

Town of Cutler Bay

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



Meeting Agenda

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

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

3. PUBLIC COMMENTS

THE PRESIDING OFFICER SHALL HAVE THE DISCRETION TO LIMIT THE LENGTH OF PUBLIC COMMENTS IN THE INTEREST OF TIME IN ORDER TO ALLOW ALL PERSONS WHO WISH TO SPEAK AN OPPORTUNITY TO DO SO.

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 January 2020

Attachments: [Town Manager Monthly Report January 2020](#)
[MDTPW Presentation-Bus Express Rapid Transit Network](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

5. CONSENT AGENDA

ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION OR SEPARATE VOTE IF REQUESTED OR PULLED BY A COUNCIL MEMBER, THE TOWN MANAGER, THE TOWN ATTORNEY, OR THE TOWN CLERK.

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. · October 16 2019 Regular Town Council Minutes
· November 6, 2019 Town Council Workshop Minutes
· November 13 2019 Special Call Meeting Minutes
· November 20 2019 Local Planning Agency Minutes
· November 20 2019 Regular Town Council Minutes

Attachments: [10-16-19 RTC Minutes](#)
[11-06-19 TCW Minutes](#)
[11-13-19 SCM Minutes](#)
[11-20-19 LPA Minutes](#)
[11-20-19 RTC 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 MAMI SOUTHRIDGE SENIOR HIGH SCHOOL IN EXPANDING ITS SPORTS PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Awarding Cutler Bay Community Fund Grants-4th QTR 2019](#)
[Manager Memo-Attachment A-Community Fund Balance Sheet](#)
[Manager Memo-Attachment B-Southridge Grant Application-4th QTR 2019](#)
[Resolution-Awarding Cutler Bay Community Fund Grants-4th QTR 2019](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY FOR THE FRANJO ROAD ROADWAY IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-JPA Franjo Road Roadway Improvements](#)
[Manager Memo-Attachment A-Franjo Road Improvements Project Limits](#)
[Manager Memo-Attachment B-Joint Participation Agreement](#)
[Resolution-Approving JPA for Franjo Road Roadway Improvements](#)
[Resolution-Exhibit A-Joint Participation Agreement](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENTS WITH MARLIN ENGINEERING, INC., R. J. BEHAR & COMPANY, INC., AND STANTEC CONSULTING SERVICES, INC.; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Amendment Professional Engineering Service Agreement](#)
[Manager Memo-Attachment A-Professional Service Agreements](#)
[Manager Memo-Attachment B-Professional Service Agreements Renewal](#)
[Resolution-Amendment Professional Engineering Services Agreement](#)
[Resolution-Exhibit A-Engineering Services Agreement Amendment No. 1](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A COVENANT FOR MAINTENANCE OF CERTAIN IMPROVEMENTS ALONG S.W. 211 STREET FROM S.W. 112 AVENUE (ALLAPATTAH ROAD) TO S.W. 108 COURT WITH MIAMI-DADE COUNTY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Covenant Agreement with Miami-Dade County](#)
[Manager Memo-Attachment A-Bike Lane Concrete Curb Separators](#)
[Manager Memo-Attachment B-Covenant for Maintenance Agreement](#)
[Resolution-Covenant Agreement with Miami-Dade County](#)
[Resolution-Exhibit A-Covenant for Maintenance Agreement](#)

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

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.

(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 CUTLER BAY TOWN CENTRE, LLC TO PERMIT A MIXED-USE DEVELOPMENT WITH NINETY-THREE (93) RESIDENTIAL UNITS, 8,977 SQUARE FEET OF COMMERCIAL AND 9,754 SQUARE FEET OF OFFICE USES ON PROPERTY LOCATED AT 10100 SW 186 STREET (FOLIO # 36-6005-001-0091), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY +/-1.36 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Cutler Bay Town Centre LLC Site Plan](#)
[Manager Memo-Attachment A-Consultant Report](#)
[Report-Ex A-Zoning District and FLUM Designation Map](#)
[Report-Ex B1-Applicant Traffic Submittal Update 01-06-2020](#)
[Report-Ex B2-Applicant Traffic Response Memorandum 09-13-2019](#)
[Report-Ex B3-Town Traffic Review Comments 08-28-2019](#)
[Report-Ex B4-Town Traffic Review Comments 01-18-2019](#)
[Report-Ex B5-Applicant Traffic Submittal 12-18-2019](#)
[Manager Memo-Attachment B-Site Plan Application](#)
[Manager Memo-Attachment C-Advertisement Courtesy Notices and Posting](#)
[Resolution-Approving Cutler Bay Town Centre LLC Site Plan](#)
[Resolution-Exhibit A-Legal Description](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF COUGAR HOLDINGS, LLC TO PERMIT A REZONING FROM SR (SINGLE- FAMILY RESIDENTIAL DISTRICT) TO NC-1 (NEIGHBORHOOD CENTER 1 DISTRICT) ON PROPERTY GENERALLY LOCATED AT 8495 S.W. 200 STREET (FOLIO NO. 36-6003-035-0060 & 36-6003-002-0040) AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY +/- .82 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading- Cougar Holdings Rezoning ZC-2018-004](#)
[Manager Memo-1st Reading-Attachment A-Town Consultant Report](#)
[Report-Ex A-Aerial Map](#)
[Report-Ex B-Existing and Proposed Rezoning Amendment](#)
[Report-Ex C1- Applicant Technical Memorandum 06-06-2018](#)
[Report-Ex C2-Town Traffic Review Comments 06-04-2018](#)
[Report-Ex C3-Applicant Technical Memorandum 03-16-2018](#)
[Report-Ex C4-Town Traffic Review Comments 03-09-2018](#)
[Report-Ex C5-Applicant Traffic Submittal](#)
[Manager Memo-1st Reading-Attachment B-Application](#)
[Manager Memo-1st Reading-Attachment C-Courtesy Notices and Posting](#)
[Ordinance-1st Reading-Cougar Holdings Rezoning ZC-2018-004](#)
[Ordinance-1st Reading-Exhibit A-Legal Description](#)
[Ordinance-1st Reading-Exhibit B-Rezoning Amendment](#)

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

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 OLD CUTLER ROAD AND SW 200 STREET (FOLIO NO. 36-6003-035-0060) FROM LOW DENSITY RESIDENTIAL TO MIXED USE; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Cougar Holdings LLC FLUM Amendment](#)
[Manager Memo-1st Reading-Attachment A-Town Consultant Report](#)
[Report-Ex A-Existing and Proposed FLUM Amendment](#)
[Report-Ex B-Aerial Map](#)
[Report-Ex C1- Applicant Technical Memorandum 06-06-2018](#)
[Report-Ex C2-Town Traffic Review Comments 06-04-2018](#)
[Report-Ex C3-Applicant Technical Memorandum 03-16-2018](#)
[Report-Ex C4-Town Traffic Review Comments 03-09-2018](#)
[Report-Ex C5-Applicant Traffic Submittal](#)
[Manager Memo-1st Reading-Attachment B-Application](#)
[Manager Memo-1st Reading-Attachment C-Courtesy Notices and Posting](#)
[Ordinance-1st Reading-Cougar Holdings FLUM Amendment](#)
[Ordinance-1st Reading-Exhibit A-Legal Description](#)
[Ordinance-1st Reading-Exhibit B-Future Land Use Map Amendment](#)

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 SECTION 2-236 "LOBBYISTS AND PRINCIPALS" OF THE TOWN CODE OF ORDINANCES RELATING TO THE REGISTRATION FEES OF LOBBYISTS AND PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo-2nd Read-Ordinance Amend Sec 2-236 Lobbyists and Principals](#)
[Clerk Memo-2nd Read-Attachment A-Advertisement](#)
[Clerk Memo-2nd Read-Attachment B-07-02 Regulations for Lobbyists](#)
[Ordinance-2nd Read-Amending Section 2-236 Lobbyists and Principals](#)
[Clerk Memo- Ordinance Amending Section 2-236 Lobbyists and Principals](#)
[Ordinance-Amending Section 2-236 Lobbyists and Principals](#)

- B.** 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 GROWTH MANAGEMENT PLAN FROM ESTATE DENSITY-CONSERVATION AND LOW DENSITY-CONSERVATION TO CONSERVATION ON THE PROPERTIES GENERALLY DESCRIBED AS: (1) EAST OF OLD CUTLER ROAD, WEST OF BISCAYNE NATIONAL PARK, NORTH OF S.W. 188 STREET, AND SOUTH OF S.W. 184 STREET; AND (2) EAST OF S.W. 87 AVENUE, WEST OF BISCAYNE NATIONAL PARK, NORTH OF S.W. 232 STREET, AND SOUTH OF S.W. 216 STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Council Member Roger Coriat

Attachments: [Council Memo-2nd Reading-Amend Comp Plan FLU-4F GMP to Conservation](#)
[Council Memo-2nd Reading-Attachment A-Town Consultant Report](#)
[Council Memo-2nd Reading-Attachment B-Property Locations](#)
[Council Memo-2nd Reading-Attachment C-Advertisement Notices and Posting](#)
[Ordinance-2nd Reading-Amend Comp Plan FLU-4F GMP to Conservation](#)
[Ordinance-2nd Reading-Exhibit A-Property Locations](#)
[Council Memo-1st Reading-Amend Comp Plan FLU-4F GMP to Conservation](#)
[Council Memo-1st Reading-Attachment A-Town Consultant Report](#)
[Council Memo-1st Reading-Attachment B-Property Locations](#)
[Council Memo-1st Reading-Attachment C-Advertisement Notices and Posting](#)
[Ordinance-1st Reading-Amend Comp Plan FLU-4F GMP to Conservation](#)
[Ordinance-1st Reading-Exhibit A-Property Locations](#)

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE MORATORIUM ADOPTED BY ORDINANCE 19-13; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Moratorium Extension-Development Applications](#)
[Manager Memo-2nd Reading-Attachment A-Town Ordinance No 19-13](#)
[Manager Memo-2nd Reading-Attachment B-Advertisement 11-20-19](#)
[Manager Memo-2nd Reading-Attachment C-Advertisement 01-05-20](#)
[Ordinance-2nd Reading-Moratorium Extension on Development Applications](#)
[Manager Memo-1st Reading-Moratorium Extension-Development Applications](#)
[Manager Memo-1st Reading-Attachment A-Town Ordinance No 19-13](#)
[Manager Memo-1st Reading-Attachment B-Advertisement](#)
[Ordinance-1st Reading-Moratorium Extension on Development Applications](#)

10. RESOLUTIONS

11. PUBLIC COMMENTS

THE PRESIDING OFFICER SHALL HAVE THE DISCRETION TO LIMIT THE LENGTH OF PUBLIC COMMENTS IN THE INTEREST OF TIME IN ORDER TO ALLOW ALL PERSONS WHO WISH TO SPEAK AN OPPORTUNITY TO DO SO.

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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.