

Town of Cutler Bay

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



Meeting Agenda

Wednesday, September 18, 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 September 2019 Report
· Vice Mayor Loyzelle September 2019 Report
· Council Member Duncan September 2019 Report
· Council Member Callahan September 2019 Report
· Council Member Coriat September 2019 Report

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

[Vice Mayor Loyzelle September 2019 Report](#)

[Council Member Duncan September 2019 Report](#)

[Council Member Callahan September 2019 Report](#)

[Council Member Coriat September 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 September 2019

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

- Robert Daddario, Finance Department-Quarterly Financial Report

Attachments: [FY 2018-19 Third Quarterly Financial 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.

APPROVAL OF MINUTES

- A. · July 17 2019 Regular Town Council Minutes
· July 29 2019 Special Call Meeting Minutes
· July 29 2019 Town Council Workshop Minutes

Attachments: [07-17-2019 TCM Minutes](#)

[07-29-2019 STC Minutes](#)

[07-29-2019 TCW Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE PARKS AND RECREATION ADVISORY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-Appointing Member to Parks and Recreation Committee](#)

[Resolution Appointing Member to Parks and Recreation Committee](#)

[Resolution-Exhibit A-Appointment to Parks and Recreation Committee](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING MULTIPLE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT ALLOCATIONS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR TRAINING AND OUTREACH CONDUCTED BY THE CUTLER BAY POLICING UNIT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Authorizing Byrne Justice Assistance Grant Applications](#)

[Resolution- Authorizing JAG Grant Applications](#)

[Resolution-Exhibit A-Byrne JAG Applications](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RATIFYING ACCEPTANCE OF A \$2,500.00 MINI-GRANT FROM THE MIAMI-DADE COUNTY AGE-FRIENDLY INITIATIVE FOR A COMPUTER LAB AT MARILYN HOPE'S PLACE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Ratifying Age-Friendly Mini-Grant Award](#)
[Resolution-Ratifying Age-Friendly Mini-Grant](#)
[Resolution-Exhibit A-Age-Friendly Mini-Grant MOU](#)

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING A DECLARATION OF STATE OF EMERGENCY DUE TO HURRICANE DORIAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Confirming State of Emergency-Hurricane Dorian](#)
[Manager Memo-Attachment A-State of Emergency Declaration](#)
[Manager Memo-Attachment B-State of Emergency Termination](#)
[Resolution-Confirming State of Emergency-Hurricane Dorian](#)
[Resolution-Exhibit A-State of Emergency Declaration](#)
[Resolution-Exhibit B-State of Emergency Termination](#)

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS FOR THE 2019 CUTLER BAY-WHISPERING PINES 4TH OF JULY CELEBRATION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Accepting Miami-Dade Dept of Cultural Affairs Grant](#)
[Manager Memo-Attachment A-Grant Award Letter](#)
[Manager Memo-Attachment B-Grant Application](#)
[Resolution-Accepting Miami-Dade Dept of Cultural Affairs Grant](#)
[Resolution-Exhibit A-Grant Agreement](#)

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); APPROVING THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT FDOT FOR THE BIKE/PEDESTRIAN FACILITIES IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Accepting FDOT LAP Grant-Bike Pedestrian Improvements](#)
[Manager Memo-Attachment A-MPO Grant Application](#)
[Manager Memo-Attachment B-MPO Award Letter](#)
[Manager Memo-Attachment C-Project Improvement Locations](#)
[Manager Memo-Attachment D-FDOT Local Agency Program Agreement](#)
[Resolution-Accepting FDOT LAP Grant-Bike Pedestrian Improvements](#)
[Resolution-Exhibit A-FDOT Local Agency Program Agreement](#)

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR PROFESSIONAL ENGINEERING SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFQ Professional Engineering Services](#)
[Resolution-Issuance of RFQ Professional Engineering Services](#)
[Resolution-Exhibit A-RFQ 19-10 Professional Engineering Services](#)

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH ENVIROWASTE SERVICES GROUP, INC. FOR MISCELLANEOUS ROADWAY AND DRAINAGE IMPROVEMENTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award ITB 19-08 Misc Roadway and Drainage Improvements](#)
[Manager Memo-Attachment A-Advertisement-Daily Business Review](#)
[Manager Memo-Attachment B-Pre-Bid Meeting Sign-In Sheets](#)
[Manager Memo-Attachment C-Summary of Bid Opening](#)
[Manager Memo-Attachment D-Bid Submittal Review](#)
[Manager Memo-Attachment E-Bidder Submittal Package](#)
[Resolution-Award of ITB 19-08 Misc Roadway and Drainage Improvements](#)
[Resolution-Exhibit A-Misc Roadway and Drainage Improvements Contract](#)

- J. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH BELL TOWER CONSULTING GROUP, LLC FOR GRANT WRITING AND ADMINISTRATION SERVICES; WAIVING COMPETITIVE BIDDING DUE TO IMPRACTICABILITY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Bid Waiver Grant Professional Services](#)
[Manager Memo-Attachment A-History of Town Grant Awards](#)
[Manager Memo-Attachment B-Bell Tower Consulting Group Proposal](#)
[Resolution-Approving Bid Waiver Grant Professional Services](#)
[Resolution-Exhibit A-Bell Tower Consulting Group Agreement](#)

- K. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A STATEWIDE MUTUAL AID AGREEMENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Statewide Mutual Aid Agreement](#)
[Resolution-Approving Statewide Mutual Aid Agreement](#)
[Resolution-Exhibit A-Statewide Mutual Aid Agreement](#)

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

Attachments: [Clerk Memo-Appointing Member to Economic Growth Committee](#)
[Resolution-Appointing Member to Economic Growth Committee](#)
[Resolution-Exhibit A-Appointment to Economic Growth Committee](#)

- M. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROPOSE AN AMENDMENT TO FLORIDA STATUTE § 403.7033 TO ALLOW LOCAL LEGISLATIVE EFFORTS TO ADDRESS AND REGULATE AUXILIARY CONTAINERS, WRAPPINGS, AND DISPOSABLE BAGS AND ADOPT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S "RETAIL BAGS REPORT FOR THE FLORIDA LEGISLATURE"; PROVIDING FOR TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott and Council Member Robert Duncan

Attachments: [Mayor Memo-Urging FL Legislature to Propose Amendment to F.S.](#)
[Resolution-Urging FL Legislature to Propose Amendment to F.S.](#)

- N. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO COORDINATE WITH LOCAL GROUPS OF VOLUNTEERS TO RELOCATE SAW PALMETTO SHRUBS TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S OLD CUTLER WETLAND RESTORATION SITE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-Relocation of Saw Palmetto Shrubs to SFWMD Wetland](#)
[Council Memo-Attachment A-Existing Location of Saw Palmetto Shrubs](#)
[Resolution-Authorizing Saw Palmetto Shrubs Relocation to SFWMD Wetland](#)

- O. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT TO STUDY THE NEED FOR A RESCUE/TRANSPORT UNIT AT FIRE STATION 55 LOCATED IN SAGA BAY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott

Attachments: [Mayor Memo-Urging Miami-Dade Fire Rescue to Perform Study-Station 55](#)
[Resolution-Urging Miami-Dade Fire Rescue to Perform Study-Station 55](#)

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 CEDAR HOLDING, LLC TO PERMIT A TWO HUNDRED THIRTY-SIX (236) UNIT RESIDENTIAL APARTMENT BUILDING AT THE POINT ROYALE SHOPPING CENTER, WHICH IS ON PROPERTY LOCATED AT 18901 SOUTH DIXIE HIGHWAY (FOLIOS # 36-6005-070-0010 AND 36-6005-014-0010), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 4.25 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Cedar Holding LLC Site Plan](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Site Plan Application](#)
[Manager Memo-Attachment C-Advertisement Notices and Posting](#)
[Resolution-Approving Cedar Holding LLC Site Plan](#)
[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 26 "PROPERTY MAINTENANCE AND CONTROL" OF THE TOWN CODE OF ORDINANCES RELATING TO THE REGISTRATION OF ABANDONED REAL PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending Section 26-251 Property Registry](#)
[Manager Memo-1st Reading-Attachment A-Client List](#)
[Manager Memo-1st Reading-Attachment B-FHFA Letter](#)
[Ordinance-1st Reading-Amending Section 26-251 Property Registry](#)

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR PROPERTY LOCATED AT 20851 SW 97 AVENUE (FOLIO NO. 36-6009-000-0160) FROM LOW DENSITY RESIDENTIAL TO INSTITUTIONAL; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Centro Evangelistico La Roca FLUM Amendment](#)
[Manager Memo-1st Reading-Attachment A-Town Consultant Report](#)
[Manager Memo-1st Reading-Attachment B-Application](#)
[Manager Memo-1st Reading-Attachment C-Ad Courtesy Notices and Posting](#)
[Ordinance-1st Reading-Centro Evangelistico La Roca FLUM Amendment](#)
[Ordinance-1st Reading-Exhibit A-Legal Description](#)
[Ordinance-1st Reading-Exhibit B-Future Land Use Map Amendment](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF CENTRO EVANGELISTICO LA ROCA, INC. TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO INT (INSTITUTIONAL DISTRICT) ON PROPERTY LOCATED AT 20851 SW 97 AVENUE (FOLIO NO. 36-6009-000-0160), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 4.2 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Centro Evangelistico Rezoning ZC-2018-033](#)
[Manager Memo-1st Reading-Attachment A-Town Consultant Report](#)
[Manager Memo-1st Reading-Attachment B-Application](#)
[Manager Memo-1st Reading-Attachment C-Courtesy Notices and Posting](#)
[Ordinance-1st Reading-Centro Evangelistico Rezoning ZC-2018-033](#)
[Ordinance-1st Reading-Exhibit A-Legal Description](#)
[Ordinance-1st Reading-Exhibit B-Rezoning Request Map](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-60 TC, TOWN CENTER DISTRICT TO PERMIT MEDICAL MARIJUANA DISPENSARIES WITHIN THE TC, TOWN CENTER EDGE SUB-DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott

Attachments: [Mayor Memo-1st Reading-Amending TC Zoning District-Permit Dispensaries](#)
[Mayor Memo-1st Reading-Attach A-TC District Future Land Use Map](#)
[Mayor Memo-1st Reading-Attach B-Advertisement](#)
[Ordinance-1st Reading-Amending TC Zoning District-Permit Dispensaries](#)

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**10. RESOLUTIONS****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.