

# Town of Miami Lakes

## Special Call Meeting

March 31, 2010



# TOWN OF MIAMI LAKES, FLORIDA

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## Town Council

Mayor Michael Pizzi  
Vice Mayor Nick Perdomo  
Councilmember Mary Collins  
Councilmember George Lopez  
Councilmember Robert Meador II  
Councilmember Richard Pulido  
Councilmember Nancy Simon

## **AGENDA** **SPECIAL CALL COUNCIL MEETING**

**March 31, 2010**

**7:00 PM**

**TOWN HALL**

15700 N.W. 67<sup>th</sup> Avenue, Suite 302  
Miami Lakes, Florida 33014

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**
- 4. PUBLIC COMMENTS**
- 5. DISCUSSION AND/OR ACTION ITEMS:**
  - A. Discussion on the New Government Center (Page 2)**
  - B. Proclamation Naming April Civility Month in the Town of Miami Lakes (Page 4)**
  - C. Resolution suggesting guidelines for monitoring Assisted Living Facilities (Page 7)**
- 6. FUTURE MEETINGS**

April 13, 2010 Regular Meeting, 16500 NW 87 Ave, Miami Lakes, 6:30 pm  
May 11, 2010 Regular Meeting, 16500 NW 87 Ave, Miami Lakes 6:30 pm
- 7. ADJOURNMENT**

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at [www.miamilakes-fl.gov](http://www.miamilakes-fl.gov) and is available at Town Hall, 15700 NW 67<sup>th</sup> Avenue, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting. Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.



# *Town of Miami Lakes*

Office of Town Clerk  
15700 NW 67<sup>th</sup> Ave  
Miami Lakes, Florida 33014

## **ITEM 5 A**



## *Town of Miami Lakes*

15700 NW 67<sup>TH</sup> Avenue  
Miami Lakes, FL 33014

To: Honorable Mayor and Town Council

From: Mayor Michael Pizzi

Date: March 26, 2010

Subject: New Town Government Center

The Town has received a number of offers for a new location. Staff advised that many of these offers would result in significant improvements in the quality of services, while also resulting in savings to the taxpayers. Based on the economy, some offers may or may not be available in the coming months. There is no greater priority than providing a higher quality of services at the lowest possible costs.

The purpose of this meeting is not to ask the Council to approve a lease or to make any final decisions. It is simply to get an update from the staff in a sunshine setting so that we could determine which direction the staff should be going in and have a discussion amongst ourselves. The management has advised that anyone who contacts the Clerk and so requests, will receive a complete package on any communication from anyone who has requested to lease or sell us land for a new government complex. My assistant contacted the Council in advance of the selection of this date to make sure that everyone's schedule was accommodated, and the management also indicated that this date was open for them as well.



*Town of Miami Lakes*

Office of Town Clerk  
15700 NW 67<sup>th</sup> Ave  
Miami Lakes, Florida 33014

**ITEM 5 B**

**RESOLUTION NO. 10-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF MIAMI LAKES, FLORIDA;  
PROCLAIMING THE MONTH OF APRIL AS  
“CIVILITY MONTH” AND ADOPTING A PLEDGE  
OF CIVILITY WITHIN THE TOWN; PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS,** The open exchange of public discourse is essential to the democratic system of government; and

**WHEREAS,** The Town of Miami Lakes wishes to promote respect for the right of all to express their opinion, while also respecting the rights of others to do the same;

**WHEREAS,** as a cornerstone of democracy, Americans have observed certain rules of behavior generally known as civility; and

**WHEREAS,** it is important to promote civility and decorum for all citizens and elected officials; and

**WHEREAS,** written, verbal and electronic displays of anger, rudeness, ridicule, impatience, lack of respect, and personal attacks detract from the open exchange of ideas, can prevent fair discussion of the issues and can discourage individuals from participation in government; and

**WHEREAS,** civility and respect for all citizens is an important goal to be promoted by the Town Council; and

**WHEREAS,** the Town Council wishes to show leadership in civility which can uplift our daily life and make it more pleasant to live in an organized society;

**WHEREAS,** setting an example for our children by engaging in civility on a voluntary basis in no way discourages open debate, but in fact encourages more debate;

**WHEREAS,** naming one month civility month serves as a reminder to engage in civility on an ongoing basis;

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

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

**Section 2. Designation of "Civility Month".** The month of April 2010 shall be designated as "Miami Lakes Civility Month" and a Pledge of Civility shall be adopted.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2010.

Motion to adopt by \_\_\_\_\_, second by \_\_\_\_\_.

FINAL VOTE AT ADOPTION

|                                |       |
|--------------------------------|-------|
| Mayor Michael Pizzi            | _____ |
| Vice Mayor Nick Perdomo        | _____ |
| Councilmember Mary Collins     | _____ |
| Councilmember George Lopez     | _____ |
| Councilmember Robert Meador II | _____ |
| Councilmember Richard Pulido   | _____ |
| Councilmember Nancy Simon      | _____ |

\_\_\_\_\_  
Michael Pizzi  
MAYOR

ATTEST:

\_\_\_\_\_  
Marjorie Tejeda  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

\_\_\_\_\_  
Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L.  
TOWN ATTORNEY



*Town of Miami Lakes*

Office of Town Clerk  
15700 NW 67<sup>th</sup> Ave  
Miami Lakes, Florida 33014

**ITEM 5 C**



**RESOLUTION NO. 10-**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING PROPOSED HOUSE BILL 577, AS YET UNTITLED, TO PROVIDE FOR ADDITIONAL NOTICE REQUIREMENTS BY THE APPLICANT FOR PROPOSED COMMUNITY RESIDENTIAL HOMES WITH LESS THAN SIX (6) RESIDENTS AND RECOMMENDING ADDITIONAL COORDINATION WITH REGULATORY AGENCIES AND LOCAL GOVERNMENTS IN THE MONITORING OF SUCH FACILITIES; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THIS RESOLUTION; DIRECTING THE STATE LOBBYIST TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes currently supersede local zoning regulations regarding the siting, location and regulation of community residential homes in single-family zoning districts; and

**WHEREAS**, pursuant to Chapter 419.001 F.S., currently an applicant for a community residential home with less than six (6) residents does not have to comply with the notification provisions of Chapter 419.001; and

**WHEREAS**, currently an applicant for a community residential home with less than six (6) residents is not required to notice the local government until occupancy of the facility; and

**WHEREAS**, pursuant to Florida Administrative Code (FAC) 58A-5.033 the State agency responsible for licensing an Assisted Living Facility (ALF) is required to inspect an ALF under eight (8) specific circumstances but is not required to provide copies of the inspections to the local government wherein the facilities are located; and

**WHEREAS**, pursuant to FAC 58A-5.026 the operator or sponsoring agency of an ALF is required to submit an emergency management plan (which also indicates the number of residents to be cared for) to the local county emergency management agency prior to licensure

(and reviewed annually) but the local county emergency management agency is not required to provide copies of the emergency management plan to the local government wherein the facility is located; and

**WHEREAS**, pursuant to FAC 58A-5.023 the local county health department shall inspect an ALF annually to determine if the ALF meets all of the physical plant standards enumerated in the Administrative Code but the local county health department is not required to provide copies of the inspections to the local government wherein the facility is located; and

**WHEREAS**, House Bill 577 has been proposed to require additional notice requirements for community residential homes with less than six (6) residents; and

**WHEREAS**, the Town Council supports the revision of the Florida Statutes to require applicants for community residential homes with less than six (6) residents to notify the local government of its intent to establish operations; and

**WHEREAS**, the Town Council finds that the lack of notification by community residential homes with less than six (6) residents to the Town may result in conditions where such community residential homes end up being located closer to each other than the minimum distance allowed under State law; and

**WHEREAS**, the Town Council finds that the inadvertent location of community residential homes closer to each other than the minimum distance allowed under State law would have an adverse effect on the public health, safety and welfare of the community; and

**WHEREAS**, the Town Council finds that it is in the best interests of the residents of the Town to support the proposed House Bill 577, amending section 419.001 of the Florida Statutes; and

**WHEREAS**, the Town Council finds that it is in the best interests of the residents of the Town including the residents of ALF and community residential homes located within the Town, to increase coordination between local governments and various regulatory agencies.

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

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

**Section 2.**     **Supporting Adoption of Legislation.** The Town Council requests the Florida State Legislature approve HB 577 and further, in order to protect the residents of ALF's and community residential homes, that the Legislature amend the proposed legislation to:

1. Require State licensing agencies to provide a copy of each inspection report of an ALF/community residential home, for any reason, to the executive officer of the local government wherein the facility is located.
2. Require the county emergency management agency to provide a copy of each emergency management plan for an ALF/community residential home to the executive officer of the local government wherein the facility is located, prior to licensure.
3. Require the county health department to provide a copy of each inspection of an ALF/community residential home with regard to maintaining the required physical plant standards to the executive officer of the local government wherein the facility is located.

4. Authorize local governments to review and enforce the state mandated physical plant standards for ALF/community residential homes.

**Section 3.**     **Authorization of Town Manager.** The Town Manager and/or his designee are authorized to coordinate with the Town's State Lobbyist to draft proposed amendments to HB 577 achieving the goals set forth herein.

**Section 4.**     **Direction to Lobbyist.** The Town's State Lobbyist is hereby directed to work to affect amendment and approval of HB 577 as directed herein.

**Section 5.**     **Transmittal.** The Town Clerk is directed to forward a certified copy of this Resolution together with the proposed language developed by staff and the Town's lobbyist implementing the directives herein, to the Town's State Representative.

**Section 6.**     **Effective Date.** This Resolution shall become effective immediately upon adoption.

**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Motion to adopt by \_\_\_\_\_, second by \_\_\_\_\_.

FINAL VOTE AT ADOPTION

|                                |       |
|--------------------------------|-------|
| Mayor Michael Pizzi            | _____ |
| Vice Mayor Nick Perdomo        | _____ |
| Councilmember Mary Collins     | _____ |
| Councilmember George Lopez     | _____ |
| Councilmember Robert Meador II | _____ |
| Councilmember Richard Pulido   | _____ |
| Councilmember Nancy Simon      | _____ |

\_\_\_\_\_  
Michael Pizzi  
MAYOR

ATTEST:

\_\_\_\_\_  
Marjorie Tejeda  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

\_\_\_\_\_  
Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A.  
TOWN ATTORNEY