

MINUTES
Regular Council Meeting
January 13, 2015
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

PRESENTATIONS:

Mayor Slaton recognized Christina Delgado, Vice-Chair of the Youth Activities Task Force, for her passionate commitment to public service, as she recently was awarded the national President's Volunteer Service Award granted by The Prudential Spirit of Community Awards program on behalf of President Barack Obama.

Mayor Slaton presented Councilman Tim Daubert with a special certificate from the Miami-Dade Commission on Ethics and Public Trust for his participation as a guest speaker on Ethical Governance Day.

Mayor Slaton recognized Councilman Nelson Rodriguez for his successful completion of the "Leaders of Excellence Program" offered by the Good Government Initiative.

Representatives from the Miami-Dade County Water and Sewer Department conducted a presentation concerning the WASA pump station #334 project and its direct effect on the Town.

1. CALL TO ORDER:

Mayor Slaton called the meeting to order at 7:00 pm

2. ROLL CALL:

The Town Clerk, Marjorie Tejeda-Castillo, called the roll with the following Councilmembers present: Frank Mingo, Nelson Rodriguez, Tim Daubert, Ceasar Mestre, Vice Mayor Manny Cid, and Mayor Wayne Slaton. Councilman Tony Lama attended the meeting via skype.

3. INVOCATION /MOMENT OF SILENCE:

Father Joseph Lucas, pastor at Christ the Savior Orthodox Church, led the invocation.

4. PLEDGE OF ALLEGIANCE:

Boy Scout Troop #660 posted the colors and led the Pledge of Allegiance

5. PUBLIC COMMENTS:

Gloria Garcia spoke about the Miami Lakes Relay for Life, which will be held on May 2nd at the Optimist Park.

Mirtha Mendez voiced her opposition to the opening of 154th Street and recommended that the prospective overpass of 170th also be added to the resolution.

Claudia Luces spoke on behalf of the Education of Advisory Board and expressed her approval of the revised MDCPS Compact, item 8.G

Alex Ariano shared his disapproval of the Town Council's unanimous decision to seek legal representation.

Hope Esperanza Reynolds expressed her disapproval regarding her email not being read into the record at the 1-9-2015 Special Call Meeting. She also was dissatisfied with the Council's decision to seek legal representation.

Juan Valiente expressed his dissatisfaction regarding technical difficulties with two public records request discs.

Juan Breniella spoke about his son's solution to enhance the Town's conservation efforts.

Rafael de la Cola presented a plan for conservation and maintenance of a proposed garden at Poetry Park.

Bonny Crook expressed concern regarding the concrete wall on Sabal Drive, which is open due to construction. This provides access to animals, such as alligators to enter Lake Sarah, thereby posing a threat to the community.

Carlos Gonzalez spoke about Poetry Park noise and safety issues that affect neighboring residents. He advocated for the natural restoration of tree canopies in Poetry Park.

Antonio Moreno recommended the natural restoration of the park's ecosystem. He expressed concern regarding the demolition of the park's wall, as it may cause further issues.

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

Town Manager, Alex Rey deferred item 8E and pulled 8G. Vice Mayor Cid moved item 14A, Poetry Park on Sabal Drive to be discussed after the consent agenda. Councilman Mestre made a motion that the agenda be approved as amended. The motion received a second from Councilman Daubert and all were in favor.

7. COMMITTEE REPORTS:

Youth Activities Task Force Report

Lynn Matos, Chairwoman of the Youth Activities Committee, presented the Committee's Report and thanked staff for their efforts in supporting the committee's initiatives.

8. CONSENT AGENDA:

Councilman Rodriguez made a motion to approve the items on the consent agenda. The motion was seconded by Councilman Mestre and all were in favor.

A. Approval of Minutes:

November 19, 2014 Committee of the Whole

December 9, 2014 Regular Council Meeting

Passed on consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPROVE PARK PROGRAM SERVICES, SUMMER CAMP AND AFTER SCHOOL PROGRAMS CONTRACTS WITH THE YMCA OF GREATER MIAMI, INC. AND PEAR PROGRAMS, LLC AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPROVE CHANGE ORDER NO. 1, TO THE CONTRACT FOR PORTABLE TOILET RENTAL SERVICES BETWEEN FRIENDLY JOHN, INC. AND THE TOWN OF MIAMI LAKES FOR A NEW CONTRACT VALUE OF \$60,000; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CHANGE ORDER NO. 1; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDING CONTRACTS FOR MISCELLANEOUS ROADWAY AND DRAINAGE SERVICES ON AN AS-NEEDED BASIS TO METRO EXPRESS, INC. AND DCORP CONSTRUCTION, INC.; WAIVING THE COMPETITIVE PROCUREMENT BIDDING PROCESS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING THE TOWN MANAGER TO PURCHASE MERCHANT ACCOUNT SERVICES THROUGH AN EXISTING AGREEMENT AVAILABLE THROUGH THE CITY OF SUNRISE, FLORIDA IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Deferred.

F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE TOWN COUNCIL MEETING RULES AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre)

Passed on consent.

G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN EDUCATION COMPACT WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS; REQUESTING THAT THE MIAMI-DADE COUNTY SCHOOL BOARD AUTHORIZE THE SUPERINTENDENT TO APPROVE AN EDUCATION COMPACT BETWEEN THE TOWN OF MIAMI LAKES AND MIAMI-DADE COUNTY PUBLIC SCHOOLS; PROVIDING FOR DIRECTIONS TO TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Slaton)

Vice Mayor Cid made a motion to adopt the revised Education Compact. Councilman Mingos seconded the motion. The Town Clerk called the roll and all were in favor.

9. ORDINANCES-FIRST READING:

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 14-174; AMENDING THE TOWN'S FISCAL YEAR 2014-2015 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Town Attorney, Raul Gastesi, read the title of the ordinance into the record.

Councilman Daubert made a motion to adopt the ordinance on first reading. The motion was seconded by Councilman Mingo. The Town Clerk called the roll and the ordinance passed 6-0. Councilman Rodriguez was not present during the roll call.

10. ORDINANCES-SECOND READING (PUBLIC HEARING):

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE OFFICIAL ZONING MAP TO REZONE A 2.59 +/- ACRE PROPERTY LOCATED ON THE EAST SIDE OF NORTHWEST 77TH AVENUE, APPROXIMATELY 1,465 FEET SOUTH OF NW 154TH STREET, FROM THE RM-23, LOW MEDIUM DENSITY RESIDENTIAL DISTRICT, TO THE RO-13, LOW DENSITY RESIDENTIAL/OFFICE DISTRICT; APPROVING THE PARTIAL MODIFICATION AND/OR PARTIAL ELIMINATION OF CONDITIONS AND/OR COVENANTS OF THE RESTRICTIVE COVENANT RECORDED IN THE OFFICIAL RECORDS OF MIAMI-DADE COUNTY, FLORIDA AT OFFICIAL RECORDS BOOK 10844 PAGE 1427 ON AUGUST 19, 1980; PROVIDING FINDINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Attorney, Raul Gastesi, read the title of the ordinance into the record.

Town Planner, Brandon Schaad, presented the item.

Mayor Slaton opened the public hearing.

As no one wished to speak, the Mayor closed the public hearing.

Councilman Mestre made a motion to adopt the ordinance on second reading. The motion was seconded by Councilman Rodriguez. The Town Clerk called the roll and the ordinance was adopted unanimously.

11. RESOLUTIONS:

- A. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ADOPTING DOG RECREATION AREA CONCEPT PLAN; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE (Rey)

The Town Attorney, Raul Gastesi, read the title of the resolution into the record.

Town Manager Alex Rey presented the conceptual design of the dog recreation area.

Vice Mayor Cid made a motion to adopt the resolution. The motion was seconded by Councilman Mestre. The Town Clerk called the roll and the motion passed unanimously.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED CONTRACT FOR INSTALLATION OF THE PARK EAST YOUTH CENTER ROOF TO FLORIDA ROOF-TECH CORP ROOFING DONE RIGHT GUARANTEED IN AN AMOUNT NOT TO EXCEED \$45,000; WAIVING THE COMPETITIVE PROCUREMENT BIDDING PROCESS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

* Pursuant to Section 7.3 of the Council Meeting Rules and Procedures, this item may be added to the agenda by five (5) affirmative votes.

The Town Attorney, Raul Gastesi, read the title of the resolution into the record.

Councilman Mestre made a motion to add the item to the agenda for discussion and action pursuant to Section 7.3 of the Council Meeting Rules and Procedures. The motion was seconded by Councilman Daubert and all were in favor.

Town Manager, Alex Rey, presented the solicitation process concerning this item.

Councilman Daubert made a motion to adopt the resolution. The motion was seconded by Councilman Mestre. The Mayor called for the vote and the motion passed unanimously.

12. NEW BUSINESS:

- A. MDX Resolution (Cid)

Vice Mayor Cid made a motion directing staff to present a resolution at the February Meeting which requests Miami-Dade Expressway Authority to afford the residents of the Town the same toll discount offered to five-axle trucks. Councilman Mestre seconded the motion and it passed unanimously.

B. 154th Street Overpass (Mestre/Rodriguez)

* This item requires a vote to waive Section 7.2 of the Council Meeting Rules and Procedures

Councilman Rodriguez made a motion to waive Section 7.2 of the Council Meeting Rules and Procedures. Councilman Mingo seconded the motion and all were in favor.

Councilman Mestre made a motion to bring back a resolution at the next Council Meeting for the Miami –Dade Commission, thereby expressing opposition to the opening of 154th Street overpass. Councilman Rodriguez seconded the motion. The Motion passed 6-1 with Councilman Lama voting in opposition.

13. **APPOINTMENTS:**

- A. Councilman Lama appointed Yaima Vega to the Neighborhood Improvement Committee and Public Safety Committee. Councilman Mestre appointed Alfredo Cansania to the Public Safety Committee. Vice Mayor made a motion to accept the appointment for the aforementioned candidates. The motion received a second from Councilman Mestre and all were in favor.

14. **MANAGER’S REPORT:**

A. Poetry Park on Sabal Drive (Rey/Cid)

Town Manager, Alex Rey, appointed Mr. Rafael de la Cola as Special Advisor to the Town Manager on conservation affairs.

Councilman Rodriguez made a motion to donate \$142 to Rafael de la Cola’s college fund. The motion was seconded by Councilman Mingo.

Mayor Slaton matched Councilman Rodriguez’s donation and challenged the rest of the Council to do the same. Subsequently, the following Councilmembers matched the funds: Frank Mingo, Ceasar Mestre, Manny Cid, Tony Lama, and Tim Daubert. The Town Manager, Town Attorney, and the Town Clerk also matched the funds.

The motion passed unanimously.

B. Mobile Application, Citizen Response Module (Rey/Lama)

This item was presented by Nicole Singletary, Community & Leisure Services Director. Councilman Lama spoke about the marketing effort and answered questions posed by the Council.

15. ATTORNEY'S REPORT:

A. Settlement Proposal: JRT Construction Co. v. The Town of Miami Lakes

Raul Gastesi presented the settlement offer from JRT Construction for \$155,000 and asked that Council accept the offer, thereby authorizing the Town Manager, Alex Rey, to transfer \$65,000 from the Park Capital Development Program line item into the respective line item.

Councilman Mestre made a motion to approve the settlement. The motion was seconded by Councilman Daubert and all were in favor.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 8:45 p.m.

Approved this 3rd day of February 2015.



Wayne Slaton, Mayor

Attest:



Marjorie Tejeda-Castillo, Town Clerk