

MINUTES
Regular Council Meeting
February 5, 2019
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 6:44 p.m.

2. ROLL CALL:

The Town Clerk, Gina Inguanzo, called the roll with the following Councilmembers being present: Carlos Alvarez, Luis Collazo, Joshua Dieguez, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Nelson Rodriguez and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Pastor Jose Barek from Iglesia Bautista Jesucristo El Camino.

4. PLEDGE OF ALLEGIANCE:

Councilmember Jeffrey Rodriguez led the Pledge of Allegiance.

5. SPECIAL PRESENTATIONS:

Girl Scouts Troop 902 of Miami Lakes led the Presentation of Colors.

Jessenia Martinez from Lighthouse Yoga led a meditation.

The Town Council, along with the Special Needs Advisory Board, recognized the sponsors which participated and donated to the Mayor's Gala of 2018 which will benefit the community of residents in need of services.

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

Town Attorney, Raul Gastesi, requested that the Attorney's Report be moved-up, the Mayor motioned to move up the Attorney's Report to after the Consent Calendar. Town Manager requested that items 12C and 14E be combined for discussion before the Consent Calendar. Vice Mayor Rodriguez motioned to defer item 14M, until he meets with the HOA.

Vice Mayor Rodriguez motioned to approve the new Order of Business. Councilmember Dieguez seconded the motion and all were in favor.

Vice Mayor Rodriguez motioned to reopen the Order of Business and Councilmember Dieguez seconded the motion and all were in favor.

Vice Mayor Rodriguez motioned to pull item 12C and 14E for discussion before the Consent Calendar. Councilmember Ruano seconded the motion and all were in favor.

7. PUBLIC COMMENTS:

Juan-Carlos Fernandez came before the Town Council to speak on item 14F.

Mark Meyers came before the Town Council to speak on behalf of Representative Cindy Polo regarding blasting concerns.

Antonio Fernandez came before the Town Council to speak on item 16B.

Mirtha Mendez came before the Town Council to speak on her blasting concerns.

Esperanza Hope Reynolds came before the Town Council to speak on LPR cameras.

Alex Ariano came before the Town Council to speak on the cone of silence regarding the Special Taxing District.

Roberto Alonso came before the Town Council to speak on item 14G.

Former Councilmember Tim Daubert came before the Town Council to speak in favor of item 10C, 11A, 14A and 14K.

Lynn Matos came before the Town Council to speak on the upcoming Food and Wine Festival.

Angelo Garcia came before the Town Council to speak on his blasting concerns and a rat infestation in his backyard.

8. APPOINTMENTS:

Alex Castro was nominated to the Economic Development Committee, nominated by Councilmember Joshua Dieguez.

Mayor Cid also stated into the record the appointments for the Special Taxing District Committee as the following:

Miami Lakes Section One: Harold Korenatein, Olga Diaz, Suzanne Soriano, Niel Robinson, Xiomara Castillo, Jane Garcia, and Daisy Ramos.

Royal Oaks Section One: Noelio Mantilla

Councilmember Dieguez motioned to approve the appointment. Councilmember Collazo seconded the motion, and all were in favor.

9. COMMITTEE REPORTS:

Special Needs Advisory Board Chair, Lisbeth Coto-Velez and Board Liaison, Yessenia reported on the Board's intent to bring awareness of the Board to the residents of the Town through an upcoming Kick-Off event. Lisbeth also reported on their intent create classes with different life-skills for residents with Special Needs in the Town.

10. CONSENT CALENDAR:

Councilmember Collazo motioned to approve the items under the Consent Calendar. Councilmember Dieguez seconded the motion, and all were in favor.

A. Approval of Minutes

- January 9, 2019 Regular Council Meeting minutes
- January 15, 2019 Sunshine Meeting minutes
- January 29, 2019 Sunshine Meeting minutes

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2018-08R, SAFE ROUTES TO SCHOOL MIAMI LAKES ELEMENTARY SCHOOL PROJECT TO FLORIDA ENGINEERING & DEVELOPMENT, CORP. IN AN AMOUNT NOT TO EXCEED \$980,000.00; 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.

Approved on Consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO TERMINATE THE INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY THROUGH MIAMI-DADE TRANSIT (MDT) FOR THE OPERATION OF PUBLIC TRANSPORTATION SERVICES WITHIN THE TOWN; AUTHORIZING THE TOWN MANAGER TO TERMINATE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Approved on Consent.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT AMENDMENT FOR RFP 2018-20, ASSET MANAGEMENT SOFTWARE TO TYLER TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$76,340.00; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Approved on Consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF SOD & SOD INSTALLATION SERVICES ON AN AS NEEDED BASIS; AUTHORIZING THE TOWN MANAGER TO UTILIZE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE CONTRACT 033-2730-18/IT WITH MULLINGS ENGINEERING SERVICES & SUNSET SOD INC. PURSUANT TO SECTION 7 OF ORDINANCE 17-203; 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 UTILIZE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN AWARD OF FUNDS TO THE MIAMI LAKES VILLAS OF MIAMI LAKES CONDOMINIUM ASSOCIATION THROUGH THE TOWN'S NEIGHBORHOOD MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ADOPTING CRITERIA FOR INCLUSION INTO THE MIAMI LAKES SPORTS HALL OF FAME; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent.

11. ORDINANCE-FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 35, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", AT ARTICLE I, "IN GENERAL", AT SECTION 35-4 THROUGH 35-6, PROVIDING FOR THE ADOPTION OF NEW FEES AND PENALTIES AND AMENDMENT OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;**

PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney, Raul Gastesi, read the title of the ordinance into the record. Councilmember Collazo motioned to approve the ordinance in first reading. Councilmember Dieguez seconded the motion. The Town Clerk called the roll, and the motion passed, 6-0, with Vice Mayor Rodriguez absent.

12. ORDINANCES- SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO LANDSCAPING; AMENDING SECTION 13-1701, ENTITLED “REQUIRED LANDSCAPING,” OF THE LAND DEVELOPMENT CODE; ESTABLISHING PROVISIONS REGARDING MINIMUM LANDSCAPE REQUIREMENTS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Councilmember Dieguez motioned to approve the ordinance under second reading. Councilmember Rodriguez seconded the motion. The Town Clerk called the roll, and all were in favor.

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO CHAPTER 2, ARTICLE IV, FINANCE, REGARDING THE ESTABLISHMENT OF A LONG-TERM INFRASTRUCTURE RENEWAL AND REPLACEMENT FUND; PROVIDING FOR AUTHORITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

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

Councilmember Collazo motioned to approve the ordinance under second reading. Vice Mayor Rodriguez seconded the motion, and all were in favor.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 18-230; AMENDING THE TOWN’S FISCAL YEAR 2018-2019 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS**

ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Cid opened the public hearing.

Mirtha Mendez came before the Town Council to speak on item 12C.

Mayor Cid closed the public hearing.

Town Manager, Edward Pidermann, explained item 12C and recommended reducing the Pocket Parks Sod Restoration from \$100,000 to \$70,000, the balance of the general fund contribution will come from the salary savings of the vacant Deputy Town Manager position and adding funding to the Safe Routes to School project which required a Town match of an additional \$126,461 which would be taken from a transportation improvement reserve line.

Councilmember Dieguez motioned to approve item 12C. Councilmember Rodriguez seconded the motion.

Councilmember Alvarez motioned to use \$75,000 to resurface the playground at Picnic Park West and use \$100,000 for West Lakes Reforestation Project Phase III from allocation of \$391,670 from the Miami Lakes Optimist Park Master Plan for West Lakes Reforestation Project Phase III. Vice Mayor Rodriguez seconded the motion.

After some discussion, Councilmember Alvarez amended his original motion to just move \$75,000 from the Miami Lakes Optimist Park line item of \$391,670 to fund the resurfacing of the playground at Picnic Park West leaving \$316,670 in the Optimist Park fund. Vice Mayor Rodriguez seconded his motion. The Town Clerk called the roll, and the motion passed, 5-2, with Councilmember Dieguez and Mayor Cid in opposition.

Former Town Manager, Alex Rey, recommended reallocating \$70,000 from the Pocket Park SOD Restoration monies and \$30,000 from the Tree Permitting fee totaling \$100,000 which will be then allocated towards the completion of the West Lakes Reforestation Project Phase III.

Councilmember Alvarez made a motion approving the recommendation of Mr. Rey as amended. Councilmember Rodriguez seconded the motion. The Town Clerk called the roll, and all were in favor.

Vice Mayor Rodriguez motioned to take \$4,000 from the \$316,670 Optimist Park fund and reallocate the money to the Town Council's travel budget leaving \$312,670 of funds. There was no second to the original motion and the motion failed.

Councilmember Ruano then made a motion to reallocate the \$316,670 into a general reserve fund instead of the Miami Lakes Optimist Park Capital Improvement Project. Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion failed, 2-5, with Councilmembers Josh Dieguez, Carlos Alvarez, Jeffrey Rodriguez, Vice Mayor Nelson Rodriguez, and Mayor Cid in opposition.

The Town Clerk then called the roll on the motion provided by Councilmember Alvarez with the included recommendation of Mr. Rey, as amended, and all were in favor.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT TRANSPORTATION ALTERNATIVES GRANT PROGRAM THROUGH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE TRANSPORTATION ALTERNATIVES GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

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

Vice Mayor Rodriguez motioned to approve the resolution under item 13A. Councilmember Dieguez seconded the motion and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT 2019 STREET TREE MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE TRANSPORTATION ALTERNATIVES GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

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

Vice Mayor Rodriguez motioned to approve the resolution under item 13B. Councilmember Alvarez seconded the motion.

Councilmember Ruano then amended the original motion to include verbiage to state that the fund allocated for the Reforestation be reallocated back to the re-sodding of the Pocket Parks, once the grant funds from the Street Tree Matching Grant Program are received. Vice Mayor Rodriguez seconded the motion, and all were in favor.

The Town Clerk then called the roll on the motion as amended and all were in favor.

14. NEW BUSINESS:

A. Supplemental Street Lighting (Collazo)

Councilmember Collazo motioned to have staff work on a multi-face project addressing the areas in greatest in need of supplemental street lighting like the West Lakes Reforestation by using future monies from transportation monies. Councilmember Ruano seconded the motion and all were in favor.

B. Town Attorney Selection Committee (Dieguez)

Councilmember Dieguez motioned to establish the Attorney Selection Advisory Committee that will begin with an RFP process, deleting the headhunter language, the committee will return candidates, deleting the number of 15 candidates, and undergo a review process by the Committee, made up of residents. The Committee would have 2 months from the RFP process to provide their recommendations to the Town Council. The Fiscal Impact would also be removed as headhunter will not be needed for the proposed motion. Councilmember Ruano seconded the motion. The Town Clerk called the roll, and all were in favor.

C. Mobility Fee (Ruano, Collazo)

Councilmember Ruano requested an update on the Mobility Fee. Town Manager explained the consultant will have a report done by summer 2019. No motion was made.

D. Non-residential Public Works Permits on Public Right of Way (Cid)

Mayor Cid made a motion requesting that the Town Manager inform the Town Council when a non-residential public works, public right-of-way permit is pulled in the Town. Councilmember Collazo seconded the motion, and all were in favor.

E. Picnic Park West Playground Repairs and West Lakes Reforestation Project Phase III (Alvarez)

This item was discussed along item 12C, combined under the new Order of Business.

F. Traffic Calming Study on 79th Avenue (Dieguez)

Councilmember Dieguez motioned to waive the requirements in order to place 2 temporary speed calming devices on 79th Avenue and 162nd and 165th Streets. Councilmember Rodriguez seconded the motion. Mayor Cid then suggested an amendment to the original motion directing the Town Manager to return with a list of residents that have also consented for a traffic speed study on their streets in other areas.

Mayor Cid explained that Public Works Department should reach out to all the residents that have asked for speed bumps to be installed and have been denied their request and explain to these residents that the requirements have been waived. Mayor Cid would like the Town Manager to come back with the list of residents since November 2016, that are interested in having the speed calming devices installed. Councilwoman Ruano also added

that town staff should reach out and inform the residents where the two temporary speed calming devices are being installed and inform them about the precise location.

Councilmember Dieguez then incorporated Mayor Cid's suggestion into his motion. Councilmember Rodriguez seconded the motion with the incorporation and all were in favor.

G. Commercial Vehicle parking on public streets (Ruano)

Councilmember Ruano made a motion requesting that the Town Manager and staff investigate the commercial vehicles parking over night along 82nd avenue alongside Picnic Park West. Vice Mayor Rodriguez seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Mayor Cid in opposition.

H. All-America City Award Application (Alvarez)

Councilmember Alvarez made a motion requesting that staff submit a letter of intent by November for 2019 and an application to the All-America City Award sometime in March of 2020. Vice Mayor Rodriguez seconded the motion, and all were in favor.

I. Information Accountability Act (Dieguez)

Councilmember Dieguez made a motion requesting that a monthly written report to the Council on pending information requests made by the Council like the after-action report that is available online. This is for the Town Manager and non-privileged matters as to the Town Attorney and include responsiveness to requests for information from the Council in the performance review criteria to be adopted by the Council for the Town Manager and Town Attorney. Councilmember Ruano seconded the motion and all were in favor.

J. Request for Transportation project updates (Ruano)

Councilmember Ruano made a motion requesting that a report be provided to the Town Council of regular transportation updates in order to provide answers to the residents. Town Manager stated that a group of individuals (staff, residents) will be put together to work on communications and enhance the service.

K. Road Resurfacing (Alvarez)

Councilmember Alvarez made a motion requesting staff to seek funding for road resurfacing of Montrose Road between Oak Lane and NW 154th Street. Councilmember Ruano seconded the motion and all were in favor.

L. Venezuela - President Juan Guaido (Cid)

Mayor Cid motioned to waive the Special Rules of Order of Section 7.2. Councilmember Dieguez seconded the motion.

Mayor Cid motioned to pass a resolution commending President Trump, Senator Marco Rubio and Congressman Diaz-Balart's recent actions related to the re-establishment of democracy in Venezuela. Vice Mayor Rodriguez seconded the motion, and all were in favor.

M. No-Left Turn Sign (N. Rodriguez)

This item was deferred under Order of Business.

15. MAYOR AND COUNCILMEMBERS REPORT:

A. Tallahassee Legislative Trip Update (Cid)

Mayor Cid reported to the Town Council on his recent trip to Tallahassee to discuss the Town's appropriations.

16. MANAGER'S REPORT:

A. Town Manager Monthly Police Activity Report

Town Commander, Javier Ruiz, provided the monthly crime report to the Town Council. Councilmember Dieguez motioned to reopen the Order of Business. Councilmember Ruano seconded the motion and all were in favor.

Mayor Cid motioned to move up item 16F. Vice Mayor Rodriguez seconded the motion and all were in favor.

B. Request for Reallocation of Funds for the Youth Activity Task Force

Town Manager, Edward Pidermann, explained the request to reallocate funds within their budget. Vice Mayor Rodriguez motioned to approve the reallocation. Councilmember Collazo seconded the motion, and all were in favor.

C. Communication Towers for Repeater Antennas

The Town Manager, Edward Pidermann, reported on the 5G antennas placed around the Town. He also stated that staff will work on a written report containing plans for future accommodations of the antennas.

D. Town Wide Speed Study Update

The Town Manager, Edward Pidermann, reported on the pending outcome of the current Town-wide speed limit study to then take into consideration for action.

E. Road Repaving and Sidewalk Repairs

The Town Manager, Edward Pidermann, provided copies of a list regarding the current road repaving and sidewalk repairs in the Town.

F. Strategic Plan Web Portal

German Cure, Strategic Planning Manager, provided a presentation on the Town's strategic plan through a visual web-map.

G. Use of Glyphosate base products at public parks, lakes, and other Town property

Chief of Operations, Tony Lopez, provided a report on a draft study of any harmful causes that glyphosate may cause to residents.

Councilmember Rodriguez motioned to use the alternative products specifically around the areas where parks are being treated. Vice Mayor Rodriguez seconded the motion.

The Town Manager then recommended that Councilmember Rodriguez amend his motion for him to return during next month's regular council meeting with details on allocating funding for the alternative product.

Councilmember Rodriguez motioned to include the amendment to his motion. Vice Mayor Rodriguez seconded the motion, and all were in favor.

H. Optimist Club Contract Extension Update

Chief of Operations, Tony Lopez, provided an update that a final contract agreement will be brought before the Council during next month's meeting.

Councilmember Ruano made a motion requesting that the renewal of the Optimist Club Contract be brought to the Town Council for final approval during the March Council meeting. Councilmember Collazo seconded the motion.

17. ATTORNEY'S REPORT:

A. Attorney's Report

Town Attorney, Raul Gastesi, reported on a recommendation of amending the Legal Representation Policy for all Town Councilmembers. Vice Mayor Rodriguez motioned to approve the proposed amended language to the legal representation policy provided by the Town Attorney. Mayor Cid seconded the motion, and all were in favor.

Mayor Cid recused himself from the following item.

Assistant Town Attorney, Lorenzo Cobiella, reported on the current status of the Eminent Domain process for the connection of 59th Avenue and answered questions posed by the Town Council.

Carmen Olzabal provided a map presentation to the Town Council and residents present at the meeting.

Councilmember Alvarez made a motion to approve Option 1 (Exhibit A) to move forward with the Eminent Domain process. Councilmember Collazo seconded the motion and all present were in favor.

ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 12:23 a.m.

Approved on this 12th day of March 2019.

Attest:

Manny Cid, Mayor

Gina Inguanzo, Town Clerk