



## **TOWN COUNCIL MEETING AGENDA**

Wednesday, September 19, 2011, 7:00 p.m.

Town Council Chambers  
10720 Caribbean Boulevard  
Cutler Bay, Florida 33189

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.

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

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

#### **A. SMDCAC Proclamations**

- District 9 Miami-Dade County Commissioner Dennis C. Moss (Bell)
- District 8 Miami-Dade County Commissioner Lynda Bell (Bell)
- The Cultural Council Inc. – Yolly Buchmann (MacDougall)

#### **B. Alzheimer's City Challenge Proclamation**

#### **C. Barbara/Tom Condon Proclamation (MacDougall)**

#### **D. Girl Power Proclamation (Bell)**

#### **E. Smart Growth Presentation**

### **3. APPROVAL OF MINUTES**

#### **A. July 26, 2011 Council Meeting**

TAB 1

#### **B. August 18, 2011 Town Hall Meeting**

### **4. 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.

### **5. REPORTS**

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

- B. TOWN ATTORNEY’S REPORT
- C. BOARD AND COMMITTEE REPORTS

**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, MODIFYING RESOLUTION 10-75 TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT, AND PROVIDING FOR AN EFFECTIVE DATE. (MacDougall) TAB 2
  
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA ESTABLISHING THE 2011 COMMUNITY-WIDE GARAGE SALE DATES AND ADDRESSES PURSUANT TO ORDINANCE 10-02, AND PROVIDING FOR AN EFFECTIVE DATE. (Bell) TAB 3
  
- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT FOR DISTRIBUTION, USE AND REPORTING OF CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS LEVIED BY MIAMI-DADE COUNTY (“AGREEMENT”); AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT, AND PROVIDING FOR AN EFFECTIVE DATE. TAB 4
  
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A FISCAL YEAR 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) GRANT AWARD (GRANT AWARD NO. 2011-DJ-BX-3326) IN THE AMOUNT OF SIXTEEN THOUSAND THREE HUNDRED AND NINETY DOLLARS (\$16,390) APPROVING THE GRANT AGREEMENT AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE GRANT AGREEMENT NO. 2011-DJ-BX-3326 BETWEEN THE TOWN, AND PROVIDING FOR AN EFFECTIVE DATE. TAB 5
  
- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING INSURANCE COMPANIES TO PROVIDE LOWER PREMIUMS TO RESIDENTS OF JURISDICTIONS PROVIDING FOR AUTOMATED RED LIGHT SAFETY TECHNOLOGY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE. (MacDougall) TAB 6
  
- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR TAB 7

PROPOSALS (RFP) FOR WEBSITE REDESIGN AND REDEVELOPMENT; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, AND PROVIDING FOR AN EFFECTIVE DATE.

**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.

None.

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

AN ORDINANCE OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING A BUILDING PERMIT AMNESTY PERIOD BY CREATING A LIMITED EXCEPTION FROM CODE ENFORCEMENT CIVIL PENALTIES AND LIENS FOR BUILDING CODE VIOLATIONS UPON A HOMEOWNER'S COMPLIANCE WITH THE BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (MacDougall)

TAB 8

**9. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

None.

**10. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, PROVIDING FOR MOBILE FOOD SERVICES OPERATIONS SPECIAL EVENTS; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE..

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**

**12. OTHER BUSINESS**

**13. 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.