



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, April 15, 2009, 7:00 PM
South Dade Regional Library
10750 SW 211th Street, 2nd Floor
Cutler Bay, Florida 33189

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE**
2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
 - A. Proclamation Presentation – Water Conservation Month
 - B. Presentation of fiscal year 2008 audit results by Nestor Caballero from Alberni, Caballero & Castellanos, LLP
3. **APPROVAL OF MINUTES**
 - A. Council Meeting – March 18, 2009
 - B. Special Council Meeting – March 30, 2009
4. **REPORTS**
 - A. TOWN MANAGER’S REPORT
 - 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.

TAB 1

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT OFFICE OF CRIMINAL JUSTICE GRANTS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR EFFECTIVE DATE. TAB 2

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE SELECTION OF TYLER TECHNOLOGIES "EDEN" AS THE COMPREHENSIVE GOVERNMENT ERP SOFTWARE SYSTEM FOR THE TOWN; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SOFTWARE SERVICES CONTRACT WITH SUCH FIRM; AND PROVIDING FOR AN EFFECTIVE DATE. TAB 3

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONTRACT AND OPTIONS WITH ALCALDE AND FAY, THE APPROPRIATIONS AND INTERGOVERNMENTAL CONSULTING SERVICE SELECTED TO REPRESENT THE TOWN BEFORE THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT; AND PROVIDING FOR AN EFFECTIVE DATE. TAB 4

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE AGREEMENT TO PROVIDE FOR REPLACEMENT AND INSTALLATION OF SIDEWALKS; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH FIRST RANKED CONTRACTOR J A & M DEVELOPING CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE. TAB 5

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE AGREEMENT WITH ENVIROMENTAL PERFORMANCE SYSTEM (EPS) INC FOR STREET SWEEPER SERVICES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. TAB 6

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE AGREEMENT WITH ENVIROWASTE SERVICES GROUP INC. FOR ROADWAY RESURFACING & MISCELLANEOUS DRAINAGE IMPROVEMENTS; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. TAB 7

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE AGREEMENT TO PROVIDE FOR ROADWAY & DRAINAGE IMPROVEMENTS IN THE CUTLER RIDGE ELEMENTARY SCHOOL AREA; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH FIRST RANKED CONTRACTOR WILLIAMS TAB 8

**PAVING COMPANY, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.
(RESOLUTION TITLE HAS BEEN REVISED)**

H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO VEHICLE LEASE-PURCHASE AGREEMENT AND OBTAIN FINANCING FOR A MOTOR VEHICLE AND RELATED EQUIPMENT WITH DUVAL FORD IN THE AMOUNT OF \$29,383 BASED ON COMPETITIVE QUOTES OBTAINED BY OTHER GOVERNMENT AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 9

I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO VEHICLE LEASE-PURCHASE AGREEMENT AND OBTAIN FINANCING FOR MOTOR VEHICLES AND RELATED EQUIPMENT WITH SATURN OF SEBRING IN THE AMOUNT OF \$ 51,734 BASED ON COMPETITIVE QUOTES OBTAINED BY OTHER GOVERNMENT AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 10

J. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH GROUNDKEEPERS, INC. FOR THE PURCHASE AND INSTALLATION OF LIVE OAK TREES WITHIN THE TOWN'S DESIGNATED RIGHT-OF-WAYS FOR AN AMOUNT NOT TO EXCEED \$150,000.00 PURSUANT TO TERMS OBTAINED THROUGH COMPETITIVE SELECTION BY ANOTHER GOVERNMENT AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 11

K. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, FORMALLY OPTING OUT OF THE CONE OF SILENCE OF MIAMI-DADE COUNTY; PROVIDING THAT THE TOWN SHALL BE GOVERNED SOLELY BY THE REQUIREMENTS OF THE CONE OF SILENCE ENACTED BY THE TOWN COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 12

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 ORDINANCE 06-22 ENTITLED, "PURCHASING"; REVISING CONTACTS CONSIDERED PERMISSIBLE UNDER THE TOWN CONE OF SILENCE; PROVIDING FOR SEVERABILITY; PROVIDING

TAB 13

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

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA REPEALING AND REPLACING CHAPTER 8AA, ARTICLE I, II AND III OF THE TOWN CODE OF ORDINANCES TO PROVIDE TERMS AND CONDITIONS FOR THE PLACEMENT AND MAINTENANCE OF COMMUNICATIONS FACILITIES OR SYSTEMS, ANTENNAS, EQUIPMENT FACILITIES, AND OTHER VERTICAL STRUCTURES IN THE TOWNS PUBLIC RIGHTS-OF-WAY FOR THE PROVISION OF COMMUNICATIONS, CABLE AND VIDEO SERVICES; PROVIDING FOR ENFORCEMENT AND ADMINISTRATION; PROVIDING FOR RESERVATION OF RIGHTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 14

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. US-1 Charrette Community Workshop

Saturday, April 18th at 10:00 a.m., South Dade Regional Library, 10750 SW 211th ST, 2nd Floor

B. Earth Day/Arbor Day

Saturday, April 25th from 8:00 a.m. to 12:00 p.m., Saga Bay Park, SW 79th CT & SW 205 ST

C. Regular Council Meeting

Wednesday, May 20th at 7:00 p.m.

South Dade Regional Library, 10750 SW 211th ST, 1st Floor

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.