

MINUTES
Regular Council Meeting
March 6, 2018
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 6:42 p.m.

2. ROLL CALL:

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Luis Collazo, Tim Daubert, Ceasar Mestre, Nelson Rodriguez, Marilyn Ruano, Vice Mayor Frank Mingo and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Pastor Stewart Bodin from the Miami Lakes United Methodist Church led the invocation.

4. PLEDGE OF ALLEGIANCE:

Boy Scouts Troop 584 led the presentation of colors and the pledge of allegiance followed.

5. SPECIAL PRESENTATIONS:

Laurie Najera, Manager of 305 Yoga, led a meditation.

Lynn Matos was recognized for initiating Miami Lakes' first Food & Wine Festival. Ms. Matos called each of her team members to the front of the dais to congratulate and hand a certificate of appreciation given by Mayor Cid.

Eugene Martinez from Cigna Healthcare recognized Kristina Labossiere and Cynthia Alejo for their help to implement health initiatives for the Town's employees. He presented an award for Town Hall's commitment to health and wellness.

6. PUBLIC COMMENTS:

Alejandro Sanchez came before the Town Council to speak on behalf of the Veteran's Committee event and invite the Town Council to their Flag Retirement Ceremony, taking place at Picnic Park West on Saturday, March 17th.

Carlos Alvarez came before the Town Council to speak on the great work done by the residents and staff members that helped organize the Miami Lakes Food & Wine Festival.

Lynn Matos came before the Town Council to speak on behalf of the Public Safety Committee regarding any help the Committee could be of use for to assist in safety for the local schools.

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

Councilmember Mestre motioned to adopt the Order of Business. Councilmember Daubert seconded the motion and all were in favor.

8. APPOINTMENTS:

Hilda Fernandez was appointed to the Town Manager Selection Committee, appointed by Mayor Manny Cid.

Dorothy Cook was reappointed to the Cultural Affairs Committee, appointed by Vice Mayor Frank Mingo.

Councilmember Collazo motioned to approve the appointments. Vice Mayor Mingo seconded the motion, and all were in favor.

9. COMMITTEE REPORTS:

There were no Committee reports.

10. CONSENT CALENDAR:

Councilmember Mestre motioned to approve the items under the Consent Calendar. Councilmember Daubert seconded the motion and the motion passed unanimously.

A. Approval of Minutes

- February 6, 2018 Regular Council Meeting
- February 13, 2018 Town Manager Selection Committee Workshop

Approved on Consent.

11. ORDINANCES- FIRST READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 2.55(c)(4) OF THE TOWN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Gastesi)**

The Town Attorney, Raul Gastesi, read the title of Ordinance in first reading into the record and proposed that the ordinance is changed to read “The Selection Committee may interview some or all of the candidates with conforming applications and present a short list of 5-7 candidates to the Town Council”.

Mayor Cid motioned to approve as is and to continue discussion during second reading. Councilmember Rodriguez seconded the motion. The Town Clerk called the roll and the motion passed unanimously.

12. ORDINANCES -SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF MIAMI LAKES, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Attorney, Raul Gastesi, read the title of Ordinance in second reading into the record.

Mayor Cid opened the public hearing.

Mirtha Mendez came before the Town Council to speak on item 12A, against the franchise fee.

The Town Clerk read into the record that Esther Colon submitted a written public comment via email.

The Town Manager, Alex Rey, explained item 12A to the Town Council.

The applicant answered questions posed by the Town Council.

After some discussion, Councilmember Mestre made a motion requesting that the Town Attorney draft a question in a non-binding ballot for the August election, a percentage fee of 4.6%, to earmark 6 permanent resource officers in every public school and if there is additional input from the Town Attorney needed, for there to be a scheduled Workshop for further discussion. Councilmember Daubert seconded the motion. Councilmember Collazo then made a friendly amendment to place the non-binding ballot question in the November General Election. Vice Mayor Mingo seconded the motion. The Town Clerk called the roll on the amendment to Councilmember Mestre’s motion, and all were in favor. Then, the Town Clerk called the roll on Councilmembers Mestre’s motion with the amendment and all were in favor.

The applicant, Armando Fernandez, came before the Town Council to state that the range open for consideration is from .5 and 6 percent.

Vice Mayor Mingo made a motion to table item 12A and Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed unanimously.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO CONDITIONAL USES; AMENDING SECTION 13-303, ENTITLED "CONDITIONAL USES", ESTABLISHING PROVISIONS REGARDING THE CESSATION OF OPERATIONS OF USES CLASSIFIED AS CONDITIONAL USES AND ANNUAL CERTIFICATE OF USE RENEWAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

The Town Attorney, Raul Gastesi, read the title of Ordinance in second reading into the record.

Planning Director, Darby Delsalle, presented item 12B and answered questions posed by the Town Council.

Councilmember Collazo made a motion to approve item 12B, an ordinance under second reading, and Councilmember Mestre seconded the motion. The Town Clerk called the roll, and all were in favor.

- C. QUASI-JUDICIAL PUBLIC HEARINGS – Please be advised that the following item on the Board’s agenda is quasi-judicial in nature. An opportunity for persons to speak on this item will be made available after the applicant and staff have made their presentations on the item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 2.07 +/- ACRE PROPERTY LOCATED AT 14575 NW 77 AVENUE (FRONTAGE ROAD), AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE GU, INTERIM DISTRICT, TO RO-13, LOW DENSITY RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney, Raul Gastesi, read the title of the Ordinance in second reading into the record.

The Town Council submitted their disclosure forms into the record and to the Town Clerk.

The Town Clerk swore in anyone wishing to speak.

Planning Director, Darby Delsalle, presented item 12C and answered questions posed by the Town Council.

Mr. Robert Meador, on behalf of the applicant, presented item 12C to the Town Council.

Councilmember Daubert motioned to approve the ordinance under second reading and Councilmember Rodriguez seconded the motion. After some discussion, Councilmember Ruano motioned to table item 12C until after the discussion of item 13A, Councilmember Collazo seconded the motion. The Town Clerk called the roll and all were in favor. The Town Council returned to item 12C, after discussing and voting on item 13A. The Town Clerk called the roll on the original motion made by Councilmember Daubert and all were in favor.

13. QUASI-JUDICIAL ITEMS/APPEALS (PUBLIC HEARING):

- A. QUASI-JUDICIAL PUBLIC HEARINGS – Please be advised that the following item on the Board’s agenda is quasi-judicial in nature. An opportunity for persons to speak on this item will be made available after the applicant and staff have made their presentations on the item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; PERTAINING TO A VARIANCE FROM SECTION 13-545(d) TO PERMIT A THREE (3) STORY BUILDING, AND A VARIANCE FROM SECTION 13-545(c) REDUCING REQUIRED FRONT SETBACK FROM 25 FEET TO 20 FEET; PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-304(h) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR SITE PLAN APPROVAL; ALL BEING SUBMITTED FOR THE PROPERTY LOCATED AT 14575 NW 77TH AVENUE,

AS PROVIDED AT EXHIBIT “A”, MIAMI LAKES, FLORIDA, FOLIO NOS. 32-2023-001-0541, 32-2023-001-0550, AND 32-2023-001-0560, AS DESCRIBED AT EXHIBIT “B”; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Town Council submitted their disclosure forms into the record and to the Town Clerk.

The Town Clerk swore in anyone wishing to speak.

On behalf of the applicant, Robert Meador, presented item 13A and answered questions posed by the Town Council.

Councilmember Daubert motioned to approve item 13A and Councilmember Mestre seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Councilmember Ruano in opposition.

14. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REPEALING AND REPLACING RESOLUTION 11-888; RENAMING THE SPECIAL NEEDS COMMITTEE TO THE SPECIAL NEEDS ADVISORY BOARD; PROVIDING FOR BOARD MEMBERSHIP; ADOPTING A MISSION STATEMENT; ADOPTING A WORK PLAN; CREATION OF A TOWN INCLUSION POLICY; PROVIDING FOR MEETING REQUIREMENTS AND PROVIDING WITH AN EFFECTIVE DATE. (Ruano)

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

Councilmember Ruano motioned to approve resolution 14A and Councilmember Collazo seconded the motion. The Town Clerk called the roll and the motion passed unanimously.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CREATING REVIEW QUALIFICATIONS AND SEARCH METHOD FOR THE APPOINTMENT OF A TOWN MANAGER IN ACCORDANCE WITH SECTION 2.55 (c) OF THE TOWN CODE, PROVIDING WITH AUTHORIZATION TO THE TOWN OFFICIALS; PROVIDING WITH EXPENDITURE OF BUDGETED FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Gastesi)

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

Councilmember Mestre motioned to approve item 14B and Councilmember Rodriguez seconded the motion. The Town Clerk called the roll, and all were in favor.

