



**CITY OF WEST MIAMI
COMMISSION MEETING MINUTES**

**REGULAR COMMISSION MEETING
VIRTUAL MEETING
WEDNESDAY, OCTOBER 7TH, 2020
10:00 AM
ZOOM VIDEO CONFERENCING
<https://zoom.us/j/3255236059>**

NOTE FOR THE RECORD: The City Clerk read the instructions to participate in the virtual Commission Meeting.

1. **INVOCATION.** City Manager Yolanda Aguilar gave the Invocation.
2. **PLEDGE OF ALLEGIANCE.** Code Enforcement Officer Martin Garcia led the Pledge of Allegiance.
3. **ROLL CALL.** The City Commission for the City of West Miami met in regular virtual session on Wednesday, October 7th, 2020 beginning at 10:04 A.M. through Zoom Video Conferencing <https://zoom.us/j/3255236059>
Present virtually were: Mayor Rhonda A. Rodriguez, Commissioner Candida Blanca and Commissioner Juan M. Blanes. Vice-Mayor Eric Diaz-Padron and Commissioner Luciano L. Suarez were excused.
Also in attendance were: City Manager Yolanda Aguilar, City Clerk Annery Gonzalez and City Attorney Jose A. Villalobos were present through Zoom.
4. **PRESENTATION OF MINUTES FOR APPROVAL FOR SEPTEMBER 16TH, 2020 REGULAR COMMISSION VIRTUAL MEETING.** Commissioner Blanca motioned to approve the Minutes as presented, seconded by Commissioner Blanes. All voted in favor by a 3/0 voice vote.

PRESENTATION OF MINUTES FOR APPROVAL FOR SEPTEMBER 23RD, 2020 SPECIAL COMMISSION VIRTUAL MEETING AND FINAL BUDGET HEARINGS. Commissioner Blanes motioned to approve the Minutes as submitted. The motion was seconded by Commissioner Blanca. All voted in favor by a 3/0 voice vote.
5. **PUBLIC COMMENTS.** No comments from the public.
6. **REPORT OF THE CITY MANAGER.** The City Manager submitted a verbal report, which included the following:
 - CARES Act Reimbursement Request
 - Compliance of Emergency Orders
 - Groundbreaking Ceremony for Water Main Potable Water Phase 1 Project
 - Holidays 2020 Calendar
7. **REPORT OF THE CITY ATTORNEY.** The City Attorney reported the Court of Appeals has not yet scheduled a hearing date on the case of Banyan Healthcare vs. City of West Miami.



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

**WEDNESDAY, OCTOBER 7TH, 2020
10:00 AM
(PAGE 2 OF 6)**

- 8. REPORT OF THE CITY ENGINEER.** No report submitted.
- 9. COMMITTEE REPORTS.** The Mayor reported she had received a call from a resident about concerns regarding the City's outdated Fence Ordinance. The Director of Planning and Zoning provided highlights of what a revision of the Fence Ordinance would entail. After a discussion all were in favor by a 3/0 voice vote to remand the Ordinance to the Planning and Zoning Board for review and recommendation.

10. UNFINISHED BUSINESS:

- A) Discussion re: 2020 Halloween possible Candy Drive.** The Mayor expressed if any type of activity or event was intended to be held for Halloween, a decision needed to be made as soon as possible, so she requested staff recommendations. The City Manager recommended holding a Drive-By Halloween in front of the Recreation Center. The Police Chief, Recreation Director and Director of Public Works were in agreement to hold the event. The City Attorney recommended taking certain safety precautions. All commissioners voted in favor of holding the event on October 31st, 2020 from 6:00 – 8:00 PM.

11. NEW BUSINESS AGENDA ITEMS:

A) Public Hearing:

Property Address: 1501 SW 66th AVE West Miami, FL 33144

SUPPD # 2020-003

Property Owner: Majo Properties Holdings, LLC. 8500 SW 8th ST, #228 Miami, FL 33144

Applicant requests a Special Use Permit for Plan Development for the property at 1501 SW 66th Avenue, West Miami, Florida 33144. The property is zoned for R2 Duplex and the applicant is requesting to redevelop the parcel to allow a new three (3) bedroom (3) three bath house for the two-family one-story duplex structure. Zoning Ordinance 282 Sec.2B, 4.1.

The Director of Planning and Zoning provided the highlights of the project and informed the application was heard before the Planning and Zoning Board on September 22nd, 2020 with a favorable recommendation with certain conditions. The City Attorney recommended both units be painted with the same color.

Jose Machado, from Machado and Herran PA, 8500 SW 8th ST, # 228, Miami, FL spoke on behalf of the applicant, Majo Properties Holdings, LLC.

The Mayor opened the Public Hearing. There being no comments in favor or against, the Public Hearing was closed by the Mayor.

There was brief discussion about the project's proposed landscaping.



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

WEDNESDAY, OCTOBER 7TH, 2020

10:00 AM

(PAGE 3 OF 6)

- B) RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI FOR SITE APPROVAL/DENIAL OF SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT NUMBER 2020-003 FOR MAJO PROPERTIES HOLDINGS, LLC. LOCATED AT 1501 SW 66TH AVE, WEST MIAMI, FL 33144, LISTING REQUIREMENTS FOR DEVELOPMENT OF CERTAIN LANDS IN THE CITY OF WEST MIAMI; REQUIRING COMPLETE DEVELOPMENT OF ALL LAND AND IN LIEU OF THEREOF, REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS AND OTHER TERMS AND CONDITIONS, SUBJECT TO APPROVAL OF ANY OTHER REGULATORY AGENCY.** Upon motion by Commissioner Blanes, second by Commissioner Blanca and 3/0 voice vote, the foregoing Resolution was approved and entered into the record.

Daniel Herran, the property owner, spoke in support of the project and thanked the Commission.

C) Public Hearing:

Property Address: 6480 SW 20th TERR West Miami, FL 33155

SUP # 2020-004

Property Owner: Leticia Rios 6480 SW 20th TERR West Miami, FL 33155

Applicant requests a Special Use Permit for the renovation of the property located at 6480 SW 20th Terrace, West Miami, Florida, providing for a two-story addition to the single-family home. Property zoned Residential Single family. Zoning Ordinance 282 Sec.2A.1, (Section 4.17, Zoning Ordinance 282). The Director of Planning and Zoning provided the highlights of the project and informed the application was heard before the Planning and Zoning Board on September 22nd, 2020 with a favorable recommendation with certain conditions.

The property owner, Leticia Rios, 6480 SW 20th TERR, West Miami, FL, spoke in support of the project.

The Director of Planning and Zoning provided the highlights of the project and informed the all the advertising requirements had been met.

The Mayor opened the Public Hearing. There being no comments in favor or against, the Public Hearing was closed by the Mayor.

- D) RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI FOR SITE APPROVAL/DENIAL OF SPECIAL USE PERMIT NUMBER 2020-004 AT 6480 SW 20TH TERR, WEST MIAMI, FL 33155; THE PROPERTY IS CURRENTLY ZONED FOR R-1 SINGLE FAMILY; THE APPLICANT IS REQUESTING TO RE-DEVELOP THE PARCEL TO ALLOW A TWO-STORY HOUSE; REQUIRING CERTAIN TERMS AND CONDITIONS PURSUANT TO ZONING ORDINANCE 282, SECTION 2A, 4.1.** Upon motion by Commissioner Blanes, second by Commissioner Blanca and 3/0 voice vote, the foregoing Resolution was approved and entered into the record.



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

**WEDNESDAY, OCTOBER 7TH, 2020
10:00 AM
(PAGE 4 OF 6)**

E) Request for Mitigation of lien for code violation at the property located at 6200 SW 8th ST, West Miami, FL 33144 and owner Jenesco Partners, LLC. Code Enforcement Officer Martin Garcia provided an overview of the case at hand. A discussion ensued about the particulars of the violation. The City Attorney added he had been in contact with Victor de Yurre, the Attorney representing the property owner, who had requested mitigation through the Office of the City Manager and City Attorney. After a discussion the City Manager recommended a mitigation amount of Five Hundred(\$ 500.00) Dollars.

F) Resolution of the Mayor and the City Commission of the City of West Miami authorizing the City Manager to accept a mitigation offer in the amount of Five Hundred Dollars \$ 500.00 from Jenesco Partners, LLC. on Code Enforcement Lien, Case No. 1803041 for Code Violation at the property located at 6200 SW 8th ST, West Miami, FL.; providing that if payment in full is not paid by _____ then the amount owed shall revert to the original lien amount; providing for an effective date. The City Manager recommended the mitigation amount be paid in thirty days, by November 6th, 2020. Commissioner Blanes disagreed with the City Manager's recommendation and amended the payment date to be in twenty-four (24) hours. Further, the City Attorney suggested to pay the fine in twenty-four (24) hours after being notified by the City. Furthermore, the Mayor recommended forty-eight (48) hours after being notified by the City. All were in agreement and the due date was set for Friday, October 9th, 2020 by 4:30 PM. The Resolution was proposed as follows:

RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO ACCEPT A MITIGATION OFFER IN THE AMOUNT OF FIVE HUNDRED DOLLARS \$ 500.00 FROM JENESCO PARTNERS, LLC. ON CODE ENFORCEMENT LIEN, CASE NO. 1803041 FOR CODE VIOLATION AT THE PROPERTY LOCATED AT 6200 SW 8TH ST, WEST MIAMI, FL.; PROVIDING THAT IF PAYMENT IN FULL IS NOT PAID BY OCTOBER 9TH, 2020 4:30 PM THEN THE AMOUNT OWED SHALL REVERT TO THE ORIGINAL LIEN AMOUNT; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Blanca motioned to approve the Resolution as discussed, seconded by Commissioner Blanes. All voted in favor by a 3/0 voice vote.

G) Report and recommendation by the Office of the City Manager Re: State of Florida Executive Orders, Virtual Meetings and Phase 3 reopening plans. The City Manager made reference to three memorandums issued by her office and more particularly the one issued on October 1st, 2020, which was included in the Agenda Packet. Further the City Manager asked the Commission to weight in and give some directions on how to proceed, as follows:

- **Curfew:** Established by Miami-Dade County Mayor Carlos Gimenez, in effect between the hours of 11:00 PM – 6:00 AM
- **Noise:** The Police Department had been instructed to monitor gatherings/parties in the commercial and residential areas



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

WEDNESDAY, OCTOBER 7TH, 2020

10:00 AM

(PAGE 5 OF 6)

- **Restaurants and Food Service:** Being monitored to make sure requirements are followed
- **West Miami Community Center:** The City Manager recommended that the West Miami Community Center remain closed until the end of Early Voting (Monday, October 19th, 2020 – Sunday, November 1st, 2020) and pending the outcome of a survey being conducted. The Director of Public Works informed two air conditioning units at the Community Center were in need of replacement. This was a budgeted item. The Director of Public Works further informed if the plan is to open the Community Center by November the bidding process would have to be waived in order to have the units installed by that time. The City Attorney recommended declaring an emergency, since this is a service that is vital to the elderly of the City of West Miami and it is a matter of health, safety and welfare of the citizens, to instruct the administration to secure proposals and waive the bidding process by adding this item on the Agenda. All voted in favor of the City Attorney's recommendation by a 3/0 voice vote.
- **Venue Rentals:** The City Manager recommended postponing the venue rentals until after the beginning of 2021 for both sites (Community Center and Multipurpose Facility). All were in favor of the City Manager's recommendation. The City Manager also spoke in support of adding to the agenda an item declaring an emergency, instruct the administration to secure proposals for the replacement of air conditioning units at the Multipurpose Facility and waive the bidding process. All voted in favor by a 3/0 voice vote.
- **West Miami Recreation Center:** The City Manager recommended that all restrooms close at 4:00 PM daily during the week and remain completely closed during the weekend at the unsupervised parks. Also, the City Manager recommended closing the restrooms at the Recreation Center at 4:00 PM and on Sundays, although same is a supervised park. The Recreation Center equipment and water fountain will remain closed.
- **After-School Care:** The City Manager recommended that the After-School Care program resume on Monday, October 19th, 2020 instead of November 9th, 2020 as recommended previously. All voted in favor of following the City Manager's recommendation by a 3/0 vote.
- **Virtual City Commission Meetings:** The City Manager informed the Office of the Governor had extended the emergency order of virtual meetings until November 1st, 2020.

NOTE FOR THE RECORD: The Mayor requested a short break at 12:02 PM. The meeting was called back to order by the Mayor at 12:05 PM. Present were Mayor Rhonda A. Rodriguez, Commissioner Candida Blanca and Commissioner Juan M. Blanes.

The City Attorney recommended awaiting the next Emergency Order and Attorney General Opinion on the issue.



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

WEDNESDAY, OCTOBER 7TH, 2020

10:00 AM

(PAGE 6 OF 6)

- **Cooper Park, Garden Club and Lorraine Parks:** The City Manager recommended to keep those areas off limits to the public at least for the next two weeks. All were in favor by a 3/0 voice vote.

H) Report by the Office of the City Manager Re: Annexation. The City Manager reported she had been contacted by the Office of Vice-Chairwoman Sosa regarding the possibility of annexation to the West. The Mayor requested this conversation be made part of the record. The City Manager reported having individual conversations with all the members of the City Commission prior to the meeting. The City Manager further reported that the Vice-Chairwoman withdrew the matter. No action was taken.

12. CONSENT AGENDA ITEMS: None.

13. GOOD OF THE ORDER: The Mayor thanked her colleagues and staff for their efforts through these times.

ADJOURNMENT. There being no further business before the City Commission the meeting was declared adjourned at 12:19 PM.

RESPECTFULLY SUBMITTED BY:

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

**ANNERY GONZALEZ, MMC
CITY CLERK**

APPROVED: *10/21/2020 Regular Commission Meeting*