

# Town of Cutler Bay

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



## Meeting Agenda

**Wednesday, October 19, 2016**

**7:00 PM**

**Council Chambers**

### **Town Council**

**MAYOR AND COUNCIL MEMBERS**

*Mayor Peggy R. Bell  
Vice Mayor Ernest N. Sochin  
Council Member Mary Ann L. Mixon  
Council Member Sue Ellen Loyzelle  
Council Member Roger Coriat*

**CHARTER OFFICIALS**

*Town Attorney Mitchell Bierman  
Town Attorney Chad Friedman  
Town Manager Rafael G. Casals  
Town Clerk Jacqueline N. Wilson*

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. If hearing impaired, telephone the Florida Relay Services numbers at (800) 955-8771, Telecommunication Devices for the Deaf (TDD), or (800) 955-8700 (voice) for assistance). Wireless connection cbtc-wifi is now available in the Town Council Chambers, please enter townhall as the password.

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

## **2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS**

- A. · Proclamation- Mr. Noah LeFleur
- B. · Proclamation- Vice Mayor Ernest Sochin
- C. · Presentation- Mr. Nate Ritter, Florida Green Building Coalition President  
"Silver" Certified Florida Local Government Designation

## **3. APPROVAL OF MINUTES**

- A. · September 13 2016 Town Council Workshop Minutes
- September 13 2016 First Budget Hearing Minutes
- September 21 2016 Local Planning Agency Minutes
- September 21 2016 Regular Town Council Minutes
- September 27 2016 Executive Session Minutes
- September 27 2016 Second Budget Hearing Minutes

Attachments: [091316 TCW Minutes](#)

[091316 1st Budget Hearing Minutes](#)

[092116 LPA Minutes](#)

[092116 RTC Minutes](#)

[092716 Executive Session Minutes](#)

[092716 2nd Budget Hearing Minutes](#)

## **4. TOWN COUNCIL ANNOUNCEMENTS**

- A. · Mayor Bell Monthly Report September 14-October 8 2016

Attachments: [Mayor Bell Monthly Report September 14-October 8 2016](#)

## **5. PUBLIC COMMENTS**

## **6. REPORTS**

### **A. TOWN MANAGER'S REPORT**

- 2015-16 Miami-Dade Transit Circulator Annual Report  
**Attachments:** [Miami Dade Transit Circulator Annual Report](#)
- Robert Daddario, Finance Department- Quarterly Financial Report  
**Attachments:** [FY 2015-16 Third Quarterly Financial Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

D. BOARD AND COMMITTEE REPORTS

**7. CONSENT AGENDA**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 15-67, WHICH ADOPTED THE BUDGET FOR THE 2015/2016 FISCAL YEAR, BY REVISING THE 2015/2016 OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE TOWN MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-FY 2015-16 Budget Amendments](#)  
[Resolution -FY 2015-16 Budget Amendments](#)  
[Resolution-Exhibit A-FY 2015-16 Budget Amendments](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING URBAN AND COMMUNITY FORESTRY MATCHING GRANT AWARD IN THE AMOUNT OF \$13,500; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A FEDERAL FINANCIAL ASSISTANCE SUBRECIPIENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Accepting FY2016 Forestry Grant Award](#)  
[Manager Memo-Attachment A-FY2016 Forestry Grant Award](#)  
[Resolution-Accepting FY2016 Forestry Grant Award](#)  
[Resolution-Exhibit A-FY2016 Forestry Grant Contract](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING CEEPCO CONTRACTING, LLC TO PROVIDE GENERAL CONTRACTOR SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A GENERAL CONTRACTOR SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Award of RFQ 16-01 General Contractor Services](#)  
[Manager Memo-Attachment A-RFQ 16-01](#)  
[Manager Memo-Attachment B-Daily Business Review Ad](#)  
[Manager Memo-Attachment C-Sign-in Sheet](#)  
[Manager Memo-Attachment D-Submitted Proposals-1 of 2](#)  
[Manager Memo-Attachment D-Submitted Proposals-2 of 2](#)  
[Manager Memo-Attachment E-Selection Committee](#)  
[Manager Memo-Attachment F-Selection Committee Rankings](#)  
[Manager Memo-Attachment G-Selection Committee Recommendation](#)  
[Manager Memo-Attachment H-CEEPCO Bid Submittal](#)  
[Resolution-Award of RFQ 16-01 General Contractor Services](#)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AUTHORIZING AND APPROVING AMENDMENT NO. 2 TO THE COMPREHENSIVE LANDSCAPE/GROUNDS MAINTENANCE SERVICES AGREEMENT BETWEEN THE TOWN AND VALLEYCREST LANDSCAPE MAINTENANCE, INC. TO REFLECT A NAME CHANGE TO BRIGHTVIEW LANDSCAPING SERVICES INC.; AUTHORIZING EXECUTION OF THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-ValleyCrest Name Change Request](#)  
[Manager Memo-Attachment A-ValleyCrest Name Change Request](#)  
[Resolution-ValleyCrest Name Change Request](#)  
[Resolution-Exhibit A- Town Resolution No 13-25-Original](#)  
[Resolution-Exhibit B-Town Resolution No 14-09-Amendment 1](#)

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, OPPOSING AND URGING RESIDENTS TO VOTE "NO" ON AMENDMENT 1, "RIGHTS OF ELECTRICITY CONSUMERS REGARDING SOLAR ENERGY CHOICE," SCHEDULED FOR THE NOVEMBER 8, 2016 GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Mayor Peggy Bell

**Attachments:** [Mayor Council Memo-Opposing Amendment 1 Ballot Question](#)  
[Resolution-Opposing Amendment 1 Ballot Question](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, TO APPOINT NEW MEMBERS AND A NEW SCHOOL DISTRICT LIAISON TO THE YOUTH COUNCIL COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Clerk Memo- Appointments to Youth Council Committee](#)  
[Resolution- Appointments to Youth Council Committee](#)  
[Resolution Exhibit A- Youth Council Committee Appointments](#)

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A THIRD AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT-OF-WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS; AUTHORIZING THE TOWN MANAGER TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Visualscape Third Contract Amendment](#)  
[Manager Memo -Attachment A-Proposal Carib Blvd Services](#)  
[Manager Memo -Attachment B-Proposal Weekend Litter Services](#)  
[Resolution-Visualscape Third Contract Amendment](#)  
[Resolution-Exhibit A-VisualScape Third Contract Amendment](#)

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. FOR TOWNWIDE SIDEWALK IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [Manager Memo-Issuance of PO to Envirowaste Services Group Inc](#)  
[Resolution-Issuance of PO to Envirowaste Services Group Inc](#)  
[Resolution-Exhibit A-Envirowaste Services Group Contract](#)

## **8. RESOLUTIONS**

## **9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)**

## **10. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)**

## **11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CLARIFYING SECTION 3-102 OF THE TOWN CODE OF ORDINANCES RELATING TO MINIMUM BUFFER AREA STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending Sec 3-102 Buffer Matrix](#)  
[Ordinance-1st Reading-Amending Sec 3 102-Buffer Matrix](#)

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AMENDING THE COASTAL MANAGEMENT ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN TO BE CONSISTENT WITH RECENT STATE LAW LEGISLATION; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Coastal Mgmt Element](#)  
[Manager Memo-Attachment A-State DEO Letter](#)  
[Manager Memo-Attachment B-Advertisement](#)  
[Ordinance-Amending Comp Plan-Coastal Mgmt Element](#)  
[Ordinance-1st Reading Exhibit A-Coastal Mgmt Element](#)

- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Amending Mixed Use Req](#)  
[Manager Memo-Attachment A- Advertisement](#)  
[Ordinance-1st Reading-Amending Mixed Use Req](#)  
[Ordinance-1st Reading-Exhibit A- Amending Mixed Use Req](#)

## 12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA ADOPTING A CLIMATE CHANGE ELEMENT TO BE INCLUDED IN THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Mayor Peggy Bell and Council Member Mary Ann Mixon

**Attachments:** [Manager Memo-1st Reading-Climate Change Element](#)  
[Manager Memo-1st Reading-Attachment A-Proof of Advertisement](#)  
[Ordinance-1st Reading-Climate Change Element](#)  
[Ordinance-1st Reading-Exhibit A-Climate Change Element](#)  
[Manager Memo-2nd Reading-Climate Change Element](#)  
[Manager Memo-2nd Reading-Attachment A-Proof of Advertisement](#)  
[Manager Memo-2nd Reading-Attachment B-Proof of Advertisement](#)  
[Ordinance-2nd Reading-Climate Change Element](#)  
[Ordinance-2nd Reading-Exhibit A-Climate Change Element](#)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CUTLER BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE.

**Attachments:** [Attorney Memo- 2nd Reading- Adoption of Town Code](#)  
[Attorney Memo- 2nd Reading- Attachment A- Ordinance Disposition](#)  
[Attorney Memo- 2nd Reading- Attachment B- Advertisement](#)  
[Attorney Memo- 2nd Reading- Attachment C- Advertisement](#)  
[Ordinance- 2nd Reading- Adoption of Town Code](#)  
[Attorney Memo- 1st Reading- Adoption of Town Code](#)  
[Attorney Memo- 1st Reading- Attachment A- Ordinance Disposition](#)  
[Attorney Memo- 2nd Reading- Attachment B- Advertisement](#)  
[Ordinance- 1st Reading- Adoption of Town Code](#)

### 13. PUBLIC COMMENTS

### 14. MAYOR AND COUNCIL COMMENTS

### 15. OTHER BUSINESS

### 16. ADJOURNMENT

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.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS 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.