

# THE TOWN OF MIAMI LAKES

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**MINUTES**  
**Regular Council Meeting**  
**April 23, 2013**  
**6:30 PM**  
**Government Center**  
**6601 Main Street, Miami Lakes, Florida 33014**

1. **CALL TO ORDER:**

Mayor Pizzi called the meeting to order at 7:10 p.m.

2. **ROLL CALL:**

The Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Nelson Hernandez, Tony Lama, Manny Cid, Nelson Rodriguez, Tim Daubert, Vice Mayor Ceasar Mestre and Mayor Michael Pizzi.

3. **INVOCATION/MOMENT OF SILENCE:**

The Mayor called for a moment of silence.

4. **PLEDGE OF ALLEGIANCE:**

The Honorable Jack Marrow, Medley Councilman, led the Pledge of Allegiance.

5. **PUBLIC COMMENTS:**

Mayor Pizzi presented the Director of the Division of the Florida State Fire Marshal, Mr. Julius Halas and the Regional Supervisor of the State Fire Marshal Department, Mr. Fred Champlain, to address rock mining issues.

Guido Inguanzo congratulated the Mayor and Council on the new Government Center and spoke about the lack of dog signage in the Royal Oaks Park.

Hope Reynolds, Alex Arriano, Miriam Duman, and Jan Schneider spoke about the formation of a Town of Miami Lakes Residents Group which meets with the Mayor, Council, and Town Manager to discuss the Council Meeting Agenda.

Erica Sarduy spoke in favor of item 10A and in favor the farmers market.

Maggie Suazo congratulated the Mayor and Council on the new Government Center and spoke about the Relay for Life event.

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

Mayor Pizzi pulled items 8C and 8B. Councilman Hernandez pulled item 8D. The Mayor switched the order of New Business items 12A and 12D.

Alex Rey, Town Manager, requested that items 10B and 11A be discussed simultaneously. The Mayor made a motion to adopt the agenda as amended. Councilman Hernandez seconded the motion and all were in favor.

**7. COMMITTEE REPORTS:**

No Committee Reports.

**8. CONSENT AGENDA:**

Mayor Pizzi made a motion to adopt the remaining items on the consent agenda. The motion was seconded by Vice Mayor Mestre and all were in favor.

**A. Approval of Minutes: March 12, 2013 Regular Council Meeting**

Passed on Consent.

**B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM ALEXANDER RUIZ ON BEHALF OF POSITANO HOMES, LLC (CONTRACT PURCHASER) TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-1898, C2012-1624, C2012-1507, C2012-0082, C2011-2182, C2010-1051, C2006-1014 AND C2006-0110; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Alex Rey, Town Manager, presented the item. Javier Vasquez, representing the bank and proposed buyer, spoke in favor of staff's recommendation.

Councilman Hernandez made a motion to adopt the resolution in accordance with staff's recommendation. Councilman Lama seconded the motion and all were in favor.

**C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF CONTRACT FOR ITB 2013-01, CUSTODIAL SERVICES FOR TOWN FACILITIES AND PARKS,**

IN THE AMOUNT, NOT TO EXCEED, \$265,432 TO SFM SERVICES, INC.; 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. (Rey)

Mayor Pizzi made a motion to limit the award to South Florida Maintenance to the Government Center, but in regards to the other Town buildings, individual bids should be awarded, emphasizing on local preference. Thus, Miami Lakes residents should be given employment priority for all contracts. Vice Mayor Mestre seconded the motion. The Town Clerk called the roll and all were in favor.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN INFRASTRUCTURE AGREEMENT BETWEEN THE TOWN AND SABAH AL-AHMAD CENTER FOR GIFTEDNESS AND CREATIVITY FOR THE TESTING OF STORMWATER INFILTRATION SYSTEM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Mayor Pizzi made a motion to adopt the resolution. Councilman Hernandez seconded the motion and all were in favor.

E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE LAW FIRM OF GENOVESE, JOBLOVE & BATTISTA P.A., TO HANDLE LITIGATION; AUTHORIZING THE MAYOR TO NEGOTIATE AN AGREEMENT FOR PROFESSIONAL SERVICES; AUTHORIZING TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE RETAINER AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Mayor Pizzi made a motion to adopt the resolution. Councilman Hernandez seconded the motion and all were in favor.

F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE ADOPTED BUDGET FOR FY 2012-2013; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE

TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

**9. ORDINANCES-FIRST READING:**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING AN OFFICIAL ZONING MAP; AUTHORIZING THE MAYOR TO SIGN THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE BY REFERENCE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joe Geller, Town Attorney, read the title of the ordinance for the record.

Councilman Hernandez made a motion to adopt the ordinance on first reading. Councilman Rodriguez seconded the motion. The Town Clerk called the roll and all were in favor.

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

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 13-1509. FENCES, WALLS AND GATES, AND SECTION 13-1701. LANDSCAPE REQUIREMENTS, OF THE CODE OF THE TOWN OF MIAMI LAKES; AMENDING THE RESTRICTIONS AS TO PERIMETER WALLS AND FENCES AND PERIMETER HEDGES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre)

Joe Geller, Town Attorney, read the title of the ordinance for the record.

The Mayor opened the public hearing.

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

Vice Mayor Mestre made a motion to adopt the ordinance on second reading. Councilman Rodriguez seconded the motion. The Town Clerk called the roll and all were in favor.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING ISSUANCE OF SPECIAL OBLIGATION NOTES, SERIES 2013 (ROADWAY IMPROVEMENT PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000, TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE MONEYS, TO FINANCE THE COST OF ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN

ROADWAY IMPROVEMENTS; PROVIDING THAT DETAILS, TERMS AND OTHER MATTERS RELATING TO THE ISSUANCE OF THE NOTES SHALL BE DETERMINED BY A SUPPLEMENTAL NOTE RESOLUTION AND LOAN AGREEMENT; PROVIDING FOR A COVENANT TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES, AS DETERMINED BY A SUPPLEMENTAL NOTE RESOLUTION; RATIFYING THE DISTRIBUTION OF A REQUEST FOR PROPOSALS FROM FINANCIAL INSTITUTIONS; AUTHORIZING THE TOWN MANAGER TO PROCEED TO DEVELOP NECESSARY DOCUMENTS TO AWARD AND ISSUE THE NOTES AND TO DETERMINE THE SPECIFIC DETAILS OF THE LOAN AGREEMENT AND NOTES WITHIN THE PARAMETERS SET FORTH IN A SUPPLEMENTAL NOTE RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joe Geller, Town Attorney, read the title of the ordinance for the record.

The Mayor opened the public hearing. There being no one wishing to speak, the Mayor Pizzi closed the public hearing.

Councilman Rodriguez made a motion to adopt the ordinance on second reading. Vice Mayor Mestre seconded the motion. The Town Clerk called the roll and the motion passed 6-1 with Councilman Daubert voting in opposition.

11. **RESOLUTIONS:**

- A. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, WITH ATTACHMENTS, AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION NOTES, SERIES 2013 (ROADWAY IMPROVEMENT PROJECT), IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,000,000 (THE "SERIES 2013 NOTES") TO TOTALBANK ("TOTALBANK") FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF CONSTRUCTION AND EQUIPPING OF CERTAIN ROADWAY IMPROVEMENTS AND PAYING THE COST OF ISSUANCE OF THE SERIES 2013 NOTES; MAKING FINDINGS AND DETERMINATIONS AS TO SAID NOTES; ACCEPTING THE PROPOSAL OF TOTALBANK TO MAKE A LOAN TO THE TOWN AND PURCHASE THE SERIES 2013 NOTES; PROVIDING FOR THE METHOD OF EXECUTION OF THE SERIES 2013 NOTES; AUTHORIZING THE EXPENDITURE OF THE PROCEEDS OF SUCH NOTES, INCLUDING THE PAYMENT OF THE COST OF ISSUANCE; APPROVING THE FORM OF A LOAN AGREEMENT WITH TOTALBANK IN CONNECTION WITH THE SERIES 2013 NOTES AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LOAN AGREEMENT AND SERIES 2013 NOTES; AUTHORIZING OTHER REQUIRED ACTIONS IN CONNECTION HEREWITH; AND PROVIDING AN EFFECTIVE DATE. (Rey)

Joe Geller, Town Attorney, read the title of the resolution for the record.

Councilman Rodriguez made a motion to adopt the resolution. Vice Mayor Mestre seconded the motion and all were in favor. The Town Clerk called the roll and the motion passed 6-1 with Councilman Daubert voting in opposition.

12. **NEW BUSINESS:**

The Mayor called for a recess at 8:42 p.m.

The Mayor called the meeting to order at 8:59 p.m. The Town Clerk called the roll with all Councilmembers present.

A. Government Efficiency Act (Pizzi)

Mayor Pizzi withdrew this item.

B. Merit Employee Retention Program (Rodriguez)

Councilman Rodriguez made a motion to adopt the Merit Employee Retention Program. Mayor Pizzi made a friendly amendment to allocate no more than \$30,000 to the Merit Employee Retention Program and Councilman Rodriguez accepted the friendly amendment. The motion received a second from Mayor Pizzi and the motion passed 6-1, with Vice Mayor Mestre voting in opposition.

C. Resolution Urging Support of SB92, "Freedom From Unwarranted Surveillance Act" (Cid)

Mayor Pizzi made a motion to table this item and all were in favor.

D. Property Assessed Clean Energy (PACE) Program (Pizzi)

Mayor Pizzi made a motion to adopt the Resolution #1, which creates the Property Assessed Clean Energy Program and the motion received a second from Vice Mayor Mestre. The Town Clerk called the roll and all were in favor.

Mayor Pizzi made a motion to adopt the Resolution #2 on selecting a third party administrator. The motion received a second from Councilman Hernandez and all were in favor.

E. Council Retreat (Rodriguez)

Councilman Rodriguez made a motion to hold the Council Retreat at the Government

Center on a Sunday. The motion received a second by Councilman Lama and all were in favor.

F. Miami Lakes Marina (Cid)

Councilman Cid made a motion requesting that the Mayor petition the Florida Wildlife Commission to exempt the Town of Miami Lakes Marina from the Freshwater Fishing License requirement. The exemption should only occur during hours of operation while Town staff is present. The Mayor seconded the motion and all were in favor.

13. **REPORTS:**

A. MAYOR AND COUNCIL MEMBER REPORTS:

1. Police Contract Negotiations (Pizzi)

The Mayor requested that the police contract negotiation be delayed until the Police Department Review Committee present their analysis.

2. Miami-Dade County Incorporation and Annexation Task Force (Pizzi)

Mayor Pizzi asked the Town Manager to work on this matter and to have a Special Call Meeting for the Town Council to vote on staff's recommendation.

B. MANAGER'S REPORT:

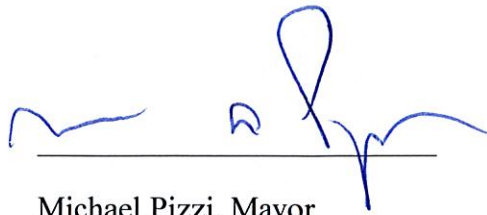
1. Administrative Order 13-01, Hiring Process for Department Directors

The Town Manager spoke about the recruitment, selection and promotion of all candidates for Department Director level positions at the Town of Miami Lakes.

**ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 10:07 p.m.

Approved this 14 day of May, 2013.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk