



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 21, 2010, 7:00 p.m.
South Dade Regional Library
10750 SW 211th Street,
Cutler Bay, Florida 33189

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

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

3. APPROVAL OF MINUTES

A. Regular Council Meeting – June 16, 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, AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS FOR THE PURCHASE OF AN OUTDOOR MOVIE SCREEN WITH PROJECTOR AND RELATED EQUIPMENT FROM AN AUTHORIZED VENDOR IN AN AMOUNT NOT TO EXCEED \$10,000.00, AND PROVIDING FOR AN EFFECTIVE DATE. **(BELL)**

TAB 2

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE CONTRACT BETWEEN THE CHILDREN’S TRUST AND THE TOWN OF CUTLER BAY FOR THE PROVISION OF AN AFTER SCHOOL PROGRAM AT CUTLER RIDGE PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME AND PROVIDING FOR AN EFFECTIVE DATE. TAB 3

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, THE CURRENT YEAR ROLLED-BACK RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE. TAB 4

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DIRECTING THE TOWN MANAGER TO TAKE ANY AND ALL MEANS NECESSARY TO CONDUCT A NATIONWIDE SEARCH FOR POTENTIAL CANDIDATES FOR THE TOWN CLERK POSITION; AND PROVIDING AN EFFECTIVE DATE. **(SOCHIN)** TAB 5

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FEDERAL HOUSING FINANCE AGENCY TO ADOPT AND IMPLEMENT THE NECESSARY UNDERWRITING GUIDELINES AND CONSUMER PROTECTION STANDARDS TO PROTECT THE MORTGAGE INDUSTRY, WHILE AT THE SAME TIME ALLOWING SENIOR LIEN PACE LENDING INITIATIVES TO PROCEED IN ORDER TO PROTECT OUR ENVIRONMENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE. TAB 6

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE 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 WITH DISBURSEMENT FROM ACCOUNT NUMBER 001.519000.3400; 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.

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A HEIGHT VARIANCE FOR AN OUT PARCEL ON THE PROPERTY LOCATED AT 20505 SOUTH DIXIE HIGHWAY TO PERMIT A ONE STORY BUILDING WHERE A MINIMUM SIX STORIES IS REQUIRED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 8
- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE FROM SECTION 33-284.86 (B)(1)(A) FOR AN OUT PARCEL ON THE PROPERTY LOCATED AT 20505 SOUTH DIXIE HIGHWAY TO PERMIT A BUILDING TO NOT BE DIRECTLY ACCESSIBLE FROM A STREET FRONTAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 9
- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE FROM SECTION 33-284.86 (B)(1)(B) FOR AN OUT PARCEL ON THE PROPERTY LOCATED AT 20505 SOUTH DIXIE HIGHWAY RELATING TO THE CLEAR GLAZED AREA OF THE FAÇADE OF THE BUILDING; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 10
- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FLOOR AREA RATIO VARIANCE FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 S. DIXIE HIGHWAY, TO PERMIT 63.46% WHERE 51% IS REQUIRED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 11
- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A LOT COVERAGE VARIANCE FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 S. DIXIE HIGHWAY, TO PERMIT 44.4% WHERE 40% IS REQUIRED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 12
- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A LANDSCAPING VARIANCE FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 S. DIXIE HIGHWAY, TO PERMIT 16% WHERE 17.5% IS REQUIRED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 13
- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A SIGNAGE VARIANCE FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 S. DIXIE HIGHWAY, TO PERMIT THREE WALL SIGNS ON THE BUILDING WHERE ONE IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 14
- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN ORNAMENTAL ROOF ELEMENT VARIANCE FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 S. DIXIE HIGHWAY, TO PERMIT 18% WHERE 10% IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 15

- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A SITE PLAN FOR CITY FURNITURE, LOCATED AT 18750 & 18760-80 SOUTH DIXIE HIGHWAY, TO PERMIT A 56,558 SQUARE FOOT BUILDING; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 16

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 07-30 RELATING TO DANGEROUS INTERSECTION SAFETY; PROVIDING FOR RECORDED IMAGE MONITORING AND ENFORCEMENT OF RED LIGHT TRAFFIC CONTROL SIGNALS CONSISTENT WITH GENERAL LAW AS PROVIDED BY CHAPTER 2010-80, LAWS OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION WITHIN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 17

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING ORDINANCE 06-22 RELATING TO PURCHASING GUIDELINES FOR TOWN HALL; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 18

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, CREATING GENERAL REGULATIONS AND PROCEDURES RELATING TO TOWN ADVISORY BOARDS; PROVIDING THAT THESE GENERAL REGULATIONS AND PROCEDURES SHALL APPLY TO ALL EXISTING BOARDS AS WELL AS THOSE BOARDS ESTABLISHED IN THE FUTURE; AND PROVIDING FOR AN EFFECTIVE DATE. **(VROOMAN)**

TAB 19

- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER, IN ACCORDANCE WITH SECTION 4.3(7) OF THE TOWN CHARTER, TO ENTER INTO LEASES BY ADMINISTRATIVE ACTION FOR THE PROPERTY LOCATED AT 10720 CARIBBEAN BOULEVARD AND THE PROPERTY IMMEDIATELY SOUTH OF THIS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 20

- D. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER, IN ACCORDANCE WITH SECTION 4.3(7) OF THE TOWN CHARTER, TO ENTER INTO LEASES OF TOWN OWNED PARK LAND BY ADMINISTRATIVE ACTION;

TAB 21

APPROVING THE SITE LEASE AGREEMENT BETWEEN THE TOWN AND T-MOBILE SOUTH LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO PLACE A TELECOMMUNICATIONS TOWER DESIGNED AS A FLAG POLE, WIRELESS ANTENNA AND GROUND EQUIPMENT ON TOWN-OWNED PROPERTY LOCATED AT 10100 SW 200TH STREET (A/K/A CUTLER RIDGE PARK), PROVIDING FOR THE AUTHORIZATION OF THE TOWN MANAGER TO ENTER INTO THIS AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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. Parks Committee Meeting

Monday, July 26th at 7:00 p.m., Cutler Ridge Park, 10100 SW 200th ST

B. Council Meeting

Wednesday, August 18, 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.