

**MINUTES**  
**Regular Council Meeting**  
**October 12, 2021**  
**6:30 p.m.**  
**Government Center**  
**6601 Main Street**  
**Miami Lakes, Florida 33014**

**1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:**

Councilmember Rodriguez presented the proclamation to Intensity Dancers' Studio who then thanked everyone that has made the dance studio a success business for the last 20 years.

Councilmember Rodriguez presented a certificate of recognition to Ms. Gloria Garcia for her advocacy making cancer a national priority. She has been recognized as the first Hispanic Lead Ambassador in Florida and was awarded the 2021 State Lead Ambassador of the Year by the American Cancer Society Cancer Action Network. The Town of Miami Lakes proudly recognized Ms. Garcia for her hard work and dedication. Ms. Garcia then thanked everyone for their support.

Vice Mayor Collazo welcomed everyone to the Regular Council Meeting.

**2. ROLL CALL:**

The Town Clerk, Gina M. Inguanzo, called the roll at 6:44 pm with the following Councilmembers being present: Carlos O. Alvarez, Josh Dieguez, Tony Fernandez, Jeffrey Rodriguez, and Vice Mayor Luis E. Collazo. Councilmember Marilyn Ruano arrived at 6:51 pm and Mayor Manny Cid joined virtually at 7:00 pm.

**3. MOMENT OF SILENCE:**

Pastor Louis Egipciano from Elevate Church led the prayer.

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

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of the Allegiance was led by Councilmember Dieguez.

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

Councilmember Rodriguez pulled Item 14H and stated that after having conversations with Director Daniel Angel, he will be modifying the item prior to bringing back to the Town Council. Councilmember Rodriguez also moved up Items 14B and 14G to before public comments to let the public speak on those items. Councilmember Fernandez pulled Item 10C and Councilmember Alvarez pulled Item 10B for discussion.

Councilmember Dieguez then made a motion to adopt the Order of Business as amended and Councilmember Fernandez seconded. All were in favor and the motion passed.

Then, Vice Mayor Collazo proceeded with the discussion of Item 14B and the of Item 14G.

## **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.

Mr. Pedro Fiallo came to the Regular Council Meeting and participated in-person public comments. He presented a Certificate of Appreciation to the Town of Miami lakes from the United States Coast Guard, for the service they are giving us.

Ms. Bonnie Cintron came to the Regular Council Meeting and participated in-person public comments. She wanted to remind the Town Council that they were elected because residents hoped they would be placed as the main objective. However, Ms. Cintron stated that she feels as though increasing taxes to renovate the Miami Lakes Optimist Park is not just and that the voting should only be allowed for the residents paying for it and not everyone. She ended by stating she does not see the Town Council as enemies and asked to please do the right thing.

Ms. Enid Lomax came to the Regular Council Meeting and participated in-person public comments. She voiced concerns on the Optimist Park bond issues; she stated that if the park is not owned by Miami Lakes, why Miami Lakes property/homeowners are being asked to pay for the proposed upgrade; that \$1million dollars are paid per year for having the right to use the park through a user agreement but questions are still to be determined; she also asked to please consider her comments as a public records request. Ms. Lomax questioned why Miami Lakes homeowners have to pay for the park and why are non-homeowners allowed to vote for the park; she also asked how much revenue does the park generate to Miami Lakes and if it is true that the School Board does not pay taxes for those parcels of property owned at the Optimist Park.

Ms. Esperanza Reynolds came to the Regular Council Meeting and participated in-person public comments. She asked to please consider returning to cards to be filled out for public comments because she finds doing so through a recorded video is dangerous. Secondly, she stated she stands behind the Town Manager and congratulated Mayor Manny Cid on two decisions made which were selecting Marilyn Ruano for the Town Council and his vote to choose Ed Pidermann as Town Manager. Finally, Ms. Reynolds stated that she opposes the plans to renovate Miami Lakes Optimist Park and asks to put the vote up to qualified homeowners in the town.

Mr. Alex Ariano came to the Regular Council Meeting and participated in-person public comments. He stated that he feels as though reducing the speed limit even more is a speed trap that would only hurt business in Miami Lakes, since people will want to avoid the area. He then stated he also stands behind Town Manager Edward Pidermann.

