

MINUTES
Regular Council Meeting
February 7, 2017
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Cid called the meeting to order at 6:35 pm

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers present: Luis Collazo, Tim Daubert, Ceasar Mestre, Frank Mingo, Nelson Rodriguez and Mayor Manny Cid. Vice Mayor Lama joined the meeting via skype.

3. MOMENT OF SILENCE

Invocation was led by Father Lambert from Our Lady of the Lakes Catholic Church.

4. PLEDGE OF ALLEGIANCE:

Miami Lakes Local Boys Scout Troop 584 and 484 gave a presentation of colors and led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Joseph Sosa was recognized by Troop 584 for his professional efforts and for taking care of the logistics of this meeting for the Boys Scouts Troops.

Grace Loeb was recognized for her courage, love and efforts to create awareness for Rare Diseases.

Farah Salem was recognized as the rookie teacher of the year at Hialeah-Miami Lakes and for her exceptional contribution as a lead magnet Chair in the Career and Technology Department of Hialeah-Miami Lakes High School.

6. PUBLIC COMMENTS:

Maria Kramer came before the Town Council to speak in favor about item 13B.

Grace Loeb came before the Town Council to speak in favor of the 4th Annual Walk Against Rare Diseases.

Annette Gil Garcia came before the Town Council to express her concerns with the safety in her neighborhood, and she stated that people are speeding and distracted while driving. She expressed her desire for speed bumps in her neighborhood.

Tony Mendez spoke before the Town Council on item 11A and expressed his desire for the Town to form a committee composed of pharmacists, to guide the Town Council and the town, to strive for a pharmacist to run the dispensaries instead of a lay person, and to pay attention to the laws that are issued by the Federal Government regarding this item.

Julia Tantalean spoke before the Town Council to express her concerns with the safety in her neighborhood, and businesses being operated from their homes.

Cynthia Wine spoke before the Town Council to express her support for the reactivating the light on 79th of Miami Lakes Drive and in support of Kislak Organization, item 10C.

Bonnie Cintron spoke before the Town Council on behalf of Derek Cintron on his opinion on the tree canopy. She stated that to many Black Olive trees are being cut off and that many homes are not being held to the deed restriction, and that he fears that the over development will cause problems of public safety. On her behalf, she spoke about the height of buildings in the town and asked if the Graham Companies could lower the height of the project building that they will be building across Town Hall.

Marilyn Ruano spoke before the Town Council to express her opinion about the removal of the Black Olive trees and their replacement. She does not want the tree canopy to be lost. She also stated that the homeowners of Royal Palm Estates would like to have a traffic light or street light on the entrance to Royal Palm Estates on 154 Street, or a merge lane, to alleviate the traffic congestion that is caused on the entrance to said neighborhood.

Claudia Lucas spoke against item 13B, against adding the name of Miami Lakes to the Opa Locka Airport, the Black Olive tree removal plan and her concerns over losing the tree canopy that Miami Lakes has been known for.

Lori Iglesias spoke before the Town Council to express her concern about the rock blasting effects that are being felt in the town, break-ins that are taking place in her neighborhood and the parking situation and garbage situation in the Royal Oaks Park.

James Meehan spoke before the Town Council to express his concern about the traffic situation that the town is facing.

Let the record reflect that Ms. Hope Reynolds emailed her public comments to the Town Clerk and that her public comments were printed and shared with the Town Council.

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

Councilmember Rodriguez motioned to approve the agenda as is and not make changes to the order of business. Councilman Mestre seconded the motion and all were in favor.

8. APPOINTMENTS:

Antonio Fernandez was appointed to the Neighborhood Improvement Committee, nominated by Councilmember Rodriguez.

Nayib Hassan was appointed to the Veteran's Committee, nominated by Councilmember Mestre.

Adrien Ardila was appointed to the Neighborhood Improvement Committee, nominated by Councilmember Daubert.

Ester Colon was appointed to the Cultural Affairs Committee, nominated by Councilmember Rodriguez.

Councilmember Rodriguez made a motion to approve the appointments and the motion received a second from Councilmember Mestre. All were in favor.

9. COMMITTEE REPORTS:

Juan Carlos Fernandez, Chair of the Neighborhood Improvement Committee, reported that the Committee voted on moving the line item on lake testing (\$850) and anti-litter campaign (\$1500), for a total of \$2,350 to be moved to the line item on Bike Ride, so that the Committee can continue sponsoring this event monthly. Councilmember Daubert made a motion to accept the request of transferring \$2,350 from two line items to the Bike Ride line item and it was seconded by Councilmember Mestre. All were in favor.

Lynn Matos, Chair of the Youth Activity Task Force, thanked the Town Council for being great role models for the kids in our committee and for the support that the Town Council allocates to the YATF budget.

10. CONSENT CALENDAR:

Councilmember Mestre made a motion to approve all the items on the Consent Calendar. Councilmember Daubert seconded the motion and all were in favor.

A. APPROVAL OF MINUTES:

- January 17, 2017, Regular Council Meetings
- January 24, 2017, Special Call Town Council Meeting
- January 30, 2017, Meeting with Commissioner Bovo re: Firetruck
- January 31, 2017, Meeting with Graham Companies re: Upcoming Developments

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF CONTRACT 2017-21 ACCESSING CONTRACT #066-2730-16/JMA FOR SOD AND SOD INSTALLATION, AS LONG AS BUDGETED FUNDS ARE AVAILABLE FOR THESE GOODS AND 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; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING MIAMI-DADE COUNTY TO REACTIVATE THE TRAFFIC LIGHT AT N.W. 79th AVENUE AND MIAMI LAKES DRIVE; 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, APPROVING OF LICENSE AND USE AGREEMENTS WITH THE FOLLOWING COMMUNITY NONPROFIT ORGANIZATIONS: SOUTH FLORIDA COUNCIL BOY SCOUTS OF AMERICA, GIRL SCOUT COUNCIL OF TROPICAL FLORIDA, INC., AND AMERICAN LEGION POST #144; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A THREE YEAR LICENSE AND USE AGREEMENT WITH THE SAID COMMUNITY NONPROFIT ORGANIZATIONS FOR USE OF TOWN FACILITIES FOR MEETINGS AND EVENTS AT NO COST; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENTS WITH THESE ORGANIZATIONS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.(Rey)

Approved on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING A TURF AND LANDSCAPE MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR IMPLEMENTATION; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.(Rey)

Approved on Consent.

11. ORDINANCES-FIRST READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE PROCESSING, ISSUANCE, OR APPROVAL OF ANY DEVELOPMENT ORDER, INCLUDING BY NOT LIMITED TO, BUILDING PERMITS, CERTIFICATES OF USE, SITE PLANS, VARIANCES, CONDITIONAL USES, OR LAND USE MODIFICATIONS FOR CANNABIS DISPENSARIES OR MARIJUANA TREATMENT CENTERS FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS FROM THE DATE OF ADOPTION OF THIS ORDINANCE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR THE GEOGRAPHIC AREA COVERED; AND PROVIDING FOR AN EFFECTIVE DATE.(Mestre)

The Town Attorney, Raul Gastesi, read the definition of Medical Cannibus into the record and he stated that this definition will be included in the title of the Ordinance in second reading. Then, he proceeded to read the title of the Ordinance in first reading into the record.

Mayor Cid opened the public hearing.

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

Councilmember Mestre made a motion to approve the amendment to the ordinance in first reading. The motion to approve the amendment was seconded by Councilmember Daubert. The Town Clerk called the roll and all were in favor.

Councilmember Mestre made a motion to approve the ordinance as amended and Councilmember Daubert seconded the motion. The Town Clerk called the roll and ordinance passed unanimously on first reading.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES FLORIDA, IMPOSING A TEMPORARY MORATORIUM UPON ISSUANCE ANY DEVELOPMENT ORDERS, INCLUDING BUT NOT LIMITED TO BUILDING PERMITS, CERTIFICATES OF USES, VARIANCES, SITE PLANS, CONDITIONAL USES, OR SPECIAL EXCEPTIONS, PERTAINING TO THE INSTALLATION OR SITING OF ANY "TELECOMMUNICATIONS TOWERS", AS MAY BE DEFINED BY FEDERAL LAW, OR ANY "NEW WIRELESS PERSONAL TELECOMMUNICATIONS SERVICES TOWER," "TOWER," OR "DISTRIBUTED ANTENNA SYSTEM," AS DEFINED BELOW OR ANY OTHER COMMUNICATIONS FACILITIES WHOLLY CONTAINED OR MOUNTED ON A SINGLE STAND ALONE TOWER, AS MAY BE CONTEMPLATED BY SECTION 337.401, FLORIDA STATUTES; SUCH MORATORIUM BEING EFFECTIVE FOR ANY PUBLIC RIGHTS-OF-WAY WITHIN THE JURISDICTION OF THE TOWN OF MIAMI LAKES, FLORIDA UNDER THE FLORIDA TRANSPORTATION CODE PROVIDING FOR DEFINITIONS; PROVIDING FOR INTERPRETATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Rey, Gastesi)

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

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

Councilmember Mestre made a motion to approve the ordinance in first reading. The Town Clerk called the roll and the ordinance passed unanimously on first reading.

12. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 16-197; AMENDING THE TOWN'S FISCAL YEAR 2016-2017 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 into the record.

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

Councilmember Daubert moved the ordinance and it was seconded by Councilmember Mestre for discussion. During the discussion of the ordinance in second reading, the following three motions amending the ordinance were passed.

Councilmember Mestre made a motion to amend the line item with the legal fee settlement of \$600,000 and appropriate \$150,000 for litigation and that the remaining \$450,000 stays in the legal fees settlement category. Councilmember Daubert seconded the motion and all were in favor.

Councilmember Daubert made a motion to move \$50,000 from the removal of trees in the Lake Katherine area and to use it for the employee retention program. The motion died due to lack of second.

Mayor Cid made a motion to use the \$45,000 from the unassigned surplus and to assign it to the Sunday on-demand bus. Councilmember Mingo seconded the motion and all were in favor.

Vice Mayor Lama made a motion to take \$8,500 from the unassigned surplus and to assign it to the budget, so that the cleanup on Lake Katherine can be done. The motion was seconded by Councilmember Mestre. All were in favor.

Mayor Cid made a motion to open the public hearing and the motion was seconded by Councilmember Mestre. All were in favor.

Bonnie Cintron spoke against the cutting the trees in the Lake Katherine area.

Esther Colon spoke about the need to beautify Lake Katherine area and about the litigation fees.

Lynn Matos spoke about the need to beautify and cleanup of Lake Katherine.

Hector Aleman spoke about the leaves that are being blown in to the stormwater system and about cars being parked on sidewalk.

Claudia Luces asked about the wellness initiative on the employee retention line item.

Mayor Cid closed the public hearing.

After a lengthy discussion, the Town Clerk called the roll and the ordinance in second reading unanimously passed, with the three amendments.

13. NEW BUSINESS:

A. Ride Sharing Service Providers (Lama)

Vice Mayor Lama made a motion for Town Staff to put together an RFI, with clearly defined criteria and then start a data program put it out and potentially identify other service providers that could reduce the cost of the Town of Miami Lakes on-demand service. The motion was seconded by Councilmember Mestre and all were in favor.

B. Annexation (Rodriguez)

Councilmember Rodriguez made a motion to request Town Staff to research the possibility of annexing the business area by the Opa Lock Airport and the area between 67th and 57th and if it is a real possibility, then to take it to the residents in November 2018. Mayor Cid seconded the motion.

Councilmember Mingo made a friendly amendment, stating that we should ask Miami-Dade County if this annexation could be done, if it is feasible of the Town of Miami Lakes to annex the business area described by Councilmember Rodriguez. Councilmember Rodriguez accepted the friendly amended. Councilmember Mestre made a friendly amendment that if the County responds in the affirmative, that the decision should come first to the Town Council and a Council Report. Councilmember Rodriguez restated the motion to say, that Town Staff must first ask the County if this area could be annexed to Miami Lakes. If the County responds in the affirmative, then the decision is shared with the Town Council via a Council Report. The motion was seconded by Councilmember Mestre and all were in favor.

C. Workshop for the selection of a new Town Manager (Collazo)

Councilmember Collazo made a motion to have a workshop to discuss the creation of the ordinance, regarding the selection of the Town Manager and the selection of the Town Attorney. The motion was seconded by Councilmember Daubert and all were in favor.

D. Local Preference to Businesses (Mestre)

Councilmember Mestre made a motion for Town Staff to look at the Local Preference Ordinance and re-word it to make it easier for local businesses to take advantage of it and to be able to qualify. The motion was seconded by Councilmember Collazo and all were in favor.

E. Adding Miami Lakes to the Name of Opa-Locka Airport (Rodriguez)

Councilmember Rodriguez made a motion to add the name Miami Lakes to the name of Opa Locka Airport and that he would first find out from the County if it is feasible and if the County responds in the affirmative, then he would bring it back to the Town Council via a Council report. Mayor Cid seconded the motion.

Mayor Cid then made the friendly amendment to call it Miami Lakes Executive Airport and Councilmember Rodriguez accepted the friendly amendment. After some discussion, Councilmember Rodriguez withdrew his motion and made a new motion, for it to state that he requests that the airport be named Miami Lakes Executive Airport and that the Graham Companies would be asked consulted first, before anything gets done. The motion was seconded by Councilmember Mestre and all were in favor.

The Town Clerk noted for the record that Vice Mayor Lama was no longer joining the meeting via skype.

F. Town Outreach Forums (Collazo)

Councilmember Collazo made a motion to direct the Town Manager to come back with recommendations and guidance on how the Town outreach forums can be done to educate local neighborhoods about issues that are going on in our neighborhoods. This was seconded by Councilmember Daubert and all were in favor.

G. Miami Lakes Gala (Cid)

Mayor Cid made a motion to bring it back and go through the exploratory phase and see if it can be a real tangible option. All were in favor.

H. Legislation to protect Homeowners from Rock Mine Blasting (Mingo, Rodriguez)

Councilmember Mingo is requesting the Town Council to pass a resolution in favor of Florida Senate Bill 354 and Florida House Bill 195, which have been filed by State Senator Rene Garcia and State Representative Manny Diaz in the Florida Legislature, to help protect our areas from the rock mining blasting that takes place near our community. Our legislators brought two bills to protect homeowners from the rock mining blasting and giving authority to the State Fire Marshall. Councilmember Rodriguez seconded the motion and all were in favor.

Mayor Cid called for a three minute bathroom break at 9:40 pm.

I. Aesthetics of New Development (Mestre)

The Town Clerk called the roll at 9:45 pm, and all were present. Vice Mayor Lama was no longer joining the meeting via skype.

Councilmember Mestre made a motion to bring forth some type of architectural review, a board or whatever recommendation Town staff gives the Town Council, or to assign it to the Planning and Zoning Board. The motion was seconded by Councilmember Collazo. After some discussion, Councilmember Mestre amended his motion to state, that he is requesting staff to come back with enhancements to the Land Development Code that would apply to multi family, commercial and industrial districts and to put more specific criteria to preserve our community standards. The motion was seconded by Mingo and all were in favor.

J. Historical Preservation Committee (Collazo)

Councilmember Collazo made a motion to revisit the historical preservation committee and to come up with a plan to preserve Maddens Hammock. The motion was seconded by Councilmember Daubert. After some discussion, Councilmember Collazo made a new motion stating that he would like the Town Council to continue preserving Maddens Hammock, to create awareness to this issue and to bring people to the table in order to facilitate the preservation of the hammock. Mayor Cid seconded the motion and all were in favor.

K. Height of Buildings in Town (Daubert)

Councilmember Daubert made a motion to direct staff to look into the areas in the town that are not grandfathered in, so that the Town can legally change the height requirement or the height of buildings in the town from 7 to 5 floors. Councilmember Mingo seconded the motion for discussion. After some discussion, Councilmember Daubert withdrew his motion.

L. Federal Funding Priority (Cid)

Mayor Cid made a motion to waive section 7.2 of the Special Rules of Order and it was seconded by Councilmember Rodriguez. Then, Mayor Cid made a motion to formally make the Palmetto Expressway underpass transportation improvement project officially the 2017 federal funding a priority. Councilmember Collazo seconded the motion and all were in favor.

M. Town Hall Meeting(Mingo)

Mayor Cid made a motion to extend the meeting to 11:30 pm. The motion was seconded by Councilmember Mingo and all were in favor.

Councilmember Mingo made a motion stating that before any site plan, preliminary plat, Comprehensive Plan Amendment, re-zoning of a large property or final plat are presented to the Town Council for a vote, a Town Hall meeting needs to take place. Councilmember Mingo emphasized that this would be a requirement for the developer to meet, that the Town won't be organizing the Town Hall Meetings. Thus, it would be staffed by Town Hall but it would be paid and structured by the developer. This motion was seconded by Councilmember Mestre. All were in favor.

