



**CITY OF HOMESTEAD  
CITY COUNCIL MEETING  
AGENDA**

**\*\*PLEASE TURN OFF ALL ELECTRONIC DEVICES PRIOR TO ENTERING COUNCIL CHAMBERS. \*\***

WEDNESDAY, JANUARY 16, 2019 @ 6:00 PM  
CITY HALL COUNCIL CHAMBERS  
100 CIVIC COURT, HOMESTEAD, FL 33030  
[WWW.CITYOFHOMESTEAD.COM](http://WWW.CITYOFHOMESTEAD.COM)

**DECORUM POLICY:**

**No individual shall make slanderous or unduly repetitive remarks, or engage in any other form of behavior that disrupts or impedes the orderly conduct of the meeting, as determined by the Mayor and/or Sergeant at Arms. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be permitted in the Council Chambers. Individuals addressing the Mayor and Council must first be recognized by the Mayor and must do so utilizing the designated podium in the Council Chamber. No more than one person may address the Council at a time unless specifically permitted by the Mayor. No person may stand in or on the aisles, the well or the dais. Individuals waiting to be recognized shall wait in an area designated by the City. Persons exiting the council chambers shall do so quietly. Any individuals determined to have violated the Rules of Decorum, as determined by the Mayor or Sergeant at Arms may be required to leave the Council Chambers.**

1. **CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

- (a) INVOCATION BY PASTOR BILL WEAVER PASTOR OF GATEWAY CHURCH OF CHRIST
- (b) PLEDGE OF ALLEGIANCE MAYOR SHELLEY & HOMESTEAD POLICE EXPLORERS

2. **ROLL CALL**

3. **ADDITIONS, DELETIONS, DEFERRALS**

4. **CONSENT AGENDA**

- i. (a) DECEMBER 19, 2018 COUNCIL PRESENTATION CEREMONY MINUTES
- (b) DECEMBER 19, 2018 COUNCIL MINUTES
- (c) DECEMBER 27, 2018 SPECIAL CALL MINUTES

**TAB 1**

5. **PUBLIC HEARINGS – ORDINANCES, LAND USE ITEMS, ETC.:**

- (a) **QUASI-JUDICIAL PUBLIC HEARINGS** – PLEASE BE ADVISED THAT THE FOLLOWING ITEMS ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE ITEM

NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSONS TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAVE MADE THEIR PRESENTATIONS ON EACH ITEM.

**SWEARING IN.** ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTION 2-591, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA.

AT THIS TIME THE CLERK WILL SWEAR IN ANY PERSON(S) WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

## 6. LEGISLATIVE MATTERS

### (a) ORDINANCES

#### *FIRST READING*

- i. CAR #2511 – ORDINANCE PROVIDING FOR ALTERNATE MEMBER OF THE PLANNING & ZONING BOARD **TAB 2**  
**AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY OF HOMESTEAD CODE OF ORDINANCES BY AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE III “BOARDS, COMMITTEES, COMMISSIONS”, DIVISION 1 “GENERALLY,” SECTION 2-68 “MEMBERSHIP; COMPOSITION” AND DIVISION 7 “PLANNING AND ZONING BOARD” TO PROVIDE FOR TWO ALTERNATE BOARD MEMBERS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

#### *FRIST READING*

- ii. CAR #2545 – POLICE OFFICERS’ RETIREMENT PLAN AMENDMENT **TAB 3**  
**AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING CITY CODE CHAPTER 22.5 “RETIREMENT PLANS”, ARTICLE II “POLICE OFFICERS’ RETIREMENT PLAN”; CREATING SECTION 22.5-73 TO PERMIT IN-SERVICE DISTRIBUTIONS TO POLICE OFFICERS REHIRED ON A PART-TIME BASIS, AS PERMITTED BY THE IRS CODE AND TREASURY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

### (b) MOTIONS

- i. CAR #2516 – ITB #201902 GENERATOR #15 & #20 CLEANING AND TESTING **TAB 4**

- ii. CAR #2531 – BID #201923 – TRANSFORMER FOUNDATION FOR RENAISSANCE SUBSTATION **TAB 5**
- iii. CAR #2534 – REQUEST FOR WAIVER OF USAGE FEES **TAB 6**

## 7. RESOLUTIONS

- i. CAR #2536 – RFP #201901 PROFESSIONAL SERVICES FOR PERMITTING, PLAN REVIEW, AND INSPECTION SERVICES **TAB 7**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA; APPROVING THE AWARD OF REQUEST FOR PROPOSAL #201901 FOR PROFESSIONAL SERVICES FOR PERMITTING, PLAN REVIEW, AND INSPECTION SERVICES TO M.T. CAUSLEY, LLC AND C.A.P. GOVERNMENT, INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS FOR A TOTAL AMOUNT NOT TO EXCEED \$1,400,000; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**
- ii. CAR #2530 – FDOT GRANT FOR THE BISCAYNE EVERGLADES GREENWAY TRAIL **TAB 8**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT IN THE AMOUNT OF \$65,000 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO IMPLEMENT THE PRELIMINARY ENGINEERING AND DESIGN PHASE FOR THE BISCAYNE EVERGLADES GREENWAY TRAIL; AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPROPRIATE AGREEMENT; ESTABLISHING A BUDGET IN THE AMOUNT OF \$65,000 FOR THE EXPENDITURE OF GRANT FUNDS; PROVIDING FOR AN EFFECTIVE DATE.**
- iii. CAR #2497 – PURCHASE OF TWO (2) 2019 T650 T4 BOBCAT COMPACT TRACK LOADERS **TAB 9**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA, AUTHORIZING THE PURCHASE OF TWO (2) 2019 T650 T4 BOBCAT COMPACT TRACK LOADER FROM CLARK EQUIPMENT COMPANY DBA BOBCAT COMPANY, PURSUANT TO CITY CODE SECTION 2-411.1(A)(5) "EXEMPTIONS FROM COMPETITIVE BIDDING;" PROVIDING FOR AN EFFECTIVE DATE.**
- iv. CAR #2541 – WASTE MANAGEMENT RECYCLING AGREEMENT **TAB 10**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA; AWARDING AN AGREEMENT FOR RECYCLING SERVICES TO WASTE MANAGEMENT INC. OF FLORIDA; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 2-411.1(B); AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

## 8. DISCUSSION

- i. CAR #2547 – 2019 LEGISLATIVE PACKET **TAB 11**

## 9. PUBLIC COMMENTS

10. **BUSINESS FROM THE CITY MANAGER:**

11. **CITY ATTORNEY'S REPORT:**

12. **REPORTS OF MAYOR AND COUNCIL:**

- (a) **COUNCILMAN ROTH**
- (b) **COUNCILWOMAN BAILEY**
- (c) **COUNCILMAN MALDONADO**
- (d) **COUNCILWOMAN FAIRCLOUGH**
- (e) **COUNCILMAN BURGESS**
- (f) **MAYOR SHELLEY**

i. APPOINTMENT OF MAYOR STEPHEN R. SHELLEY AS THE CITY OF HOMESTEAD REPRESENTATIVE ON THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION GOVERNING BOARD

ii. CAR #2546 – SELECTION OF VICE MAYOR

**TAB 12**

13. **ADJOURNMENT**

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 305-224-4442 NO LATER THAN TWO DAYS PRIOR TO SUCH PROCEEDING.
- ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF HOMESTEAD CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY 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.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF HOMESTEAD, 100 CIVIC COURT, HOMESTEAD, FL 33030. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT 305-224-4442.
- IN ACCORDANCE WITH CODE SECTION 2-591, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT ANY MEETING LISTED.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 100 CIVIC COURT, HOMESTEAD, FL 33030, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

**Tab 1 (a)**



## COUNCIL PRESENTATION CEREMONY CITY COUNCIL MINUTES

WEDNESDAY, DECEMBER 19, 2018 @ 5:00 PM  
CITY HALL COUNCIL CHAMBERS  
100 CIVIC COURT, HOMESTEAD, FL 33030

### 1. CALL TO ORDER

The meeting was called to order by Mayor Porter at 5:00 p.m.

Mayor and Council present: Mayor Jeff Porter, Councilwoman Jenifer N. Bailey, Councilwoman Patricia Fairclough, and Councilman Larry Roth.

### 2. PRESENTATIONS

- RECOGNITION OF JOSÉ RAFAEL GUZMÁN AS “ARTIST IN THE SPOTLIGHT” (VICE MAYOR SHELLEY)

Mayor Jeff Porter stated Mr. Guzman will have his display in the Seminole Theatre through the end of January. He invited Mr. Guzman to give everyone an insight about himself and his work.

Mr. Guzman mentioned he is the current “Artist in the Spotlight” at the Seminole Theater at this moment; from December to January. He has studied Pre-Columbian figurative motifs. As well as his Spanish-Caribbean Cultural Heritage. Which has led him to focus on the lines and planes of the Human Face; incorporating them in a variety of series and exploring their meaning and messages in different contexts. Mr. Guzman noted this has led to a natural, biomorphic style in cursive forms and shapes and to embed these figures inside each other through the use of color. In this way, just as the mask holds greater significance in the Pre- Columbian and Hispanic civilizations, one could rediscover in these shapes, false perspectives, many views and facets of their own appreciation of the face. In Sculpture, he has applied these techniques to the internal and external lines of the planes of a Piano. By reconstructing the instrument, he reveals the beauty that lies within the instrument, beyond its function of music. Mr. Guzman stated he would like the visual stimulation portrayed, to be fully received, rather than just perceived. For the viewer to see rather than simply look at colors and forms. He would like the visual stimulation portrayed, to be fully received rather than just perceived. For the viewer to see rather than simply look at colors and forms. He stated that if one were to go the Seminole Theater, they would see 40 years of the developing of forms and figures. He explained, there is a lot of colors and forms and one could see or find other things on the paintings. Such as, hidden faces and make the painting more colorful.

Mayor Porter shared his appreciation with Mr. Guzman for being at the presentation. Mayor Porter showed a display of Mr. Guzman’s painting.

Mr. Guzman added that the painting being displayed at the presentation that night is called “In the Carnival”. He explained, that on this painting he used masks and faces in the colorful forms that are seen in carnivals because carnivals are very colorful and active.

Mayor Jeff Porter thanked Mr. Guzman for coming and showing an example of his art. He stated that for anyone that is in the area and would like to see more of Mr. Guzman's artwork, it would be in the Seminole Theater through the end of January.

Mr. Guzman mentioned there are 2-floors of work with approximately 30 pieces of art displays; plus sculptures. The "Gallery Night" is taking place on Thursday, January 24<sup>th</sup> at 6:00 p.m.

- PRESENTATION OF EDUCATOR MINI GRANTS (COUNCILWOMAN FAIRCLOUGH)

Councilwoman Fairclough greeted everyone and mentioned she is privileged to stand alongside an Education Committee who is extremely vested in this community. She noted the Education Committee has demonstrated that they are vested in the community by continuously investing in classrooms across the City of Homestead. Each year, the committee set funds aside to provide teachers that have cool, crafty and creative ideas to implement into the classrooms; outside of pencil and paper education. Councilwoman Fairclough noted that tonight these teachers will be recognized, after having completed a competitive process. The teachers completed an application; those applications were vetted. Councilwoman Fairclough stated that the teachers here tonight reigned supreme and the City of Homestead would like to facilitate a check distribution for those teachers and schools that participated in the Mini Grant Award process. The teachers will receive a ceremonial check accompanied with a real check. Franklin Rodriguez from Campbell Drive K-8 Center was recognized for "*Hands on Stem*". She noted that "*Hands on Stem*" was "*Hands-On the Future*"; which is a STEM project. Matthew Porter with "*Digital Dreams!*" from Gateway K-8 Center was recognized. Jessamy Mathieson and Stephanie Vallin from the "school with the most recipients", West Homestead K-8 Center, were recognized for "*Reward the Magic Shop*". Tetyana Escoto from West Homestead K-8 Center was recognized for "*Journal Buddies*". The teachers from West Homestead K-8 Center were accompanied by their Principal Dr. Earl Burth. Councilwoman Fairclough recognized Diane Rodriguez from Le Jardin Community Center and noted the funds granted will help to support their "*Under the Stars*" Jazz and Arts Festival. She stated if anyone has not gone to the festival, she encourages them to do so and noted she has attended for the past several years and it is way over the top. She stated if someone wanted some ideas of how to creatively create art in a classroom, try "*Under the Stars*" from Le Jardin Community Center. Councilwoman Fairclough acknowledged Chevas Clements from Homestead Middle School, with "*Gator Tank*". Pricila Spell from Homestead Middle School was recognized for "*Oh What a Literacy Night*". Kimberly Renick from Laura C. Saunders Elementary was also recognized for "*Computers Coders Needed*". Councilwoman Fairclough congratulated them and stated she is looking forward to seeing photos of the projects and sharing them with the community. She noted if there are any other teachers that would want to receive a grant to facilitate authentic learning in the classroom, the City of Homestead hosts this grant ever year; applications are submitted in the fall. Councilwoman Fairclough asked teachers to submit their applications in order for the City of Homestead to also invest in their classrooms.

- RECOGNITION OF VOLUNTEERS AND SPONSORS OF THE HOMESTEAD MIDDLE SCHOOL BEAUTIFICATION PROJECT (COUNCILWOMAN FAIRCLOUGH)

Councilwoman Fairclough expressed she is a firm believer that strong schools build strong communities and our schools are strengthened by the support of our community stakeholders. She mentioned there was an exciting beautification project facilitated in Homestead Middle School on December 2, 2018. Where several organizations came together to beautify the campus. Councilwoman Fairclough noted the City of Homestead wanted to recognize those organizations tonight for the work that was done December 2, 2018. Councilwoman Fairclough

asked Dr. Contessa Bryant to speak about the project to make the community aware of what transpired on December 2<sup>nd</sup>.

Dr. Bryant thanked everyone and noted it was an extreme pleasure to be here tonight. Homestead Middle School has an Agricultural Program that is part of a Magnet Program, headed by Dr. Alonge. She mentioned they were very blessed to have Dr. Alonge at the school and noted he is internationally recognized. However, Dr. Bryant stated they have had issues getting the program off the ground. Dr. Bryant stated she has been in Homestead Middle School for a year and a half and there was so much work and equipment needed for the school that they were unable to purchase. They needed people and organizations who could really put their hands on this project and help them get the work done. She stated the project came together by many angels. Dr. Bryant recognized Ms. Nancy and Ms. Amy from Councilwoman Fairclough's office and mentioned that they came to the rescue and were interested in assisting them with the Beautification Project. Dr. Bryant jokingly stated that the Refuge Church brought everyone in the City of Homestead who did landscaping because they had a lot of equipment by the time the project was over. Officer Tate brought in officers and Police Explorers. Homestead Middle Schools' 5,000 Role Models were involved along with the Public Defender's Office. She noted so many people put their hands on the Beautification Project. However, she stated that one of the most outstanding things was that a custodian that has been with Homestead Middle School for 26 years expressed to her that they have never been able to see through the gate. Dr. Bryant mentioned that the area was so clean that they were able to see for blocks; because the trees, shrubbery and over-growth were all taken care of. She added there were new beds built for the children. Furthermore, there were connections made with local farmers. Therefore, the children had the opportunity to go see farmers and see hope beyond simply picking the beans. Children were able to see where the money is made in the beans. Children were able to see how income is made in agriculture because many had no desire to do agriculture. But when you see the agri-business and agri-engineering it looks a lot more interesting. This allowed Homestead Middle School to expose their children to agri-business and agri-engineering. Dr. Bryant shared her excitement for all of the angels that assisted not only with the Beautification Project, but for so many other projects as well. She added there were 24 gifts dropped off at Homestead Middle School for the homeless and the media students in the building. There are basketball courts being built in the school and Officer Tate was the *Principal of The Day*. Dr. Bryant noted the community has come around and embraced the school; she expressed her gratefulness for the office and for the assistance. She hoped they would continue to represent the school and the community. Dr. Bryant expressed that something outstanding is happening in Homestead Middle School; and she is proud to say that it is because they are in the City of Homestead where they are loved and supported.