15. NEW BUSINESS:

A. Amendment to Town Council term limits (Mestre)

Councilmember Mestre motioned make a change of the ballot for the November election asking an increase of the Town Council term limits from 8 years to 12 years. Councilmember Daubert seconded the motion. The Town Clerk called the roll and the motion passed, 6-1, with Councilmember Collazo in opposition.

B. Government Center- 2010 Special Obligation Bond- BAB (Cid)

Mayor Cid informed the Town Council that the Town Manager is looking into the BAB analysis on refinancing and the possibility of this with a consultant.

C. Royal Oaks Neighborhood (Cid)

Mayor Cid motioned to have staff price out 3 LPR's (License Plate Recognition) with a report to be brought back to the Town Council. Councilmember Rodriguez seconded the motion, and all were in favor.

D. March for Lives (Rodriguez)

Mayor Cid motioned to waive Section 7.3 of the Special Rules of Order for item 14D. Councilmember Mestre seconded the motion, and all were in favor. Councilmember Rodriguez informed the Town Council that a few local churches want to participate in the March For Lives occurring on April 24th and discussed the possibility of supporting the churches by using social media to create awareness.

16. MANAGER'S REPORT:

A. Town Manager Monthly Police Activity Report

The Town Manager, Alex Rey, reported on the monthly police activity for February. Town Commander, Javier Ruiz, was also presented to answer any questions posed by the Town Council.

B. Commercial and Industrial Parking Canopies

The Town Manager reported on the parking canopies which staff identified various new regulations for the limited number of canopies in the Town. The Town Manager recommended closing the item and setting forth current regulations by proceeding the reinforcements on existing canopies that are unpermitted. Mayor Cid motioned to approve the Town Manager's recommendation. Councilmember Rodriguez seconded the motion, and all were in favor.

C. YATF- Request for Reallocation of Funds

The Town Manager reported on the Youth Activity's Task Force Committee's request to move \$1,514.09 from the Winter Fest to the Halloween festival. Councilmember Rodriguez motioned to approve the request. Councilmember Collazo seconded the motion, and all were in favor.

D. Annual Calendar for Workshops

The Town Manager reported on the new suggested scheduling of future Workshops to take place on a certain week and day of the month at the Town Council's discretion. Mayor Cid provided the suggestion of workshops to take place the third Tuesday of every month and all were in favor.

17. ATTORNEY'S REPORT:

A. Attorney's Report on Pending Litigation

Town Attorney, Raul Gastesi, reported to the Town Council on the current former Mayor Pizzi's litigation and requested an additional \$50,000. Councilmember Mestre motioned to approve the request of the additional \$50,000. Councilmember Daubert seconded the motion and all were in favor.

Mayor Cid motioned to extend the Regular Council Meeting for 5 additional minutes. All were in favor.

B. Additional Matters

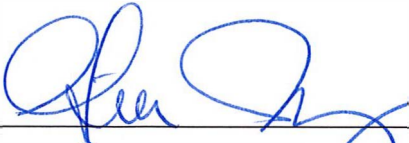
Town Attorney, Raul Gastesi, informed the Town Council that he will be calling for an Executive session to discuss the Valiente matter. He also stated that he will ask to speak with everyone regarding changes to the Town's legal representation. The third item the Attorney brought to discussion was a future meeting regarding sign code changes.

ADJOURNMENT:

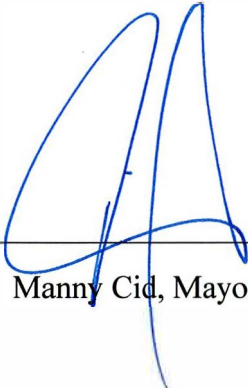
There being no further business to come before the Town Council, the meeting adjourned at 11:32 p.m.

Approved on this 3rd day of April 2018.

Attest:



Gina M. Inguanzo, Town Clerk



Manny Cid, Mayor