

Town of Cutler Bay

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



Meeting Agenda

Wednesday, July 15, 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 July 2020 Report
· Vice Mayor Loyzelle July 2020 Report
· Council Member Duncan July 2020 Report
· Council Member Callahan July 2020 Report
· Council Member Coriat July 2020 Report

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

- 2019 CAFR and Governance Letter

Attachments: [2019 CAFR and Governance Letter](#)

- Town Manager Monthly Report July 2020

Attachments: [Town Manager Monthly Report July 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. · June 17 2020 Local Planning Agency Minutes
· June 17 2020 Regular Town Council Minutes

Attachments: [06-17-20 LPA Minutes](#)

[06-17-20 RTC Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THANKING ALL FIRST RESPONDERS, THE HEALTH CARE COMMUNITY AND CRITICAL ESSENTIAL EMPLOYEES FOR THEIR BRAVE RESPONSE TO THE CORONAVIRUS DISEASE 2019 PANDEMIC.

Sponsors: Mayor Tim Meerbott

Attachments: [Mayor Memo-Thanking First Responders During COVID-19 Pandemic](#)

[Resolution-Thanking First Responders During COVID-19 Pandemic](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FLORIDA DEPARTMENT OF HEALTH AND/OR MIAMI-DADE COUNTY TO DEVELOP OR PROCURE A CONTACT TRACING SMARTPHONE APPLICATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Robert Duncan

Attachments: [Council Memo-Urging FDOH and MDC to Develop Contact Tracing App](#)

[Council Memo-Attach A-World Health Organization on Contract Tracing](#)

[Resolution-Urging FDOH and MDC to Develop Contact Tracing App](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR TOWNWIDE TREE TRIMMING MAINTENANCE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP 20-05 Tree Trimming Maintenance Service](#)
[Resolution-Approving Issuance of RFP 20-05 Tree Trimming Service](#)
[Resolution-Exhibit A-RFP 20-05 Tree Trimming Maintenance Service](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR A TOWNWIDE TREE PLANTING PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFP 20-04 Tree Planting Program](#)
[Resolution-Approving Issuance of RFP Tree Planting Program](#)
[Resolution-Exhibit A-RFP 20-04 Tree Planting Program](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SFM SERVICES, INC. FOR STREET SWEEPER SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Awarding RFP No. 20-01 Street Sweeper Services](#)
[Manager Memo-Attachment A-Daily Business Review Advertisement](#)
[Manager Memo-Attachment B-Pre-Bid Meeting Sign-In Sheet](#)
[Manager Memo-Attachment C-Summary of Bid Opening](#)
[Manager Memo-Attachment D-Selection Committee Appointment Memorandum](#)
[Manager Memo-Attachment E-Selection Committee Proposal Review](#)
[Resolution-Awarding of RFP 20-01 Street Sweeper Services](#)
[Resolution-Exhibit A-Street Sweeper Services Agreement](#)

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO DEVELOP A CONTACTLESS PLAN FOR CUSTOMER SERVICE DELIVERY AND TECHNOLOGICAL SYSTEMS ADVANCEMENTS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 ("COVID-19") PANDEMIC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Tim Meerbott and Council Member Robert Duncan

Attachments: [Mayor Memo-Developing a Contactless Plan in Response to COVID-19](#)
[Resolution-Developing a Contactless Plan in Response to COVID-19](#)

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](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A MODIFICATION TO A CONDITION IN RESOLUTION 16-37 FOR MATER ACADEMY CUTLER BAY, LOCATED AT 22025 SW 87 AVENUE, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 44.03 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Mater Academy Cutler Bay Modification](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Town Consultant Traffic Report](#)
[Manager Memo-Attachment C-Application and Letter of Intent](#)
[Manager Memo-Attachment D-Advertisement Notices and Posting](#)
[Resolution-Mater Acaademy Cutler Bay Modification of Conditional Use](#)
[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 3, "LAND DEVELOPMENT REGULATIONS," ARTICLE III, "SIGN REGULATIONS," OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR AMENDMENTS TO THE TOWN'S SIGN REGULATIONS RELATED TO INSURING CONTENT NEUTRALITY AND CONFORMANCE WITH APPLICABLE CASE LAW RELATING TO SIGN REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Attorney Memo-1st Read-Amending Chapter 3 LDR-Sign Regulations](#)
[Ordinance-1st Read-Amending Chapter 3 LDR-Sign Regulations](#)
[Ordinance-1st Read-Exhibit A- Chapter 3 LDR-Sign Regulations](#)

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," 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: [Manager Memo-2nd Read-Amending Ch 3-Resiliency and Sustainability](#)
[Manager Memo-2nd Read-Attachment A-Advertisement](#)
[Ordinance-2nd Read-Amending Ch 3-Resiliency and Sustainability Regs](#)
[Ordinance-2nd Read-Ex A-Chapter 3 Land Development Regulations](#)
[Ordinance-2nd Read-Ex B-Chapter 14 Environmental Protection](#)
[Ordinance-2nd Read-Ex C-Chapter 26 Property Maintenance and Control](#)
[Manager Memo-1st Read-Amending Ch 3-Resiliency and Sustainability](#)
[Ordinance-1st Read-Amending Ch 3-Resiliency and Sustainability Regs](#)
[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](#)

- 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 CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Read-Amending Chapter 3-Architecture and Landscape](#)

[Manager Memo-2nd Read-Attachment A-Advertisement](#)

[Ordinance-2nd Read-Amending Chapter 3-Architecture and Landscape](#)

[Ordinance-2nd Read-Ex A-Chapter 3 LDR-Architecture and Landscape Regs](#)

[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, AMENDING SECTION 3-169, "SPECIAL EVENTS," OF THE TOWN CODE OF ORDINANCES RELATING TO SPECIAL EVENT PERMIT PROCEDURES AND SPECIAL EVENTS FOR NOT-FOR-PROFIT ORGANIZATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan

Attachments: [Council Memo-2nd Reading-Amending Special Events Chapter 3](#)

[Council Memo-2nd Reading-Attachment A-Advertisement](#)

[Ordinance-2nd Reading-Amending Special Events Chapter 3](#)

[Council Memo-1st Reading-Amending Special Events Chapter 3](#)

[Ordinance-1st Read-Amending Special Events Chapter 3](#)

10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING EMERGENCY ORDER NO. 20-06, EMERGENCY ORDER NO. 20-07, AMENDMENT 1 TO EMERGENCY ORDER NO. 20-06, AND AMENDMENT NO. 1 TO EMERGENCY ORDER NO. 20-07 DUE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo Confirming Issuance of Emergency Orders and Amendments](#)
[Manager Memo-Attach A-Town Emergency Order 20-06](#)
[Manager Memo-Attach B-Town Emergency Order 20-07](#)
[Manager Memo-Attach C-Town Emergency Order 20-06 Amendment No 1](#)
[Manager Memo-Attach D-Town Emergency Order 20-07 Amendment No 1](#)
[Resolution Confirming Issuance of Emergency Orders and Amendments](#)
[Resolution-Exhibit A-Town Emergency Order 20-06](#)
[Resolution-Exhibit B-Town Emergency Order 20-07](#)
[Resolution-Exhibit C-Town Emergency Order 20-06 Amendment No 1](#)
[Resolution-Exhibit D-Town Emergency Order 20-07 Amendment No 1](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION, IF REQUIRED, WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AUTHORIZING THE TOWN MANAGER TO CHANGE BUDGET HEARING DATES IF NEEDED; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-Proposed Millage Rate and Budget Hearings for FY 2020-21](#)
[Resolution-Proposed Millage Rate and Budget Hearings for FY 2020-21](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 10-75, AS AMENDED, TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Mayor Memo-Amending Agenda Format - Public Comments](#)
[Resolution-Amending Agenda Format - Public Comments](#)

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.