

TOWN OF MIAMI LAKES, FLORIDA
MINUTES
November 19, 2014
6:00 PM
Committee of the Whole
6601 Main Street, Miami Lakes, Florida 33014

1. **CALL TO ORDER:**

Mayor Slaton called the meeting to order at 6:22 p.m.

2. **ROLL CALL:**

The Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Nelson Rodriguez, Frank Mingo, Tim Daubert, Ceasar Mestre, Vice Mayor Manny Cid, and Mayor Wayne Slaton. Councilman Lama was absent.

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

Mayor Slaton asked for a moment of silence.

4. **PLEDGE OF ALLEGIANCE:**

Mayor Slaton led the Pledge of Allegiance.

5. **PUBLIC COMMENTS:**

As no one wished to speak, Mayor Slaton closed the public comments.

6. **ITEMS FOR DISCUSSION AND ACTION**

A. Council Meeting Rules and Agenda Procedures (Mestre)

Councilman Rodriguez made a motion to nominate Councilman Mestre as Chair of the Committee meeting. The motion was seconded by Vice Mayor Cid and all were in favor.

Special Rules of Order of the Town of Miami Lakes

Councilman Mingo made a motion to title the document: Special Rules of Order of the Town of Miami Lakes. The motion was seconded by Councilman Daubert and all were in favor.

Section 1. Town Council Meetings.

1.1 Regular Meetings. The Town Council shall hold regular meetings once or twice a month as may be determined by the Council on the second and/or fourth Tuesday of each month at 6:30 p.m. in ~~the Royal Oaks Park Community Center~~ Town Hall or such other location as may be designated by the Town Council from time to time. Zoning hearings shall begin at 6:00 p.m. All meetings shall be open to the public and shall be publicly noticed by advertisements in local newspapers in accordance with Florida Law. Copies of the agenda shall be made available to the public upon entering the Town Council Chambers for all public meetings. Council meetings will be conducted in a businesslike yet open and friendly way so as to allow the efficient accomplishment of Town business without unnecessary formalities or delays while respecting the right of each individual to express his/her opinion.

- *Change Second or Fourth Tuesday to First or Third*

Councilman Mestre made a motion to change the Council Meetings from the second and/or fourth Tuesday of the month to the first and/or the third Tuesday of the month. The motion was seconded by Councilman Daubert and all were in favor.

Councilman Rodriguez made a motion amending the Council Meetings to take place on the third Tuesday or any other Tuesday that's available.

Councilman Rodriguez withdrew his motion.

Councilman Daubert made a motion to postpone Councilman Mestre's motion. The motion was seconded by Vice Mayor Cid and all were in favor.

- *Replace Royal Oaks Park with Town Hall*

Councilman Daubert made a motion to replace Royal Oaks Park with Town Hall. The motion was seconded by Councilman Mingo and all were in favor.

- *Delete Zoning Hearings*

Mayor Slaton made a motion to delete the sentence starting with "Zoning hearings." The motion was seconded by Councilman Daubert.

Mayor Slaton withdrew his motion.

1.2 Special Meetings. Special meetings of the Town Council may be held upon the call of the Mayor or upon the call of four (4) or more members of the Council. Whenever a Special Meeting is called, forty-eight (48) hours' notice shall be given to the public, or such shorter time as the majority of the Council shall determine

necessary in case of an emergency affecting life, health, property or the public peace. Notice to the public shall be posted at Town Hall and communicated to local newspapers. Notices shall state the place, date and hour of the meeting and the purpose for which such meeting is called, and no further business shall be transacted at the meeting except as stated in the notice. Discussions at Special Meetings shall be limited to the items referred to in the agenda for such meetings. All meetings shall be open to the public, except as may be expressly exempted by state law.

Councilman Daubert made a motion to authorize the Town Manager to call Special Meetings. The motion was seconded by Councilman Rodriguez and the motion failed 1-5. Councilman Mingo, Councilman Rodriguez, Councilman Mestre, Vice Mayor Cid and Mayor Slaton voted in opposition. Councilman Daubert voted in favor. Councilman Lama was absent.

Councilman Daubert made a motion to authorize the Vice Mayor to call Special Meetings. The motion was seconded by Councilman Rodriguez.

Councilman Daubert withdrew his motion.

~~1.3 **Special Presentations.** Special presentations shall begin at 6:30 p.m. Special Presentations will precede the Town Council Meeting.~~

This section was deleted. Please refer to section 3.1.

1.3 Robert's Rules of Order. Except as expressly provided in these procedures, all meetings of the Town Council shall be governed by the rules of procedure provided by Robert's Rules of Order, Newly Revised, 2000 Edition.

- *Strikethrough 2000*

Councilman Daubert made a motion to eliminate 2000. The motion was seconded by Mayor Slaton and all were in favor.

1.4 Majority Defined. Subject to any restrictions in the Town Charter, the term majority as stated in these rules shall be defined as ~~a majority~~ more than half of the Council Members present at any meeting at which a quorum exists.

- *Replace majority with more than half*

Councilman Daubert made a motion to replace "a majority" with "more than half". The motion was seconded by Councilman Mingo and all were in favor.

1.5 Parliamentarian. The Town Attorney shall serve as the Parliamentarian and shall advise and assist the Mayor and Council on matters of parliamentary law. Two-thirds of the Council can request the services and advice of a

professional parliamentarian on a specific issue.

Vice Mayor Cid made a motion to delete “Mayor” and add “Council.” The motion was seconded by Councilman Rodriguez and all were in favor.

Councilman Mingo made a motion to add “on a specific issue.” The motion was seconded by Councilman Daubert and all were in favor.

Vice Mayor Cid made a motion to replace “two-thirds” with “majority.” The motion died as it did not receive a second.

1.6 Participation and Attendance by Telephone Electronic

Means. An absent member of the Town Council may participate in and attend a Town Council meeting by ~~telephone~~ electronic means and may vote on all matters which come before the Council for a vote, but said absent member shall not count toward determining the presence of a quorum.

Councilman Rodriguez made a motion to replace “telephone” with “electronic means.” The motion was seconded by Councilman Daubert and all were in favor.

Section 2. Duties and Responsibilities of the Mayor.

2.1 Mayor to Serve as Presiding Officer. The Mayor shall be the presiding officer at all Town Council meetings. The Vice Mayor shall act as the presiding officer during the absence of the Mayor. In the absence of both the Mayor and Vice Mayor, the remaining Council Members shall, by majority vote, select a presiding officer to carry out the functions of Mayor as defined in this Resolution. The Mayor shall decide on all questions of order subject to Roberts Rules of Order or these Procedures with the assistance of the Parliamentarian ~~if necessary~~. Unless a conflict of interest precludes voting, the Mayor shall vote on all questions and items and be called last. The Vice Mayor shall be called before the Mayor. The Mayor shall introduce agenda items by the agenda item number. The Town Attorney shall read the titles of legislation as requested by the Mayor. Thereafter, the Mayor may call upon the Town Manager to give any needed explanation of the item up for consideration. Following this, the item shall be opened for Town Council discussion or public hearing as required by the item under the guidelines established herein. When an agenda item is sponsored by a member of the Council, the Mayor shall call on that member for opening comments. All comments or questions by the attending public shall be directed to the Mayor. At the discretion of the Mayor, voting upon a motion may be by voice vote, other than for ordinances. When roll call votes are necessary, the Town Clerk, at the direction of the Mayor, shall call the roll and record the vote. The Town Clerk shall for each succeeding roll call vote, rotate the order of Council Members’ votes.

Vice Mayor Cid made a motion to remove “if necessary” and to add “The Vice Mayor shall be called before Mayor.” The motion was seconded by Mayor Slaton and all were in favor.

2.3 Sergeant-At-Arms. A Town of Miami Lakes police officer shall serve as the Sergeant-At-Arms and carry out all orders and instructions given by the Mayor or a majority of the Council for the purpose of maintaining order and decorum at Town Council meetings.

Councilman Mingo made a motion to add "or majority of the Council" after "Mayor." The motion was seconded by Vice Mayor Cid and all were in favor.

Section 3. Order of Business.

3.1 Order of Business. The order of business of the Town Council at its regular meetings shall be as follows:

- (1) Call to Order
- (2) Roll Call
- (3) Invocation
- (4) Pledge of Allegiance
- (5) Special Presentations
- (6) Public Comments
- (7) Order of Business: Deferrals, Additions and Deletions
- (8) Committee Reports
- (9) Consent Agenda Calendar
- (10) Ordinances – First Reading (No Public Hearing)
- (11) Public Hearings – Ordinances – Second Reading
- (12) Resolutions
- (13) New Business
- (14) Appointments
- (15) Reports
- (16) Adjournment

Councilman Rodriguez made a motion to add "Special Presentation" between "Pledge of Allegiance" and "Public Comments." The motion was seconded by Councilman Daubert and all were in favor.

Mayor Slaton made a motion to change "Consent Agenda" to "Consent Calendar". The motion was seconded by Councilman Rodriguez and all were in favor.

Vice Mayor made a motion to add "Appointments" between "New Business" and "Reports." The motion was seconded by Mayor Slaton and all were in favor.