N. Traffic Advisory (Collazo)

This item required the waiver of section 6.10 of the Special Rules of Order from the Town of Miami Lakes. Councilmember Collazo made a motion to waive section 6.10 of the Special Rules and it was seconded by Mayor Cid. All were in favor.

Councilmember Collazo then proceeded to make a motion for the Town Manager to direct staff to work with the Neighborhood Improvement Committee and with Public Safety Committee regarding traffic concerns, to identify hot spots of trouble areas and to come back with recommendations regarding a work group, a workshop or a subcommittee of those two organizations and to make it clear to our community that traffic concerns is our number one priority. The motion was seconded by Councilmember Daubert. All were in favor.

O. Informing Residents (Mingo)

Councilmember Mingo made a motion requesting the Town Attorney to give a monthly report, outlining activities in the cases that they are litigating and detailing the funds and costs that have been incurred that were spent between both meetings. Councilmember Mestre seconded the motion. Councilmember Mingo then restated his motion and added that he would like for the monthly report to be posted in the Town Website in a reasonable time. Councilmember Mestre seconded the motion and all were in favor.

P. April's Council Meeting (Cid)

This item requires the waiver of sections 7.2 and 7.3 of the Special Rules of Order. Mayor Cid made a motion to waive the Special Rules and it was seconded by Councilmember Collazo seconded the motion. All were in favor.

Mayor Cid then proceeded to make a motion for the April Council Meeting to take place on the 4th Tuesday of the month of April, due to a conflict with the Town's legislative priority advocacy in the State legislature. Councilmember Daubert seconded the motion for discussion. Councilmember Mingo made a motion for the April Council Meeting to take place on the second Tuesday of April and to waive the rules of Special Rules of Order. Mayor Cid seconded the motion. After some discussion, the April Council

Meeting was voted to be held on the third Tuesday of the month, April 18th. All were in favor.

14. MAYOR AND COUNCILMEMBER REPORTS:

A. Committee Members (Rodriguez)

Councilmember Rodriguez invited the Committee Chairs and the entire committee to come to Town Hall whenever they have a committee report scheduled and for the Town Council to recognize and acknowledge the volunteers.

B. Push Notifications (Cid)

The Mayor explained that senior citizens have been requesting for them to receive notifications via texts messages for emergency situations. The Mayor explained that the Town Manager is already looking into the possibility of accomplishing it.

C. Heath, Safety and Property Damage due to Lennar Project (Rodriguez)

Councilmember Rodriguez reported that many neighbors have been complaining about the sand blowing into homes caused by the Lennar Project. Lennar has been a good neighbor and they have handed out \$100 gift cards to every home that has been affected by the blowing of the sand.

15. MANAGER'S REPORT:

A. Marketing Campaign Concepts

Nicole Singletary gave a report on the marketing campaign concepts and explained that they campaign will be launched on March 2017. Councilmember Mestre moved to approve the marketing campaign concept and it was seconded by Councilmember Daubert. All were in favor.

B. Manager's Vacation –June 7th to June 22nd, 2017

Councilmember Daubert made a motion to approve the Town Manager's vacation during the month of June. Councilmember Mestre seconded the motion and all were in favor.

C. Mayoral Benefits

The Town Manager explained the Mayor Cid, as part of the Mayoral benefit, is entitled to a compensation package that has been set by the Town Council, pursuant to the Town Charter. The Town Manger explained that because he has a compensation, he is automatically a member of the Florida Retirement System. However, the Town Manager explained that when we contacted the FRS, they informed the Town that Mayor Cid had actually retired from FRS in a previous

job. The Town Manager suggested that the Town of Miami Lakes could make the same contribution that they would be making to FRS on behalf of Mayor Cid, and put it on a separate 401K plan and that the Town of Miami Lakes would manage this 401K plan. The Town Manager emphasized that the contribution is not additional cost to the Town. It would be the same contribution that the Town would pay to the FRS.

16. ATTORNEY'S REPORT:

A. Attorney Report on Pending Litigation

The Town Attorney stated that he will be calling for an Executive Session in the next few weeks to discuss some legal matters.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 12:37 am.

Approved on this 7th day of March, 2017.

Manny Cid, Mayor

Attest:

Gina M. Inganzo, Town Clerk