



TOWN OF CUTLER BAY

Mayor Edward P. MacDougall
Vice Mayor Ernest N. Sochin
Councilmember Peggy R. Bell
Councilmember Mary Ann L. Mixon
Councilmember Sue Ellen Loyzelle

Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Manager Steven Alexander
Town Clerk Esther B. Coulson

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations 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.

TOWN COUNCIL MEETING AGENDA

Wednesday, May 18, 2011, 7:00 p.m.
South Dade Regional Library
10750 SW 211th Street
Cutler Bay, Florida 33189

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS AND DEFERRALS

2. PUBLIC COMMENTS

3. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. Proclamation- Kyle Senzig, Eagle Scout Awardee
- B. Proclamation- Take Stock In Children (TSIC)
- C. Presentation- Elizabeth Garris, Opposition of Chickens
- D. Presentation- Smart Growth

4. APPROVAL OF MINUTES

- A. April 14, 2011- Special Council Meeting
- B. April 20, 2011- Council Meeting
- C. April 20, 2011- Local Planning Agency (LPA)

TAB 1

5. REPORTS

- A. TOWN MANAGER'S REPORT
- B. TOWN ATTORNEY'S REPORT
- C. BOARD/COMMITTEE REPORTS AND COUNCIL ANNOUNCEMENTS

6. CONSENT AGENDA

ANY ITEMS SHALL BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION OR SEPARATE VOTE IF REQUESTED OR PULLED BY A COUNCILMEMBER OR THE TOWN MANAGER.

A. 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 THE OPERATION OF A MUNICIPAL CHARTER SCHOOL WITHIN THE TOWN; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR THE PREPARATION OF A CHARTER SCHOOL APPLICATION AND FEASIBILITY STUDY; AUTHORIZING THE TOWN MANAGER TO PREPARE AND SUBMIT A MUNICIPAL CHARTER APPLICATION TO THE APPROPRIATE AGENCIES; AMENDING RESOLUTION 10-65 RELATING TO THE FISCAL YEAR 2010/2011 BUDGET IN ORDER TO ALLOCATE \$160,000 IN ORDER TO EFFECTUATE THE INTENT AND PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 2

B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING A REVISED INTERLOCAL AGREEMENT BETWEEN THE TOWN AND OTHER MUNICIPALITIES RELATING TO THE GREEN CORRIDOR PROPERTY ASSESSMENT CLEAN ENERGY (PACE) DISTRICT; AUTHORIZING THE TOWN MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO EXECUTE THE NECESSARY DOCUMENTS TO CARRY OUT THE INTENT AND PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 3

C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO OBTAIN FEE SIMPLE TITLE TO THE PRIVATE LINEAR PARK GENERALLY LOCATED NORTH OF S.W. 223RD TERRACE, SOUTH OF S.W. 216TH STREET, EAST OF S.W. 97TH AVENUE, AND WEST OF S.W. 95 PLACE AS FURTHER SHOWN ON EXHIBIT "A;" AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 4

D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES; APPROVING THE QUALIFIED FIRM TO PROVIDE DESIGN AND ENGINEERING SERVICES TO THE TOWN FOR CARIBBEAN BOULEVARD ROADWAY IMPROVEMENTS; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT WITH CORZO CASTELLA CARBALLO THOMPSON SALMAN (C3TS) INC.; AND PROVIDING AN EFFECTIVE DATE.

TAB 5

E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AMENDMENT TO THE LANDSCAPE MAINTENANCE AGREEMENT WITH GROUNDKEEPERS, INC. FOR ADDITIONAL

TAB 6

SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS AND CUL-DE-SACS FOR AN ANNUAL AMOUNT OF \$23,292.00; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF AN INVITATION TO BID (ITB) FOR THE TOWN CENTER SOUTH PARKING LOT IMPROVEMENTS; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 7

7. 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.

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING NOT REQUIRED)

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE WATER CONSERVATION AND EMERGENCY WATER RESTRICTION ENFORCEMENT REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

TAB 8

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.

9. ORDINANCES FOR FIRST READING OR RESOLUTIONS REQUIRING A PUBLIC HEARING

10. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING ORDINANCE 07-19 RELATING TO GARAGE SALES; PROVIDING FOR REGULATIONS RELATING TO NONPROFIT ORGANIZATION GARAGE SALES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (Mixon)

TAB 9

END OF PUBLIC HEARING

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.

12. MAYOR AND COUNCIL COMMENTS

13. OTHER BUSINESS

14. ADJOURNMENT

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.