

TOWN OF MIAMI LAKES, FLORIDA

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AGENDA
Regular Council Meeting
March 12, 2019
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **MOMENT OF SILENCE**
4. **PLEDGE OF ALLEGIANCE:**
5. **SPECIAL PRESENTATIONS:**
6. **ORDER OF BUSINESS(DEFERRALS/ADDITIONS/DELETIONS):**
7. **PUBLIC COMMENTS:**

All comments or questions from the attending public to the Council shall be directed to the Mayor, in a courteous tone. No person other than the Council and the person recognized by the Mayor as having the floor, shall be permitted to enter into discussion without the permission of the Mayor. To ensure the orderly conduct and efficiency of the meeting, public comments shall be limited to three (3) minutes maximum per person; however, the Mayor may authorize the extension of the aforesaid time frame, and any extension shall apply to other individuals speaking on the same subject.

No clapping, applauding, heckling, verbal outburst in support of, or in opposition to a speaker or his/her remarks shall be permitted. Should a member of the audience become unruly, or behave in any manner that disrupts the orderly and efficient conduct of the meeting, the Mayor is given the right and the authority to require such person to leave the Council Chambers.

As a courtesy to others, all electronic devices must be set to silent mode to avoid disruption of the proceedings.

Remote Public Comments: Please register with the Town Clerk from the date the agenda is released (Wednesday before the meeting) to the date before the meeting. For additional information, please contact Clerk@miamilakes-fl.gov

8. **APPOINTMENTS:**
9. **COMMITTEE REPORTS:**

Veterans Affairs Committee Report

Youth Activity Task Force

Economic Development Committee Report

10. CONSENT CALENDAR:

A. Approval of Minutes

- February 5, 2019 Regular Council Meeting
- February 19, 2019 Sunshine Meeting
- February 25, 2019 Sunshine Meeting

11. ORDINANCES-FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)**
- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 2.56(c) OF THE TOWN CODE, TITLED TOWN ATTORNEY SELECTION AND APPOINTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Dieguez)**
- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 2.55(c) OF THE TOWN CODE, TITLE TOWN MANAGER SELECTION AND APPOINTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Dieguez)**

12. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AMENDING CHAPTER 35, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", AT ARTICLE I, "IN GENERAL", AT SECTION 35-4 THROUGH 35-6, PROVIDING FOR THE ADOPTION OF NEW FEES AND PENALTIES AND AMENDMENT OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)**

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING A SCHEDULE OF FEES AND CHARGES FOR RIGHTS OF WAY PERMITS, PROVIDING FOR THE ADOPTION OF NEW FEES AND PENALTIES AND AMENDMENT OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)**
- B. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE RENEWAL OF THE LICENSE AND USE AGREEMENT WITH**

THE OPTIMIST CLUB OF MIAMI LAKES FOR A PERIOD OF FIVE (5) YEARS FOR USE OF MIAMI LAKES OPTIMIST PARK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING AUTHORITY TO THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE SPECIAL RULES OF ORDER OF THE TOWN OF MIAMI LAKES F/K/A THE TOWN COUNCIL MEETING RULES AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE COMMITTEE RULES, REGULATIONS AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

14. NEW BUSINESS:

A. Support of SB 1356 (Dieguez)

B. Hurricane Preparedness and Town-Wide Notifications (N. Rodriguez)

C. Guido Inguanzo Memorial (Cid, N. Rodriguez, Collazo)

D. Adaptive Traffic Signalization System along NW 67th Avenue Corridor (Collazo)

E. 2020 Census Campaign (N. Rdoriguez)

F. Amending Strategic Plan (Cid)

G. New Business Items and Staff Agenda Items (Cid)

15. MANAGER'S REPORT:

A. Balgowan Enforcement Evaluator

B. 5G Telecommunication Poles in the Rights-of-Way Update

C. Establishing Evaluation Criteria for Town Manager

D. Update on Resurfacing of the Playground in Picnic Park West

E. Town Manager Monthly Police Activity Report

F. Update on West Lakes Reforestation Project Phase III

G. FPL Franchise Fees Update

H. Update on Miami Lakes Optimist Park Design

16. ATTORNEY'S REPORT:

A. Attorney's Reports

ADJOURNMENT:

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at miamilakes-fl.gov and is available at Town Hall, 6601 Main Street, Miami Lakes 33014. In accordance with the Americans

with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 15 copies.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Veterans Affairs Committee
Subject: Veterans Affairs Committee Reports
Date: 3/12/2019

Recommendation:

Please see attached report.

ATTACHMENTS:

Description

Committee Report

Town of Miami Lakes: Veterans Committee

Report to the Town Council March 2019

MISSION STATEMENT: The Town Veterans Committee stands behind the issues most important not only to the Veterans in our community, but to all Veterans, By partnering with other Town Committees and organizations, we are devoted to mutual helpfulness by supporting wholesome programs in our community, advocating patriotism and honor, and continued devotion to our fellow service members and Veterans from all wars.

MEMBERSHIP:

Name	Committee Position	Nominated by:
Nayib Hassan	Chair	Carlos Alvarez
Gary Cardenas	Vice Chair	Luis Collazo
Bryan Bacallao	Secretary	Manny Cid
Sherill Hernandez	Member	Manny Cid
Edward Paez	Member	Josh Dieguez
Naymara Cruz	Member	Carlos Alvarez
Mary Collins	Member	Marilyn Ruano
William Kniffin	Member	Jeffrey Rodriguez
Angel Luis Vazquez	Member	Luis Collazo
Pedro Fiallo	Member	Josh Dieguez
Nick Monte	Member	Nelson Rodriguez
Aracelys Yapor	Member	Nelson Rodriguez

NOTE: There is currently one opening in the Veterans Committee. Attendance in the committee meetings have been well attended by all members especially in light of the Military Tribute Banner campaign in 2018, Veterans Day Parade, and Jingle Bell Jog 5K.

BUDGET 2018-2019: \$5,900.00

SCHEDULED EVENTS:

Event	Date	Budget	Attendance
Military Tribute Banners	Mid May- November	\$3,500.00	Non-attended
Flag Retirement Ceremony	Tentatively in May	\$500.00	
Tree Planting Ceremony	April 26, 2019 Conjunction with Arbor Day	\$900.00	
Veterans Day Parade	November 10, 2019		Over 1,000
Jingle Bell Jog 5K	Tentative/ December	Fully sponsored event	over 1,000
Veteran Care Package		\$1,000.00	

FUTURE PROJECTS/CONSIDERATION:

1. Concert to Raise Awareness for Veterans Concerns in conjunction with Cultural Affairs Committee
2. Return of Military Tribute Banners to Families, That will be done in September at Miami Lakes Automall in which Miami Lakes Automall will be again sponsoring the return with a

picture of the fullsize banner to the families along with a tube with the fullsize banner inside.

3. Veterans Affairs Committee Branch Office at Town Hall.
4. Something that is not taken into account is that our committee was involved directly for a food drive for our local military families during the government shutdown and serving food to the Coast Guard Air Station with one of our local business that fully sponsored the event, Chick-fil-a
5. We give special thanks to all the local businesses that were involved with sponsoring our events which include, but are not limited to:
 - a. Miami Lakes Automall with the Military tribute Banners.
 - b. Headquarter Toyota with the Jingle Bell Jog as our Title Sponsor
 - c. Responsive Insurance and A and P Air Conditioning that were large sponsors in the Jingle Bell Jog.
 - d. Chik-fil-a for the lunch catered to the Coast Guard
 - e. And once again Miami Lakes Automall for the food drive to help support our military families during the government shutdown.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Youth Activity Task Force
Subject: Youth Activity Task Force
Date: 3/12/2019

Recommendation:

Please see the attached committee report.

ATTACHMENTS:

Description

YATF 2019 Committee Report

Town of Miami Lakes: Youth Activities Task Force

Report to the Town Council

March 12, 2019

MEMBERSHIP:

Name	Committee Position
Tony Fernandez	Chair, Member
Brian Rodriguez	Vice Chair, Member
Michael Turino	Secretary, Student
Kristina Christoph	Member
Daylin Figueroa-Garcia	Member
Emily Garcia	Member
Flavia Nunez	Student
Ellica Quintero	Student
Ariana Rejas	Student
Juan Rodriguez	Town of Miami Lakes Police Officer
Victoria Rodriguez	Student
Eddy Sedeño	Member
Ernesto Soto	Member
David Turino	Student

BUDGET 2018-2019: \$45,000

SCHEDULE of EVENTS:

Event	Date	Budget	Est. Attendance
Just Run	10/18-4/19	\$1,000.00	200
Halloween	10/27/2018	\$26,500	6,000
Movies at the Park	11/09/2018	\$2,500	1,100
Movies at the Park	1/20/2019	\$2,500	1,500
Movies at the Park	2/22/2019	\$2,500	2,000
Bike Rodeo	3/16/2019	\$4,700	500
Spring Fling	4/20/2019	\$4,500	4,000
Youth Employment Initiative	5/4/2019	\$300	75
Ice Cream Social	7/20/2019	\$500	1,500
Total		\$45,000	16,875

FUTURE PROJECTS:

SPONSORSHIPS: \$8,777 (As of 2/28/19)

Prepared by and Approved by The Youth Activities Task Force Committee



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Economic Development Committee
Subject: Economic Development Committee
Date: 3/12/2019

Recommendation:

Please see attached the Economic Development Committee.

ATTACHMENTS:

Description

Economic Development Committee Report



**Economic Development Committee
Semi-Annual Report to Council
Feb. 19, 2019**

1) Members

Name	Committee Position	Nominated by
Michael J Huffaker	Chair	Jeffrey Rodriguez
Andrea Graham Rechichi	Vice Chair	Carlos Alvarez
Elizabeth Coto	Secretary	Marilyn Ruano
John Tingle	Vice Secretary	Nelson Rodriguez
Gustavo Beltran	Member	Manny Cid
Ivan Lambert	Member	Manny Cid
Jorge Alvarez	Member	Josh Dieguez
Ladd Howell	Member	Marilyn Ruano
Magaly Rubio	Member	Luis Collazo
Mara Falero	Member	Carlos Alvarez
Martin Lumbi	Member	Nelson Rodriguez
Neill Robinson	Member	Luis Collazo
Steve Brimo	Member	Jeffrey Rodriguez
Alex Castro	Member	Josh Dieguez

On behalf of the Economic Development Committee, I am pleased to offer this semiannual report as a detailed update on our activities. As reported in past updates to the Council, the Committee has continued to focus on not only promoting economic development in Miami Lakes by attracting new businesses but also to retain and expand our current businesses. Our goal is to build a robust, resilient and inclusive economy in Miami Lakes.

The following summarizes the activities of the committee from September 2018 through mid-February 2019:

2) Best of Miami Lakes

In conjunction with Small Business Saturday, the EDC sponsored the Best of Miami Lakes competition. Almost 850 businesses were nominated by citizens in seven categories. More than 3300 votes were received and the winners were announced at the Festival of Lights on Main on November 24th. The Best of Miami Lakes are:

- FOOD – Best Café: Vicky Bakery
- FOOD – Best Lunch Spot: Beverly Hills Café

- FOOD – Best Dinner Restaurant: Dr. Limon
- Best Retailer/ Shopping: Blacc Boutique
- Best Beauty and Fitness: Spa at Shula's
- Best Health: Specialty Smiles
- Best Professional Services: The Firm Law Group

3) Business Expo

Providing financial and marketing support to the Miami Lakes Chamber of Commerce, the EDC sponsored the annual Business Expo on November 15th. Over 30 local businesses displayed their services and products to almost 750 Expo attendees. It was the best attended and most energized Expo in recent memory.



4) International Economic Development Council (IEDC) Leadership Summit

Committee Chair, Michael Huffaker, attended this national conference held in Ft. Lauderdale January 27-29. This event provided an excellent opportunity to learn about the organizational, financial and theoretical foundations used by communities to build robust, resilient and inclusive economies. No Committee or Town funds were used for our participation in this event.

5) Jingle Bell Jog 5K

In a secondary way the EDC co-sponsored the Veteran's Committee Jingle Bell Jog with a \$1,000 donation, by participating in the race and staffing a booth for the EDC at the race Start/Finish line.



6) Cooperation with the Beacon Council

- i) To strengthen ties with and leverage the benefits of the Beacon Council, the Committee Chair and staff liaison, Charisma Glassman, have attended various Beacon Council events and committee meetings. We are currently working on convening a breakfast meeting with their Life Sciences Committee and representatives of the life sciences companies based in Miami Lakes. The goal in this process is to strengthen and grow this market segment in Miami Lakes.
- ii) The EDC, on behalf of the Town, placed a full-page profile in the Beacon Council's publication *Advantage Miami 2019*.

7) Business Newsletter

With editorial participation of the Economic Development Committee, The Town started a digital bimonthly newsletter called "Miami Lakes Biz" that will be emailed to all registered businesses in the Town. Topics will include:

- i) New Business in Miami Lakes
- ii) Local Business Events
- iii) Business Executive in Spotlight
- iv) Free Financial Tips
- v) Free Tech Tips
- vi) Employment and Workforce News
- vii) Government Highlights
- viii) More local news
- ix) Free Discount Coupons from local businesses and restaurants (conditions from vendors may apply)

8) Misc. Activities

- i) Continued scheduling of networking events
- ii) Continued contacting new businesses in Town
- iii) Enhanced partnership with Chamber of Commerce
- iv) Conducted survey of all registered businesses (results coming soon)
- v) Extended contract of staff support, Charisma Glassman, through the end of March 2019.
- vi) Recommended Large and Small Businesses of the year for the Mayor's State of the Town address.

The Economic Development Committee will continue its efforts to market Miami Lakes as a superb place to locate a business, to maintain a business and to expand a business. We will attempt to do so in a manner that is responsive to the needs of the existing business community and consistent with the overall strategic plans of the Town.

On behalf of all the members of The Economic Development Committee, I would like to thank the Mayor, Town Council and staff for their continued support.

Michael Huffaker, Chair



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Gina M. Inganzo, Town Clerk
Subject: Approval of Minutes
Date: 3/12/2019

Recommendation:

Approval of Minutes

- February 5, 2019 Regular Council Meeting minutes
- February 19, 2019 Sunshine Meeting minutes
- February 25, 2019 Sunshine Meeting minutes

ATTACHMENTS:

Description

February 5, 2019 Regular Council Meeting

February 19, 2019 Sunshine Meeting

February 25, 2019 Sunshine Meeting

MINUTES
Regular Council Meeting
February 5, 2019
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 6:44 p.m.

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers being present: Carlos Alvarez, Luis Collazo, Joshua Dieguez, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Nelson Rodriguez and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Pastor Jose Barek from Iglesia Bautista Jesucristo El Camino.

4. PLEDGE OF ALLEGIANCE:

Councilmember Jeffrey Rodriguez led the Pledge of Allegiance.

5. SPECIAL PRESENTATIONS:

Girl Scouts Troop 902 of Miami Lakes led the Presentation of Colors.

Jessenia Martinez from Lighthouse Yoga led a meditation.

The Town Council, along with the Special Needs Advisory Board, recognized the sponsors which participated and donated to the Mayor's Gala of 2018 which will benefit the community of residents in need of services.

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

Town Attorney, Raul Gastesi, requested that the Attorney's Report be moved-up, the Mayor motioned to move up the Attorney's Report to after the Consent Calendar. Town Manager requested that items 12C and 14E be combined for discussion before the Consent Calendar. Vice Mayor Rodriguez motioned to defer item 14M, until he meets with the HOA.

Vice Mayor Rodriguez motioned to approve the new Order of Business. Councilmember Dieguez seconded the motion and all were in favor.

Vice Mayor Rodriguez motioned to reopen the Order of Business and Councilmember Dieguez seconded the motion and all were in favor.

Vice Mayor Rodriguez motioned to pull item 12C and 14E for discussion before the Consent Calendar. Councilmember Ruano seconded the motion and all were in favor.

7. PUBLIC COMMENTS:

Juan-Carlos Fernandez came before the Town Council to speak on item 14F.

Mark Meyers came before the Town Council to speak on behalf of Representative Cindy Polo regarding blasting concerns.

Antonio Fernandez came before the Town Council to speak on item 16B.

Mirtha Mendez came before the Town Council to speak on her blasting concerns.

Esperanza Hope Reynolds came before the Town Council to speak on LPR cameras.

Alex Ariano came before the Town Council to speak on the cone of silence regarding the Special Taxing District.

Roberto Alonso came before the Town Council to speak on item 14G.

Former Councilmember Tim Daubert came before the Town Council to speak in favor of item 10C, 11A, 14A and 14K.

Lynn Matos came before the Town Council to speak on the upcoming Food and Wine Festival.

Angelo Garcia came before the Town Council to speak on his blasting concerns and a rat infestation in his backyard.

8. APPOINTMENTS:

Alex Castro was nominated to the Economic Development Committee, nominated by Councilmember Joshua Dieguez.

Mayor Cid also stated into the record the appointments for the Special Taxing District Committee as the following:

Miami Lakes Section One: Harold Korenatein, Olga Diaz, Suzanne Soriano, Niel Robinson, Xiomara Castillo, Jane Garcia, and Daisy Ramos.

Royal Oaks Section One: Noelio Mantilla

Councilmember Dieguez motioned to approve the appointment. Councilmember Collazo seconded the motion, and all were in favor.

9. COMMITTEE REPORTS:

Special Needs Advisory Board Chair, Lisbeth Coto-Velez and Board Liaison, Yessenia reported on the Board's intent to bring awareness of the Board to the residents of the Town through an upcoming Kick-Off event. Lisbeth also reported on their intent create classes with different life-skills for residents with Special Needs in the Town.

10. CONSENT CALENDAR:

Councilmember Collazo motioned to approve the items under the Consent Calendar. Councilmember Dieguez seconded the motion, and all were in favor.

A. Approval of Minutes

- January 9, 2019 Regular Council Meeting minutes
- January 15, 2019 Sunshine Meeting minutes
- January 29, 2019 Sunshine Meeting minutes

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2018-08R, SAFE ROUTES TO SCHOOL MIAMI LAKES ELEMENTARY SCHOOL PROJECT TO FLORIDA ENGINEERING & DEVELOPMENT, CORP. IN AN AMOUNT NOT TO EXCEED \$980,000.00; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Approved on Consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO TERMINATE THE INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY THROUGH MIAMI-DADE TRANSIT (MDT) FOR THE OPERATION OF PUBLIC TRANSPORTATION SERVICES WITHIN THE TOWN; AUTHORIZING THE TOWN MANAGER TO TERMINATE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Approved on Consent.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT AMENDMENT FOR RFP 2018-20, ASSET MANAGEMENT SOFTWARE TO TYLER TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$76,340.00; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Approved on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF SOD & SOD INSTALLATION SERVICES ON AN AS NEEDED BASIS; AUTHORIZING THE TOWN MANAGER TO UTILIZE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE CONTRACT 033-2730-18/IT WITH MULLINGS ENGINEERING SERVICES & SUNSET SOD INC. PURSUANT TO SECTION 7 OF ORDINANCE 17-203; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO UTILIZE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN AWARD OF FUNDS TO THE MIAMI LAKES VILLAS OF MIAMI LAKES CONDOMINIUM ASSOCIATION THROUGH THE TOWN'S NEIGHBORHOOD MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ADOPTING CRITERIA FOR INCLUSION INTO THE MIAMI LAKES SPORTS HALL OF FAME; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

11. ORDINANCE-FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 35, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", AT ARTICLE I, "IN GENERAL", AT SECTION 35-4 THROUGH 35-6, PROVIDING FOR THE ADOPTION OF NEW FEES AND PENALTIES AND AMENDMENT OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;**

PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney, Raul Gastesi, read the title of the ordinance into the record. Councilmember Collazo motioned to approve the ordinance in first reading. Councilmember Dieguez seconded the motion. The Town Clerk called the roll, and the motion passed, 6-0, with Vice Mayor Rodriguez absent.

12. ORDINANCES- SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO LANDSCAPING; AMENDING SECTION 13-1701, ENTITLED “REQUIRED LANDSCAPING,” OF THE LAND DEVELOPMENT CODE; ESTABLISHING PROVISIONS REGARDING MINIMUM LANDSCAPE REQUIREMENTS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Councilmember Dieguez motioned to approve the ordinance under second reading. Councilmember Rodriguez seconded the motion. The Town Clerk called the roll, and all were in favor.

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO CHAPTER 2, ARTICLE IV, FINANCE, REGARDING THE ESTABLISHMENT OF A LONG-TERM INFRASTRUCTURE RENEWAL AND REPLACEMENT FUND; PROVIDING FOR AUTHORITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

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

Councilmember Collazo motioned to approve the ordinance under second reading. Vice Mayor Rodriguez seconded the motion, and all were in favor.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 18-230; AMENDING THE TOWN’S FISCAL YEAR 2018-2019 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS**

ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Cid opened the public hearing.

Mirtha Mendez came before the Town Council to speak on item 12C.

Mayor Cid closed the public hearing.

Town Manager, Edward Pidermann, explained item 12C and recommended reducing the Pocket Parks Sod Restoration from \$100,000 to \$70,000, the balance of the general fund contribution will come from the salary savings of the vacant Deputy Town Manager position and adding funding to the Safe Routes to School project which required a Town match of an additional \$126,461 which would be taken from a transportation improvement reserve line.

Councilmember Dieguez motioned to approve item 12C. Councilmember Rodriguez seconded the motion.

Councilmember Alvarez motioned to use \$75,000 to resurface the playground at Picnic Park West and use \$100,000 for West Lakes Reforestation Project Phase III from allocation of \$391,670 from the Miami Lakes Optimist Park Master Plan for West Lakes Reforestation Project Phase III. Vice Mayor Rodriguez seconded the motion.

After some discussion, Councilmember Alvarez amended his original motion to just move \$75,000 from the Miami Lakes Optimist Park line item of \$391,670 to fund the resurfacing of the playground at Picnic Park West leaving \$316,670 in the Optimist Park fund. Vice Mayor Rodriguez seconded his motion. The Town Clerk called the roll, and the motion passed, 5-2, with Councilmember Dieguez and Mayor Cid in opposition.

Former Town Manager, Alex Rey, recommended reallocating \$70,000 from the Pocket Park SOD Restoration monies and \$30,000 from the Tree Permitting fee totaling \$100,000 which will be then allocated towards the completion of the West Lakes Reforestation Project Phase III.

Councilmember Alvarez made a motion approving the recommendation of Mr. Rey as amended. Councilmember Rodriguez seconded the motion. The Town Clerk called the roll, and all were in favor.

Vice Mayor Rodriguez motioned to take \$4,000 from the \$316,670 Optimist Park fund and reallocate the money to the Town Council's travel budget leaving \$312,670 of funds. There was no second to the original motion and the motion failed.

Councilmember Ruano then made a motion to reallocate the \$316,670 into a general reserve fund instead of the Miami Lakes Optimist Park Capital Improvement Project. Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion failed, 2-5, with Councilmembers Josh Dieguez, Carlos Alvarez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez, and Mayor Cid in opposition.

The Town Clerk then called the roll on the motion provided by Councilmember Alvarez with the included recommendation of Mr. Rey, as amended, and all were in favor.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT TRANSPORTATION ALTERNATIVES GRANT PROGRAM THROUGH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE TRANSPORTATION ALTERNATIVES GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

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

Vice Mayor Rodriguez motioned to approve the resolution under item 13A. Councilmember Dieguez seconded the motion and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT 2019 STREET TREE MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE TRANSPORTATION ALTERNATIVES GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

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

Vice Mayor Rodriguez motioned to approve the resolution under item 13B. Councilmember Alvarez seconded the motion.

Councilmember Ruano then amended the original motion to include verbiage to state that the fund allocated for the Reforestation be reallocated back to the re-sodding of the Pocket Parks, once the grant funds from the Street Tree Matching Grant Program are received. Vice Mayor Rodriguez seconded the motion, and all were in favor.

The Town Clerk then called the roll on the motion as amended and all were in favor.

14. NEW BUSINESS:

A. Supplemental Street Lighting (Collazo)

Councilmember Collazo motioned to have staff work on a multi-face project addressing the areas in greatest in need of supplemental street lighting like the West Lakes Reforestation by using future monies from transportation monies. Councilmember Ruano seconded the motion and all were in favor.

B. Town Attorney Selection Committee (Dieguez)

Councilmember Dieguez motioned to establish the Attorney Selection Advisory Committee that will begin with an RFP process, deleting the headhunter language, the committee will return candidates, deleting the number of 15 candidates, and undergo a review process by the Committee, made up of residents. The Committee would have 2 months from the RFP process to provide their recommendations to the Town Council. The Fiscal Impact would also be removed as headhunter will not be needed for the proposed motion. Councilmember Ruano seconded the motion. The Town Clerk called the roll, and all were in favor.

C. Mobility Fee (Ruano, Collazo)

Councilmember Ruano requested an update on the Mobility Fee. Town Manager explained the consultant will have a report done by summer 2019. No motion was made.

D. Non-residential Public Works Permits on Public Right of Way (Cid)

Mayor Cid made a motion requesting that the Town Manager inform the Town Council when a non-residential public works, public right-of-way permit is pulled in the Town. Councilmember Collazo seconded the motion, and all were in favor.

E. Picnic Park West Playground Repairs and West Lakes Reforestation Project Phase III (Alvarez)

This item was discussed along item 12C, combined under the new Order of Business.

F. Traffic Calming Study on 79th Avenue (Dieguez)

Councilmember Dieguez motioned to waive the requirements in order to place 2 temporary speed calming devices on 79th Avenue and 162nd and 165th Streets. Councilmember Rodriguez seconded the motion. Mayor Cid then suggested an amendment to the original motion directing the Town Manager to return with a list of residents that have also consented for a traffic speed study on their streets in other areas.

Mayor Cid explained that Public Works Department should reach out to all the residents that have asked for speed bumps to be installed and have been denied their request and explain to these residents that the requirements have been waived. Mayor Cid would like the Town Manager to come back with the list of residents since November 2016, that are interested in having the speed calming devices installed. Councilwoman Ruano also added

that town staff should reach out and inform the residents where the two temporary speed calming devices are being installed and inform them about the precise location.

Councilmember Dieguez then incorporated Mayor Cid's suggestion into his motion. Councilmember Rodriguez seconded the motion with the incorporation and all were in favor.

G. Commercial Vehicle parking on public streets (Ruano)

Councilmember Ruano made a motion requesting that the Town Manager and staff investigate the commercial vehicles parking over night along 82nd avenue alongside Picnic Park West. Vice Mayor Rodriguez seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Mayor Cid in opposition.

H. All-America City Award Application (Alvarez)

Councilmember Alvarez made a motion requesting that staff submit a letter of intent by November for 2019 and an application to the All-America City Award sometime in March of 2020. Vice Mayor Rodriguez seconded the motion, and all were in favor.

I. Information Accountability Act (Dieguez)

Councilmember Dieguez made a motion requesting that a monthly written report to the Council on pending information requests made by the Council like the after-action report that is available online. This is for the Town Manager and non-privileged matters as to the Town Attorney and include responsiveness to requests for information from the Council in the performance review criteria to be adopted by the Council for the Town Manager and Town Attorney. Councilmember Ruano seconded the motion and all were in favor.

J. Request for Transportation project updates (Ruano)

Councilmember Ruano made a motion requesting that a report be provided to the Town Council of regular transportation updates in order to provide answers to the residents. Town Manager stated that a group of individuals (staff, residents) will be put together to work on communications and enhance the service.

K. Road Resurfacing (Alvarez)

Councilmember Alvarez made a motion requesting staff to seek funding for road resurfacing of Montrose Road between Oak Lane and NW 154th Street. Councilmember Ruano seconded the motion and all were in favor.

L. Venezuela - President Juan Guaido (Cid)

Mayor Cid motioned to waive the Special Rules of Order of Section 7.2. Councilmember Dieguez seconded the motion.

Mayor Cid motioned to pass a resolution commending President Trump, Senator Marco Rubio and Congressman Diaz-Balart's recent actions related to the re-establishment of democracy in Venezuela. Vice Mayor Rodriguez seconded the motion, and all were in favor.

M. No-Left Turn Sign (N. Rodriguez)

This item was deferred under Order of Business.

15. MAYOR AND COUNCILMEMBERS REPORT:

A. Tallahassee Legislative Trip Update (Cid)

Mayor Cid reported to the Town Council on his recent trip to Tallahassee to discuss the Town's appropriations.

16. MANAGER'S REPORT:

A. Town Manager Monthly Police Activity Report

Town Commander, Javier Ruiz, provided the monthly crime report to the Town Council. Councilmember Dieguez motioned to reopen the Order of Business. Councilmember Ruano seconded the motion and all were in favor.

Mayor Cid motioned to move up item 16F. Vice Mayor Rodriguez seconded the motion and all were in favor.

B. Request for Reallocation of Funds for the Youth Activity Task Force

Town Manager, Edward Pidermann, explained the request to reallocate funds within their budget. Vice Mayor Rodriguez motioned to approve the reallocation. Councilmember Collazo seconded the motion, and all were in favor.

C. Communication Towers for Repeater Antennas

The Town Manager, Edward Pidermann, reported on the 5G antennas placed around the Town. He also stated that staff will work on a written report containing plans for future accommodations of the antennas.

D. Town Wide Speed Study Update

The Town Manager, Edward Pidermann, reported on the pending outcome of the current Town-wide speed limit study to then take into consideration for action.

E. Road Repaving and Sidewalk Repairs

The Town Manager, Edward Pidermann, provided copies of a list regarding the current road repaving and sidewalk repairs in the Town.

F. Strategic Plan Web Portal

German Cure, Strategic Planning Manager, provided a presentation on the Town's strategic plan through a visual web-map.

G. Use of Glyphosate base products at public parks, lakes, and other Town property

Chief of Operations, Tony Lopez, provided a report on a draft study of any harmful causes that glyphosate may cause to residents.

Councilmember Rodriguez motioned to use the alternative products specifically around the areas where parks are being treated. Vice Mayor Rodriguez seconded the motion.

The Town Manager then recommended that Councilmember Rodriguez amend his motion for him to return during next month's regular council meeting with details on allocating funding for the alternative product.

Councilmember Rodriguez motioned to include the amendment to his motion. Vice Mayor Rodriguez seconded the motion, and all were in favor.

H. Optimist Club Contract Extension Update

Chief of Operations, Tony Lopez, provided an update that a final contract agreement will be brought before the Council during next month's meeting.

Councilmember Ruano made a motion requesting that the renewal of the Optimist Club Contract be brought to the Town Council for final approval during the March Council meeting. Councilmember Collazo seconded the motion.

17. ATTORNEY'S REPORT:

A. Attorney's Report

Town Attorney, Raul Gastesi, reported on a recommendation of amending the Legal Representation Policy for all Town Councilmembers. Vice Mayor Rodriguez motioned to approve the proposed amended language to the legal representation policy provided by the Town Attorney. Mayor Cid seconded the motion, and all were in favor. Mayor Cid recused himself from the following item.

Assistant Town Attorney, Lorenzo Cobiella, reported on the current status of the Eminent Domain process for the connection of 59th Avenue and answered questions posed by the Town Council.

Carmen Olzabal provided a map presentation to the Town Council and residents present at the meeting.

Councilmember Alvarez made a motion to approve Option 1 (Exhibit A) to move forward with the Eminent Domain process. Councilmember Collazo seconded the motion and all present were in favor.

ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 12:23 a.m.

Approved on this 12th day of March 2019.

Attest:

Manny Cid, Mayor

Gina Inguanzo, Town Clerk

MINUTES
Sunshine Meeting
February 19, 2019
8:30 A.M.
Mayor's Conference Room
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Meeting began at 8:48 a.m.

Present at the meeting were Councilmembers: Carlos Alvarez, Luis Collazo, Vice Mayor Nelson Rodriguez, Town Manager Edward Pidermann and Transportation Manager Michelle Gonzalez.

2. Items for Discussion and Action:

A. Measure Transportation Measures

Michelle Gonzalez provided a presentation to the attending Councilmembers on the current Town's transportation projects, their status, funding plans and projected completion dates.

ADJOURMENT:

There being no further business to come before the Council, the meeting adjourned at 10:38 a.m.

Approved this 12th day of March 2019.

Manny Cid, Mayor

Attest:

Gina Inguanzo, Town Clerk

MINUTES
Sunshine Meeting
February 25, 2019
8:30 A.M.
Mayor's Conference Room
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Meeting began at 8:42 a.m.

Present at the meeting were Councilmembers: Luis Collazo, Jeffrey Rodriguez, Marilyn Ruano, resident Michael Huffacker and Transportation Manager Michelle Gonzalez. Councilmember Dieguez arrived at 9:11 a.m.

2. Items for Discussion and Action:

A. Measure Transportation Measures

Michelle Gonzalez provided a presentation to the attending Councilmembers on the current Town's transportation projects, their status, funding plans, and projected completion dates.

ADJOURMENT:

There being no further business to come before the Council, the meeting adjourned at 10:27 a.m.

Approved this 12th day of March 2019.

Manny Cid, Mayor

Attest:

Gina Inguanzo, Town Clerk



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Human Trafficking
Date: 3/12/2019

Recommendation:

Staff recommends approval of the ordinance adding Sec. 13-799.8. - Human trafficking public awareness signs to the Land Development Code, providing for the requirement that specific commercial uses within the town boundaries post the required sign in full view of employees.

Background:

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

On February 20, 2019 the Planning Board of the Town of Miami Lakes, acting in its capacity of Local Planning Agency, voted to advise approval of this ordinance, with recommendations to extend the requirement to post to all businesses within the town, and that the text be displayed in Spanish and Creole, in addition to the Asian languages provided in the sample sign.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

ATTACHMENTS:

Description

Ordinance

Staff Report

TOML Poster

Feb 20 LPA materials

Sample Signs

ORDINANCE NO. 19 - ____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE IV, “ZONING DISTRICT REGULATIONS”, PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force fraud and coercion; and

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurant, janitorial, sweatshop, factory and agricultural work; and

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonments and deportation, confiscation of passports, visas or other identification documents and threats of violence towards their families; and

WHEREAS, Florida law authorizes municipalities to enforce posting of human trafficking public awareness signs in certain establishments; and

WHEREAS, the Administrative Official reviewed the proposed amendment to the Land Development Code and recommends approval, as set forth in the Staff Analysis and Recommendation dated February 20, 2019 and incorporated into this Ordinance by reference; and

WHEREAS, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, on February ____, 2019, after conducting a properly noticed public hearing, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval to the Miami Lakes Town Council; and

WHEREAS, on ____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council moved the proposed amendment on first reading for second reading and consideration of adoption; and

WHEREAS, The Town Council finds that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found in Subsection 13-306(b) of the Town Code; and

WHEREAS, on _____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed ordinance.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, HEREBY ORDAINS AS FOLLOWS.

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. After considering Staff's report, both submitted in writing and presented orally and the public, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found at Subsection 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis Report.

Section 3. Approval. The Town Council hereby adopts the amendment as provided at Exhibit "A"

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that conflict with this Ordinance are hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall be included in the Town Code.

Section 7. Effective date. This Ordinance shall become effective immediately upon adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK]

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Joshua Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Passed on first reading this _____ day of March, 2019.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Joshua Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2019.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

CHAPTER 13. – LAND DEVELOPMENT CODE

* * *

ARTICLE IV. – ZONING DISTRICT REGULATIONS

* * *

DIVISION 21. – ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS

* * *

Sec. 13-799.8. - Human trafficking public awareness signs.

- 1) Employers at each of the following establishments shall display a human trafficking public awareness sign in a conspicuous location (the conspicuous location should be where other labor and employment signs are displayed), which is clearly visible to the employees of these businesses or establishments:
 - a) Restaurants, alcoholic beverage establishments, night clubs and any other entertainment or food service establishments; and
 - b) Public lodging establishments, classified as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rentals; and
 - c) Any business or establishment operating as a specialty salon performing nail, beauty services; and
 - d) A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care practitioner regulated pursuant to Florida Statute Chapter 456 and defined in Florida Statute § 456.001;
 - e) Urgent care centers, facilities or clinics that provide urgent care medicine or services, and may be commonly referenced as urgent care, convenient care, walk-in care or immediate care centers, whether operated by brand name corporations or non-brand name corporations, or other business entities.
- 2) The required human trafficking public awareness sign must be printed in a size consistent with, and must substantially state in English and Spanish the following as set forth in Florida Statutes § 787.29(4)

“If you or someone you know is being forced to engage in an activity and cannot leave – whether it is prostitution, housework, farm work, factory work, retail work, restaurant work or any other activity – call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.”
- 3) Design specifics regarding color, graphics, and additional verbiage may be adopted via Resolution.

- 4) The code compliance department, in conjunction with the police department, shall enforce the provisions of this section and upon conviction of such offense, be punished by a fine not to exceed \$500.00 provided in F.S. § 775.083. A continued violation for each day shall be considered a separate offense.
- 5) The violation issued for this offense, will be consistent with those violation notices issued by the city pursuant to section 21-31.5 of the Code of Miami-Dade County.
- 6) Citations may be appealed Town's Special Master.



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Mayor and Members of the Council

From: Edward Pidermann, Town Manager

Subject: Human Trafficking Public Awareness Signs

Date: March 12, 2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

On February 20, 2019 the Planning Board of the Town of Miami Lakes, acting in its capacity of Local Planning Agency, voted to advise approval of this ordinance, with recommendations to extend the requirement to post to all businesses within the town, and that the text be displayed in Spanish and Creole, in addition to the Asian languages provided in the sample sign.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

B. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance adding *Sec. 13-799.8. - Human trafficking public awareness signs* to the Land Development Code, providing for the requirement that specific commercial uses within the town boundaries post the required sign in full view of employees.

C. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: See Section “A,” Background, of this report. The proposed ordinance complies with the following policies of the Comprehensive Development Master Plan. Explanations follow each Policy.

Policy 1.2.4: Develop a code enforcement system in the new Code that is proactive in ensuring that the high standards, which are the hallmark of Miami Lakes, are maintained, and the personnel are very responsive to resident and business owner inquiries. In addition, ensure that the system allows for the mitigation and/or correction of adverse nuisance impacts, such as noise, odor and/or dust, on residential neighborhoods caused by any existing commercial and industrial operations.

The proposed ordinance provides for fines and penalties for any business that does not display the required signage and ensures that the Zoning and Code enforcement Department can inspect and cite business accordingly.

Policy 1.2.10: The Town shall use the Land Development Code and code enforcement procedures to actively pursue and encourage methods to avoid the occurrence of blight. If areas do become blighted, the Town will undertake steps to renew or redevelop the blighted areas.

The proposed ordinance provides for enforcement pursuant to Chapter 8, of the Code of ordinances.

Finding: Complies

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Section “A”, Background, of this report. The proposed is complementary to the recent approval of Section 13-311 as presented in Section A above.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis: See Section “A”, Background, and Criterion 2 of this report.

Finding: Complies.

4. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.

Analysis: The amendment does not change the permitted uses within the zoning districts.

Finding: Complies.

5. Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

6. Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

Analysis: See Section “A”, Background, and Criterion 2 of this report. The proposed amendment serves a compelling governmental interest to reduce the incidence of human trafficking and provide useful and timely information to any potential victims.

Finding: Complies.

- 8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: The proposed amendment does not change the permitted use of land.

Finding: Complies.

- 9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

Finding: Complies.

- 10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.

Be Free

If you or someone you know is being **forced** to engage in an activity and **cannot leave**: Whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity—Call the **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** at **1-888-373-7888** or Text **INFO** or **HELP** to **233-733** to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.

ANONYMOUS AND CONFIDENTIAL

Sé Libre

Si a usted, o a alguien que conoce, lo están **forzando** a hacer algo y **no lo dejan ir**: ya sea prostitución, trabajo doméstico, agrícola, de fábrica, en una tienda, en un restaurante o cualquier otra actividad, Llame al **CENTRO NACIONAL DE RECURSOS CONTRA LA TRATA DE PERSONAS** al **1-888-373-7888** o envíe un mensaje de texto al **233-733** con la palabra **INFO** o **HELP** para tener acceso a asistencia y servicios. Las víctimas de esclavitud y tráfico de personas están protegidas por las leyes de los Estados Unidos y la Florida.

ANONIMO Y CONFIDENCIAL

Dwe Lib

Si oumenm oswa yon moun ou konnen yo **te fòse** yo angaje nan yon aktivite epi **yo pa ka kite**: si li se pwostitisyon, travay nan kay, travay fèm, travay faktori, travay Yo Vann an Detay, travay restoran, oswa nenpòt lòt aktivite-Rele **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** nan **1-888-373-7888** oswa Tèks **INFO** oswa **HELP** pou **233-733** jwenn aksè nan èd ak sèvis yo. Viktim esklavaj ak trafik moun pwoteje anba Lwa Etazini ak Florid.

ANONYMOUS AK KONFIDANSYÈL

1-888-373-7888

Text: BeFree (233-733)



获取自由

如果你或者你认识的人正被迫参与某活动，无法离开：无论是卖淫，做家务，农业劳动，工厂作业，零售工作，餐厅工作或者任何其他活动 - 请致电 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** (国家打击人口贩运资源中心)，联系电话：**1-888-373-7888**，或者编辑短信 **INFO** (信息) 或 **HELP** (帮助) 发送到 **233-733** 来寻求帮助和服务。奴役和人口贩卖的受害者都受到美国和佛罗里达州的法律保护。

匿名且保密



Town of Miami Lakes

자유로워지십시오

만약 당신과 지인이 다음 활동에 강제로 투입되어 떠날 자유가 없다면: 매춘, 집안일, 농장일, 공장일, 소매일, 식당일 등 어떤 일이든지 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** (국립인신매매정보센터)인 **1-888-373-7888** 로 전화 또는 **233-733** 으로 **INFO**(정보) 또는 **HELP**(도움) 를 문자메세지로 보내어 도움과 서비스를 받으세요. 노예와 인신매매의 피해자는 미국과 플로리다주 법에 따라 보호 받을 수 있습니다.

익명과기밀이보장됩니다.

เป็นอิสระ

หากคุณหรือใครสักคนที่คุณรู้จักกำลังอยู่ใต้กิจกรรมที่ถูกบังคับ ไม่เต็มใจและไม่สามารถหลีกเลี่ยงได้ไม่ว่าจะเป็นการค้าประเวณี แรงงานงานบ้าน แรงงานเกษตร แรงงานในโรงงาน แรงงานร้านค้า แรงงานในร้านอาหาร หรือกิจกรรมอื่นใด - โปรดโทรแจ้ง **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** ที่ **1-888-373-7888** หรือส่งข้อความ **INFO** หรือ **HELP** ไปที่ **233-733** เพื่อเข้ารับการให้บริการความช่วยเหลือ ผู้ที่เป็นเหยื่อจากการเป็นทาสและการค้ามนุษย์จะได้รับคุ้มครองภายใต้กฎหมายสหรัฐอเมริกาและกฎหมายรัฐฟลอริดา

โดยนิรนามและเป็นความลับไม่เปิดเผย

ORDINANCE NO. 19-__

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force fraud and coercion; and,

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurant, janitorial, sweatshop, factory and agricultural work; and,

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonments and deportation, confiscation of passports, visas or other identification documents and threats of violence towards their families; and,

WHEREAS, Florida law authorizes municipalities to enforce posting of human trafficking public awareness signs in certain establishments; and,

WHEREAS, the Administrative Official reviewed the proposed amendment to the Land Development Code and recommends approval, as set forth in the Staff Analysis and Recommendation dated February 20, 2019 and incorporated into this Ordinance by reference; and

WHEREAS, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, on February ____, 2019, after conducting a properly noticed public hearing, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval to the Miami Lakes Town Council; and

WHEREAS, on ____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town

Council moved the proposed amendment on first reading for second reading and consideration of adoption; and

WHEREAS, The Town Council finds that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found in Subsection 13-306(b) of the Town Code; and

WHEREAS, on _____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed ordinance.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, HEREBY ORDAINS AS FOLLOWS.

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. After considering Staff's report, both submitted in writing and presented orally and the public, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found at Subsection 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis Report.

Section 3. Approval. The Town Council hereby adopts the amendment as provided at Exhibit "A"

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses,

and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall be included in the Town Code.

Section 7. Effective date. This Ordinance shall become effective immediately upon adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK]

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Nelson Rodriguez _____
Councilmember Carlos O. Alvarez _____
Councilmember Luis Collazo _____
Councilmember Joshua Dieguez _____
Councilmember Jeffrey Rodriguez _____
Councilmember Marilyn Ruano _____

Passed on first reading this _____ day of March, 2019.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Nelson Rodriguez _____
Councilmember Carlos O. Alvarez _____
Councilmember Luis Collazo _____
Councilmember Joshua Dieguez _____
Councilmember Jeffrey Rodriguez _____
Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2019.

Manny Cid
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

CHAPTER 13 LAND DEVELOPMENT CODE

* * *

ARTICLE IV. – ZONING DISTRICT REGULATIONS

* * *

DIVISION 21. - ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS

* * *

Sec. 13-799.8. - Human trafficking public awareness signs.

- 1) Employers at each of the following establishments shall display a human trafficking public awareness sign in a conspicuous location (the conspicuous location should be where other labor and employment signs are displayed), which is clearly visible to the employees of these businesses or establishments:
 - a) Restaurants, alcoholic beverage establishments, night clubs and any other entertainment or food service establishments; and
 - b) Public lodging establishments, classified as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rentals; and
 - c) Any business or establishment operating as a specialty salon performing nail, beaut services; and
 - d) A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care practitioner regulated pursuant to Florida Statute Chapter 456 and defined in Florida Statute § 456.001;
 - e) Urgent care centers, facilities or clinics that provide urgent care medicine or services, and may be commonly referenced as urgent care, convenient care, walk-in care or immediate care centers, whether operated by brand name corporations or non-brand name corporations, or other business entities.
- 2) The required human trafficking public awareness sign must be printed in a size consistent with, and must substantially state in English and Spanish the following as set forth in Florida Statutes § 787.29(4)

“If you or someone you know is being forced to engage in an activity an cannot leave – whether it is prostitution, housework, farm work, factory work, retain work, restaurant work or any other activity – call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.”
- 3) Design specifics regarding color, graphics, and additional verbiage may be adopted via Resolution.
- 4) The code compliance department, in conjunction with the police department, shall enforce the provisions of this section and upon conviction of such offense, be punished by a fine not to exceed

Additions to the text are shown in underlined; deletions from the text are shown in ~~strikethrough~~.

Omitted portions of this ordinance are shown as “* * *”.

\$500.00 provided in F.S. § 775.083. A continued violation for each day shall be considered a separate offense.

- 5) The violation issued for this offense, will be consistent with those violation notices issued by the city pursuant to section 21-31.5 of the Code of Miami-Dade County.
- 6) Citations may be appealed Town's Special Master.



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Chair and Members of the Local Planning Agency
From: Susana Alonso, AICP, Principal Planner
Subject: Human Trafficking Public Awareness Signs
Date: February 20, 2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

B. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance adding *Sec. 13-799.8. - Human trafficking public awareness signs* to the Land Development Code, providing for the requirement that specific businesses uses within the town boundaries post the required sign in full view of employees.

C. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: See Section “A,” Background, of this report. The proposed ordinance complies with the following policies of the Comprehensive Development Master Plan. Explanations follow each Policy.

Policy 1.2.4: Develop a code enforcement system in the new Code that is proactive in ensuring that the high standards, which are the hallmark of Miami Lakes, are maintained, and the personnel are very responsive to resident and business owner inquiries. In addition, ensure that the system allows for the mitigation and/or correction of adverse nuisance impacts, such as noise, odor and/or dust, on residential neighborhoods caused by any existing commercial and industrial operations.

The proposed ordinance provides for fines and penalties for any business that does not display the required signage and ensures that the Zoning and Code enforcement Department can inspect and cite business accordingly.

Policy 1.2.10: The Town shall use the Land Development Code and code enforcement procedures to actively pursue and encourage methods to avoid the occurrence of blight. If areas do become blighted, the Town will undertake steps to renew or redevelop the blighted areas.

The proposed ordinance provides for enforcement pursuant to Chapter 8, of the Code of ordinances.

Finding: Complies

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Section “A”, Background, of this report. The proposed is complementary to the recent approval of Section 13-311 as presented in Section A above.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis: See Section “A”, Background, and Criterion 2 of this report.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: The amendment does not change the permitted uses within the zoning districts.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. The proposed amendment serves a compelling governmental interest to reduce the incidence of human trafficking and provide useful and timely information to any potential victims.

Finding: Complies.

8. **Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: The proposed amendment does not change the permitted use of land.

Finding: Complies.

9. **Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

Finding: Complies.

10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.

Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.



Town of Miami Lakes

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the Planning and Zoning Board, of the Town of Miami Lakes, Florida, acting in its capacity as the Town's Local Planning Agency, is to consider and provide a recommendation to, the Town Council of the Town of Miami Lakes, at a public hearing on **Wednesday, February 20, 2019 at 6:30 PM, or as soon thereafter as the same may be heard, at the Town Hall Chambers, 6601 Main Street, Miami Lakes, Florida 33014**, the following ordinance to the Town's Code.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

All persons interested may appear in person, by attorney or agent, by letter or by email at pz@miamilakes-fl.gov and express objection or approval. All documentation pertaining to this item(s) is on file in the Office of the Town Clerk located at 6601 Main Street, Miami Lakes, FL 33014.

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Town of Miami Lakes Planning and Zoning Board with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should call Town Hall at (305) 364-6100 no later than two (2) days before the proceedings for assistance.

Gina Inguanzo
Town Clerk

be free

If you or someone you know is being forced to engage in an activity and cannot leave: Whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity—Call the **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** at **1-888-373-7888** or text **INFO** or **HELP** to **233-733** to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.

ANONYMOUS AND CONFIDENTIAL

获取自由

如果你或者你认识的人正被迫参与某活动，无法离开：无论是卖淫，做家务，农业劳动，工厂作业，零售工作，餐厅工作或者任何其他活动 - 请致电 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER**（国家打击人口贩运资源中心），联系电话：**1-888-373-7888**，或者编辑短信**INFO**（信息）或**HELP**（帮助）发送到**233-733**来寻求帮助和服务。奴役和人口贩卖的受害者都受到美国和佛罗里达州的法律保护。

匿名且保密

자유로워지십시오

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익명과 기밀이 보장됩니다.

เป็นอิสระ

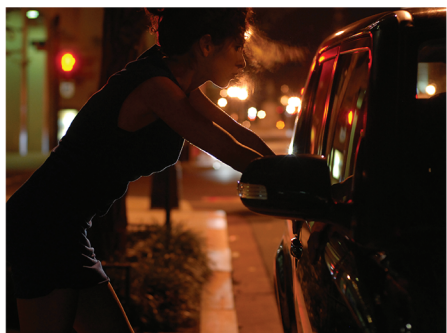
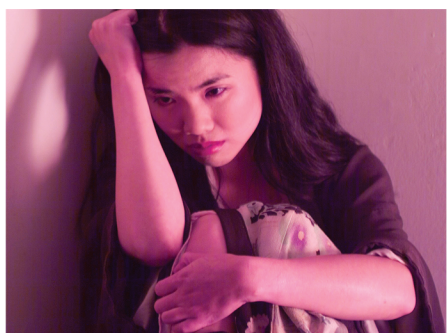
หากคุณหรือใครสักคนที่คุณรู้จักกำลังอยู่ใต้กิจกรรมที่ถูกบังคับ ไม่เต็มใจ และไม่สามารถหลีกเลี่ยงได้ ไม่ว่าจะเป็นการค้าประเวณี แรงงานงานบ้าน แรงงานเกษตร แรงงานในโรงงาน แรงงานร้านค้า แรงงานในร้านอาหาร หรือกิจกรรมอื่นใด - โปรดโทรแจ้ง **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** ที่ **1-888-373-7888** หรือส่งข้อความ **INFO** หรือ **HELP** ไปที่ **233-733** เพื่อเข้าถึงการให้บริการความช่วยเหลือ ผู้ที่เป็นเหยื่อจากการเป็นทาสและการค้ามนุษย์จะได้รับการคุ้มครองภายใต้กฎหมายสหรัฐอเมริกาและกฎหมายรัฐฟลอริดา

โดยนิรนามและเป็นความลับไม่เปิดเผย

1-888-373-7888 text BEFREE (233-733)



Posted pursuant to Palm Beach County Ordinance 2015-029 and s. 787.29 F.S.



NATIONAL HUMAN TRAFFICKING HOTLINE

Human trafficking is modern-day slavery,
and it's happening right here in the United States.

You can help.

1-888-373-7888

CONFIDENTIAL | TOLL-FREE | 24/7

www.HumanTraffickingHotline.org

Interpreters available

CALL THE HOTLINE TO:

- ① Get help.
- ② Report a tip.
- ③ Find services.
- ④ Learn about your options.

Victims are forced to provide labor or commercial sex in many situations, including the following venues/industries:

SEX TRAFFICKING

Hotel-Based Commercial Sex
Fake Massage Businesses
Street-Based Commercial Sex
Residential Brothels
Truck Stops
Escort Services

LABOR TRAFFICKING

Domestic Work
Agriculture
Travelling Sales Crew
Health & Beauty Services
Restaurants
Construction

This publication was made possible in part through Grant Number 90ZV0102 from the Office on Trafficking in Persons, Administration for Children and Families, U.S. Department of Health and Human Services (HHS). Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Office on Trafficking in Persons, Administration for Children and Families, or HHS.



be free

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ANONYMOUS AND CONFIDENTIAL



sé libre

Si a usted, o alguien que conoce, lo están forzando a hacer algo y no lo dejan ir: Ya sea prostitución, trabajo doméstico, agrícola, de fábrica, en una tienda, restaurante o cualquier otra actividad — Llame al **CENTRO NACIONAL DE RECURSOS CONTRA LA TRATA DE PERSONAS** al **1-888-373-7888** o **envíe un mensaje de texto** al **233-733** con la palabra **INFO** o **HELP** para tener acceso a asistencia y servicios. Las víctimas de esclavitud y tráfico de personas están protegidas por las leyes de los Estados Unidos y Florida.

ANÓNIMO Y CONFIDENTIAL



qwe lib

Si oumenm oswa yon moun ou konnen gen moun kap fòse l pou lfè yon bagay epi li pa kapap sòti ladann bagay sa a: Ke se pwositisyon, travay nan kay, travay nan jaden, travay nan faktori, travay nan kote kap vann an detay, travay restoran, oswa ankenn lòt bagay — Rele the **SANT RESOUS NASYONAL POU EDE MOUN KE YAP FÒSE FÈ TRAVAY LI PA VLE FÈ** nan **1-888-373-7888** oswa **tèks INFO** oswa **HELP** nan **233-733** pou jwen èd ak lòt bagay ou bezwen. Gen pwoteksyon sou lwa etazini ak nan Florid pou moun ki viktim esklavag ak moun yap fòse fè travay yo pa vle fè.

ANONIM AK KONFIDANSYÈL

1-888-373-7888 text BEFREE (233-733)





be free

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ANONYMOUS AND CONFIDENTIAL

获取自由

如果你或者你认识的人正被迫参与某活动，无法离开：无论是卖淫，做家务，农业劳动，工厂作业，零售工作，餐厅工作或者任何其他活动 - 请致电 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER**（国家打击人口贩运资源中心），联系电话：**1-888-373-7888**，或者编辑短信**INFO**（信息）或**HELP**（帮助）发送到**233-733**来寻求帮助和服务。奴役和人口贩卖的受害者都受到美国和佛罗里达州的法律保护。

匿名且保密

자유로워지십시오

만약 당신과 지인이 다음 활동에 강제로 투입되어 떠날 자유가 없다면: 매춘, 집안일, 농장일, 공장일, 소매일, 식당일 등 어떤 일이든지 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** (국립인신매매정보센터)인 **1-888-373-7888** 로 전화 또는 **233-733** 으로 **INFO**(정보) 또는 **HELP**(도움)를 문자메세지로 보내어 도움과 서비스를 받으세요. 노예와 인신매매의 피해자는 미국과 플로리다주 법에 따라 보호 받을 수 있습니다.

익명과 기밀이 보장됩니다.

เป็นอิสระ

หากคุณหรือใครสักคนที่คุณรู้จักกำลังอยู่ใต้กิจกรรมที่ถูกบังคับ ไม่เต็มใจ และไม่สามารถหลีกเลี่ยงได้ ไม่ว่าจะเป็นการค้าประเวณี แรงงานงานบ้าน แรงงานเกษตร แรงงานในโรงงาน แรงงานร้านค้า แรงงานในร้านอาหาร หรือกิจกรรมอื่นใด - โปรดโทรแจ้ง **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** ที่ **1-888-373-7888** หรือส่งข้อความ **INFO** หรือ **HELP** ไปที่ **233-733** เพื่อเข้าถึงการให้บริการความช่วยเหลือ ผู้ที่เป็นเหยื่อจากการเป็นทาสและการค้ามนุษย์จะได้รับการคุ้มครองภายใต้กฎหมายสหรัฐอเมริกาและกฎหมายรัฐฟลอริดา

โดยนิรนามและเป็นความลับไม่เปิดเผย

1-888-373-7888 text BEFREE (233-733)



Posted pursuant to Palm Beach County Ordinance 2015-029 and s. 787.29 F.S.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Amendment to Attorney Selection Process
Date: 3/12/2019

Recommendation:

It is recommended that the Town Council adopt the following Ordinance providing modifications to Section 2.56 of the Town Code.

Background:

On February 5, 2019, Councilmember Joshua Dieguez proposed changes to section 2.56, of the Town Code to provide for a two month RFP process with Town resident input, followed by a two month deliberation process by the Town Council, in the event the Town Attorneys office is vacant. This process specifically addresses the process for the hiring of an outside law firm, the current model.

ATTACHMENTS:

Description

Ordinance

ORDINANCE NO. 19-____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING SECTION 2.56(c) OF THE TOWN
CODE, TITLED TOWN ATTORNEY SELECTION AND
APPOINTMENT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on May 2, 2017, the Town of Miami Lakes (the “Town”) adopted Ordinance, 17-205, which created the Town Attorney Selection and Appointment; and

WHEREAS, on February 12, 2019, the Town Council discussed and provided direction to the Town Attorney to draft changes to the to the Town Attorney Selection process in order to streamline the selection process; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council hereby amends Chapter 2, Article III, Section 2.56, of the Town Code as set forth in **Exhibit “A”** hereto, which is incorporated herein.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

THIS SPACE INTENTIONALLY LEFT BLANK

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffery Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on first reading this _____ day of March, 2019.

THIS SPACE INTENTIONALLY LEFT BLANK

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffery Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on first reading this _____ day of March, 2019.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”¹

Article III. OFFICERS AND EMPLOYEES

[...]

Section 2.56. - Town Attorney.

[...]

(2) *Resolution adopting the Town Council workshop findings and appointing a ~~selection~~ an advisory committee.* After the conclusion of the Town Council workshop, a resolution shall be adopted by the Town Council which shall include the findings of the ~~W~~workshop. Additionally, each ~~e~~Council m~~Member~~ shall appoint a resident of Miami Lakes, who shall have resided in the Town for a period of no less than two years, to serve as a member of a selection advisory committee, in order to provide advice and public input. The Town Manager shall serve as a non-voting member of the selection advisory committee, ~~to~~ and provide guidance and serve as a liaison between the committee and the Town.

(3) ~~Position shall be Advertised~~ Procurement/Advertisement

- a. Should the Town Council choose to hire an in-house council, the position shall be advertised in a newspaper of general circulation and provide no less than 30 days to submit applications for consideration
- b. Should the Town Council choose to hire an outside counsel, the process will be initiated through a Request for Proposals (“RFP”), or a Request for Qualifications (“RFQ”), in accordance with the Town’s procurement process as stated in Article V, Division 2. The process should be concluded within two months and reviewed by the selection committee. At the conclusion of the two months, the Town Council shall review a short list of recommendations by the Town Council, conduct any necessary group, or one on one, and shall be concluded within three months after receipt of the short list.

¹ Additions to the text are shown in underline and deletions from the text are shown in ~~strikethrough~~.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Town Manager Selection Process
Date: 3/12/2019

Recommendation:

It is recommended that the Town adopt the proposed amendments to the Town of Miami Lakes' Town Manager Selection Process.

Background:

During the January 2019 Town Council Meeting, the Town Council discussed a new business item presented by Councilmember Joshua Dieguez regarding amendments to Section 2.55 of the Town Code, to provide for changes to the Town Manager Selection process in order to stream line the process and change the name of the Town Resident Committee to the Town Manager Selection Advisory Board.

ATTACHMENTS:

Description

Ordinance

ORDINANCE NO. 19-_____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING SECTION 2.55(c) OF THE TOWN
CODE, TITLED TOWN MANAGER SELECTION AND
APPOINTMENT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on May 2, 2017, the Town of Miami Lakes (the “Town”) adopted Ordinance, 17-204, which created the Town Manager Selection and Appointment; and

WHEREAS, on January 15, 2019 the Town Council discussed and provided direction to the Town Attorney to draft changes to the to the Town Manager Selection process in order to streamline the selection process; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council hereby amends Chapter 2, Article III, Section 2.55, of the Town Code as set forth in **Exhibit “A”** hereto, which is incorporated herein.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

THIS SPACE INTENTIONALLY LEFT BLANK

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffery Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on first reading this _____ day of March, 2019.

THIS SPACE INTENTIONALLY LEFT BLANK

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffery Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on first reading this _____ day of March, 2019.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”¹

Article III. OFFICERS AND EMPLOYEES

[...]

Section 2.55. - Town Manager

[...]

(c) *Selection*

[...]

(2) *Resolution adopting the Town Council workshop findings and appointing a Town Manager Selection Advisory Committee.* After the conclusion of the Town Council workshop, a resolution shall be adopted by the Town Council, at the next scheduled Town Council Meeting which shall include the findings of the workshop. Additionally, each Council Member shall appoint a resident of the Town of Miami Lakes, who shall have resided in the Town for a period of no less than two years, to serve as a member of a Town Manager Selection Advisory Committee. The Town Attorney, or the Town Attorney's designee, shall serve as a non-voting member of the Town Manager Selection Advisory Committee to provide guidance and serve as a liaison between the committee and the Town.

(4) *Selection and Retention of a Search Firm:* The Town Council shall authorize staff to retain the services of a Search Firm to review potential Town Manager Candidates and prepare a list of fifteen (15) qualified candidates to be evaluated by the Town Manager Selection Advisory Committee. ~~The Town Attorney and the search firm, if any, otherwise, the Town HR liason will review all applications to ensure the applicants conformity to the minimum qualifications for the position of Town Manager and forward all conforming applications to the Selection Committee.~~ The Town Manager Selection Advisory Committee may interview some or all candidates with conforming application and present a short list of ~~five to seven~~ candidates, composed of five (5) with two (2) alternates, to the Town Council. Once the fifteen (15) candidates have been identified, the entire process should conclude within four (4) months. The Town Council shall take into consideration the Town Manager Selection Advisory Committee's suggestion; however, the Town Council may consider other candidates that may or may not have been interviewed or considered by the Town Manager Selection Advisory Committee.

¹ Additions to the text are shown in underline and deletions from the text are shown in ~~striketrough~~.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Adoption of New Public Works Fee Schedule
Date: 3/12/2019

Recommendation:

Staff recommends that Section 35-4 through 35-6 be renamed and that fees and penalties are codified to ensure all costs associated with the rights-of-way permits are fully cost recovered. It is the desire that no cost related to a rights-of-way permit is borne by the tax payers of the Town.

Background:

On the November 7, 2017, Regular Council Meeting, Item 15.B Permitting and Notification Requirements was discussed. The Town Council passed a motion directing Town staff to look into notification requirements that contractors must submit regarding any issues in which they may be at fault and fines/penalties should they not submit a notification in proper time.

On February 6, 2018, the Town Council passed and adopted Ordinance No. 18-221 amending the Town's Code of Ordinances at Chapter 35, Article II and creating Article III regulating the placement of utilities and communications facilities, and other similar facilities, within the Town's rights-of-way. This Ordinance addressed notification requirements in the event a permittee cause any damages to a facility during the execution of the work and made the failure to report such damages to the Town a substantial breach of the terms and conditions of any applicable statute, ordinance, rule or regulation or any condition of the permit. However, the amount of fines/penalties were not addressed in this ordinance.

Currently, the Town charges right-of-way permit fees based on ad-hoc estimates of costs for plan review and field inspection staff/consultant time and related costs.

A new rights-of-way permit fee and penalties schedule is proposed where the fees will be analyzed based on a predetermined fee schedule. This ordinance establishes said fee schedule in advance to allow for recovery of the Town's actual costs incurred in managing the public rights-of-way. Providing a fee schedule in advance allows permit applicants the ability to better estimate permit fees.

An administrative overhead fee of 11% is assessed to cover indirect expenses associated with Town support functions.

ATTACHMENTS:

Description

Ordinance in 2nd Reading

ORDINANCE NO. 19- _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 35, “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES”, AT ARTICLE I, “IN GENERAL”, AT SECTION 35-4 THROUGH 35-6, PROVIDING FOR THE ADOPTION OF NEW FEES AND PENALTIES AND AMENDMENT OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
(Edward Pidermann)

WHEREAS, Section 337.401, Florida Statutes, provides that local governments are authorized to prescribe and enforce reasonable rules and regulations with reference to the placing and maintaining of utilities or communications facilities along, across, or on any road and may grant to a resident or corporation organized or licensed in Florida the use of the right-of-way in accordance with said rules and regulations; and

WHEREAS, the Town of Miami Lakes’ rights-of-way are essential for the travel of persons and the transport of goods throughout the Town, and are a unique and physically limited resource requiring proper management by the Town in order to maximize efficiency, minimize costs to Town taxpayers; and

WHEREAS, the regulation and protection of the rights-of-ways and other utilities to residents of and visitors to the Town is both an important amenity and a necessity of public and private life in the Town; and

WHEREAS, it is also the Town’s intent to exercise its authority and regulate activities that affect the rights-of-way by any person or public or private entity; and

WHEREAS, it is the further intent of the Town to exercise its authority to adopt reasonable rules and regulations to the fullest extent allowed by Federal and State law; and

WHEREAS, the Town Council has repeatedly expressed its desire that all costs incurred by the Town related to private entities activities be fully recovered; and,

WHEREAS, the Town Manager recommend to the Town Council that in an effort to achieve recovery of staff, consultant, and administrative costs, it is necessary to adopt new fees and penalties to provide these services without adversely impacting the Town's general fund; and

WHEREAS, in order to recover these costs, it is necessary to establish new fees and penalties by amending Chapter 35, Article I; and

WHEREAS, amending and renaming Section 35-4 through 35-6, of the Town's Code of Ordinances as provided at Exhibit A; and

WHEREAS, on February ____, 2019, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on March_____, 2019, the Town Council considered the ordinance at a duly noticed public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. **Recitals.** Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. **Amendment.** Section 35-4 through 35-6, of the Town's Code of Ordinances is hereby amended as provided at Exhibit "A."

Section 3. **Fee Schedule.** Fee Schedule shall be adopted by separate Resolution.

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 7. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed on first reading this _____ day of February, 2019

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Joshua Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2019.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

ORDINANCE

Chapter 35 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

* * *

ARTICLE I. – IN GENERAL

* * *

Sec. 35-4. – Rights-of-Way Permit.

- (a) All permits granted shall expire after forty-five (45) days of issuance, unless otherwise restricted to be existing Florida State Statute or Federal Law. Extensions in increments of forty-five (45) days may be granted by the Public Works Director.
- (b) Except as otherwise provided in the code, no person may construct in any rights-of-way without first having obtained a permit from the Public Works Department.
- (c) A permit will allow the holder to construct in that part of the rights-of-way described in such permit and to hinder free and open passage over the specified portion of the rights-of-way by placing facilities described therein, to the extent and for the duration specified therein.
- (d) A permit is valid only for the dates and the area of rights-of-way specified in the permit, unless modified by the Public Works Director.
- (e) No person may construct in the rights-of-way beyond the date or dates specified in the permit unless such permit is modified by the Public Works Director.
- (f) Permits issued under this article shall be conspicuously displayed at all times at the indicated work site and shall be available for inspection by department inspectors and authorized Town personnel.
- (g) The Public Works Director may impose reasonable conditions, upon the issuance of the permit and the performance of the person requesting the permit thereunder in order to, protect the public health, safety and welfare, to ensure the structural integrity of the rights-of-way, to protect the property and safety of other users of the rights-of-way, and to minimize the disruption and inconvenience to the traveling public.

Sec. 35-5. – Rights-of-Way Permit Fees.

- (a) Established. The fees related to rights-of-way permits shall be established by resolution of the Town Council.
- (b) Payment of permit fees. To the extent permit fees are not prohibited under the communications services tax simplification law, no permit shall be issued without prior payment of permit fees, unless, at the discretion of the Town Manager, or designee, the Town allows the person or entity requesting the permit to pay such fees within thirty (30) calendar days of billing.
- (c) Non-refundable fees. Any and all permit fees that were paid for a permit that the Town has revoked for breach are not refundable.
- (d) Preservation of Right-of-Ways. Existing right-of-way located within the Town's jurisdictional boundaries, including sidewalks, curbs and gutters, and landscaping must be restored to their legally permissible preexisting condition, including any aesthetic enhancements thereto and any adjacent private property damaged during construction, upon the expiration or closing of the Permit, which ever should occur first. Any entity failing to restore the right-of-way to its preexisting condition or better within the time permitted shall be subject to a civil fine of five hundred dollars (\$500.00) per violation per day until such time as the right-of-way is restored, as well as five hundred dollars (\$500.00) per day for each affected adjacent private property until it is restored.

Sec. 35-6 – Enforcement

In addition to any other remedy available by law or ordinance, enforcement against a person, firm, corporation or benefactor that violates this section by un-lawfully placing items on a right of way or failing to preserve the right of way shall be dealt with as provided in Chapter 8, of this Code.

Sec. 35-7. – Permit Fees Waiver.

The Town Manager or Public Works Director may waive all or part of a right-of-way permit fees.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Resolution Adopting the New Public Works Fee Schedule
Date: 3/12/2019

Recommendation:

Staff recommends the adoption of the new Public Works Fee Schedule for rights of way permits, and that fees and penalties are codified to ensure all costs associated with the rights-of-way permits are fully cost recovered.

Background:

On February 5, 2019, Regular Council Meeting, the Town Council passed a motion approving an ordinance in first reading amending Chapter 35, "Streets, Sidewalks and Other Public Spaces", at Article I, "In General", at section 35-4 through 35-6, providing for the adoption of new fees and penalties.

On March 12, 2019, Regular Council Meeting, the Town Council passed a motion approving an ordinance in second reading amending Chapter 35, "Streets, Sidewalks and Other Public Spaces", at Article I, "In General", at section 35-4 through 35-6, providing for the adoption of new fees and penalties.

In accordance with the adopted ordinance and section 35-5 (a), staff recommends adoption of the new Public Works Fee Schedule for rights of way permits, and that fees and penalties are codified to ensure all costs associated with the rights-of-way permits are fully cost recovered.

Attachments:

Attachment A: Public Works Fee Schedule
Attachment B: Staff Hour Estimates
Attachment C: Fee Schedule Comparisons

ATTACHMENTS:

Description

Resolution

Attachment A: Public Works Fee Schedule

Attachment B: Staff Hour Estimates

Attachment C: Fee Schedule Comparisons

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, CREATING A PUBLIC WORKS FEE SCHEDULE; AUTHORIZING TOWN MANAGER OR HIS DESIGNEE TO EFFECTUATE THE PUBLIC WORKS FEE SCHEDULE; AND PROVIDING FOR AN EFFECTIVE DATE. (Edward Pidermann)

WHEREAS, on March 12, 2019, the Town of Miami Lakes (the “Town”) Council passed in Second Reading Ordinance No. _____ creating fee schedule for Public Works; and

WHEREAS, in order to effectuate said Ordinance a Resolution creating a fee schedule needs to be adopted by the Town Council; and

WHEREAS, the Town Manager recommends the Town Council to the fee schedule attached hereto as Exhibit “A.” adopt

WHEREAS, the Town Council agrees that it is in the best interest of the Town to adopt the fee schedule set forth in Exhibit “A,” for Public Work Fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval of Public Works Fee Schedule.** The Public Works Fee Schedule set forth in Exhibit “A,” are hereby adopted by the Town Council.

Section 3. **Authorization of Town Official.** The Town Manager and/or his designee are authorized to effectuate the Public Works Fee Schedule included in Exhibit “A.”

Section 4. **Effective Date.** This Resolution shall be effective immediately upon adoption.

Passed and adopted this 12th day of March 2019

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Josh Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”

TOWN OF MIAMI LAKES PUBLIC WORKS FEE SCHEDULE

**Town of Miami Lakes
Public Works Department
Fee Schedule**

The Town of Miami Lakes shall charge and collect Public Works fee for the items and rates listed in the following schedule:

A) Fee for public works construction, under permits issued by the Town of Miami Lakes, in canal, road, and street rights of way and utility or other easements, in the Town of Miami Lakes, are fixed as follows:

- 1) For installation or repair of sanitary and storm sewers (except for exfiltration trench), water lines, gas lines, buried electric telephone, CATV or other underground utilities:

For 100 L.F. or less\$195.00
For each additional 100 L.F. or fraction thereof..... \$50.00

- 2) For exfiltration drains consisting of catch basin, exfiltration trench, or slab covered trench:

For each 100 L.F. or fraction thereof..... \$204.00

- 3) For construction or replacement of sidewalks, curbs, and gutters:

First 100 L.F. or less.....\$150.00
For each additional 50 L.F..... \$15.00

- 4) For installation of poles or down guys for overhead utilities:

For each pole or down guy.....\$150.00

- 5) For construction of asphalt or concrete driveways:

a. For driveway/approach (asphalt or concrete).....\$137.00

b. For driveway/approach (brick pavers).....\$150.00

NOTE: A recorded Covenant of Construction in a form acceptable to the Department must be on file prior to a permit being issued for driveway approaches on the public right-of-way other than asphaltic concrete or plain concrete.

- 6) For construction of street pavements, including paving of parkways and shoulders (includes based and subgrade):

- a) One or two-lane pavements (width of pavement being 0 to 24 ft):

For 100 L.F. or less.....\$335.00
For each additional 100 L.F. or fraction thereof.....\$109.00

- b) Three or more lanes of pavement (aggregate width greater than 24 ft.):

For 100 L.F. or less.....	\$416.00
For each additional 100 L.F. or fraction thereof.....	\$190.00

NOTE: Fees for paving of parkways and shoulders will be priced the same as those charged for street paving.

7) For installation of permanent type traffic barricades, guardrails, or guide posts

For 100 L.F. or less.....	\$137.00
For each 100 L.F. or fraction thereof.....	\$28.00

8) For resurfacing, waterproofing, or seal coating in public rights-of-way (does not apply to private homeowners)

For each 1,000 square feet or fraction thereof.....	\$137.00
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9) For installation of bus shelters:

For each bus shelter.....	\$150.00
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B) Ad-Hoc Plans Review and Inspection Fees

Ad-Hoc plans review fees and inspections are to be charged for plan and engineering reviews and inspections or other activity not covered by the fee schedule. This also includes research where the nature, or volume, of such records requires extensive use of information technology resources, clerical or supervisory assistance, or both. If performed by a Town employee, the fee is based on actual hourly cost, plus benefits and overhead. Any professional services contract needed will be billed 100%, plus 11% administrative overhead charges.

C) Plans Review Fees (Non-Refundable)

Plans review fees are to be charged for plan and engineering reviews by the Department submitted prior to construction permit application and/or which may not result in a permit or approval. The review includes, but is not necessarily limited to, the review of any planned/proposed public or private work that may modify or impact in any way the public rights-of-way. These fees are to be paid in full at the time of application for plans review. These fees include one review and one subsequent review. If performed by a Town employee, the fee is based on actual hourly cost, plus benefits and overhead. Any professional services contract needed will be billed 100%, plus 11% administrative overhead charges.

Plans Review Fee (includes two reviews).....	\$187.00
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D) Penalty Fees

1) When work for which a permit is required is commenced prior to obtaining a permit a penalty fee will be imposed.

Penalty fee.....	\$110.00 plus double the original permit fee
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The payment of such penalty fees shall not relieve any person, firm, or corporation from fully complying with all of the requirements of all applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein.

2) Final Inspection Requested After Expiration of Permit

A fee will be assessed when a final inspection is requested after a permit's expiration date. This fee will re-open an expired permit for a period of thirty (30) days in order to conduct a final inspection.

Penalty Fee.....\$115.00

E) Extension of Permit

A permit may be extended, at the discretion of the Department for a period of up to, but not more than one year, from the expiration date of the original permit, provided the Permit Section of the Department is notified of the request for an extension prior to the expiration of the permit. If the permit is allowed to expire without requesting an extension, a new permit will be required, including appropriate fees, for the remainder of the uncompleted work.

F) Processing Fees (Non-Refundable)

- 1) Technology Fee: A technology fee of 10% of the total Public Works permit fee shall be assessed to each permit to enhance the Town's ability to provide state-of-the-art technology to its Public Works Department customers.

Fee.....10% of Permit Fees

- 2) Scanning Fee: A fee charged per page for cost recovery of digitizing permit drawings for electronic plan review.

Sheets 11" x 17" or smaller.....\$1.62 per sheet

Sheets larger than 11" x 17".....\$3.24 per sheet

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Construction of driveway approach (asphalt or concrete)

		STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per	
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Permit Intake												0.50	\$16			0.50	\$16	\$31.00
2 Plans Review					1.00	\$76	0.25	\$6								1.25	\$83	\$66.12
4 Field Inspections (Initial & Final)							1.00	\$25								1.00	\$25	\$25.00
Total Staff Hours					1.00		1.25					0.50				2.75		
Total Staff Cost						\$76.40		\$31.25					\$15.50				\$123.15	\$44.78
Total % of Work by Position					36.4%		45.5%				18.2%							
1 - SUBTOTAL ESTIMATED FEE:																	\$123.15	
Administrative Overhead																	\$13.55	
GRAND TOTAL ESTIMATED FEE:																	\$136.70	

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Construction of driveway approach (brick paver)

Job Classification Assigned Staff Approved Rate	STAFF CLASSIFICATION														Staff Hours	Salary	Average			
	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk							By	Cost By	Rate Per
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:							
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task			
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00			
2 Plans Review					1.00	\$76	0.25	\$6							1.25	\$83	\$66.12			
3 Field Inspections (Initial, In-Progress, Final)							1.50	\$38							1.50	\$38	\$25.00			
Total Staff Hours					1.00		1.75				0.50				3.25					
Total Staff Cost						\$76.40		\$43.75				\$15.50				\$135.65	\$41.74			
Total % of Work by Position					30.8%		53.8%				15.4%									
1 - SUBTOTAL ESTIMATED FEE:																	\$135.65			
Administrative Overhead																	\$14.92			
GRAND TOTAL ESTIMATED FEE:																	\$150.57			

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Construction of 150 LF of sidewalks.

		STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per	
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Permit Intake												0.50	\$16			0.50	\$16	\$31.00
2 Plans Review			0.25	\$12	1.00	\$76	0.25	\$6								1.50	\$95	\$63.10
3 Field Inspections (Initial & Final)							1.00	\$25								1.00	\$25	\$25.00
Additional Inspections for 50 LF							0.50	\$13								0.50	\$13	\$25.00
Total Staff Hours			0.25		1.00		1.75					0.50				3.50		
Total Staff Cost				\$12.00		\$76.40		\$43.75					\$15.50				\$147.65	\$42.19
Total % of Work by Position			7.1%		28.6%		50.0%				14.3%							
1 - SUBTOTAL ESTIMATED FEE:																	\$147.65	
Administrative Overhead																	\$16.24	
GRAND TOTAL ESTIMATED FEE:																	\$163.89	

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Construction of 200 LF of street pavement with a width of pavement greater than 24 ft.

	STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours By	Salary Cost By	Average Rate Per
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:				
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00
2 Plans Review	0.50	\$38	0.50	\$24	1.50	\$115	0.50	\$13							3.00	\$189	\$62.87
3 Field Inspections (first 100 LF)			2.00	\$96			3.00	\$75							5.00	\$171	\$34.20
Additional Inspections for 100 LF			2.00	\$96			3.00	\$75							5.00	\$171	\$34.20
Total Staff Hours	0.50		4.50		1.50		6.50				0.50				13.50		
Total Staff Cost		\$37.50		\$216.00		\$114.60		\$162.50				\$15.50				\$546.10	\$40.45
Total % of Work by Position	3.7%		33.3%		11.1%		48.1%				3.7%						

Time for precon, base, asphalt, and final inspections.

1 - SUBTOTAL ESTIMATED FEE:
Administrative Overhead
GRAND TOTAL ESTIMATED FEE:

\$546.10
\$60.07
\$606.17

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Construction of 200 LF of street pavement with a width of pavement up to 24 ft.

	STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours By	Salary Cost By	Average Rate Per
	Rate: \$75.00		Rate: \$48.00		Rate: \$76.40		Rate: \$25.00		Rate: \$35.00		Rate: \$31.00		Rate:				
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00
2 Plans Review	0.50	\$38	0.50	\$24	1.50	\$115	0.50	\$13							3.00	\$189	\$62.87
3 Field Inspections (first 100 LF)			1.00	\$48			2.00	\$50							3.00	\$98	\$32.67
Additional Inspections for 100 LF			1.00	\$48			2.00	\$50							3.00	\$98	\$32.67
Total Staff Hours	0.50		2.50		1.50		4.50				0.50				9.50		
Total Staff Cost		\$37.50		\$120.00		\$114.60		\$112.50				\$15.50				\$400.10	\$42.12
Total % of Work by Position	5.3%		26.3%		15.8%		47.4%				5.3%						
Inspection for precon, base, asphalt, final.																	
1 - SUBTOTAL ESTIMATED FEE:																	\$400.10
Administrative Overhead																	\$44.01
GRAND TOTAL ESTIMATED FEE:																	\$444.11

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Final inspection after expiration of permit.

		STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per	
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Reopen Permit												0.25	\$8			0.25	\$8	\$31.00
2 Plans Review					1.00	\$76	0.25	\$6								1.25	\$83	\$66.12
3 Field Inspections (Final)							0.50	\$13								0.50	\$13	\$25.00
Total Staff Hours					1.00		0.75					0.25				2.00		
Total Staff Cost						\$76.40		\$18.75					\$7.75				\$102.90	\$51.45
Total % of Work by Position					50.0%		37.5%				12.5%							
1 - SUBTOTAL ESTIMATED FEE:																	\$102.90	
Administrative Overhead																	\$11.32	
GRAND TOTAL ESTIMATED FEE:																	\$114.22	

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Installation of 150 LF of barricade or guardrail.

	STAFF CLASSIFICATION																	
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per	
	Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake												0.50	\$16			0.50	\$16	\$31.00
2 Plans Review					1.00	\$76	0.25	\$6								1.25	\$83	\$66.12
3 Field Inspections (First 100 LF)							1.00	\$25								1.00	\$25	\$25.00
4 Additional Inspections (Each Additional 100 LF)							1.00	\$25								1.00	\$25	\$25.00
Total Staff Hours					1.00		2.25					0.50				3.75		
Total Staff Cost						\$76.40		\$56.25				\$15.50					\$148.15	\$39.51

Total % of Work by Position

26.7%

60.0%

13.3%

1 - SUBTOTAL ESTIMATED FEE:

Administrative Overhead

GRAND TOTAL ESTIMATED FEE:

\$148.15
\$16.30
\$164.45

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Installation of a bus shelter.

	STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00
2 Plans Review			0.25	\$12	1.00	\$76	0.25	\$6							1.50	\$95	\$63.10
3 Field Inspections (Initial & Final)							1.00	\$25							1.00	\$25	\$25.00
Total Staff Hours			0.25		1.00		1.25				0.50				3.00		
Total Staff Cost				\$12.00		\$76.40		\$31.25				\$15.50				\$135.15	\$45.05

Total % of Work by Position

8.3%

33.3%

41.7%

16.7%

1 - SUBTOTAL ESTIMATED FEE:

Administrative Overhead

GRAND TOTAL ESTIMATED FEE:

\$135.15

\$14.87

\$150.02

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Install 100 linear feet of exfiltration trench.

	STAFF CLASSIFICATION																	
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours By	Salary Cost By	Average Rate Per	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:					
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Permit Intake												0.50	\$16			0.50	\$16	\$31.00
2 Plans Review			0.25	\$12	1.00	\$76	0.25	\$6								1.50	\$95	\$63.10
3 Field Inspections			0.50	\$24			2.00	\$50								2.50	\$74	\$29.60
Total Staff Hours			0.75		1.00		2.25					0.50				4.50		
Total Staff Cost				\$36.00		\$76.40		\$56.25					\$15.50				\$184.15	\$40.92
Total % of Work by Position			16.7%		22.2%		50.0%				11.1%							
1 - SUBTOTAL ESTIMATED FEE:																	\$184.15	
Administrative Overhead																	\$20.26	
GRAND TOTAL ESTIMATED FEE:																	\$204.41	

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Installation/replacement of a pole.

	STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours By	Salary Cost By	Average Rate Per
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:				
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00
2 Plans Review			0.25	\$12	1.00	\$76	0.25	\$6							1.50	\$95	\$63.10
3 Field Inspections							1.00	\$25							1.00	\$25	\$25.00
Total Staff Hours			0.25		1.00		1.25				0.50				3.00		
Total Staff Cost				\$12.00		\$76.40		\$31.25				\$15.50				\$135.15	\$45.05

Total % of Work by Position 8.3% 33.3% 41.7% 16.7%

1 - SUBTOTAL ESTIMATED FEE:	\$135.15
Administrative Overhead	\$14.87
GRAND TOTAL ESTIMATED FEE:	\$150.02

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Install 150 linear feet of underground utility.

	STAFF CLASSIFICATION																	
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours By	Salary Cost By	Average Rate Per	
	Rate: \$75.00		Rate: \$48.00		Rate: \$76.40		Rate: \$25.00		Rate: \$35.00		Rate: \$31.00		Rate:					
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00	
2 Plans Review			0.25	\$12	1.00	\$76	0.25	\$6							1.50	\$95	\$63.10	
3 Field Inspections			0.50	\$24			1.50	\$38							2.00	\$62	\$30.75	
Additional Inspections			0.50	\$24			1.00	\$25							1.50	\$49	\$32.67	
Total Staff Hours			1.25		1.00		2.75				0.50				5.50			
Total Staff Cost				\$60.00		\$76.40		\$68.75				\$15.50				\$220.65	\$40.12	
Total % of Work by Position			22.7%		18.2%		50.0%				9.1%							
																1 - SUBTOTAL ESTIMATED FEE:		\$220.65
																Administrative Overhead		\$24.27
																GRAND TOTAL ESTIMATED FEE:		\$244.92

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Plans review fees are to be charged for plan and engineering reviews by the Department submitted prior to construction permit application and/or which may not result in a permit or approval.

		STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average	
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per	
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task	
1 Permit Intake												0.50	\$16			0.50	\$16	\$31.00
2 Plans Review					2.00	\$153										2.00	\$153	\$76.40
3 Field Inspections (Initial & Final)																		
Total Staff Hours					2.00							0.50				2.50		
Total Staff Cost						\$152.80							\$15.50				\$168.30	\$67.32
Total % of Work by Position					80.0%					20.0%								
														1 - SUBTOTAL ESTIMATED FEE:				\$168.30
														Administrative Overhead				\$18.51
														GRAND TOTAL ESTIMATED FEE:				\$186.81

TOWN OF MIAMI LAKES

Public Works Staff Fee Schedule

Description of Work: Resurfacing or coat sealing 1,000 SF of asphalt pavement.

	STAFF CLASSIFICATION																
Job Classification Assigned Staff Approved Rate	PW Director		PW Manager		PW Plans Reviewer		PW Inspector		PW Coordinator		Permit Clerk				Staff Hours	Salary	Average
	Rate:	\$75.00	Rate:	\$48.00	Rate:	\$76.40	Rate:	\$25.00	Rate:	\$35.00	Rate:	\$31.00	Rate:		By	Cost By	Rate Per
Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Man hours	Cost/ Task	Task	Task	Task
1 Permit Intake											0.50	\$16			0.50	\$16	\$31.00
2 Plans Review					1.00	\$76	0.25	\$6							1.25	\$83	\$66.12
3 Field Inspections (Initial & Final)							1.00	\$25							1.00	\$25	\$25.00
Total Staff Hours					1.00		1.25				0.50				2.75		
Total Staff Cost						\$76.40		\$31.25				\$15.50				\$123.15	\$44.78

Total % of Work by Position

36.4%

45.5%

18.2%

1 - SUBTOTAL ESTIMATED FEE:	\$123.15
Administrative Overhead	\$13.55
GRAND TOTAL ESTIMATED FEE:	\$136.70

ITEM	MIAMI LAKES	MIAMI GARDENS	MIAMI DADE COUNTY	SUNNY ISLES	PINECREST	AVENTURA	DORAL	Average of other Cities	Miami Lakes	Difference
A) Fee for public works construction, under permits issued by the Town of Miami Lakes, in road and street right of ways and utility or other easements, are fixed as follows:										
For installation or repair of sanitary and storm sewers (except for exfiltration trench), water lines, gas lines, buried electric telephone, CATV or other underground utilities										
For 100 L.F. or less	\$ 195.00	\$ 175.00	\$ 200.00	\$ 125.00	\$ 167.00	\$ 175.00	\$ 140.00	\$ 163.67	\$ 195.00	\$ 31.33
For each additional 100 L.F. or fraction thereof	\$ 50.00	\$ 55.00	\$ 100.00	\$ 30.00	\$ 52.00	\$ 55.00	\$ 50.00	\$ 57.00	\$ 50.00	\$ (7.00)
For exfiltration drains consisting of catch basin, exfiltration trench, or slab covered trench										
For each 100 L.F. or fraction thereof	\$ 204.00	\$ 155.00	\$ 180.00	\$ 75.00	\$ 98.00	\$ 145.00	\$ 100.00	\$ 125.50	\$ 204.00	\$ 78.50
For construction or replacement of sidewalks, curbs, and gutters										
For 100 L.F. or less	\$ 150.00	\$ 100.00	\$ 160.00	\$ 75.00	\$ 98.00	\$ 160.00	\$ 80.00	\$ 112.17	\$ 150.00	\$ 37.83
For each additional 50 L.F.	\$ 15.00	\$ 75.00	\$ 75.00	\$ 15.00	\$ 40.00	\$ 75.00	\$ 40.00	\$ 53.33	\$ 15.00	\$ (38.33)
For installation of poles or down guys for overhead utilities										
For each pole or down guy	\$ 150.00	\$ 100.00	\$ 100.00	\$ 35.00	\$ 35.00	\$ 100.00	\$ 40.00	\$ 68.33	\$ 150.00	\$ 81.67
For construction of driveway/approach										
For driveway/approach (asphalt or concrete)	\$ 137.00	\$ 60.00	\$ 35.00	\$ 75.00	\$ 63.00	\$ 100.00	\$ 60.00	\$ 65.50	\$ 137.00	\$ 71.50
For driveway/approach (brick paver)	\$ 150.00	\$ 100.00		\$ 75.00	\$ 98.00	\$ 130.00	\$ 80.00	\$ 96.60	\$ 150.00	\$ 53.40
For construction of street pavements including paving of parkways and shoulders (Includes based and subgrade)										
One or two lane pavements (width of pavement being up to 24 ft)										
For 100 L.F. or less	\$ 335.00	\$ 400.00	\$ 550.00	\$ 100.00	\$ 265.00	\$ 400.00	\$ 200.00	\$ 319.17	\$ 335.00	\$ 15.83
For each additional 100 L.F. or fraction thereof	\$ 109.00	\$ 100.00	\$ 215.00	\$ 150.00	\$ 63.00	\$ 100.00	\$ 80.00	\$ 118.00	\$ 109.00	\$ (9.00)
Three or more lanes of pavement (aggregate width greater than 24 ft.)										
For 100 L.F. or less	\$ 416.00	\$ 360.00	\$ 615.00	\$ 75.00	\$ 391.00	\$ 340.00	\$ 300.00	\$ 346.83	\$ 416.00	\$ 69.17
For each additional 100 L.F. or fraction thereof	\$ 190.00	\$ 100.00	\$ 250.00	\$ 75.00	\$ 132.00	\$ 115.00	\$ 100.00	\$ 128.67	\$ 190.00	\$ 61.33
For installation of permanent type traffic barricades, guardrails, or guide posts										
For each 100 L.F. or less	\$ 137.00	\$ 90.00	\$ 100.00	\$ 100.00	\$ 98.00	\$ 85.00	\$ 80.00	\$ 92.17	\$ 137.00	\$ 44.83
For each additional 100 L.F. or fraction thereof	28.00									
For resurfacing, waterproofing, or seal coating in public rights-of-way (does not apply to private homeowners)										
For each 1,000 square feet or fraction thereof	\$ 137.00	\$ 30.00		3% of Project Cost	\$ 29.00	\$ 25.00	\$ 80.00	\$ 41.00	\$ 137.00	\$ 96.00
For installation of bus shelters										
For each bus shelter	\$ 150.00	\$ 120.00	\$ 380.00	\$ 100.00	\$ 132.00	\$ 115.00	\$ 80.00	\$ 154.50	\$ 150.00	\$ (4.50)
B) Ad-Hoc Plans Review and Inspection Fees										
Ad-Hoc plans review fees and inspections are to be charged for plan and engineering reviews and inspections or other activity not covered by the fee schedule. This also includes research where the nature, or volume, of such records requires extensive use of information technology resources, clerical or supervisory assistance, or both. If performed by a Town employee, the fee is based on actual hourly cost, plus benefits and overhead. Any professional services contract needed will be billed 100%, plus 11% administrative overhead charges.										
C) Plans Review Fees (non-refundable)										
Plans Review Fee (includes two reviews). If performed by a Town employee, the fee is based on actual hourly cost, plus benefits and overhead. Any professional services contract needed will be billed 100%, plus 11% administrative overhead charges.	\$ 187.00	\$ 210.00			\$ 46.00	\$ 500.00	\$ 80.00	\$ 209.00	\$ 187.00	\$ (22.00)
D) Penalty Fees										
When work for which a permit is required is commenced prior to obtaining a permit a penalty fee will be imposed.	110 + Double	\$ 123.00	Double	100+ Double	115+ Double	115+ Double	100+ Double			
Final inspection requested after expiration of permit	\$ 115.00	\$ 120.00	\$ 160.00		\$ 115.00			\$ 131.67	\$ 115.00	\$ (16.67)
E) Extension of Permit										



Town of Miami Lakes Memorandum

To: Honorable Mayor and Town Councilmembers
From: Edward Pidermann, Town Manager
Subject: Optimist Club of Miami Lakes Contract Renewal Agreement
Date: 3/12/2019

Recommendation:

It is recommended that the Town Council authorize the Town Manager to execute a renewal agreement with amendments from the Town's Contract 2014-91 with the Optimist Club of Miami Lakes ("Optimist Club") for year round youth baseball/softball, youth basketball, youth flag football, youth cheerleading, and youth educational programs, activities, team practices, meetings, events, and use and operation of the concession stand at Miami Lakes Optimist Park and Royal Oaks Park. This agreement will be for a five-year extension to the original contract term of January 23, 2018, with the new expiration date set for January 23, 2023.

Background:

This renewal agreement is the product of an initiative that began in late 2017, when the agreement with the Optimist Club was set to expire on January 23, 2018. Prior to exercising the renewal provision, Town staff drafted a proposed amendment to the agreement to update several provisions to comply with current park policies that have been adopted since the execution of the original agreement and for consistency with other similar Town athletic program provider agreements. The Optimist Club requested, and the Town granted, an extension to the agreement while the Town and the Optimist Club finalized the terms of the renewal.

On December 4, 2018, Town staff sought direction from the Town Council for three items pending resolution with the Optimist Club: (1) Annual Fee Requirement; (2) CPR requirements and (3) third-party transactions. The Town Council directed staff to schedule for select Councilmembers to attend the clubs upcoming board meeting to discuss these items. In a subsequent publicly noticed Optimist Club board meeting held on December 6th, 2018 with Town staff and Councilmembers Rodriguez, Ruano and Collazo, the Optimist Club agreed to accept the terms with respect to these items with some verbiage adjustments.

On January 25, 2019, a revised renewal agreement based on the understanding established at the December 6, 2018 Optimist Club board meeting was sent to the Optimist Club for review. After a few minor edits, the final version of this renewal agreement was drafted on February 20, 2019.

The proposed renewal agreement includes the following revisions to the Town's Contract 2014-91 with the

Optimist Club of Miami Lakes and the red line version of the agreement with the proposed changes is attached herein:

- Addition of Resident/Non- Resident Fee Structure; Residents as defined in the agreement will have a two week “early registration” period for a 10% discount
- Clause that the contribution made to the Town would be reevaluated once park redesign construction is complete
- Target Marketing Plan for residents required
- Minimum requirement of 50% Resident participation in recreational programs and 25% in travel programs
- Update Website on a regular basis requirement
- Community Service Contribution- 1 hour per participant
- Provide access and direction to vital information to all parents, coaches and participants through website
- Minimum of 2 public meetings for elections and membership
- Financial information to be provided to include 501c Status and, Federal Tax Returns and Licensee’s current individual operating budget for each program offered through this agreement.
- Provide on field training for coaches
- Annual Report to Town of program activities and accomplishments
- Notification of changes and point of contact for contract matters
- Representative on site at all times requirement
- Privacy policy on registration forms
- Prohibition on registration with third party transactions
- EKG/CPR Policy requirements
- Concession operations standards

Based on the above, it is recommended that the Town Council authorize the Town Manager to execute the renewal agreement to the Town’s agreement with the Optimist Club. The Optimist Club of Miami Lakes has provided these services to the Town since its incorporation and to the Miami Lakes community for over fifty (50) years.

ATTACHMENTS:

Description

Resolution

Optimist Club Agreement Red Line

RESOLUTION NO. 19-_____

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE RENEWAL OF THE LICENSE AND USE AGREEMENT WITH THE OPTIMIST CLUB OF MIAMI LAKES FOR A PERIOD OF FIVE (5) YEARS FOR USE OF MIAMI LAKES OPTIMIST PARK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING AUTHORITY TO THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

WHEREAS, in December 2002, the Town of Miami Lakes (the “Town”) approved a License and Use Agreement with the Optimist Club of Miami Lakes (the “Optimist”), which was subsequently renewed in January 23, 2013 via Resolution 2013-1046; and

WHEREAS, the 2002 and 2013 Agreements allowed the Optimist Club to provide year round general recreation programs, which included food and drink concession services, for a five (5) year period, with five (5) year renewal options; and

WHEREAS, during the December 2018 Town Council meeting, the Town Council provided staff with direction regarding the Optimist’s annual fee requirement, CPR requirements, and third party requirements; and

WHEREAS, staff has addressed these issues and have negotiated and agreement with Optimist for the administration of park programs, which is attached hereto as Exhibit “A”; and

WHEREAS, the Town Manager believes that this agreement is in the Town’s best interest; and

WHEREAS, the Town Council agrees that this agreement is in the Town’s best interest.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval of the Agreement with Optimist Club of Miami Lakes.** The February 20, 2019 Agreement, in substantially the same form as attached hereto as Exhibit “A,” is approved.

Section 3. **Authorization of Town Manager and Town Attorney.** The Town Manager and/or his designee and the Town Attorney or/his designee are authorized to take all action necessary to implement the terms of the agreement with Optimist Club of Miami Lakes in substantially the same form as attached hereto as Exhibit “A.”

Section 4. **Authorization of Town Manager to Execute Agreement.** The Town Manager and/or his designee are authorized to take all action necessary to execute the agreement with Optimist Club of Miami Lakes in substantially the same form as attached hereto as Exhibit “A.”

Section 5. **Effective Date.** This Resolution shall be effective immediately upon adoption.

THIS SPACE INTENTIONALLY LEFT BLANK

Passed and adopted this 12th day of March 2019

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Josh Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

LICENSE AND USE AGREEMENT

THIS LICENSE AND USE AGREEMENT (the “Agreement”) is entered into this ____ day of ____, ~~2013~~ **2019** (the “Effective Date”) by and between the Town of Miami Lakes, a Florida municipal corporation (the “Town”) and The Optimist Club of Miami Lakes, Inc., a Florida not-for profit corporation, (the “Licensee”), mailing address of P.O. Box 4034, Miami Lakes, FL 33014.

RECITALS:

1. The Town is the fee simple title holder of that certain real property located in Miami-Dade County, Florida, commonly known as Miami Lakes Optimist Park and Royal Oaks Park (and as more fully defined in Section 1.12 hereof); and

2. The Town has agreed to allow the Licensee to utilize the Properties (as defined in Section 1.12) for general organized recreation programs, concessions, activities and/or events for the use and benefit of both residents and non-residents of the Town in accordance with this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto do hereby agree as follows:

Section 1. Definitions.

The following terms used in this Agreement will have the following meanings:

1.1. Agreement. This Agreement, together with all exhibits amendments and modifications hereto.

1.2. Council. The Town Council of the Town of Miami Lakes, Florida.

1.3. Event of Default. Any one or more of the occurrences constituting a default under this Agreement as set forth herein.

1.4. Force Majeure. Any one or more of the following occurrences: Acts of Nature (including, without limitation, hurricanes, windstorms, earthquakes, floods); war, declaration of a state of national, state or local emergency; civil unrest; strikes, boycotts, lockouts or labor disputes beyond the control of the parties.

1.5. Governmental Authority. Any federal, state, county, municipal or other governmental department, entity, authority, commission, board, bureau, court, agency or any instrumentality of any of them.

1.6. Governmental Requirement. Any law, enactment, statute, code, ordinance, rule, regulation, judgment, decree, writ, injunction, order, permit, certificate, license, authorization,

agreement, or other direction or requirement of any Governmental Authority now existing or hereafter enacted, adopted, promulgated, entered, or issued.

1.7. Hazardous Substances. Any hazardous, toxic or dangerous waste, substance or material including, but not limited to, any elements or compounds which are now or hereafter (a) identified in Section 101(14) of the CERCLA, 42 U.S.C. § 376.301, as same may be amended from time to time, (b) determined to be toxic, a pollutant or contaminant, under any Governmental Requirement, (c) contained in the list of hazardous substances adopted by the United States Environmental Protection Agency, (d) defined as “petroleum” and “petroleum Products” as defined in Fla. Stat. § 376.301, as same may be amended from time to time, and (e) asbestos, radon, polychlorinated biphenyls and such other elements, compounds, materials, substances or waste which are otherwise dangerous, hazardous, harmful or deleterious to human or animal health or safety, or the environment.

1.8. Improvements. All improvements, structures and landscaping now or hereafter installed or constructed on the Properties as well as all additions, alterations, modifications, renovations, and replacements thereto.

1.9. Joint Use Agreement. That certain Joint Use Agreement between the Town and the School Board of Miami-Dade County, Florida as approved by the Town Council on November 12, 2002, a copy of which is attached hereto as Exhibit “C” and is incorporated into and made a part of this Agreement.

1.10. Liabilities. Any and all liabilities (including strict liability), losses, suits, proceedings, settlements, judgments, orders, penalties, fines, liens, assessments, claims, demands, damages, injuries, obligations, costs, disbursements, expenses or fees of any kind or nature, including attorneys’ fees and expenses (at both the trial and appellate levels) paid or incurred in connection therewith.

1.11. Licensee. The Optimist Club of Miami Lakes, Inc., a Florida not-for profit corporation, including its agents, volunteers, coaches, umpires, contractors, members, and players authorized by Licensee to be on the Properties.

1.12. Properties. The real property commonly known as Miami Lakes Optimist Park and Royal Oaks Park as more fully set forth in Exhibit “A” attached hereto and made a part hereof (the “is part of the definition of Properties”). The definition of Properties as contained herein shall also include when applicable the real property as described in Section 4.2 (3) hereof subject to the terms and conditions of this Agreement.

1.13. Public Areas. Those areas of the Properties which are open for use by the general public

1.14. Town. The Town of Miami Lakes, Florida, a Florida municipal corporation.

1.15. Town Manager. The Town of Miami Lakes, Florida Town Manager or his/her designee.

1.16. Program Manager means the individual designated by the Town Manager to administer the Agreement.

1.17. Resident means all Town of Miami Lakes & Unincorporated Miami-Dade County Residents.

1.18. Non-Resident means all Incorporated areas (Cities) & Non-Miami-Dade County Residents.

Section 2. Term.

2.1. The term (“Term”) of this Agreement for the use of the Properties shall be from the Effective Date to the fifth (5th) anniversary of the Effective Date, ~~January 23rd, 2018~~ January 23rd, 2023 (the “Termination Date”).

~~The Town Manager may extend the Term for a period not to exceed one (1) additional five (5) year term upon the conclusion of the Term, provided that the Licensee is in good standing with the Town. The Town Manager may, at his sole discretion, extend or agree to a change in dates due to circumstances beyond the control of the Licensee or the Town.~~

Section 3. Termination of Agreement.

Either party may, with cause, terminate this Agreement upon thirty (30) days written notice to the other party. If the Town Manager determines that an Event of Default has occurred, the Town Manager shall provide the Licensee with written notice and thirty (30) days to cure the default. If the Licensee fails to timely cure the default, then the Town Manager may terminate this Agreement as soon as practical so as to minimize the disruption to currently operating programming.

Section 4. Use of Properties.

4.1 The Town grants to the Licensee a priority but non-exclusive right of the Miami Lakes Optimist Park and the non-exclusive right to use the Royal Oaks Park in “as-is” condition as contemplated herein and subject to the terms and conditions of the Joint Use Agreement. This Agreement is subject and subordinate to all terms and conditions of the Joint Use Agreement. The Licensee represents to the Town that it has read the entire Joint Use Agreement and agrees to be bound under the terms of the Joint Use Agreement to the extent applicable to the use of the Property by the Licensee hereunder. Notwithstanding anything herein to the contrary, if the Joint Use Agreement expires or is terminated for any reason, then this Agreement shall also automatically expire or terminate as of the expiration or termination date of the Joint Use Agreement.

4.2 The Licensee agrees to operate the Properties only for the following uses permitted pursuant to this Agreement:

(1) Year round youth baseball/softball, youth basketball, youth flag football, youth cheerleading, and youth educational programs (“Programs”), activities, team practices, meetings and events on the Properties.

(2) Use and operation of the food and drink concession facilities located on the Properties during Program operations.

a) The Licensee, at its expense, shall be responsible for obtaining all required food licenses and permits relevant to the operation of the Concession. If a citation for a violation is issued, Licensee shall be responsible for all costs related to mitigating the citation/violation. Copies of any applicable licenses and/or permits related to the Concession shall be provided to the Town within thirty (30) days of the beginning of the Contract Term and annually thereafter.

~~b) The Licensee will keep accurate and complete records of all revenue and expenses in connection with the operation of the concession facility. Such revenue and expenses will be supported by cash register tapes, invoices, sales slips bills, vouchers, payroll records, purchase orders and other pertinent records that, under Generally Accepted Accounting Principles (GAAP), contain information relating to costs, including gross sales or profits. In addition to any and all such documents or statements identifying total concession stand revenues for the time periods of operation as specified herein. Said records shall be provided to the Town Manager, or his designee, on a on a quarterly basis to the Town. (3) Such other compatible uses as permitted under applicable law for which the Town has given its prior written consent in each instance. The Licensee shall designate a “Concessions Manager” who shall be responsible for all the work to be performed by the Licensee under this Contract and shall serve as the point of contact. The Licensee must provide to the Town a copy of the selected Concessions Manager’s qualifications in writing. The selection of the Concessions Manager must be approved by Town’s Representative.~~

~~c) The Concessions Manager shall be on property at the request of the Town’s Representative and shall be reachable seven (7) days per week, twenty- four hours a day.~~

~~d) The Concessions Manager must provide an overall annual operations/maintenance schedule and monthly detailed maintenance schedules to the Town in writing within thirty (30) days of the execution of the Contract. All schedules must be approved by the Town.~~

~~e) The Concessions Manager shall meet with the Town’s Representative, at a mutually determined schedule, to discuss Concession-related matters and any Contract issues.~~

f) The Concessions Manager or any Licensee employee shall submit incident reports forms in a Town approved format, when any noteworthy event occurs at the Concessions, including but not limited to injuries, trespassing, equipment/inventory loss or other significant event.

g) Access control responsibilities for the Concession Facility are defined as follows: Two (2) copies of all required keys will be furnished to the Licensee. Additional keys will be at the expense of the Licensee. Lost/stolen/misplaced keys will result in change of lock/key at the Licensee's expense. The Licensee is responsible for opening and closing all Concession Facility doors during operating hours.

h) The Licensee agrees to operate the Concession on the dates and times as mutually determined with the Licensee at the Park and other compatible uses as permitted under applicable law for which the Town Manager or his designee has given prior written consent in each instance.

i) The Licensee shall not display or affix any signs on or about the Concession without first obtaining the advance written approval of the Town Manager or designee.

j) If the Licensee wishes to make any changes to the above schedule the Licensee must provide 72 hours written notice subsequently approved by the Town.

k) Staff must be able to speak and understand English. Staff working together must be able to communicate with one another. Staff is encouraged to be bilingual.

l) Staff must be clean, groomed and in uniform while on Park property.

m) Staff shall not smoke in the Parks and alcohol is prohibited. The Licensee shall purchase and provide to staff a uniform that meets the Town's approval.

n) Staff shall not wear a Town approved uniform or display Town decals on Licensee's vehicles to conduct non-Town related business or personal matters while inside or outside the Town's limits.

o) Staff shall wear a Town issued ID badge at all times while on the property. The ID must be returned to the Town upon resignation or termination.

p) The use of the Concession shall be limited to the sale of prepackaged foods and non-alcoholic beverages, unless otherwise approved by the Town. Soda fountains may be permitted. The cooking and/or reheating of food products within the Concession shall be limited to activities that do not require the use of a stove,

gas grill, barbecue grill or other similar equipment, unless approved. The use of a microwave, electric grill, electric fryer or sandwich press may be permitted. Licensee shall provide to the Town a list of equipment for approval in the sole discretion of the Town. Licensee shall not sell or distribute any glass bottles or containers. Other than the uses stated above, the Concession may not be used by Licensee for any other purpose.

q) Prior to the execution of this Agreement, Licensee agrees to provide to the Town a menu with a list of sale items and prices for approval by the Town Manager, or his designee. The Licensee shall at all times hereunder stock and display a reasonable supply of food and beverages sufficient to satisfy demand at competitive prices comparable with the prices charged for food and beverages at other public parks in the area. The Licensee agrees that the level of services in the bid cannot change without the Town's approval.

r) The Licensee will keep accurate and complete records of all revenue and expenses in connection with the operation of the concession facility. Said records shall be provided to the Town on a quarterly basis.

s) The Licensee shall not permit any intoxicated person or persons to remain at the Concession or allow profane or indecent language, or improper, boisterous or loud conduct to take place in or about the Concession.

t) Licensee shall be responsible for inspecting the condition of the facilities and equipment in the Concession, every day prior to its use. Inspection reports shall be made in writing and presented to the Town Manager or designee if requested.

u) The Licensee shall, on each day of operation of the Concession, properly dispose of all litter and trash generated through its use of the Concession upon the close of the operation day in the dumpster located at the Park and fully clean the concession area for use the following day.

v) The Licensee agrees that it will be responsible for the installation, maintenance, repair, cleaning and all costs associated therewith for any equipment that the Licensee desires to place into the Concession, as may be permitted under this Agreement. The Town will have no responsibility for the cost of installation, maintenance, repair or any other costs related to any equipment placed into the Concession by the Licensee. The Town will have no responsibility to obtain any permits that may be required in connection with the installation, maintenance or repair of any equipment placed in the Concession.

4.3 Town shall have the ability to enter into written agreements with other organizations, entities or persons for the use of the Properties as permitted by this Agreement. Licensee shall be

notified of any agreements that may impact scheduled Programs and activities, and Town shall to the best of its ability attempt to not impact same.

4.4 If Licensee ceases operation of the food and drink concession, the Town may solicit proposals and enter into written agreements with other entities to operate the food and drink concession facilities, which shall include revenue sharing with the Licensee. The Town will consult with the Licensee on the selection of any other entities to operate the concession and establishing a revenue share.

4.5 The Licensee shall not commit nor permit any violations of applicable federal, state, county and municipal laws, ordinances, resolutions and governmental rules, regulations and orders, as may be in effect now or at any time during the Term of this Agreement, all as may be amended, which are applicable to Town, the Licensee, the Properties or the operations conducted at the Properties. A violation of any such laws, ordinances, resolutions, rules, regulations or orders, as amended, shall constitute a material breach of this Agreement, and in such event, Town shall be entitled to exercise any and all rights and remedies hereunder and at law and in equity.

4.6 Any other requested uses of the Properties beyond those listed in Paragraph 4.2 (i.e., camps, Fund-raising tournaments and/or activities, etc), shall be submitted for approval to the Town Manager or his/her designee, in writing at least thirty (30) days prior to the date of the event.

4.7 Town Manager or his/her designee, in their sole discretion, may change or cancel any activity due to inclement weather, special events, or unforeseen emergencies including, but not limited to, maintenance of the fields, or for any reason that is in the best interest of the Town. Licensee shall be notified of any agreements that may impact scheduled Programs and activities, and Town shall to the best of its ability attempt to not impact same.

4.8 The Licensee shall abide by all Town park rules and regulations, attached hereto as Exhibit "D", ~~as they may be modified by the Council or Town Manager, as applicable, from time to time~~ Article 7 of the Miami-Dade County Charter, attached hereto as Exhibit "E", collect and submit to the Town any surcharges authorized by the Council, and abide by any applicable requirements for use of the particular park properties through any joint use agreements entered into between the Town and the Miami-Dade County School Board, ~~as they may be modified from time to time~~. A copy of the Town park rules and regulations has been provided to the Licensee and by this reference are incorporated into and made a part of this Agreement.

4.9. The Town Manager will have the authority to stop an event, program or service being held or provided where the Town Manager determines that such event, or services does not, in whole or part, fall within the scope of this Agreement, presents a health or safety risk, or is not previously approved by the Town.

Section 5. Maintenance.

5.1. The Town agrees that it shall be responsible for routine maintenance of the Properties during the Term of this Agreement. Optimist Club shall be solely responsible for any maintenance, repairs, replacements or restoration related to damages to the Properties caused by the acts or inactions of the Optimist Club, its agents, employees, guests and invitees.

5.2. The Town shall provide all utilities and solid waste management services.

5.3. Town shall provide athletic field lighting, for activities as described in Paragraph 4.2, accommodating scheduled league games and/or practices previously approved by the Town Manager, subject to Section 4.6 of the Agreement.

5.4. The Town shall groom and ready the fields for play, including field lining, in accordance with accepted standards for youth and/or adult recreational athletic league fields.

5.5. Maintenance above and beyond what is normally provided for use of the Property must be provided by the Licensee, at its own cost. Such maintenance is subject to the prior written approval of the Town Manager.

5.6. Licensee will be responsible for any damage to the Roberto Alonso Community Center ("RACC") or Miami Lakes Optimist Park Clubhouse ("MLOPCH") that may result from the Program, including that which is caused by spectators and guests.

Section 6. Programming, Costs, Expenses and Deposit.

6.1. Licensee is solely responsible for all costs incurred by Licensee in providing Programs and services at the Properties and the staging of any events by Licensee approved by the Town Manager pursuant to this Agreement. ~~Costs shall include, but not be limited to, the registration and selection of all players, coaches, managers, officials and volunteers required for the operation of the Licensee's organized recreational activities.~~ Costs include, but not be limited to, athletic equipment, uniforms, the registration and selection of all players, coaches, managers, officials and volunteers required for the operation of the Licensee's organized recreational activities.

6.2. The Licensee, at the Licensee's expense shall obtain all required permits and licenses from appropriate Governmental Authorities for any Programs, services and/or events operated by the Licensee on the Properties. The Town shall use its best efforts to expedite the issuance of any Town controlled permits.

6.3. ~~Effective June 1, 2013,~~ The Licensee shall pay the Town a fee of \$5 per registered participant to assist with covering the cost to the Town for volunteer background checks, ID badges, and coaches' certifications. Fee shall be paid to Town no later than fourteen (14) days from the end of each sports activity season. The Licensee understands and agrees that the fee will be reevaluated and subject to increase once construction for the Miami Lakes Optimist Park Master Plan improvements are completed.

6.4. The Licensee shall submit to the Town Manager, at least fourteen (14) days prior to the beginning of the league season, a schedule of registration dates, try-out dates, practices, games and game times for the entire season for approval by the Town Manager. In the event of an unexpected circumstance such as inclement weather, the Town Manager, in his/her sole discretion, may approve make up game schedules with less than fourteen (14) days notice.

6.5. The Licensee shall submit to the Town Manager, in writing, at least fourteen (14) days prior to scheduled games, actual field dimensions desired for league play for approval by the Town Manager. In the event of an unexpected circumstance such as inclement weather, the Town Manager, in its sole discretion, may accept written field dimensions with less than fourteen (14) days notice. However, no exceptions will be made with less than three (3) days written notice.

6.6. Should the Licensee fail to timely submit a request for use of the Properties as described in Sections 6.3 and 6.4 of this Agreement, such use shall be in the sole discretion of the Town Manager. No unapproved or unscheduled event shall take place on the Properties. The Town Manager may terminate any events not previously approved.

6.7. All registration fees shall be agreed upon by the Licensee and the Town Manager at least thirty (30) days prior to the commencement of the registration period. Registration may be delayed should the fees not be timely submitted for approval. Licensee will provide an “early registration” period lasting two (2) weeks for Residents at a 10% discounted rate.

6.8. Licensee shall limit registration to one thousand (1,000) as the maximum number of participants based on Program type and field availability at Town parks between its Programs and Licensee shall not make demands for additional facilities which are not available or do not exist with the Town. If the Licensee requests an increase of the registration limit, the Licensee shall submit its request in writing, for approval by the Town Manager.

6.9. The Town shall be responsible for providing a site(s) for conducting league registration(s). Such site(s) shall have open access for the public and shall be accessible by the public in conformance with all applicable laws including, but not limited to, the Americans with Disabilities Act. If the Licensee requests the use of Town property other than Properties specified herein to conduct the registration, the Licensee shall submit its request in writing at least fourteen (14) days prior to its use, for approval by the Town Manager.

6.10. Licensee agrees to encourage Miami Lakes resident participation through target marketing and promotional materials. Licensee must provide a marketing plan to the Town thirty (30) days prior to the start of scheduled activities, showing how Licensee will target and encourage Miami Lakes resident participation. The Town’s Program Manager must be added to all marketing material email lists.

6.11. All signage, marketing materials, and graphics which advertise, designate, or locate the Licensee at the Property must incorporate in their content, either in written type designation or

logo designation, a recognition of the Town in reasonable form, which is subject to the prior review and approval of the Program Manager. All signage and banners for advertising, sponsorships, or donors are excluded from this requirement. No signage, marketing materials, or graphics making reference to the Town or from advertisements, sponsors, or donors will be placed on or about the Property, until such has been reviewed and approved by the Town.

6.12. Licensee agrees to maintain a minimum of a 50% Resident participation ratio in its recreational programs and a minimum of a 25% Resident participation ratio in its travel and competitive programs through the Agreement term. In the case that resident participation falls below the minimums, the Licensee agrees to provide an action plan to the Town to encourage and increase the participation numbers of residents in the program.

6.13. Licensee agrees to update its website with relevant and up to date information regarding Licensee's programs and activities on a quarterly basis.

6.14. The Licensee agrees to provide a minimum of one (1) in-kind community service hour per registrant annually to the park. The Licensee will provide a community service plan with proposed service projects to the Town due August 1st of each Agreement year to meet this requirement.

6.15. The Licensee shall provide each coach, assistant coach, and parent access/direction to its website, that provides relevant information about the Licensee, Licensee's programs, board members and contact information, meeting schedules, and any other relevant information about the Licensee's activities or programs.

Section 7. Organizational Status and Governing Regulations of Licensee.

7.1. ~~Licensee shall be maintained as a not for profit organization with the State of Florida and comply with any regulations as may be required to maintain said status~~ Licensee must be maintained as a 501 (c) (3) not for profit organization and must comply with all regulations, as may be amended, required to maintain said status. Licensee must provide the Town with documentation on an annual basis demonstrating that Licensee has maintained its status as a 501 (c) (3) not for profit organization.

7.2. ~~The Licensee shall advise the Town Manager in writing of the names and contact information of the Board of Directors and the dates of all board and general membership meetings. All board and general membership meeting dates shall be listed on the home page of the Miami Lakes Optimist Club website by the Town~~ Licensee must conduct a minimum of two (2) public meetings per year to hold, at a minimum, an election of the Board of Directors and one general membership meeting for membership feedback. Licensee agrees to make available all information regarding meetings to notify all registered participants and parents of registered participants of the Licensee and the Town of the date, time, location, and purpose of the public meeting at a minimum of fourteen (14) days prior to the scheduled meeting date via email or posting on Licensees website. During one or both of the public meetings, the Licensee shall elect and maintain a governing

Board of Directors, allowing parents of registered participants, managers, and other league volunteers to offer nominations from the floor and vote on all league officers to then been considered in accordance with Licensee bylaws. Official minutes must be recorded at each meeting, and a copy of these minutes must be forwarded to the Program Manager not later than 14 days following each meeting. The Licensee must advise the Program Manager in writing of the names and contact information of the Board of Directors and the dates of all meetings, as changes occur.

7.3. Licensee agrees to monitor and maintain the actions of, conduct and behavior of all Program participants, including, but not limited to players, coaches, umpires, volunteers, and parents during any activities organized by the Licensee on the Properties.

7.4. Licensee agrees to maintain standards of conduct and disciplinary penalties and/or action as may be necessary to ensure a safe and amicable environment for participants, spectators, guests, invitees and other park patrons.

7.5. Licensee's overall Program shall include guidelines for the conduct of league officials in interfacing with the general public and Town officials. This includes, but is not limited to, abusive language and/or profanity, drug/alcohol use, and vandalism, which are unacceptable and will not be tolerated, and nothing less than a professional demeanor will be expected.

7.6. Within thirty (30) days from the Effective Date of this Agreement, and at least once per year during the Term, Licensee, at its sole cost and expense, shall provide to the Town current annual financial documentation to include 501c Status ~~and~~, Federal Tax Returns and Licensee's current individual operating budget for each program offered through this agreement. The Licensee, with Town Assistance, shall provide the numbers and demographics of participants served, number of volunteers. The Town, with Licensee assistance, shall create an electronic listing of all participants identifying by name, address, phone numbers, zip code and emergency contact information. The Licensee, with Town assistance, shall be responsible for supplementing the list of participants upon any change to the registration lists.

7.7. The Town shall conduct background investigations, in accordance with the Town's criminal background check policy, Administrative Order #07-01, for all coaches, managers, officials, umpires, members, employees, and/or volunteers or participant associated with the operation of programs and/or activities for the Licensee prior to any of the foregoing having any contact with program participants. Licensee's coaches, managers, officials, umpires and/or volunteers associated with the operation of programs and/or activities for the Licensee shall submit applications for background checks to a professional vendor and/or organization approved by the Town Manager. Any person resulting in a negative background investigation may not participate in Licensee's programs and/or activities. No additional operational participants shall be utilized by the Licensee without the Licensee first submitting a background check to the Town Manager. All background check applications shall be submitted no later than fourteen (14) days prior to the commencement of a Program.

7.8. Licensee shall require all coaches to complete a coach's training course and have

parents sign a code of ethics/conduct. Said training may be through Licensee's state or national affiliations with its respective members or another state or nationally recognized coach's training program, such as the National Alliance for Youth Sports (NAYS) which is provided by the ~~Town's Parks and Recreation Department~~ and the Licensee shall provide all coaches a practical, on-field training prior to the start of each program season. Proof of said training must be received no later than fourteen (14) days prior to the start of the particular recreational Program. In the event of an unexpected circumstance where a coach cannot complete the training by the above period, the Town Manager, in its sole discretion, may accept proof of said training with less than (14) days notice.

7.9. Licensee shall require all coaches, managers, officials, umpires and/or volunteers associated with the operation of programs and/or activities for the Licensee that will have continuous contact with Program participants to wear an official Town of Miami Lakes Coaches identification card, provided by the ~~Town's Parks and Recreation Department~~ while on the Properties. Failure to wear the identification card while in direct contact with program participants may result in a coach, manager, official, umpire and/or volunteer being denied access to participate with Program participants while on the Properties. Repeated failure to comply may result in the individual being denied access to participate in the Program. Licensee must provide all coaches, managers, officials, umpires, or volunteers with the Town of Miami Lakes Recreation Programs Volunteer Background Checks and Photo Identification Badge Enforcement Policies and Procedures

7.10. Except as provided for herein, Licensee shall not engage in any concession or sale of food or beverages on the Properties, as permitted under this Agreement, except with the prior written permission from the Town Manager.

7.11. The Licensee shall have a competent ~~supervisor representative~~ on site who thoroughly understands the activities and uses of the Properties pursuant to this Agreement, who shall, as the Licensee's agent, supervise, direct and otherwise conduct the activities and uses of the Properties pursuant to this Agreement. Licensee's agents, representatives and employees shall serve the public in a courteous, helpful, and impartial manner.

~~7.12 Licensee's agents, representatives and contractors shall wear a clean uniform shirt approved by the Town Manager and Licensee for operation of the concession area.~~

7.12. Licensee shall, upon receipt of a written request from the Town, immediately exclude any contractor, employee of Licensee or volunteer of Licensee from providing services under this Agreement. The Licensee agrees that the removal of any such individual(s) does not require the termination or demotion of said individual(s).

7.13. Prior to the expiration date of the Agreement, Licensee must provide an Annual Report to the Town. This will be developed through a scheduled annual review of contract deliverables, requirements, program activities and accomplishments with the Town and the Licensee.

7.14. Licensee agrees to notify the Program Manager of any and all proposed changes to the

programs, schedules, marketing materials, or any other relevant change that involves Licensee's participants, coaches, employees, or volunteers for review and approval by the Town at least fourteen (14) calendar days prior to any changes being made by Licensee. Licensee shall establish a point of contact to meet with the Program Manager regularly to discuss contract deliverables and program matters as often as deemed necessary by the Program Manager.

7.15. Licensee must at all times have a competent English-speaking representative ("Representative") on site who will be responsible for management and supervision, of the Program(s) during operations. In the instance no supervisor can be on site, Licensee agrees to inform the Town prior to absence and will be subject to Town's approval. Such guidelines and standards may be subject to the review and approval of the Town. The representative will embody the Licensee in the field and all directions given to the Representative will be as binding as if given to the Licensee.

7.16. Licensee shall include a privacy policy agreement on its registration forms that specifies what kind of personal data is collected from registrants and what is done with that data. The privacy policy agreement shall be included in any document or website registration application that collects personal information. The sale, transfer, or sharing of personal data from registrants to third parties is prohibited unless agreed to by the registrant.

7.17. The Licensee is expressly prohibited from making the registration in any of Licensee's programs contingent on any third or outside-party transaction.

7.18. The Town strongly encourages that all youth Program participants complete an EKG screening prior to their participation in any program that requires physical exertion.

7.19. The Licensee will give its best efforts to adhere to all Town policies and procedures for coaches and youth programs including, but not limited to, the Town's EKG Screening and CPR Training policies. In the instance that no CPR certified representative will be on site, the Licensee agrees to inform the Town with written notice. The Town may make changes anytime to policies and procedures related to the selection, training and certification requirements for the program. The Town will provide written notice to the Licensee prior to implementation of any changes. Licensee agrees to comply with any and all changes.

Section 8. Security.

8.1. The Town shall be responsible for providing at its sole cost, all security during the Term necessary to protect the Properties and persons therein. The Town of Miami Lakes Community and Leisure Services Department (the "MLCLSD") in conjunction with the Town of Miami Lakes Police Department (the "MLPD") shall have sole discretion in determining the Properties security needs and/or requirements based on an evaluation of planned Licensee activities, and Licensee shall abide by the determination set forth by the MLPRD and MLPD. If security needs are determined by the Town to be above and beyond what is typically required for Licensee's Programs, the Town may require the use of Off-Duty officers at the Licensee's expense.

Section 9. Alterations and Improvements.

9.1. Licensee shall not make any permanent or temporary alterations, improvements or additions to the Properties without the prior written consent of the Town Manager. Any alteration, improvement or addition to the Properties approved by the Town Manager shall be designed, constructed with appropriate permitting, installed, and maintained in a good, safe and workmanlike manner, and shall be provided solely at the Licensee's expense.

9.2. Unless otherwise agreed in writing by the Town, any alteration, improvement or addition to the Properties made by Licensee shall be removed by Licensee at the expiration date or earlier termination date of the Agreement without damage to the Properties. If the Town desires to retain any alteration, Town shall notify Licensee in writing of its intent within thirty (30) days of either the expiration date or earlier termination date of this Agreement.

Section 10. Insurance.

Commencing upon its execution of this Agreement and all times during the Term, Licensee shall carry the following insurance:

10.1. General liability insurance in an amount no less than One Million and No/100 Dollars (\$1,000,000.00) per occurrence, naming the Town of Miami Lakes and the School Board of Miami-Dade County, Florida as additional insured as their interests may appear. The liability policy to be provided by Licensee must be written by a carrier rated A or better by A.M. Best Insurance Reports. The required insurance policies must name the Town as an additional insured and loss payee, and must provide that the policy cannot be materially altered or canceled without thirty (30) days written notice to Town.

10.2. Licensee shall furnish to the Town certificates of insurance evidencing the insurance coverages specified by this Section prior to the Effective Date of this Agreement and prior to the expiration date set forth in each successive certificate. The required certificates of insurance shall name the type of policy provided and shall list the Town of Miami Lakes and the School Board of Miami-Dade County as an additional insured, refer specifically to this Agreement, and state that such insurance is required by this Agreement.

10.3. The required insurance coverage is not to cease and is to remain in full force throughout the Term of this Agreement. All policies must be endorsed to provide the Town with at least thirty (30) calendar days' notice of cancellation and/or restriction. If any of the insurance coverage will expire prior to the termination of this Agreement, copies of renewal policies shall be furnished at least sixty (60) calendar days' prior to the date of their expiration.

Section 11. Damage and Restoration.

11.1. In the event of any damage by the Licensee or its contractors, agents, players, coaches, umpires, volunteers, arising out of the Licensee's use of the Properties, the Licensee shall be responsible for restoring the Properties or any surrounding damaged area to its condition prior to the use of the Property by Licensee. .

11.2. If the Properties or any part thereof shall be damaged or destroyed by fire, hurricane, flood or other casualty as to render the Properties unusable by either party for a consecutive period of more than thirty (30) days, either Town or Licensee may terminate this Agreement by giving fourteen (14) days notice to the other party. If the Agreement terminates pursuant to this Section, this Agreement shall expire as of the date on which such termination shall be effective, as if such date were the Expiration Date.

11.3. If the occurrence of a Force Majeure delays, hinders or prevents either Town or Licensee from performing any obligation or covenant under this Agreement, the performance of the obligation or covenant will be excused for the period during which performance is delayed, hindered or prevented.

Section 12. Taxes.

12.1. Ad Valorem Taxes. Town and Licensee acknowledge that the Properties is currently exempt from ad valorem taxes. If ad valorem taxes are assessed against the Properties, arising from or related to, Licensee's operation of the Properties or the Licensee's interest in this Agreement or any part thereof, the Licensee is solely responsible for the payment of such taxes and any interest or penalties with respect to such taxes.

12.2. Non-Ad Valorem Taxes and Assessments. The Licensee is solely responsible for the payment of all taxes (other than ad valorem taxes) and assessments on the Properties or this Agreement, arising from or related to, Licensee's operation of the Properties, including, without limitation, any tangible personal property taxes on property owned by Licensee, intangible personal property taxes, sales taxes, use taxes and assessments. Licensee must pay all taxes and assessments prior to delinquency and must present proof of payment to Town prior to delinquency.

Section 13. Indemnification.

13.1. Licensee shall indemnify and hold harmless the Town, its elected officials, employees, consultants, agents, attorneys, volunteers and the School Board of Miami Dade County, from and against any and all Liabilities, damages (property and bodily injury), costs or expenses (including reasonable attorneys fees, costs and expenses at both the trial and appellate levels) arising from the acts or omissions of the Licensee, it agents, employees, volunteers, coaches, umpires, contractors, and members in the performance of this Agreement.

13.2. The Licensee shall indemnify and hold harmless the Town, its elected officials, employees, consultants, agents, attorneys, volunteers and the School Board of Miami Dade County from and against any and all Liabilities arising out of or by reason of (a) the use and operation of the

Properties by Licensee, its agents and contractors; (b) any acts or omissions of Licensee its agents or contractors on or about the Properties resulting in the contamination of air, soil, surface waters or groundwaters over, on or under the Property; (c) the presence of any Hazardous Substances on, in or under the Properties; or (d) any events, conditions, circumstances, activities, practices, incidents, actions or plans involving the manufacture, processing, distribution, use, transport, handling, treatment, storage, disposal, cleanup, emission, discharge, seepage, spillage, leakage, remediation or threatened remediation of any Hazardous Substance on, in, under or from the Properties, and arising out of Licensee's operations at the Properties.

13.3. Licensee hereby assumes all financial, administrative, and legal responsibility in connection with, related to, or arising out of Licensee's operation of the Properties under this Agreement. Except as otherwise set forth in this Agreement, Town shall have no liability to Licensee, or its employees, contractors, agents, members, players, coaches, umpires, and volunteers in connection with this Agreement and Licensee hereby releases the Town with respect to the foregoing.

13.4. Nothing in this Agreement will be construed to affect in any way the Town's rights, privileges, and immunities, including the monetary limitations of liability set forth therein, under the doctrine of "sovereign immunity" and as set forth in Section 768.28 of the Florida Statutes.

13.5. The provisions of this Section will survive the termination or expiration of this Agreement.

Section 14. Third Party Users.

14.1. Licensee acknowledges that this Agreement does not give Licensee an exclusive right to use the Properties.

Section 15. Assignment.

Licensee shall not assign, transfer, or otherwise dispose of this Agreement, or any portion thereof, or permit the Properties to be occupied by other organizations, entities or persons.

Section 16. Town's Right to Supervise.

Town shall have the right, but not the obligation, at all times to have one or more of its representatives present at the Properties to supervise Licensee's use of the Properties. The purpose of such supervision is to ensure the Licensee's compliance with the terms and conditions of this Agreement.

Section 17. Town's Right to Inspect.

Town has the right at all reasonable times to make whatever inspections Town deems reasonably necessary to determine if Licensee is complying with the terms and conditions of this Agreement.

Section 18. Condition of Property.

18.1. The Town makes no representation, warranty, or guaranty of any nature whatsoever concerning the physical condition of the Properties and Licensee hereby accepts the Properties in its “as-is” condition.

18.2. Licensee acknowledges and agrees that the Properties shall be returned to the Town in acceptable condition, normal wear and tear excepted. Both parties acknowledge that ongoing repair is being conducted at Miami Lakes Optimist Park during 2013 and possibly a portion of 2014.

Section 19. Licensee’s Representations.

Licensee represents and warrants to Town that as of the date of this Agreement and at all times during the Term:

19.1. All required action has been taken by or on behalf of Licensee to authorize the execution and delivery by Licensee of this Agreement and the performance by Licensee of its obligations under this Agreement. This Agreement is a valid and binding obligation of Licensee, enforceable in accordance with its terms.

19.2. The execution and delivery by Licensee of this Agreement and the performance by Licensee of its obligations under this Agreement do not conflict with or violate any provisions of any other agreement or any law to which Licensee is subject.

Section 20. Compliance with Laws.

20.1. Licensee shall not commit nor permit any violations of applicable federal, state, county and municipal laws, ordinances, resolutions and governmental rules, regulations and orders, as may be in effect now or at any time during the term of this Agreement, all as may be amended, which are applicable to Town, Licensee, the Property or the operations conducted at the Property.

20.2. Licensee shall, at its sole expense, execute, file and obtain, as applicable, punctually when due, all forms, reports, licenses, permits and returns required by law in connection with its operations on the Properties.

Section 21. Non-Discrimination.

21.1. In the operation, pricing and programming of the programs at the Properties, Licensee, its contractors, agents, volunteers, and any parties under the direction or control of Licensee may not discriminate against any person on the basis of sex, age, race, color, religion, ancestry, national origin,

physical handicap or sexual orientation by refusing to furnish to such person any accommodation, Property, service or privilege offered to or enjoyed by the general public.

21.2. In the performance of this Agreement, Licensee, its contractors, agents, volunteers, and any parties under the control or direction of Licensee may not discriminate against any employee or applicant for employment on the basis of sex, age, race, color, religion, ancestry, national origin, physical handicap, or sexual orientation.

Section 22. Equipment.

22.1. Subject to the approval of the Town, the Licensee may use the equipment belonging to the Town located at the Property in connection with the permitted uses hereunder.

22.2. Licensee shall not remove any Town owned equipment or any portion thereof from the Property, unless otherwise approved by the Town Manager.

22.3. Normal wear and tear excepted, Licensee shall be responsible for the repair or replacement of damaged equipment caused by Licensee, its contractors, agents, volunteers, and any parties under the direction or control of Licensee at any time during the Term of this Agreement.

Section 23. Notices.

All notices, demands, requests and other communications required under this Agreement shall be given in writing and provided by either hand delivery, electronic mail, private postal service or public postal service, return receipt requested. Any party may designate a change of address by written notice to the other party, received by such other party at least ten (10) days before such change of address is to become effective.

If to Town:

~~Mr. Alex Rey~~ Edward Pidermann, Town Manager
Town of Miami Lakes
~~15150 NW 79th Court~~ 6601 Main Street
Miami Lakes, FL 33016
Telephone: (305) 364-6100
~~Reya~~ Pidermanne@miamilakes-fl.gov

With a copy to:

~~Gary Fabrikant~~ Thomas Fossler
Procurement Manager
~~15150 NW 79th Court~~ 6601 Main Street
Miami Lakes, FL 33016
Telephone: (305) 364-6100

~~Fabrikant~~g Fossler@miamilakes-fl.gov

If to Licensee:

Telephone: _____

Email: _____

With copy to:

Telephone: _____

Facsimile: _____

Section 24. Attorneys' Fees.

In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its attorneys' fees and costs, including the fees and expenses of any paralegal, law clerks, and legal assistants, and including fees and expenses charged for representation at the trial level, in all appeals, and in any bankruptcy proceedings.

Section 25. Third Parties.

Neither the Licensee nor the Town intends to directly or substantially benefit a third party by this Agreement. Therefore, the parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement. Additionally, the Licensee acknowledges and agrees that it is not a third party beneficiary of the Joint Use Agreement, and the Licensee agrees not to assert any claims against the Town or the School Board of Miami-Dade County, Florida based upon the Joint Use Agreement.

Section 26. Police/Regulatory Powers.

The Town cannot, and hereby specifically does not, waive or relinquish any of its regulatory approval or enforcement rights and obligations as it may relate to regulations of general applicability which may govern the Properties, any improvements thereon, or any operations at the Property.

Nothing in this Agreement shall be deemed to create an affirmative duty of the Town to abrogate its sovereign right to exercise its police powers and governmental powers by approving or disapproving or taking any other action in accordance with its zoning and land use codes, administrative codes, ordinances, rules and regulations, federal laws and regulations, State laws and regulations, and grant agreements. In addition, nothing herein shall be considered zoning by contract.

Section 27. Encumbrances.

The Licensee hereby represents, warrants and covenants to the Town that the fee simple title to the Properties shall be at all times free and clear of all liens, claims and encumbrances created by or through Licensee. If any lien or notice of lien shall be filed against the fee simple title of the Properties created by or through Licensee, the Licensee shall, within thirty (30) calendar days after notice of the filing thereof, cause the same to be discharged of record by payment, deposit, bond, or order of a court of competent jurisdiction. Licensee shall not be deemed to be the Town's agent so as to confer upon any contractor or subcontractor providing labor or services that are material to the Properties a construction lien, mechanic's lien or both against the Town's estate under the provisions of Chapters 255 and 713, Florida Statutes, as amended from time to time.

Section 28. Entire Agreement.

This Agreement, including the attached exhibits, contains all of the terms, covenants, conditions and agreements between Town and Licensee relating in any manner to the use and occupancy of the Properties by Licensee. No prior agreement or understanding pertaining to the same shall be valid or of any force or effect, and the terms, covenants, conditions and provisions of the Agreement shall not be altered, changed, modified or amended, except in writing signed by Town and Licensee.

Section 29. No Waiver.

The failure by any party to insist in any one or more instances upon the strict performance of any covenant, agreement, term, provision or condition of this Agreement shall not be construed as a waiver or relinquishment for the future of such covenant, agreement, term, provision, or condition, but the same shall continue and remain in full force and effect. No waiver by Town or Licensee of any condition shall be deemed to have been made unless expressed in writing and signed by the waiving party.

Section 30. No Joint Ventures.

Nothing herein contained shall be deemed in any way to constitute Town or Licensee a partner of the other in its business or otherwise, or a joint venturer or a member of a joint enterprise with the other. For all intents and purposes hereunder, Licensee shall be considered an independent contractor.

Section 31. Drug-Free Workplace Certification.

Licensee hereby covenants and agrees to implement a policy consistent with governmental requirements with respect to maintaining a drug-free workplace and otherwise to provide and maintain during the Term of this Agreement a drug-free workplace at the Properties.

Section 32. Casualty.

In the event that any casualty causes damage to one or both of the Properties rendering one or both of the entire Properties unusable by Licensee, this Agreement shall automatically terminate, and neither Town nor Licensee shall have any further rights or obligations hereunder.

Section 33. Counterparts.

This Agreement may be executed in two or more counterparts, each of which constitutes the agreement of the parties and each of which will be treated as an original

Section 34. Invalidity.

If any term, covenant, condition or provision of this Agreement (or the application thereof to any circumstance or person) shall be invalid or unenforceable to any extent, the remaining terms, covenants, conditions and provisions of this Agreement shall not be affected thereby; and each remaining term, covenant, condition and provision of this Agreement shall be valid and shall be enforceable to the fullest extent permitted by law unless the enforcement of the remaining terms, covenants, conditions and provisions of this Agreement would prevent the accomplishment of the original intent of the agreement between the parties.

Section 35. Authority to Execute.

Town and Licensee each warrant and represent to the other that the individuals signing this Agreement on behalf of the Town and Licensee, respectively, have full power and authority to execute and deliver the Agreement and to bind the respective parties hereto.

Section 36. Recitals.

The Recitals set forth at the beginning of this Agreement are true and correct, and incorporated herein by this reference.

Section 37. No Lease.

Licensee acknowledges and agrees that its use of the Properties does not in any way constitute or establish any form of tenancy under Florida law. Licensee hereby waives any claims that its use of the Property constitutes a tenancy under Florida law.

Section 38. Governing Law; Venue; Waiver of Jury Trial.

38.1 This agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida.

38.2 The parties agree that venue for any legal action instituted in connection with this agreement shall be in Miami-Dade County, Florida.

38.3 THE PARTIES HEREBY EXPRESSLY, KNOWINGLY, AND IRREVOCABLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO, OR ARISING OUT OF THIS AGREEMENT.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Town and the Licensee have executed this Agreement as of the dates set forth above.

TOWN:

TOWN OF MIAMI LAKES, a Florida municipal corporation:

By: _____
~~Alex Rey~~ Edward Pidermann, Town Manager

Attest: _____
~~Marjorie Tejeda~~ Gina Inguanzo, Town Clerk

LICENSEE:

THE OPTIMIST CLUB OF MIAMI LAKES, INC.,
a Florida not for profit corporation

By: _____
Name: _____
Title: _____

EXHIBIT "A"

THE PROPERTIES

TRACT 25 of Florida Fruit Land Company's Subdivision of the NW 1/4 of Section 13, Township 52 South, Range 40 East, Miami-Dade County, Florida, according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida, LESS the North 65 Feet thereof and LESS that portion lying within the West 35 Feet of the NW 1/4 of said Section 13;

AND

The North 39.88 Feet of Tract 48 of said Florida Fruit Land Company's Subdivision of the SW 1/4 of said Section 13; LESS the East 35 Feet thereof and LESS that portion thereof which lies within the West 35 Feet of the SW 1/4 of said Section 13.

ROYAL OAKS PARK PROPERTY



EXHIBIT “C”
JOINT USE AGREEMENT

EXHIBIT “D”

TOWN OF MIAMI LAKES PARK RULES AND REGULATIONS

EXHIBIT “E”

ARTICLE 7 OF THE MIAMI-DADE COUNTY CHARTER



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Amendment to Town Council, Special Rules of Order
Date: 3/12/2019

Recommendation:

It is recommended that the Town Council Adopt the following changes made to the Town Council Special Rules of Order.

Background:

During the past month, the Town Clerk and Town Attorneys have reviewed the Special Rules and provided the following suggested amendments, deletions and corrections:

1. 1.1 was amended to delete mention to regular meetings prior to certain date and zoning hearings. Both of these provisions are inapplicable.
2. 1.2 was amended to provide for other advertisements, such as those through electronic means, and define 48 hours as two calendar days.
3. 1.3 was amended to specify that all items, unless specifically prohibited, are actionable.
4. 3.1 was amended to correct the order of business as suggested by council and residents.
5. 4.1 removes time constraints on Councilmember debates.
6. 6.8 specifically provides that both managerial and attorneys reports may be actionable.
7. 6.9 was found redundant, in light of Section 5, and was removed in its entirety.

Other minor grammatical and structural changes were made through out the document. Deletions will appear as strike-throughs and additions underlined.

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. 19 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE SPECIAL RULES OF ORDER OF THE TOWN OF MIAMI LAKES F/K/A THE TOWN COUNCIL MEETING RULES AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 4.1 of the Charter of the Town of Miami Lakes, Florida (the “Town”) provides that the Town Council shall determine its own rules of procedure and order of business; and

WHEREAS, in Resolution No. 01-37, the Town Council adopted the Comprehensive Council Meeting and Agenda Procedures and thereafter amended them by Resolution No. 03-122, No. 07-516, No. 07-557, No. 07-592, No. 14-1256, No. 15-1272, and No. 15-1324, and which are now known as the “Special Rules of Order of the Town of Miami Lakes” (collectively, “Special Rules of Order”); and

WHEREAS, the Town Council desires to provide amendments and corrections to the Special Rules of Order in order to streamline and correct inconsistencies; and

WHEREAS, the Town Council finds that amending the Special Rules of Order in this manner is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Amending the Special Rules of Order. The Town Council hereby amends the Special Rules of Order in its entirety as attached hereto in Exhibit “A.”

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

Passed and adopted this 12th day of March 2019

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Josh Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”

SPECIAL RULES

Special Rules of Order of the Town of Miami Lakes

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 ~~first~~ second and/or fourth Tuesday of each month at 6:30 p.m. in Town Hall or such other location as may be designated by the Town Council from time to time. ~~The Town Council shall not modify the abovementioned regular meeting date before January 13, 2017. Thereafter, regular meeting dates shall not be changed more than once every two years. Zoning hearings shall begin at 6:00 p.m.~~ All Regular Meetings shall be open to the public and shall be publicly noticed ~~by advertisements in local newspapers as may be required in accordance with~~ by 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.

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, which is defined as two full calendar days, shall be given to the public; ~~or such a~~ Shorter time, may be given, 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 and other advertisements that may be required by law~~. 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. A complete agenda package shall also be posted on the Town's website. ~~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.

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 Edition. All items placed on the Special Meeting or Regular Meeting Agenda are actionable, unless expressly prohibited by a special rule or existing law.

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

1.5 Parliamentarian. The Town Attorney shall serve as the Parliamentarian and shall advise and assist the 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.

1.6 Participation and Attendance by Electronic Means. An absent member of the Town Council may participate in and attend a Town Council meeting by 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.

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. 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.

2.2 Mayor to Maintain Decorum At Council Meetings. The Mayor and Council will develop, foster and encourage open, honest, but gentle, communication between all Members of the Council and the public. All speakers must address their remarks to the Mayor, or the presiding officer in the Mayor's absence, in a courteous tone. Should a member of the audience become unruly, or behave in any manner that disrupts the orderly and efficient conduct of the meeting, the Mayor is given the right and the authority to require such person to leave the Council Chambers to be accompanied, if necessary, by the Sergeant-At-Arms. In the event the audience or a part thereof becomes unruly or disruptive, the Mayor may either recess or adjourn the meeting. Any person who makes threats of physical violence shall be subject to immediate ejection from the meeting.

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.

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) (Special Presentations shall take place prior to the commencement of the Regular or Special Meeting)

- ~~(1)~~ (2) Call to Order
- ~~(2)~~ (3) Roll Call
- ~~(3)~~ (4) Invocation
- ~~(4)~~ (5) Pledge of Allegiance
- ~~(5)~~ Special Presentations
- ~~(6)~~ (6) ~~Public Comments~~ Order of Business: Deferrals, Additions and Deletions
- ~~(7)~~ (7) ~~Order of Business: Deferrals, Additions and Deletions~~ Public Comments
- ~~(8)~~ (8) Appointments
- ~~(9)~~ (9) Committee Reports
- ~~(10)~~ (10) Consent Calendar

- ~~(11)~~ (11) Ordinances – First Reading (No Public Hearing)
- ~~(12)~~ (12) Public Hearings – Ordinances – Second Reading
- ~~(13)~~ (13) Resolutions
- ~~(14)~~ (14) New Business
- ~~(15)~~ (15) Reports
- ~~(16)~~ (16) Adjournment

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.

4.2 Questions by Council Members. In the event a Council Member wishes to direct questions to another Member or to the public during a public meeting or presentation, the questions shall be directed to the Mayor who, in turn, will recognize the Council Member or member of the public who wishes to answer the specific questions. In the event a member wishes to direct a question to the Town Manager or Town Attorney, the question shall be directed through the Mayor who will, in turn, recognize the member. All questions of Town staff shall be made through the Town Manager.

4.3 Closing Debate. 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.

Section 5. Public Participation and Discussion.

5.1 Public Hearings. Individuals wishing to speak on matters that appear on the agenda as “Public Hearings” shall fill out a speaker’s card. Speakers’ cards shall be delivered to the Town Clerk who shall retain possession of the cards for the entirety of the meeting. Speakers shall be called to the podium by the Town Clerk in the order that the speaker’s cards are received and shall be recognized by the Mayor. The public shall be permitted to speak after the Mayor opens an item for Public Hearing. After the Public Hearing is closed by the Mayor, only members of the Town Council or Administration shall discuss the item.

5.2 Addressing Council, Manner and Time. To ensure the orderly conduct of and efficiency of the meeting, public comment shall be limited to three (3) minutes maximum per person; however, the Mayor may authorize the extension of the aforesaid time frame, after due consideration that others have had an opportunity to speak. Any extension granted should apply to other individuals speaking on the same subject. Each person who addresses the Council shall fill out a speaker's card and shall step up to the speaker's podium and shall give his/her name and address when called to the podium by the Town Clerk. Speakers' cards shall be delivered to the Town Clerk who shall retain possession of the cards for the entirety of the meeting. Speakers shall be called to the podium by the Town Clerk in the order that the speaker's cards are received and shall be recognized by the Mayor. No person other than the Council and the person recognized by the Mayor as having the floor shall be permitted to enter into discussion without the permission of the Mayor. All questions from the public to the Council shall be addressed through the Mayor.

5.3 Public Comments. An individual may speak during the Public Comments portion of the Agenda. ~~An individual~~ An individual or may speak on a particular Agenda item during the Council discussion on the particular item. If speaking on a particular Agenda item, the speaker shall limit his/her comments to the subject of the Agenda item under consideration. The Mayor may limit irrelevant or repetitive comments to ensure the orderly conduct and efficiency of the meeting.

Section 6. Council Meeting Items.

6.1 Special Presentations. This section of the agenda is reserved for presentations, proclamations or special recognition made by the Mayor or Council Member(s).

Council Members may request that proclamations be processed and prepared by the Mayor's Office for the next Town Council meeting. During the Special Presentations section of the agenda, the Mayor will recognize the recipient(s) and acknowledge the Council Member who requested the Special Presentation who will then present the presentation, proclamation or special recognition.

6.2 Consent Calendar. There shall be a consent agenda during each regular Town Council meeting. The consent calendar shall contain ~~R~~ 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 calendar, such items shall be approved and adopted by a main motion and ~~roll-call vote.~~ majority vote.

6.3 Ordinances – First Reading. Ordinances for first reading are placed on the agenda to determine if a majority of the Town Council decides that the matter should proceed to a public hearing. As such, there shall be no discussion either by the public or the Council unless a majority of the Council decides by vote to waive the rule.

6.4 Public Hearings. Ordinances for second reading or items requiring a public hearing shall be placed on this portion of the agenda.

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~~ Two-thirds of the Council may agree to waive the rule.

6.6 Resolutions. Resolutions not included on the consent agenda shall be placed on this portion of the agenda.

6.7 Mayor and Councilmember Reports. This section of the agenda shall be utilized for the Mayor and Councilmembers 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 title of the report. 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.

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, which may be actionable.

~~**6.9 Public Comments.** Individuals wishing to speak on agenda items other than advertised public hearings shall fill out a speaker's card. Speakers' cards shall be delivered to the Town Clerk who shall retain possession of the cards for the entirety of the meeting. Speakers shall be called to the podium by the Town Clerk in the order that the speaker's cards are received and shall be recognized by the Mayor.~~

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. Items not approved by the Council 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.

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. The Town Council may, by affirmative vote of two-thirds of Councilmembers present at the meeting, 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.

Section 7. **Council Agenda Preparation.**

7.1 Placement of Items on Agenda. Resolutions, ordinances, reports and New Business shall be identified on the agenda as to the sponsoring Council Member or Mayor or as a recommendation from the Town Manager. Ordinances, resolutions and reports will be placed on the agenda on a first come basis. New Business items will be placed on the agenda on first come basis. However, all first priority items will be placed on the agenda prior to any second priority items. All second priority items will be placed on the agenda prior to any third priority items. All items that are deferred from a meeting will need to be resubmitted and will be placed on the agenda as per the above criteria without giving any additional priority in its placement on the agenda.

7.2 Agenda Closing Dates. All information relating to items to be placed on the agenda shall be submitted by a Council Member to the Town Manager by ~~5:00~~ 12 p.m., (noon), the Thursday two weeks prior to a regular meeting. All appropriate background material shall accompany the item in the form of a signed memorandum. The Town Clerk shall provide Councilmembers all the new business items and Reports by 6 p.m. of that same day. A complete package of all agenda materials shall be delivered electronically or by other means to the Members of the Town Council by the Town Clerk no later than Wednesday prior to the date of the meeting. In addition, a complete agenda package shall also be posted on the Town's website and a paper copy available at Town Hall for citizen review by the close of business on Thursday prior to the date of the meeting. In the event pertinent information relating to an agenda item is missing or unaccounted for prior to the meeting, the Mayor or a Council Member may invoke the four (4) day rule, which automatically and without discussion removes the item from the agenda at the meeting.

7.3 Additional Items After Agenda Closing. No additional items shall be added to the agenda after the agenda package has been delivered to the Council unless it is deemed to be an emergency. An item requiring Council action and not included in the agenda

may be added to the agenda by five (5) affirmative votes of the Town Council upon a determination that the items is necessary and an emergency, in which case the four-day rule shall be waived. Copies of all backup material shall be made available to the public on the date of the meeting.

7.4 Preparation of Legislation. All Ordinances and Resolutions shall show the name of each Council Member and whether such Member voted for, against, or failed to vote. All Ordinances and Resolutions, once approved by the Town Council, shall be executed by the Mayor and attested to by the Town Clerk.

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 a two-thirds vote of the Council.

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



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Amendment to Committee Rules
Date: 3/12/2019

Recommendation:

It is recommended that the Town Council adopt the amendment to the Rules of Procedure for Town Committees.

Background:

The Town Clerk, Town Staff and Town Attorneys have reviewed the Town Committee Rules in order to address inconsistencies and streamline the rules. The following have been modified:

- Section 3. Was modified to specifically provide that meetings shall be held at Town owned or leased facilities. This is done in order ensure public access and participation at all Town meetings.
- Section 12., was re-titled Qualifications. This section specifically states that members of all committee's, unless specifically permitted by the Committee's enabling resolution shall be 18 years of age.
- Section 13. was amended to permit continuity in Town Committee's past the completion of a committee-member's term.

There are additional corrections that were implemented to address grammatical and structural deficiencies in the rules.

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. 19-_____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF MIAMI LAKES, FLORIDA AMENDING THE
COMMITTEE RULES, REGULATIONS AND
PROCEDURES; PROVIDING FOR INCORPORATION OF
RECITALS; PROVIDING FOR CONFLICTS; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Miami Lakes, Florida (hereinafter, the “Town”) has created numerous advisory committees, boards and task forces (collectively, “Citizens’ Committees”); and

WHEREAS, on June 8, 2004 by Resolution No. 04-233, the Town Council adopted Committee Rules, Regulations and Procedures which have been amended throughout the years (collectively, the “Committee Rules”); and

WHEREAS, the Town Council desires to amend the Committee Rules in their entirety as set forth in Exhibit “A” attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Amending Committee Rules, Regulations and Procedures. The Town Council hereby amends the Committee Rules, Regulations and Procedures and replaces them in their entirety in the form attached hereto as Exhibit “A” incorporated herein by reference.

Section 3. Conflicting Resolutions. The Committee Rules amended in this resolution shall apply uniformly to all non-statutorily created Town Citizens’ Committees. In the event of a conflict between any existing Committee Rule, Regulation or Procedure and the attached Committee Rules, the attached Committee Rules shall apply. Any Town Citizens’ Committees created subsequent to the passage of this resolution shall also adhere to these amended Committee Rules.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

Passed and adopted this 12th day of March 2019

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Josh Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”

Amended Committee Rules

Committee Rules, Regulations and Procedures

These Committee Rules, Regulations and Procedures (“Committee Rules”) shall apply uniformly to all Town of Miami Lakes (the “Town”) Citizens’ Committees (“Committees”). The Committee Rules are intended to supplement matters not covered in existing resolutions creating any Town Committees.

For the purpose of these rules, “Committees” shall include all non-statutory committees, task forces and advisory boards established by the Town Council to make recommendations, advise the council and initiate programs in the Town.

Section 1. Sunset Provisions.

All Committees will be created for an initial one (1) year period. At the conclusion of the first year, the Town Council will review the performance of the Committee and evaluate the need to retain the Committee on a permanent basis. Once a committee is re-authorized, the Committee will have a sunset review every year in September. Nothing herein prohibits the Town Council from terminating any Committee at any time.

Section 2. Public Meetings.

All meetings and business of the Committees shall comply with the requirements of Chapters 119 and 286 of the Florida Statutes. All meetings of the Committees shall be open to the public at all times. Meetings shall be conducted in accordance with Robert’s Rules of Order (newly revised). Audio recordings shall be made of all meetings and shall be turned over to the Town Clerk in a timely manner.

Section 3. Regular Meetings.

The Committees shall hold at least one regular publicly noticed meeting each month, unless waived by the Chairperson, at ~~a location within the~~ a Town owned or leased facility, as set by the Chairperson. The Chairperson may not waive more than four (4) meetings per year.

Section 4. Special Meetings.

Special meetings may be held upon the call of the Chairperson or a majority of the Committee upon 48 hours' notice. ~~Notice of special meetings shall be by letter sent to the Committee member's home address or email and shall be received by the member with reasonable notice before the meeting.~~ Special meetings shall be publicly noticed and held at a location within the Town owned or leased facility as set by the Chairperson.

Section 5. Chairperson Meetings.

~~The~~ All Committee Chairpersons, shall meet quarterly with the Town Manager and/or his or her designee at a publicly noticed meeting to coordinate activities and to strengthen communication among Committees.

Section 6. Subcommittees.

Subcommittees of a particular Committee may be created by the Chairperson for a specified time period and issue/ matter with the approval of a majority vote of the Committee's members. Subcommittees shall select a Chairperson and a Secretary for the Subcommittee and shall meet at the call of the Subcommittee Chairperson, or as directed by majority vote of the Subcommittee.

Section 7. Public Comment.

Any Town resident, organization or member of the public shall be given a reasonable opportunity to be heard on a proposition before the Committee during the public comment portion of any Committee meeting. Members of the public shall advise the Chairperson of their desire to be heard at any time prior to the public comments portion of the meeting. An individual shall have three minutes to address the Committee or such other period of time as the Chairperson deems reasonable under the circumstances of the meeting.

Section 8. Quorum.

Fifty percent (50%) of the Committee members appointed, and duly sworn in by the Town Clerk or Town Clerk's designee, to the Committee shall constitute a quorum. Provided there is a quorum, a majority of those present and voting shall be required to adopt any motion or take any action.

Section 9. Voting.

Each Committee member shall be entitled to one (1) vote on matters coming before the Committee. The Committee shall act as a body in making its decisions. No Committee member present at a meeting may abstain from voting except in cases of conflict of interest, as provided ~~in~~ by Florida Statutes and the Miami Dade County Code of Ethics by Florida Law and applicable Code of Ethics. A Committee member must be physically present to vote. Proxy votes shall not be permitted.

Section 10. Attendance.

In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year, the Committee member will automatically be removed from the Committee and the Councilmember who appointed that person will be notified by the Town Clerk of the ~~vacancy~~ removal. It shall be the duty of the Town Clerk to strictly enforce the removal of Committee members due to absence. Committee members who are minors shall be exempt from the attendance requirements of this section. Absences due to medical reasons shall be excused and shall not count as a failure to attend a meeting.

A Committee member who will be absent from a meeting shall notify the Town's Committee Liaison in writing of his or her anticipated absence at least seventy-two (72) hours before the meeting. The Town's Committee Liaison shall provide a copy of the absence notification to the Secretary who shall make it a part of the record.

Section 11. Appointments, Vacancies and Resignations.

Each person appointed to a Committee shall be appointed by the Town Council in the following manner:

(a) Any qualified person ~~meeting the qualifications of office and~~ wishing to serve on a Committee shall submit his or her name, a brief resume, and a letter of intent to serve to the Town Clerk.

(b) Town ~~staff~~ Clerk, or Town Clerk's designee, shall notify the Town Council, in writing, of ~~upcoming vacancies on the Committees, and shall provide to the Town Council the name, brief resume, and letter of intent of persons who have expressed an interest in serving on the Committee.~~ provide completed applications.

(c) Appointments shall be made in accordance with Section 2.2 of the Town Charter.

(d) If a Councilmember's appointment vacates office, that Councilmember shall be permitted to submit a replacement appointment.

(e) If any Committee member has qualified for the office of Mayor or Town Councilmember, they shall resign from the Committee by the qualification date.

Section 12. ~~Residency Requirement~~ Qualifications.

Members of the Committees shall either:

(a) Be a resident of the Town, or;

(b) Be employed in the Town, or;

~~(c) Be a student in an area a school located in the Town;~~

(d) Own a business or property located in the Town, or;

(e) Be a non-town resident who has particular interest in a Committee and brings specific talent and/or expertise to the Committee's intent as set forth in the resolution creating the Committee and;

(f) Unless amended by the resolution creating or amending a Committee, the minimum allowable age for member shall be the age of majority, eighteen (18) years of age.

Section 13. Term of Office.

The term of each Committee member shall coincide with the term of the appointing Councilmember, or the Mayor, in the case of the Mayor's appointee. Notwithstanding the preceding sentence, a sitting Committee member shall continue to serve until an appointment is made after either an election or a vacancy in a Town office. ~~in order to assure continuity and ability to meet quorum requirements or, if no appointment is made within 60 days, the appointment shall be renewed.~~ The appointing Councilmember, or the Mayor in the case of the Mayor's appointment, may remove his or her appointed Committee member at any regularly scheduled Town Council meeting, subject to confirmation of a majority of the Town Council.

There shall be no term limits.

Section 14. Membership Limitation.

No Committee member shall:

- (a.) serve on more than two (2) Committees;
- (b.) ~~and may hold~~ more than one elected office ~~only on one~~ in any ~~(1)~~ Committee ~~at a time~~.

Section 15. Compensation.

All Committee members shall serve without compensation and shall not otherwise obtain direct or indirect financial gain from their service in the Committee.

Section 16. Oath Requirement.

All Committee members shall be required to subscribe to an oath or affirmation to be filed by the Town Clerk, swearing to support, protect and defend the Constitution and laws of the United States, and the State of Florida, the Town of Miami Lakes' Charter and all ordinances of the Town and Miami Dade County and in all respects to faithfully discharge their duties.

Section 17. Applicability of Florida Law and Committee Rules and ~~Explanation of Laws.~~

All Committee members shall be subject to applicable Florida Laws, applicable Code of Ethics Town Charter, Town Ordinances, and Committee Rules. Failure to abide by any of these may result in a Committee Members to immediate removal. ~~Upon appointment, a Town representative shall provide Committee members with a copy of the applicable ethics laws and provide an explanation of the State of Florida and Miami Dade County Code of Ethics (sunshine law, public records law, conflict of interest policy) and the Committee Rules to the Committee member.~~

Section 18. Financial Disclosure Requirement.

As determined by the State of Florida Department of Ethics, no financial disclosure is required to be filed, unless otherwise required.

Section 19. Officers and Elections.

Every Committee shall elect a Chairperson, Vice Chairperson and Secretary annually, or as vacancies occur, at the first meeting conducted after January 1 to serve for a term of one (1) year. Officers elected to fill vacancies shall serve the remaining term of the Committee member they are replacing.

There shall be no term limits.

Section 20. Mission Statement.

All Committees shall abide and execute the purpose of the Committee as expressly detailed in the enabling Resolution, creating the Town Committee. ~~a statement of their bodies' purpose to be approved by the Town Council, consistent with the intent of the resolution creating the Committee.~~

Section 21. Duties of the Secretary.

The Secretary shall call the roll at the beginning of each meeting. The roll shall become a part of the minutes. The Secretary shall transmit the minutes of the last Committee meeting to the Town's Committee Liaison seven (7) calendar days before the next meeting of the Committee.

Minutes of all Committee meetings shall be ~~kept~~ taken by the Secretary, and upon approval and acceptance by the Committee, ~~the minutes shall be forwarded by the Town's Committee Liaison to each Committee member for review to be approved by the Committee at its next scheduled meeting, unless special circumstances are approved by the Chair. Once approved, meeting minutes shall be forwarded to the Town Clerk for filing.~~

~~During meetings, a standard sign-in register must be completed by Committee members and maintained by the Secretary.~~ Attendance and absences must be recorded and submitted to the Town Liaison along with the minutes even if there is not a quorum. Each Committee Secretary shall be responsible for providing a current membership roster of all Committee members to the Town.

Section 22. Duties of the Chairperson.

The agenda for all meetings of the Committee shall be prepared by the Chairperson. The Chairperson shall transmit the agenda to the Town's Committee Liaison seven (7) calendar days before the next meeting of the Committee. Additional agenda items may be proposed at any time

by any member of the Committee. Items proposed after the agenda is distributed may only be heard under “New Business” and upon an affirmative vote of the majority of the Committee members present at the meeting. Each agenda shall also include a section for public comment.

The Chairperson or his/her designee shall semi-annually present an oral report to the Town Council which shall be submitted in writing to the Town and shall include a semi-annual year to date financial report. Both the content of the written report and the oral report shall be approved by the Committee prior to submission or presentation to the Town Council.

In the absence of the Chairperson, the Vice Chairperson shall perform these duties.

Section 23. Duties of the Town’s Committee Liaison.

The Town’s Committee Liaison or his or her designee shall distribute the agenda and the minutes of the last Committee meeting to the Committee within one (1) business day of the Liaison’s receipt of the agenda and minutes.

Section 24. Budget Request and Financial Controls.

Annually, each June 1, after consultation with the Town Manager, the Committee shall submit a written report to the Town, including a budget request for the next fiscal year, for consideration in the preparation of the Town’s annual budget. Budget approval shall be made by the Town Council during the adoption of the annual budget. Town Staff will be responsible for ensuring that all expenditures are properly documented and reconciled following generally accepted accounting principles. Once the Town Council adopts a budget, the Committees shall be precluded from adding additional budget categories to their respective Committee budget, unless permitted through action by the Town Council.

Section 25. Committee Membership by Town Council.

Town Councilmembers (including the Mayor) shall not serve as members on Committees or be appointed to Committees.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Josh Dieguez
Subject: Support of SB 1356
Date: 3/12/2019

Recommendation:

In 2018, I was chosen to join a work group of residents to discuss and propose solutions to the crisis caused by rock mining blasting. This work group was formed by now Senator Manny Diaz Jr. and consisted of involved residents in the affected communities such as Albert Aguiar, Kate Tobon, Mercy Sierra, and Councilman Alex Rizzo. This work group identified several solutions to better equip affected communities in their efforts to understand and address rock mining blasting. In keeping with his promise to the work group and the community, Senator Diaz has now filed SB 1356, which incorporates just about all of the recommendations offered by the work group. It is my proposal the Council adopt a resolution in support of SB 1356 and send the same to our state and local elected officials and our neighboring HOA and civic associations asking for their support of the bill and, eventually, to the members of the committees of reference in the Senate and in the House (for its companion bill).

I am well aware that there are other bills related to rock mining blasting that have been filed. However, I do not have the same knowledge of how those proposals were developed or the impact they would have as I do with those contained in SB 1356. Additionally, I have not been able to consider their impact as I have with the proposals contained in SB 1356, including any unintended consequences. As a result, I do not feel comfortable recommending additional legislation at this time.

Rock mining blasting is an issue that has vexed our community for the last several years and caused significant damage to various homeowners in Miami Lakes and surrounding areas with many holes in the regulatory structure that oversees it. The proposals in SB 1356 were developed by residents and address many of the deficiencies these residents have identified in the regulation of the rock mining industry when it comes to blasting. For these reasons, I urge my colleagues to agree to the development of the proposed resolution as a step to improving the existing regulatory structure relating to rock mining blasting.

Fiscal Impact: Low

ATTACHMENTS:

Description

SB 1356 Construction Materials Mining Activities

By Senator Diaz

36-00884A-19

20191356__

1 A bill to be entitled
2 An act relating to construction materials mining
3 activities; amending s. 552.30, F.S.; requiring that
4 the statewide ground vibration limits established by
5 the State Fire Marshal be based on frequency and
6 particle velocity; requiring the State Fire Marshal to
7 establish certain regulations relating to blasting
8 operations conducted in connection with construction
9 materials mining activities; requiring persons
10 permitted by the State Fire Marshal to submit written
11 notification relating to construction materials mining
12 activities to certain counties and municipalities;
13 requiring the State Fire Marshal to create a form for
14 complaint reports regarding blasting operations
15 conducted in connection with construction materials
16 mining activities; requiring that complaint reports be
17 submitted to the State Fire Marshal and include
18 certain information; providing requirements relating
19 to training and continuing education for persons
20 engaged in construction materials mining activities;
21 requiring that certain mining permits issued on or
22 after a specified date be issued for a period of 5
23 years; requiring the State Fire Marshal to suspend
24 mining permits issued on or after a specified date
25 under certain circumstances; requiring the State Fire
26 Marshal to conduct or contract for a report on the
27 feasibility of conducting a specified study; requiring
28 the State Fire Marshal to submit a report to the
29 Legislature by a specified date; requiring that the

36-00884A-19

20191356__

report contain certain information; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 552.30, Florida Statutes, are amended, and subsections (4) through (9) are added to that section, to read:

552.30 Construction materials mining activities.—

(1) Notwithstanding the provisions of s. 552.25, the State Fire Marshal has ~~shall have~~ the sole and exclusive authority to promulgate standards, limits, and regulations regarding the use of explosives in conjunction with construction materials mining activities. Such authority to regulate use includes ~~shall include~~, directly or indirectly, the operation, handling, licensure, or permitting of explosives and setting standards or limits, including, but not limited to, ground vibration, frequency, intensity, blast pattern, air blast and time, date, occurrence, and notice restrictions. As used in this section, the term "construction materials mining activities" means the extraction of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials for shipment offsite by any person or company primarily engaged in the commercial mining of any such natural resources.

(2) The State Fire Marshal shall establish statewide ground vibration limits, based on both frequency and particle velocity, for construction materials mining activities which conform to those limits established in the United States Bureau of Mines, Report of Investigations 8507, Appendix B - Alternative Blasting

36-00884A-19

20191356__

Level Criteria (Figure B-1). The State Fire Marshal may, ~~at his~~
~~or her sole discretion~~, by rule or formal agreement, delegate to
the applicable municipality or county, the monitoring and
enforcement components of regulations governing the use of
explosives, as recognized in this section, by construction
materials mining activities. Such delegation may include the
assessment and collection of reasonable fees by the municipality
or county for the purpose of carrying out the delegated
activities.

(4) The State Fire Marshal shall establish statewide
regulations that require each blasting operation conducted in
connection with construction materials mining activities to use
a seismograph to monitor each blast to ensure compliance with
such regulations. The regulations also must:

(a) Require the use of seismographs to conform to the
standards in ISEE Field Practice Guidelines for Blasting
Seismographs (2015);

(b) Ensure that, for each blasting operation, a seismograph
is situated at the nearest residence, determined using GPS
technology;

(c) Require that, for each vibration record, an electronic
report of the vibration record, along with the raw data from the
seismograph, be made available to the State Fire Marshal in a
manner allowing for the complete analysis of the waveform; and

(d) Require that the following are measured and reported
for each blasting operation:

1. Frequency and particle velocity, including identifying
the method used for determining the frequency; and

2. GPS coordinates of both seismograph locations and blast

36-00884A-19

20191356__

88 locations.

89 (5) Each person permitted by the State Fire Marshal to
90 engage in construction materials mining activities must submit
91 written notification of the construction materials mining
92 activities to the counties and municipalities in which the
93 construction materials mining activities are to be conducted,
94 and to any counties or municipalities adjacent to such counties
95 and municipalities. Any notice required to be given to counties
96 and municipalities in which construction materials mining
97 activities are to be conducted also must be given to adjacent
98 counties and municipalities.

99 (6) The State Fire Marshal shall create a standard form for
100 the reporting of complaints regarding blasting operations for
101 construction materials mining activities. Complaint reports must
102 be submitted to the State Fire Marshal. Each complaint report
103 must include all of the following:

104 (a) A unique tracking number.

105 (b) The construction materials mining operation that is the
106 subject of the complaint.

107 (c) The mining activities report for the specific blast
108 event.

109 (d) The address of the complainant.

110 (e) The date and time the blast occurred.

111 (f) The estimated duration of the blast.

112 (g) A description of what the complainant physically felt.

113 (h) The contact information of the complainant.

114 (i) A brief description of any property damage.

115 (j) Any applicable photographs.

116 (7) The State Fire Marshal shall require training and

36-00884A-19

20191356__

continuing education for blasters licensed under s. 552.091 or seismograph operators who conduct blasting operations in connection with construction materials mining activities. Inspectors for the State Fire Marshal who inspect blasting operations connected with construction materials mining activities shall attend a blaster training course offered by the Office of Surface Mining Reclamation and Enforcement of the United States Department of the Interior.

(8) Mining permits issued by the State Fire Marshal for construction materials mining activities must be issued for a period of 5 years. The State Fire Marshal shall suspend a mining permit if three or more violations of the permit occur within a 1-year period. This subsection does not apply to mining permits issued by the State Fire Marshal before July 1, 2019.

(9) The State Fire Marshal shall prepare or contract for preparation of a report on the feasibility of conducting a Florida-specific study, comparable to the United States Bureau of Mines, Report of Investigations 8507, of structural response to and damage produced by ground vibrations from blasting operations conducted in connection with construction materials mining activities in this state. If conducted, such report must include recommendations as to whether the State Fire Marshal should conduct or contract for the potential study. The State Fire Marshal shall submit the report to the Legislature by January 1, 2020.

(a) The report also must:

1. Recommend the process for conducting the study;
2. Identify potential locations for test sites;
3. Address the feasibility of calibrating seismographs to

36-00884A-19

20191356__

146 monitor blasting vibrations with frequencies below 2 hertz;

147 4. Identify methodologies to be used for properly measuring
148 ground vibration, frequency, impacts to structures, and other
149 considerations comparable to those in the United States Bureau
150 of Mines, Report of Investigations 8507; and

151 5. Include cost estimates for such a study.

152 (b) If a study is conducted based on the report from the
153 State Fire Marshal, the study must include:

154 1. The collection of data from test structures, including
155 residential structures within blasting areas in this state, to
156 compare that data with data for control groups that are outside
157 the blasting areas;

158 2. Analysis of the impacts of ground vibrations on
159 residents of this state, including physical and psychological
160 impacts; and

161 3. The determination of seismographic specifications that
162 apply to this state's unique blast vibration characteristics.

163 Section 2. This act shall take effect July 1, 2019.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Vice Mayor Rodriguez
Subject: Hurricane Preparedness and Town-Wide Notifications
Date: 3/12/2019

Recommendation:

As you know, we are less than three months away from the beginning of Hurricane Season. I would like to review our Hurricane Preparedness chart as well as our current Town-wide notification system.

Fiscal Impact: Low



Town of Miami Lakes Memorandum

To: Honorable Vice Mayor and Councilmembers
From: Honorable Mayor Manny Cid
Subject: Guido Inguanzo Memorial
Date: 3/12/2019

Recommendation:

Attached you'll find a proposal to honor Mr. Guido Inguanzo Sr. He was a friend to us all and loved our Town dearly. I would like to make a motion to approve the attached proposal honoring Guido Inguanzo Sr.

Fiscal Impact: Low

ATTACHMENTS:

Description

Proposal

THE INGUANZO FAMILY

8836 NORTHWEST 162 TERRACE
MIAMI LAKES, FLORIDA 33018

February 14, 2019

The Honorable Manny Cid
Town of Miami Lakes
6601 Main Street
Miami Lakes, Florida 33014

Dear Mayor Cid:

On behalf of my mother, Pilar, and our entire family, thank you for sponsoring the resolution to honor my father, Guido Sr., with the designation of the courtyard at Royal Oaks Park as "Guido's Domino Plaza."

My father truly lived the town's campaign – I Heart Miami Lakes. He loved his community. He was active in town affairs and was immensely proud of his service on the Elderly Affairs Committee. In particular, he was very grateful that the town supported his initiatives to establish a domino club and the annual domino tournament. These activities are now an integral part of what brings generations together at Royal Oaks Park.

In appreciation of the town's efforts to honor my father, our family would like to donate a domino-centric mural to be painted on a wall adjacent to the courtyard. The artist, Grisell Gajano, will work with the town to create a special mural that will become a focal point of the courtyard.

Again, thank you, not only for this effort, but for all of the support the Town of Miami Lakes and the entire community have extended to my family during these past several months.

Sincerely,

A handwritten signature in blue ink, appearing to read "Guido H. Inguanzo, Jr.", with a stylized flourish.

Guido H. Inguanzo, Jr.

RESOLUTION NO. 19-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, DESIGNATING THE COURTYARD AT ROYAL OAKS PARK AS GUIDO’S DOMINO PLAZA IN MEMORY OF GUIDO INGUANZO, SR.; AUTHORIZING THE INSTALLATION OF A MURAL; DIRECTING THE TOWN MANAGER TO ERECT AN APPROPRIATE MARKER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Guido H. Inguanzo, Sr. was a strong proponent and supporter of the incorporation of the Town of Miami Lakes and became an active citizen in town affairs following the incorporation in 2000; and

WHEREAS, Guido H. Inguanzo, Sr. was a founder of the Town of Miami Lakes’ Domino Club which meets regularly at Royal Oaks Park; and

WHEREAS, Guido H. Inguanzo, Sr. was an organizer of the Town of Miami Lakes’ annual domino tournament at Royal Oaks Park; and

WHEREAS, Guido H. Inguanzo, Sr. passed away, at his long-time home in Miami Lakes near Royal Oaks Park, on December 3, 2018; and

WHEREAS, the Town Council wishes to recognize the contributions by Guido H. Inguanzo, Sr. to the Miami Lakes community.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Designation of Guido’s Domino Plaza.** That the Town Council hereby designates the courtyard at Royal Oaks Park, adjacent to the Roberto Alonso Community Center, on the south-side of the building, as Guido’s Domino Plaza in memory of Guido H. Inguanzo, Sr.

Section 2. **Mural.** The Town Council hereby authorizes the installation of a mural, on a wall adjoining the courtyard, with a domino-centric theme, to be donated by the Inguanzo Family. The final design of the mural shall be subject to approval by the Town Manager.

Section 3. **Authorization of Town Officials.** The Town Manager is hereby directed to install an appropriate marker at the courtyard, recognizing the designation, in substantially the form as illustrated in Exhibit A.

Section 5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Passed and adopted this _____ day of _____, 2019.

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Page **3** of **4**

Resolution No. _____

Approved as to form and legal sufficiency:


Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

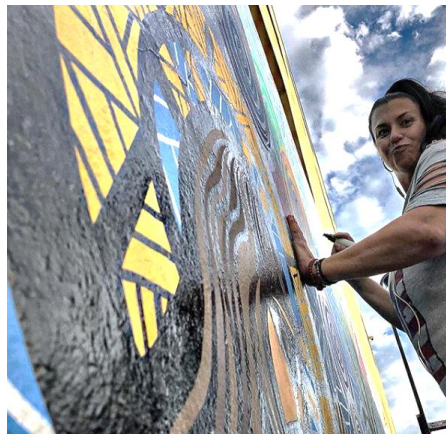
EXHIBIT A







Grisell Gajano
 grisell.gajano







TOWN OF MIAMI LAKES/ROYAL OAKS PARK

DOMINO TOURNAMENT

OCTOBER 12, 2019, 3PM

www.miamilakes-fl.gov/domino

In Memoriam: Guido H. Inguanzo Sr.

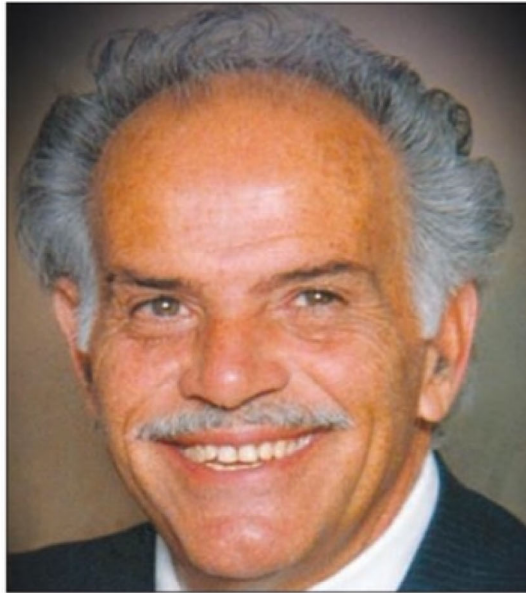
Longtime Miami Lakes resident Guido H. Inguanzo Sr. passed away at his home on December 6 at the age of 86. He was born in Viñales, Pinar Del Rio, Cuba and was a pioneer and leader in the telecommunications field in his homeland.

In 1962, Inguanzo fled Cuba's totalitarian government for freedom in the United States and became a naturalized U.S. citizen in 1977. He was married to his wife Pilar for over 53 years.

Inguanzo worked for TRT Telecommunications from the mid-1960s until the late 1980s. He then had a second career as a public servant working to the City of Hialeah where he was a civilian employee of the Police and Fire departments. He considered his work in the public sector was his most important because he was able to help people. He retired from Hialeah in 2000.

His commitment to public service inspired his two sons to seek government careers. His son Guido Jr. is the Village Clerk for the Village of Pinecrest and his son Ramiro is the assistant Village Manager for Bal Harbour Village. His daughter-in-law Gina is the Town Clerk for the Town of Miami Lakes.

Inguanzo was an active participant in the Town of Miami Lakes' Elderly Affairs Committee activities and events, and was a founder and organizer of the Town's Domino Tournament. Several years ago, in the



GUIDO H. INGUANZO SR.

help of Town officials, he created the Miami Lakes Domino Club where friends could gather nightly at Royal Oaks Park to play dominos.

Inguanzo was a longtime parishioner of St. John the Apostle Catholic Church and then Our Lady of the Lakes Catholic Church. A funeral mass was held for him on

December 6 at Our Lady of the Lakes and was officiated by the Reverend Rolando Medina, a longtime family friend.

Anyone wishing to honor Inguanzo's memory may make a donation in his name to the Miami Lakes Domino Club. Details can be found on the Town of Miami Lakes website, www.miamilakes-fl.gov.

First Community Bike Ride of New Year planned for Saturday, January 19

Miami Lakes Neighborhood Improvement Committee will host the first Community Bike Ride of the New Year on Saturday, January 19.

Registration begins at 7:30 a.m. for the 5.5-mile family-friendly loop with the ride start-

ing at 8 a.m. from Miami Lakes Picnic Park West, 15151 N.W. 82 Avenue.

Pre-registration is recommended by visiting <http://bit.ly/January2019Registration>. For more information, visit www.miamilakes-fl.gov/nic.



Classes and Recreation Calendar

The Town of Miami Lakes has scheduled the following classes and recreation activities during December:

(Youth Programs)

(All classes are free unless noted by \$)

Archery Juniors [S] Ages 11-17	Mondays	4:30 pm MLOP
Ballet 1 Ages 5-7	Mondays	4:30 pm MCCC
Ballet 2 Ages 7-9	Mondays	5:30 pm MCCC
Ballet 3 Ages 9-11	Wednesdays	4:30 pm MCCC
Ballet 4 Ages 11-16	Wednesdays	5:30 pm MCCC
Bricks4Kidz [S] Ages 5-12	Thursdays	6:15 pm MLYC
Just Run Ages 5-14	Tues./Thurs.	4:30 pm MLPW
Code Explorers [S] PK Coding Ages 4-5	Wednesdays	4:00 pm MLYC
Code Explorers [S] Engineering Toy Making Ages 6-13	Wednesdays	6:00 on MLYC
Code Explorers [S] Game Design Ages 6-13	Tuesdays	6:00 pm MLYC
Code Explorers [S] Coding for Homeschoolers Ages 5-10	Tuesdays	10:00 am MLOP
Guitar [S] Ages 7-12	Tuesdays	6:00 pm MLOP
Jazz 1 Ages 5-7	Tuesdays	4:30 pm MCCC
Jazz 2 Ages 7-9	Tuesdays	5:30 pm MCCC
Jazz 3 Ages 9-11	Thursdays	4:30 pm MCCC
Jazz 4 Ages 11-16	Thursdays	5:30 pm MCCC
Martial Arts Tots Ages 6-8	Mon./Wed.	4:30 pm MCCC
Martial Arts Beginners Ages 7-9	Mon./Wed.	5:30 pm MCCC
Martial Arts Intermediate Ages 8-10	Tues./Thurs.	4:30 pm MCCC
Martial Arts Advanced Ages 11-16	Tues./Thurs.	5:30 pm MCCC
Open Hang Nights (Themed Nights)	Ages 11-17 Select Wed./Fri.	6:00 pm MLYC
YMCA After School Care [S]	Ages 6-8th Grade	2:00 to 6:00 pm MLOP
YMCA After School Care [S]	Ages K-5th Grade	2:00 to 6:00 pm RACC

(Adult Programs)

Open Play Dominoes	Mon. to Fri. 18+	6:30 pm RACC
Painting 1 18+	Fridays	9:30 am MCCC
Painting 2 18+	Fridays	12:30 pm MCCC
Painting 3 18+	Wednesdays	10:00 am RACC
Spanish Advanced Conversational 18+	Mon./Wed.	6:00 pm MCCC
Spanish Intermediate 18+	Tues./Thurs.	6:00 pm MCCC
Yoga 1 18+	Mon./Wed.	7:45 am MCCC
Yoga 2 [S] 18+	Tues./Thurs.	7:45 am MCCC
Yoga in the Park 18+	Saturdays	9:00 am MLPW

(55+ Senior Programs)

Computers (English)	T/Th (Ages 55+) 9 & 11:15 am	MCCC
Computers (Spanish)	M/W (Ages 55+) 9 & 11:00 am	MCCC
Knitting/Crocheting	T/Th (Ages 55+) 1:00 pm	MCCC
Sewing	T/Th (Ages 55+) 1:30 pm	MCCC
Tai Chi	Mon.-Th. (Ages 55+) 9:00 am	MCCC

MCCC: Mary Collins Community Center, 15151 N.W. 82 Ave.
RACC: Robert Alonso Community Center, 16500 N.W. 87 Ave.
MLOP is Miami Lakes Optimist Park, 6411 N.W. 162 Street
MLYC is Miami Lakes Youth Center, 6075 Miami Lakes Drive E.
MLPW is Miami Lakes Picnic Park West, 15151 N.W. 82 Avenue
Shula's GC is Shula's Golf Club, 7601 Miami Lakes Drive

Upcoming Miami Lakes Meetings Calendar

The Town of Miami Lakes, homeowners associations, professional and volunteer groups have scheduled meetings during December:

Town of Miami Lakes

Planning & Zoning Board Meeting	Dec. 19	6:00 pm M.L. Govt. Center
Veterans Committee	Dec. 20	6:00 pm M.L. Govt. Center
Neigh. Improv. Com.	Dec. 20	7:00 pm M.L. Govt. Center

Homeowners Organizations

Serenity Point	Dec. 19	7:00 pm MCCC
Royal Oaks	Dec. 19	7:30 pm MCCC
Gramercy Park	Dec. 20	7:00 pm MCCC
Regatta Pointe	Dec. 20	7:00 pm MCCC
Villa Vizcaya	Dec. 26	7:30 pm MCCC
Lake Sandra	Dec. 27	7:00 pm MCCC
Anchorage	Dec. 27	7:30 pm MCCC
Fountain Park	Dec. 31	7:30 pm MCCC

Miami Lakes Clubs, Professional & Volunteer Groups

M.L. Bridge Club	Mondays	11:30 am MCCC
MLCA Bridge Club	Thursdays	11:00 am MCCC
M.L. Quilting Club	Tuesdays	11:15 am MCCC
M.L. Kiwanis	2nd/4th Thurs	6:30 pm Pamper.Chef
M.L. Toastmasters	1st/3rd Tues.	ML Educ. Center
M.L. Lions Club	1st/3rd Tues.	7:00 pm Bev. Hills.

MCCC: Mary Collins Community Center, 15151 N.W. 82 Ave.
RACC: Robert Alonso Community Center, 16500 N.W. 87 Ave.
MLOP is Miami Lakes Optimist Park, 6411 N.W. 162 Street
MLYC is Miami Lakes Youth Center, 6075 Miami Lakes Drive E.
MLPW is Miami Lakes Picnic Park West, 15151 N.W. 82 Avenue

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newscast

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SANTA SIGHTING AT HOSPITAL

THE BIG GUY VISITS LITTLE ONES



CARL JUSTE/HERALD STAFF

Mahlik Patrick "Zoe" Burke, 3, goes for a stroll with Santa Claus, aka Don Rosenthal, as St. Nick visits the pediatric surgical ward of the Holtz Center for Maternal and Child Health at Jackson Memorial Hospital in Miami on Tuesday. Santa handed out gifts in a holiday activity sponsored by the Mortgage Bankers Association.

Penelas vetoes fire unit pay hike

Mayor cites ripple
effect on county

BY SANDRA MARQUEZ GARCIA
smarquez@herald.com

Miami-Dade Mayor Alex Penelas issued a rare veto Tuesday evening, arguing that a pay raise for firefighters — unanimously approved last week by the County Commission — would cost taxpayers \$158 million if extended to other county employees on union contracts.

Penelas said his veto, only his fifth in four years, was not a "politically smart thing to do" but that he was looking out for the taxpayers' best interests.

"Our firefighters are excellent, the best in the world, I believe," Penelas said. "A lot of people will say, 'Why are you denying these guys a raise?' But sometimes you have to do what is right."

In a 13-0 decision, the County Commission voted Nov. 28 to grant pay increases of 4 percent, 5 percent and 3 percent over the next three years — for a total of 12 percent. Penelas said the three-year cost of the firefighters' raises alone would be \$15 million.

But it wouldn't stop there, he argued. The county's other union employees would expect the same package, and that would cost \$158 million.

► PLEASE SEE FIREFIGHTERS, 2B

Miami Lakes charter approved

BY CAROLYN SALAZAR
csalazar@herald.com

As he cast his first ballot since November's seemingly never-ending presidential election, Noelio Mantilla held his ballot overhead and shouted, "No hanging chads!"

"I punched my hole like 10 times," Mantilla said. "I was scared because of all the mistakes people made during the presidential election."

In overwhelmingly deciding to make Miami Lakes the 31st city in Miami-Dade County, voters in Tuesday's special election approached ballots with a new caution and attentiveness.

And a little extra humor. Some voters waved their ballots after they cast their vote, showing their ballots were free from "hanging

► PLEASE SEE VOTE, 2B



JARED LAZARUS/HERALD STAFF

CAREFUL HANDLING: Poll worker Guido Inguanzo guides a voter's ballot into a box Tuesday at the South Florida Boy Scouts of America in Miami Lakes.

Nuclear reactors await new life

BY CURTIS MORGAN
cmorgan@herald.com

Florida Power & Light has asked federal regulators to extend the working life of Turkey Point, one of the nation's oldest nuclear plants and once one of its most trouble-prone. Citing an operating record that has



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Luis Collazo
Subject: Adaptive Traffic Signalization System along NW 67th Avenue Corridor
Date: 3/12/2019

Recommendation:

Under our Town's 2015-2025 Strategic Plan, an Adaptive Signal Control Technology system was implemented along 154th Street Corridor providing signal synchronization and traffic flow improvements.

As we experience a probable increase in traffic along 67th Avenue Corridor due to the current development; I am respectfully requesting that staff explore the possibility of implementing an Adaptive Signal Control Technology system along 67th Avenue Corridor to offset the impact of additional traffic.

Fiscal Impact: TBD



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Vice Mayor Nelson Rodriguez
Subject: 2020 Census Campaign
Date: 3/12/2019

Recommendation:

During the January Council meeting Councilmember Dieguez motioned for a census committee. After further review, I believe that it is critically important that we support the census count.

We also need to work with our neighboring cities as well as the unincorporated area. As you know, federal funding is usually based on the census count. Supporting a proper census count will allow for Miami Lakes and the surrounding cities to receive the proper federal dollars needed for education and services locally.

Fiscal Impact: TBD



Town of Miami Lakes Memorandum

To: Honorable Vice Mayor and Councilmembers
From: Honorable Mayor Manny Cid
Subject: Amending Strategic Plan
Date: 3/12/2019

Recommendation:

I would like to motion to amend our strategic plan Guiding Principles (Basic tenets to steer strategic direction of staff and Council) to include a statement focusing on the future: “Each idea should be about the future. Every single idea should make Miami Lakes a better place to live and work – not just for us here today, but for our children 20 years from now – and their children as well.”

Fiscal Impact: Low



Town of Miami Lakes Memorandum

To: Honorable Vice Mayor and Councilmembers
From: Honorable Mayor Manny Cid
Subject: New Business Items and Staff Agenda Items
Date: 3/12/2019

Recommendation:

Our current new business items include an area for the Town Manager to add an estimated fiscal impact. I would also like to motion to add an area where the Manager explains how the Council or Staff item fulfills a portion of the “Imagine Miami Lakes 2025” Strategic Plan.

Fiscal Impact: Low



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Balgowan Enforcement Evaluator
Date: 3/12/2019

ATTACHMENTS:

Description

Balgowan Enforcement Evaluator

Town of Miami Lakes

6601 Main Street
Miami Lakes, FL 33014

Speed Enforcement Evaluator

Location:
Balgowan Road

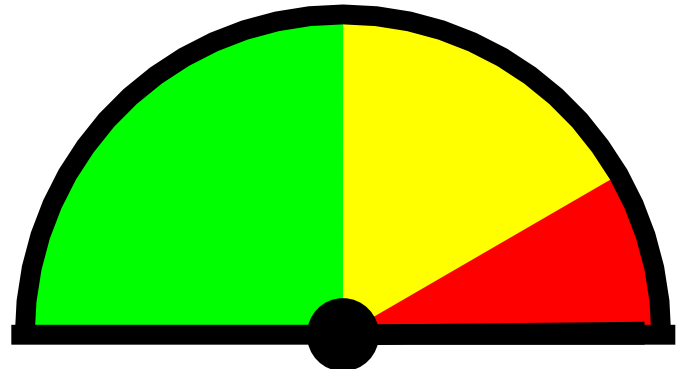
**Total Percentage of
Enforceable Violations**

Closest Cross Street:
Ardoch Road

Installed By:
G & R

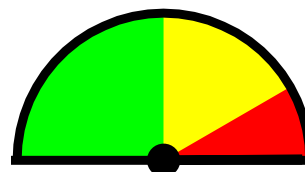
Requested By:
Town Council

ADT: 2473



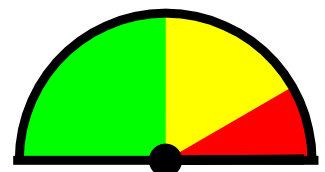
Posted Speed Limit: 30 MPH
Enforcement Tolerance: 5 MPH
Enforcement Limit: 36 MPH & Up
Percentage Above Limit: 25.7%
Enforcement Rating: **HIGH**

Direction 1



Percent Above Limit: 22.0%
Enforcement Rating: **HIGH**

Direction 2



Percent Above Limit: 29.1%
Enforcement Rating: **HIGH**

Combined

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
0	10	62	92	360	1927	3063	1585	283	27	7	2	0	0

85 percentile = 36

Direction 1

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
0	10	27	21	168	1068	1472	648	108	17	5	0	0	0

85 percentile = 36

Direction 2

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
0	0	35	71	192	859	1591	937	175	10	2	2	0	0

85 percentile = 37



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: 5G Telecommunication Poles in the Rights-of-Way update
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Establishing Evaluation Criteria for Town Manager
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Update on Resurfacing of the Playground in Picnic Park West
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Town Manager Monthly Police Activity Report
Date: 3/12/2019

Recommendation:

Please see attached reports.

ATTACHMENTS:

Description

TML Crime Stats 03-01-2019

TML Monthly Town Council Meeting Crime Report



MIAMI DADE POLICE DEPARTMENT
CAS Compstat Targeted Crimes Year To Date - 74Y
Date Range: Jan 01, 2019 - Mar 1, 2019



095 - TOWN OF MIAMI LAKES

	2018 LYTD	2019 YTD	YTD % Change	Difference
01 Homicide	0	0	/0	0
02 Forcible Sex Offenses	1	0	-100.00%	-1
03 Robbery	3	2	-33.33%	-1
04 Larceny (Over)	24	14	-41.67%	-10
05 Auto Theft	16	8	-50.00%	-8
06 Burglary Commercial	0	2	/0	2
07 Burglary Residential	5	6	20.00%	1
08 Aggravated Assault	0	4	/0	4
09 Aggravated Battery	0	1	/0	1
TOTAL:	49	37	-24.49%	-12



Miami Dade Police Department, Town of Miami Lakes



TML Crime Report

February 28, 2019

Section 1 – COMPSTAT CRIMES

<i>Crime</i>	<i>Auto Theft (8 incidents as of 02/27/2019. Date of last incident 02/28/2019)</i>
<i>Statistical Info</i>	<i>14 Incidents PYTD</i>
<i>Trends</i>	<i>Vehicles stolen overnight from commercial plazas and apartment complex parking lots.</i>
<i>Action Taken</i>	<ul style="list-style-type: none"> • <i>Officers have been assigned directed patrols. They are directed to remain highly visible at the various commercial plazas, apartment and townhome complexes, and hotels in their respective areas.</i> • <i>Current auto theft information as well as BOLOs and Informational flyers are regularly shared with the TML Officers.</i> • <i>Officers continue to investigate Tow Trucks that are operating overnight.</i> • <i>Enforcement Details are being scheduled for increased police visibility.</i>
<i>Crime</i>	<i>Theft – (14 incidents as of 02/27/2019. Date of last incident 02/26/2019)</i>
<i>Statistical Info</i>	<i>24 Incidents PYTD</i>
<i>Trends</i>	<i>Retail Theft, Unattended Property</i>
<i>Action Taken</i>	<ul style="list-style-type: none"> • <i>Officers continue to be assigned Directed Patrols at all shopping plazas in their assigned areas in order to provide greater visibility in an effort to discourage retail theft.</i>

Section 2 – SIGNIFICANT ARRESTS/ INCIDENTS

<i>Day / Date / Time</i>	<i>Tuesday, January 8, 2019</i>
<i>Location</i>	<i>15258 NW 88 Court</i>
<p><i>On Tuesday, January 8, 2019, TML Detective's submitted an arrest affidavit for a January 5, 2019 vehicle burglary incident. Officers were dispatched to 15258 NW 88th Court reference a subject captured on video attempting to enter a vehicle and rummaging through another in the victims driveway. Images of the subject were disseminated and the subject was identified. On January 7, 2019, Opa Locka Police arrested the subject for unrelated charges.</i></p>	



Miami Dade Police Department, Town of Miami Lakes



TML Crime Report

February 28, 2019

Day / Date / Time	Saturday, January 12, 2019
Location	14530 Dade Pine Ave
<i>On Saturday, January 12, 2019, at approximately 11:38 am, TML Officers responded to an occupied residential burglary where the subject entered through the back bedroom window. The victim was inside the residence and heard someone inside a bedroom. The victim walked towards the bedroom and confronted the suspect. The subject immediately attacked the victim. Victim sustained a bruised eye. The subject fled out of the residence and was picked up by a black Mercedes. Officer's, arrived and issued a BOLO. While canvassing the area, an Officer located the suspect vehicle southbound on N.W. 67 Avenue at NW 138th Street. TML Officers converged to the area and placed two subjects into custody. TML Detectives responded to the scene and took over the investigation. Both subjects confessed to their involvement in the burglary and were charged accordingly.</i>	
Day / Date / Time	Wednesday, February 13, 2019
Location	16301 NW 77 th Place
<i>On Wednesday, February 13, 2019, TML Detective's submitted an arrest affidavit for an October 30, 2018 vehicle burglary incident. Officers were dispatched to 16301 NW 77th Place reference a subject captured on video attempting to enter three vehicles in the victim's driveway. Images of the subject were disseminated and the subject subsequently identified. The subject was also part of an investigation conducted by the Hollywood Police Department. On December 18, 2018, Intracoastal CST Detectives located and arrested the subject.</i>	
Day / Date / Time	Friday, February 22, 2019, 6:00 pm
Location	14505 Commerce Way
<i>On Friday, February 22, 2019, at approximately 6:00 pm, an Officer located a subject wanted by TML Detective's for an August 14, 2018 Auto Theft. Detectives had processed the recovered stolen vehicle and submitted latents. A LAB Analysis report identified a latent impression from the vehicle's gear shifter as having been made by the arrestee, A Probable Cause to Arrest flyer was disseminated. The subject was subsequently located by Northside Officer. The suspect was charged with Grand Theft Vehicle.</i>	
Day / Date / Time	Tuesday, February 26, 2019, 6:30 pm
Location	15006 NW 87 Court
<i>On Tuesday, February 26, 2019, Robbery Detectives arrested one of the subjects involved in the January 30, 2019, Home Invasion Robbery that occurred at 15006 NW 87 Court. He was charged with Home Invasion Robbery, Kidnapping, False Imprisonment, and Falsely Personating an Officer During Commission of a Felony.</i>	



Miami Dade Police Department, Town of Miami Lakes



TML Crime Report

February 28, 2019

Day / Date / Time	Wednesday, February 27, 2019, 1:30 pm
Location	15901 NW 83 Place
<p><i>On Wednesday, February 27, 2019 at approximately 1:30 pm, a subject wanted by TML Detectives for a July 28, 2018 Auto Theft was located in the Northside District. The subject was transported to the Northwest District Station to be interviewed by TML Detectives. On July 28, 2018, the victim reported that his 2016 Chevy Silverado was burglarized. The unknown subject stole spare keys to other vehicles belonging to the victim. The subject used one of the keys to steal the victims 2015 Mercedes C300. The vehicle was subsequently located and processed by TML Detectives. A cellular phone was also discovered in the vehicle. Shortly thereafter, a Latent LAB Analysis report identified impressions lifted from the vehicle belonging to the arrestee. Detectives also obtained a search warrant for the phone's contents. An examination revealed images of the arrestee seated in the driver's seat and holding spare keys to the victims other vehicles. Additional images showed the vehicle parked in front of the arrestee's home along with images of the vehicle's tag and VIN. The subject was charged accordingly.</i></p>	



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Update on West Lakes Reforestation Project Phase III
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: FPL Franchise Fees Update
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Update on Miami Lakes Optimist Park Design
Date: 3/12/2019



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Attorney's Reports
Date: 3/12/2019

Recommendation:

There are currently several matters being litigated by the Town of Miami Lakes. Some of these matters are being referred to our insurance carrier to mitigate the Town's legal expense.

Background:

MICHAEL PIZZI JR. v. TOWN OF MIAMI LAKES

While the appeal process is ongoing, there has been approximately \$6,000 in the month of February.
(Criminal Matter)

JUAN VALIENTE V. TOWN OF MIAMI LAKES

Matter continues to be litigated. Costs and expenses are likely.

EMINENT DOMAIN

We are waiting for the survey to be finalized and we will bring this item in the April Agenda.

NW 170/154

Conflict Resolution Process.