



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

**WEDNESDAY, JULY 5TH, 2017
7:30 PM
COMMISSION CHAMBERS
901 S.W. 62ND AVENUE
WEST MIAMI, FLORIDA**

1. **INVOCATION.** Chief of Police Nelson Andreu gave the Invocation.
2. **PLEDGE OF ALLEGIANCE.** Police Captain Pedro Delgado led the Pledge of Allegiance.
3. **ROLL CALL:** The Mayor called the meeting to order at 7:44 P.M. Present were Mayor Eduardo H. Muñiña, Vice-Mayor Candida Blanca, Commissioner Juan M. Blanes, Commissioner Rhonda A. Rodriguez and Commissioner Luciano L. Suarez.
4. **PRESENTATION OF MINUTES FOR APPROVAL FOR JUNE 21ST, 2017 REGULAR CITY COMMISSION MEETING.** Commissioner Blanca motioned to approve the Minutes as presented. The motion was seconded by Commissioner Rodriguez. All voted in favor.

NOTE FOR THE RECORD: The Mayor requested taking Item 8 A) out of order. All were in favor.

5. **REPORT OF THE CITY MANAGER.** The City Manager commended the staff's great job at the 4th of July event.
6. **REPORT OF THE CITY ATTORNEY.** No report submitted.
7. **REPORT OF THE CITY ENGINEER.** No report submitted
8. **COMMITTEE REPORTS:**
 - **REPORT OF THE MAYOR.** The Mayor dittoed the City Manager's commendation to the employees that worked at the 4th of July event.

SPECIAL PRESENTATIONS:

- A) **PRESENTATION BY MDCLC PRESIDENT OLIVER GILBERT, III AND MDCLC EXECUTIVE DIRECTOR RICHARD KUPER.** Mayor of Miami Gardens and President of the Miami-Dade County League of Cities Oliver Gilbert, III 10605 N.W. 27th AVE, Miami, Gardens, FL addressed the Commission on issues of mutual interest.

NOTE FOR THE RECORD: The Mayor requested hearing Item 11 C).



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- B) **EXCHANGE OF CITY KEYS BETWEEN THE CITY OF WEST MIAMI AND THE TOWN OF MEDLEY.** The Mayor recommended making the request for approval for the exchange at the meeting of July 19th, 2017.
9. **CITIZEN PRESENTATIONS.** No presentations.
10. **UNFINISHED BUSINESS:**
- A) **NOMINATION OF MEMBERS AND ALTERNATE MEMBERS TO THE CHARTER REVIEW BOARD.** Mayor Muhiña nominated Joe Paz to the Charter Review Board. Commissioner Rodriguez nominated Antonia Chavez. Commissioner Suarez requested to postpone his nomination until the meeting of July 19th, 2017.
- B) **REPORT BY COMMISSIONER LUCIANO SUAREZ ON AIRBNB.** Commissioner Suarez reported the City of Miami had a pending litigation on the matter. Further, he made comments about the City of Miami Beach legislation on Vacation Rentals. Lastly, Commissioner Suarez commented the Miami-Dade County was in the process of adopting of an Ordinance addressing the issue of Vacation Rentals.
11. **NEW BUSINESS AGENDA ITEMS:**
- A) **SECOND READING; PUBLIC HEARING: AN ORDINANCE OF THE CITY OF WEST MIAMI AMENDING CHAPTER 10, AMENDING SECTION 10-5(J), CONSTRUCTION OR REPAIRING OF BUILDINGS, PROHIBITING THE ERECTION, DEMOLITION, ALTERATION OR REPAIR TO ANY BUILDING BETWEEN THE HOURS OF 7:00 P.M. THROUGH 8:30 A.M. MONDAY THROUGH FRIDAY, SATURDAY THE HOURS OF 7:00 P.M. THROUGH 9:30 A.M. AND ALLOWING SUNDAYS FROM 12:00 NOON TO 6:00 P.M.; AMENDING SECTION 10-5(O), PILE DRIVERS, HAMMERS, ETC., PROHIBITING THE USE OF ANY SUCH EQUIPMENT BETWEEN THE HOURS OF 7:00 P.M. TO 8:30 A.M. MONDAY THROUGH FRIDAY, SATURDAY THE HOURS OF 7:00 P.M. THROUGH 9:30 A.M. AND ALLOWING SUNDAYS FROM 12:00 NOON TO 6:00 P.M. ; AMENDING SECTION 10-5(Q) LANDSCAPING EQUIPMENT AND POWER TOOLS, PROHIBITING THE USE OF ANY SUCH EQUIPMENT BETWEEN THE HOURS OF 7:00 P.M. TO 8:30 A.M. MONDAY THROUGH FRIDAY SATURDAY THE HOURS OF 7:00 P.M. THROUGH 9:30 A.M. AND ALLOWING SUNDAYS FROM 12:00 NOON TO 6:00 P.M.; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND FOR AN EFFECTIVE DATE.** Chief Code Enforcement provided a detailed explanation of the proposed Ordinance.
The Mayor opened the Public Hearing.
There being no comments in favor or against, the Mayor closed the Public Hearing.



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Continued...

After a lengthy discussion Commissioner Blanes proposed to allow on the above mentioned sections of the Ordinance from Monday-Friday from 8:00 AM through 7:00 P.M., Saturday from 9:00 A.M. through 7:00 P.M. and Sundays from 10:00 A.M. through 7:00 P.M. Commissioner Suarez moved in favor of Commissioner Blanes' recommendation. The motion was seconded by Vice-Mayor Blanca and the vote was as follows: Mayor Muñia, Vice-Mayor Blanca, Commissioner Blanes and Commissioner Suarez voted yes and Commissioner Rodriguez voted no. The yes had it and the Ordinance passed.

- B) SECOND READING; PUBLIC HEARING: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI RATIFYING AND REAFFIRMING ORDINANCE # 2015-01 OF THE CITY OF WEST MIAMI PASSED AND ADOPTED JANUARY 15TH, 2015, VACATING, ABANDONING AND CLOSING THE ROAD DESIGNATED AS S.W. 21ST STREET BETWEEN S.W. 66TH AVENUE AND S.W. 67TH AVENUE (EXHIBIT A); AND ORDINANCE # 2015-07 OF THE CITY OF WEST MIAMI PASSED AND ADOPTED SEPTEMBER 2ND 2015, AMENDING AND ADDING AN ADDITIONAL 25 FEET OF SUCH S.W. 21ST STREET TO CONFORM WITH A CORRECTED SURVEY (EXHIBIT B); PROVIDING FOR AN ACCEPTANCE OF AN AMENDED REQUEST FOR THE CORRECTION OF A SCRIVENER'S OMISSION OF AN AREA FROM THE AMENDED VACATION OF 21ST STREET TO CONFORM WITH A SURVEY ATTACHED HERETO AS EXHIBIT C; PROVIDING FOR AN EFFECTIVE DATE.** The Director of Planning and Zoning provided background details of the Ordinance.

The Mayor opened the Public Hearing.

There being no comments in favor or against the Mayor closed the Public Hearing.

After a brief discussion Commissioner Suarez motioned to move the item forward. The motion was seconded by Commissioner Rodriguez. All voted in favor by a 5-0 voice vote.

NOTE FOR THE RECORD: The City Attorney was excused. The Mayor instructed the City Clerk to proceed with the regular order of the Agenda (Item 5.)

- C) PRESENTATION OF PROCLAMATION TO MIAMI-DADE FIRE RESCUE CAPTAIN ROMAN BAS FOR HIS RETIREMENT AFTER THREE DECADES OF SERVICE.** Commissioner Blanes provided biographic details and career accomplishments of Captain Bas. The City Commission presented a Proclamation to Captain Bas in company of his fellow firefighters, family, staff and the public.

NOTE FOR THE RECORD: The City Manager recommended to hear items 11 D) and E). All were in favor.



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- D) **PROPOSAL FOR INDEPENDENT AUDITING SERVICES FROM RODRIGUEZ TRUEBA AND CO. FOR PERIOD COMMENCING OCTOBER 1ST, 2017 THROUGH SEPTEMBER 30TH, 2022.** Gerardo Donates, Auditor from Rodriguez, Trueba and Co. spoke in support of the item. The City Manager recommended approval.
- E) **RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO EXECUTE PROFESSIONAL ENGAGEMENT LETTER FOR AUDITING THE CITY'S FINANCIAL STATEMENTS FOR FISCAL YEARS ENDING SEPTEMBER 30TH, 2018 THROUGH 2022; PROVIDING FOR EFFECTIVE DATE.** Upon motion by Vice-Mayor Blanca, second by Commissioner Rodriguez and unanimous 5-0 voice vote, the foregoing resolution was approved.

NOTE FOR THE RECORD: The City Attorney requested hearing items 11 F), G) and B) before excusing himself from the meeting.

- F) **REPORT BY THE OFFICE OF THE CITY ATTORNEY REGARDING THE OPERATION OF DISPENSING FACILITIES OF MEDICINAL MARIJUANA AND OPTIONS AVAILABLE TO THE CITY OF WEST MIAMI.** Commissioner Rodriguez yielded to the City Attorney on the item. The City attorney provided recent updates on issues concerning Marijuana.
- G) **A RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA, PERTAINING TO ESTABLISHING A TEMPORARY MORATORIUM FOR 180 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON THE ACCEPTANCE, REVIEW, APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES SECTION 163.3164(16), BUSINESS TAX RECEIPTS OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO SECTIONS 381.986 AND 499.0295 OF THE FLORIDA STATUTES, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW THE NEW CANNABIS BILL (SB 8-A, 3rd ENGROSSED) COMPASSIONATE MEDICAL CANNABIS ACT; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING RESOLUTION PROVISIONS.** Upon motion by Commissioner Suarez, second by Vice-Mayor Blanca and unanimous 5-0 vote, the foregoing Resolution was approved.



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- H) **ANNUAL EVALUATION OF THE CITY CLERK.** The Mayor recommended postponing this item and item 11 I) until the meeting of July 19th, 2017. After a brief discussion all were in favor.
- I) **ANNUAL EVALUATION OF THE CITY MANAGER AND PRELIMINARY DISCUSSION REGARDING A TRANSITION PLAN.** Postponed until January 19th, 2017.
12. **GOOD OF THE ORDER.** None.

ADJOURNMENT. There being no further business before the City Commission the meeting was declared adjourned at 9:10 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