

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi
Vice Mayor Richard Pulido
Councilmember Mary Collins
Councilmember George Lopez
Councilmember Robert Meador II
Councilmember Nick Perdomo
Councilmember Nancy Simon

MINUTES ZONING MEETING

March 17, 2009

6:00 PM

Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

PRESENTATIONS

1. **CALL TO ORDER:** Mayor Michael Pizzi called the meeting to order at 6:13 p.m.
2. **ROLL CALL:** Deputy Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Robert Meador, Nick Perdomo, Mary Collins, Nancy Simon, George Lopez, Vice Mayor Richard Pulido and Mayor Michael Pizzi.
3. **INVOCATION/MOMENT OF SILENCE:** Pastor Borris gave the invocation.
4. **PLEDGE OF ALLEGIANCE:** Mayor Michael Pizzi led the Pledge of Allegiance.
5. **PUBLIC COMMENTS:** There were no public comments.
6. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**

Mayor Michael Pizzi moved item 11A to be heard immediately after Order of Business. Councilmember Nick Perdomo asked that items 11B, C, D, and E be heard immediately following item 11A. Councilmember Mary Collins pulled item 8A.

Councilmember Nancy Simon made a motion to adopt the agenda as amended. The motion received a second from Councilmember Mary Collins and all were in favor.

Town Attorney, Kathy Mehaffey, read the quasi-judicial statement into the record. Deputy Town Clerk, Marjorie Tejeda, administered the oath to those who would testify in the hearing.

7. **COMMITTEE REPORTS:** There were no Committee reports.

8. **CONSENT AGENDA:**

A. RESOLUTION OF THE TOWN COUNCIL AUTHORIZING THE TOWN MANAGER TO APPLY FOR PLAYFUL CITY USA DESIGNATION. (Simon)

Mayor Michael Pizzi made a motion to amend the resolution by adding a Circus and Bicycle Rodeo. The motion received a second from Councilmember George Lopez and all were in favor.

B. RESOLUTION OF THE TOWN COUNCIL REQUESTING THAT MIAMI-DADE COUNTY INSTALL APPROPRIATE TRAFFIC CONTROL AND SAFETY DEVICES AT THE INTERSECTION OF NW 67TH AVENUE AND MAIN STREET WITHIN THE TOWN OF MIAMI LAKES. (Pulido, Pizzi)

Councilmember Mary Collins made a motion to move item 11B to be heard next. The motion received a second from Councilmember George Lopez and all were in favor.

9. **ORDINANCES – FIRST READING:**

10. **ORDINANCES – SECOND READING (PUBLIC HEARING):**

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE 10, CONCURRENCY REGULATIONS, OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO PROVIDE FOR THE ADDITION OF PUBLIC SCHOOL CONCURRENCY REVIEW PROCEDURES NECESSARY TO MEET THE STATE MANDATED REQUIREMENTS OF PUBLIC SCHOOL CONCURRENCY. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the ordinance. Mayor Michael Pizzi opened the public hearing. There being no one wishing to speak, Mayor Michael Pizzi closed the public hearing. Councilmember Mary Collins made a motion to adopt the ordinance on second reading. The motion received a second from Mayor Michael Pizzi. Deputy Town Clerk, Marjorie Tejeda, called the roll and the ordinance was adopted on second reading 4-3 with the following Councilmembers voting in favor: George Lopez, Mary Collins, Vice Mayor Richard Pulido and Mayor Michael Pizzi. Councilmembers Robert Meador, Nancy Simon and Nick Perdomo were absent.

11. **RESOLUTIONS:**

A. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY IVAN D. RODRIGUEZ AND JANET RODRIGUEZ IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 6.5(b)6.c(1) OF THE TOWN LDC TO PERMIT A PROPOSED 300 SQUARE FOOT ACCESSORY STRUCTURE BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, WATERSIDE OF THE SURVEY TIE LINE; AND 2) DIVISION 6.5(b)6.d(2) OF THE TOWN LDC TO PERMIT 350 SQUARE FEET OF PROPOSED DECK WATERWARD OF THE TOP OF THE SLOPE, FOR PROPERTY LOCATED AT 6350 LAKE JUNE ROAD. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the resolution. The applicant, Ivan Rodriguez, submitted a DERM Report to Council. Councilmember Mary Collins made a motion to accept the report as evidence. The motion received a second from Councilmember Nick Perdomo and all were in favor. Senior Planner, Margelly Beltran, gave the staff presentation. Mayor Michael Pizzi opened the public hearing.

David Southwell spoke in opposition to the variance.
Angela Garrison spoke in opposition to the variance.
David Bennett asked staff for information.
John Garrison spoke in opposition to the variance.
Rafael Nodal spoke in favor of the applicant's request.
Joan Campbell spoke in opposition to the variance.
Julio Varela, contractor, spoke in favor.

There being no one else wishing to speak, Mayor Michael Pizzi closed the public hearing.

Mayor Michael Pizzi made a motion to accept the staff's recommendations. The motion received a second from Councilmember George Lopez. Deputy Town Clerk, Marjorie Tejeda, called the roll and the motion passed 6-1 with Councilmember Robert Meador voting in opposition.

B. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY JUAN C. VALIENTE AND MADELEN VALIENTE IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 4.2(e)7 OF THE TOWN LDC TO PERMIT A PROPOSED SWIMMING POOL EXTENDING 10 FEET WATERWARD OF THE TOP OF SLOPE BUT LANDWARD OF THE WATER'S EDGE; AND 2) DIVISION 6.5(b)6.d(2) OF THE TOWN LDC TO PERMIT 585 SQUARE FEET OF PROPOSED DECK WATERWARD OF THE TOP

OF THE SLOPE, FOR PROPERTY LOCATED AT 16242 NW 79 AVENUE. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the resolution. The applicant, Juan Valiente, asked the Council to waive staff's recommendation and approve his requests. Senior Planner, Margelly Beltran, gave the staff presentation. Mayor Michael Pizzi opened the public hearing.

Maria Arobio spoke in favor of the applicant's requests.
Carlos Pijan spoke in favor of the applicant's request.

There being no one else wishing to speak Mayor Michael Pizzi closed the public hearing.

Councilmember Nancy Simon made a motion to approve the applicant's requests. The motion received a second from Councilmember George Lopez. Deputy Town Clerk, Marjorie Tejeda, called the roll and the motion passed 6-1 with Councilmember Robert Meador voting in opposition.

C. RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF STEARNS WEAVER MILLER WEISSLER ALHADEFF & SITTERSON, P.A. AS FIRST CHOICE AND AKERMAN, SENTERFITT & EIDSON, P.A. AS ALTERNATE FOR COUNTY GOVERNMENT REPRESENTATION AND LOBBYING SERVICES. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the resolution. Councilmember Mary Collins made a motion to adopt the resolution. The motion received a second from Councilmember Nick Perdomo. Mayor Michael Pizzi amended the motion for the Manager to come back to Council prior to utilizing county lobbying services and funds. Mayor Pizzi called for the vote and all were in favor.

D. RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF GOVERNANCE SERVICES, LLC, FOR STATE GOVERNMENT REPRESENTATION AND LOBBYING SERVICES. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the resolution.

Councilmember Nick Perdomo made a motion to decline staff's recommendation for state lobbyist and re-open the bidding process. The motion received a second from Councilmember Mary Collins.

Councilmember Nick Perdomo withdrew his motion.

Mayor Michael Pizzi made a motion to accept staff's second recommendation, Akerman, Senterfitt & Eidson, P.A., at the same cost as staff's first choice. The motion received a second from Councilmember Mary Collins.

Councilmember Robert Meador made the following amendments:

Typo in Exhibit A- 1.9 - document to reflect "state agencies" as opposed to federal agencies.

Conflict of Interest in 5.1- Would like the document to reflect "and Town Council and their reasonable opinion" and put a period after Town Attorney.

Services Assignable in No. 6.-Any assignment changes should come back to the Council.

Page 8, Paragraph 18, - Would like this portion to be removed.

Paragraph 21 - Would like this portion to come back before the Council rather than just the Town Manager.

Vice Mayor Richard Pulido made an amendment to add a provision to the contract that would require the Town Manager to come back to the Council to extend the contract.

Mayor Michael Pizzi accepted the amendments, called for the vote and all were in favor.

E. RESOLUTION OF THE TOWN COUNCIL APPROVING THE SELECTION OF AKERMAN, SENTERFITT & EIDSON, P.A. FOR FEDERAL GOVERNMENT REPRESENTATION AND LOBBYING SERVICES. (Bocanegra)

Town Attorney, Kathy Mehaffey, read the title of the resolution. Councilmember Mary Collins made a motion to adopt the resolution with the same provisions as item 11D at \$90,000 a year. The motion received a second from Councilmember George Lopez. Deputy Town Clerk, Marjorie Tejeda, called the roll. The motion passed 6-1 with Vice Mayor Richard Pulido voting in opposition.

12. NEW BUSINESS: There were no New Business items.

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments to the Planning and Zoning Board

Mayor Michael Pizzi suggested that a Special Meeting be called before April 1st to appoint members to the Planning and Zoning Board and all were in favor.

2. Elderly Affairs Committee Lecture Series (Collins) Deferred

B. MANAGER'S REPORT:

C. ATTORNEY'S REPORTS:

14. FUTURE MEETINGS:

April 14, 2009 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 PM

April 21, 2009 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6:00 PM


15. ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at 8:54 p.m.

Approved this 13th day of October 2009.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada
Town Clerk