

Town of Cutler Bay

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



Meeting Agenda

Wednesday, September 16, 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. 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.

3. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

- A.**
- Mayor Meerbott September 2020 Report
 - Vice Mayor Loyzelle September 2020 Report
 - Council Member Duncan September 2020 Report
 - Council Member Callahan September 2020 Report
 - Council Member Coriat September 2020 Report

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

4. REPORTS**A. TOWN MANAGER'S REPORT**

- Town Manager Monthly Report September 2020

Attachments: [Town Manager Monthly Report September 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. · July 15 2020 Regular Town Council Minutes

Attachments: [07-15-20 TCM Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE 2020 MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY; AUTHORIZING THE TOWN MANAGER TO IDENTIFY AND PRIORITIZE HAZARD MITIGATION GRANT PROGRAM PROJECTS TO BECOME A PART OF THE LOCAL AND STATE-WIDE HAZARD MITIGATION STRATEGY; AND PROVIDING FOR AN EFFECTIVE DATE

Attachments: [Mgr Memo-Adopting Miami-Dade County 2020 LMS](#)

[Mgr Memo-Attach A-FDEM Approval Letter of Miami-Dade County 2020 LMS](#)

[Resolution-Adopting Miami-Dade County 2020 LMS](#)

[Resolution-Exhibit A-Miami-Dade County 2020 LMS](#)

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. 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.

8. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)**9. 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 FUTURE LAND USE MAP (FLUM) WITHIN THE TOWN'S COMPREHENSIVE PLAN FROM MEDIUM DENSITY RESIDENTIAL WITH RESIDENTIAL CONSERVATION OVERLAY TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. *previously deferred per August 26, 2020 Regular Town Council Meeting to date certain September 16, 2020 Regular Town Council Meeting.

Attachments: [Applicant-FLUM-Amended Letter of Intent - 09-09-2020](#)

[Manager Memo-1st Reading-Saga South Dev Inc FLUM Amendment](#)

[Manager Memo-1st Reading-Attachment A-Letter of Intent and Application](#)

[Manager Memo-1st Reading-Attachment B-Town Consultant Report](#)

[Manager Memo-1st Reading-Attachment C-Traffic Impact Study](#)

[Manager Memo-1st Reading-Attachment D-DERM Corrective Action Letter](#)

[Manager Memo-1st Reading-Attachment E-Courtesy Notices and Posting](#)

[Ordinance-1st Reading -Saga South Dev Inc 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, AMENDING THE ZONING MAP FROM NEIGHBORHOOD RESIDENTIAL TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. *previously deferred per August 26, 2020 Regular Town Council Meeting to date certain September 16, 2020 Regular Town Council Meeting.
(QUASI-JUDICIAL)

Attachments: [Applicant-Rezoning-Amended Letter of Intent - 09-09-2020](#)

[Manager Memo-1st Reading-Saga South Dev Inc Rezoning](#)

[Manager Memo-1st Reading-Attachment A-Letter of Intent and Application](#)

[Manager Memo-1st Reading-Attachment B-Town Consultant Report](#)

[Manager Memo-1st Reading-Attachment C-Traffic Impact Study](#)

[Manager Memo-1st Reading-Attachment D-Courtesy Notices and Posting](#)

[Ordinance-1st Reading-Saga South Dev Inc Rezoning](#)

[Ordinance-1st Reading-Exhibit A - Legal Description](#)

[Ordinance-1st Reading-Exhibit B - Rezoning Amendment](#)

10. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTIONS 3-141 - "GENERAL PRINCIPALS" AND 3-142 - "PARKING SPECIFICATIONS" RELATING TO PARKING, DRIVEWAY, AND LOADING AREA REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Michael Callahan

Attachments: [Council Memo-2nd Read-Amending Article X-Off Street Parking-Pervious NC1](#)
[Council Memo-2nd Read-Attachment A-Advertisement 09-06-20](#)
[Ordinance-2nd Read-Amending Article X-Off Street Parking-Pervious NC1](#)
[Council Memo-1st Read-Amending Article X-Off Street Parking-Pervious NC1](#)
[Ordinance-1st Read-Amending Article X-Off Street Parking-Pervious NC1](#)

- 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" RELATING TO IMPERVIOUS AREA, OPEN SPACE, AND ROADWAY STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Robert Duncan

Attachments: [Council Memo-2nd Read-TC District Impervious Area Amendments](#)
[Council Memo-2nd Read-Attachment A-Advertisement 09-06-20](#)
[Ordinance-2nd Read-TC District Impervious Area Amendments](#)
[Council Memo-1st Read-TC District Impervious Area Amendments](#)
[Ordinance-1st Read-TC District Impervious Area Amendments](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,100,000.00 OF TAXABLE CAPITAL IMPROVEMENTS REVENUE BONDS OF THE TOWN OF CUTLER BAY, FLORIDA FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF PROPERTY PURCHASED FROM GCF INVESTMENTS, INC; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; PROVIDING THAT THE BONDS MAY BE ISSUED AS A SEPARATE SERIES OF BONDS AS PART OF THE SAME OFFERING OF THE BONDS AUTHORIZED BY ORDINANCE NO. 20-09 ADOPTED ON AUGUST 26, 2020; PROVIDING FOR AUTHORIZATION FOR NEGOTIATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Refinancing Series 2015B Bond](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement 09-06-20](#)
[Ordinance-2nd Reading-Refinancing Series 2015B Bond](#)
[Manager Memo-1st Reading-Refinancing Series 2015B Bond](#)
[Ordinance-1st Reading-Refinancing Series 2015B Bond](#)

11. RESOLUTIONS

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.