



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, July 15, 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**
- 3. **APPROVAL OF MINUTES**

- A. Regular Council Meeting – June 17, 2009
- B. Special Council Meeting – June 29, 2009

TAB 1

4. **REPORTS**

- A. **TOWN MANAGER’S REPORT**
- B. **TOWN ATTORNEY’S REPORT**
- C. **BOARD/COMMITTEE REPORTS AND COUNCIL ANNOUNCEMENTS**
 - 1. Appointment of Parks Committee Member – Councilmember Peggy Bell
 - 2. Volunteer Events Committee – Councilmember Peggy Bell

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, REQUIRING THAT THE TOWN SHALL COMPLY WITH ALL STATE AND FEDERAL REQUIREMENTS WITH RESPECT TO

TAB 2

EMPLOYEES ABSENT FROM WORK FOR SERVICE IN THE UNIFORMED SERVICES; PROSPECTIVELY 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)**

B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA; DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE CLERK OR HER DESIGNEE TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER AND TAX COLLECTOR OF MIAMI-DADE COUNTY; 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 THE SELECTION OF PLAYMORE RECREATIONAL PRODUCTS & SERVICES FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT, SAFETY SURFACING AND A SHADE STRUCTURE ON THE PLAYGROUND AT SAGA BAY PARK IN THE AMOUNT OF \$84,096.10 BASED ON COMPETITIVE BIDS OBTAINED BY ANOTHER GOVERNMENT AGENCY; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

TAB 4

D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DECLARING CERTAIN VEHICLES TO BE SURPLUS IN ACCORDANCE WITH TOWN ORDINANCE 06-22; PROVIDING FOR THE REVISION OF THE TOWN INVENTORY; DIRECTING THE TOWN MANAGER TO DISPOSE OF SURPLUS VEHICLES IN ACCORDANCE WITH TOWN ADMINISTRATIVE PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

TAB 5

E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE TOWN'S PARTICIPATION IN THE STATE OF FLORIDA'S ENERGY ECONOMIC ZONE PILOT PROGRAM; 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 MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN AND MIAMI-DADE COUNTY FOR THE ENFORCEMENT OF COMMERCIAL AND MULTI-FAMILY RECYCLING PROGRAMS IN THE TOWN OF CUTLER BAY; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 7

G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES

TAB 8

AGREEMENT, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO MARLIN ENGINEERING, INC. FOR ENGINEERING AND SURVEYING SERVICES FOR STREET IMPROVEMENTS ON SW 208th STREET BETWEEN 87th AVE TO OLD CUTLER ROAD; 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, ADOPTING GREEN LAND DEVELOPMENT REGULATIONS WITHIN THE TOWN; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

TAB 9

8. ORDINANCES FOR FIRST READING OR RESOLUTIONS REQUIRING A PUBLIC HEARING

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

TAB 10

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

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

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.