

MINUTES
Regular Council Meeting
June 2, 2015
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Pizzi called the meeting to order at 6:37 p.m.

2. ROLL CALL:

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

3. MOMENT OF SILENCE

Mayor Pizzi called for a moment of silence.

4. PLEDGE OF ALLEGIANCE:

Boy Scout Troop 584 presented the colors and led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Miami Dade Fire Rescue Chief Downey gave his annual report.

6. PUBLIC COMMENTS:

Max Freiria requested that the Council come up with a solution for the West Lakes driveway issue that would best benefit the residents involved.

Esperanza Hope Reynolds requested that the Town Manager give an update on the cyber bullying investigation that was initiated due to an anonymous email sent to a group of residents. She also read a letter into the record on behalf of Luis Crispin expressing his support towards Mayor Pizzi's return to office.

Alexander Ariano spoke in opposition of reducing the speed limits throughout the Town.

Sean Schwinghammer spoke in reference to the West Lakes driveway issue, and expressed his concern on the damage that is being done to the beaches in Lake Hilda and

Lake Patricia. Requesting that he Council and Town Manager establish proper regulations on how to put down sand in those public areas.

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

Councilman Mingo made a motion to limit discussion to three minutes per Section 4.1 of the Special Rules and Regulations. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 6-0 with Mayor Pizzi voting in opposition.

Town Manager, Alex Rey, deferred item 10C.

Councilman Lama pulled item 10G and requested to sponsor item 12D.

Councilman Daubert moved item 13E to the head of the Agenda.

Mayor Pizzi made a motion to adopt the agenda as amended. The motion received a second from Councilman Mingo and all were in favor.

8. APPOINTMENTS:

Mayor Pizzi appointed Theodore Lucas to the Neighborhood Improvement Committee.

Mayor Pizzi appointed Jorge de Apodaca to the Education Advisory Board and Neighborhood Improvement Committee.

Mayor Pizzi appointed Raul de la Sierra to the Planning and Zoning Board.

Mayor Pizzi appointed George Lopez to the Public Safety Committee.

Mayor Pizzi appointed Kevin Morejon to the Public Safety Committee.

Mayor Pizzi appointed Oscar Amuz to the Youth Activities Task Force Committee.

Mayor Pizzi appointed Chris Norwood to the Youth Activities Task Force Committee.

Vice Mayor Cid appointed Lauren Paulet to the Youth Activities Task Force Committee.

Vice Mayor Cid appointed Delwin Liranzo to the Cultural Affairs Committee.

Councilman Lama appointed Jacqueline Vaquer to the Education Advisory Board.

Councilman Mingo appointed Angela Ortiz to the Youth Activities Task Force Committee.

Councilman Rodriguez appointed Nick Monte to the Veterans Committee.

9. COMMITTEE REPORTS:

No Committee Report.

10. CONSENT CALENDAR:

Mayor Pizzi made a motion to approve the items on the consent agenda. The motion received a second from Vice Mayor Cid and all were in favor.

A. Approval of Minutes:

May 5th, 2015 Regular Council Meeting

Approved on consent

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED A CONTRACT TO FURNISH AND INSTALL STUCCO, GYPSUM BOARD, WALL INSULATION, AND MISCELLANEOUS COMPONENTS FOR THE CONSTRUCTION OF THE PARK EAST YOUTH CENTER TO UNION GENERAL CONTRACTORS, INC. IN AN AMOUNT NOT TO EXCEED \$145,031; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY 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; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on Consent

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR THE DESIGN OF THE SAFE ROUTES TO SCHOOL PROJECT WITH THE CORRADINO GROUP, INC. ("CORRADINO") AND THE TOWN OF MIAMI LAKES IN AN AMOUNT NOT TO EXCEED \$45,000; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on Consent

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING THE TOWN MANAGER TO LEASE OFFICE COPIERS TO SHARP ELECTRONICS CORPORATION AND TOSHIBA AMERICA BUSINESS SOLUTIONS THROUGH AN EXISTING AGREEMENT AVAILABLE THROUGH THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO**

IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, NAMING CERTAIN ELECTED OFFICIALS AND TOWN ADMINISTRATORS AS AUTHORIZED SIGNATORIES FOR THE TOWN'S ACCOUNT WITH TD BANK; APPROVING THE EXECUTION OF SIGNATURE CARDS FOR TD BANK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA CODESIGNATING LOCH NESS DRIVE AS SERGIO CAMPOS WAY; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO CODESIGNATE THE STREET; AUTHORIZING TOWN MANAGER TO ERECT APPROPRIATE MARKERS; PROVIDING DIRECTIONS TO TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid, Mestre, Rodriguez, Daubert, Lama, Pizzi, Mingo)

Approved on Consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, EXPRESSING THE TOWN OF MIAMI LAKES' SUPPORT OF MIAMIDADE COUNTY COMMISSIONER ESTEBAN BOVO'S ACTIONS IN SUPPORT OF UBER AND LYFT; PROVIDING AUTHORIZATION TO TOWN OFFICIALS; DIRECTING THE CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO 2 THE VICE-CHAIR OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Lama)

Councilman Lama made a motion to approve the resolution. The motion received a second from Councilman Rodriguez and all were in favor.

11. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING CHAPTER 8 "CODE ENFORCEMENT" OF THE TOWN'S CODE TO PROVIDE FOR CIVIL PENALTY REDUCTIONS BY THE HEARING OFFICER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR

REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Mayor Pizzi opened up the public hearing.

As no one wished to speak, Mayor Pizzi closed the public hearing.

Vice Mayor Cid made a motion to discuss the item. The motion received a second from Councilman Mestre and all were in favor.

Vice Mayor Cid made a motion to extend Mayor Pizzi's time to speak. The motion received a second from Councilman Mingo and all were in favor.

Vice Mayor Cid made a motion to extend Councilman Daubert's time to speak. The motion received a second from Mayor Pizzi and all were in favor.

Mayor Pizzi made a motion to change the language on Section 4A of the Ordinance to 'approximate' instead of 'maximum'. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 7-0.

Councilman Lama made a motion to adopt the ordinance as amended. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 6-0 with Vice Mayor Cid voting in opposition.

Councilman Lama excused himself for the remainder of the meeting at 9:30 p.m.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(F)(3) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED "CUMMINS MIAMI LAKES" SUBMITTED FOR PROPERTY LOCATED AT 6350 NW 167TH STREET, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2013-056-0010, IN THE IU-C, INDUSTRIAL USE CONDITIONAL ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Mayor Pizzi opened up the public hearing.

As no wished to speak, Mayor Pizzi closed the public hearing.

Brandon Schaad, Director of Planning and Zoning, presented the item and answered any questions posed by the Council.

Councilman Mestre made a motion to approve the resolution as recommended by staff. The motion received a second from Vice Mayor Cid. The Town Clerk called the roll and the motion passed 5-0. Councilmembers Mingo and Lama were absent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SECTION 13-303 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A CONDITIONAL USE FOR A NONPUBLIC EDUCATIONAL FACILITY, AND APPROVING A REQUEST IN ACCORDANCE WITH SECTION 13-305 OF A VARIANCE FOR OUTDOOR RECREATION REQUIREMENTS; SUBMITTED FOR PROPERTY LOCATED 15900 NW 57 AVENUE, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2013-034-0010, IN THE IU-C ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

***Councilman Rodriguez made a motion to waive Section 7.2 of the Council Meeting Rules and Procedures. The motion received a second from Vice Mayor Cid and all were in favor.**

Town Attorney, Raul Gastesi, read the quasi-judicial procedures for both items 12A and 12B.

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

Mayor Pizzi opened up the Public Hearing.

The Town Clerk swore in anyone wishing to speak.

Javier Vasquez spoke on behalf of the applicant.

Mr. Bill Peppertone, Chief Academic Officer, spoke in support of the item.

Amy Cohen, spoke in support of the item.

Tammy Moreno, spoke in support of the item.

Phyllis Ratliff, spoke in support of the item.

Rita Meneses, spoke in support of the item.

As no one else wished to speak, Mayor Pizzi closed the public hearing.

Brandon Schaad, Director of Planning and Zoning, presented the item and answered questions posed by the Council.

Councilman Rodriguez made a motion to approve the conditional use in that zone being allowed up to 6:00pm. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 7-0.

Councilman Daubert made a motion to approve the variance. The motion received a second from Councilman Rodriguez. The Town Clerk called the roll and the motion passed 7-0.

Mayor Pizzi called for a short break at 8:34 p.m.

Mayor Pizzi called the meeting back to order at 8:39 p.m.

The Town Clerk called the roll and the following Council Members were present: Frank Mingo, Tim Daubert, Ceasar Mestre, Tony Lama, Nelson Rodriguez, Vice Mayor Manny Cid, and Mayor Michael Pizzi.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED FOR FISCAL YEAR 2014-2015 BY ORDINANCE NO. 14-174, AND AMENDED BY ORDINANCE NOS. 15-181 AND 15-182 FOR FISCAL YEAR 2014-2015; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Councilman Daubert made a motion to approve the resolution. The motion received a second from Councilman Mestre. The motion passed 5-0 with Mayor Pizzi voting in opposition. Councilman Lama was absent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED A CONTRACT FOR REQUEST FOR PROPOSAL (RFP) 2015-30, CONSTRUCTION SERVICES FOR THE LAKE MARTHA ROADWAY AND DRAINAGE IMPROVEMENTS, TO ACOSTA TRACTORS INC. IN AN AMOUNT NOT TO EXCEED \$2,286,398.35;

AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE 3 CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Vice Mayor Cid made a motion to approve the resolution. The motion received a second from Councilman Mingo. The motion passed 5-0; Councilmembers Mestre and Lama were absent.

13. **NEW BUSINESS:**

A. Town Website Photo Contest (Rodriguez)

Councilman Rodriguez made a motion directing the Town Manager and Staff to once again hold a photo contest for the Town's website. The motion received a second from Vice Mayor Cid and all were in favor. Councilman Lama was absent.

B. Art in Town Hall (Cid)

Vice Mayor Cid made a motion directing the Town Manager and Staff to allow the Town's artists and students to display their art in Town Hall. The motion received a second from Mayor Pizzi and all were in favor. Councilman Lama was absent.

C. 170th Street Overpass (Pizzi)

Mayor Pizzi made a motion directing the Town Manager and Staff to arrange intergovernmental meetings with the City of Hialeah, FDOT, and all parties involved with the opening of the 170th street overpass. In addition to facilitating a Town wide traffic study that should be funded by any party desiring to open up the overpass. The motion received a second from Councilman Mingo and all were in favor. Councilman Lama was absent.

D. Property Rights Protection Act (Pizzi)

Mayor Pizzi withdrew this item.

E. Swales and Driveways That Are Not in Compliance with Town Code (Daubert)

***Councilman Mingo made a motion to waive Section 7.2 of the Council Meeting Rules and Procedures. The motion received a second from Councilman Rodriguez and all were in favor.**

Councilman Daubert made a motion directing the Town Manager and Staff to look into

swales and driveways that are not in compliance with the Town Code and come back with a report to the Town Council with suggestions on how to work with residents to resolve the issue. The motion received a second from Councilman Mingo and all were in favor.

14. **MAYOR AND COUNCILMEMBER REPORTS:**

A. Realtor Forum (Lama)

Mayor Pizzi withdrew this item.

B. Advanced Institute for Elected Municipal Officials (Cid)

Vice Mayor Cid gave a repost on Advanced Institute for Elected Officials.

C. Aesthetic and Sound Protection on the Southernmost Boundary of Miami Lakes (Pizzi)

Mayor Pizzi withdrew this item.

D. PSN Cell Tower (Rodriguez)

***Requires waiver of Section 7.3 of the Council Meeting Rules and Procedures**

Mayor Pizzi made a motion to waive Section 7.3 of the Council Meeting Rules and Procedures. The motion received a second from Councilmember Mestre and all were in favor. Councilman Lama was absent.

Councilmember Rodriguez gave a report on the PSN Cell Tower.

E. Transportation Issues in Northwest Dade County (Pizzi)

Mayor Pizzi withdrew this item.

F. Rock Mining State Legislation (Rodriguez)

***This item requires a waiver of section 7.2 of the Special Rules of Order**

Mayor Pizzi made a motion to waive Section 7.3 of the Council Meeting Rules and Procedures. The motion received a second from Councilmember Mestre and all were in favor. Councilman Lama was absent.

Councilman Rodriguez gave a detailed report on the Rock Mining Legislation and

answered questions posed by the Council.

15. ATTORNEY'S REPORT:

A. Status on Pizzi Litigation & Attorney's Fees

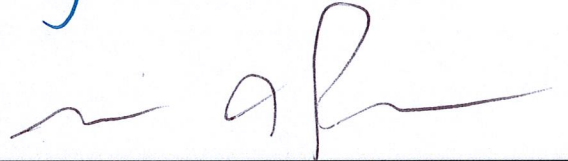
Mayor Pizzi recused himself for the Town Attorney Report, turning the meeting over to Vice Mayor Cid to chair during the discussion of this item.

The Town Attorney, Raul Gastesi, gave an update on the Pizzi litigation and attorney's fees and answered questions posed by the Council.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 10:28 p.m.

Approved this on the 21 day of July 2015.



Michael A. Pizzi, Jr, Mayor

Attest:


Marjorie Tejada-Castillo, Town Clerk