



TOWN OF CUTLER BAY

Mayor Paul S. Vrooman
Vice Mayor Edward P. MacDougall
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Councilmember Peggy R. Bell

Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Clerk Erika Santamaria
Town Manager Steven Alexander

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired 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, January 20, 2010, 7:00 p.m.
South Dade Regional Library
10750 SW 211th Street,
Cutler Bay, Florida 33189

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE**
2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
 - A. Florida Green Build Coalition Certification Presentation
3. **APPROVAL OF MINUTES**
 - A. Regular Council Meeting – November 18, 2009
 - B. Special Council Meeting – November 23, 2009
 - C. Special Council Meeting – December 8, 2009
4. **REPORTS**
 - A. **TOWN MANAGER'S REPORT**
 1. FGBC Certification Memo to the Town Council from the Town Manager
 - B. **TOWN ATTORNEY'S REPORT**
 - C. **BOARD/COMMITTEE REPORTS AND COUNCIL ANNOUNCEMENTS**
5. **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 TOWN MANAGER TO EXECUTE AN AGREEMENT WITH CORZO CASTELLA CARBALLO THOMPSON SALMAN P.A. TO PROVIDE DESIGN AND ENGINEERING SERVICES FOR THE OLD CUTLER ROADWAY IMPROVEMENTS PROJECT; AND PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA URGING THE SECRETARY OF THE ARMY TO GRANT A RE- TRIAL FOR LT. MICHAEL BEHENNA; TRANSMITTING THIS RESOLUTION TO CERTAIN PUBLIC OFFICIALS; AND PROVIDING AN EFFECTIVE DATE. **(MACDOUGALL)**
- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR DESIGN-BUILD SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT WITH THE TOP RANKED FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REPEALING RESOLUTION 07-41 RELATING TO THE CREATION OF THE CHARTER HIGH SCHOOL COMMITTEE; CREATING A NEW CHARTER SCHOOL COMMITTEE; APPOINTING A COUNCIL LIAISON AND PROVIDING FOR THE SELECTION OF COMMITTEE MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE. **(MACDOUGALL)**
- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE PROPOSED GREEN CORRIDOR LEGISLATION; TRANSMITTING THIS RESOLUTION TO CERTAIN PUBLIC OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE. **(VROOMAN)**
- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, WAIVING COMPETITIVE BIDDING BASED ON THE MANAGER'S FINDING OF IMPRACTICABILITY FOR THE PROVISION OF CONTRACTING SERVICES FOR THE TOWN; APPROVING THE SELECTION OF TASCO PLUMBING TO PROVIDE ADDITIONAL CONTRACTING SERVICES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AMENDMENT TO THE EXISTING AGREEMENT WITH TASCO PLUMBING FOR THE ADDITIONAL WORK; AND PROVIDING AN EFFECTIVE DATE.

6. 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.

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

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AMENDING CHAPTER 30 "TRAFFIC AND MOTOR VEHICLES" TO PROVIDE COMPREHENSIVE REGULATIONS RELATING TO THE USE OF GOLF CARTS ON DESIGNATED STREETS WITHIN THE TOWN; AMENDING CHAPTER 8CC "CODE ENFORCEMENT" TO INCLUDE CIVIL PENALTIES RELATED TO GOLF CART USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. **(MEERBOTT)**
- 8. **ORDINANCES FOR FIRST READING OR RESOLUTIONS REQUIRING A PUBLIC HEARING**
 - 9. **ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**
 - A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
 - B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 2 OF ORDINANCE 07-19 RELATING TO COMMUNITY-WIDE GARAGE SALES; AND PROVIDING FOR AN EFFECTIVE DATE. **(BELL)**
 - 10. **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.
 - 11. **MAYOR AND COUNCIL COMMENTS**
 - 12. **OTHER BUSINESS**
 - 13. **ADJOURNMENT**
 - A. **Council Meeting**
Wednesday, February 17, 2010, at 7:00 p.m. at South Dade Regional Library, 10750 SW 211th ST

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.