

MINUTES
Regular Council Meeting
June 8, 2021
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

Mayor Cid welcomed everyone to the Regular Council Meeting.

He first called up Ms. Andrea Rechichi, from the Graham Companies and he explained that every year, the Graham Companies, in conjunction with the EAB, award two scholarships to students who submit an application, who meet criteria and who are chosen by the EAB. This year the two students who were awarded with the \$1,000 check were Marlon Miranda who will be attending University of Florida and Lisbeth Arrieta, who will be attending Davidson College. Ms. Andrea Rechichi congratulated the students and Mayor Cid thanked the Graham companies.

Mayor Cid then proceeded to give a shout out to Ms. Jessica Hernandez who couldn't be present and introduced Mr. Alberto de la Cruz of Babalu Blog. He spoke about the proclamation to be presented in relation to Pride month and referenced historical persecution in the island of Cuba and that gay people are still being persecuted. He stated that the person the Town of Miami Lakes is recognizing passed away but that his legacy lives on. Mayor Cid then presented a proclamation recognizing Mr. Reinaldo Arenas, a Cuban poet and award-winning author, who suffered persecution for being gay and who was arrested by the Castro dictatorship in 1963 due to his sexual preference; that he suffered severe punishment and his literary work was condemned. The Town Council presented a Proclamation in honor of Reinaldo Arenas - June 8th was proclaimed as the Reinaldo Arenas Day in TOML.

Mr. De la Cruz, spoke of Arenas, his work and advocacy for gay rights. He also introduced playwright writer Ms. Vanessa Garcia, who wrote The Amparo Experience and Ms. Rosa Maria Paya, in conjunction with Cuba Decide Campaign. Ms. Garcia spoke highly of Mr. Reynaldo Arenas and about his fight of human rights for all the people of Cuba. Ms. Paya thanked everyone for recognizing Reinaldo Arenas and his legacy.

2. ROLL CALL:

The Town Clerk, Gina M. Inguanzo, called the roll at 6:39 pm with the following Councilmembers being present: Josh Dieguez, Tony Fernandez, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Luis E. Collazo and Mayor Manny Cid. Councilmember Carlos Alvarez joined the meeting at 7:08 pm.

3. MOMENT OF SILENCE:

Mr. Homero Cruz, from RTVEMMAUS and the EMMAUS International Foundation led the prayer.

Mr. Ariel Fernandez from Better You Minute, led a moment of mediation via zoom.

4. PLEDGE OF ALLEGIANCE:

The Pledge of the Allegiance was led by Town Clerk, Mrs. Gina M. Inguanzo.

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

Mayor Cid pulled Item 10C from the Consent Calendar. Councilmember Dieguez asked for Item 14B to be discussed after Public Comments and Councilmember Fernandez asked for Item 11A to be discussed after Item 14B. Councilmember Dieguez motioned to approve the New Order of Business. The motion was seconded by Councilmember Rodriguez and all were in favor. Councilmember Alvarez was absent.

6. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed during public meetings.

Ms. Mirtha Mendez, came to the Town Council Meetings and participated in-person public comments. She expressed her concerns regarding Item 12B; she stated that when the item was discussed, Town Manager Pidermann explained all the projects that are part of the 15.5-million-dollar bond. She emphasized that Town Manager Pidermann was kind enough to let her know and she quoted, "These bonds will be special revenue bonds, which will be paid through storm water fees, these are different from general obligation bonds which require voter approval." Ms. Mendez mentioned that last year the town was under water and that these projects are expensive and caused an increase in stormwater. She stated that in the list of project items, there's a total of 1.4 million just for Royal Oaks. She mentioned that State Representatives were able to secure the town with money and she asked about the project that these funds will be spent on. She also mentioned that the price on these projects needs to be brought down.

Mr. Jorge Conforme came to the Town Council Meeting and participated in-person public comments. He spoke on behalf of his client, Wheels Labs, Inc. and spoke in support of Item 12A.

Ms. Bonnie Cintron came to the Town Council Meeting and participated in-person public comments. She thanked Councilmember Dieguez for his support of the HR5 portraits and patriotism bill. She stated that in the past she attempted to speak to the Board of Education and School Superintendent and that she wrote a letter to them and that it was never answered. She thanked Councilmember Dieguez for asking the Town Council to draft and adopt a resolution to be sent to the School Board in support of HR 5.

Mrs. Claudia Luces came to the Town Council and participated in-person public comments. She stated that in the May 14, 2019, Regular Council Meeting, then Councilmember Collazo brought forth an item titled: Options for Miami Lakes' Optimist Park Improvements. She stated that the Town Council discussed this item for more than two hours because residents expressed concern about the 17 million price tag. Then, she stated that on January 26, 2021, Town Staff submitted to Miami-Dade County Public School Board, the 17 million design option. Mrs. Luces stated that this Town Council gave direction to Town Staff to come back with different pricing options - 4.5, 8.9, and the 17 million option- but she asked -where are those options? She stated that when she requested the public records request, she only received the 17 million option. She asked what happened to the other pricing options? What happened to the workshop? Mrs. Luces stated that "if we are having items administratively approved, then what is Council's part?"

Mr. Lazaro Agacha came to the Town Council and presented a proposal to run a year-round basketball program. Currently owns 305 Sports, a youth basketball academy and goal is run an academy in Miami Lakes. He said that he would like to put an air gymnasium where the basketball courts are at Miami Lakes Optimist Park. He stated that he submitted the proposal to Mr. Danny Angel and that he is looking forward to doing business in TOML.

Ms. Lynn Matos came to the Town Council to speak in support of Councilmember Tony Fernandez' Item 14E - in support of the license plate initiative. Ms. Matos stated that this initiated was first discussed in 2017-2018 and funds were allocated then; she asked the Town Council to move forward and complete the project. She also stated that in the past when safety issues were presented, we did what we had to do for the sake of safety which is paramount. She mentioned that some initiatives were passed in Miami-Dade County and that they seem to be broad reaching initiatives. Ms. Matos finalized her comments by stating that she would encourage and support Councilmembers Fernandez' item and to move this forward without any delay.

There being no one else in Council Chambers wanting to participate in the in-person Public Comments section of the Agenda, the Town Clerk proceeded to read the names of the online participants and asked if they would like to speak

Ms. Esperanza Reynolds participated via Remote Public Comments. She thanked the Town Council for the Special Presentations in honor of Mr. Reinaldo Arenas regarding his legacy and she shared her personal experience from her time living in Cuba, in relation to the struggles of human rights. She stated, "Thank you for recognizing the struggle of human rights only 90 miles away from our shore." Ms. Reynolds stated that she and others are delighted to hear that we are returning to in person meetings, but she questioned why members of the public are unable to call in to comment during the Public Comments; she mentioned that on Thursday, June 17th there will be a special taxing district section one meeting and that they would much prefer to call in with comments. As for new business items, she is in 100% agreement with the Town Council getting involved with school curriculum. She congratulated Councilmember Dieguez for his item. She also applauded the effort of finding hurricane resilient material to ensure safety for property owners and asked the Town Council to consider steel seamless roof material. Ms. Reynolds also stated that she stands with the people of Israel and for resolving against hate and violence in the Jewish community. Ms. Reynolds congratulated the Communications Department and the videos highlighting Miami Lakes and the beautiful newsletter of Miami

Lakes shared by the Director of Communications, Ms. Clarisell De Cardenas are simply best in class. She also congratulated the work of TOML Town Clerk, Ms. Gina Inguanzo, for her work of her minutes in meetings, the immediate recognition of public records requests and the organization of information- they are worthy of mentioning. Finally, Ms. Reynolds mentioned that the Building Ad Hoc Committee is doing a superb job - in building end to end permit process. She ended her comments by giving a special recognition to Mr. German Cure's work.

Ms. Kristina Olney participated via Remote Public comments. She greeted the Town Council and spoke in support of the resolution introduced by Councilmember Dieguez. She is the Director of Government Relations of the Victims of Communist Memorial Foundation, a non-profit non-partisan organization authorized by Congress educating the American people about the history legacy and impact of communism. That the majority of young Americans simply do not know the history of these regimes, they don't know that there have been one hundred million victims of communism and they don't know or the crimes committed by communist dictators like Stalin, Mao and Castro. Ms. Olney stated that this is why her organization is urging state legislatures across the country to teach about this history of communism; that Florida just became the first state. She explained that HB 5, the Portraits and Patriotism Act, this legislation requires social studies courses in public high schools to include a comparative discussion of communism and totalitarianism with the principals of freedom and democracy. She mentioned that her organization has already developed a curriculum supplement on the history of communism that we are gripping high school and middle schools across the country; that they have an award-winning history video series, "the witness project" that shares the stories of these victims of communism -one of the recent witness project episodes that her organization produced was on the incredible legacy of Oswaldo Paya, who is father of Rosa Maria Paya, one of the guest speakers who was in Council Chambers with the Town Council on this evening. These resources are available on the website of our organization www.victimsofcommunism.org. She finalized her comments by urging the Town Council to pass this important resolution.

Ms. Lourdes Aladin, Ms. Jasmine Mesa and Mr. Albert Del Castillo were participating remotely and in support of Item 12B; they refrained from speaking at this time but made themselves available to answer questions that the Town Council may have.

The Town Clerk announced that 2 written public comments were received – one from Ms. Hope Reynolds and the other from Ms. Bonnie Cintron. Town Clerk Inguanzo also stated that those two emails were shared with the Town Council and that she printed and placed them on the Dais, for their convenience. Physical copies were also made available for the public.

Mayor Cid recognized that Mr. Daniel Gil Gonzalez, District Aide for State Representative Tom Fabriccio was in Council Chambers, and he was welcomed to the Regular Council Meeting.

Vice Mayor Collazo took a moment of personal privilege to recognize that the Miami Lakes Optimist Park is hosting a baseball tournament and he mentioned that the following cities are participating in said tournament: City of Hollywood Hills, City of West Pembroke Pines and Cooper City.

At this moment, Councilmember Alvarez joined the meeting in person.

7. APPOINTMENTS:

Mr. Dave Oliver to the Sports Hall of Fame, by Councilmember Tony Fernandez.
Mr. Josh Rios to the Youth Activity Task Force, by Councilmember Marilyn Ruano.
Ms. Annette Bueno to the Special Needs Advisory Board, by Mayor Manny Cid.
Mr. Angel Armesto to the Blasting Advisory Board, by Councilmember Marilyn Ruano.
Mr. Mario Pinera III to the Youth Activity Task Force, by Councilmember Carlos O. Alvarez
Ms. Nicole Ortiz to the Veterans Affairs, by Councilmember Jeffrey Rodriguez.
Mr. Daniel Gonzalez to the Youth Activity task Force, by Vice Mayor Collazo.

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

8. COMMITTEE REPORTS

A. Cultural Affairs Committee

Chairman Neill Robinson presented to the Town Council, the committee report that was discussed and approved by the CAC committee on May 24th. Chairman Robinson explained that approximately three meetings ago, the CAC came to the Town Council and asked permission to add three new line items – three new activities- that were not included in the 2019-20 fiscal year. Those three items were the Celebration of Mothers, Pride month and Juneteenth. The Chair reminded the Town Council that they gave the committee approval to move forward. Chairman Robinson went on to explain that because there was no funding available to implement, the CAC is hereby requesting authorization from the Town Council to move funds from one line item to another. Chairman Robinson explained that Town regulations stipulate that in order to move money from one line item to another, it can't exceed the \$700 threshold. He also stated that these events will exceed the \$700. Thus, Chairman Robinson asked the Town Council to give the CAC authorization to make the transfer; he also explained that because of COVID-19, the CAC was limited in its ability to implement various events, and now has some dollars available.

Chairman Robinson answered questions posed by the Town Council, and stated that the CAC will like to add these events to their upcoming fiscal year budget and that they will make a request to increase their budget during the budget season.

Chairman Robinson stated that the Graham companies have donated a considerable amount of financial support toward the Pride Month celebration taking place on June 26th and he asked, on behalf of the CAC, authorization to move \$1,500 from the Concert of the Fairway line item to the cover the expenses of this event.

Secondly, Chairman Robinson stated that Celebration of Mothers and Gift of Life Event was approved but that this event was being postpone until August; that committee member Elsa Reus was going to help underwrite the cost by fundraising the event.

Regarding Juneteenth, Chairman Robinson explained that it is a holiday celebrating the emancipation of those who had been enslaved in the United States. He stated that the CAC will be hosting this event on June 19th at 6 pm, at the Roberto Alonso Community Center.

Chairman Robinson also spoke about the June 19th morning event -Father's Day Fishing Tournament- taking place at the Miami Lakes Optimist Park Club Marina. Chairman Robinson requested a transfer of \$700 from the Hispanic Heritage line item.

Mayor Cid made a motion to approve the Juneteenth Freedom Day event and it was seconded by Councilmember Alvarez. The motion passed and all were in favor.

Regarding the Pride Month, Councilmember Rodriguez moved it. The motion received no second so the motion failed.

Councilmember Dieguez asked for a moment of personal privilege and explained why he did not second the motion.

Mayor Cid also took a moment of personal privilege and explained why he did not second the motion.

Town Attorney Raul Gastesi cautioned the Cultural Affairs Committee and the Town Council and emphasized that the CAC must look at the enacting resolution. He explained that there are two choices to follow: either to change the enacting resolution or look at what it says and be careful with the activities that the committee is putting together. Town Attorney Gastesi stated that he supports each of these causes and that they are legitimate but that we are talking about the Cultural Affairs Committee – which was enacted to establish a cultural identity and activities that will further the development of a climate of art, music, theater, recreational classes, etcetera; he emphasized that all the activities need to fit within the enacting resolution or that the language of the resolution needs to change.

Chairman Robinson closed his remarks by saying that the CAC will govern themselves accordingly, based on what the Town Attorney shared and that they will follow the letter of the resolution.

9. SPECIAL PRESENTATIONS: NONE

10. CONSENT CALENDAR:

Councilmember Dieguez made a motion to move the Consent Calendar. The motion was seconded by Councilmember Rodriguez. All were in favor.

- A. Approval of Minutes
 - May 11, 2021 RCM

The item was approved on Consent Calendar.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO UTILIZE CITY OF MIAMI CONTRACT 783382-24 WITH ROBERTSON INDUSTRIES, INC. WAIVING THE PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO ACCESS THE CITY OF MIAMI CONTRACTS

AND TO IMPLEMENT THEIR TERMS AND CONDITIONS; AUTHORIZING THE TRANSFER OF FUNDS FROM THE INFRASTRUCTURE SINKING FUND CONTINGENCY RESERVE LINE ITEM TO AN EXPENSE LINE ITEM FOR MIAMI LAKES OPTIMIST CLUB; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Cid pulled this item for discussion. He stated that he would like the Town to go into a bigger pool and provide more, bigger services at similar costs; to provide a lot of benefits to our employees. He thanked Ms. Cynthia Alejo, Human Resources Specialist, for the great work she does on a daily basis.

Mayor Cid then proceeded to make a motion to approve the item and it was seconded by Councilmember Alvarez. All were in favor.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR RFQ 2021-21, TO A&A INSURANCE SERVICES FOR AGENT/BROKER OF RECORD FOR INSURANCE SERVICES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

The item was approved on Consent Calendar.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SHORTLIST OF TOP THREE ARTISTS SELECTED BY TOWN'S MiGlo ARTIST SELECTION COMMITTEE; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR THE CONSTRUCTION AND DESIGN OF ARTWORK WITH THE TOP RANKED ARTIST CAROLA BRAVO, AND IF AN AGREEMENT IS NOT REACHED, THE AUTHORITY TO NEGOTIATE WITH THE NEXT SUBSEQUENT RANKED ARTIST; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

The item was approved on Consent Calendar.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, IN SUPPORT OF AN INDEPENDENT STUDY UNIVERSITY STUDY REGARDING THE EFFECTS OF MINE BLASTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE

The item was approved on Consent Calendar.

- F. A RESOLUTION OF THE TOWN OF MIAMI LAKES, TOWN COUNCIL, APPROVING THE STORMWATER INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR THE PROVISION OF CANAL MAINTENANCE SERVICES; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUN PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

The item was approved on Consent Calendar.

- G. A RESOLUTION OF THE TOWN OF MIAMI LAKES, TOWN COUNCIL, APPROVING AN JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY FOR ROAD IMPACT FEE DOLLARS; PROVIDING THE TOWN MANAGER WITH AUTHORITY TO EXECUTE JOINT PARTICIPATION AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

The item was approved on Consent Calendar.

11. ORDINANCE- FIRST READING

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO LANDSCAPE REGULATIONS; AMENDING CHAPTER 13 “LAND DEVELOPMENT CODE”, ARTICLE V “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS”, SECTION 13-1508 “DRIVEWAYS AND PARKING SPACES”, DIVISION 6, CREATING A SUBDIVISION TO DIVISION 6; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fernandez introduced his item, by asking the students for the Legal Academy of the Miami Lakes Middle School and Ms. Susana Alonso, Principal Town Principal, to approach the podium and present the item.

Mayor Cid read the title of the ordinance into the record.

Ms. Susana Alonso, Principal Town Planner presented the item. She stated that the students from Miami Lakes Middle School Legal Academy worked on this item 100% and that she has only provided minimal guidance; that this Ordinance was their work product, their own thought process and their own studies. She introduced the students to the Town Council and stated that in her memo, she included the comments provided by the Planning & Zoning Board regarding this ordinance.

The students of Miami Lakes Middle School Legal Academy who came before the Town Council and presented a Powerpoint presentation in support of this ordinance were: Jocelyn

Hernandez, Mauritz Acosta, Gabriela Vega and Lucila Brigg. The students answered questions posed by the Town Council. The Town Council thanked the students for their excellent work, enthusiasm and professionalism.

Councilmember Fernandez moved to adopt the ordinance in first reading and it was seconded by Councilmember Rodriguez.

Ms. Susana Alonso answered questions posed by the Town Council.

The Town Clerk called the roll and the motion passed 7-0.

12. ORDINANCE IN SECOND READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO TRANSPORTATION REGULATIONS; AMENDING CHAPTER 35, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE III, "COMMUNICATION FACILITIES IN PUBLIC RIGHT-OF-WAY", AT DIVISION 7, "DOCKLESS MOBILITY"; RELOCATING DIVISION 7 "DOCKLESS MOBILITY"; CREATING CHAPTER 20, "TRANSPORTATION"; CREATING ARTICLE I, "MULTIMODAL TRANSPORTATION"; RECREATING AND AMENDING DIVISION 5, "MICROMOBILITY DEVICES"; PERMITTING AND REGULATING THE PLACEMENT AND USE OF MICROMOBILITY DEVICES ON THE TOWN'S RIGHTS-OF-WAY; INTRODUCING FLEXIBILITY FOR IMPLEMENTATION; 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.

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

Mayor Cid opened the Public Hearing. There being no one wishing to speak, the Mayor Cid closed the Public Hearing.

Councilmember Dieguez moved to adopt the proposed ordinance. Councilmember Fernandez seconded the motion.

Town Manager Pidermann presented the item. He stated that this ordinance is to allow for the use of micromobility devices on the Town's rights-of-way.

Mr. Jorge Conforme, addressed the Town Council and provided a brief summary as to where the industry is statewide. Vice Mayor Collazo thanked Mr. Conforme for the safety feature in his product and thanked him for taking the time of meeting with him and answering all the questions he had. Vice mayor Collazo stated that safety precautions are very important for him.

Mr. Mike Zayas, Transportation Manager, added that safety precautions will be detailed in the resolution that will be presented to the Town Council at the July Regular Council meeting.

The Town Clerk called the roll and the ordinance in second reading passed 7-0.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,500,000 AGGREGATE PRINCIPAL AMOUNT OF STORMWATER UTILITY SYSTEM REVENUE BONDS, SERIES 2021, TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE MONEYS, TO FINANCE THE COSTS OF IMPROVEMENTS TO THE TOWN'S STORMWATER UTILITY SYSTEM; PROVIDING THAT DETAILS, TERMS AND OTHER MATTERS RELATING TO THE ISSUANCE OF THE BONDS SHALL BE ESTABLISHED OR PROVIDED FOR IN A SUPPLEMENTAL BOND RESOLUTION; PROVIDING THAT THE BONDS WILL BE SECURED AND PAYABLE FROM THE NET REVENUES OF THE TOWN'S STORMWATER UTILITY SYSTEM, AS MORE SPECIFICALLY DESCRIBED IN THE SUPPLEMENTAL BOND RESOLUTION; AUTHORIZING THE TOWN MANAGER TO PROCEED TO DEVELOP THE NECESSARY DOCUMENTS TO SELL AND ISSUE THE BONDS AND TO DETERMINE THE SPECIFIC DETAILS OF THE BONDS WITHIN THE PARAMETERS SET FORTH IN THE SUPPLEMENTAL BOND RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Cid opened the Public Hearing. There being no one wishing to speak, the Mayor Cid closed the Public Hearing.

Councilmember Fernandez moved to approve the ordinance in second reading and the motion was seconded by Councilmember Rodriguez.

Town Manager Pidermann presented the item. The Town Clerk called the roll and the ordinance in second reading passed 7-0.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR A SHORT TERM INTERFUND LOAN FROM UNRESTRICTED GENERAL FUND BALANCE TO CAPITAL FUNDS IN AN AMOUNT NOT TO EXCEED \$2,500,000; PROVIDING FOR TRANSFER OF FUNDS; 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.

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

Mayor Cid opened the Public Hearing. There being no one wishing to speak, the Mayor Cid closed the Public Hearing.

Councilmember Fernandez moved the ordinance in second reading. Councilmember Dieguez seconded the motion. The motion passed 7-0.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 20-269; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Fernandez motioned to approve the resolution and the motion was seconded by Councilmember Rodriguez.

The Town Clerk called the roll and the motion passed 6-1; Mayor Cid voted in opposition.

14. NEW BUSINESS ITEMS

A. Updates on New Business Items (Alvarez)

Councilmember Alvarez presented his item and motioned for the Town Manager to communicate with the Town Council, all progress pertaining to the new business items and on-going projects that have been approved, in a concise recap manner. The motion was seconded by Mayor Cid and all were in favor.

B. Portraits in Patriotism Curriculum (Dieguez)

Councilmember Dieguez presented the item and explained that he would like a resolution to be drafted, urging Miami-Dade County Public School Board to begin developing and implementing a curriculum contained in HR 5, also known as Portraits in Patriotism Act. He motioned to adopt the item as written in the memorandum, attached in the Agenda Packet. Councilmember Ruano seconded the motion. The motion passed and all were in favor.

C. Budgeting Standard Operating Procedure (Cid)

Mayor Cid pulled the item and stated that he would like his item to be discussed during the budget cycle, during the Sunshine Meeting on the Budget, scheduled to take place on July 15th, 2021. All were in favor.

D. CDC Guidelines for Mask Requirements (Ruano)

Councilmember Ruano presented the item and explained the reasons why she would like for the mask mandate for Town Staff to be removed. She stated that she would like to give the

Town Staff the same freedoms that have been giving to our residents when they come to Council Chambers and interact without masks.

Councilmember Ruano motioned to allow Town Staff members – who do not want to wear a mask because they are vaccinated, because they already had COVID-19 and have the antibodies, or because they feel less constricted – to allow them to do that at their own discretion. Councilmember Dieguez seconded the motion.

Deputy Town Attorney Cobiella explained that this is an issue where we can't create new rules; he explained that this is an issue already regulated by OSHA, and that by OSHA standards, we are not allowed to go ahead and allow our staff members to not wear masks. He explained that COVID is considered dangerous. He also stated that the Town Manager and Town Attorney Gastesi have done extensive research and that although CDC guidelines have changed – OSHA has not changed their guidelines yet; they are currently reviewing the guidelines in view of the CDC guidelines.

After discussion, Town Attorney Gastesi asked the Town Council to move to another item and to revisit this item later on the night. The Town Council granted the Town Attorney's request and moved on to another item, with the caveat that they would come back later on the night to finish the discussion started of Item 14D.

E. County-Wide LPR System (Fernandez)

Mayor Cid made a motion to waive the rule of Section 7.2 of the Special Rules of Order. Councilmember Ruano seconded the motion.

Councilmember Fernandez presented the item and explained that this item is on the heels of the tragic shooting that happened over Memorial Day weekend; he explained the spirit of the item and motioned for us to work with the Miami-Dade County League of Cities and Miami-Dade County – to create a cohesive countywide LPR system where the system speaks across different municipalities; to implement a county-wide LPR Program and ask for the endorsement of the Miami-Dade League of Cities. Councilmember Alvarez seconded the motion. All were in favor.

Councilmember Dieguez stated that Miami-Dade County is already working on this and that he, being the representative of the Town with the League of Cities, will be happy to push to get more action from them on the city level.

F. 5G Monetization (Dieguez)

Mayor Cid made a motion to waive the rule of Section 7.2 of the Special Rules of Order. Councilmember Ruano seconded the motion.

Councilmember Dieguez presented the item and explained the intent- which is to expand the availability of 5G and to add more revenue to our budget, so that it is not so dependent on our taxpayer's money. The goal here is for this to be able to identify certain facilities – such as ground poles- that we can offer for rent. This program would be a step toward monetizing some of our assets, while we expand availability of 5G- which is great for the town and our businesses. Councilmember Dieguez motioned for the Town Manager to conduct a study on this matter, prepare a report to the Town Council within 60 days, stating the eligible facilities

available to offer for rent; if the study determines it is feasible, the Town Manager to prepare a report to the Town Council by the end of the current calendar year, establishing the terms and guidelines for said program and issue an RFP accordingly. The motion was seconded by Councilmember Fernandez. All were in favor.

G. Hurricane Resilience (Cid)

Mayor Cid presented the item and stated in the recent past, the Town Council has done great things by amending the Town Code, which have led to great hurricane resilience in our community. Mayor Cid then made a motion directing the Town Manager to direct Town Staff to conduct a thorough and extensive review of our Town Code, to find more areas to assist our residents with Hurricane resilience. The motion was seconded by Councilmember Rodriguez and all were in favor.

H. Update on Council Special Rules Regarding Attendance (Ruano)

Councilmember Ruano presented the item and explained that during the February 2021 Workshop on Parliamentary Rules, she asked the Parliamentarian, Mr. Medina, about rules on attendance for council meetings. At the workshop, Mr. Medina explained that the Town Council, as the governing body, had the power to determine what attendance rules would be. Councilmember Ruano explained that she read the Town Charter and that the Charter mentions absenteeism but lacks a definition of what absent means. Therefore, she asked the Town Attorneys on the April Regular Council Meeting, to research on this matter and let us know what constitutes being absent on a meeting. Councilmember Ruano stated that she would like for some kind of parameter defining absence to be included in the Special Rules of Order, in order to control the Town Council procedures. Councilmember Ruano emphasized that all she wants is to get a clear definition of what absence means regarding attendance rules. Councilmember Ruano also mentioned that because the Town Council is mandated to vote on items, she asked the Town Attorneys if elected officials are in violation of Florida Statute when they do not vote on items.

Both Town Attorneys responded that if an elected official is present in a meeting, the elected official has the responsibility to vote, unless there is a conflict of interest. It was also stated that residents can recall elected officials and that it is stipulated under Florida law and under the Town Charter. Town Attorney Gastesi explained that you are either absent or you are not; that because our Town Charter does not define what absent means, you have to go with the common definition. He explained that for him, if you are in the meeting for part of the meeting, you are partially absent, and that you will not be marked absent. Town Attorney Gastesi stated that if you are uncomfortable with the language, you would have to amend the Town Charter to change the Charter provision.

Deputy Town Attorney Cobiella explained that the Town Charter mentions forfeiture by absence but does not provide any mechanism for you to define any additional procedures, or to do anything else, only to follow what that section says- which is for the Town Council to be the judging jury and decide whether or not an elected official has or has not a good excuse for being absent or not. He mentioned that the word absence does not provide further meaning. It was also explained by Deputy Town Attorney Cobiella, that in order to amend the Town Charter to include a definition for the word absent, for it to include extreme tardiness or not present in a meeting, the Town Council would need to revisit the Town Charter and the term

that is there. He explained that if you decide to define it via the Special Rules of Order, it would be like amending the Town Charter because you would be taking the word absent and expanding the definition of said word, and by doing so, you would be offending that statute that says that any future provisions in the Town Charter need to be amended via a referendum.

Vice Mayor Collazo asked the Town Attorneys what other municipalities have done in this regard. Deputy Town Attorney Cobiella mentioned that most of the cities that his legal memo cited, discuss forfeiture by absence, do not define the term absence, per se; that they do define absence in their code or ordinances, as applied to boards and committees and not to the Town Council. He also mentioned that most cities do not have forfeiture by absence and that the ones that do, Deputy Town Attorney Cobiella mentioned them in his legal memo. He explained that the Town Charter of Miami Lakes, in the forfeiture by absence, it does not say anything about the Town Council getting the chance to create additional rules or additional definitions. If it did, then the Town Council could create provisions via the Special Rules of Order. He concluded his legal opinion by stating that if the Town Council wants to determine what absence by forfeiture means, a Town Charter amendment would need to be voted upon with a resident referendum.

After lengthy discussion, no motion nor action was taken on this item.

I. Protection of Town Property (Fernandez)

Vice Mayor Collazo made a motion to waive the rules and the motion was seconded by Councilmember Dieguez. All were in favor.

Councilmember Fernandez presented the item and explained that many objects and projects exist in the public right of way and that he would like for an ordinance to be drafted that protects these town assets from potential nefarious actors and for the TOML to be able to pursue civil action on this manner. Councilmember Fernandez added that the ordinance from the City of Miami, in particular section 37-2, caught his attention. He would like Section 37-2 to be used as a model- for him to work with the Town Attorney to review it and draft a similar ordinance.

Councilmember Fernandez motioned to adopt an ordinance similar to the ordinance from the City of Miami and for him to work with the Town Attorney on this regard. The motion was seconded by Councilmember Rodriguez and all were in favor.

Major Ruiz explained that if someone vandalizes any property owned by the TOML, it would be a criminal offense. He stated that not a big number of vandalism cases are reported in the town.

All were in favor.

J. Stormwater improvement Funds/West Lakes Drainage Improvements (Cid)

Mayor Cid presented the item and stated that he would like for Town Staff to examine the possibility of mitigating the West Lakes drainage systems issues in conjunction with other ongoing stormwater improvement projects. Mayor Cid then made a motion directing the Town Manager to move the resources to start the plan immediately for West Lakes drainage system issues in conjunction with the other pending improvement projects in the West Lake area. The motion was seconded by Councilmember Fernandez. All were in favor.

Vice Mayor Collazo asked for everything to be looked in its totally and maybe identify other deficiencies in that area and perhaps take care of other needed projects at this moment, mobilize the projects and crew now and not in the future. Mayor Cid agreed with Vice Mayor's suggestion.

Town Manager Pidermann agreed that the ongoing improvement projects in the West Lakes drainage area and the permits for the design will be the first task that the new employee will target; work orders will be expedited so that these projects get done as soon as possible,

K. Resolution Condemning Hatred and Violence against the Jewish Community (Fernandez)

Mayor Cid made a motion to waive the rules and the motion was seconded by Councilmember Dieguez. All were in favor.

Councilmember Fernandez presented the item and explained that Anti-Semitism acts nationwide continue taking place and he presented the Town Council with a resolution condemning these acts and asked them to review and consider it. Councilmember Fernandez then made a motion to move forward with the language of the resolution presented. Mayor Cid seconded the motion. There was no discussion and all were in favor.

15. MAYOR AND COUNCILMEMBER REPORTS: NONE

16. MANAGER'S REPORTS

A. Wall on 87th Avenue (Mesa)

Mr. Mike Mesa, Building Official, provided a report on the wall on 87th Avenue. He stated that 21 notices have been issued; one resident has already painted the wall, three residents have already requested an extension and he stated that by the end of the week, all notices will be issued. Mr. Mesa answered questions posed by the Town Council and stated that all residents will need to paint the wall in the same color – that is the color used in Serenity Pointe.

B. Town Manager's Monthly Police Report (Major Ruiz)

Major Javier Ruiz presented the report. He reported that the number of crimes remained stable; Special Needs Registry went on-line, school has ended so patrol efforts will be targeting more on evenings and on businesses and on traffic violations. He spoke about the Bike Rodeo taking place on Saturday June 17th.

Mayor Cid made a motion to direct the Town Manager to officially request from the Miami-Dade Police Department to work with us in the installation of the LPR's on the Miami-Dade County roads, and for this to be worked on in an expeditious manner. Councilmember Rodriguez seconded. No discussion took place. The motion passed and all were in favor.

C. Monthly Infrastructure Report (Acosta)

Mr. Carlos Acosta, Public Works Director, presented his monthly report and provided an overview on the following Capital projects:

Safe Routes to School- Bob Graham Educational Center, he stated that FDOT gave the TOML the concurrence sign, so he explained that in the July RCM, an item to award the design to a consultant, will be presented to the Town Council; regarding the West Lakes Drainage Improvement Project, he stated that 60% has been completed and on target to have this project completed by August; regarding the 59th Avenue Extension project, Mr. Acosta stated that the plans are being reviewed by Town Staff and by FDOT and that land acquisition activities are on-going; regarding the NW 83rd Place Drainage Improvement project, the lake owner backed out and Town staff is working with another outfall option. Another property owner on NW 83rd Place spoke to the Public Works Director and told him that he was ok with allowing an outfall to go thru his property; regarding Streetlights Improvement projects, he stated that in the next 30 days, the town will be ready to go out for a bid; he mentioned that they are waiting for the agreement for the generator of Roberto Alonso Community Center; regarding the Fairway Drive Mid-Block crossing, consultant collected the traffic data and submitted it on the County for approval; regarding Montrose Road Mid-Block crossing, the project is in the design phase and the consultant will submit to the MDC DTPW for plans review. Mr. Acosta commented that the County is taking a long time for them to review.

Direction was given to the Town Attorneys for them to reach out to Miami-Dade County and try to reduce the waiting time of the mid-block crossings, that are in our roads and maintained by the TOML; direction was given for the Town Attorneys to try to assist with the interpretation of the County ordinance regarding existing mid-block crossings. Town Attorney Gastesi stated that he will look into the Road Transfer Agreement and provide their legal interpretation. Mayor Cid also asked the Town Attorneys to provide with a legal interpretation of putting signs on the light poles on 67th and 87th Avenue.

Regarding Roadway Maintenance, he mentioned about road pavement markings and that 80% of the first working order has been completed. He mentioned that the second work order for NW154 ST intersections to be issued in June. He mentioned that they are doing the crossings that are located near school areas and in high traffic areas.

D. Monthly Report on Miami Lakes Optimist Park (Angel)

Mr. Danny Angel, Parks and Recreation Director, provided an update on Miami Lakes Optimist Park. He informed the Town Council that the meeting with the School Board was a successful one. He stated that the School Board gave them a green light to proceed with the conceptual design and that the School Board is about to update the Joint Use Agreement; they are adding some COVID language to it and in 2 to 3 months. He stated that Town Staff will be presenting a workshop to discuss that option and all other options requested by Vice Mayor a couple years ago.

Councilmember Ruano asked about the all-in design that Town Staff has been talking to the School Board about; she specifically asked why was that design presented to the School Board, if the Town Council has not approved the final design yet. The Town Manager explained that the design presented to the School Board was the all-in option; that the other options that will

be presented to the Town Council in a workshop, will be much simpler and least expensive. Town Manager Pidermann emphasized that nothing has been approved until all the options are presented to the Town Council at the workshop, and at that workshop, the Town Council will give direction to the Town Manager. Town Manager Pidermann explained that the design is only an exhibit and if the Town Council decides to approve a different design, a different design will be attached to the JUA.

Vice Mayor Collazo mentioned that Mayor Levine Calla, in her visit to the town, mentioned about partnering with the County and bringing County funds -a bond- towards this project. Vice Mayor Collazo asked Mr. Angel to include this as an option and for this to be included in future conversations.

Councilmember Dieguez mentioned that he would like for us to explore County general obligation funds. He also stated that he can reach out to the Miami-Dade County League of Cities and work with other municipalities and get the conversation going on a Countywide level. Councilmember Dieguez also asked Mr. Angel to inspect and address the dugout roofs and the water protrusion situation. Vice Mayor Collazo mentioned that he has seen the shaded structures for bleachers and that they are great; he also added that he is grateful for the relaunching of The Marina- he thanked Mr. Angel for his efforts and time regarding this matter.

Councilmember Alvarez mentioned that he would like for the menu of options to also include a multipurpose facility with a basketball gymnasium and supplemental programming rooms for afterschool programming for summer camps and enrichment opportunities; indoor recreational activities to be held outdoors.

Mayor Cid acknowledge that an individual came before the Town Council during tonight's RCM and submitted an un solicited proposal; Mayor Cid mentioned that un solicited proposals need to go through an open and transparent process. Mayor Cid then made a motion directing Town Staff to go thru the unsolicited process, in order to evaluate the unsolicited package. The motion was seconded by Councilmember Fernandez.

Councilmember Ruano asked the Town Attorneys to explain the unsolicited proposal process. Deputy Town Attorney Cobiella explained that Florida Statutes provide that you take in the P3 proposal and then you create a RFP and allow other individuals to bid on the same project. He explained that it is a mechanism to allow people to present ideas to the Town Council but you have to be transparent and open in the process. Mr. Angel answered questions posed by the Town Council. After some discussion, all were in favor of Mayor Cid's motion.

6. ATTORNEY'S REPORTS:

Town Attorney Gastesi reported that in the Pizzi case is moving forward. He officially asked for an Executive Session for the next few weeks.

Regarding the Bridges Litigation, the Town Attorney made reference to an email he sent the Town Council. He also requested an Executive Session for this case.

Regarding the legal question that he was asked to research during the discussion of Item 14D - the mask mandate for Town Staff to be removed- he provided the following explanation: that the OSHA's website says that you have to wear masks, even if you are vaccinated; that the CDC Website says that you are don't if you are vaccinated. The Town Attorney stated that its

up to the Town Council to decide what to do but that it is the Town Manager's final call, because he makes decisions about employees.

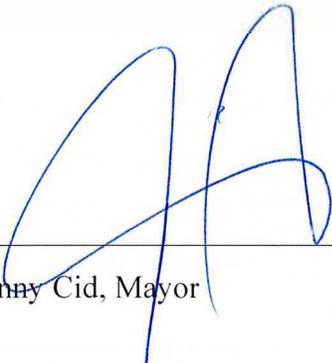
The Town Manager expressed that his desire is for vaccinated people to go without wearing a mask, because that is the guidance from the CDC. That OSHA and EEOC will catch up with the CDC very soon. He asked to please postpone any action until the July meeting and that he might take action before the July meeting. Councilmember Ruano understood the explanation but stated that she wanted to take it a step further – to make the masks optional – whether you are vaccinated or not.

Councilmember Ruano then made a motion to remove the mask mandate for the Town Staff in Town Hall, effective immediately. Vice Mayor seconded for discussion. After discussion, the question was called and the motion failed, 2-5.

18. ADJOURNMENT:

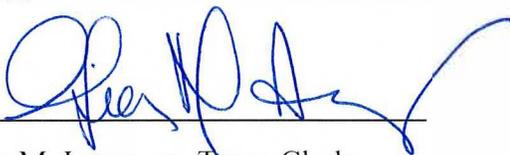
There being no further business to come before the Town Council, the meeting adjourned at 10:45 pm.

Approved this 8th day of June 2021



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk