



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

**WEDNESDAY, AUGUST 15<sup>TH</sup>, 2018**

**7:30 PM**

**COMMISSION CHAMBERS  
901 S.W. 62<sup>ND</sup> AVENUE  
WEST MIAMI, FLORIDA**

1. **INVOCATION.** Chief of Police Nelson Andreu gave the Invocation.
2. **PLEDGE OF ALLEGIANCE.** Deputy Chief Carlos Avila led the Pledge of Allegiance.
3. **ROLL CALL.** The City Commission for the City of West Miami, met in regular session, on Wednesday, August 15<sup>th</sup>, 2018 beginning at 7:37 P.M. in the City Commission Chambers, 901 S.W. 62<sup>nd</sup> AVE, West Miami, FL 33144.  
Present were: Mayor Eduardo H. Muhina, Vice-Mayor Rhonda A. Rodriguez, Commissioner Candida Blanca and Commissioner Luciano L. Suarez. Commissioner Juan M. Blanes was excused.  
Also in attendance were: Acting City Manager Juan J. Pena, City Attorney Jose A. Villalobos and City Clerk Annery Gonzalez
4. **PRESENTATION OF MINUTES FOR APPROVAL FOR JULY 18<sup>TH</sup>, 2018 REGULAR COMMISSION MEETING.** Vice-Mayor Rodriguez motioned to approve the minutes as presented. The motion was seconded by Commissioner Blanca. All voted in favor.

**NOTE FOR THE RECORD:** The Mayor requested taking item 11 D) out of order.

5. **REPORT OF THE CITY MANAGER.** The City Manager provided a verbal and written report, which included the following:
  - Transfer of senior to Recreation Center while early voting takes place at the Community Center
  - Street Sign Project
  - Crown Castle - consent for cell tower improvements
  - FEMA reimbursements
  - Renewal numbers by the Florida League of Cities
  - City Wide Traffic Study
  - MOU Miami-Dade Water and Sewer Department
  - Painting of sewer stations
  - MOU for a School Based Police Officer at Sylvania Heights Elementary School
  - Budget 2018-2019

**REPORT BY THE OFFICE OF THE CITY CLERK RE: EARLY VOTING AND PRIMARY ELECTIONS (8/28/2018).** The City Clerk reported that Early Voting has officially started on Monday August 13<sup>th</sup>, 2018 and will continue until Sunday, August 25<sup>th</sup>, 2018. Election Day will be Tuesday, August 28<sup>th</sup>, 2018.



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

Vice-Mayor Rodriguez reported about the Back to School Supply Giveaway at the Recreation Center, which was a success. Further the Vice-Mayor thanked the Recreation Center staff for the assistance and job well done.

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

10. **UNFINISHED BUSINESS:**

- A) **FOLLOW UP REPORT, DISCUSSION AND RECOMMENDATION RE: SETTING TIME LIMITATION AFTER A BUILDING PERMIT IS ISSUED FOR THE COMMENCEMENT AND COMPLETION OF WORK. (DISCUSSED AT THE JULY 18<sup>TH</sup>, 2018 COMMISSION MEETING - INSTRUCTIONS GIVEN TO PROVIDE FOLLOW UP REPORT WITH CURRENT REGULATIONS BY ACTING CITY MANAGER) (SPONSORED BY COMMISSIONER BLANES) (PHASE I - DISCUSSION).** All were in favor to postpone this item and Item 10 B) until the next Commission meeting.
- B) **DISCUSSION RE: SETTING TIME LIMITATION FOR APPROVED SPECIAL USE PERMITS FOR PLANNED DEVELOPMENT TO PRESENT BUILDING PERMIT APPLICATION FOR CONSTRUCTION. (DISCUSSED AT THE JULY 18<sup>TH</sup>, 2018 COMMISSION MEETING - INSTRUCTIONS GIVEN TO CHECK WITH OTHER MUNICIPALITIES) (SPONSORED BY COMMISSIONER BLANES) (PHASE I - DISCUSSION).** Postponed.
- C) **FOLLOW UP REPORT BY THE OFFICE OF THE ACTING CITY MANAGER RE: STATUS OF FEMA REIMBURSEMENT PROCESS.** This item was reported by the City Manager on Item 5.
- D) **FOLLOW UP REPORT BY THE OFFICE OF THE ACTING CITY MANAGER RE: STREET SIGNS PROJECT AND SUBMITTAL OF ESTIMATED COST.** The City Manager reported on Item 5. Currently the project continues with the goal of four (4) markers per week. The accelerated construction of street markers and street name plates will require a funding source to give this task exclusivity from \$30,000 to \$40,000.



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**11. NEW BUSINESS AGENDA ITEMS:**

- A) **SECOND READING; PUBLIC HEARING:** AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA RELATING TO "VACATION RENTALS," PROVIDING A GENERAL FRAMEWORK FOR THE REGULATION OF VACATION RENTALS; MAKING FINDINGS OF FACTS; REQUIRING VACATION RENTAL REGISTRATION; PROVIDING REQUIREMENTS FOR REGISTRATIONS; REQUIRING INSPECTION; SPECIFYING DUTIES OF VACATION RENTAL OWNERS AND ALLOWING AGENTS; PROVIDING MAXIMUM OCCUPANCY; REQUIRING RENTAL AGREEMENT PROVISIONS AND POSTINGS; PROVIDING FOR ENFORCEMENT OF VIOLATION AND FINES; AND PROVIDING FOR SEVERABILITY, CODIFICATION AND EFFECTIVE DATE. (SPONSORED BY VICE-MAYOR RODRIGUEZ) (PHASE III - SECOND READING - PUBLIC HEARING). The City Clerk announced this Public Hearing was advertised on a newspaper of general circulation, following statutory requirements. The Chief Code Enforcement gave a report and recommended regulating the vacation rentals within the City. The City Manager recommended approval. The Mayor opened the Public Hearing. There being no comments in favor or against, the Mayor closed the Public Hearing. After a brief discussion all members agreed for a September 1<sup>st</sup>, 2018 effective date and a permit fee of \$ 500.00. Commissioner Suarez motioned to approve the Ordinance with the proposed amendments. The motion was seconded by Vice-Mayor Rodriguez. This Ordinance was adopted by a 4/0 voice vote.

**NOTE FOR THE RECORD:** Items 11 B) and C) were heard.

- B) **REQUEST FOR APPEAL OF VARIANCE APPLICATION BEFORE THE PLANNING AND ZONING BOARD BY JOSE L. MAYA TO CONSTRUCT A SIX FEET METAL FENCE IN THE FRONT ZONED SETBACK FOR THE ENCLOSURE OF A RECREATIONAL VEHICLE AT THE PROPERTY LOCATED AT 6411 SW 16<sup>TH</sup> TERRACE, WEST MIAMI, FL. THE FENCE WOULD EXTEND FIVE FEET (5') INTO THE TWENTY FIVE FOOT (25') SETBACK AREA FROM THE SIDEWALK. THIS PLACEMENT WILL LEAVE A (20') SETBACK ON THE EAST SIDE OF THE PROPERTY. THE PROPERTY HAS 5,900 SQUARE FEET.** The Director of Planning and Zoning provided the highlights of the application and the decision by the Planning and Zoning Board to deny said application. Present were Jose Maya and Adriana Mendez, the property owners, who requested reconsideration of their application. A lengthy discussion led to item 11 C).



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- C) **RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI REVERSING THE DECISION OF THE PLANNING AND ZONING BOARD TO DENY THE REQUEST OF JOSE L. MAYA FOR A VARIANCE TO CONSTRUCT A SIX FEET METAL FENCE IN THE FRONT ZONED SETBACK FOR THE ENCLOSURE OF A RECREATIONAL VEHICLE AT THE PROPERTY LOCATED AT 6411 SW 16<sup>TH</sup> TERRACE, WEST MIAMI, FL.; PROVIDING FOR EFFECTIVE DATE.** The City Attorney clarified for the record this item needed a 4/5 vote. Vice-Mayor Rodriguez motioned to move the item forward. The motion was seconded by Commissioner Blanca. All voted in favor.

**NOTE FOR THE RECORD:** The Mayor called for a break at 8:45 P.M. The meeting was called back to order by the Mayor at 8:55 P.M.

The City Attorney requested hearing Items 11 I) and J).

- D) **RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO RENEW THE 10/1/2018 THROUGH 9/30/2019 MEDICAL, DENTAL AND VISION PROGRAMS WITH THE FLORIDA MUNICIPAL TRUST FUND; PROVIDING FOR A 10/1/2018 RENEWAL DATE; PROVIDING EFFECTIVE DATE.** Present was Aaron Carper, Director of Group Health from the Florida Municipal Insurance Trust, who presented the highlights of the program. The 2018-2019 rates represented an increase of 1% compared with last year's. After a brief discussion Vice-Mayor Rodriguez motioned to approve the Resolution as presented. The motion was seconded by Commissioner Blanca. All voted in favor.

**NOTE FOR THE RECORD:** Item 11 A) was heard.

- E) **REPORT & RECOMMENDATION BY JUAN PENA, ACTING CITY MANAGER TO AWARD A CONTRACT TO TY LIN INTERNATIONAL IN THE AMOUNT OF \$113,248 FOR THE PURPOSE OF CONDUCTING A CITYWIDE TRAFFIC STUDY PARTIALLY FUNDED BY TPO.** The City Manager expressed TY Lin International had submitted a proposal to provide professional traffic engineering services for the preparation of a citywide traffic study.
- F) **A RESOLUTION OF THE MAYOR AND CITY COMMISSION AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE A CONTRACT WITH TY LIN INTERNATIONAL IN THE AMOUNT OF \$113,248 FOR THE CITYWIDE TRAFFIC STUDY PARTIALLY FUNDED AT AN AMOUNT UP TO \$40,000 BY TPO WITH THE BALANCE TO BE FUNDED AND INCLUDED IN THE FY 2018-2019 TENTATIVE BUDGET SURTAX ENTERPRISE FUND.** After a lengthy discussion Commissioner Suarez motioned to approve the Resolution as presented. The motion was seconded by Commissioner Blanca. The vote was as follows: Mayor Muhina, Commissioner Blanca and Commissioner Suarez voted yes and Vice-Mayor Rodriguez voted no. This item did not pass



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due to the fact that it required a 4/5 vote. The City Manager recommended allocating \$75,000.00 from Surtax funds in the budget.

**NOTE FOR THE RECORD:** The City Attorney asked to be excused at 9:20 P.M. The Mayor instructed the City Clerk to proceed with the original order of the agenda, with item 5.

- G) RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT AND CITY OF WEST MIAMI; PROVIDING FOR SEWER DISPOSAL SERVICE BY ALLOWING THE CONNECTION OF THE CITY'S SEWAGE COLLECTION SYSTEMS TO THE COUNTY'S SEWAGE TRANSMISSION FACILITIES AT PUMP STATION # 120 LOCATED AT SW 8<sup>TH</sup> STREET /65<sup>TH</sup> AVE AND PUMP STATION # 121 LOCATED AT SW 20<sup>TH</sup> STREET / 67<sup>TH</sup> AVE; PROVIDING THAT THE CONTRACT SHALL BE AND REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF TWENTY (20) YEARS FROM THE EFFECTIVE DATE OF THE CONTRACT; PROVIDING FOR EFFECTIVE DATE.** The City Manager noted that this Contract was approved back in 2015 but was never executed by the County. Commissioner Suarez motioned to approve the Resolution as presented. The motion was seconded by Vice-Mayor Rodriguez. All voted in favor by 4-0 voice vote.
- H) RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER THE EXPENDITURE OF SIXTEEN THOUSAND THREE HUNDRED FIFTY DOLLARS (\$16,350.00) FOR THE PURPOSE OF ACCOMPLISHING THE CLEANING AND PAINTING WITH BITUMINOUS PAINT THE PIPING AND WALLS AT LIFT STATIONS # 1, 2 AND 3; PROVIDING FOR EFFECTIVE DATE. (PAYABLE TO DESMAR PLUMBING CONTRACTORS).** Commissioner Blanca motioned to approve the Resolution as presented. The motion was seconded by Commissioner Suarez. AL voted in favor by 4-0 voice vote.
- I) REPORT AND RECOMMENDATION BY THE OFFICE OF THE ACTING CITY MANAGER AND CHIEF OF POLICE FOR THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND THE CITY OF WEST MIAMI FOR A SCHOOL-BASED LAW ENFORCEMENT OFFICER (SBLEO) AT SYLVANIA HEIGHTS ELEMENTARY SCHOOL.** The City Manager and Chief of Police recommended approval.



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- J) RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY ON BEHALF OF MIAMI-DADE SCHOOLS POLICE DEPARTMENT AND THE CITY OF WEST MIAMI FOR THE PLACEMENT OF A SCHOOL-BASED LAW ENFORCEMENT OFFICER (SBLEO) AT SYLVANIA HEIGHTS ELEMENTARY SCHOOL; PROVIDING FOR EFFECTIVE DATE. Upon motion by Commissioner Blanca, second by Commissioner Suarez and 4-0 voice vote, the foregoing Resolution was approved.

**NOTE FOR THE RECORD:** The City Manager recommended hearing items 11 E) and F)

- K) A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI IN SUPPORT OF RESOLUTION # 2018-3 OF MIAMI-DADE COUNTY LEAGUE OF CITIES HONORING FIFTY YEARS OF MUNICIPAL HOME RULE IN THE FLORIDA CONSTITUTION AND COMMITTING TO AN EDUCATIONAL INITIATIVE TO HELP FLORIDIANS UNDERSTAND THIS BENEFICIAL RIGHT. Upon motion by Commissioner Suarez, second by Commissioner Blanca and 4-0 voice vote, the foregoing Resolution was adopted.
- L) DISCUSSION AND RECOMMENDATION TO FOR THE ADOPTION OF RESOLUTION ESTABLISHING GUIDELINES FOR PUBLIC RECORDS REQUESTS. This item was postponed until the next Commission meeting.
- M) REQUEST FOR PROCLAMATION DECLARING THE MONTH OF SEPTEMBER AS "NATIONAL CHILDHOOD CANCER AWARENESS MONTH" AND A POLICE VEHICLE WRAP. The Chief of Police, in regards of the vehicle wrap, would provide a response by the end of the week. Commissioner Suarez motioned for approval, seconded by Commissioner Blanca and all voted in favor

12. **GOOD OF THE ORDER:** Vice-Mayor Rodriguez expressed that for the sake of decorum and procedure, motions should be made when called by the Mayor.

**ADJOURNMENT.** There being no further business before the City Commission the meeting was declared adjourned at 9:53 P.M.

**RESPECTFULLY SUBMITTED BY:**

A handwritten signature in blue ink that reads "Annery Gonzalez". The signature is written in a cursive style and is positioned above a horizontal line.

ANNERY GONZALEZ, CMC  
CITY CLERK