Section 4. Council Discussion.

4.1 Discussion by Council Members. Initial discussion by Members of the Town Council, including the Mayor, on any agenda item shall be limited to three (3) minutes, and, if they so desire be afforded one (1) minute for incremental

rebuttal. The sponsoring Councilmember shall have two (2) minutes to introduce the item/motion. The Town Clerk shall keep the time of the speeches and rebuttals and shall report the same when asked by the Mayor or a Council Member through the Mayor (See Section 4.3 entitled Closing Debate). A Council Member, once recognized by the Mayor, shall direct all comments or questions on the subject matter being discussed to the Mayor only. Council Members shall not engage in cross conversation with other members of the public. Members of the Town Council shall not interrupt another member who has the floor. The Mayor shall not unreasonably withhold or delay recognition of any Member of the Town Council desiring to speak. The Mayor shall recognize other members of the Council in rotation and not call on any member a second time or subsequent time until such time as all members who wish to have had an opportunity to speak.

Councilman Mingo made a motion to add "The sponsoring Councilmember may have two minutes to introduce the item/motion." The motion was seconded by Councilman Daubert. The Town Clerk called the roll and the motion passed 5-1. Vice Mayor Cid voted in opposition and Councilman Lama was absent.

4.3 Closing Debate. ~~The Mayor and/or a Council Member may, after Council Members have had their share of opportunities to speak and one rebuttal, call for the question to close debate and vote on the matter. Calling the question to close debate shall take precedence in such circumstances and shall be voted on with no further discussion. The motion to close debate shall be approved by an affirmative vote of 2/3 vote of the Council Members present. The motion to close debate shall be approved by an affirmative vote of two-thirds of quorum. Calling the questions to close debate shall take precedence in such circumstances and shall be voted on with no further discussion.~~

Councilman Mingo excused himself at 8:04 p.m.

Councilman Daubert made a motion to change the language of this section, thereby deleting the first three sentences and adding the underlined segment. The motion was seconded by Mayor Slaton and all were in favor.

Section 6. Council Meeting Items.

6.2 Consent Agenda Calendar. There shall be a consent agenda during each regular Town Council meeting. The consent ~~agenda~~ calendar shall contain Resolutions, approval of minutes, motions, and other pertinent matters which, in the opinion of the Town Manager, may be handled and implemented without necessity for discussion. Unless a Council Member specifically requests that an item be removed from the consent ~~agenda~~ calendar, such items shall be approved and adopted by a ~~single~~ main motion and roll call vote.

Mayor Slaton made a motion to change "Agenda" to "Calendar" and to change "single" to "main." The motion was seconded by Councilman Rodriguez and all were in favor.

6.5 Ordinance Renewal. Once action is taken on a proposed Ordinance, or Resolution, neither the same matter nor its repeal or rescission may be brought before the Council again during the six (6) months period following the said action unless a ~~majority~~ two-thirds of the Council agree to waive the rule.

Mayor Slaton made a motion to change "majority" to "two-thirds." The motion was seconded by Councilman Daubert and the motion passed 3-2. Mayor Slaton, Councilman Mestre, and Councilman Daubert voted in favor. Councilman Rodriguez and Vice Mayor Cid voted in opposition.

6.7 Mayor and Councilmember Reports. This section of the agenda shall be utilized for the Mayor and Councilmembers, ~~Town Manager, and Town Attorney and Committees~~ to provide informational reports. Such reports are non-actionable and this provision shall not be waived. The Mayor and Councilmembers will be limited to two (2) reports per meeting. A written memorandum or form provided for such purposes shall state the purpose and ~~the major points to be covered~~ title of the report. ~~Said documents shall be provided to the Town Manager prior to the deadline for closing the agenda and placed in the packages. The Town Manager has the authority to review and delete any report submitted that does not specify the purpose and the major points to be covered. Items submitted as a report cannot come back before the Council for six (6) months*(added as per resolution 12-973).~~ The Mayor and Town Council Members shall update the Council on conferences attended on behalf of the Town. The conference update shall be under the Report section of the agenda, provided however, that such updates shall not be considered part of the two (2) report maximum provided in this section.

Vice Mayor Cid made a motion to make the following changes:

- *add "and" between Mayor and Councilmembers*
- *delete "Town Manager, and Town Attorney and Committees"*
- *add "Such reports are non-actionable and this provision shall not be waived"*
- *delete "the major points to be covered" and add "title of the report"*
- *delete "Said documents shall be provided to the Town Manager prior to the deadline for closing the agenda and placed in the packages. The Town Manager has the authority to review and delete any report submitted that does not specify the purpose and the major points to be covered. Items submitted as a report cannot come back before the Council for six (6) months*(added as per resolution 12-973)."*

The motion was seconded by Councilman Daubert and all were in favor.

6.8 Town Manager and Town Attorney Reports. This section of the agenda shall be utilized for the Town Manager and Town Attorney to provide informational reports.

Vice Mayor Cid made a motion to add the underlined sentence to titled section "Town

Manager and Town Attorney Reports,” thus following Section 6.7, “Mayor & Councilmember Report.” The motion was seconded by Councilman Daubert and all were in favor.

Vice Mayor Cid made a motion to include the same language as Section 6.7 “Mayor and Councilmember Reports” with the exception of the term “non-actionable,” which is to be deleted. The motion was seconded by Mayor Slaton and all were in favor.

6.10 New Business. While the Town Manager may initiate the preparation of policy legislation or action by the Town Attorney, a Council Member who wishes to request the preparation of policy legislation by the Town Attorney or Administration shall place such requests for consideration by the Town Council under this section of the agenda. A signed, written memorandum or form provided for such purposes shall state the purpose of the item/action, the major points to be covered, the reasons for necessary action, the action desired by the Council Member, and a gross estimate scale, that has been preapproved by the Town Manager, of staff time and/or resource allocation (as calculated by the Town Manager) that would be needed (1) to prepare, implement, and/or develop the item/action and (2) to carry out the item/action in the event that it is approved by the Town Council. If, during discussion of the New Business item, there are material changes to the item, then before the New Business item returns to the Council for action, the Town Manager shall provide a report at the next regularly scheduled Council meeting, with a revised gross estimate of staff time and/or resource allocation (as calculated by the Town Manager) that would be needed (1) to prepare, implement, and/or develop the item/action and (2) to carry out the item/action in the event that it is approved by the Town Council. ~~The Town Manager has the authority to review and delete any New Business Item submitted that does not adhere to the memorandum rules.~~ Items submitted under New Business cannot come back before the Council for six (6) months. The Mayor and Councilmembers will be limited to three (3) New Business items per meeting. The Mayor and the Council Members shall indicate the priority ranking for each item they are submitting as a New Business item. Said document shall be provided to the Town Manager prior to the deadline for closing the agenda and placed in the agenda packages. The request shall not be acted upon until such request is approved by a majority vote of the Town Council.

Vice Mayor Cid made a motion to eliminate the following sentence: “The Town Manager has the authority to review and delete any New Business Item submitted that does not adhere to the memorandum rules.” The motion was seconded by Councilman Daubert and all were in favor.

6.11 Adjournment. All meetings of the Town Council, whether they are special or regular meetings, shall be adjourned at no later than 11:00 p.m. ~~However, and depending on the availability of the meeting facility,~~ The Town Council may, by affirmative vote of a ~~majority~~ two-thirds of Councilmembers present at the meeting, may extend the meeting beyond the time limit. In that event, the motion to continue the meeting must provide for a specific time for adjournment which the Town Council will honor for the purposes of continuing the meeting.

Councilman Daubert made a motion to delete "However, and depending on the availability of the meeting facility" and to change "majority" to "two-thirds" from that sentence. The motion was seconded by Councilman Rodriguez and motion passed. Vice Mayor Cid voted in opposition.

Section 7. Council Agenda Preparation.

7.5 Sequence of Agenda Items. Upon request by the Mayor and/or other Members of the Council, items on the agenda may be moved out of sequence in order to expedite the matters before the Town Council, upon ~~majority~~ two-thirds vote of the Council.

Councilman Daubert made a motion to change "a majority" to "two-thirds." The motion was seconded by Mayor Slaton and the motion passed 4-1 with Vice Mayor Cid voting in opposition.

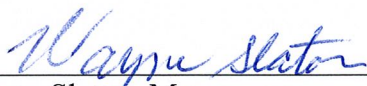
7.6 Amendment of Special Rules of Order. The Special Rules of Order may be amended by a vote of two-thirds of quorum.

Councilman Rodriguez made a motion to include "The Special Rules of Order may be amended by a vote of two-thirds of quorum" in this section. The motion was seconded by Councilman Daubert and the motion passed 4-1 with the following Councilmembers voting in favor: Nelson Rodriguez, Tim Daubert, Ceasar Mestre and Mayor Wayne Slaton. Vice Mayor Manny Cid voted in opposition.

7. A. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:24 p.m.

Approved this 9th day of December 2014.



Wayne Slaton, Mayor

Attest:



Marjorie Tejeda-Castillo, Town Clerk