

**MINUTES**  
**Special Call Minutes**  
**April 6, 2022**  
**7:00 p.m.**  
**Government Center**  
**6601 Main Street**  
**Miami Lakes, Florida 33014**

**1. SPECIAL PRESENTATION:**

None.

**2. CALL TO ORDER:**

Mayor Manny Cid called the meeting to order at 7:06 pm.

**3. ROLL CALL:**

- The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers were present: Luis E. Collazo, Josh Dieguez, Tony Fernandez, Marilyn Ruano, Vice Mayor Jeffrey Rodrigue and Mayor Manny Cid. Councilmember Carlos O. Alvarez was absent.

**4. MOMENT OF SILENCE:**

Councilmember Ruano led the prayer.

**5. PLEDGE OF ALLEGIANCE:**

The entire Town Council led the Pledge of Allegiance.

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

Councilmember Collazo motioned to approve the Order of Business and the motion was seconded by Councilmember Fernandez. The motion passed 6-0; Councilmember Alvarez was absent.

**7. PUBLIC COMMENTS:**

Mr. Michael Pizzi came to the Council Chambers and participated in-person public comments. He referenced the agenda dated June 11, 2002, in which he had sponsored a resolution titled "Annexation to the land west of I-75". He explained the genesis of his item, of the resolution and stated that the only way to make sure those bridges never open, was to annex the land west of I-75. He explained that he opposed the annexation of Hialeah because they would affect the density at no effect to their quality of life. That we would have to raise taxes to mitigate the traffic implications. He also stated that when he went in front of the County Commission, the

City of Hialeah in exchange to the annexation, expressly agreed and promised to never open the bridge on 154<sup>th</sup> nor the bridge on 170<sup>th</sup> and to never do anything that would violate the density requirements.

Councilmember Collazo made a motion to afford every speaker 4 minutes and the motion was seconded by Councilmember Ruano. The motion passed unanimously.

Ms. Mirtha Mendez came to Council Chambers and participated in-person public comments. She asked for the Town Attorneys and stated that she made a public records request regarding the copies of the transcripts of Executive Sessions that took place during the Interlocal agreement between Hialeah and the TOML on 154<sup>th</sup> bridge, and that she was still waiting for their response. She mentioned that former Councilwoman Nancy Simon told her that the transcripts were ready for inspection, so she asked for those transcripts knowing that they were available. She stated that she wanted those transcripts because the Town Attorney had stated that the Town Council at the time knew that the agreement was not valid. She alleged that is not true and that they- the current Town Council- have been misled.

Ms. Bonnie Cintron came to Council Chambers and participated in-person public comments. Ms. Cintron stated that the Town has not been negotiating well. She hopes the Town Council goes on to negotiate.

Mr. John Rogger came to Council Chambers and participated in-person public comments. He stated that he is in favor of opening the 170<sup>th</sup> bridge. He supports the idea of the park on the 154<sup>th</sup> bridge and keeping that bridge closed but he supports the opening of 170<sup>th</sup>, so he and many other residents can benefit to have better access to the South Florida Autism Charter School. He thanked the Town Council for everything they do to try to make this situation right.

Mr. Steven Herzberg came to Council Chambers and participated in-person public comments. He stated that there have been improvements to the agreement posted in the agenda and that the County must act or 154<sup>th</sup> Street will stay closed. He hopes the Town Council is together in this issue, a unanimous vote, and that he hopes each councilmember has the deal breakers that they discussed, in private or publicly, included in this document, so that this is the decision that they all believe is better for the town.

Mr. Ray Garcia came to Council Chambers and participated in-person public comments. He thanked the Town Council for coming together as a body, he mentioned that it has been positive in the last couple weeks, and it shows that the Town Council is trying to do what is best for the town. He stated that he hopes for a unanimous decision and that he trusts the Town Council decisions.

Mr. Keith Halperin came to Council Chambers and participated in-person public comments. He recognized that all councilmembers have worked on this deal but stated that for him this is not the right deal, that the negotiations could take longer and that there is no reason to rush things. He mentioned that deciding to surrender the 154<sup>th</sup> bridge is problematic and that this agreement is so important to the people of this town, that perhaps this should be put out as a question in a referendum to the voters. He thinks the Town is in a much better legal position that people think. He stated that there is a lot of things that need to be cleaned up before coming to a deal.

Ms. Claudia Luces came to Council Chambers and participated in-person public comments. She pointed out all the red marks she made to the proposed Memorandum of Understanding agreement and addressed and discussed her concerns in detail. She stated that the proposed deal is like saying to the thief, “Come in and steal my quality of life, but hold on a second, let me invite you to lunch first and then we take some pictures and then I’ll walk away and give you everything that I have owned”. She expressed her frustration over the MOU.

Lisette Perez came to Council Chambers and participated in-person public comments and expressed her concerns regarding the case in matter.

Ms. Kerry Chacon came to Council Chambers and participated in-person public comments and expressed her concerns regarding the case in matter.

Ms. Hope Reynolds participated in public comments via zoom. She mentioned that she requested the transcripts of the Executive Session of the meetings that took place to consider the annexation of west of I-75 and the transcripts of the Inter-Local Agreement discussions, to prepare herself for this Special Call Meeting, to get the details of what was agreed upon back then and that she is still waiting to receive the transcripts. Ms. Reynolds also emphasized that after reading all the emails sent to Town Hall regarding the MOU, no one wants the bridges opened. She hopes that a unanimous vote is achieved tonight from the Town Council.

Mr. Alex Ariano participated in public comments via zoom. He asked the Town Council to please vote no in the matter being discussed and, to keep both bridges closed. He pointed out that the community wants the bridges to remain closed and he implored the Town Council to not fear and to vote no, to stand by property rights. That we need to fight to keep Miami Lakes being a jewel in Northwest Miami-Dade County.

Mr. Abel Fernandez participated in public comments via zoom. He asked the Town Council to vote against the MOU being presented to them. He stated that residents have spoken and that opening the bridges will only bring harm to the town. That residents have spoken loudly and that they want this to continue going forward into the court system. He also mentioned that Royal Oaks is smacked in the middle of the traffic pattern, and he mentioned that Royal Oaks represents 1,000 homes and that they represent a huge tax impact in the Town of Miami Lakes and their ability to enjoy their homes will be impacted. He also mentioned that Royal Oaks Park will be impacted if 170<sup>th</sup> bridge opens. He also mentioned that 5 years ago, he spoke to the previous Town Council, and he asked them to hire a Law firm that could properly represent the town in this case.

Ms. Susana Herrera came to the Town Council and participated in-person public comments. She spoke about 2 letters dating back to 2019 that were issued by the Department of Transportation, regarding a design that had been presented to FDOT. She stated that she read and dissected the first letter from the FDOT and that FDOT only said “that the design presented does not follow the standard design regulations but that all these designs are merited on a case by case”. Ms. Herrera then mentioned that the letters gave the Town directions on how to file the application and that the Town should have reached out to the Federal government, to request the access to I-75. Ms. Herrera also explained the second letter from FDOT. She said that in 2019, she reached out to Town Manager Pidermann and that she explained what the letters referred to. Ms. Herrera then read into the record the Town’s response to her email. She concluded her comments

by stating that the Town should have filed an application back in 2019 and included the federal government. She stated that anyone who signs the MOU, would be against the town; that the Town Council has to give an opportunity to do what FDOT provided us to do in those 2019 letters.

Ms. Hilda Fernandez came to the Town Council and participated in-person public comments. She asked the Town Council why the urgency of signing this MOU now and signing away our rights and why can't we not get further concessions and considerations. She asked the Town Council to protect our rights, to protect our roads and to ensure that we can continue to use our roads to what they were intended and not build the needs of a community that is overgrown and over zoned and that now has no way to access thru their arterial roads. She asked the Town Council to please do not vote on this MOU tonight and to consider the options presented and provided by FDOT that were overlooked years ago.

The Town Clerk stated for the record that two written public comments were emailed to her and that she printed them and placed copies of said emails on the Dais. The emails were from Ms. Bonnie Cintron and from Ms. Hope Reynolds. The Town Clerk pointed out that the email from Ms. Reynolds included emails from the following individuals: Mr. Rene Cambert, Mr. Harry, Mr. Alcides and Celina, Ms. Rocio Garcia, Mr. Alexander Ariano, La Max, Mr. Boris Forster, Ms. Bonnie Cintron, Ms. Tina Gallinar and Mr. Rafael and Mrs. Georgina Luces.

**8. APPOINTMENTS:**

None

**9. COMMITTEE REPORTS:**

None.

**10. CONSENT CALENDAR:**

None.

**11. ORDINANCES – FIRST READING:**

None.

**12. ORDINANCES - SECOND READING:**

None.

**13. RESOLUTIONS:**

None.

## 14. NEW BUSINESS

### A. Special Call Meeting (Cid)

The Town Attorney Raul Gastesi, read the title of the resolution into the record. He introduced the item and discussed the Memorandum of Understanding between Miami-Dade County, City of Hialeah and the Town of Miami Lakes and he mentioned that the attached MOU is a proposal for the resolution of the litigation. He stated that this is a proposal that has been negotiated extensively and that it is up to the Town Council to evaluate, to consider it and decide.

Vice Mayor Rodriguez made a motion to approve for discussion. Councilmember Dieguez seconded the motion for discussion.

Vice Mayor Rodriguez, who participated in most of the negotiations of this agreement, explained in detailed the wording of the proposed MOU. He explained that 170<sup>th</sup> shall not open to any heavy trucks, and he went on to define what heavy trucks means; that the 154<sup>th</sup> Street Bridge will remain closed for 10 years and it cannot be opened until a committee of 9 members is put forth, and after the committee examens a traffic. He explained that the Town of Miami Lakes has 4 of the 9 votes, MDC has 2 votes, the City of Hialeah has 2 votes, and that the 9<sup>th</sup> member is put together unanimously by the other 8 participants – if unavailable to be reached, then the 9<sup>th</sup> member will be a representative of the Miami-Dade County League of Cities. He also mentioned that the committee will then decide if the opening of 154<sup>th</sup> Street Bridge is beneficial to both sides. However, Vice Mayor Rodriguez emphasized, that before the committee meets, there are three requirements that the MDC and the City of Hialeah must meet.

Vice Mayor Rodriguez enumerated and explained the following 3 requirements: to complete 97<sup>th</sup> Avenue up to 186<sup>th</sup> and connect it to I-75 on ramp, at 186<sup>th</sup>; within 2 years, MDC has to add two turn left lanes on the northbound section of 87<sup>th</sup> Avenue and to 186<sup>th</sup>; the completion of 170<sup>th</sup> from I-75 all the way to the Turnpike, this to be finished by Miami-Dade County. Vice Mayor Rodriguez explained there is only 1 caveat, that the committee will not meet, if Miami-Dade County installs slip ramps connecting 154<sup>th</sup> to I-75, in accordance with what our residents want, which is access out of 154<sup>th</sup>.

Vice Mayor Rodriguez then explained that they were able to negotiate all the improvements on 154<sup>th</sup> Street; to include the Green Trail and one lane for SOS emergency vehicles, and for these improvements to be paid completely by Miami-Dade County.

Councilmember Dieguez stated that Vice Mayor Rodriguez explained and laid out very well the provisions of the present deal. He then went on to explain the reasons why the improvements that Councilmember Collazo had asked for to be included regarding the Gragny Parkway, never made it to this proposal. Specifically, he explained that the construction of entrance ramps on 67<sup>th</sup> Avenue and on 87<sup>th</sup> Avenue, that are on the TOML Master Plan, did not make the proposal, because MDX had been replaced by Greater Miami Expressway Authority (GMEA) and that there is litigation between Miami-Dade County and the State of Florida regarding the authority of GMEA to operate. For this reason, those ramps have been left off from being built. Town Attorney Gastesi mentioned that he tried to get those improvements in the MOU and that City of Hialeah and Miami-Dade County told him that those provisions will not be able to be part of this MOU.

Councilmember Dieguez also mentioned that regarding the underpasses on NW 146th Street and NW 160<sup>th</sup> Street, there are gas lines in that area, and no one wants to pay for them. He then addressed the directions of the slip ramps and access to I-75; he emphasized that it would be beneficial to have these on ramps to have access to I-75 for all Miami Lakes and that its included in the MOU. Councilmember Dieguez also emphasized that Senator Garcia is trying to make these ramps happen. That he is talking to all his contacts for these ramps to get built to give us access onto the highway system and eliminate the traffic gridlock.

After discussion, Mayor Cid then made a motion to strike down the present language on the proposal where it reads that Jakey's Park could be moved, and he stated that he would like to add language stating that Jakey's Park will be there is perpetuity, unless agreed and consented by the Duque Family. Councilmember Fernandez seconded the motion. After some discussion on this matter, Vice Mayor Rodriguez suggested the language on line 3 to read along the following way, "that the County shall, at Miami Lakes election, transfer the monument in memory of Jakey Duque from its current location". Mayor Cid then withdrew his motion and made a motion to agree with the suggestion made by Vice Mayor Rodriguez. Councilmember Fernandez seconded the motion. The motion passed 6-0.

Town Attorney Gastesi, regarding the Vehicle Weight Rating language, suggested to add to the end of number 5, the following language: "the Town shall be entitled to enact any legislation necessary to enforce the weight restrictions set forth in this Agreement". Vice Mayor Rodriguez then made a motion to amend section number 5, to also read the following way, "Heavy trucks is hereby defined as any truck having a Gross Vehicle Weight Rating over 24,000 lbs." Councilmember Fernandez seconded the motion.

Councilmember Ruano motioned to re-open public comments, the motion was seconded and it passed.

Ms. Claudia Luces spoke on Public Comments and expressed her concern with the Town having to have absorb the cost of having to add police officers to enforce the bridge; she expressed her concern over the fact that police officers will be pulled from roaming our streets to be able to allocate police officers to enforce the bridge. She stated, "our taxes are going to increase, or our level of services are going to decrease".

Keith Halperin spoke on Public Comments and expressed that if the City of Hialeah is worried about school buses not being able to travel on the bridge, let the City of Hialeah come back to us.

John Rogger spoke on Public Comments and stated that no trucks should be allowed except for school buses.

Bonnie Cintron spoke on Public Comments and expressed her concern over the structural integrity of the bridges.

Carolina spoke on Public Comments and stated that school buses should be allowed to transport over the bridge, so that everyone benefits from them.

Kerry Chacon spoke on Public Comments and questioned how the TOML will enforce the issue of the trucks on the bridges, when the TOML is not enforcing anything at all.

The Town Clerk called the roll and the motion passed 6-0.

Vice Mayor Rodriguez then made a motion to remove Electric Golf Carts from section number 6, so that they are not to be allowed on 154 Street Bridge. The motion was seconded by Councilmember Fernandez. All were in favor.

Vice Mayor Rodriguez then expressed his desire to clean up the language on section number 6a, which pertains to the pre-conditions of the Traffic Study Committee Meeting, and he read into the record the proposed language, "Subject to (i) the improvement of NW 97<sup>th</sup> Avenue for the purpose of connecting NW 97<sup>th</sup> Avenue to NW 186<sup>th</sup> Street either directly or indirectly such as through a park-and-ride facility generally in the area of NW 186<sup>th</sup> Street, improvements which shall be determined by Miami-Dade County, (ii) construction of the improvements to the intersection of NW 87<sup>th</sup> Avenue and NW 186<sup>th</sup> Street, by Miami-Dade County, which shall include two (2) left-hand turn lanes from northbound NW 87<sup>th</sup> Avenue to westbound 186<sup>th</sup> Street that will allow traffic to turn west, and (iii) construction of an extension of NW 170<sup>th</sup> Street, from NW 97<sup>th</sup> Avenue to the Florida Turnpike".

Vice Mayor then emphasized that the language on this section needs to be clear and that the traffic study committee is subject to these three pre-conditions. Councilmember Dieguez seconded the motion. The motion passed 6-0.

Councilmember Dieguez then made a motion for the parties -City of Hialeah and Miami-Dade County- to include to their legislative lobbying priority list, the ramps connecting to the Gratigny. Vice Mayor Rodriguez seconded the motion and the motion passed 6-0.

Councilmember Dieguez then made a motion to include language as to 154<sup>th</sup> Street and 170<sup>th</sup> Street will not be widened without the consent of the jurisdiction in which the widening is sought, meaning that they will need the consent of either Town of Miami Lakes and/or City of Hialeah, depending on the side of the lane that they want to widen. Vice Mayor Rodriguez seconded the motion. The motion passed 6-0.

Councilmember Dieguez then made a third motion to the effect of the unrestrictive vehicular traffic over 154<sup>th</sup> Bridge. He made a motion to add some language subject to the restrictions on paragraph number 5. The motion was seconded by Vice Mayor Rodriguez and Councilmember Fernandez simultaneously. The motion passed 6-0. Vice Mayor Rodriguez clarified that any reference to restrictive vehicular traffic over 154<sup>th</sup> needs to have the same restrictions as on section 5 on 170<sup>th</sup>.

Councilmember Dieguez also spoke about the first line on section 6b and the ramps having to be built before the restriction of the committee goes away. Pertaining to this matter, Councilmember Ruano then made a motion to add that she would like for the language on that first sentence to read "In the event that Slip Ramps are constructed and fully operational at NW 154<sup>th</sup> Street and Interstate 75, Vice Mayor Rodriguez seconded the motion. The motion passed 6-0.

Councilmember Ruano then made a motion to amend 6e, regarding to the Green Trail, to read, "Neither Miami Lakes nor Hialeah shall raise any unreasonable objections to the issuance of the aforementioned permit, nor shall either party impede, directly or indirectly, the opening of the NW 15 Street Bridge as contemplated in this Agreement." Mayor Cid seconded the motion. The motion passed 6-0.

Mayor Cid then announced a 10-minute break recess to afford the Town Attorneys time to draft all the changes and amendments made by the Town Council, and have the MOU drafted with the changes made before the Special Call meeting is over and for the Town Council to make the final vote.

Mayor Cid then reconvened the Special Call Meeting and announced that the Town Attorneys had made all the changes to the MOU and memorialized them.

The Town Clerk called the roll on the main motion, as amended, and the motion passed 4-2; Councilmember Collazo and Councilmember Ruano voted in opposition and Councilmember Alvarez was absent.

**15. REPORTS:**

None.

**16. ADJOURNMENT:**

There being no further business to come before the Town Council, the meeting adjourned at 10:57 pm.


Approved this 10<sup>th</sup> day of May 2022.



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Manny Cid, Mayor

Attest:



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Gina M. Inguanzo, Town Clerk