



**TOWN OF MIAMI LAKES, FLORIDA
REVISED AGENDA
Virtual Regular Council Meeting**

October 20, 2020

6:30 PM

Government Center

6601 Main Street Miami Lakes, FL33014

Video stream of meetings can be viewed here:

<https://pub-miamilakes.escribemeetings.com>

Pages

- 1. SPECIAL PRESENTATIONS (Presentations shall take place prior to the commencement of the Regular Council Meeting, at 6:00 PM)**
- 2. CALL TO ORDER**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)**
- 6. PUBLIC COMMENTS**

Please be advised that given the novel COVID-19 VIRUS, Miami Lakes Town Hall is closed for public meetings. Public Meetings will be taking place virtually.

Public Comments will be heard at the beginning of the meeting and once all are heard, Public Comments will be closed. Each speaker will be afforded (3) minutes to speak.

The public may participate in the virtual public meetings by utilizing any of the following 3 methods:

(1) A person wishing to submit a Live Remote Public Comment, will join the meeting via: <https://www.miamilakes-fl.gov/remotecomments>. You must have a working microphone and working web camera in order to submit a live remote public comment; this will allow you to join the scheduled Zoom meeting.

(2) A person can call in live during the meeting to listen to the meeting via phone and/or call in live during the meeting to submit a public comment, to any of the following numbers:

+1 786-635-1003

+1 312-626-6799

+1 929-205-6099

+1 253-215-8782

+1 301-715-8592

+1 346-248-7799

+1 699-900-6833

PLEASE ENTER THE MEETING ID# WHEN PROMPTED: 666 475 152#

***Please note that if you call to make public comment in live via phone or zoom (web), please do so between 5:30 pm to 6:00 pm, so you can register your name and address beforehand.**

(3) A person can submit a Pre-recorded Video for Public Comments, by visiting <https://www.miamilakes-fl.gov/remotecomments>. Videos submitted cannot exceed 3 minutes and should be submitted one day before the meeting.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD CALL TOWN HALL AT (305) 364-6100, NO LATER THAN (2) DAYS PRIOR TO THE MEETING FOR ASSISTANCE. Also, if you are hearing or speech impaired, you may join the meeting using Florida Relay Service by dialing 711 on your telephone.

All comments or questions from the virtually attending public shall be directed to the Mayor, in a courteous tone. To ensure the orderly conduct and efficiency of the meeting, public comments shall be limited to three (3) minutes maximum per person.

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 virtually attending audience become unruly, or behave in any manner that disrupts the orderly and efficient conduct of the meeting, such person will be asked to leave the Zoom meeting. As a courtesy to others, all electronic devices must be set to silent mode to avoid disruption of the proceedings.

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8. COMMITTEE REPORTS

9. CONSENT CALENDAR

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- September 8, 2020, First Budget Hearing Minutes
 - September 15, 2020, Regular Council Meeting Minutes
 - September 16, 2020, Sunshine Meeting Minutes
 - September 16, 2020, Attorney-Client Executive Session Minutes
 - September 22, 2020, Second Budget Hearing Minutes
- b. **NW 83rd Place Drainage Improvement Project (Pidermann)** 32
- A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A WORK ORDER PURSUANT TO RFQ 2017-32(K) FOR MISCELLANEOUS ENGINEERING SERVICES, WITH KIMLEY-HORN AND ASSOCIATES, IN AN AMOUNT NOT TO EXCEED FORTY NINE THOUSAND FOUR HUNDRED THIRTY DOLLARS AND 20/100 (\$49,430.20) FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NW 83rd PLACE DRAINAGE IMPROVEMENT PROJECT; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**
- c. **FEMA Fiscal Year 2020 (FY20) Hazard Mitigation Assistance (HMA) Grants Programs (Pidermann)** 43
- A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND IF GRANTED ACCEPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FISCAL YEAR 2020 HAZARD MITIGATION ASSISTANCE GRANTS PROGRAM TO PROVIDE FUNDING FOR THE WEST LAKES DRAINAGE IMPROVEMENTS PHASE IV PROJECT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO APPLY FOR AND IMPLEMENT THE TERMS AND CONDITIONS OF THE HAZARD MITIGATION PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**
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- A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF A VISITOR MANAGEMENT SOFTWARE ON AN AS NEEDED BASIS;**

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10. ORDINANCES-FIRST READING

a. Aluminum Roofs for Canopies (J. Rodriguez)

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED MATERIALS FOR TOWNHOUSE, SINGLE-FAMILY AND TWO-FAMILY CANOPIES AND ACCESSORY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE I, “IN GENERAL”, AT SECTION 13-1, “DEFINITIONS AND REFERENCES”, AND AT ARTICLE IV, “ZONING DISTRICT REGULATIONS”, DIVISION 3 “RU-TH TOWNHOUSE DISTRICT”, AT SECTION 13-442, “DEFINITIONS”, AND AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS” AT SECTION 13-1502, “ACCESSORY BUILDINGS”, AND AT SECTION 13-1506, “CANOPIES” PERMITTING ALUMINUM AND SYNTHETIC MATERIALS IN A STYLE THAT RESEMBLES WOOD CONSTRUCTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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a. Resolution regarding County Ordinances (Pidermann)

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A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING MIAMI DADE COUNTY BOARD OF COUNTY COMMISSIONERS PROPOSED ORDINANCES REDUCING NOTICE TO MUNICIPALITIES AND REQUIRING MATTERS AFFECTING THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

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- *This item requires waiver of Section 7.2 of the Special Rules of Order.
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- a. Michael Pizzi Jr. v. Town of Miami Lakes
- b. Juan Valiente v. Town of Miami Lakes
- *c. Oral Presentation on NW 170th Street Bridge

17. ADJOURNMENT

This meeting is taking place virtually and the public may participate by using any of the 3 methods described above. A copy of this Agenda 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, if you need special accommodations to participate in this meeting should contact Town Hall at 305-364-6100 two days prior to the meeting.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers
From: Gina M. Inguanzo, Town Clerk
Subject: Approval of Minutes
Date: October 20, 2020

Recommendation:

Attached please find the following minutes for your review and approval.

- September 8, 2020, First Budget Hearing Minutes
- September 15, 2020, Regular Council Meeting Minutes
- September 16, 2020, Sunshine Meeting Minutes
- September 16, 2020, Attorney-Client Executive Session Minutes
- September 22, 2020, Second Budget Hearing Minutes

MINUTES
Virtual First Budget Hearing
September 8, 2020
7:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

None

2. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 7:30 p.m.

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Luis Collazo, Joshua Dieguez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez, and Mayor Manny Cid. Councilmember Marilyn Ruano connected at 7:40 PM. Carlos Alvarez was absent.

3. MOMENT OF SILENCE:

Councilmember Josh Dieguez led the invocation.

4. PLEDGE OF ALLEGIANCE:

Town Attorney, Raul Gastesi, led the Pledge of Allegiance.

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

Mayor Cid stated that the Veteran's Committee Report, Item 8A, was to be discussed after all the budget items. Councilmember J. Rodriguez motioned to move the order of business and it was seconded by Councilmember Dieguez. All were in favor.

6. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed in the Council Chambers of the Town of Miami Lakes and that are to be respected also in virtual meetings.

Ms. Teri Olivert stated that she would like the Mayor and Councilmembers to help her connect with the appropriate contacts for the Windmill Gate community. She wants to see if there is a possibility of revamping the Windmill Gate private parking area.

Written Public Comments:

Ms. Hope Reynolds submitted several public comments via email. They were regarding the following: regarding an email sent by Mirtha Mendez, emails sent to the property appraisers offices and Miami Dade County commissioners.

Ms. Mirtha Mendez sent several public comments via email regarding the millage rate and budget hearing.

Ms. Bonnie Citron sent a public comment via email regarding the roll back rate.

7. APPOINTMENTS:

None.

8. COMMITTEE REPORTS:

A. Veteran's Committee

Chairman Angel Vazquez of the Veterans Committee proposed to do a Virtual September 11th remembrance event at Picnic Park West.

Councilmember Ruano motioned to approve the event and Councilmember Dieguez seconded the motion. All were in favor.

9. CONSENT CALENDAR:

None.

10. ORDINANCE-FIRST READING:

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE MILLAGE RATE OF THE TOWN FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR DIRECTIONS TO TAX COLLECTOR; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Town Attorney read the title of the ordinance for item 10A into the record.

The Town Manager, Edward Pidermann, read into the record the following statement: the proposed millage rate for Fiscal year 2020-21 is 2.3127 the same rate as the current fiscal year. The gross taxable value for operating purposes is three billion, six hundred and thirty-six million, nine hundred fifty-five thousand, and seven hundred and twenty-two dollars (\$3,636,955,722). The proposed millage rate will generate seven million, nine hundred ninety thousand and six hundred and twenty-eight dollars (\$7,990,628) in ad valorem revenue budgeted at 95% collection rate. The proposed millage rate of 2.3127 4.68 % above the roll back rate of 2.2094.

Vice Mayor Nelson Rodriguez moved to approve the millage rate at 2.3127. The motion was seconded by Councilmember Dieguez.

After discussion, the Town Clerk called the roll on the motion to approve item 10A in first reading. The motion passed 5-1 with Councilmember Ruano voting in opposition and Councilmember Alvarez being absent.

B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF MIAMI LAKES FOR FISCAL YEAR 2020-2021; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR THE INCORPORATION OF THE ADOPTED CAPITAL BUDGET AS THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

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

The Town Manager introduced the item.

Councilmember Dieguez proposed several suggestions. He made no motion to adopt these suggestions. He would like the Town Council to consider the following suggestions: cutting the travel budget for Mayor and Councilmembers, cutting the Florida League of Cities membership, repurposing the run-off election funding to unlock savings account, cutting the Halloween event budget, and cutting holiday banner funding. He also proposed cutting the Neighborhood Improvement Committee's Bike Rides in the Fall and re-evaluate the possibility of holding them in the Spring 2021. He stated all committee budgets should be re-evaluated due to not being able to hold events during COVID-19.

Town Manager Pidermann stated all the committees' have either cancelled or re-vamped certain events. The committees are proposed to receive the same budget they received last year.

Vice Mayor N. Rodriguez, Councilmember Dieguez and Councilmember Ruano questioned why there was an increase to Parks and Recreation salaries. Town Manager Pidermann, along with Parks and Recreation Director Danny Angel, explained these employees were hired before COVID-19 and have all been repurposed.

Vice Mayor N. Rodriguez and Councilmember Dieguez asked about the possibility of lowering our health insurances rates and asking Cigna for rebates as most employees have not been able to visit their doctors. Town Manager Ed Pidermann stated he would investigate this.

Councilmember Ruano questioned if our park facilities generated any savings during the park closures due to COVID-19. Town Manager Pidermann explained there were primary savings regarding utilities and janitorial cost.

Councilmember Collazo questioned what stage the Town was moving forward with Par-3 park. Town Manager Pidermann stated the Graham Companies were at a standstill with Miami Dade County DERM.

Councilmember J. Rodriguez moved to hold a Sunshine Meeting to discuss cuts and repurposing of funding before the second budget hearing. It was agreed for this meeting to be held on Wednesday, September 16, 2020 at 6:30 PM. Councilmember Collazo seconded the motion and all were in favor.

Councilmember Collazo then moved to approve item 10B to second reading. Councilmember Dieguez seconded the motion. The Town Clerk called the roll and the ordinance in first reading passed 6-0, with Councilmember Alvarez being absent.

11. ORDINANCE IN SECOND READING:

A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING, ADOPTING, A NON-AD VALOREM ASSESSMENT ROLL FOR SPECIAL TAXING DISTRICTS; APPROVING, ADOPTING AND RATIFYING SPECIAL ASSESSMENT DISTRICT FOR SPECIAL TAXING DISTRICTS, INCLUDING BUT NOT LIMITED TO SECURITY GUARD AND MULTIPURPOSE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

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

The Town Manager introduced the item.

Councilmember Ruano asked staff to clarify if the Neighborhood District meetings were taking place virtual. Town Manager Pidermann clarified that all the meetings had taken place virtually.

Councilmember Collazo asked if mailing notifications of these meetings had been done because there was a budget line item for mailings. Parks and Recreation Director Danny Angel stated that mailing notifications done. Mr. Angel stated that signs were posted about these meetings along with the Town Clerk's publications in the newspapers and in the Town Website.

Deputy Town Attorney Lorenzo Cobiella stated that the clerk's office had done proper notification of these meetings based on Florida Statute. He clarified that the Town is not required to due mailing notifications.

Councilmember Collazo moved to approve item 11A in second reading. Mayor Manny Cid seconded the motion. The Town Clerk called the roll, and the ordinance in second reading passed 5-0, with Councilmember Alvarez and Vice Mayor Rodriguez being absent.

12. RESOLUTIONS

None

13. NEW BUSINESS:

A. Hunger Action Day (Collazo)

Councilmember Collazo moved to recognize Feeding South Florida and the HOPE United Methodist Church. He would like to light up Town Hall in orange and for Town Staff (voluntarily) wear orange on September 10th. In addition, he would like to present a proclamation to both of these organizations whom have made it their mission to combat hunger during these very trying times, at the next Regular Council Meeting, scheduled to take place on September 15th

Councilmember Dieguez seconded the motion. All were in favor.

14. MAYOR AND COUNCILMEMBER’S REPORT:

None

15. MANAGER’S REPORT:

None

16. ATTORNERY’S REPORT:

A. Pizzi v. Town of Miami Lakes

Town Attorney, Raul Gastesi, requested to schedule an Executive Session on September 16, 2020 at 8:30 AM.

Town Manager Pidermann stated the session will take place in council chambers and that the open session of this meeting would be live-streamed.

17. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 10:30 pm.

Manny Cid, Mayor

Attest:

Gina Inguanzo, Town Clerk

MINUTES
Virtual Regular Council Meeting
September 15, 2020
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

Councilmember Collazo introduced Feeding South Florida. He expressed his gratitude, on behalf of the Town Council, and acknowledge their generosity and their efforts in feeding those in need during the COVID-19 pandemic. Councilmember Collazo said it was an honor to distribute food with this organization and thanked them for creating awareness and for their generosity since the beginning of the pandemic.

Mayor Cid thanked them for their support and for helping our community. Mayor Cid read the Proclamation that was to be given to Feeding South Florida -our partners in food distribution. September 15th was proclaimed Hunger Action Month.

Michele Fernandez, Community Engagement Coordinator from Feeding South Florida, thanked the Town Council for their support and shared some important data and facts about the organization and the community they serve.

2. ROLL CALL:

Mayor Manny Cid called the meeting to order at 6:30 pm.

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Councilmember Collazo, Josh Dieguez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Marilyn Ruano and Councilmember Carlos Alvarez joined the meeting at approximately 6:37 pm.

3. MOMENT OF SILENCE:

Pastor Louis Egipciaco from Elevate Church led the prayer.
Ariel Fernandez led a moment of mediation from Better You Minute.

4. PLEDGE OF ALLEGIANCE:

Pledge of the Allegiance was led by Jean Carlos Pineda from Cub Scout 484.

Vice Mayor Rodriguez asked for a moment of silence in honor of the police officers that have been shot in the last few days.

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

Mayor Cid moved item 13A, to be discussed after Public Comments, Councilmember Dieguez asked to defer his new business item, Item 13B to the October Council Meeting, Item 8B from the Cultural Affairs Committee Report and Item 8C from the Youth Activity Task Force Report to be added to the Agenda. Councilmember Collazo moved to accept the new order of business and the motion was seconded by Vice Mayor Rodriguez. All were in favor.

6. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed in the Council Chambers of the Town of Miami Lakes and that are to be respected also in virtual meetings.

No public comments.

7. APPOINTMENTS:

None

8. COMMITTEE REPORTS

A. Economic Development Committee

Chairman Eddie Blanco reminded the Town Council that \$10,000 of the EDC budget goes to the Miami Lakes Chamber of Commerce (MLCC), \$3,000 of that goes to memberships and \$7,000 goes to the Busines Expo. He stated that due to COVID-19, it looks like the Business Expo is not taking place this year.

Chairman Blanco requested that the \$3,000 from EDC budget that is allocated to memberships form MLCC, for it no longer to be paid from the EDC budget and asked to remove it from the line item of the EDC; he explained that the committee would like for the \$3,000 to be paid from the Town’s General Budget and that the Town should pay directly to the Chamber.

Councilmember Dieguez made a motion to re-direct and/or re-allocate the \$3,000 membership fee allocated to the Miami Lakes Chamber of Commerce, instead of funding it from the EDC budget, for it to be funded directly from the Town’s General Fund Budget as one of our paid memberships and for this to come to fruition starting October 1, 2020 - for the new fiscal year. The motion was seconded by Councilmember Ruano and all were in favor.

Councilmember Dieguez then provided direction to the Town Manager and stated he would like for the EDC to keep \$3,000 in their budget and for the committee to re-program it as they seem fit and for it to come from the contingency budget, but Councilmember Dieguez emphasized that this needed to be discussed in the Sunshine Meeting. Councilmember J. Rodriguez

seconded it for discussion purposes. Councilmember Dieguez emphasized that this needs to be discussed further at the Sunshine Meeting taking place on September 16th but that for the moment, the \$3,000 would come from the contingency budget.

After further discussion on this matter, Councilmember J. Rodriguez made a friendly amendment to Councilmember Dieguez' motion, and stated that he would like to have a discussion pertaining to the \$3,000 to be added to the EDC budget, at the Second Budget Hearing, as part of the Manager's Report. Councilmember Collazo seconded the motion and all were in favor.

The main motion, as amended, passed unanimously.

B. Cultural Affairs Committee

Chairman Neil Robinson, requested that a cultural center is needed in the town and asked for the project and ideas of the CAC, be considered and taken into consideration while discussing the Strategic Plan. He explained that due to COVID-19, many of their events were cancelled. He asked that the monies not spent be put in a segregated account or in an escrow to be used for the planning and research for a cultural center in our town. Chairman Robinson asked the Town Council to consider the Committee's request.

Town Manager Pidermann explained that the cultural center has not been adopted by the Town Council as a project in the Strategic Plan, so he thought it would be premature to start funding for a project that has not been accepted nor prioritize. The Town Manager also explained that monies not spent should be re-allocated into the town's reserves Fund Balance, in order to be able to fulfill the demands of having a 20% Town Reserves fund balance as mandated by Ordinance 20-256.

Chairman Robinson then added that the CAC needs to purchase a case to display the Tequesta Indian artifacts and that this case will be placed in Town Hall. The case will cost \$3,000 and that the CAC was requesting authorization from the Town Council to do so. On that discussion, Councilmember Collazo made a motion to sponsor the request from the CAC and to take it from the already budgeted funds, in order to be able to display the remaining artifacts. The motion was seconded by Councilmember Dieguez.

After discussion, Councilmember Dieguez made an amendment to the motion. He stated that he would like for Town Staff to actively get private sponsors first, and if no private sponsors are found, then to use the CAC monies. This amendment was seconded by Councilmember Collazo.

The Town Clerk called the roll and the amendment to the motion passed unanimously. The Town Council clarified that if no private sponsors are found, Town Staff will bring it back to the Town Council at the second budget hearing, to provide an update under the Manager's Report section of the agenda.

After additional discussion, Councilmember Ruano made a motion to table this item, and for this to be discussed at the next Tuesday, Second Budget Hearing; Councilmember Ruano emphasized that private funding should be pursued first and that the Town Council should discuss it next Tuesday at the Second Council Meeting. Mayor Cid seconded the motion to table. The Town Clerk called the roll and the motion passed 4-3; Councilmember Alvarez, Collazo and Dieguez voted in opposition.

On a separate item, Chairman Robinson also spoke about the Hialeah Women Club, who have pledged their financial support with purchasing a historical marker to be placed in the Town of Miami Lakes. On a third and separate item, Chairman Robinson stated that the Women Club of Hialeah have pledged money for an art competition to be held in Miami Lakes.

C. Youth Activity Task Force

Chairman Brian Rodriguez, requested to move \$860.00 from the revenues line item to the Movies in the Parking Lot line item to complete the August payment and \$4,000 from the Revenues line item to Movies in the Parking Lot line item for one more movie to take place in the month of October. Councilmember Alvarez made a motion to authorize the movement of monies from one line item to the Movies in the Parking Lot Line Item. The motion was seconded by Councilmember Collazo and all were in favor.

9. CONSENT CALENDAR:

Councilmember Dieguez moved to approve the Consent Calendar. Councilmember J. Rodriguez seconded the motion. All were in favor.

A. APPROVAL OF MINUTES

- August 18, 2020 Regular Council Minutes
- August 19, 2020 Sunshine Meeting Budget Minutes

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT THE 2021 MIAMI-DADE COUNTY NEAT STREETS TREE MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE 2020 MIAMI-DADE COUNTY NEAT STREETS TREE MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Approved on Consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, WAIVING SECTION 5 OF TOWN ORDINANCE 17-203; APPROVING THE AWARD OF CONTRACT #2020-04 FOR MISCELLANEOUS DRAINAGE AND ROADWAY SERVICES AS NEEDED IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; 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 (Pidermann)

Approved on Consent

10. ORDINANCE – FIRST READING:

None.

11. ORDINANCE – SECOND READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 35, ARTICLE III, COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY, DIVISION 3 PERMITTING AND PLACEMENT OF COMMUNICATION FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Dieguez)

The Town Attorney read the title of the ordinance into the record.

Mayor Cid opened the public hearing. There being no one wishing to speak, Mayor Cid closed the public hearing.

Town Manager Pidermann presented the item and explained that this ordinance modifies the Code to improve and preserve the aesthetic appeal and beauty of the Town of Miami Lakes. Councilmember Dieguez stated that this ordinance amends the Code regarding the 5G technology by placing criteria of communication poles in the rights-of-way.

Councilmember Dieguez moved the ordinance in second reading and the motion was seconded by Councilmember Collazo. The Town Clerk called the roll and the motion passed 7-0.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 19-251 AND AMENDED BY ORDINANCE 20 – 258; AMENDING THE TOWN’S FISCAL YEAR 2019-2020 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. (Pidermann)

The Town Attorney read the title of the ordinance into the record.

Mayor Cid opened the public hearing. There being no one wishing to speak, Mayor Cid closed the public hearing.

Town Manager Pidermann presented the Ordinance to approve the budget amendment to expedite the Breanna Vergara Courtyard project at Royal Oaks Park. Vice Mayor Rodriguez made a motion to approve the ordinance in second reading and it was seconded by Councilmember J. Rodriguez.

The Town Clerk called the roll and the motion passed approving the ordinance in 2nd reading, 7-0.

12. RESOLUTIONS:

- A. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE 2020 MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY; AUTHORIZING THE TOWN MANAGER TO IDENTIFY AND PRIORITIZE HAZARD MITIGATION GRANT PROGRAM PROJECTS TO BECOME A PART OF THE LOCAL AND STATEWIDE HAZARD MITIGATION STRATEGY; AUTHORIZING THE TOWN MANAGER TO APPLY FOR GRANTS TO IMPLEMENT PROJECTS UNDER THE LOCAL MITIGATION STRATEGY; AUTHORIZING THE TOWN MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE REQUIRED DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.(Pidermann)

The Town Attorney read the title of the resolution into the record.

Town Manager Pidermann presented the item and explained that this allows us to re-adopt the LMS for our town. Councilmember Alvarez made a motion in support of adopting the 2020 Miami Dade County Local Mitigation Strategy. Councilmember J. Rodriguez seconded the motion. All were in favor.

12. NEW BUSINESS ITEMS

A. American Flag Retirement Box (Cid and co-sponsored by Town Council)

Mayor Cid introduced his item and introduced longtime resident Sean P. Schwinghammer to speak about this item. Mr. Schwinghammer explained that his Boys Scout Troop has been collecting flags to be retired and that by having an American Flag Retirement Box permanently placed in Town Hall, it will allow more accessibility, consistency and proper handling of American flags. He also pledged that his Boys Scout Troop will maintain it.

Mayor Cid asked the Town Council to approve the concept and for Mr. Schwinghammer to run with the project and coordinate with Town Staff. Councilmember Collazo seconded the motion.

The motion passed unanimously.

B. Executive Order (J. Rodriguez)

Councilmember Dieguez deferred his New Business Item to the October 20th, Regular Council Meeting.

14. MAYOR AND COUNCILMEMBER REPORTS:

Councilmember Dieguez gave an update on the Census. He gladly stated that the Town of Miami Lakes response pertaining the Census is at 73% plus - one of the leading municipalities in the county. He also mentioned that the quadrant that needs to be a little more responsive is the NE – quadrant where Town Hall sits.

15. MANAGER'S REPORTS

A. Distance Learning Program Update

Town Manager Pidermann provided an update on the Learning Program at Royal Oaks Park, as requested last month at the Regular Council Meeting.

Parks and Recreation Director, Danny Angel, provided the update and stated that 20 participants are enrolled in the program and 17 of these participants are residents. He explained if the enrollment goes up to 36 participants, Town Staff would open another facility. This program is in collaboration with the YMCA. One teacher assists all students in the afternoon.

Councilmembers stated that they were pleased and moved with the program and the safety guidelines provided in the location.

B. Town Manager Monthly Police Report

Javi Ruiz, Town Commander, presented the Monthly Police report. Town Commander Ruiz stated that LPR's have been installed in 4 guard gates of Royal Oaks area. Police Officers are monitoring the software and any alerts.

16. ATTORNEY'S REPORTS:

The Town Attorney reported that regarding the Pizzi Case, an Executive Session will be taking place on Wednesday, September 16th.

18. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 9:00 pm.

Approved this 20th day of October 2020

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk

MINUTES
Virtual Sunshine Meeting
September 16, 2020
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. Call to Order:

Meeting began at 6:45 pm.

The following councilmembers were virtually present: Carlos Alvarez, Luis Collazo, Josh Dieguez, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Nelson Rodriguez and Mayor Manny Cid.

The following Town Staff members were virtually present: Town Manager Edward Pidermann, Assistant Town Manager Tony Lopez, Deputy Town Attorney Lorenzo Cobiella, Deputy Town Clerk Ashley Shepple, Strategic Planning, Performance & Innovation Manager German Cure, Helpdesk Staff, Chief Financial Officer Ismael Diaz, Controller Kay Grant and Budget Officer Melissa Hernandez.

Items Discussed:

- **To Discuss All the Funds of the Budget Proposal for Fiscal Year 2020-221**

Notes on the meeting:

During this meeting, the Mayor and Councilmembers discussed each line item of the proposed FY20-21 budget and analyzed in detail the possibility of cutting or repurposing some funding options. Mayor and Councilmembers also discussed the proposals made from the Cultural Affairs Committee and the Economic Development Committee, at the September 15th Regular Council meeting.

Adjournment:

This meeting was adjourned at 9:30 p.m.

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk

MINUTES
Attorney-Client Executive Session
October 22, 2019
8:30 A.M.
Council Chambers
6601 Main Street
Miami Lakes, Florida 33014

* NOTICE WAS HEREBY GIVEN THAT ON WEDNESDAY, **SEPTEMBER 16TH, 2020 AT 8:30 A.M.** THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES CONDUCTED AN ATTORNEY-CLIENT EXECUTIVE SESSION. THE OPEN SESSION OF THIS MEETING WAS CONDUCTED VIRTUALLY, GIVING ACCESS TO THE PUBLIC. THE CLOSED SESSION WAS HELD AT COUNCIL CHAMBERS, AT MIAMI LAKES TOWN HALL, 6601 MAIN STREET, MIAMI LAKES, FLORIDA 33014.

*DUE TO THE NOVEL COVID-19 VIRUS, MIAMI LAKES TOWN HALL IS CLOSED FOR PUBLIC MEETINGS. PUBLIC MEETINGS ARE TAKING PLACE VIRTUALLY. THUS, THE OPEN SESSION OF THE EXECUTIVE ATTORNEY-CLIENT EXECUTIVE SESSION WAS LIVESTREAMED, FOR THE BENEFIT OF THE VIRTUALLY ATTENDING PUBLIC.

1. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 9:05 a.m.

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers being present: Councilmember Luis Collazo, Councilmember Josh Dieguez, Councilmember Jeffrey Rodriguez and Mayor Manny Cid. Vice Mayor Rodriguez participated via telephone call. Present as well were: The Town Manager, Ed Pidermann, Town Attorneys, Raul Gastesi, Lorenzo Cobiella from Gastesi, Lopez and Mestre, PLLC; Attorney's Onier Llopiz and Joan Carlos Wizel from Lydecker Diaz and the Certified Court Reporter participated via telephone call.

3. Public Meeting Session:

Mayor Manny Cid read into the record the following statement:

Michael A. Pizzi, Jr. vs. Town of Miami Lakes, Florida [Miami-Dade Case No.: 15-019303-CA-01]

Mayor Cid also read into the record that

“that Section 286.011(8), Florida Statutes provides an exemption from the public meetings law in order to allow the Town Council to conduct a closed session to discuss strategy related to

litigation expenditures and/or settlement negotiations in a pending lawsuit. This is what the Town Council will be doing today. This session will be recorded by a court reporter. The transcript will be filed with the Town Clerk and it will remain sealed until the conclusion of the litigation. When the litigation has concluded, the transcript becomes public record and can be requested by anyone.

This attorney-client session is estimated to last two hours. The names of those individuals attending today's attorney-client session are:

1. Myself,
2. Town Councilmembers Carlos O. Alvarez, Luis Collazo, Josh Dieguez, Jeffrey Rodriguez, Vice Mayor Rodriguez and Marilyn Ruano
3. Town Manager Edward Pidermann;
4. Town Attorneys Raul Gastesi, Jr., Esq. and Lorenzo Cobiella from Gastesi, Lopez and Mestre, PLLC.
5. Attorney's Onier Llopiz and Joan Carlos Wizel from Lydecker Diaz and
6. A Certified Court Reporter

The individuals named above, were the only individuals allowed to stay at the Council Chambers to conduct and participate at the private attorney-client session. Once the attorney-client session is done, the Council will once again meet at the open public meeting, to adjourn.

At approximately 9:10 am, the Town Council closed the open session and convened in the Council Chambers to start the private session.

Once the private session was done, they re-opened the public meeting at approximately 10:11 am. This portion of the meeting was livestreamed again.

No action was taken by the Town Council.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 10:12 am.

Approved this 20th day of October 2020.

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk

MINUTES
Virtual 2nd Budget Hearing
September 22nd, 2020
7:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

None

2. ROLL CALL:

Mayor Manny Cid called the meeting to order at 7:31 pm.

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Carlos Alvarez, Luis Collazo, Jeffrey Rodriguez, and Mayor Manny Cid. Vice Mayor Rodriguez joined the meeting at approximately 7: 38 pm, Councilmember Marilyn Ruano joined the meeting at approximately 7:38 pm. Councilmember Josh Dieguez joined the meeting at approximately 7:46pm.

3. MOMENT OF SILENCE:

Deputy Town Manager, Tony Lopez, led the prayer.

4. PLEDGE OF ALLEGIANCE:

Pledge of the Allegiance was led by Parks and Recreation Director, Danny Angel.

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

Mayor Cid moved to add Item 8b and reminded everyone that both Committee Reports would be discussed after the Manager's Reports. Councilmember J. Rodriguez pulled Item 13B. Councilmember Collazo moved to accept the new order of business and the motion was seconded by Councilmember J. Rodriguez. All were in favor.

6. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed in the Council Chambers of the Town of Miami Lakes and that are to be respected also in virtual meetings.

Mr. Carlos Fernandez Guzman, expressed his concern over any possible consideration for the reduction of the millage and reduction of services; he stated that the Miami Lakes has had a high standard of living for many years; that he had served as the president and treasurer of the Optimist Club; that he served the community well, that the Town of Miami Lakes has provided good infrastructure and protection at high levels that have been envied by many other communities, that a reduction of the millage rate will only put in jeopardy the ability to provide those services and skills that are necessary by the community; he stated that he is the CEO of a local bank and that he does not want the town to sacrifice now and to have to catch up later; he recommended not to increase the millage rate but to continue at the current rate, to maintain and protect our residents and our infrastructure.

Mr. Eddie Blanco stated that he believes in fiscal conservatism; that the prudent thing to do is to keep the way it is ; that the Town of Miami Lakes has the fourth lowest millage rate in the country and that he would like to see us keeping our taxes low, but to roll back is concerning; sidewalks, replanting trees and drainage systems all need to be taken care of; he expressed his concern over the possibility of not getting the projections from the state funds and the impact from covid-19; to watch the budget as much as we can but leave the millage rate as is.

Written Public Comments:

Ms. Mirtha Mendez sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Ms. Bonnie Cintron sent a written public comment regarding taxes and expenditures in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Ms. Hope Reynolds sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Albert Aguiar sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Ms. Daissys Estrada sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Angel Gonzalez sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Jorge Llerena sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Lina Cantero sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Darlene Estevez sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Andres Rodriguez sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Ms. Rocio Garcia sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Ocasio Aguiar sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Mr. Alexander Ariano sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

Ms. Pilar Dalmau sent a written public comment in opposition of the proposed millage rate and asked for the rolled back rate of 2.2094.

7. APPOINTMENTS:

None

8. COMMITTEE REPORTS

A. Economic Development Committee

Chairman Eddie Blanco spoke on behalf of the EDC and asked the Town Council for approval of two different matters.

On the first item, Chairman Blanco explained that the EDC would like to host a Candidates Forum/Debate to take place during the second week of October; the Debate to include the four candidates running for office in the Town of Miami Lakes Municipal Election and also to include in this debate, the four candidates that are running for the State Representative Seats #103 and #110. Chairman Blanco explained that the debate would be free of cost. Mayor Cid made a motion to approve the EDC hosting the debate and Councilmember Dieguez seconded the motion. Councilmember Dieguez asked Chairman Blanco to consider partnering with the Miami Lakes Bar Association due to the fact that the Bar Association had already mentioned that they wanted to host a debate in October. Chairman Blanco acknowledge to reach out to the Bar Association.

The Town Attorney recommended for Councilmember Ruano to recuse herself from voting, due to the fact that she is a candidate for the Municipal Town of Miami Lakes elections.

The motion passed 6-0; Councilmember Ruano recused herself from voting.

On the second matter, Chairman Blanco explained the EDC would like to do a Scavenger Hunt, from November 12th to November 28th, to promote small businesses in our town. The funding source would come from an existing line item from the Communications Department, to promote economic development and the App to be purchased, will be able to be used for other committees as well. Vice Mayor Rodriguez motioned to allow the Scavenger Hunt and it was seconded by Councilmember Rodriguez. The motion passed unanimously.

Chair Blanco mentioned that EDC member Andrea Rechichi was the person who came up with this idea and thanked her for it.

B. Cultural Affairs Committee

Chairman Neil Robinson thanked the councilmembers who were instrumental in making the private sponsorships happened and thanked JC Fernandez and SFM for donating funds towards the case that will be bought and for making it possible, for the articles to be displayed in Town Hall.

Chairman Robinson presented his first item. He explained that the CAC would like to work collaboratively with the Hialeah Women’s Club to advertise the Children Art Competition for the youth of the Town of Miami Lakes – to include all students in public, charter and private schools in K-12, and that it would be funded by that grant. Chairman Robinson explained that the CAC is requesting the authorization from the Town Council to accept the funding from Hialeah Women Club. The total amount of the grant is \$40,000. Mayor Cid motioned to approve the authorization and it was seconded by Councilmember Collazo. All were in favor.

Chairman Robinson presented another item. He explained that CAC would like to work with the Hialeah Women Club to identify a historical sight in Miami Lakes and for Historical Marker to be placed in the town. Councilmember Collazo moved to approve the CAC request and it was seconded by Mayor Cid and Councilmember J. Rodriguez, simultaneously. It was discussed that the Town Council is welcomed to be involved in identifying the sight of this historical marker. The motion passed unanimously.

Chairman Robinson presented a third item. He explained that the CAC would like to recognize the Hispanic Heritage Month by hosting a “Hispanic Family Dinner Drive-thru Afternoon”. Mayor Cid made a motion to approve and establish the Hispanic Family Dinner Drive-thru for only families of the town.

Mayor Cid made a motion to extend the Budget Meeting to 11:20 pm. Councilmember Dieguez seconded the motion and all were in favor.

The motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 5-2; Councilmember Alvarez and Dieguez voted in opposition.

9. CONSENT CALENDAR:

None

10. ORDINANCE – FIRST READING:

None

11. ORDINANCE – SECOND READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE MILLAGE RATE OF THE TOWN FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR DIRECTIONS TO TAX COLLECTOR; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Town Manager, Edward Pidermann, read into the record the following statement: the proposed millage rate for Fiscal year 2020-21 is 2.3127 the same rate as the current fiscal year. The gross taxable value for operating purposes is three billion, six hundred and thirty-six million, nine hundred and fifty-five thousand, and seven hundred twenty-two dollars (\$3,636,955,722). The proposed millage rate will generate seven million, nine hundred ninety thousand, six hundred and twenty-eight dollars (\$7,990,628) in Ad Valorem revenue budgeted at 95% collection rate. The proposed millage rate of 2.3127 is 4.68% above the roll back rate of 2.2094.

Councilmember Alvarez moved to approve the millage rate at 2.3127. The motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 6-1; Councilmember Ruano voted in opposition.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF MIAMI LAKES FOR FISCAL YEAR 2020-2021; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR THE INCORPORATION OF THE ADOPTED CAPITAL BUDGET AS THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Town Manager, Edward Pidermann, presented the item.

Councilmember Dieguez made a motion to adopt the budget. The motion was seconded by Councilmember Collazo.

After some discussion, Councilmember Collazo made an amendment to the main motion to take \$100,000 earmarked to the PTP monies and allocate it to immediate infrastructure projects, so that the monies would be delivered for infrastructure lighting, for pedestrian crosswalks improvements that both Councilmember Alvarez and Councilmember Dieguez have been advocating for; that is, Councilmember Collazo re-stated the motion for \$100,000 earmarked

to the PTP monies, to be added to the budget for capital expenses. The motion was seconded by Vice Mayor Rodriguez.

After some discussion, Councilmember Ruano made a motion to amend Councilmember Collazo's motion and stated that she would like to allocate \$250,000 from the line item of the PTP funding and to earmark it for the 83rd Place drainage project. The motion was seconded by Councilmember Dieguez. After further explanation from Town Staff, Councilmember Ruano withdrew her amendment to the motion.

The Town Clerk called the roll and Councilmember Collazo's amendment to the main motion passed unanimously.

Councilmember J. Rodriguez then asked the Town Manager to provide the Town Council, at the next meeting, a reasonable solution to fix the 83rd Place drainage problem and to determine how much will be the cost of the project and what funds will it come from, so that an educated decision could be made.

Councilmember J. Rodriguez then made a motion to take the \$100,000 that was moved from the PTP monies, and instead take them from the contingency reserve fund that we have in a mobility fee trust account funds, and take it from \$295,000 to \$195,000 and then repay those PTP funds. The motion was seconded by Councilmember Ruano. The Town Clerk called the roll and the motion passed unanimously.

Councilmember Ruano made a motion to allocate \$238,000 from contingency and move it to capital fund for drainage of the 83rd Place project and \$100,000 be moved from the 59th avenue PTP project to the drainage of the 83rd Place project. Councilmember J. Rodriguez seconded the motion. The Town Clerk called the roll and it passed unanimously.

Councilmember Dieguez made a motion to amend the budget so that the \$15,000 of the travel budget line item, the \$2,000 of the National League of Cities line item and the \$3,000 of Holiday Banner line item are rolled into the savings fund. The motion was seconded by Councilmember J. Rodriguez.

Councilmember Collazo made an amendment to Councilmember Dieguez' motion, and stated that he would like to insulate the mayor's portion – leave the Mayor's portion intact for him to travel- and for all the other 6 councilmembers to forego their portion of the travel budget; for the \$15,000 budget line item to go down to \$3,000. The motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 4-2, with Vice Mayor Rodriguez and Councilmember Dieguez voting in opposition. Town Attorney Raul Gastesi advised Mayor Cid to recused himself on this vote. Mayor Cid recused himself.

The Town Clerk called the roll on Councilmember Dieguez' motion, as amended, and the motion passed 5-1; Vice Mayor Rodriguez voted in opposition and Mayor Cid recused himself.

Councilmember Ruano made a motion to put on hold the tree planting and replacing of trees for this new fiscal year – because it is an uncertain year- and wait and see how the year progresses with regards to the state revenue sharing and if the funding is there and available, then move forward to revisit at a later date and leave it “as is”; she also suggested putting those monies into the fund balance. Councilmember Dieguez seconded the motion. The Town Clerk called the roll and the motion did not pass 3-4; Councilmembers Alvarez, Rodriguez, Vice Mayor Rodriguez and Mayor Cid voted in opposition.

The Town Clerk called the roll on the main motion to adopt the budget, as amended, and the motion passed unanimously.

12. RESOLUTIONS:

None

13. NEW BUSINESS ITEMS

A. Vote of Confidence (Cid)

Mayor Cid made a motion for a vote of confidence to be given to the Town Manager, Ed Pidermann and the motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 6-1; with Councilmember Ruano voting in opposition.

Mayor Cid made a motion for a vote of confidence to be given to the Town Attorney, Raul Gastesi and Deputy Town Attorney, Lorenzo Cobiella and the motion was seconded by Vice Mayor Rodriguez. The Town Clerk called the roll and the motion passed 7-0.

Mayor Cid made a motion for a vote of confidence to be given to the Town Clerk, Gina M. Inguanzo and the motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 7-0.

Mayor Cid made a motion for a vote of confidence to be given to the Town Police Department and the motion was seconded by Councilmember Collazo. The Town Clerk called the roll and the motion passed 7-0.

Mayor Cid made a motion to extend the meeting for 10 more minutes. The motion was seconded by Councilmember Collazo and all were in favor.

