

Town of Cutler Bay

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



Meeting Agenda

Wednesday, October 16, 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 October 2019 Report
· Vice Mayor Loyzelle October 2019 Report
· Council Member Duncan October 2019 Report
· Council Member Callahan October 2019 Report
· Council Member Coriat October 2019 Report

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

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

- South Corridor Rapid Transit Project Funding Application Update

Attachments: [South Corridor Rapid Transit Project Funding Application Update](#)

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.**
- September 10 2019 First Budget Hearing Minutes
 - September 18 2019 Town Council Workshop Minutes
 - September 18 2019 Local Planning Agency Minutes
 - September 18 2019 Regular Town Council Minutes
 - September 24 2019 Final Budget Hearing Minutes

Attachments: [09-10-2019 TCM First Budget Hearing Minutes](#)

[09-18-2019 TCW Minutes](#)

[09-18-2019 LPA Minutes](#)

[09-18-2019 RTC Minutes](#)

[09-24-2019 TCM Final Budget Hearing Minutes](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AWARD OF \$2,500.00 IN GRANT FUNDING FROM THE CUTLER BAY COMMUNITY FUND TO SUPPORT THE CUTLER BAY COMMUNITY THEATER IN PROMOTING CULTURAL ARTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Awarding Cutler Bay Community Fund Grants-3rd QTR 2019](#)

[Manager Memo-Attachment A-Community Fund Balance Sheet](#)

[Manager Memo-Attachment B-CBCT Grant Application-3rd QTR 2019](#)

[Resolution Awarding Cutler Bay Community Fund Grants-3rd QTR 2019](#)

- 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.

Sponsors: Mayor Tim Meerbott

Attachments: [Clerk Memo-Appointment to Youth Council Committee](#)
[Resolution Appointing Member 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, RATIFYING ACCEPTANCE OF A \$15,000.00 GRANT FROM THE MIAMI FOUNDATION FOR THE MIAMI-DADE COUNTS 2020 GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo- Ratifying The Miami Foundation Grant Agreement](#)
[Manager Memo-Attachment A-Census Hard to Count Communities Map](#)
[Manager Memo-Attachment B-The Miami Foundation Grant Application](#)
[Resolution- Ratifying The Miami Foundation Grant Agreement](#)
[Resolution-Exhibit A-The Miami Foundation Grant Agreement](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC. (F/K/A AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.) TO UPDATE THE FLOODPLAIN MITIGATION PLAN; WAIVING COMPETITIVE BIDDING DUE TO IMPRACTICABILITY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving Bid Waiver and Issuance PO Wood-FMP](#)
[Manager Memo-Attachment A-FEMA CRS Verification Report](#)
[Manager Memo-Attachment B-Consultant Proposal](#)
[Resolution-Approving Bid Waiver and Issuance PO Wood-FMP](#)
[Resolution-Exhibit A-Wood Envir & Infrastructure Solutions Proposal](#)

- 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 MARLIN ENGINEERING, INC. FOR DESIGN SERVICES FOR THE SAGA BAY 1.7 SUB-BASIN WATER QUALITY IMPROVEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO Marlin SB 1.7 Sub-Basin Design Services](#)
[Manager Memo-Attachment A-Saga Bay 1.7 Sub-Basin Project Map](#)
[Manager Memo-Attachment B-Consultant Proposal](#)
[Resolution- Issuance of PO Marlin SB 1.7 Sub-Basin Design Services](#)
[Resolution-Exhibit A-Marlin Engineering Inc Fee Proposal](#)

- G.** 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 CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE BIKE/PEDESTRIAN FACILITIES IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to R.J. Behar CEI Bike Ped Improvements](#)
[Manager Memo-Attachment A-MPO Grant Application](#)
[Manager Memo-Attachment B-Project Improvement Location](#)
[Manager Memo-Attachment C-MPO Award Letter](#)
[Manager Memo-Attachment D-Consultant Proposal](#)
[Resolution-Issuance of PO R.J. Behar & Co CEI Bike Ped Improvements](#)
[Resolution-Exhibit A-R.J. Behar & Company CEI Fee Proposal](#)

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY PUBLIC SCHOOLS BOARD'S 2020 STATE LEGISLATIVE PROGRAM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-Supporting MDCPS Board 2020 State Legislative Program](#)
[Resolution-Supporting MDCPS Board 2020 State Legislative Program](#)
[Resolution-Exhibit A-MDCPS Board 2020 State Legislative Program](#)

- I.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING T.F.R. ENTERPRISES, INC. FOR EMERGENCY DEBRIS ROAD CLEARING SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Award RFP 19-09 Emergency Debris Road Clearing Services](#)
[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 RFP 19-09 Emergency Debris Road Clearing Services](#)
[Resolution-Exhibit A-Emergency Debris Road Clearing Services Contract](#)

- J. 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 BIKE/PEDESTRIAN FACILITIES IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo- Issuance of ITB Bike Pedestrian Facilities Improvements](#)
[Manager Memo-Attachment A-MPO Grant Application](#)
[Manager Memo-Attachment B-MPO Award Letter](#)
[Manager Memo-Attachment C-Town Resolution No 19-64](#)
[Resolution-Issuance of ITB 19-12 Bike Pedestrian Facilities Improvements](#)
[Resolution-Exhibit A-ITB 19-12 ITB Bike Pedestrian Facilities Improvements](#)

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.
(* previously deferred per September 18, 2019 Regular Town Council Meeting to date certain October 16, 2019 Regular Town Council Meeting)

Attachments: [Manager Memo-Traffic and Ped Assessment Point Royale Site Plan](#)
[Manager Memo-Attachment A-Point Royale Circulation Assessment](#)
[Manager Memo-Attachment B-Town Consultant Report Revised](#)
[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, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2020 MUNICIPAL GENERAL ELECTION AND ESTABLISHING THE RUN-OFF DATE, IF NECESSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-1st Read-Qualifying-Run-off-General Election Dates](#)
[Ordinance-1st Read-Qualifying-Run-off-General Election Dates](#)

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. (* previously deferred per September 18, 2019 Regular Town Council Meeting to date certain October 16, 2019 Regular Town Council Meeting)

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. (* previously deferred per September 18, 2019 Regular Town Council Meeting to date certain October 16, 2019 Regular Town Council Meeting)

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 SECTION 3-40 OF THE LAND DEVELOPMENT REGULATIONS, RELATING TO GROWTH MANAGEMENT PLAN AMENDMENT APPLICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending Sections in Chapter 3 LDR](#)
[Ordinance-1st Reading-Amending Sections in Chapter 3 LDR](#)

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 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-2nd Reading-Amending Section 26-251 Property Registry](#)
[Manager Memo-2nd Reading-Attachment A-Client List](#)
[Manager Memo-2nd Reading-Attachment B-FHFA Letter](#)
[Manager Memo-2nd Reading-Attachment C-Advertisement-Oct 6 2019](#)
[Ordinance-2nd Reading-Amending Section 26-251 Property Registry](#)
[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](#)

- B.** 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-2nd Reading-Amending TC Zoning District-Permit Dispensaries](#)
[Mayor Memo-2nd Reading-Attach A-TC District Future Land Use Map](#)
[Mayor Memo-2nd Reading-Attach B-Advertisement-Sept 5 2019](#)
[Mayor Memo-2nd Reading-Attach C-Advertisement-Oct 6 2019](#)
[Ordinance-2nd Reading-Amending TC Zoning District-Permit Dispensaries](#)
[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](#)

10. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR LOCAL POLICE PATROL SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Interlocal Agreement for Local Police Patrol Services](#)
[Manager Memo-Attach A-Executive Summary Services Agreement](#)
[Manager Memo-Attach B-Police Patrol Services Agreement Extension](#)
[Manager Memo-Attach C-MDPD Director Response](#)
[Manager Memo-Attach D-Board of County Commissioners R-922-19](#)
[Resolution Approving Interlocal Agreement for Local Police Services](#)
[Resolution - Exhibit A - Interlocal Agreement for Local Police Services](#)

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.