

MINUTES
Virtual Regular Council Meeting
October 20, 2020
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

None

2. ROLL CALL:

Mayor Manny Cid called the meeting to order at 6:34 pm.

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Councilmember Collazo, Josh Dieguez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Carlos Alvarez joined the meeting at approximately 6:48 pm and Councilmember Marilyn Ruano joined the meeting at approximately 7:05 pm.

3. MOMENT OF SILENCE:

Father Joseph Lucas from the Christ the Savior Orthodox Church the prayer.
Ariel Fernandez led a moment of mediation from Better You Minute.

4. PLEDGE OF ALLEGIANCE:

Pledge of the Allegiance was led by Rafael Barredo by Pack 484.

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

Mayor Cid pulled Item 9D and Councilmember Dieguez pulled Item 9B. Councilmember Dieguez moved to accept the new order of business and it was seconded by Councilmember J. Rodriguez. All were in favor. Shortly thereafter, Councilmember Collazo motioned to re-open the order of business and it was seconded by Councilmember Dieguez.

The Town Attorney asked for the Attorney's Report to be heard after Public Comments. Councilmember Dieguez motioned to accept the new order of business and the motion was seconded by J. Rodriguez. All were in favor.

6. PUBLIC COMMENTS:

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

There were no public comments.

The Town Clerk stated that two written public comments were received; one from Ms. Hope Reynolds regarding the Candidates Forum that took place on October 16th and about the Attorney's Report and Judge ruling on the bridges and one written public comment from Ms. Bonnie Cintron regarding the bridge at 170th Street.

7. APPOINTMENTS:

Gemini Garcia was appointed to the Veterans Committee by Councilmember Carlos O. Alvarez.

Rafael de la Vega was appointed to the Blasting Advisory Board by Councilmember Carlos O. Alvarez

Councilmember Collazo motioned to approve the appointments and the motion was seconded by Councilmember J. Rodriguez. All were in favor.

8. COMMITTEE REPORTS

None.

9. CONSENT CALENDAR:

Councilmember Dieguez moved to approve the Consent Calendar. Councilmember Collazo seconded the motion. All were in favor.

A. APPROVAL OF MINUTES

- September 8, 2020 First Budget Hearing Minutes
- September 15, 2020 Regular Council Minutes
- September 16, 2020 Sunshine Meeting Minutes
- September 16, 2020 Attorney-Client Executive Session Minutes
- September 22, 2020 Second Budget Hearing Minutes

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A WORK ORDER PURSUANT TO RFQ 2017-32(K) FOR

MISCELLANEOUS ENGINEERING SERVICES, WITH KIMLEY-HORN AND ASSOCIATES, IN AN AMOUNT NOT TO EXCEED FORTY NINE THOUSAND FOUR HUNDRED THIRTY DOLLARS AND 20/100 (\$49,430.20) FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NW 83rd PLACE DRAINAGE IMPROVEMENT PROJECT; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE 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. (Pidermann)

Councilmember Dieguez made a motion to approve the item. The motion was seconded by Councilmember Ruano. The Town Clerk called the roll and the motion passed unanimously.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND IF GRANTED ACCEPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FISCAL YEAR 2020 HAZARD MITIGATION ASSISTANCE GRANTS PROGRAM TO PROVIDE FUNDING FOR THE WEST LAKES DRAINAGE IMPROVEMENTS PHASE IV PROJECT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO APPLY FOR AND IMPLEMENT THE TERMS AND CONDITIONS OF THE HAZARD MITIGATION PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Approved on Consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF A VISITOR MANAGEMENT SOFTWARE ON AN AS NEEDED BASIS; AUTHORIZING THE TOWN MANAGER TO UTILIZE THE GENERAL SERVICES ADMINISTRATION (“GSA”) CONTRACT GS-35F-209CA WITH QLESS, INC. PURSUANT TO SECTION 7 OF ORDINANCE 17-203 (THE TOWN’S PROCUREMENT ORDINANCE); 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.

Mayor Cid made a motion to approve this item. The motion was seconded by Councilmember Collazo. The item was approved unanimously.

Approved on Consent

10. ORDINANCE – FIRST READING:

- A AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED MATERIALS FOR TOWNHOUSE, SINGLE-FAMILY AND TWO-FAMILY CANOPIES AND ACCESSORY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE I, “IN GENERAL”, AT SECTION 13-1, “DEFINITIONS AND REFERENCES”, AND AT ARTICLE IV, “ZONING DISTRICT REGULATIONS”, DIVISION 3 “RU-TH TOWNHOUSE DISTRICT”, AT SECTION 13-442, “DEFINITIONS”, AND AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS” AT SECTION 13-1502, “ACCESSORY BUILDINGS”, AND AT SECTION 13-1506, “CANOPIES” PERMITTING ALUMINUM AND SYNTHETIC MATERIALS IN A STYLE THAT RESEMBLES WOOD CONSTRUCTION; 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 read the title of the ordinance into the record.

Councilmember J. Rodriguez made a motion to approve the ordinance in first reading. The motion was seconded by Councilmember Dieguez. The Town Clerk called the roll and the ordinance passed 7-0.

11. ORDINANCES- SECOND READING:

None

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING MIAMI DADE COUNTY BOARD OF COUNTY COMMISSIONERS PROPOSED ORDINANCES REDUCING NOTICE TO MUNICIPALITIES AND REQUIRING MATTERS AFFECTING THE COMPREHENSIVE DEVELOPMENT MASTER PLAN AND ZONING TO BE HEARD CONCURRENTLY; PROVIDING FOR INSTRUCTION TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

The Town Attorney read the title of the resolution into the record.

Town Manager Pidermann presented the item and explained that the two Miami-Dade County resolutions, if passed, would have the effect of reducing the public notice for important matters before the Board of County Commissioners, as well as reducing the number of chances for the public to express concerns and opinions regarding these matters. Town Manager Pidermann explained that Town Staff recommends opposing Miami-Dade County resolutions.

Town Manager Pidermann thanked Susana Alonso, Principal Town Planner, for bringing this to his attention, for preparing this resolution and for working on this matter. Councilmember Collazo made a motion to approve this item and it was seconded by Councilmember Dieguez. All were in favor.

13. NEW BUSINESS ITEMS

A. Emergency Orders (Dieguez)

Councilmember Dieguez introduced the item and stated that he would like for an emergency procedures ordinance to be drafted and adopted and for this ordinance to establish some procedures that would give the Town Council more input with respect to some of those decisions; that this ordinance would give the Town Council greater voice and input into the decision making process and for it to be something similar to the ordinance from the City of Miami Beach.

Councilmember Dieguez made a motion to direct Town Staff to come back with an Emergency Procedure Ordinance. The motion was seconded by Councilmember Alvarez.

All were in favor.

B. Move Council Meeting Dates (Alvarez)

Councilmember Alvarez introduced his item and explained that he would like for the Town Council to consider moving the Regular Council Meeting date due to personal conflicts with his work schedule. After some discussion, Councilmember Alvarez made a motion for the Town Council to consider moving the Regular Council Meetings to the second Tuesday of every month, starting on January 2021. Councilmember J. Rodriguez seconded the motion for discussion.

Mayor Cid made an amendment to the motion, and stated that some sort of restrictive language should be added, saying that at least a super majority of the Town Council will be needed to change the date of the Regular Council Meeting in the future. The motion was seconded by Councilmember Dieguez and all were in favor. The main motion, as amended, passed.

C. Amending Manager's Report (Cid)

Mayor Cid stated that we would like for next Regular Council Meeting Agenda to include a Manager's Report detailing the monthly constituent's cases that staff is working on. Mayor Cid then made a motion directing the Town Manager to provide a constituent report to the Town Council, detailing the data. Councilmember Dieguez seconded the motion. Data to be compiled would come from the App, emails received and phone calls. Specific, contact information to not be provided.

After some discussion, Mayor Cid withdrew the motion and the item and stated that he would work with Town Staff regarding overall performance measures.

D. Anti-Religious Persecution Resolution (N. Rodriguez)

Vice Mayor Rodriguez made a motion to pass a resolution in support of Anti-Semitism, showing support to our Jewish community and a second resolution in support to Anti-harassment and Anti-Discrimination against Christian institutions. The motion was seconded by Councilmember J. Rodriguez. After some discussion, Vice Mayor Rodriguez amended his main motion, for the second resolution to include all other religions and not only Christian institutions. The amendment was seconded by Councilmember J. Rodriguez and all were in favor.

E. Balanced Maintenance Sinking Fund (Dieguez)

Councilmember Dieguez introduced the item and acknowledge that this item was spearheaded by Councilmember Collazo and that he was looking forward to receiving Councilmember Collazo's feedback. Then, Councilmember Dieguez motioned for Town Staff to perform an analysis and determine and provide the Town Council with an adequate number to have in the sinking fund and that once it reaches that amount, then any additional money would be moved towards other capital improvement programs. Councilmember Collazo seconded the motion. After additional feedback provided by Councilmember Collazo, Councilmember Dieguez amended his own motion by asking Town Staff to do an analysis -sort of an update- to make sure that the amount being contributed is adequate for our needs. Councilmember Collazo seconded the amendment and all were in favor. The main motion, as amended, passed unanimously.

F. Flexible Reserves Amendment (Dieguez)

Councilmember Dieguez made a motion granting the Town Manager an additional year to go ahead and reach the 20% reserve target. Councilmember J. Rodriguez seconded the item and the motion passed 6-0; Councilmember Ruano was absent.

14. MAYOR AND COUNCILMEMBER REPORTS:

None.

15. MANAGER'S REPORTS

A. Return to in-person meetings

Town Manager Pidermann explained that virtual meetings have been taking place due to the fact that Governor DeSantis Executive Order granted the ability to meet quorum virtually - but most likely, this Executive Order will not be granted after November 1st. So in anticipation of meetings not meeting quorum virtually, Town Staff undertook the exercise of coming up with a logistical plan where the Town of Miami Lakes will be able to do live public meetings but still abiding by the restrictions imposed by other Executive Orders.

Jeremy Bajdaun, Special Project Manager, presented the Logistical Plan and recommendations to return to live, in-person meetings in a town facility. Town Staff and Town Council to be in in-person meetings and the public to participate in the in-person meeting -only for public comments phase of the meeting. Once the public comment is over, the speaker will be asked to leave the Council Chambers. Social Distancing to be respected and plexiglass to be installed on the Dais. Public Comments will be able to sign up via the Town Website or show up in the Council Chambers and have a chance to speak. Disposable microphone covers will be used and Town Staff will be sanitizing as people come in and out of the Council Chambers. Upon entry, Town Staff will be screening for individuals with high temperatures and floor layout for foot traffic will be respected; facial coverings to be worn at all times. Councilmember Dieguez made a motion to start effective in the November Council Meeting, that we resume meetings in Council Chambers, in accordance with the Logistical Plan presented by Town Staff. The motion was seconded by Councilmember Alvarez and all were in favor.

Mayor Cid made a motion to direct Town Staff to re-open our Basketball courts. Councilmember Ruano seconded the motion. Councilmember J. Rodriguez asked for the basketball court on Northwest 169th Terrace to keep it closed. Mayor Cid agreed with Councilmember J. Rodriguez' amendment and Councilmember Dieguez seconded the amendment. The Town Manager stated that basketball courts will be opened but facial coverings must be worn.

B. Town Manager Monthly Police Report

Javi Ruiz, Town Commander, presented the Monthly Police Report.

16. ATTORNEY'S REPORTS:

The Town Attorney reported on the recent ruling on the Bridges Litigation. He explained that the Court granted Miami-Dade County's Order but not Lennar's motion. The Town Attorney stated that they will appeal unless the Town Council tells him otherwise. He requested an Executive Session to take place as soon as possible.

Councilmember Collazo stated that he would like to explore alternatives and bring the parties together- then he made a motion directing Town Staff to start working on bringing all the parties together, to have conversations with FDOT, State House Representatives, City of Hialeah, Miami Dade County and to look at every single opportunity that we can to address this issue, in case we don't win the legal case; to talk about all options, to meet with them -with all parties that have jurisdiction. Councilmember Ruano seconded the motion.

After some discussion, Councilmember Collazo re-stated his motion the following way: that while the Town pursues the legal strategy and explore the opportunity to meet in an Executive Session, the Town could also explore the opportunity to meet with the elected officials, that all have related an interest in working on this issue, including the federal and state agencies that have jurisdiction to explore all possibilities in relation to the 170th bridge – all of this to be done at the same time as the legal process or maybe at a later time – no specific direction to be given on that matter. The Town Clerk called the roll and the motion passed 5-2: with Councilmember Alvarez and Councilmember J. Rodriguez voted in opposition.

The Town Attorney also mentioned that in the Valiente case, he would be circulating some additional documents to the Town Council and that the insurance carrier is working on getting the case done. In the Pizzi case, the Town Attorney stated that the legal parties are having legal discussions.

18. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 9:10 pm.

Approved this 20th day of October 2020



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk