

MINUTES
Regular Council Meeting
March 12, 2024
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:

Mayor Cid asked Mr. Dayan Jimenez to present a certificate of recognition to Ms. Monica Viamontes, Spanish Honor Society president at Barbara Goleman Senior High School, for her dedication, leadership, and commitment. On behalf of Mr. Jimenez's non-profit organization, I Vote Nation, Inc., he presented her with a \$250 scholarship for her academic pursuits. Ms. Viamontes stated she is grateful and honored, and she thanked her mom for her accomplishments.

Councilmember Collazo presented a proclamation to Commissioner Stern from the City of Aventura, who will pick it up at a later date. He explained that Commissioner Stern pledged to get all 34 municipalities to proffer a proclamation and he was proud to sponsor it and be one of the municipalities raising awareness.

Mayor Cid presented a proclamation to District Manager and realtor from the Keyes Company of Miami Lakes, Mr. Alex Ruiz, for giving back, being a great example in the community, and for showcasing ethics in real estate. Mr. Ruiz then expressed he is very proud and honored to receive this proclamation on behalf of his office, agents, and company.

Mayor Cid presented a proclamation to Miami Lakes resident and owner of Trattoria Pampered Chef, Mr. Nashat Ghobrial, for his good quality food, services, and hospitality. Mr. Ghobrial thanked the community and expressed it is his honor to be here today. All member of the Town Council and some member from the Elderly Affairs Committee all shared kind words about Mr. Ghobrial.

2. CALL TO ORDER:

The Town Clerk, Gina M. Inguanzo called the roll at 6:53 pm with the following Councilmembers being present: Luis E. Collazo, Josh Dieguez, Ray Garcia, Marilyn Ruano, Vice Mayor Tony Fernandez, and Mayor Manny Cid.

3. MOMENT OF SILENCE:

Pastor Juan Sancho from Metro Praise International Miami led the prayer.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance and Presentation of Colors was led by the Girl Scouts of America of Miami Lakes Troop 902.

Mr. Ariel Fernandez from “Better You Minute,” led a moment of mediation via YouTube.

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

Vice Mayor Fernandez pulled Item 10B and Item 10C from the Consent Calendar, moved up Item 14C to after Public Comments, and deferred Item 14G to the next Council Meeting. Mayor Cid moved Item 17 to before New Business Items.

Vice Mayor Fernandez made a motion to move the Order of Business and Councilmember Garcia seconded the motion. The motion passed unanimously.

6. PUBLIC COMMENTS: (YouTube) 1:04:37

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed during public meetings.

Mr. Juan Mederos came before the Town Council to participate in Public Comments. He explained that a group of men from the TOML have been visiting his neighborhood, removing trees and proposing to plant trees. He asked the Town Council to please not plant a tree on his swale. He stated the three reasons why he is asking for the TOML not to plant a tree on his swale.

Ms. Esther Colon came before the Town Council to participate in Public Comments. She spoke in favor of the Town Manager’s recommendation pertaining to the Farmer’s Market, she stated she is in support of Item 13A, the Canvassing Board Item and in support of Item 14E and stated that she would like to see an expansion to outdoor events.

Ms. Mirtha Mendez came before the Town Council to participate in Public Comments. She thanked Councilmember Dieguez for informing the community about the water main leak caused by Comcast on 67th Avenue; she stated that no one from the TOML communicated the news on the Town Website. She emphasized that one elected official gave wrongful information. She also emphasized that something must be done to inform the residents, to communicate to the residents the information. She also stated that the awards section of the agenda should start at 6 pm on time or perhaps do the awards section of the agenda on another day.

Mr. Dayan Jimenez came before the Town Council to participate in Public Comments. He stated that many of the schools in Miami Lakes are not meeting the state and federal flag code requirements. He also asked for clarification regarding the EAB student representative position.

Ms. Bonnie Cintron came before the Town Council to participate in Public Comments. She stated that she is happy to be able to vote in the Special Election.

Mr. Mario Pinera came before the Town Council to participate in Public Comments. He thanked the elected officials that participated in the event honoring the life of Mr. Timothy Potts.

Mayor Cid spoke about the great work done by Coach Timothy Potts and about his volunteer work and his love for sport and for children. Mayor Cid thanked him and his family for coaching for so many years and that he impacted many children and families.

Ms. Ezperanza Hope Reynolds participated via remote public comments. She asked for an email to be sent to all homeowner's associations, houses of worships, schools and businesses, a town wide email suggesting that everyone becomes familiar with the fact that we do have a special election on April 9th. She also spoke that on April 13th, the City of Doral is hosting an HOA Condo Association informational meeting. She mentioned that the town should emulate this and do one in Miami Lakes. She also spoke about the Committee Report pertaining to the Mental Health Counseling Group and the mission of the Mental Health Task Force and she recommends that they identify contributing factors to the increasing mental health need of our community to focus mainly on children, veterans, elderly, and special needs community.

There being no further public comments, public comments were closed.

7. APPOINTMENTS:

Mayor Cid announced the following appointments:

Ms. Pilar Fernandez to the Youth Activities Task Force by Councilmember Josh Dieguez.

8. COMMITTEE REPORTS:

A. Mental Health Task Force

Chairperson Linday Wallick presented the committee report and went over the initiatives and events that the committee has been working on. She also went over a request for a budget as the committee currently does not have one. Chairperson Wallick answered questions posed by the Town Council.

B. Education Advisory Board

Chairperson Mario Pinera presented the committee report and went over the things the committee uses their budget for. He also went over events that took place as well as upcoming

initiatives and events the committee has planned. Chairperson Pinera answered questions posed by the Town Council.

C. Blasting Advisory Board

Acting Chairperson Rudy Blanco and Secretary Steven Herzberg presented the committee report. Acting Chairperson Blanco began by expressing the committee's need for new, qualified, and interested members. Secretary Herzberg went over their recent lobbying trip to Tallahassee, their initiative to possibly meet with HOAs and neighboring municipalities, and their budget. Both Acting Chairperson Blanco and Secretary Herzberg answered questions posed by the Town Council. Councilmember Collazo then added that he would like to see former Chairperson Miguel Martinez honored in a public setting and other members of the Town Council spoke about former Chairperson Martinez.

Mayor Cid then made a motion directing staff to draft a letter to all the cities, that the council can sign, requesting that they join our efforts and Vice Mayor Fernandez seconded. The motion passed unanimously.

9. SPECIAL PRESENTATIONS:

None.

10. CONSENT CALENDAR:

Councilmember Collazo moved to approve the Consent Calendar. The motion was seconded by Councilmember Ruano. The motion passed 5-0; Councilmember Dieguez was absent.

A. Approval of Minutes

- January 22, 2024 Sunshine Meeting
- February 13, 2024 Regular Council Meeting
- February 26, 2024 Attorney-Client Executive Session
- March 4, 2024 Sunshine Meeting

This item was approved on the Consent Calendar.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF CONTRACTS FOR RFP 2024-12, OPERATION OF THE FARMERS MARKET TO FLORIDA MARKETPLACE GROUP, LLC; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar by Vice Mayor Fernandez.

Vice Mayor Fernandez asked questions to Town Staff. He stated that for contracts like this one, we should have mechanisms for renewal to be better fleshed out to avoid any interruption. Town Manager Pidermann clarified that this was not about a contract that expired, that it was about a special event permit that expired, but he agreed with the Vice Mayor's thoughts. After a brief discussion, Vice Mayor Fernandez motioned to approve the resolution and it was seconded by Councilmember Dieguez. The motion passed 6-0.

- C. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE EXTENSION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR THE EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was pulled from the Consent Calendar by Vice Mayor Fernandez.

Vice Mayor Fernandez asked Town Staff when we can dispose of these assets. Town Manager Pidermann responded that Town Staff has not been able to look at the agreement yet. Town Manager Pidermann explained that Town Staff is in communication with a municipality that is a qualified entity, and it appears that they are going to use it for a transit purpose. Ms. Susana Alonso, Principal Town Planner, answered questions posed by the Town Council.

Vice Mayor Fernandez made a motion to approve this resolution, but he emphasized that it's been a while since we looked at this in the past, that the problem may have aged itself away. The motion to approve the resolution was seconded by Councilmember Dieguez. After further discussion, Vice Mayor Fernandez stated that he wants the Town Manager to report on this at the next Regular Meeting. The motion passed 3-2; Councilmember Ruano and Mayor Cid voted in opposition and Councilmember Dieguez was absent.

11. ORDINANCE- FIRST READING:

None.

12. ORDINANCE IN SECOND READING:

- A. ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PUBLICATION REQUIREMENTS; AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE III "OFFICERS AND EMPLOYEES", SECTION 2-55, "TOWN MANAGER" AND SECTION 2-56, "TOWN ATTORNEY SELECTION AND APPOINTMENT", AND ARTICLE V, "CONTRACTS AND PURCHASING", DIVISION 2, "PROCUREMENT PROCEDURES", SECTION 2-155 "PROCUREMENT METHODOLOGY"; AMENDING CHAPTER 8, "CODE ENFORCEMENT", SECTION 8-3, "ENFORCEMENT PROCEDURES"; AMENDING CHAPTER 10, "ELECTIONS", ARTICLE II, "CANDIDATE QUALIFICATION", SECTION 10-21, "SPECIAL ELECTIONS"; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", ARTICLE III, "DEVELOPMENT APPROVAL PROCEDURES", SECTION 13-309, "PUBLIC HEARING AND NOTICE", AND ARTICLE IV, " ZONING DISTRICT REGULATIONS", DIVISION 13-11, "HURRICANE RELIEF REGARDING EXISTING AND NONCONFORMING

RESIDENTIAL STRUCTURES IN THE RU AND RU-TH DISTRICTS”, SECTION 13-602 “REPAIR AND REPLACEMENT OF LEGAL AND ILLEGAL NONCONFORMING FENCES AFTER HURRICANE DAMAGE”, AND DIVISION 24, “GF-GOVERNMENTAL FACILITIES”, SECTION 13-843, “EXCLUSIVE SITE PLAN REVIEW PROCEDURE”, AND ARTICLE IX “SIGNS”, SECTION 13-1904 “ADDITIONAL REQUIREMENTS FOR SIGNS”, AND ARTICLE XI “FEES”, TO ALLOW THE USE OF ONLINE PUBLICATION TO FULFILL THE TOWN’S NOTICE REQUIREMENTS IN ACCORDANCE WITH FLORIDA STATUTES § 50.0311; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR FINDINGS OF FACT;^α 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 in second reading.

Vice Mayor Fernandez opened the public hearing. Being there was no one wishing to speak, the public hearing was closed.

Councilmember Collazo made a motion to approve the Ordinance in second reading and the motion was seconded by Councilmember Dieguez. The Town Clerk called the roll and the ordinance in second reading passed 5-0; Mayor Cid was absent.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING AUTHORITY FOR THE COLLECTION OF RENTS, PAYMENT OF UTILITIES, MAINTENANCE FOR REAL PROPERTY OWNED BY THE TOWN OF MIAMI LAKES, LOCATED AT 5951 NW 151 STREET, MIAMI LAKES, FLORIDA 33014; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR THE CREATION OF GENERAL LEDGER ACCOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney, Raul Gastesi read the title of the ordinance in second reading.

Vice Mayor Fernandez opened the public hearing. Being there was no one wishing to speak, the public hearing was closed.

Town Manager Pidermann presented the ordinance and stated that the ordinance is the same as the one presented last month- only a few minor changes were made. He explained the changes from first reading to second reading. He explained that the number of tenants is 24 and that the security deposits, instead of placing them in interest bearing accounts, are recommending that they be placed on a bearing account.

Councilmember Dieguez motioned to approve the ordinance in second reading and Councilmember Ruano seconded the motion. The Town Clerk called the roll and the motion passed 4-2; Vice Mayor Fernandez and Mayor Cid voted in opposition.

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING CHIEF JUDGE NUSHIN SAYFIE OF THE ELEVENTH

CIRCUIT COURT IN AND FOR MIAMI DADE COUNTY AND PURSUANT TO FLORIDA STATUTE § 102.141, TO APPOINT A COUNTY JUDGE TO THE TOWN OF MIAMI LAKES' CANVASSING BOARD FOR THE TOWN OF MIAMI LAKES APRIL 9, 2024 SPECIAL ELECTION; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Raul Gastesi read the title of the resolution.

Councilmember Collazo motioned to approve this resolution and it was seconded by Councilmember Dieguez. The Town Clerk called the roll and the motion passed 6-0.

14. NEW BUSINESS ITEMS:

A. K9 Cove Governing Board (Cid)

Mayor Cid made a motion to give staff the leeway to come back on this issue. He explained that it does not have to be a board, it could be to get resident feedback on a yearly basis or bi-yearly basis. Mayor Cid then clarified that his motion is to direct the Town Manager to work with staff to come up with whatever they think is wise -whether it be a board or a yearly workshop. Councilmember Collazo seconded for discussion.

Councilmember Collazo stated that he absolutely does not want a governing board and would support the item as long as it's not a board. Vice Mayor Fernandez suggested less of a board and more of a formal 501(c)(3) or an informal working group like a booster club.

The motion passed unanimously.

B. Process to Avoid Infrastructure Damage (Garcia)

Councilmember Garcia presented his item by reading the memorandum he included as a business item. He explained that two situations occurred within 72 hours of each other, those situations were a gas main leak and a water main leak. He then clarified misinformation from the night of the water main leak. He also read out a statement from the Comcast representative regarding the situations.

Town Manager Pidermann explained that he has been in communication with Comcast, that Comcast will restore damages and they have acknowledged that their contractor used the wrong technique for the project. The Public Works Director, Mr. Omar Santos, explained the communications he has had with Comcast and their subcontractors and Town Manager Pidermann stated that they have asked Comcast for reimbursement for the police overtime caused by both events.

Councilmember Garcia then stated that his motion would be to follow up on getting the overtime back and any additional costs, and to continue making sure that they are following what they said they were going to do -which was communicate with the TOML prior to any infrastructure. Public Works Director, Mr. Omar Santos stated they have already begun sending notifications of work they are doing close by. Councilmember

Garcia then added as part of his motion to give reports on if they are following what they said they will do for the next six months. Councilmember Garcia clarified that his motion is to follow up on getting the overtime money back and to follow up on the communications with Comcast, so the incident doesn't happen again. Vice Mayor Fernandez seconded the motion. Town Manager Pidermann stated that he will send the updates via email as soon as he gets them so that they do not have to wait until council meetings to be updated.

Public Works Director, Mr. Omar Santos, answered questions posed by the Town Council. Councilmember Ruano added that now that staff is going to be looking into this, to also see if anything can be put into place to not forget the residential areas.

Mayor Cid then asked for the Town Clerk to repeat the motion and Town Clerk, Gina M. Inguanzo restated the motion for the record.

The motion passed unanimously.

C. Youth Council Reorganization (Fernandez)

Mayor Cid moved the waiver for this item and Councilmember Garcia seconded. The motion passed unanimously.

Vice Mayor Fernandez explained this is a continuation of the item that they heard at the last council meeting. He added that there were difficulties scheduling wise in getting the draft resolution in front of the council; therefore, he would like to give his colleagues and members of the public to take it in and he also stated that he will be asking the students to come back in April. He also stated that the students are prepared to speak on this topic tonight, to refresh their minds.

The students from Miami Lakes Middle School then spoke about their proposed resolution to establish a Youth Advisory Board for the Town of Miami Lakes.

Councilmember Dieguez stated that he will support it at this junction; however, he believes it needs some work. He encouraged the students to get in touch with Deputy Town Clerk, Victoria Martinez, to schedule an appointment with him to workshop the resolution with them.

Mayor Cid then asked if this is the resolution they are voting on tonight and Vice Mayor Fernandez stated that his recommendation is to not vote on it tonight, to give everyone the opportunity to review. Vice Mayor Fernandez added that there is no motion, and that he will bring it back next month.

Mayor Cid added that he recommends the students reach out for individual meetings to get feedback.

D. 5G Cell Towers Beautification/Disguise (Cid)

Mayor Cid stated that he would like to direct staff to begin looking at ways, if it's either passing an ordinance requiring the new towers be camouflaged, or if there's a way to

retrofit some camouflaging. He added he would like Town staff to research the issue and come back to the Town Council with opinions. Councilmember Dieguez seconded the motion.

Councilmember Garcia stated that he knows the process doesn't require the Town Council to be part of the process, but he would like to make a motion that any future towers that are coming up, for the council to be made aware at that moment, to see where it will be located.

Mayor Cid then explained that some cities have told the providers to place it somewhere and then they also use it as a streetlight, flag poles, or trees. Town Manager Pidermann stated that they have an agreement from cell phone companies, asking them to color them in the same color as the streetlights are in the area. Public Works Director, Mr. Omar Santos, added that he will do research and bring it back to the Town Council on what the town can and cannot request.

After further discussion and questions posed by the Town Council, the motion passed unanimously.

E. Indoor Vaping Restrictions (Fernandez)

Vice Mayor Fernandez explained this item is to discuss with his colleagues the appetite for banning vaping within town owned facilities. He stated that a speaker in public comments wanted to extend that to town events outdoors.

Councilmember Ruano added that that type of activity tends to be a nuisance to some of those around and she added that anything done indoors should also be extended to park facilities.

Vice Mayor Fernandez then asked the Town Manager and Town Attorney if there is anything that preempts them from restricting it in outdoor areas. Deputy Town Attorney Lorenzo Cobiella stated that he would have to get back to him on that to make sure that there is nothing that would restrict the town for exterior.

Vice Mayor Fernandez then added that what he would like to see is it pass for interior today and then have the Deputy Town Attorney do research on outside implications. Councilmember Garcia seconded Vice Mayor Fernandez's explanation.

After discussion, Vice Mayor Fernandez added that to provide the Town Attorney additional guidance, perhaps a distinction could be whether they do not allow it at outdoor facilities at all or just restrict that during certain events.

The motion passed unanimously.

F. Charter Review Commission (Cid)

Mayor Cid explained that he would like to add two items to the November ballot and workshop these with his colleagues and residents. He stated one item he would like to add is the early voting item for any special election. Additionally, he mentioned that the

Town Charter requires that a runoff happen 21 days after the November election. He added that the City of Doral says theirs is the second Tuesday in December and he thinks other cities are going to follow that more uniform process. He added he would like to take advantage and put those two items on the November ballot. Mayor Cid stated he is not making motions to add to the November ballot, he is just going to make a motion to have a Workshop.

Mayor Cid then made a motion to direct staff to coordinate a Workshop amongst the council. Vice Mayor Fernandez seconded. Councilmember Dieguez stated that he respects the item however, consistent with his prior positions with respect to these Charter amendments, he would rather wait for the Charter Revision Commission to be constituted and have the discussion at that time.

The Town Clerk called the roll and the motion failed 3-3; Councilmember Collazo, Councilmember Dieguez, and Councilmember Ruano voted in opposition.

G. Emergency Medical Services (Fernandez)

This item was deferred to the next Regular Council Meeting.

15. MAYOR AND COUNCILMEMBER REPORTS:

None.

16. MANAGER'S REPORTS:

A. April Council Meeting Date Conflict with Special Election

Town Manager Pidermann presented this report and explained that the Special Election is going to be held on April 9th which is the same date as the April Council Meeting. He explained that he wanted to put this on their radar to see if there is an appetite to change the April Council Meeting, and if there is an appetite to move the council meeting, he recommends it be moved one day over to Wednesday, April 10th.

Mayor Cid asked if there was any conflict and need to change the date and there being no conflict stated, no motion was made to change the April Council Meeting.

B. Police Report (Major Gonzalez)

Major Gonzalez presented the monthly police report and answered questions posed by the Town Council.

C. Entry Feature Cost for Repainting (Bajdaun)

The Parks and Recreation Director, Mr. Jeremy Bajdaun, presented this report and explained that it came from the January Council Meeting where they were told to reevaluate the painting scheme for the new entry feature. He added that the report goes over three options for their consideration which are Extra White, Kilum Beige, and Alabaster.

Mayor Cid stated that he has no issues with the sign but is fine with whatever the majority of the Council wants.

Councilmember Dieguez moved to go with Alabaster for the entry feature and Councilmember Ruano seconded the motion.

After discussion, the Town Clerk called the roll and the motion failed 3-3; Councilmember Garcia, Vice Mayor Fernandez, and Mayor Cid were in opposition.

Councilmember Garica then added that he would like to see consistency with the town entrances and perhaps since this entry feature is so new, that he would be open once it needs maintenance, to make it consistent with other entry features. Councilmember Dieguez then pointed out to his colleagues that he would like to renew his request from last year to update the beautification master plan and perhaps this can be funded with carryforward funds. Vice Mayor Fernandez also stated he would be in favor of that, especially if looking at other entry features and to do it all at the same time.

D. Monthly Infrastructure Report (Santos)

The Public Works Director, Omar Santos, presented the monthly infrastructure report and answered questions posed by the Town Council.

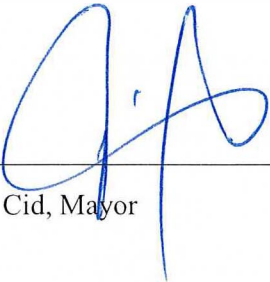
17. ATTORNEY'S REPORT:

Town Attorney Mr. Raul Gastesi presented the Attorney's Report and stated he needs an Executive Session on the Pizzi litigation matter. He also addressed the complaint on election fraud. He stated that fraud is a very loaded term and he stated that he doesn't think anyone has done anything, as far as he knows, to this Town Council or staff or anybody else, to constitute election fraud. He explained that a complaint was filed to the Elections Department and they, the Town Attorneys, had the obligation to forward it to our insurance carrier in case the Town Attorneys needed to provide a defense to the members of the Town Council, that were needlessly accused.

18. ADJOURNMENT:

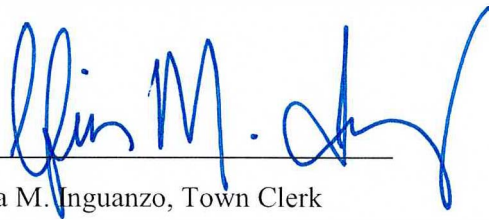
There being no further business to come before the Town Council, the meeting was adjourned at 9:36 pm.

Approved this 9th day of April 2024.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk