



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

**WEDNESDAY, MAY 2<sup>ND</sup>, 2018  
7:30 PM  
COMMISSION CHAMBERS  
901 S.W. 62<sup>ND</sup> AVENUE  
WEST MIAMI, FLORIDA**

1. **INVOCATION.** City Manager Yolanda Aguilar 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, May 2<sup>nd</sup>, 2018, beginning at 7:40 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 Juan M. Blanes and Commissioner Luciano L. Suarez. Commissioner Candida Blanca was excused.

Also in attendance were: City Manager Yolanda Aguilar, City Attorney Jose A. Villalobos and City Clerk Annery Gonzalez.

4. **PRESENTATION OF MINUTES FOR APPROVAL FOR:**

**PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 4<sup>TH</sup>, 2018 REGULAR CITY COMMISSION MEETING.** Vice-Mayor Rodriguez motioned to approve the Minutes as presented, seconded by Commissioner Blanes. All voted in favor.

**PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 4<sup>TH</sup>, 2018 CHARTER REVIEW BOARD MEETING.** Vice-Mayor Rodriguez motioned to approve the Minutes as presented, seconded by Commissioner Blanes. All voted in favor.

**PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 10<sup>TH</sup>, 2018 SPECIAL CITY COMMISSION MEETING FOR THE DETERMINATION OF THE OFFICE OF VICE-MAYOR AND COMMISSIONER BY LOT.** Vice-Mayor Rodriguez motioned to approve the Minutes as presented, seconded by Commissioner Blanes. All voted in favor.

**PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 16<sup>TH</sup>, 2018 SPECIAL CITY COMMISSION MEETING - INDUCTION CEREMONY.** Commissioner Blanes motioned to approve the Minutes as presented, seconded by Vice-Mayor Rodriguez. All voted in favor.

**PRESENTATION OF MINUTES FOR APPROVAL FOR APRIL 18<sup>TH</sup>, 2018 REGULAR CITY COMMISSION MEETING.** Commissioner Blanes motioned to approve the Minutes as presented, seconded by Vice-Mayor Rodriguez. All voted in favor.



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**NOTE FOR THE RECORD:** The Mayor requested taking Items 11 J) and K) out of order. All were in favor.

**5. REPORT OF THE CITY MANAGER.** The City Manager submitted a written and verbal report as follows:

- City Budget 2018-2019

- Preliminary Budget Meeting - July 18<sup>th</sup>, 2018
- Tentative Budget Meeting - Tuesday, September 4<sup>th</sup>, 2018
- Final Budget Meeting - September 19<sup>th</sup>, 2018

All were in favor of holding the Budget meeting on the above captioned dates.

The City Manager further recommended canceling the September 5<sup>th</sup>, 2018 Regular Commission Meeting. All were in favor (4-0).

- Upcoming Audit Presentation for FY 9/30/2018
- Summer Camp 2018
- Recreation Advisory Board
- Florida Retirement System
- Retirement of Dispatcher Marcos Acosta and 35<sup>th</sup> Anniversary of Finance Director Mercedes Leon

As part of the report the City Manager recommended canceling the Regular City Commission Meeting of July 4<sup>th</sup>, 2018. All voted in favor.

**6. REPORT OF THE CITY ATTORNEY.** No report submitted.

**7. REPORT OF THE CITY ENGINEER.** No report submitted.

**8. COMMITTEE REPORTS.** Mayor Muñiña reported on the "Tree Planting Event" at Cooper Park, which he said was a success and the children learned and enjoyed it tremendously. Vice-Mayor Rodriguez reported about the presentation of merit awards to the graduates from Sylvania Heights Elementary School. In closing Vice-Mayor Rodriguez also reported on Career Day with the tour of City Hall and Mock Commission Meeting attended by the students of Somerset Academy.

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

**10. UNFINISHED BUSINESS:**

**A) NOMINATION OF MEMBER TO THE CODE ENFORCEMENT BOARD.** Vice-Mayor Rodriguez nominated Maria Diaz to the Code Enforcement Board.



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- B) **AFTER ACTION REPORT BY THE OFFICE OF THE CITY MANAGER REGARDING TRAFFIC CONCERNS EXPRESSED BY CITY RESIDENTS.** The City Manager provided a verbal and written report.

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

**11. NEW BUSINESS AGENDA ITEMS:**

- A) **PUBLIC HEARING:**

**PROPERTY ADDRESS:** 1340 SW 65 AVE  
WEST MIAMI, FL 33144

**SUPPD # 2018-002**

**PROPERTY OWNER:** CHRISTOPHER O. DELCALZO & MARIA E. DELCALZO

APPLICANT REQUESTS A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT FOR THE PROPERTY AT 1340 SW 65 AVE, WEST MIAMI, FL 33144. THE PROPERTY IS ZONED FOR R2 DUPLEX AND THE APPLICANT IS REQUESTING TO REDEVELOP THE PROPERTY BY DEMOLITION OF CERTAIN PARTITIONS AND RECONFIGURING THE EXISTING STRUCTURE FOR A NEWLY REMODELED TWO FAMILY ONE STORY DUPLEX. ZONING ORDINANCE 282 SECC. 2B. 4.1. The Director of Planning and Zoning provided the highlights of the project and answered questions. This project received a favorable recommendation by the Planning and Zoning Board. The property owners Christopher and Maria Descalzo were present. After a brief discussion the Mayor opened the Public Hearing. There being no comments in favor or against the Public Hearing was closed.

- B) **RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI APPROVING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AT 1340 SW 65 AVE, WEST MIAMI, FL 33144. APPLICANT REQUESTS A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT FOR THE REDEVELOPMENT OF THE PROPERTY BY DEMOLITION OF CERTAIN PARTITIONS AND RECONFIGURING THE EXISTING STRUCTURE FOR A NEWLY REMODELED TWO FAMILY ONE STORY DUPLEX AND IN LIEU OF THEREOF, REQUIRING CERTAIN TERMS AND CONDITIONS.** Upon motion by Commissioner Suarez, second by Commissioner Blanes and unanimous 4-0 voice vote, the foregoing Resolution was approved.



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**NOTE FOR THE RECORD:** The Mayor instructed the City Clerk to proceed with items 11 F) and G)

- C) **SECOND READING; PUBLIC HEARING: ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI FURTHER CLARIFYING THE DUTIES OF THE CITY MANAGER, SPECIFICALLY, DEFINING ARTICLE IV, SECTION 4.04(i) BY COMPLEMENTING THAT SECTION TO INCLUDE EXECUTION OF ALL DEEDS AND ANY OTHER DOCUMENTS AS THE CITY ADMINISTRATOR, AS AUTHORIZED BY ARTICLE IV, SECTION 4.04(j), AS DEFINED IN THE CITY OF WEST MIAMI CHARTER, AUTHORIZED BY THE CITY COMMISSION; PROVIDING FOR INTERPRETING PROVISIONS; PROVIDING FOR LEGISLATIVE INTENT; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.** The City Clerk informed this Public Hearing was advertised on a newspaper of general circulation following statutory requirements. There was a brief discussion. The Mayor opened the Public Hearing. There being no comments in favor or against the Mayor closed the Public Hearing. Commissioner Suarez motioned to approve the Ordinance on Second Reading. The motion was seconded by Commissioner Blanes. All voted in favor by a 4-0 voice vote.

**NOTE FOR THE RECORD:** The Mayor instructed the City Clerk to proceed with the original order of the Agenda, with Item 5.

- D) **FIRST READING: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA, AMENDING ORDINANCE 282, SECTION 5, SUBSECTION 5.2 "OFF-STREET PARKING, BY AMENDING PARKING REQUIREMENTS FOR LAND USE SECTIONS IN SINGLE FAMILY, DUPLEXES, APARTMENTS, MIXED USE CORRIDORS, MOTELS AND HOTELS, RETAIL BUSINESSES, COMMERCIAL, CHURCHES, THEATERS, AUDITORIUMS AND SIMILAR PLACES OF PUBLIC ASSEMBLY, RESTAURANTS AND PUBLIC DINING ROOMS, OFFICE BUILDINGS, CLINICS, HOSPITALS AND WELFARE INSTITUTIONS; ADDING SUBSECTIONS 5.10, AND 5.11; ESTABLISHING REQUIREMENTS FOR PARKING SPACES, ACCESS TO BUILDINGS AND VISITOR PARKING; ADDING SUBSECTIONS 5.2(B) TANDEM PARKING, SUBSECTION 5.2(C) VISITORS OF COMMERCIAL PROPERTY AND SUBSECTION 5.2(D) REGULATING PARKING WITHIN NON-PAVED AREAS OF PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** After a lengthy discussion Commissioner Blanes



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motioned to move the item forward seconded by Commissioner Suarez. The Mayor recommended deferring this item indefinitely and Vice-Mayor Rodriguez agreed. The vote was as follows: Commissioners Blanes and Suarez voted yes and Vice-Mayor Rodriguez and Mayor Muñiña voted no. The motion died.

**NOTE FOR THE RECORD:** The City Clerk recommended hearing Item 11 C). All were in favor.

- E) **REPORT BY FAUSTO GOMEZ, GOMEZ BARKER ASSOCIATES RE: LEGISLATIVE SESSION REPORT.** Deferred until the May 16<sup>th</sup>, 2018 Commission Meeting.
  
- F) **REQUEST FOR MITIGATION OF CODE ENFORCEMENT LIENS FOR CODE VIOLATIONS AT 5733 SW 9<sup>TH</sup> TERR, WEST MIAMI, FL AND OWNER GROUP 10 CAPITAL MANAGEMENT, LLC.** Present was the property owner Samuel Soriero, who requested mitigation of the liens for code violations. Also, on behalf of Group 10 Capital Management was Armando J. Bucelo, Jr., Esq., Chairman, 25 West Flagler Street, Suite 500, Miami, Florida 33130. After a brief discussion led to item 11 G).
  
- G) **RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO ACCEPT A MITIGATION OFFER IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) FROM GROUP 10 CAPITAL MANAGEMENT, LLC. ON CODE ENFORCEMENT LIENS FOR CODE VIOLATIONS AT THE PROPERTY LOCATED AT 5733 SW 9<sup>TH</sup> TERR , WEST MIAMI, FL; PROVIDING THAT IF PAYMENT IN FULL IS NOT PAID IN NINETY (90) DAYS THEN THE AMOUNT OWED SHALL REVERT TO THE ORIGINAL AMOUNT; PROVIDING FOR EFFECTIVE DATE.** Commissioner Blanes motioned to mitigate the liens for code violations for the amount of twenty five thousand dollars \$25,000.00 payable in ninety (90) days. After a discussion the Mayor made a friendly amendment for the amount of fifteen thousand dollars followed by another amendment by Commissioner Blanes for a mitigation amount of twenty thousand dollars (\$ 20,000.00). The motion was seconded by Commissioner Suarez. All voted in favor by a 4-0 voice vote.

**NOTE FOR THE RECORD:** Items 11 H) and I) were heard.

- H) **BID TABULATION REPORT BY THE OFFICE OF THE CITY CLERK RE: "COOPER PARK ELECTRICAL REPAIRS DUE TO HURRICANE IRMA AND CODE COMPLIANCE PROJECT" AND RECOMMENDATION BY STAFF.** Reported by City



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Clerk and Director of Public Works that on April 9<sup>th</sup>, 2018 bids for the above referenced project were received and publicly opened. Three bidders responded with bids ranging from \$21,883.00 to \$ 69,580.00. The low bidder was AU Electrical Service and Repair and the City Engineer recommended the award of this bid to the before mentioned company.

- I) **RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AU ELECTRICAL SERVICE AND REPAIR FOR THE AMOUNT OF TWENTY ONE THOUSAND EIGHT HUNDRED EIGHTY-THREE DOLLARS (\$ 21,883.00) FOR THE PURPOSE OF ACCOMPLISHING THE COOPER PARK ELECTRICAL REPAIRS DUE TO HURRICANE IRMA AND CODE COMPLIANCE PROJECT; PROVIDING FOR FUNDING FROM PARK IMPACT FEES; PROVIDING FOR EFFECTIVE DATE.** The City Manager informed the funds from Park Impact fees will be utilized for the project awaiting FEMA reimbursement. Upon motion by Commissioner Suarez, second by Commissioner Blanes and 4-0 voice vote, the foregoing Resolution was adopted.

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

- J) **REQUEST BY MIAMI-DADE COUNTY REGARDING EXECUTION OF INTELLOCAL AGENCY AGREEMENT AUTHORIZING ALL TRAFFIC CONTROL AND TRAFFIC ENGINEERING SERVICES UNDER THE EXCLUSIVE JURISDICTION OF THE COUNTY.** Present was Doraida Rodriguez, P.E., PTOE, Professional Engineer, on behalf of the Miami-Dade County Department of Transportation and Public Works, Traffic Engineering Division. Ms. Rodriguez presented the highlights of the Agreement and answered questions. Frank Alonso, City Engineer also provided his input as well as the Chief of Police. After a lengthy discussion item 11 K) was heard.
- K) **RESOLUTION OF THE MAYOR AND CITY COMMISSISON OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGENCY AGREEMENT WITH THE CITY OF WEST MIAMI AUTHORIZING ALL TRAFFIC CONTROL AND TRAFFIC ENGINEERING FUNCTIONS UNDER THE EXCLUSIVE JURISDICTION OF MIAMI-DADE COUNTY; PROVIDING FOR EFFECTIVE DATE.** Commissioner Blanes motioned to defer this item. Vice-Mayor Rodriguez proposed a friendly amendment to defer indefinitely. The Director of Public Woks recommended then to wait entertaining this contract until a traffic study is finalized. Subsequently Vice-Mayor Rodriguez motioned to follow the recommendation of the Director of Public Works. The motion was seconded by Commissioner Suarez. All voted in favor by a 4-0 voice vote.



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In closing, the City Manager and City Attorney were instructed to reach out to other municipalities regarding this agreement.

**NOTE FOR THE RECORD:** The Mayor welcomed Mr. Javier Fernandez, who was recently elected for State Representative, District 114. Mr. Fernandez spoke before the City Commission.

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

- L) REPORT BY THE OFFICE OF THE CITY CLERK REGARDING THE PLACEMENT OF CHARTER AMENDMENT QUESTIONS ON THE NOVEMBER 6<sup>TH</sup>, 2018 GENERAL ELECTION BALLOT.** The City Clerk reported about a recommendation by the Elections Department to place the Charter amendment questions on the August 28<sup>th</sup>, 2018 Primary Election Ballot due to the expected lengthy ballot for the Primary Election of November 6<sup>th</sup>, 2018. As of that date 13 state constitutional amendments were expected to appear on the November 6, 2018 General Election ballot. The County's Charter Review Task Force also had recommended 8 county charter amendments to the Miami-Dade Board of County Commissioners for their consideration. After a brief discussion the City Clerk was instructed to proceed with the request to place the two (2) Charter amendment questions recommended by the Charter Review Board on the November 6<sup>th</sup>, 2018 Ballot.
- M) REPORT BY THE OFFICE OF THE CITY CLERK IN CONNECTION TO REQUEST BY MIAMI-DADE ELECTIONS DEPARTMENT FOR THE USE OF THE WEST MIAMI COMMUNITY CENTER AS EARLY VOTING SITE FOR THE PRIMARY ELECTION OF AUGUST 28<sup>TH</sup>, 2018 AND GENERAL ELECTION OF NOVEMBER 6<sup>TH</sup>, 2018.** The City Clerk reported about the request by the Elections Department for the use of the West Miami Community Center for Early Voting for the August 28<sup>th</sup>, 2018 Primary Election and November 6<sup>th</sup>, 2018 General Election. For the Primary Election the tentative requested days would be from August 8<sup>th</sup>, 2018 to August 26<sup>th</sup>, 2018 including set up of voting equipment and for the General Election the requested days would be from October 16<sup>th</sup>, 2018 through November 4<sup>th</sup>, 2018. After a lengthy discussion the City Clerk was instructed to seek an alternate location to relocate the seniors during the above mentioned periods of time. Also to request funding from the Miami-Dade District Six Office.



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N) A RESOLUTION OF THE CITY OF WEST MIAMI, FLORIDA, AMENDING THE FIVE YEAR TRANSPORTATION PLAN FOR THE CITIZENS INDEPENDENT TRANSPORTATION TRUST FOR THE FIVE YEAR FISCAL PLAN 2017 - 2021 FOR THE CITY OF WEST MIAMI BY ADDING \$ 80,000.00 OF PTP RESERVES TOWARDS THE PREVIOUSLY APPROVED \$ 160,000.00 FOR PHASE I SIDEWALKS REPAIRS; AND REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS AND OTHER TERMS AND CONDITIONS. The Director of Public Works recommended approval. Upon motion by Commissioner Blanes, second by Commissioner Suarez and 4-0 voice vote, the foregoing Resolution was approved.

12. **GOOD OF THE ORDER.** Vice-Mayor Rodriguez reported she has been made aware of problems with short term rentals in the City and recommended the possibility of re addressing this issue. The City Attorney stated he was in the process of drafting an ordinance.

The Mayor also recommended that items that need a thorough consideration should be brought first for discussion before entertaining any piece of legislation.

**ADJOURNMENT.** There being no further business before the City Commission the meeting was declared adjourned at 10:21 P.M.

**RESPECTFULLY SUBMITTED BY:**

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

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ANNERY GONZALEZ, CMC  
CITY CLERK