

Town of Miami Lakes, Florida

Audio stream of meetings can be listened to after the meetings are held at

<http://miamilakesfl.swagit.com/meeting-categories/>

AGENDA

Special Meeting

September 18, 2018

5:00 PM

Government Center

6601 Main Street Miami Lakes, FL 33014

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Moment of Silence**
- 5. 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.

6. Items for Discussion and Action

A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CREATING BLASTING ADVISORY BOARD PROVIDING FOR BOARD MEMBERSHIP; CREATING PURPOSE OF BOARD; PROVIDING FOR MEETING REQUIREMENTS; PROVIDING FOR SUNSET; AND PROVIDING WITH AN EFFECTIVE DATE. (Entire Town Council)

B. Attorney's Report on Eminent Domain (Gastesi)

7. 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 www.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 12 copies.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Town Council
Subject: Creation of Blasting Advisory Board
Date: 9/18/2018

Recommendation:

Please see attached the Blasting Advisory Board item which was discussed at the September 4th, 2018 Regular Council Meeting.

ATTACHMENTS:

Description

9-4-2018 Blasting Advisory Board Item

Background Documents on Blasting

Resolution creating the Blasting Advisory Board



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Marilyn Ruano
Subject: Blasting Advisory Board
Date: 9/4/2018

Recommendation:

For several months now we have seen an influx in the number of resident complaints from the blasting activities conducted by White Rock Quarries. We are all aware of the social media exchanges regarding the daily blasts and several of us attended a meeting held in June where many Miami Lakes residents were present and voiced their concerns and frustrations with the progress, or lack thereof, with respect to relief from the blasting. Many residents also came to our council meeting in July and shared their concerns ranging from emotional distress to structural damages to their properties.

This action would be taken in an effort to allow our residents an opportunity to organize themselves in a formal manner and allow them to be active participants in the solution. It would also serve to allow residents a forum in which they can meet and provide constructive solutions that the council can later explore. This Advisory Board could also collaborate with other blasting committees established in neighboring cities. This Advisory Board would be allotted approximately 3-6 months to review the study. (time to be determined by council and extended if needed)

Fiscal Impact: Medium

ATTACHMENTS:

Description

[Background documents on blasting](#)



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers

From: Honorable Councilmember Frank Mingo

Subject: Legislation to protect Homeowners from Rock Mine Blasting

Date: February 7, 2017

Recommendation:

Attached please find Florida Senate Bill 354 and Florida House Bill 195, which have been filed by Senator Rene Garcia and Representative Manny Diaz, Jr., giving the State Fire Marshal authority to modify ground vibration limits for mining activities, lower intensity levels and allow the Legislature and State Fire Marshal the ability to protect our infrastructure and ease the burden from rock mining blasting.

I am in support of this legislation and I look forward to the discussion of SB 354 and HB 195 with my colleagues.

Fiscal Impact: Low

Attachments:

FL Senate Bill

FL House Bill



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers

From: Honorable Councilmember Frank Mingo

Subject: Resolution in Support of Blasting Study

Date: May 2, 2017

Recommendation:

In the early stage of the Fiscal Year 2017-2018 State of Florida Budget, the Florida House of Representatives and The Florida Senate agreed to provide \$325,000 to fund the study of rock mining blasting effects and to review the claims process for damages.

The allocation of \$325,000 of nonrecurring funds shall be utilized to contract a study as specified in section 552.30, Florida Statutes, to review the established statewide ground vibration limits for mining construction, and to review any legitimate claims of damages caused by such mining activities.

I am respectfully requesting my colleagues to support a resolution in favor of the budget line item outlined above. If the resolution is approved, I would like to request that the resolution be forwarded immediately to the Governor's office.

Fiscal Impact: Low



MIAMI LAKES

May 9, 2017

Honorable Governor Rick Scott
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Honorable Governor Rick Scott,

At the May 2nd, 2017 Regular Council Meeting of the Town of Miami Lakes, I made a motion asking my colleagues to approve a resolution in favor of the allocation of \$325,000 of non recurring funds to be utilized to fund the study of rock mining blasting effects, to be able to review the statewide ground vibration limits for mining construction and to review the legitimate claims of damages caused by such mining activities. The motion was seconded and approved unanimously by the Town Council. Please see the attached resolution, which will be presented to the Town Council on June 6th for ratification.

Thus, at the request of the Mayor and Town Council, I respectfully urge you to approve the allocation of the \$325,000 funds to conduct the study.

I thank you in advance for your time and consideration to this important matter.

Sincerely,

Frank Mingo
Councilmember
Town of Miami Lakes

TOWN OF MIAMI LAKES
6601 Main Street
MIAMI LAKES, FL 33014
(305) 364-6100
www.miamilakes-fl.gov

MAYOR

Manny Cid

VICE MAYOR

Tony Lama

COUNCIL MEMBERS

Nelson Rodriguez
Tim Daubert
Ceasar Mestre
Frank Mingo
Luis Collazo

TOWN MANAGER

Alex Rey

TOWN CLERK

Gina M. Inguanzo

RESOLUTION NO. 18-____

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF MIAMI LAKES, FLORIDA, CREATING
BLASTING ADVISORY BOARD PROVIDING FOR
BOARD MEMBERSHIP; CREATING PURPOSE OF
BOARD; PROVIDING FOR MEETING
REQUIREMENTS; PROVIDING FOR SUNSET; AND
PROVIDING WITH AN EFFECTIVE DATE.**

WHEREAS, ongoing rock mine blasting in the outskirts of the Town of Miami Lakes (“Town”) is a major concern for the life and welfare of Town residents; and

WHEREAS, on September 4, 2018, the Town Council gave the Town Manager and Town Attorney direction to create a resolution establishing a Blasting Advisory Board; and

WHEREAS, the Blasting Advisory Board will be composed of fourteen individuals, a non-voting attorney and a non-voting engineer; and

WHEREAS, the Blasting Advisory Board will meet to discuss, and provide the Town Council with recommendations and possible solutions to ease the effects of rock mine blasting.

**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. **Creation of the Blasting Advisory Board.** The Mayor with consent of the Town Council, pursuant to section 2.2 (ii) of the Town Charter, hereby creates the “Blasting Advisory Board” to serve the Council in an advisory position, to carry out the Board’s Purpose as described in Section 3 of this Resolution.

Section 3. **Board's Purpose.** The Board shall meet to discuss and seek constructive ideas and solutions to the rock mine blasting affecting Town Residents. In furtherance of its efforts, the Board may collaborate with similar Boards organized in other municipalities.

Section 4. **Terms and Composition of the Board.** Each Councilmember shall select two (2) individuals to serve on the Board for a total of fourteen (14) members. Additionally, the Town Attorney, his Deputy or designee shall serve as a non-voting attorney member. Also, a staff engineer member will be assigned by the Town Manager to be the technical advisor to the Board. This engineer will be a non-voting member.

Section 5. **Meetings.** The Board shall meet monthly and at the call of the Chairperson. The Secretary shall keep minutes of the Board meetings. The approved minutes shall be filed with the Town Clerk.

Section 6. **Sunset.** The Board shall Sunset after six months from the date of execution of this Resolution, unless authorized by the Town Council for an additional period.

Section 7. **Effective Date.** This Resolution shall take effect immediately upon adoption.

***** This Section has Been left Purposefully Blank *****

Passed and adopted this _____ day of _____, 2018.

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 Frank Mingo	_____
Councilmember Luis Collazo	_____
Councilmember Timothy Daubert	_____
Councilmember Ceasar Mestre	_____
Councilmember Nelson 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



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Attorney's Report on Eminent Domain
Date: 9/18/2018

Recommendation:

Verbal Report to be given by the Town Attorney.