

# Town of Cutler Bay

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



## Meeting Agenda

**Wednesday, March 18, 2020**

**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 March 2020 Report  
· Vice Mayor Loyzelle March 2020 Report  
· Council Member Duncan March 2020 Report  
· Council Member Callahan March 2020 Report  
· Council Member Coriat March 2020 Report

**Attachments:** [Mayor Meerbott March 2020 Report](#)  
[Vice Mayor Loyzelle March 2020 Report](#)  
[Council Member Duncan March 2020 Report](#)  
[Council Member Callahan March 2020 Report](#)  
[Council Member Coriat March 2020 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 March 2020

**Attachments:** [Town Manager Monthly Report March 2020](#)

## 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. · February 19 2020 Local Planning Agency Minutes  
· February 19 2020 Regular Town Council Minutes  
· February 26 2020 Town Council Workshop Minutes  
· March 4 2020 Special Town Council Meeting Minutes

**Attachments:** [2-19-20 LPA Minutes](#)

[2-19-20 TCM Minutes](#)

[2-26-20 TCW Minutes](#)

[3-04-20 STC Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES; APPROVING THE QUALIFICATIONS OF THE FIRMS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SUCH QUALIFYING FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Awarding RFQ No. 19-10 Professional Engineering 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-Selection Committee Appointment](#)

[Manager Memo-Attachment E-Qualifications Submittal Review](#)

[Manager Memo-Attachment F.1-Consultant Submittal-Stantec](#)

[Manager Memo-Attachment F.2-Consultant Submittal-Kimley-Horn](#)

[Manager Memo-Attachment F.3-Consultant Submittal-SRS Engineering](#)

[Resolution-Awarding of RFQ 19-10 Professional Engineering Services](#)

[Resolution-Exhibit A-Professional Engineering Services Agreement](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FIRST AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT-OF-WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS FOR AN ANNUAL AMOUNT OF \$5,700.00; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Approving First Amendment to RFP 19-04 Agreement](#)  
[Manager Memo-Attachment A-Covenant for Maintenance Agreement](#)  
[Manager Memo-Attachment B-New Landscape Sidewalk Joints](#)  
[Manager Memo-Attachment C-Landscape Management Proposal](#)  
[Resolution-Approving a First Amendment to RFP 19-04 Agreement](#)  
[Resolution-Exhibit A-First Amendment Agreement-VisualScape Inc](#)

## 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 A VARIANCE APPLICATION FROM THE PROVISIONS OF SEC. 3-168 (1) AND (2) OF THE TOWN CODE OF ORDINANCES RELATING TO FENCES FOR PROPERTY LOCATED AT 9600 DOMINICAN DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-9600 Dominican Drive Variance](#)  
[Manager Memo-Attachment A-Consultant Report](#)  
[Manager Memo-Attachment B-Variance Application](#)  
[Manager Memo-Attachment C- Ad Courtesy Notices and Posting](#)  
[Resolution-9600 Dominican Drive Variance](#)  
[Resolution-Exhibit A-Legal Description](#)

## 7. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA UPDATING THE TOWN WATER SUPPLY PLAN AND ADOPTING WATER SUPPLY PLAN RELATED AMENDMENTS TO THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-1st Read-Water Supply Facilities Work Plan 2020](#)  
[Manager Memo-1st Read-Attach A-Consultant Report](#)  
[Manager Memo-1st Read-Attach B-Advertisement 03-08-20](#)  
[Ordinance-1st Read-Water Supply Facilities Work Plan 2020 Update](#)  
[Ordinance-1st Read-Ex A-10 Year Water Supply Facilities Work Plan 2020](#)  
[Ordinance-1st Read-Ex B-Proposed Amendments](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS OF THE TOWN CODE OF ORDINANCES RELATING TO ARCHITECTURAL AND LANDSCAPE REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ARCHITECTURAL AND LANDSCAPE STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-1st Read-Amending Chapter 3-Architecture and Landscape](#)  
[Ordinance-1st Read-Amending Chapter 3-Architecture and Landscape](#)  
[Ordinance-1st Read-Ex A-Chapter 3 LDR-Architecture and Landscape Regs](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS," CHAPTER 14, "ENVIRONMENTAL PROTECTION," AND CHAPTER 26, "PROPERTY MAINTENANCE AND CONTROL" OF THE TOWN CODE OF ORDINANCES RELATING TO ENVIRONMENTAL, RESILIENCY, AND SUSTAINABILITY REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ENVIRONMENTAL, RESILIENCY, AND SUSTAINABILITY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Ordinance-1st Read-Amending Ch 3-Resiliency and Sustainability Regs](#)  
[Manager Memo-1st Read-Amending Ch 3-Resiliency and Sustainability](#)  
[Ordinance-1st Read-Ex A-Chapter 3 Land Development Regulations](#)  
[Ordinance-1st Read-Ex B-Chapter 14 Environmental Protection](#)  
[Ordinance-1st Read-Ex C-Chapter 26 Property Maintenance and Control](#)

## **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, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS" OF THE TOWN CODE OF ORDINANCES RELATING TO MOBILITY REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO MOBILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-2nd Read-Amending Chapter 3-Traffic Mobility Regulations](#)  
[Manager Memo-2nd Read-Attach A-Traffic Impact Analysis Method Standards](#)  
[Manager Memo-2nd Read-Attach B-Advertisement 03-08-20](#)  
[Ordinance-2nd Read-Amending Chapter 3 LDR-Traffic Mobility Regulations](#)  
[Ordinance-2nd Read-Exhibit A-Chapter 3 LDR-Traffic Mobility Regulations](#)  
[Manager Memo-1st Read-Amending Chapter 3-Traffic Mobility Regulations](#)  
[Memo-1st Read-Attach A-Traffic Impact Analysis Methodology Standards](#)  
[Ordinance-1st Read-Amending Chapter 3 LDR-Traffic Mobility Regulations](#)  
[Ordinance-1st Read-Exhibit A-Chapter 3 LDR-Traffic Mobility Regulations](#)

## 10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING STONEHENGE CONSTRUCTION, LLC. FOR THE FRANJO PARK IMPROVEMENTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(\* previously deferred per February 19, 2020 Regular Town Council Meeting to date certain March 18, 2020 Regular Town Council Meeting)

**Attachments:** [Manager Memo-Award of RFP No. 19-13 Franjo Park 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-Town Consultant Pay Item Bid Review](#)  
[Manager Memo-Attachment E-Bid Submittal Review](#)  
[Manager Memo-Attachment F-Bidder Submittal Package](#)  
[Resolution-Approving Award RFP 19-13 Franjo Park Improvements](#)  
[Resolution Award- Exhibit A-Franjo Park Improvements Contract](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE PURCHASE OF PROPERTY FROM CUTLER PROPERTIES, LC, CONSISTING OF APPROXIMATELY 8.45 ACRES, AND LOCATED AT 18551 OLD CUTLER ROAD; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Letter of Intent-Cutler Properties LC](#)  
[Manager Memo-Attach A-Cutler Properties LC Property Information](#)  
[Manager Memo-Attach B-Cutler Properties LC Letter of Intent](#)  
[Resolution-Letter of Intent-Cutler Properties LC](#)  
[Resolution-Exhibit A-Cutler Properties LC Property Information](#)  
[Resolution-Exhibit B-Cutler Properties LC Letter of Intent](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, INDICATING THE OFFICIAL INTENT OF THE TOWN TO ISSUE TAX-EXEMPT BONDS OR NOTES IN THE AMOUNT OF UP TO \$8,550,000 TO FINANCE THE COSTS OF ACQUISITION OF VACANT LAND FOR PARK, CONSERVATION AND RESILIENCY PURPOSES AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Reimbursement for Park Conservation and Resiliency](#)  
[Resolution-Reimbursement for Park Conservation and Resiliency](#)

## 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.