

# Town of Cutler Bay

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



## Meeting Agenda

**Wednesday, June 17, 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 June 2020 Report  
· Vice Mayor Loyzelle June 2020 Report  
· Council Member Duncan June 2020 Report  
· Council Member Callahan June 2020 Report  
· Council Member Coriat June 2020 Report

**Attachments:** [Mayor Meerbott June 2020 Report](#)

[Vice Mayor Loyzelle June 2020 Report](#)

[Council Member Duncan June 2020 Report](#)

[Council Member Callahan June 2020 Report](#)

[Council Member Coriat June 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 June 2020

**Attachments:** [Town Manager Monthly Report June 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. · May 20 2020 Local Planning Agency Minutes  
· May 20 2020 Regular Town Council Minutes

**Attachments:** [05-20-20 LPA Minutes](#)  
[05-20-20 RTC Minutes](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE UNITED STATES HOUSE BILL 6800, ENTITLED "THE HEROES ACT," WHICH EXPANDS RELIEF TO ADDRESS THE IMPACTS OF THE NOVEL CORONAVIRUS DISEASE 2019 ON THE ECONOMY, PUBLIC HEALTH, STATE AND LOCAL GOVERNMENTS, INDIVIDUALS, AND BUSINESSES; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Council Member Robert Duncan

**Attachments:** [Council Memo-Supporting House Bill 6800-The HEROES Act](#)  
[Resolution-Supporting House Bill 6800-The HEROES Act](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO REMOVE PREVALENT INVASIVE EXOTIC PLANT SPECIES FROM TOWN OWNED PROPERTIES AND RIGHTS-OF-WAY, INCLUDING SAPLINGS AND SPROUTS; FURTHER AUTHORIZING THE TOWN MANAGER TO CREATE A PUBLIC AWARENESS CAMPAIGN AND SEEK GRANTS RELATING TO THE REMOVAL OF SUCH SPECIES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Council Member Roger Coriat

**Attachments:** [Council Memo-Adopting a Prohibited Species List](#)  
[Council Memo-Attachment A-FEPPC 2019 Prohibited Species List](#)  
[Resolution-Adopting a Prohibited Species List](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONDEMNING THE RECKLESS ACTIONS OF THE MINNEAPOLIS POLICE OFFICERS INVOLVED IN THE DEATH OF GEORGE FLOYD, EXTENDING CONDOLENCES TO THE FAMILY OF GEORGE FLOYD FOR THEIR LOSS, AND SUPPORTING THE FLOYD FAMILY IN ITS CALL FOR JUSTICE AND PEACE FOLLOWING THIS INCIDENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Council Member Roger Coriat

**Attachments:** [Council Memo-Reaffirmation of Social Justice Regarding George Floyd](#)  
[Resolution-Reaffirmation of Social Justice Regarding George Floyd](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING MIAMI-DADE COUNTY MAYOR CARLOS A. GIMENEZ AND THE BOARD OF COUNTY COMMISSIONERS TO TRANSFER CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT DIRECT FEDERAL FUNDS RECEIVED BY MIAMI-DADE COUNTY TO THE TOWN OF CUTLER BAY AND TO OTHER UNITS OF LOCAL GOVERNMENT WITHIN THE COUNTY BASED ON POPULATION AND RATES OF COVID-19 CASES; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Mayor Tim Meerbott

**Attachments:** [Mayor Memo-Urging County to Transfer CARES Act Funding to Cities](#)  
[Mayor Memo-Attach A-State and Local Government Eligibility Payments](#)  
[Resolution Urging County to Transfer CARES Act Funding to Cities](#)  
[Resolution-Exhibit A-State and Local Government Eligibility Payments](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE CUTLER BAY PROPERTIES ACQUISITION PROPOSAL NO. 4 OF THE MIAMI-DADE COUNTY'S ENVIRONMENTALLY ENDANGERED LANDS PROGRAM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Mayor Tim Meerbott and Council Member Roger Coriat

**Attachments:** [Mayor Memo-Supporting Environmentally Endangered Lands Application](#)  
[Mayor Memo-Attachment A-Cutler Bay Properties Acquisition Proposal](#)  
[Resolution-Supporting Environmentally Endangered Lands Application](#)  
[Resolution-Exhibit A-Cutler Properties LC Property Information](#)

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

## 8. ORDINANCES FOR FIRST READING (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 06-07-20](#)  
[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](#)

## 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-Attachment B-Advertisement](#)  
[Ordinance-2nd Read-Amending Chapter 3 LDR-Traffic Mobility Regulations](#)  
[Ordinance-2nd Read-Exhibit A-Chapter 3 LDR-Traffic Mobility Regulations](#)  
[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](#)

- B.** 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-2nd Reading-Amending Impervious Area Chapter 3](#)  
[Council Memo-2nd Reading-Attachment A-Advertisement](#)  
[Ordinance-2nd Reading-Amending Impervious Area Chapter 3](#)  
[Council Memo-1st Reading-Amending Impervious Area Chapter 3](#)  
[Ordinance-1st Reading-Amending Impervious Area Chapter 3](#)

## 10. RESOLUTIONS

- A.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING EMERGENCY ORDER NO. 20-05 AND AMENDMENTS 1 AND 2 TO EMERGENCY ORDER 20-04 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 20-05](#)  
[Manager Memo-Attach B-Town Emergency Order 20-04 Amendment No 1](#)  
[Manager Memo-Attach C-Town Emergency Order 20-04 Amendment No 2](#)  
[Resolution-Confirming Issuance of Emergency Orders and Amendments](#)  
[Resolution-Exhibit A-Town Emergency Order 20-05](#)  
[Resolution-Exhibit B-Town Emergency Order 20-04 Amendment No 1](#)  
[Resolution-Exhibit C-Town Emergency Order 20-04 Amendment No 2](#)

## 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.