

Town of Cutler Bay

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



Meeting Agenda

Wednesday, June 19, 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****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.** · Mayor Meerbott June 2019 Report
- Vice Mayor Loyzelle June 2019 Report
- Council Member Duncan June 2019 Report
- Council Member Callahan June 2019 Report
- Council Member Coriat June 2019 Report

Attachments: [Mayor Meerbott June 2019 Report](#)

[Vice Mayor Loyzelle June 2019 Report](#)

[Council Member Duncan June 2019 Report](#)

[Council Member Callahan June 2019 Report](#)

[Council Member Coriat June 2019 Report](#)

A. TOWN MANAGER'S REPORT

- 2019 State Legislative Session Report

Attachments: [2019 State Legislative Session Report](#)

- 2018 CAFR and Governance Letter

Attachments: [2018 CAFR and Governance Letter](#)

- Town Manager Monthly Report June 2019

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

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. · May 15 2019 Town Council Workshop Minutes
· May 15 2019 Local Planning Agency Minutes
· May 15 2019 Regular Town Council Minutes

Attachments: [05-15-19 TCW Minutes](#)

[05-15-19 LPA Minutes](#)

[05-15-19 RTC Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 12-63 CHANGING THE NUMBER OF YOUTH COUNCIL COMMITTEE MEMBERS; REAPPOINTING MEMBERS TO THE YOUTH COUNCIL COMMITTEE AS PROVIDED IN EXHIBIT A; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Robert Duncan

Attachments: [Council Memo-Amending Membership and Appointing Members to YCC](#)

[Resolution-Amending Membership and Appointing Members to YCC](#)

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

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 06-97 BY RETIRING THE AT LARGE SEAT ON THE PARKS AND RECREATION ADVISORY COMMITTEE; DECREASING THE NUMBER OF COMMITTEE MEMBERS FROM ELEVEN (11) TO TEN (10); REAPPOINTING THE FORMER AT LARGE MEMBER; APPOINTING A MEMBER TO THE COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan and Vice Mayor Sue Ellen Loyzelle

Attachments: [Clerk Memo-Amending Resolution 06-97 P&R Advisory Committee](#)
[Resolution-Amending Resolution 06-97 P&R Advisory Committee](#)
[Resolution-Exhibit A-P&R Advisory Committee 2019 Appointments](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING MUNICIPAL CODE CORPORATION ("MUNICODE") FOR TOWN WEBSITE REDESIGN, IMPLEMENTATION, HOSTING, MAINTENANCE AND SUPPORT SERVICES; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Website Redesign Hosting and Maintenance](#)
[Manager Memo-Attach A-Aha Consulting and Municipal Code Merger](#)
[Manager Memo-Attach B-City of Greenacres RFP 17-001 Bid Document](#)
[Manager Memo-Attach C-City of Greenacres RFP 17-001 Agreement](#)
[Manager Memo-Attach D-Municipal Code Town Quote](#)
[Resolution-Selecting Municipal Code Website Redesign Hosting Maint](#)
[Reso-Exhibit A-Municipal Code Contract Quote and Agreement](#)

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.

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE SITE PLAN OF VILLAGE OF CUTLER PROPERTIES LC TO PERMIT TWENTY-NINE (29) SINGLE FAMILY HOMES ON PROPERTY LOCATED AT 18551 OLD CUTLER ROAD (FOLIO # 36-6003-001-0013, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 8.43 +/- ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Site Plan Approval-Cutler Properties LC](#)
[Manager Memo-Attachment A-Consultant Report](#)
[Manager Memo-Attachment B-Applicant Submittal and Site Plan](#)
[Manager Memo-Attachment C-Ad Courtesy Notices and Posting](#)
[Resolution-Site Plan Approval-Cutler Properties LC](#)
[Resolution-Exhibit A-Legal Description](#)

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 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-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-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](#)

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A.** 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-1st Reading-Moratorium on Development Applications](#)
[Manager Memo-1st Reading-Attachment A-Advertisement](#)
[Ordinance-1st Reading-Providing Moratorium on Development](#)

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 3-54, "ER, ESTATE RESIDENTIAL DISTRICT" RELATING TO TABLE OF STANDARDS; AMENDING SECTION 3-55, "SR, SINGLE FAMILY RESIDENTIAL DISTRICT" RELATING TO TABLE OF STANDARDS; AMENDING SECTION 3-56, "MR, MULTIFAMILY RESIDENTIAL DISTRICT" RELATING TO TABLE OF STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-2nd Reading-Amending Chapter 3 LDR Setbacks](#)
[Council Memo-2nd Reading-Attachment A-Zoning Map](#)
[Council Memo-2nd Reading-Attachment B-Advertisement](#)
[Ordinance- 2nd Reading- Amending Chapter 3 LDR Setbacks](#)
[Council Memo-1st Reading-Amending Chapter 3 LDR Setbacks](#)
[Council Memo-1st Reading-Attachment A-Zoning Map](#)
[Ordinance-1st Reading- Amending Chapter 3 LDR Setbacks](#)

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.