

# **TOWN OF MIAMI LAKES**

## **MINUTES**

**Regular Council Meeting**

**July 9, 2013**

**6:30 PM**

**Government Center**

**6601 Main Street Miami Lakes, FL 33014**

**1. CALL TO ORDER:**

Mayor Pizzi called the meeting order at 7:05 p.m.

**2. ROLL CALL:**

The Town Clerk, Marjorie Tejeda called the roll with the following Councilmembers being present: Nelson Hernández, Tony Lama, Manny Cid, Nelson Rodriguez, Tim Daubert, Vice Mayor Ceasar Mestre and Mayor Michael Pizzi.

**3. INVOCATION/MOMENT OF SILENCE:**

The Mayor asked Gina Inguanzo to give the invocation.

**4. PLEDGE OF ALLEGIANCE:**

The Mayor asked Sly Fowler to lead the Pledge of Allegiance.

**5. PUBLIC COMMENTS:**

Hope Reynolds read a self- drafted Code Compliance Resolution into the record.

Maria Kramer spoke about Annexations and Florida Voting laws.

Raul de La Sierra spoke about item 8E and the traffic situation on 154<sup>th</sup>.

Lowell Dunn II spoke about the cattle operation and expressed concern about two contractors.

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

Mayor Pizzi pulled items 8E and 12E and requested to discuss 12E after 8E. Councilman Cid pulled item 8H. Mayor Pizzi made a motion to adopt the new Order of Business. The motion received a seconded from Councilman Daubert and all were in favor.

**7. COMMITTEE REPORTS:**

No Committee Reports.

**8. CONSENT AGENDA:**

Mayor Pizzi made a motion to adopt the remaining items on the consent agenda. Councilman Daubert seconded the motion and all were in favor.

- A. Approval of Minutes: June 11, 2013 Regular Council Meeting  
June 28, 2013 Special Council Meeting

Passed on Consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM INCA SPORTS CORPORATION TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-1633 AND C2010-1298; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM JOSE M. BALBIS AND MARITZA CASTILLO TO REDUCE PREVIOUSLY ASSESSED BUILDING CODE COMPLIANCE FINES FOR CASE NO. C2013-0203; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM CAJU INVESTMENTS LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2010-1190 AND C2010-0814; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF CONTRACT FOR ITB 2013-39, NW 154TH STREET ROADWAY & DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$1,336,261.16 TO SOUTHEASTERN ENGINEERING CONTRACTORS, INC.; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Mayor Pizzi made a motion to reject all bids. The motion was seconded by Vice Mayor Mestre and all were in favor. The Mayor called for a recess at 7:39 p.m.

The Mayor called the meeting to order at 7:50 p.m. The Town Clerk called the roll and all were present.

Mayor Pizzi made a motion to award the contract to Acosta Tractors, Inc. in the amount of \$1,027,893 providing that the Dunn family and the Contractor execute all necessary documents, that not a penny be imposed on the taxpayers and to move forward without further delay.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE ACCEPTANCE OF THE INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FOR FISCAL YEAR 2012-2013 PARKING FINES REIMBURSEMENT PROGRAM; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AWARD A CONTRACT TO ETRAK PLUS, FOR A PERIOD OF FIVE-YEARS TO PROVIDE COMPREHENSIVE, WEB-BASED PARKS AND RECREATION MANAGEMENT, FACILITY RESERVATION, MEMBERSHIP AND PROGRAM REGISTRATION SOFTWARE SYSTEM, IN AN AMOUNT NOT TO EXCEED \$62,000; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE ISSUING A WORK ORDER CONTRACT FOR CONSTRUCTION ENGINEERING AND OBSERVATION SERVICES FOR THE, NW 154<sup>TH</sup> STREET ROADWAY & DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$40,197.92 TO KIMLEY HORN AND ASSOCIATES UNDER THEIR AGREEMENT WITH THE TOWN FOR MISCELLANEOUS ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK ORDER; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilman Cid questioned the need of having to issue a work order contract for Construction Engineering and Observation Services for the NW 154th Street Roadway & Drainage Improvements. Joe Geller, the Town Attorney, stated that it is necessary to issue a work order contract for liability purposes. Mayor Pizzi made a motion to adopt the resolution and the motion was seconded by Vice Mayor Mestre. All were in favor.

Ms. Marilyn Ruano spoke about the Town Charter Amendment Change and the At Large Council Seats Mail in Ballot.

Ms. Claudia Luces spoke about the Town Charter Amendment Change and the At Large Council Seats Mail in Ballot.

- I. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO ASSIGN FUENTES COUNSULTING GROUP'S STATE LOBBYING SERVICES CONTRACT TO BECKER POLIAKOFF P.A., TO PROVIDE STATE LOBBYING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

**9. ORDINANCES-FIRST READING:**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE I, SECTION 13-1(A), ADDING AND AMENDING DEFINITIONS, AMENDING ARTICLE II, SECTION 13-204, ADMINISTRATIVE OFFICIAL, AMENDING ARTICLE III, SECTION 13-304, SITE PLAN APPROVAL, AMENDING ARTICLE IV, DIVISION 8, RO-13 LOW DENSITY RESIDENTIAL/OFFICE DISTRICT, SECTIONS 13-545 AND 13-546, AMENDING ARTICLE IV, DIVISION 9, RO-50 HIGH-DENSITY RESIDENTIAL/OFFICE DISTRICT, SECTIONS 13-565 AND 13-566, AMENDING ARTICLE IV, DIVISION 12, BU-1 NEIGHBORHOOD BUSINESS DISTRICT, SECTIONS 13-609 AND 13-614 THROUGH 13-617, AMENDING ARTICLE IV, DIVISION 13, BU-1A, LIMITED BUSINESS DISTRICT, SECTIONS 13-625, 13-627, AND SECTIONS 13-631 THROUGH 13-634, AMENDING ARTICLE IV, DIVISION 14, BU-2, SPECIAL BUSINESS DISTRICT, SECTIONS 13-641 THROUGH 13-643, SECTION 13-647 THROUGH 13-650, AMENDING ARTICLE IV, DIVISION 15, BU-3, LIBERAL BUSINESS DISTRICT, SECTIONS 13-653, 16-658, 13-660, AND 13-664 THROUGH 13-667, AMENDING ARTICLE IV, DIVISION 16, IU-1, INDUSTRIAL, LIGHT MANUFACTURING DISTRICT, SECTIONS 13-673, 13-674, 13-678, 13-68, THROUGH 13-687, AMENDING ARTICLE IV, DIVISION 17, IU-2, HEAVY MANUFACTURING DISTRICT, SECTIONS 13-693, 13-694, 13-700, AND 13-701, AMENDING ARTICLE IV, DIVISION 18, IU-3, INDUSTRIAL UNLIMITED DISTRICT, SECTIONS 13-708, 13-709, 13-713, 13-718.1 AND 13-718.2, AMENDING ARTICLE IV, DIVISION 19, IU-C, INDUSTRIAL DISTRICT, CONDITIONAL, SECTIONS 13-721, 13-730, 13-731, 13-734, 13-737, 13-739 AND 13-740, AMENDING ARTICLE IV, DIVISION 20, BUSINESS, COMMERCIAL AND INDUSTRIAL USE MASTER LIST, SECTIONS 13-745 AND 13-748, AMENDING ARTICLE IV,

DIVISION 21, ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS, SECTIONS 13-750, 13-752 THROUGH 13-755, 13-757, 13-762 THROUGH 13-766, 13-769, 13-770, 13-774, 13-775, 13-777 THROUGH 13-779, 13-781 THROUGH 13-790, 13-794 AND 13-796 THROUGH 13-799.3, AMENDING ARTICLE VI, SECTION 13-1601, AND ADDING ARTICLE VI, SECTION 13-1617, SPECIAL EVENTS, OF THE TOWN'S LAND DEVELOPMENT CODE; AMENDING ARTICLE I, SECTION 16-1, UNNECESSARY AND EXCESSIVE NOISES, OF CHAPTER 16 OF THE TOWN CODE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joe Geller, Town Attorney, read the title of the ordinance into the record. The Mayor made the motion to adopt the ordinance on first reading. Councilman Cid seconded the motion. The Town Clerk called the roll and all were in favor.

**10. ORDINANCES-SECOND READING (PUBLIC HEARING):**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING AN OFFICIAL ZONING MAP; AUTHORIZING THE MAYOR TO SIGN THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE BY REFERENCE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joe Geller, 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.

The Mayor made a motion to adopt the ordinance on second reading. Vice Mayor Mestre seconded the motion. The Town Clerk called the roll and all were in favor.

**11. RESOLUTIONS:**

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; PROPOSING PRELIMINARY MILLAGE, BUDGET AND PUBLIC HEARINGS DATES FOR FISCAL YEAR 2013-14; AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joe Geller, Town Attorney, read the title of the resolution into the record. Alex Rey, Town Manager, read the millage rate and two budget hearing dates into the record. Mayor Pizzi made a motion to adopt the resolution and it received a second from Councilman Lama. All were in favor. Alex Rey, the Town Manager, stated that the roll back rate is 4.72%. Mayor Pizzi amended the motion for it to include the roll back percentage rate and it was seconded by Councilman Cid. All were in favor.

## **12. NEW BUSINESS:**

### **A. Opa-Locka West Lease (Pizzi)**

Mayor Pizzi made a motion to modify the Resolution for it to read the following way..."WHEREAS, the Town of Miami Lakes, hereby, opposes the County permitting any mining activity on county land without first meeting with the Town of Miami Lakes to ensure the protection and quality of life of our residents."

The motion received a second from Councilman Daubert and all were in favor. The Mayor requested staff to send a copy of the Resolution to the Aviation Department and to invite them to attend to the September Council Meeting.

Felix Acosta, owner of Acosta Contractors, personally thanked the Town Council for awarding his company the contract for ITB 2013-39, NW 154<sup>th</sup> Street Roadway & Drainage Improvements, Item 8E.

### **B. Beautification Master Plan Report Follow-up (Mestre)**

Vice Mayor Mestre made a motion to implement the Beautification Master Plan and to implement the Bismark Palms and pavers. Mayor Pizzi supported the motion subject to further discussion at the Budget Workshop. Town Manager, Alex Rey stated that \$200,000.00 would be set aside to next years' Budget, for the Beautification Master Plan and that Bid Packages would be available for the September Council Meeting. The motion received a second from Councilman Cid and all were in favor.

### **C. Miami Lakes Planning and Zoning (Cid)**

The Town Council discussed some historical aspects of the Planning & Zoning Board and no action was taken.

D. Change in Voting Laws (Rodriguez)

Councilman Rodriguez made a motion asking staff to bring back to the September Council Meeting, a Resolution recommending State Legislature to make changes in Voting Laws. The motion received a second from Mayor Pizzi and all were in favor.

E. Lake Water Quality- Landscaper Registration (Lama)

Councilman Lama made a motion directing staff to publicize and to educate voluntarily all landscapers in the Town of Miami Lakes and to recognize the best practices in lake maintenance and lake awareness. Councilman Lama stated that the Public Information Officer of the Town would educate the residents of the “best practices” for lake maintenance via the publication of a pamphlet. The motion received a second from Councilman Hernández and all were in favor. Councilman Rodriguez made a friendly amendment to publish the “best practices” pamphlet in English and Spanish. Councilman Lama accepted the friendly amendment.

Raul de la Sierra spoke in favor of item 12E.

Alex Ariano spoke in opposition of item 12E.

F. Watercraft Code Provisions (Pizzi)

Mayor Pizzi deferred item 12F.

G. Workshop: Parliamentary Procedures (Cid)

Councilman Cid discussed the importance of understanding parliamentary procedures. Mayor Pizzi asked Town Attorney, Joe Geller, to put together a package for the better understanding of parliamentary procedures.

**13. REPORTS:**

A. MAYOR AND COUNCIL MEMBER REPORTS:

1. Intergovernmental Affairs Report (Pizzi)

The Mayor reported on the response letter from FDOT regarding the lighting along NW 77 Court.



The Mayor reported on the response letter from Florida Fish and Wildlife Conservation Commission, regarding the waiving of the freshwater license requirements.

2. Miami Lakes Historical Display -Artifacts from Madden's Hammock (Cid)

Councilman Cid reported on his trip to the University of Florida and the prehistoric artifacts.

3. Gold Certification of Government Center (Pizzi)

The Mayor thanked the Town Manager, Alex Rey and staff for the Gold Certification of the Government Center.

4. 1st Annual Family Fishing Clinic (Cid)

Councilman Cid reported on the success of the first Family Fishing Clinic.

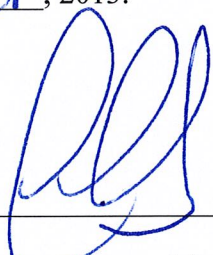
5. All America City (Pizzi)

Mayor Pizzi presented All America City participants with a certificate of appreciation.

**ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 10:37 p.m.

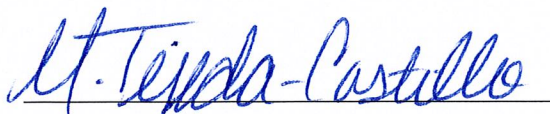
Approved this 10 day of September, 2013.



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Cesar Mestre, Mayor

ATTEST:



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Marjorie Tejeda- Castillo, Town Clerk