

MINUTES
Regular Council Meeting
October 4, 2016
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Pizzi called the meeting to order at 6:36 pm.

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers present: Manny Cid, Tony Lama, Ceasar Mestre, Frank Mingo, Nelson Rodriguez, Vice Mayor Tim Daubert and Mayor Michael Pizzi.

3. MOMENT OF SILENCE

Pastor Lago called for a moment of silence.

4. PLEDGE OF ALLEGIANCE:

Dave Oliver led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Mayor and Town Council proclaimed October 2016 as Breast Cancer Awareness Month.

Mayor and Town Council recognized The Women's Breast & Heart Initiative in honor of Breast Cancer Awareness Month. This organization makes a tremendous impact in our community through its community outreach program. Through their door to door outreach, this organization provides education, screening, and referrals, targeting underserved women.

Mayor and Town Council recognized Dave Oliver for his participation in the Miami Lakes bridge club.

Mayor and Town Council recognized Officer Michelle Figueroa for her accomplishment as the officer of the quarter.

The Town of Miami Lakes was awarded The William Lynn Phillips Award which recognizes the excellence in parks recreation and conservation of open spaces, planning and design in Miami Dade County by Miami Dade County Parks through the Director Jack Curtis.

Mayor and Town Council recognized Mary Benaiges for her long history of educational advocacy and volunteer work in our Town. From serving on multiple PTSA boards to finding

funds for the auditorium at Miami Lakes Middle School to pushing for academic excellence at Barbara Goleman Senior High, she has consistently been an integral part of our local schools' success.

Mayor and Town Council recognized Omar Gonzalez for his exceptional contribution to Miami Lakes through his generous volunteer work. He has been active in groups like the Miami Lakes Civic Association, Citizen's Crime Watch, the Public Safety Committee, and the Veteran's Day Parade Committee. He has also participated in various Town events such as our Easter Egg Hunts. He was nominated two years in a row for the Citizen's Involvement Award from Crime Watch and won the award in 2008. Moreover, he is CERT certified and participated in the Citizen's Police Academy. His work has made a lasting impact in our Town.

6. PUBLIC COMMENTS

Ellica Quintero came before the Town in support of item 12K, an annual ice cream social to celebrate national ice cream day.

Harry Casey came before the Town in support of item 12C. He believes the Town should make every lot a single family lot.

Mirtha Mendez came before the Town to speak about special call meetings. She stated that special call meetings should only occur in cases of emergency. She believes that the special call that was announced a couple of weeks prior was unnecessary.

Sebastian Lissa came before the Town to speak in favor of items 12C & 12E. He gave the remainder of his time to other residents choosing to speak on the items.

Edward Martos came before the Town to speak against 12C, Homeowner's Protection Act. He spoke on behalf of Comar Ventures. He stated that the Town is exposing itself to a great deal of liability. He stated item 12c could violate the Bert J Harris Act.

Susan Moore came before the Town to speak in favor of item 12c. She stated Miami Lakes is very compact and conceptual. She would like the Town to maintain the way it currently is.

Nancy Simon came before the Town to speak about the Jerry's Squad item. She thanked Councilman Lama for bringing the item to the town and urged the council to support the item and include other members of the community in it as well. She spoke about the Homeowner's Protection Act and asked the council to come to a happy medium with the residents and the developer. Moreover, she spoke about the mega mall and the benefits it could bring the Town.

Janet Lopez came before the Town to speak in favor of item 12c. She stated that she and her neighbors are invested in the Loch Ness area and does not want the developer to take away the community they have built for their children.

Gurilla Crawford came before the Town to speak about the benefits of the mega mall.

Luis E. Collazo came before the Town to speak in favor of item 12c, the Homeowner's Protection Act. He also came in support of item 12a, Jerry's Squad.

Maria Kramer came before the Town to speak against the way the candidate forum will be handled. She believes the resident questions should not be filtered by the moderator. She also came to speak about Loch Ness and urged the council not to make a decision until they have an expert opinion.

Elizabeth Delgado came before the Town to speak in favor of item 12c. She also came to speak about item 8, appointments. She stated that a member of the public safety committee was sued by a resident for domestic violence. The case number is 13-25029FC04.

Nayib Hassan came before the Town to speak in favor of item 12a.

Jose Quintero came before the Town to speak in favor of item 12c, e, and k. He believes item 12k would set a great model for other communities.

Carla de Martino came before the Town to speak in favor of item 12c. She thanked the Council for listening to all of the concerns from the neighbors in Loch Ness.

Lazaro Mesa came before the Town to speak in favor of item 12c. He stated this act would affect the whole community, not just the Loch Ness area.

Emparatriz Fernandez came before the Town to speak in favor of 12c. She stated the developers should move to another neighborhood and not settle in Loch Ness Drive.

Jose Gil came before the Town to speak in favor of 12c. He is a long-term resident of Loch Ness and does not want to see the neighborhood's style to change.

Bryan Rodriguez came before the Town to speak in favor of 12c. He stated there is already a problem with traffic. The development would just add to the problems the neighborhood has.

Rafael Schuck came before the Town to speak in favor of 12c. He wants the Town of Miami Lakes to maintain its appearance. The development could take away from the appeal the Loch Ness community has.

Claudia Luces came before the Town to speak in reference to item 12c. She cautioned the council to make an informed decision and not a passionate decision on this item. She also spoke about the mega mall item and echoed Ms. Mendez's comments on the special call. She

thanked the Council for their vote on how to utilize the mitigation money from the Lennar project.

Gaby Llanes, Mia Meitin, and Alyssa Perez came before the Town to speak in favor of item 12k.

Mayor Wayne Slaton came before the Town to speak in reference to item 12c. He also said that HOA deed restrictions should be upheld. He believes it is imperative to maintain Miami Lakes at the highest standards. Any future development that comes to the town should be in harmony and pay respect to HOA's and their deed restrictions.

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

Mayor Pizzi requested to move up item 12K, followed by item 12C. Councilmember Lama requested to move up item 12E immediately after 12C. The Town Attorney, Raul Gastesi, requested to add an Attorney's Report for a Budget Item regarding Attorney's Fees. The Town Manager, Alex Rey, requested to add a Manager's Report Item 14D, on Hurricane Matthew.

Mayor Pizzi made a motion to accept the agenda as revised. Councilmember Lama seconded the motion and all were in favor.

8. APPOINTMENTS:

No appointments.

9. COMMITTEE REPORTS:

Education Advisory Board and Veterans Committee both submitted their reports in writing.

10. CONSENT CALENDAR:

Mayor Pizzi made a motion to approve the Minutes on the Consent Agenda. Councilmember Lama seconded the motion and all were in favor.

- August 26 2016 9/11 Meeting Minutes
- September 6 2016 First Budget Hearing Minutes
- September 6 2016 Regular Council Meeting Minutes
- September 20 2016 Second Budget Hearing Minutes
- September 22 2016 UF Tree Assessment Site Visit Debriefing Meeting Minutes

Approved on Consent.

11. RESOLUTIONS

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDING CONTRACT FOR REQUEST FOR PROPOSAL (RFP) 2016-49, CANAL BANK STABILIZATION, TO ENCO, LLC, 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 CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Clerk read the resolution. Mayor Pizzi made a motion to pass the resolution. The motion was seconded by Councilmember Lama and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF RFP 2016-44, BUS OPERATIONS SERVICES TO MV CONTRACT TRANSPORTATION, INC.; 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)

Assistant Town Attorney, Lorenzo Cobiella, read the resolution.

Mayor Pizzi made a motion to approve the contract and pass the resolution. The motion received a second from Councilmember Lama and all were in favor.

Mayor Pizzi mentioned that some kind of criteria should be developed defining the parameters as to who rides the bus and who doesn't.

12. NEW BUSINESS:

- A. Jerry's Squad – Hurricane Preparation and Assistance for Seniors of Miami Lakes (Lama)

Councilmember Lama made a motion asking the Town Manager to craft a program setting up parameters, in coordination with the Elderly Affairs Committee, so that a group of volunteers would be available to support our seniors as well as disabled individuals or any individuals who may have some disability, and that these volunteers would provide assistance in the event of a tropical storm or a hurricane. The motion was seconded by Mayor Pizzi and all were in favor.

Councilmember Cid made a motion to re-open the agenda, and requested to move up item 14A. Mayor seconded the motion and all were in favor.

B. Sunday On Demand Bus (Cid)

Councilmember Cid made a motion directing staff to determine if there is some way in the budget to find \$4,500 to allocate towards a Sunday on Demand Bus service for two hours and if not, to identify any other alternatives to fund this service. All were in favor.

C. Homeowner Protection and Preservation of Resources Act (Pizzi)

Mayor Pizzi made a motion directing staff to draft a Homeowner Protection and Preservation of Resources Act that imposes a prohibition on the owner of any parcel of land anywhere in town that has contained a single housing unit for more than 10 years from making an application to use the same parcel for more than one unit from where the development is located in a subdivision where no other parcels have been so subdivided in the past 20 years and where it would drain additional resources in the subdivision greater than that has been used with the single parcel and is out of character with the other lots in the community. Councilman Lama seconded the item. Pizzi made an addition to the motion that states an analysis must come back with the item on first reading and is drafted in a manner that protects the taxpayers of the Town. Clerk called the roll and the motion passed 4-3 with the following members voting in favor: Councilmember Rodriguez, Councilmember Cid, Councilmember Lama, and Mayor Pizzi.

D. Zika Concerns (Rodriguez)

Councilmember Rodriguez would like that free flyers on Zika information that have been provided to us from Miami-Dade County, to be distributed to the residents. These flyers are in English and Spanish and are already paid by the County. All were in favor.

E. Traffic flow and Miami "Raceway" North and South (Lama)

Councilmember Lama made a motion directing staff to take measures to secure the families and residents who live on the Miami Lakeway South and Miami Lakeway North corridor, using complete street initiatives as well as solar speedometers. He also asked town staff and council to take this issue back to the county and see if a solution to the entrance and exit challenges that the Loch Ness residents are experiencing can be found. Councilmember Rodriguez seconded the motion.

Councilmember Rodriguez made an amendment to Councilmember Lama's motion to reduce the speed limit to 25 mph on Miami Lakeway North and South. Councilmember Rodriguez wants staff to look into what the cost to replace the signs is. Councilmember Cid seconded the motion. All were in favor of the amendment. Shortly thereafter, all were in favor of Councilmember Lama's motion.

F. Energy-Savings Trees Program (Cid)

Councilmember Cid made a motion to waive the rules, since this item was included late, and Councilmember Mestre seconded the motion. All were in favor of the waiver. Councilmember Cid made a motion to direct staff to look into the Energy-Saving Trees Program and to partner up FPL to provide free trees to our residents. The motion was seconded by Councilmember Mestre and all were in favor.

G. Elimination of Eyesore and Protection of Property Values (Pizzi)

Mayor Pizzi made a motion directing Town Staff to do some research and come back with legislation that provides when there is an abandoned piece of commercial property that if it is abandoned for more than a year, that there are requirements in terms of landscaping the property and reducing the aesthetically displeasing qualities of it and does not destroy the aesthetics of the town. The motion was seconded by Councilmember Mestre for discussion.

Councilmember Mestre amended the motion for it to say that if the property is abandoned, that the Town can use the fence lining that so that they can make it look much better. Mayor Pizzi accepted the friendly amendment. All were in favor.

H. Alzheimer's Awareness Month (Lama)

Councilmember Lama made a motion to designate November as Alzheimer's Awareness Month and kindly asked the Mayor's Office to provide a proclamation to be delivered at the November Council Meeting, so that it can be given to the members of this Awareness Group. The motion was seconded by Councilmember Mestre and all were in favor.

I. Retention of Employees (Pizzi)

Mayor Pizzi asked the Town Manager to come back in April 2017, with a plan, with a package, to continue taking care of staff and the Town Council will give you the resources to take our hard working employees. Councilmember Cid asked the Town

Manager to request of Miami Dade College and the Ana G. Mendez, to do a tuition waiver for our Town employees.

J. Honoring Jose Fernandez (Rodriguez, Daubert)

Mayor Pizzi moved to waived the Rules of Special Order and all were in favor.

Councilmember Rodriguez made a motion requesting that “JF16” with a big circle around it be written on the Optimist Park field, in memory of the late baseball player Jose Fernandez. The motion was seconded by Councilmember Cid and all were in favor.

K. Annual Ice Cream Social (Pizzi)

Mayor Pizzi made a motion to support item 12K, regarding the annual ice cream social and in supporting this 100%, and it was referred to the Youth Task Force, so that they come back to the Town Council with details on the funding and logistics. The motion was seconded by Councilmember Lama and all were in favor.

13. MAYOR AND COUNCILMEMBER REPORTS:

A. FDOT Palmetto Improvements (Pizzi)

Mayor Pizzi combined items 13A & 13B.

Mayor Pizzi said that the Town of Miami Lakes is going forward with the Bridge Park and that our position with FDOT must be strong and that the Town wants the right of way.

B. NW 154th Street Bridge (Pizzi)

Mayor Pizzi combined this item with item 13A.

C. Dream Act Mall (Pizzi)

Mayor Pizzi said that Miami Dade County was going to make a recommendation by the first week in October and that it was going in front of the Community Council 5 on October 23rd and that the Community Council 5 would submit their recommendation or denial to the state on November 4th.

D. A New Kind of Paramedic for Less Urgent 911 Calls (Cid)

Mayor Pizzi waived the Rules of Special Order. It was seconded by Councilmember Cid and all were in favor. Councilmember Cid spoke about the article on Paramedics for Less Urgent 911 Calls and asked Councilmember Rodriguez to look into this matter.

14. MANAGER'S REPORT:

A. FDOT Encroachment

Andrea Agha, Assistant Town Manager, presented the item. She explained that there is an encroachment on the FDOT property located at east of I-75 at NW 154 Street on Miami Lakes Drive. The parcel is expected to be part of the Bridge Park and the Town is trying to work with the residents who live adjacent to the proposed park. The Town is recommending allowing the encroachment to stay until just prior to when the Town is ready to take over the property from FDOT, for whatever use. FDOT stated that they are ok with the TOML allowing the encroachment to continue but that the residents need to enter an agreement with FDOT.

Aldo Avaros, the resident who lives adjacent to the parcel, spoke in favor of keeping the encroachment until the Town acquires the right of way.

Councilmember Cid made a motion to approve staff's recommendation. Vice Mayor Daubert seconded the motion and all were in favor.

B. PACE Program Update

This report was not discussed.

C. Elections – Early Voting

Alex Rey, the Town Manager, presented the item. That if needed, the runoff election would take place on November 29th, as per the Town Charter. He also explained that Early Voting is confirmed to take place on Saturday, November 19th, from 7 am to 7 pm at the Mary Collins Community Center. The Town Manager asked the Town Council as to whether they would like to have another precinct offer early voting on that same day as well.

Councilmember Mingo presented a different option. He proposed for Early Voting to take place on Saturday, November 19 and Sunday, November 20th, from 7 am to 7 pm, both at the Mary Collins Community Center. Mayor Pizzi made a motion to adopt Councilmember Mingo's option and all were in favor.

15. ATTORNEY'S REPORT:

Mayor Pizzi made a motion to extend the meeting for 15 minutes. Councilmember Mingo seconded the motion and all were in favor.

Raul Gastesi, the Town Attorney, explained that his report dealt with the Mayor's Litigation. He requested for the Town Council to approve moving the \$25,270 funds that

are left from the Charter Review Commission and whatever is left from the litigation firms budget to be moved to the Lydecker line item so that Lydecker Law Firm bill can be paid.

Councilmember Mestre made a motion to move the \$25,270 funds and whatever is left over from the \$23, 794.21 over to the Lydecker line item. Councilmember Lama seconded the motion. The Town Clerk called the roll and the motion passed 6-1, with Mayor Pizzi voting in opposition.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 12:22 am.

Approved on this 1st day of November 2016.

Michael Pizzi, Mayor

Attest:

Gina M. Inganzo, Town Clerk