

MINUTES
Regular Council Meeting
September 13, 2022
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:

None.

2. CALL TO ORDER:

The meeting started at 6:40 pm with the following Councilmembers being present: Carlos O. Alvarez, Luis E. Collazo, Josh Dieguez, Tony Fernandez, and Vice Mayor Jeffrey Rodriguez. Councilmember Marilyn Ruano and Mayor Cid were present via zoom.

3. MOMENT OF SILENCE:

Mr. Raul Campanioni 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 Scout Leader Mr. Raul Companioni, from the Boy Scouts of America 584.

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

Councilmember Dieguez asked to move up Item 13A and Item 14D, to be discussed after Public Comments and to both be discussed jointly. Mayor Cid moved Item 10E from the Consent Calendar. Councilmember Alvarez moved Item 16D prior to Public Comments.

Councilmember Dieguez moved the New Order of Business, and it was seconded by Councilmember Alvarez. The motion passed and all were in favor.

After Public Comments, the Vice Mayor Rodriguez made a motion to re-open the Order of Business and it was seconded by Councilmember Collazo. The motion passed.

Vice Mayor Rodriguez then made the motion for the Town Committee Nominations and Town Committee Reports be heard before the discussion of Item 13A and 14D. The motion was seconded by Councilmember Fernandez and the motion passed all were in favor.

6. PUBLIC COMMENTS:

Ms. Bonnie Cintron came to the Regular Council Meeting and participated in-person public comments. She stated that she is in support of Item 14D - supports the idea of renewing the contract of Town Manager Ed Pidermann; she is in support of Item 14H – get rid of some redundant signs and perhaps grow more trees; not in support of Item 15A- not in favor of entering into a binding contract with Gastesi Law Office; she finished her comments by stating that thanks to Mr. Pidermann, the sign of the Optimist Park -asking people to vote yes for the park- has been removed. She does not want the Town to spend more money, especially now that the economy is bad. She also thanked Mayor Cid for suggesting that more Town Forums are needed.

Mr. Peter Montanez came to the Regular Council Meeting and participated in-person public comments. He stated that he is in total support of Town Manager Pidermann and of extending his contract.

Mr. Luis Espinoza came to the Regular Council Meeting and participated in-person public comments. He stated that he is in support of Town Manager Pidermann and of extending his contract.

Ms. Gloria Martinez came to the Regular Council Meeting and participated in-person public comments. She stated that she is in support of Town Manager Pidermann and of extending his contract.

Ms. Nancy Rogers came to the Regular Council Meeting and participated in-person public comments. She stated that she is in support of Town Manager Pidermann and of extending his contract and keeping him as our Town Manager.

Mr. John Aleman came to the Regular Council Meeting and participated in-person public comments. He stated that he is in support of Town Manager Pidermann and of extending his contract.

Mr. Jose Montes came to the Regular Council Meeting and participated in-person public comments. He stated that he is in support of Town Manager Pidermann and of extending his contract.

Mr. Jimmy Robaina came to the Regular Council Meeting and participated in-person public comments. He stated that he is in support of Town Manager Pidermann and of extending his contract.

Mr. Angel Gonzalez came to the Regular Council Meeting and participated in-person public comments. He stated that he is in support of Town Manager Pidermann and of extending his contract.

Mr. J. P. Garcia came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending his contract.

Mr. Ariel Robaina came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending his contract.

Mr. A. J. Garcia came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending his contract.

Mr. Jackie Garcia came to the Regular Council Meeting and participated in-person public comments. He stated that she is in full support of Town Manager Pidermann and of extending his contract.

Mr. Alberto del Castillo came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending and his contract. He also stated that he is in support of Item 14D. He also stated that he is in support of renewing the employment of Raul Gastesi Law Firm.

Mr. James Hamilton came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending his contract.

Mr. Kathy Barrero came to the Regular Council Meeting and participated in-person public comments. She stated that she is in full support of Town Manager Pidermann and of extending his contract.

Ms. Ruth Queiro came to the Regular Council Meeting and participated in-person public comments. She stated that she is in full support of Town Manager Pidermann and of extending his contract.

Mr. Connie Pena came to the Regular Council Meeting and participated in-person public comments. She stated that she is in full support of Town Manager Pidermann and of extending his contract.

Mr. Wayne Slaton came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Staff and of extending long term contracts. He also stated that when Town Staff is doing a good job, he is in full support of extending their contract and that staff should be reviewed internally, not in public. He also stated that he is in support of The Optimist Park and that the people of Miami Lakes deserve a first-class baseball major park.

Mr. Adrian Baste came to the Regular Council Meeting and participated in-person public comments. He stated that he is in full support of Town Manager Pidermann and of extending his contract.

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Ms. Irene Gutierrez came to the Regular Council Meeting and participated in-person public comments. She stated that she is in full support of Town Manager Pidermann and of extending his contract. She also stated that she is in support of retaining Deputy Town Attorney, Lorenzo Cobiella.

The Town Clerk read into the record the names of the individuals who sent written public comments in support of Town Manager Edward Pidermann and of extending and/or renewing his employment contract:

Former Vice-Mayor Tony Lama, Mr. Tony Sanchez, Former Vice-Mayor Robert B. Meador, III, Mr. Michael Huffaker, Mr. Ruben Arguelles, Mr. Sergio Penton, Mr. Jose & Natasha Caballero, Mr. Danny Cardeso, Mr. Armando Mendez, Ms. Esther Bonnie Cintron, Mr. Marcos Gutierrez, Mr. Rafael Lucas, Mr. Angel & Mrs. Gloria Martinez, Ms. Lynn Matos, Ms. Hope Reynolds.

Ms. Hope Reynolds' written public comment also mentioned that she is in support of having a month-to-month contract for the Town Attorneys.

7. APPOINTMENTS:

Councilmember Collazo made a motion to adopt the Town Committee Nominations included in the Town Committee Nominations List and to also waive the rule of Section 11 of the Committee Rules for the two nominees. Vice Mayor Rodriguez seconded the motion. The motion passed.

8. COMMITTEE REPORTS

A. Sports Hall of Fame

Mr. Jim Hamilton spoke on behalf of the Sports Hall of Fame. He stated that the SHOF would like to get the 4 nominations approved tonight so they can send an email out to the chosen nominees and ask them to Save the Date. He shared with the Town Council that the fifth-class ceremony is scheduled to take place on December 10th 2022 at 6 pm at the Optimist Park. The nominees chosen for the Hall of Fame class of the Town of Miami Lakes are Steve Blake, Charlie DeLucca, Gary Krey and Mr. Terry Curry.

Vice Mayor Rodriguez made a motion to approve the request from SHOF and it was seconded by Councilmember Collazo. Due to lack of physical quorum, Vice Mayor called for a 5-minute brief recess. Once quorum was met, the Town Clerk called the roll and the motion passed.

B. Education Advisory Board

Chairman Mario Pinera presented the committee report. He explained that the EAB is requesting the Town Council to move \$698 from the Events Category to the next fiscal year, \$947.58 from the Sponsorship donations to the next fiscal year and \$500.02 from the Language AP to be transferred to the Miscellaneous line item of the Fiscal Year 2022-2023. Vice Mayor Rodriguez moved the request from the EAB and the motion was seconded by Councilmember Fernandez.

Town Manager Pidermann and Budget Officer, Ms. Melissa Hernandez provided explanations on this matter. Ms. Hernandez' recommendation was for the EAB to wait and request the carryover funds, until the budget has completely closed the books and fiscal year is closed, because at that point, all the expenses will be reflected. Town Manager Pidermann explained that the carryforward amendment takes place in February or March, but he emphasized that the closeout of this current year takes place throughout October and November and that the carryforward takes place in February or March because it's after the Town Audit has taken place.

After further discussion, the motion was tabled, and Councilmember Fernandez requested that the EAB bring this request back in the 2023 February Regular Council Meeting. Chairman Pinera accepted the recommendation given by Councilmember Fernandez.

C. Blasting Advisory Board

Chairman Miguel Martinez presented the report. He stated that the Miami Dade Pilot Program is in full swing and that residents are encouraged to report every time the energy wave from a blast is felt. That these complaints will be shared with the Fire Marshall's Office.

Chairman Martinez then requested a resolution from the Town Council, requesting the Miami Laker to provide an ongoing space to share the latest information on blasting. He also requested that the website address for posting complaints, along with a direct link via QR Code be made in The Laker.

Vice Mayor Rodriguez motion to accept the request from the BAB and it was seconded by Councilmember Fernandez. Councilmember Dieguez noted that although he was in favor of the motion, he would like for Chairman Martinez to ask The Laker if they agree with this request - as The Laker is a private entity, and that they have full editorial control. After discussion, Chairman Martinez was asked to meet with Ms. Linda Trischitta from The Laker as soon as possible. The motion passed.

9. SPECIAL PRESENTATIONS:

Mayor Cid and the Town Council expressed their gratitude to the Director of Public Works, Mr. Carlos Acosta, for his excellent work and service during his more than 5 years with the Town of Miami Lakes. Mayor Cid stated that Director Acosta set the bar high with professionalism, and honesty and he stated that Director Acosta “Carlitos”, is an excellent example to our community because of his hard work and also because he services our county as a Colonel. Vice Mayor Rodriguez read the Proclamation aloud and they proclaimed September 13th as Carlos Acosta Day. Director Acosta also thanked the Town Council and Town Staff for their support, and he thanked his family and God.

10. CONSENT CALENDAR:

Councilmember Fernandez moved to approve the Consent Calendar and it was seconded by Councilmember Collazo. The motion passed 6-0; Councilmember Alvarez was absent.

A. Approval of Minutes

- July 25, 2022 Special Call Meeting
- August 9, 2022 Regular Council Meeting
- August 25, 2022 Sunshine Meeting on Budget

This item was approved on the Consent Calendar.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A WORK ORDER, PURSUANT TO CONTRACT 2021-43 FOR CIVIL ENGINEERING AND RELATED SERVICES, WITH 300 ENGINEERING GROUP, P.A. FOR WEST LAKES GARDEN DRAINAGE IMPROVEMENTS, FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND, FIFTEEN DOLLARS AND 42/100 (\$130,015.42); MODIFYING THE BUDGET APPROVED BY ORDINANCE 21-285; PROVIDING FOR AUTHORITY OF TOWN OFFICIALS;

AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ROUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on Consent Calendar.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2022-34, TO RG UNDERGROUND ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED TWO MILLION ONE THOUSAND AND SEVENTY NINE DOLLARS AND 00/100 (\$2,001,079); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO 402-563800-21S03; 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 Consent Calendar.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2022-35, TO METRO EXPRESS, INC. IN AN AMOUNT NOT TO EXCEED ONE MILLION, NINE HUNDRED AND SEVENTY-ONE THOUSAND, FIVE HUNDRED AND SEVENTY-TWO DOLLARS AND 00/100 (\$1,971,572); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO 402-563800-21S01 AND 402-563800-21S02; 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 Consent Calendar.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF CONTRACTS FOR ITB 2022-23, GROUNDS MAINTENANCE SERVICES FOR POCKET PARKS AND STREET RIGHTS OF WAY/MEDIANS TO JUNIPER LANDSCAPING OF FLORIDA, LLC AND SFM LANDSCAPING SERVICES, LLC FOR A PERIOD NOT TO EXCEED 60 MONTHS, FOR AN ESTIMATED AGGREGATE AMOUNT OF FIVE MILLION, SEVEN HUNDRED SIXTEEN THOUSAND, NINE HUNDRED SEVENTY-THREE

DOLLARS AND 00/100 (\$5,716,973.00); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Cid pulled this item to reflect his no vote. He stated that he prefers a different approach to these contracts; that he prefers for the TOML to contract with three or four different vendors and that there should be more competition in terms of product, work product and that he is not a fan of having only two vendors for the entire town.

Town Manager Pidermann, Procurement Manager, Ms. Nathalie Garcia, and Parks & Recreation Director, Mr. Jeremy Bajdaun, answered questions posed by the Town Council and provided an explanation of the selection process of these two vendors via the ITB process. It was explained that we only received three bids, all of them were considered. However, one bidder was found not responsive during the process.

Councilmember Collazo motioned the item and it was seconded by Councilmember Dieguez. The motion passed 5-1; Mayor Cid voted in opposition and Councilmember Alvarez was absent.

F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT, THE OFFICE OF CRIMINAL JUSTICE, FISCAL YEAR 2021, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAMS; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE OFFICE OF CRIMINAL JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAMS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on Consent Calendar.

11. ORDINANCE- FIRST READING:

A. AN ORDINANCE BY THE TOWN COUNCIL AMENDING THE TOWN OF MIAMI LAKES CODE OF ORDINANCES TO REPEAL CHAPTER 4 BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI DEVELOPMENT WITHIN FLOOD HAZARD DISTRICTS OF THE MIAMI LAKES CODE OF ORDINANCES; TO ADOPT A NEW ARTICLE VI DEVELOPMENT WITHIN FLOOD HAZARD AREAS; TO ADOPT FLOOD

HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

The Building Department Director, Mr. Danny Angel, presented the item. He explained that this an ordinance is to repeal and replace the Town's Floodplain Management Regulations to comply with Section 553.73(5) Florida Statutes and the Florida Building Code, to protect all real properties from flooding and to enhance the Community Rating System program. He explained that the proposed ordinance may get us into the Class 5 rating which means more property owners and renters will receive more discount on NFIP flood insurance policies and a 10% discount for policies outside the SFHA.

Vice Mayor Rodriguez made a motion to approve, and Councilmember Fernandez seconded the motion. The Town Clerk called the roll and the ordinance passed 5-0; Mayor Cid and Councilmember Alvarez were absent.

12. ORDINANCE IN SECOND READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 21-285 AMENDING THE TOWN'S FISCAL YEAR 2021-2022 BUDGET AS AMENDED BY ORDINANCE 22-292, AND AMENDED BY ORDINANCE 22-297; 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.

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

Town Manager Pidermann presented the ordinance and explained that this was regarding playground equipment that needed to be replaced at two pocket parks. He explained that there was not enough money in the Capital Park Line to fund both, so a transfer of \$15,000 from the General Fund to the Capital Park Line, to be done to complete the purchase of the second playground set.

Vice Mayor opened the public hearing and there being no one for public comments, the public meeting was closed.

Councilmember Fernandez moved the ordinance in second reading and it was seconded by Vice Mayor Rodriguez. The Town Clerk called the roll and the ordinance passed 5-0; Mayor Cid and Councilmember Alvarez were absent.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING CHAPTER 13, THE LAND DEVELOPMENT CODE, ARTICLE IX, TITLED “SIGNS”; 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.

Vice Mayor opened the public hearing and there being no one for public comments, the public meeting was closed.

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

Deputy Town Attorney Cobiella presented the item. He stated that the Planning & Zoning Board, had a workshop to discuss possible additional changes to the Sign Code and that the Principal Town Planner, Ms. Susana Alonso and himself, gathered the recommendations of the P&Z Board and included them in the proposed ordinance. He stated that this proposed ordinance amends Chapter 13, Article IX, titled Signs, and that it complies with the US Supreme Court ruling of *Gilbert v. Reed*, 576, US 155 (2015). It was emphasized that the size of political signs, did not change; it used to be 28 x 22 inches and now it is being done in 4 square feet; the shape does not matter, and it is not included in the equation; one per candidate in each individual property.

Councilmember Dieguez made a motion to approve and it was seconded by Councilmember Fernandez. The Town Clerk called the roll and the ordinance in second reading passed 5-0; Mayor Cid and Councilmember Alvarez were absent.

Councilmember Collazo made a motion to re-open the Order of the Agenda, to discuss Item 13D before the other resolutions, because we have individuals sitting on in Council Chambers, waiting for this item to be discussed. The motion was seconded by Vice Mayor Rodriguez. The motion passed and all were in favor of re-opening the Order of the Agenda.

Then, Councilmember Collazo made a motion to move Item 13D to be the first resolution heard. Vice Mayor Rodriguez seconded the motion and the motion passed.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN AMENDMENT TO THE DECEMBER 18, 2018 TOWN MANAGER EMPLOYMENT AGREEMENT IN ORDER TO EXTEND THE TERM OF

EMPLOYMENT UNTIL JULY 1, 2023; AUTHORIZING THE TOWN MAYOR AND TOWN ATTORNEY TO TAKE ALL STEPS TO NECESSARY TO EFFECTUATE THE AMENDMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING THE TOWN MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was discussed jointly with Item 14D.

Councilmember Fernandez presented the item and explained the rationale of this resolution, which was to approve an amendment to the Town Manager Employment Agreement, in order to extend the term of employment until July 1, 2023. He explained that his main driving force behind this resolution is that it would afford new elected officials an opportunity to take part in the selection of the Town Manager. He also stated that his second driving force is that he wants the discussion on the Town Manager's contract to take place after the election, because he does not want any distractions from the Town Council nor from Mr. Pidermann, until the November 2022 Bond Ballot question. So, he stated that he would like for the decision regarding the Town Manager's contract to be held after the November 2022 election. Councilmember Fernandez then made a motion to adopt this resolution, as presented. The motion was seconded by Vice Mayor Rodriguez for discussion.

Councilmember Dieguez then presented Item 14D. He started by stating that these two motions are not conflicting but only working on different timeframes. He explained his thought process and stated that he believes that the current Town Council is better equipped to decide on the Town Manager because they are the ones with the knowledge and experience of working with this Town Manager and that someone new to the Town Council will not have the same knowledge as to whether retain or not Mr. Pidermann. Also, he explained that the discord that is taking place on this Dais is permeating the political world outside our Town and that is averse to our interest. He also noted that for Town Staff, it is better to settle this issue now rather than to let it linger.

Councilmember Dieguez then made a strike-all amendment to the motion, to direct the Town Attorney and our other attorney, Vice Mayor Jeffrey Rodriguez, to begin the process of entering negotiations for an extended 4-year term with the Town Manager. The motion was seconded by Councilmember Collazo.

After discussion, the Town Clerk called the roll and the strike-all amendment passed 4-2; Councilmember Fernandez and Mayor Cid voted in opposition. Councilmember Alvarez was absent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ESTABLISHING AN AUDITOR SELECTION COMMITTEE PURSUANT TO SECTION 218.391, FLORIDA STATUTES; PROVIDING FOR COMMITTEE MEMBERSHIP; PROVIDING FOR THE ELECTION OF A MEMBER OF THE TOWN COUNCIL TO CHAIR THE AUDITOR SELECTION COMMITTEE; PROVIDING FOR THE DUTIES OF THE AUDITOR SELECTION COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE WITH THE AUDITOR; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Town Manager Pidermann presented the item and explained that the Town Council needs to select a firm because the current contract will expire in September. He also explained that a selection committee needs to be established as well as the election of a member of the Town Council needs to be selected as Chair of this committee.

Vice Mayor Rodriguez made a motion to nominate Councilmember Ruano to be the Chair of the newly established Auditor Selection Committee. Councilmember Dieguez seconded the motion and Councilmember Ruano responded that it would be an honor for her to serve.

Councilmember Fernandez made a motion to approve the item, as amended, and it was seconded by Councilmember Collazo. The motion passed.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR HEALTH INSURANCE PROVIDER SERVICES TO CIGNA HEALTH AND LIFE INSURANCE COMPANY; 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.**

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

Town Manager Pidermann explained that the TOML HR Specialist, Mrs. Cynthia Alejo and our TOML broker, Ms. Ana Roque, were able to get a renewal deal with our previous health care provider, with dropping our premiums by 11.25%, savings of \$122,000. Vice Mayor Rodriguez made a motion to approve, and Councilmember Fernandez seconded the motion. The motion passed.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING INTERLOCAL AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY**

DISTRICT AND THE FLORIDA PACE FUNDING AGENCY; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE MEMBERSHIP AGREEMENTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE MEMBERSHIP AGREEMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

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

Deputy Town Attorney Lorenzo Cobiella and Principal Town Planner, Ms. Susana Alonso, introduced the item. They stated that the TOML belongs to the Green Corridor PACE District, which provides for Ygreene. He stated that many residents have asked for more options and Ms. Alonso put together many organizations that will be able to provide financing options for Town residents and business owners. This proposed resolution will give access to additional program administrators that are available to other government entities.

Councilmember Collazo made the motion to approve the resolution and it was seconded by Councilmember Fernandez. The motion passed 5-0; Mayor Cid and Councilmember Alvarez were absent.

14. NEW BUSINESS ITEMS

A. Passport Office (Dieguez)

Councilmember Dieguez presented this item and made a motion to direct Town Administration to start figuring out the steps it would take to open a passport office in the Town, including whether there are any federal funds that would be made available if the Town offers to host a site. Councilmember Dieguez then mentioned that this is only exploratory to get more information before committing to opening an office.

Councilmember Fernandez seconded the motion. The motion passed 6-0 with Councilmember Alvarez absent.

B. Metaverse (Cid)

Deputy Town Attorney, Lorenzo Cobiella presented this item on behalf of Mayor Cid and explained that the Metaverse is when you wear googles, oculus', which allow you to participate in 3D and have a virtual reality type meeting. He stated Mayor Cid would like to direct Town Staff to look into it and see if that type of technology is feasible so that eventually the Town Council can be in the Metaverse.

Vice Mayor Rodriguez made a motion for Town Staff to do as requested by Mayor Cid and Councilmember Fernandez seconded the motion.

Councilmember Ruano then stated she is not interested in the Metaverse as she likes the interaction and to be in the same room as her constituents. Councilmember Collazo then stated he sees the potential but while speaking to the IT Department, he realized the investment in IT personnel and infrastructure would be quite costly.

