



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, June 17, 2009, 7:00 PM
South Dade Regional Library
10750 SW 211th Street, 1st Floor
Cutler Bay, Florida 33189

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

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

A. Whispering Pines Elementary Essay Winner - Brooklyn Waters

3. APPROVAL OF MINUTES

- A. Special Council Meeting – May 12, 2009
- B. Regular Council Meeting – May 20, 2009

TAB 1

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.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF CARIBBEAN BOULEVARD AND SW 192

TAB 2

DRIVE; REQUESTING THAT MIAMI-DADE COUNTY CONSTRUCT A TRAFFIC CIRCLE AT THAT INTERSECTION; AND PROVIDING AN EFFECTIVE DATE.

B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REQUIRING THAT THE TOWN SHALL COMPLY WITH ALL STATE AND FEDERAL REQUIREMENTS WITH RESPECT TO EMPLOYEES ABSENT FROM WORK FOR SERVICE IN THE UNIFORMED SERVICES; RESCINDING PREVIOUS SUPPLEMENTAL PAY POLICY; ALLOWING FUTURE SUPPLEMENTAL PAY IF REQUIRED BY LAW OR WHERE TOWN COUNCIL, IN ITS SOLE DISCRETION, DETERMINES THAT CIRCUMSTANCES SO WARRANT; AND PROVIDING FOR AN EFFECTIVE DATE. **(MACDOUGALL)**

TAB 3

C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PARKS MASTER PLAN TO INCLUDE RETENTION OF THE CUTLER RIDGE POOL; AND PROVIDING FOR AN EFFECTIVE DATE. **(MEERBOTT)**

TAB 4

D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH SUPERIOR LANDSCAPE AND LAWN SERVICE FOR THE LANDSCAPE MAINTENANCE SERVICE FOR THE TOWN; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT AND IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

TAB 5

E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE CONSTRUCTION PHASE SERVICES FOR THE SAGA BAY DRAINAGE BASIN 1.3 AND 1.4 PAVING AND DRAINAGE IMPROVEMENTS PROJECT; AND PROVIDING AN EFFECTIVE DATE.

TAB 6

F. 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 7

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)

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 33-124 "STANDARDS" RELATING TO OFF STREET PARKING REQUIREMENTS FOR FURNITURE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

TAB 8

B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING REGULATIONS RELATED TO LOCAL BUSINESS TELEPHONE DIRECTORIES; ALLOWING RESIDENTS TO OPT OUT OF THE RECEIPT OF LOCAL BUSINESS TELEPHONE DIRECTORIES; AMENDING THE SCHEDULE OF VIOLATIONS AND CIVIL PENALTIES SECTION OF THE CODE TO INCLUDE PENALTIES FOR VIOLATION OF THESE SECTIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. **(MACDOUGALL)**

TAB 9

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. Special Election - Mail-in Ballot Deadline

Thursday, June 25th at 7:00 p.m. Last day to submit ballots.

B. Special Meeting - Election Certification

Monday, June 29th at 4:30 p.m., Town Hall, 10720 Caribbean Blvd., Suite 105

C. Whispering Pines July 4th Celebration

Saturday, July 4th at 8:15 a.m., Whispering Pines Park, Ridgeland Drive and SW 87th Avenue

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.