



VILLAGE OF PINECREST
Village Council Meeting

REGULAR MEETING MINUTES

TUESDAY, OCTOBER 18, 2016, 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

Assistant Village Manager Maria Menendez
Village Clerk Guido Inguanzo
Village Attorneys Mitchell Bierman and Chad Friedman

II. PLEDGE OF ALLEGIANCE: The mayor led the Pledge of Allegiance.

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

- Minutes of September 13, 2016 (Regular)
- Minutes of September 20, 2016 (Special)

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



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The following item was withdrawn from the consent agenda by Councilmember Ross and considered separately by the Council:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT, ON BEHALF OF THE VILLAGE, WITH MIAMI-DADE COUNTY, FLORIDA FOR THE MULTI-AGENCY GANG TASK FORCE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Vice Mayor McDonald. Resolution 2016-46 was 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: Raul Vergara, 8301 Southwest 184 Lane, Cutler Bay, of Cutler Bay Solar Solutions, made a presentation regarding proposed Amendment 1 to the Florida Constitution, relating to solar energy, on the November 8, 2016 ballot.

Councilmember Ball and members of the Youth Advisory Council (YAC) made a special presentation to Mayor Lerner in recognition of her leadership of the YAC.

Vice Mayor McDonald, on behalf of the Council, presented plaques and bronze seals to Councilmember Ross and Mayor Lerner in recognition of their eight years of service as members of the Village Council.

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

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA; AMENDING THE 2015-2016 OPERATING AND CAPITAL OUTLAY BUDGET (3rd 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 Ball. Ordinance 2016-8 was 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 read the following ordinance, on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, ADOPTING TEXT AMENDMENTS AND UPDATES TO THE GOALS, OBJECTIVES, AND POLICIES OF THE VILLAGE OF PINECREST COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL REQUIRED REVIEWING AGENCIES; AND PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Planning Director Stephen Olmsted made a brief presentation and a synopsis of comments from reviewing agencies.

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

Vice Mayor McDonald made a motion adopting the ordinance on second reading with minor edits submitted by the Planning Director. The motion was seconded by Councilmember Kraft. Ordinance 2016-8 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

VII. REPORTS AND RECOMMENDATIONS: The mayor discussed a request for the waiver of fees for the use of Pinecrest Gardens' Banyan Bowl for a performance by the *Sultan of Strings* for a fundraiser to be held on January 12, 2017. Councilmember Ross made a motion approving the request subject to payment of \$250 for a sound engineer. 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 mayor discussed general infrastructure improvements the Village Council should review in the foreseeable future and consider for inclusion in the future capital improvement plan.

The manager submitted the following written communiqués to the Council:

- October 2016 Follow-up Report
- Monthly Departmental Reports
- Certificate for Excellence in Financial Report Notification
- 2016-17 Pinecrest Gardens Sponsorships Memorandum

The assistant manager reported on the proposed widening of 70th Avenue from 100th Street to 104th Street abutting Coral Pine Park.

The Council discussed the Village's continuing participation in the National League of Cities' *Service Line Warranty Program*. Councilmember Ross made a motion to cease participation in the program. The motion was seconded by Councilmember Ball and adopted on a 3 – 2 voice vote. The vote was as follows: Councilmembers Ball, Kraft and Ross voting Yes; Vice Mayor McDonald and Mayor Lerner voting No.

The clerk submitted a copy of the following proclamation issued by the mayor pursuant to Resolution 96-32:

- Miami Palmetto Senior High School PTSA Day (October 20, 2016)

VIII. RESOLUTIONS: The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, TERMINATING PARTICIPATION IN THE HOMELESS TRUST'S ADOPT-A-HOMELESS METER DONATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Councilmember Kraft and failed on a 2 – 3 voice vote. The vote was as follows: Councilmembers Kraft and Ross voting Yes; Councilmember Ball, Vice Mayor McDonald and Mayor Lerner voting No.

Councilmember Kraft made a motion directing staff to remove the "Feed the Meter" sign accompanying the donation meter. The motion was seconded by Councilmember Ross and adopted by a unanimous consent.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Vice Mayor McDonald. Resolution 2016-47 was 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 discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER AND VILLAGE CLERK TO COORDINATE WITH CIVIC INCITE, LLC, TO MAKE THE PUBLIC NOTICES AND VILLAGE COUNCIL AGENDAS FOR THE VILLAGE OF PINECREST MORE EASILY ACCESSIBLE TO THE PUBLIC; PROVIDING FOR TRANSMITTAL AND AN EFFECTIVE DATE.

Vice Mayor McDonald made a motion adopting the resolution. The motion was seconded by Councilmember Ross. Resolution 2016-48 was 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 discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, EXPRESSING SUPPORT OF A MIAMI-DADE COUNTY INITIATIVE TO SECURE FUNDING TO ASSIST WITH THE ELIMINATION OF SEPTIC SYSTEMS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Vice Mayor McDonald. Resolution 2016-49 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

IX. PLANNING: The following proceedings were 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 2016-1018-1. Mimi Oliveira, the applicant, requested an appeal of the Zoning Board's July 27, 2016 approval of GFB Enterprises, LLC and BFI Pinecrest, LLC request for variances from the height requirements of Division 4.3(e)6(b) of the Land Development Regulations to permit a maximum building height of 52.35 feet, instead of 45.0 feet otherwise permitted, for the planned "elevator ride" portion of a proposed automobile sales building for the properties located at 10601 and 10661 Pinecrest Parkway (US 1).

Lilian Ser, 2100 Ponce de Leon Boulevard, Coral Gables, representing the applicant, addressed the Council.

Jerry Proctor, 1450 Brickell Avenue, Miami, and Aris Garcia, 1500 San Remo Avenue, Coral Gables, representing the property owner at 10601 and 10661 Pinecrest Parkway, addressed the Council.

Planning Director Olmsted gave an oral report, based on staff's memorandum of October 11, 2016, recommending denial of the request.

The mayor opened the public hearing. Tim Foreman, 10650 Southwest 77 Court, and Kathy Nordlund, 7141 Southwest 139 Street, Miami, addressed the Council.

Councilmember Ross made a motion reversing the Zoning Board's decision of July 27, 2016 and adopting staff's recommendation. 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.

Hearing Number 2016-1018-2. Rebeca Paredes, the applicant, requested a conditional use to allow lighting of tennis courts pursuant to the requirements of Division 5.25 of the Land Development Regulations, and in compliance with the requirements for a conditional use permit as provided in Division 3.3, for the property located at 8000 Southwest 122 Street.

Nancy Hector, 1141 South Alhambra Circle, Coral Gables, representing the applicant, addressed the Council.

Planning Director Olmsted's memorandum of October 11, 2016, recommending approval of the request subject to the following conditions, was submitted for the record:

- Submittal of revised plans to show a maximum overall height of poles and fixtures of 18 feet.
- Outdoor lights shall include shields provided by the manufacturer and lights with shields shall be shown on a revised plan prior to the issuance of building permits.
- Submittal of a photometric drawing prior to the issuance of building permits showing lighting levels at all property lines of 0.5 foot candles or less.
- Maintenance of the existing landscape buffer along the east, west and south property lines adjacent to the tennis court.
- Outdoor court lighting shall not be used between the hours of 10:00 p.m. and 8:00 a.m.
- Submittal of a letter of compliance from a registered engineer or architect stating that the installation has been inspected under operating conditions and found to be consistent with the approved plans, conditions of approval, and all applicable requirements of the Land Development Regulations including maximum permitted lighting levels that do not exceed 0.5 foot-candles along all property lines.
- Approval of required building and electrical permits and inspections by the Building and Planning Department for the exterior lighting of the tennis court.

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

Vice Mayor McDonald made a motion adopting staff's recommendation. The motion was seconded by Councilmember Kraft 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.

Hearing Number 2016-1018-3. GREC Pinecrest, LLC and Bindor Townhomes, Inc. the applicant, requested approval of a Final Plat ("Villas at Pinecrest") for the combination of two parcels (Lots 1 and 2 of Block 1 of corrected plat of Flagler Grove Estates Section One) for the property located at 7520 Southwest 100 Street.

Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Miami, representing the applicant, addressed the Council.

Planning Director Olmsted's memorandum of October 11, 2016, recommending approval of the request subject to the following conditions, was submitted for the record:

1. Compliance with all requirements of the Land Development Regulations and permitting requirements, and all platting and development requirements of Miami-Dade County.

2. Recording of the Covenant in Lieu of Unity of Title as approved by the Village Attorney prior to the issuance of building permits.
3. Execution and recording of the Declaration of Restrictive Covenants and Easement and Operating Agreement prior to issuance of building permits.
4. Village Council approval of a resolution requesting establishment of the dormant special taxing district by Miami-Dade County Board of County Commissioners.
5. Approval of the dormant special taxing unit by the Miami-Dade County Board of County Commissioners prior to final approval and recording of the final plat.
6. Provision of a central water system and central sewer in accordance with the requirements of Miami-Dade County Water and Sewer Department, concurrency management requirements, and an approved water and sewer agreement.
7. Provision of swales within the adjacent Southwest 100 Street right-of-way consistent with requirements of the Village's Department of Public Works prior to issuance of building permits.
8. Maintenance of landscaping and treatment of walls and with anti-graffiti paint.
9. Construction of sidewalks adjacent to Southwest 100 Street and provision of a public easement for public access to the sidewalk outside of the existing public right-of-way prior to issuance of a certificate of occupancy for the first dwelling unit in accordance with provisions of the Land Development Regulations.
10. Approval of a stormwater management plan and management of stormwater pursuant to the requirements of the Land Development Regulations.
11. Placement of signage on-site by the developer advising residents that if they exist left (west), they will be forced onto the Palmetto Expressway (SR 826).
12. Review and approval of any proposed street lighting by the Public Works Director prior to installation.
13. Provision of an engineer's cost estimate of public improvements and provision of a performance bond in the amount of 125% of the estimated cost of public improvements prior to the issuance of building permits.

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

Councilmember Kraft made a motion adopting staff's recommendation. 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.

As a condition of approval, the Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, APPROVING AND AUTHORIZING MIAMI-DADE COUNTY TO CREATE AND ESTABLISH THE VILLAS AT PINECREST SPECIAL TAXING DISTRICT PURSUANT TO CHAPTER 18, ARTICLE I OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor McDonald made a motion adopting the resolution. The motion was seconded by Councilmember Ball. Resolution 2016-50 was 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, DECEMBER 13, 2016, 6:00 P.M.

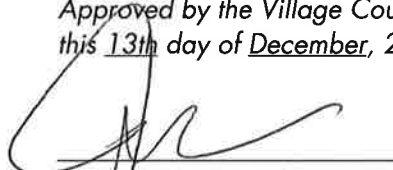
XI: ADJOURNMENT: The meeting was adjourned at 10:45 p.m.

Respectfully submitted:



Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved by the Village Council
this 13th day of December, 2016:



Joseph M. Corradino
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).