

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember Tim Daubert

Councilmember Nelson Hernandez

Councilmember Ceasar Mestre

Councilmember Richard Pulido

MINUTES

REGULAR COUNCIL MEETING

November 9, 2010

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

PRESENTATIONS: Volunteers from the Halloween Haunted House and the Youth Activities Task Force received recognition from the Mayor and Town Council. Mayor Pizzi introduced the new Chief of Police, Major Richard Amion.

1. CALL TO ORDER: Mayor Michael Pizzi called the meeting to order at 6:46 p.m.

2. ROLL CALL: Marjorie Tejeda, Town Clerk, called the roll with the following Councilmembers present: Nelson Hernandez, Richard Pulido, Ceasar Mestre, Mary Collins, Tim Daubert, Vice Mayor Nick Perdomo and Mayor Michael Pizzi.

3. INVOCATION/MOMENT OF SILENCE: The Mayor called for a moment of silence.

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

Mr. Tony Lopez, Director of Parks and Recreation, presented the Mayor and Town Council with the Gold Leed Certification Plaque for the Royal Oaks Park Community Center.

5. PUBLIC COMMENTS:

Esperanza Reynolds thanked the Town Council for not increasing taxes, and the Mayor for speaking at Miami Dade County's Budget Hearing. She presented Councilman Pulido, Vice Mayor Perdomo, and Mayor Pizzi with certificates of recognition.

Jeanne White spoke about parking concerns at Lake Sandra during the Halloween Haunted House event.

Mirtha Mendez spoke about item 13.B.3, entitled Tax Rebate for Residents, the Fourth Quarter Financial Report, and an option for the budget surplus.

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

Mayor Pizzi requested that item 13.B.3 be heard immediately following the Order of Business and pulled items 8.E and 8.D from the consent agenda.

Councilmember Pulido pulled item 8.B from the consent agenda.

Mr. Mitch Bierman, the Town Attorney, requested that item 11.C be withdrawn.

Mr. Alex Rey, Town Manager, requested that item 11.A be withdrawn.

Councilmember Collins moved the agenda as amended. The motion received a second from Vice Mayor Perdomo and all were in favor.

7. COMMITTEE REPORTS:

Economic Development Committee

Mr. Ladd Howell, representing the Economic Development Committee, presented the committee's report.

8. CONSENT AGENDA:

Mayor Pizzi made a motion to adopt the remaining items on the consent agenda. The motion received a second from Councilmember Mestre and all were in favor.

A. Approval of Minutes:

October 12, 2010 Regular Council Meeting

Approved on consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; REESTABLISHING THE FRANCHISE FEE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Pulled by Councilmember Pulido.

Ladd Howell spoke in opposition of the Franchise Fee.

Councilmember Pulido made a motion to deny the Town Manager's recommendation and to not impose the fee. Councilmember Mestre seconded the motion. The motion passed 6-1 with Councilmember Collins voting in opposition.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE LOCAL MITIGATION STRATEGY OF MIAMI-DADE COUNTY; AUTHORIZING THE TOWN MANAGER TO APPLY FOR GRANTS TO IMPLEMENT PROJECTS UNDER THE LOCAL MITIGATION STRATEGY; AUTHORIZING THE MAYOR AND APPROPRIATE TOWN PERSONNEL TO EXECUTE

REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE MIAMI DADE COUNTY DEPARTMENT OF SOLID WASTE MANAGEMENT ADDRESSING MULTI-FAMILY AND COMMERCIAL RECYCLING; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**
Pulled by Mayor Pizzi.

Mayor Pizzi made a motion to adopt the resolution but to refer to the Beautification, Environmental and Sustainability Committee to work together with staff to enhance the recycling program. The motion received a second from Vice Mayor Perdomo and all were in favor.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE LAW FIRM OF GONZALO R. DORTA TO HANDLE LITIGATION; APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MAYOR TO EXECUTE THE RETAINER AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)**
Pulled by Mayor Pizzi.

The Mayor gave a presentation and spoke in favor of a flat fee structure.

Mayor Pizzi made a motion to adopt the resolution. The motion received a second from Vice Mayor Perdomo.

Mirtha Mendez spoke in opposition to the resolution.

David Bennett suggested that Mr. Dorta provide a report on state lobbying activity.

The Town Clerk called the roll and the motion passed 6-1 with Councilmember Daubert voting in opposition.

The Town Attorney read Section 2.2(a)5 of the Town Charter. Councilmember Collins made a motion directing the Town Manager to put out an RFP for state lobbying services and come back to the December Council meeting with a recommendation. The motion received a second from Mayor Pizzi. The motion passed 7-0.

The Mayor called for a recess at 8:58 p.m.

The Mayor called the meeting to order at 9:22 p.m.

Marjorie Tejada, Town Clerk, called the roll with the following Councilmembers present: Nelson Hernandez, Richard Pulido, Ceasar Mestre, Mary Collins, Tim Daubert, Vice Mayor Nick Perdomo and Mayor Michael Pizzi.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO OBTAIN PROFESSIONAL SERVICES IN CONNECTION WITH THE ACQUISITION OF REAL PROPERTY WITHOUT BIDDING AND IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 09-115, THE TOWN'S PURCHASING PROCEDURES ORDINANCE; REQUIRING TOWN COUNCIL RATIFICATION OF THE PURCHASES AT TOWN COUNCIL'S SUBSEQUENT REGULARLY SCHEDULED COUNCIL MEETING; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH ESTRADA, HINOJOSA AND COMPANY (INC.) FOR FINANCIAL CONSULTING SERVICES; RETROACTIVELY APPROVING THE ENGAGEMENT OF THE FIRMS OF QUINLIVAN APPRAISAL, P.A. AND HEMISPHERE REAL ESTATE, INC. FOR REAL ESTATE APPRAISAL SERVICES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT AGREEMENT BETWEEN MILLER LEGG & ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES TO PROVIDE NW 170TH STREET GREENWAY – PHASE 1 AND MULTI-USE PURPOSE TRAIL DESIGN SERVICES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on consent.

9. ORDINANCES – FIRST READING:

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

- A. 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. (Rey)

Mitch Bierman, Town Attorney, read the title of the Ordinance into the record.

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

Councilmember Collins made a motion to adopt the ordinance on second reading. The motion received a second from Vice Mayor Perdomo. The Town Clerk called the roll and the ordinance was adopted unanimously.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA TO ADOPT AMENDMENTS TO THE TOWN OF MIAMI LAKES' COMPREHENSIVE PLAN TO UPDATE THE CAPITAL IMPROVEMENT ELEMENT AND TO STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING BY AMENDING THE TEXT CONTAINED IN THE FUTURE LAND USE, INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE TOWN OF MIAMI LAKES COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Mitch Bierman, Town Attorney, read the title of Ordinance into the record.

Mayor Pizzi made a motion to defer the ordinance to the December 14th regular Council Meeting. The motion received a second from Councilmember Pulido. The Town Clerk called the roll and the motion passed unanimously.

11. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF JORGE VELAZQUEZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2010-0660; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**
Item withdrawn by the Town Manager.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF JOSE A. CABRERA TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-1002; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

The Town Attorney read the title of the resolution. Mr. David Ofstein, Planning, Zoning, and Code Enforcement Director, presented staff recommendation. The Mayor deferred the item to the December 14th regular Council Meeting. The motion was seconded by Councilmember Mestre and all were in favor.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PAYMENT OF LEGAL FEES FOR THE DEFENSE OF COUNCILMEMBER FOR STATE AND COUNTY ETHICS CHARGES RELATED TO THE DUTIES OF THE OFFICIAL; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Item withdrawn by the Town Attorney.

12. NEW BUSINESS:

A. Town of Miami Lakes Foundation Trust (Collins)

Councilmember Collins made a motion directing the Town Attorney to draft a resolution outlining and establishing the Town of Miami Lakes Foundation Trust to be placed on the December agenda. The motion received a second from Mayor Pizzi and all were in favor.

B. Beautification of Entrance Feature (Perdomo)

Vice Mayor Perdomo made a motion to use no more than \$4,000.00 from the Beautification Committee fund to make an Entrance Feature to the only park owned by the Town of Miami Lakes. The motion received a second from Councilmember Collins and all voted in favor.

C. Town Lobbying Services (Hernandez)

Deferred by Councilman Hernandez.

D. Safety Concern (Perdomo)

Vice Mayor Perdomo made a motion for the Town Manager to investigate, evaluate and bring back to the next Council meeting the cost of putting a no U-turn sign on 80th Avenue and 154th Street going westbound, make some tree cutting on Fairway and 154th Street, and the cost of installing lighting at 154th street when passing Royal Palm States. The motion received a second from Councilmember Collins and all voted in favor.

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments

Councilman Mestre made a motion to remove Mr. Pedro Carballo from the Planning and Zoning Board. The Mayor seconded the motion and all voted in favor.

Councilman Mestre made a motion to appoint Mr. George Lopez to the Planning and Zoning Board. The motion was seconded by Councilmember Collins and all voted in favor.

2. Youth Activities Task Force Haunted Halloween House (Collins)

This item was heard in conjunction with the presentation.

3. Town Infrastructure (Perdomo)

Vice Mayor Perdomo gave his report.

4. Lighting Issues (Hernandez)

Councilmember Hernandez gave his report

5. Shopping Carts on N.W. 79th Avenue (Mestre)

Deferred by Councilmember Mestre

6. Pothole Assessment (Hernandez)

Councilmember Hernandez gave his report

7. Beautification along 87th Avenue (Mestre)

Deferred by Councilmember Mestre

8. Youth and Educational Services (Pizzi)

Withdrawn by Mayor Pizzi

B. MANAGER'S REPORT:

1. Black Box Theater Financials

The Town Manager gave his report on his meeting with the Black Box Theater regarding their Financial reports.

2. Utility Sheds

Deferred to the November Workshop.

3. Tax Rebate for Residents and Fourth Quarter Financial Report

Mayor Pizzi made a motion to provide a \$75 check to homestead property owners, not impose the waste franchise fee this year, and that \$400,000 be allocated toward special projects such as tree trimming and park lighting. The motion was seconded by Councilmember Collins.

Dr. David Bennett spoke in favor of the rebate, options to stimulate the local economy, and QNIP.

Mr. Robert Meador spoke in favor of the rebate for homestead property owners.

The Town Clerk called the roll and the motion passed 6-1 with Councilmember Hernandez voting in opposition.

C. ATTORNEY'S REPORTS:

14. FUTURE MEETINGS:

December 14, 2010 Council Meeting, 6:30pm, 16500 NW 87 Avenue, Miami Lakes, FI 33016
January 11, 2011 Council Meeting, 6:30pm, 16500 NW 87 Avenue, Miami Lakes, FI 33016

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

Approved this 14 day of December, 2010.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk