

MINUTES
Regular Council Meeting
March 7, 2017
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Cid called the meeting to order at 6:31 pm

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers present: Luis Collazo, Tim Daubert, Ceasar Mestre, Nelson Rodriguez, Vice Mayor Lama and Mayor Manny Cid. Frank Mingo arrived at 6:32 pm.

3. MOMENT OF SILENCE

Invocation was led by Pastor Stewart Bodin from Miami Lakes United Methodist Church

4. PLEDGE OF ALLEGIANCE:

Miami Lakes Local Boys Scout Troop 529 led a presentation of colors and the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Katherine Duarte was recognized for founding the Greater Miami Lakes Historical Scavenger Hunt, for being part of the Youth Activity Task Force and she also received the Girls Scouts bronze award, Bob Graham Education Center Excellent Civic Engagement award, Algebra I JAG award, American Legion School Award, 10th grade children JAG Award and for accumulating 1,200 volunteer hours.

The Bobcat Law Society was recognized for their Principal, teachers and their excellent achievements in the We the People competition. They won 1st place in district and 1st in the state competition.

Town of Miami Lakes was recognized as a healthy weight community champion for the town's commitment to healthy lifestyle, healthy living, and active living.

Carlos Alvarez was recognized for creating a school for kids who wanted to study criminal justice and become first responders. He was named Florida's Tax Watch Principal of the year for the entire state of Florida.

6. PUBLIC COMMENTS:

Alexa Regalado came before the Town Council and thanked the councilmembers for helping towards the schools championship win.

Abel Fernandez came before the Town Council to speak on items 14B and 14C. He stated his concern about the opening of the 170th bridge and the amount of traffic this will create. He expressed his desire for the Town Council to support a public forum.

Hilda Fernandez came before the Town Council to speak on items 14B and 14C. She stated her concern about future traffic the bridges may bring and asked for an opportunity to schedule a hearing for the residents to discuss the issue.

Esther Bonnie Cintron spoke against the two bridges and the residential construction taking place. She asked for a Town Hall meeting to discuss notices of construction.

Jorge Llerena came before the Town Council and expressed his concern about that he would like the council to oppose construction.

Maria Kramer came before the Town Council and spoke against the park construction on 154th street. She expressed her desire that the county commission continue ensuring commitments made to the residents.

Arlene Soto, on behalf of Bobcat Law Society, came before the Town Council, to thank the councilmembers for their donations.

Gloria Garcia came before the Town Council and thanked all the councilmembers for their support and invited everyone to join the Relay for Life fundraiser on March 25th, taking place from 3pm-midnight.

Ellica Quintero came before the Town Council and thanked everyone for their support for the Ice Cream Social.

Jose Quintero came before the Town Council and spoke about Homeowner's Protection Act and about the Loch Ness property matter.

Janet Lopez came before the Town Council to speak about the ongoing discussion of the Loch Ness property; she desires more communication and involvement regarding status of

the property. Specifically, she wishes there be a longer timeline to work on a solution for the property.

Mirtha Mendez came before the Town Council, concerned about the opening of 170th and the lack of information on the construction. She suggests more advertisement on all construction so people at the town are informed.

Claudia Luces came before the Town Council about the construction of two developments, Aquabella and a residential site, coming from the West side of I-75. She expressed concern that these additional developments were not approved by the residents of the Town.

Marilyn Ruano came before the Town Council, on behalf of her Royal Palms Estate Homeowners Association, to speak about the opening of 170th and the continuous traffic this will cause. She asked for a town hall meeting to discuss this matter.

Susana Herrera came before the Town Council because she is concerned about the traffic and bridge construction.

James Meehan came before the Town Council and expressed his concern about overdevelopment.

Pamela Carrera came before the Town Council asking to please keep residents of the town informed through meetings about matters like the bridges and any new developments.

Lazaro Mesa came before the Town Council to speak about his concern that residents are not being informed on developments and would like to make sure communication is improved.

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

Mayor Cid removed from consent agenda item 10C and combined items 14B, 14C, 15A. Mayor Cid added and new business item 14D, and because this new business item required a waiver, Councilmember Rodriguez made a motion to waive and it received a second from Councilmember Mestre. All were in favor. Councilmember Collazo moved to add all councilmembers as co-sponsors on item 14C, Mayor Cid seconded the motion and all were in favor.

8. APPOINTMENTS:

Luis Marques was appointed to the Economic Development Committee, nominated by Councilmember Daubert.

Jose Uz was appointed to the Veteran's Committee, nominated by Vice Mayor Lama.

Juan Medina was appointed to the Veteran's Committee, nominated by Councilmember Mestre.

Robert Dominguez was appointed to the Neighborhood Improvement Committee, nominated by Councilmember Mingo.

Roberto Garcia was appointed to the Elderly Affairs Committee, nominated by Councilmember Rodriguez.

Josh Dieguez was appointed to the Elderly Affairs Committee, nominated by Councilmember Rodriguez.

Councilmember Rodriguez made a motion to approve the appointments and it seconded by Councilmember Daubert. All were in favor.

9. COMMITTEE REPORTS:

Claudia Lucas, Chair of the Education Advisory Board, reported the mid-year status on their sponsorship programs. She reported that the EAB will continue the summer ACT/SAT prep courses, that there are currently 101 participants at the Imagination library, that the EAB will continue funding the AP vocabulary courses at Miami Lakes K-8, Miami Lakes Middle, and that Bob Graham Center will continue Stem elective courses at both K-8 Centers, to enhance these programs at the schools. She also spoke about the Spring Fling, and that the Committee will be distributing books to promote reading.

Neighborhood Improvement Committee submitted the report.

Public Safety Committee submitted the report.

10. CONSENT CALENDAR:

Councilmember Mestre made a motion to approve all the items on the Consent Calendar. Councilmember Rodriguez seconded the motion and all were in favor.

A. APPROVAL OF MINUTES:

February 7th, 2017 Regular Council Meeting
February 14th, 2017 Madden's Hammock Meeting
February 27th, 2017 Strategic Planning Workshop

Approved on Consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED WORK ORDER, UNDER CONTRACT NO. 2012-04CM FOR MISCELLANEOUS ENGINEERING SERVICES, FOR WORK ON PHASE I, II AND III OF LAKE SARAH, LAKE ADELE, LAKE SUZIE AND LAKE HILDA STORM WATER AND ROADWAY AND DRAINAGE IMPROVEMENT PROJECT, WITH CHEN MOORE AND ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$65,000.00; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED**

FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED WORK ORDER, UNDER CONTRACT NO. 2012-04 ME FOR MISCELLANEOUS ENGINEERING SERVICES, FOR THE 67th AVENUE WIDENING PROJECT, UNDER CONTRACT NO. 2012-04 WITH MARLIN ENGINEERING, IN AN AMOUNT NOT TO EXCEED \$148,000.00; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT TERMS AND CONDITIONS OF CONTRACT; AUTHORIZING THE TOWN MANGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.(Rey)

Mayor Cid made a motion to approve the resolution and Councilmember Mestre seconded the motion. All were in favor.

11. ORDINANCES-FIRST READING (PUBLIC HEARING):

- A. AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF MIAMI LAKES, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.(Rey)

The Town Attorney, Raul Gastesi, read the title of the Ordinance in first reading into the record.

Councilmember Mingo made a motion to approve the ordinance in first reading. Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Councilmember Collazo voting in opposition.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; RELATING TO THE MITIGATION OF CODE COMPLIANCE LIENS; AMENDING CHAPTER 8, ENTITLED "CODE ENFORCEMENT", TO PROVIDE FOR MITIGATION OF CODE ENFORCEMENT LIENS THAT EXISTED PRIOR TO MARCH 27, 2015; INCORPORATING RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.(Rey/Cid)

The Town Attorney, Raul Gastesi, read the title of the Ordinance in first reading into the record.

Councilmember Daubert made a motion to approve the ordinance in first reading. The motion was seconded by Mayor Cid. The Town Clerk called the roll and the motion passed unanimously.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES FLORIDA, AMENDING AND RESTATING ORDINANCE NO 09-115 PERTAINING TO PURCHASING PROCEDURES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE REVISED RULES AND REGULATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey/Mestre)

The Town Attorney, Raul Gastesi, referenced 12-142 and stated that it will be included to the title when it comes back for second reading. The Town Attorney then proceeded to read the title into the record.

Councilmember Mestre made a motion to approve the ordinance in first reading and Councilmember Daubert seconded the motion. The Town Clerk called the roll and the ordinance passed unanimously on first reading.

- D. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE TOWN COMPREHENSIVE PLAN; REDESIGNATING 9.445 +/--ACRE PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE INDUSTRIAL AND OFFICE CATEGORY, TO THE MEDIUM DENSITY RESIDENTIAL CATEGORY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; 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, stated that the Town Manager requested that item 11D be deferred to April 18th 2017 Council Meeting.

Mayor Cid made a motion to defer item 11D to April 18th Council Meeting and Councilmember Collazo seconded the motion. The Town Clerk called roll and the motion passed unanimously on first reading.

- E. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 9.445 +/--ACRE PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE IU-C, INDUSTRIAL DISTRICT, CONDITIONAL, TO THE RM-36, MEDIUM DENSITY RESIDENTIAL DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; 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, stated that the Town Manager requested that item 11E be deferred to April 18th 2017 Council Meeting.

Councilman Rodriguez made a motion to defer item 11E to April 18th council meeting and Councilmember Mestre seconded the motion. The Town Clerk called roll and the motion passed unanimously on first reading.

Mayor Cid called for a break at 8:35 pm

The meeting reconvened at 8:42. The Town Clerk called the roll and Councilmembers Collazo, Daubert, Mestre, Mingo, Rodriguez and Mayor Cid were all present. Vice Mayor Lama joined the meeting at 8:44pm. Mayor Cid made a motion to open New Order of Business and it was seconded by Councilman Mestre. All were in favor.

12. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE PROCESSING, ISSUANCE, OR APPROVAL OF ANY DEVELOPMENT ORDER, INCLUDING BY NOT LIMITED TO, BUILDING PERMITS, CERTIFICATES OF USE, SITE PLANS, VARIANCES, CONDITIONAL USES, OR LAND USE MODIFICATIONS FOR CANNABIS DISPENSARIES OR MARIJUANA TREATMENT CENTERS FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS FROM THE DATE OF ADOPTION OF THIS ORDINANCE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR THE GEOGRAPHIC AREA COVERED; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey, Mestre)

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

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

Darby Delsalle, Director of Zoning, presented the ordinance and answered questions posed by the council.

Councilmember Mestre moved the ordinance and it was seconded by Councilmember Collazo. The Town Clerk called the roll and the motion passed 6-0. Councilmember Mingo was absent during the roll call.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES FLORIDA, IMPOSING A TEMPORARY MORATORIUM UPON ISSUANCE ANY DEVELOPMENT ORDERS, INCLUDING BUT NOT LIMITED TO BUILDING PERMITS, CERTIFICATES OF USES, VARIANCES, SITE PLANS, CONDITIONAL USES, OR SPECIAL EXCEPTIONS, PERTAINING TO THE INSTALLATION OR SITING OF ANY "TELECOMMUNICATIONS TOWERS", AS MAY BE DEFINED BY FEDERAL LAW, OR ANY "NEW WIRELESS PERSONAL TELECOMMUNICATIONS SERVICES TOWER," "TOWER," OR "DISTRIBUTED ANTENNA SYSTEM," AS DEFINED BELOW OR ANY OTHER COMMUNICATIONS FACILITIES WHOLLY CONTAINED OR MOUNTED ON A SINGLE STAND ALONE TOWER, AS MAY BE CONTEMPLATED BY SECTION 337.401, FLORIDA STATUTES; SUCH MORATORIUM BEING EFFECTIVE FOR ANY PUBLIC RIGHTS-OF-WAY WITHIN THE JURISDICTION OF THE TOWN OF MIAMI LAKES, FLORIDA UNDER THE FLORIDA TRANSPORTATION CODE PROVIDING FOR DEFINITIONS; PROVIDING FOR INTERPRETATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.(Rey, Gastesi)

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

Darby Delsalle, Director of Zoning, presented the ordinance and answered questions posed by the Council.

Councilmember Daubert moved the ordinance and it was seconded by Councilmember Collazo. The Town Clerk called the roll and the motion passed unanimously.

13. RESOLUTIONS:

- A. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PURCHASE OF NEW PARK BENCHES, TRASH RECEPTACLES, AND TABLES; AUTHORIZING THE TOWN MANAGER TO UTILIZE THE UNIVERSITY OF WISCONSIN-MADISON CONTRACT #17-5290 WITH GRABER MANUFACTURING, INC. PURSUANT TO SECTION 7 OF ORDINANCE 12-142 (THE TOWN'S PROCUREMENT ORDINANCE); AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT TERMS AND CONDITIONS OF CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Vice Mayor Lama moved to approve the resolution and it was seconded by Councilmember Daubert. The Town Clerk called the roll and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDING THE CONTRACT FOR CLOSED CIRCUIT TELEVISION (CCTV) AND ADAPTIVE SIGNAL CONTROL TECHNOLOGY (ASCT) BETWEEN EXPRESS SUPPLY INC, ECONOLITE AND THE TOWN OF MIAMI LAKES IN THE ANNUAL AMOUNT NOT TO EXCEED BUDGETED FUNDS BY WAIVING THE COMPETITIVE PROCUREMENT BIDDING PROCESS; APPROVE AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES FOR THE INSTALLATION AND MAINTENANCE OF THE CLOSED CIRCUIT TELEVISION (CCTV) AND ADAPTIVE SIGNAL CONTROL TECHNOLOGY (ASCT); 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 CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Vice Mayor Lama made a motion to approve the resolution and it was seconded by Councilmember Mestre. The Town Clerk called the roll and all were in favor.

14. NEW BUSINESS:

A. Public Hearing Notice Mailers Radius Requirement (Rodriguez)

Councilmember Rodriguez made a motion to modify the Land Development Code requirement for Public Notice mailers from 500 feet to 1,000 feet. As part of the motion, Councilmember Rodriguez requested town staff to recommend which areas in the town should be increased from 500 feet to 1,000. Councilmember Mestre seconded the motion.

After some discussion, Councilmember Rodriguez then modified his motion to scale it up depending on the size of the development project and the impact, so it would be 500 feet from small projects up to town wide, depending on the volume needed. Councilmember Mestre seconded the motion. After some additional discussion, Councilmember Rodriguez modified the motion for mailer to include a brief description in lay terms, in plain language, so that everyone can understand the content of the mailer. All were in favor.

B. NW 154TH Service Bridge (Cid, Rodriguez)

Mayor Wayne Slaton and Councilwoman Nancy Simon came before the Town Council to speak about their institutional knowledge regarding the interlocal agreement and the 154 bridge.

This item was combined and discussed with item 14C and 15A. Vice Mayor Lama made a motion requesting staff to hold a Town Hall meeting in Council Chambers to gather input and feedback about this matter, for this Town Hall meeting to be webcasted, for the Town Attorney to meet with Miami Dade County's Attorney, for Mayor Cid to meet with the Mayor of Hialeah, and for the lobbying firm to meet with FDOT and make them aware of the interlocal agreement. This motion was seconded by Councilmember Rodriguez. All were in favor.

C. 170th and 154 Bridges (Lama, Cid, Rodriguez, Daubert, Collazo, Mestre, Mingo)

This item was combined and discussed with item 14B and 15A.

15. MAYOR AND COUNCILMEMBER REPORTS:

A. NW 170TH Bridge Opening (Cid)

This item was combined and discussed with items 14B and 14C. Mayor Cid explained that Councilman Rodriguez, the Town Manager and himself went to the County Commission and stated the Town's position about 170th, and that the Town will be getting the traffic study.

- B. National Ice Cream Day- Town Ice Cream Social
Mayor Cid is in full support of incorporating National Ice Cream Day for it to take place during the 4th of July or another holiday.

16. MANAGERS REPORT:

- A. Youth Activities Task Force Funds Transfer
Lynn Matos presented Angela Ortiz to speak on behalf of the Subcommittee for Relay for Life, and asked if the popcorn funds could be used towards the purchasing of items for Relay for Life Youth Task Force. The Committee requested to create a new line item and to move \$250 of the funds raised to participants in the relay. All were in favor. Councilmember Rodriguez made a motion to approve and it was seconded by Vice Mayor Lama. All were in favor.

17. ATTORNEY' REPORT:

- A. Pending Litigation and Matters

Raul Gastesi, the Town Attorney, reported that Town Manager, Mayor Cid and himself and the Loch Ness Homeowners Association decided to set a meeting in two weeks to discuss transparency issues and for the Loch Ness Association to provide a formal request in writing for the litigation process. The developers stated that they want to move forward with the litigation.

The Town Attorney stated that the Comar Ventures matter is being managed by the Town's insurance carrier. The Town Attorney is working with the insurance carrier to mitigate legal costs to the Town of Miami Lakes.

The Michael Pizzi, Jr. matter is currently being litigated. The Town Attorney stated that the Judge entered an order staying the matter through March 19th and if the case is appealed by March 19th the matter will be completely stayed while the 3rd District Court of Appeals makes its ruling.

The Juan Valiente matter is currently in litigation. He has asked the Town for half a million dollars for the damage to his house. The Town Attorney stated the matter is being defended through the Town's insurance carrier.

The Town Attorney stated that the S-71 matter is in its infancy. The developer is claiming that there are issues with the mobility fee. The Insurance carrier is defending the Town on these issues.

The Sanchez Radiology matter is still pending. The Town Attorney stated they now have a certificate of occupancy and it is expected to be moot.

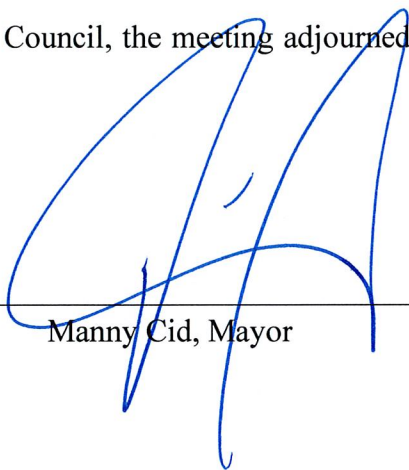
The Town Attorney stated the Lemke matter is undergoing settlement negotiations on some prior violations.

The Insurance Carrier matter is currently being litigated. The Town Attorney stated he is thinking of setting up a mediation conference but that it may be put off based on the rulings. The Town Attorney will provide more information next month.

ADJOURNMENT:

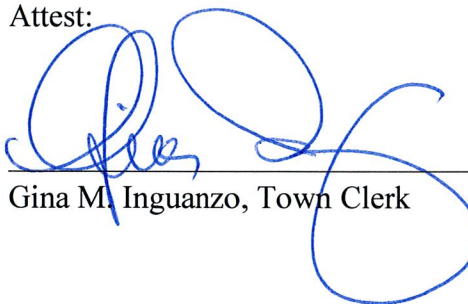
There being no further business to come before the Council, the meeting adjourned at 10:50 pm.

Approved on this 18th day of April, 2017.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk