

MINUTES
Regular Council Meeting
February 6, 2018
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 6:45 p.m.

2. ROLL CALL:

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Luis Collazo, Ceasar Mestre, Nelson Rodriguez, Marilyn Ruano, Vice Mayor Frank Mingo and Mayor Manny Cid. Councilmember Nelson Rodriguez was absent.

3. MOMENT OF SILENCE:

Pastor Louis Egipciano from Elevate Church led the invocation.

4. PLEDGE OF ALLEGIANCE:

Hialeah-Miami Lakes JROTC Honor Guard led the Pledge of Allegiance and Mario Ortiz of the Mario Ortiz All Star Band performed the Star Banged Banner.

5. SPECIAL PRESENTATIONS:

Chief, Jorge Colina, and Sergio Diaz were recognized for their achievements as the new Chief of Police for the City of Miami. Sergio Diaz will also help oversee the team along with Chief Colina.

Joel Rodriguez was recognized for his achievements while playing football for the University of Miami.

6. PUBLIC COMMENTS:

Grace Loeb came before the Town Council to invite the Mayor and Councilmembers to the 5th Annual Walk Against Rare Diseases.

Roberto Alonso came before the Town Council to congratulate the Mayor, Councilmembers, and Town Manager on the win of the Special Taxing Districts. He also invited the Town Council on the 4th Annual Cars for a Cure event.

Lynn Matos came before the Town Council to extend an invitation to the entire Council to the Food and Wine Festival event.

Julianne Mooney, Ellie Acosta, Miranda Cabargas, and Alicia Diaz from Bob Graham Education Civic Engagement Academy came before the Town Council to speak on affordable housing.

Mirtha Mendez came before the Town Council to speak on item 14A, under the New Business Items.

Felicia Salazar came before the Town Council on her written public comment regarding her support of item 14B. She also extended an invitation to the entire Town Council to the Black History Concert.

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

Mayor Cid motioned to move up item 14C to after Committee Reports. The Town Manager pulled item 10B from the Consent Agenda and deferred item 12B to the March 6th Regular Council Meeting. Councilmember Mestre motioned to approve the new Order of Business. Councilmember Daubert seconded the motion and all were in favor.

8. APPOINTMENTS:

Nancy Rogers was appointed to the Public Safety Committee, appointed by Vice Mayor Frank Mingo.

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

9. COMMITTEE REPORTS:

There were no Committee Reports.

10. CONSENT CALENDAR:

Councilmember Mestre motioned to approve the items under the Consent Calendar. Councilmember Collazo seconded the motion and the motion passed, 6-0, with Councilmember Rodriguez being absent.

A. Approval of Minutes

- January 16, 2018 Regular Council Meeting
- January 17, 2018 Sunshine Meeting
- January 26, 2018 Sunshine Meeting

Approved on Consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDING WORK ORDER, UNDER CONTRACT NO. 2017-32CGA FOR MISCELLANEOUS CIVIL ENGINEERING AND RELATED SERVICES, FOR LAKE QUALITY ASSESSMENT, WITH CALVIN GIORDANO AND ASSOCIATES, IN AN AMOUNT NOT TO EXCEED \$36,269.89; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT TERMS AND CONDITIONS OF 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. (Rey)

The Town Manager, Alex Rey, explained item 10B to the Town Council. He stated the contract with Calvin Giordano will be modified to create an allowance to spend up to the budgeted funds of \$50,000 for the water quality sample and reporting process.

Councilmember Mestre motioned to approved item 10B under the Town Manager's recommendation of the additional \$50,000. Councilmember Daubert seconded the motion and all present were in favor. Councilmember Rodriguez was absent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO AWARD A CONTRACT 2018-09 TO R.J. BEHAR & COMPANY, INC. FOR MISCELLANEOUS CONSTRUCTION ENGINEERING & INSPECTION SERVICES; 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; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SCHEDULING A SPECIAL ELECTION ON AUGUST 28, 2018, IN ACCORDANCE WITH SECTION 2.5 OF THE TOWN CHARTER; SETTING QUALIFYING DATES; AUTHORIZING THE TOWN CLERK, TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY ACTIONS; PROVIDING FOR INCORPORATION OF RECITALS AND PROVIDING FOR AN EFFECTIVE DATE. (Gastesi)

Approved on Consent.

- E. A. A RESOLUTION OF THE TOWN COUNCIL THE TOWN OF MIAMI LAKES EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON AD VALOREM

ASSESSMENTS FOR THE LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE TOWN WHICH HEREINAFTER MAY BE LEVIED BY THE TOWN IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTE PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE NECESSARY MEASURES TO IMPLEMENT THE RESOLUTION; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY PROPERTY APPRAISER AND THE TAX COLLECTOR; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

E. B. A RESOLUTION OF THE TOWN COUNCIL THE TOWN OF MIAMI LAKES EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON AD VALOREM ASSESSMENTS FOR THE MIAMI LAKES SECTION ONE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE TOWN WHICH HEREINAFTER MAY BE LEVIED BY THE TOWN IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTE PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE NECESSARY MEASURES TO IMPLEMENT THE RESOLUTION; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY PROPERTY APPRAISER AND THE TAX COLLECTOR; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

E. C. A RESOLUTION OF THE TOWN COUNCIL THE TOWN OF MIAMI LAKES EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON AD VALOREM ASSESSMENTS FOR THE ROYAL OAKS EAST SECURITY GUARD SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE TOWN WHICH HEREINAFTER MAY BE LEVIED BY THE TOWN IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTE PROVIDING FOR INCORPORATION OF RECITALS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE NECESSARY MEASURES TO IMPLEMENT THE RESOLUTION; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY PROPERTY APPRAISER AND THE TAX COLLECTOR; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

11. ORDINANCES- FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO CONDITIONAL USES; AMENDING SECTION 13-303, ENTITLED "CONDITIONAL USES", ESTABLISHING PROVISIONS REGARDING THE CESSATION OF OPERATIONS OF USES CLASSIFIED AS CONDITIONAL USES AND ANNUAL CERTIFICATE OF USE RENEWAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

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

Mayor Cid motioned to approve item 11A, ordinance in first reading, and Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed, 6-0, with Councilmember Rodriguez being absent.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 2.07 +/- ACRE PROPERTY LOCATED AT 14575 NW 77 AVENUE (FRONTAGE ROAD), AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE GU, INTERIM DISTRICT, TO RO-13, LOW DENSITY RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Councilmember Mestre motioned to approve item 11B, ordinance in first reading, and Councilmember Daubert seconded the motion. The Town Clerk called the roll and the motion passed, 5-1. Councilmember Collazo voted in opposition and Councilmember Rodriguez was absent.

12. ORDINANCES -SECOND READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO GOVERNMENTAL FACILITIES; AMENDING DIVISION 24, ENTITLED "GP GOVERNMENTAL PROPERTY DISTRICT," OF ARTICLE IV, ZONING DISTRICT REGULATIONS, OF CHAPTER 13, LAND DEVELOPMENT CODE; ESTABLISHING PROVISIONS FOR THE REVIEW AND APPROVAL OF GOVERNMENTAL FACILITIES; PROVIDING FOR COMPLIANCE WITH STATE STATUES; PROVIDING FOR ADOPTION OF RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING

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

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

Planning Director, Darby Delsalle, presented item 12A and answered questions posed by the Town Council.

Mayor Cid opened the public hearing.

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

Councilmember Daubert motioned to approve the ordinance in second reading and Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed, 6-0, with Councilmember Rodriguez being absent.

- B. AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF MIAMI LAKES, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

This item was deferred to the March 6, 2018 Regular Council Meeting, as stated under the new Order of Business.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, AMENDING THE TOWN'S CODE OF ORDINANCES AT CHAPTER 35, ARTICLE II, COMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY; RELATING TO THE PLACEMENT OF UTILITIES OTHER THAN COMMUNICATION FACILITIES LOCATED WITHIN THE RIGHTS-OF-WAY, BOTH ABOVE AND BELOW GROUND; CREATING ARTICLE III, PROVIDING FOR REGULATIONS RELATING TO THE PLACEMENT OF COMMUNICATION FACILITIES, WIRELESS FACILITIES, PASS-THROUGH FACILITIES, AND OTHER SIMILAR FACILITIES, WITHIN THE TOWNS RIGHTS-OF-WAY, BOTH ABOVE AND BELOW GROUND; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. (Rey)

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

Planning Director, Darby Delsalle, presented item 12A and answered questions posed by the Town Council.

Mayor Cid opened the public hearing.

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

Councilmember Daubert motioned to approve the ordinance in second reading and Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion passed, 6-0, with Councilmember Rodriguez being absent.

- D. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 17-213; AMENDING THE TOWN'S FISCAL YEAR 2017-2018 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. (Rey)

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

Mayor Cid opened the public hearing.

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

Deputy Town Manager, Andrea Agha, presented item 12D and answered questions posed by the Town Council.

Mayor Cid motioned to move forward with the budget amendment but to exclude the portion regarding the restorations of approaches in the Lake Sarah Drainage Project area. Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion passed, 6-0, with Councilmember Rodriguez absent.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, WAIVING COMPETITIVE PROCUREMENT PROCEDURE UNDER SECTION 5(D) OF ORDINANCE 17-203; APPROVING THE SIX-MONTH EXTENSION AMENDMENT TO CONTRACT 2012-29 FOR LITTER/DEBRIS PICK-UP & DISPOSAL; 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 AMENDMENT TO CONTRACT 2012-29; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Councilmember Daubert motioned to approve the resolution and Councilmember Mestre seconded the motion.

The Town Manager, Alex Rey, explained the reason for amending contract 2012-29 which prompts to properly re-bid the item and accept new bids. The Manager asked for a six (6) month extension to continue services on an on-going basis.

The Town Clerk called the roll and the motion passed, 6-0, with Councilmember Rodriguez absent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A PROPOSED CHARTER AMENDMENT; PROVIDING THE REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENTS TO THE TOWN CHARTER TO BE HELD ON AUGUST 28, 2018; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mirtha Mendez came before the Town Council to speak on the item and to oppose the potential motion as a Town Charter amendment.

Mayor Cid motioned to approve the resolution and Councilmember Daubert seconded the motion. After some discussion, the Town Clerk called the roll and the motion failed, 1-5, with Councilmembers: Luis Collazo, Tim Daubert, Ceasar Mestre, Marilyn Ruano and Vice Mayor Frank Mingo voting in opposition. Councilmember Rodriguez was absent.

14. NEW BUSINESS:

- A. Town Election Date-Charter Change (Daubert)

Councilmember Daubert motioned to place a question on the next ballot, to move the Town of Miami Lakes elections to be held in October and Councilmember Ruano seconded the motion for discussion. The Town Clerk called the roll and the motion failed, 1-5, with Councilmembers: Luis Collazo, Ceasar Mestre, Marilyn Ruano, Vice Mayor Frank Mingo and Mayor Cid voting in opposition. Councilmember Rodriguez was absent.

- B. Ordinance on color pallet restriction (Ruano)

Councilmember Ruano motioned have Town staff research the cost of implementing a color pallet to commercial buildings in Miami Lakes. Councilmember Mestre seconded the motion and the motion passed, 6-0, with Councilmember Rodriguez absent.

- C. Bob Graham Education Center Civic Engagement Academy (Cid)

Under the New Order of Business, this item was moved up for discussion to take place after Appointments.

Olivia Torre, Alexa Llovet, Susanna Inguanzo, Sophia Inguanzo, Anthony Vaquer and Mario Pineda, 7th grade students from the Bob Graham Education Center Civic Engagement Academy, addressed and presented their ideas to refurbish the parking meters in the Town of Miami Lakes with art from Romero Britto, a program implemented by Miami Dade County's Homeless Trust, Feed the Meters. Mayor Cid motioned to move forward with the installation of the program and requested that the Town Attorney and Town Manager execute any documents related to the installation of the program with the Homeless Trust. Councilmember Collazo seconded the motion, and all were in favor. Councilmember Rodriguez was absent.

D. Town Manager Monthly Police Activity Report (Cid)

Mayor Cid motioned requesting that the Town Manager place a monthly Police Activity Report on the Regular Council Meeting, under the Town Manager Section of the Agenda. Councilmember Collazo seconded the motion and the motion passed, 6-0, with Councilmember Rodriguez being absent.

15. ATTORNEY'S REPORT:

A. Attorney's Report on Pending Litigation

Town Attorney, Raul Gastesi, reported to the Town Council regarding the pending former Mayor Pizzi's litigation hearing on January 30th. He reported the pending outstanding motions.

ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 9:50 p.m.

Approved on this 6th day of March 2018.

Attest:

Manny Cid, Mayor

Gina M. Inguanzo, Town Clerk