

RESOLUTION NO. 25-2151

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, IN SUPPORT OF STATE REPRESENTATIVE TOM FABRICIO'S EFFORTS TO ADDRESS THE DEVASTATING EFFECTS OF ROCKMINE BLASTING ON RESIDENTS HOMES; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2019, the Town of Miami Lakes (the "Town") via Resolution 2018-1567 created the Blasting Advisory Board (BAB); and

WHEREAS, rock mine blasting has caused property damage to residential, commercial, public property and infrastructure; and

WHEREAS, Florida Statute § 552.36 prevents affected property owners from seeking relief through the State's Courts and eliminates their right to have their cases heard by a jury by forcing homeowners to file and submit their claims through the Division of Administrative hearings, and significantly restricts property owners due process rights by establishing an onerous six (6) month limitation on the presentation of claims; and

WHEREAS, the limitations imposed by Florida Statute § 552.36 are violative of residents constitutional rights provided by the U.S. and Florida Constitutions; and

WHEREAS, Representative Tom Fabricio has consistently been the Town's strongest advocate for the affected property owners, and during the past several years has authored numerous legislation aimed at providing relief to the victims of rock mine blasting;

WHEREAS, Senator Bryan Avila, has also consistently been a strong advocate for affected property owners, and during the past several years has authored numerous legislation aimed at providing relief to the victims of rock mine blasting;

WHEREAS, recently, Representative Tom Fabricio has filed House Bill 115, that if passed would reform the existing administrative process, provide for an expanded two year limitation on claims and establish a compensation fund that would allow affected property owners to obtain monetary relief for damages caused to their property;

WHEREAS, recently, Senator Bryan Avila, has filed Senate Bill 416, that if passed would reform the existing administrative process, provide for an expanded two year limitation on claims and establish a compensation fund that would allow affected property owners to obtain monetary relief for damages caused to their property; and

WHEREAS, while the HB 115 and SB 416 does not address property owners fundamental rights to seek redress of their claims through Florida Courts, it does however provide an attainable and non-adversarial avenue for property owners to obtain financial relief that has been otherwise denied by the current statutory framework of Florida Statute § 552.36; and

WHEREAS, the Town Council supports Representative Tom Fabricio and Senator Bryan Avila's efforts to provide immediate and attainable relief to Town property owners affected by the devastating effects of rock mine blasting.

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. Support of Representative Tom Fabricio's Efforts to Provide Relief to Victims of Rock Mine Blasting. The Mayor and Town Council hereby declare their support to State Representative Tom Fabricio's and Senator Bryan Avila's advocacy and efforts in passing meaningful legislation to provide relief to property owners victimized by the effects of rock mine blasting.

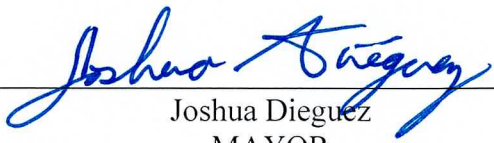
Section 3. **Authorization of Town Officials.** The Town's Clerk is hereby authored to send a copy of this Resolution to all interested persons.

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

Passed and adopted this 18th day of November 2025.

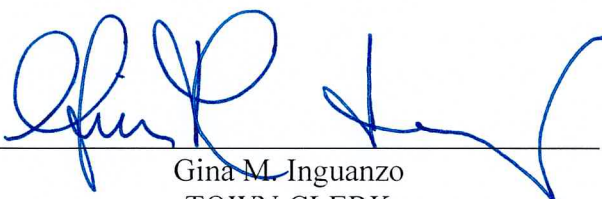
The foregoing resolution was offered by Councilmember Herzberg who moved its adoption. The motion was seconded by Vice Mayor Morera and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes



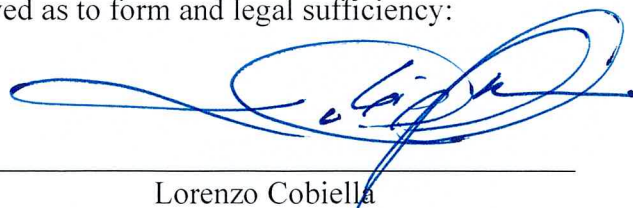
Joshua Dieguez
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Lorenzo Cobiella
Gastesi, Lopez, Mestre, and Cobiella, PLLC
DEPUTY TOWN ATTORNEY