

**MINUTES DRAFT**  
**Regular Council Meeting**  
**July 16, 2019**  
**6:30 P.M.**  
**Council Chambers**  
**6601 Main Street**  
**Miami Lakes, Florida 33014**

**1. CALL TO ORDER:**

Special Presentations started at 6:00 pm.

Mayor Manny Cid called the meeting to order at 6:50 p.m.

**2. ROLL CALL:**

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers being present: Carlos Alvarez, Luis Collazo, Josh Dieguez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Marilyn Ruano joined the meeting at 6:55 p.m.

**3. MOMENT OF SILENCE:**

Town Manager, Ed Pidermann led the invocation.

Ariel Fernandez from “Better You Minute”, shared some words of wisdom and asked us to work and compromise with each other.

**4. PLEDGE OF ALLEGIANCE:**

Councilmember Carlos Alvarez led the Pledge of Allegiance.

**5. SPECIAL PRESENTATIONS:**

Mayor Cid asked the Town Attorney to present to Judge Monica Gordo, the newly appointed Judge to the Third District Court of Appeals, with the Proclamation stating July 16, 2019 as “Monica Gordo Day”. Judge Gordo is the first Miami Laker to sit on this high court.

Mayor Cid asked Councilmember Collazo to present the Elderly Affairs Committee with the Proclamation of World Elder Abuse Awareness Day in the Town of Miami Lakes.

Mayor Cid recognized Parks and Recreation staff with a Proclamation designating July 12, 2019 as Park and Recreation Day in the Town of Miami Lakes.

Mayor Cid recognized Ms. Lynn Matos and Mr. Guisepppe Zuozo for their amazing work at the Miami Lakes Food & Wine and for being nominated for the 2019 GMFEA Best Event in Miami Dade County.

Mayor Cid asked Major Ruiz to recognize Lieutenant Jose Gonzalez for his 25 years with law enforcement work as part of the MDPD.

Mayor Cid asked Matthew Palacios to address the audience and speak about his great event, which is to recruit people to be part of his boundless basketball team - a team of players in wheelchairs.

Mayor Cid recognized Councilmember Carlos Alvarez for his work as Principal of a A+ school.

**6. ELECTION OF VICE MAYOR: None**

**7. ORDER OF BUSINESS (DEFERRALS, ADDITIONS, AND DELETIONS)**

Mayor Cid pulled item 11B.

Councilmember Dieguez moved to call a Special Call Meeting for August 20th at 6:30 pm, to set a Franchise Fee Rate and moved to defer his item on FPL Restrictive Ordinance 16N. This motion was seconded by Councilmember J. Rodriguez. All were in favor.

Councilmember Dieguez made a motion to move the Town Budget Workshop to follow the Special Call Meeting. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

Councilmember Dieguez moved to defer the Workshop on Performance Measures of the Town Manager, Town Attorney and Town Clerk to take place sometime in August. Vice Mayor Rodriguez seconded the motion. Councilmember Dieguez amended his motion for the Workshop on Performance to take place sometime in October. Vice Mayor Rodriguez seconded the motion and all were in favor of the amendment. All councilmembers were in favor of the original motion as amended.

Councilmember Dieguez asked to defer item 16B and 13C. Councilmember Ruano requested to defer item 16C to the September 10<sup>th</sup> meeting. Councilmember J. Rodriguez asked to move item 14A after the Consent Calendar. Vice Mayor Rodriguez asked to move item 16I after the Consent Calendar and before 14A. Vice Mayor Rodriguez asked to defer 16L.

Councilmember Alvarez moved to change the order of business and it was seconded by Councilmember J. Rodriguez. All were in favor.

**8. PUBLIC COMMENTS:**

The Town Clerk, Gina Inguanzo read the instructions of proper decorum that are to be respected and followed in the Council Chambers of the Town of Miami Lakes.

Hope Esperanza Reynolds came to the Town Council to speak about the Sunshine meeting held on July 15<sup>th</sup>; about the Franchise Fee and the Austerity bond and asked the Town Council to stop approving projects and to focus on making payments.

Alex Ariano came to the Town Council to speak about bond issues, new tax increases and about the special taxing districts.

Tony Tamayo came to the Town Council to speak about the flood issues in his home and his neighbor's homes; he also stated that water from the streets come into their homes through the garage.

Tony Mendez came to the Town Council and requested for the work started in the Dog Park to be finished and make it a safer place.

Miguel Martinez came to the Town Council and spoke about the group he has created in order to address the blasting effects and encouraged to work together and focus in the common goal.

Dr. Dave Bennet came to the Town Council and spoke about the solutions that are attainable regarding the blastings.

De Santis parents and Lucas came to the Town Council to speak about Autism and asked for assistance in fundraising.

Terry Murphy came to the Town Council to speak about special taxing districts and asked who is negotiating on behalf of the residents and about the wages the security guards make.

Mirtha Mendez came to the Town Council to speak about special taxing districts, about the lack of a budget for her HOA and her need to see a budget before her HOA meeting.

Maribel Balbin came to the Town Council to speak about the repaving of 82<sup>nd</sup> Avenue, and she requested for a cross walk to be placed on said intersection. She also said that she welcomes an increase in the millage rate in order to improve and expand services.

Carmen Stewart Regalado came to the Town Council to thank Vice Mayor Rodriguez for always remembering the legacy of the Brianna Vergara Foundation.

Claudia Vergara came to the Town Council to thank Vice Mayor Rodriguez for naming the courtyard after her daughter Briana Vergara, she spoke about her foundation and how the foundation keeps her living and how important it is to create awareness and save lives.

Alexa Regalado thanked Vice Mayor Rodriguez for honoring Briana Vergara.

## **9. APPOINTMENTS:**

Marlene Diaz to the Neighborhood Improvement Committee by Councilmember Dieguez;

Suzanne Chopiani to the Cultural Affairs Committee by Vice Mayor Rodriguez;

Yvonne Moreno to the Blasting Advisory Board by Major Cid;

Mara Falero to the Blasting Advisory Board by Vice Mayor Rodriguez;

Loli Stack to the Blasting Advisory Board by Major Cid;

Carlos Fernandez to the Special Needs advisory Board by Major Cid;

Jill Brookner to the Special needs Advisory Board by Jeffrey Rodriguez.

Motion to move by Vice Mayor Rodriguez and seconded by Councilmember J. Rodriguez. All were in favor.

#### **10. COMMITTEE REPORTS:**

None

#### **11. CONSENT CALENDAR:**

Motion to approve the Consent Calendar by Councilmember Alvarez. The motion was seconded by Councilmember Dieguez. All were in favor.

##### **A. Minutes**

- June 4, 2019, Regular Council Meeting
- June 19, 2019 Sunshine Meeting
- July 8, 2019 Committee Budget Workshop
- July 8, 2019 Special Call Meeting

Approved on Consent.

##### **B. Resolution Adopting the Stormwater Master Plan (Pidermann)**

Mayor Cid pulled this item. Mayor Cid made a motion to ensure that once Town Staff starts the design of the project, to take into consideration all the issues in the NW 166<sup>th</sup> corridor and all the different streets around that area; that is, Mayor Cid made a motion requesting that NW 166<sup>th</sup> corridor and surrounding areas be added in the Stormwater Master Plan and to approve item 11B. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

C. Resolution approving the award of a contract for ITB 2019-28, Ground Maintenance Services for FDOP rights-of-way sites to Superior Landscaping & Lawn Services, Inc. not to exceed \$158,919.60 (Pidermann)

Approved on Consent.

D. Resolution approving a Memorandum of Understanding with Our Lady of the Lakes School for the placement of school based law enforcement officers (SBLEO) by the Town for the 2018-19 school year. (Pidermann)

Approved on Consent.

E. Resolution approving the award of a contract for ITB 2019-29, Royal Oaks Park Athletic LED Retrofit Lighting to electrical contracting services, Inc. not to exceed \$180,930.

Approved on Consent Agenda.

## **12. ORDINANCES IN FIRST READING**

### **A. Variance Application Fees Ordinance (J. Rodriguez)**

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

The Town Manager presented the item.

Councilmember Rodriguez made a motion to move the Ordinance in first reading and it was seconded by Councilmember Vice Mayor Rodriguez. The Town Clerk called the roll and the motion passed, 6-1, with Mayor Cid voting in opposition.

## **13. ORDINANCE IN SECOND READING (Public Hearings)**

### **A. Parking of Commercial Vehicles (Ruano)**

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

Councilmember Dieguez motioned to extend the meeting to 1 am. Mayor Cid seconded the motion and all were in favor.

Mayor Cid opened the public hearing.

No one wishing to speak, the Mayor closed the public hearing.

The Town Manager presented the item.

Councilmember Ruano made a motion to approve the Ordinance in second reading. The Town Manager explained that town staff will work with Code Enforcement for it to be soft implementation. Councilmember Dieguez seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Mayor Cid voting in opposition.

### **B. Dockless Mobility- bicycles and scooters (Pidermann)**

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

Mayor Cid opened the public hearing.

Kathy San Pedro, spoke on behalf of Bird Rides, Inc.,

No one else wishing to speak, Mayor Cid closed the public hearing.

Councilmember Collazo made a motion to approve with the following two items in the MOU to be included: 1) the ability to add additional terms (to amend) as needed in the section of the MOU and 2) that the MOU has to come back to the Town Council for approval for ratification.

The motion was seconded by Councilmember Dieguez. Mayor Cid stated that he wanted a MOU with bikes. The Town Clerk called the roll and the motion passed with all voting in favor.

C. Granting to FPL, an Electric Franchise, imposing provisions and conditions (Pidermann)

This item was deferred.

**14. QUASI-JUDICIAL ITEMS (Public Hearing)**

A. Modification to a Conditional Use for an indoor shooting range

Councilmember Collazo recused himself and stated the reason on the record.

The Town Attorney read the quasi-judicial instructions and the title of the resolution into the record.

Mayor Cid opened the public hearing

The Town Clerk sworn in all the individuals wishing to speak on this public hearing.

The Town Clerk stated for the record that her office received three different emails from three different individuals. The emails were from: Ms. Lina Agudelo, Mr. Jose Asunce and from Mr. Ken Vollbracht.

Ex-parte communications were stated on the record:

Councilmember Alvarez stated that he had no ex-parte communications.

Mayor Cid stated that he had communications with Attorney Javi Vazquez and Leo Gonzalez and provided his ex-parte communication disclosure form.

Vice Mayor Rodriguez stated that he had spoken to Javi Vazquez and submitted his ex-parte disclosure form.

Councilmember Ruano stated that in the last seven days, she had no communications and provided her ex-parte communication disclosure form

Councilmember J. Rodriguez stated that he had spoken to Javi Vasquez and submitted his ex-parte disclosure form.

Councilmember Dieguez stated that he has not spoken to anyone in the last seven days and provided his ex-parte communication disclosure form.

Mr. Tucker Gibbs came to the Town Council and represented his client, Modern Art Inc. With him came Mr. Sam Shroeder, who is an acoustic expert. Mr. Gibbs presented his case.

Susana Alonso, Principal Town Planner, presented the item with staff recommendations and answered questions posed by the Town Council.

Javi Vaquez, came to the Town Council and presented his case on behalf of the Applicant, Andy's Shooting Range.

Councilmember Ruano made a motion to accept the documents provided by Mr. Vaquez into the record. Councilmember Dieguez seconded the motion and all were in favor.

Public Comments:

Olga Ismael came to the Town Council and spoke about the good quality of life of the Miami Lakes and stated the Andy's Shooting Range will attract individuals who want to use the shooting range.

Yvonne Alvarez came to the Town Council to speak about Dancity Studios and her concern about having a shooting range next to her business. She stated that it is a public safety concern because her business caters to children.

Carmen Stewart Regalado came to the Town Council to speak about the public safety issue that the shooting range might pose to the children attending Dancity Studio.

Byron Gordillo came to the Town Council to speak about the public safety risk of having people who lack experience handling weapons, in a shooting range very close to a dance studio.

Adriana Vilasoto came to the Town Council to speak about the good quality of life in the Town of Miami Lakes and her fear of having a shooting range opened near the dance studio, about the people who lack experience handling weapons in that location, and about Resolution 15-1319 and the conditions met and conditions not met.

Eduardo Tapanes came to the Town Council to speak about his objection to the shooting range, due to a public safety concern and that the shooting range does not comply with the restrictions stipulated in the Resolution. Councilmember Dieguez made a motion to allow Mr. Tapanes to provide a document to the Town Council and for this document to be accepted into the record as evidence. The motion was seconded by Councilmember J. Rodriguez and all were in favor.

Raul Diaz came to the Town Council so speak about his objection to the shooting range because it allows incompatibility use to the existing use that already exists, public safety concerns, the disruptive conditions that his business allegedly suffers and asked the Town Council to deny the modification. During his public comments, Mr. Diaz played his audio recording heard from his business. The Applicant objected to accepting the audio recording into the record.

Mayor Cid called for a recess at 9:00 pm.

The Town Clerk called the roll at 9:30 pm to re-convene the meeting. All councilmembers were present. Councilmember Collazo was absent due to his recusal.

The Town Attorney explained that Mr. Diaz can present the audio as evidence. Attorney Javi Vazquez stated his objection to the audio being part of the record. Objection was noted. No vote was taken on this matter and Mr. Diaz proceeded to play the audio.

Sam Schroeder came to the Town Council to provide his acoustical expert opinion on this case. He stated he was retained by Mr. Diaz.

Javi Vazquez presented his rebuttal on the case.

The Applicant, Andy Perez, Jr., came to the Town Council to speak on his behalf and on his application.

Susana Alonso, Principal Town Planner, answered questions posed by the Town Council.

Eliezer Palacio, Building Official, answered questions posed by the Town Council.

Adriana Vilasoto came to the Town Council again to speak about the conditions on the original Resolution that were not met.

Vice Mayor Rodriguez motioned to accept Alina Soto's testimony into the record. The motion was seconded by Councilmember J. Rodriguez and all were in favor. Alina Soto stated that Dancity Studios has a lawful approval since 2006.

Mayor Cid closed the public hearing.

Mayor Cid made a motion to extend the meeting to midnight. The motion was seconded by Councilmember Dieguez and all were in favor.

Councilmember Cid motioned to add to the conditional use amendment the following language: all customers with no experience will be supervised one on one by range staff. The motion was seconded by Councilmember Dieguez and all were in favor.

Councilmember Dieguez made the motion to approve the conditional use as amended, and Councilmember Rodriguez seconded the motion. The motion passed 5-1, with Councilmember Alvarez in opposition and Councilmember Collazo being recused.

Councilmember Ruano motioned to re-open the Order of Business, the motion was seconded by Vice Mayor Rodriguez and all were in favor. Then, Councilmember Ruano motioned for item 16H to be heard right before Ordinances in first reading. The motion was seconded by Councilmember Dieguez and all were in favor.

## **15. RESOLUTIONS**

- A. Resolution approving RFP 2019-13, Security Guard Services for Special Taxing Districts (Pidermann)

The Town Attorney read the resolution into the record.

The Town Manager presented the item.



Vice Mayor Rodriguez made a motion to accept the Resolution and it was seconded by Councilmember J. Rodriguez. Mayor Cid stated that he would like to have a Special Taxing District Workshop to ensure everyone gets heard. All were in favor.

B. Resolution dissolving the Historical Society Committee (Dieguez)

The Town Attorney read the resolution into the record.

Councilmember Dieguez made a motion to adopt the resolution. The motion was seconded by Councilmember Rodriguez and all were in favor.

C. Resolution co-designating that portion of NW 170<sup>th</sup> Street and NW 87<sup>th</sup> Avenue as SGT. Larry E. Marrero Drive

The Town Attorney read the resolution into the record.

Vice Mayor Rodriguez made a motion to approve the resolution. The motion was seconded by Councilmember Alvarez and all were in favor.

D. Resolution declaring the Town's proposed millage rate, rolled-back rate computed pursuant to 200.065(1). (Pidermann)

The Town Attorney read the resolution into the record.

The Town Manager presented the item and answered questions posed by the Town Council. The Town Manager explained that if the millage rate proposed is set at 2.8899 mills, it would offset any deficit caused by the FPL Franchise Fee loss.

Councilmember Dieguez made a motion to amend the resolution as proposed, and to set the maximum millage rate at 2.8899 mills. Councilmember Rodriguez seconded the motion and the motion passed, 6-1, with Mayor Cid voting in opposition.

## 16. NEW BUSINESS

A. K-9 Cove Parking Lot (Alvarez)

Councilmember Alvarez made a motion to consider adding to the Strategic Master Plan, adding a parking lot to the K-9 Cove. The motion was seconded by Mayor Cid and all were in favor.

B. Fairway Drive Traffic Calming (Dieguez)

This item was deferred.

C. Mobility Fee (Ruano)

This item was deferred to the September Meeting.

D. Committee Events Consolidation (Rodriguez)

Motion for Committee Chairs to work together and consolidate some events, to bring them down to 100 events a year. The motion was seconded by Councilmember Ruano and all were in favor.

E. Miami Lakes Independent Zip Code (Cid)

Mayor Cid made a motion to support the efforts being made by Congressman Mario Diaz Balart and Senator Marco Rubio for the creation of a singular Miami Lakes Zip Code. Councilmember Alvarez seconded and all were in favor.

F. Repaving of NW 82<sup>nd</sup> Avenue (Alvarez)

Councilmember Alvarez motion to consider adding the repaving of NW 82<sup>nd</sup> Avenue, from NW 154 Street to Oak Lane, as part of the Strategic Master Plan. The motion was seconded by Councilmember Dieguez. The Town Clerk called the roll and the motion passed, with Vice Mayor Rodriguez voting in opposition.

G. Temporary Dog Park Traffic Calming (Dieguez)

Councilmember Dieguez made a motion to waive the requirements of the County and install temporary street bumps near the Dog Park. Councilmember Alvarez seconded the motion. Councilmember Ruano made an amendment for it to have a dog crossing signage to be installed. Mayor Cid seconded the amendment. The main motion passed unanimously.

Councilmember Dieguez made a motion to extend the meeting to 1:45 am. Mayor Cid seconded the motion and all were in favor.

H. Homes flooding in Royal Oaks (Ruano)

Councilmember Ruano motioned to direct town staff to look into a feasible solution to the flooding issue in their block. Councilmember Dieguez seconded the motion and all were in favor.

Tony Tamayo stated that he is one of the neighbors who suffers from having water from the streets inside the house and he requested assistance from City Hall.

Richard Delgado stated that he is one of the neighbors who suffers from having water from the streets inside the house and he requested assistance from City Hall.

Axel Garcia stated that he is one of the neighbors who suffers from having water from the streets inside the house and he requested assistance from City Hall.

Carlos Acosta, Public Works Director, addressed the item and answered questions posed by the Town Council.

I. Naming of Courtyard at ROP (N. Rodriguez)

Vice Mayor made a motion to name the new courtyard in Royal Oaks Park in honor of Briana Vergara. The family will work with town staff and chose the name of their preference. The motion was seconded by Mayor Cid and all were in favor.

J. Volunteer Florida (Cid)

Mayor Cid made a motion directing staff to contact Volunteer Florida and launch Volunteer Connect so that Miami Lakes is one of the first municipalities to volunteer on-line. Vice Mayor seconded the motion and all were in favor.

K. Elected Officials Transition Procedures Act (Dieguez)

Councilmember Dieguez made a motion to formalize the procedures for transitioning new elected officials, town manager, town attorney and town staff and to install good government practice, as included in the memo. Councilmember Alvarez seconded the motion and all were in favor.

L. Trash and Waste Pickup (N. Rodriguez)

This item was tabled.

M. The Mayor's Back to School Beyblade Challenge Night (Cid)

Mayor Cid made a motion to utilize the Miami Lakes Youth Center to host a Beyblade Challenge night. Vice Mayor Rodriguez seconded the motion and it passed, 6-1, with Councilmember Rodriguez voting in opposition.

N. Franchise Fee Restrictive Ordinance (Dieguez)

This item was deferred to a Special Call Meeting.

O. Taxpayer Transparency Act (Cid)

Councilmember Dieguez motioned to waive the rules and Councilmember Ruano seconded the motion.

Mayor Cid motioned to direct town staff to look into getting our residents the detailed taxpayer receipt. Councilmember Rodriguez seconded the motion and all were in favor.

P. Modified Operating Hours (Dieguez)

Councilmember Dieguez motioned to waive the rules and Councilmember Ruano seconded the motion.

Councilmember Dieguez motioned to explore the idea of extending the Freebee operating hours- to modify the operating hours for extended service on Friday and Saturday. Councilmember Ruano seconded the motion and all were in service.

**17. MAYOR AND COUNCILMEMBER REPORTS:**

A. Participatory Budgeting

Mayor Cid wants to invite all the Town Council to visit 40 homes and to hear our residents needs. The meeting would be on the sunshine.

**18. MANAGER'S REPORT**

A. 2020 Florida Legislative Priorities & Funding Requests

The Town Manager presented the item. He asked the Town Council for the list of priorities to start adopting them soon.

B. Town Manager Monthly Police Activity Report

Town Manager, Javier Ruiz, provided the monthly crime report to the Town Council for the month of June.

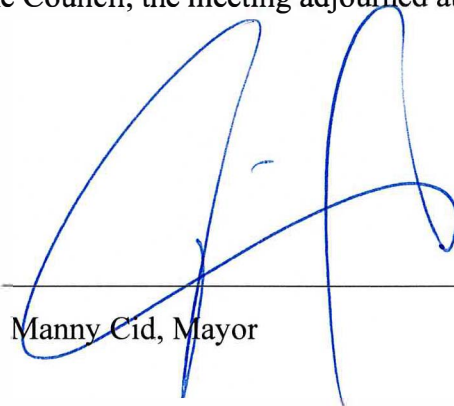
**19. ATTORNEY'S REPORT**

The Town Attorney, Raul Gastesi, reported on the current litigation. September 10<sup>th</sup> is the Oral Argument on the Pizzi case.

**ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 1:22 a.m.

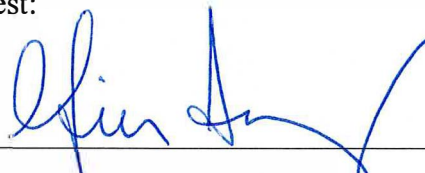
Approved this 10<sup>th</sup> day of September, 2019.



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Manny Cid, Mayor

Attest:



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Gina Inguanzo, Town Clerk