



VILLAGE OF PINECREST
Village Council Meeting

REGULAR MEETING MINUTES

TUESDAY, DECEMBER 8, 2015, 6:00 P.M.

PINECREST MUNICIPAL CENTER/COUNCIL CHAMBER
12645 PINECREST PARKWAY
PINECREST, FLORIDA

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 6:00 p.m. Present were the following:

Councilmember Cheri Ball
Councilmember Doug Kraft
Councilmember Bob Ross
Vice Mayor James E. McDonald
Mayor Cindy Lerner

Village Manager Yocelyn Galiano
Village Clerk Guido Inguanzo
Village Attorney Mitchell Bierman

II. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

III. CONSENT AGENDA: The following items were presented per the Council's consent agenda policy pursuant to Ordinance 2014-6:

- Minutes of November 10, 2015 (Regular)
- A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE ATTORNEY'S OFFICE FOR PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS; PROVIDING FOR AN EFFECTIVE DATE. (2015-50)



ANNIVERSARY

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Vice Mayor McDonald made a motion approving the consent agenda items. The motion was seconded by Councilmember Ross and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

IV. AGENDA/ORDER OF BUSINESS: There were no changes to the agenda.

V. SPECIAL PRESENTATIONS: The clerk presented councilmembers with commemorative license plates that will be installed on the Village's fleet to mark the Village's 20th anniversary in 2016.

Miami-Dade School Board Member Larry Feldman, CFO Judy Marte and Assistant Superintendent Raul Perez made a presentation regarding the School Board's budget and the 21st Century Schools bond program.

VI. ORDINANCES: The clerk read the following ordinance, on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 26 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" OF THE VILLAGE CODE OF ORDINANCES BY AMENDING ARTICLE V "ARTICLES IN THE PUBLIC RIGHT-OF-WAY" TO PROVIDE FOR REGULATIONS, CONDITIONS AND METHODS OF ENFORCEMENT FOR THE REMOVAL OF ABANDONED OR REDUNDANT UTILITY FACILITIES, AS DEFINED THEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Mark Spanioli participated in discussions with the Council.

Charles Knight, representing FPL, and Alex Dominguez, representing ATT, addressed the Council.

Councilmember Ross made a motion adopting the ordinance on first reading. The motion was seconded by Vice Mayor McDonald and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The clerk announced the second reading of the ordinance for January 12, 2016.

The clerk read the following ordinance, on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE PINECREST CODE OF ORDINANCES TO REPEAL CHAPTER 30, DIVISION 6.3 (FLOOD DAMAGE PREVENTION); TO ADOPT A NEW CHAPTER 30, DIVISION 6.3 (FLOODPLAIN MANAGEMENT); TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Planning Director Stephen Olmsted and Building Official Leo Llanos participated in discussions with the Council.

The mayor opened the public hearing. The following residents addressed the Council: Al Kramer, 7120 Southwest 95 Street; John Pistorino, 6535 Southwest 123 Street; and Karen Ross, 6701 Southwest 94 Street.

Vice Mayor McDonald made a motion adopting the ordinance on second reading. The motion was seconded by Councilmember Ball. Ordinance 2015-14 was adopted by a 3 – 2 roll call vote. The vote was as follows: Councilmembers Ball, Vice Mayor McDonald, and Mayor Lerner voting Yes; Councilmembers Kraft and Ross voting No.

The clerk read the following ordinance, on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA; AMENDING THE 2014-2015 OPERATING AND CAPITAL OUTLAY BUDGET (4th QUARTER); PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened the public hearing. There were no speakers present.

Vice Mayor McDonald made a motion adopting the ordinance on second reading. The motion was seconded by Councilmember Ross. Ordinance 2015-15 was adopted by a 4 – 1 roll call vote. The vote was as follows: Councilmembers Ball, Ross, Vice Mayor McDonald, and Mayor Lerner

voting Yes; Councilmember Kraft voting No.

VII. REPORTS AND RECOMMENDATIONS: The mayor discussed supporting the legal defense of the EPA's Clean Power Plan by signing on to an amicus brief along with other local governments. Vice Mayor McDonald made a motion approving the Village's participation. The motion was seconded by Councilmember Kraft and adopted by unanimous consent.

Councilmember Kraft discussed proposed amendments to the Land Development Regulations relating to accessory buildings, triangle of visibility and fences.

The Council discussed the 2016/2017 MPO grant application process.

