

MINUTES
Regular Council Meeting
January 16, 2023
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:

Mayor Cid presented a proclamation and the Key to the Town to former Vice Mayor Carlos O. Alvarez. The proclamation recognized his service as Councilman and Vice Mayor in the Town of Miami Lakes and the items he sponsored. It also outlined his focus on his personal life and professional career. Former Vice Mayor Alvarez then thanked the Mayor and Council for this recognition and gave a speech regarding his time serving on the Town Council. The Council then each spoke about Former Vice Mayor Alvarez.

Vice Mayor Fernandez presented a Certificate of Recognition to Ms. Montserrat Hernandez for collecting toys to distribute to kids that are sick and hospitalized at local children's hospitals. Ms. Hernandez explained how her journey collecting toys began and then thanked her parents, Vice Mayor Fernandez, and the businesses that helped her.

Mayor Cid presented a proclamation to Ms. Daylin Garcia recognizing her contribution to the community and dedication to the educational development of the community's youth. The proclamation outlines her work at the YMCA, local schools, MDCPS Project Upstart, Bob Graham PTSA, and the Giving Gators, which she cofounded. Ms. Garcia explained that she promised to give back as much as she can as that is the mission in life. She then thanked Mayor Cid for giving her the opportunity to give back, Vice Mayor Tony Fernandez for supporting and allowing her and others to help so many people in the community, and the Town Council because they allowed her to give back. She also called up and thanked, one by one, members of the Giving Gators.

Mayor Cid presented a proclamation to Mr. Alfredo Vargas recognizing his dedication, strong work ethic, and knowledge. The proclamation also recognized that he founded the Havana Group Cigar Club in Miami Lakes and its success. Mr. Vargas thanked Mayor Cid and the Councilmembers for their continual support.

2. CALL TO ORDER:

The Town Clerk, Gina M. Inguanzo called the roll at 6:57 pm with the following Councilmembers being present: Luis E. Collazo, Josh Dieguez, Ray Garcia, Marilyn Ruano, Vice Mayor Tony Fernandez, and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Rabbi Weiss from the Chabad of Miami Lakes led the prayer.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Veterans Committee Chairperson, William Perez.

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

Councilmember Collazo pulled Item 11B from the consent calendar for discussion, combined Item 15H and 7A, and combined Item 15D with its respective committee report, Item 9B. Councilmember Garcia asked for there to be public comments during Item 15J.

Vice Mayor Fernandez made a motion to move the Order of Business and Councilmember Garcia seconded. The motion passed unanimously.

6. PUBLIC COMMENTS: (YouTube 44:15)

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed during public meetings.

Ms. Yanzi Bernal came before the Town Council to participate in Public Comments. She stated that she is in support of filing Council Seat #6 with the nominee, Ms. Marian Yanes. She spoke highly of Ms. Yanes and that she has the best interest of Miami Lakes at heart. She stated that in her opinion, there is no better candidate and no need to spend taxpayers' money in a Special Election.

Ms. Bonnie Cintron came before the Town Council to participate in Public Comments. She stated that she appreciates the hard work of the Town Council, there are people in the town that do extensive research of the stipulations in our Town Charter and they try to hold you accountable for your governing. She asked the Town Council to follow by the book, the way to do things. She asked the Town Council to preserve the small hometown image of our town. Growth is not always good.

Mr. Armando Bernal IV came before the Town Council to participate in Public Comments. He stated that he is the individual who initiated the Miami Lakes Skate Park Project. He spoke on behalf of the nomination for vacant Seat #6, in strong support of Ms. Marian Yanes. He spoke on behalf of her integrity, her record, and that the most prudent course of action should be considered. He added that opting for a Special Election would not only prove a costly endeavor,

but also consume valuable for a position of a limited time. He endorsed her and stated that it is an astute decision making. She is excellent in government.

Mr. Alex Grullon came before the Town Council to participate in Public Comments. He stated that he is a “skate dad”, he spoke in support of the present and future generation of skateboarding, and he introduced some of the younger skateboarders. He also introduced a young man representing Magic City Skate Shop and Skateboard Miami and SBSX. He spoke about proposing a skate park in Miami Lakes. He wants the community to rescue something that has much significance in this skate history. He spoke about Mr. Mark Lake and the ramps he builds. He mentioned that this skateboard community has rescued this ramp and that the ramp is looking for a home.

Mayor Cid asked his Assistant, Mr. Joseph Sosa, to schedule a Sunshine Meeting with this group and all the Town Council, so that everyone can discuss this matter.

Mr. Rusell Berman came before the Town Council to participate in Public Comments. He spoke about the importance of skateboarding and the level of responsibility and self-awareness to create your own destiny. That skateboarding was excellent and helpful for him as an individual. He also stated that it brings culture, art and musical expression that goes with that culture. This would enrich the local culture of the Town of Miami Lakes.

Mr. Jonathan Strauss came before the Town Council to participate in Public Comments. He stated that he is the owner of SBSX, a proud builder of 52 skate parks around the world. He built the park at Buck Dent, Haulover Beach and Miami Beach, to name a few. He stated that skateboarding is the trendsetter of fashion, culture, art and music. He would love for his hometown to have a skateboard part.

Ms. Yanzi Bernal came before the Town Council to participate in Public Comments and stated that she is in support of Mariam Yanes.

Luis Zedayas came before the Town Council to participate in Public Comments. He stated his support for Ms. Yanes to be appointed to the Town Council. He stated that he has known her for more than 26 years, that she is intelligent, passionate, and doing always what is right. That she is an attorney who advocates for fairness and that she lives justice in her actions. That she is a leader and more than qualified to do this job.

Mr. Armando Bernal came before the Town Council to participate in Public Comments. She spoke in support of Ms. Mariam Yanes and that she is the right person to fill the vacancy.

Ms. Michelle Deghani came before the Town Council to participate in Public Comments. She spoke in support of Ms. Mariam Yanes and that she is the right person to fill the vacancy. She stated that she is her younger sister, that Mariam is very ethical and cares for her community and for the residents and that she is a great role model.

Ms. Maribel Balbin came before the Town Council to participate in Public Comments. She spoke in support of Ms. Mariam Yanes, that her dedication and commitment to the town is great and that she is the right person to fill the vacancy. She also stated that it makes no sense to have the expense of the Special Election and that she is happy to have another woman on the Dais.

Mr. Raul de La Sierra came before the Town Council to participate in Public Comments. He spoke in support of Ms. Mariam Yanes to fill the vacancy. He stated that she always comes prepared to the P&Z Board meetings, that she cares for the town and that he appreciates her and her work.

Mr. Robert Julia came before the Town Council to participate in Public Comments. He spoke in favor of Ms. Mariam Yanes and of her nomination, that he seconded the motion for her to become the Chairperson of the P&Z Board, that she always comes prepared to her meetings and that she communicates and afford the residents the chance to be heard. Also, he added that she works with a great level of independence.

Mr. Hector Abad came before the Town Council to participate in Public Comments. He stated that Ms. Mariam Yanes is very qualified and that there is no need to have a Special Election.

Ms. Claudia Luces came before the Town Council to participate in Public Comments. She spoke about the condition of some sidewalks in the town; she stated that some are raised and that it is a liability to the Town, that the Town is failing to maintain them. She stated that there should be no more projects and more focus on the issues.

Mr. Dayan Jimenez came before the Town Council to participate in Public Comments. He spoke in support of Item 15B. but to be careful about allowing religious organizations to sponsor events because there is no constitutional precedent regarding separation of religion and state, that he is in support of Item 15J, but that he questioned where the money would be coming from. He also provided comments about the Special Election.

Ms. Mirelis Castilla came before the Town Council to participate in Public Comments. She stated that Ms. Mariam Yanes is highly qualified to fill the vacancy for 10 months and that the Town should not spend the money in a Special Election. That Mariam Yanes has been serving in the P&Z Board for 5 years, that she is a strong, logical woman.

Ms. Lynn Matos came before the Town Council to participate in Public Comments. She spoke in support of the nomination of Ms. Mariam Yanes and that she is a great person and a great Miami Laker. She also spoke in support of Item 15J and that she has always been advocating for the safety of the children in this community.

Mr. Robert Rodriguez participated in Remote Public Comments via Zoom. He stated that he is the Managing Partner at the Law Firm that Ms. Mariam Yanes works for and that she is the complete package. He stated that she is super qualified and respected in her field and that the Town should not spend money in the Special Election.

Mr. Omar Perez participated in Remote Public Comments via Zoom. He stated that he is Ms. Mariam Yanes' law partner and that he is in support of her. He spoke highly of her and stated that in 15 years that they have worked together, she has always been respected by other attorneys and clients and that she is very ethical.

Mr. Fred Senra participated in Remote Public Comments via Zoom. He stated that he is in support of the Town Council approving of Ms. Mariam Yanes as a council member. He stated that the

Town Council should not spend the money in a Special Election. He stated also that he has known Ms. Yanes for many years and that she is very knowledgeable and ethical.

Mr. Tico Casamayor came before the Town Council to participate in Public Comments. He stated that he is in support of Ms. Yanes' nomination and that he is not in support of spending money in a Special Election.

Mr. Jeffrey Rodriguez came before the Town Council to participate in Public Comments He stated that he has known her for 18 years, that she is more than qualified and that she is loved and respected. She stated that she is the person the Town Council needs to appoint. He emphasized that either you spend money in a Special Election or appoint a qualified person for 10 months.

Mr. Alex Dehghani came before the Town Council to participate in Public Comments. He stated that he is Mariam Yanes' brother and he spoke in support of her nomination and that she is qualified to do the job and that the money should not be spent on a Special Election.

There being no further public comments, public comments were closed.

7. NOMINATION FOR VACANT COUNCIL SEAT #6

A. Mrs. Mariam Yanes

This item was combined with Item 15H.

Mayor Cid presented this item and walked the Town Council through his thought process and decision making regarding this nomination. He explained the Town Charter states that the Mayor has to nominate within 30 days and if not, there is a special election, pending Council approval. He stated that initially he wanted this vacancy to go in the November ballot; however, after reading the Town Charter he decided to make a nominate the Chairperson of the Planning and Zoning Board, Mrs. Mariam Yanes.

After further explanation, Mayor Cid officially appointed Mrs. Mariam Yanes as the nominee for Council Seat 6 to serve out the remainder of this term until November of this year.

Councilmembers provided their opinions and posed questions to the Town Attorney. The Town Attorneys provided their legal opinions.

Town Attorney Gastesi asked the Town Clerk, Ms. Gina M. Inguanzo, what the Elections Department has told her. Town Clerk Inguanzo answered questions posed by the Town Attorney and referred to emails from Ms. Christina White, Supervisor of Elections and read into the record the specific deadlines provide by the Elections Department. The Town Attorney Gastesi asked the Town Clerk if she told her how much the election would be. Town Clerk Inguanzo stated that she sent the Council two emails with different quotes. The Town Clerk read into the record the quotes given by the Elections Department.

After further discussion and clarification, Mrs. Mariam Yanes began by thanking everyone that came and spoke on her behalf. She added that the right for the people to vote is not something that should be taken lightly, however when you look at the last special election held, only 13% of the population voted which is unfair. She also added that it is a disservice to the Town to leave a seat vacant. She stated that she cannot guarantee anything but would certainly do her best to give this opportunity everything she has.

Councilmembers posed more questions to the Legal Department regarding the Special Election. The Town Attorneys responded to the question posed by the Town Council.

Councilmember Garcia made a motion to take the money they would save if they don't have the special election and put it into sidewalks in addition to the carryover funds. The motion received no second.

After further discussion, the Town Clerk, Gina M. Inguanzo, called the roll and the motion failed 3-3; Councilmember Ruano, Councilmember Dieguez, and Councilmember Collazo voted in opposition.

Mayor Cid then made a motion to nominate Mrs. Mariam Yanes until the next election when the next Councilmember takes office. Councilmember Ruano seconded the motion.

The Town Attorney Gastesi asked for a few minutes to review and then gave his legal opinion. Councilmember discussed further this matter. Then, Councilmember Collazo stated in order to move the item forward, they should obtain a proper legal option, have the attorneys do the research, and bring it back as a special item.

Town Attorney Gastesi suggested giving him until Friday to give a formal legal opinion to the Town Council and if he changed his mind they would know, and they can call a special call. Mayor Cid asked for a short recess.

After the recess, Mayor Cid asked the Town Clerk to call the roll. Before calling the roll, Councilmember Ruano asked for clarification on the motion they will be voting on. Deputy Town Attorney, Lorenzo Cobiella clarified that Town Attorney Gastesi said to give them time for a full legal opinion. Councilmember Ruano then retracted her second.

Mayor Cid made a motion directing the Town Attorney to look into the legal opinion and Councilmember Garcia seconded. The motion passed 5-0; Councilmember Dieguez was absent.

Prior to voting on the appointments, Deputy Town Attorney Cobiella needed clarification because the way that the Town Charter reads is that they don't confirm, there is a special election. He explained they made a motion for them to come back on Friday with a legal opinion as to whether the Mayor can appoint Mrs. Yanes until the special election. He then asked regarding the special election, what do they tell Ms. White.

Councilmember Collazo stated they've given them direction via motion to provide clarification and in tandem he would like to make a motion to move a resolution establishing February 9th and if something has to come back, they can have a special call. After discussion, Town Clerk Inguanzo clarified that in the email from the Department of Elections, they are accommodating our municipality due to the vacancy to fill Seat #6 and in order for the special election on April 9th to take place, other dates must be adhered to. She stated that deadlines must be adhered to

and that a resolution must be sent as soon as possible with the last day being February 9th and the resolution is letting Ms. White know what the body agrees to. Town Clerk Inguanzo stated they cannot wait until February 9th to send the resolution because of qualifying dates, which is at the end of this month, and it needs to be published twice, 10 days before qualifying starts.

After clarifying, Town Attorney Gastesi reiterated Councilmember Collazo's thoughts which was to pass the resolution now and at the same time see if the attorneys can bring back a legal opinion. Vice Mayor Fernandez then asked if there are not four affirmative votes to pass this resolution, what is the outcome and Town Attorney Gastesi stated the charter does not require them to pass a resolution however the Elections Department will not put us on the ballot without one.

After further discussion, Councilmember Collazo stated he will keep his motion. Town Clerk Inguanzo asked him to restate the motion for the record and Councilmember Collazo restated his motion which was to pass this resolution that sets forth the qualifying dates and the April 9th Special Election date. Councilmember Dieguez seconded the motion.

Councilmember Collazo then repeated that he is going to advocate on behalf of the resolution setting forth the April 9th date and the attorneys will be working on a similar path to see if the candidate can be appointed in the interim.

The Town Clerk called the roll on the motion made by Councilmember Collazo and the motion passed 4-2; Vice Mayor Fernandez and Mayor Cid were in opposition.

8. APPOINTMENTS:

Mayor Cid announced the following appointments:

Ms. Geraldine Amandola to the Cultural Affairs Committee by Councilmember Luis E. Collazo.

Ms. Jacqueline Lebeda to the Cultural Affairs Committee by Councilmember Josh Dieguez.

Mr. Hector Suco to the Mental Health Task Force by Mayor Manny Cid.

Mayor Cid then made a motion to waive the rules and appoint Mr. Hector Suco and Councilmember Collazo seconded the motion.

Councilmember Collazo then asked which qualification is there an exception for and Mayor Cid stated that Mr. Suco sent him a message stating that he is not a resident.

The motion passed 5-0; Councilmember Dieguez was absent.

9. COMMITTEE REPORTS:

A. Blasting Advisory Board

Chairperson Miguel Martinez presented the committee report which outlined the budget, initiatives and events, future projects and considerations, results and progress, and committee attendance. He then requested, on behalf of the committee, to reestablish the resolution

regarding the removal due to lack of attendance. He added that have been having an issue where they cannot meet quorum and do their work due to lack of attendance. He then restated his initial request, at a minimum the exception for the BAB, to reestablish the resolution. Chairman Martinez also requested to cease to override the resolution of the requirement of initial attendance and training session.

Blasting Advisory Board Secretary, Steven Herzberg, then stated that Senator Garcia has a resolution going up to Tallahassee, but they don't want that to be the end of it. He added that the town is the only one actively engaging on this issue and they need their help to go out there. He stated that if the resolution passes, they need to reengage the County and Senator Garcia. He also added that the BAB would like to present a video and asked if the Town Council has any ideas of individuals they believe would be good in front of the camera and that has blasting issues to their property, to reach out to Aisle or Miguel.

Blasting Advisory Board Vice Chairperson Rudy Blanco also spoke about the progress they are making. He then answered questions posed by the Town Council.

B. Veterans Committee

Chairperson William Perez presented the committee report and explained that 2023 Reindeer Run proceeds will stay in Miami Lakes through a scholarship for veterans and their families who live in Miami Lakes and are going to college, trade school, or technical school. He then stated that for 2022 Reindeer Run proceeds, they raised over \$17,000, of which \$2,000 will be put into their arbor day fund to fund a Veterans Victory Garden; \$10,000 to be given to the Town, which is part of Councilmember Garcia's New Business Item, to develop plans for the flag pole and wall previously presented; \$5,029.60 to be given to the American Legion Post 144 to support Miami Lakes veterans.

Chairperson Perez also mentioned another proposal they are doing with the 9/11 ceremony. The committee discussed and voted to give the event to the Public Safety Committee, if they will take it, because it is really a first responders' event.

Chairperson Perez then answered questions posed by the Town Council.

Councilmember Garcia then presented his New Business Item, Item 15D, which is moving forward \$10,000 in donations for the memorial wall and flagpole at Veterans Park. His ask and the ask from the Veterans Committee is to work with the Town and staff to see how they can move forward, using donations, and facilitate putting together a plan for where it would go, what part of the park, what would it entail as far as costs, and maintenance costs. Councilmember Garcia then stated that his explanation is his motion and Councilmember Collazo seconded. The motion passed unanimously.

10. SPECIAL PRESENTATIONS:

None.

11. CONSENT CALENDAR:

Councilmember Collazo moved to approve the Consent Calendar. The motion was seconded by Vice Mayor Fernandez. The motion passed 6-0.

A. Approval of Minutes

- November 14, 2023 Regular Council Meeting
- December 12, 2023 Sunshine Meeting

This item was approved on the Consent Calendar.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2024-06, TO CF & BROTHER SERVICES CORP. IN AN AMOUNT NOT TO EXCEED SEVENTY-THREE THOUSAND, FOUR HUNDRED NINETY-FOUR DOLLARS AND 00/100 (\$73,494.00); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF CONTRACTS FOR RFP 2024-05, CANAL BANK STABILIZATION PHASE III PROJECT TO ARBOR TREE & LAND, INC. IN AN AMOUNT NOT TO EXCEED TWO MILLION ONE HUNDRED THIRTY-ONE THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$2,131,165.00); APPROVING THE TRANSFER OF FUNDS ONE MILLION ONE HUNDRED THIRTY-ONE THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$1,131,165.00) FROM THE CONTINGENCY LINE-ITEM INTO THE DRAINAGE IMPROVEMENTS – CANAL BANK STABILIZATION LINE-ITEM (402-563800-21S12); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A WORK ORDER, PURSUANT TO CONTRACT 2021-43 FOR CIVIL ENGINEERING AND RELATED SERVICES, WITH CALVIN GIORDANO AND ASSOCIATES, INC., FOR CANAL BANK STABILIZATION PHASE III PROJECT DRAINAGE IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY TWO THOUSAND, FIVE HUNDRED SEVENTEEN AND 34/100 (\$142,517.34); MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 23-318; PROVIDING FOR AUTHORITY OF TOWN OFFICIALS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF

RECITALS; PROVIDING FOR ROUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR VIDEO CAMERA REPAIRS AND UPGRADE WITH DIGITAL VIDEO SYSTEMS IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS AND 00/100 (\$20,576.00); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- F. A RESOLUTION OF THE COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES REGARDING FILM PERMITTING; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPLY FOR AND ACCEPT MIAMI DADE TRANSPORTATION PLANNING ORGANIZATION, MUNICIPAL GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXECUTE GRANT AGREEMENTS; AUTHORIZING THE MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING AND REPLACING ALL PRIOR RESOLUTIONS ESTABLISHING OR AMENDING THE EDUCATION ADVISORY BOARD; AMENDING THE COMPOSITION OF COMMITTEE MEMBERSHIP; CREATING PURPOSE OF THE COMMITTEE; AND PROVIDING WITH AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

- I. A RESOLUTION OF THE COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY

AND THE TOWN OF MIAMI LAKES FOR THE PROVISION OF ON-DEMAND SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was approved on the Consent Calendar.

12. ORDINANCE- FIRST READING:

None.

13. ORDINANCE IN SECOND READING:

None.

