



**Fred Spencer Deno IV**  
Mayor

**Jorge Arce**  
President

Council Members  
**Richard Block**  
**Debra Conover**  
**Gabriel Fernandez**  
**Elizabeth Taylor-Martinez**

Regular Council Meeting  
Minutes  
**September 15, 2022**  
6:30 p.m.

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**1. Call to Order**

Council President Arce called the meeting to order at 6:30 p.m.

**2. Roll Call**

Mayor Deno, Council President Arce, Council Member Block, Council Member Fernandez, Council Member Taylor-Martinez, Council Member Conover were in attendance. Attorney Cuadra was in attendance via telephone.

**3. Invocation**

Council Member Taylor-Martinez led the invocation.

**4. Pledge of Allegiance**

Council Member Taylor-Martinez led the Pledge of Allegiance.

**5. Meeting Notices**

- Any person who decides to appeal any decision of the Village Council with respect to any matter considered at this meeting 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.
- Pursuant to the provisions of the **Americans with Disabilities Act**, any person requiring special accommodations to participate in this proceeding is asked to advise the Village at least 2 days before the proceeding by contacting the Village Clerk's office at **305-871-6104**.

**6. Presentations**

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**7. Citizens Comments**

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Village Resident Michael, who resides at 6660 NW 40 Street, wanted to state that the Mayor, the Council, and the police department are doing a wonderful job. Michael stated that he is excited to see what will come in the future.

## **8. Announcement of Amendments/Corrections to the Agenda**

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- (a)** – Request Council approval for Emergency Contract for Towing Services on an interim basis.

A motion to add Emergency Contract for Towing Services on an interim basis to the agenda made by Taylor-Martinez was seconded by Council Member Fernandez. The motion passed 5-0.

Chief Hernandez stated that the Virginia Gardens Police Department previously had the company Freeway Towing for towing services here in the Village, but Freeway Towing recently went private. Chief Hernandez asked neighboring cities who they used for towing services and received word that Roadway Towing Recovery & Transportation is frequently used. Chief Hernandez stated that Roadway Towing's tow yard is located close to the Village and they have the fleet of towing equipment allows the ability to remove any type of disabled vehicle, especially when the Village annexes. Attorney Cuadra stated that we can "piggyback" on the City of Miami Springs Towing contract pursuant to the Village Code.

A motion to approve Roadway Towing Recovery & Transportation on an interim basis made by Council Member Fernandez was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

## **9. Approval of Minutes**

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- (a)** – Budget Workshop Meeting – August 16, 2022

A motion to approve the minutes of the Budget Workshop meeting of August 16, 2022 made by Council Member Block was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

- (b)** – Regular Council Meeting – August 18, 2022

A motion to approve the minutes of the regular Council meeting of August 18, 2022 made by Council Member Block was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

## **10. Mayor's Report**

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- (a)** – Update on current projects in the Village.

Mayor Deno stated that the Village had a progress meeting for the Bicycle & Pedestrian Improvements project for NW 67 Avenue, NW 37 Street, and NW 38 Street. Mayor Deno stated that the contractor's started this week, but the rain did not help. The contractor had to put a covering over the drains to prevent muck and debris from going down the drain, but the Village had to remove them due to flooding. Mayor Deno stated that this time next year the residents will see how well the drainage improvements will be and there will be upcoming projects for other areas that still experience flooding. Mayor Deno stated that soccer season starts in two weeks and that the Village will be packed with players.

**(b) – Request Council approval to sponsor \$2,500 for the First-Ever Miami-Dade Hometown Heroes Parade, to be held on Sunday, October 30, 2022, in honor of the healthcare workers and first responders who put their lives at risk to serve and protect our community during a global pandemic.**

Mayor Deno stated to the Council that he received an email from Tomas from the Mayor Levine Cava's office about this event. Mayor Deno stated that an officer or two will participate for this.

A motion to approve to sponsor \$2,500 for the First-Ever Miami-Dade Hometown Heroes Parade made by Council Member Fernandez was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

## **11. Administrative Items**

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### **(a) – Administration**

Final Budget Hearing Scheduled for Monday, September 26, 2022 at 5:01 PM

Mayor Deno asked the Council to issue a moratorium on issuing any AIR BNB short term rentals and vacation rentals local business taxes for 30 days for multi-family homes to amend the current Air BNB short term rental policy.

A motion to place a moratorium on any local business taxes for short term rentals and AIR BNB vacation rentals for multi-family homes made by Council Member Taylor-Martinez was seconded by Council Member Conover. The motion passed 5-0.

### **(b) – Beautification**

The minutes for the meeting of September 7, 2022 have been submitted.

### **(c) – Planning & Zoning**

The meeting for the month of September 2022 was canceled.

### **(d) – Public Safety**

The statistics for the month of August 2022 have been submitted.

Mayor Deno thanked Officer Sacramento for going to the Nicklaus Children's Hospital cancer parade and representing the Village.

### **(e) – Public Works**

### **(f) – Recreation**

Council President Arce stated that soccer season starts on September 30, 2022.

## **12. Attorney's Report**

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**(a) – RESOLUTION** – RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, ACCEPTING PROPOSAL # 2022-078R2 FROM LTG SPORTS TURF ONE, LLC; AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH LTG SPORTS TURF ONE, LLC, SUBJECT TO APPROVAL AS TO FORM AND LEGAL SUFFICIENCY BY THE VILLAGE ATTORNEY FOR THE CONSTRUCTION AND INSTALLATION OF SYNTHETIC TURF BASE AND DRAINAGE AT THE VIRGINIA GARDENS BASEBALL FIELD IN AN AMOUNT NOT TO EXCEED \$1,163,100; WAIVING PURCHASING REQUIREMENTS PURSUANT TO SECTION 2-190 OF THE CODE; PROVIDING AN EFFECTIVE DATE.

Attorney Cuadra stated that this Resolution is a follow-up to the Council's prior approval for LTG Sports Turf One for the baseball field project. Mayor Deno stated that nothing has changed since we last spoke about the issue and he has not received the contract yet. Mayor Deno stated that the Village is looking around February 2023 to start the baseball field project.

A motion to approve the first reading of Resolution 12 (a) made by Council Member Fernandez was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

**(b) – ORDINANCE** – AN ORDINANCE OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, GRANTING TO PIVOTAL UTILITY HOLDINGS, INC. D/B/A FLORIDA CITY GAS, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE GAS FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENT OF A FRANCHISE FEE TO THE VILLAGE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Attorney Cuadra stated that this Ordinance is to grant the same gas franchise provider and the same gas franchise fee. Attorney Cuadra stated that this Ordinance extends the new contract and it is non-exclusive.

A motion to approve the first reading of Ordinance 12 (b) made by Council Member Taylor-Martinez was seconded by Council Member Block. The motion passed 5-0.

**(c) – ORDINANCE** – AN ORDINANCE OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, AMENDING PROVISIONS OF CHAPTER 16, ARTICLE II DEFINITIONS; CHAPTER 16 ARTICLE IV AMENDING PROVISIONS REGARDING ACCESSORY STRUCTURES; CHAPTER 16 ARTICLE VI AMENDING CERTAIN LAND SUBDIVISION AND IMPROVEMENT STANDARDS; CHAPTER 16 ARTICLE VII AMENDING CERTAIN SIGN REQUIREMENTS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Attorney Cuadra stated that Manuel Perez-Vichot, the Village Architect with Planning & Zoning, wanted to update certain standards in the Village Code that he viewed as incomplete or obsolete. Attorney Cuadra stated that this Ordinance will update those standards in the Village's Code.

A motion to approve the first reading of Ordinance 12 (c) made by Council Member Fernandez was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

**(d) – ORDINANCE** – AN ORDINANCE OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," SECTION 6-60, "BUILDING AND ZONING DEPARTMENT FEE SCHEDULE REVIEW," TO REVISE AND UPDATE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion to approve the first reading of Ordinance 12 (d) made by Council Member Block was seconded by Council Member Taylor-Martinez. The motion passed 5-0.

### **13. Old Business**

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Mayor Deno discussed with the Council the survey for the 24 parcels for annexation. Mayor Deno stated that the first quote that he received in was \$80,000, which is a huge chunk of money. Mayor Deno said that he has been calling around to see if it will be cheaper with someone else. Mayor Deno stated that he will update the Council when he hears more about this.

### **14. New Business**

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### **15. Good & Welfare**

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Council Member Taylor-Martinez asked for prayers for Melanie Martinez. Council Member Taylor-Martinez stated that Melanie is doing well, but this past Monday made five years since she lapsed into her coma.

## **16. Adjournment**

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A motion to adjourn the meeting made by Council Member Taylor-Martinez was seconded by Council Member Block. The motion passed 5-0. Council President Arce adjourned the meeting at 7:27 p.m.

**NEXT COUNCIL MEETING: October 20, 2022 at 6:30 p.m.**