



**TOWN OF MIAMI LAKES, FLORIDA
REVISED AGENDA
Virtual Regular Council Meeting**

May 19, 2020

6:30 PM

Government Center

6601 Main Street Miami Lakes, FL33014

Video stream of meetings can be viewed here:

<https://pub-miamilakes.escribemeetings.com>

Pages

- 1. SPECIAL PRESENTATIONS (Presentations shall take place prior to the commencement of the Regular Council Meeting, at 6:30 PM)**
- 2. CALL TO ORDER**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)**
- 6. PUBLIC COMMENTS**

Please be advised that given the novel COVID-19 VIRUS, Miami Lakes Town Hall is closed for public meetings. Public Meetings will be taking place virtually.

Public Comments will be heard at the beginning of the meeting and once all are heard, Public Comments will be closed. Each speaker will be afforded (3) minutes to speak.

The public may participate in the virtual public meetings by utilizing any of the following 3 methods:

(1) A person wishing to submit a Live Remote Public Comment, will join the meeting via: <https://www.miamilakes-fl.gov/remotecomments>. You must have a working microphone and working web camera in order to submit a live remote public comment; this will allow you to join the scheduled Zoom meeting.

(2) A person can call in live during the meeting to listen to the meeting via phone and/or call in live during the meeting to submit a public comment, to any of the following numbers:

+1 312-626-6799

+1 929-205-6099

+1 253-215-8782

+1 301-715-8592

+1 346-248-7799

+1 699-900-6833

PLEASE ENTER THE MEETING ID# WHEN PROMPTED: 666 475 152#

***Please note that If you call to make public comment in live via phone or zoom (web), please do so between 5:30 pm to 6:00 pm, so you can register your name and address beforehand.**

(3) A person can submit a Pre-recorded Video for Public Comments, by visiting <https://www.miamilakes-fl.gov/remotecomments>. Videos submitted cannot exceed 3 minutes and should be submitted one day before the meeting.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD CALL TOWN HALL AT (305) 364-6100, NO LATER THAN (2) DAYS PRIOR TO THE MEETING FOR ASSISTANCE.

All comments or questions from the virtually attending public shall be directed to the Mayor, in a courteous tone. To ensure the orderly conduct and efficiency of the meeting, public comments shall be limited to three (3) minutes maximum per person.

No clapping, applauding, heckling, verbal outburst in support of, or in opposition to a speaker or his/her remarks shall be permitted. Should a member of the virtually attending audience become unruly, or behave in any manner that disrupts the orderly and efficient conduct of the meeting, such person will be asked to leave the Zoom meeting. As a courtesy to others, all electronic devices must be set to silent mode to avoid disruption of the proceedings.

7. APPOINTMENTS

8. COMMITTEE REPORTS

9. CONSENT CALENDAR

a. Approval of Minutes

Attached please find the following minutes for your review and approval:

- March 12, 2020 Sunshine Meeting
- April 21, 2020 Regular Council Meeting
- April 30, 2020 Special Call Meeting
- May 7, 2020 Sunshine Meeting

- b. FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program (Pidermann) 36

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM; AUTHORIZING THE TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

- c. Resumption of Live in Person Council Meetings (Ruano/Diequez) 44

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PETITIONING THE GOVERNOR OF THE STATE OF FLORIDA AND THE MIAMI-DADE COUNTY MAYOR TO ALLOW THE TOWN TO RESUME LIVE COUNCIL MEETINGS; ESTABLISHING A RETURN DATE FOR LIVE, COUNCIL MEETINGS; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

10. ORDINANCES-FIRST READING

- a. Roofing Material in Townhouses (Cid) 48

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, ARTICLE IV, DIVISION 3, RU-TH TOWNHOUSE DISTRICT, SEC. 13-444, DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

- b. School Facilities Safety Considerations (Cid) 58

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, ARTICLE VI, DIVISION 1, CREATING SECTION 13-1617. - SCHOOL FACILITIES SAFETY

CONSIDERATIONS, PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

11. ORDINANCES- SECOND READING (PUBLIC HEARING)

a. Infinity Pools (Pidermann)

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ENCROACHMENTS BEYOND THE TIE-LINE FOR WATERFRONT SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "SUPPLEMENTARY REGULATIONS", AT SECTION 13-1605, "WATERFRONT PROPERTIES"; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

b. Canopies (Pidermann)

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ATTACHED CANOPIES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE V, "ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS", AT SECTION 13-1506, "CANOPIES,"; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

12. RESOLUTIONS

13. NEW BUSINESS

*a. Reopening Restaurants in the COVID 19 Environment (N. Rodriguez)

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b. Re-Opening Of Non-Essential Businesses In Miami Lakes (Ruano)

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c. Drive-In Movies at the Park (Cid)

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This item requires the waiver of Section 7.2 of the Special Rules of Order

d. Social Distance Practices in Public Places (Alvarez)

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*This item requires the waiver of Section 7.2 of the Special Rules of

	Order*	
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	a. Michael Pizzi JR. v. Town of Miami Lakes	
	b. Juan Valiente v. Town of Miami Lakes	
17.	ADJOURNMENT	

This meeting is taking place virtually and the public may participate by using any of the 3 methods described above. A copy of this Agenda has been posted on the Town of Miami Lakes Website at miamilakes-fl.gov and is available at Town Hall, 6601 Main Street, Miami Lakes 33014. In accordance with the Americans with Disabilities Act of 1990, if you need special accommodations to participate in this meeting should contact Town Hall at 305-364-6100 two days prior to the meeting.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Gina M. Inguanzo, Town Clerk

Subject: Approval of Minutes

Date: May 19, 2020

Recommendation:

Attached please find the following minutes for your review and approval.

- March 12, 2020 Sunshine Meeting
- April 21, 2020 Regular Council Meeting
- April 30, 2020 Special Call Meeting
- May 7, 2020 Sunshine Meeting

MINUTES
Sunshine Meeting
March 12, 2020
7:30 PM
Government Center – Council Chambers
6601 Main Street
Miami Lakes, Florida 33014

1. Call to Order:

Meeting began at 5:45 PM.

The following councilmembers were present: Luis Collazo, Vice Nelson Rodriguez, and Mayor Manny Cid.

The following from Town Staff were present: Town Manager Edward Pidermann, Assistant Town Manager Tony Lopez, Town Attorney Raul Gastesi, Deputy Town Attorney Lorenzo Cobiella, Town Clerk Gina Inguanzo, Major Javier Ruiz, Clarisell de Cardenas, Director of Communications and Community Affairs and Rosa Marrero, Assistant to the Town Manager.

Also present were: Fire Lieutenant Christopher Garcia from Station 1, Vanessa Villamil, and Stephanie Calle from the Florida Health Department, and Dr. Ausberto Hidalgo from Pediatric Associates. People from the public were present.

2. Items Discussed:

- **Coronavirus Work Group to Protect the Miami Lakes Senior Population**

There was presentation given by the Florida Health Department by Vanessa Villamil, and Stephanie Calle. Their presentation included the following topics: background information about the Coronavirus; number of cases worldwide, nationally, and in the state of Florida; how the virus spread and contracted; symptoms of the virus; how to prevent contraction; what population is at risk; what the treatment is; testing; what to do if you think you have the virus; travel advisories; and what resources are available through the Florida Department of Health. They closed the presentation by opening the meeting up to questions from the public.

Miriam Duman asked if April 5th date of the re-opening of Town Facilities and resuming of Senior activities was hard and final date and expressed her concern for the senior population possibly developing depression due to isolation.

Dottie Wix asked how the Town would be helping Seniors in isolation.

Robert Alonso asked what the Town would be doing to help Seniors gain access to groceries and cleaning supplies and would it be possible for the Town to reach out to their community partners and help the Senior population during this difficult time.

The owners from My Gym asked if the schools would be closing.

The Town Manager, Edward Pidermann, stated that Town staff will be assessing the pandemic situation very closely and as of right now, the re-opening date would be April 5th. He also stated that the Town is going to be strategically assessing how some of their resources and partners can be re-purposed to help the Miami Lakes senior population. He also explained the Incident Command Structure for Town Staff during a crisis.

Councilmember Luis Collazo stated the Department of Elderly Affairs and Alliance for Aging would be providing meals to senior citizens in need. He explained that they also would be assessing other ways they can help the senior population suffering depression from isolation. He explained educational resources had been provided to all the Assisted Living Facilities (ALFS) about the new restrictions, what symptoms to look for, prevention, and the appropriate agency contact information if an employee or resident of their facilities becomes ill. Councilman Collazo stated concerns of the elderly population access to supplies, such as groceries and cleaning products, is critical. The county task force is assessing on how this issue can be dealt with. He also stated the possibility of connecting our Miami Lakes senior population with the local adult day care centers to assist seniors during this time. He added that Miami-Dade County and elected officials within the area are going to developing senior citizen check-ins via telehealth.

Dr. Ausberto Hidalgo from Pediatric Associates stated he has been educating children on good hygiene and prevention. He encouraged parents and other clinicians to do the same.

Fire Lieutenant Christopher Garcia from Station 1 stated that the first responders due have quarantine plan as well as Telehealth plan for 911.

Mayor Manny Cid stated he had been in contact with the Miami-Dade County School District. He stated that as of right now, the district has not shut down schools and all private schools usually follow the district's plans.

Adjournment:

This meeting was adjourned at 6:45 p.m.

Manny Cid, Mayor

Attest:

Gina M. Inganzo, Town Clerk

MINUTES
Regular Council Meeting
April 21, 2020
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

None.

2. ROLL CALL:

Mayor Manny Cid called the meeting to order at 6:36 pm.

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Luis Collazo, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Alvarez joined the virtual meeting at 6:37 pm and Councilmember Dieguez joined the meeting at 6:50 pm.

3. MOMENT OF SILENCE:

Pastor Luis Egipciaco from Elevated Church led the invocation.

Ariel Fernandez was present via video and presented his meditation video from “Better You Minute”.

4. PLEDGE OF ALLEGIANCE:

Katrina Espinoza from Girls Scout Troop 902 led the Pledge of Allegiance.

5. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):

Mayor Cid asked for Commissioner Steve Bovo to speak and address the Town Council before Public Comments and also moved up Item 15B, to be heard after Public Comments. Councilmember Ruano pulled Item 9B from the Consent Calendar. Councilmember Collazo moved to approve the new Order of Business and Councilmember J. Rodriguez seconded the motion. All were in favor.

Commissioner Steve Bovo called and participated in the Town Council and stated that the Town of Miami Lakes is between two zip codes with the highest number of cases with Covid-19

reported. He thanked the leadership of the Town Council for the sacrifices made in the Town of Miami Lakes to combat Covid-19. He thanked the residents that have donated food and for the volunteers making this possible.

Commissioner Bovo stated that he is asking for more testing sites to become available and is asking the Town of Miami Lakes to participate in the Advisory Committee that his staff is putting together, to include health care experts, commercial landlords, true mom and pop organizations, and recognized that our area's needs.

Councilmember Ruano asked Commissioner Bovo to explain, if any, the correlation, the link between the curfew and public health. Commissioner responded to her question.

6. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed in the Council Chambers of the Town of Miami Lakes and that are to be respected also in virtual meetings.

Richard Ruiz called to actively participate in the public comments section of the agenda. He thanked the Town Council for the opportunity given to the community by providing a virtual public meeting and thanked them for their great work. He stated that he has a non-essential business (barber shop) and expressed many of his ideas to protect the clients while delivering his service. He is eager to work again, with restrictions, and stated that he gets many calls from clients asking him to open up his business. He asked the Town Council to please help with the re-opening of small businesses.

Claudia Luces called to actively participate in the public comments section of the agenda. She thanked Councilmember Ruano for calling the Special Call Meeting back on April 2nd to discuss the implications of the mandated quarantine would affect the town, residents and small businesses. She stated that many are fortunate to continue receiving their paychecks, like government employees and others whose companies support them to work from home, others like small businesses do not have that luxury. She stated that the Town needs to be prepared and have different plans of action; that governments can only temporarily sustain; that citizens need to earn an income so she applauded Councilmember Ruano for leading that effort. Regarding the curfew, she mentioned that more congregations of people take place during the day than at night; that we should not add to the anxiety that our residents and community feel because of this; that it's important to take everything into consideration and that we need recovery numbers to share with the residents.

Dominik Frabizi called to actively participate in the public comments section of the agenda. He expressed his ideas to be able to re-open his business with limitations, while respecting social distance. He expressed that people need to get outside their homes; he also stated that he is able to service 6 people (clients) every hour and to disinfect his business every hour. He wants to work and he asked the Town Council to help with this request.

Edward Paez called to listen to the meeting.

Tony Fernandez called to listen to the meeting.

Lynn Matos called to actively participate in the public comments section of the agenda. She is overwhelmed with what she sees in our community – people coming together and joining forces and collaborating; she stated that she is so proud of her community, of the Town Council and that everyone is doing a phenomenal job. Very proud of the initiative brought forth by the Economic Development Committee and the collaboration of the Chamber of Commerce and the Miami Lakes Bar Association; she stated that she's in support of Councilmember Collazo's item 13A and that she is in favor of educating the public and getting postings to slow the speed zone in the lake; perhaps getting the Public Safety and the Neighborhood Improvement Committee involved.

Ms. Blanco called to listen to the meeting.

Mr. William called to observe and listen to the meeting.

Written Public Comments:

Esperanza Hope Reynolds sent an email to the Town Clerk and it was distributed to the Town Council via email.

Bonnie Cintron sent an email to the Town Clerk and it was distributed to the Town Council via email.

Once Public Comments were done, Councilmember J. Rodriguez made a motion to re-open the New Order of Business. Vice Mayor Rodriguez seconded the motion and all were in favor.

Councilmember J. Rodriguez made a motion to move up the Attorney's Report to be heard after the Consent Calendar. The motion was seconded by Vice Mayor Rodriguez and all were in favor.

7. APPOINTMENTS:

None.

8. COMMITTEE REPORTS

A. Sports Hall of Fame

Chairman Roman Garcia presented the report from the Sports Hall of Fame and stated that this year, it is the fourth class to be inducted. The inductees are the late Coach Mike Uspensky, Coach Howard Schnellenberger, Athlete Gus Gandarillas, Athlete Miriam Ochoa and Community Pioneer Roland Gomez. Mayor Cid made motion to officially adopt the 2020 Miami Lakes Hall of Fame. The motion was seconded by Councilmember J. Rodriguez. All were in favor. It was stated that Induction Ceremony to take place in the next few months, once the COVID-19 situation is more curtailed and gatherings are allowed once again.

B. Economic Development Committee

The Chairman of the Economic Development Committee, Eddie Blanco, presented the following 8 recommendations to the Town Council. He explained in detail, that these 8 recommendations were recently approved by the Economic Development Committee (EDC) during their April 21st Virtual Special Call Meeting, held at 4 pm. The following recommendations approved are the following:

1. **Local Community Inter Governmental Outreach-**To reach out to the our local, state and federal representatives asking for their with support requesting for more Testing Sites; to reach out to the state and ask them to suspend the collection of sales taxes [through June 30](#);
2. **Business Chambers and trade Organizations-** To reach out to the business leaders, in particularly to local groups such as the Business Chambers and trade associations, for them to suspend the collection of dues; to allow free memberships and to extend or offer free memberships to new businesses through the end of the year). Chair Blanco also requested for the TOML to send out a letter on this regard (it could be a letter on behalf of the EDC). Mr. Blanco also added that he would like them to interact with the EDC, so they can keep the EDC informed of what their business needs are and we can better keep them informed of what the state, federal and local government is doing to support local businesses.
3. **Town of Miami Lakes Business Practices-** For the Town of Miami Lakes procure products that are made within the town's limits and made in the USA. He stated that the Town Attorney recommended to maybe expand the local preference language that exists in the TOML Code.
4. **Business Support** -To immediately suspend the collection of BTR (Business Tax Receipts) through the end of the year 2020 and for new or pending application for change of use, for the Town Council to approve and allow new business owners to pay mobility fees on a payment schedule rather than a lumpsum upfront.
5. **Weekly Information Calls-** For the Town of Miami Lakes to support a weekly zoom meeting hosted by a local business community or trade organizations. These meetings can facilitate the dissemination of business information relative to the needs of our local community business owners.
6. **Budget-** Provider a \$5,000 emergency budget to the Town of Miami Lakes EDC to be able to educate the businesses on how to be more online friendly and provide a #shoplocal campaign.
7. **Certificate of Use and BTR's for new businesses to be allowed-** To be re-implemented and allowing new businesses to apply, to get them registered, and to get the CU process re-implemented.

8. **Cautious and careful re-opening for businesses-** For small business, small retail shops, to be able to re-open, with parameters; for them to re-open with no more than 6 people in each establishment (including employees); for all employees and occupants to be wearing masks, to remain 6 ft apart; for salons, barbers, one-on-one training to be done by appointment only; to remain closed: bars, churches, libraries, large gyms indoor amusements parks, malls, social clubs, tennis clubs, golf courses fishing charters to remain closed.

Mayor Cid made a motion to approve the recommendations from the Economic Development Committee, as presented by Chairman Eddie Blanco. The motion was seconded by Vice Mayor Rodriguez.

After discussion, Councilmember Dieguez proposed a strike all amendment, to delete the language of the main motion, and instead Councilmember Dieguez made a motion to take the recommendations from the Economic Development Committee and for them to be presented to the Town Council in a Special Call Meeting, to be scheduled by the Town Clerk, and for this meeting to be held during the next two week. By then, he added, that Town Staff would have had a chance to analyze all the recommendations and will be able to provide feedback about their recommendations to the Town Council. Councilmember Collazo seconded this amendment.

After additional discussion, Councilmember Jeffrey Rodriguez made a friendly amendment to Councilmember Dieguez' motion. Councilmember Rodriguez explained that Town Council should outline the specific issues, ideas, concepts, that they would like him (the Chair) to discuss on their behalf at the County meeting; in other words, to adopt the following list and for the Chair to discuss them at the County meeting. It was emphasized that this is an issue list, a list of ideas to be discussed with local, municipal, county and statewide. Councilmember Rodriguez then outlined the following items to be presented by Chair Blanco, at the County meeting:

1. To reach out to the our local, state and federal representatives asking for their with support requesting for more Testing Sites;
2. To reach out to the state and ask them to suspend the collection of sales taxes [through June 30](#);
3. Local Groups such as the Chamber and all voluntary associations to allow free memberships;
4. For the Town of Miami Lakes to procure items that are made in the USA;
5. Suspending the collection of BTR's;
6. New and pending application for changes in use; the payment of mobility fees in a payment scheduled and not lumpsum;
7. Certificate of Use and BTR's, if on hold, they should be restarted;
8. Cautious and careful re-opening for small retail businesses;

These items were not included in the list to be presented to the County:

9. Weekly information calls should not be in the list; This is (town specific)
10. For the EDC to receive \$5,000 emergency budget should not be in the list; (This is town specific)

Mayor Cid seconded this motion. The Town Clerk called the roll and Councilmember Rodriguez' amendment to Councilmember Dieguez' amendment passed unanimously.

Then, the amendment by Councilmember Dieguez to have a special call meeting in the next 2 weeks to discuss all the items presented by the EDC was discussed further. This amendment had been seconded by Councilmember Collazo. The Town Clerk called the roll and the amendment to the main motion passed 6-0, with Councilmember Alvarez being absent.

After additional discussion, the Town Clerk called the roll on the main motion made by Mayor Cid, as amended twice, and the motion passed 6-0, with Councilmember Alvarez being absent.

9. CONSENT CALENDAR:

Vice Mayor Rodriguez moved to approve the Consent Calendar. Councilmember Collazo seconded the motion. All were in favor. Councilmember Alvarez was absent.

A. APPROVAL OF MINUTES

- December 3, 2020 Special Call Meeting
- March 2, 2020 Sunshine Meeting
- March 9, 2020 Regular Council Meeting
- April 2, 2020 Special Call Meeting

Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT EXTENSION FOR DESIGN SERVICES FOR THE NW 59TH AVENUE FOR GEOTECHNICAL BORINGS, TO STANTEC CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$24,898; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT EXTENSION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.(Pidermann)

This item was pulled by Councilmember Ruano and she asked the Town Manager to provide information about the funding of this project.

The Town Manager explained that in 2019, when he first started working for the Town of Miami Lakes, the big portion of this project was to be funded from the mobility budget. He was concerned with the inconsistencies of development revenues and he asked the former Transportation Manager, Michelle Gonzalez to request from the County, to supplant the mobility fee source with road impact fee money. The request was done, the study was commissioned, and it was sent to the County. Recently, the County sent the Town of Miami Lakes a letter stating that they agree with the findings of the study. The Town Manager explained that the following step was to go to the TPO and get them to agree. Recently, the TPO sent the Town a letter in support for the 59th project, just when the Town applied for the FDOT grant. The TPO has agreed with the project and agrees to use road impact fees to pay a portion of the project. So, the Town Manager stated this will be a fully funded project

thru FDOT and the County. The Town Manager explained that in the Capital projects meetings he has with Town staff, they take a conservative approach to looking carefully at the funding; he added that mobility fee is not taken into consideration because of the unreliability of developments.

Councilmember Ruano made a motion to approve the resolution. The motion was seconded by Councilmember Collazo and all were in favor. Councilmember Alvarez was absent.

10. ORDINANCE – FIRST READING:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ENCROACHMENTS BEYOND THE TIE-LINE FOR WATERFRONT SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE VI, “SUPPLEMENTARY REGULATIONS”, AT SECTION 13-1605, “WATERFRONT PROPERTIES”; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

The Town Attorney read the title of the ordinance into the record.

The Town Manager presented the item. He stated that it originated from the Planning and Zoning Board. The recommendation is that in waterfront properties only, the catch-basin for infinity pools, be allowed to pass the tide line and to amend the Land Development Code. To allow catch basins to encroach beyond the top of slope up to four (4) feet beyond the tie lines.

Vice Mayor Rodriguez made a motion to approve the ordinance in first reading and the motion was seconded by Councilmember J. Rodriguez. The Town Clerk called the roll and the motion passed 7-0.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ATTACHED CANOPIES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS”, AT SECTION 13-1506, “CANOPIES,”; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.(Cid)

The Town Attorney read the title of the ordinance into the record.

The Town Manager presented the item. The Town Manager stated that it originated from the Planning & Zoning Board. He explained that what is being proposed is for the canopy to be allowed to encroach the setback 12 ½ feet, if they do not have a gazebo. The ordinance proposes to amend the maximum allowable encroachment for attached canopies from 7 feet to a maximum of 50% of the existing rear setback, while restricting additional detached structures in case where attached canopies are larger than seven feet.

Motion by Councilmember Alvarez and seconded by Councilmember Collazo. The Town Clerk called the roll and the ordinance in first reading passed 7-0.

11. ORDINANCE – SECOND READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 19-251; AMENDING THE TOWN'S FISCAL YEAR 2019-2020 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.(Pidermann)

The Town Attorney read the title of the ordinance into the record.

The Town Manager presented the item, explained in detail all the proposed changes from first reading and answered questions posed by the Town Council.

Mayor Cid opened the public hearing. There being no one wishing to speak, Mayor Cid closed the public hearing.

Councilmember Collazo made a motion to adopt the changes and to discuss the ordinance further. The motion was seconded by Vice Mayor Rodriguez.

After discussion, Councilmember Collazo made an amendment to the main motion, to re-shift or set aside the \$35,000 for security enhancements at Government Center into the fund balance and once Town staff comes back to Town Hall, to give the flexibility to the Town Manager to reallocate this amount back in or determine how it needs to be modified; Councilmember Collazo added that maybe these security enhancement measures can be discussed at the future Special Call meeting. The amendment to the main motion was seconded by Councilmember Dieguez.

Councilmember Ruano made a motion to remove everything and anything that is unnecessary and just put everything into the reserves; Councilmember Ruano explained her concerns of not knowing what the Town budget is going to look like in the next fiscal year due to the economic impact caused by the virus, and stated that the municipality will not be immune to this economic impact. The motion died due to lack of second.

The Town Clerk called the roll for the amended Motion made by Councilmember Collazo, and the motion failed, 2-5, with Councilmembers Alvarez, Rodriguez, Ruano, Vice Mayor Rodriguez, and Mayor Cid voting in opposition.

The Town Clerk then called the roll and the main motion adopting the ordinance in second reading, as per staff recommendations, passed 6-1, with Councilmember Ruano voting in opposition.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO DRIVEWAYS IN RESIDENTIAL DISTRICTS ; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE V, "ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND

EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS” PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

The Town Attorney read the title of the Ordinance into the record.

Mayor Cid opened the public hearing. There being no one wishing to speak, Mayor Cid closed the public hearing.

The Town Manager presented the item. Town Manager stated that for the zero-lot homes, where they will allow 30 contiguous feet access to the sidewalk.

Mayor Cid made a motion to adopt the Ordinance in second reading and it was seconded by Councilmember Dieguez. The Town Clerk called the roll and the Ordinance passed 7-0.

- C. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO MOBILITY FEES; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE X, “CONCURRENCY REGULATIONS AND MITIGATION OF DEVELOPMENT IMPACTS”, DIVISION 2, “MOBILITY FEE”; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

The Town Attorney read the title of the ordinance into the record.

The Town Manager presented the item and answered questions posed by the Town Council. The Town Manager stated that this ordinance is what provides the structure for the mobility fee; that this ordinance does not set the mobility rate. He also mentioned that the rate setting should be done fairly quickly, in less than 6 months.

Councilmember J. Rodriguez made a motion to adopt the ordinance in second reading and it was seconded by Councilmember Dieguez. The Town Clerk called the roll and the ordinance passed 7-0.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING THE RATE PER DAILY TRIP UNDER THE TOWN OF MIAMI LAKES MOBILITY FEE ORDINANCE; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Town Attorney read the title of the resolution into the record.

The Town Manager presented this item in conjunction with item 11C and answered questions posed by the Town Council. The Town Manger stated that Corradino and Associates reevaluated the rates without the SMART Plan Projects and reached the

conclusion that the appropriate rate per daily trip at this time is \$209.52. He stated that once the Strategic Plan takes place, the Town Council can revisit the rate soon.

Vice Mayor Rodriguez made a motion to approve the resolution and it was seconded by Councilmember Dieguez. The Town Clerk called the roll and the resolution passed 6-1, with Councilmember Ruano voting in opposition.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING CONTRACT AMENDMENTS TO ASSIGN CONTRACT 2018-16GS BETWEEN THE TOWN OF MIAMI LAKES AND GREENSOURCE LANDSCAPE AND SPORTS TURF FOR GROUND MAINTENANCE SERVICES FOR MLOP AND ROP TO JUNIPER LANDSCAPING OF FLORIDA, LLC; APPROVING A CONTRACT AMENDMENT TO ASSIGN CONTRACT 2017-23GS BETWEEN THE TOWN OF MIAMI LAKES AND GREENSOURCE LANDSCAPE AND SPORTS TURF FOR GROUND MAINTENANCE SERVICES FOR POCKET PARKS AND ROW MEDIANS TO JUNIPER LANDSCAPING OF FLORIDA, LLC; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT AMENDMENTS AND ASSIGNMENTS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Town Attorney read the title of the resolution.

The Town Manager presented the item and stated that this is a reassignment of a contract, from Greensource Landscaping to Juniper Landscaping. Councilmember J. Rodriguez made a motion to approve the resolution. It was seconded by Councilmember Dieguez and the motion passed 7-0.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ELECTRIC CHARGING INFRASTRUCTURE PHASE ONE REQUEST FOR APPLICATION PROGRAM; AUTHORIZING THE TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ELECTRIC CHARGING INFRASTRUCTURE PHASE ONE REQUEST FOR APPLICATION PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

Town Attorney read the title of the resolution.

The Town Manager presented the item. Councilmember Collazo made a motion to approve the resolution and it was seconded by Councilmember Dieguez. The Town Clerk called the roll and the motion passed 7-0.

13. NEW BUSINESS ITEMS

A. Boating and Personal Watercraft Safety education and Enforcement in Lake Ruth, Loch Doon and Loch Ness and Adjoining Bodies of Water (Collazo)

Councilmember Collazo made a motion directing the Town Manager to add signage that would educate the people operating the water vehicles and work with the property owners and informing them about the issue, and also to asked the Town Manager to work with the jurisdictional authorities that can provide enforcement as well. Councilmember Collazo explained that this is a two-prong approach; first to educate the residents by adding signage and second, the enforcement component. The motion was seconded by Councilmember Alvarez and all were in favor.

B. Building Department (Cid)

Motion by Mayor Cid to waive the rules of Section 7.2. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

Mayor Cid made a motion for Town of Miami Lakes to reimburse any resident that utilized a 3rd party professional inspection certification, within the two weeks that the Building Department was closed. The motion was seconded by Councilmember Ruano. Councilmember Collazo then made an amendment to the motion, by stating that this should apply to residential homes only, meaning to individual homeowners. Councilmember Ruano seconded the motion. All were in favor.

The Town Manager asked what amount was to be reimbursed, if the amount to be reimbursed was the amount the resident paid the 3rd party professional inspector. Councilmember Ruano responded she wanted reimbursement in full. If the work is not legal, Councilmember Ruano then responded that the Building Department would then have to revisit it. Mayor Cid then asked the Town Manager to provide the Town Council with a memo explaining the whole issue. The Town Attorney requested 10 days for the memo to be presented to the Town Council and it was accepted.

Vice Mayor Rodriguez then made an amendment to the motion to pay the residents the permit portion of what the inspection would have cost to the Town of Miami Lakes; to calculate what the resident lost and reimburse them for that amount; and for that amount not exceed the 50% of the total fees paid to the Building Department. The amended motion was seconded by Councilmember J. Rodriguez. All were in favor of the amendment.

The main motion, as amended twice, passed unanimously.

C. Emergency Order 20-07, Curfew (Dieguez)

Motion by Mayor Cid to waive the rules of Section 7.2. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

Mayor Cid made a motion to extend to 11:30 pm. The motion was seconded by Councilmember Dieguez. All were in favor.

Councilmember Dieguez introduced his item and explained the reason why he understands that this emergency order 20-07, should not stand. Councilmember Dieguez also added that in the future, whenever an action that strikes the freedom of movement, it needs to get the approval of the legislative body. That the curfew, the action taken, according to him was not being backed by the facts on the ground. After a lengthy discussion amongst the councilmembers, Councilmember Dieguez moved to lift the nighttime curfew immediately. The motion was seconded by Councilmember Ruano. After all the councilmembers opined, the Town Clerk called the roll and the motion did not pass, 3-4, with Councilmembers Alvarez, Rodriguez, Vice Mayor Rodriguez and Mayor Cid voting in opposition.

Mayor Cid made a motion to extend to midnight. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

D. Informational Resources (Dieguez)

Councilmember Dieguez introduced his item and stated that the intent of the item was to have an economic resource web page on the Town's Website, so residents can go and get relevant information and links to state and federal economic resources, and also get information about CARES Act, loans tax filing deadlines, student loans ect. Councilmember Dieguez thank Town staff and the Communications Department and Director Clarisell de Cardenas, for being proactive because by the time of the Council Meeting, Town Staff had already gone live with this resource web page.

14. MAYOR AND COUNCILMEMBER REPORTS:

A. #Groceries4Seniors (Cid)

Mayor Cid thanked Giving Gators, the Brianna Vergara Foundation for delivering food to seniors, to COHEA and Principal Carlos Alvarez for allowing his High school for allowing the food to be stored in his school.

B. Miami Lakes food Distribution (Collazo)

Councilmember Collazo thanked all the volunteers. He stated that last week the Food Distribution was done in collaboration with Commissioner Bovo and next Friday, the Food distribution would be done with an organization called Feeding South Florida taking place both at Royal Oaks Park and a special tanks to Major Ruiz and the Police Department for a great job done.

D. Meal Site at Miami Lakes United Methodist Church (Cid)

A special thanks was given to Pastor Bodin, his family, Mr. Michael Salem and the community in general for their work with food distribution. Petland Florida will also be distributing food for pets next week.

15. MANAGER'S REPORTS

A. Staff Recommendation or Modification to Code Enforcement Process Under State of Emergency

The Town Manager presented the following recommendations: to follow the Land Development Code, to continue to send courtesy notices/warnings and to let them know that it is not a fine, to work with residents regarding time extensions and continue to follow up with complaints and to continue to enforce all life, safety and building code violations. These are all measures to help the residents under the State of Emergency.

B. Independent Audit FY 2019

The Town Manager stated that the CAFR presentation was to be done by the auditing firm. Ismael Diaz introduced Mr. Gerry Donates, Senior Auditor. Mr. Donates stated that there were no findings to report nor weakness noted, no complications in dealing with Management, no difficulties encountered during the auditing process. He commended the Finance Department and Town Staff for a great job.

C. Follow up on Costs Related to “No Thru Trucks” signage on NW 82nd Avenue (Ruano)

The Town Manager explained that Miami Dade County wants a study to be done prior the signage. The Price tag for the study is \$19,000. If the County concurs with the study, then we would be able to get the signage done. Councilmember Ruano thanked the Town Manager for the follow up and she stated that for the moment, she would prefer for the town not to incur in any cost.

D. Town Manager Monthly Police Report

Major Ruiz presented the item and stated that there is lower crimes to report. They have been handling COVID-19 responses and they are focusing in making sure people respect the orders regarding parks and businesses; he also stated that they are following the emergency orders and providing security during the food distribution.

16. ATTORNEY'S REPORTS:

The Town Attorney, Raul Gastesi and the Deputy Town Attorney, Lorenzo Cobiella, spoke and presented a PowerPoint presentation summarizing a briefing of rules, orders and measures taken

during the COVID-19 pandemic times in the Town of Miami Lakes. The Deputy Town Attorney spoke about the importance of social distancing, sunshine and virtual meetings, public records and access, quasi-judicial rules, Zoning and Code Enforcement, Building Inspections and how we have collaborated with Neighboring Municipalities.

Councilmember Collazo made a motion that if the Town Attorney has any items in the next couple of weeks, he has direction from the Town Council to include any of these items in the upcoming Special Call. The motion was seconded by Councilmember Ruano and all were in favor.

Regarding orders that are being imposed vs. civil liberties, such as social distancing and orders making you stay at home and curfews, the Town Attorney stated that the orders issued by the Town are short term, short duration. No fines have been imposed nor arrests have taken place in the Town.

The Town Attorney spoke about the litigation Pizzi case. He requested additional money, \$50,000, to pay the bills of this case. The Town Attorney clarified that the money he requested is not for him, but to pay the Lydecker Diaz Law firm. Councilmember Dieguez moved to approve the Town Attorney's recommendation and it was seconded by Councilmember J. Rodriguez.

Councilmember Collazo asked the Town Attorney if he would be ok accepting \$30,000 instead and for him to come back to the Town Council if he needed more money in the future. The Town Attorney accepted the proposal made by Councilmember Collazo. So, Councilmember Collazo made a motion to move \$30,000 from the Litigation Reserve to be paid to the Town Attorney. The motion was seconded by Councilmember J. Rodriguez and all were in favor. The main motion was approved.

18. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 12:15 am.

Approved this 19th day of May 2020

Manny Cid, Mayor

Attest:

Gina M. Inganzo, Town Clerk

MINUTES
Special Call Minutes
April 30, 2020
7:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. SPECIAL PRESENTATIONS:

None.

2. CALL TO ORDER:

Mayor Manny Cid called the meeting to order at 7:30 pm.

3. ROLL CALL:

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers being present: Luis Collazo, Josh Dieguez, Jeffrey Rodriguez, Marilyn Ruano, Vice Mayor Nelson Rodriguez and Mayor Manny Cid. Councilmember Carlos Alvarez was absent.

4. MOMENT OF SILENCE:

Marcos Gutierrez led the invocation.

Ariel Fernandez was present via video and presented his meditation video from “Better You Minute”.

5. PLEDGE OF ALLEGIANCE:

Dennis Brenes led the Pledge of Allegiance

6. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):

Councilmember Dieguez asked for Item 17A to be heard right after Public Comments. Vice Mayor Rodriguez asked to be a co-sponsor of Item 14B and 14C.

Councilmember Collazo moved to approve the new Order of Business and Councilmember J. Rodriguez seconded the motion. All were in favor.

7. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed in the Town of Miami Lakes.

Nancy Rogers called to listen to the meeting.

Megan Rodriguez called to speak in support of Item 14B.

After the discussion of Item 17A, Orlando Duque, Jakey's dad from Jakey's Army, called and joined the meeting. He called and shared the good news about Jakey's MRI results and stated that the hospital was discharging them. Mr. Duque was happy to share the good news and invited the Town Council to celebrate Jakey's birthday on May 8th. He asked for assistance from the Police Department for traffic purposes. The Town Council and the Town Manager stated that the Town of Miami Lakes will provide assistance to make his birthday caravan experience a safe one.

8. APPOINTMENTS:

None

9. COMMITTEE REPORTS

10. CONSENT CALENDAR:

None

11. ORDINANCE – FIRST READING:

None

12. PUBLIC HEARINGS – ORDINANCES- SECOND READING:

None

13. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING SPECIAL RULES FOR VIRTUAL QUASI-JUDICIAL MEETINGS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)

The Deputy Town Attorney, Lorenzo Cobiella presented the item and explained that these rules are to be used via the platform zoom, for all the quasi-judicial proceedings meetings. He explained that Quasi-Judicial proceedings require the notices to be mailed out to the applicant and to the neighbors near the applicant, and exhibits to be provided to the Town Clerk 5 days in advance and that Town Hall Council Chambers will be opened for live

testimony of participants that need to testify and need to be sworn in. The Town Clerk will be in Council Chambers to swear the participant during quasi-judicial proceedings.

After the explanation provided by the Deputy Town Attorney, Councilmember Dieguez made a motion to adopt the recommendations put forth in the Quasi-Judicial Rules. The motion was seconded by Councilmember Collazo and all were in favor.

14. NEW BUSINESS ITEMS

A. Reemployment Benefits Resolution (Cid)

Mayor Cid explained that the state of Florida made the benefits already retroactive to March 9th. Mayor Cid made a motion to ask the state of Florida to put in place what the state of Georgia did, which was to allow the people in the service industry, to collect full unemployment benefits even if they start collecting their weekly wages. He asked for the Deputy Town Attorney to work on the resolution attached and make the appropriate changes. The motion was seconded by Vice Mayor Rodriguez. All were in favor.

B. Honoring Miami Lakes High School Seniors for Graduation (Collazo)

The Town Clerk stated for the record that emails from Mrs. Annette Riveron and Mrs. Ditas were received in support of this item and that the emails were shared with the Town Council.

Councilmember Collazo made a motion to have banners line up in the streets, recognizing high school seniors and to honor them; for people to nominate and place a banner up recognizing high school seniors and for this idea to be worked with the collaboration of the EAB and for this to be budget neutral, to work on sponsorships. Councilmember Ruano seconded this motion and all were in favor.

C. Resuming Council Meetings in Council Chambers (Ruano)

Councilmember Ruano stated that she would like to have public meetings to take place in Council Chambers soon. She asked the Deputy town Attorney to explain if this could happen soon.

The Deputy Town Attorney stated that no more than 10 people shall gather on a public street, alley, public way, sidewalk or government facility open to the public in Miami Dade County and he explained that is the reason why all municipalities are conducting their public meetings via a zoom platform. He explained that until there is further notice from Governor DeSantis, zoom meetings are the platform that we need to continue using.

Councilmember Dieguez made a motion to immediately resume meetings in Council Chambers, once the orders are lifted, but also to direct the Town Attorney to prepare a resolution, asking Governor DeSantis and Mayor Gimenez to permit local governments to resume meetings in their government facilities, as soon as possible. This motion has two parts, first asking the Governor DeSantis and the mayor of Miami Dade County, to lift the restrictions as soon as possible and then, once lifted, for our meetings to take place in Town Hall. Councilmember Ruano seconded this motion.

It was discussed that the Town Councilmembers would sit on the Dais, and maybe the Town Charter Officers sit on the floor in front of the Dais, and Town Staff to be at their offices or at home and attend the meeting via zoom. Councilmember Dieguez added that the intent of the motion is for the 10 person requirement in local government to not apply to the residents because the residents would still be able to contribute thru remote public comments as they have done before; it would be geared to the legislative body and to allow them to be in Council Chambers during the meeting, with proper guidance and social distancing. All were in favor.

15. REPORTS:

None.

16. MAYOR AND COUNCILMEMBER REPORTS:

None.

17. MANAGER'S REPORTS

A. Economic Development Committee Recommendations

The Town Manager provided detailed feedback on the 8 measures that were adopted on April 21st Regular Council Meeting by the Town Council, from the list of requests by the Economic Development Committee. After explaining the 8 measures, the following participants spoke:

Alex Ruiz, resident and business owner stated that he participated in the County Advisory Group for real estate and retail, and he stated that retail guidelines regarding re-opening for small businesses, workplaces and small manufacturing that were not already covered under the essential business will be shared in the next two days. He stated that the Mayor Gimenez has not given a timeframe yet for lifting the County's Order, which supersedes anything the individual cites can do.

Chair Eddie Blanco thanked the Town Staff for their hard work. He stated that he has received a lot of feedback from business owners. He also stated that Mayor Gimenez created many groups, around 10 groups in order to get feedback and ideas from medical professionals and business professionals. Chair Blanco gave his input on the detailed feedback that was provided by the Town Manager.

The Town Council then decided to go over all the 8 recommendations one by one and to make separate motions for each one. The first recommendation considered was the one of re-opening of small businesses.

Mayor Cid made a motion to pass a resolution asking Miami Dade County to follow Governor DeSantis lead to open small businesses on Monday, May 4th. The motion was seconded by Councilmember Ruano. It was emphasized during the discussion of this motion, that Mayor Gimenez should use all the documentation he has received and to open sooner than later, that the Town of Miami Lakes should be seen individually, that we have a small number of cases in the town and that our residents have been quarantined and following social distancing, as requested. The motion passed unanimously.

Councilmember Collazo made a motion to reach out to our local, state and federal representatives asking for their support in requesting for more Testing Sites and to add the language that local pharmacies are willing to do the testing at their sites and to request rapid testing results or speed testing. Also, to include Congressman Rick Scott, as well. Councilmember Dieguez seconded the motion and all were in favor.

Councilmember Dieguez made a motion to open up the discussion of the item regarding the proposed sales tax suspension from the EDC. The motion was seconded by Councilmember Ruano. After discussion, Councilmember J. Rodriguez made a motion to deny the petition from the EDC regarding the suspension of the collection of sales tax. The motion was seconded by Councilmember Dieguez and all were in favor.

Motion by Councilmember Collazo for EDC to send out letters to local groups such as the Chamber of Commerce and trade organizations and create a collaboration and communications between other town and other organizations and ask them, or encourage them, or suggest for them to suspend the collection of dues and to extend free memberships to new and existing businesses throughout the end of the year; highlighting our successes and not dictating them what to do. Councilmember Dieguez seconded the motion. The Town Manager concluded by saying “asking them what to do without being overt”. All were in favor.

Councilmember Dieguez moved to adopt the Town Manager’s recommendations to relax the standards for BTR’s by sending warnings and extending the time to come into compliance thru July 31st. This motion was seconded by Councilmember Collazo and Vice Mayor Rodriguez. All were in favor.

Councilmember J. Rodriguez made a motion to change new and pending application for changes in use, to pay mobility fees in a payment schedule over a six-month period and not lumpsum. Councilmember Dieguez seconded the motion.

Councilmember Collazo made an amendment to the main motion for it to allow the extension of 6 months to pay and not issue the Certificate of Use until payment of the mobility fee is paid in full. Councilmember Dieguez seconded the amendment and all were in favor. The Town Clerk called the roll, and the motion failed 2-4, with Councilmember Ruano, Rodriguez, Vice Mayor Rodriguez and Mayor Cid voting in opposition.

The Town Clerk called the roll on the main motion and the motion failed, with Councilmembers Collazo, Dieguez, Ruano and Vice Mayor Rodriguez voting in opposition.

Motion for the Town Manager to work with the Deputy Town Attorney and bring back a proposed ordinance, to incorporate the preference for all produces procured by the services to be made within the town limits if available. Cost neutral language to be added in the ordinance. The motion was made by Vice Mayor Rodriguez and seconded by Councilmember Dieguez. All were in favor.

Motion by Councilmember J. Rodriguez for the EDC, in conjunction with the Town of Miami Lakes, via the Town Liaison, to continues coordinating local business chambers and trade groups, with weekly educational outreach trainings. The motion was seconded by Councilmember Collazo and all were in favor.

Motion to have a Sunshine Meeting for the EDC, the Miami Lakes Chamber of Commerce, the Town Council and Town Staff to be able to sit and discuss transparency, communication and collaboration and discuss the allocation of funds to the Miami Lakes Chamber of Commerce. Councilmember Ruano made the motion and Councilmember Collazo seconded the motion. All were in favor.

The Deputy Town Attorney drafted the resolution that the Town Council had requested regarding small businesses and it was shared via email with the Town Council and via zoom, for their kind review. The Town Council asked the Town Attorney to include at the end of Section 2, the following language: “the Executive Order 20-112, effective May 4th, 2020”

18. ATTORNEY'S REPORTS:

None.

19. ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 10:18 pm.

Approved this 30th day of April 2020

Manny Cid, Mayor

Attest:

Gina M. Inganzo, Town Clerk

MINUTES
Sunshine Meeting
May 7, 2020
7:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. Call to Order:

Meeting began at 7:30 PM.

The following councilmembers were virtually present: Carlos Alvarez, Luis Collazo, Jeffrey Rodriguez, Marilyn Ruano, and Mayor Manny Cid. Vice Mayor Nelson Rodriguez joined virtually 9:20 PM.

The following Town staff were virtually present: Town Manager Edward Pidermann, Assistant Town Manager Tony Lopez, Deputy Town Attorney Lorenzo Cobiella, Town Clerk Gina Inguanzo, Deputy Town Clerk Ashley Shepple, Strategic Planning, Performance & Innovation Manager German Cure, Parks and Recreation Director Danny Angel, Communications and Community Affairs Director Clarisell DeCardenas, Committees & Special Events Coordinator William Sanchez, Marketing & Digital Services Specialist Brandon Diaz, Helpdesk Staff, Communications and Community Affairs Intern Elizabeth Golshteyn, Public Works Engineer Omar Santos Baez, Budget Officer Melissa Hernandez, Building Official Mike Mesa, and Major Javier Ruiz.

There following Miami Lakes Chamber members were virtually present: Sarah Suarez, Janet Waterfield, Fred Senra, Magaly Rubio, Rudy Blanco, Marta Diaz.

The following of the Economic Development Committee members were virtually present: Chairman Eddie Blanco, Jorge Alvarez, Neil Robinson, John Tingle, Romy Portuondo Remoir, and Magaly Rubio, Rudy Blanco, and Vincente Rodriguez.

The following public were virtually present: Edward Paez, Jerry Menendez, and Lynn Matos.

2. Items Discussed:

- **To Discuss the amount of money that is allocated to the Miami Lakes Chamber of Commerce**

Public Comments:

Lynn Matos stated she sent an email on April 10th to the Miami Lakes Chamber, Economic Development Committee Chairman Eddie Blanco, and Town Manager to start a conversation about bringing the Economic Development Committee and Miami Lakes Chamber together to help our Town business community. The Food and Wine is a perfect example of how our businesses were

able to come together and she would like for this to happen again. She is hoping the Chamber and Economic Development Committee can collaborate.

Sarah Suarez from the Miami Lakes Chamber. She stated she is looking forward to working together to bring back our business community. The Chamber has some great ideas on how to do this.

Dennis J. Lyzniak, Treasurer & Theater Manager of Miami Lakes Main Street Players Playhouse, spoke about the success of the theater and how far it has come. He said the theater has fallen on hard times due to the pandemic. The plays, events, and camps cancelled until the end of the year. Many donors to the theater they will be losing due to many being senior citizens. Mr. Lyzniak stated they promote for many of their attendees to visit the local restaurants. He encouraged the council, chamber, and the Economic Development Committee to help the theater. He brings 3,000 visitors to theater every year and out of these audience are outside from Miami Lakes.

Jared from TD Bank stated the Chamber could do virtual luncheon.

Notes on the meeting:

Councilmember Luis Collazo commended the Miami Lakes Chamber members and Economic Development Committee members for having this meeting. He stated it's important to work together to help our small business community and maximize our resources.

Chairman Eddie Blanco began the meeting by stated the Economic Development Committee has financially supported the Miami Lakes Chamber with \$10,000 historically every year. He wants to see the Economic Development Committee to continue to do so given the long legacy of the Miami Lakes Chamber in our Town and how it has supported our businesses. We in unprecedented times and businesses have been closed for 60 days and we need to strategize on how to help businesses get back on their feet.

Chairman Blanco explained there was a request put before the Town Council for \$5,000 from the Economic Development Committee at the Special Call Meeting on April 30th. This funding would be used to educate our local businesses how to grow their business online and a shop small business campaign. The Town Council declined this and stated the Economic Development Committee would need to brainstorm on how to gain accessing to funding to support these initiatives. He explained therefore this meeting was called to brainstorm with the Miami Lakes Chamber.

Chairman Blanco stated that he would like to discuss the Economic Development Committee's budget amount to the Miami Lakes Chamber, transparency, and communication. He would like to open the meeting to discuss opportunities and ideas on collaboration and how to help the local small business community. The Town Council and staff will make the final decisions based on these recommendations.

Economic Development Committee will be having a meeting to discuss their budget on May 15th and due to the times and scarce funding, the committee prepares to take austerity measures.

If \$10,000 dollars will be given to the Chamber, the Economic Development Committee needs to make sure this money is well spent to help businesses recover and grow. Chairman Blanco would like to see the reporting and financials from the Miami Lakes Chamber to see how this allocation

of money is being spent. The money from the Town is taxpayer dollars and taxpayers do like to know where their money is going.

As far as transparency and communication, Chairman Blanco believes the Town, as a member of the chamber, should have access to the bylaws, minutes and agendas from the meetings, and financials. The Economic Development Committee would like to know what they can do to help the Chamber and the Chairman Blanco would like to become a Trustee member of the Chamber.

In the Chamber bylaws, Chairman Blanco stated there is a section about setting up committees. Chairman Blanco would like to know would it be possible to setup committees, such as COVID-19 recovery or Social Media Branding committee. This would expand the Chamber's capacity and create innovative opportunities.

Lastly, the Town funding of \$10,000 goes to the Chamber networking luncheons and the Business Expo. Due to COVID-19, these events will most likely not be happening for awhile. Chairman Blanco would like to know what the Chamber plans to do to replace these events like this to help businesses.

Councilmember Ruano asked what it means to be a Trustee member of the Chamber. Chairman Blanco explains it is when an individual or business pays a \$1,500 membership level and clarified he would be personally, or his business would become a Trustee member. Councilmember Ruano also asked if Chamber financials have ever been given to the Town. Marta Diaz from the Miami Lakes Chamber stated this has never been done. Mrs. Diaz stated what has been provided to the Town was information regarding their platinum membership benefits and what the money would be used for. Councilmember Ruano stated that if financials are requested from the Chamber then every Town committee will need to be requesting from every entity they are partnered with.

Councilman Alvarez asked Chairman Blanco by obtaining the Chamber financials what is the Economic Development Committee looking to accomplish once the financials from the Chamber are given. Chairman Blanco said in the Chamber bylaws this is allowed of members to ask for copies. The Town of Miami Lakes is a member.

Councilmember Rodriguez stated the collaboration of the Economic Development Committee and Miami Lakes Chamber is going to serve our business community best during these difficult and unprecedented times. He commended both for having this conversation.

Economic Development Committee member Vicente Rodriguez asked if the \$10,000 dollars for the funding of Miami Lakes Chamber would be coming out of the committee budget. Chairman Blanco stated that is ultimately up to the Economic Development Committee on the funding amount. Chairman Blanco stated \$3000 went to the Chamber membership and the rest went to the Chamber Expo.

Economic Development Committee member Jorge Alvarez stated he wants to make sure the Economic Development Committee is budgeting for good resources for Town businesses.

Economic Development Committee member Neil Robinson asked for clarification from Marta Diaz from the Chamber of what the EXPO is. Mrs. Diaz explained how the EXPO works, around 500 business participate in the EXPO. Mr. Robinson also asked what the membership levels are and how many members the Chamber has. Mrs. Diaz stated there are 200 businesses that belong to the Chamber and there is non-profit level, business member level, corporate level, and trustee level. Mr. Robinson asked for clarification from Chairman Blanco of what exactly he is looking for.

Chairman Blanco stated the Town is a member of the organization and according to the Chamber bylaws that members are entitled to receive copies of the financials.

Economic Development Committee member Romy Portuondo Remoir stated that she agreed with Chairman Blanco. She explained this is a healthy exercise done by any business, corporate setting, and public service organization that is using taxpayer dollars. She stated this coming fiscal year is different due to the times we are living in and we need to make sure this money is being used in the best way possible to help our businesses.

Economic Development Committee member John Tingle need to assess where the committee can allocate \$5,000 for the two campaigns.