Councilmember Ross recommended an application to study the use of Uber as the provider of an on-demand transportation service for the Village's senior citizens. Councilmember Ross made a motion directing the manager to prepare a scope of services to compete for an MPO grant for such a purpose. The motion was seconded by Councilmember Kraft. There was no action on the motion.

The manager recommended an application for a Village-wide traffic study, traffic calming for Southwest 100th Street and a traffic calming study for Southwest 60th/62nd Avenue.

The mayor recommended an application for bike routes.

The manager submitted the following communiqués to the Council:

- December 2015 Follow-up Report
- Monthly Department Reports
- Pinecrest People Mover Ridership Report
- Tree City USA 2015 Certification Correspondence
- Knight Arts Award Announcement Memorandum
- On-Demand Transportation Service Memorandum

The clerk submitted the roster of appointees to the 2016 Zoning Board.

Councilmember Kraft made a motion ratifying the manager's appointment of Jason Timmons and the mayor's appointment of Ethan Shapiro pursuant to Division 2.3(a) of the Land Development Code. The motion was seconded by Councilmember Ball and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The Council rescheduled the regular February meeting to February 16, 2016, due to a conflict with Miami-Dade Days in Tallahassee, and cancelled the Committee of the Whole meeting previously scheduled for that date.

The clerk submitted a copy of the following Committee Action Forms pursuant to Ordinance 2013-7:

- Transportation Advisory Committee (September 20, 2015)
- Community Center Advisory Committee (November 9, 2015)

VII. RESOLUTIONS: The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, ADOPTING PARKING RESTRICTIONS ON THE 7100 BLOCK OF SOUTHWEST 128 STREET PURSUANT TO ORDINANCE 2001-6; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kraft made a motion adopting the resolution and directing the manager to discuss the matter with school officials. The motion was seconded by Vice Mayor McDonald. Resolution 2015-51 was adopted by a 3 – 2 voice vote. The vote was as follows: Councilmembers Kraft, Ross, and Vice Mayor McDonald voting Yes; Councilmember Ball and Mayor Lerner voting No.

IX. PLANNING: The following proceeding was held by the Council, pursuant to Chapter 2 (Article VI) of the Code of Ordinances, at 8:00 p.m. time certain:

All witnesses giving testimony were sworn-in by the clerk.

Hearing Number 2015-1208-1. CENSIG Pinecrest Holdings, LLC, the applicant, requested approval of a modification to Development Order 2015-0609-1 to delete or modify two conditions of approval of the preliminary plat for CENSIG Pinecrest Subdivision (1. Condition #4 – which prohibits the widening of 78th Court or paving of additional right-of-way proposed to be dedicated and 2. Condition #7 – which requires the applicant to identify specimen trees to be relocated to the swale) for the property located at 7853 Southwest 112 Street.

Bob Liu, 1411 Siena Avenue, Coral Gables, representing the applicant, addressed the Council.

Planning Director Olmsted gave an oral report, based on staff's memorandum of December 2, 2015, recommending the following:

- Modification of Condition #4 as follows:

Dedication of additional right-of-way as shown on the submitted preliminary plat and construction of required road improvements pursuant to the requirements of the Pinecrest Public Works Department, ~~except that the Southwest 78 Court right-of-way shall not be widened or paved and existing one-way road shall be preserved, and~~ Construction of pedestrian sidewalks adjacent to both adjoining roads shall be completed subject to review and approval of the Administrative Official;

- Denial of modification to Condition #7

The mayor opened the public hearing. The following resident addressed the Council: Paul McClelland, 11135 Southwest 78 Court; Ken Feeley, 11050 Southwest 78 Court; Tricia Conner, 11100 Southwest 78 Court; Charles Collins, 11030 Southwest 78 Court; and Sat Tyagi, 11037 Southwest 78 Court.

Vice Mayor McDonald made a motion approving the request. The motion was seconded by Councilmember Ball and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

X. SCHEDULE OF FUTURE MEETINGS: The following schedule of future meetings was presented to the public:

- VILLAGE COUNCIL
TUESDAY, JANUARY 12, 2016, 6:00 P.M.
- VILLAGE COUNCIL (COMMITTEE OF THE WHOLE)
TUESDAY, JANUARY 26, 2016, 9:00 A.M.

XI. ADJOURNMENT: The meeting was adjourned at 10:40 p.m.

Respectfully submitted:



Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved by the Village Council
this 12th day of January, 2016:



Cindy Lerner
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (FLORIDA STATUTES).