

# TOWN OF MIAMI LAKES, FLORIDA

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**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**  
**SPECIAL TOWN COUNCIL MEETING**  
**March 28, 2011**  
**6:00 PM**  
**Royal Oaks Park Community Center**  
16500 NW 87<sup>th</sup> Avenue  
Miami Lakes, Florida 33018

1. **CALL TO ORDER:** Mayor Michael Pizzi called the meeting to order at 6:13 p.m.
2. **ROLL CALL:** The Town Clerk, Marjorie Tejeda, called the roll and the following Councilmembers were present: Nelson Hernandez, Richard Pulido, Mary Collins, Ceasar Mestre, Tim Daubert, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi.
3. **PLEDGE OF ALLEGIANCE:** Councilmember Hernandez led the Pledge of Allegiance.
4. **INVOCATION:** The Mayor called for moment of silence.
5. **PUBLIC COMMENTS:** Public Comments were expressed simultaneously with the pertaining item.
6. **ITEMS FOR DISCUSSION AND/OR ACTION:**
  - A. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN F71-1, LLC AND F69-1, LLC AND THE TOWN OF MIAMI LAKES; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE MAYOR TO ACCEPT ANY DEEDS AND DIRECTING THE TOWN CLERK TO RECORD THE DEEDS; AUTHORIZING THE MAYOR TO EXECUTE ANY OTHER**

**NECESSARY DOCUMENTS TO EFFECTUATE THE ACQUISITION OF THE DEDICATED PROPERTIES; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC HEARING) (Rey)**

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

Town Attorney, Kathy Mehaffey, stated into the record proposed amendments to the agreement. The amendments were as follows:

In the fifth Whereas, on page 2 of the Development Agreement, "1,597 additional residents" changes to "1,808 additional residents" to reflect population change on both parcels.

On page 8 of the Development Agreement, paragraph (b), the third line down, the right side of the sentence, the number "86" changes to "84" to reflect traffic analysis. The same change is made in paragraph "c", eleven lines down "86" changes to "84". Six lines from the bottom of paragraph (c) "86" changes to "84". In paragraph (d), in the second line down, "86" changes to "84".

On page 9, the top of the page, the continuation of paragraph (d) in the second line, "86" changes to "84".

On page 10, paragraph 8 (a) iii, the seventh line down, the "6.13 acres of park land" changes to "6.11 acres of park land" to reflect the population.

The Mayor opened the Public Hearing.

Ladd Howell spoke in favor of the item.

Jerome Schneider spoke in favor of the item.

Jan Schneider spoke in favor of the item.

Esperanza "Hope" Reynolds spoke in favor if the item.

Guillermina Bataraseh spoke in favor of the item.

Sylvia De La Torre spoke in favor of the item.

Andy Rodriguez spoke in favor of the item.

Wilma Aleman spoke in favor of the item.

Jose Suarez spoke in favor of the item.

Sergio Vigoa spoke in favor of the item.

Charles Eves spoke in favor of the item.

Flor Gamez spoke in favor of the item.

Grace Wie spoke in favor of the item.

Arleen Larkin spoke in support of the item.

Jose Dubon spoke in favor of the item.

Yessenia Ruano thanked the Mayor and staff for meeting with her this morning to clarify issues concerning Bob Graham Educational Center.

George Lopez spoke in favor of the item.

David Bennett spoke about concerns pertaining to the agreement and traffic. He asked when the Senior Center would be built.

Mirtha Mendez spoke about the public hearing procedures, declaration of restrictions pertaining to the Miami Dade County Fire Rescue.

Maribel Balbin spoke about her concerns pertaining to the agreement.

Sean Schwinghammer spoke in favor of the item.

Jeff Bercow, attorney representing the developer, spoke about several details pertaining to the development agreement.

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

David Ofstein, Director of Planning, Zoning, and Code Enforcement, gave a presentation on the development agreement.

Alex Rey, Town Manager, addressed questions posed by the speakers and Town Council.

Lowell Dunn, the developer, spoke about the benefits of the development agreement.

Juan Muniz, representing the developer, answered questions posed by the Council.

Mayor Pizzi made a motion that the Resolution be approved and the agreement be executed with the amendment that \$300,000 be administered at the discretion of the Council to fund school improvements within Miami Lakes boundaries. Town Attorney, Kathy Mehaffey, clarified the language of the amendment to the Resolution to read as follows: Section 3. Use of Contribution Funds. The Development Agreement requires the Owners to make a contribution of \$300,000 which shall be spent for improvements to impacted schools in the Town of Miami Lakes, as directed by the Town Council. This contribution shall be in addition to any contributions or improvements required to comply with School Concurrency.

The motion and amendment received a second from Councilmember Collins. The Town Clerk called the roll and the motion passed 6-1 with Councilmember Pulido in opposition.

The Mayor called for a recess at 8:48 p.m.

The Mayor called the meeting to order at 9:02 p.m.

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

**B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AMENDMENT OF DECLARATION OF RESTRICTIONS FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST AND NORTHEAST CORNERS OF PROPOSED NORTHWEST 87 AVENUE AND NORTHWEST 154 STREET AND IDENTIFIED BY MIAMI-DADE COUNTY TAX FOLIO NO. 32-2016-000-0020 ("DUNNWOODY LAKE") AND 32-2015-001-0500 ("DUNNWOODY FOREST"); PROVIDING CONDITIONS; AND PROVIDING AN EFFECTIVE DATE. (PUBLIC HEARING) (Rey)**

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

Councilmember Collins made a motion to adopt the resolution. The motion received a second from Mayor Pizzi. The motion passed 6-1 with Councilmember Pulido voting in opposition.

**C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN ATTORNEY**

**TO ENTER INTO A STIPULATED SETTLEMENT AGREEMENT IN THE EMINENT DOMAIN PROCEEDINGS, STYLED AS MIAMI-DADE COUNTY V. THE GENET FAMILY LIMITED PARTNERSHIP NO. 2, CASE NO. 08-51917 CA 20 IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT; RELATING TO THE EMINENT DOMAIN PROCEEDINGS FOR THE NORTHWEST 87 AVENUE RIGHT OF WAY; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Town Attorney, Mitch Bierman, read the title of resolution. The Town Attorney amended the Resolution to change section 2 to read The Town Manager and Town Attorney are hereby authorized and directed to take all actions necessary to execute any documents necessary to enter into a stipulated final judgment implementing the settlement agreement once the Miami Dade County Board of County Commissioners has authorized the settlement litigation on behalf of the County.

Councilmember Collins made a motion to adopt the resolution as amended by the Town Attorney. The motion received a second from Mayor Pizzi. The motion passed 6-1 with Councilmember Pulido voting in opposition.

**D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING ARTWORK PROPOSED FOR THE VETERAN'S MEMORIAL FOR THE ROYAL OAKS PARK COMMUNITY CENTER AS AN ART IN PUBLIC PLACES PROJECT; AUTHORIZING TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO COMPLETE INSTALLATION OF THE ARTWORK AND MEMORIAL; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

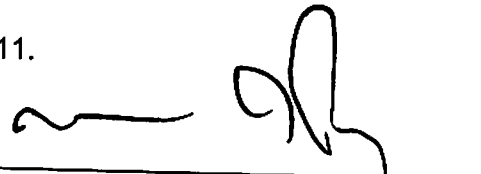
Town Attorney, Mitch Bierman, read the title of the resolution into the record.

Councilmember Collins made a motion to adopt the resolution. The motion received a second from Mayor Pizzi and all were in favor.

Jose Parela, Chairman of the Veterans Ad Hoc Committee, thanked the Council for their support on this item.

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

Approved this 12 day of April 2011.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk