

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember George Lopez

Councilmember Robert Meador II

Councilmember Richard Pulido

Councilmember Nancy Simon

MINUTES

REGULAR COUNCIL MEETING

July 13, 2010

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

PRESENTATIONS:

Councilmember Mary Collins excused herself from the meeting because she felt ill.

Mayor Pizzi and the Town Council presented Police Officer Susan Masulo with a proclamation in honor of her retirement after 29 years of service.

The Mayor and Town Council presented the Optimist Club with an award.

The Mayor and Town Council presented Dr. Mildred Diaz and Miriam Duman with an award of recognition for providing computer classes for Senior Citizens free of charge.

The Mayor presented certificates of appreciation to the All America City delegation.

Joe Caragol, Director of the City of Hialeah Emergency Management Center, spoke about hurricane preparedness.

1. CALL TO ORDER:

The Mayor called the meeting to order at 7:25 p.m.

2. ROLL CALL:

Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Nancy Simon, Robert Meador, Richard Pulido, George Lopez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi.

3. INVOCATION/MOMENT OF SILENCE:

The Mayor led the Invocation/Moment of Silence.

4. PLEDGE OF ALLEGIANCE:

The Mayor led the Pledge of Allegiance.

5. PUBLIC COMMENTS:

Judge Peter Adrian thanked the Council for their hard work and spoke about the success of the peer review court, All America City, and playful City USA.

Edelkys Morano spoke about the resolution pertaining to the duties of the Mayor.

David Bennett spoke about the duties of the Mayor.

Karen Sanders spoke about the Town's Hurricane Fair.

Jeannie White spoke about the duties of the Mayor.

Pedro Carballo spoke about the amount of Special Call meetings, the punctuality of meetings, services within the Town, hurricane preparedness, and the duties of the Mayor.

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

Mayor Pizzi pulled items 8F, 8C, 8D, 8E, 8J, and withdrew item 12G.

Councilmember Pulido pulled item 8K. Councilmember Meador pulled item 8A.

Councilmember Simon pulled item 8H.

Mayor Pizzi made a motion to accept the agenda as revised. The motion received a second from Councilmember Nancy Simon. The motion passed 6-0. Councilmember Collins was absent.

7. COMMITTEE REPORTS:

Youth Activities Task Force

8. CONSENT AGENDA:

A. Approval of Minutes:

September 10, 2009 1st Budget Hearing

September 28, 2009 2nd Budget Hearing

May 11, 2010 Regular Meeting

May 13, 2010 Special Call Meeting

Councilmember Meador made a motion to change a portion of the May 11, 2010 Minutes. The motion received a second from Councilmember Simon and all were in favor. Councilmember Collins and Mayor Pizzi were absent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA WAIVING THE COMPREHENSIVE COUNCIL MEETING AND AGENDA PROCEDURES; WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO PURCHASE SUPPLIES, MATERIALS, SERVICES OR EQUIPMENT BETWEEN JULY 13, 2010 AND SEPTEMBER 14, 2010, IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE

NO. 09-115, THE TOWN'S PURCHASING PROCEDURES ORDINANCE; AUTHORIZING THE TOWN MANAGER TO EXECUTE GRANT AGREEMENTS; AUTHORIZING THE TOWN MANAGER TO AWARD ANY BIDS AND/OR PROPOSALS FOR DISASTER RECOVERY RELIEF; REQUIRING TOWN COUNCIL RATIFICATION OF THE PURCHASES AT TOWN COUNCIL'S FIRST REGULARLY SCHEDULED COUNCIL MEETING IN SEPTEMBER OF 2010; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF HOLLAND & KNIGHT ON BEHALF OF CVS PHARMACY TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-0621; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Town Attorney, Richard Weiss, read the title of the resolution into the record.

Mr. Juan Mayol, representing CVS Pharmacy, spoke in favor of reducing the fine, presented a document into the record, and answered questions posed by the Council.

Councilmember Simon made a motion to accept staff's recommendation. The motion received a second from Councilmember Meador. The motion passed 6-0. Councilmember Collins was absent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF HOLLAND & KNIGHT ON BEHALF OF CVS PHARMACY (C/O THE GRAHAM COMPANIES) TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-0593; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Town Attorney, Richard Weiss, read the title of the resolution into the record.

Mr. Juan Mayol, representing CVS Pharmacy, spoke in favor of the staff's recommendation.

Mayor Pizzi made a motion to accept the staff's recommendation. The motion received a second from Councilmember Simon. The motion passed 6-0. Councilmember Collins was absent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ANGEL MARIANO AND LORENA ALEJANDRA ALVAREZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2010-0213; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Town Attorney, Richard Weiss, read the title of the resolution into the record.

Angel Alvarez, the owner of the property, asked the Council to reduce the fine. Mayor Pizzi made a motion to reduce the fine to the Town's cost. The motion received a second from Councilmember Pulido. The motion passed 6-0. Councilmember Collins was absent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CONFIRMING THE CREATION OF A SENIOR MOBILITY COMMITTEE; PROVIDING FOR COMMITTEE MEMBERSHIP; PROVIDING FOR DUTIES; PROVIDING FOR MEETING REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)**

Town Attorney, Richard Weiss, read the title of the resolution into the record.

The Mayor made a motion to adopt the resolution. The motion received a second from Councilmember Simon. The resolution was adopted with all in favor. Councilmember Collins was absent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE ASSIGNMENT OF THE AGREEMENT WITH PETRIZZO STRATEGIC GROUP, INC. TO FRANCO GOVERNMENT RELATIONS, INC. FOR FEDERAL LEGISLATIVE CONSULTING AND LOBBYING SERVICES; AUTHORIZING THE TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE ASSIGNMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT AND IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.**

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF SPRINT NEXTEL AS THE TOWN'S CELL PHONE PROVIDER; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE A CONTRACT BETWEEN SPRINT NEXTEL AND THE TOWN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE**

TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)

Councilmember Simon made a motion to approve the resolution. The resolution received a second from Mayor Pizzi and all voted in favor. Councilmember Collins was absent.

Councilmember Meador made a motion to extend the meeting by 15 minutes. The motion received a second from Councilmember Pulido. The motion failed 3-3 with the following members voting in opposition: Councilmember Lopez, Vice Mayor Perdomo and Mayor Pizzi. Councilmember Robert Meador, Richard Pulido and Nancy Simon voted in favor. Councilmember Collins was absent.

Councilmember Pulido made a motion to reconsider the motion to adjourn. The motion received a second from Councilmember Simon. The motion passed 5-1 with Councilmember Lopez voting in opposition and Councilmember Collins absent.

- I. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF WINDSTREAM NUVOX, INC. FOR TOWN HALL PHONE AND INTERNET SERVICE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE A CONTRACT BETWEEN WINDSTREAM NUVOX, INC. AND THE TOWN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.**

- J. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF GROUNDKEEPERS, INC. FOR ROYAL OAKS PARK MAINTENANCE SERVICES; APPROVING THE CONTRACT BETWEEN GROUNDKEEPERS, INC. AND THE TOWN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Town Attorney, Richard Weiss, read the title of the resolution.

David Ofstein, Interim Town Manager, presented the staff's recommendation.

Miguel Diaz De La Portilla, representing South Florida Maintenance Services, spoke in favor of awarding the contract to SFM.

Christian Infante, Vice President of SFM Services, answered questions posed by the Council.

Andrew Gonzalez, President of Groundkeepers, spoke in favor of the staff's recommendation.

Jose Infante, President of SFM Services, spoke about the cost difference between the bidders.

Tony Lopez, Assistant Town Manager/ Director of Parks and Recreation, answered questions posed by the Council.

Tim Daubert, President of Lake Carol Homeowners Association, spoke in favor of Groundkeepers.

Mayor Pizzi made a motion to adopt the resolution. The motion received a second from Councilmember Meador. The motion passed 5-0. Councilmember Mary Collins and Vice Mayor Nick Perdomo were absent.

- K. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, DIRECTING STAFF TO IDENTIFY ANY AND ALL MEANS TO ENSURE ENFORCEMENT OF THE TOWN'S SEXUAL OFFENDER ORDINANCE AS AN URGENT MATTER OF PUBLIC SAFETY; AND PROVIDING FOR AN EFFECTIVE DATE.**

(Pulido/ Pizzi)

David Ofstein, Interim Town Manager, distributed a memorandum to Council stating Miami Dade County's position on enforcing the Town's Sexual Predator ordinance.

Councilmember Pulido made a motion to approve the resolution and amended Section two of the resolution, Direction for Enforcement, to include a follow up report on the enforcement efforts, if necessary identify any legal action and to bring back the item to the September 2010 Regular Council Meeting. The motion received a second from Mayor Pizzi and all voted in favor. Councilmember Collins was absent.

- L. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PURCHASE ORDER WITH PLAYMORE RECREATIONAL PRODUCTS & SERVICES FOR PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT, SWING SET AND SHADE SHELTER FOR FLORINDA PARK; WAIVING PROCUREMENT PROCEDURES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS OF THE PURCHASE ORDER; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PURCHASE ORDER AND ANY EXTENSIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.**

- M. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING DEPARTMENTAL LINE ITEMS IN THE TOWN'S BUDGET FOR THE 2009-2010 FISCAL YEAR TO PROVIDE FOR TEMPORARY SUPPORT ASSISTANCE; AUTHORIZING THE**

TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.

- N. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING DEPARTMENTAL LINE ITEMS IN THE TOWN'S BUDGET FOR THE 2009-2010 FISCAL YEAR TO PROVIDE FOR COUNCIL ADMINISTRATIVE EXPENSES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Passed on consent.**

9. ORDINANCES – FIRST READING:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 08-104; AMENDING THE TOWN'S BUDGET FOR THE 2008-2009 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Deferred

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 09-110; ADOPTING A REVISED BUILDING PERMIT FEE SCHEDULE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein) Deferred

11. RESOLUTIONS:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET HEARINGS FOR FISCAL YEAR 2010-11; AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)

Town Attorney, Richard Weiss, read the title of the resolution.

Mayor Pizzi made a motion to adopt the resolution. The motion was seconded by Councilmember Simon.

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

Councilmember Pulido made an amendment to the motion to reduce the millage rate. The amendment failed for lack of second.

The Town Clerk called the roll and the resolution passed 5-1 with the following Councilmembers voting in favor: Nancy Simon, Robert Meador, George Lopez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi.

Councilmember Pulido voted in opposition. Councilmember Collins was absent.

12. NEW BUSINESS:

- A. Town Committees and Boards (Pulido) - Deferred**
- B. Enhanced Educational Assistance (Lopez) - Deferred**
- C. Town of Miami Lakes "No One Gets Left Behind Program" (Pizzi) - Deferred**
- D. Prime Security Measures (Perdomo) - Deferred**
- E. Administrative Policies (Simon) - Deferred**
- F. National Dance Day (Pulido)**

Councilmember Pulido made a motion directing staff to work with him to organize this event. The motion received a second from Councilmember Simon. The motion failed 3-3 with the following Councilmembers voting in opposition: Councilmember Meador, Councilmember Lopez and Mayor Pizzi. Councilmember Pulido, Councilmember Simon and Vice Mayor Perdomo were in favor.
- G. Selection of Town Manager (Pizzi) – Deferred by Mayor Pizzi**
- H. Shutter Usage Regulation (Lopez) - Deferred**
- I. Rental Dwellings (Lopez) – Deferred**

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

- 1. Appointments - Deferred**
- 2. Media Policy (Pulido) - Deferred**
- 3. Hurricane Preparedness/Meeting with Ray Vaughn (Perdomo) - Deferred**
- 4. School Overcrowding Anti-Fraud Program (Pizzi) - Deferred**
- 5. Town Manager Selection (Pulido) - Deferred**
- 6. All America City Competition (Pizzi) – Deferred**
- 7. Council Rules and Procedures (Pulido)* - Deferred**

*denotes waiver of section 6.7 of the Council Rules and Procedures

B. MANAGER'S REPORT:

- 1. DARE Program – Deferred**
- 2. Proposed Budget Cuts - Deferred**

C. ATTORNEY'S REPORTS:

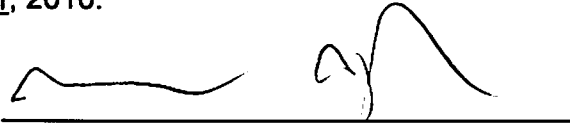
14. FUTURE MEETINGS:

September 14, 2010 Regular Council Meeting, 16500 NW 87 Avenue, 6:30 PM

October 12, 2010 Regular Council Meeting, 16500 NW 87 Avenue, 6:30 PM

15. ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at 11:06 p.m.

Approved this 12th day of October, 2010.



Michael Pizzi
Mayor

Attest:



Marjorie Tejada
Town Clerk