

# Town of Cutler Bay

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



## Meeting Agenda

**Wednesday, May 20, 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 May 2020 Report  
· Vice Mayor Loyzelle May 2020 Report  
· Council Member Duncan May 2020 Report  
· Council Member Callahan May 2020 Report  
· Council Member Coriat May 2020 Report

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

Attachments: [Town Manager Monthly Report May 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. · April 22 2020 Regular Town Council Minutes

Attachments: [4-22-20 TCM Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A 2020 NEAT STREETS MIAMI STREET TREE MATCHING GRANT PROGRAM AWARD; APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Accepting Neat Streets Miami Tree Grant Agreement](#)  
[Resolution-Accepting Neat Streets Miami Tree Grant Agreement](#)  
[Resolution-Exhibit A-2020 Neat Streets Grant Contract](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE THIRD CONTRACT AMENDMENT TO CONTRACT NO. 10543 BETWEEN THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE AND THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE PROVISION OF GRANT FUNDING FOR THE CUTLER BAY AFTERSCHOOL AND SUMMER PROGRAM FOR AN ADDITIONAL THREE YEARS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Approving FL Dept of Juvenile Justice Contract Amendment](#)  
[Manager Memo-Attach A-FDJJ Contract No. 10543 – Amendment Three](#)  
[Resolution-Approving Third Amendment to FDJJ Contract](#)  
[Resolution-Exhibit A-FDJJ Contract No. 10543 – Amendment Three](#)

- D.** 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 VILLAGE CHURCH MIAMI'S VILLAGE BACKPACK PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Awarding Cutler Bay Community Fund Grants-1st QTR 2020](#)  
[Manager Memo-Attachment A-Community Fund Balance Sheet](#)  
[Manager Memo-Attachment B-Village Church Miami Program Application](#)  
[Resolution-Awarding Cutler Bay Community Fund Grants-1st QTR 2020](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING ALL UNEMPLOYMENT ASSISTANCE MEASURES RECOMMENDED BY THE MIAMI-DADE COUNTY LEGISLATIVE DELEGATION TO THE FLORIDA GOVERNOR, INCLUDING ALLOWING INDIVIDUALS TO APPLY FOR UNEMPLOYMENT BENEFITS RETROACTIVELY FROM THE DATE OF UNEMPLOYMENT FOLLOWING THE DECLARATION OF A STATE OF EMERGENCY BY THE FLORIDA GOVERNOR DUE TO THE NOVEL CORONAVIRUS DISEASE 2019; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Mayor Tim Meerbott

**Attachments:** [Mayor Memo-Supporting MDC Legislative Unemployment Recommendations](#)  
[Mayor Memo-Attachment A-MDC Legislative Delegation Letter of Support](#)  
[Resolution-Supporting MDC Legislative Unemployment Recommendations](#)  
[Resolution-Exhibit A-MDC Legislative Delegation Letter of Support](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING MIAMI-DADE COUNTY TO ADOPT A COUNTYWIDE ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES FOR THE PROTECTION OF LOCAL SURFACE AND GROUNDWATER QUALITY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Council Member Robert Duncan

**Attachments:** [Council Memo-Urging MDC to Adopt FL Friendly Fertilizer Ordinance](#)  
[Resolution-Urging MDC to Adopt Florida Friendly Fertilizer Ordinance](#)

## **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)**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-164 RELATING TO ALTERNATIVE MATERIALS AND PAVERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Council Member Michael Callahan

**Attachments:** [Council Memo-1st Reading-Amending Impervious Area Chapter 3](#)  
[Ordinance-1st Reading-Amending Impervious Area Chapter 3](#)

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

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING EMERGENCY ORDER NO. 20-04 DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Confirming Emergency Order 20-04](#)  
[Manager Memo-Attach A-Town Emergency Order 20-04](#)  
[Resolution-Confirming Emergency Order 20-04](#)  
[Resolution-Exhibit A-Town Emergency Order 20-04](#)

**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.