

MINUTES
Regular Council Meeting
June 7, 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 6:40 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

Mayor Pizzi called for a moment of silence. Pastor Ralph led the invocation.

4. PLEDGE OF ALLEGIANCE:

Lieutenant Colonel Coote led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Special presentations started at 5:30 pm.

The Mayor and Council presented Marge Wessel with a special recognition as an honorary member of the Youth Activities Task Force. She has been vital for creating opportunities to involve our youth in Miami Lakes. Her successes in the field of sports, education, and equality have made her an integral member of our community.

The Mayor and Council presented a special recognition to the inaugural Girl's Flag Football team at Barbara Goleman Senior High. Through the leadership of Coach Fernandez and Mr. Fogler, Barbara Goleman Senior High ran its inaugural girls flag football season. Coach Fernandez, along with his players, raised funds to foster athletic growth for these talented young ladies of Barbara Goleman Senior High and built this wonderful new program

The Mayor and Council presented a proclamation in honor of Bev Lam to the Boy Scouts Troup 49. Ms. Lam selflessly gave her all to Scouting and the community for countless years.

She embodied a Scout's responsibility to "help other people at all times," to live the Scout Oath and Law, and to leave the world better than she found it.

The Mayor and Council presented Jessica Comellas with a special recognition for her passion and energy to raise funds and create awareness for the Alzheimer's epidemic. For the past couple of years, Jessica has made a tremendous impact through hosting piano-thon events welcoming individuals to listen, donate, and celebrate her grandmother's life—who suffered from Alzheimer's. Her participation will honor her grandmother's legacy and have a lasting impact on those that suffer from this disease.

The Mayor and Council recognized the 7th grade CEA Law Studies students for their life-saving work this past year. They competed in Project Citizen, with an inspiring project honoring our late Miami Lakes resident Breanna Vergara. Through determination and perseverance, they competed and won locally and statewide. Their goal is to pass a statewide law in the 2017 legislative session that will save the lives of minors who suffer from a hidden heart condition.

The Mayor and Council recognized the 8th grade Bobcat Law Society students who placed 3rd in the National We the People Invitational. These dedicated students prepared diligently and their hard work certainly paid off as they excelled in simulated congressional hearings testifying before a panel. They demonstrated their understanding of constitutional principles and opportunities to evaluate, take positions on, and defend historical and contemporary issues.

Matt Surrency recognized Councilman Manny Cid with an award from Florida League of Cities for being a Home Rule Hero.

Mayor Pizzi asked for a 10 minute recess.

6. PUBLIC COMMENTS

Pastor Ralph Rodriguez came before the Town to speak in favor of item 13K to honor the individuals who lost their lives on September 11, 2001.

Attorney Kent Harrison Robbins, came before the Town to speak against agenda item 13E.

Mirtha Mendez came before the Town to provide more information on item 13F regarding the charter amendments.

Maria Kramer came before the Town to speak against item 13E. She stated it is misleading to voters.

Michael Coote came before the Town to speak against item 13G. He stated that if the trees are replaced with Oak trees, they would look just like the black olive trees in 20-30 years.

Roosevelt Bradley came before the Town to speak against Item 13E. He stated he does not want to pay for an Item that sounds like a political ad.

Eladio Jose Arnesto came before the Town to speak against Item 13E. He stated the item sabotages a candidate's campaign through the use of the electoral process and it is a misleading question.

Lynn Matos came before the Town to speak in favor of Item 13H. She stated she is willing to help on behalf of the kids in the community as she has lost friends to drugs.

Alejandro Sanchez came before the Town to speak in favor of Item 13G. He also spoke in favor of 13E, as more people should be informed in our community about the legal fees associated with the Mayor's litigation fees.

Xiomara Pazos came before the Town to speak against Item 13E, as it could cost more taxpayer's money.

Harry Bolinger came before the Town to speak against Item 13E. He felt the non-binding straw ballot would not result in a positive outcome during an election season.

Robert Kruger came before the Town to speak against Item 13E. He stated it is a waste of taxpayer's money.

Miriam Campos came before the Town to speak against Item 13E. She also stated the last election was a waste of money, as people did not vote using the mail-in ballots.

David C. Campos came before the Town to speak against Item 13E. He also stated that the insurance company should be pay for the Mayor's litigation fees.

Lorena Villanueva came before the Town to speak against Item 13E. She stated it would open old wounds and would be misleading as well as instigating. Legal fees should be for a judge to decide, not for Miami Lakes.

Dr. David Bennett came before the Town of Miami Lakes and stated the straw ballot item would not affect Mayor Pizzi, as he is not running for re-election at the present time. He also spoke against Item 13F as the election ballot is already going to be long. Additionally, the Town already voted on these questions during the mail-in ballot special election.

Juan Mayol came before the Town council to speak in favor of items 12B and 12C.

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

Mayor Pizzi requested to combine items 13A and 13I. Mayor Pizzi also requested to add item 13M, to discuss the ordinance sponsored by County Commissioner Jordan requiring municipalities to pay for workforce housing.

The Town Attorney requested to add to the Attorney's Report, an item on the Charter Review Commission.

Councilmember Mestre made a motion to approve the Agenda as reordered. Councilmember Lama seconded the motion and all were in favor.

8. APPOINTMENTS:

Mayor Pizzi appointed Nancy Roberts to the Neighborhood Improvement Committee.

9. COMMITTEE REPORTS:

Roberto Alonzo came before the Town to give the annual report for the Public Safety Committee.

10. CONSENT CALENDAR:

Mayor Pizzi made a motion to approve all the items on the Consent Agenda. Councilmember Manny Cid seconded the motion and all were in favor.

A. Approval of Minutes

- May 3rd 2016 Regular Council Meeting
- May 13th 2016 Special Call Meeting on Injunctive Relief
- May 19th 2016 Meeting with Consul General of Japan

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR THE ACCEPTANCE AND CERTIFICATION OF THE RESULTS OF THE MAY 17, 2016 TOWN SPECIAL MAIL BALLOT ELECTION PERTAINING TO AMENDMENTS TO THE TOWN'S CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE. (Gastesi)

Approved on Consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AWARDED CONTRACT FOR INVITATION TO BID (ITB) 2016-32 FOR CANAL SYSTEM MAINTENANCE SERVICES TO SFM SERVICES, INC.; 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 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 APPROVING THE PURCHASE OF AN EMERGENCY BACK-UP GENERATOR FOR GOVERNMENT CENTER FROM PANTROPIC POWER, INC. IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO ACCESS THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT WITH CATERPILLAR, INC. PURSUANT TO SECTION 7 OF ORDINANCE 12-142 (THE TOWN'S PROCUREMENT ORDINANCE); AUTHORIZING THE TOWN MANAGER TO IMPLEMENT 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)

Approved on Consent.

11. ORDINANCES-SECOND READING (PUBLIC HEARING)

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 15-186 AND ORDINANCE NO. NO. 16-190; AMENDING THE TOWN'S FISCAL YEAR 2015-2016 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR THE CREATION OF THE MOBILITY FEE TRUST ACCOUNT SUB-FUND WITHIN THE SPECIAL REVENUE FUND; 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 to the record.

Mayor Pizzi opened the public hearing. Being that no one wished to speak, the Mayor closed the public hearing.

Councilmember Cid made a motion to approve the Ordinance in second reading and it was seconded by Mayor Pizzi for discussion. Councilmember Daubert made a motion to amend the budget and add money to the budget and go back to \$65,000 for park infrastructure for there to be total WIFI throughout the whole parks. Mayor Pizzi seconded the motion for discussion. The Town Clerk called the roll on the motion to amend and the motion passed 5-2, with Councilmember Lama and Rodriguez voting on opposition.

Mayor Pizzi made a motion to move the budget ordinance on second reading, as amended. The motion received a second from Councilmember Mestre and all were in favor.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA EXPRESSING OPPOSITION TO OPENING OF NW 170 STREET AT 1-75 UNTIL FURTHER DATA IS RECEIVED; PROVIDING FOR TRANSMITTAL DIRECTIONS TO THE CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (LAMA)

Councilmember Lama made a motion to approve the resolution. Mayor Pizzi seconded the motion for and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MAKING CERTAIN FINDINGS UNDER THE DEVELOPMENT AGREEMENT APPROVED PURSUANT TO RESOLUTION NO. 11-883 OF THE TOWN COUNCIL, RESOLUTION 15-1336 OF THE TOWN COUNCIL, AND ORDINANCE 16-192 OF THE TOWN COUNCIL, CONFIRMING AVAILABILITY OF THE TOWN OF MIAMI LAKES MOBILITY FEE ORDINANCE TO SATISFY THE TOWN; TRANSPORTATION CONCURRENCY REQUIREMENTS FOR THE RESIDENTIAL DEVELOPMENT OF THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE NW 87 AVENUE AND NORTHWEST 154 STREET AND IDENTIFIED BY MIAMI DADE COUNTY TAX FOLIO NO. 32-2016-000-0020 ("DUNWOODY LAKE"); AND PROVIDING FOR AN EFFECTIVE DATE (REY).

Attorney Nancy Stroud spoke on behalf of the Town regarding the development agreement and answered questions posed by the Town Council.

Attorney Juan Mayol, spoke on behalf of the resolution and on the development agreement.

Mayor Pizzi opened the Public Comments section of the meeting.

Eladio Jose Armesto spoke in opposition of the resolution.

Wayne Reinhart urged the Town Council to make a decision and vote on the item.

Vice Mayor Daubert moved the resolution and Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed 6-1, with Mayor Pizzi voting in opposition.

Mayor Pizzi called for a 10 minute break after the discussion and voting of item 12B. All were in favor.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(F)(3) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED “DUNNWOODY LAKE” SUBMITTED FOR PROPERTY LOCATED NORTH OF NW 154TH STREET AND BETWEEN NW 87TH AVENUE AND I-75, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2016-000-0020, IN THE RM-13 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Mayor Pizzi opened up the public meeting at 9:15 pm.

The Town Attorney, Raul Gastesi, read the quasi-judicial procedures and the resolution into the record.

The Town Clerk, Gina Inguanzo, swore in anyone wishing to speak.

Attorney Juan Mayol, spoke in favor of the resolution and urged the Town Council to support and approve said resolution. He requested that the same language that was included in condition #7 of the tentative plat to be included in the language of condition #3 of the Final Plat. That is, Attorney Mayol noted that condition 3 reads, “no building permit shall be issued until the final plat is recorded except as it may be allowed by the Land Development Code”. Attorney Mayol respectfully requested for this language to be included in the language of condition #3.

Mayor Pizzi made a motion to approve the resolution with the amended language added by Attorney Mayol. Then motion was seconded by Councilmember Mestre. The Town Clerk called the roll and all were in favor.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING A LICENSE AND USE AGREEMENT WITH THE MIAMI LAKES UNITED SOCCER CLUB, INC. FOR A MULTI-YEAR PERIOD FOR USE OF MIAMI LAKES OPTIMIST PARK AND ROYAL OAKS PARK; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilmember Rodriguez made a motion to approve the resolution. Councilmember Mingo seconded the motion for discussion.

Councilmember Rodriguez made a motion to amend the resolution for the language of the contract to require a 25% differential discount for the intramural and 25% differential discount for the traveling program. Councilmember Mingo seconded the motion. The Town Clerk called the roll and all were in favor.

Councilmember Cid made a motion to amend the contract to request that they split both accounts and have separate bookkeeping accounts, one for the recreational program and one for the traveling program. The motion received a second from Councilmember Mestre. Councilmember Cid amended his motion and changed the wording to require, instead of request, and that they split both accounts and have separate book keeping accounts to ensure parents that funds are being appropriated and used accordingly. Vice Mayor Daubert seconded the motion and all were in favor.

Mayor Pizzi made a motion to approve the contract as amended. Councilmember Lama seconded the motion and all were in favor.

13. NEW BUSINESS:

A. Declaration of Principles Of Inclusion For Individuals With Autism And Other Special Needs (Cid, Daubert)

Councilmember Cid made a motion requesting Town staff to prepare a resolution similar to the one from the City of Coral Gables and for the language of the resolution to reflect the principles of inclusion that truly represent our community needs.

Mayor Pizzi gave direction for staff to include one special needs exclusive program to be offered at the Youth Center. Councilmember Rodriguez added that a training video on how to interact effectively with the autistic community should be provided to Town staff and the Police Department. Councilmember Daubert added that Town staff should look into the idea of creating a wallet card for the autistic community. The motion was seconded by Councilmember Rodriguez and all were in favor.

B. Minimum Lake Maintenance Standards (Lama)

Councilmember Lama made a motion asking the Town Manager to come back with a comprehensive list of recommendations of things that the Town can do that are enforceable, that will potentially help our lakes and ensure that our lakes are not a public safety concern nor a health hazard and that they are aesthetically pleasing. Mayor Pizzi seconded the motion and all were in favor.

C. Beautification Projects (Mestre)

Councilmember Mestre made a motion requesting that any beautification item that has been voted on and passed by the Town Council and that needs to be changed during the time of implementation must be brought once again before the Town Council before the changes are implemented. The motion received a second by Mayor Pizzi and all were in favor.

D. Creation of a Protocol for Incident Notifications to the Town Manager/Staff and or Elected Officials (Rodriguez)

Councilmember Rodriguez made a motion requesting the Town Manager to contact the Miami-Dade County Fire Rescue and to request a report to be given to the Director of Community Engagement and Outreach, setting the criteria for incident notifications regarding fire related services so that a protocol for incident notifications be created as soon as possible. Mayor Pizzi seconded the motion and all were in favor.

E. Non-Binding Straw Ballot Question Re: Payment of Legal Fees to Mayor Michael Pizzi (Mingo)

Councilmember Mingo made a motion to request a non-binding straw ballot question to be placed on Nov 8 2016 general election addressing the payment of legal fees to Mayor Pizzi incurred during his criminal defense. This motion received a second from Vice-Mayor Daubert.

Mayor Pizzi made a motion to extend the meeting to 11:30 p.m. The motion received a second from Councilmember Lama and all were in favor.

Mayor Pizzi made a motion to extend the meeting to 1:00 a.m. The motion received a second from Councilmember Mingo and all were in favor.

Councilmember Mingo withdrew Item 13E.

F. Charter Amendment Procedure (Pizzi)

Mayor Pizzi withdrew this item.

G. Black Olive Tree Removal Program (Cid)

Councilmember Cid made a motion requesting the Town Manager to fully fund the Black Olive Tree Removal Program for the year 2016-2017. Then motion received a second by Councilmember Lama and all were in favor.

H. Drug Awareness/Prevention Campaign (Mestre)

Councilmember Mestre made a motion requesting that a Drug Awareness Prevention Program or Campaign be created to educate our community and for this program to work with in conjunction with the Police Department and/or with the Public Safety Committee.

Mayor Pizzi seconded the motion and all were in favor.

I. No One Gets Left Behind Special Needs Program in Miami Lakes Parks (Pizzi)

This item was combined with item 13A.

J. Loitering at Par 3 Central Park (Mestre)

Councilmember Mestre tabled this item.

K. Event Honoring 15th Anniversary of September 11th (Pizzi, Rodriguez)

Mayor Pizzi spoke about the event honoring the 15th Anniversary of September 11th that will be taking place at Miami Dade Christian School. Mayor Pizzi invited the Town Council to this event and asked for their support.

L. Hurricane Season Awareness (Rodriguez)

Councilmember Rodriguez stated that we have to be prepared for a potential storm.

M. Workforce Housing

Mayor Pizzi made a motion stating that his office will send a letter to the County respectfully indicating that the Town of Miami Lakes Council opposes a mandate for workforce housing in these communities. The motion received a second from Councilmember Lama. Councilmember Lama asked the Mayor to include in his letter, that many of the residents in our community came from countries where the government mandated how to people must run and manage their businesses and that that is anti-capitalism. All were in favor.

14. MAYOR AND COUNCILMEMBER REPORTS:

A. Zip Code Update (Cid)

Councilmember Cid stated that Governor Scott is signing a bill that explicitly allows them to assess risks and set rates via zip codes, which helps the Town's argument for our own zip code.

B. MPO Process Implementing Traffic Solutions (Pizzi)

This item was skipped by Mayor Pizzi

C. FitBit Challenge (Cid, Rey)

Councilmember Cid thanked Town staff for their support and great work in making this happen and he stated that the Fitbit challenge saves money to the Town, while at the same time it motivates staff to exercise.

D. Visits and Activities Promoting Japanese Investment in Miami Lakes (Pizzi)

The Consul of Japan offered and agreed to work with the Town on cultural and educational initiatives and create job opportunities. Mayor Pizzi spoke about an event that will be sponsored by Mitsubishi and that it will include all Japanese businesses in South Florida and that the Town Council will be invited to this event.

15. MANAGER'S REPORT:

A. Youth Programming Center

The Director of Community Engagement and Outreach, Nicole Singletary, gave a presentation of the different programs that are offered and how they are doing. She also spoke about some programs that we foresee adding to the Youth Center.

B. Enhance Cyber Security in Miami Lakes

Assistant Town Manager, Andrea Agha, provided a report describing the steps that the Town is taking to maintain cyber security measures. She also explained measures that will be implemented soon and provided a recommendation of what to do moving forward.

16. ATTORNEY'S REPORT:

A. Status on Pizzi Litigation & Attorney's Fees

The Town Attorney, Raul Gastesi, mentioned that he will be asking for an Executive Session because one requirement of the abatement is that they mediate by July 31st. Before the mediation, the Town Attorney stated that he needs to meet with the Councilmembers and get guidance from them on this matter.

Town Attorney detailed the costs of the litigation and explained that only \$30,000 should be budgeted, instead of the \$100,000 that was previously budgeted for the litigation.

Councilmember Mestre made a motion to return \$70,000 to the Town budget and leave \$30,000 to be used. The motion was seconded by Councilmember Lama and all were in favor.

The Town Attorney also stated that the Charter Revision Commission's work has finished and thus, they are dissolved. The Town Attorney thanked the Commissioners for their great work.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 12:46 pm.

Approved this 26th day of July 2016.

Michael Pizzi, Mayor

Attest:

Gina M. Inguanzo, Town Clerk