

MINUTES
Regular Council Meeting
September 12, 2023
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:

Town Councilmembers presented a recognition in the lobby of Town Hall for Ms. Felicia Salazar. The recognition was a plaque placed under the official Town Seal, honoring Ms. Salazar, who designed herself the Town Seal, when the town was incorporated.

Councilmember Collazo asked the members of the Mental Health Task Force and Mr. Frank Walsh to come up and join the Town Council for a proclamation. He then presented a proclamation declaring September 2023 as Suicide Awareness Month in the Town of Miami Lakes. Mental Health Task Force Chairperson, Lindsay Wallick, expressed how grateful she is to be in a community that takes mental health so seriously, which allows them to share resources with the community and do more to raise awareness. Mr. Walsh then shared a personal story about the impact suicide has on his and his family's lives.

Mayor Cid asked Ms. Jackie and JJ Matthews to come up and join the Town Council for a proclamation. JJ Matthews then thanked the Town Council for the proclamation and said a few words on the importance of childhood cancer awareness. Ms. Jackie Matthews also thanked the Town Council and community for raising awareness for childhood cancer. Mayor Cid then presented JJ Matthews with a proclamation for Childhood Cancer Awareness Month in the Town of Miami Lakes.

2. CALL TO ORDER:

The Town Clerk, Gina M. Inguanzo, called the roll at 6:50 p.m. with the following Councilmembers being present: Luis E. Collazo, Josh Dieguez, Tony Fernandez, and Mayor Manny Cid. Vice Mayor Carlos O. Alvarez was absent. Councilmember Marilyn Ruano was present via zoom. Councilmember Ray Garcia was present via zoom however arrived in-person at 10:34 p.m.

3. MOMENT OF SILENCE:

Mr. Jovani Mendieta from Crossed Athletics let the prayer.

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

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Deputy Town Attorney Lorenzo Cobiella.

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

Councilmember Dieguez moved items 14E and 13B to after Committee Reports. Mayor Cid moved item 8A to before Public Comments and pulled 10C from the Consent Calendar. Councilmember Ruano moved item 12A after Public Comments. Councilmember Dieguez then asked to discuss 12A and 14E together. Mayor Cid stated the order of business as follows: 8A before Public Comments, after Public Comments will be 12A and 14E together and then 13B, and 10C pulled from the Consent Calendar.

Councilmember Fernandez made a motion to move the Order of Business and Councilmember Dieguez seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

Once Public Comments were done, Mayor Cid motioned to move up item 14C after 14E and Councilmember Fernandez seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

After item 8D, Councilmember Collazo made a motion to reopen the Order of Business to move up the Quasi-Judicial items after item 8D and Councilmember Dieguez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

6. PUBLIC COMMENTS: (1:01:20)

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

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

Mr. Angelo Garcia came before the Town Council to participate in public comments. He expressed concerns regarding the cleaning of the bridge underpasses on 67th Avenue and 57th Avenue.

Mr. Steven Herzberg came before the Town Council to participate in public comments. He spoke on item 13B, regarding legislative priorities. He asked that blasting reform be added to the list of priorities.

Mr. Ian Cian came before the Town Council to participate in public comments. He spoke about the horrible flooding in the town and asked for the drainage to be fixed.

Ms. Mirtha Mendez came before the Town Council to participate in public comments. She spoke about item 13C, the Special Rules of Order and asked what two-thirds of the council meant.

Mr. Raymond Alvarez came before the Town Council to participate in public comments. He spoke about the prevalence of smoking and the issues related to it.

Mr. Jaden Gonzalez came before the Town Council to participate in public comments. He spoke about the Miami Lakes Optimist Park and possible changes to the park to benefit the school and public.

Ms. Veronica Perez came before the Town Council to participate in public comments. She expressed concerns with the security guard gate services in the Loch Lomond Neighborhood Services District. She stated that the company is doing the bare minimum.

Mr. Keith Halpin came before the Town Council to participate in public comments. He spoke about the Loch Lomond guard services and stated that he has had no bad experiences.

Ms. Marisol Basulto came before the Town Council to participate in public comments. She expressed concerns with the Loch Lomond guard gate security services company and contract.

Mr. Rene Basulto came before the Town Council to participate in public comments. He expressed concerns with the Loch Lomond guard gate security service and stated that there is a problem with the quality of the guards.

Mr. Humberto Comeas came before the Town Council to participate in public comments. He expressed concerns with the Loch Lomond security guards and guard gate security services.

Mr. Angel Gonzalez came before the Town Council to participate in public comments. He expressed concerns with the Loch Lomond security guard gate services. He stated that the community should privatize the streets.

Ms. Jessica Farah came before the Town Council to participate in public comments. She spoke about an incident her parents experienced in Loch Lomond. She also expressed concerns about the security and safety within the Loch Lomond community as well as the guards.

Ms. Gloria Garcia came before the Town Council to participate in public comments. She stated the Loch Lomond community is very concerned and there is a clear problem. She asked for a combined effort with multiple entities to provide a deterrent to the community.

Ms. Lilian Penelas came before the Town Council to participate in public comments. She stated that what is going on in the community is scary. She asked the council to do anything they can to help keep the neighborhood safe.

Ms. Leslie Langbein came before the Town Council to participate in public comments. She expressed concerns with dark areas in the neighborhood, streetlights being out, and maintenance issues within the community. She asked the council to consider the safety and welfare issues.

Mr. Roman Cordova came before the Town Council to participate in public comments. He stated that any time an incident occurs, the community reacts and there is heavier guard and police presence, however it dies down after a while. He asked for something to be done regarding security.

Mr. Roger Goren came before the Town Council to participate in public comments. He implored the council and police not to look the other way, be aware of what's going on, and not allow it to continue. He also expressed concerns with the night guards for the Loch Lomond community.

Ms. Marissa Gonzalez came before the Town Council to participate in public comments. She expressed concerns with the security at Loch Lomond. She stated she has seen groups of men walking on the golf course at 1-2am, jumping the fence to get into the townhouses in that area.

Mr. Nicholas Pidinsky came before the Town Council to participate in public comments. He stated that now the council has been put on notice about what the problems are. He also expressed concerns with the guards at Loch Lomond and stated something has to be done about them.

Mr. David Ackerman came before the Town Council to participate in public comments. He stated it is the Town Council's responsibility for the safety and security of all citizens in Miami Lakes.

There being no further public comments, public comments were closed.

7. APPOINTMENTS:

Councilmember Collazo announced the following appointments:

Mr. William Perez to the Mental Health Task Force by Councilmember Ray Garcia.

Ms. Esther Colon to the Miami-Dade County Sheriff Ordinance Review Ad-Hoc Committee by Vice Mayor Carlos O. Alvarez.

8. COMMITTEE REPORTS:

A. Neighborhood Improvement Committee

Chairperson Rudy Lloredo presented this committee report. He spoke about the future project titled "Dream in Green" and he answered questions posed by the Town Council.

B. Elderly Affairs Committee

Vice Chairperson Lourdes Corvo presented this committee report and stated that the committee has two requests for the Town Council.

Councilmember Dieguez stated he read through the report and then made a motion to accept the recommendation. Councilmember Fernandez seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

C. Miami-Dade County Sheriff Ordinance Review Ad-Hoc Committee

Chairperson Jose Fernandez presented this committee report. He explained that the committee has been meeting since January 2023, discussing the potential implications an elected sheriff could have, and they analyzed the best path moving forward for our town and members of this community. By a unanimous consensus of the committee, Chairman Fernandez is presenting the findings of the Miami-Dade County Sheriff Ordinance Review Ad-Hoc Committee regarding the establishment of a Town of Miami Lakes Police Department. They recommend conducting a comprehensive study and the engagement of a consulting firm to provide expert guidance throughout the process. They believe they need to see the data behind it to evaluate current services and report back. Chairman Fernandez then explained what the survey would entail.

Councilmember Dieguez then moved to adopt the committee's recommendation to update the police study and Councilmember Fernandez seconded.

After discussion, the motion passed 6-0; Vice Mayor Alvarez was absent.

D. Sports Hall of Fame Committee

Chairperson Ryan Holland came to present the committee report.

Councilmember Dieguez made a motion to move the committee's recommendation to accept the list of honorees. Due to lack of quorum, there was no second. While they waited for quorum, Chairman Holland began to present the individuals the committee has chosen for the 2023 Miami Lakes Sports Hall of Fame inductees. The individuals that will be inducted on December 9th at Miami Lakes Optimist Park are Bill Arnsparger, Samari Rolle, Adrian Cardenas, and Jose Enriquez.

Councilmember Collazo then made a motion to move the item and Councilmember Dieguez seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

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 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

A. Approval of Minutes

- August 8, 2023 Regular Council Meeting Minutes

This item was approved on the Consent Calendar.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA PROVIDING BEST WISHES AND SUPPORT TO MIAMI-DADE COUNTY POLICE DEPARTMENT DIRECTOR FREDDY RAMIREZ; PROVIDING FOR INSTRUCTIONS TO THE CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR RFP 2023-23, TOWN HALL HVAC REPLACEMENT TO GREEN ALLIANCE, INC. IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND FOUR HUNDRED NINETY DOLLARS AND 00/100 (\$50,490); 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 pulled from the Consent Calendar.

Councilmember Fernandez made a motion to move this item and Councilmember Ruano seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

11. ORDINANCE- FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA REPEALING AND REPLACING TOWN OF MIAMI LAKES CODE CHAPTER 14; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Deputy Town Attorney Lorenzo Cobiella explained that the current lobbyist ordinance has caused a bit of confusion; therefore, this item would be to adopt our own lobbyist ordinance for purposes of clarity. He then highlighted the main changes to the lobbyist ordinance.

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

After this item, Councilmember Collazo motioned to table Mayor Cid's items, 13A, 14G, 15A, and 15B, to the October Council Meeting aside from item 14F. Councilmember Fernandez seconded the motion. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

12. ORDINANCE IN SECOND READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT RATES FOR SPECIAL TAXING DISTRICTS, INCLUDING BUT NOT LIMITED TO SECURITY GUARD AND MULTIPURPOSE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Attorney Lorenzo Cobiella read the title of the ordinance into the record.

Councilmember Fernandez motioned to move the item and Councilmember Dieguez seconded for discussion.

Councilmember Ruano made a motion to remove the speedhump from the budget of Miami Lakes Section One and Councilmember Collazo seconded. Councilmember Collazo stated his reasoning why he will be voting to remove the speedhump which is because the original ordinance does not allow for traffic calming devices to be added into the district. The Town Clerk called the roll on the motion made by Councilmember Ruano and the motion failed 3-3; Councilmember Fernandez, Councilmember Garcia, and Mayor Cid voted in opposition. Vice Mayor Alvarez was absent.

Councilmember Ruano made a motion to remove the Annual LPR License from the budget of Miami Lakes Section One and Councilmember Dieguez seconded. Mayor Cid stated he will be voting no and siding with the recommendation of Town Commander Gonzalez. Councilmember Dieguez stated that the residents should be able to provide feedback on LPR's via petitions or some other form to show if the majority of residents want it. Councilmember Ruano then made a motion to reopen Public Comments and Councilmember Collazo seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

The following individuals provided public comments: (4:04:44)

Mr. Harry Bolinger came before the Town Council to participate in public comments. He spoke on the issue of License Plate Readers and stated he is a firm believer of the LPR system as associated with the police, however, he does not believe they should be put in Loch Lomond, Royal Oaks, or Section One. He also spoke about the guards' duties and responsibilities at the guard gates as well as guard video cameras.

Mr. Boris Foster came before the Town Council to participate in public comments. He stated he observed that tonight there are two communities with two different priorities therefore, the demands of the NSDs should be decided by the communities, not the council.

Ms. Hope Reynolds came before the Town Council to participate in public comments. She stated that the property owners of Miami Lakes Section One want the right to vote on anything they will have to pay for.

Ms. Tina Gallinar came before the Town Council to participate in public comments. She stated she voted for the guard gate but did not know other things would be added to what she originally voted for. She asked to vote on the additions to the budget such as LPRs, speed bumps, and flower changes as they are increasing the taxes.

Mr. Alex Ariano came before the Town Council to participate in public comments. He stated that as per Deputy Town Attorney Lorenzo Cobiella's research, in order to get anything special done at Coral Gables Special Taxing Districts, they have to have a super majority of the people that own the homes.

Ms. Claudia Luces came before the Town Council to participate in public comments. She stated that it is troubling that no one read the ordinance. She also stated that by the council voting on the assessment takes the voting rights away from the residents. She asked the council to allow the people the opportunity to vote on this.

There being no further public comments, public comments were closed.

After further discussion amongst the Town Council on the topic of LPRs, the Town Clerk called the roll on the motion by Councilmember Ruano and the motion failed 3-3; Councilmember Fernandez, Councilmember Garcia, and Mayor Cid were in opposition. Vice Mayor Alvarez was absent.

Councilmember Ruano then spoke about the ordinance changes discussed at the previous NSD Sunshine Meeting. She then made a motion to adopt the three changes discussed which was as follows: reserves in the Special Taxing Districts are to be capped at 10%, a requirement of a straw ballot or some mechanism to vote of any capital improvements at any cost, and a requirement that any expense that exceeds 10% of the total budget also be put up to the residents for a vote, straw ballot, or any mechanism staff feels is appropriate to gauge feedback. Councilmember Fernandez seconded. After discussion on the motion, Councilmember Ruano added to the motion to not include anything that is regular repair and maintenance or a replacement of an existing item in the Special Taxing Districts.

The Town Clerk asked Councilmember Ruano to restate her motion for purposes of clarification and Councilmember Ruano restated that there are three components to the motion as follows: first is to cap reserves for all Special Taxing Districts at no more than 10% of their annual budget; second is to require feedback from the community by way of a straw ballot or any other mechanism staff sees fit for any capital improvements to be added to the Special Taxing Districts, excluding repairs and maintenance of items that already exist or replacement of damaged items that already exist; third is a requirement of a straw ballot or community feedback for any expenditure that exceeds more than 10% of the Special Taxing Districts budgets. Councilmember Fernandez seconded this motion. The motion passed 6-0; Vice Mayor Alvarez was absent.

Back on the main motion as amended, the Town Clerk called the roll and the motion failed 2-4; Councilmember Collazo, Councilmember Dieguez, Councilmember Ruano, and Mayor Cid were in opposition. Vice Mayor Alvarez was absent.

Budget Officer Melissa Hernandez explained that if this item fails, the assessments will go back to what was originally sent to the property appraisers' officer from the July Ordinance in Second Reading. Councilmember Fernandez then asked how much it changed from last time to now.

Mayor Cid then made a motion to reconsider as he was on the prevailing side. Councilmember Dieguez seconded.

Town Manager Pidermann then asked Budget Officer Hernandez to detail changes and she detailed the changes from the June/July readings to now as far as the assessments for each Neighborhood Services Districts.

After further discussion, the motion to reconsider passed 5-1; Councilmember Ruano was in opposition. Vice Mayor Alvarez was absent.

Councilmember Fernandez then made a motion to approve the Ordinance in second reading and Councilmember Garcia seconded. The motion passed 5-1; Councilmember Ruano was in opposition. Vice Mayor Alvarez was absent.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, INCORPORATING POLICE ENHANCEMENT STRATEGIES INTO THE TOWN STRATEGIC PLAN; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was tabled.

- B. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, SETTING FORTH LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2024-2025; AUTHORIZING TOWN MANAGER OR HIS DESIGNEE TO PURSUE FUNDING FOR LEGISLATIVE PRIORITIES; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY AGREEMENT IN FURTHERANCE OF ADVANCING LEGISLATIVE PRIORITIES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING TOWN CLERK TO REMIT A COPY OF THIS RESOLUTION TO TOWN LOBBYIST, THE SOUTHERN GROUP AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Dieguez made a motion to approve the list minus the NW 155th transportation project.

Councilmember Fernandez incorporated the blasting issue as a priority item. Mayor Cid requested to add to the list of priorities that cities have the option to opt out of FRS for new employees and go into a defined contribution plan. Councilmember Collazo also added the Senior Center of \$500,000 to the list of priorities.

State Representative Fabricio then spoke about funding for legislative priorities as well as the number one bill he files and advocates for each year regarding blasting.

Councilmember Dieguez then made a motion to incorporate the changes brought up on the Dais and Councilmember Fernandez seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE SPECIAL RULES OF ORDER OF THE TOWN OF MIAMI LAKES F/K/A THE TOWN COUNCIL MEETING RULES AND PROCEDURES;

PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Attorney Lorenzo Cobiella stated this amendment is to get rid of scrivener's and grammatical errors as well as rules that are no longer used or have never been used by the Town Council. He then gave a brief overview of the proposed changes to the Special Rules of Order. He also answered questions posed by the Town Council regarding the changes.

After further discussion, Councilmember Dieguez motioned to move the item and Councilmember Fernandez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

Councilmember Collazo took a moment of personal privilege to thank the Town Clerk, Gina M. Inguanzo and Deputy Town Attorney, Lorenzo Cobiella for their work. The Town Clerk then also recognized the Deputy Town Clerk, Victoria Martinez for her great contribution to the Special Rules or Order.

D. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE RETROACTIVE EXTENSION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Pidermann presented this item and explained that the Town has had this agreement with the City of Hialeah for many years, however it expired, and this agreement would be a retroactive agreement. He explained that they are trying to get rid of the buses, however, in the meantime they need to have this agreement in place.

Councilmember Fernandez made a motion to approve the item and Councilmember Dieguez seconded. Councilmember Ruano added that perhaps we can look for a location within the Town to store the buses rather than paying for outside storage.

After further discussion, the motion passed 4-1; Councilmember Ruano was in opposition. Vice Mayor Alvarez and Mayor Cid were absent.

E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(F)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-304(H) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR SITE PLAN APPROVAL SUBMITTED FOR THE PROPERTY LOCATED AT 16600 NW 57TH AVENUE, AS PROVIDED AT EXHIBIT "A", MIAMI LAKES, FLORIDA, FOLIO NOS. 32-2013-015-0010, PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Raul Gastesi read the quasi-judicial rules for both items 13E and 13F.

Town Attorney Gastesi then read the title of the resolution for item 13E into the record.

Councilmember Collazo disclosed his ex-parte communications and stated that he has not spoken to the applicant. He then asked the Town Attorney if previously purchasing a vehicle from the Automall constitutes as a conflict and he stated no.

The rest of the Town Council present disclosed their ex-parte communications and stated they had no communications with anyone regarding this item.

The Town Clerk, Gina Inguanzo swore in the individuals that would be providing testimony for both items 13E and 13F.

Principal Town Planner, Susana Alonso presented on behalf of staff and explained the Miami Lakes Automall is requesting a site plan approval to expand and renovate their existing Miami Lakes Kia building in order to house the new Genesis dealership. She explained this application meets the code and staff recommends approval.

The applicant for the Miami Lakes Automall, Mr. Fred Senra, explained they will be replacing two and half buildings with three nicer showrooms. He stated that in essence this will be improving the property and image of the property. He also added that they are not increasing the size of the Automall, it will remain the same.

Councilmember Collazo opened the public hearing for this item and seeing no one to speak on this item, the public hearing was closed.

Town Staff and the applicant answered questions posed by the Town Council.

Councilmember Fernandez made a motion to approve the site plan and Councilmember Dieguez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-303 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A CONDITIONAL USE; ALL BEING SUBMITTED FOR THE PROPERTY LOCATED AT 14505 COMMERCE WAY SUITE 522, AS PROVIDED AT EXHIBIT "A", MIAMI LAKES, FLORIDA, FOLIO NO. 32-2022-006-0060; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Collazo opened the public hearing for this item and seeing no one to speak on this item, the public hearing was closed.

Principal Town Planner, Susana Alonso presented on behalf of staff and explained the applicant is requesting a condition use to operate a college in an existing building. There is no new work proposed in this application, it is only the conditional use for the interior of the building.

Ms. Demelsa Rodriguez, HR Director for Antigua College, was joined by the CEO, Mr.

Diony Antigua, and the Compliance Officer, Mr. Diony Joseph Antigua, to introduce the institution. Ms. Rodriguez explained who Antigua is and what impact the college has.

The Town Council disclosed their ex-parte communications and stated they had no communication with anyone regarding this item.

Town Staff answered questions posed by the Town Council regarding this conditional use application and process.

Councilmember Dieguez made a motion to approve the condition use for the reasons outlined in the staff report and Councilmember Fernandez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

After this item, Councilmember Dieguez motioned to extend the meeting until midnight, at the latest and Councilmember Fernandez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPLY FOR AND ACCEPT MIAMI DADE COUNTY (MDC) FY 2024 GROWING ROOTS FOR ENVIRONMENTALLY EQUITABLE NEIGHBORHOODS (GREEN) MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXECUTE GRANT AGREEMENTS; AUTHORIZING THE MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Pidermann explained this item is a resolution to apply for and if awarded accept a grant from the Growing Roots for Environmentally Equitable Neighborhoods Matching Grant Program. This grant is for the reforestation of West Lakes, and it would be Phase 6.

Councilmember Fernandez made a motion to move the item. Councilmember Garcia and Councilmember Dieguez seconded simultaneously. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPLY FOR AND ACCEPT MARS PETCARE'S 2023 BETTER CITIES FOR PETS GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXECUTE GRANT AGREEMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fernandez made a motion to move this item and Councilmember Dieguez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

14. NEW BUSINESS ITEMS:

A. Restarting the Mini Parks Capital Improvement Program (Dieguez)

Councilmember Dieguez asked Parks & Recreation Director, Mr. Jeremy Bajdaun to come up and proceeded to ask him if the town has reevaluated the costs without the docking pads. Parks Director Bajdaun stated the docking pads are roughly \$45,000.

Councilmember Dieguez then made a motion directing Town Staff to come up with a funding plan to fully implement the remainder of the Mini Parks Capital Improvement Program which has been stalled since 2019. Councilmember Fernandez seconded the motion.

After discussion, the motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

B. Zonta Club 40th Anniversary (Ruano)

Councilmember Ruano presented this item and explained that the Zonta Club approached her regarding their 40th anniversary. To celebrate their 40th anniversary, they'd like to plant a magnolia tree somewhere in the town. She explained the cost of planting the tree would be around \$500.

Councilmember Ruano made a motion to direct Town Staff to find a location and work with the Zonta Club of Miami Lakes to find a date that would for both of us to have a small ceremony in honor of their 40th anniversary. Councilmember Fernandez seconded the motion.

After discussion, the motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

C. Rosa Nell Hammer Way (Cid)

Mayor Cid presented this item and spoke about Rosa Nell Hammer's past. She fought in World War II and also sold some of the first homes in Miami Lakes. Mayor Cid stated she will be turning 104 on October 2nd and to honor her birthday he would like to redesignate NW 82nd Avenue.

Mr. Alex Ruiz spoke about her profession in real estate at the Keyes Company and the Graham Companies. Mr. Fred Senra spoke about how deserving she is of this recognition.

Mayor Cid then made a motion designating 82nd Avenue between 154th Street and Oak Lane as Rosa Nell Hammer Way. Councilmember Fernandez seconded the motion.

Councilmember Collazo then asked for the entire Town Council to cosponsor this item and Mayor Cid allowed it.

The motion passed 6-0; Vice Mayor Alvarez was absent.

D. Tree Trimming Licensure (Fernandez)

Councilmember Collazo made a motion to waive Section 7.3 of the Special Rules of Order and Councilmember Ruano seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

Councilmember Fernandez presented this item and explained that it was brought to his attention that there are groups of individuals that are soliciting particularly the seniors in our community and offering to trim trees for a cost. These individuals are not trimming the trees to any sort of professional tree trimming standard; they are essentially butchering the trees, leaving branches on the swale, and promising to come back and pick it up. He explained that because of this the tree canopy is suffering, it is creating a public safety nuance, and a lot of these residents are doing this unknowingly of the town process and then being approached by code compliance.

Councilmember Fernandez then made a motion to direct the Town Attorney to do additional research and look at the County's and Broward County's landscape ordinances regarding the licensure of these activities that trim large specimen trees.

After discussion Councilmember Fernandez restated his motion for the Deputy Town Attorney to do additional research on what options are available to us to pursue this. Councilmember Garcia seconded the motion.

After questions from Councilmember Ruano regarding policing the licensure, Councilmember Collazo stated he cannot support this item unless they are willing to open it up, be broader, and bring back multiple options aside from just licensure. Councilmember Fernandez said yes, he would like staff to bring more options and be broader than the licensing.

After further discussion amongst the Town Council, the motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

E. Loch Lomond NSD Security Company (Dieguez)

Councilmember Fernandez made a motion to waive Section 7.3 of the Special Rules of Order and Mayor Cid seconded. The motion passed 6-0; Vice Mayor Alvarez was absent.

Councilmember Dieguez presented this item and began by making a motion to discuss the possibility of switching to a different provider for security services. As part of the motion, he stated that he would like to add additional direction. Prior to explaining the additional direction, he wanted to provide some context from the recent Sunshine Meeting to discuss the original Neighborhood Services Districts Ordinances.

Councilmember Dieguez explained that the Town Council noticed some of the Special Taxing District Ordinances are different. For example, the Loch Lomond Ordinance limits guard house operations. He explained that he believes they need to have a further conversation about possible amendments to these ordinances that created the Special Taxing Districts to allow other options.

With that said, Councilmember Dieguez moved to have a discussion about replacing Kent at the Loch Lomond Neighborhood Services District and also to direct the Town Attorney to explore a mail in ballot election to the residents of Loch Lomond and the other guard gate Neighborhood Services Districts about expanding the scope of the Neighborhood Services Districts to include the use of off duty officers, LPRs, and perhaps a uniformed officer at their choice. Councilmember Fernandez seconded the motion.

Mayor Cid asked Town Commander Gonzalez to come up to the podium for discussion and questions regarding LPRs in the Town. Town Commander Gonzalez had recommended about three to four years ago, for all HOAs with a guard gate to install LPRs and the only community that did so was Royal Oaks. Mayor Cid asked if that was successful and Town Commander Gonzalez stated yes, the LPR has helped prevent and solve crimes. Mayor Cid then asked for the costs to implement an LPR and Parks and Recreation Director Jeremy Bajdaun stated the upfront install cost is \$8,500 with a \$6,500 annual subscription fee and it includes maintenance and warranty. Town Commander Gonzalez recommends an LPR be installed at the guard gate of Loch Lomond.

After discussions on the current Loch Lomond guard gate security service, Councilmember Fernandez changing the guard gate company is a quick solution however, there are other in-depth solutions to be done. He then cautioned against privatizing roads in the community. It gives more control over who comes into the community, but it also comes with the added responsibility of owning and maintaining all of the infrastructure inside the community which comes at a high cost.

Councilmember Collazo asked per the Loch Lomond ordinance, if an LPR system can be implemented without a vote of the community. Deputy Town Attorney Cobiella stated that the Council can decide to place an LPR there if it is their will. He also suggested amending the ordinance to state that the community can have a guard gate with any attachments to it such as an LPR.

Town Commander Gonzalez explained to the public what LPRs are and how they work. He also provided examples of how LPRs in the Royal Oaks community as well as throughout the Town have helped solve a crime. Town Commander Gonzalez then answered questions posed by the residents and Town Council.

Councilmember Ruano expressed this is an issue of not holding our vendors accountable and making sure that our vendors meet the contract requirements in place. She stated that things cannot continue to go unnoticed with no consequences. She also stated that she does not believe that the ordinances for the Special Taxing Districts as they stand, allow us to install LPRs. Councilmember Ruano added that without a vote of the taxpayer, no capital improvement is to be installed outside the scope of these ordinances.

Ms. Jessica Farah, a resident in the Loch Lomond community, spoke about the HOA security cameras at the gate. She stated that there are cameras, but they are not clear videos and not helpful footage.

After questions and discussion between the Town Council and Town Attorneys, Deputy Town Attorney Cobiella clarified that the public can help guide a decision however an ordinance change made by the governing body are what make changes.

Town Attorney Gastesi stated that the contract provision says the Town can terminate the contract at our convenience with 30-day notice without cause.

The Kent Representatives, Mr. Jerry Tolefson and Mr. Marcel Josua, then addressed the Town Council and answered all questions posed by them as they relate to the security guard gate services at the Loch Lomond community.

Councilmember Dieguez asked, by a show of hands, who would be in favor of switching to a new company. As the majority raised their hands, Councilmember Dieguez amended his motion to transfer over the Neighborhood Services District – Loch Lomond to SFM.

The Town Attorney's, Town Manager Pidermann, and Parks and Recreation Director all provided clarification on next steps. Parks and Recreation Director Bajdaun explained that we can either use the 10% contingency reserves to pay any difference in the contract or perhaps negotiate a price with SFM for the remainder of the Loch Lomond contract. Town Manager Pidermann stated that he does not think they should discuss or vote on who the alternative would be tonight because things to be discussed. Town Attorney Gastesi suggests voting on the alternative provider at Thursday's Budget Hearing.

Councilmember Dieguez stated that based on staff's recommendation, he will change his motion to go ahead and start looking for a replacement provider for Kent and for staff to report back to the Town Council on Thursday on the alternative as well as to also start taking preparations to go ahead and have a mail in ballot with respect to expanding the scope of the Loch Lomond NSD to include off duty officers, uniformed officers that they can pay for, and LPRs. Councilmember Collazo seconded.

After further discussion amongst the Town Council, the Town Clerk began to clarify the motion and Councilmember Dieguez restated the following motion: for Town Staff in two days at the 1st Budget Hearing to present an alternative security guard to assume the contract at the Loch Lomond NSD and to simultaneously start the process of a mail in ballot election where the residents can opine on expanding the scope of services to include off-duty officers, LPRs, or any other enhancements at Loch Lomond. Councilmember Collazo had previously seconded this motion.

The Town Clerk called the roll and the motion passed 6-0; Vice Mayor Alvarez was absent.

F. NW 59th Avenue Summit (Cid)

Councilmember Garcia gave his interpretation of this item and thinks that getting all the stakeholders together at this time would be a good idea. Councilmember Collazo gave his comments regarding the expectations of the NW 59th Summit. Councilmember Ruano also commented and stated she would like to hear the item from Mayor Cid, as it is his item. Town Manager Pidermann then explained the remaining things holding the project back. Councilmember Collazo asked if this summit would help staff get the job done faster and both Deputy Town Attorney, Mr. Lorenzo Cobiella and Public Works Director, Mr. Omar Santos believe it may not be beneficial.

After discussion, Councilmember Collazo moved to table the item and Councilmember Fernandez and Councilmember Dieguez seconded simultaneously. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

G. Miami Lakes Pay Plan (Cid)

This item was tabled.

15. MAYOR AND COUNCILMEMBER REPORTS:

A. Impact Fees (Cid)

This item was tabled.

B. Intergovernmental (Cid)

This item was tabled.

16. MANAGER'S REPORTS:

A. CAC Reallocation of Funds (Pidermann)

Councilmember Dieguez made a motion to move the item and Councilmember Fernandez seconded. The motion passed 5-0; Vice Mayor Alvarez and Mayor Cid were absent.

B. Monthly Infrastructure Report (Santos)

This item was not heard because the Town Council adjourned the meeting at midnight, in accordance with the Town Charter and the Special Rules or Order.

C. Monthly Police Report (Town Commander Gonzalez)

Town Commander Gonzalez did not give the monthly police report due to lack of time before adjourning; however, he introduced the new Town Lieutenant, Mr. Eddy Ulloa.

D. Report on AED at Parks (Bajdaun)

This item was not heard because the Town Council adjourned the meeting at midnight, in accordance with the Town Charter and the Special Rules or Order.

17. ATTORNEY'S REPORT:

This item was not heard because the Town Council adjourned the meeting at midnight, in accordance with the Town Charter and the Special Rules or Order.

A. Report on Civil Penalties for Catalytic Converter Robberies (Garcia)

This item was not heard because the Town Council adjourned the meeting at midnight, in accordance with the Town Charter and the Special Rules or Order.

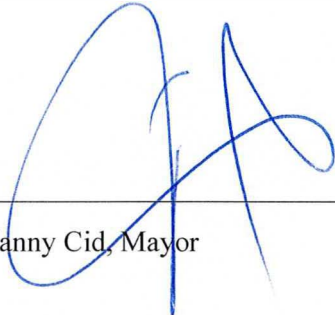
B. Report on 59th Avenue Roadway Project (Cid)

This item was not heard because the Town Council adjourned the meeting at midnight, in accordance with the Town Charter and the Special Rules or Order.

18. ADJOURNMENT:

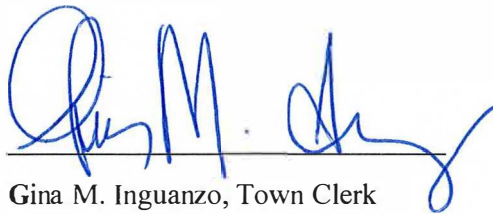
There being no further business to come before the Town Council, the meeting was adjourned at 12:00 am.

Approved this 10th day of October 2023.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk