



**CITY OF WEST MIAMI
COMMISSION MEETING MINUTES
REGULAR COMMISSION MEETING**

**WEDNESDAY, APRIL 20TH, 2016
7:30 PM
COMMISSION CHAMBERS
901 S.W. 62ND AVENUE
WEST MIAMI, FLORIDA**

1. **INVOCATION.** City Manager Yolanda Aguilar gave the Invocation.
2. **PLEDGE OF ALLEGIANCE.** Police Chief Nelson Andreu led the Pledge of Allegiance.
3. **ROLL CALL.** The meeting was called to order by the Mayor at 7:40 P.M. Present were Mayor Eduardo H. Muhiña, Vice-Mayor Candida Blanca, Commissioner Juan M. Blanes, Commissioner Rhonda A. Rodriguez and Commissioner Luciano L. Suarez.
4. **PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 6TH, 2016 REGULAR CITY COMMISSION MEETING. (COMMISSIONER RODRIGUEZ ABSTAINS).** Vice-Mayor Blanca motioned to approve the Minutes as presented. The motion was seconded by Commissioner Suarez. All voted in favor.

PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 12TH, 2016 SPECIAL MEETING FOR THE DETERMINATION OF THE OFFICE OF VICE-MAYOR AND COMMISSIONER BY LOT. (COMMISSIONER RODRIGUEZ ABSTAINS). Vice-Mayor Blanca motioned to approve the Minutes as presented. The motion was seconded by Commissioner Suarez. All voted in favor.

NOTE FOR THE RECORD: The Mayor introduced Florida House of Representatives Jose Javier Rodriguez, District 112. Representative Rodriguez provided an end-of-session report and spoke in support of his candidacy.

NOTE FOR THE RECORD: The Mayor requested taking Item 11 A) out of order.

5. **REPORT OF THE CITY MANAGER.** No report submitted.
6. **REPORT OF THE CITY ATTORNEY.** No report submitted.
7. **REPORT OF THE CITY ENGINEER.** No report submitted.
8. **COMMITTEE REPORTS:**

Commissioner Suarez requested a Proclamation in recognition of the "Diccionario Fraseológico del Español Dominicano" to be presented on May 5th, 2016. All were in favor.

9. **CITIZEN PRESENTATIONS.** No presentations.



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NOTE FOR THE RECORD: The Mayor instructed the City Clerk to proceed with item 11 F).

10. UNFINISHED BUSINESS:

- A) **Nomination of alternate member to the Planning and Zoning Board.** Commissioner Suarez requested postponing this item until the Commission Meeting of May 4th, 2016.

NOTE FOR THE RECORD: Item 11 F) was heard.

11. NEW BUSINESS AGENDA ITEMS:

- A) **PUBLIC HEARING: Applicant: Green Gables Investments, LLC.**
Applicant requests a "Special Use Permit for Planned Development" for the property at 6400 S.W. 8th Street, West Miami, FL 33144. The property at 6400 S.W. 8th Street totals 149.11 feet wide by 266.3 feet long for a mixed use development. The applicant is requesting the vacating of a Service Alley in the "C" District between both parcels for a unified project. The total acreage for the "C" parcel is 0.4445 acres and the total acreage of the "R5" Off-Street Parking for Commercial parcel is 0.6255 for a combined total of 1.0701 acres. The parcels of land are within the "mixed use corridor". The applicant is requesting to build 8 stories building on the front parcels and a five story building on the rear parcels surrounding the three stories of parking garage with one underground parking level. The building consists of a mixed use development of 111 residential units and 24 live/work units with a total square footage of 114,855. Zoning Ordinance 282 Sec 2B, 4.23, 4.3, 4.62-4, Ord. 2014-01.

Jeffrey Bercow, Bercow, Radell and Fernandez, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131, on behalf of the applicant Green Gables Investments, LLC provided details of the project along with architectural drawings, survey and a Traffic Impact Study. Juan Pena, Director of Planning and Zoning, informed the Public Hearing had been advertised on a newspaper of general circulation following statutory requirements. Further Mr. Pena submitted the Planning and Zoning Review resulting in a favorable recommendation with the conditions stated by the City Attorney on the re-platting of the two lots as one and the covenant releasing the City of any liability on the portion of private alley.

A petition containing signatures was proffered by the applicant to the Office of the City Clerk and entered into the record.

Chief of Police Nelson Andreu also submitted a favorable recommendation based on experience with developments already established.

Francisco Alonso, City Engineer expressed from the technical perspective based on the City's infrastructure no negative impacts were expected.

The City Manager read for the record the Auditor's Report, which read as follows:



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"The City of West Miami has been able to attract new real estate development projects that will increase its tax base in fiscal years ending 2016 and 2017. These projects include Multifamily residential properties and additional commercial properties with important anchor tenants such as Publix Supermarket. The City must continue to secure these opportunities as the Miami-Dade demographics relating to real estate continue to change favorably in increasing City property values".

The Mayor opened the Public Hearing and the following members of the public addressed the City Commission:

- Michael Anthony Gonzalez, 6347 SW 10th TERR, West Miami, FL
- Gilda Ferradaz, 1931 SW 64th CT, West Miami, FL
- Sonia Cardozo, 6337 SW 10th TERR, West Miami, FL
- Paul C. Savage, 100 Almeria AVE, Suite 220, Coral Gables, FL
- Josue Esquenazi, 6438 SW 8th ST, West Miami, FL
- Irving Resnick, 6438 SW 8th ST, West Miami, FL
- Simon Cruz, 6400 SW 8th ST, West Miami, FL
- Pedro Reboredo, 6386 SW 15th ST, West Miami, FL

NOTE FOR THE RECORD: The Mayor called for a break at 7:50 P.M.
The meeting was called back to order by the Mayor at 8:00 P.M.

- Luis Sanchez, 6376 SW 9th ST, West Miami, FL
- Luis Sanchez on behalf of Wilfredo Cejas, 6386 SW 9th ST, West Miami, FL
- Rebeca Sosa, 6386 SW 10th ST, West Miami, FL.

A petition containing signatures was proffered to the Office of the City Clerk and entered into the record.

NOTE FOR THE RECORD: The following question was made to the City Attorney through the Chair:

If any member of the City Commission speaks to any of the residents about these projects does he/she has to recuse from the table?

The City Attorney answered yes.

- Betty Aguirre, 1503 SW 119th AVE, Miami, FL, read a message on behalf of Marco Rubio.
- Sonya O'Farrill, 6486 SW 13th ST, West Miami, FL
- Mariela Jewett, 6160 SW 11th ST, West Miami, FL
- Ramon Valenti, 5818 SW 8th ST, West Miami, FL



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- Carmen Fanego, 6257 SW 10th ST, West Miami, FL
- Fermin Belleau, 5970 SW 12th ST, West Miami, FL
- Rey Anthony Lastre, 6670 SW 19th ST, West Miami, FL
- Ignacio Voigt, 6446 SW 9th ST, West Miami, FL
- Frank Hernandez, 6387 SW 9th ST, West Miami, FL
- Rosa Sueiro, 6480 SW 21st ST, West Miami, FL
- Salvador Rodriguez, 6207 SW 11th ST, West Miami, FL
- Tania Rozio, 6356 SW 22nd ST, West Miami, FL
- Maria Cristina Voigt on behalf of Alicia Voigt Garcia, 6446 SW 9th ST, Miami, FL

NOTE FOR THE RECORD:

The following inquiry by Mrs. Voigt was entered into the record:

If any of the councilmembers has approached any of the residents regarding the projects do they have to acknowledge what was done?

Commissioner Blanes asked for a point of privilege and stated that with good intentions and good faith he did approach a resident, therefore, he was recusing himself from voting on the item.

There being no further comments from the public before the City Commission, the Mayor closed the Public Hearing.

NOTE FOR THE RECORD: The Mayor called for a break at 10:10 P.M.
The meeting was called back to order by the Mayor at 10:22 P.M.

Jeffrey Bercow provided rebuttal in response to comments made by the public.

Richard Garcia, P.E. President of Richard Garcia and Associates, Inc., 13117 N.W. 107th AVE, Suite # 4 Hialeah Gardens, FL 33018 answered questions made by the City Commission and provided details about the traffic impact on the area in question.

Don Washburn, President of The Audio Box, Inc. 3800 Hillcrest Drive, Hollywood, FL 33021 provided ample details about the Architectural Noise Transmission and Acoustics together with measures and calculations about noise levels.

Juan Pena, Director of Planning and Zoning provided details about the private alley at the property and parking requirements.

The City Manager, at the Mayor's request, provided information about property values.

A lengthy discussion led to item 11 B).



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NOTE FOR THE RECORD: Item 11 B) was heard.

- B) A Resolution of the City of West Miami City Commission, City of West Miami, Florida, for site plan approval of Special Use Permit for Planned Development # 2016-002, for Green Gables Investments, LLC. at 6400 S.W. 8th Street, West Miami, FL 33144; requirements for development of Certain lands in the City of West Miami and requiring unification of lands and complete development of all lands; requiring certain improvements, dedications, covenants and other terms and conditions.** The City Attorney informed about a provision to the Resolution that the applicant shall issue a Hold Harmless and Indemnification Agreement holding the City harmless of any present or future action by any owner of adjacent private alley between 64th and 65th Avenues, west of the subject property and Unity of Title issued too. Upon motion by Commissioner Rodriguez, second by Vice-Mayor Blanca the vote was as follows: Commissioner Rodriguez voted yes, Vice-Mayor Blanca voted yes, Mayor Muhiña voted yes and Commissioner Suarez voted no. By 3/1 this item passed.

NOTE FOR THE RECORD: The Mayor called for a break at 11:52 P.M.
The meeting was called back to order by the Mayor at 12:15 A.M.
April 21st, 2016.

NOTE FOR THE RECORD: The Mayor requested to hear Item 11 C)

- C) PUBLIC HEARING: A Resolution of the Mayor and City Commission of the City of West Miami Exhibit A, vacating, abandoning and closing the Street of S.W. 63rd Avenue between S.W. 9th Street and 8th Street to the North; subject to approval of Re-Platting by the appropriate governmental agencies, approval by Florida Department of Transportation, Miami-Dade County Public Works Department and any other regulatory agency; a sketch of Street to be vacated, a survey attached hereto as exhibit A; providing for an effective date.** The City Clerk informed this Public Hearing was advertised on a newspaper of general circulation following statutory requirements on April 5th, 2016.

Felix M. Lasarte, from the Lasarte Law Firm, 3250 NE 1st AVE, #334 Miami, FL 33137 presented the highlights of the application and spoke in support of the item.

NOTE FOR THE RECORD: The Mayor took at this moment a point of privilege to allow resident Selma Beckham the opportunity to speak before the City Commission.

- Selma Beckham, 6537 SW 23rd ST, West Miami



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Tony Castro, Chief Operating Officer, The Estate Companies, 4949 SW 75th AVE, Miami, FL 33155 presented the highlights of the application and spoke in support of the item.

A petition containing signatures was proffered by the applicant to the Office of the City Clerk and entered into the record.

Richard Garcia, P.E. President of Richard Garcia and Associates, Inc., 13117 N.W. 107th AVE, Suite # 4 Hialeah Gardens, FL 33018 provided details about the traffic impact and the results of the Traffic Impact Study conducted by his company in connection with the application.

Francisco Alonso, City Engineer expressed from the technical perspective that no major issues were identified.

Chief of Police Nelson Andreu also submitted a favorable recommendation based on a study conducted by his department of the traffic in the area.

The Mayor opened the Public Hearing and the following members of the public spoke:

- Sedh Heller, 2101 SW 67th AVE, West Miami, FL
- Leon Rozio, 6536 SW 22nd ST, West Miami, FL
- Carmen Fanego, 6257 SW 10th ST, West Miami, FL
- Rebeca Sosa, 6386 SW 10th ST, West Miami, FL
- Tania Rozio, 6536 SW 22nd ST, West Miami, FL

There being no further comments from the public before the City Commission, the Mayor closed the Public Hearing.

Juan Pena, Director of Public Works provided an explanation about Right-of-Way and what the application entails.

Robert Suris, Principal at The Estate Companies, 4949 SW 75th AVE, Miami, FL spoke in support of the item.

The City Attorney clarified that the application is subject to approval of re-platting by the appropriate governmental agencies.

After a discussion Commissioner Suarez moved to approve the Resolution as presented, the motion was seconded by Vice-Mayor Blanca. All voted in favor by a unanimous 5/0 voice vote.



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- D) **PUBLIC HEARING: Applicant: 6320 Holdings, LLC.**
Applicant requests a "Special Use Permit for Planned Development" for the property at 6320 S.W. 8th Street and 6290 S.W. 8th Street, West Miami, FL 33144. The property at 6320 S.W. 8th Street totals 196.48 feet wide by 266.13 feet long, in addition the applicant is requesting the vacation of S.W. 63rd Avenue Right-of Way 60 feet by 266.13 feet in the "C" District and the property at 6290 S.W. 8th Street totals 125.0 feet wide by 266.09 long. The total acreage for the "C" parcel is 1.2195 acres and the total acreage of the "R5" Off-Street Parking for Commercial parcel is 1.0801 for a combined total of 2.2997 acres. The parcels of land are within the "Mixed Use" corridor. The applicant is requesting to build 8 stories building on the front parcels and a five story building on the rear parcels surrounding the three stories of parking garage with one underground parking level. The building consists of 241 residential units and 88 live/work units with a total square footage of 275,700. Zoning Ordinance 282 Sec 2B, 4.23, 4.3, 4.62-4, Ord. 2014-01.

The City Attorney clarified this application received a favorable recommendation from the Planning and Zoning Board with certain conditions and requirements.

Juan Pena, Director of Planning and Zoning read the conditions set forth by the Planning and Zoning Board at the March 22nd, 2016 Planning and Zoning Board Meeting and recommended approval.

Felix Lasarte, from The Lasarte Law Firm, 3250 NE 1st Avenue, Suite # 334, Miami, FL 33137 spoke in support of the item.

Also present were Robert Suris, Principal and Antonio Castro, Chief Operating Officer from The Estate Companies, 4949 SW 75 AVE, Miami, FL 33155 and Richard Garcia, Traffic Engineer, 13117 N.W. 107th AVE, Suite # 4 Hialeah Gardens, FL 33018.

Antonio Castro spoke in support of the item and presented the highlights of the project.

The Mayor opened the Public Hearing and the following members of the public spoke:

- Carmen Fanego, 6257 SW 10th ST, West Miami, FL
- Sedh Heller, 2101 SW 67th AVE, West Miami, FL
- Tania Rozio, 6356 SW 22nd ST, West Miami, FL
- Michael Anthony Gonzalez, 6347 SW 10th TERR, West Miami, FL
- Leon Rozio, 6536 SW 22nd ST, West Miami, FL

There being no comments for or against the subject matter the Mayor closed the Public Hearing.

Richard Garcia, P.E. President of Richard Garcia and Associates, Inc., 13117 N.W. 107th



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AVE, Suite # 4 Hialeah Gardens, FL 33018 provided details about the traffic impact and the results of the Traffic Impact Study conducted by his company in connection with the application.

A brief discussion led to item 11 E)

- E) **A Resolution of the City of West Miami City Commission, City of West Miami, Florida, for site plan approval of Special Use Permit for Planned Development # 2016-003, for 6320 Holdings LLC. at 6290 and 6320 S.W. 8th Street, West Miami, FL 33144, requirements for development of certain lands in the City of West Miami and requiring unification of lands and complete development of all lands; requiring certain improvements, dedications, covenants and other terms and conditions.** Upon motion by Vice-Mayor Blanca, second by Commissioner Suarez and by unanimous 5/0 voice vote, the foregoing Resolution was adopted.

NOTE FOR THE RECORD: The Mayor instructed the City Clerk to proceed with the original order of the Agenda, with Item 6.

- F) **Ratification of the Office of City Attorney pursuant to City Charter Section 4.06.** The Office of the City Attorney was ratified. The City Attorney requested a Contract extension for a period of five years (5). The City Manager recommended approval. Commissioner Blanes motioned in support of the ratification and extension of Contract. The motion was seconded by Vice-Mayor Blanca. All voted in favor.
- G) **Ratification of the Office of City Engineer pursuant to City Charter Section 4.06.** The Office of the City Engineer was ratified. The Director of Planning and Zoning recommended approval of a two year contract (2). Vice-Mayor Blanca motioned in favor, seconded by Commissioner Blanes. All voted in favor.
- H) **Discussion Re: "4th of July 2016 Event"**. The City Manager was instructed to proceed with the preparations of the "4th of July 2016" celebration event.

12. **GOOD OF THE ORDER.** None.

ADJOURNMENT: There being no further business before the City Commission the meeting was declared adjourned at 3:15 A.M on Thursday, May 21st, 2016.

RESPECTFULLY SUBMITTED BY:

A handwritten signature in blue ink that reads "Annery Gonzalez".

ANNERY GONZALEZ, CMC
CITY CLERK