

MINUTES
Workshop on Short-Term Vacation Rentals
September 23, 2021
7:00 P.M.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

The meeting was called to order at 7:09 p.m.

Present at the workshop were: Councilmembers Tony Fernandez, Marilyn Ruano, Josh Dieguez, and Vice Mayor Collazo.

Present at the workshop virtually were: Councilmember Jeffery Rodriguez and Mayor Cid.

Also present at the workshop were: Town Attorney Raul Gastesi; Deputy Town Attorney Lorenzo Cobiella; Town Manager Edward Pidermann; Town Clerk Gina Inguanzo; Town Planner Susana Alonso

2. MOMENT OF SILENCE:

None.

3. PLEDGE OF ALLEGIANCE:

None.

4. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed during public meetings.

Mr. Eddie Blanco came to the Workshop and participated in in-person public comments. His main concern on the vacation rentals is about property inspections. He believes issues such as noise complaints and parking are covered by ordinances that are already in place. Therefore, he states the main issue is about code enforcement and whether the homeowner can prove they no longer live in the household. Mr. Blanco's concerns relate to safety concerns and compliance.

Ms. Danielle Blake came to the Workshop and participated in in-person public comments. She came to share some information about realty and private property rights. She mentioned that as a realtor representing others, the inside home inspections should be removed from the proposal due to private property rights.

5. ITEMS FOR DISCUSSION OR ACTION:

A. Short-Term Vacation Rentals (Fernandez)

Councilmember Fernandez presented this item and explained that the intent of this item is to regulate property's that people want to use as short-term vacation rentals through platforms like Airbnb.

Town Planner, Susana Alonso introduced Mr. John Brier who created a presentation to provide clarity and a find common ground on this topic. Mr. Brier went on to explain what short-term rentals are and the effects associated with it. Deputy Town Attorney, Lorenzo Cobiella explained the regulations and legal framework behind these short-term vacation rentals. Mr. Cobiella, Mr. Brier, and Ms. Alonso answered questions on this item posed by the council.

Councilmember Fernandez stated the reasoning for bringing this item up now is because he believes this is the right time to set rules and regulations before the state preempts the town from doing so. He thinks the town can go without contemplating their own inspections and the state one would be sufficient.

Councilmember Dieguez stated in the ordinance as presented, one of the issues he has is with the requirement put on the owners to reply within 2 hours of notification. He believes most issues may relate to parties or parking and that does not require immediate attention from the owners. He suggests it be a 24-hour response time rather than 2 and Councilmember Fernandez believes that is fair to change.

Councilmember Dieguez also pointed out a provision that would've held the renter accountable for violations of setback requirements and he feels as though that is the owner's problem. Council and staff discussed back and forth how they interpreted that section and how it should be edited.

Councilmember Dieguez then brought up the minimum vacation rental lease agreement wording and asked what that provision is meant to achieve because it is a bit vague. Mr. Cobiella suggested striking out the redundant and vague pieces of the ordinance and bringing a cleaner version in second reading.

Susana Alonso suggested removing the language of the ordinance and merge it with the other sample ordinance to make it more concise. Councilmember Ruano asked does the sample have anything to be included in the lease agreement and Ms. Alonso replied no. Councilmember Ruano then stated all of this has value because some people may not know what is customary in the Town. Councilmember Dieguez then stated it should be removed because it could become redundant if they are already providing a sheet with the rules and information.

The Council and staff then discussed situations regarding registering property and the approval of HOAs.

Councilmember Dieguez then asked questions regarding language in another section of the ordinance about sex offender regulations. Mr. Cobiella and Ms. Alonso were able to answer them.

Councilmember Dieguez and Councilmember Fernandez discussed amending the section that states the responsible party on file is a natural person in order to allow entities to also be responsible parties. Councilmember Ruano stated it is best to be filed as a natural person to avoid companies from making this a commercial movement opportunity.

Vice Mayor Collazo asked what will the Town do towards those individuals that are repeat offenders bringing bad elements to the neighborhood because he doesn't see enough teeth in the ordinance. Town Manager Ed Pidermann stated the extreme measure would be to take it to the attorney's office to create code enforcement liens on the property.

Councilmember Fernandez asked the legal opinion on the scenario of providing proof relinquishing homestead exemption. Mr. Cobiella stated he would need to look into that situation.

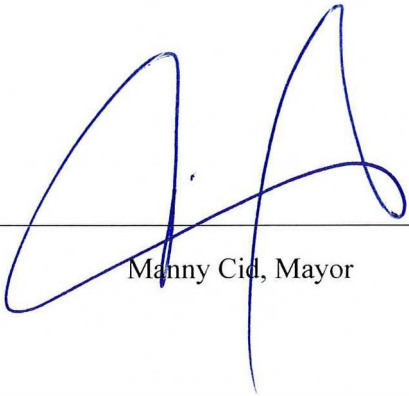
Councilmember Fernandez and Vice Mayor Collazo opened the floor to those in the public wishing to speak.

Mr. Eddie Blanco came up to speak and stated his concern regards the provisions of the lease because in Airbnb there are no leases to be enforced. He suggested there be no lease and Councilmember Ruano stated maybe it shouldn't be named lease agreement and maybe called rental terms instead. Mr. Blanco also feels the landlord should be responsible and not the tenant. Councilmember Ruano agrees that the owner should be responsible seeing as the tenant is paying a security deposit and can't be held responsible for much more.

Councilmember Fernandez added closing remarks towards this ordinance.

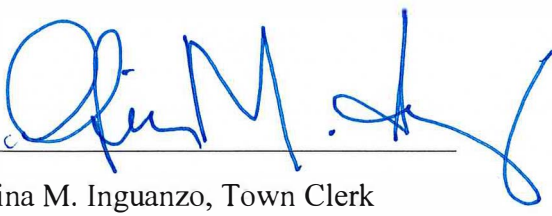
6. ADJOURNMENT:

This meeting was adjourned at 8:51 pm



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk