

MINUTES
Regular Council Meeting
February 13, 2024
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:

Mayor Cid explained that Mr. Robert Hubbard is one of the founding fathers in the Town of Miami Lakes and has been active in the community, especially during Covid. He stated that Mr. Hubbard is going on 40 years of being in the United States. Mayor Cid then presented a proclamation to Mr. Robert Hubbard proclaiming Saturday, October 21st, 2023, his anniversary in the United States, as Robert Hubbard Day in the Town of Miami Lakes. Mr. Hubbard then thanked the Mayor and Town Council for the recognition and explained his story coming to the United States and Town.

Mayor Cid then asked members of the Main Street Players, President, Ms. Patty Fernandez, Vice President, Mr. Danny Nieves, and Board Members Mr. Charles James and Ms. Esther Colon, to come up to receive a proclamation. Mayor Cid then presented a proclamation to them which outlined that they are celebrating 50 years in the Town of Miami Lakes. Mayor Cid then proclaimed Tuesday, February 13th, 2024, as Main Street Players Day in the Town of Miami Lakes. Ms. Fernandez then explained they are very grateful and proud to have been around for so long.

Mayor Cid then asked Pedro Mora and the U.S. Naval Sea Cadets to come up and be recognized. He explained that they have dedicated hours of service to the surrounding community and the Town of Miami Lakes. Mayor Cid then presented a proclamation, proclaiming Friday, January 19th, 2024, as U.S. Naval Sea Cadets Day in the Town of Miami Lakes. The U.S. Naval Sea Cadets then thanked the Mayor and Town Council for this recognition.

Mayor Cid stated that unfortunately, Gerado's Marketplace closed their doors recently and explained they have always been so kind and welcoming to the community. Mayor Cid then presented to Ms. Sabrina Seferlis and Ms. Gabriella Seferlis, in honor of the Marketplace, the Key to the Town. Ms. Gabriella Seferlis then explained that they recently closed Gerado's Marketplace but had been in business for over 25 years. She then thanked the Graham Companies and the Town of Miami Lakes for being there throughout the years. She also thanked them for this award.

2. CALL TO ORDER:

The Town Clerk, Gina M. Inguanzo called the roll at 6:51 pm with the following Councilmembers being present: Luis E. Collazo, Josh Dieguez, Ray Garcia, Marilyn Ruano, Vice Mayor Tony Fernandez, and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Minister Jorge Labrin from Ministerio Gracia Sin Limite led the prayer.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance and Presentation of Colors was led by US Naval Sea Cadets Color Guards.

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

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

Vice Mayor Fernandez moved Item 15A to after Public Comments, combined Items 14C and 14J, and combined, for discussion but to vote separately, Items 14E, 14F, 14I, and 14O after 13A. Mayor Cid moved Item 14N after Item 15A. Town Attorney Raul Gastesi asked to move up the Attorney’s Report and 13A to as soon as possible and Mayor Cid moved it to before New Business Items. Councilmember Ruano pulled item 10C for discussion. Mayor Cid pulled item 10B for discussion.

Councilmember Dieguez made a motion to move the Order of Business and Vice Mayor Fernandez seconded. The motion passed unanimously.

6. PUBLIC COMMENTS: (YouTube 1:15)

(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.

Ms. Esther Colon came before the Town Council to participate in Public Comments. She started by stating that Town Hall is the People’s house, and that Miami Lakers expect governance to be handled in a respectful manner; that she is happy to stand in front of the Mirtha Menedez Podium; that those unkind comments made via a Podcast is as bad example of leadership. She also requested for all April 9th ballot questions be removed and to consider a public workshop to take place and invite the residents to participate in the process. Regarding the Town Charter amendments, she asked for the Charter Review Committee to be established. She stated that the question that should not be considered in any election, is that of the Town Clerk. In her opinion, the Town Clerk position should continue reporting to the Town Manager. She added that the Town Clerk is an impartial gatekeeper to the community. She also urged the Town Council to support Item 13A, regarding the qualifications and runoff dates for the April 9th Special Election, and she asked for a ballot question in the November 2024 election be included, giving the rights

to homeowners in special districts to vote for major improvements, such as LPR's or unfunded improvements, not set forth in the original ordinance.

Mr. Nelson Rodriguez came before the Town Council to participate in Public Comments. He spoke in support of passing the Special Election Resolution, Item 13A. He emphasized that questions regarding Town Charter amendments, should be done at the Town Charter Review Committee; that only necessary urgent matters should be dealt with; that if the Town Charter needs to be reviewed sooner than 2026, then put together the Charter Review Committee. Regarding the Police Department, he stated that "if it's not broken, don't fix it" and that getting our Town Police Department is going to cost too much money. He also mentioned that regarding the boats, he asked about the boatyard, and he also stated that setting the millage rate is the sole responsibility of the Town Council not of the residents.

Ms. Bonnie Cintron came before the Town Council to participate in Public Comments. She stated that the January Regular Council Meeting was very confusing and upsetting to her because she saw a councilmember who wanted things to be done with proper procedure and that she got mercilessly attacked; she mentioned that perhaps incorporating was not such a good idea because maybe we added another layer of government; that she thought that having our own governing board was going to give us more direct input and she does not think its happening. She ended by asking the Town Council to work together nicely.

Mr. Alexander Ferra came before the Town Council to participate in Public Comments. He spoke on behalf of K-9 Cove Dog Park, and he stated that Miami Lakes is a pet friendly community. He spoke about making K-9 Cove a better place- because the park is deteriorating. He asked the Town Council if a committee could be created, and a budget to be allocated. He stated that there is no light at the park, and it could be dangerous. Mayor Cid commented that he will bring an item about this in the March Regular Council Meeting Agenda.

Mr. Ernesto Paz came before the Town Council to participate in Public Comments. He stated that the two houses adjacent to his home are being used as Airbnb. He stated that sometimes the individuals that rent are not behaving properly. He stated that these have become commercial properties in a residential neighborhood, and he asked the Town Council to do something about this. Mayor Cid asked for the Town Attorney to provide an update on the latest on short-term rentals. The Deputy Town Attorney provided an update.

Mr. Steven Herzberg came before the Town Council to participate in Public Comments. He spoke about being in support of the Special Election and providing Early Voting to the residents. He mentioned that Mayor Cid has an item about early voting and that it makes a lot of sense. He thanked Councilmember Ruano and Vice Mayor Fernandez for driving up to Tallahassee and joining the Blasting Advisory Board in their efforts, he also thanked Mayor Cid – for his efforts in Miami.

Mr. Bryan Morera came before the Town Council to participate in Public Comments. He spoke in support of Item 13A and of early voting, at least 3 days of early voting should be given to the residents. He stated the Town Charter should be difficult to amend and that there should be a process in place to amend it. He stated that a Charter Review Committee should be established for that end. He also spoke about how proud he is of the BAB and that as a former member, he acknowledges the hard work of the BAB and the leadership of Mr. Miguel Martinez, the support

of the Town Council and State Representative Fabricio and emphasized that its mission needs continued support. He also spoke about the in-house police item he stated that if its going to make things more efficient and if its cost effective, then the Town Council should go for it, but he stated that in his opinion, it's going to be very expensive and that this is an item that should not be pursued. He also spoke about the in-house athletic report, Item 14A, and he stated that the finding of the report states that it would bring a 44% increase in cost, so he is not in support of increasing the cost to our residents.

Mr. Orlando Lopez came before the Town Council to participate in Public Comments. He stated that he is one of the candidates running for office for the Miami Dade Sheriff. He introduced himself and why he is running for this office.

Ms. Mirtha Mendez came before the Town Council to participate in Public Comments. She stated that in November 2024, many new elected officials will be serving, and she said that in 2025, a Charter Review Committee will be put into place and that it is very important matter. She stated that this Town Council should nominate the future Charter Review Committee because this Town Council is prepared.

Ms. Claudia Luces came before the Town Council to participate in Public Comments. She said that Mayor Cid during his Podcast, took aim at the councilmembers that did not confirm his nomination and took at aim at Ms. Mirtha Mendez. She stated that Mayor Cid should not have criticized Ms. Mendez regarding the naming of the podium after her; and that Mayor Cid was trying to pressure councilmembers to vote based on their emotions.

Mr. Abel Fernandez participated in Remote Public Comments via zoom. He spoke about “dark days” in TOML, such as spending \$300,000 in an engineering design for the Palmetto without knowing is the Florida Transportation Company was going to sign off on that project, about throwing money away regarding the 154 Bridge and then settling with the City of Hialeah, the 7-story high building by Town Hall, among others. He also said that Mayor Cid used his podcast to demean Ms. Mirtha Mendez.

Councilmember Ruano stated that she would be reading a written public comment from Mr. Angelo Garcia, that he was trying to log in from the hospital and was not able to. The comment from Mr. Garcia expressed his opposition to Item 14K, he stated that it is not the Town's responsibility to spend money- that it should be FDOT's responsibility.

Ms. Hope Reynolds participated in Public Comments via zoom. Ms. Reynolds spoke about the 823 owners who have been denied the right to vote on services outside the constraints of the original ordinance. She also spoke about Mayor Cid's comments on Ms. Mirtha Mendez, made during his Podcast. She formally objected to the uses of the Town of Miami Lakes Mayoral Office using the podcast to gain popularity and to demean highly respected individual.

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

7. APPOINTMENTS:

Mayor Cid announced the following appointments:

Ms. Ana Soto to the Education Advisory Board by Councilmember Josh Dieguez.

Ms. Paula Gonzalez to the Special Needs Advisory Board by Councilmember Luis E. Collazo.

8. COMMITTEE REPORTS:

A. Special Needs Advisory Board

Chairperson John Rogger presented the committee report. He expressed excitement of a new member being appointed to the committee. Chairperson Rogger outlined the initiatives and events, future projects, and the next Mayor's Gala.

After discussion, Mayor Cid mentioned that this is his last gala and might be bringing an item back to codify it into the committee's resolution to keep the event going.

Chairperson Rogger answered questions posed by the Town Council.

Chairperson Rogger then announced that tomorrow morning he will be trying to finish the paperwork and there might be a possibility that he will be running for Council Seat 6 and if he does, he will have to resign as Chair. However, he has made it clear that if he does not win, he will go back to the Special Needs Advisory Board and if he does win, he will remain connected.

After the committee report, Councilmember Dieguez reopened the order of business to move up Item 14L as the next item. Councilmember Ruano seconded. The motion passed unanimously.

9. SPECIAL PRESENTATIONS:

None.

10. CONSENT CALENDAR:

Councilmember Dieguez moved to approve the Consent Calendar. The motion was seconded by Vice Mayor Fernandez. The motion passed 6-0.

A. Approval of Minutes

- January 16, 2024 Regular Council Meeting

This item was approved on the Consent Calendar.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING, PURSUANT TO CONTRACT 2021-43(K) FOR CIVIL ENGINEERING AND RELATED SERVICES, WITH KIMLEY-HORN AND ASSOCIATES, INC. ("KHA"), A WORK ORDER TO COMPLETE THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, VULNERABILITY STUDY AND

ADAPTATION PLAN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar.