Ms. Mirtha Mendez came to the Regular Council Meeting and participated in-person public comments. She stated that she is glad Councilmember Rodriguez pulled his item, Item 14H. Then, she stated that the Town Council is constantly breaking rules because six items of the new business items require rule waivers; why make rules if they need to be waived at every meeting. Ms. Mendez then addressed the Mayor Cid's suggestion on creating another committee to conduct an evaluation of the incumbent; Ms. Mendez stated that the Town Council is responsible to evaluate the Town Manager and not a committee; Ms. Mendez read from Resolution 18-1678, that "the Town Council shall evaluate the performance of the Town Manager, at least once annually".

Ms. Claudia Luces came to the Regular Council Meeting and participated in-person public comments. She also spoke about the creation of a committee to conduct an evaluation on the Town Manager and stated that nothing precluded the Town Council from evaluating the Town Clerk, so it should not preclude them from doing so for the Town Manager. She stated the responsibility is on the Town Council and not up to a committee; sometime decisions are difficult to make but they are decisions structured in a way that they have to be made by the Town Council.

Mr. Angelo Garcia came to the Regular Council Meeting and participated in-person public comments. Mr. Garcia stated that he feels as though sometimes, the Town Council run as great people that listen and speak out to the public but once elected no one listens to the public. He stated he is running to be part of the Town Council for that reason, to be able to communicate correctly with the public.

## **7. APPOINTMENTS:**

Ms. Nancy Aguirre to the Economic Development Committee by Councilmember Marilyn Ruano.

Ms. Lourdes Corvo to the Elderly Affairs Committee by Councilmember Marilyn Ruano.

Ms. Xiomara Castillo to the Elderly Affairs Committee by Councilmember Tony Fernandez.

Mr. William Barimo to the Neighborhood Service Districts – Royal Oaks by Councilmember Josh Dieguez.

Councilmember Rodriguez made a motion to approve the appointments and the motion was seconded by Councilmember Fernandez. All were in favor and the motion passed.

## 8. COMMITTEE REPORTS

### A. Cultural Affairs Committee

Chairman Neill Robinson presented to the Town Council, the committee report. The Chairman asked the Town Council to authorize the CAC to host a book reading to be held in Council Chambers on November 3<sup>rd</sup>.

Councilmember Rodriguez moved to approve the book reading and Councilmember Dieguez seconded the motion.

Vice Mayor Collazo asked if they would need additional funds and Chairman Robinson responded that it was all within the CAC budget – no request for additional funds were requested. Councilmember Ruano then asked if there are any legal ramifications to use Town Hall – a municipal building- as the venue to sell books and Town Attorney Gastesi responded that if the Town Council decides to allow it, that it is fine and that he does not see any issue.

All were in favor and the motion passed.

Chairman Robinson then invited the Town Council to a Nicaraguan Night, to take place on October 23<sup>rd</sup> from 6:30-9:30 pm to celebrate Hispanic Heritage Month.

The Chairman also asked the Town Council to allocate \$2,100 of last year's funds to provide an artist with enough paints and materials to paint an inclusive mural for children in the Youth Center. He stated that the artist has agreed to paint pro bono but that funds are needed for the materials. The Chairman stated that the CAC is in support of this mural and is in support of allocating the \$2,100 from last year's budget to be allocated to this year's budget. The Chair respectfully requested the Town Council to consider allowing the CAC to fund the project in the Youth Center.

Chairman Robinson also mentioned that the Town of Miami Lakes was invited by the City of Opa Locka to take part in a celebration for Hispanic Heritage Month.

The Deputy Attorney, Lorenzo Cobiella, pointed out that the Town Council should only consider budgetary items with backup material provided in the agenda by the committee, so that the Town Council and the community get a better understanding of the fiscal impact the item might have.

Vice Mayor Collazo pointed out that the agenda lacked the backup material regarding the \$2,100 funds. So, Vice Mayor Collazo asked where the funds are coming from, and Chairman Robinson asked the Town Council for it to come from the last fiscal year and be allocated to the new fiscal year -which begins on October 1<sup>st</sup> 2021 instead.

Vice Mayor Collazo then made a motion to bring the item back at a later date as a carry forward amendment and Councilmember Rodriguez seconded the motion.

Councilmember Dieguez asked the Chairman that he would like to see the rendering of the mural to approve it and emphasized that moving forward, the information needs to be provided in advance as backup material to the agenda. Councilmember Fernandez had similar thoughts to Councilmember Dieguez about knowing the cost beforehand; however,

he does not want to drag it out to January and suggested that the Chairman Robinson should include this request in the November council meeting. Councilmember Alvarez agreed with Councilmember Fernandez about bringing it back next council meeting.

Councilmember Fernandez then made a motion to amend the original motion to bring back this item at the November council meeting. Councilmember Rodriguez seconded the motion. All were in favor and the motion passed unanimously.

Mayor Cid then mentioned that he wanted to pull item 10G from the Consent Calendar to ask some questions. Vice Mayor Collazo then motioned to reopen the Order of Business and Councilmember Alvarez seconded the motion. Also, Councilmember Dieguez pulled 10E from the Consent Calendar. The motion passed and all were in favor.

Councilmember Dieguez then made a motion to adopt the Order of Business as amended and Councilmember Fernandez seconded. The motion passed and all were in favor.

## **9. SPECIAL PRESENTATIONS:**

None.

## **10. CONSENT CALENDAR:**

Councilmember Fernandez moved to approve the Consent Calendar. The motion was seconded by Councilmember Dieguez. The motion passed 7-0.

### **A. Approval of Minutes**

- September 14, 2021 Regular Council Meeting
- September 22, 2021 2<sup>nd</sup> Budget Hearing

This item was approved on the Consent Calendar.

**B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING WORK ORDER NO. 3 TO A.D.A. ENGINEERING, PURSUANT TO CONTRACT 2015-72, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY NINE THOUSAND, FIVE HUNDRED FORTY EIGHT DOLLARS AND 63/100 (\$139,548.63) FOR PROFESSIONAL ENGINEERING SERVICES FOR CANAL BANK STABILIZATION PROJECT, PHASE III; MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 21-285; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

This item was pulled from the Consent Calendar by Councilmember Alvarez and he mentioned that he wanted to have a discussion with his colleagues in regards to the following three points: 1) moving forward this item with the same design without a scope of work for a total of \$139,000 2) perhaps bidding out the project -were the vendor is the designer, engineering and the same vendor does the scope of work, and 3) to discuss the uniformity of the look of the canal stabilization.

Councilmember Rodriguez mentioned that he had similar questions/concerns and asked questions to the Public Works Director, Mr. Carlos Acosta. Mr. Acosta answered questions posed by the Town Council on issues regarding the phase three design fees, contractors, and the bank stabilization project in its entirety. Councilmember Ruano also stated that during the construction of Phase 2, there were significant issues and that she was told that the company that worked on this project had been the only bidder and that it was not a very experienced company. Councilmember Ruano then stated that if no qualified contractors bid, perhaps the Town staff should put it out again for bid. Mr. Acosta responded the staff will look at the contract in detail, look at the qualifications of the bidders and that look for a more experienced contractor.

Councilmember Rodriguez made a motion to reopen Public Comments and the motion was seconded by Councilmember Ruano.

Mr. Angelo Garcia participated in-person public comments to speak on this item. He stated that in the past he knew the canal stabilization project was broken before it was done. He felt as though the company was experimenting with the town's money to do the project. Mr. Garcia told the Town Council to consider using stamp concrete on the ground, on the base of the entire project, to resist any blasting. He also stated that why spend \$139,000 on the contractor when perhaps, someone from a university could take on the project and cost nothing for the Town.

Once Public Comments were closed, the Public Works Director, Mr. Carlos Acosta, came back up to the podium to address a few more issues relating to the canal stabilization project and the erosion, and he answered questions posed by the Town Council.

After discussion, Vice Mayor Collazo made a motion to amend the legislative priorities list to include construction and design funding from the legislature. Councilmember Rodriguez seconded the motion. The motion passed and all were in favor.

After further questions answered by Public Works Director Acosta, Councilmember Rodriguez moved the item as amended and Councilmember Fernandez seconded the motion. The motion passed 6-0 with Councilmember Dieguez being absent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2021-38 PARK AQUATIC MAINTENANCE SERVICES TO DEANGELO BROTHERS, INC. DBA AQUAGENIX IN AN AMOUNT NOT TO EXCEED \$73,200; 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.

Councilmember Fernandez pulled this item from the Consent Calendar for discussion and he mentioned that in this contract one thing included is testing of the lake water. Therefore, he requested that when the testing of the lake water occurs, the data be immediately shared with the corresponding HOAs.

Vice Mayor Collazo called for a 2-minute recess. The meeting then reconvened at 8:50 pm.

The Deputy Town Clerk, Ashley Shepple, called the roll with the following Councilmembers being present: Carlos O. Alvarez, Tony Fernandez, Jeffrey Rodriguez, Marilyn Ruano, and Vice Mayor Luis E. Collazo. Mayor Manny Cid was present virtually and Councilmember Dieguez was absent.

Councilmember Rodriguez moved the item as amended and Councilmember Fernandez seconded the motion. The motion passed 6-0 with Councilmember Dieguez being absent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2021-38, CANAL SLOPE MOWING AND MAINTENANCE SERVICES TO SFM LANDSCAPE SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$292,770; 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.

This item was approved on the Consent Calendar.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ACCEPTING THE TERMS AND THE EXECUTION OF AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMIDADE COUNTY ALLOWING THE TOWN TO REDUCE SPEED LIMITS ON CERTAIN ROADS; PROVIDING FOR AUTHORITY TO EXECUTE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar by Councilmember Dieguez for discussion and he addressed residents' concerns as far as speeding and reducing the speed limit.

Councilmember Dieguez moved to approve 10E and Councilmember Rodriguez seconded the motion. The motion passed 6-1 with Councilmember Ruano in opposition.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ACCEPTING THE TERMS AND THE EXECUTION OF AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMIDADE COUNTY ALLOWING THE TOWN TO PERFORM TRAFFIC ENGINEERING FUNCTIONS; PROVIDING FOR AUTHORITY TO EXECUTE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- G. A RESOLUTION OF THE TOWN OF MIAMI LAKES, TOWN COUNCIL, APPROVING A JURISDICTIONAL TRANSFER AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR RIGHTS OF WAY ALONG N.W. 77th COURT, FROM NW 82nd AVENUE TO NW 154th STREET; AUTHORITY TO EXECUTE JURISDICTIONAL TRANSFER AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar by Mayor Cid. He asked questions to the Public Works Director, Carlos Acosta, about long-term maintenance for this road. Mr. Acosta responded that the road is in good condition, and that he sees no maintenance in the foreseeable future.

Mayor Cid then made a motion to approve Item 10G and Councilmember Dieguez seconded the motion.

After discussion, Councilmember Dieguez made a motion to approve Item 10G and it was seconded by Councilmember Rodriguez. The Town Clerk, Gina M. Inguanzo called the roll and the motion passed 5-2; Councilmember Fernandez and Councilmember Ruano voted in opposition.

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING WORK ORDERS PURSUANT TO CONTRACT 2017-32(K) FOR MISCELLANEOUS ENGINEERING SERVICES, WITH KIMLEY-HORN AND ASSOCIATES, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY NINE THOUSAND NINETYFIVE DOLLARS AND 00/100 (\$149,095.90) FOR PROFESSIONAL ENGINEERING SERVICES FOR STORM WATER PROJECTS; MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 21-285; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE



TOWN MANAGER TO EXECUTE THE WORK ORDERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

#### **11. ORDINANCE- FIRST READING:**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; DELETING CHAPTER 4, ARTICLE V OF THE TOWN OF MIAMI LAKES CODE OF ORDINANCES, AND CREATING CHAPTER 13, ARTICLE VII, SECTION 13-1704 TITLED "GREEN BUILDING PROGRAM"; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Dieguez presented this ordinance and explained that this item came back in first reading with additional changes laid out in the memorandum. Councilmember Dieguez then stated this item is intended to affect buildings of a large size to increase the use of our resources and increase environmental sustainability. He then called upon Mr. John Brier to give a PowerPoint presentation on this ordinance about Green Buildings.

Councilmember Dieguez then moved to adopt the Green Building code as presented with the exceptions of requiring a 3(a) green roof, 3(d) permeable pavers, and 3(c) water recycling, as well as deleting Incentive 4(e). Councilmember Rodriguez seconded the motion. The Town Clerk, Gina M. Inguanzo called the roll and the ordinance in first reading passed 7-0.

#### **12. ORDINANCE IN SECOND READING:**

None.

#### **13. RESOLUTIONS:**

- A. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO TOWN CODE ARTICLE XII SECTION 13211 RENAMING PICNIC PARK WEST, VETERANS PARK; DEDICATING A ROOM WITHIN MARY COLLINS CENTER IN HONOR OF THE TOWN'S FIRST MAYOR, WAYNE SLATON; DEDICATING A ROOM WITHIN MARY COLLINS IN HONOR OF THE MIAMI LAKES CIVIC ASSOCIATION; PROVIDING FOR

**INSTRUCTIONS TO TOWN MANAGER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Collazo presented this resolution and explained it is to rename Miami Lakes Picnic Park West to Veterans Park along with renaming a room inside Mary Collins Center after the Honorable Wayne Slaton and another room after the Miami Lakes Civic Association.

Vice Mayor Collazo then made a motion to move this item and Councilmember Alvarez seconded the motion. The motion passed 7-0.

**14. NEW BUSINESS ITEMS**

**A. P3 Workshop (Collazo)**

Vice Mayor Collazo presented his item and explained that several individuals have come up to him interested in Public-Private Partnerships (P3s) but that they aren't aware of the process behind them. Vice Mayor Collazo suggested to the Town Council to invite the people from the public to sit down with Town Staff and the Council to gain more information about P3s.

Vice Mayor Collazo then made a motion for Town Staff to develop a P3 workshop. Councilmember Dieguez seconded the motion. The motion passed unanimously.

**B. Honoring Sgt. Edward "Eddy" Perez (Ruano)**

This item was moved up to be discussed before Public Comments. Vice Mayor Collazo opened the floor for the public to comment.

Councilmember Ruano arrived at the Regular Council meeting at 6:51pm- during the initial discussion of this item and she was able to present her item honoring Sgt. Edward "Eddy" Perez who is a resident and veteran of the police force. She took the opportunity to thank Mr. Alejandro Sanchez, who was the resident who reached out to her about honoring Sgt. Perez. After discussion, she motioned for the support of her colleagues to rename the street as Sgt. Edward "Eddy" Perez Court. Councilmember Rodriguez seconded.

A neighbor from Cedar Court came to the Regular Council Meeting and participated in-person public comments in support of this item. She thanked the Town of Miami Lakes along with the community for supporting this item because it means a lot to the family.

Mr. Orlando del Castillo came to the Regular Council Meeting and participated in-person public comments in support of this item. He began by stating that the neighbors in Cedar Court are a family and that they help one another. Mr. Castillo also stated Mr. Eddy Perez will never be forgotten and that he is honored to be a part of this and to be able to honor him.

The Town Council was all in favor and the motion passed.

Councilmember Ruano thanked everyone that came in to support this item.

### **C. Town Manager (Cid)**

Councilmember Rodriguez moved to waive Section 7.2 of the Special Rules of Order and Councilmember Fernandez seconded. All were in favor and the motion passed.

Mayor Cid presented his item and explained that in 2016, the Charter Review Commission made the change to the Town Charter and process, indicating that the Mayor no longer makes the appointment on its own to select and hire a Town Manager. He stated that now it's a committee of residents that go thru that process. He also mentioned that a process to evaluate the Town Manager has not been created. He suggested a policy and asked his colleagues to consider the long-term standard selection process presented in his memo to evaluate the contract.

Mayor Cid then made a motion to direct the Town Attorney to begin collaborating with the Town Council and come back in November with an action item taking into account all councils' thoughts and feedback. Councilmember Alvarez seconded the motion.

Councilmember Alvarez asked who is responsible for coordinating with the Town Council to evaluate the Town Manager. The Town Attorney, Raul Gastesi, suggested that the Town Council can place an item on the February agenda, to discuss the Town Manager evaluation.

After providing an explanation, Councilmember Dieguez then made a strike all amendment to amend the existing selection ordinance, for both the Town Manager and Town Attorney, that 5 months prior to the expiration of their contract, the Town Council needs to have deliberations as to continue with the current law firm or the current manager or alternatively, go ahead and either renew or look for a new firm or manager; Councilmember Dieguez restated his amendment to be that 5 months prior to the termination of the Town Manager or Town Attorney contract, the Town Council needs to decide to renew or start looking for new legal representation or new manager. Councilmember Rodriguez seconded the amendment for discussion.

Town Attorney Raul Gastesi pointed out his contract is month to month and not yearly. So, Councilmember Dieguez then amended his motion to focus only on the Town Manager and Councilmember Rodriguez seconded the motion, as amended.

Councilmember Rodriguez agreed with the process Councilmember Dieguez brought up however, he would like to see the evaluation be done 6 months prior to the natural termination of the contract rather than 5 months prior. He also stated it is the Town Council's decision to make the evaluation and not a committee.

Councilmember Dieguez then withdrew his amendment and moved it again but including 6 months prior to the expiration of the contract, instead of 5 months, for the Town Council to decide to renew or decide to begin the selection process. Councilmember Rodriguez seconded the amendment again.

Councilmember Alvarez then made an amendment to the amendment, to conduct the evaluation of the Town Manager in a Sunshine Meeting. The motion died due to lack of second.

The Town Attorney, Raul Gastesi, then read directly from the Town Manager's Contract to shed light into the discussion. Councilmember Dieguez then explained that his amendment is a strike all amendment and that 6 months prior to the natural expiration of the Town Manager's contract, the Town Council needs to decide to renew or decide to begin the selection process. He explained that this amendment would impact the existing ordinance that exists for the Town Manager selection process. Town Attorney Raul Gastesi agreed to the explanation and to the legality of the amendment.

After more discussion, the amendment passed 6-1 with Councilmember Ruano in opposition. Then, the main motion, as amended by the strike all amendment, passed 6-1; Councilmember Ruano voted in opposition.

#### **D. Additional Alternative Revenue Sources (Dieguez)**

Councilmember Dieguez moved to waive Section 7.2 of the Special Rules of Order and Councilmember Rodriguez seconded. The motion passed.

Councilmember Dieguez presented his item and explained the proposed ordinance would set up a registration program within the town where banks would need to register whenever there is a foreclosure initiated, in order to make sure they do their part on keeping the house well maintained and code compliant. If they are not registered, there will be a process established and the Town would force penalties against the bank. Councilmember Dieguez then invited Mr. Clifford Johnson up to speak more on this item.

Councilmember Dieguez moved to establish the program and Councilmember Rodriguez seconded for discussion.

Mr. C.J. Johnson explained that if an ordinance was drafted, it would make sure foreclosed properties were being taken care of by the banks, so the Town and residents aren't paying for it. Mr. Johnson answered questions posed by the Town Council and by the Town Attorney.

The motion passed 6-0 with Councilmember Ruano being absent.

#### **E. Responsible Pet Ownership (Collazo)**

Vice Mayor Collazo presented his item and explained he has been approached by many residents about what the Town can do for pet owners acting irresponsibly. Vice Mayor Collazo then made a motion to direct Town Staff to come back with options to mitigate these issues and Councilmember Rodriguez seconded the motion.

All were in favor and the motion passed 6-0; Councilmember Ruano absent.

## **F. Ordinance Reimbursing the Town of Miami Lakes (Cid)**

Councilmember Rodriguez moved to waive Section 7.2 of the Special Rules of Order and Councilmember Dieguez seconded. The motion passed.

Mayor Cid presented his item and explained that individuals damage gates, signs, etc. and they have not reimbursed the Town for damages. Mayor Cid then made a motion to direct the Town Attorney to collaborate with Town Staff to come back with an ordinance that outlines a reimbursement process. Vice Mayor Collazo seconded the motion.

Vice Mayor Collazo asked Town Manager, Ed Pidermann when an individual damages property, does the Town go after the individual and he stated yes. With that being said, Vice Mayor Collazo then asked Mayor Cid how he wants this done and the Mayor asked to codify the process.

All were in favor and the motion passed 6-0; Councilmember Ruano was absent.

## **G. Street Naming (Cid, Collazo, Dieguez, Ruano)**

Councilmember Dieguez moved to waive Section 7.2 of the Special Rules of Order and Councilmember Fernandez seconded. The motion passed and all were in favor.

This item was moved up to be discussed before Public Comments. Vice Mayor Collazo asked for the two supporting videos that were submitted, to be played before the item was introduced.

The first video played was of the late soldier Ofren Arrechaga's wife, Mrs. Seana Arrechaga and son, Austin Arrechaga. They both stated that they are in support of the efforts made to rename the street parallel to Barbara Goleman in his honor. They also thanked everyone for honoring his legacy in any way possible.

The second video was a mini documentary and song dedicated to the late soldier Ofren Arrechaga.

Mrs. Seana Arrechaga participated via remote public comments with her son thanked everyone for speaking out.

Ms. Yessenia Gonzalez came to the Regular Council Meeting and participated in-person public comments in support of this item. She asked the Town Council to consider renaming the street in honor of Ofren Arrechaga and then spoke about the late soldier and his legacy.

Ms. Doris Faxas came to the Regular Council Meeting and participated in-person public comments in support of this item. She stated that she is a friend of Ofren Arrechaga from high school and that he was an amazing friend and that he deserves the street renaming.

Mr. Victor Milanes came to the Regular Council Meeting and participated in-person public comments in support of this item. He spoke in Spanish and he introduced himself as the uncle of Mr. Ofren Arrechaga and on behalf of the Arrechaga family, he thanked the entire Town Council for recognizing his nephew's dedication and love for this country.

Mr. Gary Cardenas came to the Regular Council Meeting and participated in-person public comments in support of this item. He provided a background on Ofren Arrechaga and his experience with his family. Mr. Cardenas shared a heartfelt story about a speech he wrote many years ago in honor of the late Ofren Arrechaga. He hopes everyone can recognize Ofren Arrechaga's name and legacy through the street renaming.

Mr. Shannon Corbin participated via remote public comments for this item. He stated that Ofren Arrechaga was an American hero that served honorably and lost his life for this country. Mr. Corbin emphasized the street renaming is more than deserved.

Mayor Cid joined the meeting virtually and spoke about how Ofren Arrechaga's story inspired him - seeing as Arrechaga graduated from Barbara Goleman Senior High School and was part of the Miami Lakes community. Mayor Cid stated that Ofren Arrechaga made a sacrifice for the country and that people like him are always fighting for our freedom. He feels as though it is most fitting to honor him by renaming the street across from Barbara Goleman to remember him forever and inspire many through his story and sacrifice.

Mayor Cid made a motion to officially designate the road across from Barbara Goleman Senior High to honor Ofren Arrechaga forever. Councilmember Fernandez seconded. All were in favor and the motion passed unanimously.

Vice Mayor Collazo pointed out that because it is a street naming, this item will be brought back to the Town Council and this will allow for another opportunity to honor him.

#### **H. Modifying Work Without a Permit Fines (Rodriguez)**

Councilmember Rodriguez pulled this item to make modifications and bring it back at some later time.

#### **I. Committee Budget (Fernandez)**

Vice Mayor Collazo moved to waive Section 7.3 of the Special Rules of Order and Councilmember Dieguez seconded. All were in favor and the motion passed.

Councilmember Fernandez presented his item and explained that in the past, Town committees would have a workshop for committee budgets, and the Committee Chairs would present their requests and new events. Councilmember Fernandez added that at some point, the process changed to where new events were not being presented to the Town council for consideration.

Councilmember Fernandez made a motion to direct the Town Manager that for the next budget cycle, the Town Committee requests come to the Town Council. Vice Mayor Collazo seconded the motion for discussion.

All were in favor and the motion passed 6-0 with Councilmember Ruano absent.

## **15. MAYOR AND COUNCILMEMBER REPORTS:**

None.

## **16. MANAGER'S REPORTS**

### **A. Monthly Infrastructure Report (Acosta)**

Public Works Director, Mr. Carlos Acosta presented this report and started with the capital improvement projects. For the Safe Routes to School – Bob Graham, he stated that the consultant is working on the 60% plans to submit by this month for review. He stated 3 projects are currently out for bid. The NW 146<sup>th</sup> Street project should be coming forth the Town Council next month.

Mr. Acosta added that he separated the roadway project from the stormwater bond projects and has listed all stormwater bond projects along with the Canal Bank Stabilization Phase 3 project in the attached memorandum. He also stated that 3 of the American Rescue Plan projects were approved earlier this meeting for design work orders.

Then, Mr. Acosta stated the West Lakes project is about 90% complete and this month they will finish paving the rest of the streets. The 83<sup>rd</sup> Place Drainage Improvement project opened for bid and should be coming forth the Town Council for approval of construction in November. He also presented the roadway maintenance totals of last year. He also included in the memorandum, a map of the stormwater projects to show the projects going on.

### **B. Monthly Police Report (Ruiz)**

Major Javier Ruiz presented the monthly report and started by stating that the first meeting for the Explorer's program took place, that they have 4 participants and that they plan to develop a flyer to pass around and post on social media to gain more. Major Ruiz also explained another initiative planned this month called Coffee with a Cop where officers and the public can interact.

### **C. Monthly Report on Miami Lakes Optimist Park (Bajdaun)**

The Parks Director, Jeremy Bajdaun presented the report and stated that tennis court resurfacing project has begun and there is a delay in some materials which would delay the project another 2 weeks. As for the storage facility, they have received a proposal from a design firm for a prefab facility to be built there. He mentioned that the design for a work order on should be done in the next 2 weeks. As for the ML●P design, the Town is finalizing the updated ●PC and it should be put together for the November workshop to create a full list of amenities within the options residing. Mr. Bajdaun also reported that the JUA for the School Board is toning down in regard to the number of

back-and-forth remarks and they've received the latest amendments asking for side annotations.

Vice Mayor Collazo recognized two opportunities in which he has seen Mr. Bajdaun be an exceptional employee. The first being Mr. Bajdaun going to see how his staff was engaging with the public one morning before reporting to work. The second being going out to the park on a Saturday to engage with families to see what is and isn't working in the park.

## **17. ATTORNEY'S REPORTS:**

### **A. Attorney Report for October 2021**

Town Attorney Gastesi provided the Attorney's Report and began stating they are doing everything possible to take Pizzi's deposition early next month in regard to the Pizzi case. As for the Valiente matter, he hopes to get that resolved soon. Town Attorney Gastesi then asked the Town Council to look at the resolution he handed out to them earlier and he explained that the Graham Companies have a piece of land outside of Miami Lakes designated as brown field and the Graham Companies have asked the Town to oppose that piece of land from being called Miami Lakes Industrial Project, because its not even within the town boundaries.

Councilmember Ruano moved to approve the resolution regarding the Graham's brown field matter and Councilmember Rodriguez seconded. All were in favor and the resolution passed unanimously.

Town Attorney Gastesi also added he needed an Executive Session to discuss the 59<sup>th</sup> Avenue matter. Councilmember Dieguez moved to have an Executive Session set up and Vice Mayor Collazo seconded the motion. All were in favor and the motion passed unanimously.

### **B. Swale Protection (Dieguez)**

Deputy Town Attorney, Lorenzo Cobiella updated the Town Council on the Swale Protection Ordinance. He explained that the challenge with the ordinance is that it requires some force in order to make it happen so police can ticket vehicles. Deputy Town Attorney Cobiella added that Major Ruiz has been helping him get in contact with someone that can get the process moving along. He also spoke on an item that will be coming forth the Town Council in the next couple months regarding in house cases.




**18. ADJOURNMENT:**

There being no further business to come before the Town Council, the meeting adjourned at 11:12 pm.

Approved this 9<sup>th</sup> day of November 2021

  
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Manny Cid, Mayor

Attest:

  
\_\_\_\_\_  
Gina M. Inguanzo, Town Clerk