Councilwoman Fairclough addressed the passion she sees in Dr. Bryant and expressed that is what leadership looks like. Leadership matters and it is important. She noted that Dr. Bryant is going into her second year in Homestead Middle School and mentioned that what is happening now is under her leadership. Councilwoman Fairclough stated that initially Dr. Bryant led in the North. However, she is grateful that Dr. Bryant is now in the South where she belongs, lives and where her passion lies. Councilwoman Fairclough added that transformation is definitely happening in Homestead Middle School and it is because of Dr. Bryant's leadership. Councilwoman Fairclough thanked Dr. Bryant and her team. Next, she recognized the organizations that made the Beautification Project possible. Hector Madruga from *Green Houses and Shade Houses* was recognized.

Ms. Nancy Garcia stated this was her first time shaking hands with Mr. Hector Madruga. She mentioned she received his contact information from a friend of hers that has a Nursey Brokerage. However, prior to reaching out to Mr. Madruga, Ms. Garica met with Dr. Braynt and Ms. Moore and asked them for a wish list and a year to



glance. Dr. Bryant then mentioned Homestead Middle School needed their greenhouse repaired. Ms. Garcia admitted that she had no knowledge of greenhouse repairs but she knew people that did. She then contacted her friend that has a nurse brokerage and was informed about Mr. Madruga from St. Germain Nursery that came highly recommended. Ms. Garcia called Mr. Madruga and requested a quote. When Mr. Madruga asked if the job was for Homestead Middle School, he stated he would do the job for free, due to the love he has for the children in his community. Mr. Madruga also volunteered to get the runaway chickens in line and close the chicken coop at no cost. Ms. Garcia thanked Mr. Madruga and stated what a pleasure it had been to work with him and he is an asset to our community.

Councilwoman Fairclough invited Pastor Jeremy and Lady Upton of City of Refuge Church who she mentioned are deeply planted in this community, deeply rooted and a heart for the people. She expressed she was grateful for their leadership and for lending their hearts and hands for this project. Yurianna Mikolay of *Ocean Reef Foundation* was recognized. The State Attorney's Office with Genine Jones was recognized for being very instrumental with the Beautification Project. Homestead Community Policing Unit along with Mario Arzuaga and Officer Tate were also recognized. Councilwoman Fairclough recognized the Homestead Police Explorers and mentioned they are always volunteering and that is how they build leaders. She jokingly advised the explorer's that they would carry the torch when they are term-limited. Representative Tony Garcia of *This is for the Kids* led by Zunuman and Councilman Larry Roth was recognized. Councilwoman Fairclough mentioned, *This is for the Kids* is one of the strongest non-profit organizations that are consistently investing in our children. Councilwoman Fairclough thanked Councilman Larry Roth and mentioned they appreciate the love and support for all the children. She mentioned the ones mentioned are the team whom were instrumental in helping to beautify Homestead Middle School. Councilwoman Fairclough advised Dr. Bryant that this is only the beginning and if there is anything else they can do to support them, to let them know. She added that she attended Homestead Middle School and asked Chief Rolle and the audience members who else had attended that school. Councilwoman Fairclough recognized her team who she noted make it happen for teachers in this community. She stated she is the liaison to the Education Committee. However, Ms. Nancy Garcia is the Chair of the Education Committee. Councilwoman Fairclough added that Ms. Garcia is dynamic and she is helping take the Education Committee to the next level. Councilwoman Fairclough asked the members of the Education Committee to introduce themselves in order for everyone to know who is helping to lead the charge for education.

Nancy Garcia, Brandi Ramirez, Christina Barcinas, Phenelope Pena and Rachel Salinas-Bueno introduced themselves as the members of the Education Committee.

### 3. ADJOURNMENT

Mayor Porter adjourned the meeting at 5:29 p.m.

Respectfully submitted,

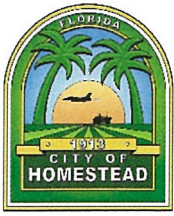
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Liz Palau, Administrative Assistant/  
Deputy City Clerk

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Stephen R. Shelley, Mayor

**Tab 1 (b)**



# CITY OF HOMESTEAD CITY COUNCIL MEETING MINUTES

WEDNESDAY, DECEMBER 19, 2018 @ 6:00 PM  
CITY HALL COUNCIL CHAMBERS  
100 CIVIC COURT, HOMESTEAD, FL 33030  
[WWW.CITYOFHOMESTEAD.COM](http://WWW.CITYOFHOMESTEAD.COM)

## 1. CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:04 p.m. by Mayor Porter.

- (a) Pastor Stilwell Hernandez Pastor of First United Methodist Church was not present at the meeting to do the invocation.
- (b) The Pledge of Allegiance was led by Councilman Burgess and the Homestead Police Explorers.

## 2. ROLL CALL

Mayor and Council Present: Mayor Jeff Porter, Councilwoman Jenifer N. Bailey, Councilman Jon A. Burgess, Councilwoman Patricia Fairclough and Councilman Larry Roth. Vice Mayor Stephen R. Shelley and Councilman Elvis R. Maldonado were absent.

## 3. ADDITIONS, DELETIONS, DEFERRALS

None

## 4. CONSENT AGENDA

- i. (a) NOVEMBER 28, 2018 COUNCIL PRESENTATION CEREMONY MINUTES (TAB 1A)  
(b) NOVEMBER 28, 2018 COUNCIL MINUTES (TAB 1B)
- ii. CAR #2498 – CRITICAL INFRASTRUCTURE CYBER SECURITY PROTECTION CONSULTING SERVICES AGREEMENT (TAB 2)
- iii. CAR #2505 – PURCHASE OF TWO 2019 FORD F150 PICKUP TRUCKS (CIP #914) (TAB 3)
- iv. CAR #2515 – PURCHASE OF ALTEC AT40G BUCKET TRUCK (CIP #940) (TAB 4)
- v. CAR #2520 – U.S. DEPARTMENT OF JUSTICE 2018 JAG GRANT (TAB 5)
- vi. CAR #2393 – CLEAR CHANNEL OUTDOOR (TAB 6)
- vii. CAR #2501 – WASTEWATER COLLECTION/TRANSMISSION SYSTEM MODEL UPDATE (TAB 7)

- viii. CAR #2504– CITY’S INFLOW/INFILTRATION REDUCTION PROGRAM (TAB 8)
- ix. CAR #2521 – FY 2017/2018 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (TAB 9)

A motion to approve the Consent Agenda, was made by Councilman Roth, seconded by Councilwoman Fairclough.

Mayor Porter asked, “All in favor?” Ayes: All. Nays: None. Motion carried.

**5. PUBLIC HEARINGS – ORDINANCES, LAND USE ITEMS, ETC.:**

- (a) **QUASI-JUDICIAL PUBLIC HEARINGS** – PLEASE BE ADVISED THAT THE FOLLOWING ITEMS ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE ITEM NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSONS TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAVE MADE THEIR PRESENTATIONS ON EACH ITEM.

**SWEARING IN.** ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTION 2-591, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA.

Councilman Burgess and Councilwoman Bailey disclosed ex-parte communications on Tabs 11, 12 & 13.

AT THIS TIME THE CLERK WILL SWEAR IN ANY PERSON(S) WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM

City Clerk Sewell swore in person(s) who wished to testify on any Quasi-Judicial item.

- i. CAR #2527 – PH2018-59 WAIVER OF PLAT FOR HOMESTEAD HOLDINGS II, LLC (TAB 10)  
**A RESOLUTION OF THE CITY OF HOMESTEAD, FLORIDA, GRANTING A WAIVER OF PLAT TO HOMESTEAD HOLDINGS II LLC, FOR THE DIVISION OF TWO (2) PARCELS TOTALING APPROXIMATELY 2.27 ACRES LOCATED AT THE 935 NORTHEAST 30TH AVENUE, AS LEGALLY DESCRIBED IN EXHIBIT “A;” AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney White read the title of the Resolution for CAR #2527, into the public record.

Development Services Director Joe Corradino advised that staff recommended the Mayor and Council approve the Waiver of Plat that was requested. He explained this request was to separate on the plat the existing Community Development District (CDD) property from the private hotel property. He noted

the CDD will still exist and maintain the property and the hotel will continue to be part of the CDD, it will contribute to the CDD and there will be no changes in the CDD or how it pays for its improvements.

Mayor Porter opened the public hearing, there were no comments from the public; therefore, he closed the public hearing.

A motion to approve CAR #2527-PH2018-59, Waiver of Plat for Homestead Holdings II, LLC, was made by Councilwoman Bailey and seconded by Councilwoman Fairclough.

Mayor Porter called for the vote:

Roll Call:

Councilwoman Bailey	-	Yes
Councilman Burgess	-	Yes
Councilman Roth	-	Yes
Councilwoman Fairclough	-	Yes
Mayor Porter	-	Yes
Vice Mayor Shelley	-	Absent
Councilman Maldonado	-	Absent

Motion carried.

- ii. CAR #2525 – PH2018-57A VARIANCE TO PERMIT ON-STREET PERPENDICULAR PARKING FOR PALM VILLAS TOWNHOMES, INC. (TAB 11)  
**A RESOLUTION OF THE CITY OF HOMESTEAD, FLORIDA, GRANTING A VARIANCE REQUEST FROM SECTION 30-208(b)(1) “DESIGN STANDARDS” OF THE CITY CODE OF ORDINANCES TO PERMIT ON-STREET PERPENDICULAR PARKING BETWEEN STREETS AND BUILDINGS APPROVAL FOR A THIRTY-FOUR (34) DWELLING UNIT MULTI-FAMILY DEVELOPMENT ON APPROXIMATELY 3.8 ACRE PARCEL GENERALLY LOCATED NORTH OF NORTHEAST 5TH STREET, EAST OF NORTHEAST 12TH AVENUE, SOUTH OF NORTHEAST 8TH STREET (CAMPBELL DRIVE) AND WEST OF NORTHEAST 13TH AS LEGALLY DESCRIBED IN EXHIBIT “A;” AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney White stated TABS 11, 12 and 13 were related to the same development/project; therefore, he could collectively introduce each item, discuss them, have a public hearing and then vote on each item separately.

City Attorney White read the title of the Resolution for CAR #2525, into the public record.

Development Services Director Corradino stated staff recommended approval of both variances and the Site Plan. He described the parcel of land as approximately 3.8 acres with a proposal to build 34 townhomes on the site. He advised that staff worked very closely with the applicant to modify the originally proposed development to bring something that he thought would work better than what was originally proposed. He noted the applicant had requested four variances for the parking, balconies and patios, but that did not work. However, staff was able to work with the applicant to provide things

that would make the project a little more pleasant from an aesthetic point of view to provide balconies, patios, and a community swimming pool and in exchange these variances can be granted. He explained the City Code requires the development to have structured parking, but the property is very narrow and to put this type of development on a very narrow parcel would not work with structured parking; therefore, it has to be done this way. He advised that staff reviewed the project and came up with a better product than the applicant had initially. He stated staff also reviewed the traffic and it works, there was one level of service that was created by the development on U.S. 1; however, the applicant mitigated that problem through signal timing. He stated the issue was minor and the level of service was not compromised in front of the property and noted traffic entering in the morning and exiting in the afternoon by twenty-seven trips is approximately 3% of the traffic that goes in front of the development. Therefore, there is no level of service reason not to approve this project. He noted there were questions about access to the property on Campbell; however, the access that is provided meets all of the County's permitting criteria and there is no reason to deny the applications relative to access. Therefore, staff recommended approval of all three applications.

Maria Stefano, who is the owner of the property and resides at address 11350 SW 95<sup>th</sup> Street, Miami, FL stated that there was a site plan before the Council and knew there were various questions with regards to the flow traffic. She explained that the traffic flow would be going through an existing community, they would be extending that community to Campbell Drive and the traffic would be turning left on Campbell Drive and accessing the development through 5<sup>th</sup> Street, so the flow would be a circular flow of the vehicles. She also stated they have done everything to make the project work on the property. She indicated the design on the existing community was approved previously and has been there over ten years and there has not been any issues with the median in the center of the development. She mentioned the parking would be more convenient and safer for the residents. Ms. Stefano noted they were adding the pool and cabana for the existing community as well as this project; therefore, it would be much better for the entire community and requested the Council's consideration for approval of the variances and the site plan.

Mayor Porter opened the public hearing for TABS 11, 12 and 13, there were no comments from the public; therefore, he closed the public hearing.

A motion to approve CAR #2525-PH2018-57A, Variance to Permit On-Street Perpendicular Parking for Palm Villas Townhomes, Inc., was made by Councilwoman Bailey and seconded by Councilman Burgess.

Mayor Porter called for the vote:

Roll Call:

Councilwoman Fairclough	-	Yes
Councilman Burgess	-	Yes
Councilman Roth	-	No
Councilwoman Bailey	-	Yes
Mayor Porter	-	Yes
Vice Mayor Shelley	-	Absent
Councilman Maldonado	-	Absent

Motion carried.

- iii. CAR #2526 – PH2018-57B VARIANCE TO PERMIT OFF-STREET PARKING FOR PALM VILLAS TOWNHOMES, INC. (TAB 12)

**A RESOLUTION OF THE CITY OF HOMESTEAD, FLORIDA, GRANTING A VARIANCE REQUEST FROM SECTION 30-215 "PARKING" OF THE CITY CODE OF ORDINANCES TO PERMIT OFF-STREET PARKING FOR A THIRTY-FOUR (34) DWELLING UNIT MULTI-FAMILY DEVELOPMENT TO BE PROVIDED FOR BY EITHER AN ATTACHED GARAGE OR A COMMONLY OWNED AND MAINTAINED ON-STREET AREA ON APPROXIMATELY 3.8 ACRE PARCEL GENERALLY LOCATED NORTH OF NORTHEAST 5TH STREET, EAST OF NORTHEAST 12TH AVENUE, SOUTH OF NORTHEAST 8TH STREET (CAMPBELL DRIVE) AND WEST OF NORTHEAST 13TH AS LEGALLY DESCRIBED IN EXHIBIT "A;" AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney White read the title of the Resolution for CAR #2526, into the public record.

Councilman Roth stated there was an entrance and exit on Campbell Drive and the illustration on the design of the project provided to the Council showed the applicant was expecting the traffic that is coming from the east to travel all the way to 12<sup>th</sup> Avenue and enter the development on 5<sup>th</sup> Street. He commented the reality was the people living north of this development would want to make a U-Turn to get to the property quicker than going to 5<sup>th</sup> Street and to him that was an issue because it would be putting people in harm's way if they are going to try and make U-Turns at the traffic light to enter the community north of the development.

Development Services Director Corradino noted the entrance and the traffic configuration is permissible by the County and would be providing access to the development from both the north and south. He stated he did not know if that actually was a safety problem because he believed U-Turns are permitted on that road.

Councilman Roth commented there is a lot of construction to the east of this project and on that particular property the Council has requested to install a traffic light there. He noted in that area there is this project and the retail space being built out to the east of this property, which is putting people into a situation that he continues to feel is uncomfortable for everyone.

Development Services Director Corradino suggested if the Council wanted to mitigate this situation the application could be conditioned with a curb cut as was done on previous applications of this nature.

Councilman Roth stated this particular area is getting chopped up if there is going to be a traffic light at the development to the east of this project.

Development Services Director Corradino commented they may not have to put a light, but provided access directly west bound and to the south end of Campbell.

Councilman Roth questioned if these units are rentals or are they for sale.

Development Services Director Corradino answered they are rental units.