Mayor Cid asked if this work order was a piggyback or was it procured correctly. Public Works Director, Omar Santos stated that they are using one of their continuing services contracts that was procured using the town's process.

Mayor Cid then asked what the budgeted funds for this project are, and Public Works Director Santos stated \$220,000.

Mayor Cid then made a motion to approve Item 10B and Councilmember Dieguez seconded. The motion passed unanimously.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE INCREASE IN THE CONTRACT RELATING TO THE CONSTRUCTION OF THE ROYAL LAKES FIRST ADDITION DRAINAGE IMPROVEMENT PROJECT IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS; APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO 402-563800-21S06; 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; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar.

Councilmember Ruano stated that she pulled this item because some residents brought to her attention that the area looked unfinished and that they were under the impression that the project had been finished. She mentioned that she visited the area, and she agreed that the area looked unfinished and unpolished.

Mr. Omar Santos, Public Works Director, stated that the project is being worked on and that the project has not been completed yet.

After discussion from the Town Council, Councilmember Ruano made a motion to approve, and it was seconded by Vice Mayor Fernandez. The Town Clerk called the roll and the motion passed 5-1, with Mayor Cid voting in opposition.

11. ORDINANCE- FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PUBLICATION REQUIREMENTS; AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE III "OFFICERS AND EMPLOYEES", SECTION 2-55, "TOWN MANAGER" AND SECTION 2-56, "TOWN ATTORNEY SELECTION AND APPOINTMENT", AND ARTICLE V, "CONTRACTS AND

PURCHASING”, DIVISION 2, “PROCUREMENT PROCEDURES”, SECTION 2-155 “PROCUREMENT METHODOLOGY”; AMENDING CHAPTER 8, “CODE ENFORCEMENT”, SECTION 8-3, “ENFORCEMENT PROCEDURES”; AMENDING CHAPTER 10, “ELECTIONS”, ARTICLE II, “CANDIDATE QUALIFICATION”, SECTION 10-21, “SPECIAL ELECTIONS”; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, ARTICLE III, “DEVELOPMENT APPROVAL PROCEDURES”, SECTION 13-309, “PUBLIC HEARING AND NOTICE”, AND ARTICLE IV, “ ZONING DISTRICT REGULATIONS”, DIVISION 13-11, “HURRICANE RELIEF REGARDING EXISTING AND NONCONFORMING RESIDENTIAL STRUCTURES IN THE RU AND RU-TH DISTRICTS”, SECTION 13-602 “REPAIR AND REPLACEMENT OF LEGAL AND ILLEGAL NONCONFORMING FENCES AFTER HURRICANE DAMAGE”, AND DIVISION 24, “GF-GOVERNMENTAL FACILITIES”, SECTION 13-843, “EXCLUSIVE SITE PLAN REVIEW PROCEDURE”, AND ARTICLE IX “SIGNS”, SECTION 13-1904 “ADDITIONAL REQUIREMENTS FOR SIGNS”, AND ARTICLE XI “FEES”, TO ALLOW THE USE OF ONLINE PUBLICATION TO FULFILL THE TOWN’S NOTICE REQUIREMENTS IN ACCORDANCE WITH FLORIDA STATUTES § 50.0311; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR FINDINGS OF FACT,^q PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Raul Gastesi read the title of the ordinance in first reading.

The Town Clerk presented and explained the genesis of this item.

Town Clerk Gina M. Inguanzo stated that during a recent Florida City Clerks Association Meeting, all the City/Town clerks were discussing their concerns with the DBR not printing their newspaper anymore. She mentioned that DBR was the newspaper that most municipalities use for the publishing of legal ads, because it was cost effective and met the requirements of Florida Statute. Town Clerk Inguanzo mentioned that the Clerk of the Courts from Miami Dade County, Mr. Fernandez Barquin, was at said meeting, and he mentioned that Miami-Dade County uses a website to publish legal notices and that he was going to research this to try for all municipalities to use the same website. It was stated at said meeting, that Florida Legislature now allows municipalities the ability to publish legal notices and advertisements on a publicly accessible website. Town Clerk Inguanzo thanked the Senior Planner, Ms. Susana Alondo and the Deputy Town Attorney, Lorenzo Cobiella for their research and work on the proposed ordinance.

The Deputy Town Attorney, Lorenzo Cobiella stated that the Florida legislature now allows us to publish our notices on websites and not only in newspapers. He stated that the County must have a website formally adopted for these notices and they are currently working on this. He explained that our Code must be amended, because many sections of our Code state that publication needs to be done by newspapers only. He explained that those sections of the Code would need to be amended and that he intends to broaden the scope. Also, if someone from the public does not want to receive publication from a website, the Town Clerk will keep a log and will send a physical notice to them.

The Town Clerk, The Senior Planner and the Deputy Town Attorney answered questions posed by the Town Council.

Councilmember Dieguez made a motion to approve the ordinance in first reading and Vice Mayor Fernandez seconded the motion. The Town Clerk called the roll and the motion passed 6-0.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING AUTHORITY FOR THE COLLECTION OF RENTS, PAYMENT OF UTILITIES, MAINTENANCE FOR REAL PROPERTY OWNED BY THE TOWN OF MIAMI LAKES, LOCATED AT 5951 NW 151 STREET, MIAMI LAKES, FLORIDA 33014; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR THE CREATION OF GENERAL LEDGER ACCOUNTS; PROVIDING AUTHORITY TO OPEN AN INTEREST BEARING BANK ACCOUNT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Raul Gastesi read the title of the ordinance in first reading.

The Town Manager, Ed Pidermann, presented the item. He stated that to collect the rents, we need to make a change via ordinance. He asked authorization to take all necessary steps to provide temporary property management services and be able to collect rental payments at the recently property acquired by the TOML.

Councilmember Ruano motioned to approve, and it was seconded by Councilmember Collazo. After discussion amongst the elected officials, the motion passed 4-2, Vice Mayor Fernandez and Mayor Cid voted in opposition.

12. ORDINANCE IN SECOND READING:

None.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SCHEDULING A SPECIAL ELECTION ON APRIL 9, 2024, IN ACCORDANCE WITH SECTION 2.5 OF THE TOWN CHARTER; SETTING QUALIFYING DATES; SETTING EARLY VOTING DATES; SETTING A RUNOFF DATE; AUTHORIZING THE TOWN CLERK, TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY ACTIONS TO CARRY OUT THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Raul Gastesi read the title of the resolution.

Councilmember Dieguez moved the resolution, and it was seconded by Councilmember Collazo. Councilmember Dieguez then proffered the following amendment to add three (3) days of early voting to the resolution, to run from the Friday before the Special Election, to Sunday, from 7 am to 7 pm. Councilmember Collazo supported the amendment.

During the discussion amongst the elected officials, Mayor Cid stated for the record that he would be a no vote, because he has always believed that early voting should be two (2) weeks and because he thinks that this election is not timely. He also stated that the traditions always have been to have two (2) weeks of early voting. Vice Mayor Fernandez then stated that he would like to add three (3) weeks for early voting, instead of three (3) days. Councilmember Garcia stated that he would like two (2) weeks for early voting, as well.

Town Attorney Raul Gastesi asked the Town Clerk if she had asked the Elections Department for a two (2) weeks period for early voting for the Special Election. To respond to this question, Town Clerk Inguanzo read into the record an email she received from Mr. Roberto Rodriguez, Deputy Supervisor of Elections, dated January 29, 2024. Town Clerk Inguanzo stated that she had shared this email with Town Attorney Gastesi, Deputy Town Attorney Cobiella, Town Manager Pidermann and the Town Council, back on January 29th, 2024, so that all the relevant parties were well informed.

On this email, Mr. Rodriguez stated that Ms. Christina White, the Supervisor of Elections, allowed the following information to be included in the revised resolution that was being discussed at the Regular Council Meeting: for the Special Election to be held on April 9th, the Run-off Election -if needed, to take place on April 30th (as per Town Charter), that Candidate Qualifying must conclude by February 23rd, two (2) days for early voting (Friday and Saturday or Saturday and Sunday, prior to election date) and two (2) days for early voting (Friday and Saturday or Saturday and Sunday, prior to for the Run-off. The email also stated that only one (1) voting site for early voting, from 7 am to 7 pm. Town Clerk Inguanzo emphasized that the email also stated that all finalized questions and/or referendums and ballot questions provided to the Elections Department, must be received no later than Wednesday, February 14th and for the revised resolution to be provided to Elections Department by February 14th.

Town Manager Pidermann provided some feedback by saying that the wording used in the email from Mr. Rodriguez seems to suggest that they are only allowing two (2) days of early voting. He also suggested that the Town Council pass a resolution including the days you want for early voting, with the contingency that if Elections Department only allows two (2) days, that we, administratively, could have the ability to make the change in the resolution and forward to the Elections Department.

Deputy Town Attorney Cobiella stated that we can ask for a Special Election and for early voting, but that a lot of the decision making is not up to us, but to the Elections Department. He emphasized that this is one of those areas where if they are saying two (2) days, that's all they are going to give us. He agreed with the Town Manager Pidermann and recommended the Town Council to ask for everything we want, and to see if we can get it.

Mayor Cid stated that in his opinion, the election is not timely as per our Charter, because it already passed the 90 days, he asked if it would be plausible, to doing the Special Election in August, with the county election, get two (2) weeks of early voting and save money, and the person who gets elected would be in before the budget hearings. Town Attorney Gastesi responded that we have a Town Charter and that the Charter says that an election needs to take place within 90 days, that we asked the election department, and this is quickest that Election Department gave us. Town Attorney Gastesi opined that we can't just say, forget it and let's have the election in August. He stated that we need to comply with the Town Charter. Vice Mayor Fernandez asked the Town Attorney if the earliest possible date is April 9th, considering the Elections Department is not able to accommodate the election how we typically do.

Town Attorney Gastesi responded that in his opinion, we cannot compel the Elections Department to hold two (2) weeks of early voting. Deputy Town Attorney Cobiella also stated that early voting is not required by law. He stated that it is an added benefit but not required by law.

Town Clerk Inguanzo stated that she has been working with the Elections Department since the resignation of former Vice Mayor Alvarez, that she has been emailing the Elections Department since November 14th, 2023, to get things done right. She stated that the Elections Department has been cooperative, nice, and responsive, although their hectic schedule. She also provided quotes of election costs provided by the Elections Department and the cost of having early voting per day. The elected officials opined regarding early voting and the Special Elections.

After discussion, Councilmember Ruano made an amendment to Councilmember Dieguez' motion, to accept what was written in the email from Elections Department, which is to have only two (2) days of early voting, for the days to be identified as Saturday and Sunday. Councilmember Dieguez then withdrew his previous amendment, and he seconded Councilmember Ruano's amendment. The Town Clerk called the roll on the amendment by Councilmember Ruano, and the motion failed 3-3; Councilmember Garcia, Vice Mayor Fernandez and Mayor Cid voted in opposition.

Councilmember Dieguez made a motion to accept the resolution "as is" but with no early voting and adding the run-off date. The motion was seconded by Councilmember Ruano. After some discussion and questions asked regarding the source of paying for the Special Election, Town Manager Pidermann suggested to amend the first sentence of section 5 of the resolution and to delete police overtime and to change it to carry forward funds in the march meeting, to fund this election. Councilmember Dieguez incorporated this into his motion. Mayor Cid stated that the amendment was incorporated.

After further discussion amongst the Town Council, Councilmember Dieguez withdrew his previous motion and made the following new motion: to submit the resolution as is, with the new qualifying dates, with the money coming from the carry forward funds, as opposed to specifically the police overtime, that we include the run-off date of April 30th, with two (2) weeks of early voting but if we can't get the two (2) weeks, then at least get two (2) days of early voting, and for early voting to be Saturday and Sunday, 7am to 7pm. This motion was seconded by Councilmember Collazo. Shortly after making the motion, Councilmember Dieguez then asked for a 5-minute recess and Mayor Cid accepted the request.

At 11:07pm, the Town Council reconvened the Council Meeting. At this moment, the Town Clerk stated that a gentleman physically present in Council Chambers wasted to make a statement. Councilmember Ruano made a motion to re-open Public Comments and Mayor Cid seconded the motion. The motion passed unanimously.

Mr. Francois came before the Town Council to participate in Public Comments. He stated that he would like for the Town of Miami Lakes to be able to educate individuals on the issue of Anti-Semitism and that the oppressor is not Israel but Hamas. He questioned the Town Council about the efforts the Town is making against Antisemitism. The Town Council answered questions posed by Mr. Francois.

After further discussion, Councilmember Garcia made an amendment to Councilmember Dieguez' motion, which read motion to accept the resolution "as is" and to ask for 2 weeks of

early voting or at least one (1) week of early voting, and not accept only two (2) days of early voting and for the Special Election to be funded from the carry forward funds. This amendment was seconded by Vice Mayor Fernandez. The Town Clerk called the roll and the motion failed 2-4; Councilmember Collazo, Dieguez, Ruano and Mayor Cid voted in opposition.

Then, the Town Clerk called the roll on the motion by Councilmember Dieguez and seconded by Councilmember Collazo, accepting the resolution “as is” but requesting two (2) weeks of early voting, or one (1) week of early voting of two (2) days of early voting. The motion failed 2-4; with Councilmember Garcia, Councilmember Ruano, Vice Mayor Fernandez and Mayor Cid voting in opposition.

Councilmember Ruano then made a motion to accept the resolution “as is” with two (2) days of early voting, Saturday and Sunday and two (2) days of early voting for the Run-off, for the Special Election to take place on April 9th and run-off on April 30th, as stated in the email from the Department of Elections. Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion failed 3-3; Councilmember Garcia, Vice Mayor Fernandez and Mayor Cid voted in opposition. Shortly thereafter, Councilmember Dieguez withdrew his main motion because he acknowledged that the Town Council did not agree on anything.

After the discussion of 14B, and on behalf of the Town Clerk, Councilmember Dieguez asked for a moment of personal privilege, and he asked the Deputy Town Attorney what happens to all the monies that the Town Clerk has collected in the past few days, during the qualifying period of the candidates?

The Deputy Town Attorney, Lorenzo Cobiella explained that there is a resolution that was passed and has not been rescinded, and that resolution is with the Elections Department. The Elections Department asked the Town Clerk for a revised resolution, to clarify certain points – which the Town Council discussed and did not pass, so this is a question for the Election Department to respond to. The Deputy Town Attorney stated that the Town Clerk provided notifications and publications, candidates have qualified, so the Elections Department needs to answer this question to us. The Town Clerk asked for further clarification, and the Deputy Town Attorney responded that she needs to proceed based on the resolution that was sent to the Elections Department, because nothing of that resolution has changed. Regarding if the Special Election is still taking place, the Deputy Town Attorney answered that is a question that needs to be answered by the Elections Department. It was agreed that the Town Clerk, with the assistance of the Town Attorney, would send an email to the Elections Department, explaining the outcome of Item 13A and to continue with qualifying.

14. NEW BUSINESS ITEMS:

A. Update on Athletic Field Maintenance In House Cost Analysis (Ruano)

Councilmember Ruano explained that Town Staff has prepared a presentation for this item, and it can either be heard now or later. Town Manager Pidermann stated that it can be done under the Manager’s Report.

B. Insurance Study (Dieguez)

Councilmember Dieguez directed the Town Manager to go ahead and identify an entity that can go ahead and perform a study that will study the positive or the impacts generally

of changing the zip code to having our own zip code and coming back to us with what the costs would be as well as a recommended provider. For purposes of clarification, Councilmember Dieguez restated that although the memo says to fund a study, but the idea is for the manager to come back with a more detailed proposal on that study. Mayor Cid seconded.

Councilmember Garcia asked two questions; one is if our lobbyists have facts and figures associated with the bill they put forward and the other is if they can reach out to the other cities in the country that are trying to get their own zip code, pull our resources, and perhaps do that study. Councilmember Garcia added that would be a friendly amendment to add that.

Councilmember Dieguez responded to the first question that he recalls from his trip to DC in 2022 that they are working off what logically makes sense, and he is not aware they have specific hard numbers. For the second question he stated that he has no problem with the manager reaching out to them however to keep in mind that the study has to be local to ours and their study has to be local to theirs, but he is all for presenting options as it will have to come back to the council for final decision.

Vice Mayor Fernandez stated in reference to the 2022 DC trip that he recalls two conversations with federal legislators regarding strategy for passing the bill and one thing discussed was although there are multiple reasons why we need a zip code, not necessarily emphasizing the insurance implications as the postal service is unsympathetic to zip code changes for reasons that have nothing to do with mail delivery and so the point of emphasis they were using was mail delivery. He added that he is not sure to what extent the study helps at the federal level.

Councilmember Garcia added that UPS, Amazon, and DHL have a problem with the Moors being classified as Hialeah so perhaps we can reach out to see if there are any studies being made by these entities.

Councilmember Dieguez recapped that as they go about exploring these options to make the study happen, to also reach out to private providers that do delivery to see if they have data that can be used in the study. Vice Mayor Fernandez also asked to include voter confusion.

The motion passed unanimously.

C. Swale Parking Alone South Side of 170th Street (Bridge over pass) (Collazo)

This item was combined with Item 14J.

Councilmember Collazo asked the IT Department to play the video he sent in and explained that the video was sent to him by a resident that drove by at night. He stated that he also drove by during the day and saw the same thing, which was cars parked along the swale. He added that since he submitted the item, the issue was ameliorated significantly through administrative and police action.

Councilmember Collazo stated that what he would like to do is work with the town to see if they can provide at least notice to the residential building, give them a working

document that they can give to residents and future residents, so it doesn't continue to be an issue. He also added that the second thing that staff will be working on is some type of protection which he believes Vice Mayor Fernandez's item refers to guard rails and Town Manager Pidermann discussed curbing. Councilmember Collazo stated that this was to direct the Town Manager to do what he has already been doing with additional added measures.

Councilmember Collazo also brought up a public safety component in that area. He stated that as the third component that he would like to be a part of this item is if there is anything we can do regarding traffic calming for the safety of the individuals in that area.

After Councilmember Collazo explained his three components, he stated those were the three items he wanted to direct the Town Manager to take the lead on. He also clarified that those notices he requested are to be sent to the private businesses, apartment building, and the school in the area so that they are aware of the enforcement efforts.

Major Gonzalez provided the Town Council with some insight into what they have done regarding the issue and explained that they notified the school and apartment building. Public Works Director, Omar Santos also updated the Town Council and explained that the County is working on installing a traffic signal at that intersection however he does not know the timeline so he will follow up and provide the update to the Town Manager.

Vice Mayor Fernandez explained that all of the points Councilmember Collazo raised are points that he definitely agrees with. He stated the emphasis on his item was to look at longer term things like curbing or low wooden fencing.

Town Manager Pidermann stated that they already have an estimate on curbing and will bring it back to the council next month for consideration as well as alternative options.

Councilmember Collazo explained his motion was to direct staff, but they have already been doing it and believes they have sufficient direction therefore no motion necessary.

There being no further discussion, the item passed unanimously.

D. Council Seat 4 (Cid)

Mayor Cid presented this item and explained that the Town has never resigned under Florida's Resign to Run law. He explained that the Town Clerk can get together with the Town Attorney and come back to the Town Council as to what's going to happen with this seat going forward and to come back in March with their opinion and if there is any options, if allowable, to open up for qualifying so it goes in November but if not to just come back in March with the answer to the question. Mayor Cid stated that is his motion and Councilmember Garcia seconded.

Councilmember Dieguez explained that he thinks this is not permitted by the charter but if the goal is to get an opinion saying that then the attorneys can provide one independently.

There being no further discussion, the Town Clerk called the roll and the motion failed 3-3; Councilmember Collazo, Councilmember Dieguez, and Councilmember Ruano were in opposition.

Vice Mayor Fernandez then asked if they need a motion to get an opinion from the attorney and Mayor Cid stated that he will request an opinion from the attorney tomorrow.

E. Straw Ballot Questions for Next Available Town-Wide Election (Fernandez)

This item was not heard. The Town Council stated that it was a moot point.

F. Straw Ballot Questions (Garcia)

This item was not heard. The Town Council stated that it was a moot point.

G. Federal Legislative Priorities (Dieguez)

Councilmember Dieguez presented this item and explained that the appropriations deadlines are going to be opening up for the federal legislative appropriations and believes they should submit a list. He added that based on consultations with the manager, he is recommending three drainage projects. The projects are Big Cyprus Drive drainage improvements at an estimate of \$915,000, Florinda Estates Drainage at an estimate of \$2.6 million for construction, and Royal Garden Estates Phase One Drainage at an estimate of \$2 million for construction. Councilmember Dieguez stated he would also add to that to ask for funding to complete the LPR net on the outer ring of town. Councilmember Dieguez stated that would be his motion and Vice Mayor Fernandez seconded. The motion passed unanimously.

H. Maintenance of K9 Cove (Collazo)

Councilmember Collazo explained that this item is for the Town Manager to come back and get some cost estimates on the maintenance of the park, maybe some different options with regards to some of the items that the pet owners requested that needed attention at K9 Cove. Councilmember Collazo stated this is his motion and Councilmember Dieguez seconded the motion.

Vice Mayor Fernandez made a motion to extend, and Councilmember Garcia seconded. Councilmember Dieguez then made a motion to extend 15 minutes and Councilmember Ruano stated to extend 1 minute. The motion did not receive a second. The motion made by Vice Mayor Fernandez passed 5-1; Mayor Cid voted in opposition.

Back on Councilmember Collazo's item, the motion passed unanimously.

Vice Mayor Fernandez asked if they extended for 1 minute or 15 and Mayor Cid stated 15.

I. Special Election Ballot Questions (Cid)

This item was not heard. The Town Council stated that it was a moot point.

J. NW 170th Street Parking Issue (Fernandez)

This item was combined and heard during Item 14C.

K. FDOT Proposal for the 67th Ave Palmetto Underpass (Garcia)

Councilmember Garcia presented this item and explained that he has worked with the Town Manager, commissioner Rene Garcia's office, and Representative Tom Fabricio's office. He explained they met with FDOT to see if they could come together on an agreement to maintain the underpass on 67th. He stated FDOT pressure cleaned but cannot do other things therefore they gave the town a proposal. Councilmember Garcia would like the manager to go over the proposal so they can discuss for the carryforward what they are willing to come together on an agreement.

Town Manager Pidermann asked Public Works Director, Omar Santos, to go over the proposal from FDOT and provide the Town Council with what he believes would be the town's cost to comply with the town's side of the proposal. Public Works Director Santos explained that FDOT proposed cleaning and painting certain areas, but the town would have to commit to long term maintenance of these areas. He explained they have quantified, cost wise, about \$9,000 to do everything aside from pressure cleaning the underside of the bridge. Public Works Director Santos recommended a frequency of quarterly to twice a year.

Councilmember Garcia then asked for the Town Manager to bring back different choices because he would like for 67th to look like 154th and to come back with those costs. Councilmember Garcia stated that is his motion and Councilmember Collazo seconded.

Councilmember Collazo then stated he has an amendment in addition to what Councilmember Garcia is suggesting, which is for FDOT to give the town some type of credit if the town is taking the workload. Councilmember Garcia seconded.

Vice Mayor Fernandez asked to repeat the motion. Councilmember Collazo explained the main motion is to direct the manager to develop an agreement or working relationship with FDOT and so he proffered an amendment that at the same time they are looking at an agreement for there to be some type of remuneration back to the town for the work FDOT is not having to do.

On the amendment, the Town Clerk called the roll and the motion passed 4-2; Councilmember Dieguez and Councilmember Ruano were in opposition.

After discussion, the Town Clerk called the roll on the main motion and the motion passed 4-2; Councilmember Dieguez and Councilmember Ruano were in opposition.

L. Resolution Opposing Proposed County Bond (Dieguez)

Before this item was heard, Mayor Cid stated he is a candidate for County Mayor and does not want a perception of impropriety therefore he recused himself.

Councilmember Dieguez then presented this item and explained that it is a resolution in opposition to the mayor's proposed \$2.5 billion bond. He explained that the obvious issue is that taxes are likely to go up as a result of issuing this, but he also believes it is the wrong time for a couple of reasons.

After explanation, Councilmember Dieguez expressed that he believes this is the wrong time for this and his views are similar to the Optimist Park bond which was that he did not think it would be successful because the residents wanted to see they had a handle on existing obligations first and he thinks the same holds true here therefore he believes they should be in opposition to this bond. Councilmember Dieguez stated that would be his motion and to give Senator Garcia the opportunity to address the council. Vice Mayor Fernandez seconded the motion.

Senator Commissioner Rene Garcia then explained that the bond that is before us today is very empty with no details which is why he is here to ask the council to support the legislation before them in opposition of the bond. He explained that one of the main reasons he opposes this is because he hears the conversion of septic to sewer.

After further discussion, the motion passed unanimously with Mayor Cid recused.

M. Legal Opinion from Miami Dade County Regarding the Use of Surplus Neighborhood Service Districts Funds (Collazo)

Councilmember Collazo presented this item and explained that several residents in a couple of the Neighborhood Services Districts, particularly the ones that have the LPRs, have expressed concern over the way their funds were utilized without a vote of the neighborhood. He explained that what he wanted to do was empower the attorney to look at best practices, see what other cities were doing, seeing if there was some type of bright line test to these particular nuances of the Neighborhood Services Districts, and see what would trigger or not trigger a significant change which would be required of a vote.

Deputy Town Attorney Lorenzo Cobiella explained that leading up to tonight, he engaged the county and asked for their opinion verbally, which they did, and in writing, which they did not. He explained that their opinion is consistent with the workshop they held last year which is that these ordinances are town ordinances and the way you modify an ordinance is by voting. He stated special taxing districts do not have anything specific that state they need to go for referendum however attorney, Mr. Martinez believes that best practice is if you are going to make material change to an ordinance and it's going to affect a specific group of taxpayers, it is best practice to see if this is something they want or don't want. Deputy Town Attorney Cobiella stated that the best thing for the town to do is to adopt its own processes by which if they want to modify these ordinances going forward, they ask those that are going to be affected by these changes. He stated he learned that the Miami-Dade County Commission has made changes on their own

depending on the circumstances. Therefore, Deputy Town Attorney Cobiella added that it is up to this body and he does not mind doing research to come up with processes.

Councilmember Collazo stated his motion was to direct the town attorney to come back and see if there were ways to modify that ordinance and start incorporating some of the best practices so that they are clear and transparent with the residents and empowering them to vote. Councilmember Collazo restated that his first motion is to empower the Town Attorney to come back with a set of recommendations for best practices to modify the ordinance to make it clear moving forward that if they are making these changes, it is something that should go in front of the voters. Councilmember Dieguez seconded the motion.

After further discussion, Vice Mayor Fernandez also proffered as a friendly amendment, for the manager to reach out to the Miami-Dade and Florida League of Cities and find out what other cities are doing.

After further discussion, Mayor Cid stated they're all in agreement and will combine everything. The motion passed unanimously.

Councilmember Collazo made a motion to extend the meeting and Mayor Cid stated 10 more minutes. Councilmember Garcia seconded.

N. Speed Bump (Cid)

Mayor Cid presented this item and explained that several residents, whose neighborhood on 152nd Terrace between 87th Avenue and 89th Avenue is currently under construction and being finalized, have been requesting a speed bump on their block.

Lazaro Paz came to speak and express concern because of the speeding on their street. He is requesting bumps be placed.

Francisco Ion came to speak and stated that cars go 40 – 60 miles an hour down their street and he is concerned something is going to happen.

Gustavo Gomez also stated his name and observed the item.

Mayor Cid then made a motion to waive the current regulations, since their block is getting a new coat, to install that speed bump which he thinks will be cheaper to do in coordination with the finalization of their street drainage improvement project. Councilmember Garcia seconded the motion.

Town Manager Pidermann explained that speed humps are considered traffic calming devices which the county retains control over them however the town has an agreement with Miami-Dade County that they would allow the installation of speed humps, but it has to be based on a certain standard. He stated that the standard consists of a speed study to be done which they have been doing for a long list of neighborhoods. He explained the town only has one set of equipment to conduct these studies and each study takes about two weeks therefore it's a long and slow process to get these speed studies completed. He added that sometimes the studies reflect yes, a speed hump is needed and

sometimes it says no and the agreement with the county is that they would install them only based on the criteria they agreed to.

Councilmember Garcia asked if they can prioritize streets under construction and Town Manager Pidermann explained they have been on a first in, first out system. Councilmember Garcia then made a motion to take into consideration streets that are already under construction since it's easier to put the bumps and push those up on the list for the study.

Public Works Director Omar Santos stated that in order for them to do a proper speed study the road needs to be restored to its original condition and once the traffic is flowing again how it was before construction, they can do the speed study.

Vice Mayor Fernandez seconded Councilmember Garcia's motion for discussion and stated that a happy medium could be that the ones that have been identified there will be construction on they should be studied before construction.

After further discussion, Councilmember Collazo explained he planned to bring something similar next month for another resident but stated there is not enough money to do the speed studies. He stated he is encouraging the manager's idea to come back with how much it'll cost to approve the whole list.

Councilmember Collazo then asked they are not talking about waiving the rules from Miami-Dade County, correct? Mayor Cid stated he is talking about waiving the rules from Miami-Dade County. Councilmember Collazo added if they waive the requirements, it's going to become free for all. Town Manager Pidermann stated it still needs to meet the criteria of having and passing a speed study. Councilmember Collazo then added that maybe they need to have a workshop for them and the public to learn the thresholds.

Councilmember Collazo then made a friendly amendment that if this item passes, for the town to consider a workshop for the elected officials and the general public on what the process is for speed hump installation and alternatives. Councilmember Dieguez seconded.

After further discussion, the amendment passed unanimously.

Councilmember Collazo asked if they are still moving forward with a study and it's just moving this particular street forward to the front of the list because it is being repaved at this time. Mayor Cid stated yes but then asked if it is possible to waive the rules and Town Manager Pidermann stated no, if they waive the rules the town would be in violation of the agreement with Miami-Dade County.

Councilmember Dieguez then asked if they are voting on a waiver or not and Mayor Cid stated it has been made clear that they cannot waive but they have been moved up to have their street be one of the first studied.

After further discussion, the Town Clerk called the roll on the main motion and the motion passed 5-1; Councilmember Ruano was in opposition.

O. Proposed Charter Amendments (Fernandez)

This item was not heard. The Town Council stated that it was a moot point.

P. Police Overtime Budget (Garcia)

Councilmember Garcia explained that this item is to make sure the Major has all the money he needs for his details up to March when they talk about carryforward. He then asked the Major if he has everything he needs, and Major Gonzalez nodded yes.

15. MAYOR AND COUNCILMEMBER REPORTS:

A. Miami Lakes Middle School Student Project Presentation (Fernandez)

Vice Mayor Fernandez presented the item and explained that the students from Miami Lakes Middle School's legal studies program prepared a project based on an improvement they'd like to see codified. The students from Miami Lakes Middle School then presented a PowerPoint presentation proposing a Youth Advisory Board in the Town of Miami Lakes.

The Town Council then thanked the students for their presentation and posed questions to students which they answered.

Vice Mayor Fernandez stated that the purpose of this is to reconstitute the Youth Council so that the focus is not only the spot itself, but a broader scope to other townwide issues. He added that this item is not actionable, it was more to give them an opportunity to share the item with the Council. Vice Mayor Fernandez stated that this item will be back next month as a New Business Item.

16. MANAGER'S REPORTS:

A. Police Report (Major Gonzalez)

Major Gonzalez presented the monthly police report.

B. Report on Cost Analysis Athletics Grounds Maintenance (Bajdaun)

Special Projects Manager, John Paul Yanes, presented the report. He stated that what the council has before them is a cost analysis switching from an outsourcing model to an in-house.

C. Entry Feature Cost for Repainting (Bajdaun)

This report was deferred to the March Regular Council Meeting.

D. Monthly Infrastructure Report (Santos)

Public Works Director, Mr. Omar Santos, presented the monthly infrastructure report.

17. ATTORNEY'S REPORT:

Town Attorney Raul Gastesi presented the Attorney's Report and stated he needs an Executive Session on the Pizzi matter. Town Clerk, Gina M. Inguanzo stated she circulated a date at the beginning of the meeting and has quorum for February 26th at 8:45am.

18. ADJOURNMENT:

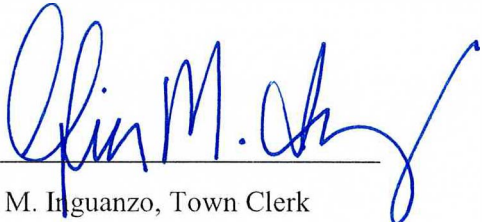
There being no further business to come before the Town Council, the meeting was adjourned at 12:26 am.

Approved this 12th day of March 2024.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk