHS Application-2 Qtr 2019](#)
[Resolution-Awarding Cutler Bay Fund Grants-2nd Qtr 2019](#)

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

Sponsors: Council Member Robert Duncan

Attachments: [Clerk Memo-Appointment to Community For a Lifetime Committee](#)
[Resolution Appointing Member to Community for a Lifetime Committee](#)
[Resolution-Exhibit A-Appointment to Community For a Lifetime Committee](#)

- F. 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 PHASE VI OF THE ROADWAY RESURFACING PROJECT WITHIN THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO HR Paving Neighborhood Resurfacing](#)
[Manager Memo-Attachment A-Town Assessment Report](#)
[Manager Memo-Attachment B-Phase VI Neighborhood Resurfacing Plans](#)
[Resolution-Issuance of PO HR Paving Neighborhood Resurfacing](#)

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING ELECTRICAL CONTRACTING SERVICES, INC. FOR THE CUTLER RIDGE PARK LIGHTING IMPROVEMENTS PROJECT CONTINGENT UPON RECEIPT OF ADDITIONAL GRANT FUNDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award of ITB 19-06 Cutler Ridge Park Lighting Project](#)
[Manager Memo-Attach A-ITB 19-06 Ad & Bid Opening Form](#)
[Manager Memo-Attach B-Bid Package Electrical Contract Services](#)
[Manager Memo-Attach C-FDACS Funding Request](#)
[Resolution-Award of ITB 19-06 Cutler Ridge Park Lighting Project](#)
[Resolution-Exhibit A-Cutler Ridge Park Lighting Contract](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE UNITED STATES SENATE TO APPROVE SENATE BILL 788, ALSO KNOWN AS "THE EQUALITY ACT," WHICH WILL SERVE TO EXTEND FEDERAL ANTI-DISCRIMINATION PROTECTIONS TO LESBIAN, GAY, BISEXUAL, AND TRANSGENDER, ("LGBT") AMERICANS, BY PROVIDING THEM WITH EQUAL PROTECTION UNDER THE LAW; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Vice Mayor Sue Ellen Loyzelle

Attachments: [Council Memo-Supporting United States Senate Bill 788](#)
[Council Memo-Attach A-United States Senate Bill 788](#)
[Council Memo-Attach B-City of Miami Beach Resolution No. 19-30837](#)
[Resolution-Supporting United States Senate Bill 788](#)

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE LEGALIZATION OF MARIJUANA FOR RECREATIONAL USE; PROVIDING FOR TRANSMITTAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-Supporting Legalization of Marijuana for Recreational Use](#)
[Resolution-Supporting Legalization of Marijuana for Recreational Use](#)

- J. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FIRST AMENDMENT TO THE AUDIT AGREEMENT WITH CABALLERO FIERMAN LLERENA & GARCIA, LLP (FORMERLY KNOWN AS ALBERNI CABALLERO & FIERMAN, LLP); PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Amendment to 2014 Auditing Services Agreement](#)
[Manager Memo-Attach A-Reso No 14-51 Professional Auditing Services](#)
[Resolution-Approving Amendment to 2014 Auditing Services Agreement](#)
[Resolution-Exhibit A-Auditing Services Agreement Amendment No. 1](#)

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

(These hearings are scheduled to begin being heard not later than 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.

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 14, "ENVIRONMENTAL PROTECTION" OF THE TOWN CODE OF ORDINANCES TO CREATE SECTION 14-2, "PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS"; AMENDING CHAPTER 8, "CODE ENFORCEMENT," SECTION 8-10, "SCHEDULE OF CIVIL PENALTIES" TO PROVIDE PENALTIES FOR VIOLATIONS OF SECTION 14-1, "PROHIBITIONS REGARDING SALE OR USE OF EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES BY TOWN CONTRACTORS" AND SECTION 14-2; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan and Council Member Robert Duncan

Attachments: [Council Memo-2nd Reading-Amend Chapter 14 Plastic Straw Prohibition](#)
[Council Memo-2nd Reading-Attach A-Town Resolution No 18-52](#)
[Council Memo-2nd Reading-Attach B-Effects of Plastic on Town Environment](#)
[Council Memo-2nd Reading-Attach C-Governor DeSantis HB 771 Veto](#)
[Council Memo-2nd Reading-Attach D-Advertisement](#)
[Ordinance-2nd Reading-Amend Chapter 14 Plastic Straw Prohibition](#)
[Council Memo-1st Reading-Amend Chapter 14 Plastic Straw Prohibition](#)
[Council Memo-1st Reading-Attach A-Town Resolution No 18-52](#)
[Council Memo-1st Reading-Attach B-Effects of Plastic on Town Environment](#)
[Council Memo-1st Reading-Attach C-Governor DeSantis HB 771 Veto](#)
[Ordinance-1st Reading-Amend Chapter 14 Plastic Straw Prohibition](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE PURCHASE OF PROPERTY FROM GCF INVESTMENTS INC., CONSISTING OF APPROXIMATELY 16 ACRES, AND GENERALLY LOCATED NORTH OF S.W. 212 STREET, SOUTH OF MARLIN DRIVE, EAST OF OLD CUTLER ROAD, AND WEST OF S.W. 92ND PLACE; APPROVING THE SALE OF PROPERTIES TO GCF INVESTMENTS INC. (OR AN AFFILIATED ENTITY), CONSISTING OF APPROXIMATELY 4.95 ACRES, AND LOCATED AT 10720 CARIBBEAN BLVD; PROVIDING FOR AUTHORIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Approving Purchase and Sale of Property](#)
[Manager Memo-2nd Reading-Attachment A-Town Resolution 18-83](#)
[Manager Memo-2nd Reading-Attachment B-GCF Property Information](#)
[Manager Memo-2nd Reading-Attachment C-Town Property Information](#)
[Manager Memo-2nd Reading-Attachment D-GCF Investments Letter of Intent](#)
[Manager Memo-2nd Reading-Attachment E-Advertisement](#)
[Ordinance-2nd Reading-Purchase and Sale of Property](#)
[Ordinance-2nd Reading-Exhibit A- GCF Investments Inc Property](#)
[Ordinance-2nd Reading-Exhibit B-Town Property Information](#)
[Ordinance-2nd Reading-Exhibit C-GCF Investments Letter of Intent](#)
[Manager Memo-1st Reading-Approving Purchase and Sale of Property](#)
[Manager Memo-1st Reading-Attachment A-Town Resolution 18-83](#)
[Manager Memo-1st Reading-Attachment B-GCF Property Information](#)
[Manager Memo-1st Reading-Attachment C-Town Property Information](#)
[Manager Memo-1st Reading-Attachment D-GCF Investments Letter of Intent](#)
[Ordinance-Purchase and Sale of Property](#)
[Ordinance-1st Reading-Exhibit A- GCF Property Information](#)
[Ordinance-1st Reading-Exhibit B-Town Property Information](#)
[Ordinance-1st Reading-Exhibit C-GCF Investments Letter of Intent](#)

- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, PROVIDING FOR A MORATORIUM ON DEVELOPMENT WITHIN THE TOWN; PROVIDING FOR WAIVERS; PROVIDING PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A TERM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Moratorium on Development Applications](#)
[Manager Memo-2nd Reading-Attach A-Advertisement First Reading](#)
[Manager Memo-2nd Reading-Attach B-Advertisement Second Reading](#)
[Ordinance-2nd Reading-Providing Moratorium on Development](#)
[Manager Memo-1st Reading-Moratorium on Development Applications](#)
[Manager Memo-1st Reading-Attachment A-Advertisement](#)
[Ordinance-1st Reading-Providing Moratorium on Development](#)

10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION, IF REQUIRED, WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AUTHORIZING THE TOWN MANAGER TO CHANGE BUDGET HEARING DATES IF NEEDED; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-FY 2019-20 Proposed Millage Rate](#)
[Resolution-FY 2019-20 Proposed Millage Rate](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING VISUALSCAPE, INC. FOR LANDSCAPE MAINTENANCE SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Award RFP 19-04 Landscape Maint Services-ROW](#)
[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 RFP 19-04 Landscape Maint Services-ROW](#)
[Resolution-Exhibit A-Landscape Maint Services-ROW Contract](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING VISUALSCAPE, INC. FOR PARKS LANDSCAPE/GROUNDS MAINTENANCE SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Award RFP 19-07 Landscape Maint Services-Parks](#)
[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 RFP 19-07 Landscape Maint Services-Parks](#)
[Resolution-Exhibit A-Landscape Maint Services-Parks Contract](#)

11. 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.

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.