

MINUTES
Regular Council Meeting
May 3, 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 7:20 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.

4. PLEDGE OF ALLEGIANCE:

Councilman Nelson Rodriguez led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

Special presentations started at 6:08 pm.

The Mayor and Council presented Jaquesta Adams from Hialeah Miami Lakes High School and Stephanie Brito from Miami Lakes Educational Center with a special recognition for being announced Gates Millennium Scholarship Winners, an award granted to individuals who demonstrate leadership abilities and exceptional academic success.

The Mayor and Council presented Dr. Manuel Sanchez III with a Proclamation for being named Miami-Dade Public Schools Principal of the Year after more than 20 years of experience in administration and teaching.

The Mayor and Council presented a special recognition to Ms. Cristina Pla-Guzman and the thespian troupe from Mosigner Edward Pace High School for their tremendous work in the field of performing arts.

The Mayor and Council presented a special recognition to George Betances at Barber's for his continued support for members of our community. He has committed to provide haircuts to His House Children's Home and the Giving Gators. He also generously donated to the Miami Lakes Relay for Life event.

The Mayor and Council presented a special recognition to the Education Advisory Board Scholarship winners, who were presented a check given by the Graham Companies.

The Mayor and Council presented a special recognition to Mike Lee at Papa John's for his continued support to the Town of Miami Lakes and our Youth Activities Task Force.

The Mayor and Council presented Andy Perez for his support of the residents in our community. Over the years, Andy has given back to Miami Lakes by helping with police appreciation events and supplying bikes for our event raffles, which have brought smiles to many of the kids in our town.

The Mayor and Council presented Darrell Roberts and Eduardo Luv (from SAFEE Flight and Wayman Aviation) for supporting STEM education and building awareness of careers in aviation with Miami Lakes' residents.

The Mayor and Council presented a special recognition to Orlando Lamas and Mauricio Lacayo, business owners who hosted a fundraiser for the Miami lakes Relay for Life Event to benefit the American Cancer Society.

The Mayor and Council presented Juan Espejo with a special recognition for receiving a county wide award for his photography which depicted open spaces in Miami Lakes.

The Mayor and Council presented a special recognition to the inaugural Youth Council members who will be representing their peers for the Town of Miami Lakes.

The Mayor and Council presented a special recognition to the Education Advisory Board members for the amount of dedication they have given the town. They serve as the best liaison between our town, our residents, and our schools.

The Mayor and Council presented a special recognition to Alexandra Reboredo, Daylin Delgado, and Veronica Rarick for their recent documentary titled *Immigration's Road to the White House* which received an "Honorable Mention" from C-SPAN's StudentCam 2016 Competition.

The Mayor and Council presented a special recognition to Sebastian Salas, a senior at Miami Lakes Educational Center, for his hard work in the field of engineering. Sebastian is a young entrepreneur who created Wunderthought, a 3D printing/prototype company in the 9th grade.

He is the youngest person to ever earn expert-level certification on Solid Works, a mechanical engineering design program.

The Mayor and Council presented a special recognition to Roberto Alonso, Charter Revision Commissioner, for his commitment to the Town of Miami Lakes. The Charter Revision Commission is charged with reviewing the Town Charter, outlining findings and making recommendations to amend if necessary.

Mayor Pizzi asked for a fifteen minute recess.

6. PUBLIC COMMENTS

Fire Chief Dave Downey came before the Town Council to give a report on the fire department in the Town and in the neighboring area. He spoke about budgetary concerns, department improvements, survey results, and response time. He thanked the council and residents for their support given to the fire department.

Juan Valiente came before the Town Council to speak against traffic on NW 79th Ave.

Lynn Matos came before the Town Council to speak in favor of the youth activities task force's job fair event and its great success. She also came in support of the "R.A.M.P it up" business item.

Juan Mayol came before the Town Council to speak against agenda item 13C. He believes the Dunwoody Lake residential area will be a fine example of smart growth development.

Ed Shohat came before the Town Council to give information on item 16A. He requested for the Town to press for coverage from the insurance company to cover the litigation fees on the Mayor's case.

Esther Colon came before the Town Council to speak against the date on the agenda items and the day the documents were made available to the public.

Roberto Alonso came before the Town Council to speak in favor of "R.A.M.P it up." He spoke against the traffic on 79th street and the enforcement of a street sign in this area.

Mirtha Mendez came before the Town Council to speak against the length of special presentations. She also came to speak against robocalls, mailers from PACs, and item 13C.

Maria Kramer came before the Town Council to speak against spending additional funds for the town's litigation. She also came to speak against item 13C.

Claudia Luces came before the Town Council to speak on the issue of the moratorium and traffic congestion.

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

Mayor Pizzi requested that items 13C and 12A be moved up and heard directly after Public Comments and he pulled item 10B and 10C from the Consent Agenda.

Councilmember Mingo requested that item 16A be moved up and be discussed after Public Comments. Councilmember Cid requested that item 10D and 10F be moved up and be discussed after Public Comments.

Mayor Pizzi made a motion to adopt the agenda as amended and all were in favor. The motion received a second from Councilmember Lama and all were in favor.

8. APPOINTMENTS:

Mayor Pizzi appointed Danielle Diaz to the Neighborhood Improvement Committee, Daylin Figueroa to the Youth Activities Task Force, Laureano Fernandez to the Public Safety Committee, Roman Garcia to the Sports Hall of Fame Committee, Timothy Reynolds to the Sports Hall of Fame Committee and Raiza Velez to the Cultural Affairs Committee,

9. COMMITTEE REPORTS:

No Committee Reports.

10. CONSENT CALENDAR:

A. Approval of Minutes

- March 29, 2016 Meeting with FDOT to discuss Proposed Bridge Park on 154th Street
- April 5, 2016 Regular Council Meeting
- April 6, 2016 Site Visit to Loch Ness Pump Station
- April 18, 2016 Attorney-Client Executive Session
- April 25, 2016 Special Call Meeting on Mobility Fee Ordinance & Resolution
- April 25, 2016 Sign Code Amendments Workshop

Mayor Pizzi made a motion to adopt the remaining items on the consent agenda. Councilmember Rodriguez seconded the motion and all were in favor.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AWARDING CONTRACTS FOR FACILITIES TECHNICIAN SERVICES TO D AND M CONSTRUCTION OF DADE COUNTY, INC., LA PERLA CONTRACTORS, INC., AND ESKIMO AIR CONDITIONING AND APPLIANCES; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AWARDING CONTRACT FOR INVITATION TO BID (ITB) 2016-26R FDOT GROUND MAINTENANCE SERVICES TO SUPERIOR LANDSCAPING AND LAWN SERVICE, 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)

Mayor Pizzi made a motion to approve the resolution. The motion was seconded by Vice Mayor Daubert and all were in favor.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA PROCLAIMING THE WEEK OF MAY 16-23, 2016 AS INFRASTRUCTURE WEEK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

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

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING ADEQUATE FUNDING OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP); PROVIDING AUTHORIZATION TO TOWN MAYOR; PROVIDING FOR TRANSMITTAL DIRECTIONS TO THE CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Daubert)

Approved on Consent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA REQUESTING THAT THE MIAMI-DADE EXPRESSWAY AUTHORITY (MDX) MOVE FORWARD WITH INCORPORATING NEW SR 924/GRATIGNY PARKWAY ACCESS RAMPS TO AND FROM NW 67TH AVENUE IN TO THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION (MPO) LONG RANGE TRANSPORTATION PLAN, MDX'S MASTER TRANSPORTATION PLAN, AND MDX'S FIVE YEAR WORK PROGRAM, IN PARTNERSHIP WITH THE TOWN OF MIAMI LAKES; PROVIDING FOR TRANSMITTAL DIRECTIONS TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Lama)

Councilmember Cid made a request to amend the resolution and for the language of the resolution to express that MDX will need to provide the Town with a study that includes the traffic patterns that will be impacted by the new SR 924/Gratigny Parkway access ramps to and from NW 67th Avenue. Councilmember Lama made a motion to amend the

language of the resolution and for it to include Councilmember Cid's concern. The motion was seconded by Mayor Pizzi and all were in favor.

11. ORDINANCES-SECOND READING (PUBLIC HEARING)

A. 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.

Mayor Pizzi made a motion to approve the Ordinance in first reading and it was seconded by Councilmember Lama. The Town Clerk called the roll and all were in favor.

B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING AMENDMENTS TO THE TRANSPORTATION ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENT OF THE GOALS, OBJECTIVES AND POLICIES OF THE TOWN OF MIAMI LAKES COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND REQUIRED REVIEW AGENCIES FOR REVIEW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.(Rey/Pizzi)

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

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

Brandon Schaad, Director of Planning and Zoning, presented the Ordinance and answered questions posed by the Town Council. During his presentation, he stated that this Ordinance updates the Comprehensive Plan by incorporating the results of the Town's recent Transportation Planning efforts, including the July 2015 Transportation Summit, the process around that, the green ways and trails masterplan, the sidewalk masterplan, and the commute trip reduction program.

Mr. Schaad also highlighted the following information: regarding 154 Street West of 87th Avenue, the Town is proposing to delete the roadway essentially west of 89th avenue, so vehicular traffic would not go further west than that and the greenway map would show a green way going west and over the bridge; the town is also proposing to reduce 154th streets plans west of 87th avenue from 4 lanes to 3 lanes, in order to lead into the bicycle and pedestrian overpass over I-75.

Mayor Pizzi made a motion to approve the Ordinance in first reading. The motion received a second from Councilmember Mestre. Mayor Pizzi amended his motion for it to say that he amends his approval of the Ordinance in first reading, in order to require a Special Call meeting to take place in order to discuss the Comprehensive Master Plan. The amendment to the motion received a second from Councilmember Lama and all were in favor. The Town Clerk called the roll and the Ordinance in first reading passed unanimously.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN SITE PLAN AMENDMENT FOR PROPERTY LOCATED AT 6723 KINGSMOOR WAY. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING WITH CONDITIONS A REQUEST IN ACCORDANCE WITH SECTION 13-304 AND SECTION 13-445 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A SITE PLAN AMENDMENT FOR THE ADDITION OF ENCLOSED AIR CONDITIONED SPACE TO AN EXISTING TOWNHOUSE UNIT; APPROVING WITH CONDITIONS REQUESTS FOR VARIANCES FROM SUBSECTIONS 13-444(9) AND 13-444(10) FOR TOWNHOUSE REAR SETBACK REQUIREMENTS AND TOWNHOUSE OUTDOOR PATIO AREA REQUIREMENTS; FOR PROPERTY LOCATED 6723 KINGSMOOR WAY, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2014-009-0370, IN THE RU-TH ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

The Town Clerk swore in anyone wishing to speak.

Mayor Pizzi opened the public hearing.

Mr. Jose Valiente, the contractor for Ms. Martinez, spoke in favor of the enclosure.

Brandon Schaad, Director of Planning and Zoning, was available to answer questions posed by the Town Council.

As no one else wished to speak, Mayor Pizzi closed the public hearing.

Councilmember Cid made a motion to approve the resolution. Councilmember Mestre seconded the motion and all were in favor.

The Mayor called for a five minute recess.

13. NEW BUSINESS:

A. “R.A.M.P. it Up” (Rodriguez, Lama)

Councilmember Rodriguez made a motion asking for the Miami Lakes to be the test site for “R.A.M.P. it Up“, to work in conjunction with Miami-Dade Fire Rescue, for them to train their personnel, and for “R.A.M.P it Up” forms to be at all Town Events, supported by Town Committees and to incorporate some of our technology. The motion received a second from Councilmember Lama and all were in favor.

Councilmember Lama also emphasized on the importance of teaching our senior citizens on life-saving features found in their smartphones.

B. Hedge Issue (Cid)

Councilmember Cid made a motion for the Land Development Code to be amended for the hedge heights to be raised from 6ft to 8ft for single story homes adjacent to a story residence. The motion received a second from Councilmember Lama. Councilmember Mestre made an amendment to the original motion, for it to include increasing the height of hedges that are adjacent to street right-of-ways. The amendment was accepted by Councilmember Cid and all were in favor.

C. Short Term Moratorium (Pizzi)

Mayor Pizzi made a motion for staff to make sure that whatever future development gets done, that it should be done consistent with all the traffic solutions that the Town is implementing. Mayor added that this should be done without violating vested rights or without abrogating any agreements or rights that have already been approved, and he asked the staff to do some research on this issue and come back with a report on the legality and viability of imposing a moratorium on future projects. Councilmember Cid seconded the motion for discussion.

Mayor Pizzi defined future projects as those projects that don’t have any building permits yet. During the discussion, it was clarified that Lennar approvals and the Graham approvals were considered current projects and not future projects.

Mayor Pizzi made a friendly amendment to his motion, and asked staff to bring back a recommendation, a report, an analysis, explaining the legality and viability of imposing a

moratorium on future projects and to look at the impact from 6 to 9 months timeframe and for this report to cost no more than \$2,000.

The Town Clerk called the roll and the motion did not pass, 3-4, with Councilmember Lama, Mingo, Rodriguez and Vice Mayor Daubert voting in opposition.

D. Live Public Comments (Cid)

Councilmember Cid made a motion directing staff to begin fine tuning live remote public comments during meetings. Councilmember Mingo seconded the motion for discussion. The motion did not pass 2-5, with Councilmember Lama, Mestre, Mingo, Rodriguez and Mayor Pizzi voting in opposition.

E. Miami Lakes Car Alternative and Anti-Traffic Gridlock Program (Pizzi)

Mayor Pizzi made a motion to send a letter to MPO asking them to make Miami Lakes a pilot project and schedule up a follow up meeting at the earliest possible date to go forward with the pilot project and bring back the comprehensive plan to the council implementation. The motion was seconded by Councilmember Lama.

Mayor Pizzi made a motion to extend the meeting up to 11:15 pm, with the caveat that all reports are submitted in writing to the Council. The motion was seconded by Councilmember Cid and the motion passed 6-1, with Mayor Pizzi voting in opposition.

F. Parking at Royal Oaks Park/Roberto Alonso Community Center (Cid)

Councilmember Cid made a motion to replace the pervious pavement at the retention pond and at the retention area on the parks master plan, to amend the parks master plan and have it as a P3. This motion was seconded by Councilmember Cid and all were in favor.

G. Enhance Cyber Security in Miami Lakes (Pizzi, Lama)

Mayor Pizzi made a motion asking the Town Manager to come back with the report in the next council meeting, describing the steps that we are taking to maintain cyber security. The motion received a second from Councilmember Lama and all were in favor.

14. MAYOR AND COUNCILMEMBER REPORTS:

A. Community Forum on Transportation (Rodriguez)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

B. National League of Cities Congressional City Conference (Cid)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

C. Meetings with MDX, MPO and FDOT on Traffic Solutions (Pizzi)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

D. Florida Legislature Zip Code Legislature (Cid)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

E. Meeting with State on Rock Mining and Protection of Homeowner Property (Pizzi)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

F. Loch Ness Drive Issues, Including Pump Station Repairs and Status of Prior Approvals of New Development (Pizzi)

Mayor Pizzi asked for reports to be submitted in writing to the Town Council.

15. MANAGER'S REPORT:

A. July Council Meeting Date

The Town Manager explained that at the July Council Meetings, the Mayor and Council adopt the preliminary millage for the upcoming fiscal year based on the Ad Valorem Tax Roll, which the Town receives from Miami-Dade County Property Appraiser's Office on July 1st. If the July Council Meeting is held on July 5th, the agenda distribution date would be June 29th. Therefore, the Town Manager respectfully requested that the July Council Meeting be moved to the fourth Tuesday, July 26th, as per allowed by the Special Rules of Order of the Town of Miami Lakes. Mayor Pizzi moved the motion, it was seconded by Vice Mayor Daubert and all were in favor.

16. ATTORNEY'S REPORT:

A. Status on Pizzi Litigation & Attorney's Fees

The Town Attorney discussed the need for an increased litigation budget for the criminal fees case. Councilmember Mestre made a motion to transfer \$100,000 from the \$157,000 in the non-departmental reserve to the Town Attorney's 2015-2016 budget for litigation reserves for use by Lydecker Diaz, contingent on the Town Attorney contacting attorney

Reiner and pursue an abatement in writing and to share Attorney Reiner's response to everybody in the Town Council. Councilmember Cid seconded this motion for discussion. The Town Clerk called the roll and the motion passed, 6-1, with Mayor Pizzi voting in opposition.

Councilmember Mingo made a motion to give the Town Manager direction and authority that if needed, the Town Manager can use \$25,000 for further litigation if there is no abatement tomorrow morning. Councilmember Cid seconded this motion for discussion. After some discussion, Councilmember Mingo withdrew his motion.

The Town Attorney mentioned that he might call for an Executive Session to discuss the Insurance Litigation case and also to discuss issues concerning the abatement in the Criminal case.

ADJOURMENT:

There being no further business to come before the Council, the meeting adjourned at 11:15 p.m.

Approved this 7th day of June 2016.

Michael Pizzi, Mayor

Attest:

Gina M. Inganzo, Town Clerk