

Town of Miami Lakes

TOWN COUNCIL

Regular Meeting

September 9, 2008



TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Nancy Simon

Councilmember Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Michael Pizzi

Councilmember Richard Pulido

AGENDA **REGULAR COUNCIL MEETING** **September 9, 2008** **6:30 PM**

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. INVOCATION/MOMENT OF SILENCE:**
- 4. PLEDGE OF ALLEGIANCE:**
- 5. PUBLIC COMMENTS:**
- 6. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**
- 7. COMMITTEE REPORTS:** Page 4
Youth Activities Task Force
- 8. CONSENT AGENDA:**
 - A. Approval of Minutes:** Page 7
May 20, 2008 LPA Council Meeting
May 20, 2008 Zoning Council Meeting
June 10, 2008 Emergency Council Meeting
June 10, 2008 Regular Council Meeting
June 17, 2008 LPA Council Meeting
June 17, 2008 Zoning Council Meeting
July 8, 2008 Regular Council Meeting
July 8, 2008 Special Zoning Council Meeting

- B. **A RESOLUTION OF THE TOWN COUNCIL AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FOR THE DEVELOPMENT OF THE SEVILLA ESTATES PARK SITE; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO SATISFY THE REQUIREMENTS OF THE GRANT APPLICATION. (Roig) Page 53**
 - C. **A RESOLUTION OF THE TOWN COUNCIL REQUESTING THE CHIEF JUDGE TO APPOINT PERLA TABARES HANTMAN TO THE TOWN CANVASSING BOARD. (Roig) Page 58**
 - D. **A RESOLUTION OF THE TOWN COUNCIL ACCEPTING THE REQUEST OF ROBERTO DOPICO AND ANA G. MARTINEZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0800. (Roig) Page 62**
 - E. **A RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROFESSIONAL CONSULTING SERVICES AGREEMENT BETWEEN ALEX REY AND THE TOWN OF MIAMI LAKES. (Roig) Page 67**
9. **ORDINANCES – FIRST READING:
AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUIRING THAT A FISCAL IMPACT ANALYSIS BE PREPARED AS PART OF ANY PROPOSED TOWN LEGISLATION. (Roig) Page 77**
10. **ORDINANCES – SECOND READING (PUBLIC HEARING):**
11. **RESOLUTIONS:**
12. **NEW BUSINESS:**
- A. **Miami-Dade County Recycling Program (Pulido) Page 82**
 - B. **Honoring Mayor Wayne Slaton (Meador) Page 85**
 - C. **Elderly Assistance Program (Pizzi) Page 87**
 - D. **Private Community Based Initiative Program (Pizzi) Page 89**
 - E. **Maintenance of Town Lakes (Pizzi) Page 91**
13. **REPORTS:**
- A. **MAYOR AND COUNCILMEMBER REPORTS:**
 - 1. **Youth Programs (Pizzi)**
 - 2. **Community Education Classes (Pizzi)**

B. MANAGER'S REPORT: Page 93
We Love Cows Program

C. ATTORNEY'S REPORTS:

14. FUTURE MEETINGS:

September 11, 2008 First Budget Hearing, 6425 Miami Lakeway N, Miami Lakes 5:01PM
September 16, 2008 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6 PM
September 23, 2008 Second Budget Hearing, 6425 Miami Lakeway N, Miami Lakes 5:01PM
October 14, 2008 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 PM

15. ADJOURNMENT:

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town Hall, 15700 NW 67th Avenue, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 7

**Youth Activities Task Force Committee Report/Update to the Town Council For
Council Meeting On September 9, 2008 submitted August 26, 2008**

To Mayor Slaton, and Members of the Council.

My name is Lynn Matos, and I am the interim chair for the Youth Activities Task Force Committee. I would like to update you on the activities that our committee has been involved with over the past months, and advise the Council of our scheduled upcoming events.

We hosted Movies in the Park on April 4, and featured Alvin and The Chipmunks. We had approximately 200-250 in attendance. The movie was well received by all.

April 5, 2008 brought us an incredible B Boys Break Dancing Event at Shula's. We had approximately 50 people in attendance. This event was the "warm up" event for the International Dance Styles Expo.

The featured movie on May 9 was the Bee Movie, which was the last movie shown before the summer break. There was another event taking place in the community that evening, and the numbers were down just a little from the previous event. We estimate the average attendance at the Movies in the Park have been between 200-250 people.

On May 16-18, 2008, we hosted the International Dance Styles Expo. The event on Saturday was held at the Miami Lakes Technical Center. Our committee was recognized by Hip Hop Elements for our contribution to hip hop culture and the community. As a committee, we are very proud to be a part of this internationally recognized event which was attended by approximately 100-150 people.

We are looking forward to the start up of Movies in the Park, and will be deciding on the featured film at our upcoming committee meeting. We are exploring the possibility of selling additional food items at the October event. The Movies in the Park have been well attended by the community, and we are confident that this will continue. The Movies are held on Friday nights which is a fun way for people to start their weekends. We are planning to widely distribute the Movie Events through flyers distributed at the area schools.

The Halloween Haunted House will be on Friday, October 31, 2008, and will be held on Main Street in the same location as last year. We are anticipating a large turnout as Halloween is on a weekend. Last year, we had approximately 500 people in attendance and approximately 50 to 75 volunteers from the local area schools. This is our main event and is highly anticipated by all. Main Street is clearly the place to be on Halloween providing a fun filled, safe environment for our children.

Page 2

August 26, 2008

The Bike Rodeo and Safety Day is scheduled for November 2008. This event is of major importance to our committee as it provides much needed bike safety instruction to the youth in our community. Officer Juan Rodriguez plays a very key role in this event ensuring that the registered participants are given helmets, at no cost. This event also allows children and their families to meet many of our local police officers and to participate in numerous safety related activities. This is an excellent event combining safety and fun.

The Journalism/Photography Club will convene again for the school year. We are looking forward to providing students with an opportunity to receive top rate instruction in these areas. To date, we have had 4 graduates. We are looking forward to showcasing their work through various mediums such as the Miami Lakes website.

As a committee we are working closely with the Town of Miami Lakes and the Optimist Club on identifying the addressing the special needs of the children in our community. The Optimists' are exploring the option of creating an Optimist Club for Special Needs children. The committee is very much in support of this endeavor. We had an opportunity to visit the Miracle Field in Pembroke Pines. The Optimist Club in Pembroke Pines is open to partnering with the Town of Miami Lakes on programs for special needs.

We are anticipating the announcement of the Playful City USA locations which should be announced in September.

The committee is interested in developing a Student Band Event for musicians to perform their music. This could be combined with an event involving the video game Rock Band that everybody is playing.

We look forward to the upcoming months which are filled with many exciting events for the youth of our community.

Thank you for the opportunity to submit this overview to you.

Lynn Ancel Matos
Committee Chair
Youth Activities Task Force



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 8 A

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Nancy Simon

Councilmember Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Michael Pizzi

Councilmember Richard Pulido

DRAFT MINUTES

LPA MEETING

May 20, 2008

6:00 PM

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

1. **CALL TO ORDER:** Mayor Wayne Slaton called the meeting to order at 6:12 p.m.
2. **ROLL CALL:** Deputy Town Clerk, Marjorie Tejeda called the roll with the following Councilmembers in attendance: Robert Meador, Richard Pulido, Roberto Alonso, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Mary Collins was absent.
3. **INVOCATION/MOMENT OF SILENCE:** Mayor Wayne Slaton called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Mayor Wayne Slaton led the Pledge of Allegiance.
5. **ORDINANCE- FIRST READING:**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") TO UPDATE AND AMEND: ARTICLE 1, GENERAL PROVISIONS; ARTICLE 2, DECISION MAKING AND ADMINISTRATIVE BODIES; ARTICLE 3, DEVELOPMENT APPROVAL PROCEDURES; ARTICLE 4, ZONING DISTRICT REGULATIONS; ARTICLE 5, ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS; ARTICLE 6, SUPPLEMENTARY USE REGULATIONS; AND ARTICLE 7, ENVIRONMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE TOWN LDC; PROVIDING FOR SEVERABILITY; PROVIDING

**FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Rey)**

Town Attorney, Kathy Mehaffey read the title of the ordinance. Maria Crowley, Director of Planning and Development, explained the proposed code revisions.

Mayor Wayne Slaton opened the public hearing.

Mirtha Mendez stated her concern regarding the attendance of Councilmembers at Zoning Meetings.

Reynaldo Roco expressed his concerns regarding outdoor grills.

There being no one else wishing to speak, Mayor Wayne Slaton closed the public hearing.

Vice Mayor Nancy Simon made a motion to revise the hours of parking on the swale from 2:00 am to 6:00 am. The motion received a second from Councilmember Michael Pizzi.

Mayor Wayne Slaton called for the vote. The motion passed 5-1 with Councilmembers Roberto Alonso, Robert Meador, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmember Richard Pulido voting in opposition.

Vice Mayor Nancy Simon made a motion to modify the width of the walkway to four feet. The motion received a second from Councilmember Roberto Alonso. Vice Mayor Nancy Simon withdrew her motion.

Vice Mayor Nancy Simon made a motion to waive the fee pertaining to parking on the swale. The motion received a second from Councilmember Michael Pizzi.

Councilmember Roberto Alonso expressed his opposition to issuing vehicle decals.

Mayor Wayne Slaton called for the vote and all were in favor.

Vice Mayor Nancy Simon made a motion to delete or strike through the total entry/exit approach width of 30 feet for circular driveways. The motion received a second from Councilmember Michael Pizzi. The Mayor called for the vote and all were in favor.

Councilmember Richard Pulido made a motion to revise the language to state the super majority vote be based on the number of the Councilmembers present at Council Meetings in order to approve a variance based on practical difficulty. The motion received a second from Councilmember Michael Pizzi.

Mayor Wayne Slaton asked staff to clarify the difference between super majority, practical difficulty, and simple majority. Maria Crowley, Director of Planning and Development, explained.

Mayor Wayne Slaton called for the vote. The motion failed 3-3 with Councilmembers Michael Pizzi, Richard Pulido, and Vice Mayor Nancy Simon voting in favor and Councilmembers Roberto Alonso, Robert Meador, and Mayor Wayne Slaton voting in opposition.

Councilmember Robert Meador made a motion to limit the administrative variances to a height of three inches. The motion received a second from Councilmember Roberto Alonso.

Mayor Wayne Slaton called for the vote. The motion passed 4-2 with Councilmembers Roberto Alonso, Robert Meador, Michael Pizzi, Richard Pulido, and Mayor Wayne Slaton voting in favor and Vice Mayor Nancy Simon voting in opposition.

Councilmember Michael Pizzi made a motion that a tie or non-approval vote would be denied without prejudice. The motion received a second from Vice Mayor Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

Councilmember Michael Pizzi made a motion to adopt the ordinance on first reading as amended. The motion received a second from Vice Mayor Nancy Simon.

Marjorie Tejeda, Deputy Town Clerk, called the roll. The ordinance was adopted on first reading 5-1 with Councilmembers Roberto Alonso, Michael Pizzi, Robert Meador, Vice Mayor Nancy Simon, and Mayor Wayne Slaton voting in favor and Councilmember Richard Pulido voting in opposition.

- 6. ADJOURNMENT:** There being no further business to come before the meeting, it adjourned at 7:55 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton
Vice Mayor Nancy Simon
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Robert Meador II
Councilmember Michael Pizzi
Councilmember Richard Pulido

MINUTES
ZONING COUNCIL MEETING
May 20, 2008
6:01 PM
(Immediately following the LPA Meeting)
Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

1. CALL TO ORDER: Mayor Wayne Slaton called the meeting to order at 7:56 p.m.

Marjorie Tejada, Deputy Town Clerk, called the roll with the following Councilmembers present: Robert Meador, Michael Pizzi, Roberto Alonso, Richard Pulido, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Mary Collins was absent.

2. ORDINANCES- FIRST READING:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") TO UPDATE AND AMEND: ARTICLE 1, GENERAL PROVISIONS; ARTICLE 2, DECISION MAKING AND ADMINISTRATIVE BODIES; ARTICLE 3, DEVELOPMENT APPROVAL PROCEDURES; ARTICLE 4, ZONING DISTRICT REGULATIONS; ARTICLE 5, ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS; ARTICLE 6, SUPPLEMENTARY USE REGULATIONS; AND ARTICLE 7, ENVIRONMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE TOWN LDC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the ordinance.

Mayor Wayne Slaton opened the public hearing.

There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Vice Mayor Nancy Simon made a motion to adopt the ordinance on first reading. The motion received a second from Councilmember Michael Pizzi.

Marjorie Tejeda, Deputy Town Clerk, called the roll and the ordinance was adopted on first reading 5-1 with Councilmembers Robert Meador, Michael Pizzi, Roberto Alonso, Vice Mayor Nancy Simon and Mayor Wayne Slaton in favor and Councilmember Richard Pulido in opposition.

Mayor Wayne Slaton called for a recess at 7:58 p.m. The meeting reconvened at 8:15 p.m. with Councilmembers Robert Meador, Michael Pizzi, Roberto Alonso, Richard Pulido, Vice Mayor Nancy Simon and Mayor Wayne Slaton present upon roll call. Councilmember Mary Collins was absent.

Kathy Mehaffey, Town Attorney, read the quasi-judicial statement into the record. Marjorie Tejeda, Deputy Town Clerk, gave the oath to those indicating that they will be testifying on items on the agenda.

3. RESOLUTIONS:

A. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.4.A.1 OF THE TOWN LDC TO PERMIT AN EXISTING POOL PUMP MECHANICAL EQUIPMENT AREA SETBACK 0 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE 3 FEET IS REQUIRED; 2) DIVISIONS 5.2.A.3 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY BUILDING ROOF OVERHANG SETBACK 4 INCHES FROM THE INTERIOR (NORTH) SIDE PROPERTY LINE WHERE 4 FEET IS REQUIRED; 3) DIVISION 5.2.A.4 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY BUILDING DETACHED 5.5 FEET FROM THE RESIDENCE WHERE ACCESSORY BUILDINGS DETACHED A MINIMUM OF 10 FEET FROM THE RESIDENCE ARE PERMITTED; 4) DIVISION 5.2.A.4 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY BUILDING DETACHED FROM THE RESIDENCE 2.5 FEET FROM ROOF OVERHANGS WHERE ACCESSORY BUILDINGS DETACHED FROM THE RESIDENCE A MINIMUM OF 6 FEET FROM ROOF OVERHANGS ARE PERMITTED; 5) DIVISION 5.2.A.1 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY BUILDING WITH 182.25 SQUARE FEET OF ROOF AREA WHERE AN ACCESSORY BUILDING EXCEEDING 150 SQUARE FEET OF ROOFED AREA, INCLUDING ROOF OVERHANGS, IS NOT PERMITTED; 6) DIVISION 5.8.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING DRIVEWAY SETBACK 2.5 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY

LINE WHERE A 5 FOOT SETBACK IS REQUIRED; 7) DIVISION 5.8.A.5 OF THE TOWN LDC TO PERMIT AN EXISTING IMPERVIOUS AREA OF 72% FOR DRIVEWAYS WHERE 60% IS PERMITTED; 8) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 14.4 FEET WIDE PAVED WALKWAY WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (NORTH) SIDE YARD; 9) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 8.93 FEET WIDE PAVED WALKWAY WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (SOUTH) SIDE YARD; 10) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 1 FOOT FROM THE INTERIOR (NORTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; 11) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 2.5 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; 12) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 2.5 FEET FROM THE REAR (EAST) PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; AND 13) DIVISION 5.7.A.5 OF THE TOWN LDC TO PERMIT AN EXISTING LOT COVERAGE OF 76.22% FOR IMPERVIOUS AREAS WHERE 50% IS PERMITTED, FOR PROPERTY LOCATED AT 16331 NW 84TH COURT. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations.

Mayor Wayne Slaton opened the public hearing.
There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Mayor Wayne Slaton asked for a motion. Mayor Wayne Slaton stated that being that no one made a motion, the item died.

Councilmember Michael Pizzi made a motion to approve condition #1 and follow the recommendations of staff. The motion received a second from Vice Mayor Nancy Simon.

Marjorie Tejada, Deputy Town Clerk, called the roll and the motion failed 3-3 with Councilmembers Roberto Alonso, Michael Pizzi, and Vice Mayor Nancy Simon voting in favor and Councilmembers Richard Pulido, Robert Meador and Mayor Wayne Slaton voting in opposition.

B. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISIONS 5.6.A.2 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY CONSTRUCTED OF ALUMINUM

WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, ABRIC OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE; 2) DIVISIONS 5.6.A.2 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY SETBACK 14 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 25 FOOT SETBACK IS REQUIRED; 3) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 110.78 SQUARE FEET OF TOTAL AREA WHERE 30 SQUARE FEET OF AREA PER STRUCTURE IS PERMITTED; 4) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 1.9 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 5) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 0.7 FEET FROM THE INTERIOR (NORTH) SIDE PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 6) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 7.5 FEET IN HEIGHT WHERE 5 FEET OF HEIGHT IS PERMITTED; 7) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (NORTH) SIDE YARD; 8) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (SOUTH) SIDE YARD; 9) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 1.1 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; AND 10) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 0.1 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED, FOR PROPERTY LOCATED AT 16360 NW 91ST COURT. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations and stated that the applicant requested to be excused for his absence from this meeting.

Councilmember Michael Pizzi made a motion to defer the item to the next Zoning meeting due to the absence of the applicant. The motion received a second from Councilmember Richard Pulido and all were in favor.

C. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST FILED IN ACCORDANCE WITH DIVISION 3.3 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [APPROVING/DENYING] A CONDITIONAL USE REQUEST PURSUANT TO SECTION 33.13 OF THE TOWN LDC TO PERMIT A PROPOSED ACUTE CARE HOSPITAL IN THE IU-C (INDUSTRIAL DISTRICT CONDITIONAL) WHERE HOSPITALS ARE PROHIBITED IN ALL DISTRICTS UNLESS

APPROVED AS A RESULT OF A PUBLIC HEARING, FOR PROPERTY LOCATED NORTH OF NW 77 COURT (PALMETTO FROTAGE ROAD) AND EAST OF NW 82 AVENUE. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, presented staff recommendations.

The applicant, Stu Wyllie explained the proposed acute care hospital.

Mayor Wayne Slaton opened the public hearing.

David Bennett spoke in support.

Willson Fahlberg spoke in support.

Mirtha Mendez spoke in support.

There being no one else wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Richard Pulido made a motion to approve the recommendations of staff. The motion received a second from Vice Mayor Nancy Simon and all were in favor.

Javier Vasquez, representing the applicants for items G and D, requested that Council hear item G followed by item D.

Mayor Wayne Slaton called for a vote on this request and all were in favor.

D. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 6.6.A OF THE TOWN LDC TO PERMIT ACCESSORY STORAGE OF A BOAT OUTSIDE OF A RESIDENTIAL GARAGE, WHERE STORAGE OF BOATS SHALL BE LIMITED TO RESIDENTIAL GARAGES IF THEY WILL FULLY FIT INSIDE THE GARAGE AND ARE STORED WITH THE GARAGE DOOR FULLY CLOSED; AND 2) DIVISION 5.3.A.1 AND 4.2.E OF THE TOWN LDC TO PERMIT THE ACCESSORY STRUCTURE (BOAT), SETBACK 1 FOOT FROM THE INTERIOR (WEST) SIDE PROPERTY LINE WHERE TWO (2) FEET IS REQUIRED, FOR PROPERTY LOCATED AT 8944 NW 164TH STREET. (Rey)

Kathy Mehaffey, Town Attorney read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations.

Javier Vasquez, representing the applicant, explained the applicant's request to store the boat on their property.

Mayor Wayne Slaton opened the public hearing.

Maria Arguelles spoke in support.

Manuel Rodriguez spoke in support.

Wendy Milanes spoke in support.

There being no one else wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Michael Pizzi made a motion to approve the applicant's request. The motion received a second from Councilmember Richard Pulido.

Councilmember Robert Meador and Mayor Wayne Slaton stated their concerns with the size of the vessel.

Marjorie Tejada, Deputy Town Clerk, called the roll and the motion failed 3-3 with Councilmembers Richard Pulido, Michael Pizzi and Vice Mayor Nancy Simon in favor and Councilmembers Robert Meador, Roberto Alonso and Mayor Wayne Slaton in opposition.

E. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE DIVISION 6.8.B OF THE TOWN LDC TO PERMIT THE REPLACEMENT OF AN EXISTING ROOF WITH A PROPOSED METAL ROOF WHERE REPLACEMENT WITH SIMILAR BARREL TILE ROOFING MATERIAL AS ORIGINALLY INSTALLED IS REQUIRED, FOR PROPERTY LOCATED AT 14850 DADE PINE AVENUE. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations.

Charles Posi, Roofing Contractor, spoke on behalf of the applicant and stated the need to approve this variance.

Mayor Wayne Slaton opened the public hearing.

There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Michael Pizzi made a motion to approve the recommendations of staff. The motion received a second from Councilmember Robert Meador and all were in favor.

F. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE DIVISION 6.8.B OF THE TOWN LDC TO PERMIT THE REPLACEMENT OF AN EXISTING ROOF WITH A PROPOSED METAL ROOF WHERE REPLACEMENT WITH SIMILAR BARREL TILE ROOFING MATERIAL AS ORIGINALLY INSTALLED IS REQUIRED, FOR PROPERTY LOCATED AT 16041 WEST TROON CIRCLE. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations.

Ryan Ferris, Cold Stone Systems, spoke on behalf of the applicant and stated the importance of approving the variance.

Mayor Wayne Slaton opened the public hearing.

There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Richard Pulido made a motion to approve the recommendation of staff. The motion received a second from Vice Mayor Nancy Simon and all were in favor.

G. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST FILED IN ACCORDANCE WITH DIVISION 3.3 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [APPROVING/DENYING] A CONDITIONAL USE REQUEST PURSUANT TO SECTION 33.150(A) AND (B) OF THE TOWN LDC FOR LOCATION OF ESTABLISHMENTS AS APPLIED TO ON THE PREMISES SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES (LIQUOR, BEER, AND WINE) TO PERMIT A PROPOSED LIQUOR STORE SPACED LESS THAN THE REQUIRED 2,500 FEET FROM A PUBLIC SCHOOL OR RELIGIOUS FACILITY AND SPACED LESS THAN THE REQUIRED 1,500 FEET FROM OTHER EXISTING ALCOHOLIC BEVERAGE USES IN THE BU-2 (SPECIAL BUSINESS DISTRICT), FOR PROPERTY LOCATED AT 15507 NW 67TH AVENUE. (Rey)

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained the recommendations of staff.

Javier Vazquez, representing the applicant, requested that the Town Council approve the application.

Mayor Wayne Slaton opened the public hearing.

There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Michael Pizzi made a motion to approve the recommendation of staff. The motion received a second from Vice Mayor Nancy Simon and all were in favor.

H. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST TO AMEND RESOLUTION NO. 07-527Z, APPROVING A SITE PLAN SUBJECT TO CONDITIONS, BY MODIFYING CONDITION (d) OF RESOLUTION 07-527Z, WHICH RESTRICTED USES ON THE ABOVE DESCRIBED PROPERTY, TO EXPAND THE PERMITTED USES ON THE SUBJECT PROPERTY, FOR PROPERTY LOCATED AT 16400 NW 59TH AVENUE. (Rey)

Councilmember Robert Meador stated that upon the advice of Town Council he would like to be excused on item H.

Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Planning and Development Director, explained staff recommendations.

Mayor Wayne Slaton opened the public hearing.

There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Vice Mayor Nancy Simon made a motion to approve the recommendation of staff. The motion received a second from Councilmember Richard Pulido and all were in favor.

8. FUTURE MEETINGS:

June 10, 2008 REGULAR MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:30 PM

June 17, 2008 ZONING MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:00 PM

9. ADJOURNMENT: There being no further business to come before the meeting, it adjourned at 10:03 p.m.

Approved this _____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton
Vice Mayor Nancy Simon
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Robert Meador II
Councilmember Michael Pizzi
Councilmember Richard Pulido

MINUTES
EMERGENCY COUNCIL MEETING
June 10, 2008
6:31 PM
(Immediately Following the Regular Council Meeting)
Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

- 1. CALL TO ORDER:** Mayor Wayne Slaton called the meeting to order at 10:46 p.m.
- 2. ROLL CALL:** Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Robert Meador, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton.
- 3. IMPLEMENTATION OF COUNCIL DIRECTION OF FAIR AND EQUAL USAGE OF GOVERNMENT FACILITIES. (Pizzi)**

Councilmember Michael Pizzi made a motion to allow anyone in attendance to speak. The motion received a second from Vice Mayor Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

Mirtha Mendez spoke in opposition to paying both Miami Dade County and the Town of Miami Lakes for the maintenance of the Community Center West and pointed out that the taxpayers are the true landlords of the facility.

Pedro Carballo spoke regarding the Miami Lakes Civic Association being a private entity and not a government entity.

David Bennett asked that the residents on all sides of this issue come together.

Councilmember Michael Pizzi stated that he requested that this meeting take place regarding a recent email to the Town Manager. Councilmember Michael Pizzi explained a previous vote of the Town Council instructing the Town Manager to make the northern most part of the Civic Association office space for their use and the area to be used as a conference room for Town Committee meetings.

Councilmember Michael Pizzi made a motion to extend past 11 p.m. for an additional fifteen minutes. The motion received a second from Vice Mayor Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

Councilmember Michael Pizzi explained that an email from Angela Garrison to Town Manager, Alex Rey, threatened trespass charges for a publically funded space. Councilmember Michael Pizzi asked Town Manager, Alex Rey, if he received any email or correspondence from Ms. Garrison or the Miami Lakes Civic Association apologizing or retracting the email. Town Manager, Alex Rey, indicated that he had not.

Councilmember Michael Pizzi made a motion to direct the Town Manager, Alex Rey, to use all necessary resources, and hopefully it will be completely amicable, to enforce the previous vote of the Town Council with regard to the conference room meeting space. The motion received a second from Vice Mayor Nancy Simon.

Vice Mayor Nancy Simon explained a conversation with County Commissioner, Natacha Sejas regarding a partition wall. Vice Mayor Nancy Simon reported that a County Inspector reviewed the partition wall and found no violations.

Councilmember Mary Collins requested an opportunity to speak with the Civic Association and spoke with Angela Garrison regarding County ownership of the Community Center West building.

Town Attorney, Nina Boniske explained that Miami Dade County has not come forward as a landlord and owner of the Community Center West building and that a partition does not require a permit signed by Miami Dade County.

Councilmember Michael Pizzi made a motion to extend the meeting an additional ten minutes. The motion received a second from Councilmember Richard Pulido. The Mayor called for the vote and all were in favor.

Councilmember Richard Pulido asked Town Manager, Alex Rey, if he is clear on the wishes of the Town Council. Town Manager, Alex Rey, explained that what he is hearing here is more than in prior discussions. The motion being discussed includes that if there is no amicable solution, the Town Manager is empowered to seek legal assistance. Councilmember Michael Pizzi clarified by adding that Miami Dade County should be involved in resolving the matter and that the Town be able take whatever action might be necessary in court, if needed.

Councilmember Richard Pulido underscored that it was never his intention to rid the Miami Lakes Civic Association from the use of the facility and that he is troubled that the Town Council is talking about it once again. Councilmember Richard Pulido pointed out that if Miami Dade County wants to take jurisdiction of the building, they be prepared to also take responsibility for the expenses. Councilmember Richard Pulido asked Town Manager, Alex Rey, to be sure that all visitors at Town Hall sign in according to the procedure in place.

Councilmember Robert Meador asked Town Manager, Alex Rey, if the Town possesses anything written giving the Town the responsibility of running the facility. Town Manager, Alex Rey, indicated that a permit was given by the County once and then renewed for a second year. Town Manager, Alex Rey, stated that since that time the County has not taken any action.

Mayor Wayne Slaton stated he would like to see the matter corrected amicably.

Councilmember Michael Pizzi made a motion to extend an additional ten minutes. The motion received a second from Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

Mayor Wayne Slaton explained that the Miami Lakes Civic Association was not aware that there was going to be a meeting in the conference room space and when it was, some of their things were moved. Mayor Wayne Slaton expressed it was perplexing that the Town of Miami Lakes does not have control of all of the park facilities and that he would not support any legal action.

Councilmember Michael Pizzi spoke about the leadership of Mayor Wayne Slaton, at which time Mayor Wayne Slaton requested that Councilmember Michael Pizzi contain his statements to the subject matter and asked him not to make personal attacks. Councilmember Michael Pizzi made a motion to override the Chair so that he could continue to speak. The motion did not receive a second. Mayor Wayne Slaton stated he would allow Councilmember Michael Pizzi to finish his statements, so long as they were not personal attacks.

Councilmember Michael Pizzi clarified that it is his intention that the Town Manager, Alex Rey, attempt to resolve the matter amicably and the use of legal assistance is only as a last resort. Councilmember Michael Pizzi clarified his motion is to resolve the matter amicably first and if he cannot, he is to do whatever is necessary to enforce the will of the Town Council.

Town Clerk, Debra Eastman, called the roll and the motion passed 4-2 with Councilmembers Richard Pulido, Robert Meador, Michael Pizzi and Vice Mayor Nancy Simon voting in favor and Councilmember Mary Collins and Mayor Wayne Slaton voting in opposition.

4. **ADJOURNMENT:** There being no further business to come before the meeting it adjourned at 11:50 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton
Vice Mayor Nancy Simon
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Robert Meador II
Councilmember Michael Pizzi
Councilmember Richard Pulido

MINUTES REGULAR COUNCIL MEETING June 10, 2008 6:30 PM

Miami Lakes Middle School

6425 Miami Lakeway North
Miami Lakes, Florida 33014

SPECIAL PRESENTATIONS: Vice Mayor Nancy Simon and members of the Town Council presented recognition to the following:

Ms. Deyarza's Miami Lakes Middle School Class for winning the State Championship for their Project Citizen,

Omar Gonzalez was recognized for winning the Citizen's Crime Watch of Miami Dade County Citizen Involvement Award,

Frank Diaz was recognized for being awarded the Florida Council of Garden Club President's Outstanding Citizen Award,

Miami Lakes Garden Club members for being awarded the 2008 Arbor Day Tree Planting Award and winning Third Place for the Cooking in the Tropics Program.

- 1. CALL TO ORDER:** The meeting was called to order by Vice Mayor Nancy Simon at 6:50 p.m.
- 2. ROLL CALL:** Town Clerk, Debra Eastman called the roll with the following Councilmembers in attendance: Vice Mayor Nancy Simon, and Councilmembers Robert Meador, Richard Pulido, Mary Collins and Michael Pizzi. Town Clerk, Debra Eastman announced that Councilmember Roberto Alonso requested to be excused. Mayor Wayne Slaton was absent at the start of the meeting and arrived at 10:40 p.m.
- 3. INVOCATION/MOMENT OF SILENCE:** Vice Mayor Nancy Simon called for a moment of silence and asked for remembrance of those serving in the military.
- 4. PLEDGE OF ALLEGIANCE:** Vice Mayor Nancy Simon led the Pledge of Allegiance.

Councilmember Michael Pizzi requested to address item 8E on the consent agenda at this time. Councilmember Michael Pizzi recognized Mr. and Mrs. Ralph Rodriguez, parents of David Rodriguez, who passed away at the age of 24. Mr. and Mrs. Rodriguez thanked the Town Council for the recognition of David Rodriguez and spoke to his accomplishments and the creation of a foundation which will provide scholarships for those children who want to attend Dade Christian. Councilmember Michael Pizzi recognized the accomplishments of David Rodriguez, thanked those in attendance and read the resolution into the record. Councilmember Michael Pizzi made a motion to adopt the resolution. The motion received a second from Vice Mayor Nancy Simon. Vice Mayor Nancy Simon called for the vote and all were in favor.

5. PUBLIC COMMENTS:

Carlos Gimenez, Becker and Polikoff, PA spoke in opposition to the rejection of a bid from Groundkeepers for the Miami Lakes Optimist Park Maintenance Agreement due to non-attendance at the mandatory pre-bid conference.

Maria Kramer spoke in favor of Town Committees meeting at the Community Center West.

Jan Schneider spoke in favor of providing more room at the Community Center West for Tai Chi classes.

Alex Bernal spoke in favor of being able to keep a boat at his property.

6. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):

Councilmember Michael Pizzi requested to move item 12 to after the Consent Agenda.

Councilmember Mary Collins requested to add a report on the Renaissance.

Councilmember Richard Pulido requested to pull item 8F from the Consent Agenda.

Vice Mayor Nancy Simon requested to pull item 8C from the Consent Agenda.

Councilmember Mary Collins made a motion to adopt the agenda as amended. The motion received a second from Councilmember Michael Pizzi. Vice Mayor Nancy Simon called for the vote and all were in favor.

7. COMMITTEE REPORTS:

Economic Development Committee

Committee Chairman, Mara Falero gave a report to the Town Council, listing some of the activities of the Committee. Councilmember Mary Collins thanked Ms. Falero for her participation and the report.

8. CONSENT AGENDA:

Councilmember Mary Collins made a motion for approval of the items on the consent agenda. The motion received a second from Councilmember Michael Pizzi. Vice Mayor Nancy Simon called for the vote and all were in favor.

A. APPROVAL OF MINUTES:

January 15, 2008 Regular Council Meeting
February 12, 2008 Regular Council Meeting
March 18, 2008 Special Council Meeting
April 8, 2008 Regular Council Meeting
Approved on consent.

B. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE RENEWAL OF THE ANNUAL SOFTWARE MAINTENANCE FOR CITYVIEW SOFTWARE FROM MUNICIPAL SOFTWARE CORPORATION. (Rey) Approved on consent.

C. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF VALLEYCREST LANDSCAPE MAINTENANCE, INC. TO PERFORM PARKS MAINTENANCE SERVICES AT MIAMI LAKES OPTIMIST PARK; APPROVING THE AGREEMENT BETWEEN VALLEYCREST LANDSCAPE MAINTENANCE, INC. AND THE TOWN. (Rey)

Carlos Gimenez, Attorney for Groundkeepers, spoke about the mandatory prebid meeting required in the bid documents. Town Manager, Alex Rey, explained the importance of the mandatory prebid meeting, ensuring that the bids received contain the appropriate amounts and the need to have rules governing the process.

Councilmember Mary Collins made a motion to adopt the resolution. The motion received a second from Vice Mayor Nancy Simon. Vice Mayor Nancy Simon called for the vote and all were in favor.

D. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF ENVIROWASTE SERVICES GROUP, INC. TO PROVIDE ROADWAY RESURFACING AND MISCELLANEOUS DRAINAGE IMPROVEMENT FOR THE TOWN; APPROVING THE AGREEMENT BETWEEN ENVIROWASTE SERVICES GROUP, INC. AND THE TOWN. (Rey) Approved on consent.

E. A RESOLUTION OF THE TOWN COUNCIL, HONORING DAVID RODRIGUEZ AND ESTABLISHING DAVID RODRIGUEZ DAY. (Pizzi) This item adopted after the Pledge of Allegiance.

F. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF GUS MACHADO FORD INC. TO PROVIDE 15

**MOTOR VEHICLES FOR THE TOWN'S POLICE DEPARTMENT;
AUTHORIZING THE TOWN MANAGER TO SECURE FINANCING.
(Rey)**

Councilmember Richard Pulido asked about the bid process, recognized the receipt of just one bid and expressed his inclination toward hybrid vehicles. Town Manager, Alex Rey, explained the bid process and the need to purchase a certain make and model of vehicle. Councilmember Richard Pulido made a motion to adopt the resolution. The motion received a second from Councilmember Mary Collins. Vice Mayor Nancy Simon called for the vote and all were in favor.

9. ORDINANCES – FIRST READING:

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

11. RESOLUTIONS:

Vice Mayor Nancy Simon called for a recess at 8:45 p.m. The meeting reconvened at 9:05 p.m. with the following Councilmembers present: Robert Meador, Richard Pulido, Mary Collins, Michael Pizzi and Vice Mayor Nancy Simon.

12. NEW BUSINESS:

A. Paperless agenda (Pulido)

Councilmember Richard Pulido encouraged members of the Town Council to receive only electronic copies of agendas for Town Council meetings. Councilmember Richard Pulido made a motion to discuss the topic at the June 12, 2008 Town Council workshop. The motion received a second from Councilmember Robert Meador. Councilmember Mary Collins spoke in opposition to having only paperless agendas. Vice Mayor Nancy Simon called for the vote and all were in favor.

B. Present and future entrance features in the Town of Miami Lakes (Meador)

Frank Diaz spoke about the current entrance feature blue color and asked that the Town Council continue to be open to the recommendations of Town residents to improve the features.

Councilmember Robert Meador gave a history of the various proposed Town Entrance Features and suggested enhancements to them. Councilmember Richard Pulido spoke in opposition to the current entrance features. Councilmember Mary Collins expressed that she would like to see marble covering the current cement. Vice Mayor Nancy Simon suggested that the Town Manager, Alex Rey, bring back suggested changes to the Town Council. Councilmember Robert Meador stated that in light of the absence of Mayor Slaton and Councilmember Roberto Alonso at this meeting, he would prefer to have the subject discussed when the full Town Council is available. Councilmember Robert Meador made a motion to bring the topic of

present and future entrance features to a Town Council workshop. The motion received a second from Councilmember Mary Collins. Vice Mayor Nancy Simon called for the vote and all were in favor.

C. Legal Defense Policy (Simon)

Vice Mayor Nancy Simon explained that the Town Council previously agreed there should be a legal defense policy in place and that is the reason it is on this agenda. Vice Mayor Nancy Simon stated that the policy has been drafted by the Town Attorney.

Councilmember Michael Pizzi made a motion to amend the policy, to add criteria to the policy to set the amount to control cost, so that it is similar to what is currently paid to the Town Attorney. The motion received a second from Vice Mayor Nancy Simon. Vice Mayor Nancy Simon called for the vote and all were in favor.

Councilmember Richard Pulido made a motion to change Section 3 in order to define the word “promptly” by substituting it with the words, “shall be submitted within 72 hours of when the official is served”. The motion received a second from Vice Mayor Nancy Simon. Vice Mayor Nancy Simon called for the vote and all were in favor.

Councilmember Robert Meador made a motion to change Section 3A, to allow the Town Attorney and Town Council to review the request, rather than the Mayor and Town Attorney. The motion received a second from Councilmember Richard Pulido. Vice Mayor Nancy Simon called for the vote and all were in favor.

Councilmember Mary Collins made a motion to adopt the Legal Defense Policy as amended. The motion received a second from Councilmember Richard Pulido. Vice Mayor Nancy Simon called for the vote and all were in favor.

D. Fairness in obtaining Compliance with Town Code (Pizzi)

Adrian Pajon spoke in opposition to the regulation of boats on properties in Miami Lakes.

Hony Serra stated she was unaware of the Town regulation of boats and is now facing a lien on her property.

Manuel Rodriguez spoke in favor of being able to keep a boat at his property and of being fined for same.

Pedro Carballo spoke in favor of allowing residents to keep boats on the side of their property when property shielded from view.

Councilmember Michael Pizzi spoke in favor of helping concerned citizens, the history of boats in Miami Lakes and suggested extending the grace period to allow residents to register boats with the Town.

Councilmember Richard Pulido spoke in favor of reviewing the criteria for keeping boats and in favor of creating an extension.

Councilmember Robert Meador spoke in favor of reopening the boat registration grace period but clarified that the boat registration would still cover what was allowed prior to the change in the Town Code, that the property owner would have to prove that they owned the boat at that time and it was according to Code, and that the extension of the grace period would not include any new boats since that change.

Town Manager, Alex Rey, explained that this change took effect in 2004 and the extension of the grace period would not include many boats that have not otherwise been identified.

Councilmember Michael Pizzi made a motion to allow anyone who had a legal right to own a boat at the time of the Code change, and can demonstrate that they had a boat at the time of the Code change, be allowed to keep the boat as long as it is not seen from public view. The motion received a second from Vice Mayor Nancy Simon.

Councilmember Michael Pizzi clarified that prior variance denial does not preclude the resident from following this process. Vice Mayor Nancy Simon called for the vote and all were in favor.

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments (Slaton) There were no appointments.

2. Boundless Playground Project (Simon) Vice Mayor Nancy Simon requested that Town Manager, Alex Rey, update the Town Council on the status of the Boundless Playground. Town Manager, Alex Rey, indicated that a grant has been received and matched by the Town and that some donations have been received. Town Manager, Alex Rey, indicated that the shortfall is approximately \$40,000. Vice Mayor Nancy Simon indicated that there will be a presentation made soon to the Miami Lakes Chamber of Commerce.

3. Area School Overcrowding (Pulido) Councilmember Richard Pulido reported on the information received from Miami Dade Public Schools regarding their efforts undertaken to prevent overcrowding.

Mayor Wayne Slaton arrived at the meeting at 10:40 p.m. Vice Mayor Nancy Simon turned the gavel over to Mayor Wayne Slaton.

4. MDCPS Proposed New Regional Centers (Pulido) Councilmember Richard Pulido reported on the proposed New Regional Centers and their location.

5. End of Session Legislative Report (Slaton) Town Lobbyist, Rick Rodriguez Pina gave a report of legislation of interest to the Town of Miami Lakes, both passed and failed, from this year's session. David Marren, Legislative Assistant, to Senator Rudy Garcia brought greetings from the Senator.

Councilmembers Mary Collins, Robert Meador, Richard Pulido and Vice Mayor Nancy Simon thanked Rick Rodriguez Pina for his report and direct communication. Councilmember Michael Pizzi requested a comparison study on the amount of funding received from the State and peer cities. Town Manager, Alex Rey will prepare the report for the Town Council using peers cities with same size and comparable number of residents.

6. Miami Lakes Truancy and Youth Crime Efforts (Pizzi) Councilmember Michael Pizzi thanked Major Frank Bocanegra for his work in this area and asked that he provide a written report to the Town Council.

7. Miami Lakes Renaissance (Collins) Councilmember Mary Collins updated the Town Council on the progress of planning the Renaissance event for September and reviewed the planned events.

B. MANAGER'S REPORT:

Manager's Vacation Town Manager, Alex Rey, informed the Town Council that he will be on vacation from June 20, 2008 through June 29, 2008 and that Mariaelena Salazar, Assistant Town Manager will be in charge in his absence.

C. ATTORNEY'S REPORTS:

Request for Executive Session Town Attorney, Nina Boniske, requested an Executive Session under Chapter 286, Florida Statutes, Case is Town of Miami Lakes, Doral and Palmetto Bay v. Miami Dade County.

14. FUTURE MEETINGS:

June 12, 2008 Council Workshop, Town Hall, 15700 NW 67th Ave, Miami Lakes 5 PM
June 17, 2008 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6 PM
July 8, 2008 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 PM

15. ADJOURNMENT: There being no further business to come before the meeting it adjourned at 10:45 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Nancy Simon

Councilmember Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Michael Pizzi

Councilmember Richard Pulido

**MINUTES
LPA MEETING
June 17, 2008**

6:00 PM

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

1. CALL TO ORDER: In the absence of Mayor Wayne Slaton and Vice Mayor Nancy Simon, Town Clerk, Debra Eastman called the meeting to order at 6:15 p.m.

2. ROLL CALL: Town Clerk, Debra Eastman called the roll with the following Councilmembers in attendance: Richard Pulido, Mary Collins, Michael Pizzi and Roberto Alonso.

A motion was made by Councilmember Michael Pizzi for Councilmember Mary Collins to serve as Chair of the LPA and Zoning Meeting. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman, called for the vote and all were in favor. Town Clerk, Debra Eastman, recognized Councilmember Mary Collins as Chair and passed the gavel.

3. INVOCATION/MOMENT OF SILENCE: Councilmember Mary Collins called for a moment of silence.

4. PLEDGE OF ALLEGIANCE: Councilmember Mary Collins led the Pledge of Allegiance.

5. ORDINANCE- FIRST READING:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") TO UPDATE AND AMEND ARTICLE 12, FEES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilmember Michael Pizzi made a motion to defer the first reading of the ordinance to a date certain and added that staff not impose fines until the ordinance can come before the Town Council. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman, called the roll and all were in favor.

6. **ADJOURNMENT:** There being no further business to come before the meeting, it adjourned at 6:20 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Nancy Simon

Councilmember Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Michael Pizzi

Councilmember Richard Pulido

MINUTES ZONING COUNCIL MEETING

June 17, 2008

6:01 PM

(Immediately following the LPA Meeting)

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

1. CALL TO ORDER: Councilmember Mary Collins called the meeting to order at 6:20 p.m. Town Clerk, Debra Eastman, called the roll with the following Councilmembers in attendance as follows: Richard Pulido, Roberto Alonso, Michael Pizzi and Mary Collins.

2. APPROVAL OF MINUTES:

January 22, 2008 Zoning Meeting

February 19, 2008 Zoning Meeting

April 15, 2008 Zoning Meeting

Councilmember Roberto Alonso made a motion for approval of the above minutes. The motion received a second from Councilmember Michael Pizzi. Councilmember Mary Collins called for the vote and all were in favor.

3. ORDINANCES- FIRST READING:

**A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") TO UPDATE AND AMEND ARTICLE 12, FEES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Rey)**

Councilmember Roberto Alonso made a motion to defer this item to a date certain. The motion received a second from Councilmember Richard Pulido. Councilmember Mary Collins called for the vote and all were in favor.

B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 19, "LOT JUNK, GARBAGE AND TRASH CLEARING" OF THE TOWN CODE; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Town Attorney, Kathy Mehaffey read the title of the ordinance. Councilmember Mary Collins state she would like to add acceleration of time in times of on-coming hurricanes. Councilmember Roberto Alonso made a motion to adopt the ordinance on first reading. The motion received a second from Councilmember Michael Pizzi. Town Clerk, Debra Eastman, called the roll and all were in favor.

4. ORDINANCES- SECOND READING:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") TO UPDATE AND AMEND: ARTICLE 1, GENERAL PROVISIONS; ARTICLE 2, DECISION MAKING AND ADMINISTRATIVE BODIES; ARTICLE 3, DEVELOPMENT APPROVAL PROCEDURES; ARTICLE 4, ZONING DISTRICT REGULATIONS; ARTICLE 5, ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS; ARTICLE 6, SUPPLEMENTARY USE REGULATIONS; AND ARTICLE 7, ENVIRONMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE TOWN LDC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilmember Mary Collins opened the public hearing. Mirtha Mendez spoke in opposition to the Council continuing to require a supermajority vote of the entire Council in order to pass a variance. There being no one else wishing to speak, Councilmember Mary Collins closed the public hearing.

Councilmember Michael Pizzi made a motion to adopt the ordinance on second reading. The motion received a second from Councilmember Roberto Alonso.

Councilmember Michael Pizzi explained that there were members of the Town Council that supported the elimination of the supermajority vote for practical difficulty. Councilmember Michael Pizzi made a motion to change the ordinance to allow passage of a variance with a supermajority of those Councilmembers present at the meeting, rather than a supermajority of the entire Town Council and to authorize the staff Town Attorney to add the definition to the text. The motion received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman called the

roll and the motion passed 3-1 with Councilmembers Mary Collins, Richard Pulido and Michael Pizzi voting in favor and Councilmember Roberto Alonso voting in opposition.

Councilmember Richard Pulido made a motion to change the definition of overnight parking to be from midnight to 6 a.m. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and the amendment passed 3-1 with Councilmembers Roberto Alonso, Richard Pulido and Mary Collins voting in favor and Councilmember Michael Pizzi voting in opposition.

Councilmember Michael Pizzi asked about denial of a variance with or without prejudice. Town Attorney, Kathy Mehaffey explained that unless designated otherwise, if the action results in denial, it is without prejudice. Councilmember Michael Pizzi made a motion that if the vote results in a 3-3 tie vote, that the benefit of the doubt go to the homeowner, giving them the option to come back again in front of the Town Council. The motion received a second from Councilmember Richard Pulido. Councilmember Michael Pizzi clarified that the Town Attorney place the wording in the appropriate place and that if there is a tie vote, the homeowner be allowed to come back before the Town Council at the next regularly scheduled meeting. Town Clerk, Debra Eastman, called the roll and the amendment passed 3-1 with Councilmembers Michael Pizzi, Richard Pulido and Roberto Alonso in favor and Councilmember Mary Collins in opposition.

Councilmember Mary Collins made a motion to have the painting of walls added to the permit process. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and all were in favor.

Councilmember Michael Pizzi made a motion for adoption of the ordinance as amended. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and all were in favor.

Town Attorney, Kathy Mehaffey read the quasi-judicial statement. Town Clerk, Debra Eastman, gave the oath to all those wishing to testify at the meeting.

5. RESOLUTIONS:

- A. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.9.B.1.b. OF THE TOWN LDC TO PERMIT AN EXISTING FENCE 37.5 FEET BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE WHERE FENCES OR WALLS ARE NOT PERMITTED BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE; 2)**

DIVISION 6.5.B.6.b.(2) OF THE TOWN LDC TO PERMIT AN EXISTING BULKHEAD WATERWARD OF THE TOP OF SLOPE TO THE RESIDENCE TO EXTEND 3.25 FEET ABOVE THE EXISTING GRADE WHERE A WATERSIDE BULKHEAD IS NOT PERMITTED TO EXTEND MORE THAN 1 FOOT ABOVE THE EXISTING GRADE; AND 3) DIVISION 6.5.B.3 OF THE TOWN LDC TO PERMIT AN EXISTING SHORELINE CONTOUR AND ESTABLISHED SLOPE OF A LOT ABOVE WATER TO BE CHANGED OR MODIFIED WHERE THE SHORELINE CONTOUR AND ESTABLISHED SLOPE OF A LOT ABOVE WATER MAY NOT BE CHANGED OR MODIFIED WITH THE EXCEPTION OF INTERLOCKING BLOCK, CONCRETE, WOOD OR SIMILAR MATERIAL BULKHEADS OR DECKS, FOR PROPERTY LOCATED AT 6360 LAKE JUNE ROAD. (Rey)

Town Attorney, Kathy Mehaffy read the title of the resolution. Director of Planning and Development, Maria Crowley, explained the recommendation of staff.

Carry Barsch, representing the Graham Companies explained the project and asked that the staff recommendation be modified to allow 2 years to obtain a permit rather than 1 year. Roger Fry, Architect for the Graham Companies spoke about the design and showed visuals of the proposed development.

Councilmember Mary Collins opened the public hearing. Pedro Carballo asked about traffic concurrency for this project. Mirtha Mendez spoke about the entrance to the apartments and questioned if there is any mitigation for traffic and school concurrency. There being no one else wishing to speak, Councilmember Mary Collins closed the public hearing.

Councilmember Michael Pizzi asked about the traffic counts on 154th Street. Susan Danielson from Town Engineering firm, Kimley Horn, explained the check and reconstruction of the applicant's data.

At the request of Councilmember Michael Pizzi, Stu Wylie spoke regarding the project and the addition of a right turn lane on 154th Street. Councilmember Michael Pizzi stated he would have preferred for the traffic engineer to have made a presentation at this meeting. Councilmember Roberto Alonso stated his concern that the proposal is to put 15 units per acre at the heart of the expressway.

Stu Wylie suggested that the item be deferred until they are able to address all of the concerns presented by the Town Council. Councilmember Roberto Alonso made a motion to defer this item to a time certain. The

motion received a second from Councilmember Mary Collins. Town Clerk, Debra Eastman called the roll and all were in favor.

Councilmember Michael Pizzi made a motion to defer the remainder of the agenda items to the August 19, 2008 Zoning Meeting. The motion received a second from Councilmember Richard Pulido. Councilmember Mary Collins called for the vote and all were in favor.

- B. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISIONS 5.6.A.2 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY CONSTRUCTED OF ALUMINUM WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, FABRIC OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE; 2) DIVISIONS 5.6.A.2 AND 4.2.E OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY SETBACK 14 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 25 FOOT SETBACK IS REQUIRED; 3) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 110.78 SQUARE FEET OF TOTAL AREA WHERE 30 SQUARE FEET OF AREA PER STRUCTURE IS PERMITTED; 4) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 1.9 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 5) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 0.7 FEET FROM THE INTERIOR (NORTH) SIDE PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 6) DIVISION 5.3.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 7.5 FEET IN HEIGHT WHERE 5 FEET OF HEIGHT IS PERMITTED; 7) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (NORTH) SIDE YARD; 8) DIVISION 5.7.A.2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (SOUTH) SIDE YARD; 9) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 1.1 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; AND 10) DIVISION 5.7.A.3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 0.1**

FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED, FOR PROPERTY LOCATED AT 16360 NW 91ST COURT. (Rey) Deferred to August 19, 2008.

- C. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST FOR SITE PLAN APPROVAL FILED IN ACCORDANCE WITH DIVISION 3.4 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (“THE TOWN LDC”) [APPROVING/DENYING] A SITE PLAN FOR RESIDENTIAL USES AS APPLIED TO A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH 120 RESIDENTIAL APARTMENT UNITS IN THE BU-2 (SPECIAL BUSINESS DISTRICT) PERMITTED ONLY UPON APPROVAL AFTER A PUBLIC HEARING, FOR PROPERTY LOCATED AT 7601 MIAMI LAKES DRIVE. (Rey) Deferred to August 19, 2008.**
- D. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST FOR SITE PLAN APPROVAL SUBMITTED IN ACCORDANCE WITH DIVISION 3.4 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (“THE TOWN LDC”) TO 1) APPROVE A SITE PLAN FOR AN ADDITION TO A DAY CARE AND CHURCH FACILITY, AND 2) AMEND RESOLUTION NO. 4-ZAB-402-83, BY MODIFYING CONDITIONS #7 AND #8 OF RESOLUTION 4-ZAB-402-83, WHICH RESTRICTED AGES OF CHILDREN AND HOURS OF OPERATION FOR THE RELATED DAYCARE USE ON THE SUBJECT PROPERTY, FOR PROPERTY LOCATED AT 6701 MIAMI LAKEWAY SOUTH. (Rey) Deferred to August 19, 2008.**
- E. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 9.4.C.3.d OF THE TOWN LDC TO PERMIT A PROPOSED STANDING MONUMENT SIGN SETBACK 5 FEET FROM THE FRONT (SOUTH) PROPERTY LINE WHERE A 7 FOOT SETBACK IS REQUIRED, FOR PROPERTY LOCATED AT 5801 MIAMI LAKES DRIVE EAST. (Rey) Deferred to August 19, 2008.**
- F. A RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION**

9.4.C.2.e OF THE TOWN LDC TO PERMIT A PROPOSED WALL MOUNTED SIGN WITH A MAXIMUM CAPITAL LETTER HEIGHT OF 54 INCHES FOR A SINGLE-TENANT BUILDING EXCEEDING 20,000 SQUARE FEET WHERE THE MAXIMUM CAPITAL LETTER HEIGHT FOR A SINGLE-TENANT BUILDING EXCEEDING 20,000 SQUARE FEET SHALL BE 30 INCHES; AND 2) DIVISION 9.4.C.2.k OF THE TOWN LDC TO PERMIT A PROPOSED WALL MOUNTED SIGN WITH A MAXIMUM CAPITAL LETTER HEIGHT OF 54 INCHES FOR A BUILDING IN THE BU DISTRICT FRONTING ON THE RED ROAD CANAL RIGHT OF WAY WHERE THE MAXIMUM CAPITAL LETTER HEIGHT FOR A BUILDING FRONTING ON THE RED ROAD CANAL RIGHT OF WAY SHALL BE 30 INCHES FOR PROPERTY LOCATED AT 16100 NW 57TH AVENUE. (Rey) Deferred to August 19, 2008.

6. FUTURE MEETINGS:

July 8, 2008 REGULAR MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:30 PM
August 19, 2008 ZONING MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:00 PM

7. ADJOURNMENT: There being no further business to come before the meeting, it adjourned at 8:10 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton
Vice Mayor Nancy Simon
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Robert Meador II
Councilmember Michael Pizzi
Councilmember Richard Pulido

MINUTES
REGULAR COUNCIL MEETING
July 8, 2008
6:30 PM
(Immediately Following the Special Zoning Meeting)
Miami Lakes Community Center West
15151 Montrose Road
Miami Lakes, Florida 33016

SPECIAL PRESENTATION: Mayor Wayne Slaton presented Miami Lakes Publix with a Certificate of Recognition for their green initiatives.

Mr. Kent Robbins presented an award from the Friends of the Redlands to Councilmember Michael Pizzi for his efforts to hold Urban Development Boundary Line.

1. CALL TO ORDER: Mayor Wayne Slaton called the meeting to order at 7:20 p.m

2. ROLL CALL: Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Roberto Alonso, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Robert Meador was not present.

3. PUBLIC COMMENTS: Sean Schwinghammer thanked Alex Rey, Town Manager for his service to the Town of Miami Lakes and asked that the Town Council remove the reflective bumps and signs at the traffic calming devices in his neighborhood. Mr. Schwinghammer also urged the Town Council to appeal the recent court decision to uphold the mitigation fee.

Mirtha Mendez spoke in opposition to resurfacing basketball courts that are not owned by the Town of Miami Lakes.

Dorothy Cook spoke in favor of upholding the sign ordinance and reported that campaign signs have been placed on properties prior to the time allowed in the ordinance. Ms. Cook also spoke in favor of the Council holding a workshop to discuss including some of the deed restrictions into the Town Code.

Jeannie White spoke in favor of the Town Council holding a workshop to discuss

including some of the deed restrictions into the Town Code and asked that the Town Council consider an ordinance prior to the Town election.

4. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS): Vice Mayor Nancy Simon requested to pull item 6B. Councilmember Richard Pulido requested to pull item 6C and to be added as a sponsor to item 9B. Town Clerk, Debra Eastman asked to pull item 6A.

Councilmember Mary Collins made a motion to accept the agenda as amended. The motion received a second from Councilmember Michael Pizzi. Mayor Wayne Slaton called for the vote and all were in favor.

5. COMMITTEE REPORTS:

Cultural Affairs Committee Committee Chairman, Felicia Salazar, gave the semi-annual report of the Cultural Affairs Committee and highlighted upcoming events sponsored by the Committee. Councilmembers Mary Collins and Richard Pulido thanked Ms. Salazar for the outstanding work of the Committee.

6. CONSENT AGENDA:

- A. Approval of Minutes:**
 - March 11, 2008 Regular Council Meeting**
 - March 18, 2008 Zoning Meeting**
 - May 13, 2008 Regular Council Meeting**

Town Clerk, Debra Eastman, requested that a typographical error in the minutes of March 11, 2008 be changed correcting the vote on page 12, item 13B from Mayor Slaton to Councilmember Richard Pulido voting in opposition.

A motion was made by Councilmember Michael Pizzi for approval of the minutes listed in item A. The motion received a second from Councilmember Roberto Alonso. Mayor Wayne Slaton called for the vote and all were in favor.

- B. RESOLUTION OF THE TOWN COUNCIL WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO PURCHASE SUPPLIES, MATERIALS, SERVICES OR EQUIPMENT BETWEEN JULY 9, 2008 AND SEPTEMBER 9, 2008, IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 04-51, THE TOWN'S PURCHASING PROCEDURES ORDINANCE. (Rey)**

Vice Mayor Nancy Simon stated her concern about waiving the procurement procedures in light of the Town Manager's impending departure. Town Manager, Alex Rey, indicated that there are no plans for expenditures and that this resolution will cover only unforeseen items. Vice Mayor Nancy Simon made a motion to adopt the resolution. The motion received a second from

Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

C. RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROPOSAL/AGREEMENT FROM ACCURATE TENNIS COURTS, INC. FOR MIAMI LAKES OPTIMIST PARK BASKETBALL COURT RESURFACING PROJECT. (Rey)

Councilmember Richard Pulido asked if there had been any attempt to contact the owner of the property. Town Manager, Alex Rey, reported that the school has no plans to update the basketball courts and pointed out this would enhance the park entrance and would be a safer surface. Councilmember Richard Pulido made a motion to adopt the resolution. The motion received a second from Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

Councilmember Mary Collins made a motion to adopt the balance of the consent agenda. The motion received a second from Vice Mayor Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

D. RESOLUTION OF THE TOWN COUNCIL REVISING SECTION 8CC-10 OF THE TOWN CODE, TITLED "SCHEDULE OF CIVIL PENALTIES," TO MODIFY FINES AND CONSOLIDATE PENALTIES FROM ADOPTED ORDINANCES IN ONE LOCATION; AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF CODE SECTIONS NOT SPECIFICALLY LISTED IN THE SCHEDULE OF CIVIL PENALTIES. (Rey) Passed on consent.

E. RESOLUTION OF THE TOWN COUNCIL AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE HEALTHY AGING REGIONAL COLLABORATIVE HEALTH FOUNDATION OF SOUTH FLORIDA GRANT PROGRAM TO FUND SENIOR PROGRAMS "MATTER OF BALANCE" AND "ENHANCED FITNESS". (Rey) Passed on consent.

7. ORDINANCES – FIRST READING:

8. ORDINANCES – SECOND READING (PUBLIC HEARING):

9. RESOLUTIONS:

A. RESOLUTION OF THE TOWN COUNCIL DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET HEARINGS FOR FISCAL YEAR 2008-09. (Rey)

Town Attorney, Nina Boniske read the title of the resolution. Mirtha Mendez requested that workshops be open for public comment. Town Manager, Alex Rey explained the proposed millage rate and the loss of revenue. Councilmember Mary Collins made a motion to adopt the resolution. The motion received a second from Vice Mayor Nancy Simon.

Vice Mayor Nancy Simon explained the process necessary to adopt a budget and the need for passage of this item at this meeting. Councilman Richard Pulido spoke in opposition to the motion. Councilman Michael Pizzi spoke in opposition to the motion.

Town Clerk, Debra Eastman, called the roll and the motion passed 4-2 with Councilmembers Roberto Alonso, Mary Collins, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmember Michael Pizzi and Richard Pulido voting in opposition.

B. RESOLUTION OF THE TOWN COUNCIL OPPOSING ANY INCREASE IN COUNTY TAXES TO MIAMI LAKES RESIDENTS. (Pizzi, Pulido)

Town Attorney, Nina Boniske read the title of the resolution. Councilmember Michael Pizzi and Town Manager, Alex Rey, explained that there is a possibility of the County reallocating expenses from the unincorporated area budget to the incorporated area budget and this ordinance is in opposition.

Councilmember Roberto Alonso asked Councilmember Michael Pizzi to clarify the intent of the resolution. Councilmember Richard Pulido spoke in favor of the resolution. Councilmember Michael Pizzi made a motion for adoption of the resolution. The motion received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman, called the roll and all were in favor.

10. NEW BUSINESS:

A. Town Management Transition (Simon)

Vice Mayor Nancy Simon spoke of the resignation of Town Manager, Alex Rey, and the need to appoint an Interim Town Manager. Mayor Wayne Slaton stated that the administration is in a transition period and he was moving forward to seek applications for a Town Manager. Mayor Wayne Slaton suggested that the Town Council appoint Director of Zoning and Code Enforcement, Evelyn Roig, as the Interim Town Manager. Councilmember Michael Pizzi made a motion to appoint Evelyn Roig as Interim Town Manager until a new Town Manager is appointed. The motion received a second from Councilmember Mary Collins. Town Clerk, Debra Eastman called the roll and all were in favor.

Councilmember Michael Pizzi stated he was not pleased with the process that had been used to select an Interim Town Manager. Mayor Wayne Slaton stated

he was saddened by the resignation of Town Manager, Alex Rey and Assistant Town Manager, Mariaelena Salazar. Vice Mayor Nancy Simon stated concern with the two budget hearings scheduled for September and requested that there be a contract to enlist the assistance of departing Town Manager, Alex Rey.

With the assistance of Town Attorney, Nina Boniske, Vice Mayor Nancy Simon made a motion to authorize Mayor Wayne Slaton and legal staff to work out a consulting agreement with Town Manager, Alex Rey, for assistance with the upcoming budget hearings and that the item be included in the agenda for the August Zoning Meeting. The motion received a second from Councilmember Mary Collins.

Councilmember Michael Pizzi stated he was not sure he would agree with having a consulting agreement until it is seen. Mayor Wayne Slaton explained that the agreement will come back to the Town Council for approval. Town Clerk, Debra Eastman called the roll and the motion passed 5-1 with Councilmembers Mary Collins, Richard Pulido, Roberto Alonso, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmember Michael Pizzi voting in opposition.

B. Creation of Climate Change Advisory Task Force (Pulido, Pizzi)

Councilman Richard Pulido made a motion to establish a Climate Change Advisory Task Force for the purpose of providing technical assistance and advice as to mitigation and adaptation measures to respond to global climate change. The motion received a second from Councilmember Mary Collins.

Councilmember Richard Pulido recommended that he serve on the committee, that it be a Committee of five and that he bring back a draft to the September Council meeting. Mayor Wayne Slaton called for the vote and all were in favor.

C. Mitigation Fee (Pizzi)

Councilmember Michael Pizzi made a motion that the Town Council move forward with an appeal regarding previous legal action on mitigation fees and hold the unpaid fees in escrow. The motion received a second from Mayor Wayne Slaton. Councilmember Mary Collins urged the Town Council not to appeal and made a motion to table this item and to have an Executive Session based upon a conversation she has had with County Commissioner Seijas. The motion to table received a second from Councilmember Roberto Alonso.

Town Attorney, Nina Boniske, informed the Town Council that a motion to table is generally not debatable. Councilmember Richard Pulido made a motion to waive the rule of non-debate for discussion. The motion to waive the rule received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and the motion passed 4-2 with Councilmembers Roberto Alonso, Michael Pizzi, Richard Pulido and Mayor Wayne Slaton voting

in favor and Councilmember Mary Collins and Vice Mayor Nancy Simon voting in opposition.

Councilmember Mary Collins made a motion to table the item and hold an Executive Session. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and the motion passed 4-2 with Councilmembers Mary Collins, Roberto Alonso, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmembers Michael Pizzi and Richard Pulido voting in opposition.

Mayor Wayne Slaton called for a recess at 9:20 p.m. The meeting reconvened at 9:35 p.m. Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Roberto Alonso, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Robert Meador was not present.

D. Mitigation (Slaton) This item discussed under item 10C.

E. Deed Restriction Additions to Zoning Code (Slaton)

Tom McGrath spoke regarding the process of gathering the suggestions for change and addition to the Zoning Code. Councilmember Richard Pulido asked for a moment to introduce Ivonne Borroto, an aide to County Mayor Carlos Alvarez who was in attendance. George Lopez spoke in favor of an appeal to the court's decision on mitigation and in favor of adding the deed restrictions to the Town Zoning Code.

Mayor Wayne Slaton explained that the addition of the suggested changes is on track in accordance with the decision made by the Town Council in February to do this after finishing the re-write. Mayor Wayne Slaton proposed that staff go forward with addressing this on the August zoning agenda. Councilmember Mary Collins made a motion to authorize the Town Attorney to prepare the ordinance for first reading for the August zoning agenda. The motion received a second from Councilmember Roberto Alonso. After a suggestion from Councilmember Richard Pulido, Councilmember Mary Collins amended the motion to include that the Town Council workshop already scheduled for July 10, 2008 begin at 7 p.m. The amendment received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman, called the roll on the amended motion and all were in favor.

F. Expenditure Control Act (Pizzi)

Councilmember Michael Pizzi presented a chart of travel expenses incurred by the members of the Town Council. Councilmember Michael Pizzi made a motion to set a specific travel policy to include a form to attest to the specific public purpose and limit out of state travel to no more than three times unless there is an urgent need or unless it is approved by the Town Council. The motion

received a second from Councilmember Richard Pulido. Councilmember Mary Collins spoke in favor of the benefits of travel for the Town. Councilmember Roberto Alonso stated that the funds expended were part of the budget approved by the Town Council and suggested that the Town Council could save funds by doing their own lobbying. Vice Mayor Nancy Simon spoke in favor of networking and asked that Councilmember Michael Pizzi come back to the Town Council with a more specific plan. Councilmember Michael Pizzi amended the motion to have staff prepare a proposed travel policy to bring back to a future Town Council meeting for consideration. The amended motion received a second from Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

11. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

- 1. Appointments (Slaton)** Mayor Wayne Slaton nominated Sydney Dixon and Laura Pedoussaut to serve on the Youth Activities Task Force. A motion to appoint them to the Youth Activities Task Force was made by Vice Mayor Nancy Simon. The motion received a second from Councilmember Roberto Alonso. Mayor Wayne Slaton called for the vote and all were in favor.
- 2. The Trust for Public Land: Beyond Light bulbs & Hybrids – Local Government Solutions to Global Climate Change (Pulido)**
Councilmember Richard Pulido explained he attended this seminar and offered to answer any questions.
- 3. Zoning Board (Pizzi)**
Councilmember Michael Pizzi requested further information on when a workshop will be held to discuss the creation of a Town Zoning Board. Town Manager, Alex Rey indicated that this item will be on the agenda for the September workshop date.
- 4. Code Rewrite Process and Requests for Code Changes (Pizzi)**
Councilmember Michael Pizzi urged that staff go forward to prepare the ordinance for adding the Homeowner Association suggestions to the Town Code.
- 5. Town Youth Assistance Efforts (Pizzi)**
Councilmember Michael Pizzi stated that he will defer this topic to another date.
- 6. Position of Town Manager (Slaton)**
This item discussed with 10A.

B. MANAGER'S REPORT:

- 1. Miami Lakeway South Parking Options (P21)**
Town Manager, Alex Rey suggested either placing pavers at the park for parking or limiting the parking with curbing. He pointed out there is a

need for two spaces for police to do traffic control at the site twice a day.

Town Manager, Alex Rey stated his preference is to put in the pavers for parking. Councilmember Richard Pulido made a motion to install the pavers. The motion received a second from Councilmember Michael Pizzi. Mayor Wayne Slaton called for the vote and all were in favor.

2. Florinda Estates Park Grant

Director of Parks and Recreation, Tony Lopez, explained to the Town Council that upon the Council's authorization to apply for a grant for the Florinda Estates Park the Town, has now received over \$67,000. Vice Mayor Nancy Simon suggested that a canopy be installed for shade over the tot lot.

C. ATTORNEY'S REPORTS:

12. FUTURE MEETINGS:

August 19, 2008 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6 PM
September 9, 2008 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 PM

13. ADJOURNMENT: There being no further business to come before the meeting, it adjourned at 11 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Nancy Simon

Councilmember Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Michael Pizzi

Councilmember Richard Pulido

MINUTES SPECIAL ZONING COUNCIL MEETING

July 8, 2008

6:15 PM

Miami Lakes Community Center West

15151 Montrose Road

Miami Lakes, Florida 33016

1. **CALL TO ORDER:** Mayor Wayne Slaton called the meeting to order at 6:25 p.m.
2. **ROLL CALL:** Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Roberto Alonso, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Robert Meador was not present.
3. **INVOCATION/MOMENT OF SILENCE:** Mayor Wayne Slaton called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Mayor Wayne Slaton led the Pledge of Allegiance.

Kathy Mehaffy, Town Attorney, read the quasi-judicial statement into the record. Town Clerk, Debra Eastman, gave the oath to those indicating that they will be testifying on items on the agenda.

5. RESOLUTIONS:

- A. **RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A REQUEST FOR SITE PLAN APPROVAL SUBMITTED IN ACCORDANCE WITH DIVISION 3.4 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (“THE TOWN LDC”) TO 1) APPROVE A SITE PLAN FOR AN ADDITION TO A DAY CARE AND CHURCH FACILITY, AND 2) AMEND RESOLUTION NO. 4-ZAB-402-83, BY MODIFYING CONDITIONS #7 AND #8 OF RESOLUTION 4-ZAB-402-83, WHICH RESTRICTED AGES OF CHILDREN AND HOURS OF OPERATION FOR THE RELATED DAYCARE USE ON**

THE SUBJECT PROPERTY, FOR PROPERTY LOCATED AT 6701 MIAMI LAKEWAY SOUTH. (Rey)

Councilmember Michael Pizzi recused himself from item 5A and left the room. Kathy Mehaffy, Town Attorney read the title of the resolution. Director of Zoning and Development, Maria Crowley explained the current day care facility at the Miami Lakes Congregational Church and the staff review.

Mr. Robby Elias spoke on behalf of the Miami Lakes Congregational Church and explained the pre-school and day care needs. Mayor Wayne Slaton opened the public hearing. There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Vice Mayor Nancy Simon made a motion to adopt the resolution with staff recommendations. The motion received a second from Councilmember Mary Collins.

Councilmember Richard Pulido asked about the time students will be arriving referring to the challenging traffic area and the lack of adequate parking. Mr. Elias explained that improvements have been made to the parking area and that there is more than adequate parking spaces required for the Church. Town Manager, Alex Rey suggested that if the Church were to leave the access ropes open to the parking lot, it would alleviate some of the parking problems at the school.

Debra Eastman, Town Clerk, called the roll and the motion passed 5-0 with Councilmembers Roberto Alonso, Mary Collins, Richard Pulido, Vice Mayor Nancy Simon and Mayor Wayne Slaton in favor and Councilmembers Robert Meador and Michael Pizzi absent.

B. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") GRANTING/DENYING/ A VARIANCE TO WAIVE: 1) DIVISION 9.4.C.3.d OF THE TOWN LDC TO PERMIT A PROPOSED STANDING MONUMENT SIGN SETBACK 5 FEET FROM THE FRONT (SOUTH) PROPERTY LINE WHERE A 7 FOOT SETBACK IS REQUIRED, FOR PROPERTY LOCATED AT 5801 MIAMI LAKES DRIVE EAST. (Rey)

Councilmember Michael Pizzi again joined the Town Council. Kathy Mehaffey, Town Attorney, read the title of the resolution. Maria Crowley, Director of Planning and Development explained the monument style sign. Mr. Rod Feiner, Esq. representing 154th Medical Plaza spoke in favor of the variance.

Mayor Wayne Slaton opened the public hearing. There being no one wishing to speak, Mayor Wayne Slaton closed the public hearing.

Vice Mayor Nancy Simon made a motion to adopt the resolution with the recommendation of staff. The motion received a second from Councilmember Mary Collins. Debra Eastman, Town Clerk called the roll and all were in favor.

- C. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 9.4.C.2.e OF THE TOWN LDC TO PERMIT A PROPOSED WALL MOUNTED SIGN WITH A MAXIMUM CAPITAL LETTER HEIGHT OF 54 INCHES FOR A SINGLE-TENANT BUILDING EXCEEDING 20,000 SQUARE FEET WHERE THE MAXIMUM CAPITAL LETTER HEIGHT FOR A SINGLE-TENANT BUILDING EXCEEDING 20,000 SQUARE FEET SHALL BE 30 INCHES; AND 2) DIVISION 9.4.C.2.k OF THE TOWN LDC TO PERMIT A PROPOSED WALL MOUNTED SIGN WITH A MAXIMUM CAPITAL LETTER HEIGHT OF 54 INCHES FOR A BUILDING IN THE BU DISTRICT FRONTING ON THE RED ROAD CANAL RIGHT OF WAY WHERE THE MAXIMUM CAPITAL LETTER HEIGHT FOR A BUILDING FRONTING ON THE RED ROAD CANAL RIGHT OF WAY SHALL BE 30 INCHES FOR PROPERTY LOCATED AT 16100 NW 57TH AVENUE. (Rey)**

Kathy Mehaffey, Town Attorney read the title of the resolution. Maria Crowley, Director of Planning and Development explained the size of the last four letters on the sign. Representing the applicant, Rosalyn Holderfield spoke in favor of the variance.

Mayor Wayne Slaton opened the public hearing. Claude Gettinger who worked to develop the property spoke in favor of the variance. There being no one else wishing to speak, Mayor Wayne Slaton closed the public hearing.

Councilmember Mary Collins made a motion to approve the resolution with staff recommendations. The motion received a second from Vice Mayor Nancy Simon. Debra Eastman, Town Clerk called the roll and all were in favor.

6. FUTURE MEETINGS:

August 19, 2008 ZONING MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:00 PM
September 9, 2008 REGULAR MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:30 PM

- 7. ADJOURNMENT:** There being no further business to come before the meeting it adjourned the meeting at 7 p.m.

Approved this _____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra Eastman, MMC
Town Clerk



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 8 B



Town of Miami Lakes

Council Memorandum

To: Honorable Mayor and Town Council

From: Evelyn Roig, Interim Town Manager

Subject: Florida Department of Environmental Protection Florida Recreation Development Assistance Program 2009-2010 Grant Application for the development of the Sevilla Estates Park Site

Date: September 9, 2008

Recommendation:

It is recommended that the Town Council approve the proposed resolution authorizing the Town Manager to apply to the Florida Department of Environmental Protection's Florida Recreation Development Assistance Program (FRDAP) for capital improvements at the Sevilla Estates Park Site located at 8901 NW 169 Terrace.

Background

In July 2008, the Town acquired the Sevilla Estates Park Site located at 8901 NW 169 Terrace from the Florida Department of Transportation in the Royal Oaks subdivision. The Town has identified this site to be developed in to a neighborhood park with enhancements such as playground equipment, picnic shelter and landscaping.

The grant project amount is \$200,000 with 50% of the grant project cost of \$100,000 coming from FRDAP Grant Funding. The Town's matching requirement of 50% of the grant project cost in the amount of \$100,000 would be budgeted in the Parks Capital Improvement Program.

RESOLUTION NO. 08-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FOR THE DEVELOPMENT OF THE SEVILLA ESTATES PARK SITE; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO SATISFY THE REQUIREMENTS OF THE GRANT APPLICATION; PROVIDING COMMITMENT OF MATCHING FUNDS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to submit a grant application to the Florida Department of Environmental Protection's Florida Recreation Development Assistance Program (the "FRDAP") to aid in the funding of the development of the Sevilla Estates Park Site located at 8901 NW 169 Terrace (the "Park Site"); and

WHEREAS, the proposed project cost for development of the Park Site is estimated to be \$200,000.00, with FRDAP grant funds of approximately 50% of the project cost equal to \$100,000.00, and the Town's matching funds of approximately 50% of the project cost equal to \$100,000.00, such funding to be included in the Town's Parks Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Authorization for Application. The Town Manager and/or his/her designee are authorized to apply for a grant from the Florida Department of Environmental Protection's Florida Recreation Development Assistance Program (the "FRDAP") for the

development of the Sevilla Estates Park Site (the “Park Site”) in the amount of \$200,000.00, for which 50% or \$100,000.00 would be funded by FRDAP, and in connection with such application to execute such grant agreements and other contracts and documents, to execute any necessary amendments to grant applications and contracts, and take such other acts as may be necessary to bind the Town and accomplish the intent of this Resolution.

Section 3. Authorization of the Town Officials. The Town Manager and Town Attorney are authorized to take all actions necessary to move forward with the grant application.

Section 4. Authorization of Matching Funds. If awarded the grant, the Town agrees to commit 50% matching funds in the amount of \$100,000.00, such funding to be included in the Town’s Parks Capital Improvement Program.

Section 5. Authorization Fund Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the grant application.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2008.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	_____
Vice Mayor Nancy Simon	_____
Councilmember Roberto Alonso	_____
Councilmember Mary Collins	_____
Councilmember Robert Meador	_____
Councilmember Michael Pizzi	_____
Councilmember Richard Pulido	_____

Wayne Slaton
MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

TOWN ATTORNEY
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014


ITEM 8 C



Town of Miami Lakes

15700 NW 67TH Avenue
Miami Lakes, FL 33014

To: Honorable Mayor and Town Council

From: Evelyn Roig, Interim Town Manager 

Date: September 9, 2008

Subject: Canvassing Board Appointment

State law provides that the canvassing board be composed of the Town Clerk, a county court judge and, in this case, a qualified elector who is not an active participant in the campaign or candidacy of any candidate.

Town Attorney, Nina Boniske, is handling the paperwork necessary for the appointment of a county court judge. As she has in the past several elections, Ms. Perla Hantman has graciously agreed to serve as the qualified elector. Attached is a resolution appointing Ms. Hantman.

RESOLUTION NO. 08-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE CHIEF JUDGE TO APPOINT PERLA TABARES HANTMAN TO THE TOWN CANVASSING BOARD PURSUANT TO SECTION 102.141(1)(d), FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) will hold its election on October 7, 2008; and

WHEREAS, Section 102.141(1)(d), Florida Statutes, provides for the chief judge of the Judicial Circuit in which the Town is located to appoint to the Canvassing Board as a substitute member a qualified elector of the Town; and

WHEREAS, Perla Tabares Hantman is a qualified elector of the Town and has expressed her willingness to serve on the Canvassing Board.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Request for Appointment. The Town Council requests that Chief Justice Joseph Farina appoint Perla Tabares Hantman to serve on the Town Canvassing Board in the special election to be held on October 7, 2008.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this _____ day of _____, 2008.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton _____

Vice Mayor Nancy Simon _____

Councilmember Roberto Alonso _____

Councilmember Mary Collins _____

Councilmember Robert Meador _____

Councilmember Michael Pizzi _____

Councilmember Richard Pulido _____

Wayne Slaton
MAYOR

ATTEST:

Debra Eastman, MMC
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

TOWN ATTORNEY
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014


ITEM 8 D



TOWN OF MIAMI LAKES

Council Memorandum

To: Honorable Mayor and Town Council

From: Evelyn Roig – Interim Town Manager 

Subject: Fine Reduction Case # C2006-0800 (Roberto Dopico and Ana G. Martinez)

Date: September 9, 2007

Recommendation:

It is recommended that the Town Council authorize the Town Manager to reduce the Code Compliance fine from \$10,925.68 to \$5,462.84 for a total reduction of 50% of the initial fine.

Background:

On July 19, 2006, the Code Compliance officer (the “Officer”) upon notification from the Town of Miami Lakes Building Department that the property owners had failed to obtain required final inspections for building permits B2005-0087, E2005-0088 and P2005-0089 issued the property owners a Warning of Violation which had an expiration date of August 18, 2006.

On September 10, 2007, the Officer performed a follow-up review with the Building Department and confirmed that the permits remained open and no further action had been taken by the property owners, issued the Violators a Citation (#4841) in the amount of \$500.00, with a compliance date of September 30, 2007.

The Violators failed to request a hearing and the case was heard before the Special Master as an Order Imposing Civil Penalties on November 19, 2007. Based on the findings of the Special Master the following “Order” was executed:

“It is, therefore, ORDERED that the Violators shall correct the violations of the Town Code and pay civil penalties of Five Hundred Dollars (\$500) and shall pay additional civil penalties of Five Hundred Dollars (\$500) per day retroactive to October 1, 2007 until the Violators comply with the Citation”.

On March 14, 2008, the Violators complied by renewing permit P2005-0089 with new permit P2008-0361, permit E2005-0088 with new permit E2008-0360, permit B2005-0087 with new permit B2008-0359 which all have subsequently been finalized.

The following is a breakdown of the accrued civil penalties as per the Special Master Order and the amount paid by the Violators:

Initial Fine	\$ 500.00
Fines x 20 days	\$ 10,000.00
Recording fees	\$ 37.00
Administrative fee	\$ 0.00
Interest	\$ 189.00
Per diem	<u>\$ 199.68</u>
Total	\$ 10,925.68

The Town has incurred costs to process the case in the amount of \$451.65. The costs are comprised of staff time, attorney fees, Special Master Fee and other associated costs.

On July 30, 2008 the Town received a written request for a fine reduction from the Violators. Town Resolution number 04-195 does not allow the Town Manager to settle “after” an Order was executed by the Special Master.

Given the nature of this violation, and the fact that the violation was corrected and the fines have been paid in full, staff recommends a fine reduction be approved by the Town Council.

RESOLUTION NO. 08-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF ROBERTO DOPICO AND ANA G. MARTINEZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0800; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”), through its Code Compliance Department, issued Citation No. C2006-0800 to Roberto Dopico and Ana G. Martinez (the “Violators”); and

WHEREAS, the Violators were issued a Citation, the violation was subsequently corrected and the Violators paid the Town the fine of \$10,925.68; and

WHEREAS, the Violators have requested that the Town reduce the fine and the Town Manager having reviewed the file has recommended to the Town Council approval of a reduction of the fine to \$5,462.84.

WHEREAS, the Violators have agreed to sign a release of the Town from any claims relating to the Citation as a condition of the reduction.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Reduction of Fine. The civil penalty/fine for Code Compliance Case No. C2006-0800 is reduced to \$5,462.84. The Town Manager is authorized to execute appropriate documents, including a release and waiver by the Violators for any and all

claims relating to the citation and this reduction, to facilitate the return of the balance of already paid fines to the Violators.

Section 3. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2008.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	_____
Vice Mayor Nancy Simon	_____
Councilmember Roberto Alonso	_____
Councilmember Robert Meador II	_____
Councilmember Michael Pizzi	_____
Councilmember Richard Pulido	_____
Councilmember Mary Collins	_____

Wayne Slaton
MAYOR

ATTEST:

Debra E. Eastman
TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:

Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L.
TOWN ATTORNEY



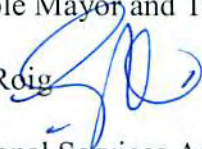
Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 8 E

Town of Miami Lakes

Council Memorandum

To: Honorable Mayor and Town Council
From: Evelyn Roig 
Subject: Professional Services Agreement with Alex Rey
Date: August 19, 2008

Recommendation:

Under the direction of the Town Council, a professional services agreement has been drafted, with Mr. Alex Rey, to assist during the budget process. This agreement authorizes the Interim Town Manager to seek services on an as needed basis at an hourly fixed rate.

Background:

On July 8, 2008, the Town Council proposed and voted that we secure professional services from Mr. Rey during the transition process. I have discussed this matter with Mr. Rey and he has received approval from his new employer to assist us during this time.

RESOLUTION NO. 08-___

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROFESSIONAL CONSULTING SERVICES AGREEMENT BETWEEN ALEX REY AND THE TOWN OF MIAMI LAKES AUTHORIZING THE INTERIM TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE INTERIM TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Miami Lakes, (the “Town”) desires to utilize the services of Alex Rey (the “Consultant”) to provide professional consulting services to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recital is true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Agreement. The Agreement between the Consultant and the Town to provide professional consulting services, a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the Interim Town Manager and approved as to form and legality by the Town Attorney, is approved.

Section 3. Authorization of Town Officials. The Interim Town Manager and/or her designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations

imposed upon the Town Manager pursuant to the Town's Purchasing Procedures Ordinance, the Interim Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. Execution of Agreement. The Interim Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2008.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	_____
Vice Mayor Nancy Simon	_____
Councilmember Roberto Alonso	_____
Councilmember Mary Collins	_____
Councilmember Robert Meador	_____
Councilmember Michael Pizzi	_____
Councilmember Richard Pulido	_____

Wayne Slaton
MAYOR

ATTEST:

Debra Eastman, MMC
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

TOWN ATTORNEY
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.

**TOWN OF MIAMI LAKES
AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

THIS AGREEMENT, made an entered into this ____ day of _____, 2008, by and between TOWN OF MIAMI LAKES, a municipal corporation of the State of Florida, (the “Town”), and ALEX REY, (the “Consultant”).

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH IN THIS AGREEMENT, THE PARTIES AGREE AS FOLLOWS:

I. SCOPE OF SERVICES.

The Consultant shall perform professional consulting for the Town on an interim basis (the “Services”), consisting of the following:

A. Assisting the Interim Town Manager, (the “Manager”) with the preparation of the Town’s budget documents for Fiscal Year 2008-09, including briefing the Mayor and individual Council members on the Budget, attendance at Town Council Briefings, Workshops and Public Hearings pertaining to the Budget and Millage adoption; and

B. Provide such other services as the Interim Town Manager requests of Consultant.

II. COMPLETION OF SCOPE OF SERVICES.

A. Consultant shall use its best efforts to complete the Services within the reasonable time limits established by the Manager.

B. Town shall provide Consultant with use of a Town laptop computer.

C. Town shall make available to Consultant, remote access to the Town’s computer network.

D. Town shall provide Consultant with a Town email address for the Consultant to utilize in providing the Services.

III. **FEES FOR SERVICES.**

A. Consultant shall be paid on an hourly basis at the rate of \$145.00 per hour for Consultant's Services. Fees shall be billed and paid pursuant to monthly invoices.

B. Direct expenses (for example, copies, fax, phone) reasonably incurred by Consultant and approved by Manager shall be reimbursed at cost and included in Consultant's invoices.

C. Invoices shall be promptly processed for payment by Town pursuant to Sec. 218.70, Fla. Stat. upon receipt of the Consultant's invoice.

IV. **WORK PRODUCT/OWNERSHIP OF DOCUMENTS.**

A. All original documents ("work product") that result from the Consultant providing services hereunder shall be the property of the Town.

B. Upon termination of this Agreement, or upon request of the Manager during the term of this Agreement, any and all work product shall be delivered to the Town by the Consultant.

V. **TERM/TERMINATION.**

A. The Term of the Agreement shall be from September 1, 2008 and shall terminate upon 5 days written notice by the Manager to the Consultant.

B. The Consultant may terminate this Agreement upon 15 days written notice to the Manager.

C. If this Agreement is terminated, the Consultant shall be paid for all Services performed up to the date of termination provided that the Consultant first deliver to the Town in electronic format all work product, and return the Town's laptop.

VI. **ENTIRE AGREEMENT.**

The parties hereby agree that this is the entire Agreement between the parties. This Agreement cannot be amended or modified without the express written consent of the parties.

VII. **WARRANTIES OF CONSULTANT.**

A. Consultant shall comply with any applicable provisions of Chapter 112, Florida Statutes and Chapter 2 of the Miami-Dade County Code, the Miami-Dade County Code of Ethics.

B. Consultant shall comply with applicable portions of the Chapter 119, Florida Statutes, the Florida Public Records Act with respect to communications made utilizing the Town's email address.

VIII. **NOTICES.**

All notices and communication to the Town or Consultant shall be in writing and shall be deemed to have been properly given if transmitted by registered or certified mail or hand delivery. All notices and communications shall be effective upon receipt. Notices shall be addressed as follows:

TOWN: Evelyn Roig
Interim Town Manager
Town of Miami Lakes
15700 N.W. 67th Avenue
Miami Lakes, Florida 33014

CONSULTANT: Alex Rey

IX. **GOVERNING LAW.**

This Agreement shall be construed in accordance with the laws of the State of Florida. Venue for any litigation hereunder shall be in Miami Dade County, Florida.

X. **SEVERABILITY.**

If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

XI. **INDEPENDENT CONTRACTOR.**

The Consultant shall be and remain an independent contractor and not an agent or employee of the Town with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

Attest:

TOWN OF MIAMI LAKES

Debra Eastman, MMC, Town Clerk

By: _____
Evelyn Roig
Interim Village Manager

Date: _____

CONSULTANT

By: _____
Alex Rey

Date: _____

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF TOWN OF
MIAMI LAKES ONLY

Town Attorney



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 9



Town of Miami Lakes

15700 NW 67TH Avenue
Miami Lakes, FL 33014

To: Honorable Mayor and Town Council

From: Evelyn Roig, Interim Town Manager

A handwritten signature in cursive script, appearing to read "Evelyn Roig".

Date: September 9, 2008

Subject: Fiscal Impact Ordinance

At the May 13, 2008 meeting, Town Council directed staff to prepare an ordinance that would allow for a fiscal impact statement to be added to any future legislation. The attached ordinance for first reading has been prepared for your consideration.

ORDINANCE NO. 2008-_____

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUIRING THAT A FISCAL IMPACT ANALYSIS BE PREPARED AS PART OF ANY PROPOSED TOWN LEGISLATION; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council for the Town of Miami Lakes (the "Town") finds that it is in the best interest for purposes of fiscal responsibility, that a fiscal analysis be included as part of any proposed Town legislation.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Fiscal Impact.** A new Section of the Town Code is created to read as follows:

Section **Fiscal Impact.**

A fiscal impact analysis shall be prepared by the Town Manager and submitted as part of the agenda materials for any proposed legislation placed upon the agenda for the Town Council's consideration.

Section 3. **Inclusion in Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Town of Miami Lakes, Florida Code of Ordinances; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Effective Date. That this Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved for its adoption on first reading. This motion was seconded by Councilmember _____, and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	_____
Vice Mayor Nancy Simon	_____
Councilmember Roberto Alonso	_____
Councilmember Mary Collins	_____
Councilmember Robert Meador, II	_____
Councilmember Michael Pizzi	_____
Councilmember Richard Pulido	_____

PASSED AND ADOPTED on first reading this _____ day of _____, 2008.

The foregoing Ordinance was offered by Councilmember _____, who moved for its adoption on second reading. The motion was seconded by Councilmember _____, and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	_____
Vice Mayor Nancy Simon	_____
Councilmember Roberto Alonso	_____

Councilmember Mary Collins _____

Councilmember Robert Meador, II _____

Councilmember Michael Pizzi _____

Councilmember Richard Pulido _____

PASSED AND ADOPTED this _____ day of _____ 2008.

Wayne Slaton
MAYOR

ATTEST:

DEBRA EASTMAN, MMC TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR USE ONLY BY THE
TOWN OF MIAMI LAKES:

WEISS, SEROTA, HELFMAN, PASTORIZA,
COLE & BONISKE, P.L.
TOWN ATTORNEY



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 12 A



Town of Miami Lakes

15700 NW 67TH Avenue
Miami Lakes, FL 33014

To: Honorable Mayor and Town Council

From: Councilmember Richard Pulido

A handwritten signature in black ink, appearing to be "RP", is written over the name "Richard Pulido".

Date: September 2, 2008

Subject: Miami-Dade County New Recycling Program

I would like to discuss the new Miami-Dade County recycling program with the Town Council.

15A01
H: 1953

15A02
H: 2356

15A03
H: 1705

15A04
H: 1069



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 12 B

Eastman, Debra

From: Meador, Robert
Sent: Friday, August 22, 2008 6:41 PM
To: Eastman, Debra
Cc: Roig, Evelyn
Subject: New Business Item for September 2008 regular town meeting

Madam Clerk:

Referencing the above, please place honoring "Mayor Wayne Slaton" under new business for the upcoming meeting.

Councilman Robert Meador



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 12 C

TO: Debbie

FROM: Mike Pizzi

RE: AGENDA ITEMS

Please place the following items on the agenda for our September Council Meeting:

I. REPORTS:

1. Youth Programs
2. Community Education Classes

II. NEW BUSINESS ITEMS:

Agenda Item 12C 1. Elderly Assistance Program: The purpose of this item is to update the council on proposed criteria for evaluating and providing assistance to elderly residents who need assistance in the upkeep of their homes, installing hurricane shutters and other items.

Agenda Item 12D 2. Private Community Based Initiative Program: The purpose for this item is to discuss and consider appropriate courses of action regarding private, including faith based initiatives, to provide community based services to our residents. The goal being to use available community resources, including those found in private organization and churches to provide assistance to residents in need.

Agenda Item 12E 3. Maintenance of Town Lakes - I wish to discuss the maintenance of the lakes.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 12 D

TO: Debbie

FROM: Mike Pizzi

RE: AGENDA ITEMS

Please place the following items on the agenda for our September Council Meeting:

I. REPORTS:

1. Youth Programs
2. Community Education Classes

II. NEW BUSINESS ITEMS:

Agenda Item 12C 1. Elderly Assistance Program: The purpose of this item is to update the council on proposed criteria for evaluating and providing assistance to elderly residents who need assistance in the upkeep of their homes, installing hurricane shutters and other items.

Agenda Item 12D 2. Private Community Based Initiative Program: The purpose for this item is to discuss and consider appropriate courses of action regarding private, including faith based initiatives, to provide community based services to our residents. The goal being to use available community resources, including those found in private organization and churches to provide assistance to residents in need.

Agenda Item 12E 3. Maintenance of Town Lakes - I wish to discuss the maintenance of the lakes.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 12 E

TO: Debbie

FROM: Mike Pizzi

RE: AGENDA ITEMS

Please place the following items on the agenda for our September Council Meeting:

I. REPORTS:

1. Youth Programs
2. Community Education Classes

II. NEW BUSINESS ITEMS:

Agenda Item 12C 1. Elderly Assistance Program: The purpose of this item is to update the council on proposed criteria for evaluating and providing assistance to elderly residents who need assistance in the upkeep of their homes, installing hurricane shutters and other items.

Agenda Item 12D 2. Private Community Based Initiative Program: The purpose for this item is to discuss and consider appropriate courses of action regarding private, including faith based initiatives, to provide community based services to our residents. The goal being to use available community resources, including those found in private organization and churches to provide assistance to residents in need.

Agenda Item 12E 3. Maintenance of Town Lakes - I wish to discuss the maintenance of the lakes.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014


ITEM 13 B



Town of Miami Lakes

Council Memorandum

To: Honorable Mayor and Town Council

From: Evelyn Roig, Interim Town Manager 

Subject: Continuation of the "We Love Cows" Program

Date: September 9, 2008

Town staff has been contacted by two companies in the Miami Lakes area, Ocean Bank and Universal Imaging that have expressed a strong interest in sponsoring cows for the "We Love Cows" Program. The program began in 2003, when three cows were purchased. In 2005, an additional six were purchased. Presently, there are no cows available in storage for these companies; therefore, two additional cows must be purchased.

The request was brought before the Cultural Affairs Committee, which spearheaded the program, and they have supported the continuation of the program with the purchase of these two additional cows.

Because of this interest and committee support, we are seeking direction from the Town Council on whether or not to continue to support the "We Love Cows" Program for these two additional cows. If supported, Town Staff will proceed to research the cost and sponsorship details and present this to the Town Council at a future meeting for approval.