Mayor Cid made a motion for a vote of confidence to be given to the entire Town Staff and the motion was seconded by the entire Town Council. The Town Clerk called the roll and the motion passed 6-0; Councilmember Alvarez was absent.

B. Lake Katherine Special Taxing District (J. Rodriguez)

This item was pulled by Councilmember J. Rodriguez.

14. MAYOR AND COUNCILMEMBER REPORTS:

None

15. MANAGER'S REPORTS

A. Amending the FY 20-21 Budget to Transfer \$3,000 from Contingency Line for Economic Development Committee Budget

Town Manager Pidermann reminded the Town Council that in the last Regular Council Meeting, they took a vote to move the \$3,000 that was allocated to the Miami Lakes Chamber of Commerce from the Economic Development Committee and to move it to Administration, for the Town to pay it as a membership.

Town Manager Pidermann also reminded the Town Council that on the last Regular Council Meeting, the Town Council spoke about potentially reallocating \$3,000 additional funds to the Economic Development Committee from the Contingency Account. Town Manager Pidermann reminded the Town Council, that they voted to have a discussion regarding the \$3,000 at the 2nd Budget Hearing.

Town Manager Pidermann explained that after the discussion held during item 11B, the funds in the Contingency account will now be allocated for the 83rd Place Drainage project.

After some discussion, Councilmember Collazo made a motion for the Town Council as a whole, to come together and get private sponsorships and contribute to the \$3,000 that the EDC is requesting, and try to leverage this amount on their behalf, since the Town Council will use the contingency funds for other things; maybe each councilmember can try to get \$500 in commitments and try to bridge that gap. The motion was seconded by Councilmember Dieguez. All were in favor.

B. Seeking Private Sponsorship for Cultural Affairs Committee Request

Councilmember Dieguez acknowledge and thanked resident JC Fernandez, who stepped up and gave \$1,500 sponsorship to buy the case to be able to display the artifacts in Town Hall. Councilmember Dieguez thanked him and stated that he is a Miami Laker who loves our town and who wants to commemorate the history of our town. The Town Council thanked Mr. Fernandez.

Councilmember Collazo added that he was able to gather the remaining \$1,500 from a private sponsorship donated from SFM. Councilmember Collazo thanked SFM and Mr. Christian Infante for the donation and for understanding the importance of preserving these artifacts. Councilmember Collazo summarized that by the donation of JC Fernandez and SFM, the total cost of the case to preserve the artifacts has been covered.

The Town Council thanked both private sponsors.

16. ATTORNEY'S REPORTS:

None

18. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 12:35 am.

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk



Town of Miami Lakes Memorandum

To: Honorable Mayor & Councilmembers

From: Edward Pidermann, Town Manager

Subject: Award of a Work Order for Professional Engineering Services for the NW 83rd Place Drainage Improvement Project

Date: October 20, 2020

Recommendations:

It is recommended that the Town Council authorize the Town Manager to execute a work order with Kimley-Horn and Associates, Inc. (“KHA”) for professional engineering services, in an amount not to exceed \$49,430.20, under existing Contract 2017-32 for Continuing Civil Engineering Services for Miscellaneous Projects. Funds for this work order are budgeted from the Capital Improvement Fund in Fiscal Year 2020-21.

Background:

In 2012, the Town updated its Stormwater Master Plan and identified NW 83rd Place from NW 158th Terrace to NW 162nd Street as a location for drainage improvements. Subsequently, in 2014, the Town installed 500 linear feet of 24 inch exfiltration pipe as part of the drainage improvements on this street.

In 2017, the Town received flooding reports, particularly during the months of June and July which showed rainwater had reached garage doors of properties located at 15960 and 16000 NW 83rd Place. Since then, Town Staff has noticed continued street flooding on NW 83rd Place during heavy and subsequent rainfall events.

At the second budget hearing held on September 22, 2020, the Town Council directed Staff to address the flooding concerns, and allocated available funds for the design and construction of additional drainage infrastructure on NW 83rd Place. Staff has contacted KHA, and has obtained a proposal for design and permitting of drainage improvements.

Therefore, Town Staff recommends approval of the work order to KHA for professional engineering services for the design and construction plans for drainage improvements along NW 83rd Place.

Attachments:

Consultant Work Order Proposal
Resolution

CONSULTANT WORK ORDER PROPOSAL

Date: October 8, 2020

Dear Mr. Acosta:

Kimley-Horn and Associates, Inc. (Consultant or KHA) proposes to provide the services identified below for the project entitled "**Work Order No. 10, NW 83rd Place Drainage Improvements**", pursuant to its Professional Service Agreement with the Town of Miami Lakes (the Town) for **2017-32, Continuing Civil Engineering Services for Miscellaneous Projects**, dated **November 16, 2017**.

I. General

The Town is experiencing flooding along NW 83rd Place between NW 158th Terrace and NW 162nd Street. As such, the Town would like for the Consultant to prepare a design and deliver construction plans to improve stormwater management and provide stormwater quality along NW 83rd Place. The professional services associated with this project includes design, permitting, bid document development, bidding assistance, and limited construction phase services.

II. Scope of Work

Task 1- Project Initiation, Survey, Geotechnical, and Schematic Design

As part of this task, the Consultant shall obtain, review, and analyze survey and soil testing for the Project Area. Upon receipt of the survey and geotechnical information, the Consultant shall visit the site to collect data and note existing conditions. The survey and information collected during the site visit will be utilized to develop a schematic design plan. The schematic design plan will be presented to the Town on one (1) plan sheet identifying proposed drainage improvements and existing conditions. The schematic drainage design plan will be the basis for discussion with Town staff.

As part of this task, two (2) copies of the survey will be forwarded to each utility company known to operate in the vicinity of the Project Area. Each utility company will be requested to return one redlined survey, identifying the horizontal and vertical location of their facilities. This information will be incorporated into the schematic design plan upon receipt from the utility companies.

As part of this Task, the Consultant shall attend one (1) meeting with Town staff.

Deliverables:

- 1.1 Site survey
- 1.2 Geotechnical Report
- 1.3 Schematic Design

Task 2- Design Development Plans

Utilizing the survey, soil testing results and schematic design plan developed in Task 1 above, the Consultant shall prepare preliminary 60% design plans for the construction of paving and drainage improvements within the Project Area. These Design Development Plans shall show the geometric layout on top of the base survey data. The basis for design will be the Miami-Dade County Public Works Manual and Florida Department of Transportation (the "FDOT") Standard Indexes where applicable. The following plan sheets will be included in the Design Development Plans:

1. Key Sheet – Project title, vicinity map, engineer of record, and other appropriate information.
2. Plan and Profile Sheets (in a 22" x 34" format) – Containing the geometric, horizontal and vertical alignment for the milling and resurfacing of the roadways within the project area. These sheets shall also contain the horizontal, vertical, and geometric alignments for modifications/additions to the existing drainage system.
3. Miscellaneous Construction Details – These sheets shall provide construction details that are not included in the FDOT Standard Indexes or Miami-Dade County Details.
4. Miscellaneous Drainage Details – These sheets would provide drainage details that are not included in the FDOT Standard Indexes or Miami-Dade County Details.
5. Typical Signing and Pavement Marking Details – Signing and pavement markings shall be detailed for use in the project.

Deliverables: 60% Design Plans

Task `3- Drainage Design and Permitting

3.1 Coordination Meetings

The Consultant shall attend one (1) coordination meeting each with representatives of the South Florida Water Management District (SFWMD), Miami Dade County Department of Environmental Resources Management ("DERM") and the Miami-Dade County Department of Public Works ("Miami-Dade Public Works") during the course of the design and permitting process. The intent of the meetings will be to review the proposed design and permitting requirements.

3.2 Hydraulic Analysis

The hydraulic analysis shall be completed for the Project Area based upon the geotechnical and survey information obtained in Task 1. During the analysis, the volume of stormwater runoff shall be calculated from the design storm and the capacity of the existing stormwater collection system shall be evaluated. The results of the above noted calculations along with the incorporation of budget constraints will be the basis for design of the proposed stormwater system. The analysis shall consider the option of incorporating an outfall to the proposed improvements.

3.3 Permitting

The Consultant shall prepare and submit permit applications to SFWMD, DERM and Miami-Dade Public Works. The package will consist of the permit application form, pre-development and post-development runoff calculations, and the Design Development Plans. Responses to comments (one set of review comments by DERM and Miami-Dade Public Works) will be prepared within the Final Construction Plans. The Town will pay all permit fees directly.

Deliverables:

- 3.1 Drainage Report
- 3.2 Approved permits

Task 4- Final Construction Plans

Upon receipt of comments from DERM and Miami-Dade Public Works, the Design Development Plans will be upgraded to Construction Plans incorporating the permitting agency comments.

Deliverables: Final Construction Plans and Specifications

Task 5- Bidding Assistance

It is our understanding that the Town will use a competitive bidding process to hire a contractor to construct the improvements described in the final construction plans and contract documents. Upon request, The Consultant shall consult with and advise the Town and act as its representative for the proposed improvements during the bidding process. This task is limited to attendance at a pre-bid meeting and issuance of addenda in response to contractor questions. Once bids are received, the Consultant shall review the bids and prepare a bid tabulation sheet for use in making the recommended award.

Task 6- Limited Construction Phase Services

This task is to provide Limited Construction Phase Services by the Consultant during construction of the Project. This scope of services is based on the project being constructed in 120 calendar days. There are six separate limited construction phase services sub tasks regarding the Project. The tasks are as follows:

1. **Meetings**
2. **Resident Project Representation**
3. **Shop Drawing Review**
4. **Contract Clarification**
5. **Review of Pay Application**
6. **Project Close Out**

Meetings: The Consultant shall attend one (1) pre-construction meeting and bi-weekly progress meetings with the Construction Manager and their Contractor(s) to assess the project schedule and Contractor progress for the duration of the construction process. This task includes eight (8) progress meetings. Meeting minutes will be provided by the Consultant.

Resident Project Representation: A Resident Project Representative (“RPR”) shall be furnished by The Consultant and shall act as directed by The Consultant in order to assist The Consultant in observing performance of the work of the Contractor(s).

The RPR shall visit the site an average of once a week for a total of eight (8) site visits during construction to observe the progress and quality of the executed work of the Contractor(s) and to determine if such work is proceeding in accordance with the contract documents for the construction of the improvements (the “Contract Documents”). The RPR will be onsite for up to 2 hours for each site visit. The RPR shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by Contractor(s) or the safety precautions and programs incident to the work of Contractor(s). The RPR’s efforts will be directed toward providing the Town with a greater degree of confidence that the completed work of Contractor(s) will conform to the Contract Documents. The RPR shall not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During such visits and on the basis of on-site observations, The Consultant shall keep the Town informed of the progress of the work, shall endeavor to protect the Town against defects and deficiencies in such work, and may disapprove or reject work if it fails to conform to the Contract Documents. The Consultant shall perform the observations in accordance with the standard of care of the profession at the time of service.

Shop Drawing Review: The Consultant shall review and approve (or take other appropriate action in respect of) Shop Drawings (as that term is defined in the General Conditions of each construction contract) and samples and other data that each Contractor is required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the Contract Documents. Such review and approval, or other action, shall not extend to means, methods, sequences, techniques or procedures of construction, or safety precautions and

programs incident hereto. The Consultant shall perform these reviews in accordance with the standard of care of the profession at the time of service.

The Consultant shall consult with and advise the Town as to the acceptability of substitute materials and equipment that are proposed by the Construction Manager's prime contractor(s) hereinafter called "Contractor(s)".

Contract Clarifications: The Consultant shall issue the Town's instructions to the Contractor, as well as issue interpretations and clarifications of the plans and specifications in connection therewith and review change orders as required.

Review of Pay Application: Based on the Consultant's on-site observations and upon review of applications for payment and the accompanying data and schedules, the Consultant shall work with the Town to determine the amounts owing to Contractor(s) and recommend in writing payments to Contractor(s) in such amounts. Such recommendations of payment shall constitute a representation to the Town based on such observations and review that the work has progressed to the point indicated and that, to the best of the Consultant's knowledge, information, and belief, the quality of work is in accordance with the Contract Documents (subject to any qualifications stated in The Consultant's recommendations), and that payment of the amount recommended is due to Contractor(s).

By recommending any payment, the Consultant shall not thereby be deemed to have represented that observations made by The Consultant to check Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to The Consultant in this Agreement. Neither The Consultant's review of Contractor's work for the purposes of recommending payments nor The Consultant's recommendation of any payment including final payment will impose on The Consultant responsibility to supervise, direct, or control Contractor's work in progress or for the means, methods, techniques, equipment choice and usage, sequences, or procedures of construction of safety precautions or programs incident thereto, nor Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work.

Project Close Out: The Consultant shall review the Project with the Town to determine if the Project is substantially complete and conduct a final review to determine if the work has been completed in accordance with the Contract Documents. If the Contractor has fulfilled all of his or her obligations thereunder, the Consultant will recommend, in writing, final payment and give written notice to the Town and the Contractor(s) that the work is acceptable (subject to any conditions therein expressed).

The Consultant will review project record drawings prepared, provided, and certified by the Contractor. One set of reproducible "As-Built" drawings will be provided to the Town. The Consultant shall not be responsible for the acts or omissions of any Contractor or subcontractor, any of the Contractor(s)' or subcontractor(s)' agents or employees, or any other persons (except the Consultant's own employees and agents) at the site or otherwise performing any of the Contractor(s)' work.

III. Subconsultants

The below listed Subconsultants will assist in the performance of the Work.

Subconsultant Name	Specialty or Expertise
Longitude Surveyors	Surveying
Tierra South Florida	Geotechnical Engineering

IV. Schedule of Work – Time of Performance

Consultant shall submit the deliverables and perform the Work as depicted in the tables below for each phase.

SCHEDULE OF DELIVERABLES**			
Task	Major Task, Sub-Task, Activity, or Deliverable	Duration (specify weeks or calendar days)	Delivery Date* (cumulative weeks, or calendar days)
1	Project Initiation, Survey, Geotechnical, and Schematic Design	45 Days	01/01/21
2	Design Development Plans	30 Days	02/01/21
3	Drainage Design and Permitting	90 Days	05/01/21
4	Final Construction Plans	30 Days	06/01/21
5	Bidding Assistance	45 Days	08/15/21
6	Limited Construction Phase Services	120 Days	12/15/21

* An updated schedule, indicating actual delivery dates, based on the above durations, will be provided to the Town upon receipt of the NTP.

**This schedule assumes an NTP date of 11/15/20

Deliverables: At the completion of each task, Kimley-Horn will provide to the Town all files associated with each deliverable. These files include drawing files, H/H model and output files, ArcGIS files, and any other supporting documentation associated with each deliverable.

V. Compensation

Consultant shall perform the Work detailed in this Proposal for a Total fee of Forty-Nine Thousand Four Hundred and Thirty Dollars and Twenty Cents (\$49,430.20). The Town shall not be liable for any fee, cost, expense or reimbursable expense or other compensation beyond this amount unless approved in a supplemental Work Order. Said fee includes an allowance for Reimbursable Expenses required in connection with the Work, which shall not exceed \$0.00. Said Reimbursable Expenses shall be used in accordance with the Agreement Provisions and shall conform to the limitations of Florida Statutes § 112.061.

The following is a cost breakdown:

SUMMARY OF COMPENSATION*			
Task, Sub-task, or Activity ID #	Major Task Name and/or Activity Description	Fee Amount	Fee Basis
1	Project Initiation, Survey, Geotechnical, and Schematic Design	\$15,994.10	Lump Sum
2	Design Development Plans	\$6,919.30	Lump Sum
3	Drainage Design and Permitting	\$8,772.30	Lump Sum
4	Final Construction Plans	\$5,321.30	Lump Sum
5	Bidding Assistance	\$2,264.50	Lump Sum
6	Limited Construction Phase Services	\$10,158.70	Hourly, Not to Exceed
	<i>Subtotal – Professional Fees</i>	<i>\$49,430.20</i>	Lump Sum
	<i>Allowance for Reimbursable Expenses</i>	<i>\$0.00</i>	

	TOTAL	\$49,430.20	Lump Sum
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**Note: Compensation should match the Task, Activities, and/or Deliverables identified.*

VI. Additional Services


The Town may establish an allowance for additional services requested by the Town and for unforeseen circumstances, which shall be utilized at the sole discretion of the Town.

VII. DATA PROVIDED BY THE TOWN

Any available information depicting the flooding occurring in the area. The Town will provide plans of previous drainage improvements on NW 83rd Place.

VIII. PROJECT MANAGER

Consultant’s Project Manager for this Work Order assignment will be Stefano Viola, P.E.

Submitted by: 

 Gary R. Ratay, P.E.
 Kimley-Horn and Associates, Inc.

Reviewed and approval by:

 Department Director

 Procurement Manager

 Edward Pidermann
 Town Manager

RESOLUTION NO. 20-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A WORK ORDER PURSUANT TO RFQ 2017-32(K) FOR MISCELLANEOUS ENGINEERING SERVICES, WITH KIMLEY-HORN AND ASSOCIATES, IN AN AMOUNT NOT TO EXCEED FORTY NINE THOUSAND FOUR HUNDRED THIRTY DOLLARS and 20/100 (\$49,430.20) FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NW 83rd PLACE DRAINAGE IMPROVEMENT PROJECT; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the September 2017 Town of Miami Lakes (the “Town”) Council meeting, the Town awarded contract RFQ 2017-32(K) to Kimley-Horn and Associates for Miscellaneous Civil Engineering Services; and

WHEREAS, since 2017, the Town has received report of excessive flooding along properties on N.W. 83rd Place, between N.W. 158th Terrace and 162nd Street, that has persisted throughout the past several years; and

WHEREAS, said flooding has caused storm water to cover the entrance of driveways and intrude onto private homes along N.W. 83rd Place, despite homeowners attempts to mitigate the water intrusion; and

WHEREAS, during the 2020 budgetary hearings, the Town Council allocated available funds and instructed staff to design and construct improved drainage infrastructure along N.W. 83rd Place; and

WHEREAS, the Town Staff, pursuant to the existing Contract 2017-32 has contacted Kimley-Horn and Associates to assist with the design and permitting of drainage infrastructure along N.W. 83rd Place in amounts not to exceed Forty Nine Thousand, Four Hundred Thirty Dollars and 20/100 (\$49,430.20) of available budgeted funds; and

WHEREAS, the Town Manager desires to engage Kimley-Horn and Associates to complete the design and permitting along N.W. 83rd Place, execute a work order and disburse budgeted funds.

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 Contract Amendments.** The Council approves the Work Order with Kimley-Horn and Associates Engineering, pursuant to RFQ 2017-32(K), in an amount not to exceed Forty-Nine Thousand, Four Hundred Thirty Dollars and 20/100 (\$49,430.20),

Section 3. **Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to implement the work order with Marlin Engineering for the complete streets improvements along NW 83rd Place.

Section 4. **Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds in an amount not to exceed Forty Nine Thousand, Four Hundred Thirty Dollars and 20/100 (\$49,430.20) for improvements along N.W. 83rd Place.

Section 5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Passed and adopted this _____ day of _____, 2020.

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

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, PLLC
TOWN ATTORNEY

TOWN OF MIAMI LAKES

Consultant Fee Proposal Worksheet

Consultant Name: Kimley-Horn and Associates, Inc.

Contract No.: 2017-32KH

Date: 10/8/2020

Work Order No: 10

Project: NW 83rd Pace Drainage Improvements

Project No.: Description: NW 83rd Place drainage design plans

Job Classification Assigned Staff Approved Rate	STAFF CLASSIFICATION														Staff Hours By Task	Salary Cost By Task	Average Rate Per Task	
	Principal Gary R Ratay Rate: \$79.31		Project Manager Stefano Viola Rate: \$62.03		Senior Engineer Amy Wicks Rate: \$68.96		Engineer Tiffany Stanton Rate: \$39.67		Engineer Intern Keishla Vallejo Rate: \$36.22		Clerical Shanda Layne Rate: \$25.86		Position Title 7 name Rate:					
	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				
1 Task 1- Project Initiation, Survey, Geotechnical, and So																		
2 Kick-Off meeting			3	\$186			3	\$119			1	\$26				7	\$331	\$47.28
3 Schematic Design			4	\$248			6	\$238	10	\$362						20	\$848	\$42.42
4 Task 2- Design Development Plans			12	\$744	2	\$138	16	\$635	24	\$869						54	\$2,386	\$44.19
5 Task 3- Drainage Design and Permitting																		
6 Coordination Meetings			4	\$248			4	\$159			1	\$26				9	\$433	\$48.07
7 Hydraulic Analysis			8	\$496	2	\$138	12	\$476	16	\$580						38	\$1,690	\$44.47
8 Permitting			2	\$124			8	\$317	12	\$435	1	\$26				23	\$902	\$39.21
9 Task 4- Final Construction Plans			8	\$496	2	\$138	12	\$476	20	\$724						42	\$1,835	\$43.68
10 Task 5- Bidding Assistance			6	\$372			6	\$238	4	\$145	1	\$26				17	\$781	\$45.94
11 Task 6- Limited Construction Phase Services																		
12 Meetings			12	\$744			15	\$595			2	\$52				29	\$1,391	\$47.97
13 Resident Project Representative									16	\$580						16	\$580	\$36.22
14 Shop Drawing Review			2	\$124			2	\$79	4	\$145	1	\$26				9	\$374	\$41.57
15 Contract Clarification			4	\$248			4	\$159								8	\$407	\$50.85
16 Review of Pay Applications			2	\$124			2	\$79								4	\$203	\$50.85
17 Project Close Out			3	\$186			3	\$119	6	\$217	1	\$26				13	\$548	\$42.18
18																		
19																		
20																		
21																		
22																		
23																		
24																		
25																		
26																		
27																		
Total Staff Hours			70		6		93		112		8					289		
Total Staff Cost				\$4,342.10		\$413.76		\$3,689.31		\$4,056.64		\$206.88					\$12,708.69	\$43.97

Total % of Work by Position 24.2% 2.1% 32.2% 38.8% 2.8%

Note: Fee for the Principal(s) of the firm are not to be included above as the multiplier is not applicable to their hours. The fee is to be shown below and entered as a separately

Estimate of Principal's Fee
 _____ Total hours \$230.00 / hour = \$ _____

Notes:

- This sheet is to be used by Prime Consultant to calculate the Grand Total Fee and one is to be used for each Subconsultant
- Manually enter fee from each subconsultant. Unused subconsultant rows may be hidden
- Where applicable the basis for work activity descriptions shall be the FICE/FDOT Standard Scope and Staff Hour Estimation Handbook.

1 - SUBTOTAL ESTIMATED FEE: (multiplier 2.9)

Subconsultant: Longitude Surveyors
 Subconsultant: Tierra South Florida
 Subconsultant: Sub 3
 Subconsultant: Sub 4
 Principal's Fee

2 - SUBTOTAL ESTIMATED FEE:

Geotechnical Field/Lab Testing:
 Survey Fee (or Survey Crew Fee):
 Other Misc. Fee:

3 - SUBTOTAL ESTIMATED FEE:

Additional Services (Allowance)
 Reimbursables (Allowance)

GRAND TOTAL ESTIMATED FEE:

\$36,855.20
\$8,600.00
\$3,975.00
\$49,430.20
\$ -
\$49,430.20
\$49,430.20



**TOWN OF MIAMI LAKES
MEMORANDUM**

To: Honorable Mayor and Town Councilmembers

From: Edward Pidermann, Town Manager

Subject: Federal Emergency Management Agency (FEMA) Fiscal Year 2020 (FY20)
Hazard Mitigation Assistance (HMA) Grants Programs

Date: October 20, 2020

Recommendation

It is recommended that the Town Council authorize the Town Manager to apply for the Federal Emergency Management Agency (FEMA) Fiscal Year 2020 (FY20) Hazard Mitigation Assistance (HMA) Grants Programs to provide funding for the West Lakes Drainage Improvements Phase IV Project in an amount not to exceed \$1,000,000.00, and if funded, to authorize the Town Manager to accept grant funds, execute the grant agreement, take all necessary steps to implement the terms and conditions of the agreement, and expend budgeted funds in connection with the HMA Grants Programs.

Background

According to the State of Florida 2020 Mitigation Action Plan, one of the most significant challenges faced by Florida communities is the threat of repetitive flooding. Storm water management is also a major issue for inland communities. Florida has experienced more landfalling hurricanes than any other state in the nation. Flooding represents the most damaging natural hazard in the state and ranks as the highest identified frequent hazard in Miami-Dade County.

The FEMA describes hazard mitigation as any sustainable action that reduces or eliminates long-term risk to people and property from future disasters and includes long-term solutions that reduce the impact of disasters in the future. The FEMA HMA Grants Programs provide federal funding for states, territories, tribes, and local communities for eligible mitigation measures that:

- Reduce disaster losses.
- Reduce vulnerability of communities to disasters and their effects.
- Promote individual and community safety and their ability to adapt to changing conditions and withstand and rapidly recover from disruption due to emergencies (resilience).
- Promote community vitality after a disaster.
- Lessen response and recovery resource requirements after a disaster.
- Result in safer communities that are less reliant on external financial assistance.

The West Lakes community in Miami Lakes continues to be adversely impacted by flooding events. In 2015, the Town Council unanimously passed Resolution No. 15-1333 adopting the 2015-2025 Strategic Plan and authorizing the Town Manager to take all actions necessary to implement its policies and goals. One of the Strategic Plan Priority Areas is Environmental Sustainability. A vital objective of this priority is to improve drainage performance, efficiency, and ecology of storm water infrastructure in the West Lakes community.

In 2019, the Storm Water Master Plan Update #3 was completed and identified several flood mitigation projects that qualify as projects in the County's Local Mitigation Strategy. The drainage sub-basin analysis for the West Lakes community noted drainage deficiencies which hindered the infrastructure in meeting the desired performance goals.

In 2020, the Town Council unanimously passed Resolution No. 20-1699, adopting the Miami-Dade County Local Mitigation Strategy (LMS) Plan and authorized the Town Manager to identify and prioritize hazard mitigation grant program projects to become a part of the Local and Statewide Hazard Mitigation Strategy and to apply for grants to implement mitigation projects.

The Town secured legislative funding and completed the West Lakes Drainage Improvements Projects Phases I and II underground infrastructure on NW 89th Avenue. In addition, the Town secured legislative funding and the Flood Mitigation Assistance (FMA) Grant to construct the Phase III drainage system installation of drainage pipes and exfiltration trenches (French Drains), in residential roads, that will connect to the storm water main line on NW 89th Avenue, leading to an outfall. The Phase III Project is in progress and anticipated for completion in 2021.

The West Lakes Drainage Improvements Project Phase IV will include the design, permitting, and construction of the drainage system installation of drainage pipes, exfiltration trenches (French Drains), and asphalt restoration between NW 89th Avenue and NW 92nd Avenue, from NW 153rd Terrace to NW 152nd Lane boundaries. The estimated project cost is \$1,000,000. The cost share for the HMA Grants Programs is 75% federal and 25% non-federal. The Town's match source of \$250,000 is budgeted in the Storm Water Utility Fund for FY2021-22.

Benefits

Flooding is one of the predominant issues faced throughout the West Lakes community. Heavy rainfall events result in inadequate drainage, flooding on residential roads, unsafe transportation conditions, environmental public harm as a breeding zone for mosquitoes, and potential property damage to homes located in the West Lakes neighborhood. The West Lakes area has suffered various flooding events and is addressed as a priority project in the Town's Stormwater Master Plan and Strategic Plan. The need for flood mitigation activity to reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster or flood is critical for the West Lakes community. The mitigation activity proposed is essential to protect the West Lakes community from flooding and potential damages to 236 homes. The West Lakes Drainage Improvements Project Phase IV will reduce the probability of repetitive flooding, improve storm water management capacity, implement localized flood control, and enhance storm water infrastructure resiliency, thereby enhancing the quality of life for the residents of the West Lakes community and the Town of Miami Lakes.

RESOLUTION NO. 20- _

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND IF GRANTED ACCEPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FISCAL YEAR 2020 HAZARD MITIGATION ASSISTANCE GRANTS PROGRAM TO PROVIDE FUNDING FOR THE WEST LAKES DRAINAGE IMPROVEMENTS PHASE IV PROJECT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO APPLY FOR AND IMPLEMENT THE TERMS AND CONDITIONS OF THE HAZARD MITIGATION PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (PIDERMANN)

WHEREAS, in 2015, the Town of Miami Lakes (the “Town”) Council passed Resolution Number 15-1333 adopting the 2015-2025 Strategic Plan, which authorized the Town Manager to take all actions necessary to implement the plan’s policies and goals; and

WHEREAS, a key component of the Strategic Plan is to address storm-water infrastructure needs throughout the Town, and especially in flood prone areas; and

WHEREAS, the West Lakes community of the Town has been continuously and adversely impacted by flooding; and

WHEREAS, in 2019, the Town completed its Storm Water Master Plan Update #3 and identified several flood mitigation projects, among them the West Lakes drainage was cited for its noted drainage deficiencies; and

WHEREAS, in the past several years the Town has completed Phase I and II of underground installment of drainage along N.W. 89th Avenue that has provided some relief, and through legislative funding and Flood Mitigation Assistance Grant completed Phase III by installing drainage pipes and exfiltration trenches in residential roads. Phase III, is scheduled to be completed in 2021; and

WHEREAS, Phase IV will include the design, permitting, and construction of the drainage system installation of drainage pipes, exfiltration trenches, and asphalt restoration between NW 89th Avenue and NW 92nd Avenue, from NW 153rd Terrace to NW 152nd Lane boundaries; and

WHEREAS, FEMA, through the Hazard Mitigation Assistance Grants Program (“HMA”) allows local governments to apply for infrastructure programs that are aimed toward alleviating and promoting the vitality of communities to survive disasters; and

WHEREAS, Phase IV, is estimated to cost one million dollars (\$1,000,000), of which the Town would be responsible for 25% as a cost match, or two hundred fifty thousand dollars (\$250,000); and

WHEREAS, the Town has identified two hundred fifty thousand dollars in the Storm Water Utility Fund for Fiscal Year 2021-2022; and

WHEREAS, the Town Manager desires authority to apply for the HMA grant, and if awarded accept the grant and expend budgeted funds.

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

Section1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section2. Apply for and if Awarded Accept Grant. The Town Council hereby authorizes the Town Manager to apply for and if awarded accept the Federal Emergency Management Agency, Hazard Mitigation Assistance Grant Program, and execute such grant agreements, amendments, modifications and any other documents necessary to effectuate the Grant, and take such other acts as may be necessary to bind the Town and accomplish the intent of this Resolution.

Section 3. Authorization of Town Officials. The Town Manager and/ or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Federal Emergency Management Agency, Hazard Mitigation Assistance Grant Program. The Town Clerk is hereby directed to send copies of this Resolution to any person or agency as directed by the Council of the Town of Miami Lakes.

Section 4. Authorization to Expend Budgeted Funds. The Town Manager is hereby authorized to expend budgeted funds in an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000) in order to effectuate the grant and this resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

***** THIS PORTION HAS BEEN LEFT PURPOSEFULLY LEFT BLANK *****

Passed and adopted this ____ day of _____ 2020

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, Lopez and Mestre, PLLC
TOWN ATTORNEY

Project Subapplication

Start a subapplication	
Organization you are applying for	
Organization you are applying to	
Subapplication title	
Subapplication type	Project
Document control number (optional)	

Subapplicant information

Subapplicant information	
Name of federal agency	FEMA
Type of submission	<input type="checkbox"/> Pre-application <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected application
Type of Subapplicant	<input type="checkbox"/> State Government <input type="checkbox"/> Local Government <input type="checkbox"/> Indian Tribal Government <input type="checkbox"/> Special Governmental District <input type="checkbox"/> Private Non-Profit <input type="checkbox"/> Other
Is Subapplication subject to review by Executive Order 12372 Process?	<input type="checkbox"/> Yes <input type="checkbox"/> No, program is not covered by E.O. 12372 <input type="checkbox"/> No, program has not been selected by state for review
If Yes, this preapplication/application was made available to the Executive Order 12372 Process for review on: (MM-DD-YYYY)	

Subapplicant information	
Is the Subapplicant delinquent on any Federal debt?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>If yes, please provide an explanation:</i>	

Contact information

Add a Subrecipient Authorized Representative (SAR)	
Title	
Prefix (optional)	<input type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Dr.
First Name	
Middle Initial	
Last Name	
Agency/Organization	
Primary phone	
Extension (optional)	
Type	<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Mobile
Secondary phone	
Extension	
Type	<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Mobile
Optional phone	
Fax number	

Add a Subrecipient Authorized Representative (SAR)	
Email	
Address line 1	
Address line 2	
City	
State/territory	
ZIP code	
ZIP extension	
Phone	
Fax	

Add a Point(s) of Contact	
Title	
Prefix (optional)	<input type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Dr. <input type="checkbox"/> Hon. <input type="checkbox"/> Exe.
First Name	
Middle Initial (optional)	
Last Name	
Primary phone	
Extension (optional)	
Type	<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Mobile
Secondary phone	
Extension (optional)	

Add a Point(s) of Contact	
Type	<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Mobile
Optional phone	
Fax number (optional)	
Email	
Address line 1	
Address line 2 (optional)	
City	
State/territory	
ZIP code	
ZIP extension (optional)	

Community

Please find the community(ies) that will benefit from this mitigation activity by clicking on the Find Communities button. If needed, modify the Congressional District number for each community by entering the updated number under the U.S. Congressional District column for that community. NOTE: You should also notify your State NFIP coordinator so that the updated U.S. Congressional District number can be updated in the Community Information System (CIS) database.

Add Communities (complete this table for each benefitting community)	
State	
Community name (optional)	
County name (optional)	
County code	
CID number	
CRS community	<input type="checkbox"/> Yes <input type="checkbox"/> No
CRS rating	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10

Add Communities (complete this table for each benefitting community)	
U.S. Congressional District	
Please provide any additional comments (optional)	
Attachments	

Mitigation Plan

Please provide your plan information.

Mitigation plan information	
Is the entity that will benefit from the proposed activity covered by a current FEMA approved multi-hazard mitigation plan in compliance with 44 CFR Part 201?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please provide plan information:	
Plan name	
Plan type	<input type="checkbox"/> State Multi-hazard Mitigation Plan <input type="checkbox"/> Tribal Multi-hazard Mitigation Plan <input type="checkbox"/> Local Multi-hazard Mitigation Plan <input type="checkbox"/> Tribal (Local) Multi-hazard Mitigation Plan <input type="checkbox"/> Local Multijurisdictional Multi-hazard Mitigation Plan <input type="checkbox"/> Tribal (Local) Multijurisdictional Multi-hazard Mitigation Plan
Is this plan standard or enhanced? (for Applicants only)	<input type="checkbox"/> Standard <input type="checkbox"/> Enhanced
Plan approval date (MM-DD-YYYY)	
Proposed activity description (optional)	
Please provide any additional comments (optional).	
Attachments	

Scope of Work

The project Scope of Work (SOW) identifies the eligible activity, describes what will be accomplished and explains how the mitigation activity will be implemented. The mitigation activity must be described in sufficient detail to verify the cost estimate. All activities for which funding is

requested must be identified in the SOW prior to the close of the application period. FEMA has different requirements for project, planning and management cost SOWs.

Scope of work	
Subapplication title (include type of activity and location)	
Activities	
Primary activity type	<input type="checkbox"/> Acquisition <input type="checkbox"/> Elevation <input type="checkbox"/> Relocation <input type="checkbox"/> Mitigation reconstruction <input type="checkbox"/> Retrofit <input type="checkbox"/> Floodproofing <input type="checkbox"/> Saferoom/shelter <input type="checkbox"/> Stabilization and restoration <input type="checkbox"/> Utility and infrastructure protection <input type="checkbox"/> Flood control <input type="checkbox"/> Codes and standards <input type="checkbox"/> Warning systems <input type="checkbox"/> Wildfire management <input type="checkbox"/> Education and awareness <input type="checkbox"/> Feasibility, engineering and design studies <input type="checkbox"/> Management costs <input type="checkbox"/> Generator <input type="checkbox"/> Planning related activities <input type="checkbox"/> Partnerships <input type="checkbox"/> Other
If Other, please specify	
Secondary activity type (optional)	(see Primary activity type list above)
If Other, please specify	
Tertiary activity type (optional)	(see Primary activity type list above)
If Other, please specify	
Geographic areas description	

Scope of work	
Community lifelines	
Primary community lifeline	<input type="checkbox"/> Safety and security <input type="checkbox"/> Food, water, shelter <input type="checkbox"/> Health and medical <input type="checkbox"/> Energy <input type="checkbox"/> Communications <input type="checkbox"/> Transportation <input type="checkbox"/> Hazardous material
If Safety and security is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Law enforcement/security <input type="checkbox"/> Fire service <input type="checkbox"/> Search and rescue <input type="checkbox"/> Government service <input type="checkbox"/> Community safety
If Food, water, shelter is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Food <input type="checkbox"/> Water <input type="checkbox"/> Shelter <input type="checkbox"/> Agriculture
If Health and medical is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Medical care <input type="checkbox"/> Public health <input type="checkbox"/> Patient movement <input type="checkbox"/> Medical supply chain <input type="checkbox"/> Fatality management
If Energy is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Power grid <input type="checkbox"/> Fuel
If Communications is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Infrastructure <input type="checkbox"/> Responder communications <input type="checkbox"/> Alerts, warnings, and messages <input type="checkbox"/> Finance <input type="checkbox"/> 911 and dispatch
If Transportation is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Highway/roadway/motor vehicle <input type="checkbox"/> Mass transit <input type="checkbox"/> Railway <input type="checkbox"/> Aviation <input type="checkbox"/> Maritime
If Hazardous material is selected as a primary community lifeline, these additional primary sub-community lifeline options are available.	<input type="checkbox"/> Facilities <input type="checkbox"/> HAZMAT, pollutants, contaminants
Secondary community lifeline (optional)	(see Primary community lifeline list above)

Scope of work	
Secondary sub-community lifeline	(see Primary sub-community lifeline lists above)
Tertiary community lifeline (optional)	(see Primary community lifeline list above)
Tertiary sub-community lifeline	(see Primary sub-community lifeline lists above)
Hazard sources	
Primary hazard source	<input type="checkbox"/> Biological incident <input type="checkbox"/> Chemical incident <input type="checkbox"/> Civil disturbance <input type="checkbox"/> Cyber incident <input type="checkbox"/> Dam/Levee break <input type="checkbox"/> Disease <input type="checkbox"/> Drought <input type="checkbox"/> Earthquake <input type="checkbox"/> Explosion <input type="checkbox"/> Extreme temperature <input type="checkbox"/> Fire <input type="checkbox"/> Flooding <input type="checkbox"/> Hostile action <input type="checkbox"/> Infrastructure failure <input type="checkbox"/> Landslide/Debris flow <input type="checkbox"/> Nuclear explosion <input type="checkbox"/> Radiological incident <input type="checkbox"/> Severe Storm <input type="checkbox"/> Solar event <input type="checkbox"/> Space object <input type="checkbox"/> Tornado <input type="checkbox"/> Tropical cyclone (Hurricane/Typhoon) <input type="checkbox"/> Tsunami <input type="checkbox"/> Uncategorized <input type="checkbox"/> Volcano <input type="checkbox"/> Winter storm
Secondary hazard source (optional)	(see Primary hazard source list above)
Tertiary hazard source (optional)	(see Primary hazard source list above)

Scope of work	
If Uncategorized, please specify:	
Is this a phased project? <i>If you select 'Yes' to phased project question. You must select Phase 1 or Phase 2 on Budget lines.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you doing construction in this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Population affected	%
Detail/description of stated percentage	
Provide a clear and detailed description of your proposed activity	
How will the mitigation activity be implemented?	
Describe how the project is technically feasible and will be effective in reducing the risk by reducing or eliminating damage to property and/or loss of life in the project area. Please include engineering design parameters and references to the following: preliminary schematic or engineering drawings/design; applicable building codes; engineering practices and/or best practices; level of protection (e.g., life safety, 100-yr flood protection with freeboard, 100-yr wind design, etc.):	
Who will manage and complete the mitigation activity?	
Will the project address the hazards identified and what risks will remain from all hazards after project implementation (residual risk)?	

Scope of work	
When will the mitigation activity take place?	
Explain why this project is the best alternative. What alternatives were considered to address the risk and why was the proposed activity considered the best alternative?	
Please identify the entity that will perform any long-term maintenance and provide a maintenance schedule and cost information. The subapplicant or owner of the area to be mitigated is responsible for maintenance (including costs of long-term care) after the project is completed?	
Additional comments (optional)	
Attachments	

Schedule

Specify the work schedule for the mitigation activities. Add tasks to the schedule. Please include all tasks necessary to implement this mitigation activity; include descriptions and estimated time frames.

Add a Task (complete this table for each task)	
Task name	
Task description	
Start month (number)	
Task duration (in months)	

Schedule	
Estimate the total duration of your proposed activities (in months).	
Proposed start date (MM/DD/YYYY)	

Schedule	
Proposed end date (MM/DD/YYYY)	

Budget

*Budget cost estimate should directly link to your scope of work and work schedule. You must add at least one item greater than \$0 for your cost estimate. Once you have added item(s) for your cost estimate, you may then add the item(s) for management cost (optional). **FEMA will provide 100 percent federal funding for subrecipient management costs for BRIC program activities. As necessary, please adjust your federal/non-federal cost share, and add the non-federal funding source(s) you are planning to use for this project.***

Add Cost estimate budget item(s)	
Cost type:	Cost estimate
Add an item (complete table for each cost item)	
Name of cost item	
Quantity	
Unit of measure	<input type="checkbox"/> Acre <input type="checkbox"/> Cubic foot <input type="checkbox"/> Cubic yard <input type="checkbox"/> Day <input type="checkbox"/> Each <input type="checkbox"/> Foot <input type="checkbox"/> Hour <input type="checkbox"/> Inch <input type="checkbox"/> Linear foot <input type="checkbox"/> Mile <input type="checkbox"/> Million board feet <input type="checkbox"/> Square foot <input type="checkbox"/> Square yard <input type="checkbox"/> Square foot per inch <input type="checkbox"/> Ton
Unit price	\$
Unit total	

Add Cost estimate budget item(s)	
Budget class	<input type="checkbox"/> Administrative and legal expenses <input type="checkbox"/> Architectural and engineering fees <input type="checkbox"/> Construction <input type="checkbox"/> Contingencies <input type="checkbox"/> Demolition and removal <input type="checkbox"/> Equipment rental <input type="checkbox"/> Equipment purchase <input type="checkbox"/> Land, structures, rights-of-way, appraisals, etc. <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Other architectural and engineering fees <input type="checkbox"/> Project inspection fees <input type="checkbox"/> Relocation expenses and payments <input type="checkbox"/> Site work
Pre-award	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project phase	<input type="checkbox"/> Phase 1 <input type="checkbox"/> Phase 2 <input type="checkbox"/> Not applicable
Total budget cost	\$

Management cost (optional) is the line item(s) to support the scope of work for the execution and completion of the project. Be sure to include the cost associated with managing the project/initiative/activity. The total amount of management costs cannot exceed 5% of the total Cost estimate amount.

Add Management cost budget item(s)	
Cost type:	Management cost
Item	<input type="checkbox"/> Equipment <input type="checkbox"/> Office Space Rental <input type="checkbox"/> Other <input type="checkbox"/> Salaries <input type="checkbox"/> Supplies <input type="checkbox"/> Travel
Quantity	

Add Management cost budget item(s)	
Unit of measure	<input type="checkbox"/> Acre <input type="checkbox"/> Cubic foot <input type="checkbox"/> Cubic yard <input type="checkbox"/> Day <input type="checkbox"/> Each <input type="checkbox"/> Foot <input type="checkbox"/> Hour <input type="checkbox"/> Inch <input type="checkbox"/> Linear foot <input type="checkbox"/> Mile <input type="checkbox"/> Million board feet <input type="checkbox"/> Square foot <input type="checkbox"/> Square yard <input type="checkbox"/> Square foot per inch <input type="checkbox"/> Ton
Unit price	\$
Unit total	
Budget class	<input type="checkbox"/> Construction <input type="checkbox"/> Contractual <input type="checkbox"/> Equipment <input type="checkbox"/> Fringe benefits <input type="checkbox"/> Indirect charges <input type="checkbox"/> Other <input type="checkbox"/> Personnel <input type="checkbox"/> Supplies <input type="checkbox"/> Travel
Pre-award	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project phase	<input type="checkbox"/> Phase 1 <input type="checkbox"/> Phase 2 <input type="checkbox"/> Not applicable
Management cost total	\$
Grand total (Cost estimate total + Management cost total)	
Program income (optional)	\$

Cost share

Cost share or matching means the portion of project costs not paid by federal funds.

Hazard mitigation assistance (HMA) funds may be used to pay up to 75% federal share of the eligible activity costs. Small impoverished communities may be eligible for up to 90% federal share for Building Resilient Infrastructure and Communities (BRIC) funding. Flood Mitigation Assistance (FMA) and severe repetitive loss (SRL) properties may be eligible for up to 100% federal share. Repetitive loss (RL) properties may be eligible for up to 90% federal share.

Proposed federal vs. non-federal funding shares	
Is this a small impoverished community? (See Appendix for definition) This determines your federal/non-federal share ratio.	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes	<ul style="list-style-type: none"> ▪ Federal Share Percentage 90% ▪ Non-Federal Share Percentage 10%
Based on total budget cost	\$
Proposed federal share	\$
Proposed non-federal share	
If No	<ul style="list-style-type: none"> ▪ Federal Share Percentage 75% ▪ Non-Federal Share Percentage 25%
Based on total budget cost	\$
Proposed federal share	\$

Non-federal funding share is that portion of the total costs of the program provided by the non-federal entity in the form of in-kind donations or cash match received from third parties or contributed by the agency. In-kind contributions must be provided and cash expended during the project period along with federal funds to satisfy the matching requirements.

Add funding source (complete this table for each funding source)	
Funding source	
Name of source agency	
Funding amount	\$

Add funding source (complete this table for each funding source)	
Percent non-federal share by source	%
Funding type	<input type="checkbox"/> Administration <input type="checkbox"/> Cash <input type="checkbox"/> Consulting fees <input type="checkbox"/> Engineering fees <input type="checkbox"/> Equipment operation/rental <input type="checkbox"/> Labor <input type="checkbox"/> Other <input type="checkbox"/> Program income <input type="checkbox"/> Supplies
Date of availability (MM/DD/YYYY)	
Fund commitment letter date (MM/DD/YYYY)	
Total percent non-federal share	
Please provide any addition comments (optional)	
Attachments	

Cost-Effectiveness

Cost-Effectiveness	
How was cost-effectiveness determined for this project?	<input type="checkbox"/> BCA completed in FEMA's BCA toolkit (Must attach the export file, zip file, pdf file, and other supporting documentation) <input type="checkbox"/> Pre-calculated benefits <input type="checkbox"/> Substantial Damage in Special Flood Hazard Area <input type="checkbox"/> Other BCA methodology approved by FEMA in writing <input type="checkbox"/> Not applicable
If Not applicable, explain why this project is not applicable	
Pre-calculated benefits selections	<input type="checkbox"/> Acquisitions in the special flood hazard area <input type="checkbox"/> Elevations in the special flood hazard area <input type="checkbox"/> Mitigation reconstruction in the special flood hazard area <input type="checkbox"/> Individual tornado safe rooms <input type="checkbox"/> Residential hurricane wind retrofits <input type="checkbox"/> Non-residential hurricane wind retrofits

Cost-Effectiveness	
	<input type="checkbox"/> Post-wildfire mitigation
What are the total project benefits?	\$
What is the total project cost?	\$
What is the benefit cost ratio (BCR) for the entire project?	
Was sea level rise incorporated into the flood elevations in the BCA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Were environmental benefits added to the project benefits?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Were social benefits added to the project benefits?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the mitigation measure incorporate nature-based solutions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please provide any additional comments.	
Attachments	

Environmental/Historic Preservation (EHP) Review Information

An environmental/historic preservation review is required for all activities for which FEMA funds are being requested. FEMA will complete this review with the assistance of both the state or tribal government and the local applicant. It is important that you provide accurate information. If you are having problems completing this section, please contact your application point of contact.

A. National Historic Preservation Act - Historic Buildings and Structures	
1. Does your project affect or is it in close proximity to any buildings or structures 50 years or more in age?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known

A. National Historic Preservation Act - Historic Buildings and Structures	
<p>If Yes, you must confirm that you have provided the following:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The property address and original date of construction for each property affected (unless this information is already noted in the Properties section) <input type="checkbox"/> A minimum of two color photographs showing at least three sides of each structure (Please label the photos accordingly) <input type="checkbox"/> A diagram or USGS 1:24,000 scale quadrangle map displaying the relationship of the property(s) to the project area
<p>If Yes, to help FEMA evaluate the impact of the project, please indicate any other information you are providing.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Information gathered about potential historic properties in the project area, including any evidence indicating the age of the building or structure and presence of buildings or structures that are listed or eligible for listing on the National Register of Historic Places or within or near a National Register listed or eligible historic district. Sources for this information may include the State Historic Preservation Officer, and/or the Tribal Historic Preservation Officer (SHPO/THPO), your local planning office, historic preservation organization, or historical society. <input type="checkbox"/> Consideration of how the project design will minimize adverse effects on known or potential historic buildings or structures, and any alternatives considered or implemented to avoid or minimize effects on historic buildings or structures. Please address and note associated costs in your project budget. <input type="checkbox"/> For acquisition/demolition projects affecting historic buildings or structures, any data regarding the consideration and feasibility of elevation, relocation, or flood proofing as alternatives to demolition. <input type="checkbox"/> Attached materials or additional comments.

A. National Historic Preservation Act - Historic Buildings and Structures

If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)

Attachments

B. National Historic Preservation Act - Archeological Resources	
1. Does your project involve disturbance of ground?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please confirm that you have provided the information below by selecting each checkbox. (If you have not provided these documents in any other section of the application, please attach the required documents below.)	<input type="checkbox"/> A description of the ground disturbance by giving the dimensions (area, volume, depth, etc.) and location. <input type="checkbox"/> The past use of the area to be disturbed, noting the extent of previously disturbed ground. <input type="checkbox"/> A USGS 1:24,000 scale or other site map showing the location and extent of ground disturbance.
If Yes, to help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)	<input type="checkbox"/> Any information about potential historic properties, including archeological sites, in the project area. Sources of this information may include SHPO/THPO, and/or the Tribe's cultural resources contact if no THPO is designated. Include, if possible, a map showing the relation of any identified historic properties to the project area. <input type="checkbox"/> Attached materials or additional comments.
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	
Attachments	

C. Endangered Species Act and Fish and Wildlife Coordination Act	
1. Are Federally listed threatened or endangered species or their critical habitat present in the area affected by the project?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please confirm that you have provided the information below by selecting each checkbox. (If you have not provided these documents in any other section of the application, please attach the required documents below.)	<input type="checkbox"/> Information you obtained to identify species in or near the project area. Provide the source and date of the information cited.

C. Endangered Species Act and Fish and Wildlife Coordination Act	
<p>If Yes, to help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)</p>	<p><input type="checkbox"/> Any request for information and associated response from the USFWS, the National Marine Fisheries Service (NMFS) (for affected ocean-going fish), or your State Wildlife Agency, regarding potential listed species present and potential of the project to impact those species.</p> <p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>2. Does your project remove or affect vegetation?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known</p>
<p>If Yes, please confirm that you have provided the information below by selecting each checkbox. (If you have not provided these documents in any other section of the application, please attach the required documents below.)</p>	<p><input type="checkbox"/> Description of the amount (area) and type of vegetation to be removed or affected. <input type="checkbox"/> A site map showing the project area and the extent of vegetation affected. <input type="checkbox"/> Photographs or digital images that show both the vegetation affected and the vegetation in context of its surroundings.</p>
<p>If Yes, to help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)</p>	<p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>3. Is your project in, near (within 200 feet), or likely to affect any type of waterway or body of water?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known</p>

C. Endangered Species Act and Fish and Wildlife Coordination Act	
<p>If Yes, and project is not within an existing building, you must confirm that you have provided the following:</p> <p>(If you have not provided these documents in any other section of the application, please attach the required documents below.)</p>	<p><input type="checkbox"/> A USGS 1:24,000 scale quadrangle map showing the project activities in relation to all nearby water bodies (within 200 feet).</p> <p><input type="checkbox"/> Any information about the type of water body nearby including: its dimensions, the proximity of the project activity to the water body, and the expected and possible changes to the water body, if any. Identify all water bodies regardless whether you think there may be an effect</p> <p><input type="checkbox"/> A photograph or digital image of the site showing both the body of water and the project area.</p>
<p>If Yes, to help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)</p>	<p><input type="checkbox"/> Evidence of any discussions with the US Fish and Wildlife Service (USFWS), and/or your State Wildlife Agency concerning any potential impacts if there is the potential for the project to affect any water body.</p> <p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>Attachments</p>	

D. Clean Water Act, Rivers and Harbors Act, and Executive Order 11990 (Protection of Wetlands)	
<p>1. Will the project involve dredging or disposal of dredged material, excavation, adding fill material or result in any modification to water bodies or wetlands designated as "waters of the U.S" as identified by the US Army Corps of Engineers or on the National Wetland Inventory?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not known</p>

D. Clean Water Act, Rivers and Harbors Act, and Executive Order 11990 (Protection of Wetlands)	
<p>If Yes, please confirm that you have provided the information below by selecting each checkbox.</p> <p>(If you have not provided these documents in any other section of the application, please attach the required documents below.)</p>	<p><input type="checkbox"/> Documentation of the project location on a USGS 1:24,000 scale topographic map or image and a copy of a National Wetlands Inventory map or other available wetlands mapping information.</p> <p><input type="checkbox"/> A copy of a National Wetlands Inventory map or other available wetlands mapping information.</p>
<p>If Yes, to help FEMA evaluate the impact of the project, please indicate below any other information you are providing. (optional)</p>	<p><input type="checkbox"/> Request for information and response letter from the US Army Corps of Engineers and/or State resource agencies regarding the potential for wetlands, and applicability of permitting requirements.</p> <p><input type="checkbox"/> Evidence of alternatives considered to eliminate or minimize impacts to wetlands.</p> <p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>Attachments</p>	

E. Executive Order 11988 (Floodplain Management)	
<p>1. Does a Flood Insurance Rate Map (FIRM), Flood Hazard Boundary Map (FHBM), hydrologic study, or some other source indicate that the project is located in or will affect a 100 year floodplain, a 500 year floodplain if a critical facility, an identified regulatory floodway, or an area prone to flooding?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not known</p>
<p>If Yes, please indicate and/or provide any documentation to identify the means or the alternatives considered to eliminate or minimize impacts to floodplains (See the 8 step process found in 44 CFR Part 9.6.) to help FEMA evaluate the impact of the project.</p>	

E. Executive Order 11988 (Floodplain Management)	
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	
2. Does the project alter a watercourse, water flow patterns, or a drainage way, regardless of its floodplain designation?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please indicate any other information you are providing to help FEMA evaluate the impact of the project.	<input type="checkbox"/> Hydrologic/hydraulic information from a qualified engineer to demonstrate how drainage and flood flow patterns will be changed and to identify down and upstream effects. <input type="checkbox"/> Request for information and response letter from the State water resource agency, if applicable, with jurisdiction over modification of waterways. <input type="checkbox"/> Attached materials or additional comments.
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	
Attachments	

F. Coastal Zone Management Act	
1. Is the project located in the State's designated coastal zone?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please indicate any other information you are providing to help FEMA evaluate the impact of the project.	<input type="checkbox"/> Information resulting from contact with the appropriate State agency that implements the coastal zone management program regarding the likelihood of the project's consistency with the State's coastal zone plan and any potential requirements affecting the cost or design of the proposed activity. <input type="checkbox"/> Attached materials or additional comments.

F. Coastal Zone Management Act	
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	
Attachments	

G. Farmland Protection Policy Act	
1. Will the project convert more than 5 acres of “prime or unique” farmland outside city limits to a non-agricultural use?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	
Attachments	

H. Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (Hazardous and Toxic Materials)	
1. Is there a reason to suspect there are contaminants from a current or past use on the property associated with the proposed project?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please indicate any other information you are providing to help FEMA evaluate the impact of the project.	<input type="checkbox"/> Comments and any relevant documentation. <input type="checkbox"/> Results of any consultations with State or local agency to obtain permit with requirements for handling, disposing of or addressing the effects of hazardous or toxic materials related to project implementation. <input type="checkbox"/> Attached materials or additional comments.
If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)	

H. Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (Hazardous and Toxic Materials)	
<p>2. Are there any studies, investigations, or enforcement actions related to the property associated with the proposed project?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known</p>
<p>If Yes, please indicate any other information you are providing to help FEMA evaluate the impact of the project.</p>	<p><input type="checkbox"/> Comments and any relevant documentation. <input type="checkbox"/> Results of any consultations with State or local agency to obtain permit with requirements for handling, disposing of or addressing the effects of hazardous or toxic materials related to project implementation. <input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>3. Does any project construction or operation activities involve the use of hazardous or toxic materials?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known</p>
<p>If Yes, please indicate any other information you are providing to help FEMA evaluate the impact of the project.</p>	<p><input type="checkbox"/> Comments and any relevant documentation. <input type="checkbox"/> Results of any consultations with State or local agency to obtain permit with requirements for handling, disposing of, or addressing the effects of hazardous or toxic materials related to project implementation. <input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review. (optional)</p>	
<p>4. Do you know if any of the current or past land-uses of the property affected by the proposed project or of the adjacent properties are associated with hazardous or toxic materials?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known</p>

H. Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (Hazardous and Toxic Materials)	
<p>If Yes, please indicate below any other information you are providing to help FEMA evaluate the impact of the project.</p>	<p><input type="checkbox"/> Comments and any relevant documentation.</p> <p><input type="checkbox"/> Results of any consultations with State or local agency to obtain permit with requirements for handling, disposing of or addressing the effects of hazardous or toxic materials related to project implementation.</p> <p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review.</p>	
<p>Attachments</p>	

I. Executive Order 12898, Environmental Justice for Low Income and Minority Populations	
<p>1. Are there low income or minority populations in the project's area of effect or adjacent to the project area?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not known</p>
<p>If Yes, you must confirm that you have provided the following:</p>	<p><input type="checkbox"/> Description of any disproportionate and adverse effects to these populations.</p>
<p>To help FEMA evaluate the impact of the project, please indicate below any other information you are providing:</p>	<p><input type="checkbox"/> Description of the population affected and the portion of the population that would be disproportionately and adversely affected. Please include specific efforts to address the adverse impacts in your proposal narrative and budget.</p> <p><input type="checkbox"/> Attached materials or additional comments.</p>
<p>If Yes or Not Known, please provide an explanation and any information about this project that could assist FEMA in its review.</p>	
<p>Attachments</p>	

J. Other Environmental/Historic Preservation Laws or Issues	
1. Are there other environmental/historic preservation requirements associated with this project that you are aware of?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please indicate a description of the requirements, issues, or public involvement effort.	
2. Are there controversial issues associated with this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
If Yes, please indicate a description of the requirements, issues, or public involvement effort.	
If Yes or Not Known, please indicate why in the text box below and any information about this project that could assist FEMA in its review.	
3. Have you conducted any public meeting or solicited public input or comments on your specific proposed mitigation project?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please indicate a description of the requirements, issues, or public involvement effort.	
Attachments	

K. Summary and Cost of Potential Impacts	
1. Having answered the questions in parts A. through J., have you identified any aspects of your proposed project that have the potential to impact environmental resources or historic properties?	<input type="checkbox"/> Yes <input type="checkbox"/> No

K. Summary and Cost of Potential Impacts	
<p>If Yes, you must confirm that you have provided the following: (If you have not provided these documents in any other section of the application, please attach the required documents below.)</p>	<p><input type="checkbox"/> Evaluated these potential effects and provided the materials required in Parts A through J that identify the nature and extent of potential impacts to environmental resources and/or historic properties.</p> <p><input type="checkbox"/> Consulted with appropriate parties to identify any measures needed to avoid or minimize these impacts.</p> <p><input type="checkbox"/> Considered alternatives that could minimize both the impacts and the cost of the project.</p> <p><input type="checkbox"/> Made certain that the costs of any measures to treat adverse effects are realistically reflected in the project budget estimate.</p>
<p>If Yes, please enter your comments. (optional) (Please indicate why and any information about this project that could assist FEMA in its review.)</p>	
<p>Attachments</p>	

Evaluation

Evaluation	
<p>Is the applicant participating in the Community Rating System (CRS)? https://www.fema.gov/national-flood-insurance-program-community-rating-system</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If Yes, what is their CRS rating?</p>	<p><input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10</p>
<p>Is the applicant a Cooperating Technical Partner (CTP)? https://www.fema.gov/cooperating-technical-partners-program</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Was this created from a previous FEMA HMA Advance assistance/Project scoping award?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If yes, please provide the project identifier.</p>	
<p>Has the recipient adopted building codes consistent with the International Codes? https://www.iccsafe.org/advocacy</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Evaluation	
If Yes, enter year of building code.	
If Yes, please provide the building code.	
Have the applicant's building codes been assessed on the Building Code Effectiveness Grading Schedule (BCEGS) ? http://www.isomitigation.com/bcegs	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, what is their BCEGS rating?	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10
Describe involvement of partners to enhance the mitigation activity outcome.	
Discuss how anticipated future conditions are addressed by this project.	
Additional comments (optional)	
Attachments	

Location

Project Location	
Provide a detailed description of the proposed project's location.	
Latitude (e.g. -80.430101, should be between -90 to +90, but not 0)	
Longitude (e.g. 100.430101, should be between -180 to +180, but not 0)	
Attachments	

Project Benefiting Area	
Provide a detailed description of the proposed project's benefiting area	
Attachments	

Project Impact Area	
Provide a detailed description of the proposed project's impact area	
Attachments	

Project Site Inventory	
<p>Does this project subapplication propose to mitigate a property/structure(s)?</p> <p>(Examples: residential home, commercial building, bridge, fire station, levee, pumping station, wastewater treatment plant, telephone pole, electric line, etc.)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>If Yes, do you know the location of the structure?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>If Yes, enter the details of the property into the HMA Location Template spreadsheet, located at https://www.fema.gov/media-library-data/1591110757471-ecd329024debffd2dd5e2367938e90b2/FEMAHMALocationTemplate.xlsx</p>	

Assurances and Certifications

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form.

Lobbying

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Applicant will NOT use federal appropriated funds for lobbying purposes.

Applicant will use non-appropriated funds for lobbying purposes. If so, complete Standard Form LLL "Disclosure of Lobbying Activities" below.

Standard Form-LLL "Disclosure of Lobbying Activities"

This form must be attached to certification if non-appropriated funds are to be used to influence activities.

1. Type of federal action:

- Contract
- Cooperative agreement
- Grant
- Loan
- Loan guarantee
- Loan insurance

Standard Form-LLL "Disclosure of Lobbying Activities"	
2. Status of federal action:	<input type="checkbox"/> Bid/offer/application <input type="checkbox"/> Initial award <input type="checkbox"/> Post award
3. Report Type:	<input type="checkbox"/> Initial filing <input type="checkbox"/> Material change
4. Name and address of reporting entity:	<input type="checkbox"/> Prime <input type="checkbox"/> SubAwardee
If SubAwardee, enter tier, if known: (optional)	
Name	
Street 1	
Street 2 (optional)	
City	
State (optional)	
Zip (optional)	
Zip extension (optional)	
Congressional district, if known: (optional)	
5. If SubAwardee, enter name and address of prime below.	
Name	
Street 1	
Street 2 (optional)	
City	
State (optional)	

Standard Form-LLL "Disclosure of Lobbying Activities"	
Zip (optional)	
Zip extension (optional)	
Congressional district, if know: (optional)	
6. Federal department/agency:	
7. Federal program name/description:	
CFDA number, if applicable: (optional)	
8. Federal action number, if known: (optional)	
9. Award amount, if known: (optional)	\$
10. Name and address of lobbying registrant:	
Prefix (optional)	<input type="checkbox"/> Dr. <input type="checkbox"/> Miss <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Rev.
First name	
Middle name (optional)	
Last name	
Suffix (optional)	<input type="checkbox"/> Jr. <input type="checkbox"/> MD <input type="checkbox"/> PHD <input type="checkbox"/> Sr.
Street 1	
Street 2 (optional)	
City	

Standard Form-LLL "Disclosure of Lobbying Activities"	
State (optional)	
Zip (optional)	
Zip extension (optional)	
10b. Individual performing services: (including address if different from No. 10a)	
Prefix (optional)	<input type="checkbox"/> Dr. <input type="checkbox"/> Miss <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Rev.
First name	
Middle name (optional)	
Last name	
Suffix (optional)	<input type="checkbox"/> Jr. <input type="checkbox"/> MD <input type="checkbox"/> PHD <input type="checkbox"/> Sr.
Street 1	
Street 2 (optional)	
City	
State (optional)	
Zip (optional)	
Zip extension (optional)	

Standard Form-LLL “Disclosure of Lobbying Activities”

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. Drug-Free Workplace (Grantee other than individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620.

A. The applicant certifies that it will continue to provide a drug-free workplace by;

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

3. Drug-Free Workplace (Grantee other than individuals)	
<p>(b) Establishing an on-going drug free awareness program to inform employees about</p> <ol style="list-style-type: none"> (1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace. 	
<p>(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);</p>	
<p>(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-</p> <ol style="list-style-type: none"> (1) Abide by the term of the statement; and (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring ion the workplace no later than five calendar days after such convictions. 	
<p>(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.</p>	

3. Drug-Free Workplace (Grantee other than individuals)	
<p>(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-</p> <p>(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or</p> <p>(2) Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).</p>	
<p>B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:</p>	
<p>Place of performance (street address, city, county, state, ZIP code) (optional)</p>	
<p>There are workplaces on file that are not identified.</p>	<p><input type="checkbox"/> Yes</p>



Town of Miami Lakes Memorandum

To: Honorable Mayor & Councilmembers
From: Edward Pidermann, Town Manager
Subject: Visitor Management System – As Needed
Date: October 20, 2020

Recommendations:

It is recommended that the Town Council authorize the Town Manager to piggyback General Services Administration (“GSA”) contract GS-35F-209CA with QLess, Inc. in accordance with Section 7 of the Town’s Procurement Ordinance 17-203, for visitor management software on an as-needed basis in an amount not to exceed budgeted funds

Background:

The Town of Miami Lakes (“Town”) Building Department experiences long lines and waiting times. In order to alleviate foot traffic and provide the best customer service to its residents, the Town’s Building Department staff desires to implement a visitor management software.

QLess is a cloud-based software that advances the delivery of services to residents by eliminating lines with “virtual queues.” QLess allows residents to join a line via website, phone call, text, mobile app, or an on-site kiosk. Residents are able to choose the type of service they want, and the system then shares the expected wait time, allowing residents to manage their time accordingly. QLess also allows Town staff to schedule appointments, manage lines, and even steer residents to less busy times of the day in order to deliver the most efficient and timely service to the residents.

The General Services Administration (“GSA”) awarded the contract to QLESS, Inc. with an initial term of March 15, 2015 through March 14, 2025.

After researching the options available to the Town, Procurement recommends piggybacking General Services Administration (“GSA”) contract GS-35F-209CA with QLESS, Inc. under Section 7 of Ordinance 17-203, as it will satisfy our needs effectively, while minimizing administrative costs associated with issuing a separate solicitation.

RESOLUTION NO. 21-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF A VISITOR MANAGEMENT SOFTWARE ON AN AS NEEDED BASIS; AUTHORIZING THE TOWN MANAGER TO UTILIZE THE GENERAL SERVICES ADMINISTRATION (“GSA”) CONTRACT GS-35F-209CA WITH QLESS, INC. PURSUANT TO SECTION 7 OF ORDINANCE 17-203 (THE TOWN’S PROCUREMENT ORDINANCE); 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.

WHEREAS, Section 7 of the Town of Miami Lakes Ordinance 17-203 (“the Town’s Procurement Ordinance”) authorizes the purchase of goods and services from current contracts of other public, governmental, state/federal funded or non-profit entities, where the contracts have resulted from a formal competitive procurement process; and

WHEREAS, the Town intends to piggyback the General Services Administration (“GSA”) Contract GS-35F-209CA with QLess, Inc. (“QLess”) (hereinafter referred to as “Contract”) for a visitor management software on an as-needed basis; and

WHEREAS, the Town Manager recommends authorization to procure a visitor management software from the Contract not to exceed budgeted funds; and

WHEREAS, the Town Council approves of the Town Manager’s recommendations and authorizes the Town Manager to initiate purchases off the Contract in amounts not to exceed budgeted funds for these goods and services.

**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 Contract.** The Town Council hereby approves the award of a contract to QLess, Inc. in substantially the form attached hereto as Exhibit “A” for a visitor management software not to exceed budgeted funds.

Section 3. **Authorization of Town Officials.** The Town Manager and/or his designee are authorized to take all steps necessary to utilize the General Services Administration Contract GS-35F-209CA and to execute said contract on behalf of the Town, subject to approval as to form and legality by the Town Attorney. The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the contract with QLess, Inc. for a visitor management software not to exceed budgeted funds.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Town Manager by the Town’s Procurement Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of this Resolution and the contract with QLess, Inc. for a visitor management software per budgeted funds.

Section 5. **Execution of the Contract.** The Town Manager is authorized to execute the Contract in substantially the form attached hereto as Exhibit “A” with QLess, Inc. and to execute any required agreements and/or documents to implement the terms and conditions of the contract and to execute any extension and/or amendments to the contract, subject to approval as to form and legality by the Town Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Passed and adopted this _____ day of _____, 2020.

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 Josh Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Manny Cid
MAYOR

Attest:

Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

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

EXHIBIT A

Agreement
between the
Town of Miami Lakes
and
QLess, Inc.
For
Visitor Management Software

Eliminate Citizen Lines and Improve Operations

The QLess Solution

Serving citizens in a timely and efficient manner is a major challenge for government agencies. Cloud-based software from QLess dramatically advances the delivery of citizen services by eliminating lines with “virtual queues” – empowering government agencies to provide an efficient approach and improved experience for both citizens and staff.

With QLess, citizens are able to join a line via your website, phone call, text, mobile app, or an on-site kiosk. Citizens choose the type of service they want and our system shares the expected wait time. Status notifications help control expectations and reduce frustration, putting your staff in control.

“QLess saves permit applicants hours of wasted time, reduces stress for everyone, and allows our staff to better monitor performance.”

— Jocelyn Mathiasen, Director of Permitting & Land Use,
City of Milford, Connecticut

How QLess Works For Your Citizens

JOIN A LINE 1	MOVE FREELY 2	GET UPDATES 3	BE SERVED 4
			
<p>Citizens can join a line from anywhere</p>	<p>Citizens wait wherever they want</p>	<p>Citizens receive wait time updates</p>	<p>Citizens are notified when it's their turn</p>

Key Benefits



Eliminate Long Lines

QLess technology provides an effortless way for citizens to quickly access the services they need without standing in long lines.



Boost Staff Productivity and Operational Efficiencies

Our interactive platform allows your staff to schedule appointments, manage lines, and even steer citizens to less busy times of the day. The result: employees that are better equipped to deliver optimal service.



Reduce Citizen Complaints

Timely updates and notifications alert citizens as they move to the front of the queue. Fast and efficient appointment scheduling enables citizens to feel empowered and in control of their time.



Gain Valuable Insights with Reports

Equip your department with key data to improve services. QLess Reports provide real-time reporting and analytics for critical decision-making, such as anticipating peak periods to optimize staff productivity.



Enhance Communications and Citizen Engagement

Our system offers bi-directional communication between your staff and citizens. Likewise, our automated survey feature collects real-time feedback – providing valuable insight to identify procedural enhancements and drive improvement to citizen services.



Cloud Technology

- » 100% web-based and supported by all standard browsers
- » No proprietary hardware or downloads required, no local servers needed
- » Seamless software updates occur with zero impact on your staff
- » Substantial savings of IT costs and time
- » With a suite of over 180 APIs, we offer seamless integration with any software solution

Mobile Queues

- » Omni-channel queue entry
- » Citizens join a virtual queue via your government agency website, their mobile phone, or at an on-site kiosk
- » Timely updates and notifications alert citizens as they move to the front of the queue
- » Instead of waiting in your lobby, citizens can wait where they want

Interactive Communication

- » Bi-directional communication connects your staff with citizens waiting in line
- » Citizens are updated throughout their wait, controlling expectations and reducing frustration
- » Citizens can ask for more time, request status updates, or leave the line

Apps

- » Multi-platform availability
- » Citizens can download the QLess iOS or Android app with real-time information
- » Kiosk software for easy self-serve check-in

Command Center

- » Easily configure your account
- » Manage your queues per location
- » Manage employee accounts
- » Customize voice and SMS messages by department and transaction type

Dashboard

- » A real-time dashboard displaying each queue and location
- » Improve staff productivity and efficiency with live data and relevant metrics to optimize work flow
- » At-a-glance views of what is currently happening at your locations

Calendar

- » View appointments with day, week, and monthly-based views
- » View appointments for multiple locations simultaneously
- » Schedule appointments on behalf of citizens
- » Filter appointments by location, queue, and scheduled resource
- » Resource availability management

Flex Appointments

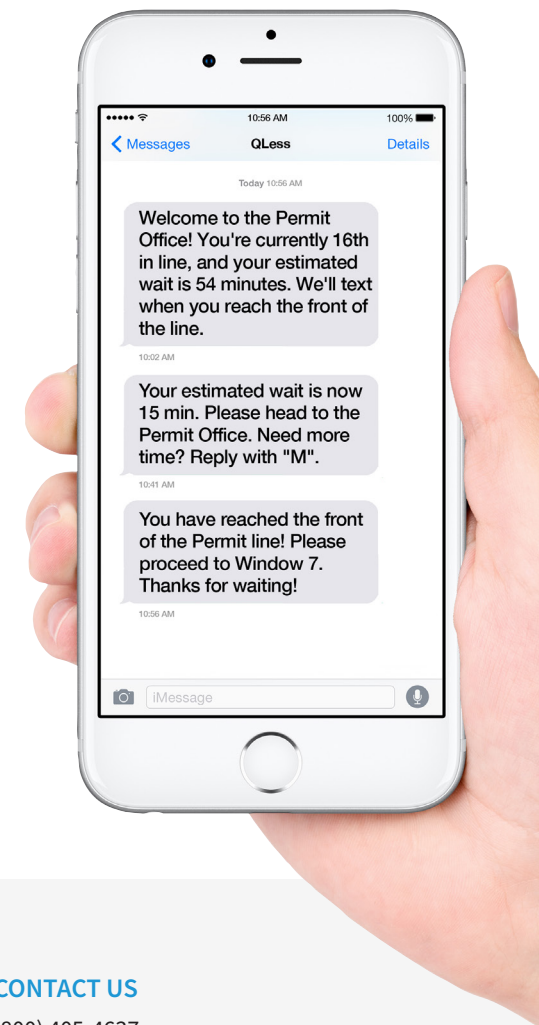
- » Flex Appointments seamlessly integrates walk-ins with your scheduled appointments, preventing long gaps between citizens on busy days
- » Collect valuable data such as citizen name, ID #, and service need

Tracking and Reporting

- » Access real-time data for each department and location
- » Download data to Microsoft Excel, Access or CSV
- » Reports include no-show rates, return rates, outcome, transaction type, service duration, and delay times
- » View data by hourly, daily, weekly, monthly, yearly
- » Compare locations and track service throughout

Surveys

- » Collect real-time feedback to know exactly what's working and what improvements need to be made
- » Gather valuable insights to optimize staffing, identify procedural enhancements, and drive improvement to citizen services



CORPORATE HEADQUARTERS

150 South Los Robles, Suite 900
Pasadena, CA 91101

CONTACT US

(800) 405-4637
sales@qlless.com
www.qlless.com



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Aluminum and synthetic roofs on canopies and accessory buildings
Date: October 20, 2020

Recommendation:

Staff recommends approval of the ordinance amending Section 13-1608 as it relates to permitting aluminum roofing on canopies for single-family and two-family buildings.

Background:

On August 20, 2020 Town Council of the Town of Miami Lakes directed the Town Manager to amend the Land Development Code to permit aluminum roofs for canopies and accessory buildings. The request arises out of discrepancies in the treatment of canopies attached to the main residence, which require either canvas and pipe or a construction method and roofing that “*match*” the main residence, and detached accessory structures, which require materials and construction methods to “*match or compliment*” the main residence. Under the current ordinance, an aluminum structure would be allowed if it is detached and complimentary to the main residence, but not allowed if it is attached to the main structure. There are valid concerns regarding the quality of some commercially available aluminum roofing structures, but these concerns are equally applicable to both attached and detached structures and can be alleviated by inserting appropriate language regarding architectural compatibility. The ordinance amends Sections 13.1, 13-442, 13-1502 and 13-1506 integrating definitions and treatment of similar structures. Of note, Townhouse districts currently permit only canvas and cloth as roofing materials for canopies, and metal or aluminum is only allowed for Bahama shutters, referred to as canopy-shutters by the LDC; No changes are proposed for the Townhouse section at this time.

On October 6, 2020, the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

Attachments:
Ordinance
Staff Report

ORDINANCE NO. 20- _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED MATERIALS FOR TOWNHOUSE, SINGLE-FAMILY AND TWO-FAMILY CANOPIES AND ACCESSORY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE I, “IN GENERAL”, AT SECTION 13-1, “DEFINITIONS AND REFERENCES”, AND AT ARTICLE IV, “ZONING DISTRICT REGULATIONS”, DIVISION 3 “RU-TH TOWNHOUSE DISTRICT”, AT SECTION 13-442, “DEFINITIONS”, AND AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS” AT SECTION 13-1502, “ACCESSORY BUILDINGS”, AND AT SECTION 13-1506, “CANOPIES” PERMITTING ALUMINUM AND SYNTHETIC MATERIALS IN A STYLE THAT RESEMBLES WOOD CONSTRUCTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Jeffrey Rodriguez)

WHEREAS, section 13-442 of the Town’s Land Development Code provides for regulation of canopies in Townhouse districts; and

WHEREAS, sections 13-1506 of the Town’s Land Development Code provides for regulation of canopies in residential single-family and two-family districts; and

WHEREAS, building materials and methods of construction continue to evolve; and

WHEREAS, aluminum roofing for canopies and accessory buildings, without careful architectural design requirements, can lead to blight throughout the Town; and

Additions to the text are shown in underlined; deletions from the text are shown in strikethrough.
Omitted portions of this ordinance are shown as “* * *.”

WHEREAS, in order to allow the use of modern aluminum roofing materials for canopies and accessory buildings, it is necessary to amend the Town’s Land Development Code, and provide for revised definitions and design criteria; and

WHEREAS, on October 6, 2020 the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

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

WHEREAS, on _____, the Town Council considered the ordinance at a duly advertised 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. Sections 13.1, 13-442, 13-1502 and 13-1506, of the Town’s Land Development Code are hereby amended as provided at Exhibit A:

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.

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:

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 _____, 2020.

Additions to the text are shown in underlined; deletions from the text are shown in strikethrough.
Omitted portions of this ordinance are shown as “* * *.”

[THIS SPACE INTENTIONALLY LEFT BLANK]

Additions to the text are shown in underlined; deletions from the text are shown in strikethrough.
Omitted portions of this ordinance are shown as “* * *.”

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 _____, 2020.

Manny Cid
Mayor

Attest:

Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez & Mestre, PLLC
Town Attorney

Additions to the text are shown in underlined; deletions from the text are shown in strikethrough.
Omitted portions of this ordinance are shown as “* * *.”

EXHIBIT A
ORDINANCE

Chapter 13 - LAND DEVELOPMENT CODE

* * *

ARTICLE I. - IN GENERAL

Sec. 13-1. - Definitions and references.

* * * * *

(33.5) *Canopy* means a ~~detachable, roof like cover, supported from the ground, or deck, or floor of a building, and from the walls of a building, for protection from sun or weather.~~ a covering that provides protection against the sun or weather that is installed on a frame, which may be made of metal, wood or other rigid material and supported both by posts attached to the ground, deck or floor of a building and, by the wall of the building.

ARTICLE IV. - ZONING DISTRICT REGULATIONS

* * * * *

DIVISION 3. - RU-TH TOWNHOUSE DISTRICT

* * * * *

Sec. 13-442. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

Canopy means a temporary detachable canvas or other cloth protection against the sun or weather on a rigid ~~metal~~ frame, which may be made of metal, wood, or other rigid material ~~used similarly as protection against the sun or weather~~ which is supported in part by ~~metal or wood~~ posts attached to the ground or to deck or floor of a building and, in part, on the wall of the

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

building. A canopy-shutter is a canopy installed, over an opening (door or window) in a manner permitting raising and lowering to close entirely the protected opening.

* * * * *

ARTICLE V. - ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS

Sec. 13-1502. - Accessory buildings.

One-story accessory buildings shall be permitted within the required rear yard of single-family or two-family residences if they comply with the following:

- (1) Each accessory building, and the total of all accessory buildings and any storage shed, located in the rear yard, shall not exceed 350 square feet of roofed area (including roof overhangs) or cover more than 20 percent of the required rear yard, whichever is less. Enclosed storage areas in each individual accessory building shall not exceed 100 square feet (60 square feet in the zero lot line developments).
- (2) Accessory buildings shall be set back a minimum of five feet from a rear or interior side property line or for corner lots shall comply with the side street setbacks for the main structure. Roof overhangs shall be permitted to project a maximum of 12 inches into the required five-foot side and rear setbacks.
- (3) Accessory buildings shall be detached a minimum of ten feet from the residence and a minimum of six feet from roof overhangs (detached six feet from the main residence and six feet from any roof overhangs in the zero lot line developments). Accessory buildings shall be spaced apart from each other the same distance requirements as from the main residence.
- (4) Accessory buildings shall be limited to one story with a maximum height of 15 feet.
- (5) Allowable accessory buildings, with the exception of chickee huts as defined in this Code, shall be constructed and finished to match the existing residence (including roofing material) or designed in an architectural style complimentary to the existing residence, using either wood or CBS construction to match the residence, or aluminum or synthetic materials in a style that resembles wood construction and compliments the architecture of the main residence. Any accessory building with a pitch equal to or greater than two and one-half shall be constructed of standing metal seam roof, barrel tile, flat tile or another material which simulates barrel tile or flat tile to match the main residence.
- (6) Accessory buildings shall be limited to uses that are accessory to the main use, including but not limited to garages, carports, pergolas, cabanas, gazebos, etc. Sleeping or guest rooms shall not be permitted in detached accessory buildings.
- (7) Accessory buildings may contain heating and air conditioning, washers and dryers, toilets, bar sinks and showers.

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

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

- (8) No permit shall be issued for an accessory building for any use unless the principal building exists on the lot, or unless a permit is obtained simultaneously for both buildings and construction progresses concurrently.

* * * * *

Sec. 13-1506. - Canopies.

This section applies to single-family and two-family residences.

- (1) Required front and side yard. Canopies are not permitted within the required front and side yards.
- (2) Required rear yard.
- a. Canopies attached to the main residence and open on at least three sides shall not be included in the lot coverage calculations except for that portion projecting into a required rear yard setback as follows:
1. An attached canopy may project into the required rear yard setback a maximum of seven feet provided that no attached canopy projects any closer than three feet to a property line, unless otherwise provided by subsection (3) below. Any intrusion into a required rear yard setback shall be included in the lot coverage calculations.
 2. All attached canopies must comply with the required side street setbacks for the main residence.
 3. In lots where the rear setback is 25 feet or less, or where a detached gazebo as an accessory structure is unfeasible as determined by the Administrative Official, an attached canopy, open on at least three sides, may project into the rear setback up to a maximum of 50 percent of the required rear yard, provided no other detached accessory structure is proposed for the property. Each canopy located in the rear yard shall not exceed 350 square feet of roofed area (including roof overhangs) or cover more than 20 percent of the required rear yard, whichever is less.
- b. Detached canopies in the rear yards shall comply with the setback and lot coverage restrictions for accessory buildings.
- (3) Construction. With the exception of chickee huts as defined in this Code, all canopies, attached or detached, may only be constructed of canvas, fabric or vinyl and pipe or wood or CBS construction to match the residence, or aluminum or synthetic materials in a style that resembles wood construction and compliments the architecture of the main residence. Any canopy with a pitch equal to or greater than two and one-half shall be constructed of standing metal seam roof, barrel tile, flat tile or another material which simulates barrel tile or flat tile to match the main residence.

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

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



Planning Section
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Aluminum and synthetic roofs on canopies and accessory buildings.
Date: October 20, 2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED MATERIALS FOR TOWNHOUSE, SINGLE-FAMILY AND TWO-FAMILY CANOPIES AND ACCESSORY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE I, “IN GENERAL”, AT SECTION 13-1, “DEFINITIONS AND REFERENCES”, AND AT ARTICLE IV, “ZONING DISTRICT REGULATIONS”, DIVISION 3 “RU-TH TOWNHOUSE DISTRICT”, AT SECTION 13-442, “DEFINITIONS”, AND AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS” AT SECTION 13-1502, “ACCESSORY BUILDINGS”, AND AT SECTION 13-1506, “CANOPIES” PERMITTING ALUMINUM AND SYNTHETIC MATERIALS IN A STYLE THAT RESEMBLES WOOD CONSTRUCTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Jeffrey Rodriguez)

A. BACKGROUND

On August 20, 2020 Town Council of the Town of Miami Lakes directed the Town Manager to amend the Land Development Code to permit aluminum roofs for canopies and accessory buildings. The request arises out of discrepancies in the treatment of canopies attached to the main residence, which require either canvas and pipe or a construction method and roofing that “*match*” the main residence, and detached accessory structures, which require materials and construction methods to “*match or compliment*” the main residence. Under the current ordinance, an aluminum structure would be allowed if it is detached and complimentary to the main residence, but not allowed if it is attached to the main structure. There are valid concerns regarding the quality of some commercially available aluminum roofing structures, but these concerns are equally applicable to both attached and detached structures and can be alleviated by inserting appropriate

language regarding architectural compatibility. The ordinance amends Sections 13.1, 13-442, 13-1502 and 13-1506 integrating definitions and treatment of similar structures. Of note, Townhouse districts currently permit only canvas and cloth as roofing materials for canopies, and metal or aluminum is only allowed for Bahama shutters, referred to as canopy-shutters by the LDC; No changes are proposed for the Townhouse section at this time.

On October 6, 2020, the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

B. PROPOSED CHANGES

The following described elements are presented in the same order that they appear in the proposed ordinance.

Sec. 13-1. - Definitions and references. The existing definition is replaced with a definition more compatible with language both in the Townhouse section of the LDC and the building code.

DIVISION 3. - RU-TH TOWNHOUSE DISTRICT - Sec. 13-442. – Definitions. No major changes are proposed to this section, only the addition of the word “wood” as an allowable material for the supports.

13-1502. – Accessory Buildings. Language was added regarding aluminum and synthetic roofing materials in a style that resembles wood construction.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance amending Section 13-1608 as it relates to permitting aluminum roofing on canopies for single-family and two-family buildings.

D. 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.

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

Analysis: The Comprehensive Development Master plan does not address roofing. The proposed ordinance has no impact on concurrency management.

Finding: Complies

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

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, of this report. The amendment offers a roofing system to single-family and two-family homes that is more resilient than barrel or flat tile construction. The ordinance does not conflict with any other portions of the Code.

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 Sections “A”, Background; and “B”, Proposed Changes, and Criteria “2”, of this report. Generally, when a variance approval for the same subject becomes reoccurring, it becomes incumbent upon the policy makers to redress the Code and consider whether a change is appropriate. In addition to its resiliency qualities, the Planning and Zoning Board has granted three (3) variances in the last ten (10) years permitting a standing metal seam roof.

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: See Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. The proposed amendment does not change the list of permitted uses within any zoning district.

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: See Sections “A”, Background; and “B”, Proposed Changes, of this report. 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: See Sections “A”, Background; and “B”, Proposed Changes, of this report. 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 Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. Metal standing seam roofing is generally more expensive than traditional barrel or flat tile. It is also more resilient to storm events that may be experienced in South Florida. These factors contribute to the roofing style’s value. That in turn lends value to the rest of the community.

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: See Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7, of this report.

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 Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7 of this report.

Finding: Complies.

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

Analysis: See 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 Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Resolution in Opposition to County Ordinances affecting Town Notice Rights and Ability to be heard.

Date: October 20, 2020

Recommendation:

Staff recommends approval of the resolution opposing Miami Dade County attached as Exhibit “A” and “B”, which would have the effect of reducing public notice for important matters before the Board of County Commissioners, as well as reducing the number of chances for the public to express concerns and opinions regarding such matters.

Background:

On October 6th, 2020 the BCC (Board of County Commissioners) considered and passed on first reading item 4D and 7D, which directly impacts the Town’s procedural and substantive rights to be heard and considered on matters that affect zoning and land-use.

The first Ordinance proposes to amend the procedures relating to Comprehensive Development Master Plan (CDMP) and zoning to allow for concurrent processing of CDMP and zoning applications, effectively reducing the number of public hearings required from four to two.

The second Ordinance proposes to reduce notice and hearing requirements before zoning actions, by deleting the requirements to publish a layman’s notice, reducing times for publication, reducing radius distances for mailed notices, and changing the posting requirement to a courtesy.

Attachments:

Resolution
Exhibit “A”
Exhibit “B”

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING MIAMI DADE COUNTY BOARD OF COUNTY COMMISSIONERS PROPOSED ORDINANCES REDUCING NOTICE TO MUNICIPALITIES AND REQUIRING MATTERS AFFECTING THE COMPREHENSIVE DEVELOPMENT MASTER PLAN AND ZONING TO BE HEARD CONCURRENTLY; PROVIDING FOR INSTRUCTION TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) is a municipality within the boundaries and jurisdiction of Miami-Dade County; and

WHEREAS, decisions taken by the Miami-Dade County Board of County Commissioners (the “BCC”) that impose restrictions or dilutes local municipalities substantive and procedural rights affects the Town’s ability to self-regulate and infringes on its home-rule charter; and

WHEREAS, during the October 6, 2020 BCC meeting, the BCC passed on first reading a change to Miami-Dade County’s code that would allow applications that involve changes to Miami-Dade County’s Comprehensive Development Master Plan (CDMP) and Zoning changes to be heard concurrently, effectively reducing the number of public hearings available for the public and interested parties to voice concerns and opinions. A true and correct copy of the Ordinance is attached as Exhibit “A”; and

WHEREAS, also, during the October 6, 2020 BCC meeting, the BCC passed on first reading a change to Miami-Dade County’s Code that will reduce the public notice requirement for public hearings. A true and correct copy of the Ordinance is attached as Exhibit “B”; and

WHEREAS, projects that require both CDMP and Zoning changes are very impactful on the surrounding community and can have a detrimental effect on both property values and quality of life; and

WHEREAS, Public Notice informs the general public, as well as other interested parties, such as Municipalities and Home Owners Associations, as to the date and time of public hearings that may affect their quality of life, or property rights, or otherwise be of interest to them; and

WHEREAS, the Town Council believes that passage of Miami-Dade County Ordinance 20-1905 and 20-1909, are contrary to the best interest of the Town and its residents.

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

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

Section 2. **Statement of Opposition.** The Town of Miami Lakes Council opposes Miami Dade County Ordinances attached hereto as Exhibit “A”, and Exhibit “B”, which attempt at reducing the Town’s substantive and procedural rights to self-government.

Section 3. **Instructions to the Clerk.** The Clerk is instructed to forward a copy of this Resolution to the Chair of Miami-Dade County Board of County Commissioners, and the Clerk for Miami-Dade County.

Section 4. **Effective Date.** This Resolution shall take effect upon its passage and adoption by the Town Council.

Passed and adopted this _____ day of _____, 2020.

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

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, PLLC
TOWN ATTORNEY

MEMORANDUM

Agenda Item No. 7(D)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

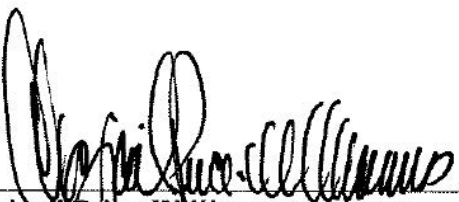
DATE: October 6, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to Comprehensive Development Master Plan (CDMP) and zoning procedures and the Rules of Procedure of the Board of County Commissioners; amending section 2-116.1 of the Code; expanding authority for concurrent processing of CDMP and zoning applications to include any zoning application that accompanies a proposed CDMP amendment under certain circumstances; modifying exception pertaining to review of concurrent CDMP and zoning applications by the Development Impact Committee Executive Council; providing for when a single public hearing may be held for concurrent applications; amending section 2-1; providing when CDMP and concurrent CDMP and zoning applications will be heard

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying ordinance was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.




Abigail Price-Williams
County Attorney

APW/uw

Date: October 6, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Ordinance Expanding Authorization for Concurrent Processing of Comprehensive Development Master Plan (CDMP) and Zoning Applications

This item was amended at the September 9, 2020 Infrastructure & Capital Improvements Committee meeting to clarify that the Board of County Commissioners shall directly hear all concurrent CDMP - zoning applications.

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance related to planning and zoning procedures. The Code currently provides for the concurrent processing of Comprehensive Development Master Plan (CDMP) and zoning applications in limited circumstances. The proposed ordinance expands the existing limited allowance for concurrent processing of such applications to include any zoning application that accompanies a CDMP amendment, regardless of the property's location or zoning district. The proposed ordinance also provides criteria that would permit a single public hearing for concurrent applications to be held at a regular meeting of the Board.

Scope

Unincorporated Miami-Dade County.

Fiscal Impact/Funding Source

Approval of this item is not anticipated to create a fiscal impact to the County, as the proposed changes will not require additional staffing resources nor generate additional operational expenses.

Social Equity

The purpose of the proposed ordinance is to expand the existing applicability of the concurrent filing, processing, and disposition of CDMP and zoning applications. Facilitating the concurrent processing of all CDMP and zoning items not only benefits prospective applicants by offering a more efficient process, but also the community in general by bringing both the legislative planning and quasi-judicial zoning items to the Board at the same time.

Track Record/Monitor

Nathan Kogon, Assistant Director, Development Services Division, Department of Regulatory and Economic Resources (RER), and Jerry Bell, Assistant Director, Planning Division, RER.

Background Section 2-116.1(5)(e) of the Code currently provides for concurrent filing and processing of CDMP and zoning applications only in connection with the County's Corridor Zoning District (CD). CD is the zoning district applicable to properties along the Ludlam Trail Corridor. The concurrent filing of CDMP and zoning applications has been effectively used more broadly by some local governments throughout Florida to expedite applications, and facilitate public discussion at a single hearing, thereby resulting in a more efficient and streamlined process.



Jack Osterholt
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 6, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(D)
10-6-20

ORDINANCE NO. _____

ORDINANCE RELATING TO COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) AND ZONING PROCEDURES AND THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING AUTHORITY FOR CONCURRENT PROCESSING OF CDMP AND ZONING APPLICATIONS TO INCLUDE ANY ZONING APPLICATION THAT ACCOMPANIES A PROPOSED CDMP AMENDMENT UNDER CERTAIN CIRCUMSTANCES; MODIFYING EXCEPTION PERTAINING TO REVIEW OF CONCURRENT CDMP AND ZONING APPLICATIONS BY THE DEVELOPMENT IMPACT COMMITTEE EXECUTIVE COUNCIL; PROVIDING FOR WHEN A SINGLE PUBLIC HEARING MAY BE HELD FOR CONCURRENT APPLICATIONS; AMENDING SECTION 2-1; PROVIDING WHEN CDMP AND CONCURRENT CDMP AND ZONING APPLICATIONS WILL BE HEARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes set forth in the accompanying memorandum, a copy of which is incorporated herein by reference,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The Board ratifies and adopts the accompanying memorandum, as if fully set forth herein.

Section 2. Section 2-116.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Sec. 2-116.1. Amendment procedure for Comprehensive Development Master Plan.

* * *

(5) *Additional exceptions from application cycle filing and other procedural requirements.* Notwithstanding other requirements of this section, the following types of applications shall be exempt from the requirement to file within an application cycle.

* * *

(e) *Concurrent processing of zoning applications* ~~[[for Corridor District]].~~ Where a CDMP amendment application is accompanied by a zoning application ~~>>pursuant to chapter 33 (the "concurrent zoning application") and both applications are complete<< [[for district boundary change to Corridor District (the "concurrent rezoning application")],~~ the ~~>>zoning<< [[rezoning]] application >>shall, at the applicant's request,<< [[may]] be processed concurrently with the CDMP amendment application, and the Board of County Commissioners may take action on the concurrent >>zoning<< [[rezoning]] application on the same day at which it takes final action on the CDMP amendment application, provided that:~~

- (i) The plan amendment may be either a small-scale or standard application and shall follow the notice and hearing requirements set forth in subsections 2-116.1(3) and 2-116.1(4).
- (ii) The concurrent ~~>>zoning<< [[rezoning]] application shall be noticed and heard in accordance with the >>applicable<< requirements of chapter 33~~ ~~[[of this code]],~~ except that~~>>, where it would otherwise be required, review by the Executive Council of the Development Impact Committee shall not be required unless the concurrent zoning application is accompanied by a development agreement as provided in section 33-310.3<< [[the review and approval process pursuant to section 33-470 shall require review by the Developmental Impact Committee but not the Executive Council prior to hearing by the Board of County Commissioners]].~~

- (iii) >>Notwithstanding any other provision of the Code, the Board of County Commissioners shall directly hear all concurrent zoning applications.<<² >>A single public hearing may be held on the plan amendment and concurrent zoning application, provided that such public hearing is conducted in accordance with the procedures governing quasi-judicial matters.<<
- (iv)<< Action shall be taken separately on the plan amendment and on the concurrent >>zoning<< ~~[[rezoning]]~~ application.
- >>(v)<< ~~[[iv]]~~ Approval of the concurrent >>zoning<< ~~[[rezoning]]~~ application shall be contingent upon the plan amendment becoming effective.

* * *

Section 3. Section 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-1. Rules of Procedure of County Commission.

* * *

PART 5. CONDUCT OF MEETINGS; AGENDA

* * *

Rule 5.05 Agenda

(a) *Order of business*

* * *

² Committee amendments are indicated as follows: words double stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words double underlined and/or >>double arrowed<< constitute the amendment proposed.

(2) At Thursday meetings the following items of business shall be conducted in the following order:

1. Special presentations and proclamations.
2. Items scheduled for Thursday.
3. Policy matters for discussion by the board.
4. Zoning ~~>>~~and Comprehensive Development Master Plan (“CDMP”) amendment applications with concurrent zoning applications~~<<~~.
5. Historic preservation appeals.
6. Metropolitan Planning Organization.
7. Workshops.

~~>>~~(3) Applications to amend the CDMP that are not accompanied by concurrent zoning applications may be heard at any regular meeting scheduled in accordance with rule 3.01.~~<<~~

(b) *Authority to sponsor or present items on agenda.*

- (1) Anything to the contrary notwithstanding and subject to the following paragraph related to quasi-judicial matters and certain ~~>>~~CDMP~~<<~~ [~~Comprehensive Development Master Plan (“CDMP”)]~~ applications, matters may only be presented or sponsored by a county commissioner, a commission committee, the county attorney and the clerk of the commission, except that the Mayor shall be able to present or sponsor: (1) reports which do not amend any policy established by the County Commission; (2) mayoral appointments; (3) solicitations for the purchase of goods and services, leases, construction contracts and debt obligations; (4) contracts for the purchase of goods and services and amendments thereto; (5) grant applications, grants and sub-grants; (6) leases of non-County-owned property and amendments thereto; (7) debt obligations and amendments thereto; (8) construction

contracts and amendments thereto; (9) labor agreements and amendments thereto; (10) special taxing districts initiated by petition; (11) certificates of public convenience and necessity; (12) certificates of transportation; (13) other matters where the presentation or sponsorship by the Mayor is required by the Home Rule Charter or state or federal law; and (14) leases and licenses of County-owned property and amendments thereto if the Mayor first provides written notification to the Commissioner of the District wherein the County-owned property that is to be leased or licensed is located of the matter and the District Commissioner does not agree to present or sponsor such lease or license or amendment thereto within ten (10) days of the written notification. Any Commissioner or commission committee may present or sponsor any item which the Mayor is authorized to present or sponsor pursuant to the preceding sentence, except as provided otherwise in the Home Rule Charter, or state or federal law. Additionally, the committee chairperson of jurisdiction may, upon the written request of the Mayor or his or her designee, submit an item for placement on a committee or Commission agenda. Such an item shall, if requested by the committee chairperson of jurisdiction, be placed on the appropriate agenda, in accordance with the applicable rules of procedure, as an item sponsored by the committee of jurisdiction.

Quasi-judicial matters may be presented by the applicable department and shall be placed on the appropriate agenda in accordance with these Rules. In addition, private applications for amendment, modification, addition, or change to the CDMP shall be placed on the appropriate CDMP agenda after the Department of Regulatory and Economic Resources or successor department has completed its review of the application as provided in Section 2-116.1 of the Code and all required fees have been paid (hereinafter “completed private CDMP application”).

Each completed private CDMP application and the accompanying ordinance and any related resolution shall: (i) be forwarded to the Office of the Agenda Coordinator for placement on the appropriate CDMP agenda; and (ii) be accompanied by a recommendation from the Mayor or his or her designee.

* * *

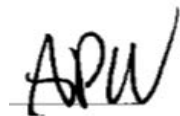
Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



James Eddie Kirtley
Christopher J. Wahl

MEMORANDUM

Agenda Item No. 4(D)

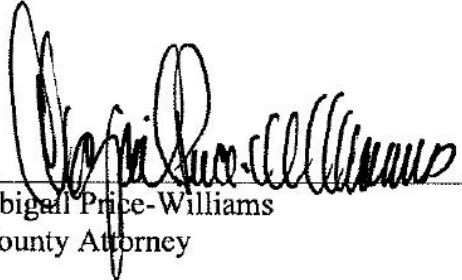
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 6, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to zoning; amending section 33-310 of the Code; reducing notice and hearing requirements before zoning action; requiring additional information to be provided in notices; deleting requirement to provide a layman's notice; providing that posted notice is a courtesy rather than a required notice; reducing times for publication, mailing, and posting of notices; reducing radius distances for mailed notice; providing criteria for director determinations relating to notices; revising requirements for department staff to show compliance with notice requirements; deleting obsolete provision regarding the scope of judicial review based on notices; making clarifying and technical changes

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 6, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(D)
10-6-20

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-310 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REDUCING NOTICE AND HEARING REQUIREMENTS BEFORE ZONING ACTION; REQUIRING ADDITIONAL INFORMATION TO BE PROVIDED IN NOTICES; DELETING REQUIREMENT TO PROVIDE A LAYMAN'S NOTICE; PROVIDING THAT POSTED NOTICE IS A COURTESY RATHER THAN A REQUIRED NOTICE; REDUCING TIMES FOR PUBLICATION, MAILING, AND POSTING OF NOTICES; REDUCING RADIUS DISTANCES FOR MAILED NOTICE; PROVIDING CRITERIA FOR DIRECTOR DETERMINATIONS RELATING TO NOTICES; REVISING REQUIREMENTS FOR DEPARTMENT STAFF TO SHOW COMPLIANCE WITH NOTICE REQUIREMENTS; DELETING OBSOLETE PROVISION REGARDING THE SCOPE OF JUDICIAL REVIEW BASED ON NOTICES; MAKING CLARIFYING AND TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the County's zoning hearing process can become expensive for homeowners and other property owners, because of the numerous types of notice required and the lengthy amount of time that notices must currently be provided prior to hearing; and

WHEREAS, the County currently requires substantially more types of notice, and longer notice times prior to hearing, than most municipalities require; and

WHEREAS, in light of the widespread economic harm caused by the COVID-19 pandemic, residents and businesses would benefit from streamlining and reducing the expense of the zoning hearing process by eliminating redundant notice procedures; revising the amount of time that applicants must wait to get to hearing because of the current required time prior to hearing for notices to be published, mailed, or posted; and reducing the radius distances for mailed notices; and

WHEREAS, this Board also wishes to clarify what information must be provided in each of the required notices, provide criteria for the Director to make determinations to expand required notices in particular cases, and provide Department staff with additional options to demonstrate compliance with notice requirements; and

WHEREAS, this Board also would like to make technical changes reorganizing section 33-310 and deleting an obsolete provision purporting to limit the scope of judicial review,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-310 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-310. - Notice and hearing prerequisite to action by the Community Zoning Appeals Boards or Board of County Commissioners>>; Director's recommendation<<.

(a) >>Courtesy notice of filing.<< When an application as prescribed by >>sections<< ~~[[Sections]]~~ 33-304 and 33-309 has been filed hereunder>>, << the Director shall, no later than >>30<< ~~[[thirty (30)]]~~ days after filing, at the cost of the applicant, provide mailed courtesy notice of such filing ~~[[as provided in Section 33-310(d); provided, however, that the]]~~ >>to property owners of record within the radius specified in subsection (d).

(1) The<< failure to mail or receive this courtesy notice shall not affect any action or proceeding taken hereunder.

>>(2)<< The courtesy notice shall include the applicant's name, the processing number, the property size, the location (and street address, if available) of the property, a general description of the action requested in the application, and a statement that the

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

application was filed and is being reviewed by the Department and that a future notice will be provided prior to the public hearing thereon.

>>(3)<< The notice shall additionally state and make clear that any interested person is entitled to discuss the application with the County employees processing and reviewing the application to the same extent as the applicant is so entitled and that the application may change during the hearing process. ~~[[The person or persons mailing the courtesy notice provided, herein shall attach an affidavit or affidavits thereof to the application's file setting forth the compliance with this subsection.]]~~

>>(4)<< The courtesy notice provided in this paragraph shall not be required for appeals filed in ~~[[conjunction with Section]]~~ >>accordance with sections<< 33-313 or 33-314 ~~[[of the Code]]~~.

(b) >>Director's recommendation.<< Applications filed hereunder shall be promptly transmitted to the appropriate board, together with the written recommendation of the Director.

>>(1)<< Where applicable >>₂<< the Developmental Impact Committee shall issue its recommendation, which shall include a statement of the Director as to the application's relationship to the Comprehensive Development Master Plan.

>>(2)<< All such recommendations shall state all facts relevant to the application, including an accurate depiction of known living, working, traffic >>₁<< and transportation conditions in the vicinity of the property that is the subject of the application, and also a description of all projected effects of the proposed zoning action on those conditions. Before reaching a conclusion, each recommendation shall list all known factors both in favor of and against each application.

>>(3)<< All such recommendations shall be signed and considered final no earlier than >>30<< ~~[[thirty (30)]]~~ days prior to the public hearing to give the public an opportunity to provide information to the staff prior to the recommendations becoming final. This shall not preclude earlier, preliminary recommendations.

>>(4)<< All documents of the County departments evaluating the application, which documents pertain to the application, are open for public inspection to applicants or other interested persons.

(c) >>Required notices of hearing.<< No action on any application shall be taken by the Community Zoning Appeals Boards or the Board of County Commissioners ~~[[on any appeal]]~~, until a public hearing has been held upon notice of the time, place >>₁<< and purpose of such hearing, the cost of said notice to be borne by the applicant. >>Except as expressly provided herein, the following notices<< ~~[[Notice]]~~ shall be provided ~~[[as follows]]~~ >>no later than 14 days prior to the public hearing<<:

(1) >>Newspaper advertisement. Notice<< ~~[[Said notice]]~~ shall be published ~~[[twice]]~~ in a newspaper of general circulation in Miami-Dade County ~~[[as follows: (A) a full legal notice, to be published no later than twenty (20) days and no earlier than thirty (30) days prior to the public hearing, to]]~~ >>₁ and said newspaper advertisement shall<< contain the date, time >>₂<< and place of the hearing, >>the applicant's name, the processing number, the property size,<< the property's location (and street address, if available), and nature of the application, including all specific variances and other requests~~[[; and (B) a layman's notice, to be published in the newspaper of largest circulation in Miami-Dade County, no later than twenty five (25) days and no earlier than thirty five (35) days prior to the public hearing, to contain the same information as the above described full legal notice except that the property's legal description may be omitted and the nature of the application and requests contained therein may be summarized in a more concise, abbreviated fashion. The layman's notice may be published in a section or a supplement of the newspaper distributed only in the locality where the property subject to the application lies. In the event that any time periods specified in this subsection shall conflict with any applicable provision of the Florida Statutes, the provision of the Florida Statutes shall govern]]~~.

(2) >>Mailed notice.<< Mailed notice ~~[[containing general information, including, but not limited to, the date, time and place of the hearing, the property's~~

location (and street address, if available), and nature of the application]] shall be sent >>to property owners of record within the radius specified in subsection (d), and said mailed notice shall contain the same information as the newspaper advertisement, except that variances and other requests may be summarized in a concise, abbreviated fashion<< [[as provided in Section 33-310(d) no sooner than thirty (30) days and no later than twenty (20) days prior to the hearing]].

>>(3) Requirements for multiple-frontage properties.<< For properties with more than one frontage, >>each required notice<< [[the advertisement]] shall include both the mailing address and identification of the street or intersection of any additional frontage.

[[~~(3) The property shall be posted no later than twenty (20) days prior to the hearing in a manner conspicuous to the public, by a sign or signs containing information including, but not limited to, the applied for zoning action, application number, and the time and place of the public hearing. The property owner shall be responsible for ensuring that the sign is maintained on the site until completion of the public hearing and for removal of the sign within two (2) weeks following completion of the public hearing.~~]]

>>(4) Notices for application initiated by the Director. Notwithstanding any other provision in this section to the contrary, where a zoning application is initiated by the Director as provided in section 33-309, the time for publishing, mailing, and posting the notices required by this subsection shall be no later than 30 days prior to the hearing.<<

(d) >>Mailed notice radius.<< Mailed notice shall be accomplished by placing in the United States mail >>the notice required by subsection (c)(2)<< [[a written notice]] to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within the following radius of the property described in the application[[, or such greater distance as the Director may prescribe]]:

(1) Approvals of or modifications to Developments of Regional Impact ("DRI"), including substantial deviation determinations or modifications thereof, one [[(1)] mile.

- (2) For applications, other than ~~[[for]]~~ Developments of Regional Impact, required to be reviewed by the Development Impact Committee~~[[; for district boundary changes, use variances, special exceptions, or unusual uses unless the foregoing are specifically itemized in subsection (d)(3) or (d)(4); for any modification of a covenant accepted or condition imposed in connection with a prior district boundary change or use variance; but this subsection shall not apply to residential uses of less than five (5) units]],~~ one-half ~~[[4/2]]~~ mile.
- (3) For modification or elimination of conditions or restrictive covenants, or parts thereof, after public hearing, ~~[[mailed notice shall be accomplished by placing in the United States mail a written notice to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within]]~~ the same radius of the property as required to be noticed for zoning action imposing or accepting the condition or restrictive covenant sought to be modified or eliminated~~[[, or such greater distance as the Director may prescribe]]~~.
- (4) For ~~>>~~all other public hearing applications, 500 feet~~<< [[district boundary change involving a change of prefix within BU (Business) or IU (Industrial) and use variance involving such a use prefix change; for unusual use for outdoor patio dining, outdoor display, adult congregate living facility, day nursery, convalescent home, day camp, home for the aged, institution for the handicapped, kindergarten, nursing home, retirement village, entrance feature, mobile home as watchman's quarters, bathing beach; for special exception for resubdividing/refacing of platted lots, servant's quarters in RU-1 district, convalescent home, eleemosynary and philanthropic institution in RU-4 districts, dude ranch in AU district, temporary farm labor housing in AU district; and for all other applications for zoning action not specified in Subsections (d)(1), (2), (3) and (4), five hundred (500) feet]]~~.
- ~~>>~~(5) The Director may prescribe a greater radius distance for mailed notice than is prescribed by this subsection if the Director determines that the projected impact of the application warrants such greater notice.

(e) Courtesy notices of hearing

(1) Courtesy posting of subject property. A sign or signs shall be posted on the property that is the subject of the application in a manner conspicuous to the public, which posted signs shall contain the same information as the newspaper advertisement.

(i) The failure to provide this courtesy posting shall not affect any action or proceeding taken hereunder.

(ii) The property owner shall be responsible for ensuring that each sign is maintained on the site until completion of the public hearing and for removal of each sign within two weeks following completion of the public hearing.

(iii) To determine the number of posted signs required under this subsection, the Director shall consider the size and configuration of the property.

(2) Courtesy notice to homeowners' association. << A courtesy notice >>of hearing<< shall also be mailed to the president >>or other presiding officer<< of any homeowners' association having any member who resides within the area of mailed notice described >>in subsection (d),<< ~~[[above]]~~ when such residency is shown upon a current updated notice filed with the Director ~~[[; provided, however, that the]]~~ >>.

(i) ~~The~~<< failure to mail or receive this courtesy notice shall not affect any action or proceeding taken hereunder.

>>(ii)<< The Director shall establish and maintain a process by which homeowners' associations may provide notice of the areas in which their members reside.

>>(iii)<< Homeowners' associations shall keep these notices current by updating them in accordance with procedures to be prescribed by the Director.

~~[[e)]]~~ >>(f) Evidence of compliance with notice requirements. << The person or persons responsible for providing the notices >>addressed in subsections (a), (c), and (e)<< ~~[[provided in Subsection (e) above]]~~ shall attach to the application file a

>>declaration or other evidence<< ~~[[sworn affidavit or affidavits]]~~ setting forth that they have complied with said subsection.

>>(g) Consequence for failure to provide required notice.<< Failure to provide the >>notices required by subsection (c)<< ~~[[newspaper notices as provided, or failure to mail the required written notices as provided, or failure to post the property as provided]]~~ renders voidable any hearing held on the application. The failure to >>provide<< ~~[[send out]]~~ courtesy notices shall not render a hearing voidable.

~~[[f]]~~ >>(h) Director's discretion to expand information in notices.<< The Director shall have the discretion to expand any of the notice provisions contained in this section to provide more information >>if the Director determines that the complexity, projected impact, or other unusual circumstance of the application warrants requiring such additional information in one or more of the required notices<< ~~[[if deemed appropriate]]~~.

~~[[g]]~~ ~~If the notices described in Subsection (c)(1) above are published, and the affidavits required by Subsection (e) are of record, no judicial proceeding to void a hearing shall be commenced after the time for appeal from a resolution of an administrative or quasijudicial tribunal as provided in the Florida Rules of Appellate Procedures.]~~

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel
Christopher J. Wahl

Handwritten signatures in black ink. The top signature consists of the letters 'APW' in a stylized, bold font. Below it is a signature that appears to be 'DK' or similar initials, also in a stylized, cursive-like font.

Prime Sponsor: Vice Chairwoman Rebeca Sosa



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Josh Dieguez
Subject: Emergency Orders
Date: October 20, 2020

Recommendation:

I would like to discuss with my colleagues the drafting of an emergency procedures ordinance.

Fiscal Impact: none
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 1,2,3, 4,14
Objectives: 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Carlos Alvarez
Subject: Moving Council Meetings Dates
Date: October 20, 2020

Recommendation:

I would like to foster a discussion with my colleagues about moving council meeting dates, beginning January 2021, to the first or second week of the month.

Fiscal Impact: none
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 2, 3, 14
Objectives: 5



Town of Miami Lakes Memorandum

To: Honorable Councilmembers and Honorable Vice Mayor
From: Honorable Mayor Manny Cid
Subject: Amending Manager's Report
Date: October 20, 2020

Recommendation:

I would like to move to amend our monthly order of business to add an item under Managers report titled: infrastructure request. The Manager will report the monthly infrastructure/service request from Miami Lakers (sidewalks, trees, parks, lighting, roads etc...) I think it's vitally important for the Council to hear on a monthly basis what Miami Lakers are requesting from staff.

Fiscal Impact: none
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 2, 3, 4, 6, 14
Objectives: 5, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Vice Mayor Nelson Rodriguez
Subject: Adopting Anti-Religious Persecution Resoultion
Date: October 20, 2020

Recommendation:

*This item requires waiver of Section 7.2 of the Special Rules of Order.

I respectfully submit this sample resolution for the creation of our own Town Resolution.

I believe it is essential to protect our residents from all religious persecution regardless of their beliefs. I propose this sample resolution as a template for the Town resolution.

Fiscal Impact: none

Funding Source for Implementation:

Timeline for Implementation:

Guiding Principles: 1, 2, 14

Objectives: 6

SAMPLE RESOLUTION:

A State/City Council resolution recognizing the growing problem of antisemitism in America and calling for the adoption of the IHRA Working Definition of Antisemitism as an important educational tool to address it.

WHEREAS antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identify, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in American society;

WHEREAS Jews continue to be a targeted minority in the United States and are consistently the most likely of all religious groups to be victimized by incidents of hate, and such incidents are increasing at an alarming rate;

WHEREAS the deadliest attack against the American Jewish community took place on October 27, 2018 at the Tree of Life Synagogue in Pittsburgh, Pennsylvania, killing eleven worshippers and injuring several more;

WHEREAS [insert local or regional statistics];

WHEREAS state officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must be given the tools to do so;

WHEREAS valid monitoring, informed analysis and investigation, and effective policy-making all benefit from accurate and uniform definitions;

WHEREAS the International Holocaust Remembrance Alliance (IHRA), by consensus vote of its member states, adopted a Working Definition of Antisemitism in May 2016, which has become the internationally recognized, authoritative definition for use by governments and international organizations. That definition reads in full:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

“To guide IHRA in its work, the following examples may serve as illustrations:”

“Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”

“Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:”

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

“Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).”

“Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.”

“Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.”

WHEREAS the IHRA Working Definition has proven to be an essential tool used to determine contemporary manifestations of antisemitism;

WHEREAS, in the United States, the IHRA Working Definition is utilized by various government and law enforcement agencies in monitoring, training, and education, including the U.S. Department of State and the U.S. Department of Education.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE/CITY COUNCIL OF (NAME STATE/LOCAL CITY), that

Section I: The State of XX or the City Council of the City of (LOCAL CITY) adopts the non-legally binding International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism, including the eleven contemporary examples.

Section II: The State of XX or the City Council of the City of (LOCAL CITY) will ensure that the IHRA Working Definition of Antisemitism is available as an educational resource for the Department of Police and other city agencies responsible for addressing antisemitism and other forms of discrimination.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Josh Dieguez
Subject: Balanced Maintenance Sinking Fund
Date: October 20, 2020

Recommendation:

I move to direct the Town's Administration to bring back an ordinance before the Town Council amending the prior maintenance sinking fund ordinance so that once said sinking fund reaches a certain level then the contributions otherwise earmarked for the fund would be re-directed toward the line item intended for the future Miami Lakes Optimist Park capital improvements. Staff would include in the amending ordinance a recommended cash balance they feel is appropriate for the Maintenance Sinking Fund. The redirected contributions would be adjusted year to year, as needed, to ensure the Maintenance Sinking Fund stays at the recommended cash balance each year. Once \$403,000.00 is paid back into the Miami Lakes Optimist Park capital improvements line item, whether through these re-directed contributions or some other method, then the Town Administration shall return before the Town Council seeking its direction either to continue re-directing contributions to the Miami Lakes Optimist Park capital improvements line item or direct it to some other purpose.

Fiscal Impact: TBD

Funding Source for Implementation:

Timeline for Implementation:

Guiding Principles: 2, 3, 4, 7, 9

Objectives: 3, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Honorable Councilmember Josh Dieguez
Subject: Flexible Reserves Amendment
Date: October 20, 2020

Recommendation:

I move to direct the Town's Administration to bring back an ordinance before the Town Council amending my prior ordinance establishing a requirement for 20% reserves within three years so that the requirement will not take effect until the fourth year from the original ordinance's passage. This item is brought based on our conversations during the budget season that staff and my colleagues requested to be able to accommodate new infrastructure spending and ensure the 20% reserve target is timely and adequately met. This proposed amending ordinance would not modify the existing requirement to maintain 15% of the General Fund budget in reserves.

Fiscal Impact: None
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 2, 3, 4, 7, 9, 14
Objectives: 3, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Return to In-Person Meetings
Date: October 20, 2020

Recommendation:

This report is intended to be informational. However, actions may result of this item.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Monthly Status Report on Police Department
Date: October 20, 2020

Recommendation:

Please see attached.

Oral report is intended to be informational. However, actions may result of this item.



MIAMI DADE POLICE DEPARTMENT
Automated - Targeted Crimes Year To Date - 74Y - Town Miami Lakes
Date Range: Jan 1, 2020 - Oct 2, 2020



095 - TOWN OF MIAMI LAKES

	2019 LYTD	2020 YTD	YTD % Change	Difference
01 Homicide	0	0	/0	0
02 Forcible Sex Offenses	3	2	-33.33%	-1
03 Robbery	12	6	-50.00%	-6
04 Larceny (Over)	98	48	-51.02%	-50
05 Auto Theft	53	42	-20.75%	-11
06 Burglary Commercial	8	7	-12.50%	-1
07 Burglary Residential	21	9	-57.14%	-12
08 Aggravated Assault	12	4	-66.67%	-8
09 Aggravated Battery	2	6	200.00%	4
TOTAL:	209	124	-40.67%	-85

/0 - Indicates that Percent Change formula cannot be divided by zero



MIAMI DADE POLICE DEPARTMENT
Automated - Targeted Crimes Year To Date - 74Y - Town Miami Lakes
Report Filters



Incident Date Range: Jan 1, 2020 - Oct 2, 2020

Division:

Agency: 095

For Agricultural Patrol Section: N

Exclude UNFOUNDED cases

Exclude AOA's

Report Written = 'Y'

CAS Package



Miami Dade Police Department, Town of Miami Lakes



TML Crime Report

October 2020

Section 1 – COMPSTAT CRIMES

Crime	Aggravated Battery – (6 incidents as of 10/06/2020)
Statistical Info	2 incidents PYTD
Trends	No identifiable trends
Action Taken	Officers have been assigned directed patrols and are requested to remain highly visible and proactive in their assigned areas.

Section 2 – SIGNIFICANT ARRESTS/ INCIDENTS

Day / Date / Time	Thursdays – 7am to 11am
Location	Hope Miami Lakes United Methodist Church 14800 NW 67 th Avenue
<i>Feeding South Florida, Drive-Thru Food Distribution</i> TML officers have provided assistance with traffic control along Miami Lakes Drive from NW 67 th Avenue to the Palmetto expressway during the weekly food distribution event.	
Day / Date / Time	Thursday / September 24, 2020 / 10:50 am
Location	154 th Street NW 79 th Court
<i>On Thursday, September 24, 2020, at approximately 10:50 am, an LPR alert was received alerting us to a stolen vehicle, reported stolen by Plantation Police, traveling along NW 154th Street. A BOLO was issued. An Officer in the area located the stolen vehicle and provided a direction of travel. Officers responded and subsequently stopped and placed the driver in custody. The driver, a 17 year-old male, had a concealed firearm in his front right pocket. A records check revealed the firearm to be reported stolen by Plantation Police. An arrest affidavit was submitted charging the subject with Grand Theft Auto, Possession of a Stolen Firearm, Carrying a Concealed Firearm, and Possession of a Firearm by a Juvenile.</i>	
Day / Date / Time	Thursday / September 24, 2020 / 6:40 pm
Location	150 th Street NW 57 th Avenue
<i>On Thursday, September 24, 2020, an Officer responded to the area of 160th Street NW 57th Avenue in reference a stolen vehicle from Ft Lauderdale being tracked via GPS. While conducting an area check, the Officer observed the vehicle, a 2020 white BMW 640i, exiting the shopping plaza and traveling south bound on NW 57th Avenue from NW 159th Street. The Officer attempted to conduct a traffic stop; at which time, the subject attempted to flee, but struck two civilian vehicles which disabled the subject's vehicle. The subject then fled on foot but was taken into custody after a brief foot pursuit. An arrest affidavit was submitted charging the subject with Grand Theft Auto, Resisting without Violence, Leaving the Scene of an Accident, and Driving with a Suspended License.</i>	
Day / Date / Time	Sunday / October 4, 2020 / 4:22 pm
Location	16580 NW 59 th Avenue
<i>On Sunday, October 4, 2020, at 4:22 pm, an Officer responded to the Costco Wholesale Club in reference to a vehicle burglary in progress. The responding Officer located the subject vehicle parked in a parking space and pulled up behind it. As Officers approached the subject's vehicle,</i>	



Miami Dade Police Department, Town of Miami Lakes



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the subject backed his vehicle into the officer marked patrol car. The subject driver along with a second subject who was in the backseat of the vehicle were taken into custody without incident. The victim's purse was recovered inside the subject's vehicle along with burglary tools. An arrest affidavit was submitted charging the subjects with Burglary to Vehicle, Possession of Burglary Tools, Driving While License Suspended-Habitual, Criminal Mischief, Resisting Without Violence and Reckless Driving.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Attorney Reports
Date: October 20, 2020

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

There has been recent activity. No additional cost.

Juan Valiente v. Town of Miami Lakes

There are no significant expenditures to report currently. Litigation is ongoing.

Oral Presentation on NW 170th Street Bridge