Councilmember Fernandez stated the cost could vary based on the scope however it is worth exploring and might make its way to the top of the pile in a grant funding situation. Vice Mayor Rodriguez stated it should be looked into and brought back to the Town Council. He added it is not a bad thing to give residents options but within reason. Mayor Cid then stated the Metaverse is not expensive at all. He mentioned he will be doing this on his own with Metaverse office hours however, he saw this as an opportunity for the Council to be involved.

Councilmember Fernandez then amended the motion to pursue the Metaverse so long as it does not involve spending general fund revenues. Vice Mayor Rodriguez seconded the motion. Councilmember Dieguez then stated that with the condition of not spending money, he would be fine. The Town Clerk called the roll on the motion as amended and the motion passed 5-1 with Councilmember Ruano in opposition and Councilmember Alvarez being absent.

C. Shopping Cart Removal Deterrence Systems (Rodriguez)

Vice Mayor Rodriguez presented this item and began by explaining there is already an ordinance in Miami-Dade County that addresses the shopping cart issue. He then made a motion to work with Town Staff, the Planning and Zoning Board, and the Town Attorney's to work on implementation and enforcement of that ordinance. Councilmember Fernandez seconded the motion.

Councilmember Collazo then asked if this motion includes the deterrence system or just working with the confines of the ordinance. Vice Mayor Rodriguez explained he was told by the Town Attorney to work within the confines of the existing ordinance. Deputy Town Attorney, Lorenzo Cobiella stated the County allows the posting of signs and they also have an ordinance where a civil fine is associated. He then suggested coming back with a resolution asking Miami-Dade County to partner with the Town to take care of the situation.

After further discussion amongst the Councilmembers, the motion passed 6-0 with Councilmember Alvarez absent.

D. Town Manager Contract (Dieguez)

This item was discussed jointly with Item 13A.

E. Speed Bumps (Cid)

Deputy Town Attorney Lorenzo Cobiella presented this item on behalf of Mayor Cid and explained Mayor Cid is looking to place certain speed bumps on the areas around NW 153rd Terrace and NW 152nd Terrace between 87th Avenue and 89th Avenue. He would like Town Staff to take a look at those areas and place speed bumps.

Vice Mayor Rodriguez made a motion to approve the item and Councilmember Fernandez seconded for discussion.

Vice Mayor Rodriguez mentioned that a long time ago the Town Council started talking about an omnibus agreement with the County to address speed bumps and give them the ability to implement these speed bumps throughout the Town. He also stated that there is a list of 24-26 streets in which residents have requested speed bumps.

Vice Mayor Rodriguez then asked for an update on how much longer for the omnibus agreement. Deputy Town Attorney Cobiella then stated they have gotten very little responses back from the County regarding the agreement. Public Works Director, Carlos Acosta added that they still need the interlocal agreement to be approved by the County; however, he mentioned that the County told him that they are now allowing speed bumps to be installed by a Town Council resolution which will supersede any process. With that being said, Vice Mayor Rodriguez stated on behalf of the Town Council, that they would like all 24-26 speed bumps to be installed.

Councilmember Ruano asked what research has been done in the particular areas requested and Director Acosta explained the speed study and stated that the process has not been done for all areas on the list. Councilmember Ruano then added she would like for there to be a process with a study, neighbors' agreement to install, and Council's agreement to maintain. Vice Mayor Rodriguez agreed and asked that the residents on the list be contacted to require a certain number of residents on the street to sign off on the installation of a speed bump. He also wants to address areas that have lengthy roadway without stop signs.

Vice Mayor Rodriguez then made an amendment to approve speed bumps with a process. After further discussion, Vice Mayor Rodriguez then changed his amendment to direct the Town Attorney to work on something for the October Council Meeting to bring back to the Town Council regarding the approval of speed bumps, the quick process of getting the items approved, and what will be required. Councilmember Collazo seconded the motion.

After discussion amongst the Councilmembers and Town Staff, Deputy Town Attorney Cobiella suggested bringing forth a resolution to approve the process and then bring another resolution approving a list of speed bumps. Town Manager Pidermann then mentioned the cost proponent and added they will work on allocating more dollars for the 2nd budget hearing to fund the speed bumps, if it is the will of the Town Council.

The motion passed 6-0 with Councilmember Alvarez being.

F. Public Art (Dieguez)

Councilmember Dieguez presented this item and made a motion as part of the upcoming amendment to the Beautification Master Plan, to include possible areas that will be prime for implementing public art and directed Town Staff to try and see where else public art can be incorporated. Councilmember Fernandez seconded the motion.

Councilmember Collazo added the underpass on 67th and Palmetto is considered a blighted area compared to the Town's standard. Councilmember Collazo then made an amendment to the motion to have the underpass on 67th and Palmetto considered immediately as a potential site for such an installation or to mimic what was done on the 154th Street underpass. Councilmember Dieguez seconded the motion.

Town Manager Pidermann stated the entry feature on the North bound on 67th is being considered, that they will start working with FDOT to consider some type of beautification for the slopes at 67th Avenue and Palmetto similar to what is on 154th Street.

Councilmember Dieguez then added that under the Gratigny on 57th Avenue, Hialeah installed lights which look nice. Town Manager Pidermann then mentioned that the project was costly but can be explored, if they try to fund a similar type of project customized to their liking under the Gratigny at 67th Avenue. Councilmember Fernandez then asked if the Palmetto and 67th Avenue slopes are in the Town boundary. Principal Town Planner, Ms. Susana Alonso stated that is outside of Town limits.

Councilmember Dieguez then stated to at least ask FDOT what can be done, and Councilmember Fernandez agreed and also asked if FDOT could pay for the beautification.

There being no further discussion, the amendment passed 6-0 with Councilmember Alvarez being absent. The main motion as amended passed 6-0 with Councilmember Alvarez being absent.

G. Town Hall Meetings (Cid)

Deputy Town Attorney, Lorenzo Cobiella presented this item on behalf of Mayor Cid and explained that Mayor Cid wants a Town Hall meeting either in September or October where residents can voice their opinions on section 13-1606 of the Town Code. He explained section 13-1606 of the Town Code relates to the ordinance specific to boats on residential property.

Councilmember Fernandez made a motion to move the item and Vice Mayor Rodriguez seconded. Vice Mayor Rodriguez stated that Town Hall meetings are great for residents to speak their mind and is in favor of the item. Councilmember Dieguez stated that they have hosted many open forum Town Hall meetings before, and that they haven't been well attended despite the efforts to advertise them. Councilmember Dieguez rather vote for a referendum, at some point to get a definitive answer. Councilmember Ruano feels they've had several meetings where residents have come out to speak out on this particular item and she does not support it.

The Town Clerk called the roll and the motion failed 2-3 with Councilmember Collazo, Councilmember Dieguez, and Councilmember Ruano in opposition. Councilmember Alvarez and Mayor Cid were absent.

H. Consolidated Signs (Dieguez)

Councilmember Dieguez made a motion to waive 6.9 of the Special Rules of Order. Councilmember Collazo seconded the motion and would also like to be added as a cosponsor to the item. The motion passed 5-0 with Councilmember Alvarez and Mayor Cid absent.

Councilmember Dieguez presented this item and explained it is not so much about reducing the number of signs, it is about reducing the number of poles they are on. He stated multiple signage is unsightly because there are multiple poles when they can just be consolidated to one pole. Councilmember Dieguez also added that with consolidated signage, it reduces the points along the sidewalk that get very tight. He also would like for the Town, long-term, when replacing these poles, to look at trying to make them uniform.

Councilmember Dieguez then made a motion to consolidate the signs and try to make them more uniform in appearance moving forward. Councilmember Collazo seconded the motion. Councilmember Collazo then amended the motion for Town Staff to consider, as part of the plan, consolidated signage on green posts instead of using plain galvanized steel posts. Councilmember Dieguez seconded the motion.

The amendment passed 6-0 with Councilmember Alvarez being absent.

Councilmember Collazo then stated that while they've been improving a lot of infrastructure throughout the Town, specifically the poles that line 67th Avenue for utilities. He added that they've updated utility poles but have not removed the older poles and he would like to see if there is any way to fast track that removal.

Councilmember Collazo then made another amendment to the motion that as they consider consolidation of signs, to also remove any old utility poles as quickly as possible.

Councilmember Dieguez seconded the motion. The amendment passed 6-0 with Councilmember Alvarez being absent.

On the main motion as amended twice, the motion passed 6-0 with Councilmember Alvarez being absent.

15. MAYOR AND COUNCILMEMBER REPORTS:

A. Town Attorney Contract (Cid)

Mayor Cid made a motion to convert the Town Attorney's Contract from an evergreen to an actual 4-or 5-year-old contract. The motion was seconded by Vice Mayor Rodriguez. After discussion, Vice Mayor then restated the motion for it to be to convert from an evergreen to a fixed term contract, to be negotiated by Councilmember Dieguez. Councilmember Dieguez seconded the motion again. The motion passed 4-2. Councilmember Ruano and Councilmember Fernandez voted in opposition and Councilmember Alvarez was absent.

Vice Mayor Rodriguez then made two amendments. The first amendment to the motion was for Councilmember Dieguez to be the one negotiating the Attorney contract with the Town Attorney's. Councilmember Dieguez seconded the motion. All were in favor. Councilmember Alvarez and Mayor Cid were absent.

Vice Mayor Rodriguez made a motion for Councilmember Dieguez to ensure that there is a level of notice before termination, whether it be 30, 60, or 90 days to be negotiated. The motion was seconded by Councilmember Dieguez.

During discussion, Councilmember Dieguez stated that he would like to set Sunshine Meetings with the elected officials to their input and to also better explain the provisions that are often included in these contracts. After further discussion, Town Attorney Gastesi suggested for Councilmember Dieguez to work on a contract, then Town Attorney would review the draft of the contract and then Councilmember Dieguez would meeting individually with each councilmember for input.

B. Intergovernmental Update (Cid)

No report was given.

16. MANAGER'S REPORTS

A. 5G Monetization Opportunities (Cure)

The Chief Technology and Innovation Officer, Mr. German Cure, presented these two items.

Mr. Cure explained that Town Staff solicited responses (RFIs) from 5G technology companies. The Town received 4 responses to the Town's RFIs and that these companies were all interested in selling or leasing 5G technology directly to the Town. No revenue opportunities were presented by any of these companies.

Regarding the Wireless Network Performance Item, Mr. Cure reported that the Town Management and the Innovation & Technology Team spoke to the following three major network carriers: AT&T, Verizon and T-Mobile. During these conversations, the Town Management & the Innovation & Technology Team was able to get updated information about plans, timelines, locations and technology plans for the town. These network carriers also shared their plans and future expansions with our Innovation Team. In a nutshell, these wireless network providers were pleased with the Town Staff for taking the initiative of inviting them to discuss the Town's vision. Mr. Cure finished his report by emphasizing that a channel of communication was opened with the office of the Strategic & innovation and that this creates opportunities/potential partnerships for the future.

B. Monthly Infrastructure Report (Acosta)

Director of Public Works, Mr. Carlos Acosta presented the report. He highlighted that the negotiations of the design of the back-up generator for Roberto Alonso Community Center have been finalized. Director Acosta answered questions posed by Town Staff. Specifically, Vice Mayor Rodriguez asked Town Staff to look into the utility service cables that are hanging in White Oak by Miami Lakes K-8 Center. Vice Mayor Rodriguez is concerned about this for security reasons.

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

No report was given.

D. Monthly Police Report (Ruiz)

Major Ruiz presented the report and stated that once this report was requested from him, he was tasked to look into metrics across the border in order to see if additional personnel is needed at the present time. He reported that crime rate over the past 5 years has gone down, response time has remained stable thru the years, calls for service have gone down and he concluded by stating that based on those metrics, there is no necessity for additional police bodies at his time. He stated that he can't justify it. He did state that vehicle burglaries have increased and also traffic complaints. He stated that in conjunction with the Town Manager, he has a plan in place to address those two issues and that he will explain them in detail at the 1st Budget Hearing scheduled to take place tomorrow, September 14th at 6:30 pm. He summarized the plan by stating that he would like to increase surveillance and high visibility patrol via overtime and

that he would address the traffic complaints via speeding enforcement throughout the town. Mayor Ruiz prepared a report and shared it with the Town Council. He concluded by stating that he can't justify getting additional police officers assigned to Miami Lakes. That the metrics do not justify it. He did emphasize that he would like overtime for his police staff. Mayor Cid stated that the neighbors want more visibility in the neighborhoods and in our major roads.

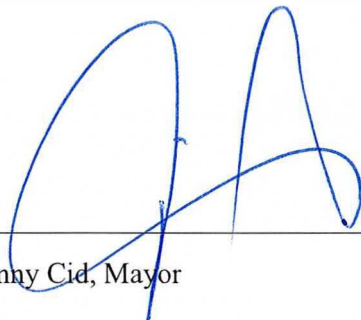
17. ATTORNEY'S REPORTS:

Town Attorney Gastesi reported that there will be a Pizzi Trial in early January 2023. He also reported that in the FRS case, the Town has filed an appeal and that the Perez case is being defended by the carrier.

18. ADJOURNMENT:


There being no further business to come before the Town Council, the meeting adjourned at 10:31 pm.

Approved this 11th day of October 2022.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk