



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 28, 2010, 7:00 p.m.
South Dade Government Center
10710 SW 211th Street, Room 203
Cutler Bay, Florida 33189

1. CALL TO ORDER, ROLL CALL, and PLEDGE OF ALLEGIANCE

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Proclamation – William Pacetti
- B. Proclamation – County Commissioner Dennis Moss
- C. Proclamation – William Meiklejohn
- D. Presentation – Marilyn Horne and Kimberly Daniels for Gulfstream Elementary Special Needs park grant

3. APPROVAL OF MINUTES

- A. Regular Council Meeting – March 17, 2010
- B. Special Council Meeting – April 15, 2010

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, APPROVING THE SELECTION OF ENVIROWASTE SERVICES GROUP INC (ESGI) TO PROVIDE CONTRACTING SERVICES FOR THE BEL AIRE SUB BASIN 8 PROJECT PURSUANT TO INVITATION TO BID #09-06; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ESGI; AND PROVIDING AN EFFECTIVE DATE.

TAB 2

B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE COMMUNITIES FOR A LIFETIME INITIATIVE AND URGING COMMUNITY LEADERS AND RESIDENTS TO WORK TOGETHER TO PLAN FOR THE MOST EFFECTIVE USE OF EXISTING FUNDING TO ACHIEVE THE COMMUNITIES FOR A LIFETIME GOALS AND BENEFITS; AND PROVIDING FOR AN EFFECTIVE DATE. **(MEERBOTT)**

TAB 3

C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AMENDING RESOLUTION 07-41 TO ADD AN AT-LARGE COMMITTEE MEMBER; DESIGNATING THAT THE ADDITIONAL AT-LARGE COMMITTEE MEMBER SHALL BE COLLECTIVELY APPOINTED BY THE TOWN COUNCIL; AND PROVIDING AN EFFECTIVE DATE. **(BELL)**

TAB 4

D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA PROHIBITING THE TOWN'S ISSUANCE OF HONORARY POLICE TYPE OR OTHER CRIMINAL JUSTICE AGENCY BADGES THAT ARE NOT DISPLAYED IN A CLOSED OR MOUNTED CASE AS A COLLECTION OR EXHIBIT; DIRECTING THE TOWN MANAGER TO ENSURE THAT ALL PREVIOUSLY ISSUED TOWN HONORARY POLICE TYPE OR OTHER CRIMINAL JUSTICE AGENCY BADGES ARE DISPLAYED IN A CLOSED OR MOUNTED CASE AS A COLLECTION OR EXHIBIT; DIRECTING THE TOWN MANAGER AND THE TOWN ATTORNEY TO DRAFT AN ORDINANCE TO ACCOMPLISH THE INTENT AND PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. **(MACDOUGALL)**

TAB 5

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.

A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, GRANTING A WAIVER OF PLAT APPROVAL FOR 20001 S. DIXIE INC., LOCATED AT 20001 S. DIXIE HIGHWAY, AS LEGALLY DESCRIBED IN EXHIBIT "A," CONSISTING OF APPROXIMATELY 26,341 SQUARE FEET, AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 6

7. **ORDINANCES FOR FIRST READING (PUBLIC HEARING NOT REQUIRED)**
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, AMENDING CHAPTER 26 OF THE TOWN CODE OF ORDINANCES ENTITLED, "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; REVISING RULES FOR TOWN PARKS; UPDATING PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (BELL)

TAB 7

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, May 26, 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.