



Town of Cutler Bay

Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189

Meeting Minutes

Town Council

MAYOR AND COUNCIL MEMBERS

Mayor Peggy R. Bell

Vice Mayor Sue Ellen Loyzelle

Council Member Mary Ann L. Mixon

Council Member Michael P. Callahan

Council Member Roger Coriat

CHARTER OFFICIALS

Town Attorney Mitchell Bierman

Town Attorney Chad Friedman

Town Manager Rafael G. Casals

Town Clerk Debra E. Eastman, MMC

Wednesday, July 19, 2017

7:00 PM

Council Chambers

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

Mayor Bell called the meeting to order at 7:08 PM. Town Clerk Debra Eastman called the roll.

Present: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael P. Callahan and Council Member Roger Coriat

2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

A. Mayor Bell Monthly Report July 2017

Mayor Bell announced the upcoming Property Assessed Clean Energy (PACE) informational meeting on green energy co-ops taking place on September 12, 2017, and a second meeting taking place at Town Hall on October 17, 2017. Mayor Bell provided an update on the potential acquisition of open land, and read into the record a letter from a property owner addressed to the Town regarding their reluctance to sell. Mayor Bell provided an update on a second property owner willing to sell a portion of vacant land. Town Manager Rafael Casals provided information on the ongoing discussion between the Town and the property owner. There was discussion on a potential offer and appraisal on the vacant land. Council Member Mixon suggested acquiring a Broker's Price Opinion in lieu of an appraisal. The Council came to a consensus to include discussion on vacant land in the upcoming Budget Workshop on July 26, 2017.

Vice Mayor Loyzelle expressed gratitude to the Parks and Recreation Department for their efforts with the Fourth of July Event.

Mayor Bell reported on the Cutler Bay Golf Tournament and the South Miami-Dade Cultural Arts Center "Eagles" event.

A motion was made by Council Member Coriat, seconded by Council Member Mixon, to pull items 5B and 5C on the Consent Agenda and move them to follow Public Comments on the agenda. Mayor Bell called for the vote and the motion

passed 5-0.

B. · Vice Mayor Loyzelle Monthly Report July 2017

Vice Mayor Loyzelle reported on attendance at the Miami-Dade County Evaluation and Appraisal Report (EAR) Outreach Workshop dealing with the urban expansion area. Vice Mayor Loyzelle announced Cutler Bay Senior Games registration closing on September 25, and the Senior Day Marlins Game Event which took place earlier in the day.

C. · Council Member Mixon Monthly Report July 2017

Council Member Mixon reported on the June 2017 Floodplain Mitigation Plan Committee Meeting, and announced the upcoming meeting on September 28, 2017.

D. · Council Member Callahan Monthly Report July 2017

Council Member Callahan had no additional report.

E. · Council Member Coriat Monthly Report July 2017

Council Member Coriat had no additional report.

3. PUBLIC COMMENTS

Mayor Bell opened Public Comments. There being no one wishing to speak, Mayor Bell closed Public Comments.

4. REPORTS

A. TOWN MANAGER'S REPORT

· Town Manager Monthly Report July 2017

Town Manager Rafael Casals introduced Town Lobbyist Fausto Gomez to present a summary of the Town's legislative efforts in Tallahassee. At the request of Vice Mayor Loyzelle, Town Lobbyist Fausto Gomez suggested the Council visit Tallahassee in October or November prior to the legislative session beginning, and then visit again during legislative session starting January 7, 2018 and running through March 2018. He also provided information on the Airbnb bill and suggested a date of January 2018 during legislative session for a Youth Council Committee trip to Tallahassee.

· 2016 CAFR and Governance Letter

Town Manager Rafael Casals introduced external auditor Mr. Andrew Fierman, Partner at Alberni Caballero & Fierman to present the Comprehensive Annual Financial Report (CAFR) for the Town's Fiscal Year ending September 30, 2016.

· South Corridor Rapid Transit Project

Town Manager Rafael Casals introduced Miami-Dade County Transportation and Public Works Deputy Director of Engineering Frank Guyamier and AECOM Senior

Transit Planning Leader John Kulpa for a presentation on the South Corridor Rapid Transit Project. At the request of Vice Mayor Loyzelle, Mr. John Kulpa explained the data compilation and resources on travel patterns. Council Member Coriat expressed concern people in the community will not be able to attend workshops related to the project due to time constraints. Mr. John Kulpa referenced a Project Advisory Group that meets before workshops. There was discussion on how to get information out regarding the project. Town Manager Rafael Casals thanked Mr. Frank Guyamier for his efforts with the JPA Caribbean Boulevard Bridge.

At the request of Vice Mayor Loyzelle, Town Manager Rafael Casals will reserve time at the upcoming budget workshop to discuss a more detailed report on crime statistics.

B. TOWN ATTORNEY'S REPORT

There was no Town Attorney report.

C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman announced the Special Primary Election for State Senate District 40 and State Representative District 116 on July 25, 2017. She also announced there is no scheduled Town Council Meeting in August, the Third Budget Workshop on July 26, 2017, the First Budget Public Hearing on September 13, 2017 and the Second Budget Public Hearing on September 27, 2017. Town Clerk Debra Eastman informed the Council that due to the Regular Town Council Meeting scheduled for September 20, 2017 falling on the eve of the start of Rosh Hashanna, there is a proposal to reschedule the Regular Town Council Meeting to September 27, 2017 immediately following the Second Budget Public Hearing. A motion was made by Council Member Coriat, seconded by Council Member Mixon, to reschedule the Regular Town Council Meeting to September 27, 2017 immediately following the Second Budget Public Hearing.

Town Clerk Debra Eastman inquired about Council availability via an online poll for a potential workshop on Town Advisory Boards during the week of October 23, 2017, announced the electronic campaign finance software agreement being reviewed by potential vendor VR Systems, and provided an update on Charter Official Performance Evaluations.

5. CONSENT AGENDA

A motion was made by Council Member Coriat, seconded by Council Member Callahan, to approve items 5A, D, E, F and G on the Consent Agenda. Mayor Bell called for the vote and the motion passed 5-0.

APPROVAL OF MINUTES

- A.** · June 21 2017 Local Planning Agency Minutes
- June 21 2017 Regular Town Council Minutes

These Minutes were approved on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE ECONOMIC GROWTH COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member Mixon introduced Gwen Allison and invited her to speak. A motion was made by Council Member Mixon, seconded by Vice Mayor Loyzelle, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE EDUCATION ADVISORY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Council Member Callahan introduced Dr. Lalita Bandyopadhyay and invited her to speak. A motion was made by Council Member Callahan, seconded by Council Member Coriat, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM MIAMI-DADE COUNTY FOR THE 50TH ANNUAL WHISPERING PINES 4TH OF JULY CELEBRATION; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE FOR THE PROVISION OF AN AFTER SCHOOL AND SUMMER PROGRAM AT CUTLER RIDGE PARK; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- F. 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 JANITORIAL MAINTENANCE SERVICES FOR THE CUTLER BAY TOWN CENTER BUILDING AND TOWN PARK RESTROOMS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR MEMBERSHIP AND PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE (NJPA), A NATIONAL COOPERATIVE PURCHASING SYSTEM, FOR THE PROCUREMENT OF OFFICE SUPPLIES; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

(THESE HEARINGS ARE SCHEDULED FOR A TIME CERTAIN OF 8:00 P.M.)

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 CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S GROWTH MANAGEMENT PLAN; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Ordinance. Town Manager Rafael Casals provided background information on the item. Planning and Zoning Director Kathryn Lyon, with support from consultant Alex David with Calvin, Giordano and Associates, presented the item. A motion was made by Council Member Mixon, seconded by Vice Mayor Loyzelle, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael Callahan and Council Member Roger Coriat

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 ELEMENT MIXED USE CATEGORY LAKES-BY-THE-BAY TO PERMIT RESIDENTIAL USES AS A PART OF A MIXED USE PROJECT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Ordinance. Planning and Zoning Director Kathryn Lyon provided the staff report on the item. Consultant Alex David with Calvin, Giordano and Associates provided background information on the item. There was discussion on the reasons for staff recommendation for approval and the declaration of restrictions calculations. Town Attorney Chad Friedman clarified that the item was a text amendment to the comprehensive plan and not a map amendment, which could be applied to other areas of the Town in the future if approved. Calvin, Giordano and Associates Director of Traffic Engineering Eric Czerniejewski provided information on calculations for traffic impact and level of service. There was discussion on traffic impact for the project.

Applicant Attorney Juan Mayol with Holland and Knight provided a presentation on behalf of the applicant, and introduced into the record copies of the presentation, and a letter from Sedano's Supermarket. Senior Project Manager John Kim with Langan Engineering and Environmental Services spoke on traffic study impacts related to the project. There was discussion on traffic impacts. There was Council consensus to allow Applicant Attorney Juan Mayol time for rebuttal after Public Comments.

Mayor Bell opened Public Comments. Nadia Curdi spoke in favor of the item. Barbara Condon spoke in opposition of the item. Thomas Condon spoke in opposition of the item. Jean McJilton spoke in opposition of the item. Fabiana

Estrada spoke in opposition of the item. Marty Bell spoke in opposition of the item. Raydel Perez spoke in favor of the item. Yunis Segura McNally spoke in favor of the item. Sean Savitt spoke in opposition of the item.

A motion was made by Council Member Coriat, seconded by Council Member Mixon to extend the meeting past 11PM. Mayor Bell called for the vote and the motion passed 5-0. There being no one else wishing to speak, Mayor Bell closed Public Comments.

Applicant Attorney Juan Mayol spoke in in favor of the item and urged approval.

A motion was made by Vice Mayor Loyzelle that this Ordinance be approved.

The motion did not receive a second. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be denied.

The motion carried by the following vote:

Yes: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael Callahan and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-58 OF THE CODE OF ORDINANCES NC, NEIGHBORHOOD CENTER DISTRICT REGARDING RESIDENTIAL USES AND RELATED LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 8B was withdrawn as a result of Council denial of item 8A.

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

10. RESOLUTIONS

- A.** 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.

Town Clerk Debra Eastman read the title of the Resolution. Town Manager Rafael Casals provided background information on the item. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Mixon, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR INFORMATION TECHNOLOGY (IT) MAINTENANCE AND SUPPORT SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Town Manager Rafael Casals provided background information on the item. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. Town Manager Rafael Casals clarified that this is not a

bid and is an interlocal agreement and not a piggy back. Town Attorney Mitchell Bierman provided clarification on Florida Law and intergovernmental cooperation. At the request of Vice Mayor Loyzelle, Town Manager Rafael Casals provided clarification on Information Technology costs with the current vendor compared to Miami-Dade County and additional services. Miami -Dade County Information Technology Chief Information Officer Angel Petisco provided a breakdown on special project costs for budget and planning purposes. After discussion, Mayor Bell called for the vote and the motion passed 5-0.

11. PUBLIC COMMENTS

Mayor Bell opened Public Comments. There being no one wishing to speak, Mayor Bell closed Public Comments.

Town Manager Rafael Casals announced an awarded Florida Department of Transportation tap grant for the Safe Routes to School Gulfstream Elementary Project in the amount of \$476,000.00.

12. ADJOURNMENT

The meeting adjourned at 11:15 PM.

For complete audio recording of this meeting, please visit www.cutlerbay-fl.gov or contact the Town Clerks Office at (305) 234-4262.