

RESOLUTION NO. 11-921

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE STATE TO LIMIT ASSISTED LIVING FACILITIES (ALF'S) IN RESIDENTIAL AREAS AND TO ADOPT MORE STRINGENT REGULATION AND PROVIDE NOTICE TO LOCAL GOVERNMENTS/MUNICIPALITIES OF VIOLATIONS BY ALF'S IN THEIR JURISDICTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Florida Administrative Code (FAC) 58A-5.033, the State agency responsible for licensing Assisted Living Facilities 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 license (and to be reviewed annually); however, the local county emergency management agency is not required to provide copies of the emergency management plan to the local government or municipality; and

WHEREAS, the Town Council requests the State to limit the number of Assisted Living Facilities in residential areas and urges the State to adopt more stringent regulations of ALF'S for the protection of their residents, and to provide notice to local governments/municipalities of violations by ALFs in their jurisdiction.

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 incorporated herein by this reference.

Section 2. Direction to Lobbyist. The Town's State Lobbyist is hereby directed to work in support of the goals set forth herein.

Section 3. Transmittal. The Town Clerk is directed to forward a copy of this Resolution to all State Legislators representing the Town.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13 day of Sept., 2011.

Motion to adopt by Mayor Pizzi, second by Councilmember Collins.

FINAL VOTE AT ADOPTION

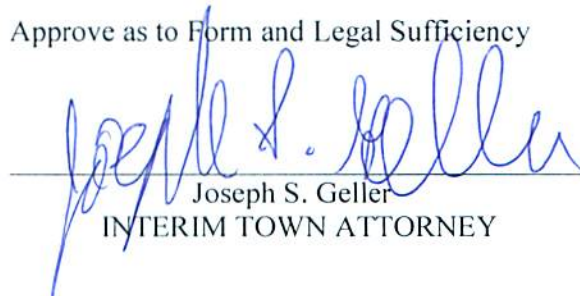
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Nick Perdomo	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>


Michael Pizzi
MAYOR

Attest:


Majorie Tejeda
TOWN CLERK

Approve as to Form and Legal Sufficiency


Joseph S. Geller
INTERIM TOWN ATTORNEY