

# TOWN OF MIAMI LAKES, FLORIDA

## MINUTES

Regular Council Meeting

October 14, 2014

6:30 PM

Government Center

6601 Main Street, Miami Lakes, Florida 33014

### Presentations:

The Town Council honored the memory of those that lost their fight to Breast Cancer and generated Breast Cancer awareness by *Going Pink* and declaring October as Breast Cancer Awareness Month.

Mayor Slaton presented the *Girl Scout Silver Project* award to Chloe Schwinghammer and Emily Wong for their persistent effort in promoting health and wellness amongst our youth by hosting the *Fit Fair* event. The Mayor also recognized Natalia Flores for spearheading the *Reel-in, Recycle, and Re-Use Project*, which generated awareness in reducing monofilament fishing lines that are improperly discarded.

Mayor Slaton presented Adriana Schwinghammer with the Miami-Dade County Public Schools (MDCPS) Volunteer of the Year Award for 2014-2015.

Jorge De Apodaca and Josie Feria were recognized by the Mayor with a gift certificate for participating in a resident/community survey concerning key issues and opportunities for growth in the Town.

The Town of Miami Lakes' Summer Camp Program participants presented the Town Council with a banner expressing their gratitude.

The Town Council proclaimed October as Bullying Prevention Month and urged the community to form part of this pivotal initiative to eradicate this grave issue.

### 1. CALL TO ORDER:

Mayor Slaton called the meeting to order at 7:00 p.m.

### 2. ROLL CALL:

The Town Clerk, Marjorie Tejeda-Castillo, called the roll with the following Councilmembers present: Frank Mingo, Nelson Rodriguez, Tim Daubert, Tony Lama, Ceasar Mestre, Vice Mayor Manny Cid, and Mayor Wayne Slaton.

**3. INVOCATION/MOMENT OF SILENCE:**

Captain Durant of the Salvation Army Hialeah Corp. led the invocation.

**4. PLEDGE OF ALLEGIANCE:**

Girl Scout Troop 263 led the Pledge of Allegiance.

**5. PUBLIC COMMENTS:**

Esperanza Reynolds voiced her opposition to PAR 3 due to its maintenance costs and safety threats that the electrical poles pose for the community.

Captain Kelly Durant invited the community to volunteer at the Salvation Army's local branch during the holiday season.

Alex Ariano expressed his concern regarding the FP&L reading and maintenance costs for PAR 3.

Max Freiria urged the Council and Town Staff to improve lines of communication with residents. He posed several questions regarding staff response time procedures.

Marcelo Merlo thanked the council for establishing the PAR 3 Committee and asked the Council to adhere to the conditions presented in the PAR 3 Committee report.

Roberto Alonso, chair of the Public Safety Committee, spoke in support of deterring excessive speeding. He, therefore, asked the Town Staff to conduct research regarding overall costs and signage associated with speed limit changes.

Lynn Matos, Youth Activities Task Force (YATF) chair, spoke in favor of item 10B.

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

Vice Mayor Cid pulled Item 8F. The Town Manager, Alex Rey, added item 10B, YATF funds transfer request. Councilman Lama made a motion to approve the agenda as amended. The motion was seconded by Councilman Mestre and all were in favor.

**7. COMMITTEE REPORTS:**

Carlos Andres presented the Par 3 Committee recommendation report to request an increase in committee responsibilities.

Luis Collazo, chair of the Elderly Affairs Committee (EAC), presented the EAC report,

thereby outlining the following topics: membership, scheduled events, and future considerations.

**8. CONSENT AGENDA:**

Councilman Mestre made a motion to adopt the remaining items on the consent agenda. The motion was seconded by Councilman Rodriguez and the motion passed unanimously.

- A. Approval of Minutes (September 9, 2014 Budget Hearing, September 9, 2014 Regular Council Meeting, September 23, 2014 Budget Hearing, September 23, 2014 Special Call Meeting)

Passed on consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING THE TOWN MANAGER TO UTILIZE THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP CONTRACT TO PURCHASE MULCH AND ENGINEERED WOOD FIBER; AUTHORIZING THE TOWN MANAGER TO AWARD AND EXECUTE CONTRACTS WITH ADVANCED MULCH, INC. AND EAST COAST MULCH CORP.; AUTHORIZING THE TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING CHANGE ORDER NO. 1 TO AGREEMENT 2014-75 BETWEEN BEL AIR MAINTENANCE, INC. AND THE TOWN OF MIAMI LAKES FOR PRESSURE CLEANING SERVICES IN THE AMOUNT OF \$100,000 RESULTING IN A NEW CONTRACT VALUE OF \$125,000.00; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER TO EXECUTE CHANGE ORDER NO. 1; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A 10 FOOT WIDE UTILITY EASEMENT AT MIAMI LAKES OPTIMIST PARK FOR FLORIDA POWER AND LIGHT FACILITIES TO PROVIDE ELECTRICAL POWER TO SERVICE OPTIMIST PARK; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT TERMS OF THE EASEMENT; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS OF THE EASEMENT; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE UTILITY EASEMENT; DIRECTING THE TOWN CLERK TO RECORD THE UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING ADDITIONAL SERVICES TO AGREEMENT NO. 2013-45 FOR THE 2025 MIAMI LAKES STRATEGIC PLANNING SERVICES BETWEEN SYNAESTHESIS, LLC AND THE TOWN OF MIAMI LAKES TO CONTINUE OVERALL STRATEGIC PLANNING EFFORTS FOR A NEW CONTRACT VALUE OF \$29,676.00; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROPOSAL; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PROPOSAL; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE COMPREHENSIVE COUNCIL MEETING AND AGENDA PROCEDURES; AUTHORIZING IMPLEMENTATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Lama)

Councilman Lama made a motion to approve the item as submitted. The motion was seconded by Councilman Mestre.

Councilman Rodriguez made a motion to amend item 8F, thereby modifying the verbiage to include "scale that has been pre-approved by the Town Manager" after "gross estimate." The motion was seconded by Vice Mayor Cid. The Town Clerk called the roll and the motion passed 5-2. Councilman Mingo and Vice Mayor Cid voted in opposition.

Mayor Slaton asked the Town Clerk to call the roll to approve the amended resolution. The Town Clerk called the roll and the motion passed 5-2. Councilman Mingo and Vice Mayor Cid voted in opposition.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA JOINING THE MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST IN RECOGNIZING AND PROCLAIMING OCTOBER 29, 2014 AS "ETHICAL GOVERNANCE DAY;" AND PROVIDING FOR AN EFFECTIVE DATE.  
(Cid)

Passed on consent.

**9. ORDINANCES-SECOND READING (PUBLIC HEARING):**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING A REVISED REGULAR LIEN LETTER FEE AND ESTABLISHING AN EXPEDITED LIEN LETTER FEE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.  
(Rey)

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

Mayor Slaton opened the public hearing.

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

Vice Mayor Cid made a motion to adopt the ordinance on second reading. The motion was seconded by Councilman Rodriguez. The Town Clerk called the roll and the ordinance was adopted unanimously.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE V, SECTION 13-1508, DRIVEWAYS AND PARKING SPACES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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

Brandon Schaad, Town Planner, presented the item and answered questions posed by the Council.

Mayor Slaton opened the public hearing.

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

Councilman Mestre made a motion to amend the ordinance, thus approving the 40 feet limitation between the two approaches for exempted properties that are 105 feet wide and over. The motion was seconded by Councilman Lama. The Town Clerk called the roll and the ordinance on second reading was adopted unanimously.

#### **10. RESOLUTIONS:**

- A. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING THE TOWN OF MIAMI LAKES BUSINESS TAX EQUITY STUDY ADVISORY COMMISSION AND ESTABLISHING PROCEDURES FOR APPOINTMENT OF MEMBERS, A TIMETABLE AND RULES OF PROCEDURE; PROVIDING FOR SUNSET PROVISION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

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

Vice Mayor Cid made a motion to adopt the resolution. The motion was seconded by Councilman Lama. The Town Clerk called the roll and the motion passed 7-0.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED FOR FISCAL YEAR 2014-2015 BY ORDINANCE NO. 14-174; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilman Rodriguez made a motion to waive the Four Day Rule of the Council Meeting Rules and Procedures. The motion was seconded by Councilman Lama and all were in favor.

Councilman Rodriguez made a motion to adopt the resolution. The motion was seconded by Councilman Lama. The Town Clerk called the roll and the motion passed 7-0.

## **11. NEW BUSINESS ITEM:**

### **A. Clean Energy Green Corridor Program (Slaton/Lama)**

Councilman Lama made a motion directing the Town Manager and staff to prepare a resolution that would allow the Town to participate in the Clean Energy Green Corridor Program (CEGCP). The motion was seconded by Councilman Lama and the motion passed 7-0.

### **B. "See Something, Say Something (Rodriguez/Daubert/Lama)**

Councilman Lama made a motion to support the MDCPS and Homeland Security initiative by directing the Town Manager to bring this issue back in the form of a resolution at the October 28 meeting. The motion was seconded by Councilman Rodriguez and all were in favor.

### **C. Increase Communications, Transparency, and Service Levels through Technology - Addressing the needs of the Resident of tomorrow! (Lama)**

The Council took a brief recess at 8:27 p.m. At 8:41 p.m., the Town Clerk called the roll and the all of the Councilmembers were present.

Councilman Lama made a motion directing the Town Manager and staff to engage in the procurement process to seek prospective vendors and to set criteria for technology to improve the lines of communication and transparency with our residents. The motion was seconded by Councilman Rodriguez and all were in favor.

### **D. Procurement in the New Era of Transparency and Innovation (Cid)**

Vice Mayor Cid made a motion to modify the procurement ordinance to facilitate the Town Manager with more flexibility and efficiency. The motion was seconded by Councilman Lama and all were in favor.

### **E. Council Meeting Rules and Agenda Procedures (Mestre)**

Councilman Mestre made a motion directing staff to schedule a Committee of the Whole regarding Council Meeting Rules and Procedures in November. He also requested that staff coordinate with Mr. Medina to form part of this meeting. The motion was seconded Councilman Lama and all were in favor.

### **F. Town of Miami Lakes Police Department Color Guard (Slaton)**

Mayor Slaton directed the Town Manager to explore the prospects of creating a Town of Miami Lakes Police Department Color Guard to represent the Town of Miami

Lakes at external community events and certain Town related ceremonies. The motion was seconded by Councilman Rodriguez and all were in favor.

G. Outdoor Dining in Miami Lakes (Lama)

Councilman Lama made a motion directing staff to arrange a meeting with commercial businesses to evaluate the existing ordinance and to identify ways that we can actualize outdoor dining. The motion was seconded by Vice Mayor Cid and all were in favor.

**12. MAYOR AND COUNCIL MEMBER REPORTS:**

A. Appointments

The Mayor appointed Vice Mayor Cid's nominee, Gregory Gibson, to the Public Safety Committee. Vice Mayor Cid made a motion to accept the appointments. The motion was seconded by Councilman Mestre and the motion passed 7-0.

B. Miami Lakes Education Compact (Slaton)

Mayor Slaton shared a report concerning a Miami Lakes Education Compact in collaboration with our Miami-Dade County School Board Chair, Perla Hantman. This initiative strives to meet the educational needs of our youth and to enhance the learning opportunities of all our residents.

C. October National Bullying Prevention Month-Mayors Campaign to End Bullying (Slaton)

A proclamation regarding this item was presented in the beginning of the meeting.

**13. ATTORNEY'S REPORTS:**

A. Request for Partial Lien Release in accordance with Resolution 14-1232

The Town Attorney reported on a case in which a property was foreclosed on in conjunction with another property in Miami-Dade County. The bank neglected to include the Town in the foreclosure and, therefore, rendered the lien as a cloud on the title of that property. The sale of the property, fortunately, was imminent and an agreement was made with the Town to accept half (approximately \$4,500) of what was due.

B. Michael A. Pizzi, Jr. v. Governor Rick Scott (Florida Supreme Court Case No. SC14-1634)

The Town Attorney informed the Council of the Governor's Response to the above-

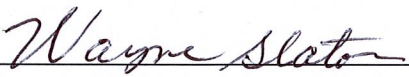


mentioned case.

**14. ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 9:35 p.m.

Approved this 9<sup>th</sup> day of December 2014.



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Wayne Slaton, Mayor

Attest:



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Marjorie Tejada-Castillo, Town Clerk