

# TOWN OF CUTLER BAY

Mayor Paul S. Vrooman  
Council Member Timothy J. Meerbott  
Council Member Ernest N. Sochin  
Council Member Peggy R. Bell

Interim Town Manager Steve Alexander  
Interim Town Attorney Richard Weiss  
Interim Town Clerk Elizabeth Sewell

In accordance with the American with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Interim Town Clerk at (305) 677-7015 for assistance no later than four days prior to the meeting.

## TOWN COUNCIL MEETING AGENDA

Thursday, May 4, 2006  
7:00 PM  
South Governmental Center  
10701 SW 211 Street, Room 203  
(305) 677-7015

**INVOCATION:** (Peggy R. Bell)

- I. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:**
- II. PROCLAMATIONS, AWARDS, PRESENTATIONS**
  - A. Remembrance of former Mayor Cosgrove- Mayor Vrooman and Council
  - B. Color Guard Village of Pinecrest
- III. TOWN MANAGER'S REPORT**
- IV. TOWN ATTORNEY'S REPORT**
- V. BOARD AND COMMITTEE REPORTS**
  - A. Town Clerk/Communications Committee
- VI. ADDITIONS, DELETIONS, AND DEFERRALS**
  - A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 33, "ZONING" ARTICLE VI, "SIGNS," DIVISION 2, "GENERAL PROVISIONS" OF THE TOWN'S CODE OF ORDINANCES, BY PROVIDING FOR THE PROHIBITION OF OFF-PREMISES SIGNAGE WITHIN THE TOWN; PROVIDING FOR SEVERABILITY;

PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A MODIFICATION TO AN APPROVED SITE PLAN TO ALLOW FOR REDEVELOPMENT OF A MOVIE THEATER INTO A COMMERCIAL BUILDING AND APPROVAL OF AN UNUSUAL USE FOR OUTDOOR DINING FOR THE SHOPPING CENTER LOCATED AT 18403 SOUTH DIXIE HIGHWAY; AND PROVIDING FOR AN EFFECTIVE DATE.

## **VII. CONSENT AGENDA**

- A. Minutes of the April 6, 2006 Council Meeting .
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ENCOURAGING THE DEPARTMENT OF TRANSPORTATION TO INSTALL HIGHWAY SIGNAGE ALONG THE FLORIDA TURNPIKE FROM SW 152 STREET TO SW 216 STREET TO EFFECT THE CO-DESIGNATION OF THE TURNPIKE IN HONOR OF FORMER STATE REPRESENTATIVE/MAYOR OF THE TOWN OF CUTLER BAY JOHN F. COSGROVE; AND PROVIDING FOR AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA GRANTING THE TOWN CLERK AUTHORITY TO PAY FOR THE ADVERTISING OF PUBLIC HEARINGS; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH THE INSTITUTE FOR COMMUNITY COLLABORATION, INC. FOR THE FACILITATION OF A COUNCIL WORKSHOP; PROVIDING FOR A DETERMINATION OF IMPRACTIBILITY AS TO COMPETITIVE BIDDING AND PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONSULTING AGREEMENT WITH THE NONPROFIT ASSISTANCE CENTER FOR ACCOUNTING AND FINANCIAL SERVICES; PROVIDING FOR A DETERMINATION OF IMPRACTIBILITY AS TO COMPETITIVE BIDDING AND PROVIDING FOR AN EFFECTIVE DATE.

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROCUREMENT; PROVIDING FOR A DETERMINATION OF IMPRACTIBILITY AS TO COMPETITIVE BIDDING AND AUTHORIZING THE ACTING TOWN MANAGER TO PROCURE A LARGE CAPACITY COLOR COPIER, WITH SERVICE AND SUPPLY BY LEASE AT A REASONABLE COST TO BE DETERMINED BY THE MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.
- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROCUREMENT; PROVIDING FOR A DETERMINATION OF IMPRACTIBILITY AS TO COMPETITIVE BIDDING AND AUTHORIZING THE ACTING TOWN MANAGER TO REMIT PAYMENT FOR TRAVEL BY COUNCIL TO TALLAHASSEE; AND PROVIDING FOR AN EFFECTIVE DATE.
- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONSULTING AGREEMENT WITH THE GOVERNMENT SERVICES GROUP, INC. FOR STRATEGIC BUDGET SERVICES; PROVIDING FOR A DETERMINATION OF IMPRACTIBILITY AS TO COMPETITIVE BIDDING AND PROVIDING FOR AN EFFECTIVE DATE.

#### **VIII. RESOLUTIONS**

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, FILLING THE VACANCY OF VICE MAYOR; AND PROVIDING FOR AN EFFECTIVE DATE.

#### **IX. RESOLUTIONS REQUIRING PUBLIC HEARING**

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING ADMINISTRATIVE ORDER NO. 06-1; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A REQUEST TO WAIVE 15 FEET OF THE ZONED RIGHT-OF-WAY LOCATED APPROXIMATELY 200 FEET SOUTH OF S.W. 212TH STREET & NORTHWEST OF OLD CUTLER ROAD; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A REQUEST TO WAIVE 15 FEET OF THE ZONED RIGHT-OF-WAY FOR THE NORTHWEST CORNER OF S.W. 213TH STREET & OLD CUTLER ROAD; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A REQUEST TO WAIVE 15 FEET OF THE ZONED RIGHT-OF-WAY FOR THE NORTHWEST CORNER OF S.W. 215TH STREET & OLD CUTLER ROAD; AND PROVIDING FOR AN EFFECTIVE DATE.

**X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE SECTION ENTITLED, "FLOODPLAIN MANAGEMENT REGULATIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, PROVIDING FOR A MORATORIUM ON THE ISSUANCE OF DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS WITHIN THE AREA GENERALLY LOCATED SOUTH OF THE INTERSECTION OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE (HEFT) AND U.S. 1, WEST OF THE HEFT TO THE TOWN LIMITS, AND NORTH OF THE C-1 CANAL (BLACK CREEK CANAL); EXEMPTING CERTAIN DEVELOPMENT; PROVIDING FOR WAIVERS; PROVIDING FOR SEVERABILITY; PROVIDING PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW FOR THE SPECIFIC MATTERS ADDRESSED HEREIN; PROVIDING FOR A TERM; PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.
- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA CREATING A CHAPTER OF THE TOWN CODE OF ORDINANCES, ENTITLED "VENDORS' CAMPAIGN CONTRIBUTION DISCLOSURE," PROVIDING FOR PROCEDURES FOR DISCLOSURE OF CAMPAIGN CONTRIBUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING

FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

- D. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE SECTION ENTITLED, "NUISANCE VEGETATION ABATEMENT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- E. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN COUNCIL AGENDA FORMAT; CREATING TOWN COUNCIL MEETING PROCEDURES; CREATING ADVERTISEMENT AND NOTICE REQUIREMENTS; PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

**XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING A COST RECOVERY ADMINISTRATIVE PROGRAM; PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.
  
- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 286.0115, FLORIDA STATUTES, TO ESTABLISH A PROCEDURE GOVERNING EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS CONCERNING QUASI-JUDICIAL MATTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO THE OFFICIAL SEAL OF THE TOWN OF CUTLER BAY; DESIGNATING THE TEMPORARY OFFICIAL SEAL OF THE TOWN OF CUTLER BAY; PROVIDING FOR USE AND PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**XII. PUBLIC COMMENTS**

**XVI. OTHER BUSINESS**

**XVII. NEXT MEETING ANNOUNCEMENT ON MAY 18, 2006 AND  
ADJOURNMENT**