Economic Development Committee member and Miami Lakes Chamber member Rudy Blanco stated there has been no need to provide financials to the Town and the chamber has always allocated the funds appropriately. He does agree there needs to be a collaboration between the Chamber and the Economic Development Committee.

Miami Lakes Chamber member Fred Senra stated the Chamber has always collaborated with the Town, but financials have never been requested has never been requested in the 19 years. The EXPO budget and revenue of this past year earned was sent to Economic Development Committee. The EXPO has always been great businesses. He explained the Chamber membership benefits of the Town. He stated there has been over 100 email blasts about what each Town business is doing during this crisis. He feels the Town has been provided all the documentation needed. He would like to continue the relationship to be harmonious.

Economic Development Committee member and Miami Lakes Chamber member Magaly Rubio stated she has been a 50-year resident of Miami Lakes and started Miami Lakes Business Association that is now the Miami Lakes Chamber of Commerce. She has been as the president of the Chamber for many years. She stated the Chamber has done everything could do for businesses for many years.

Miami Lakes Chamber member Marta Diaz stated the Chamber has dedicated time during this crisis to let everyone know via email of what businesses are open and what services are being offered.

Chairman Eddie Blanco apologized if his request upset the Chamber. He explained his intention was not to question the legacy or integrity of the Chamber. He stated he is a believer and supporter of the Chamber. He has known many the members for years and they are all competent individuals. He is just bringing to light that the Economic Development may not be able to provide \$7,000 to support an EXPO that will not be happening this year due to the COVID-19. If \$7,000 is given to the Chamber, where will it go if the EXPO does not happen.

Chairman Blanco asked for clarification from Chamber Member Fred Senra was he comfortable or not comfortable of opening the books of the Chamber. Mr. Senra stated he was not, and he did not think it was necessary. Mr Senra explained the EXPO has not been cancelled yet. Mr. Senra also clarified it would just be postponed and if it cannot be done the money would be returned to the Economic Development Committee. Furthermore, the money could also be used for another opportunity.

Miami Lakes Chamber Member Sarah Suarez mentioned the Chamber could offer webinars in lieu of the luncheons.

Miami Lakes Chamber member Marta Diaz stated the Shula's Hotel are working on guidelines with the state and county. There would be social distancing practices put into place at any event. Shula's Hotel will be in touch with her on the final decisions. The EXPO the Chamber is still planning to have it, but adjustments will be made.

Mayor Cid stated, after hearing everyone speak and Dennis J. Lyzniak, he would hate to lose business like the Miami Lakes Playhouse. He said that the movie theater company is now filing for Chapter 11. The small theaters do not have national credit behind them, and we cannot lose these small businesses.

Chairman Blanco commended the Town staff for organized webinars for business. Marta Diaz from the Chamber stated she could promote these webinars via Chamber email blast.

Chairman Blanco would like to create leadership committees that would be apart of the Chamber who meet more regularly like COVID-19 business task force and Social Branding Committee. Fred Senra stated that this is a possibility.

Miami Lakes Chamber Member Marta Diaz stated the Chamber is hoping to have an in-person luncheon in June.

Economic Development Committee member Vicente Rodriguez could do one EXPO outside and have another one done inside Shula's Hotel.

Councilmember Collazo is happy to hear with ideas discuss tonight. He said the Chamber task force is a great idea. It is important to help these businesses to adapt to the new normal. Online resources and making them centralized are key.

Councilmember Ruano stated just take it one step at a time and the focus needs to be on opening businesses. There needs to be guidelines that do not suffocate our businesses. There needs to be more education on COVID-19. She stated she is not crazy about the COVID task force, but she leaves that up to the digression of the Chamber and Economic Development Committee. She would like to see a campaign on COVID-19 education is needed because she feels we are safer than we believe.

Councilmember Alvarez again commended both entities for this meeting and encouraged for the Chamber to collaborate with other Chamber of Commerce throughout the Northwest Dade County area. The Chamber could learn new best practices.

Councilmember Rodriguez said this meeting gives the Council a lot to think about and he loves the ideas of webinars. Businesses may be opening but it is not going to go back to normal in the beginning.

Mayor Cid commended Chairman Blanco for his determination, hard work, and innovative efforts. He stated the Chairman Blanco has been advocating for businesses to open. He stated change is always difficult, but we need to move with the times. The Chairman's heart is in the right place.

Vice Mayor Rodriguez said it is crucial that businesses get the help that they need and will be connecting with Eddie to go over the recommendations discussed tonight. He apologized he was working and could not fully participate in the meeting.

Chairman Eddie Blanco closed the meeting by stating the May 14th the Economic Development Committee will be discussing and deciding on the budget.

Adjournment:

This meeting was adjourned at 9:45 p.m.

Manny Cid, Mayor

Attest:

Gina M. Inguanzo, Town Clerk



TOWN OF MIAMI LAKES MEMORANDUM

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program

Date: May 19, 2020

Recommendation

It is recommended that the Town Council authorize the Town Manager to apply for the FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program to provide funding for the prevention, preparation and response to the coronavirus, in an amount not to exceed \$122,700, and if funded, to authorize the Town Manager to accept grant funds, execute the grant agreement, take all necessary steps to implement the terms and conditions of the agreement, expend budgeted funds in connection with this Program, and to submit requests for reimbursements in connection with this Program.

Background

The U.S. Department of Justice (USDOJ), Bureau of Justice Assistance (BJA), released the Coronavirus Emergency Supplemental Funding (CESF) Program on March 30, 2020. The Program provides nationwide funding in the amount of \$850 million. Florida's portion is approximately \$50.2 million as follows:

- Approximately \$18.5 million was allocated directly to select local jurisdictions.
- Approximately \$31.7 million was allocated for the state award. This allocation will provide pass-through funding (subawards) to Florida's state agencies and to eligible local jurisdictions not receiving a direct award from USDOJ.

The FDLE, Office of Criminal Justice Grants (OCJG), is seeking applications for the FY2020 CESF Program. This Notice of Funding Opportunity seeks subrecipient applications for activities as they relate to the prevention of, preparation for, and response to the coronavirus. The Town of Miami Lakes FY2020 CESF Program Local Allocation is \$122,700. Matching funds are not required for the Program.

The FY2020 CESF Program funds may not be used to supplant state or local funds. Funds must only be used to increase the amount of funds that would, in the absence of federal funds, be made available for the given activities. The FY2020 CESF Program Local Allocations list is enclosed as Exhibit A.

Benefits

If awarded, the FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program will provide the Town with a maximum allocation of \$122,700 to fund essential personal protective equipment, supplies, materials, overtime, and other measures used for the prevention of, preparation for, and response to the coronavirus.

Attachments:

Resolution

Exhibit A FY2020-CEFS Local Allocations

RESOLUTION NO. 20- _

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWNMANAGER TO APPLY FOR AND ACCEPT THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM; AUTHORIZING THE TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (PIDERMANN)

WHEREAS, COVID-19 Pandemic has impacted state and local economies, and presented local governments with an inordinate pressure to provide relief to its businesses and residents; and

WHEREAS, the U.S. Federal Government, through the Department of Justice, Bureau of Justice Assistance has invited local governments to apply for Coronavirus Emergency Supplemental Funding Program (“CESP”) grants to help mitigate the costs associated with prevention, preparation and response to COVID-19 ; and

WHEREAS, if granted, the Town of Miami Lakes (the “Town”) would be able to fund essential personal protective equipment, supplies, materials and overtime of employees, among other needs related to the COVID-19 Pandemic; and

WHEREAS, if awarded, the CESP would not require the Town to match funds.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Authority to Apply and Accept Grant. The Town Council hereby authorizes the Town Manager to apply for the United States Department of Justice Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding Program, and if awarded, execute such grant agreements and other contracts and documents as necessary, and take such other acts as may be necessary to bind the Town and accomplish the intent of this Resolution.

Section 3. Authorization of Town Officials. The Town Manager and/ or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of The United States Department of Justice Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding Program. The Town Clerk is hereby directed to send copies of this Resolution to any person or agency as directed by the Council of the Town of Miami Lakes.

Section 4. Execution of the Agreement. The Town Manager is authorized to execute the Agreement with the United States Department of Justice Bureau of Justice Assistance, and to execute any subsequent document, agreement, amendment, in furtherance of applying for and implementing the United States Department of Justice Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding Program.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Passed and adopted this _____ day of _____ 2020

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Josh Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

MANNY CID
MAYOR

Attest:

Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez and Mestre, PLLC
TOWN ATTORNEY

FY2020 Coronavirus Emergency Supplemental Funding (CESF)

Local Allocations

Note: Municipalities receiving a direct allocation from DOJ will not receive an allocation under this FDLE funding opportunity. To view the direct DOJ allocations click [here](#).

County	Municipality	Allocation
Alachua	Alachua	\$60,591
	High Springs	\$50,000
	Waldo	\$25,000
Baker	Baker County	\$104,925
Bay	Lynn Haven	\$104,704
	Mexico Beach	\$25,000
	Panama City Beach	\$63,556
	Parker	\$46,011
	Springfield	\$60,051
Bradford	Bradford County	\$105,521
	Lawtey	\$25,000
	Starke	\$50,000
Brevard	Cocoa Beach	\$62,086
	Indialantic	\$38,340
	Indian Harbour Beach	\$59,079
	Melbourne Beach	\$39,667
	Melbourne Village	\$25,000
	Rockledge	\$115,450
	Satellite Beach	\$61,188
	West Melbourne	\$105,957
Broward	Coconut Creek	\$168,388
	Cooper City	\$127,874
	Hillsboro Beach	\$34,012
	Lauderdale-By-The-Sea	\$50,000
	Lighthouse Point	\$61,251
	Margate	\$168,393
	Parkland	\$121,206
	Pembroke Park	\$50,000
	Sea Ranch Lakes	\$25,000
	Seminole Tribe	\$44,023
	Southwest Ranches	\$50,000
	West Park	\$65,801
	Weston	\$184,539
	Wilton Manors	\$63,369
Calhoun	Altha	\$25,000
	Blountstown	\$36,813
	Calhoun County	\$62,594
Charlotte	Punta Gorda	\$101,736
Citrus	Crystal River	\$40,038
Clay	Green Cove Springs	\$50,000
	Orange Park	\$59,203

County	Municipality	Allocation
Collier	Marco Island	\$70,000
	Naples	\$104,319
Dade	Aventura	\$134,896
	Bal Harbour Village	\$38,497
	Bay Harbor Islands	\$50,000
	Biscayne Park	\$40,114
	Coral Gables	\$155,708
	Cutler Bay	\$146,891
	Doral	\$173,742
	El Portal	\$35,610
	Golden Beach	\$25,000
	Hialeah Gardens	\$110,096
	Indian Creek Village	\$25,000
	Key Biscayne	\$63,705
	Medley	\$25,000
	Miami Lakes	\$122,700
	Miami Shores	\$61,599
	Miami Springs	\$65,211
	Miccosukee Tribe	\$25,000
Desoto	North Bay Village	\$59,232
	Palmetto Bay	\$111,409
	Pinecrest	\$101,838
	South Miami	\$64,085
	Sunny Isles Beach	\$108,037
	Surfside	\$50,000
	Sweetwater	\$106,468
	Virginia Gardens	\$36,500
	West Miami	\$50,000
	Arcadia	\$50,000
Dixie	Desoto County	\$117,478
	Cross City	\$33,132
Duval	Dixie County	\$65,788
	Atlantic Beach	\$64,241
Flagler	Jacksonville Beach	\$109,811
	Neptune Beach	\$50,000
	Bunnell	\$38,854
Franklin	Flagler Beach	\$47,005
	Apalachicola	\$36,010
	Carrabelle	\$38,502
Gadsden	Franklin County	\$50,000
	Chattahoochee	\$39,810

FY2020 Coronavirus Emergency Supplemental Funding (CESF)

Local Allocations

County	Municipality	Allocation
Gadsden (cont.)	Gadsden County	\$121,309
	Gretna	\$25,000
	Havana	\$33,437
	Midway	\$41,146
	Quincy	\$50,000
Gilchrist	Gilchrist County	\$65,255
	Trenton	\$34,550
Glades	Glades County	\$62,121
Gulf	Gulf County	\$61,607
	Port St. Joe	\$41,988
Hamilton	Hamilton County	\$60,679
	Jasper	\$39,334
	Jennings	\$25,000
	White Springs	\$25,000
Hardee	Bowling Green	\$38,683
	Hardee County	\$70,000
	Wauchula	\$50,000
Hendry	Clewiston	\$50,000
Hernando	Brooksville	\$50,000
Highlands	Avon Park	\$61,526
	Lake Placid	\$36,951
	Sebring	\$61,718
Hillsborough	Temple Terrace	\$114,783
Holmes	Bonifay	\$37,712
	Holmes County	\$70,000
Indian River	Fellsmere	\$50,000
	Indian River Shores	\$44,351
	Sebastian	\$110,877
	Vero Beach	\$70,000
Jackson	Graceville	\$35,439
	Jackson County	\$126,432
	Marianna	\$50,000
	Sneads	\$34,098
Jefferson	Jefferson County	\$63,061
	Monticello	\$36,618
Lafayette	Lafayette County	\$50,000
Lake	Astatula	\$33,813
	Clermont	\$129,935
	Eustis	\$104,749
	Fruitland Park	\$50,000
	Groveland	\$64,588
	Howey-In-The-Hills	\$25,000
	Lady Lake	\$65,659
	Mascotte	\$50,000

County	Municipality	Allocation
Lake (cont.)	Minneola	\$61,975
	Mount Dora	\$64,812
	Tavares	\$70,000
	Umatilla	\$43,514
Lee	Sanibel	\$50,000
Levy	Cedar Key	\$25,000
	Chiefland	\$35,539
	Inglis	\$25,000
	Williston	\$38,592
Liberty	Liberty County	\$50,000
Madison	Madison City	\$39,558
Manatee	Bradenton Beach	\$25,000
	Holmes Beach	\$43,438
	Longboat Key	\$44,932
	Palmetto	\$64,090
Marion	Bellevue	\$48,188
	Dunnellon	\$33,480
Martin	Jupiter Island	\$25,000
	Sewall's Point	\$34,650
	Stuart	\$70,000
Monroe	Key Colony Beach	\$25,000
	Key West	\$112,634
Nassau	Fernandina Beach	\$63,195
	Nassau County	\$177,236
Okaloosa	Crestview	\$111,457
	Fort Walton Beach	\$105,995
	Niceville	\$65,165
	Shalimar	\$25,000
	Valparaiso	\$50,000
Okeechobee	Okeechobee City	\$50,000
	Okeechobee County	\$130,515
Orange	Belle Isle	\$50,000
	Eatonville	\$36,057
	Edgewood	\$37,608
	Maitland	\$70,000
	Oakland	\$37,979
	Ocoee	\$142,727
	Windermere	\$38,721
	Winter Park	\$120,746
Osceola	St. Cloud	\$144,491
Palm Beach	Atlantis	\$34,559
	Gulf Stream	\$25,000
	Highland Beach	\$42,159
	Hypoluxo	\$37,879

FY2020 Coronavirus Emergency Supplemental Funding (CESF)

Local Allocations

County	Municipality	Allocation
Palm Beach	Juno Beach	\$40,304
(cont.)	Jupiter	\$173,814
	Jupiter Inlet Colony	\$25,000
	Lake Clarke Shores	\$41,137
	Lake Park	\$59,317
	Lantana	\$61,680
	Manalapan	\$25,000
	Mangonia Park	\$34,502
	North Palm Beach	\$63,286
	Ocean Ridge	\$33,551
	Pahokee	\$50,000
	Palm Beach Town	\$50,000
	Palm Beach Gardens	\$159,317
	Palm Beach Shores	\$25,000
	Palm Springs	\$108,809
	Royal Palm Beach	\$134,109
	South Bay	\$50,000
	South Palm Beach	\$25,000
	Tequesta	\$50,000
	Wellington	\$174,820
Pasco	Dade City	\$50,000
	Port Richey	\$37,836
	Zephyrhills	\$70,000
Pinellas	Belleair	\$43,629
	Belleair Beach	\$25,000
	Belleair Bluffs	\$34,821
	Dunedin	\$132,455
	Gulfport	\$63,252
	Indian Rocks Beach	\$45,507
	Indian Shores	\$25,000
	Kenneth City	\$50,000
	Madeira Beach	\$45,740
	North Redington Beach	\$25,000
	Oldsmar	\$65,244
	Redington Beaches	\$25,000
	Safety Harbor	\$70,000
	Seminole City	\$101,698
	South Pasadena	\$50,000
	St. Pete Beach	\$60,155
	Tarpon Springs	\$112,782
	Treasure Island	\$50,000
Polk	Auburndale	\$70,000
	Bartow	\$102,248
	Davenport	\$45,788

County	Municipality	Allocation
Polk	Haines City	\$110,082
(cont.)	Lake Alfred	\$50,000
	Lake Hamilton	\$25,000
	Lake Wales	\$70,000
Putnam	Crescent City	\$25,000
	Interlachen	\$25,000
	Palatka	\$61,322
	Welaka	\$25,000
St. Johns	St. Augustine	\$64,758
	St. Augustine Beach	\$50,000
Santa Rosa	Gulf Breeze	\$50,000
	Milton	\$60,557
	North Port	\$182,229
Sarasota	Venice	\$107,847
Seminole	Lake Mary	\$70,000
	Longwood	\$65,716
	Oviedo	\$134,829
	Winter Springs	\$132,182
Sumter	Bushnell	\$36,832
	Center Hill	\$25,000
	Webster	\$25,000
	Wildwood	\$50,000
Suwannee	Live Oak	\$50,000
	Suwannee County	\$133,870
Taylor	Perry	\$50,000
Union	Union County	\$64,415
Volusia	Daytona Beach Shores	\$45,355
	Edgewater	\$107,249
	Holly Hill	\$62,696
	Lake Helen	\$37,717
	New Smyrna Beach	\$113,328
	Oakhill	\$34,212
	Orange City	\$62,537
	Ponce Inlet	\$39,591
	Port Orange	\$172,294
	South Daytona	\$63,531
Wakulla	Wakulla County	\$123,312
Walton	DeFuniak Springs	\$50,000
Washington	Chipley	\$41,598
	Washington County	\$104,333

Total Local Allocations	\$16,455,157
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Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Reopening of Town Hall for Town Council Meetings

Date: May 19, 2020

Recommendation:

It is recommended that the Town Council adopt a resolution memorializing the action taken during the April 30, 2020 Special Call Meeting, providing for the reopening of Town Hall for Town Council Meetings, and remitting a formal request to the Governor of the State of Florida and the Mayor of Miami-Dade County to allow for resumption of live, in person Town Council Meetings.

Background:

During the April 30, 2020 Special Call Meeting, the Town Council instructed the Town Manager and Town Attorneys to draft a resolution, formally requesting the opening of Town Hall for Town Council Meetings as soon as possible, and to re-open Town Hall for Town Council Meetings as soon as State and County restrictions are lifted.

Attachments:

Resolution

RESOLUTION NO. 20 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PETITIONING THE GOVERNOR OF THE STATE OF FLORIDA AND THE MIAMI-DADE COUNTY MAYOR TO ALLOW THE TOWN TO RESUME LIVE COUNCIL MEETINGS; ESTABLISHING A RETURN DATE FOR LIVE, COUNCIL MEETINGS; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (RUANO/DIEGUEZ)

WHEREAS, during the April 30, 2020, Town of Miami Lakes (the “Town”) Council Special Call Meeting, the Town Council discussed the resumption of live, in person, Town Council Meetings; and

WHEREAS, in order to stop the spread of COVID-19, to protect the public welfare and in the interest of public safety, Miami-Dade County and the Town promulgated and adopted orders closing government buildings to the public; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis issued Executive Order 20-69, which suspended the physical presence quorum requirement for public meetings, and providing authority for virtual meetings via communication media technology; and

WHEREAS, the Town believes that live, in person Town Council Meetings are in the Town’s best interest; and

WHEREAS, the Town urges the Governor of the State of Florida and the Mayor for Miami-Dade County to allow the Town to resume live, in person Town Council Meetings as soon as possible.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Supporting the Reopening of Live, In Person Council Meetings As Soon as Possible, and Requesting the Reopening of Town Council The Town Council supports the reopening of Town Chambers for Town Council Meeting as soon as current restrictions are lifted. The Town Council formally requests that the Governor of the State of Florida and the Mayor of Miami-Dade County give every possible consideration to allow the resumption of live, in person Council Meetings to resume as soon as possible.

Section 4. Instructions for the Clerk to Submit Copy of Resolution to the Governor of the State of Florida and the Mayor of Miami Dade County. The Town Clerk is hereby authorized to submit a copy of this Resolution to the Governor of the State of Florida and the Mayor of Miami-Dade County, and any other government official necessary to carry out the Council's intent.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

***** PURPOSEFULLY LEFT BLANK *****

Passed and adopted this 19th of May, 2020

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Josh Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez and Mestre, PLLC
TOWN ATTORNEY



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Synthetic Roofing in Town House Districts

Date: May 19, 2020

Background:

On March 1, 2016, the Town of Miami Lakes (“Town”) Council adopted Ordinance 16-191, which allows the use of synthetic roofing materials for use in single and two-family residences, provided the materials resemble tile. Said change was made during a time that synthetic materials began to saturate the market, and Miami-Dade County provided authority to allow its use. Due to the prevalence of deed restrictions in many of Town, townhome communities, which restrict the use of colors, materials, and design, where purposefully omitted from inclusion in Ordinance 16-191.

During the February 18th, 2020, Town Council meeting, the Town Council directed staff to prepare the necessary amendments to the Land Development Code in order to permit synthetic the use of synthetic materials for roofs in the townhome districts, in a manner similar to Ordinance 16-191.

During the May, 2020 Planning and Zoning Meeting, the Planning and Zoning Board voted in favor of the proposed changes to the Code.

Accordingly, this ordinance amends Section 13-444, in order to allow the use of synthetic materials on roofs in the townhome district, and relaxes restrictions on use of design and color. These changes are not intended to supersede or replace existing deed restrictions that may exist.

Recommendation:

Staff recommends approval of the ordinance amending Section 13-444 as it relates to permitting synthetic roofing for townhouse buildings.

Attachments:

Ordinance
Staff Report

ORDINANCE NO. 20-____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING CHAPTER 13, ARTICLE IV,
DIVISION 3, RU-TH TOWNHOUSE DISTRICT, SEC. 13-444,
DEVELOPMENT REGULATIONS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN CODE;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Objective 1.2 of the Town’s Comprehensive Plan states that the Town shall maintain an effective and efficient Land Development Code (LDC); and

WHEREAS, consistent technological investments have led to development of roofing materials that approximate the aesthetics of more traditional roof materials and have gained product approval under the terms of the Florida Building Code; and

WHEREAS, the Town Council has already modified allowed roofing materials on single-family and two-family properties to allow for the use of newer technologies; and

WHEREAS, the Town Council wishes to modify allowed roofing materials on townhome properties to allow for the use of newer technologies; and

WHEREAS, the Town’s Planning and Zoning Board, as the Local Planning Agency (LPA), reviewed the proposed amendments at a duly advertised Public Hearing on _____, and voted to recommend adoption of the amendments with a modification; and

WHEREAS, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency (LPA) and Town staff, the Town Council wishes to adopt the amendments to the Town LDC attached hereto as Exhibit A; and

WHEREAS, the proposed amendments are in conformance with all applicable requirements of the Town’s Code of Ordinances, including the LDC; and

WHEREAS, the proposed amendments will not be in conflict with the public interest, and are consistent and in harmony with the purpose and intent of the Comprehensive Plan; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Amendment. Sections 13-442 and 13-444 are hereby amended as provided at Exhibit “A”.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed on first reading this _____ day of _____, 2020.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this ____ day of _____, 2020.

Manny Cid
Mayor

Attest:

Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
Town Attorney

EXHIBIT A

Chapter 13 - LAND DEVELOPMENT CODE

ARTICLE IV. - ZONING DISTRICT REGULATIONS

DIVISION 3. - RU-TH TOWNHOUSE DISTRICT

* * * * *

Sec. 13-442. - Definitions.

Official Authorized Body means the body designated by the declaration of restrictions in the townhouse developments to approve architectural changes. If such a body does not exist, ~~the Town will appoint a board.~~ the Administrative official, the Building official and the Town Manager shall serve as de-facto board only for the purposes of consideration and approval of architectural changes as required by the declaration of restrictions. Decisions of the de-facto board are binding unless appealed to the Planning and Zoning Board within 30 days. The de-facto board shall make decisions on a majority basis and at least two (2) members must be present to make decisions.

* * * * *

Sec. 13-444. - Development regulations.

Townhouse developments are subject to the following restrictions:

* * * * *

(20) *Building and roof colors.*

- a. All townhouse buildings within a development or within separate groupings in a development shall be painted in the same color or color scheme as approved by the Official Authorized Body.
- b. All roofs within a development shall be comprised or appear to be comprised of the same material and color as approved by the Official Authorized Body. All roofs, with the exception of cloth/canvas awnings or canopies, with a pitch greater than 2½ shall be constructed of either cement, ceramic, synthetic or metal to ~~simulate flat cement tile or barrel tile match~~ or replicate the material and color approved by the Official Authorized Body. All re-roofs shall match or appear to match the color and material of the existing attached roofs in the development.

* * * * *



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Fax: (305) 558-8511
Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Synthetic Roofing in Town House Districts
Date: May 19, 2020

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, ARTICLE IV, DIVISION 3, RU-TH TOWNHOUSE DISTRICT, SEC. 13-444, DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On March 1, 2016, the Town of Miami Lakes (“Town”) Council adopted Ordinance 16-191, which allows the use of synthetic roofing materials for use in single and two-family residences, provided the materials resemble tile. Said change was made during a time that synthetic materials began to saturate the market, and Miami-Dade County provided authority to allow its use.

Due to the prevalence of deed restrictions in many of Town, townhome communities, which restrict the use of colors, materials, and design, where purposefully omitted from inclusion in Ordinance 16-191.

During the February 18th, 2020, Town Council meeting, the Town Council directed staff to prepare the necessary amendments to the Land Development Code in order to permit synthetic the use of synthetic materials for roofs in the townhome districts, in a manner similar to Ordinance 16-191.

During the May, 2020 Planning and Zoning Meeting, the Planning and Zoning Board voted in favor of the proposed changes to the Code.

Accordingly, this ordinance amends Section 13-444, in order to allow the use of synthetic materials on roofs in the townhome district, and relaxes restrictions on use of design and color. These changes are not intended to supersede or replace existing deed restrictions that may exist.

B. PROPOSED CHANGES

The following described elements are presented in the same order that they appear in the proposed ordinance.

Sec. 13-442. - Definitions. The definition of *Official Authorized Body* was amended to include a de-facto Board for developments that do not have a designated board in charge of enforcing declarations of restrictions. this De-facto Board would be composed of the Building Official, the Administrative Official and the Town Manager.

Sec. 13-444. - Development regulations. The provision permits existing town homes to replace its roofing with synthetic roofing to match in type and color the remaining structures in the development.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance amending Section 13-444 as it relates to permitting synthetic roofing for townhouse buildings.

D. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

1. Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: The Comprehensive Development Master plan does not address roofing. The proposed ordinance has no impact on concurrency management.

Finding: Complies.

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, of this report. The amendment offers a roofing system to townhomes that is already allowed to single family buildings. The ordinance does not conflict with any other portions of the Code.

Finding: Complies.

3. **Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.**

Analysis See Sections “A”, Background; and “B”, Proposed Changes, and Criteria “2”, of this report. Synthetic roofing has been allowed in single family homes since 2016, and many property owners have installed this roofing system in their homes. The proposed ordinance allows townhomes to utilize the same roofing system.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. The proposed amendment does not change the list of permitted uses within any zoning district.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, of this report. The proposed ordinance does not impact the above systems.

Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, of this report. The proposed ordinance does not impact the above systems.

Finding: Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. the synthetic roofs that would be allowed under the proposed ordinance

would be identical in appearance and color to the existing tile. Synthetic roofing literature suggests that, since the material is less porous than clay tile, it is less prone to mildew and moisture caused discoloration. Cleaner roofs maintain the pleasant appearance of the community and thus sustain property values.

Finding: Complies.

- 8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7, of this report.

Finding: Complies.

- 9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7 of this report.

Finding: Complies.

- 10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

Analysis: See all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: School Safety Considerations

Date: May 19, 2020

Background

On February 18, 2020, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address safety of public and private school facilities.

The request came about after a presentation from a group of students from Miami Lakes Middle School regarding safety needs of school facilities. The students presented several recommendations regarding the areas in the immediate surroundings of the schools. Staff worked with the students to narrow the recommendations to the most feasible ones.

On May 5, 2020 the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

The proposed ordinance provides for stricter controls in the development of properties directly adjacent to school facilities, and regulations for uses within 250 feet of the school property.

Recommendation:

Staff recommends approval of the ordinance adding Sec. 13-1617. - School Facilities Safety Considerations to the Land Development Code, providing for regulations of development and uses in properties directly abutting and within 250 feet of the facility.

Attachments:

Ordinance
Staff Report

ORDINANCE NO. 20-____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING CHAPTER 13, ARTICLE VI,
DIVISION 1, CREATING SECTION 13-1617. - SCHOOL
FACILITIES SAFETY CONSIDERATIONS, PROVIDING
FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION INTO
THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
(CID)**

WHEREAS, educational facilities are considered soft targets by the United States Department of Homeland Security; and,

WHEREAS, many educational facilities are already prone to school shootings; and,

WHEREAS, there have been multiple incidents near oil and gas facilities all over the United States that would have put children in danger if they were present at the educational facility; and,

WHEREAS, residential buildings with two or more stories pose as threat to educational facilities; and,

WHEREAS, Florida law prevents educational facilities from being situated near an airport by a distance worth half a runway; and,

WHEREAS, commercial establishments selling food near educational facilities has shown a direct effect on child obesity in the United States; and,

WHEREAS, the Administrative Official reviewed the proposed amendment to the Land Development Code and recommends approval, as set forth in the Staff Analysis and Recommendation dated May 5, 2020 and incorporated into this Ordinance by reference; and

WHEREAS, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, on _____, 2020, after conducting a properly noticed public hearing, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval to the Miami Lakes Town Council; and

WHEREAS, on _____, 2020, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the

Administrative Official, the Town Council moved the proposed amendment on first reading for second reading and consideration of adoption; and

WHEREAS, The Town Council finds that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found in Subsection 13-306(b) of the Town Code; and

WHEREAS, on _____, 2020, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed ordinance.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, HEREBY ORDAINS AS FOLLOWS.

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. After considering Staff's report, both submitted in writing and presented orally and the public, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found at Subsection 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis Report.

Section 3. Approval. The Town Council hereby adopts the amendment as provided at Exhibit "A".

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall be included in the Town Code.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed on first reading this _____ day of May, 2020.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this _____ day of _____, 2020.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A
ORDINANCE

Chapter 13 - LAND DEVELOPMENT CODE

ARTICLE VI. - SUPPLEMENTARY REGULATIONS

Section 13-1617. - School facilities safety considerations

The following regulations apply to properties adjacent to lots where either a public or private school with grades Kindergarten through 12th is located, except for boarding schools or schools where overnight staying is available.

- (a) Any new construction adjacent to a school shall construct an eight-foot masonry fence along all property lines in common with the school property, school grounds or fenced in recreational facility.
- (b) Commercial, hotel or multifamily structures of more than two stories in height shall be set back a minimum of 25 feet from any property line that is shared with the school, school grounds, or fenced in recreational facility. This setback shall be heavily landscaped using shade trees and bushes as to impede the wall from being climbed.
- (c) Any existing structure that is renovated by 50% or more of its appraised value as determined by the Building Official, shall comply with the above requirement if possible, or if not possible, comply with the following:
 - 1. No balconies, catwalks, terraces or operable windows shall face the school property. Private bedroom windows must be located as to not look down upon school grounds.
 - 2. All roofs shall be either gabled or sloped, and any roof access shall be restricted and monitored.
- (d) Any establishment within 1000 feet shall require a Conditional Use in order to sell alcoholic beverages as per procedures outlined in Sec. 13-782. No conditional use for the sale of alcoholic beverages shall be issued to establishments within 250 feet without approval through the Public Hearing process.
- (e) No firearm or weapon sales establishment or shooting range shall be located within 500 feet from a school property, school grounds or fenced in recreational facility.
- (f) No gas stations, service stations or any other use that offers or stores gasoline, diesel or any other fuel shall be located within 500 feet from a school property, school grounds or fenced in recreational facility.
- (g) No storage of chemicals, fireworks or flammable or explosive products shall be located within 500 feet from a school property, school grounds or fenced in recreational facility.



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: School Safety Considerations
Date: May 19, 2020

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, ARTICLE VI, DIVISION 1, CREATING SECTION 13-1617. - SCHOOL FACILITIES SAFETY CONSIDERATIONS, PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On February 18, 2020, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address safety of public and private school facilities.

The request came about after a presentation from a group of students from Miami Lakes Middle School regarding safety needs of school facilities. The students presented several recommendations regarding the areas in the immediate surroundings of the schools. Staff worked with the students to narrow the recommendations to the most feasible ones.

On May 5, 2020 the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

The proposed ordinance provides for stricter controls in the development of properties directly adjacent to school facilities, and regulations for uses within 250 feet of the school property.

B. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance adding *Sec. 13-1617. - School Facilities Safety Considerations* to the Land Development Code, providing for regulations of development and uses in properties directly abutting and within 250 feet of the facility.

C. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: See Section “A,” Background, of this report. The proposed ordinance complies with the following policies of the Comprehensive Development Master Plan. Explanations follow each Policy.

Policy 1.1.4: Code enforcement and other available regulatory measures shall be used to prevent incompatible land uses from locating adjacent to or near otherwise stable and viable uses, especially residential neighborhoods. The rezoning process shall be used to discourage residential development in close proximity to industrial zoned areas and areas with unacceptable noise and/or odor levels. Incompatible non-residential land uses within established residential neighborhoods may be given incentives to adaptively reuse or replace structures to uses that are compatible with the residential area. Where it is physically not feasible to separate incompatible land uses such as residential and non-residential, buffering shall be required to promote a smooth land use transition. Buffering used may include the following:

- a. Physical barriers, including berms, hedges or other landscaping, as well as walls or fences aesthetically designed for screening purposes. Physical barriers may also include densely vegetated open space; and/or*
- b. The development of a transitional use between the incompatible uses. For example, a low intensity office development could be used to buffer a retail commercial center and a residential area.*

The proposed ordinance provides for physical barriers, increased setbacks and design regulations for all properties adjacent to school properties.

Policy 1.2.8: In preparing use, density and intensity standards for the new LDC, pay special attention to providing for the compatibility of adjacent uses.

The proposed ordinance provides for regulations that improve the compatibility of uses in the areas immediately surrounding school facilities, particularly on regards to safety.

Finding: Complies

2. **Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.**

Analysis: See Section “A”, Background, of this report. The proposed is conformance with all applicable sections of the code.

Finding: Complies.

3. **Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. Security concerns around schools have been amplified in recent years due to a number of mass shooting incidents.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: The amendment provides for regulations to mitigate some of the impacts of adjacent properties on the security and safety of the school facilities.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

- 7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. The proposed amendment serves a compelling governmental interest to increase security and safety on school facilities.

Finding: Complies.

- 8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: The proposed amendment does not change the permitted use of land.

Finding: Complies.

- 9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

Finding: Complies.

- 10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Infinity Pools in Waterfront Properties

Date: May 19, 2020

Recommendation:

Staff recommends approval of the ordinance allowing catch basins to encroach beyond the top of slope up to four (4) feet, beyond the tie lines.

Background:

At the March 3, 2020, Planning Board meeting, a New Business item was introduced directing staff to explore a recommendation to the Town Council to allow an encroachment waterward of the tie-line or top of slope for the catch-basin of infinity edge pools in waterfront properties.

On April 7 2020 the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

The request was initiated after two recent variances were granted for a pool and an infinity pool, and the board became aware that the LDC does not provide for catch basins at the moment.

This report and attached ordinance reflect Planning Board direction to staff to provide a recommendation to the council adding options in the LDC regarding allowing the catch basins of infinity pools as an encroachment beyond the top of slope in waterfront properties.

Attachments:

Ordinance
Staff Report

ORDINANCE NO. 20- _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ENCROACHMENTS BEYOND THE TIE-LINE FOR WATERFRONT SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE VI, “SUPPLEMENTARY REGULATIONS”, AT SECTION 13-1605, “WATERFRONT PROPERTIES”; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (PIDERMANN)

WHEREAS, in the last three years, several Town of Miami Lakes (the “Town”) property owners have filed requests for variance from Town Code Section 13-1605, which prohibits encroachments onto the top of the slope, beyond the Tie Line, in order to build infinity pools on waterfront residential properties; and

WHEREAS, on March 3, 2020, the Planning Board adopted a recommendation for the Town Council to consider the possibility of revising allowable encroachments waterward of the top of slope and beyond the tie line, of single-family properties to allow the catch basins of infinity edge pools; and

WHEREAS, waterfront properties are naturally suited for infinity pools, and stand to take the most advantage of their visual appeal, when the water from the pool appears to blend with the water from the lake; and

WHEREAS, Town Staff has studied the matter and found that without such a change allow infinity edge pools are effectively not allowed to be built in the town, as they require the slope in order to create the “infinity” visual effect; and

WHEREAS, on _____, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and,

WHEREAS, on _____, the Town Council at a duly noticed public hearing, moved the item on First Reading; and,

WHEREAS, on _____, the Town Council considered the ordinance at a duly advertised public hearing; and,

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Amendment. Section 13-1605, of the Town's Land Development Code is hereby amended as provided in Exhibit "A".

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid
Vice Mayor Nelson Rodriguez
Councilmember Carlos O. Alvarez
Councilmember Luis Collazo
Councilmember Joshua Dieguez
Councilmember Jeffrey Rodriguez
Councilmember Marilyn Ruano

Passed on first reading this _____ day of _____, 2020.

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this _____ day of _____, 2020.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A
ORDINANCE

Chapter 13 - LAND DEVELOPMENT CODE

ARTICLE VI. - SUPPLEMENTARY REGULATIONS

DIVISION 1. - GENERALLY

* * * * *

Sec. 13-1605. - Waterfront properties.

- (a) This section shall govern the placement of accessory improvements and landscaping waterward of the top of the slope or tie line in the rear or side yards of lakefront or canalfront properties. This section shall not apply to the placement of accessory improvements landward of the top of the slope of such lakes or canals, which are permitted as accessory structures and uses otherwise under this Code. This section shall also apply to improvements into lakes or canals which are privately or publicly owned or maintained. No permit shall be issued for improvements into a lake or canal until the applicant receives approval from the owner of the portion of the lake or canal or the governmental authority or homeowners association having jurisdiction over the portion of the lake or canal where the proposed improvements will be constructed.

- (b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Catch Basin means the reservoir or well into which water from an infinity edge pool drains off.

Dock means that portion of a horizontal deck or structure constructed on pilings, floated or cantilevered past the water's edge into a lake or canal.

Infinity Edge Pool means a swimming pool that produces a visual effect of water extending to the horizon or vanishing into a lake or canal.

Lake means a body of water, whether or not connected to a canal or other body of water, and all water areas specified on a plat to the shoreline, whether or not the water area is over a portion of a lot. When a lake abuts a body of water designated by a governmental authority to be within the geographical limits of or defined as a canal, that portion designated as a canal shall not be considered a part of a lake unless that body of water is specifically designated as such by the Town.

Top of slope means the survey tie line shown on the plat or the established point on the lot or property where the elevation of the property starts sloping towards the water's edge. In the event that the survey tie line and actual top of slope shown on the survey differ, the top of slope for zoning purposes will be determined by the Administrative Official.

Water's edge means the average high ground water elevation. For properties originally developed with a bulkhead or seawall, the water's edge shall be the waterside of the existing bulkhead or seawall.

Watercraft means any boat, dinghy, raft, or other vessel or structure of any size, shape, material or configuration which is designed to float or travel on water and carry or transport one or more persons on water, whether or not it is motorized.

Waterfront lot means a lot any part of which touches the high-water mark of a lake, or a lot which has a seawall beyond which is a lake, canal or other body of water.

(c) Development and use restrictions.

- (1) In all zoning districts, allowable structures and improvements waterward of the top of the slope or waterward of a bulkhead on a lake or canal shall require approval through the site plan review process.
- (2) No powerboat or other mechanically powered watercraft or device propelled by anything other than manpower, sail or 12-volt electric trolling motor shall be used or operated on a privately owned lake. Where a lake abuts a body of water designated by a governmental authority to be within the geographical limits of or defined as a canal, power boats or mechanically powered craft are permitted.
- (3) Shoreline contours and established slopes of any lake or canal and the lots above or below water may not be changed or modified with the exception of interlocking block, concrete, wood or similar material bulkheads or decks as permitted in this section.
- (4) Townhouse properties that have side privacy walls extending past the residence towards the lake may construct decks between the walls that modify the established slope.
- (5) No lot shall be increased in size by filling in the water upon which it abuts.
- (6) The placement of the following accessory improvements and landscaping shall be permitted waterward of the top of slope on a lot, parcel or tract, subject to the following conditions:

a. Docks.

1. Docks shall either be floated or be placed on pilings at right angles to the water's edge or shoreline, except as otherwise provided herein.
2. The width of all docks on a single lot, parcel or tract collectively shall not exceed 30 percent of the lot's width at the water's edge. However, a dock that is placed parallel to the lot and that does not extend more than six feet beyond the water's edge may exceed 30 percent of the lot's width but may not encroach into the required side setbacks for docks in this section.
3. No dock shall project past the water's edge more than one-half the length of the lot's shoreline frontage as measured at the water's edge, or 20 percent of the lake or canal width at its widest point, whichever is smaller. In no event shall a dock exceed 25 feet in length. For purposes of this section, the length shall be the perpendicular dimension measured from the water's edge (the average low ground water elevation) to the farthest point of the dock (including floating docks) extending into the lake.
4. Docks in all zoning districts shall be set back 7.5 feet on interior side property lines and 15 feet on side property lines facing a street.
5. Only one dock shall be permitted for each principal building on the subject lot, parcel or tract.
6. Enclosed or roofed structures, or open-sided gazebos shall not be permitted on docks or waterward of the water's edge.

b. Landscaping, hedges, rocks, riprap, bulkheads.

1. Landscaping or hedges waterward of the top of slope but landward of the water's edge are allowed; however, hedges or plant groupings shall be placed no closer than ten feet from the water's edge. No hedge or plant groupings shall exceed two and one-half feet in height waterward of the top of the slope. Fences, walls or rocks arranged to form a fence or wall or objects which restrict access or block views from adjacent properties are not permitted beyond the top of the slope toward the lake, or waterside of the survey tie line.
2. A riprap, interlocking block, concrete, wood or similar material bulkhead running parallel to the water's edge is permitted waterward of the top of slope. The bulkhead shall not extend more than one foot below the water's edge and no higher than one foot above the existing grade.

- c. Open-sided structures, gazebos. Only one open-sided structure shall be permitted waterward of the top of slope but landward of the water's edge, subject to compliance with the side setback requirements for decks in this section and accessory building lot coverage requirements of the zoning district in which the structure is located; provided, however, the rear setback requirement from the water's edge shall be zero feet. In no event shall an open-sided structure or gazebo that is placed waterward of the top of slope exceed 15 feet in height, measured from the height of the undisturbed land where it is placed, nor shall it exceed 150 square feet in area. Open-sided structures, with the exception of chickee huts as defined in this Code, shall be constructed and finished to match the existing residence (including roofing material) or designed in an architectural style complimentary to the existing residence.
- d. Steps and decks and catch basins associated with an infinity edge pool.
 - 1. At grade steps no wider than four feet, and leading from the top of the slope or tie line towards the lake, dock, open-sided structure, gazebo or deck, shall be permitted waterward of the top of slope and landward of the water's edge.
 - 2. Decks that do not alter the established slope by more than 18 inches at any point along the deck, with a maximum size of 225 square feet per lot or parcel, including the footprint of a gazebo, shall be permitted waterward of the top of slope. The deck area shall be set back a minimum of 7.5 feet from the interior side property lines and 15 feet from a side street property line and subject to all lot coverage requirements for impervious area contained elsewhere in this Code.
 - 3. A catch basin associated with an infinity edge pool up to four (4) feet wide shall be permitted and counted in the total 225 square feet of deck area allowed under 2, above. All other components of the infinity edge pool shall remain landward of the top of slope.
- e. Boat ramps.
 - 1. Boat ramps shall be permitted providing no filling of the slope area occurs. Ramps shall be set back a minimum of 7.5 feet from adjacent properties.
 - 2. Filling waterward of the top of slope shall be prohibited.
- (7) Structures or improvements other than those specifically listed above are prohibited from placement within the area waterward of the top of slope.
- (d) Nonconforming structures or improvements that were constructed without a building permit waterward of the top of the slope.
 - (1) Notwithstanding the provisions of Subsection (c) of this section, existing structures or improvements located waterward of the top of the slope that have modified the existing slope of the lake or canal and that existed prior to December 5, 2000, and that received approval from the Town prior to January 18, 2006, or have received subsequent approval from the Town Council, shall be considered legal nonconforming structures with respect to all zoning requirements in this section. No variances to this section shall be permitted.
 - (2) Fences or walls constructed along the side property line or parallel to the water's edge past the top of the slope without a building permit may not be legalized and must be removed. Hedges that do not comply with the regulations contained in this section must be removed or trimmed and may not be legalized.

Additions to the Ordinance in First Reading shall be reflected by underlined, and deletions shall be reflected as ~~strike throughs~~. Additions to the Ordinance between first reading and second reading shall be reflected by a double underline, and deletions between first reading and second reading shall be reflected by a ~~double strike through~~.



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Office: (305) 364-6100 • Fax: (305) 558-8511
Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Infinity Pools in Waterfront Properties
Date: May 19, 2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ENCROACHMENTS BEYOND THE TIE-LINE FOR WATERFRONT SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "SUPPLEMENTARY REGULATIONS", AT SECTION 13-1605, "WATERFRONT PROPERTIES"; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

A. BACKGROUND

During the March 3, 2020, Planning Board meeting, a New Business item was introduced directing staff to explore a recommendation to the Town Council to allow an encroachment waterward of the tie-line or top of slope for the catch-basin of infinity edge pools in waterfront properties.

On April 7, 2020, the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

The request was initiated after two recent variances were granted for a pool and an infinity pool, at which time the board became aware that the LDC does not provide for catch basins.

This report and attached ordinance reflect Planning Board direction to staff to provide a recommendation to the council adding options in the LDC regarding allowing the catch basins of infinity pools as an encroachment beyond the top of slope in waterfront properties.

B. PROPOSED CHANGES

Sec. 13-1605. Waterfront properties. – Add definitions for *catch basin* and *infinity edge pool* and language allowing catch basins to encroach beyond the top of slope up to four (4) feet.

C. EVALUATION

An infinity pool creates a visual effect of a waterfall over one of its edges. In order to achieve the effect, the infinity edge is built lower than the water level, allowing the water to overflow into a catch basin located below; from there, water is pumped back into the upper pool to create a continuous overflow.

In the last few years, infinity edge pools, also known as endless pools, have become very popular. While in flat South Florida not every property can easily install an infinity pool, as they require slopes and terrain differentials, waterfront properties are naturally suited for them, and stand to take the most advantage of their visual appeal, when the water from the pool appears to blend with the water from the lake. However, as it stands today, the Town LDC effectively prohibits them by not including the catch basins in the list of structures that are allowed waterward of the top of slope. The current Town code allows very limited elements to encroach beyond the tie-line or top of slope in waterfront single-family and two-family properties. Allowable encroachments include, docks, limited landscaping, small open-sided gazebos (150 sf maximum), steps and decks (225 sf maximum and 18 inches over adjacent grade) and boat ramps. Swimming pools must end at the tie-line, and only the associated deck is allowed to encroach beyond, as long as it is counted in the maximum 225 sf allowed.

There are compelling reasons to severely limit these encroachments: maintaining the banks of lakes clear of obstructions preserves everyone's vistas, allows access to the water for maintenance, limits storm water run-off into the lakes, etc.; however, it is the opinion of Staff that the catch basins of infinity edge pools constitute a structure that could well be among those allowed. Furthermore, infinity pools are so well suited for waterfront properties, that in cases where the planning board has granted variances for pool encroachments beyond the top-of-slope, an infinity edge is often required as a condition in order to mask the inevitable wall that results from the slope differential.

D. STAFF RECOMMENDATION

Based on the analysis provided and other factors contained in this report, Staff recommends approval of the ordinance allowing catch basins to encroach beyond the top of slope up to four (4) feet.

E. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

1. **Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

2. **Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study; of this report. The amendment allows for a structure very similar in nature to other structures already provided for as encroachments beyond the top of slope. In this light, the proposed ordinance conforms with the Town’s LDC’s. A review of the LDC’s found no conflicts.

Finding: Complies.

3. **Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.**

Analysis See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation of this report. infinity edge pools have existed for a few years but are becoming more and more popular. The LDC does not currently mention or provide for this type of pool.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study; of this report. The proposed ordinance does not change the main permitted use of the property, and it creates no new conflicts with either adjoining properties or adjacent water bodies. Since the catch basins are similar in nature and construction as other currently allowable structures waterward of the top of slope, the proposal is consistent and compatible with existing development and land uses.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply,**

recreation, education, emergency services, and similar necessary facilities and services.

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

- 6. Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

- 7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Criteria 1, 2, and 4, of this report. Staff believes the opposite is true. The accommodation of new methods of construction and building trends is important for the protection of property values in the area. The current ordinance provides for a method of construction that has been widely used already, and that improves views of pools from the water.

Finding: Complies.

- 8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study and Criteria 1, 2, and 4, of this report. The proposed ordinance would be consistent of existing land use patterns.

Finding: Complies.

- 9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study and Criteria 1, 2, and 4, of this report. The proposed ordinance would be in the public interest by allowing a method of pool construction that improves the views from the water.

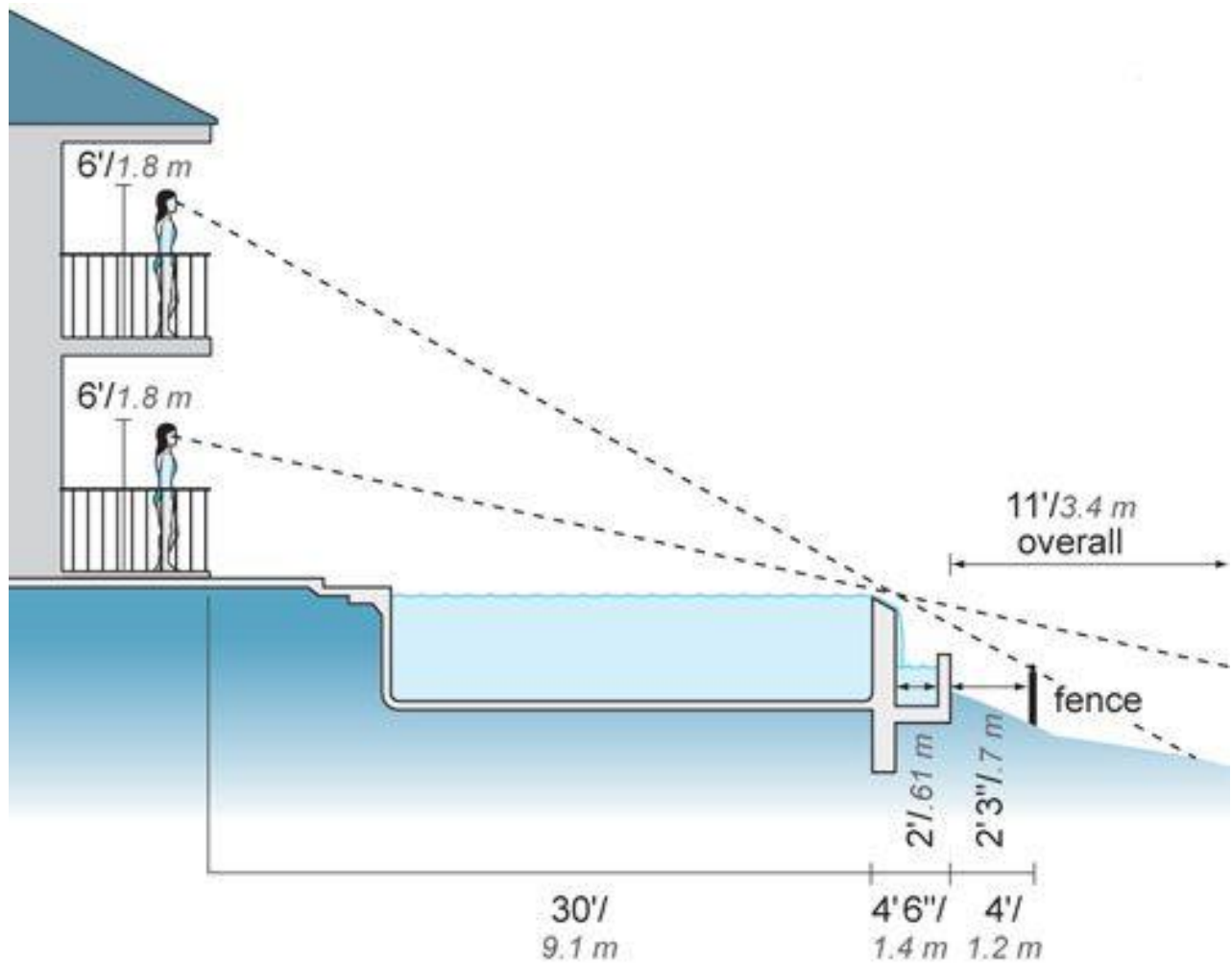
Finding: Complies.

- 10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed ordinance amendment is appropriate and consistent with the public interest. The Analysis Section addressed the conditions suggested by the Planning and Zoning Board.

Finding: As determined by the Town Council.

ATTACHMENT A





Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Canopy encroachments into required rear yards

Date: May 19, 2020

Recommendation:

Staff recommends approval of the ordinance amending the maximum allowable encroachment for attached canopies from seven (7) feet to a maximum of 50% of the existing rear setback, while restricting additional detached structures in cases where attached canopies are larger than seven (7) feet.

Background:

At the March 3, 2020, Planning Board meeting, a New Business item was introduced directing staff to explore a recommendation to the Town Council to increase the allowable encroachment for attached canopies for properties where detached accessory structures are impractical.

On April 7 2020 the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

On April 21, 2020 the Town Council moved the item on first reading.

The Town code currently allows attached canopies to encroach into a required rear yard (i.e. the required rear setback) a maximum of seven (7) feet. The current code also allows for accessory buildings, such as gazebos and detached canopies, to cover a maximum 20 % of the required rear yard up to a maximum 350 square feet, but they must be separated from the main structure by a minimum of either 10 feet or six (6) feet in zero lot line districts, as well as five (5) feet from all property lines.

Current single-family trends to add summer kitchens in rear yards have increased demand for accessory buildings, but the current LDC requirements make them unfeasible or impractical in yards with rear setbacks below 25 feet. This has resulted in several variance requests over that last five years, requesting either decreases in the distance from the accessory building to the main structure or increased encroachments for attached canopy or open porch structures.

The report and attached ordinance reflect Planning Board direction to staff to provide a recommendation to the council adding options in the LDC regarding increasing the allowable encroachment for attached canopies for properties where detached accessory structures are impractical.

Attachments:

Ordinance

Staff Report

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ATTACHED CANOPIES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE”, AT ARTICLE V, “ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS”, AT SECTION 13-1506, “CANOPIES,”; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (PIDERMANN)

WHEREAS, since the time of incorporation, several Town properties have sought relief in the form of variances from either section 13-1502 “Accessory Buildings” or 13-1506 “Canopies”, in an effort to add summer kitchens or covered outdoor dining areas to the back yards; and

WHEREAS, On March 3, 2020 the Planning Board approved a new business item recommending that the Town Council consider the possibility of revising the allowable encroachments into the rear yards of single-family properties to allow additional encroachment for attached canopies in properties where detached accessory buildings are impractical; and

WHEREAS, Town Staff studied the matter and found such a change would provide additional options to many single-family homes with rear yards that are less than 25 feet in depth; and

WHEREAS, on _____, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

WHEREAS, on _____, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on _____, the Town Council considered the ordinance at a duly advertised public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Amendment. Section 13-1506, of the Town's Land Development Code is hereby amended as provided in Exhibit "A".

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid
Vice Mayor Nelson Rodriguez
Councilmember Carlos O. Alvarez
Councilmember Luis Collazo
Councilmember Joshua Dieguez
Councilmember Jeffrey Rodriguez
Councilmember Marilyn Ruano

Passed on first reading this _____ day of _____, 2020.

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SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this _____ day of _____, 2020.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, P.A.
TOWN ATTORNEY

EXHIBIT “A”

Chapter 13 - LAND DEVELOPMENT CODE

ARTICLE I. - IN GENERAL

Sec. 13-1. - Definitions and references.

(a) For purposes of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise.

* * * * *

Awning means a detachable, roof like cover, supported from the walls of a building for protection from sun or weather.

* * * * *

Canopy means a detachable, rooflike cover, supported from the ground, or deck, or floor of a building, and from the walls of a building, for protection from sun or weather.

Sec. 13-1506. - Canopies.

This section applies to single-family and two-family residences.

- (1) *Required front and side yard.* ~~Detached or attached~~ canopies are not permitted within the required front and side yards.
- (2) *Required rear yard.*
 - a. Canopies attached to the main residence and open on at least three ~~two~~ sides shall not be included in the lot coverage calculations except for that portion projecting into a required rear yard setback as follows:
 1. An attached canopy may project into the required rear yard setback a maximum of seven feet provided that no attached canopy projects any closer than three feet to a property line, unless otherwise provided by (3) below. Any intrusion into a required rear yard setback shall be included in the lot coverage calculations.
 2. All attached canopies must comply with the required side street setbacks for the main residence.
 3. In lots where the rear setback is twenty-five feet or less, or where a detached gazebo as an accessory structure is unfeasible as determined by the Administrative Official, an attached canopy, open on at least three sides, may project into the rear setback up to a maximum of 50 percent of the required rear yard, provided no other detached accessory structure is proposed for the property. Each canopy located in the rear yard, shall not exceed 350 square feet of roofed area (including roof overhangs) or cover more than 20 percent of the required rear yard, whichever is less.

- b. Detached canopies in the rear yards shall comply with the setback and lot coverage restrictions for accessory buildings.
- (3) *Construction.* With the exception of chickee huts as defined in this Code, all canopies, attached or detached, may only be constructed of canvas, fabric or vinyl and pipe or CBS construction to match the residence. Any canopy with a pitch equal to or greater than two and one-half shall be constructed of ~~cement, ceramic, or metal~~ standing metal seam roof, barrel tile, flat tile or another material which simulates barrel tile or flat tile to match the residence ~~to simulate barrel tile or flat cement tile~~. ~~Use of other canopy roofing materials, approved under the Florida Building Code, may be approved by the Town at a public hearing through the variance process.~~

Additions to the Ordinance in First Reading shall be reflected by underlined, and deletions shall be reflected as ~~strike throughs~~. Additions to the Ordinance between first reading and second reading shall be reflected by a double underline, and deletions between first reading and second reading shall be reflected by a ~~double strike through~~.



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Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Canopy encroachments into required rear yards
Date: May 19, 2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ATTACHED CANOPIES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE V, "ALLOWABLE ENCROACHMENTS INTO THE REQUIRED YARDS AND EXCEPTIONS TO THE MAXIMUM PERMITTED HEIGHTS", AT SECTION 13-1506, "CANOPIES,"; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

A. BACKGROUND

At the March 3, 2020, Planning Board meeting, a New Business item was introduced directing staff to explore a recommendation to the Town Council to increase the allowable encroachment for attached canopies for properties where detached accessory structures are impractical.

On April 7, 2020 the Planning Board in their capacity as the Local Planning Agency, recommended to approve the ordinance as presented.

On April 21, 2020 the Town Council moved the item on first reading.

The Town code currently allows attached canopies to encroach into a required rear yard (i.e. the required rear setback) a maximum of seven (7) feet. The current code also allows for accessory buildings, such as gazebos and detached canopies, to cover a maximum 20 % of the required rear yard up to a maximum 350 square feet, but they must be separated from the main structure by a minimum of either 10 feet or six (6) feet in zero lot line districts, as well as five (5) feet from all property lines.

Current single-family trends to add summer kitchens in rear yards have increased demand for accessory buildings, but the current LDC requirements make them unfeasible or impractical in yards with rear setbacks below 25 feet. This has resulted in several variance requests over that last five years, requesting either decreases in the distance from the accessory building to the main structure or increased encroachments for attached canopy or open porch structures.

This report and attached ordinance reflect Planning Board direction to staff to provide a recommendation to the council adding options in the LDC regarding increasing the allowable encroachment for attached canopies for properties where detached accessory structures are impractical

B. PROPOSED CHANGES

Sec. 13-1. Definitions and references. - Added definitions for *awning* and *canopy*

Sec. 13-1506. Canopies. - Increase allowable encroachment of an attached canopy into the required rear yard from seven (7) feet to a maximum of 50% of the existing rear setback, while restricting additional detached structures in cases where attached canopies are larger than seven (7) feet.

C. EVALUATION

In single-family residential districts the minimum required rear setback for the main structure (the residence) is 25 feet. Oversized lots can afford to increase this setback, and the Town includes many properties, that have setback as large as 40 or even 50 feet, but most standard-sized 6,000 to 7,500 square foot lots are built to the 25-foot setback line. Current LDC requires any accessory structure a minimum 5-foot setback from the interior side and rear property line, which leaves 20 feet available for accessory buildings; Since the accessory structure must also be separated from the main structure by a minimum of ten feet, it follows that the accessory structure can only be 10 feet wide. The square footage allowed by the LDC for accessory buildings is 20 % of the required rear yard or 350 square feet which-ever is smaller. 7,500 sf lots are usually 75 feet wide, and the required rear yard is, therefore,

$$25' \times 75' = 1,875 \text{ sf}$$

The allowable size of the accessory building is therefore,

$$1,875 \text{ sf} \times 20 \% = 375 \text{ sf}, \rightarrow \text{ which is greater than the maximum } 350 \text{ sf} \rightarrow \text{ so } \mathbf{350 \text{ sf}}.$$

In order for the property to avail itself of the allowable square footage for the accessory structure, while complying with all other setback and distance separation requirements, the gazebo would have to be built as 10' x 35', i.e. a structure three and a half times longer than wide, five feet from the rear property line and parallel to it for almost half of its length.

Similarly, in the 6,000 sf lots, which are usually 60 feet wide,

$$25' \times 60' = 1,500 \text{ sf}$$

The allowable size of the accessory building is therefore,

$$1,500 \times 20 \% = 300 \text{ sf}$$

And similarly, in order for the property to avail itself of the allowable square footage for the accessory structure while complying with all other setback and distance separation requirements, the gazebo would have to be built as 10' x 30', also a structure three times longer than wide, five feet from the rear property line for half its length.

In addition to presenting an encumbrance on the rear neighbor with what would be perceived as a large structure close to the rear property line, this configuration is undesirable as well because it severely limits the available space for other accessory structures and amenities, such as swimming pools, which would inevitably, then, require variances to occur.

In these smaller rear yards, staff considered the following two alternatives as solutions:

1. Reducing the separation requirement between accessory buildings and main structures.
2. Increasing the allowable encroachment of attached canopies to 50 % of the existing rear setback, as an alternative to a detached structure.

The first option is already available to zero-lot-line districts, where accessory buildings require a distance separation of six (6) feet from the main structure. This option would allow the accessory building to have more proportional dimensions, i.e. 14' x 25' and 14' x 21' respectively, but still allows for a large structure very close to the rear property line.

The second option allows for the same or similarly sized structure, up to 12.5' x 28' in the 7,500 sf lots or 12.5' x 24' in the 60' lots, but attached to the main structure, and therefore 12.5 feet away from the rear property line. It creates a porch area large enough to house a summer kitchen and outdoor dining, while leaving more of the rear yard as an open unencumbered space.

D. STAFF RECOMMENDATION

Based on the analysis provided and other factors contained in this report, Staff recommends approval of the ordinance amending the maximum allowable encroachment for attached canopies from seven (7) feet to a maximum of 50% of the existing rear setback, while restricting additional detached structures in cases where attached canopies are larger than seven (7) feet.

E. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

- 1. Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study; of this report. The amendment allows for the same structure and lot coverage but merely shifts it closer to the main structure and away from the rear property line. In this light, the proposed ordinance conforms with the Town’s LDC’s. A review of the LDC’s found no conflicts.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation of this report. There have been no changes to the LDC or development conditions that necessitate this change, however, the existing LDC encourages a condition that is undesirable.

Finding: Complies.

4. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study; of this report. The proposed ordinance does not change the main permitted use of the property; instead, it provides an alternative to the existing regulation which force accessory buildings to be located in close proximity to the rear property line, diminishing their impact on rear neighboring properties.

Finding: Complies.

5. Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

- 6. Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

- 7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Criteria 1, 2, and 4, of this report. Staff believes the opposite is true. The accommodation of outdoor amenities, such as summer kitchens and outdoor dining areas, is important for the protection of property values in the area. The current ordinance provides for an improved configuration of these amenities, reducing impact on neighboring properties.

Finding: Complies.

- 8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study and Criteria 1, 2, and 4, of this report. The proposed ordinance would be consistent of existing land use patterns.

Finding: Complies.

- 9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and Study and Criteria 1, 2, and 4, of this report. The proposed ordinance would be in the public interest by allowing accommodation of popular outdoor amenities in a manner that does not create additional conflict with neighboring properties.

Finding: Complies.

- 10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

Analysis: See Sections “A”, Background; “B”, Proposed Changes, and Section “C”, Evaluation and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed ordinance amendment is appropriate and consistent with the public interest. The Analysis Section addressed the conditions suggested by the Planning and Zoning Board.

Finding: As determined by the Town Council.

ATTACHMENT A

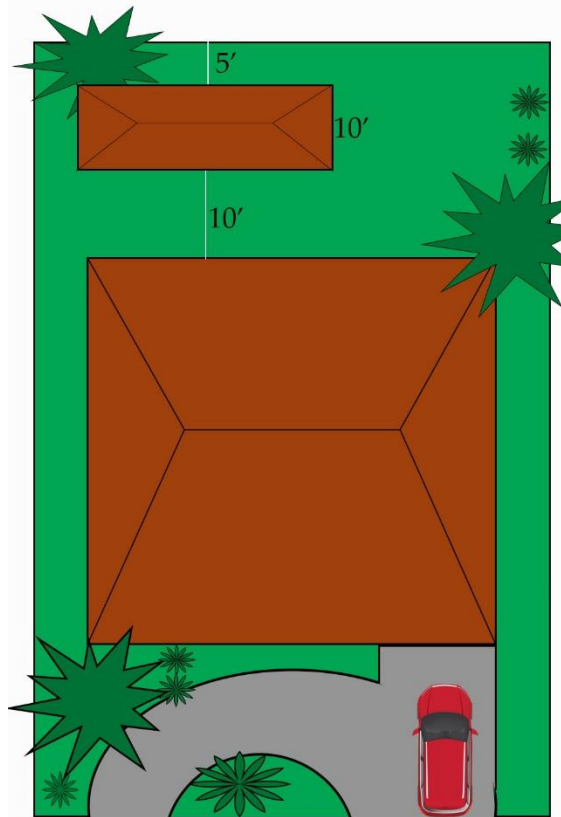


Figure 1. 10'x30' Detached canopy configuration on 60-foot lot.

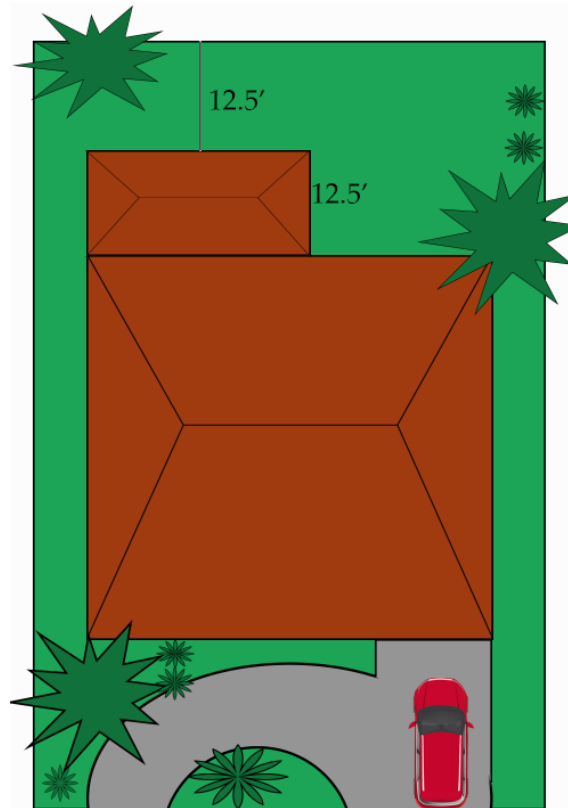


Figure 2. 12.5'x24' Attached canopy configuration as proposed on 60-foot lot



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Honorable Vice Mayor Nelson Rodriguez

Subject: Reopening Restaurants in the COVID 19 Environment

Date: May 19, 2020

Recommendation:

Ordinance Proposal: To allow restaurants and food establishments to establish and/or expand outdoor dining to their operations while Miami-Dade County and/or the Town of Miami Lakes restrict interior dining capacity and outdoor dining is a preferred alternative for the public, without having to obtain a Town of Miami Lakes outdoor dining variance, which is both costly and time consuming, provided:

1. The restaurant obtains written approval from their Landlord;
2. The area utilized for outdoor dining allows for appropriate shopping center ADA circulation and does not negatively impact ingress/egress to the property;
3. Table and seating placement maintains the recommended social distancing separation;
4. Total outdoor restaurant seats do not exceed the inside occupancy provided before COVID 19;
5. If parking spaces are utilized for expanded outdoor dining, a temporary physical barrier must be utilized to separate the dining area from the remaining patron parking;
6. All outdoor dining areas must be maintained clean of litter by the operator.
7. This ordinance will reviewed for its effectiveness upon the lifting of all COVID 19 restrictions placed upon dining establishments
8. A Special Call Meeting may be needed to expedite the a Second reading of this Ordinance if it were to be approved.

Fiscal Impact: Minimum
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 1,2,14
Objectives: 3



The
TOWN OF MIAMI LAKES
MEMORANDUM

To: Honorable Mayor and Honorable Councilmembers

From: Honorable Vice Mayor Nelson Rodriguez

Subject: Amendment – Reopening Restaurants in the COVID 19 Environment

Date: May 19, 2020

Recommendation

On May 8, 2020, I submitted a New Business Item regarding an amendment to our Town Code in order to allow an expansion of outdoor seating during the Phase one opening of Town restaurants. Since then, I have discussed this matter with the Deputy Town Attorney, Manager and Staff.

Based on the existing language in Town Code Section 13-771, which permits outdoor seating in Town Hall, and Governor Ron DeSantis Executive Order 20-122, which increased restaurant usage from twenty five (25) percent to fifty (50) percent, I propose the following amendment to my item : **During the existence of COVID-19 emergency orders, which impose strict social distancing requirements that restrict restaurant’s usage of dine-in seating, that an ordinance be passed relaxing the parking requirements for restaurants in order to allow encroachment of table seating onto adjoining parking spaces, and for the landowners to work with their restaurant tenants to allow for outdoor seating where none exists.**

RESOLUTION NO. 20 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING TEMPORARY ENFORCEMENT RELAXATION OF ARTICLE VIII, CHAPTER 13, TITLED “PARKING REQUIREMENTS”, TO ALLOW RESTAURANTS TO PROVIDE TEMPORARY SEATING TO PATRONS DURING THE DURATION OF THE TOWN’S STATE OF EMERGENCY; PROVIDING FOR TRANSMITTAL PROVIDING FOR INSTRUCTIONS TO THE CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (RODRIGUEZ)

WHEREAS, on March 9, 2020, Florida Governor Ron DeSantis declared a State of Emergency due to the discovery and spread of the novel, COVID-19 virus; and

WHEREAS, on March 12, 2020, the Town of Miami Lakes (the “Town”) and Miami-Dade County, in their individual capacity, adopted Emergency Orders in the wake of the COVID-19 virus; and

WHEREAS, the novel, COVID-19 virus is a highly contagious and deadly respiratory disease, which is responsible for over 500 deaths in Miami-Dade County; and

WHEREAS, during the months of March and April 2020, in order to stymie the spread of COVID-19, the State of Florida, Miami-Dade County, and the Town promulgated orders requiring the closure of non-essential businesses and parks, cessation of non-essential activity, and mandatory social distancing requirements; and

WHEREAS, on May 15, 2020, based on available information detailing overall decline in COVID-19 infections and deaths, Miami-Dade County issued Emergency Order 23-20, allowing the re-opening of restaurants with social distancing restrictions; and

WHEREAS, specifically, Emergency Order 23-20 requires restaurants to space-out outdoor seating and reduce interior dining space by 50%, restricting restaurant’s ability to serve desiring patrons; and

WHEREAS, according to the U.S. Center for Disease Control, COVID-19 virus has a decreased transmittal rate in open-air spaces; and

WHEREAS, currently, the Town’s Code allows out-door seating provided that the tenant restaurant obtains permission from the landlord; and

WHEREAS, in order to assist restaurants during the current COVID-19 virus State of Emergency, the Town Council desires to relax enforcement of parking requirements in order to allow restaurant out-door seating to encroach onto existing parking; and

WHEREAS, the Town Council encourages local landlord's to work with their restaurant tenants in order to address outdoor seating during the current COVID-19 virus.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Relaxation of Code Enforcement. The Town Council hereby relaxes code enforcement of Article VII, Chapter 13 "Parking Enforcement" during the duration of its State of Emergency, in order to encourage restaurants to use outdoor seating.

Section 3. Instructions to the Manager. The manger is hereby instructed to create and adopt in an emergency order the rules and criteria for the allowance of encroachment of outdoor seating onto existing required parking spaces.

Section 3. Instructions to the Clerk. The Town Clerk is hereby authorized to send a copy of this resolution along with a cover letter authored by the Town Manager to landowners who have restaurant tenants, encouraging the landlord to allow for outdoor seating during the COVID-19, Town State of Emergency.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

***** PURPOSEFULLY LEFT BLANK *****

Passed and adopted this 19th of May 2020.

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Carlos O. Alvarez _____

Councilmember Luis Collazo _____

Councilmember Josh Dieguez _____

Councilmember Jeffrey Rodriguez _____

Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi, Lopez and Mestre, PLLC
TOWN ATTORNEY



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Honorable Councilmember Marilyn Ruano

Subject: Re-Opening Of Non-Essential Businesses In Miami Lakes

Date: May 19, 2020

Recommendation:

For several weeks now we have been discussing the economic impacts of COVID19 on our community. I receive multiple calls daily begging us to reopen small businesses in Miami Lakes. Business owners and employees alike are hurting. Although I understand that we are to abide by Miami Dade County orders that are in place, I would like to direct our Town Attorneys to research the legal implications of the Town of Miami Lakes moving forward with opening up our local business instead of following a county wide approach. We have been patient and have followed directions for the duration of this pandemic. It is time to put Miami Lakes FIRST and do right by OUR community.

Fiscal Impact: Minimum
Funding Source for Implementation:
Timeline for Implementation:

Guiding Principles: 1,2,14
Objectives: 3



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Honorable Mayor Manny Cid

Subject: Drive-In Movie At The Park

Date: May 19, 2020

Recommendation:

This item requires the waiver of Section 7.2 of the Special Rules of Order

The Youth Activities Task Force will be meeting after our Regular Council Meeting and Chairman Fernandez will be presenting the concept of converting our Movies At The Park to a Drive-In model. This is a national trend (Google: Drive-In movie) that continues to grow due to the COVID-19 pandemic. I would like to make a motion where the Town Council endorses the concept. The logistics that follow the proper guidelines will be reviewed by Town Staff and approved by the Manager.

Fiscal Impact: TBD

Funding Source for Implementation: GF – Committee budget

Timeline for Implementation: TBD

Guiding Principles: 2, 14

Objectives: 2, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Honorable Carlos O. Alvarez

Subject: Social Distance Practices in Public Places

Date: May 19, 2020

Recommendation:

This item requires the waiver of Section 7.2 of the Special Rules of Order

I would like to foster a dialogue with my colleagues to put into place measures to educate the public and promote social distance practices in public places within the Town of Miami Lakes.

Fiscal Impact: Minimal

Funding Source for Implementation: Communications budget - GF

Timeline for Implementation: Immediate

Guiding Principles: 1,2,14

Objectives: 2, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Honorable Councilmember Josh Dieguez
Subject: 2020 Census Branding
Date: May 19, 2020

Recommendation:

This item requires the waiver of Section 7.3 of the Special Rules of Order

I move to direct the Town Administration include Census messaging in official Town Communications. More details as to the particular sorts of branding will be provided at the time of presenting this item.

Fiscal Impact: Minimal
Funding Source for Implementation: Communications Budget
Timeline for Implementation: Immediate

Guiding Principles: 2,3,4,14
Objectives: 5



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Honorable Councilmember Luis Collazo
Subject: Celebratory Yard Signs
Date: May 19, 2020

Recommendation:

This item requires the waiver of Section 7.3 of the Special Rules of Order

Celebratory Yard Signs

During these unprecedented times, many families have utilized yard signs to celebrate special events, like graduating seniors, birthdays, new babies.

Our Town, has an ordinance which regulates the use of yard signs.

I would like to have a discussion with my colleagues regarding relaxing our current sign ordinance for a finite period of time, to allow for celebratory yard signs. I would also like to direct staff to work with our respective HOA's and see if they would be open to the same for a finite period of time.

Fiscal Impact: Minimal

Funding Source for Implementation:

Timeline for Implementation: Immediate

Guiding Principles: 2, 3, 4, 14

Objectives: 4



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers

From: Honorable Councilmember Josh Dieguez

Subject: Curbing Domestic Abuse

Date: May 19, 2020

Recommendation:

This item requires the waiver of Section 7.3 of the Special Rules of Order

I move to direct the Public Safety Committee explore, develop, and adopt recommendations for aiding victims of domestic abuse, whether they are children or adults. During COVID-19 the number of reported abuse have declined. Experts believe that it is not because abuse has declined but rather that the lockdown and curfews have had the unintended consequences of limiting access to the normal methods of detecting or reporting abuse. As a result I believe it is important that our Public Safety Committee take a leading role in addressing this important issue with a view to not only addressing it in Miami Lakes but also in the broader community by communicating its findings through a resolution at a future Council Meeting. Chair Rodgers has indicated her willingness to tackle this matter and has already considered potential partnerships with other committees and organizations to do so.

Fiscal Impact: Minimal

Funding Source for Implementation: Communications Budget - GF

Timeline for Implementation: Immediate

Guiding Principles: 1, 2,3,4, 12, 14

Objectives: 5, 6



Town of Miami Lakes Memorandum

To: Honorable Mayor and Councilmembers
From: Edward Pidermann, Town Manager
Subject: Budget Preparation Timeline
Date: May 19, 2020

Recommendation

Approve the proposed budget hearing dates for FY2020-21.

Attachments:
FY2020-21 Budget Preparation Timeline

TOWN OF MIAMI LAKES FY2020-21 COUNCIL BUDGET CALENDAR

APRIL - Budget Season Commences

- Budget Office submits base budget request forms to **Committee** Liaisons, **NSD** Liaison and **Department** heads.

MAY

- **19th** Regular Council Meeting - set the Budget Hearing Dates.
- **30th** Budget Office develops General Fund Operating Budget and submits to Town Manager – (Expense only).

JUNE

- **1st** Property Appraiser releases the Preliminary Property Valuation & Roll Files for **NSD**.
- **24th** Final draft of revenue & expense budget.
- **25th** **SUNSHINE**-Working Budget Meeting (General Fund & NSD only) at 6:30 p.m.

JULY

- **1st** **TRIM** begins-Property Appraiser releases Certification of Taxable Value.
- **13th** **NSD**- Final Folio & Rate Files due to Property Appraisers office.
- **14th** Regular Council Meeting - Submit Proposed General Fund Budget to set millage rate & budget hearing dates. **NSD**-Ordinance on 1st Reading for Non-Ad Valorem Assessments.

AUGUST

- **18th** Regular Council Meeting - **NSD** Ordinance on 2nd Reading for Non-Ad - Valorem Assessments.
- **19th** **SUNSHINE**–Working Budget Meeting (all funds) at 6:30 p.m.
- **24th** Property Appraiser mails **TRIM**.

SEPTEMBER

- **1st** Deadline to Publish FY2020-21 Proposed Budget for the Council agenda and website.
- **8th** **TML 1st Budget Hearing (Proposed) at 7:30 p.m.**
- **14th** **TRIM** - Submit advertisement to Newspaper to include Notice of Proposed Tax Increase OR Notice of Budget Hearing & Budget Summary.
- **15th** Regular Council Meeting
- **18th** Publication of Advertisement in the newspaper (Friday publication).
- **22nd** **TML Second (Final) Budget Hearing at 7:30 p.m.**

OCTOBER

- **1st** FY 2020-21 Adopted Budget goes into effect.



Town of Miami Lakes Memorandum

To: Honorable Mayor and Town Councilmembers

From: Ed Pidermann, Town Manager, and
Raul Gastesi, Town Attorney

Subject: Reimbursement of Building Fees

Date: May 19, 2020

Recommendation:

From March 30, 2020 through April 10, 2020, in the wake of the COVID-19 emergency closure of Town Hall, the Town's building department ceased all activity, including inspections, plan review and permit applications. Consequently, several homeowners resorted to outside professionals to conduct their building inspections. A pre-requisite to obtaining a building permit is paying a permit fee. The permit fee is used for, among other things, to pay for building inspection(s). As such, homeowners during the building department's closure, who obtained the services of a private inspector, may have paid double for their building inspection. During the April 21, 2020 Town Council Meeting, the Town Council instructed the Town Attorney to research the possibility of reimbursing a portion of the permit fees paid by homeowners in residential properties, not built within a development, in order to mitigate the additional amount spent on the certification services of a licensed professional, like an Engineer or Architect. In the case of homeowners using this "Certification" process, Town staff must still perform work after receiving the Certification to complete the inspection process.

Florida Statute § 553.80(7)(a), lays out the Town's ability to create a schedule of fees, which are to be used exclusively for carrying out the Town's responsibility in enforcing the Florida Building Code. The Statute requires the Town to create and submit to the State an operating budget. This section requires that the Town provide fee structure for allowable activities and provide consideration for refunds for services provided by Florida Statute § 553.791, "but not provided by the local government." This is the only instance where refunds are discussed. While they are not expressly permitted, they are not prohibited. Additionally, the statute contemplates the possibility of refunds. Notwithstanding, the Statute does provide that all fees and costs must be "consistently applied." Accordingly, if applied to one homeowner, it should be applied to a home developer as well.

Florida Statute § 553.791, provides for the use of private providers to perform traditional building department inspections and review, provided the private provider meets the licensing and liability insurance requirements. This process is different from Town's consideration of an Architect or Engineer's certification.

Based on a review of applicable law, it is possible to provide an equitable refund of a portion of their inspection to residential homeowners who may have paid a professional for an inspection related to a Town permitted project. This refund amount should be offset by the cost of Town staff to complete and process the Certification once submitted.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: All American City Award

Date: May 19, 2020

Recommendation:

Oral report to be provided. However, actions may result of this item.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: 4th of July

Date: May 19, 2020

Recommendation:

Oral report is intended to be informational. However, actions may result of this item.



Town of Miami Lakes Memorandum

To: Honorable Mayor & Honorable Councilmembers

From: Edward Pidermann, Town Manager

Subject: Monthly Status Report on Police Department

Date: May 19, 2020

Recommendation:

Please see attached.

Oral report is intended to be informational. However, actions may result of this item.



Miami Dade Police Department, Town of Miami Lakes



TML Crime Report

May 10, 2020

Section 1 – COMPSTAT CRIMES

Crime	Commercial Burglary – (5 incidents as of 05/10/2020)
Statistical Info	2 Incident PYTD
Trends	Construction site
Action Taken	Officers have been assigned directed patrols and are requested to remain highly visible and proactive in their assigned areas.
Crime	Aggravated Battery – (3 incidents as of 05/10/2020)
Statistical Info	2 incidents PYTD
Trends	No identifiable trends.
Action Taken	Officers have been assigned directed patrols and are requested to remain highly visible and proactive in their assigned areas.

Section 2 – SIGNIFICANT ARRESTS/ INCIDENTS

Day / Date / Time	Monday / April 6, 2020 / 10:54 pm
Location	15569 NW 83 Court
<p>On Monday, April 6, 2020, at approximately 10:54 pm, Officers responded to 15569 NW 83rd Court reference an anonymous call of a man yelling for help and 4 gun shots heard. Officers located a victim at the rear of the residence with a gunshot wound to the chest and left thigh. Officer O. Machado applied a tourniquet. Victim advised that the homeowner, a friend of 30 years, had invited him to the residence and once inside accused him of stealing items days earlier. The victim advised the homeowner produced a firearm and chased him around the house. The victim ran out of the house as the homeowner shot at him. The victim was transported to Ryder Trauma via Air Rescue. The homeowner refused to speak with officers. On March 31, 2020, A Risk Protection Order (RPO) was issued to the homeowner by the Threat Management Section for an incident where he was Baker Acted. He was charged with attempted murder and violation of the RPO. Arrestee: Jose Estevanell W/M 03/31/1978.</p>	
Day / Date / Time	Friday / April 24, 2020 / 12:40 pm
Location	14808 Balgowan Road
<p>On Friday, April 24, 2020 at 12:40 pm, Officers responded to a residence reference threats to kill. Upon arrival, contact was made with a DCF Vulnerable Adult Investigator who was on scene to conduct an investigation. She advised that the perpetrator of the DCF investigation answered the door and let her in after she advised that she needed to check on his elderly father. Once inside. The perpetrator became upset with the DCF employee and proceeded to lock the front door, turn and stand in front of the door, and threaten to kill her. She pleaded with the subject to let her out while calling the police. When he stepped aside, she unlocked the door and ran outside as the subject followed. He then approached her car, repeatedly punching it causing damage to the driver door and hood. The DCF employee managed to enter her vehicle and drove away while on the phone with 911. The subject was subsequently arrested for false imprisonment and criminal mischief. Note: the residence in question has a LEO Alert where the same subject has threatened suicide by cop in the past. Arrestee: Roberto Rios W/M 07/03/1962.</p>	



MIAMI DADE POLICE DEPARTMENT
Automated - Targeted Crimes Year To Date - 74Y - Town Miami Lakes
Date Range: Jan 1, 2020 - May 11, 2020



095 - TOWN OF MIAMI LAKES

	2019 LYTD	2020 YTD	YTD % Change	Difference
01 Homicide	0	0	/0	0
02 Forcible Sex Offenses	1	1	0.00%	0
03 Robbery	3	3	0.00%	0
04 Larceny (Over)	40	22	-45.00%	-18
05 Auto Theft	25	17	-32.00%	-8
06 Burglary Commercial	4	5	25.00%	1
07 Burglary Residential	9	3	-66.67%	-6
08 Aggravated Assault	6	4	-33.33%	-2
09 Aggravated Battery	2	3	50.00%	1
TOTAL:	90	58	-35.56%	-32

/0 - Indicates that Percent Change formula cannot be divided by zero



MIAMI DADE POLICE DEPARTMENT
Automated - Targeted Crimes Year To Date - 74Y - Town Miami Lakes
Report Filters



Incident Date Range: Jan 1, 2020 - May 11, 2020

Division:

Agency: 095

For Agricultural Patrol Section: N

Exclude UNFOUNDED cases

Exclude AOA's

Report Written = 'Y'

CAS Package



Town of Miami Lakes Memorandum

To: Honorable Mayor and Honorable Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Attorney Reports
Date: May 19, 2020

Recommendation:

There are currently several matters being litigated by the Town of Miami Lakes. Some of these matters are being referred to our insurance carrier to mitigate the Town's legal expense.

Background:

Michael Pizzi JR. v. Town of Miami Lakes

There has been recent activity. Costs for the past few months through April 2020 are \$16,320.00.

Juan Valiente v. Town of Miami Lakes

There are no significant expenditures to report currently. Litigation is ongoing.