14. RESOLUTIONS:

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

Town Manager Pidermann presented the item and stated that a few months ago, the Town Council gave directions for Town staff, Councilmember Dieguez, Councilmember Collazo to meet in Sunshine Meeting with the Optimist Club and the Soccer Club. He stated the meeting took place and the outcome of the meeting is the recommendation included in the agenda. He stated that the conclusion was to have the status quo extension for 6 more months, to allow them to continue meeting and negotiating with the clubs and come back with the final product.

Councilmember Collazo, who attended the Sunshine Meeting, explained that both the Soccer Club and the Optimist Club want more space, that they both want access to school facilities, alternate uses like indoor gymnasiums. He emphasized that all the youth programs in our town are growing, and we have a limited space and he mentioned that the school board members have brought to his attention is that they want the TOML to continue using public parks and that they want the school to be a very visible component to the programs and to the community. He provided a brief summary of what the sunshine meeting was about and stated that the participating parties all agreed to flesh this out with a little bit more time.

Councilmember Dieguez motioned the item and Mayor Cid seconded the motion. The motion passed 6-0.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(f)(1) OF THE TOWN OF MIAMI

LAKES (TOWN) LAND DEVELOPMENT CODE (LDC); PURSUANT TO 13-303 OF THE TOWN'S LDC, A CONDITIONAL USE TO EXPAND AN EXISTING HOSPITAL, AND PURSUANT TO SECTION 13-304(h) OF THE TOWN'S LDC FOR A SITE PLAN APPROVAL, ALL OF WHICH ARE PROVIDED AT EXHIBIT "A", SITE PLAN; FOR THE PROPERTY LOCATED ON 14001 NW 82ND AVE, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT "B", BEARING FOLIO NO. 32-2022-040-0020; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR VIOLATION OF CONDITIONS, PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Clerk, Gina M. Inguanzo, asked for the ex-parte communication to be disclosed. Councilmembers disclosed their ex-parte communication forms.

Town Attorney read the quasi-judicial rules and then the title of the resolution into the record. The Town Clerk, Gina M. Inguanzo swore in the individuals that would be providing testimony.

Mayor Cid opened the public hearing.

Mr. Doug Murray, from WGI, spoke on behalf of the Applicant and in support of the item.

The Principal Town Planner, Ms. Susana Alonso, presented the item on behalf of Town Staff and answered questions posed by the Town Council.

Councilmember Collazo motioned to approve the item and it was seconded by Councilmember Ruano. The Town Clerk called the roll and the motion passed 6-0.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING SECTION 4 OF THE DECEMBER 18, 2018 TOWN MANAGER EMPLOYMENT AGREEMENT, AS AMENDED, TITLED DEFERRED COMPENSATION RETIREMENT BENEFITS ; AUTHORIZING THE TOWN MAYOR AND TOWN ATTORNEY TO TAKE ALL STEPS TO NECESSARY TO EFFECTUATE THE AMENDMENT; AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING THE TOWN MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ruano made a motion to approve the item and Councilmember Dieguez seconded the motion. The Town Clerk called the roll and the motion passed 5-1; Mayor Cid voted in opposition.

15. NEW BUSINESS ITEMS:

A. Enhancement to NW 67th Ave Entrance Feature (Dieguez)

Councilmember Dieguez presented this item and stated that in his opinion, the entry sign is fine but that it looks anti Miami Lakes and he believes that it will not be super expensive for the Town to go ahead and repaint it to a warmer color -more aligned to the other entrance features that we already have in the town. He emphasized that we would

like the color chosen to be more life. Councilmember Dieguez motioned to this effect, and it was seconded by Vice Mayor Fernandez, for discussion.

Mr. Jeremy Bajdaun, Parks and Recreation Director, answered questions posed by the Town Council. The Town Manager stated that Town staff will do the diligence to bring back the cost and also bring back different color scheme samples, so that the Town Council can decide and give us direction.

After discussion amongst the councilmembers, the Town Clerk called the roll and the motion passed 4-1; Vice Mayor Fernandez and Mayor Cid voted in opposition.

B. Religious Organizations (Cid)

Mayor Cid presented this item and explained that he would like to give the Town Committees, if they choose to, the capability of picking and choosing sponsors, he stated that he would like to rescind the TOML existing ordinance. The motion was seconded by Councilmember Collazo for discussion.

The Town Attorney explained that the TOML has an ordinance that details how an organization can become a town sponsor, if they follow the guidelines provided. He stated that there is an ordinance in place and that it was created so that there is a uniformed process. He answered questions posed by the Town Council and explained the dangers of allowing one organization and excluding others. He emphasized that it is a slippery slope and that the TOML can open themselves to liability. The Deputy Town Attorney stated that the current ordinance excludes religious organizations as Town's sponsors. After further questions discussion and questions posed by the Town Council, The motion offered by Mayor Cid passed 4-1; Councilmember Ruano voted in opposition and Councilmember Collazo was absent.

C. Resolutions In Support of State Legislative Efforts (Fernandez)

Vice Mayor Fernandez presented the item and stated that this item stems from the visit to Tallahassee, where he and Mayor Cid had the opportunity to meet with State Legislators. During the discussions held in Tallahassee, Vice Mayor Fernandez discussed several legislative initiatives that will yield a positive impact for the town and in the best interest of the residents. He then mentioned that the list, including all the legislative bills, was provided to the Town Council. As per Councilmember Dieguez' request, Vice Mayor Fernandez summarized some of the proposed bills. Vice Mayor Fernandez then made a motion to this effect and Mayor Cid seconded the motion. The motion passed 6-0.

D. Veterans Park (Garcia)

This item was combined and discussed with Item 9B.

E. County Blasting Board (Dieguez)

Councilmember Dieguez presented the item and stated that Vice Mayor Fernandez and him attended the last Town Hall Meeting and some residents there discussed the possibility of the County adopting its own Blasting Advisory Board and toward that effect, he would like to pass a resolution urging the Board of County Commissioners to create one or in the alternative, urging Mayor Levine Cava to create an Ad Hoc Blue Ribbon Task Force that would be tasked with raising awareness about the initiatives to address rock mining effects and to give it a bigger platform. He also mentioned that instead of being the only city pushing this issue, trying to get the County involved is beneficial, in addition to Senator Rene Garcia's item. Councilmember Dieguez made a motion to this effect and Vice Mayor Fernandez seconded the motion. The motion passed 6-0.

F. Emergency Management (Cid)

Mayor Cid presented the item and stated that back in 2017, during Hurricane Irma, our major thoroughfares lost power and for traffic signals to continue operating when there is no electricity, Mayor Cid would like generators to be secured. He stated that he brought it up to Town Staff back then, but that nothing was done. Mayor Cid then made a motion for staff to follow through, specifically to work with the County to make sure that those are properly retrofitted for generator and then have the Grants Director, Ms. Renee Wilson, start looking at FEMA grants. Mayor Cid also stated that he believes that some is FEMA reimbursable and that he would like for TOML to work on this. The motion to this effect was seconded by Councilmember Garcia.

Councilmember Collazo agreed in spirit to Mayor Cid's item and he mentioned that since 2017, there have been advances in solar technology battery packs that can be used in tandem with the lighting, do technology can be leveraged and he then made a friendly amendment to Mayor Cid's motion, to add if town staff can look into battery packs with solar panels for these major intersections, and thus ask town staff to provide a report to this effect, so the Town Council can look at both items before they make a decision. Mayor Cid seconded the friendly amendment to be incorporated into the main motion. The amendment was approved unanimously. The motion passed 6-0.

G. Ballot Referendum Costs (Fernandez)

Vice Mayor Fernandez presented the item and stated that he reached out to the Town Clerk and requested her to get an estimate of what it would cost to put a ballot referendum type questions on the next election. Vice Mayor Fernandez stated that the Election Department did not provide the information promptly, so he decided to request this information via New Business Items. He added that the Elections Department provided the information he had requested to the Town Clerk at the 11th hour and that there's really no need to discuss this any further.

H. Mariam Yanes Nomination (Garcia)

This item was combined and discussed with Item 7A.

I. Procurement Ordinance (Cid)

Mayor Cid presented the item and mentioned that he took a tour of Goodwill and their CEO is a dynamic person doing incredible things, such as sewing together American flags, specifically, the American flags that get placed over the caskets of our men and women who are no longer with us. He mentioned that Goodwill has also expanded their workforce by working with hospitals and local governments and the CEO of Goodwill added that what has changed with people with disabilities is that private and public sector have changed their procurement practices by adding certain points in their businesses, to hire adults with disabilities.

Mayor Cid stated that he wants TOML to be an inclusive community and to incorporate hiring individuals with special needs in our organization and for them to get several added points in their bids for this reason. Mayor Cid then made a motion to add this to our procurement ordinance, our special needs community and to give Town staff the lead and to bring it back to the Town Council in that format. Councilmember Garcia seconded the motion.

Councilmember Dieguez then asked if the proposed motion was for all special needs' population or a preference for special needs population in Miami Lakes. Mayor Cid responded either or he emphasized that the goal in to be an inclusive community so being an example town, it would change habits. He also mentioned that if there is a business outside of Miami Lakes and they hire adults with special needs and they are going to work here, he mentioned that would be working towards the TOML goals. The SNAB can contact that business and now start placing people as well and work with MNSU card to help adults that are over 21 years of age.

Councilmember Dieguez then added that he would like to give the Town Manager direction that while Town staff is developing this ordinance and make changes to it, to also give local preference to Miami Lakers. Mayor Cid then stated that his motion will not take away the current local preference – that his motion is in addition to local preference. The motion passed 6-0.

J. School Zone Cameras to improve Safety for our Children (Fernandez)

Vice Mayor Fernandez motioned to waive the Special Rule of Order Section 7.2 and the motion was seconded by Councilmember Dieguez. The motion passed 6-0.

Councilmember Garcia presented the item and stated the importance of always keeping our children safe. He then motioned for the Town Manager and the Town Commander to research how school's own cameras can improve student safety and how the fines can be directed to increase student safety by adding additional crossing guards police presence or any additional areas of safety that can be improved around our schools. He then mentioned that HB 657 was passed to open the door for allowing governments to enforce speed limits limited to school zones. He mentioned that the County also took measures and is in the process of looking at vendors for that.

Councilmember Garcia then motioned for the Town Manager to look into that and work with the County and see if it's something that we could incorporate what our local school

feel about that, and what the cost is and if the cost could be deferred by the fines; he mentioned that he would like that the money be put it towards new cross guards and more police presence or any safety items that could help with the students. Mayor Cid seconded the motion.

Mayor Cid stated that he would like the crossing guards to get involved, that he wants the Town Manager to look into this and specifically, a report from the Town Commander to really look into this because he understands that police needs to be involved. He asked for the Town Commander to provide a report and his perspective on this matter and that he wants to get a full review of this matter before he makes a commitment one way or the other.

Councilmember Ruano stated that she fully supports the sentiments to protect our children but emphasized her fear of the hiccups that exist with electronic devices, electronic cameras in general. However, she stated that she is in support of doing research to explore. The motion passed 5-1; Councilmember Dieguez voted in opposition.

16. MAYOR AND COUNCILMEMBER REPORTS:

A. Trip to Tallahassee (Cid)

He stated that he and Vice Mayor Fernandez had a great meeting in Tallahassee and that the Town is asking for a lot of money with a lot of good possibilities for the Town of Miami Lakes. He stated that in his opinion, the Town of Miami Lakes will be in a good place this year.

17. MANAGER'S REPORTS:

A. Police Report (Major Gonzalez)

Town Commander Gonzalez presented the report.

B. Monthly Infrastructure Report (Santos)

Public Works Director, Mr. Omar Santos, presented the report.

18. ATTORNEY'S REPORT:

Councilmember Collazo motioned to extend the Council Meeting for 15 more minutes and the motion was seconded by Councilmember Ruano. The motion passed 5-1; Mayor Cid voted in opposition.

Councilmember Ruano asked the Town Attorneys to discuss Form 6 for the benefit of all councilmembers. Deputy Town Attorney Cobiella reported that Form 6 is not a new form but that it requires more information from elected officials, and that it requires disclosure of your finances and that it's more intrusive than Form 1. Attorney Gastesi stated that it is very intrusive.

Town Attorney Gastesi mentioned that Haydee's Law Firm is working on a lawsuit on this matter and is trying to recruit 10 municipalities to join this litigation. He stated that they need 10 municipalities and that it will cover elected officials if they decide to join.

Councilmember Ruano motioned to join the litigation being put forth by Weiss Serota and she stated her opinion. The motion was seconded by Councilmember Collazo. After discussion amongst the councilmembers, the motion failed 1-5; Councilmember Collazo, Councilmember Dieguez, Councilmember Garcia, Vice Mayor Fernandez and Mayor Cid voted in opposition.

19. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting was adjourned at 12:15 am.

Approved this 13th day of February 2024.

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk