

MINUTES
Regular Council Meeting
September 10, 2019
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 6:30 pm.

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers being present: Carlos Alvarez, Luis Collazo, Joshua Dieguez, Jeffrey Rodriguez, and Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Marilyn Ruano left 10:53 PM.

3. MOMENT OF SILENCE:

Reverend Nancy Zuckerman led the invocation.

Ariel Fernandez, via live remote public comments, shared some inspirational words to the attending public.

4. PLEDGE OF ALLEGIANCE:

Councilmember Josh Dieguez led the Pledge of Allegiance.

5. SPECIAL PRESENTATIONS:

Marc Gomez from Commissioner Esteban Bovo, Jr. Office gave a presentation to the Mayor and Town Council on U.S. Census 2020 Initiative.

Isaac Salver and Carol Westmoreland Florida League Cities gave a PowwrPoint presentation about Town Council membership benefits.

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

Item 9D from the Youth Activity Task Force was added to the Agenda, a Presentation by Commissioner Bovo's office to be added after the Appointments section of the Agenda, FLC will be presenting a PowerPoint presentation after Commissioner Bovo's presentation, Mayor Cid requested Item 14C to be moved up and discussed after the Committee Reports, and Councilmember Collazo requested item 14E to be

discussed with the 2nd Ordinance Special Taxing District 11A item of the First Budget Hearing. Councilmember Collazo made a motion to approve the new Order of Business and it was seconded by Councilmember Rodriguez. All were in favor.

7. PUBLIC COMMENTS:

Alex Ariano came before the Town Council to speak on changing the special taxing district names, allowing gold carts, and getting rid of the Palmetto express lanes.

Miriam Campos came before the Town Council to speak on changing the variance for 8 foot fencing near residential areas that are near commercial areas.

8. APPOINTMENTS:

Ryan Holland was appointed to the Sports Hall of Fame Committee, nominated by Councilmember Dieguez.

Jose Llano was appointed to the Economic Development Committee, nominated Councilmember J. Rodriguez.

Michael Coote was appointed to the Youth Activities Task Force, nominated by Councilmember J. Rodriguez.

Dr. Herman Vega was appointed to the Blasting Committee, nominated by Mayor Councilmember J. Rodriguez.

Christopher Rodriguez was appointed to the Blasting Committee, nominated by Councilmember J. Rodriguez.

Rodrigo Lozano was appointed to the Public Safety Committee, nominated by Councilmember Collazo.

Alexandra Alonso was appointed to the Elderly Affairs Committee, nominated by Councilmember Dieguez.

Jacqueline Lebeda was appointed to the Elderly Affairs Committee, nominated by Councilmember Alvarez.

Stephanie Cruz was appointed to the Elderly Affairs Committee, nominated by Councilmember Dieguez.

Councilmember Alvarez motioned to approve the Committee Appointments. Councilmember J. Rodriguez seconded the motion, and all were in favor.

9. COMMITTEE REPORTS

A. Sports Hall of Fame

The Sports Hall of Fame Chairman Roman O. Garcia, Jr. asked on behalf of the committee for the Town Council to review and accept changes to their Resolution 15-1291. They would like to set a fixed date for the Sports Hall of Fame Induction Ceremony. They would like to set it for the first Saturday in June and nomination deadline to be in March. Mayor Cid motioned to approve and Councilmember Collazo seconded the motion. All were in favor.

B. Economic Development Committee

The Economic Development Committee asked for reallocation of \$1000 to go to Volunteer and Sponsor Appreciation Breakfast line item. Vice Mayor Rodriguez motioned to approve and Councilmember J. Rodriguez seconded. All were in favor.

C. Elderly Affairs Committee

The Elderly Affairs Committee asked to reallocate \$1500 from their Senior Social line item to the Volunteer and Sponsor Appreciation Breakfast. They also wanted to move \$1000 from their Senior Social line item to the Miami Dade County Age friendly Mini Grant line item. Councilmember Dieguez motioned to approve, Vice Mayor Rodriguez seconded and all were in favor.

D. Youth Activity Task Force

The Youth Activities Task Force chair Tony Fernandez asked for Town Council approval and support of the Limitless Love Concert. The concert would be held on Saturday, October 12, 2019 from 6:00 PM – 8:00 PM at the Miami Lakes Congregational Church. Each attendee would be encouraged to bring the following donation items: Nonperishable foods, Diapers and wipes, Desitin, Towels, Toothpaste, Soap, Deodorant, Shampoo and Conditioner, or Laundry detergent. These items will be donated to the Nora Santiago Foundation.

10. CONSENT CALENDAR:

Vice Mayor Rodriguez motioned to approve the items under the Consent Calendar. Councilmember Rodriguez seconded the motion, and all were in favor.

A. APPROVAL OF MINUTES

- July 15, 2019 Sunshine Meeting.
- July 16, 2019 Regular Council Meeting.
- July 18, 2019 Sunshine Meeting.

- August 6, 2019 Sunshine Meeting.
- August 19, 2019 Special Call Meeting.
- August 27, 2019 Special Call Meeting.
- August 27, 2019 Third Budget Workshop.

Approved on Consent.

- B. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A WORK ORDER WITH WOOD ENVIRONMENT AND INFRASTRUCTURE SOLUTIONS, INC; PROVIDING FOR AUTHORITY OF TOWN OFFICIALS; PROVIDING FOR AUTHORITY TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE (Pidermann).

The Town attorney, Raul Gastesi, read the resolution into the record. Approved on Consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER PURSUANT TO SECTION 7 OF ORDINANCE 17-203, TO ACCESS BROWARD COUNTY CONTRACT PNC211640B1_2 FOR UNDERGROUND UTILITY LOCATE SERVICES AS LONG AS BUDGETED FUNDS ARE AVAILABLE FOR THESE SERVICES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPENDED BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (Pidermann).

The Town attorney, Raul Gastesi, read the resolution into the record. Approved on Consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE STATEWIDE MUTUAL AID AGREEMENT FOR DISASTER RESPONSE AND RECOVERY; PROVIDING FOR AUTHORITY OF TOWN OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE (Pidermann).

The Town attorney, Raul Gastesi, read the resolution into the record. Approved on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF MIAMI LAKES AND MIAMI-DADE COUNTY; PROVIDING FOR AUTHORITY OF OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE (Pidermann).

The Town attorney, Raul Gastesi, read the resolution into the record. Approved on Consent.

11. ORDINANCE – FIRST READING

A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO SOLAR ENERGY SYSTEMS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS”, AT ARTICLE VI, “SUPPLEMENTARY REGULATIONS”, AND AT ARTICLE VII, “ENVIRONMENTAL REGULATIONS” PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann).

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

Susana Alfonso, Principal Planner, presented the item and answered questions posed by the Town Council.

Vice Mayor Rodriguez motioned to approve the Ordinance in first reading and Councilmember Collazo seconded the motion. All were in favor.

12. ORDINANCE – SECOND READING (PUBLIC HEARING):

A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CREATING REGULATIONS FOR THE USE OF FPL FRANCHISE FEES; PROVIDING FOR THE CREATION OF A BUDGET LINE ITEM; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE (Dieguez).

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

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

Councilmember Dieguez motioned to approve the item as presented. Councilmember J. Rodriguez seconded the motion. All were in favor.

Councilmember Dieguez motioned to make the following amendments to the ordinance: For Exhibit A at the top, he wanted removed all the following language: “[...] of one half (1/2) of the collected monthly Franchise Fee, or \$ 125,000 –“ and “[...] whichever is greater [...].” He motioned for this part to be written as the following:

“[...] excess of \$106,250 which shall be used by the Town exclusively for:” Thus, Exhibit A’s Item 6 should state “paragraphs 1 through 5” instead of “paragraphs 1 through 4.” Councilmember J. Rodriguez seconded the motion to amend. All were in favor.

Councilmember Dieguez motion to amend again. He stated item 7 need to also state “paragraphs 1 through 5” instead of “paragraphs 1through 4.” Councilmember Jeffrey Rodriguez seconded the motion to amend again. All were in favor.

Councilmember Dieguez motioned to approve the ordinance with all the amendments. Councilmember J. Rodriguez seconded, and all were in favor.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE XI, “FEES”, AT SECTION 13-2102, RELATING TO VARIANCE APPLICATION FEES; INCLUDING ALL NOTIFICATION COSTS INTO THE VARIANCE FEES OF ADMINISTRATIVE VARIANCES, SMALL PROJECT VARIANCES, AND VARIANCES FOR SINGLE FAMILY PROPERTIES OF LESS THAN HALF (½) ACRE OR 2,500 SQUARE FEET; REQUIRING ALL OTHER VARIANCE APPLICATIONS TO BE COST RECOVERY AND PROVIDING FOR INITIAL DEPOSITS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE (J. Rodriguez).

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

Councilmember J. Rodriguez motion to approve the amended version of the ordinance and it was seconded by Councilmember Collazo. The amended version includes the following variance fee schedules of development approval request:

2.2 Administrative and public hearing for fence, driveway, deck or walkway to \$450 (for notification and recording) application fee,

2.3.1 public hearing for One single-family, two-family, or townhouse \$1,250 application fee.

Also, Councilmember J. Rodriguez asked to change the Town Council rehearing of the P& Z Board Decision to change the deposit to \$2,000 and any other recovery costs.

Mayor Cid rebutted he had issue with the deposit based all the restrictions currently in place for the P & Z Board decisions to be reheard by the Town Council. He motioned to amend the \$2,000 deposit requirement and waive it. Mayor Manny Cid motioned to approve the ordinance in second reading with the amendments. Councilmember Collazo seconded the motion, and the motion passed, 7-0.

13. RESOLUTIONS

A. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A CONTRACT BETWEEN THE TOWN OF MIAMI LAKES AND MIAMI-DADE COUNTY FOR POLICE SERVICES; PROVIDING FOR AUTHORITY OF TOWN OFFICIALS; PROVIDING FOR AUTHORITY TO EXPEND BUDGETED FUNDS' AND PROVIDING FOR AN EFFECTIVE DATE (Pidermann).

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

The Town Manager, Edward Pidermann, explained the provisions of the new contract for police services. Mr. Pidermann stated that it was a new memorandum provided to the Town Council. It was explained that the numbers on page 2 of the original memorandum were based on before a ratification of a new collective bargaining agreement. The strikethroughs on the new memorandum are the correct numbers. There were also adjustments made based on current and next fiscal year budget. Mr. Pidermann stated all the new enhancements to the agreement are explained in the bullet point section of the memorandum. Councilmember Alvarez motioned for discussion and Councilman Dieguez seconded.

Councilman Alvarez motioned to approve police contract. Councilmember Dieguez seconded the motion, and the motion passed.

14. NEW BUSINESS

A. Special Taxing District Name Change (Collazo)

Councilmember Collazo move for the Special Taxing Districts be named "Assessment Districts" to mimic the Miami Dade County or name them "Neighborhood Service Districts. Mayor Cid agreed but sated that the name selection should be picked by the individual district chairs. Councilmember Collazo amended his motion and said he moved to the name to be changed after the district chairs are given a chance to vote on the name. Vice Mayor Rodriguez seconded the motion and all were in favor of the motion, as amended.

B. Prohibit Sales of E-Cigarettes to Minors (N. Rodriguez)

Vice Mayor Rodriguez motion to for the legal department to come up with a similar ordinance like the City of Miami Beach, which prohibits the sales of e-cigarettes to minors. This would be an addition to the Town's ordinance previously passed to prohibit the sale of flavor chewing tobacco to minors. Councilmember Alvarez seconded the motion. All were in favor of the motion.

C. Residential Privacy Fence (Cid)

Mayor Cid said this issue was brought to his attention by resident Miriam Campos. He motioned to amend the code to allow 8-foot privacy fences for single family homes adjacent to commercial properties, multi-family units that exceed the height of the adjacent property or if there is a garbage dumpster adjacent to the property. Councilmember Alvarez seconded the motion. All were in favor of the motion.

D. New Lobbying Services (Alvarez)

Councilmember Alvarez, based on the level service of Southern Strategies, motioned to direct staff to begin development of a scope for lobbying services that will adequately ensure the Town receives the proper and necessary representation and advocacy in Tallahassee, and to begin the procurement of a new lobbyist for the Town.

The Town Manager stated that acquiring new lobbyist group will need to be procured and the RFP processes takes three months. The Town Manager, Mayor Cid, Councilmember Dieguez, and Vice Mayor Rodriguez proposed to work with the sub-contractor of Southern Strategies for this legislative session, but then put it out to competitively bid due to time constraints.

After the discussion, Councilmember Alvarez amended his motion for it to read that the RFP process in acquiring new lobbying services will be begin after this year's legislative session. Councilmember Dieguez seconded the amended motion. The Motion passed 6-0, with Councilmember Ruano being absent.

E. Golf Cart Friendly Zones/Districts (Collazo)

Councilmember Collazo motioned to establish a Golf Cart Friendly Zone/District and a pilot district or zone be created for the Loch Lomond area, before considering other areas in the community. Vice Mayor Rodriguez seconded the motion. All were in favor.

F. Purple Heart Parking/Veteran Parking Space (Cid, Co-sponsored unanimously by all Councilmembers)

This item requires the waiver of item 7.2 of the Special Rules of Order. Vice Mayor Rodriguez motioned to approve the waiver and it was seconded by Councilmember Collazo.

Mayor Cid stated one of Miami Lakes Purple Heart Veterans spoke to him regarding co-designating the Purple Heart Parking space as Purple Heart Parking /Veterans Parking. Mayor Cid motioned to add an additional sign to the current Purple Heart sign stating "Veterans Only Parking" with the seals of the Air Force, Army, Coast Guard,

Marine Corps and Navy. Councilmember Collazo seconded the motion. All were in favor.

G. Palmetto Express Lanes (Collazo)

Councilmember Collazo motioned to direct the Town Manager to reach out to FDOT, and to request from FDOT, the removal of the express lanes all together or to discuss at a minimum, to petition FDOT to redesign the approach to allow traffic to enter at 154th Street. The motion was seconded by Councilmember Alvarez. Councilmember Ruano was absent.

H. Funding Source and Timeline for Implementation for Future New Business Items (Collazo)

This item requires the waiver of item 6.9 of the Special Rules of Order.

Councilmember Collazo motioned to requiring all new business items to have identified funding sources for implementation and a timeline incorporated into the memorandum or in the discussion of the item when being presented and adopted this as a best practice. Councilmember J. Rodriguez seconded the motion. All were in favor. Councilmember Ruano was not present.

15. MAYOR AND COUNCILMEMBER REPORTS:

A. Florida League of Cities Conference (Cid)

Mayor Cid reported about the conference he and Vice Mayor Rodriguez attended in August. He stated he learned of homeless statistics in the state of Florida and ideas that other cities our doing to combat the issue. He learned what other municipalities are doing regarding ADA compliance for municipal websites and focusing on coding. He stated that the City of Altamonte Springs impressed him because of the innovative budgeting techniques. He also explained that the City of Coral Gables IT director explained what they are doing with artificial intelligence to make Coral Gables a Smart City.

16. MANAGER'S REPORTS:

A. Canal Bank Project - Soil Erosion

Carlos Acosta, Director of Public Works, presented a status updated of the Canal Stabilization project. He explained that the contractor is 50 % complete with the project. The completion date is sometime in October. He stated that the contractors have been dealing with some rain wash-out issues of materials and there are additional costs to replenish materials that have been washed out. The Town is negotiating those costs. The Town Manager said that we would not be going over budget.

C. Line of Credit

For Hurricane Irma, the Town spent 4 Million for recovery. FEMA still has not reimbursed.

Chief Financial Officer, Ismael Diaz, gave an update on the FEMA reimbursement issue. He stated that if the town were to be hit by a significant storm or multiple storms, there will be a cash flow issue. He added that the Town Manager would need to have a line credit with financial institution for natural disasters and the Town Council would need to approve in order to access it. The Town will need to engage in a bond council and a financial advisor. The Town Manager said we would probably enlist the person that helped secure the bond that was done for Town Hall.

Councilman Dieguez motioned for town staff to bring back an ordinance with the appropriate restrictions. Councilman J. Rodriguez seconded the motion. All were in favor. Councilmember Ruano was not present.

Councilmember Collazo amended the motion, to include that town staff contact Marco Rubio's Office to assist us with the FEMA issue. Mayor Cid seconded the motion. All were in favor. Councilmember Ruano was not present.

D. Town Manager Monthly Police Report

Town Major, Javier Ruiz, provided the monthly crime report to the Town Council for the month of August. There were several vehicle burglaries that were apprehended. The officers prepped the preparation of school openings and school details.

17. ATTORNEY'S REPORTS:

A. Michael Pizzi JR. v. Town of Miami Lakes

The Town Attorney, Raul Gastesi, reported that the oral argument before 3rd District court of appeal took place on Tuesday, September 10th. He was requested for a formal executive session to discuss this matter.

B. Juan Valiente v. Town of Miami Lakes

No update.

C. Six Month Review

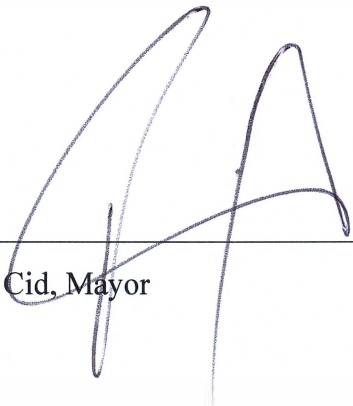
The Town Attorney, Raul Gastesi, began the presentation stating it has been six months since the new arrangement was put into place that the Deputy Town Attorney Lorenzo Cobiella would be full-time assigned to the Town to provide legal services. Based on the level of service being provided by the firm Gastesi, Mestre, and Lopez firm is asking for \$25,000 increase attorney fees.

The Deputy Town Attorney, Lorenzo Cobiella, continued presentation on the amount hours and legal services he has provided to the Town in the last six months. He explained the amount of oversight assistance he has provided to each department in the Town. He stated he has attended numerous conference and continuing education courses in order to assist the Town and he has paid for out-of-pocket. Councilmember Dieguez to pay through the new partnership Gastesi, Mestre, and Lopez and to increase \$25,000 attorney retainer and Councilman J. Rodriguez seconded. All were in favor. Councilmember Ruano was not present.

18. ADJOURNMENT:

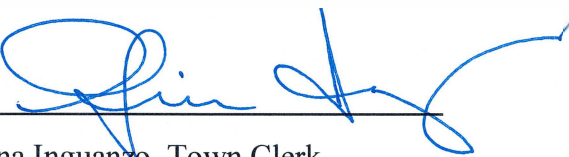
There being no further business to come before the Town Council, the meeting adjourned at 12:01pm.

Approved this 8th day of October 2019.



Manny Cid, Mayor

Attest:



Gina Inguanzo, Town Clerk